



City Council

Mayor: Chris Emerick
Mayor Pro-Tem: Sandy Szeliga
Council: Dan Elliott
Sean Duffy
Matt Hildebrand
City Clerk: Kathy Fiebig
City Manager: Sarah Dvoracek

City of Evart
5814 100th Avenue
Evart, MI 49631
(231) 734-2181

Sarah Dvoracek
c: (231) 580-6516

www.evart.org

CITY OF EVART REGULAR VIRTUAL COUNCIL MEETING AGENDA Tuesday, February 16, 2021 @ 8:00PM

Before each regular virtual council meeting there will be a standing pre-council work session from 7:30PM to 8:00PM. Steps for accessing Zoom follow the Agenda.

1. Call to Order: 8:00PM
2. Roll Call
3. Citizens' Comments – *limited to 3-4 minutes per individual*
4. Approval of Agenda
5. Consent Agenda

The purpose of the Consent Agenda is to expedite business by grouping non-controversial items together to be dealt with by one Board motion (roll-call vote) without discussion. Any person, whether Board Member, staff or public may ask that item be removed from the Consent Agenda to be placed elsewhere on the regular agenda for discussion. All such requests will be granted.

 - B. Regular Virtual Council Minutes – February 1, 2021
 - C. Planning Commission Minutes – December 28, 2020
 - D. Special Planning Commission Minutes – February 3, 2021
 - E. Vendor's List \$33,825.35
6. Unfinished Business
 - F. Draft Ordinance – Housing Code (*Public Hearing March 22, 2021 @ 6:30 pm*)
 - G. Riverside Park Improvements (*postpone*)
 - H. Appointments to Boards and Commissions
7. New Business

Items for Action:

 - I. City Assessor 2021 Assessment Roll Presentation – David Kirwin
 - J. Requesting Approval of the Planning Commission 2020 Annual Report
 - K. Requesting Approval of Strategic Plan and Goals for 2021
 - L. Requesting Approval of the Evart Historic District Commission Bylaws
 - M. Requesting Approval of Resolution 2021-02 – Creating and Adopting a Budget for the Evart Historic District Commission
 - N. Requesting Approval of Point Broadband's Metro Act Permit Application

- 8. Department/Informational Reports (No Action Needed)**
 - O.** Accounts Payable Report (2/2/2021 – 2/16/2021)
 - P.** Payroll Reports (2/2/2021 – 2/16/2021)
 - Q.** Summary of all Funds – January 2021
 - R.** Fire Department Minutes (January 11, 2021 & January 12, 2021)
- 9. City Attorney Report/Comment**
- 10. City Clerk Report/Comment**
- 11. City Manager Report/Comment**
 - S.** City Manager Monthly Report – January 2021
 - T.** Board of Review Training 2021 – FYI
- 12. Finance Director Report/Comment**
 - U.** Finance Director's Monthly Report – January 2021
- 13. Department of Public Works Report/Comment**
 - V.** DPW Monthly Report – January 2021
 - W.** RCB Contracting Evaluation
- 14. Police Department Report/Comment**
 - X.** Police Department Monthly Report – January 2021
- 15. Downtown Development Authority Report/Comment**
- 16. Citizens' Comments** – *limited to 3-4 minutes per individual*
- 17. Adjournment**

Documents to be signed after council meeting:

Resolution 2021-02: Creating and Adopting a Budget for the Evert Historic District Commission

Zoom Virtual Meeting: How to Join In

Join Using a Link

1. Open your web browser
2. Type in the url:

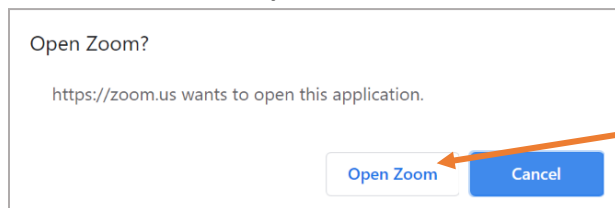
To be announced the day of the council meeting

This will open the meeting prompt loading page for the meeting

Entering the Meeting

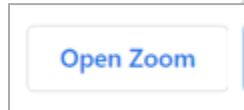
Once you have accessed the meeting using your web browser

1. You will be asked to **Open Zoom**

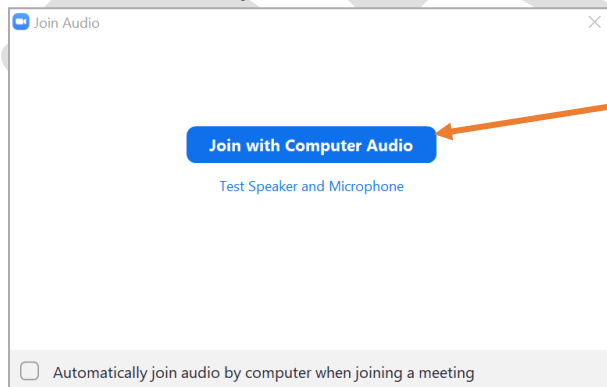


The language of this pop up notification may be different depending on your browser

2. Click **Open Zoom**



3. Click **Join with Computer Audio**



- a. You can test the audio before joining by clicking **Test Speaker and Microphone**

You are now in the meeting. If you join prior to the start time you will be in a digital waiting room. Five minutes prior to the start of the meeting, the moderator will grant you access.

Join via Phone

1. On your phone, dial the teleconferencing number provided in your invite Dial **1-888-788-0099**
2. Enter the **Meeting ID** number when prompted using your key/dial pad **Meeting Id: to be announced**

You will be prompted to enter your unique participant ID. This only applies if you have joined on the computer or mobile device or are a panelist in a webinar. **Press #** to skip.

You are now in the meeting. If you join prior to the start time you will put on hold. Five minutes prior to the start of the meeting, the moderator will grant you access.

To Participate in Public Commentary

Viewing via URL link

- For those watching our virtual meeting on their device, if you wish to ask a question or make a statement, please type your question in the Chat provided. It will then be read to the council.
- If you wish to speak a statement or question via your device's microphone or audio, please indicate so in the chat window. The moderator will unmute your audio when it is your turn to speak.
- Video questions, at this time, are not available.

Teleconferencing

- If you wish to speak during public comment please press *9 on your telephone keypad, which will alert the moderator of your desire to speak.
- Please ensure you are in a quiet location and mute any video streams so all will be able to hear your comments.
- When it is your turn to speak, the moderator will identify you by the last four digits of your phone number.

**CITY OF EVART
REGULAR VIRTUAL COUNCIL MINUTES
Monday February 1, 2020 @ 8:00PM**

The meeting was called to order by Mayor Chris Emerick at 8:00pm.

Present (via roll call): Sean Duffy, City of Evart, Osceola County MI, attending remotely
Dan Elliott, City of Evart, Osceola County MI, attending remotely
Mayor Emerick, City of Evart, Osceola County MI, attending remotely
Matt Hildebrand, City of Evart, Osceola County MI, attending remotely
Sandy Szeliga, City of Evart, Osceola County MI, attending remotely

Present: City Manager Sarah Dvoracek, Assistant City Manager/Director of Public Works Mark Wilson, Finance Director/Treasurer Pepper Lockhart, Communications Director (Meeting Host) Melissa Rohen, Chief of Police John Beam, Downtown Development Director Eric Kehoe, City Attorney James White, City Clerk Kathy Fiebig

Guests (per Zoom ID): Scott, Janet, Evart Farmers Market, John, Ralph Carlson, Laurie Chase, Steve P Michigan, Lynn Salinas, Cathie Crew, Megan Erickson, Jason O'Dell, Roger Elkins, Janet's iPad

Citizens Comments: *Roger Elkins gave kudos to Dan Elliott, former LDFA director, for facilitating the purchase of the CSX right of way through Evart in the 90's which provided opportunities for industrial development as well as added recreation and cultural opportunities for all Evart residents.*

Approval of Agenda

Ms. Dvoracek requested that the Garden Club memo be added to the agenda following Item K. Motion by Mayor Emerick to approve the agenda with this addition. Support by Mr. Elliott. Motion passed with a roll call vote; all were in favor.

Approval of Consent Agenda

B. Regular Virtual Council Minutes – January 19, 2021

C. Strategic Planning Minutes – January 25, 2021

D. Vendor's List \$40,211.34

Motion by Mayor Emerick to approve the Consent Agenda as presented. Support by Mr. Hildebrand. Motion passed with a roll call vote; all were in favor.

Unfinished Business

E. Draft Ordinance – Housing Code

Ms. Dvoracek requested that council set a public hearing date to meet in conjunction with the board of directors of the Downtown Development Authority (DDA) to present this ordinance to city residents. She intends to invite all owners of rental properties and will reach out to tenants while still publicizing the meeting through all normal channels. The public hearing was tentatively scheduled for Monday, March 8th, pending availability of DDA board members.

F. Riverside Park Improvements – postponed

G. Noise Ordinance

Mr. White questioned Sec.26-79 (a)(4) regarding *blowers*, wondering if this would prohibit leaf blowers. Mr. Wilson explained that this is intended to regulate exhaust fans. Mr. Elliott suggested adding

language to allow emergency repairs after hours to Sec.26-79 (2), removing “hospitals” and “courthouses” from 3(c) and changing the last sentence of (8) to reflect that events would be approved by staff rather than by council. Motion by Mr. Hildebrand to approve the Noise Ordinance with these changes. Support by Mr. Elliott. Motion passed with a roll call vote; all were in favor.

New Business

H. Downtown Development Authority/Michigan Main Street Presentation -Eric Kehoe, Director
Mr. Kehoe did a PowerPoint presentation regarding the goals and benefits of the Michigan Main Street program and reviewed the DDA's 2021 work plan.

I. Approval of Standard Operating Procedures for Boards and Commissions – Policy #2021-01

Ms. Dvoracek believes that this policy will streamline the process of appointing citizen volunteers to City boards and commissions while improving transparency, education, and organization. Staff has been interviewing applicants for a couple of years now and providing handbooks which contain the public act, minutes, and ordinance. This policy will standardize that process. Mr. Hildebrand suggested adding templates for agendas and minutes. Motion by Mr. Duffy to approve Policy 2021-01 Standard Operating Procedures for Boards and Commissions. Support by Ms. Szeliga. Motion passed with a roll call vote; all were in favor.

J. Appointments for Boards and Commissions (Terms)

Ms. Fiebig has been researching current membership of all boards and commissions and has uncovered numerous inconsistencies. In some cases, there is no written record of a member being appointed. In others, members were appointed after someone resigned and were given a full term when city code specifies that such appointments fill out the remainder of the term. She suggested that all board and commission terms be tied to the calendar year and begin in January as we now have terms expiring throughout the year, based on appointment date. Mr. Hildebrand remarked that this could lead to council being overwhelmed in January trying to fill vacancies and suggested that vacancies on each board or commission be appointed in an assigned month each year. This would bring better order to the process without having to deal with all of it in January. Motion by Mr. Hildebrand to bring all current appointments up to date and standardize the process for all appointments and end terms. Support by Mr. Duffy. Motion passed with a roll call vote; all were in favor.

K. Proposed Policy Revisions for Evert Police Department

Due to recent federal grant eligibility changes the Evert Police Department had to apply for Department of Justice (DOJ) – Use of Force Certification. During that process Chief Beam was advised that the language in the departments Response to Resistance policy regarding choke holds and vascular restraint was not strong enough. He has revised the language to meet DOJ standards and it has been approved by the Michigan Chief's Association. Motion by Mr. Elliott to approve the Proposed Policy Revisions for Evert Police Department as presented. Support by Mr. Hildebrand. Motion passed with a roll call vote; all were in favor.

K.2 Evert Garden Club memo

Ms. Fiebig presented a budget and work plan for 2021 as the club would like to continue the partnership with the city. The club will continue to plant and maintain all bump out gardens along Main Street, will plant and maintain the library bed along US10 and will maintain Cant Hook Park. Mr. Wilson pointed out that the bump out drains must be addressed and that this should not be charged to the club as the problems are due to a design flaw. Council was in favor of moving forward to try to address the problems. Ms. Dvoracek advised council that the club has requested that the city address snow plowing damage and that the city is committed to doing so. Motion by Mr. Hildebrand to approve the garden club budget for 2021. Support by Mayor Emerick. Motion passed with a roll call vote; all were in favor.

Department/Informational Reports (No Action Needed)

L. Accounts Payable Report (1/20/2021 – 2/1 2021)

M. Payroll Reports (1/20/2021 0 2/1/2021)

N. Revenue & Expense Report – January 2021 (email 1/29/2021)

City Attorney Report/Comment

Mr. White addressed the request to remove a member of the Housing Commission. He believes it would be premature to take any action without the investigation and report from the parties responsible to do so. He is working with Ms. Dvoracek on a development agreement and he is reviewing the agreement with Point Broad Band.

City Clerk Report/Comment

O. Election Coordinating Committee Report for the Mecosta Osceola Intermediate School District (MOISD) – January 2021

City Manager Report/Comment

Ms. Dvoracek reminded council the due to Presidents' Day, the next meeting will be on Tuesday, February 16. The City Assessor will present his report and she stated that it's very positive. The economic development efforts are working and his data will back that up.

Finance Director Report/Comment – none

Department of Public Works Report/Comment – none

Police Department Report/Comment – none

Downtown Development Authority Report/Comment – none

Citizens' Comments: none

Motion by Mayor Emerick to adjourn. Support by Mr. Duffy. Motion passed with a roll call vote; all were in favor.

The meeting adjourned at 9:31pm.

Kathy Fiebig
City Clerk



Planning Commission

Monday, December 28th, 2020
5:30 pm
via Zoom

City of Evart
5814 100th Avenue
Evart, MI 49631

(231) 734-2181

www.evart.org

PLANNING COMMISSION-CITY OF EVART MEETING MINUTES FOR 12.28.2020

1. Public hearing called to order by Chairwoman Northon at 5:30PM.
2. Members Present: Sean Duffy, Mayor Christina Emerick, Karen Higgins, Ruth Ann Northon, Jason O'Dell, Jim Schwab...Members Absent: Rebecca Tea...Liaisons Present: Mark Wilson (Assistant City Manager/Zoning Administrator)...Liaisons Absent: Sarah Dvoracek (City Manager)....Other Attendees: 6 Members of the Public
3. Special Land Use Request...A special use permit application was been submitted by Brown & Bills Architects on behalf of LTO Holdings, LLC (owner) for the parcel at 901 W. 7th Street, Evart, Michigan 49631 (Parcel number: 67-51-150-003-01...former STAR Truck Rental site). The request is to operate a marihuana provisioning center and marihuana processor facility. Sue Kirby of Brown & Bills Architects and Jimmy Blaise of LTO Holdings, LLC answered several questions of members. Motion by Schwab, support by Duffy to approve the special use permit for LTO to operate a marihuana provisioning center and processing facility at 901 W. 7th Street. Roll Call Vote: Duffy-Y, Emerick-Y, Higgins-Y, Northon-Y, O'Dell-N, Schwab-Y....Motion Carried.

*****Public Hearing Closed at 5:52**

4. Regular meeting called to order by Chairwoman Northon at 5:53PM.
5. Citizens Comments - None
6. Approval of the Agenda
Chairwoman Northon added item "c. Addition of Ralph Carlson to the Planning Commission" to the "Items for Discussion" portion of the agenda.
Motion by O'Dell, support by Higgins to approve the amended agenda. Motion Carried.
7. Approval of the Minutes from the Planning Commission Meeting held on 10.26.2020
Motion by Higgins, support by Northon to approve the 10.26.2020 meeting minutes as presented. Motion carried.
6. 2021 Planning Commission Meeting Schedule
The schedule was reviewed by members. Chairwoman Northon reminded members to please call in and let everyone know of a potential meeting absence.
7. Items for Discussion
 - a. Ordinance Amendment-Marihuana Processing Facilities...discussion took place regarding the removal of such facilities from C-2. Members directed Zoning Administrator Wilson to begin the process of amending the ordinance for placement only in I-2.
 - b. Temporary Fences...discussion took place regarding temporary fences as they pertain to temporary pools due to the codification process that is underway. The current ordinance was reviewed by members and it was found to address temporary fencing. Consensus from the discussion determined that temporary fencing was not required as it pertains to temporary pools.

(EPC Meeting Meeting Minutes 12.28.2020...Continued from Page One)

c. Addition of Ralph Carlson to Planning Commission...discussion took place regarding the addition of Mr. Carlson to fill the current vacant member position. Motion by Northon, support by Duffy to recommend Ralph Carlson to the Evert City Council for placement on the commission. Motion carried. Discussion also took place regarding the renewal of Jason O'Dell as a continuing member of the commission. Motion by Duffy, support by Emerick to recommend Jason O'Dell to the Evert City Council for continuing as a commission member. Motion carried.

d. Additional mention by Zoning Administrator Wilson of an update regarding the Lake/Osceola State Bank project. An administrative review of the permit has taken place and everything is in proper order for moving forward.

8. Citizens Comments - None

9. Adjournment...Motion by Higgins, support by Emerick. Motion carried.

CITY OF EVART

SPECIAL PLANNING COMMISSION MEETING VIA ZOOM

February 3, 2021

Meeting was called to order at 5:32 p.m. by Chair Ruth Ann Northon

Board Members Present: Ruth Ann Northon, attending remotely from City of Evart, Osceola County, State of Michigan, Jim Schwab, attending remotely from City of Evart, Osceola County, State of Michigan, Chris Emerick, attending remotely from Evart, Osceola County, State of Michigan, and Jason O'Dell, attending remotely from LeRoy Township, Osceola County, State of Michigan

City Staff Present: Mark Wilson, Sarah Dvoracek (acting secretary)

Absent: Becky Tea, Karen Higgins, Sean Duffy

Guests: na

Citizens Comments: na

Approval of the Agenda. Motion by Emerick, seconded by O'Dell to approve the agenda as presented. Roll call vote all yeas, motion passed.

Approval of the 2020 Annual Planning Commission Report. Motion by O'Dell seconded by Emerick to approve 2020 Annual Planning Commission Report. Roll call vote all yeas, motion passed.

Citizens Comments: na

Motion by Emerick, seconded by Misner to adjourn meeting at 5:40 pm.

Respectfully submitted by:



Sarah Dvoracek

2/3/2021

02/12/2021 11:08 AM
User: JENNIE
DB: CITY OF EVART

CHECK REGISTER FOR CITY OF EVART
CHECK DATE FROM 02/02/2021 - 02/16/2021

Page: 1/1

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 751 VENDOR					
02/03/2021	751	516 (A)	2048	SWIFT ECKERT, TERESA	80.00
02/04/2021	751	38280	MISC	RUTH, SHAWN	100.61
02/09/2021	751	38281	MISC	DEWITT REAL STATE 2 LLC	103.56
02/10/2021	751	517 (A)	328	CHARTER/SPECTRUM	755.80
02/15/2021	751	526 (E)	1827	FIRST BANKCARD	1,712.02
02/15/2021	751	527 (E)	1043	LINGO	209.23
02/16/2021	751	38282	1121	BUDS POLICE SUPPLY	536.50
02/16/2021	751	38283	0028	CITY OF EVART	1,210.42
02/16/2021	751	38284	0024	CONSUMERS ENERGY	6,995.19
02/16/2021	751	38285	1766	EVART PARTS PLUS	117.26
02/16/2021	751	38286	1211	FASTENAL COMPANY	45.72
02/16/2021	751	38287	0677	HOMETOWN HARDWARE	96.79
02/16/2021	751	38288	1120	IN STOCK MARKETING SERVICES	35.00
02/16/2021	751	38289	0876	INTEGRITY BUSINESS SOLUTIONS	22.73
02/16/2021	751	38290	1119	KUBE PROPANE, LLC	491.59
02/16/2021	751	38291	1723	LCM SURVEYING AND ENGINEERING	850.00
02/16/2021	751	38292	723	MEDLER ELECTRONIC CO	68.25
02/16/2021	751	38293	1983	NORTHERN PUMP& WELL	2,035.00
02/16/2021	751	38294	0229	OSCEOLA COUNTY TREASURER	5.07
02/16/2021	751	38295	0255	PIONEER GROUP	58.70
02/16/2021	751	38296	796	RCB CONTRACTING	3,833.33
02/16/2021	751	38297	1806	REPUBLIC SERVICES #239	9,764.21
02/16/2021	751	38298	2035	SINGLESOURCE	105.85
02/16/2021	751	38299	0129	SMITH LUMBER CO	365.39
02/16/2021	751	38300	2004	STATE OF MICHIGAN	250.00
02/16/2021	751	38301	1736	TRUCK AND TRAILER SPECIALTIES	211.52
02/16/2021	751	38302	0145	US POST OFFICE	0.62
02/16/2021	751	38303	0776	WIELAND TRUCK CENTER-CLARE	317.95
02/16/2021	751	519 (A)	1456	AMERICAN SPECIALTY PRODUCTS	609.64
02/16/2021	751	520 (A)	0935	CROSSROADS TESTING SERVICES	200.00
02/16/2021	751	521 (A)	921	DRUG SCREEN PLUS	45.00
02/16/2021	751	522 (A)	1757	MAURER'S TEXTILE RENTAL	312.40
02/16/2021	751	523 (A)	1069	PEPPER LOCKHART	29.00
02/16/2021	751	524 (A)	1730	SCOTLAND OIL COMPANY, INC.	1,629.40
02/16/2021	751	525 (A)	0740	USA BLUE BOOK	568.61
02/16/2021	751	528 (A)	314	PATRICK MCCLURE	52.99

751 TOTALS:

Total of 36 Checks:	33,825.35
Less 0 Void Checks:	0.00
Total of 36 Disbursements:	33,825.35

AGENDA REPORT

To: Honorable Mayor Emerick and Council Members
From: Kathy Fiebig, City Clerk
Date: February 8, 2021
Re: Appointments to Boards and Commissions

For the Agenda of February 16, 2021

Background: At the regular virtual council meeting on February 1, 2021, council agreed by adopted motion to reappoint those currently serving on a board or commission when written documentation of their previous appointment cannot be found. Attachment #1 shows those in need of being reappointed.

Council also agreed to standardize appointments, assigning a specific month to each board or commission. Attachment #2 does so.

Issues and Questions Specified: This ensures that everyone serving on a Board or Commission for City of Evert has been duly appointed. Standardizing dates of appointment will make upcoming vacancies easier to track while spreading the search for replacements throughout the calendar year.

Alternatives:

1. Do nothing.

Financial Impact:

None.

Recommendation:

I recommend that council reappoint all members as specified in Attachment #1 and approve Attachment #2.

Attachments:

1. Members of boards and commissions with no record of appointment
2. Boards and Commissions month of appointment

**APPOINTMENTS TO BOARDS AND COMMISSIONS
ATTACHMENT #1**

**CITY OF EVART
APPOINTMENTS TO COMMISSIONS**

Downtown Development Authority Term Expires

Shannon Schmidt	2021
Jason O'Dell	2021

Housing Commission Term expires

Keith Halifax	2022
Donald Maddern	2023
Mary Hooper	2024
Joyce Huston	2025
Sandy Szeliga	2026

Planning Commission Term expires

Rebecca Tea	2020
Ruth Ann Northon	2020
Jason O'Dell	2021

APPOINTMENTS TO BOARDS AND COMMISSIONS
ATTACHMENT #2

CITY OF EVART
Schedule of Board and Commission Appointments

January:	Zoning Board of Appeals, Fire Board, Election Commission
February:	Housing Commission
March:	Pay Commission
April:	Board of Appeals
May:	Board of Review
June:	Cemetery Commission
July:	Downtown Development Authority
August:	Historic District Commission
September:	Planning Commission
October:	Library Board
November:	
December:	

AGENDA REPORT

To: Honorable Mayor Emerick & Council Members
From: Mark Wilson, Assistant City Manager
Date: February 10, 2021
Re: Requesting Approval of the Planning Commission 2020 Annual Report

For the Agenda of February 16, 2021

Background. Per the Michigan Planning Enabling Act, the Planning Commission shall prepare an annual report to the legislative body concerning its operations and activities related to planning and development.

Issues & Questions Specified. The City of Evert Planning Commission approved its 2020 annual report during a special meeting held on February 3, 2021 with recommendation the report be presented to city council for approval.

Alternatives. NA

Financial Impact. NA

Recommendation. I recommend city council approve the City of Evert Planning Commission's Annual Report for the year 2020

Attachments.

1. City of Evert Planning Commission 2020 Annual Report



HISTORIC
EVART

At Home. By Nature.

**City of Evart
Planning Commission
2020 Annual Report**

1. Introduction

The Planning Commission is a 9-member administrative body of seven appointed officials and two elected officials. There are also two city staff liaisons. The Planning Commission (PC) holds regular monthly meetings on the last Monday of the month. The Planning Commission is tasked with reviewing applications for site plan review, special land uses, planned unit developments, and rezoning. The PC also is required to hold the necessary public hearings for Zoning Text Amendments and is entrusted to incorporate the application of policies initiated in the City of Evert Master Plan while reviewing development decisions.

2. Purpose of the Annual Report

The Michigan Planning Enabling Act contains language of the requirement of the PC to prepare an annual report to the City Council: "A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development."

- Increases information-sharing between staff, the Planning Commission, and the governing body.
- Allows for anticipation of upcoming issues and priorities, in order to prepare and budget.

The City staff would like to thank all members of the Planning Commission for their hard work and dedication to the City. The Planning Commission has been tasked with some very difficult and complex reviews in 2020 and have a done a remarkable job.

3. Planning Commission Membership

Appointed: Ruth Ann Northon, Chairperson (*Administrative Review Committee*)

Appointed: Jason O'Dell, Recording Secretary

Appointed: Karen Higgins, Member

Appointed: Becky Tea, Member

Appointed: James Schwab, Member (*Administrative Review Committee*)

Appointed: Vacant

Appointed: Vacant

Elected Official: Chris Emerick, Mayor, ex officio Member

Elected Official: Sean Duffy, Councilmember, ex officio Member

2020 Former Elected Official: John Joyce, Mayor, ex officio Member

2020 Former Elected Official: Ralph Carlson, Councilmember, ex officio Member

City Staff: Sarah Dvoracek, City Manager, City Liaison to the Planning Commission

City Staff: Mark Wilson, Zoning Administrator, City Liaison to the Planning Commission

4. Meetings

(The Michigan Planning Enabling Act requires a minimum of four meetings annually) Typically, the City of Ewart Planning Commission meets monthly but due to COVID-19 this number was reduced to seven (7) times in 2020. This meets the requirements of the Michigan Planning Enabling Act.

5. Master plan review

The Commission has started to review the topics in need of update within the Master Plan. The Master Plan update process will continue into 2021. The areas of commercial district expansion, available industrial sites, Historic District overlay, and the Capital Improvement Plan all require updating.

6. Administrative Review Committee

To streamline the permitting process the Planning Commission implemented the Administrative Review Process in 2020. This process is permitted under section 7.2.1 of the Zoning Ordinance. The Administrative Review Committee currently includes Planning Commission Chairperson Ruth Ann Northon, Planning Commission Member James Schwab, and Zoning Administrator Mark Wilson. The Administrative Review Committee members should also be commended for quickly scheduling and meeting to review several applications and issues during 2020. It should be noted that incorporating the administrative review process in conjunction with a PC that understands the importance of fast-tracking the permit and review process is key to the Redevelopment Ready Community Certification.

7. 2020 Development Reviews

PROJECT TYPE	LOCATION	DESCRIPTION	STATUS	RECOMMENDATION TO LEGISLATIVE BODY	DATE OF APPLICATION
Accessory Structure 01.10.2020	904-1 N. Main Street	Antennae on Water Tower	Approved	n/a	1/10/2020
Accessory Building 03.11.2020	601 W. 7th Street	Permanent Carport	Approved	n/a	3/11/2020
New Building 03.17.2020	435 S. Main Street	New detached garage	Approved	n/a	3/17/2020
Site Plan / Special Use 03.10.2020	901 Main Street/ 110 Jefferson Street	Day Care Center	Approved with Conditions	Approve	3/10/2020
Fence 06.16.2020	346 S. Hemlock Street	Fence	Approved	n/a	6/16/2020
Fence 06.22.2020	901 Main Street	Fence	Approved	n/a	6/22/2020
Fence 07.07.2020	406 W. 6th Street	Fence	Approved	n/a	7/7/2020
Accessory Building 07.21.2020	602 N. Main Street	Carport	Approved	n/a	7/21/2020
Fence 08.10.2020	960 Evert Street	Fence	Approved	n/a	8/10/2020
Fence 08.10.2020	1018 N. Main Street	Fence	Approved	n/a	8/10/2020
Sign 08.15.2020	600 W. 7th Street	Sign / Lume	Approved	n/a	8/15/2020
Sign 08.20.2020	660 W. 7th Street	Sign / Wesco	Approved	n/a	8/20/2020
08.24.2020(1)	9741 S. Industrial Drive	Addition to Building	Approved with Conditions	n/a	8/24/2020
Variance Request 08.24.2020(2)	9741 S. Industrial Drive	Non-Use dimensional Variance	Approved	Approve	8/24/2020
Sign 09.03.2020	107 South Main Street	Sign / South Main Street Salon	Approved	n/a	9/3/2020
Driveway 10.05.2020	215 7th Street	Curb cut driveway	Approved	n/a	10/5/2020
Sign 10.23.2020	120 North Pine Street	Sign / Evert Dentistry	Approved	n/a	10/23/2020
Special Use 11.13.2020	901 W. 7th Street	Special Use	Approved	Approve	11/13/2020
Site Plan 12.10.2020	920 W. 7th Street	New Building	Approved	n/a	12/10/2020

8. Trainings Attended

Commission Chairperson Ruth Ann Northon, and commission member James Schwab should be praised for completing Citizen Planner certification in 2020.

The Citizen Planner Program is a six-week course. Each three-hour session includes lectures and hands-on learning exercises. The six sessions provide the fundamentals on roles, responsibilities and best practices for planning and zoning in Michigan.

This program helps planning commissioners develop a critical understanding of Planning and Zoning. Participants learn the legal sources and limitations of planning and zoning authority and explore their understanding of ethical decision-making.

It should be the goal of every municipality to have all PC members certified through the Michigan State University Extension Citizen Planner Program.

Zoning Administrator Mark Wilson completed certification in the MSU Zoning Administrator Certification Program. The Certified Zoning Administrator Program was designed to offer zoning administration techniques in ways that reduce legal risks to the zoning administrator and their community. Prerequisites include, holding a current Citizen Planner Certification as well as completion of eight (8) modules of instruction. Certification culminates with a rigorous exam covering all aspects of zoning administration.

9. Zoning Map

In 2020 with the addition of the GIS software, the zoning map now exists in an easily editable format within the city's GIS system (Figure 1 GIS Zoning Map). Overlays can be quickly added and removed from the map during live viewing. The city's published zoning map is included in this report as (figure 2 Published Zoning Map).

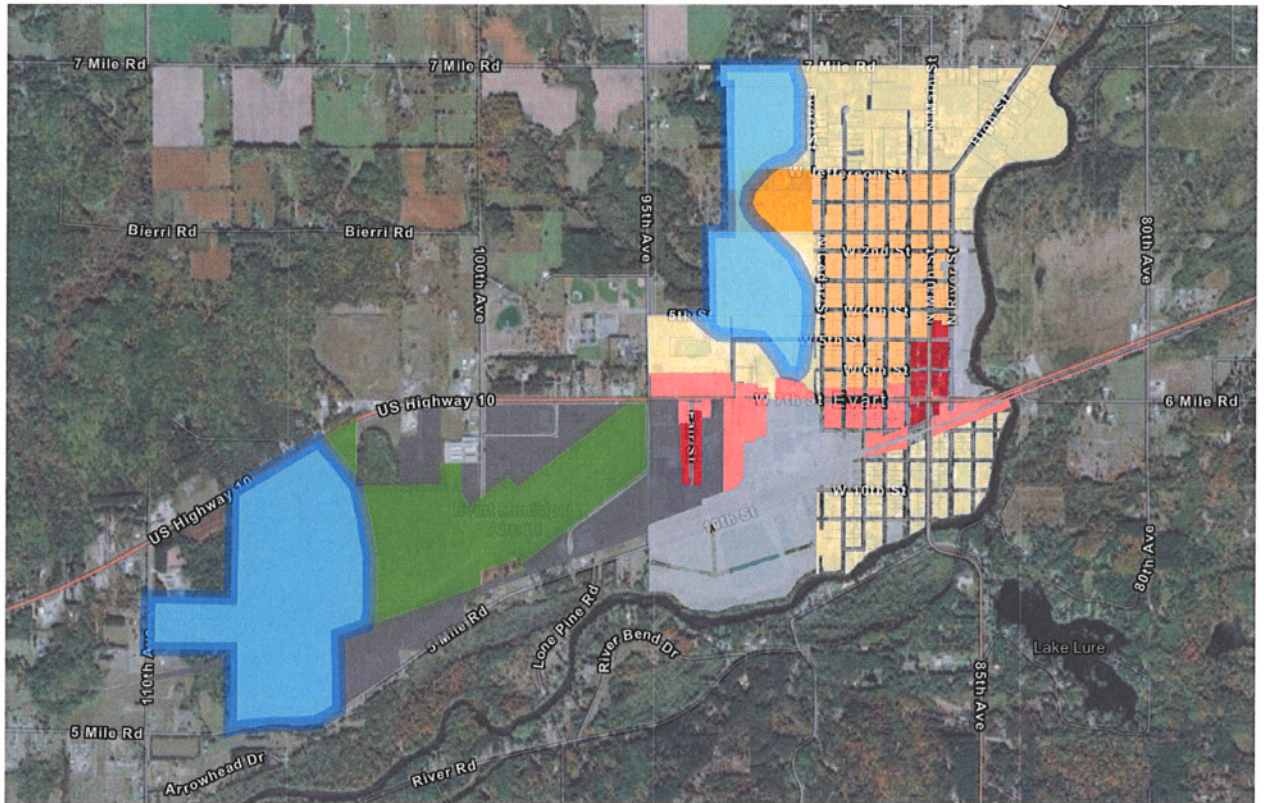


Figure 1 GIS Zoning Map

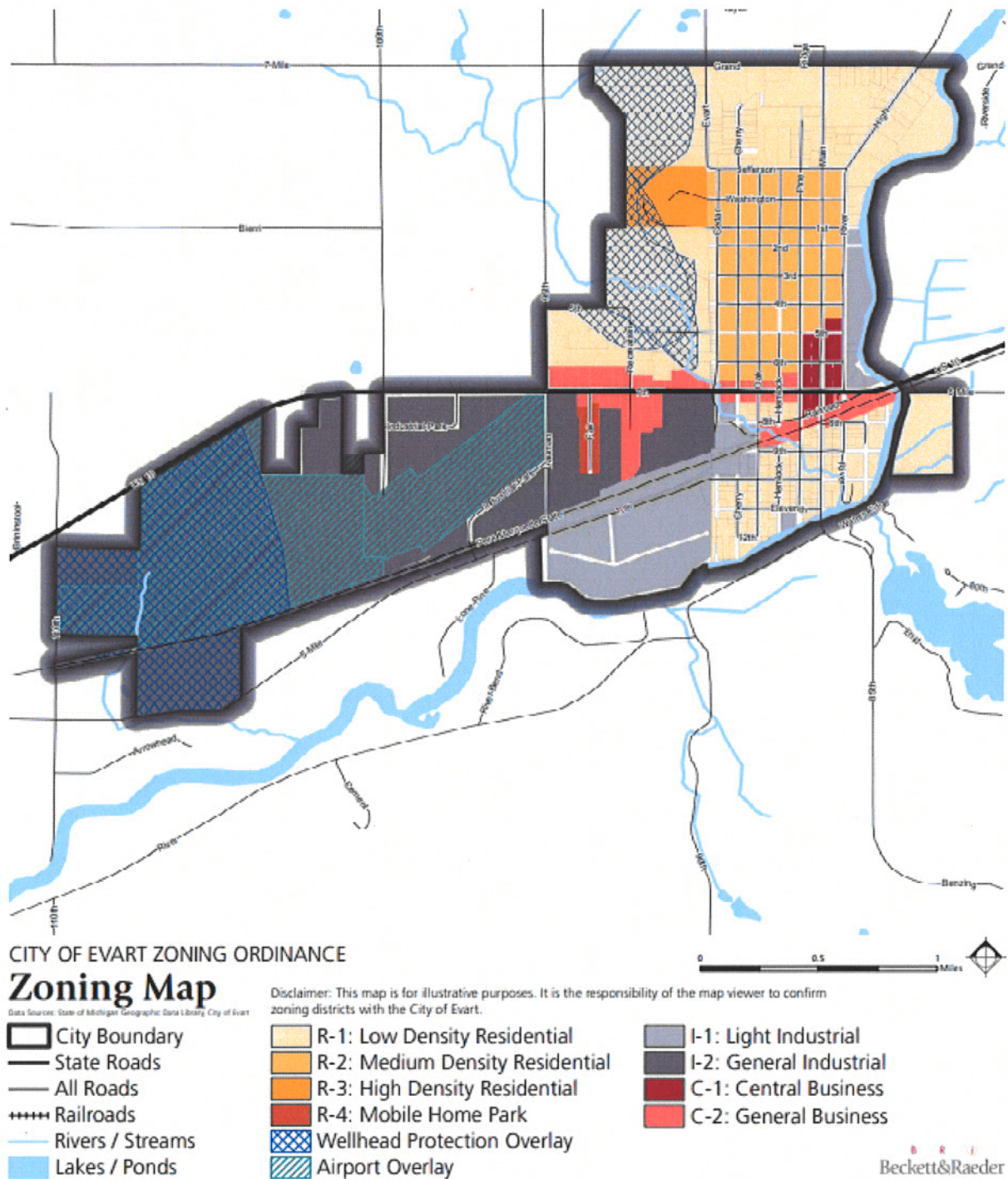


Figure 2 Published Zoning Map

AGENDA REPORT

To: Honorable Mayor Emerick & Council Members
From: Sarah Dvoracek, City Manager
Date: February 10, 2021
Re: Requesting Approval of Strategic Plan and Goals for 2021

For the Agenda of February 16, 2021

Background. On January 25, 2021, Evert City Council had a dedicated work session to discuss their strategic plan and goals for 2021. Council spent hours discussing the current visions of the city as well goals for the city's future.

Issues & Questions Specified. The attached document is the outcome of the meeting and discussion.

Alternatives.

1. na

Financial Impact. The goals listed in the strategic plan will be reflected in the 2021-2022 budget.

Recommendation. Please officially approve the strategic plan and one-year goals.

Attachments.

1. City Council's Strategic Plan and One-Year Goals for 2021



HISTORIC EVART

At Home. By Nature.

Evart City Council's Strategic Plan &
One-Year Goals for 2021

Adopted on February 16, 2021

Background

In December of 2019, the Mayor, City Council, City Manager, Department of Public Works Director and Police Chief met to discuss their ten-year and five-year vision for the city. This vision for 2025 and 2030 was developed, and then the group identified the four major goal areas needed to support their shared vision for 2025. They then identified key objectives and one-year tasks for each goal area to be accomplished in 2020.

In January each year, city council will review, modify, and create new visions and goals. Previous annual goals will be discussed and reflected on. Goals will be reviewed quarterly to track progress and report success.

Vision Tours

The Elected Leaders were asked to create a vision of what a visitor to the City of Evert would see in 2025 and 2030.

City council met on January 25, 2021, for a special workshop to discuss their strategic plan and goals for 2021. Council agreed to the previous 2025 and 2030 visions, no changes were requested.

2025 Vision

- **Redevelop Farmer's Market**
- **Quality family housing**
- **Community Center**
- **Trail way improvement and signage**
- **Continuing education - trades and skilled**
- **New and improved signage**

- Meet with industrial leaders
- Incubator space
- Strong code enforcement
- Housing code ordinance
- Increased home ownership
- City and Community event coordination (Farm Market)
- Airport fuel and hangers
- Development of Historic District and City Hall
- Restaurants

2030 Vision

- Be a destination city for recreation
- Remain an industrial area - expanded
- Quality family housing
- Education
- US 10 corridor commercial district development
- Unified economic development
- 70% single family home ownership

- Developed and funded airport
- Depot/community center/gathering place
- Recreation development

Key Objectives One Year Tasks for 2021

1. Complete certification as a Certified Local Government (CLG)
2. Complete certification as a Redevelopment Ready Community (RRC)
3. Develop city sign program (include maintenance and legacy plan) branding and wayfinding signage for all city assets
4. Request Planning Commission review all zoning maps, update the Master Plan and make recommendations to council regarding possible rezoning options, particularly along the US-10 corridor
5. Pass the Landlord/Tenant Ordinance & Establish a Building Board of Appeals
6. Complete a city-wide sidewalk inventory and condition assessment and create plan for replacements on most critical condition portions of sidewalk
7. Pursue preliminary engineering for capital improvement projects in order to be well positioned for grant funding
8. Research abandoning the campground at Riverside West while continuing primitive camping at Riverside East; consider repurposing all buildings at Riverside West and focusing more on recreation amenities there and needed improvements

Lingering Goals from 2020...

Water Meters Replacement Installation Spring 2021

Recodification of City Ordinances Spring 2021

Utility Rate Study Spring 2021

AGENDA REPORT

To: Honorable Mayor Emerick & Council Members
From: Sarah Dvoracek, City Manager
Date: February 10, 2021
Re: Requesting Approval of the Evert Historic District Commission Bylaws

For the Agenda of February 16, 2021

Background. In 2019 and 2020, the city council appointed five commissioners to the Historic District Commission. The commission's first task was to create bylaws this was completed in the fall of 2020. But to comply with the State Historic Preservation Office (SHPO) Certified Local Government certification, the city council has to approve the bylaws.

Issues & Questions Specified. Our Historic District Commission had a special meeting on Wednesday, February 10, 2021 to address some minor bylaw language modifications to better suit the Certified Local Government application requirements.

Alternatives. NA

Financial Impact. The bylaws do include language stating the commissioners agree to attend four hours of education and training which will be provided by the city.

Recommendation. I recommend the city council approve the attached Evert Historic District Commission's Bylaws as presented.

Attachments.

1. Evert Historic District Commission's Bylaws

EVART HISTORIC DISTRICT COMMISSION BYLAWS &
RULES OF PROCEDURE

Dated Adopted by Historic District Commission: October
14, 2020

Date Revised by Historic District Commission: February
10, 2021

Date Approved by City Council:

ARTICLE I - NAME

The name of the Commission shall be the Evart Historic District Commission.

ARTICLE II – OBJECTIVES

The objectives and purpose of the Commission are those set forth in 1.2 Section 2 of the Historic District Ordinance, City of Evart, Ordinance 2019-08, as amended.

ARTICLE III - OFFICERS AND THEIR DUTIES

Section 1

Officers shall be Chair, Vice Chair and Secretary.

Section 2

The Chair shall preside over all meetings of the Historic District Commission and shall have duties normally conferred by parliamentary usage.

Section 3

The Vice Chair shall act for the Chair in his/her absence. The Vice Chair shall be responsible for ensuring that all commission business is conducted in accordance with these Bylaws.

ARTICLE IV - ELECTION OF OFFICERS

Section 1

The election of the Chair and Vice Chair shall be held at the first regular meeting in September.

Section 2

A candidate receiving a majority vote of the Commission shall be declared elected and shall serve a term of one year or until a successor shall take office.

Section 3

If the office of Chair becomes vacant, the Vice Chair shall immediately become the Chair. Using regular election procedures, a vacancy in the office of Vice Chair shall be filled during the meeting where it occurs or, if it becomes vacant between meetings, at the next regular or special meeting.

ARTICLE V – MEETINGS

Section 1

Chair may cancel and/or reschedule a regular meeting.

Section 2

Special meetings may be called by the Chair, any three members of the Commission, or at the request of the City Manager. The notice of a special meeting shall specify the purpose of the meeting, and no other business may be considered.

Section 3

The Secretary shall give written notice of all meetings, both regular and special, to all members of the Commission at least 48 hours in advance of the meeting. A meeting agenda shall be part of the notice and shall include a listing of each permit application to be reviewed or considered by the Commission.

Section 4

A majority of the members of the Commission appointed and serving shall constitute a quorum for the transaction of business. Any member who has been granted a leave of absence or has been removed by the appointing authority or automatically removed for nonattendance, shall not be deemed to be serving for purposes of determining a quorum.

A concurring vote of three members of the Commission shall be necessary to issue a Certificate of Appropriateness or to make recommendations to City Council for the adoption or modification of Preservation Guidelines. Other actions of the Commission shall require a simple majority of members present constituting a quorum.

Section 5

Voting shall be by voice and shall be recorded by “yea” and “nay”.

Section 6

Each member of the Commission shall cast a "yea" or "nay" vote on each question before the Commission.

Section 7

Conflict of Interest: A member who has a real and apparent conflict of interest in any matter before the Commission shall disclose that interest prior to the Commission taking any action with respect to the matter.

This disclosure shall become part of the record of the Commission's official proceedings. Any member making such disclosure shall refrain from participating in the Commission's decision-making process relative to such matter, including all discussions, motions made, and votes taken. A conflict of interest shall at a minimum include, but not be limited to:

- a. A matter involving property in which a Commissioner, any member of his/her immediate family, his/her partner, or an entity with whom the Commissioner has family or business ties, has an ownership or other direct interest.
- b. A matter where a Commissioner's employee or employer is an applicant or agent for an applicant or has a direct interest in the outcome.
- c. A matter which may result in a financial or other benefit to a Commissioner, any member of his/her immediate family, his/her partner, or an entity with whom the Commissioner has family or business ties.

Where a question has arisen as to whether a Commissioner is ineligible to participate in discussion or vote on a matter because of a conflict of interest, the Commission may determine that the Commissioner is ineligible due to a conflict of interest by a vote of a majority of the other Commissioners present. Upon such a determination, the ineligible Commissioner shall not participate in discussion or vote on the matter.

Section 8

All meetings of the Commission, including regular meetings, special meetings and all committee and subcommittee meetings, shall be open to the public in accordance with the Michigan Open Meetings Act, being Act 267 of the Public Acts of 1976 of the State of Michigan, as amended. Closed sessions may be called for purposes listed in said Act if approved by a 2/3 vote of the members present and voting.

Furthermore, all meetings, recordkeeping and rules of procedure shall conform to 1.7 Section 7 of the Historic District Ordinance, City of Ewart, Ordinance 2019-08, as amended.

Section 9

Public Notification. At least ten days prior to the public hearing on the application for a Certificate of Appropriateness, the Secretary shall cause the notice of appeal to be published in a newspaper of general distribution in the city and shall deliver the notice of application for a Certificate of Appropriateness personally or by first class mail to the applicant, the owners of all properties within three hundred feet of the subject property at the address given in the last assessment roll, and the non-owner occupants of all residences within three hundred feet of the subject property.

Section 10

Parliamentary procedure in Commission meetings shall be governed by *Robert's Rules of Order*, current edition, as amended. A majority vote of the Commission members present may suspend the use of such rules upon motion and second.

Section 11

If the Chair and Vice Chair are both absent at the time a meeting is scheduled to begin, the secretary, after establishing that a quorum is present, will open the meeting, take the roll, ask for nominations for a Chair Pro Tem and conduct the election, then turn the meeting over to the person elected who will continue with the meeting. Such office is terminated if the Chair or Vice Chair arrives later in the meeting.

ARTICLE VI - ORDER OF BUSINESS

Section 1-Order of Business

The order of business at regular meetings shall be as follows:

- Opening (includes roll call, approval of minutes, and approval of agenda)
- Public Comments
- Public Hearings
- Old Business
- New Business
- Public Comments
- Adjournment

Section 2 - Approval of Agenda

The order and content of the agenda shall be approved by a vote of members present at the meeting.

Section 3 - Conduct of Hearings

Request for action on a Certificate of Appropriateness shall be heard in the following manner:

1. Call of the case by the Chair.

2. Staff Report. This shall include at a minimum:
 - a. The address of the property, vicinity map and the status of the property in the district.
 - b. The name and address of the property owner.
 - c. The name, address, and role of the petitioner. In the case of a demolition or moving request, the Commission requires a written request from the owner stating the reasons for the request.
 - d. A brief description of the building and its history, including any significant changes to the original configuration.
 - e. The current zoning and land use classifications.
 - f. A summary of the petitioner's request and the relevant sections of the Historic Preservation Code.
3. Petitioner's Presentation: Petitioner may testify on his/her own behalf and may bring such witnesses as may be necessary.
4. Question by the Commission.
5. Audience participation (pertaining to this case).
6. Rebuttal by the Petitioner.
7. Closing of the Hearing followed by Commission discussion and action.

Before taking up any hearing, announcement shall be made of any petition withdrawn at that time. Requests for withdrawal may be made at any time prior to the case being called and may be granted at the discretion of the Chair.

All persons shall be allowed to address the meeting on any issue before it at the proper time. Said person shall give his/her name and address for the record. Reasonable time limits may be established by the Chair for individual and group presentations.

Section 4 – Rehearing

An application for rehearing shall be reviewed in the same manner as an original hearing.

The application shall be denied by the Commission if the petitioner is unable to present evidence to show that there has been a substantial change in facts, circumstances, or the nature of the request.

ARTICLE VII – COMMITTEES

Section 1

Advisory committees may be appointed by the Chair with consent of the Commission. Additional citizens, groups, or representatives of organizations may be invited to participate in the committee activities in a manner deemed most appropriate by the Chair of the committee.

ARTICLE VIII - AMENDMENTS TO THE BYLAWS

Section 1

The Bylaws may be proposed for amendment during a regular meeting by an affirmative vote of at least three members of the Commission, provided notice of the proposed change is given to the Commission at the preceding regular meeting and specific wording for the change is included in the Commission's packet for the meeting at which the decision will be made. The Bylaws and amendments to the Bylaws must be approved by City Council.

Section 2

The provisions of these Bylaws shall be reviewed by the Commission annually at the first regular meeting in September.

ARTICLE IX – APPOINTMENT, ABSENTEEISM, REMOVAL, TRAINING

Section 1

Members of the Historic District Commission shall be appointed and serve in accordance with the provisions of 1.6 Section 6 of the Historic District Ordinance, City of Evert, Ordinance 2019-08, as amended.

Section 2

Any member absent without permission for three consecutive meetings may be removed from the Commission.

Section 3

Training. Each member shall attend at least two hours per year of training in historic preservation during the member's current term of office. Training shall be provided by the City of Evert.

ARTICLE X – RESIGNATION

Section 1

In order to maintain a fully staffed Historic District Commission in accordance with State Law, a member of the Commission is encouraged to give a written 60 day notice to the City Clerk of a pending resignation from the Commission.

AGENDA REPORT

To: Honorable Mayor Emerick & Council Members
From: Sarah Dvoracek, City Manager
Date: February 10, 2021
Re: Requesting Approval of Resolution 2021-01 Creating and Adopting a Budget for the Evert Historic District Commission

For the Agenda of February 16, 2021

Background. In 2019 and 2020, the city council appointed five commissioners to the Historic District Commission. Although our commissioners have a wealth of knowledge regarding history and a passion for historic preservation none of them meet the professional qualification standard of either an archaeologist, architect, historian, architectural historian or historic architect.

The certification process to become a Certified Local Government, the State Historic Preservation Office (SHPO) does require in the event that no commission members meet the professional qualification standard for either an archaeologist, architect, historian, architectural historian or historic architect, a statement shall be provided affirming that the Certified Local Government will seek professional guidance as appropriate for matters that may require the input of a architect, historian, or archaeologist.

The city must also provide additional means used to identify interested city residents that have the professional qualification standard as stated in Public Act of 169.

Issues & Questions Specified. To meet the requirement, affirming that our city will seek professional guidance please see the attached resolution. In the resolution I am requesting the city dedicate \$500 to the professional guidance and I also included dedicated funds of \$500 to education and training for our commission board members. The Historic District Commission is new territory for our city and there are many factors and layers to its complexity. I want to set the commission up for success with the proper resources and education.

Alternatives.

1. No nothing.
2. Attempt to seek certification without a designed budget.

Financial Impact. I consulted with Finance Director Lockhart and there are available funds in the general fund but approving this resolution would require a budget amendment.

Recommendation. I recommend the city council approve the attached Resolution 2021-01 Creating and Adopting a Budget for the Evert Historic District Commission.

Attachments.

1. 2021-01 A Resolution Creating and Adopting a Budget for the Evert Historic District Commission

CITY COUNCIL
CITY OF EVART
County of Osceola, Michigan

RESOLUTION NO. 2021-02

**A RESOLUTION CREATING AND ADOPTING A BUDGET FOR THE EVART
HISTORIC DISTRICT COMMISSION**

WHEREAS, On July 1, 2019, the Evert City Council adopted the Evert Historic District Commission Ordinance 2019-08; and

WHEREAS, On March 3, 2020, the Evert City Council amended Ordinance 2019-08, to decrease the number of commissioners serving on the board from seven members to five members; and

WHEREAS, On April 20, 2020, the Evert City Council appointed the fifth commissioner to the Historic District Commission, creating a complete commission; and

WHEREAS, Public Act of 169 of 1970, as amended, states the commission of all local units shall include as a member, if available, a graduate of an accredited school of architecture who has 2 years of architectural experience or who is an architect registered in this state; and

WHEREAS, The current historic district commission does not include a registered architect and lacks the professional expertise to comply with Public Act of 169 of 1970, as amended; and

BE IT RESOLVED, that Evert City Council attests to the existence of, and commits to, providing \$500 toward professional services for the Historic District Commission and \$500 towards education and training for its Commissioners.

The above resolution was offered by Member _____ and supported by Member

_____.

YEAS: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

* * * * *

RESOLUTION DECLARED ADOPTED.

Dated: _____

Kathy Fiebig, City Clerk

CERTIFICATION

I, the undersigned duly qualified and acting Clerk of the City of Evart (the "City"), do hereby certify that the foregoing a true and complete copy of a resolution adopted by the City Council of the City at a regular meeting held on _____, 2021, the original of which is on file in my office and that public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976, as amended.

Kathy Fiebig, City Clerk

AGENDA REPORT

To: Honorable Mayor Emerick & Council Members
From: Sarah Dvoracek, City Manager
Date: February 12, 2021
Re: Requesting Approval of Point Broadband's Metro Act Permit Application

For the Agenda of the Council Meeting February 16, 2021

Background. The city was contacted by Point Broadband Fiber Holding, LLC, formally known as Casair, they were interested in applying for a Metro Act Permit. We received a Metro Act Permit Application which would allow them to install fiberoptic cable in the public right-of-way, please see Attachment 1. Map highlighting the planned route.

Point Broadband has received permissions from the Osceola County Road Commission, Osceola Township and Evert Township. The project in the City of Evert will be the largest project that Point Broadband has undertaken. Our residents would have more options available to them for internet services. Point Broadband plans to start construction on South Main Street, they will be drilling under the river. If permitted, they hope to start construction in March and have the project completed by June. City residents would be able to receive their services shortly after.

Issues & Questions Specified. We are scheduled to meet with their economic development team to discuss the possibilities of including the industrial park and other locations in their project. Point Broadband recently finished a small project in the City of Reed City but again this project will be the largest to date.

This project will also benefit any internet customers receiving services. Point Broadband will be updating their service towers which will provide better internet services to our community.

Mr. White did review the metro act application, see Attachment 2. Metro Act Application.

Alternatives.

1. Do not approve.

Financial Impact. The city will receive a payment which is determined by the linear footage reported by the Telecom Providers and then distributed by the State Metro Authority. In 2020, the city received \$9,332.91 from the Metro Authority, for the current telecommunication providers already located in the city.

Recommendation. To improve internet communications throughout our city and surrounding communities, please approve Point Broadband Application Metro Act Permit Application by giving me authority to sign the permit.

Attachments.

1. Map with planned route
2. Point Broadband's Metro Act Permit Application
3. MML' One Pager Plus-Metro Act/METRO ACT FAQs

**METRO Act Permit
Bilateral Form
Revised 12/06/02**

**RIGHT-OF-WAY
TELECOMMUNICATIONS PERMIT**

TERMS AND CONDITIONS

1 Definitions

- 1.1 Company shall mean Point Broadband Fiber Holding, LLC organized under the laws of the State of Michigan whose address is 1791 O.G. Skinner Drive, Suite A, West Point, GA 31833.
- 1.2 Effective Date shall mean the date set forth in Part 13.
- 1.3 Manager shall mean Municipality's [Mayor/Manager/Supervisor/Village President] or his or her designee.
- 1.4 METRO Act shall mean the Metropolitan Extension Telecommunications Rights-of-Way Oversight Act, Act No. 48 of the Public Acts of 2002, as amended.
- 1.5 Municipality shall mean the City of Evart, a Michigan municipal corporation.
- 1.6 Permit shall mean this document.
- 1.7 Public Right-of-Way shall mean the area on, below, or above a public roadway, highway, street, alley, easement, or waterway, to the extent Municipality has the ability to grant the rights set forth herein. Public right-of-way does not include a federal, state, or private right-of-way.
- 1.8 Telecommunication Facilities or Facilities shall mean the Company's equipment or personal property, such as copper and fiber cables, lines, wires, switches, conduits, pipes, and sheaths, which are used to or can generate, receive, transmit, carry, amplify, or provide telecommunication services or signals. Telecommunication Facilities or Facilities do not include antennas, supporting structures for antennas, equipment shelters or houses, and any ancillary equipment and miscellaneous hardware used to provide federally licensed commercial mobile service as defined in Section 332(d) of Part I of Title III of the Communications Act of 1934, Chapter 652, 48 Stat. 1064, 47 U.S.C. 332 and further defined as commercial mobile radio service in 47 CFR 20.3, and service provided by any wireless, 2-way communications device.
- 1.9 Term shall have the meaning set forth in Part 7.

2 Grant

- 2.1 Municipality hereby grants a permit under the METRO Act to Company for access to and ongoing use of the Public Right-of-Way to construct, install and maintain Telecommunication Facilities in those portions of the Public Right-of-Way identified on Exhibit A on the terms set forth herein.
- 2.1.1 Exhibit A may be modified by written request by Company and approval by Manager.
- 2.1.2 Manager shall not unreasonably condition or deny any request for a modification of Exhibit A. Any decision of Manager on a request for a modification may be appealed by Company to Municipality's legislative body.
- 2.2 Overlapping. Company shall not allow the wires or any other facilities of a third party to be overlapped to the Telecommunication Facilities without Municipality's prior written consent. Municipality's right to withhold written consent is subject to the authority of the Michigan Public Service Commission under Section 361 of the Michigan Telecommunications Act, MCL § 484.2361.
- 2.3 Nonexclusive. The rights granted by this Permit are nonexclusive. Municipality reserves the right to approve, at any time, additional permits for access to and ongoing usage of the Public Right-of-Way by telecommunications providers and to enter into agreements for use of the Public Right-of-Way with and grant franchises for use of the Public Right-of-Way to telecommunications providers, cable companies, utilities and other providers.

3 Contacts, Maps and Plans

- 3.1 Company Contacts. The names, addresses and the like for engineering and construction related information for Company and its Telecommunication Facilities are as follows:
- 3.1.1 The address, e-mail address, phone number and contact person (title or name) at Company's local office (in or near Municipality) is:
- Jacob Stedman
Fiber Project Manager
jacob.stedman@point-broadband.com
(989) 831-8800, ext. 184
- 3.1.2 If Company's engineering drawings, as-built plans and related records for the Telecommunication Facilities will not be located at the preceding local

office, the location address, phone number and contact person (title or department) for them is _____.

- 3.1.3 The name, title, address, e-mail address and telephone numbers of Company's engineering contact person(s) with responsibility for the design, plans and construction of the Telecommunication Facilities is:

Josh White
Fiber Department Manager
(989) 330-6384
Joshua.white@point-broadband.com

- 3.1.4 The address, phone number and contact person (title or department) at Company's home office/regional office with responsibility for engineering and construction related aspects of the Telecommunication Facilities is:

Josh White
Fiber Department Manager
(989) 330-6384
Joshua.white@point-broadband.com

- 3.1.5 Company shall at all times provide Manager with the phone number at which a live representative of Company (not voice mail) can be reached 24 hours a day, seven (7) days a week, in the event of a public emergency.

- 3.1.6 The preceding information is accurate as of the Effective Date. Company shall notify Municipality in writing as set forth in Part 12 of any changes in the preceding information.

- 3.2 Route Maps. Within ninety (90) days after the substantial completion of construction of new Facilities in a Municipality, a provider shall submit route maps showing the location of the Telecommunication Facilities to both the Michigan Public Service Commission and to the Municipality, as required under Section 6(7) of the METRO Act, MCLA 484.3106(7).

- 3.3 As-Built Records. Company, without expense to Municipality, shall, upon forty-eight (48) hours notice, give Municipality access to all "as-built" maps, records, plans and specifications showing the Telecommunication Facilities or portions thereof in the Public Right-of-Way. Upon request by Municipality, Company shall inform Municipality as soon as reasonably possible of any changes from previously supplied maps, records, or plans and shall mark up maps provided by Municipality so as to show the location of the Telecommunication Facilities.

- 4.1 No Burden on Public Right-of-Way. Company, its contractors, subcontractors, and the Telecommunication Facilities shall not unduly burden or interfere with the present or future use of any of the Public Right-of-Way. Company's aerial cables and wires shall be suspended so as to not endanger or injure persons or property in or about the Public Right-of-Way. If Municipality reasonably determines that any portion of the Telecommunication Facilities constitutes an undue burden or interference, due to changed circumstances, Company, at its sole expense, shall modify the Telecommunication Facilities or take such other actions as Municipality may determine is in the public interest to remove or alleviate the burden, and Company shall do so within a reasonable time period. Municipality shall attempt to require all occupants of a pole or conduit whose facilities are a burden to remove or alleviate the burden concurrently.
- 4.2 No Priority. This Permit does not establish any priority of use of the Public Right-of-Way by Company over any present or future permittees or parties having agreements with Municipality or franchises for such use. In the event of any dispute as to the priority of use of the Public Right-of-Way, the first priority shall be to the public generally, the second priority to Municipality, the third priority to the State of Michigan and its political subdivisions in the performance of their various functions, and thereafter as between other permit, agreement or franchise holders, as determined by Municipality in the exercise of its powers, including the police power and other powers reserved to and conferred on it by the State of Michigan.
- 4.3 Restoration of Property. Company, its contractors and subcontractors shall immediately (subject to seasonal work restrictions) restore, at Company's sole expense, in a manner approved by Municipality, any portion of the Public Right-of-Way that is in any way disturbed, damaged, or injured by the construction, installation, operation, maintenance or removal of the Telecommunication Facilities to a reasonably equivalent (or, at Company's option, better) condition as that which existed prior to the disturbance. In the event that Company, its contractors or subcontractors fail to make such repair within a reasonable time, Municipality may make the repair and Company shall pay the costs Municipality incurred for such repair.
- 4.4 Marking. Company shall mark the Telecommunication Facilities as follows: Aerial portions of the Telecommunication Facilities shall be marked with a marker on Company's lines on alternate poles which shall state Company's name and provide a toll-free number to call for assistance. Direct buried underground portions of the Telecommunication Facilities shall have (1) a conducting wire placed in the ground at least several inches above Company's cable (if such cable is nonconductive); (2) at least several inches above that, a continuous colored tape with a statement to the effect that there is buried cable beneath; and (3) stakes or other appropriate above ground markers with Company's name and a toll-free number indicating that there is buried telephone cable below. Bored underground

portions of the Telecommunication Facilities shall have a conducting wire at the same depth as the cable and shall not be required to provide the continuous colored tape. Portions of the Telecommunication Facilities located in conduit, including conduit of others used by Company, shall be marked at its entrance into and exit from each manhole and handhole with Company's name and a toll-free telephone number.

- 4.5 Tree Trimming. Company may trim trees upon and overhanging the Public Right-of-Way so as to prevent the branches of such trees from coming into contact with the Telecommunication Facilities, consistent with any standards adopted by Municipality. Company shall dispose of all trimmed materials. Company shall minimize the trimming of trees to that essential to maintain the integrity of the Telecommunication Facilities. Except in emergencies, all trimming of trees in the Public Right-of-Way shall have the advance approval of Manager.
- 4.6 Installation and Maintenance. The construction and installation of the Telecommunication Facilities shall be performed pursuant to plans approved by Municipality. The open cut of any Public Right-of-Way shall be coordinated with the Manager or his designee. Company shall install and maintain the Telecommunication Facilities in a reasonably safe condition. If the existing poles in the Public Right-of-Way are overburdened or unavailable for Company's use, or the facilities of all users of the poles are required to go underground then Company shall, at its expense, place such portion of its Telecommunication Facilities underground, unless Municipality approves an alternate location. Company may perform maintenance on the Telecommunication Facilities without prior approval of Municipality, provided that Company shall obtain any and all permits required by Municipality in the event that any maintenance will disturb or block vehicular traffic or are otherwise required by Municipality.
- 4.7 Pavement Cut Coordination. Company shall coordinate its construction and all other work in the Public Right-of-Way with Municipality's program for street construction and rebuilding (collectively "Street Construction") and its program for street repaving and resurfacing (except seal coating and patching) (collectively, "Street Resurfacing").
- 4.7.1 The goals of such coordination shall be to encourage Company to conduct all work in the Public Right-of-Way in conjunction with or immediately prior to any Street Construction or Street Resurfacing planned by Municipality.
- 4.8 Compliance with Laws. Company shall comply with all laws, statutes, ordinances, rules and regulations regarding the construction, installation, and maintenance of its Telecommunication Facilities, whether federal, state or local, now in force or which hereafter may be promulgated. Before any installation is

commenced, Company shall secure all necessary permits, licenses and approvals from Municipality or other governmental entity as may be required by law, including, without limitation, all utility line permits and highway permits. Municipality shall not unreasonably delay or deny issuance of any such permits, licenses or approvals. Company shall comply in all respects with applicable codes and industry standards, including but not limited to the National Electrical Safety Code (latest edition adopted by Michigan Public Service Commission) and the National Electric Code (latest edition). Company shall comply with all zoning and land use ordinances and historic preservation ordinances as may exist or may hereafter be amended. This section does not constitute a waiver of Company's right to challenge laws, statutes, ordinances, rules or regulations now in force or established in the future.

- 4.9 Street Vacation. If Municipality vacates or consents to the vacation of Public Right-of-Way within its jurisdiction, and such vacation necessitates the removal and relocation of Company's Facilities in the vacated Public Right-of-Way, Company shall, as a condition of this Permit, consent to the vacation and remove its Facilities at its sole cost and expense when ordered to do so by Municipality or a court of competent jurisdiction. Company shall relocate its Facilities to such alternate route as Municipality and Company mutually agree, applying reasonable engineering standards.
- 4.10 Relocation. If Municipality requests Company to relocate, protect, support, disconnect, or remove its Facilities because of street or utility work, or other public projects, Company shall relocate, protect, support, disconnect, or remove its Facilities, at its sole cost and expense, including where necessary to such alternate route as Municipality and Company mutually agree, applying reasonable engineering standards. The work shall be completed within a reasonable time period.
- 4.11 Public Emergency. Municipality shall have the right to sever, disrupt, dig-up or otherwise destroy Facilities of Company if such action is necessary because of a public emergency. If reasonable to do so under the circumstances, Municipality shall attempt to provide notice to Company. Public emergency shall be any condition which poses an immediate threat to life, health, or property caused by any natural or man-made disaster, including, but not limited to, storms, floods, fire, accidents, explosions, water main breaks, hazardous material spills, etc. Company shall be responsible for repair at its sole cost and expense of any of its Facilities damaged pursuant to any such action taken by Municipality.
- 4.12 Miss Dig. If eligible to join, Company shall subscribe to and be a member of "MISS DIG," the association of utilities formed pursuant to Act 53 of the Public Acts of 1974, as amended, MCL § 460.701 et seq., and shall conduct its business in conformance with the statutory provisions and regulations promulgated thereunder.

4.13 Underground Relocation. If Company has its Facilities on poles of Consumers Energy, Detroit Edison or another electric or telecommunications provider and Consumers Energy, Detroit Edison or such other electric or telecommunications provider relocates its system underground, then Company shall relocate its Facilities underground in the same location at Company's sole cost and expense.

4.14 Identification. All personnel of Company and its contractors or subcontractors who have as part of their normal duties contact with the general public shall wear on their clothing a clearly visible identification card bearing Company's name, their name and photograph. Company shall account for all identification cards at all times. Every service vehicle of Company and its contractors or subcontractors shall be clearly identified as such to the public, such as by a magnetic sign with Company's name and telephone number.

5 Indemnification

5.1 Indemnity. Company shall defend, indemnify, protect, and hold harmless Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions from any and all claims, losses, liabilities, causes of action, demands, judgments, decrees, proceedings, and expenses of any nature (collectively "claim" for this Part 5) (including, without limitation, attorneys' fees) arising out of or resulting from the acts or omissions of Company, its officers, agents, employees, contractors, successors, or assigns, but only to the extent such acts or omissions are related to the Company's use of or installation of facilities in the Public Right-of-Way and only to the extent of the fault or responsibility of Company, its officers, agents, employees, contractors, successors and assigns.

5.2 Notice, Cooperation. Municipality shall notify Company promptly in writing of any such claim and the method and means proposed by Municipality for defending or satisfying such claim. Municipality shall cooperate with Company in every reasonable way to facilitate the defense of any such claim. Municipality shall consult with Company respecting the defense and satisfaction of such claim, including the selection and direction of legal counsel.

5.3 Settlement. Municipality shall not settle any claim subject to indemnification under this Part 5 without the advance written consent of Company, which consent shall not be unreasonably withheld. Company shall have the right to defend or settle, at its own expense, any claim against Municipality for which Company is responsible hereunder.

6 Insurance

- 6.1 Coverage Required. Prior to beginning any construction in or installation of the Telecommunication Facilities in the Public Right-of-Way, Company shall obtain insurance as set forth below and file certificates evidencing same with Municipality. Such insurance shall be maintained in full force and effect until the end of the Term. In the alternative, Company may satisfy this requirement through a program of self-insurance, acceptable to Municipality, by providing reasonable evidence of its financial resources to Municipality. Municipality's acceptance of such self-insurance shall not be unreasonably withheld.
- 6.1.1 Commercial general liability insurance, including Completed Operations Liability, Independent Contractors Liability, Contractual Liability coverage, railroad protective coverage and coverage for property damage from perils of explosion, collapse or damage to underground utilities, commonly known as XCU coverage, in an amount not less than Five Million Dollars (\$5,000,000).
 - 6.1.2 Liability insurance for sudden and accidental environmental contamination with minimum limits of Five Hundred Thousand Dollars (\$500,000) and providing coverage for claims discovered within three (3) years after the term of the policy.
 - 6.1.3 Automobile liability insurance in an amount not less than One Million Dollars (\$1,000,000).
 - 6.1.4 Workers' compensation and employer's liability insurance with statutory limits, and any applicable Federal insurance of a similar nature.
 - 6.1.5 The coverage amounts set forth above may be met by a combination of underlying (primary) and umbrella policies so long as in combination the limits equal or exceed those stated. If more than one insurance policy is purchased to provide the coverage amounts set forth above, then all policies providing coverage limits excess to the primary policy shall provide drop down coverage to the first dollar of coverage and other contractual obligations of the primary policy, should the primary policy carrier not be able to perform any of its contractual obligations or not be collectible for any of its coverages for any reason during the Term, or (when longer) for as long as coverage could have been available pursuant to the terms and conditions of the primary policy.
- 6.2 Additional Insured. Municipality shall be named as an additional insured on all policies (other than worker's compensation and employer's liability). All insurance policies shall provide that they shall not be canceled, modified or not renewed unless the insurance carrier provides thirty (30) days prior written notice to Municipality. Company shall annually provide Municipality with a certificate of insurance evidencing such coverage. All insurance policies (other than

environmental contamination, workers' compensation and employer's liability insurance) shall be written on an occurrence basis and not on a claims made basis.

- 6.3 Qualified Insurers. All insurance shall be issued by insurance carriers licensed to do business by the State of Michigan or by surplus line carriers on the Michigan Insurance Commission approved list of companies qualified to do business in Michigan. All insurance and surplus line carriers shall be rated A+ or better by A.M. Best Company.
- 6.4 Deductibles. If the insurance policies required by this Part 6 are written with retainages or deductibles in excess of \$50,000, they shall be approved by Manager in advance in writing. Company shall indemnify and save harmless Municipality from and against the payment of any deductible and from the payment of any premium on any insurance policy required to be furnished hereunder.
- 6.5 Contractors. Company's contractors and subcontractors working in the Public Right-of-Way shall carry in full force and effect commercial general liability, environmental contamination liability, automobile liability and workers' compensation and employer liability insurance which complies with all terms of this Part 6. In the alternative, Company, at its expense, may provide such coverages for any or all its contractors or subcontractors (such as by adding them to Company's policies).
- 6.6 Insurance Primary. Company's insurance coverage shall be primary insurance with respect to Municipality, its officers, agents, employees, elected and appointed officials, departments, boards, and commissions (collectively "them"). Any insurance or self-insurance maintained by any of them shall be in excess of Company's insurance and shall not contribute to it (where "insurance or self-insurance maintained by any of them" includes any contract or agreement providing any type of indemnification or defense obligation provided to, or for the benefit of them, from any source, and includes any self-insurance program or policy, or self-insured retention or deductible by, for or on behalf of them).

7 Term

- 7.1 Term. The term ("Term") of this Permit shall be until the earlier of:

7.1.1 Fifteen years (15) from the Effective Date; provided, however, that following such initial term there shall be three subsequent renewal terms of five (5) years. Each renewal term shall be automatic unless Municipality notifies Company in writing, at least twelve (12) months prior to the end of any term then in effect, that due to changed circumstances a need exists to negotiate the subsequent renewal with Company. Municipality shall not unreasonably deny a renewal term; or

- 7.1.2 When the Telecommunication Facilities have not been used to provide telecommunications services for a period of one hundred and eighty (180) days by the Company or a successor of an assign of the Company; or
- 7.1.3 When Company, at its election and with or without cause, delivers written notice of termination to Municipality at least one-hundred and eighty (180) days prior to the date of such termination; or
- 7.1.4 Upon either Company or Municipality giving written notice to the other of the occurrence or existence of a default by the other party under Sections 4.8, 6, 8 or 9 of this Permit and such defaulting party failing to cure, or commence good faith efforts to cure, such default within sixty (60) days (or such shorter period of time provided elsewhere in this Permit) after delivery of such notice; or
- 7.1.5 Unless Manager grants a written extension, one year from the Effective Date if prior thereto Company has not started the construction and installation of the Telecommunication Facilities within the Public Right-of-Way and two years from the Effective Date if by such time construction and installation of the Telecommunication Facilities is not complete.

8 Performance Bond or Letter of Credit

- 8.1 Municipal Requirement. Municipality may require Company to post a bond (or letter of credit) as provided in Section 15(3) of the METRO Act, as amended [MCL § 484.3115(3)].

9 Fees

- 9.1 Establishment; Reservation. The METRO Act shall control the establishment of right-of-way fees. The parties reserve their respective rights regarding the nature and amount of any fees which may be charged by Municipality in connection with the Public Right-of-Way.

10 Removal

- 10.1 Removal; Underground. As soon as practicable after the Term, Company or its successors and assigns shall remove any underground cable or other portions of the Telecommunication Facilities from the Public Right-of-Way which has been installed in such a manner that it can be removed without trenching or other opening of the Public Right-of-Way. Company shall not remove any underground cable or other portions of the Telecommunication Facilities which requires trenching or other opening of the Public Right-of-Way except with the prior written approval of Manager. All removals shall be at Company's sole cost and expense.

10.1.1 For purposes of this Part 10, "cable" means any wire, coaxial cable, fiber optic cable, feed wire or pull wire.

10.2 Removal; Above Ground. As soon as practicable after the Term, Company, or its successor or assigns at its sole cost and expense, shall, unless waived in writing by Manager, remove from the Public Right-of-Way all above ground elements of its Telecommunication Facilities, including but not limited to poles, pedestal mounted terminal boxes, and lines attached to or suspended from poles.

10.3 Schedule. The schedule and timing of removal shall be subject to approval by Manager. Unless extended by Manager, removal shall be completed not later than twelve (12) months following the Term. Portions of the Telecommunication Facilities in the Public Right-of-Way which are not removed within such time period shall be deemed abandoned and, at the option of Municipality exercised by written notice to Company as set forth in Part 12, title to the portions described in such notice shall vest in Municipality.

11 Assignment. Company may assign or transfer its rights under this Permit, or the persons or entities controlling Company may change, in whole or in part, voluntarily, involuntarily, or by operation of law, including by merger or consolidation, change in the ownership or control of Company's business, or by other means, subject to the following:

11.1 No such transfer or assignment or change in the control of Company shall be effective under this Permit, without Municipality's prior approval (not to be unreasonably withheld), during the time period from the Effective Date until the completion of the construction of the Telecommunication Facilities in those portions of the Public Right-of-Way identified on Exhibit A.

11.2 After the completion of such construction, Company must provide notice to Municipality of such transfer, assignment or change in control no later than thirty (30) days after such occurrence; provided, however,

11.2.1 Any transferee or assignee of this Permit shall be qualified to perform under its terms and conditions and comply with applicable law; shall be subject to the obligations of this Permit, including responsibility for any defaults which occurred prior to the transfer or assignment; shall supply Municipality with the information required under Section 3.1; and shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary, and

11.2.2 In the event of a change in control, it shall not be to an entity lacking the qualifications to assure Company's ability to perform under the terms and conditions of this Permit and comply with applicable law; and Company

shall comply with any updated insurance and performance bond requirements under Sections 6 and 8 respectively, which Municipality reasonably deems necessary.

- 11.3 Company may grant a security interest in this Permit, its rights thereunder or the Telecommunication Facilities at any time without notifying Municipality.

12 Notices

- 12.1 Notices. All notices under this Permit shall be given as follows:

12.1.1 If to Municipality, to 5814 100th Ave, Evart, MI 49631.

12.1.2 If to Company, to 1791 O.G. Skinner Drive, Suite A, West Point, GA 31833, with a copy to 617 E. Lake Street, Stanton, MI 48888.

- 12.2 Change of Address. Company and Municipality may change its address or personnel for the receipt of notices at any time by giving notice thereof to the other as set forth above.

13 Other items

- 13.1 No Cable, OVS. This Permit does not authorize Company to provide commercial cable type services to the public, such as "cable service" or the services of an "open video system operator" (as such terms are defined in the Federal Communications Act of 1934 and implementing regulations, currently 47 U.S.C. §§ 522 (6), 573 and 47 CFR § 76.1500).

- 13.2 Duties. Company shall faithfully perform all duties required by this Permit.

- 13.3 Effective Date. This Permit shall become effective when issued by Municipality and Company has provided any insurance certificates and bonds required in Parts 6 and 8, and signed the acceptance of the Permit.

- 13.4 Authority. This Permit satisfies the requirement for a permit under Section 5 of the METRO Act [MCL 484.3105].

- 13.5 Amendment. Except as set forth in Section 2.1 this Permit may be amended by the written agreement of Municipality and Company.

- 13.6 Interpretation and Severability. The provisions of this Permit shall be liberally construed to protect and preserve the peace, health, safety and welfare of the public, and should any provision or section of this Permit be held unconstitutional, invalid, overbroad or otherwise unenforceable, such determination/holding shall not be construed as affecting the validity of any of the

remaining conditions of this Permit. If any provision in this Permit is found to be partially overbroad, unenforceable, or invalid, Company and Municipality may nevertheless enforce such provision to the extent permitted under applicable law.

13.7 Governing Law. This Permit shall be governed by the laws of the State of Michigan.

City of Ewart

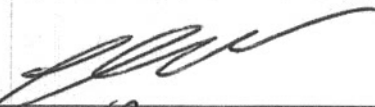
Attest:

By: _____
Clerk

By: _____
Its: _____
Date: _____

"Company accepts the Permit granted by Municipality upon the terms and conditions contained therein."

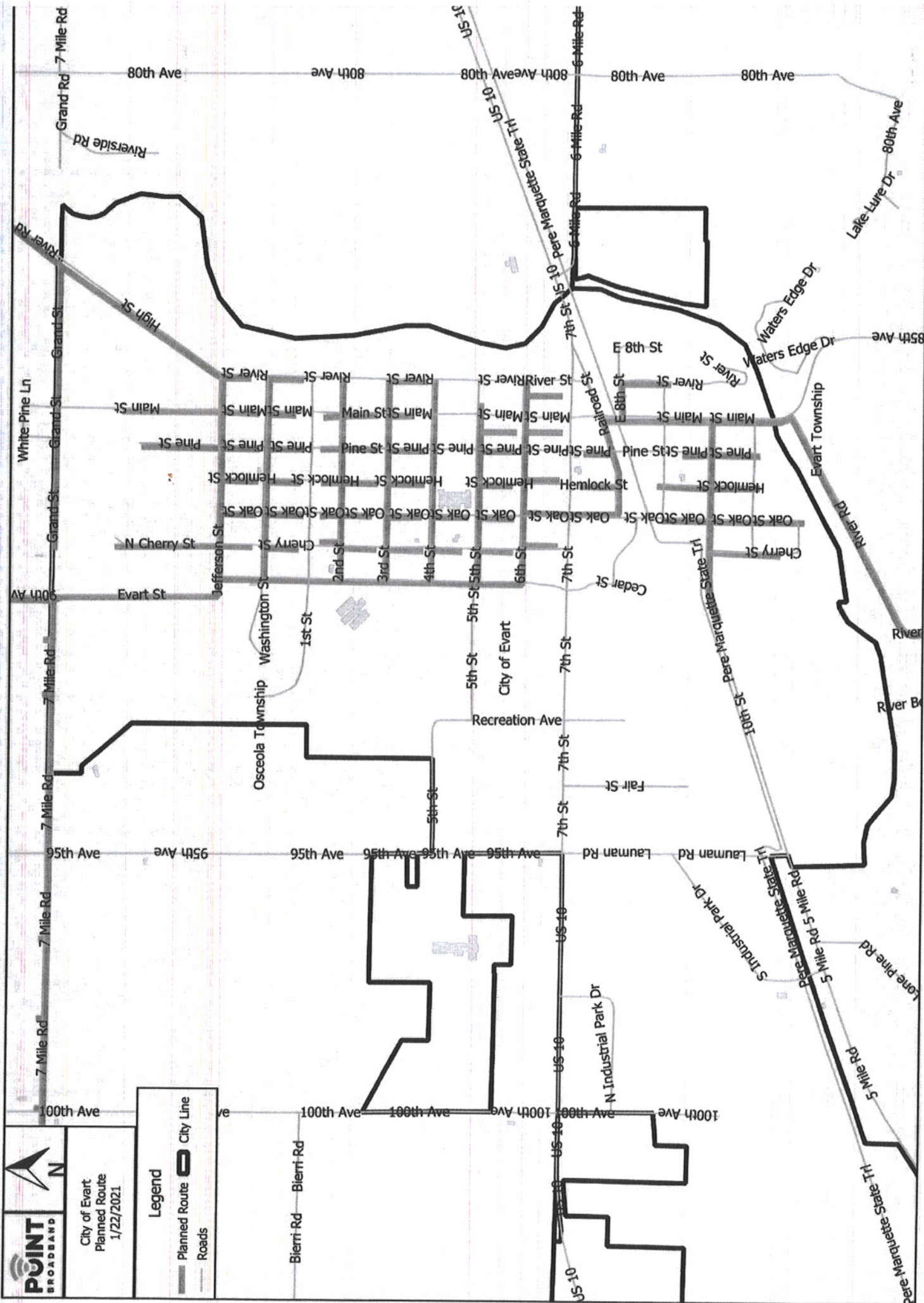
Point Broadband Fiber Holding, LLC

By: 
Its: VP
Date: 1/11/21

::ODMA\PCDOCS\GRR\7593196

Exhibit A

Public Right-of-Way to be Used by Telecommunication Facilities





Department of Licensing and Regulatory Affairs

Lansing, Michigan

This is to Certify That

POINT BROADBAND FIBER HOLDING, LLC

a(n) Delaware FOREIGN LIMITED LIABILITY COMPANY.

was validly authorized on January 27, 2020, to transact business in Michigan, and that said limited liability company holds a valid certificate of authority to transact business in this state, and has satisfied its annual filing obligations.

This certificate is issued pursuant to the provisions of 1993 PA 23 to attest to the fact that the limited liability company is in good standing in Michigan as of this date and is duly authorized to transact in this state any business set forth in its application which a domestic limited liability company formed under this act may lawfully conduct except as limited by statements in its Application for Certificate of Authority or under the law of its jurisdiction of organization.

This certificate is in due form, made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.



Sent by electronic transmission

Certificate Number: 21010135910

*In testimony whereof, I have hereunto set my hand,
in the City of Lansing, this 8th day of January, 2021.*

Linda Clegg, Director

Corporations, Securities & Commercial Licensing Bureau

Verify this certificate at: URL to eCertificate Verification Search <http://www.michigan.gov/corpverifycertificate>.

METRO Act Right-of-Way Telecommunications Permit

Point Broadband Fiber Holding, LLC Point-of-Contract and Address Information

.1 Company Contacts

.1.1 Nearest Local Office:

Jacob Stedman Project Manager
(O) 989-831-8800, ext. 184
(C) 989-640-9179

617 E Lake St
Stanton, MI 48888

jacob.stedman@point-broadband.com

.1.2 Location of all records and engineering drawings:

617 E. Lake Street
Stanton, MI 48888

.1.3 Contact Information

<u>Name</u>	<u>Title</u>
Jacob Stedman	Project Manager
(O) 989-831-8800, ext. 184	
(C) 989-640-9179	

<u>Address</u>
617 E Lake St
Stanton, MI 48888

<u>Email</u>
jacob.stedman@point-broadband.com

.1.4 Home/Regional Office:

<u>Name</u>	<u>Title</u>
Mark Alldredge	Director of OSP Engineering
(706) 773-1555	and Construction

<u>Address</u>
1791 OG Skinner Dr
West Point, GA
31833

<u>Email</u>
mark.alldredge@point-broadband.com

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/13/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh & McLennan Agency LLC 11330 Lakefield Drive Suite 100 Johns Creek, GA 30097-1508	CONTACT NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
INSURED Point Broadband Fiber Holding, LLC 1791 O.G. Skinner Drive West Point, GA 31833	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A : Hartford Casualty Insurance Company	NAIC # 29424
	INSURER B : Hartford Fire Insurance Co.	19682
	INSURER C : Hartford Insurance Company of Midwest	37478
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:		20UUNEB7299	01/11/2021	01/11/2022	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY		20UENEF3076	01/11/2021	01/11/2022	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$10,000		20RHUEB7190	01/11/2021	01/11/2022	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	20WEAE6YTR	01/11/2021	01/11/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
B	Professional Liab		20TE032031320	01/11/2021	01/11/2022	3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

(Auto) Additional Insured if required by written contract per form HA 99 16 (03 12)
 (Auto) Primary & Non-Contributory if required by written contract per form HA 99 16 (03 12)
 (Auto) Blanket Waiver of Subrogation when required by contract per form HA 99 16 (03 12)
 (Auto) 30 Day Notice of Cancellation to Certificate Holder(s) per form IH 03 13 (06 11)
 (GL) Blanket Additional Insured when required by contract per form HC00100798
 (See Attached Descriptions)

CERTIFICATE HOLDER

CANCELLATION

City of Evert
 5814 100th Ave.
 Evert, MI 49631

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

PETER J. KRAUSE

DESCRIPTIONS (Continued from Page 1)

(GL) 30 Day Notice of Cancellation per form IH03060608

(WC) Waiver of Subrogation when required by contract per form WC9903018

(WC) 30 Day Notice of Cancellation per form IH03060608

(UMB) Follow Form per From XL00010107

Introduction

With the passage of the Metropolitan Extension Telecommunication Rights-of-Way Oversight (METRO) Act (2002 PA 48), Michigan entered a new era in regard to deployment of telecommunications services, management of public rights-of-way, and compensation to local units of government.

The act is designed to bring substantial funds to assist in managing and maintaining your public rights-of-way and reduce conflicts with telecommunications providers. All providers will be subject to the fee. When fully implemented, providers will pay an annual maintenance fee of five cents per linear foot. These funds – estimated at between \$25 and \$30 million per year – will be distributed to local governments on a formula basis.

The METRO Act went into effect November 1, 2002. The deadline for cities and villages to opt in – and thereby receive funding – is December 31, 2003. However, the changes it will bring need to be understood much sooner. City and village officials will have the opportunity to learn more about the new act and what they need to do to implement it through the League's web site (www.mml.org) and Michigan Municipal League seminars.

Essential elements include:

- An annual maintenance fee will be assessed each year on all telecommunications providers. The fee will be two cents per linear foot of public right-of-way used for the first five months and five cents thereafter.
- Municipalities may decide to either "opt in" or "opt out" of the distribution provisions. A municipality that chooses to opt out may be able to continue to enforce its existing permit agreements with telecom providers. The choice to opt out, however, may be permanent. Those that elect to opt in must amend their existing permits/franchise agreements by December 31, 2003.
- Municipalities may use fees generated under the provisions of the act only for right-of-way purposes.
- Traditional cable franchise fees remain in place. (The Federal Communications Commission (FCC) recently ruled that cable modem service revenue should not be subject to a municipal cable franchise fee.)
- Standardized "safe harbor" permit and application forms must be used. Municipalities must act on a permit application within 45 days of application, as opposed to the previous 90-day limit. There is a one-time \$500 application fee that telecom providers who apply for a permit must pay. (This does not apply to SBC/Ameritech and some other phone companies.)
- Of the first \$30 million in fee revenue collected annually, 75 percent will be distributed to cities and villages using a distribution formula based on the same formula used for state trunk line highway funds (Act 51). The other 25 percent will be distributed to townships based on linear feet of public rights-of-way in each township. Revenues in excess of \$30 million per year, including as a result of construction of new facilities, will be distributed to local governments on the basis of new linear feet of rights-of-way used, but weighted to recognize underground lines and lines in population centers.
- Municipalities will have to implement financial systems to track the use and application of funds received from the METRO Authority, and be prepared to file an annual report.

METRO ACT

Additional Questions and Answers to Assist in Implementing the Act.

1. **Q. Who must acquire a permit? And where?**
A. All providers "owning telecommunications facilities located within a public right of way", excluding a federally licensed provider of commercial mobile radio service as defined in the FTA, 47 U.S.C. 332, and service provided by any wireless two way communication device as described on section 2(k) of PA 48, must acquire a permit from municipalities where facilities are located.
2. **Q. Providers who *lease* telecommunication facilities, must they get a permit also?**
A. No, only telecommunications providers that *own* telecommunication facilities must get a permit.
3. **Q. If a provider has a permit under the prior Michigan Telecommunications Act (MTA), must the provider still file a permit?**
A. No, a provider who filed a permit under the MTA satisfies the METRO Act's permit requirements.
4. **Q. When is the deadline to file a permit?**
A. Providers without permits have until May 1, 2003 to apply for a permit. The METRO Authority may extend it up to October 31, 2003.
5. **Q. If a provider fails to file a permit, what are the consequences?**
A. No access to public right-of-way and subject to fines under section 18(2) of the Act. In addition, the provider may be trespassing and may be subject to civil infraction penalties.
6. **Q. How will a provider know whether a municipality is in compliance with the act or not?**
A. "The municipalities shall provide each provider affected by the fee a copy of the resolution or ordinance" as adopted by the municipality in compliance with section 14(1) of PA 48.
7. **Q. If a municipality "opts out", must the provider still file a permit with that municipality?**
A. Yes, and the provider is still obligated to comply with any other existing rules and regulations.
8. **Q. Must cable companies providing telecommunications services file a permit?**
A. A separate provision for cable franchise holders under section 8(11) allows for an alternative agreement to satisfy the permit requirements.
9. **Q. Who is exempt from filing a permit?**
A. A governmental entity, educational institution or utility, who does not provide telecommunication service to outside third parties, as specified in section 8(18,19,20) is exempt from filing a permit.

10. **Q. What do providers get in return?**
 - A. They will receive relatively uniform treatment among Michigan municipalities including a safe harbor permit to streamline the permit process. If there is no agreement between both parties, the matter is submitted to mediation and, if not resolved in that manner, the Michigan Public Service Commission will decide.
11. **Q. What's the difference between the unilateral permit and the bilateral permit?**
 - A. The bilateral permit is a signed contractual agreement for up to 30 years (initial 15 years with a possibility of another 15 year extension). The unilateral permit is issued by a municipality and is for 5 years or less.
12. **Q. What are the fees associated with this permit?**
 - A. There will be a \$500 one time application fee paid to the municipality (not applicable to SBC, Verizon, and others claiming grandfathered franchises). Also, an annual fee is paid to the METRO Authority (who will eventually distribute it to the various municipalities) in the following manner:
 - (1) 2-Cent Assessment Period: the provider must pay 2 cents/linear foot prorated from November 1, 2002 to March 31, 2003 (.83 cents).
 - (2) Annual Assessment Period: the provider must pay 5 cents/linear foot/year. The annual fee must be paid by April 29 for prior 12 months (April to March).
13. **Q. What telecommunication facilities are included in the assessment of linear feet?**
 - A. PA 48 defines "telecommunication facilities" as "the equipment or personal property, such as copper and fiber cables, lines, wires, switches, conduits, pipes, and sheaths, which are used to or can generate, receive, transmit, carry, amplify, or provide telecommunication services or signals. Telecommunication facilities or facilities do not include antennas, supporting structures for antennas, equipment shelters or houses, and any ancillary equipment and miscellaneous hardware used to provide federally licensed commercial mobile service as defined in section 332(d) of part I of title III of the communications act of 1934, chapter 652, 48 Stat. 1064, 47 U.S.C. 332 and further defined as commercial mobile radio service in 47 C.F.R. 20.3, and service provided by any wireless, 2-way communication device."
14. **Q. Will the underserved areas be negatively affected by this act?**
 - A. No, the METRO Authority may waive fees for underserved areas (as defined in Broadband Development Authority Act 49 of 2002). Two thirds of the municipalities must also approve the waiver because it reduces their payments from the Authority.
15. **Q. For Telecommunication providers who share facilities, how does the METRO Authority assess their fees?**
 - A. Providers sharing poles, trenches, etc...will receive a 40% discount of their fees. It applies only to new facilities installed on or after November 1, 2002 pursuant to shared use agreements executed after November 1, 2002.
16. **Q. How and when will the collected fees be distributed to the municipalities?**
 - A. 100% of the collected funds will be distributed back to the municipalities by May 31 of each year. Cities and villages will receive 75% using the PA 51 formula. Townships

will receive 25% based on the total linear feet of right-of-way in the township as specified in section 11 of PA 48.

17. Q. When and how must the municipalities “opt in”?

A. The municipalities must “opt in” by December 31, 2003. However, if the municipalities wish to receive a payment by May 2003, the Authority strongly encourages the Municipalities to be in compliance by April 29, 2003. The municipalities must send the Authority as well as the providers (section 13(4)) a resolution or ordinance stating their decision to comply with the METRO Act. In addition, the municipality must modify “any fees charged to providers after November 1, 2002 relating to access to and usage of the public rights of way to an amount not exceeding the amount of fees and charges required under this Act.”

18. Q. If a municipality decides to “opt out”, what will happen?

A. The municipalities that “opt out” will not be eligible to receive any funds from the METRO Authority. The municipality will then be required to use its existing permit agreements with telecom providers. At such time as the permit expires, it will be unable to charge fees.

19. Q. How can a municipality verify they are in compliance with the METRO Authority?

A. Contact Mr. Robert Tuttle of the METRO Authority at:

Phone: 517-335-5448

Email: retuttl@michigan.gov

Web: www.cis.state.mi.us/mpsc/comm/broadband/metroauthoritywebpage.pdf

20. Q. How can the municipalities dispose of these monies distributed from the fund?

A. Distributions must be used “solely for rights-of-way related purposes”. In addition, municipalities with over 10,000 population must file an annual report with the Authority on use and disposition of funds.

21. Q. Would MDOT improvements, sidewalks, and management tool software be considered “rights-of-way related purposes”?

A. These items can be considered “rights-of-way related purposes” if they comply with section 10(4) of PA 48.

22. Q. Could insurance be purchased instead of a bond?

A. The METRO Act clearly specifies “a municipality may require as a condition of the permit that a bond be posted by the provider, which shall not exceed the reasonable cost to ensure that the public right-of-way is returned to its original condition during and after the provider’s access and use.”

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CHECK DISBURSEMENT REPORT FOR CITY OF EVART
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Check Date	Bank	Check #	Payee	Description	GL #	Amount
02/03/2021	751	516 (A)	SWIFT ECKERT, TERESA	COMMUNICATIONS	101-301-850.000	80.00
02/04/2021	751	38280	RUTH, SHAWN	Water Deposit Refund	591-000-229.000	100.61
02/09/2021	751	38281	DEWITT REAL STATE 2 LLC	DUE TO TAXPAYER REFUND	704-000-214.201	103.56
02/10/2021	751	517 (A)	CHARTER/SPECTRUM	COMMUNICATIONS	101-265-850.000	107.97
		517 (A)		COMMUNICATIONS	101-301-850.000	314.94
		517 (A)		COMMUNICATIONS	101-440-850.000	116.97
		517 (A)		COMMUNICATIONS	590-537-850.000	107.96
		517 (A)		COMMUNICATIONS	591-545-850.000	107.96
						<hr/> 755.80
02/15/2021	751	526 (E)	FIRST BANKCARD	MEMBERSHIP AND DUES	101-215-807.000	60.00
		526 (E)		POSTAGE & SHIPPING	101-265-741.000	366.67
		526 (E)		COMMUNICATIONS	101-265-850.000	34.55
		526 (E)		POLICE UNIFORM ALLOWANCE	101-301-758.000	33.20
		526 (E)		COMPUTERS/EQUIPMENT/IT	101-301-932.000	14.99
		526 (E)		EDUCATION AND TRAINING	101-301-957.000	280.00
		526 (E)		REIMBURSEMENT EXPENSE	101-441-768.000	179.95
		526 (E)		POSTAGE & SHIPPING	590-537-741.000	366.67
		526 (E)		COMMUNICATIONS	590-537-850.000	34.55
		526 (E)		MISCELLANEOUS EXPENSE	590-537-955.000	(29.88)
		526 (E)		POSTAGE & SHIPPING	591-545-741.000	366.66
		526 (E)		COMMUNICATIONS	591-545-850.000	34.54
		526 (E)		MISCELLANEOUS EXPENSE	591-545-955.000	(29.88)
						<hr/> 1,712.02
02/15/2021	751	527 (E)	LINGO	COMMUNICATIONS	590-538-850.000	139.49
		527 (E)		COMMUNICATIONS	591-546-850.000	69.74
						<hr/> 209.23
02/16/2021	751	38282	BUDS POLICE SUPPLY	AMMUNITION	101-301-744.000	536.50
02/16/2021	751	38283	CITY OF EVART	OFFICE SUPPLIES	101-265-727.000	200.00
		38283		UTILITIES	101-265-921.000	37.39
		38283		UTILITIES	101-301-921.000	41.70
		38283		UTILITIES	101-440-921.000	227.85
		38283		UTILITIES	101-442-921.000	20.50
		38283		UTILITIES	207-751-921.000	216.42
		38283		UTILITIES	208-757-921.000	66.56
		38283		OPERATING SUPPLIES	590-537-740.000	200.00
		38283		OPERATING SUPPLIES	591-545-740.000	200.00
						<hr/> 1,210.42
02/16/2021	751	38284	CONSUMERS ENERGY	UTILITIES	101-265-921.000	187.16
		38284		UTILITIES	101-301-921.000	156.07

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Check Date	Bank	Check #	Payee	Description	GL #	Amount
		38284		UTILITIES	101-441-921.000	426.40
		38284		UTILITIES	101-442-921.000	523.53
		38284		UTILITIES	101-448-921.000	2,551.51
		38284		UTILITIES	202-460-921.000	127.72
		38284		UTILITIES	202-461-921.000	240.21
		38284		UTILITIES	207-751-921.000	544.56
		38284		UTILITIES	208-757-921.000	329.49
		38284		UTILITIES	209-276-921.000	29.13
		38284		UTILITIES	590-538-921.000	779.27
		38284		UTILITIES	591-546-921.000	1,100.14
						<hr/> 6,995.19
02/16/2021	751	38285	EVART PARTS PLUS	OPERATING SUPPLIES	661-599-740.000	36.67
		38285		GAS AND OIL	661-599-861.000	80.59
						<hr/> 117.26
02/16/2021	751	38286	FASTENAL COMPANY	REPAIRS AND MAINTENANCE	661-599-930.000	45.72
02/16/2021	751	38287	HOMETOWN HARDWARE	OPERATING SUPPLIES	101-441-740.000	66.52
		38287		REPAIRS AND MAINTENANCE	590-538-930.000	30.27
						<hr/> 96.79
02/16/2021	751	38288	IN STOCK MARKETING SERVICES	PUBLISHING/PRINTING	101-301-900.000	35.00
02/16/2021	751	38289	INTEGRITY BUSINESS SOLUTIONS	OFFICE SUPPLIES	101-265-727.000	7.58
		38289		OFFICE SUPPLIES	590-537-727.000	7.58
		38289		OFFICE SUPPLIES	591-545-727.000	7.57
						<hr/> 22.73
02/16/2021	751	38290	KUBE PROPANE, LLC	UTILITIES	101-441-921.000	491.59
02/16/2021	751	38291	LCM SURVEYING AND ENGINEERING	PROFESSIONAL SERVICES	101-440-801.000	850.00
02/16/2021	751	38292	MEDLER ELECTRONIC CO	REPAIRS AND MAINTENANCE	590-538-930.000	68.25
02/16/2021	751	38293	NORTHERN PUMP& WELL	PROFESSIONAL SERVICES	591-546-801.000	2,035.00
02/16/2021	751	38294	OSCEOLA COUNTY TREASURER	PRIOR YEAR ADJUSTMENT-EXPENSE	101-248-956.000	5.07
02/16/2021	751	38295	PIONEER GROUP	PUBLISHING/PRINTING	101-265-900.000	20.00
		38295		PUBLISHING/PRINTING	101-440-900.000	38.70
						<hr/> 58.70
02/16/2021	751	38296	RCB CONTRACTING	PROFESSIONAL SERVICES	101-265-801.000	76.67
		38296		PROFESSIONAL SERVICES	101-301-801.000	115.00
		38296		PROFESSIONAL SERVICES	101-440-801.000	38.33
		38296		PROFESSIONAL SERVICES	101-441-801.000	306.67
		38296		PROFESSIONAL SERVICES	101-442-801.000	76.67

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Check Date	Bank	Check #	Payee	Description	GL #	Amount
		38296		PROFESSIONAL SERVICES	207-751-801.000	76.67
		38296		PROFESSIONAL SERVICES	208-757-801.000	76.67
		38296		PROFESSIONAL SERVICES	590-538-801.000	1,533.33
		38296		PROFESSIONAL SERVICES	591-546-801.000	1,533.32
						<hr/> 3,833.33
02/16/2021	751	38297	REPUBLIC SERVICES #239	PROFESSIONAL SERVICES	101-441-801.000	129.00
		38297		PROFESSIONAL SERVICES	101-526-801.000	9,520.21
		38297		PROFESSIONAL SERVICES	590-538-801.000	57.50
		38297		PROFESSIONAL SERVICES	591-546-801.000	57.50
						<hr/> 9,764.21
02/16/2021	751	38298	SINGLESOURCE	OPERATING SUPPLIES	101-441-740.000	105.85
02/16/2021	751	38299	SMITH LUMBER CO	VEHICLE REPAIR & MAINTENANCE	101-301-931.000	9.99
		38299		OPERATING SUPPLIES	101-440-740.000	4.00
		38299		REPAIRS AND MAINTENANCE	101-442-930.000	18.78
		38299		OPERATING SUPPLIES	590-537-740.000	125.00
		38299		REPAIRS AND MAINTENANCE	590-538-930.000	54.37
		38299		REPAIRS AND MAINTENANCE	591-547-930.000	55.22
		38299		OPERATING SUPPLIES	661-599-740.000	98.03
						<hr/> 365.39
02/16/2021	751	38300	STATE OF MICHIGAN	COMPUTERS/EQUIPMENT/IT	101-301-932.000	250.00
02/16/2021	751	38301	TRUCK AND TRAILER SPECIALTIES	REPAIRS AND MAINTENANCE	661-599-930.000	211.52
02/16/2021	751	38302	US POST OFFICE	POSTAGE & SHIPPING	101-265-741.000	0.21
		38302		POSTAGE & SHIPPING	590-537-741.000	0.21
		38302		POSTAGE & SHIPPING	591-545-741.000	0.20
						<hr/> 0.62
02/16/2021	751	38303	WIELAND TRUCK CENTER-CLARE	REPAIRS AND MAINTENANCE	661-599-930.000	317.95
02/16/2021	751	519 (A)	AMERICAN SPECIALTY PRODUCTS	OPERATING SUPPLIES	590-538-740.000	370.88
		519 (A)		OPERATING SUPPLIES	591-546-740.000	238.76
						<hr/> 609.64
02/16/2021	751	520 (A)	CROSSROADS TESTING SERVICES	PHYSICALS/CDL DRUG TESTING	101-441-840.000	66.67
		520 (A)		PHYSICALS/DRUG TESTING	590-537-840.000	66.67
		520 (A)		PHYSICALS/DRUG TEST	591-545-840.000	66.66
						<hr/> 200.00
02/16/2021	751	521 (A)	DRUG SCREEN PLUS	PHYSICALS/CDL DRUG TESTING	101-441-840.000	15.00
		521 (A)		PHYSICALS/DRUG TESTING	590-537-840.000	15.00
		521 (A)		PHYSICALS/DRUG TEST	591-545-840.000	15.00
						<hr/> 15.00

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Check Date	Bank	Check #	Payee	Description	GL #	Amount
						45.00
02/16/2021	751	522 (A)	MAURER'S TEXTILE RENTAL	PROFESSIONAL SERVICES	101-265-801.000	104.14
		522 (A)		PROFESSIONAL SERVICES	590-537-801.000	104.13
		522 (A)		PROFESSIONAL SERVICES	591-545-801.000	104.13
						312.40
02/16/2021	751	523 (A)	PEPPER LOCKHART	POSTAGE & SHIPPING	101-191-741.000	14.00
		523 (A)		OPERATING SUPPLIES	101-442-740.000	15.00
						29.00
02/16/2021	751	524 (A)	SCOTLAND OIL COMPANY, INC.	GAS AND OIL	101-301-861.000	424.71
		524 (A)		GAS AND OIL	661-599-861.000	1,204.69
						1,629.40
02/16/2021	751	525 (A)	USA BLUE BOOK	REPAIRS AND MAINTENANCE	590-538-930.000	568.61
02/16/2021	751	528 (A)	PATRICK MCCLURE	K-9 RELATED EXPENSES	101-301-726.000	52.99
			TOTAL - ALL FUNDS	TOTAL OF 36 CHECKS		33,825.35

--- GL TOTALS ---

101-191-741.000	POSTAGE & SHIPPING	14.00
101-215-807.000	MEMBERSHIP AND DUES	60.00
101-248-956.000	PRIOR YEAR ADJUSTMENT-EXPENSE	5.07
101-265-727.000	OFFICE SUPPLIES	207.58
101-265-741.000	POSTAGE & SHIPPING	366.88
101-265-801.000	PROFESSIONAL SERVICES	180.81
101-265-850.000	COMMUNICATIONS	142.52
101-265-900.000	PUBLISHING/PRINTING	20.00
101-265-921.000	UTILITIES	224.55
101-301-726.000	K-9 RELATED EXPENSES	52.99
101-301-744.000	AMMUNITION	536.50
101-301-758.000	POLICE UNIFORM ALLOWANCE	33.20
101-301-801.000	PROFESSIONAL SERVICES	115.00
101-301-850.000	COMMUNICATIONS	394.94
101-301-861.000	GAS AND OIL	424.71
101-301-900.000	PUBLISHING/PRINTING	35.00
101-301-921.000	UTILITIES	197.77
101-301-931.000	VEHICLE REPAIR & MAINTENANCE	9.99
101-301-932.000	COMPUTERS/EQUIPMENT/IT	264.99
101-301-957.000	EDUCATION AND TRAINING	280.00
101-440-740.000	OPERATING SUPPLIES	4.00
101-440-801.000	PROFESSIONAL SERVICES	888.33
101-440-850.000	COMMUNICATIONS	116.97
101-440-900.000	PUBLISHING/PRINTING	38.70

Check Date	Bank	Check #	Payee	Description	GL #	Amount
101-440-921.000			UTILITIES			227.85
101-441-740.000			OPERATING SUPPLIES			172.37
101-441-768.000			REIMBURSEMENT EXPENSE			179.95
101-441-801.000			PROFESSIONAL SERVICES			435.67
101-441-840.000			PHYSICALS/CDL DRUG TESTING			81.67
101-441-921.000			UTILITIES			917.99
101-442-740.000			OPERATING SUPPLIES			15.00
101-442-801.000			PROFESSIONAL SERVICES			76.67
101-442-921.000			UTILITIES			544.03
101-442-930.000			REPAIRS AND MAINTENANCE			18.78
101-448-921.000			UTILITIES			2,551.51
101-526-801.000			PROFESSIONAL SERVICES			9,520.21
202-460-921.000			UTILITIES			127.72
202-461-921.000			UTILITIES			240.21
207-751-801.000			PROFESSIONAL SERVICES			76.67
207-751-921.000			UTILITIES			760.98
208-757-801.000			PROFESSIONAL SERVICES			76.67
208-757-921.000			UTILITIES			396.05
209-276-921.000			UTILITIES			29.13
590-537-727.000			OFFICE SUPPLIES			7.58
590-537-740.000			OPERATING SUPPLIES			325.00
590-537-741.000			POSTAGE & SHIPPING			366.88
590-537-801.000			PROFESSIONAL SERVICES			104.13
590-537-840.000			PHYSICALS/DRUG TESTING			81.67
590-537-850.000			COMMUNICATIONS			142.51
590-537-955.000			MISCELLANEOUS EXPENSE			(29.88)
590-538-740.000			OPERATING SUPPLIES			370.88
590-538-801.000			PROFESSIONAL SERVICES			1,590.83
590-538-850.000			COMMUNICATIONS			139.49
590-538-921.000			UTILITIES			779.27
590-538-930.000			REPAIRS AND MAINTENANCE			721.50
591-000-229.000			CUSTOMER DEPOSITS			100.61
591-545-727.000			OFFICE SUPPLIES			7.57
591-545-740.000			OPERATING SUPPLIES			200.00
591-545-741.000			POSTAGE & SHIPPING			366.86
591-545-801.000			PROFESSIONAL SERVICES			104.13
591-545-840.000			PHYSICALS/DRUG TEST			81.66
591-545-850.000			COMMUNICATIONS			142.50
591-545-955.000			MISCELLANEOUS EXPENSE			(29.88)
591-546-740.000			OPERATING SUPPLIES			238.76
591-546-801.000			PROFESSIONAL SERVICES			3,625.82
591-546-850.000			COMMUNICATIONS			69.74
591-546-921.000			UTILITIES			1,100.14
591-547-930.000			REPAIRS AND MAINTENANCE			55.22
661-599-740.000			OPERATING SUPPLIES			134.70

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Check Date	Bank	Check #	Payee	Description	GL #	Amount
661-599-861.000				GAS AND OIL		1,285.28
661-599-930.000				REPAIRS AND MAINTENANCE		575.19
704-000-214.201				DUE TO TAXPAYER REFUND		103.56
				TOTAL		33,825.35

Check Register Report For City Of Evert
For Check Dates 02/02/2021 to 02/16/2021

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
02/03/2021	750	23127	MISDU	118.29	118.29	0.00	Open
02/10/2021	750	23134	MISDU	118.29	118.29	0.00	Open
02/03/2021	750	EFT529	FEDERAL 941	3,123.74	3,123.74	0.00	Open
02/02/2021	750	EFT531	FEDERAL 941	22.96	22.96	0.00	Open
02/09/2021	750	EFT533	FEDERAL 941	291.27	291.27	0.00	Open
02/10/2021	750	EFT535	FEDERAL 941	2,925.75	2,925.75	0.00	Open
02/09/2021	750	23131	EMERICK, CHRISTINA	200.00	176.20	0.00	Open
02/03/2021	750	DD5302	BEAM, JOHN	1,096.15	0.00	719.20	Cleared
02/10/2021	750	DD5322	BEAM, JOHN	1,096.15	0.00	719.20	Cleared
02/03/2021	750	DD5303	DANIELS, JOHNNIE L	136.00	0.00	119.82	Cleared
02/03/2021	750	DD5304	DOUGLAS, RYAN	754.00	0.00	545.70	Cleared
02/10/2021	750	DD5323	DOUGLAS, RYAN	754.00	0.00	545.70	Cleared
02/03/2021	750	DD5305	DUNCAN, JENNIFER	923.65	0.00	714.69	Cleared
02/10/2021	750	DD5324	DUNCAN, JENNIFER	759.04	0.00	590.80	Cleared
02/03/2021	750	DD5306	DVORACEK, SARAH J	1,774.04	0.00	1,355.21	Cleared
02/10/2021	750	DD5325	DVORACEK, SARAH J	1,774.04	0.00	1,355.22	Cleared
02/09/2021	750	23130	ELLIOTT, DANIEL	400.00	352.40	0.00	Open
02/03/2021	750	DD5307	FIEBIG, KATHY	167.31	0.00	147.39	Cleared
02/09/2021	750	DD5321	FIEBIG, KATHY	400.00	0.00	336.53	Cleared
02/10/2021	750	DD5326	FIEBIG, KATHY	167.31	0.00	147.40	Cleared
02/03/2021	750	DD5308	FLACHS, MICHAEL J	721.60	0.00	491.00	Cleared
02/10/2021	750	DD5327	FLACHS, MICHAEL J	872.19	0.00	607.34	Cleared
02/03/2021	750	DD5309	HIGGINS, JERALD J	468.00	0.00	388.97	Cleared
02/10/2021	750	DD5328	HIGGINS, JERALD J	306.00	0.00	262.44	Cleared
02/02/2021	750	23128	HIGGINS, KAREN	75.00	66.07	0.00	Open
02/09/2021	750	23132	HILDEBRAND, MATTHEW	400.00	369.40	0.00	Open
02/03/2021	750	DD5310	KIRWIN, DAVID	1,173.33	0.00	1,018.03	Cleared
02/03/2021	750	DD5311	LOCKHART, PEPPER L	1,025.82	0.00	822.18	Cleared
02/10/2021	750	DD5329	LOCKHART, PEPPER L	1,025.82	0.00	822.16	Cleared
02/02/2021	750	23129	MADDERN, DONALD	75.00	69.26	0.00	Open

Check Register Report For City Of Evert
For Check Dates 02/02/2021 to 02/16/2021

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
02/03/2021	750	DD5312	MANEKE, VANESSA S	29.37	0.00	27.13	Cleared
02/10/2021	750	DD5330	MANEKE, VANESSA S	35.75	0.00	33.01	Cleared
02/03/2021	750	DD5313	MARTIN, DALE	918.81	0.00	567.73	Cleared
02/10/2021	750	DD5331	MARTIN, DALE	1,166.11	0.00	726.67	Cleared
02/03/2021	750	DD5314	MCCLURE, PATRICK K	788.80	0.00	558.78	Cleared
02/10/2021	750	DD5332	MCCLURE, PATRICK K	788.80	0.00	558.77	Cleared
02/03/2021	750	DD5315	MUCZYNSKI, PATRICK	1,193.68	0.00	828.39	Cleared
02/10/2021	750	DD5333	MUCZYNSKI, PATRICK	1,231.38	0.00	855.50	Cleared
02/03/2021	750	DD5316	ROHEN, MELISSA A	760.00	0.00	554.64	Cleared
02/10/2021	750	DD5334	ROHEN, MELISSA A	760.00	0.00	554.64	Cleared
02/03/2021	750	DD5317	SWIFT-ECKERT, TERESA M	374.85	0.00	342.25	Cleared
02/10/2021	750	DD5335	SWIFT-ECKERT, TERESA M	271.95	0.00	251.14	Cleared
02/09/2021	750	23133	SZELIGA, SANDY	400.00	352.40	0.00	Open
02/03/2021	750	DD5318	WILSON, MARK A	1,364.16	0.00	963.05	Cleared
02/10/2021	750	DD5336	WILSON, MARK A	1,364.16	0.00	963.05	Cleared
02/03/2021	750	DD5319	ZINGER, ADAM	775.72	0.00	527.19	Cleared
02/10/2021	750	DD5337	ZINGER, ADAM	722.60	0.00	487.21	Cleared
Totals:			Number of Checks: 047	36,090.89	7,986.03	20,508.13	
Total Physical Checks:			8				
Total Check Stubs:			39				

GL NUMBER	DESCRIPTION	PREVIOUS MONTH		END BALANCE
		BALANCE		01/31/2021
		NORMAL	(ABNORMAL)	NORMAL (ABNORMAL)
Fund 101 - GENERAL FUND				
Assets				
101-000-001.000	CASH	612,935.59		590,908.93
101-000-001.200	CASH EQUIPMENT DONATIONS	3,500.01		3,500.01
101-000-001.203	TIMBER SALE PROCEEDS	2,786.00		2,786.00
101-000-001.204	TREE DONATIONS	(1,375.00)		(1,375.00)
101-000-001.301	POLICE EQUIP (ATV) FUND	50.00		50.00
101-000-001.303	CANINE DONATIONS	2,734.60		2,734.60
101-000-001.304	COMMUNITY POL FUN	2,225.00		2,225.00
101-000-001.306	APPARREST FUND	1,007.50		1,007.50
101-000-001.308	PA 302 FUND	3,824.41		3,824.41
101-000-001.310	ECONOMIC DEVELOPMENT	7,036.91		7,036.91
101-000-001.313	FOR SIDEWALKS (TO STREETS)	2,846.50		2,846.50
101-000-001.316	OIL AND GAS LEASE	6,276.00		6,276.00
101-000-001.400	YOUTH BAKE SALE FUND	338.52		338.52
101-000-001.500	POP WARNER FOOTBALL DONATIONS	5,453.51		5,453.51
101-000-003.001	CD - MERCANTILE BANK	71,751.29		71,751.29
101-000-003.002	CD - MEMBERS FIRST CREDIT UNION	73,994.20		73,994.20
101-000-003.003	CD - WEST MICHIGAN CREDIT UNION	73,262.18		73,262.18
101-000-003.004	CD - LAKE OSCEOLA STATE BANK	73,307.56		73,307.56
101-000-004.000	PETTY CASH	245.05		245.05
101-000-005.005	MMA- HUNTINGTON BANK	30,238.06		30,238.32
TOTAL ASSETS		972,437.89		950,411.49
Fund 202 - MAJOR STREET				
Assets				
202-000-001.000	CASH	613,590.52		618,747.69
202-000-003.001	CD - MERCANTILE BANK	2.73		2.73
202-000-003.002	CD - MEMBERS FIRST CREDIT UNION	3.55		3.55
202-000-003.003	CD - WEST MICHIGAN CREDIT UNION	3.29		3.29
202-000-003.004	CD - LAKE OSCEOLA STATE BANK	3.29		3.29
202-000-005.005	MMA- HUNTINGTON BANK	1.24		1.24
TOTAL ASSETS		613,604.62		618,761.79
Fund 203 - LOCAL STREET				
Assets				
203-000-001.000	CASH	152,862.90		158,776.58
203-000-003.001	CD - MERCANTILE BANK	2,955.39		2,955.39
203-000-003.002	CD - MEMBERS FIRST CREDIT UNION	3,048.20		3,048.20
203-000-003.003	CD - WEST MICHIGAN CREDIT UNION	3,019.39		3,019.39
203-000-003.004	CD - LAKE OSCEOLA STATE BANK	3,019.56		3,019.56
203-000-005.005	MMA- HUNTINGTON BANK	1,245.50		1,245.51
TOTAL ASSETS		166,150.94		172,064.63
Fund 207 - OTHER PARKS/RECREATION FUND				
Assets				
207-000-001.000	CASH	(587.73)		(587.73)
TOTAL ASSETS		(587.73)		(587.73)
Fund 208 - RIVERSIDE CAMPGROUND FUND				
Assets				
208-000-001.000	CASH	5,413.71		5,398.84
TOTAL ASSETS		5,413.71		5,398.84
Fund 209 - CEMETERY FUND				
Assets				
209-000-001.000	CASH	47,472.86		48,672.86
TOTAL ASSETS		47,472.86		48,672.86
Fund 590 - SEWER FUND				
Assets				
590-000-001.000	CASH	977,708.24		1,003,295.37
590-000-003.001	CD - MERCANTILE BANK	4,876.63		4,876.63
590-000-003.002	CD - MEMBERS FIRST CREDIT UNION	5,029.94		5,029.94
590-000-003.003	CD - WEST MICHIGAN CREDIT UNION	4,982.35		4,982.35
590-000-003.004	CD - LAKE OSCEOLA STATE BANK	4,982.65		4,982.65

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ACCOUNT BALANCE REPORT FOR CITY OF EVART
PERIOD ENDING 01/31/2021

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GL NUMBER	DESCRIPTION	PREVIOUS MONTH		END BALANCE
		BALANCE		01/31/2021
		NORMAL	(ABNORMAL)	NORMAL (ABNORMAL)
Fund 590 - SEWER FUND				
Assets				
590-000-005.005	MMA- HUNTINGTON BANK	2,055.19		2,055.21
TOTAL ASSETS		999,635.00		1,025,222.15
Fund 591 - WATER FUND				
Assets				
591-000-001.000	CASH	1,700,830.88		1,725,406.30
591-000-003.001	CD - MERCANTILE BANK	122,701.97		122,701.97
591-000-003.002	CD - MEMBERS FIRST CREDIT UNION	126,551.60		126,551.60
591-000-003.003	CD - WEST MICHIGAN CREDIT UNION	125,356.39		125,356.39
591-000-003.004	CD - LAKE OSCEOLA STATE BANK	125,363.63		125,363.63
591-000-005.005	MMA- HUNTINGTON BANK	51,710.16		51,710.60
TOTAL ASSETS		2,252,514.63		2,277,090.49
Fund 661 - EQUIPMENT POOL FUND				
Assets				
661-000-001.000	CASH	229,913.02		238,715.69
661-000-003.001	CD - MERCANTILE BANK	18,775.59		18,775.59
661-000-003.002	CD - MEMBERS FIRST CREDIT UNION	19,364.75		19,364.75
661-000-003.003	CD - WEST MICHIGAN CREDIT UNION	19,181.82		19,181.82
661-000-003.004	CD - LAKE OSCEOLA STATE BANK	19,182.93		19,182.93
661-000-005.005	MMA- HUNTINGTON BANK	7,912.60		7,912.67
TOTAL ASSETS		314,330.71		323,133.45
Fund 663 - FIRE VEHICLE				
Assets				
663-000-003.001	CD - MERCANTILE BANK	6,366.80		6,366.80
663-000-003.002	CD - MEMBERS FIRST CREDIT UNION	6,566.15		6,566.15
663-000-003.003	CD - WEST MICHIGAN CREDIT UNION	6,504.24		6,504.24
663-000-003.004	CD - LAKE OSCEOLA STATE BANK	6,504.62		6,504.62
663-000-005.005	MMA- HUNTINGTON BANK	2,683.10		2,683.12
TOTAL ASSETS		28,624.91		28,624.93
Fund 664 - POLICE VEHICLE				
Assets				
664-000-001.000	CASH	1.71		1.71
664-000-003.001	CD - MERCANTILE BANK	0.05		0.05
664-000-003.002	CD - MEMBERS FIRST CREDIT UNION	0.05		0.05
664-000-003.003	CD - WEST MICHIGAN CREDIT UNION	0.05		0.05
664-000-003.004	CD - LAKE OSCEOLA STATE BANK	0.05		0.05
664-000-003.005	CD - HUNTINGTON BANK	0.04		0.04
TOTAL ASSETS		1.95		1.95
Fund 701 - TRUST AND AGENCY				
Assets				
701-000-001.000	CASH	227.99		227.99
701-000-003.001	CD - MERCANTILE BANK	493.65		493.65
701-000-003.002	CD - MEMBERS FIRST CREDIT UNION	508.98		508.98
701-000-003.003	CD - WEST MICHIGAN CREDIT UNION	504.22		504.22
701-000-003.004	CD - LAKE OSCEOLA STATE BANK	504.26		504.26
701-000-005.005	MMA- HUNTINGTON BANK	208.03		208.03
TOTAL ASSETS		2,447.13		2,447.13
Fund 703 - SUMMER TAX				
Assets				
703-000-001.000	CASH	5,217.06		3,458.46
TOTAL ASSETS		5,217.06		3,458.46
Fund 704 - WINTER TAX				
Assets				
704-000-001.000	CASH	108,288.49		115,831.89

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ACCOUNT BALANCE REPORT FOR CITY OF EVART
PERIOD ENDING 01/31/2021

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GL NUMBER	DESCRIPTION	PREVIOUS MONTH	END BALANCE
		BALANCE	01/31/2021
		NORMAL (ABNORMAL)	NORMAL (ABNORMAL)
Fund 704 - WINTER TAX			
Assets			
TOTAL ASSETS		108,288.49	115,831.89
Fund 711 - CEMETERY TRUST FUND			
Assets			
711-000-001.000	CASH	15,157.11	15,157.24
711-000-003.001	CD - MERCANTILE BANK	29,325.21	29,325.21
711-000-003.002	CD - MEMBERS FIRST CREDIT UNION	30,244.43	30,244.43
711-000-003.003	CD - WEST MICHIGAN CREDIT UNION	29,959.04	29,959.04
711-000-003.004	CD - LAKE OSCEOLA STATE BANK	29,960.78	29,960.78
711-000-005.005	MMA- HUNTINGTON BANK	12,358.41	12,358.51
TOTAL ASSETS		147,004.98	147,005.21
Fund 750 - PAYROLL			
Assets			
750-000-001.000	CASH	43,668.00	28,179.78
TOTAL ASSETS		43,668.00	28,179.78
Fund 751 - VENDOR ACCOUNT			
Assets			
751-000-001.000	CASH	5,201.82	5,202.73
TOTAL ASSETS		5,201.82	5,202.73

Evart Area Joint Fire Department

Fire Board Meeting

January 11, 2021 @ 4 PM

Pledge of Allegiance

Meeting called to order by Chairman Hammer 4:05pm.

Roll Call: Dan Elliott – City of Evart, Sherri Bancroft – Osceola Township, Gary Hammer – Evart Township, Bev Mills – Sylvan Township. Brad Morgan – Orient Township, Absent.

Guests: Shane Helmer, Angie Cushman, Dan Winters, Riley Painter, Travis Douglas, Ryan Douglas, Jesse Hyden.

Citizens Comments: NONE

MOTION BY MILLS, 2ND BY ELLIOTT, to approve the agenda. MOTION PASSED.

Open discussion of the future plans of Evart Fire Department. Discussion was held.

Next Meeting: January 12, 2021 @ 4 PM.

MOTION BY MILLS, 2ND BY ELLIOTT, to adjourn the meeting @ 5:36pm. MOTION PASSED.

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A FUTURE BOARD MEETING.

ANGELA CUSHMAN

Administrative Assistant

Evart Area Joint Fire Department.

Evart Area Joint Fire Department

Fire Board Meeting

January 12, 2021 @ 4 PM

PLEDGE OF ALLEGIANCE

Meeting called to order by Chairman Hammer 4:07pm.

ROLL CALL: Dan Elliott – City of Evart, Sherri Bancroft – Osceola Township, Gary Hammer – Evart Township, Bev Mills – Sylvan Township. Brad Morgan – Orient Township, Absent.

Guests: Shane Helmer, Angie Cushman.

CITIZENS COMMENTS: NONE

MOTION BY MILLS, 2ND BY BANCROFT, to amend and approve the agenda with additions to New Business #5 Township Payments, and #6 Title of the Tower truck. MOTION PASSED.

OLD BUSINESS:

- 1. GREEN TRUCK:** We are unable to get the truck wrapped, so we are having it painted by Eckert's Body Shop in Barryton. Discussion was held.
- 2. BUDGET 2021-22:** Shane asked if there was any questions about the budget for the new year. Shane explained the differences in the budget. Based on the 2020 year. Discussion was held. The budget should be presented to the townships.
- 3. CHART OF ACCOUNTS-CHANGE OVER:** After the budget hearing in March, the change will take place, which will add the 206 fund – fire revenue, 401- activity, capital Improvement fund, 970 – Expense-capital equipment fund, and 999-Debt Service. So the number will be 206-401-970 Capital Expense.

- 4. FIRE DEPARTMENT AGREEMENT:** Shane has tried to get a hold of Mike and is still waiting on a response. He is very busy right now with many different issues, and we have a request in for him helping with the changes to the agreement. Discussion was held for the changes needed.
- 5. CHANGE OVER TO QUICKBOOKS:** Shane spoke with the booking service and they stated that QuickBooks can be added to us as a online user for \$20.00 a month. Shane would like to do this as soon as possible. Discussion was held.

MOTION BY ELLIOTT, 2ND BY BANCROFT, to approve the online QuickBooks for \$20.00 a month and an additional \$250 for set up of the account with Shane. MOTION PASSED.

NEW BUSINESS:

- 1. MEETING INFORMATION AND OPERATIONS – CHAIRMAN HAMMER:** Gary just wanted to check with the board members about the meeting and Roberts Rules of Order for running the meetings, or if things are good they way they are now. He also asked about by laws for the board. Discussion was held. It was also recommended to do a Consent Agenda beginning in February.
- 2. OATH OF OFFICE – All Board Members:** Shane stated that each member of the board needs to be sworn in to office. Shane swore in each township and city member and the clerk.
- 3. SETTING OF PUBLIC HEARING FOR BUDGET 2021-22:** Discussion was held for a date for the public hearing for the budget for the 2021-2022 for the fire department.

MOTION BY BANCROFT, 2ND BY MILLS, to move the Evart Fire Board monthly meeting on March 9th at 6:30 pm. MOTION PASSED.

MOTION BY BANCROFT, 2ND BY MILLS, to post the public hearing meeting for March 9, 2021 @ 7 pm. MOTION PASSED.

- 4. PURCHASE OF CON-X BOXES:** Shane is asking the board to approve the purchase of 2 Con-x boxes for the purpose of storage and one for the green truck. The total will be \$2,400 each. Discussion was held.

MOTION BY MILLS, 2ND BY ELLIOTT, to purchase 1 Con-X box for the green truck from the grant fund. MOTION PASSED.

- 5. TOWNSHIP PAYMENTS:** Discussion was held in old business #4.
- 6. TOWER TRUCK TITLE:** The old tower truck was bought in 2008 and the title was never signed, Shane needs to get it signed so the city can have the tower truck.

MOTION BY ELLIOTT, 2ND BY MILLS, to allow Shane to sign the title to get a new title for the exchange of the title to the city. MOTION PASSED.

MOTION BY BANCROFT, 2ND BY ELLIOTT, to approve the minutes of December 8, 2020 as written. MOTION PASSED.

MOTION BY BANCROFT, 2ND BY MILLS, to pay the monthly bills totaling \$6,636.37 beginning with check #6545-6561. MOTION PASSED.

TREASURER REPORT: General Checking Account \$73,438.87, Truck Account \$38,735.70 with a grand total \$112,174.51.

MOTION BY ELLIOTT, 2ND BY MILLS to approve the Treasurers' report as presented with an ending balance of \$112,174.51. MOTION PASSED.

Fire Chief Report: Shane suggested that we look into changing banks for better interest rates, and suggested we ask each bank locally for a letter from each one. Discussion was held. Shane also asked about having the station manned for one month on a part time basis of 8 hours a day. He presented the board with options, discussion was held.

Dan presented the board with a capital expenditures report, and he explained in detail how it works for the department to use Microsoft Project. Discussion was held.

CITIZENS COMMENTS: NONE

NEXT MEEING: FEBRUARY 9, 2021 @ 4PM.

MOTION BY MILLS, 2ND BY BANCROFT, to adjourn the meeting @ 6:15pm.

MOTION PASSED.

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT A FUTURE BOARD MEEING.

ANGELA CUSHMAN

Administrative Assistant

Evert Area Joint Fire Department.

Sarah J. Dvoracek
Office of the City Manager



Monthly Report
January 2021

Recodification Project

Municode is finalizing the last draft. The city will be holding public hearings for adoption in March 2021.

Draft Housing Code Ordinance/Code Enforcement

We are currently trying to partner with Osceola County's Board of Appeals. We have a tentative date of March 8, 2021 to hold our first public participation meeting to review a draft ordinance. Both our city council and downtown development board will host the meeting. City staff will present the draft ordinance as well as current statistics.

Assessing Department/Utility Billing Department

We are finalizing the audit of rentals vs. homeownership, the audit results will be part of the presentation on March 8, 2021.

Police Department

Our Police Department has been staying busy! The department has been purging records and working on their annual report. The department has begun to work on their 2021-22 budget. Chief Beam is updating his department's capital improvement plan which includes having the indoor and outdoor lighting replaced to increase efficiency and hopefully lower utility cost.

Parks and Recreation

During our strategic planning meeting, city council decided to vacate Riverside Park West Campground, and focus on the much-needed improvements. Staff is obtaining quotes for improvements.

Department of Public Works

Our team is staying busy with snow clean-up. Our team has been burning brush at the cemetery and we are making progress. We are continuing to rebuild US-10 lamp heads. Snowmobilers ran into our fence on the trail way west of the airport, an insurance claim is pending, the damage is quite extensive.

Water & Sewer Department

Our team is working on educational campaign regarding the water meter replacements. Stay tuned for an informational video explaining how the city will replace all residential meters.

Staff is continuing to meet with Baker & Tilly for the utility rate study, we are meeting with our city engineers to get their input on prioritizing the next 10 to 20 years of projects.

Our crews did fix a water main leak on N. Cedar St. temporarily.

Airport

We are researching an airport expansion project which will be privately funded. Airport engineers are working on the layout of hangars, fuel, and a maintenance airport facility.

City Clerk

Clerk Fiebig is continuing to purge records and organize our central file. She has conducted hours of research for the boards and commissions appointments and helped the city standardize the process. She is signed up for her first Michigan Municipal Clerks Association Conference.

Treasurer/Finance Department

2021-2022 budget is underway! Finance Director Lockhart finalized all year-end reports and sent out W-2s and 1099s for both the city and our DDA. She is doing an amazing job at learning and becoming more familiar with governmental finances. She is signed up for her first Michigan Municipal Treasurers Association Conference.

Misc.

Eric Kehoe, DDA/MMS Director is now sharing office space with us at our depot.

Staff will begin to interview citizens and residents for the numerous boards and commission available positions in February/March.

I attended the City Manager's Winter Conference via Zoom. I completed four hours of continuing education hours for my assessing license. I continue to sit on the Michigan Economic Development Association (MEDA) Education Advocacy Committee, we are planning for the fall conference.

I am continuing to work with ZP 6251, LLC on the development agreement for the two parcels south of the old Vitro property, we are hoping to have the agreement finalized before next council meeting.

Staff met with MDOT to review the limitations with way finding signage along US-10. Our next step is to submit a permit. Staff is working on the permit and the committee will meet soon.

Historic District Commission

The Commission will meet on Wednesday, February 10, 2021 to revise their by-laws. Once they approve their by-laws then city council can approve them, this is a requirement to become a Certified Local Government.

In January, we met with SHPO to review our final requirements. Staff is working on the last few items for the CLG application. We should be able to submit all items by the end of month. Thank you to Clerk Fiebig for heading up this project.

Planning Commission

The Commission met on Wednesday, February 3, 2021, for a special meeting to approve our Annual Planning Commission Report. This report was required for our Redevelopment Ready Community Certification.



2021 Board of Review Training

Sponsored by the City of Evart

Instructor: Shila Kiander, MAAO

In order for Board of Review members to receive credit through the STC:

1. All students must have video capability and remain on video through the entire course.
2. All students must sign into the virtual course using their name and all other required information and remain logged in for the duration of the course.
3. All virtual BOR must include a quiz or interactive activity to be completed by all students within five business days of completion of the course.
4. **Must Register Prior to February 25, 2021 (no late registrations allowed)**

Date: Thursday , February 25, 2021

Time: 1pm – 4pm

Cost: \$25 per government unit (township or city)

Virtual via Zoom: Instructions will be sent out around January 26th to registered attendees. There will be a maximum of 50 people.

***Limited registration: RSVP required complete form below and mail with payment
(1 registration per township/city)***

Government Unit: _____ **County:** _____

Name: _____ **e-mail:** _____

Name: _____ **e-mail:** _____

Name: _____ **e-mail:** _____

Name: _____ **e-mail:** _____

Name: _____ **e-mail:** _____

Name: _____ **e-mail:** _____

Make payment to Mail registration with payment to: City of Evart
5814 100th Ave
Evart, MI 49631

Questions? Call or email Jennie (231) 734-2181 or Jennie.Duncan@evart.org

PEPPER L. LOCKHART
Finance Director/Treasurer



o: (231) 734-2181
pepper.lockhart@evart.org

TO: Honorable Mayor Emerick & Council Members
From: Pepper Lockhart, Finance Director/Treasurer
Date: February 10, 2021
Re: Finance Director's Report for January 2021

Vendor's List- You will have the vendor's summary report in your packet that list's all vendors paid up until February 16, 2021.

Summary of Funds- You will have a summary of funds for January in your packet up to date as of January 31, 2021.

Payroll Report-You will have a payroll report including the dates of 2-2-21 to 2-16-21.

Completed all payroll reconciliations for January 2021.

MEDC grant closing audit for the Splash Pad & Stage Roof is complete.

Continuing to work on updating the Handbook Policy & Procedures with our attorney from Dickinson & Wright.

Continuing to collect 2020 summer/winter taxes and disbursing payments on the 1st and 15th of the month.

Finished Quarterly Reports for UIA, Federal 941's and State Treasury for City and DDA.

Finished all W2's and 1099's for year-end for the City and the DDA.

Completed DDA Financials for January 2021 including payroll, vendor's list, revenue/expense report, and balance sheets.

Researching short term CD options to invest some of our higher checking account balances

DPW/ Sewer & Water Communications

January 2021

Streets

- Checked storm drains
- Plowed & salted major streets/snow removal
- Plowed & salted local streets/snow removal
- Street sign maintenance

DPW

- Truck/Equipment maintenance
- Snow removal on sidewalks/ramps

Misc.

- Cleaned workshop, cop shop, and WWTP lab
- Trash run (once a week)
- Christmas Tree removal
- Burn brush at Cemetery
- City Council tour of City assets

Airport

- Plowed runway/snow removal
- Monthly light test
- Repair lights
- Moved snow banks along building

Parks

- Shoveled on ramps at Cant Hook
- Cleared snow from around trash cans
- Installed timer on bridge lights

Water

- Collected samples for drinking water wells
- Completed the Monthly Operating Report (MOR)
- Filled day tanks
- Meter replacement at 126 S. Oak Street
- Turned on water at new grow facility
- Filling chlorine in wells 9, 8, and 14
- SLC Hydrometer inspections of commercial/industrial meters
- Performed daily well reads
- Performed water and sewer reads for monthly billing
- Re-reads of water meters
- Rebuilding water meters

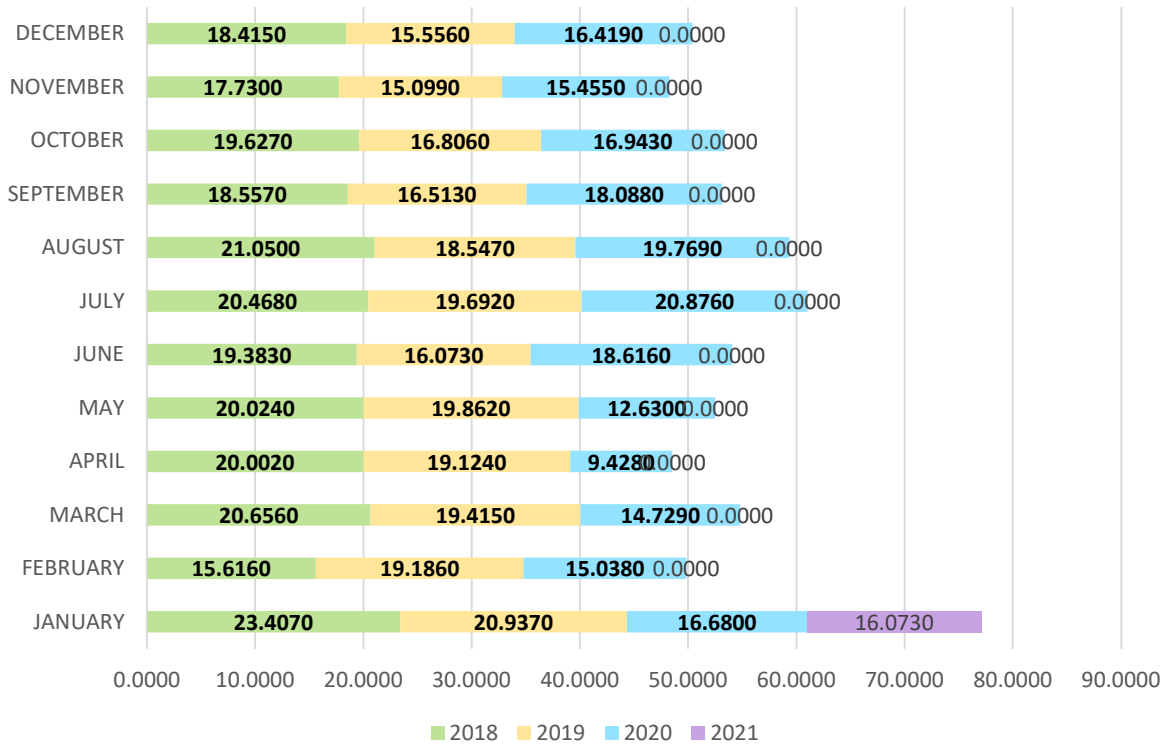
Sewer

- Vacuumed out sewer at WWTP
- Emergency sewer line clean out on East 8th Street
- Repair pump in well #3
- Checked alarm at 11th Street lift station (2 times)
- Well 14 repairs
- Checked alarm at 5 Mile lift station (4 times)
- Checked Sewer Main between US-10 & 6th Street

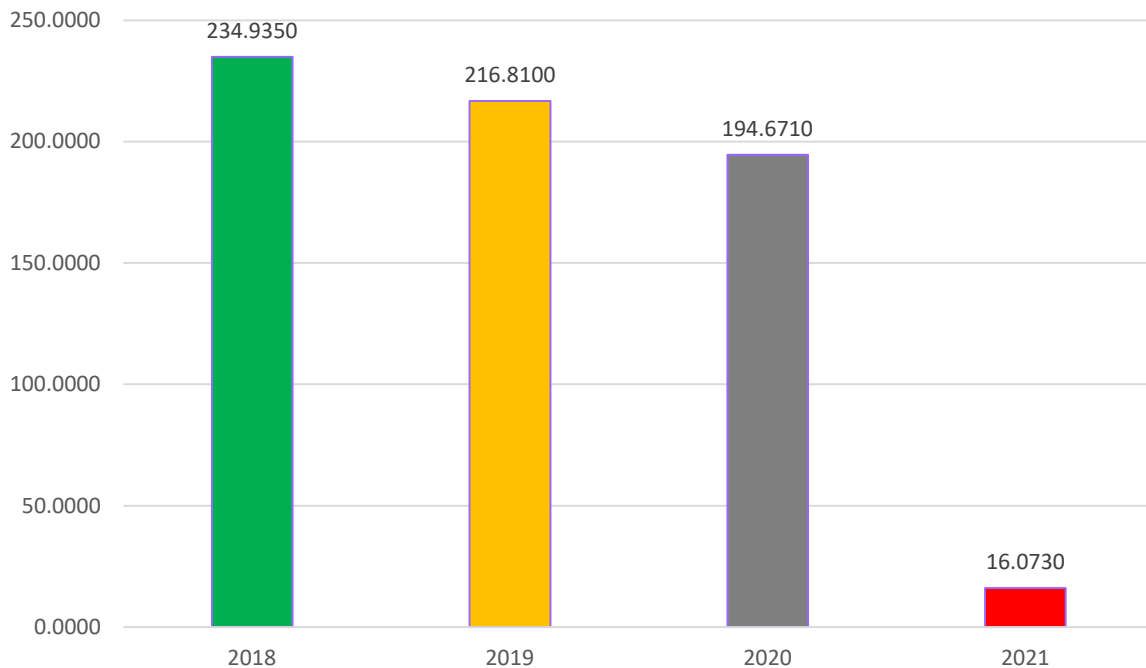
Current Water/Sewer Rates

- Water Rates: \$4.82/1000 gallons
- Sewer Rates: \$9.74/1000 gallons
- Water RTS Fee: \$6.50
- Sewer RTS Fee: \$14.00

Monthly Water Pumpage for 2018 - 2021 (in million gallons)



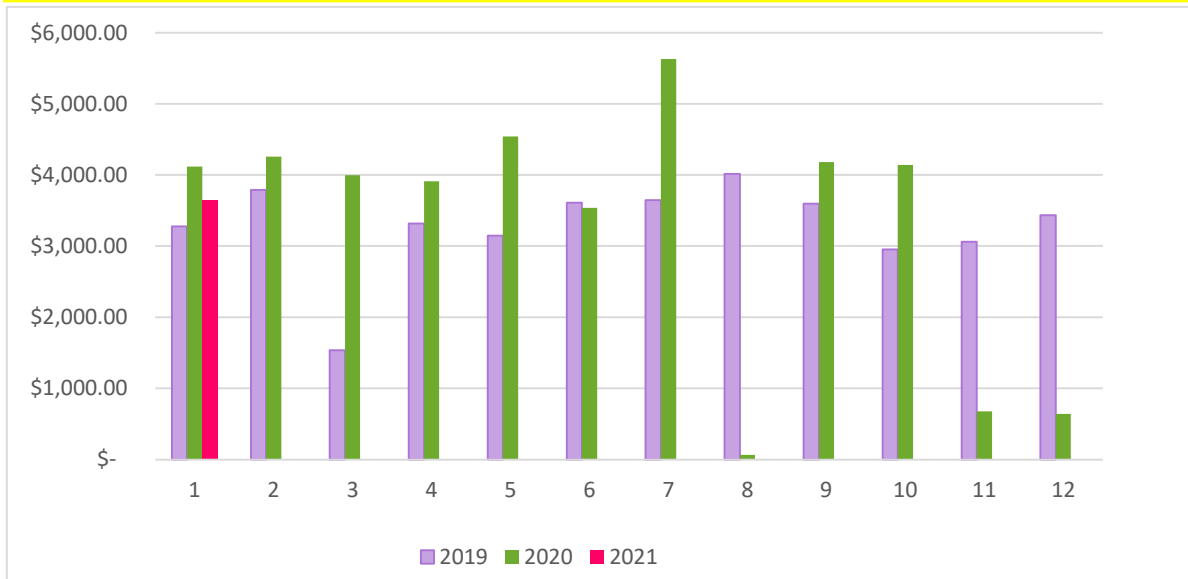
Annual Water Pumpages 2018 - 2021 Current Months Usage Compared to Past Annual Pumpages (in million gallons)



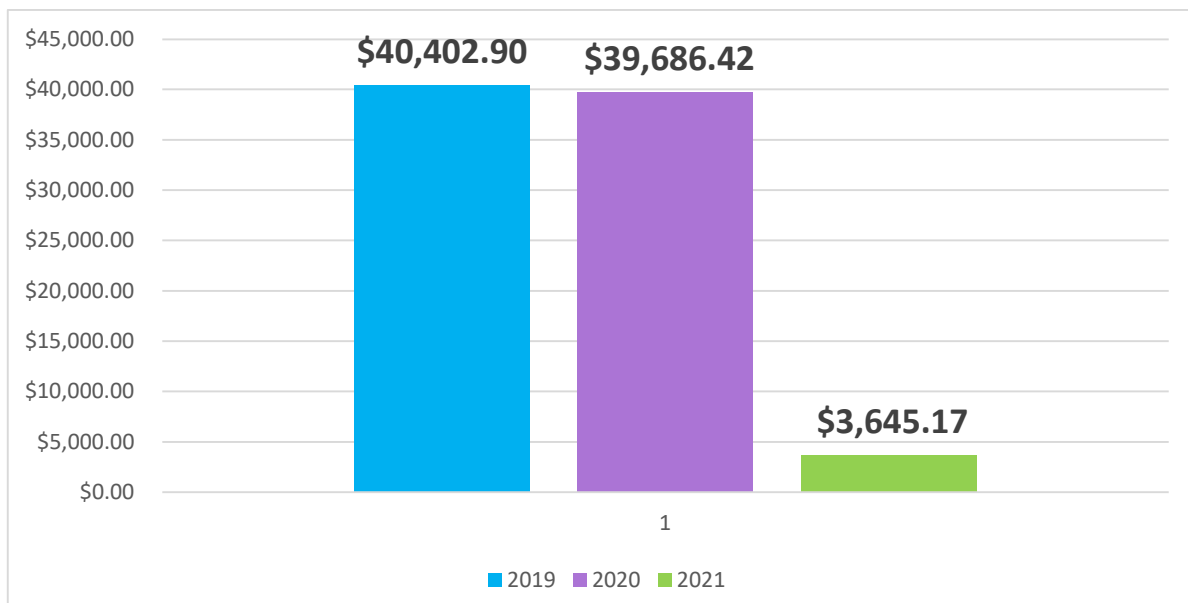
ELECTRIC COMPARISON REVIEW FOR JANUARY 2020-2021

	WATER	SEWER
2020	\$ 8,252.82	\$ 4,117.82
2021	\$ 7,676.81	\$ 3,645.17
DIFFERENCE/SAVINGS	\$576.01	\$472.65

SEWER ELECTRIC COST COMPARED TO PRIOR TWO YEARS (MONTH BY MONTH)



SEWER ELECTRIC COST (CURRENT MONTHS USAGE COMPARED TO PAST ANNUAL COSTS)



RCB CONTRACTING

STAFF MEMBER NAME: Mark Wilson

TITLE: Assistant City Manager

TELEPHONE: (231) 250-2071

CONTRACTOR BEING EVALUATED: RCB Contracting

THIS IS A ☐ Preliminary Evaluation ☒ Periodic Evaluation

CONTRACT FOR: Snow removal services

SCOPE OF WORK: *Please provide a detailed description of the agreed upon work/services to be provided/completed*

RCB Contracting agrees to provide the following services for the City of Evart:

- Clearing of snow and ice on the sidewalk of the Police Department, Depot, and Airport Terminal Building.
- Clearing of snow to entrance/exit lanes located along the areas to be cleared of snow.
- All parking lot signage is to be kept free of obstructions due to snow removal operations.
- The annual date of commencement may, in event of an early or late winter storm, be advanced or the completion date extended for any year during the Contract as requested by the City of Evart.
- Clearing snow and ice from the locations described in Appendix A. Snow shall be cleaned and removed so that the accumulation shall not promote unsafe driving conditions.
- Upon completion of the snowfall, the snow shall be promptly cleaned and removed to the bare pavement level in accordance with the priorities established by the City.
- Give special consideration to the maintenance of pedestrian pathways, dangerous areas and narrow vehicular access.
- Clearing will be prioritized by the Department of Public Works Director.
 - Driveways/Entrance & Exits to parking lots
 - Drive Aisles
 - Parking Stalls
 - Pedestrian Pathways
 - Sidewalks
 - Area Drains
 - Snow Drifts

CONTRACT START DATE: 10/1/2020

END DATE: 10/31/2021

IS THE CONTRACTOR EXECUTING THIS PROJECT USING THEIR OWN EMPLOYEES?

☒ YES ☐ NO

NOTICE TO CONTRACTORS: A contractor shall, within 30 days, submit a written response to The City of Evart disputing any information contained in this Evaluation and setting forth any additional information concerning the contract by the public agency that may be relevant to the evaluation of the contractor's performance.

EVALUATION QUESTIONS

Please rate this contractor's performance in each of the following categories by indicating whether performance was "unacceptable," "poor," "satisfactory," "very good" or "excellent," and enter the applicable point score for each category. If additional space is necessary for any written comments, please feel free to attach additional sheets.

QUALITY OF WORKMANSHIP

Rate the quality of this contractor's workmanship. Is there quality-related or workmanship problems? Is the contractor responsive to remedial work required? If so or if not, provide specific examples.

<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Poor	<input type="checkbox"/> Satisfactory	<input type="checkbox"/> Very Good	<input checked="" type="checkbox"/> Excellent
0 Points	14 Points	24 Points	26 Points	28 Points

Sub Total: 28

Comments: If you have no additional comments, please type NA

RCB provides exceptional quality of workmanship, Randy reaches out to me on a regular basis for feedback as to the quality of their work. Randy readily accepts suggestions on any part of the scope of their contract that can be improved upon and often brings those suggestions to me without inquiry.

CONTRACTOR'S MANAGEMENT OF SCHEDULING

Rate this contractor's performance with regard to adhering to agreed upon schedules. If not, provide specific examples.

<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Poor	<input type="checkbox"/> Satisfactory	<input type="checkbox"/> Very Good	<input checked="" type="checkbox"/> Excellent
0 Points	7 Points	11 Points	12 Points	13 Points

Sub Total: 13

Comments: If you have no additional comments, please type NA

RCB's crew works in conjunction with the city crew while we are plowing and has not required a call from the city to check on scheduling.

PROJECT MANAGEMENT

Rate this contractor's ability, effort, and success in managing and coordinating subcontractors (if no subcontractors, rate this contractor's overall project management). Is this contractor able to effectively resolve problems? If not, provide specific examples.

<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Poor	<input type="checkbox"/> Satisfactory	<input type="checkbox"/> Very Good	<input checked="" type="checkbox"/> Excellent
0 Points	7 Points	11 Points	12 Points	13 Points

Sub Total: 13

Comments: If you have no additional comments, please type NA

SAFETY MANAGEMENT

Rate this contractor's safety and housekeeping procedures on this project. Were there any OSHA violations or serious safety accidents? If so, provide specific examples.

- ☐ Unacceptable ☐ Poor ☐ Satisfactory ☐ Very Good ☒ Excellent
0 Points 3 Points 7 Points 8 Points 9 Points

Sub Total: 9

Comments: If you have no additional comments, please type NA

RCB's equipment appears to be maintained with high standards and employees appear conscientious and safety minded.

CHANGE ORDERS

Did this contractor unreasonably claim change orders or extras? Were this contractor's prices on change orders and extras reasonable? If not, provide specific examples.

- ☐ Unacceptable ☐ Poor ☐ Satisfactory ☐ Very Good ☒ Excellent
0 Points 3 Points 7 Points 8 Points 9 Points

Sub Total: 9

Comments: If you have no additional comments, please type NA

RCB recently accepted a change in the depots shoveling to the west entrance at no extra charge.

WORKING RELATIONSHIPS

Rate this contractor's working relationships with city staff. Did this contractor relate to staff in a professional manner? If not, give specific examples.

- ☐ Unacceptable ☐ Poor ☐ Satisfactory ☐ Very Good ☒ Excellent
0 Points 2 Points 5 Points 6 Points 7 Points

Sub Total: 7

Comments: If you have no additional comments, please type NA

Randy and his crew have an excellent working relationship with all city staff.

PAPERWORK PROCESSING

Rate this contractor's performance in completing and submitting required project paperwork. Did the contractor submit the required paperwork promptly and in proper form? If not, provide specific examples.

- ☐ Unacceptable 0 Points ☐ Poor 2 Points ☐ Satisfactory 5 Points ☐ Very Good 6 Points ☒ Excellent 7 Points

Sub Total: 7

Comments: If you have no additional comments, please type NA

This contract doesn't require much in the way of paperwork, but when required Randy is prompt.

ON-SITE PERSONNEL

Rate the general performance of this contractor's on-site personnel. Does the contractor have staff with knowledge, skills and experience to run a project of this size and scope? If not, provide specific examples.

- ☐ Unacceptable 0 Points ☐ Poor 3 Points ☐ Satisfactory 10 Points ☐ Very Good 12 Points ☒ Excellent 14 Points

Sub Total: 14

Comments: If you have no additional comments, please type NA

All of Randy's employees have a clear understanding of the scope of the contract and perform the work within that scope

TOTAL SCORE

28	Quality of Workmanship
13	Contractor's Management of Scheduling
13	Project Management
9	Safety Management
9	Change Orders
7	Working Relationships
7	Paperwork Processing
14	On-Site Personnel
100	TOTAL

NOTE: A TOTAL POINTS SCORE OF LESS THAN 80 IS A FAILING SCORE

LEGAL AND ADMINISTRATIVE PROCEEDINGS:

Are there any legal or administrative proceedings, invoked bonds, assessed damages, demands for direct payment, payment bond claims, contract failures, contract terminations, or penalties involving this contractor on this contract? What is the status of any pending litigation? What was the final outcome of any completed litigation? What are the dollar amounts of assessed damages or penalties?

Comments: If you have no additional comments, please type NA

n/a

ADDITIONAL COMMENTS (Optional): If you have no additional comments, please type NA

n/a



Evart Police Department

Monthly Report

January 2021

The Evart Police Department received DOJ Use of force Certification. This certification reviews our current policies to make sure they comply with the state and federal constitution as well as prohibits choke holds and vascular neck restraints unless deadly force authorized and used as a last resort. The certification allows us to apply for DOJ grant funding.

Department Roster

<i>Title</i>	<i>Name</i>	<i>Badge Number</i>
Chief of Police	John Beam Jr.	39-01
K9-Officer	Patrick McClure	39-K9
Police Officer	Ryan Douglas	39-04
Part Time Police Officer	JJ Higgins	39-06
Part Time Police Officer	Johnnie Daniels	39-03
Reserve Officer	Daniel Winters	39-14

Crime Report

TOTAL ACTIVITIES	
OFFICER	TOTAL ACTIVITIES
Beam, John Jr.	11
Daniels, Johnnie	8
Douglas, Ryan	159
Higgins, JJ	92
McClure, Patrick	120
TOTAL:	390

ARRESTS	
OFFICER	NUMBER OF ARRESTS
Daniels, Johnnie	0
Douglas, Ryan	3
Higgins, JJ	1
Beam, John Jr.	0
McClure, Patrick	0

TOTAL:	4
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ASSISTS	
AGENCY	NUMBER OF ASSISTS
Assist Citizen	2
Assist Evert Public School	1
Assist Fire	1
Assist MIC Unit	3
Assist MSP	3
Assist OCSD	5
Assist Police Agency	3
Motorist Assist	1
TOTAL:	19

ACCIDENTS	
TYPE	NUMBER OF ACCIDENTS
Accident - Hit and Run	1
Accident - PD	1
Accident - PI	1
TOTAL:	3

TRAFFIC VIOLATIONS		
OFFICER	Traffic Complaint/Hazard	Traffic Stop Verbal Warning
Douglas, Ryan	1	3
Higgins, JJ	1	0
McClure, Patrick	3	6
TOTAL:	5	9

ORDINANCE VIOLATIONS	
OFFICER	ORDINANCE VIOLATIONS
Beam, John Jr.	
TOTAL:	