May 14, 2019

To: Missaukee County Board of Commissioners

From: Precia Garland, Administrator

RE: Combined Land Bank Authority/Brownfield Redevelopment Authority

Introduction
In accordance with Goal #2: Support community infrastructure needs under the Facilities & Infrastructure section of the 2018 Missaukee County Strategic Plan, we have collected information for your consideration regarding establishment of a combined Land Bank Authority/Brownfield Redevelopment Authority, and how it would be used to efficiently acquire, hold, manage, and develop tax-foreclosed property. Providing expertise to this effort, thanks to the support of a Cadillac area business group, is Lisa Leedy, Executive Director of the Alliance for Economic Success (AES).

Following this memo is information regarding the purpose, functions and how to create such a combined authority. Lisa will be present at the finance committee meeting to provide additional information and answer questions.

If the board wishes to proceed, its next step will be to set a public hearing for the purpose of receiving public comment and additional information regarding the establishment of such an authority.

Requested Action
It is requested the County Board of Commissioners consider adopting the following resolution, which would set a public hearing on June 11 to consider the establishment of a combined Land Bank Authority/Brownfield Redevelopment Authority.
LAND BANK FAST TRACK AUTHORITY

LAND BANK AUTHORITIES

What is a Land Bank?

- A land bank is a public authority created to efficiently acquire, hold manage and develop tax-
foreclosed property, as well as other vacant, blighted, obsolete and abandoned properties.

What is the problem?

- Recent changes to Michigan’s tax foreclosure laws were helpful, but the Land Bank concept
completes the solution...
  - Eliminates the loss of local control common to property sales at tax auctions
  - Minimizes contagious blight
  - Eliminates low-end speculation
  - Increases land sale proceeds resulting from higher property value

How do you create a Land Bank Authority?

- The process to create a Land Bank Authority is similar to the process required to create a
Brownfield Redevelopment Authority with 2 exceptions: a requirement to enter into an
intergovernmental agreement with the State Land Bank Fast Track Authority and the requirement
to have the county treasurer as a member of the authority.
  - The County Board of Commissioners provides for public comment on the creation of a
  Land Bank Authority
  - The County Board of Commissioners passes a resolution to create the Authority
  - The County Treasurer negotiates an intergovernmental agreement with the State Land
  Bank Fast Track Authority.
  - County Board of Commissioners appoints members to the Authority Board
  - The Authority adopts by-laws, policies and procedures

A county foreclosing governmental unit may, with the approval of the board of commissioners for that
county, enter into an intergovernmental agreement with the state authority providing for the exercise of
the powers, duties, functions, and responsibilities of an authority. If a county authority is created under
this subsection, the treasurer of the county shall be a member of the authority board.

The intergovernmental agreement must provide for all of the following:

(a) The incorporation of a county authority as a public body corporate.
(b) The name of the authority.
(c) The size of the initial governing body of the county or local authority, which shall be composed of
an odd number of members.
(d) The qualifications, method of selection, and terms of office of the initial board members.
(e) A method for the adoption of articles of incorporation by the governing body of the county or
local authority.
(f) A method for the distribution of proceeds from the activities of the county or local authority.
(g) A method for the dissolution of the local or county authority and for the withdrawal from the
authority of any governmental agencies involved.
(h) Any other matters considered advisable by the participating governmental agencies, consistent
with this act.
LAND BANK FAST TRACK AUTHORITIES

LAND BANK FAST TRACK ACT - Public Act 258 of 2003

A county foreclosing governmental unit may, with the approval of the board of commissioners for that county, enter into an intergovernmental agreement with the State Authority providing for the exercise of the powers, duties, functions, and responsibilities of an authority under this act and for the creation of a county authority to exercise those functions. The land bank legislation contains an extensive list of management powers.

- Helps governmental entities in the assembly and clearance of title to property
- Facilitates use and development of property
- Provides for economic growth
- Provides a mechanism for establishing a “clear title” on properties it acquires
- Authorizes the enforcement of tax liens and the clearing or quieting of title
- Provides the legal foundation for a tax foreclosure and land banking strategy
- Creates flexibility in the disposition of tax foreclosed property
- Provides a funding mechanism to acquire, manage, clear, demolish, rehabilitate and develop tax foreclosed land
- Includes a provision that such powers are to be broadly construed to grant complete control to the land bank
- Provides governmental immunity from liability for voluntary acquisitions
- Provides that the Land Bank receives 50% of the property tax revenues for the first five years after transfer of property to a private party
- Permits a Land Bank to borrow money and issue tax-exempt financing

An Authority may borrow money, issue bonds, solicit grants and retain proceeds it receives from the sale or rental of property in order to execute it's responsibilities. If a county authority is created, the treasurer of the county must be a member of the authority board. The statute leaves the composition of the Board open to local determination, requiring only that:

- it have an odd number of members and
- that the County Treasurer be one of the members.

Land Bank Fast Track Authorities do not have the power of eminent domain.

Properties owned by the Land Bank qualify for and are eligible for all of the incentives under the various brownfield redevelopment programs. Those incentives include Brownfield Tax Increment Financing as well as grants and loans for assessment and cleanup of contaminated sites. The next section provides information about all the tools available from Michigan’s brownfield laws.
LAND BANK FAST TRACK AUTHORITIES

BROWNFIELD TAX INCREMENT FINANCING

One of the most beneficial incentives under Michigan’s Brownfield Laws is the ability to capture tax increments to help pay for eligible expenses established under the law. The tax increment is the increase in taxable value resulting from improvements made to the brownfield site. Key elements are as follows:

- The cleanup and redevelopment of a brownfield property will increase the value of the property.
- The result is an increase in the property tax revenues from that property.
- The increase in tax revenue is the “tax increment.”
- The increased tax revenues are known as “captured taxes.”
- These captured taxes can then be used to pay the expenses for eligible environmental response and redevelopment activities.

HOW CAPTURED TAXES CAN BE USED - Captured taxes can be used to cover the costs of one or more eligible activities that are conducted at the eligible brownfield property from which the captured taxes are generated.

MICHIGAN PUBLIC ACT 381 ELIGIBLE PROPERTY – An eligible property:

- was used or is currently used for commercial, industrial or residential purposes,
- is owned or under the control of a land bank fast track authority, and
- is contaminated, or
- functionally obsolete, or blighted

MICHIGAN PUBLIC ACT 381 ELIGIBLE ACTIVITIES

- Activities directly related to cleaning up, controlling or preventing the exacerbation of contamination on the brownfield site
- Sidewalks
- Streets and roads
- Parking facilities
- Pedestrian malls
- Alley
- Bridge
- Sewers and sewage treatment plant
- Property designed to reduce, eliminate or prevent the spread of identified soil or groundwater contamination
- Assistance to a land bank authority in clearing or quieting title to, or selling or otherwise conveying property owned or under the control of the land bank fast track authority
- Drainage systems
- Waterways
- Water lines and water storage facilities
- Rail lines, utility lines or pipelines
- Or other similar or related structures or improvements
- Demolition that is not a response activity.
- Lead or asbestos abatement.
- Site preparation that is not a response activity.
- The eligible activities and the cost of preparing and approving brownfield work plans, and
- The cost of principal and interest of any obligations issued by the authority to finance eligible activities

Compliments of the Michigan Association of Counties
Service Corporation Grant Services Program
Office Phone: 1-800-336-2018
Mobile: 517-819-3834

Flo McCormack
Director
Email: meccormack@micounties.org
Under the Brownfield Redevelopment Act PA 381 of 1996, as amended, a municipality may create a brownfield Redevelopment Authority (BRA) to develop and implement brownfield projects. A BRA is a resource that may use Tax Increment Financing (TIF) as a tool for property redevelopment.

**WHO IS ELIGIBLE TO HAVE AN AUTHORITY?**

Any city, village, township or county may create a BRA. A county BRA may be involved with eligible property throughout the county, but may not include a project in their brownfield plan unless the affected municipality concurs that the site in their community may be included in the county's plan.

**HOW DOES IT WORK?**

Once created, a BRA reviews proposals for the redevelopment of eligible property and determines what financial incentives are necessary to assist the redevelopment. The authority prepares a plan that identifies the brownfield projects. Each project section of the plan includes the description of the eligible property, the eligible activities, the TIF approach to be taken and other issues related to the subject parcels. The authority then recommends to the governing body of the municipality (city or village council, township board or county commission) that the decision-making body holds a public hearing regarding the plan and subsequently acts to approve with modifications or deny the plan. The authority would recommend revisions to the plan as new projects are submitted or revisions are requested on existing plan projects.

**WHAT IS THE PROCESS?**

The municipality may hold informational meetings to explain the purpose, powers and benefits of a BRA. In order to create an authority, the municipality must do the following:

1. The governing body of the municipality may adopt a resolution of intent to create an authority that includes a date for holding a public hearing on the adoption of a proposed resolution creating an authority.

2. The notice of the public hearing to create a BRA must include a date, time and place of the hearing.

3. The governing body holds a public hearing.

4. Not more than 30 days after the hearing the governing body adopts a resolution creating the BRA. A copy of the resolution must be filed with the Michigan Secretary of State promptly after its adoption.

5. The governing body designates the members of the authority. The authority members may be chosen from an existing downtown development authority (DDA), local development financing authority (LDFA), tax increment financing authority (TIFA), economic development corporation (EDC) or appointed at-large by the chief executive officer of the municipality.

Subsequently, the authority can hold meetings in order to elect officers of the board, to adopt by-laws of the authority and to adopt governing rules.

**WHY WOULD A COMMUNITY WANT TO CREATE THIS AUTHORITY?**

The creation of a BRA allows local decision-making in the various aspects of brownfield redevelopment. Through redevelopment, a municipality can:

- Focus development in existing service areas.
- Enhance tax base through private development.
- Receive multiple taxing jurisdiction participation in redevelopment financing.
- Provide reimbursement for eligible brownfield activities.

A BRA provides a municipality with the opportunity to create a local brownfield financing resource, enhance local economic development capacities and market difficult sites based on the private investment incentives.

**SUPPORTING STATUTE**

*Public Act 381 of 1996*
MISSAUKEE COUNTY, MICHIGAN

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held in the Missaukee County Board of Commissioners meeting room, in the Missaukee County Annex Building, 105 S. Canal Street, Lake City, Michigan on June 11, 2019 at 4:00 PM, at a Regular Meeting of the Board of Commissioners to consider the adoption of a resolution to establish a combined Land Bank and Brownfield Redevelopment Authority for the County of Missaukee, within the municipal limits of which the Authority shall exercise its powers, pursuant to and in accordance with the Land Bank Authority and Brownfield Redevelopment Authority Financing Acts, being Michigan Public Act 381 of 1996, as amended and Michigan Public Act 258 of 2003.

Missaukee County complies with the "Americans with Disabilities Act." If auxiliary aids or services are required at a public meeting for individuals with disabilities, please contact Jessica Nielsen, County Clerk, at least three (3) business days prior to any such meeting.

BOARD OF COMMISSIONERS OF THE COUNTY OF MISSAUKEE, MICHIGAN

By: __________________________

Jessica Nielsen, County Clerk
Missaukee County Courthouse
111 S. Canal Street
Lake City, MI 49651
(231) 839-4967
RESOLUTION NO. 2019 – 4

RESOLUTION SETTING PUBLIC HEARING TO CONSIDER ESTABLISHMENT OF A COMBINED LAND BANK AND BROWNFIELD REDEVELOPMENT AUTHORITY

At a regular meeting of the Missaukee County Board of Commissioners, Missaukee County, Michigan, held at the County seat in the City of Lake City on the 14th day of May, 2019, at 4 PM.

PRESENT:

ABSENT:

The following resolution was offered by ___________ and seconded by ___________.

WHEREAS, the Missaukee County Board of Commissioners recognizes certain economic development tools available through the establishment of a combined Land Bank and Brownfield Redevelopment Authority that can assist in the proactive redevelopment of abandoned, tax foreclosed, blighted, and/or contaminated properties; and

WHEREAS, the County Board further recognizes with recent foreclosure on tax delinquent properties by the Missaukee County Treasurer, it may be prudent to explore establishment of a combined Land Bank and Brownfield Redevelopment Authority at this time to incentivize desired redevelopment; and

WHEREAS, the Michigan public acts associated with creation and operation of such authorities require that a public hearing first be set to solicit public input and further information gathering on such matters;

NOW, THEREFORE, the Missaukee County Board of Commissioners of the County of Missaukee, Michigan resolves as follows:

1. A public hearing to consider the adoption of a resolution to establish a combined Land Bank and Brownfield Redevelopment Authority for the County of Missaukee shall be held at a regular Board of Commissioners meeting on June 11, 2019 at 4:00 PM in the Missaukee County Annex Building, 105 S. Canal Street, Lake City, Michigan.
2. The county clerk is directed to publish notice of this public hearing in a newspaper of general circulation in Missaukee County, within seven (7) days. The notice of the hearing shall be substantially in the form that follows this resolution.
3. Any and all resolutions that are in conflict with this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.
YEAS: __________________________________________

NAYS: _________________________________________

STATE OF MICHIGAN

COUNTY OF MISSAUKEE

I, Jessica Nielsen, the duly elected County Clerk for Missaukee County, Michigan, hereby certify this is a true and complete copy of Resolution No. 2019-#, duly adopted at a regular meeting of the Missaukee County Board of Commissioners held on the 14th day of May, 2019.

[Signature]
Jessica Nielsen
Missaukee County Clerk
May 14, 2019

To: Missaukee County Board of Commissioners

From: Precia Garland, Administrator

RE: HVAC Preventative Maintenance Contract

Nearly three years ago, the county issued a request for proposals (RFP) for HVAC preventative maintenance services. One bid was received from Arms & Cole, Inc., a division of Hurst Mechanical, located in Traverse City, Michigan.

The Arms & Cole, Inc. bid was as follows for preventative services:

<table>
<thead>
<tr>
<th>Year 1 (2016/17)</th>
<th>Year 2 (2017/18)</th>
<th>Year 3 (2018/19)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$10,468</td>
<td>$10,468</td>
<td>$10,468</td>
</tr>
</tbody>
</table>

Rates were also provided for maintenance services as follows:

<table>
<thead>
<tr>
<th>Year 1 (2016/17)</th>
<th>Year 2 (2017/18)</th>
<th>Year 3 (2018/19)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular hourly rate $90</td>
<td>$95</td>
<td>$100</td>
</tr>
<tr>
<td>Overtime rate $135</td>
<td>$142.50</td>
<td>$150</td>
</tr>
<tr>
<td>Weekend rate-Sat.</td>
<td>$135</td>
<td>$142.50</td>
</tr>
<tr>
<td>Sunday</td>
<td>$180</td>
<td>$190</td>
</tr>
<tr>
<td>Holiday Rate</td>
<td>$180</td>
<td>$190</td>
</tr>
<tr>
<td>Service Call Charge</td>
<td>$90</td>
<td>$95</td>
</tr>
<tr>
<td>Truck Charge</td>
<td>$35</td>
<td>$40</td>
</tr>
<tr>
<td>Parts Discount</td>
<td>30%</td>
<td>30%</td>
</tr>
</tbody>
</table>

Since we perform filter and belt changes with county staff, we can deduct $1,305 annually from the total HVAC preventative maintenance bid, reducing it to $9,163. Additionally, Arms & Cole assists the county is applying for rebates from Consumers Energy related to its preventative maintenance work. It is estimated the county will be eligible for an approximate $1400 rebate every other year.

Given that we are halfway through a Consumers Energy rebate cycle, the company has offered to extend the above agreement for one more year at the same, exact pricing. This would cover HVAC preventative maintenance services through 2020.

Requested Action

It is requested the County Board of Commissioners consider approving a one-year extension through 2020 of the HVAC preventative maintenance services agreement with Arms & Cole Inc. (Hurst Mechanical) at $9,163, along with the maintenance service rates as provided above.
April 16th 2019
Missaukee County
Preventative Maintenance Agreement
Extended Period
Precia Garland

Precia,

As I have suggested, Hurst Mechanical is willing to extend the agreement one more year and keep the price the same as the existing agreement that will expire in January of 2020. We will adhere to the exact same requirements that are in place with current agreement. In essence the agreement would go to the end of the year 2020 if you so choose.

If any questions please feel free to notify me. Thank you.

_Terry McGowen_
Hurst Mechanical
Service Manager
885 Robinwood Court
Traverse City, MI 49686
231 944 8566
tmcgowen@hurstind.com
2019 Tax Rate Request (This form must be completed and submitted on or before September 30, 2019)
MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS
This form is issued under authority of MCL Sections 211.24e, 211.34 and 211.34d. Filing is mandatory; Penalty applies.

Carefully read the instructions on page 2.

<table>
<thead>
<tr>
<th>County(ies) Where the Local Government Unit Levies Taxes</th>
<th>2019 Taxable Value of ALL Properties in the Unit as of 5-28-19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Missaukee County</td>
<td>643,400,332</td>
</tr>
</tbody>
</table>

Local Government Unit Requesting Millage Levy
For LOCAL School Districts: 2019 Taxable Value excluding Principal Residence, Qualified Agricultural, Qualified Forest, Industrial Personal and Commercial Personal Properties.

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec 211.119. The following tax rates have been authorized for levy on the 2019 tax roll.

<table>
<thead>
<tr>
<th>(1) Source</th>
<th>(2) Purpose of Millage</th>
<th>(3) Date of Election</th>
<th>(4) Original Millage Authorized by Election Charter, etc.</th>
<th>(5) ** 2018 Millage Rate Permanently Reduced by MCL 211.34d &quot;Headlee&quot;</th>
<th>(6) 2019 Current Year &quot;Headlee&quot; Millage Reduction Fraction</th>
<th>(7) 2019 Millage Rate Permanently Reduced by MCL 211.34d &quot;Headlee&quot;</th>
<th>(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction</th>
<th>(9) Maximum Allowable Millage Levy *</th>
<th>(10) Millage Requested to be Levied July 1</th>
<th>(11) Millage Requested to be Levied Dec. 1</th>
<th>(12) Expiration Date of Millage Authorized</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fixed</td>
<td>Operating</td>
<td>8/04/04</td>
<td>5.0000</td>
<td>4.9005</td>
<td>1.0000</td>
<td>4.9005</td>
<td>1.0000</td>
<td>4.9005</td>
<td>0</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Ex Voted</td>
<td>Emergency</td>
<td>8/02/16</td>
<td>.5000</td>
<td>.5000</td>
<td>1.0000</td>
<td>.5000</td>
<td>1.0000</td>
<td>.5000</td>
<td>0</td>
<td>.5000</td>
<td>12/31/21</td>
</tr>
<tr>
<td>Ex Voted</td>
<td>Sheriff</td>
<td>8/02/16</td>
<td>1.2500</td>
<td>1.2500</td>
<td>1.0000</td>
<td>1.2500</td>
<td>1.0000</td>
<td>1.2500</td>
<td>0</td>
<td>1.2500</td>
<td>12/31/21</td>
</tr>
<tr>
<td>Ex Voted</td>
<td>Senior Services</td>
<td>8/7/18</td>
<td>.7500</td>
<td>.7500</td>
<td>1.0000</td>
<td>.7500</td>
<td>1.0000</td>
<td>.7500</td>
<td>0</td>
<td>.7500</td>
<td>12/31/21</td>
</tr>
<tr>
<td>Ex Voted</td>
<td>Soil Conservation</td>
<td>8/7/18</td>
<td>.1500</td>
<td>.1500</td>
<td>1.0000</td>
<td>.1500</td>
<td>1.0000</td>
<td>.1500</td>
<td>0</td>
<td>.1500</td>
<td>12/31/23</td>
</tr>
</tbody>
</table>

Prepared by
Jessica Nielsen
Telephone Number
231-839-4967
Title of Preparer
County Clerk/Register
Date
5/14/2019

CERTIFICATION: As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, 380.1211(3).

Clerk
Signature
Print Name
Jessica Nielsen
Date
5/14/2019

Chairperson
Signature
Print Name
Frank Vanderwal
Date
5/14/2019

X Clerk
X Chairperson
☐ Secretary
☐ President

Local School District Use Only: Complete if requesting millage to be levied. See STC Bulletin 3 of 2018 for instructions on completing this section.

Total School District Operating Rates to be Levied (HH/Supp and NH Oper ONLY)

<table>
<thead>
<tr>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Principal Residence, Qualified Ag, Qualified Forest and Industrial Personal</td>
</tr>
<tr>
<td>For Commercial Personal</td>
</tr>
<tr>
<td>For all Other</td>
</tr>
</tbody>
</table>

** IMPORTANT: See instructions on page 2 regarding where to find the millage rate used in column (5).
**FARMLAND AND OPEN SPACE PRESERVATION PROGRAM**

Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. **Please read the Eligibility and Instructions document before filling out this form.**

<table>
<thead>
<tr>
<th>OFFICIAL USE ONLY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Governing Body:</td>
</tr>
<tr>
<td>Date Received: 4-10-2019</td>
</tr>
<tr>
<td>Application No: ________________________________</td>
</tr>
<tr>
<td>State:</td>
</tr>
<tr>
<td>Date Received: ________________________________</td>
</tr>
<tr>
<td>Application No: ________________________________</td>
</tr>
<tr>
<td>Approved: ________ Rejected: ________</td>
</tr>
</tbody>
</table>

---

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR**

**I. Personal Information:**
1. Name(s) of Applicant: [Name(s)]
   - Last: [Last Name]
   - First: [First Name]
   - Initial: [Initial(s)]
   (If more than two see #15)
   - Last: [Last Name]
   - First: [First Name]
   - Initial: [Initial(s)]
   Marital status of all individual men listed on application, if more than one, indicate status after each name:
   - [X] Married
   - [ ] Single

2. Mailing Address: 6790 Fm 146 Rd Falmouth MI 49632
   - Street: 6790 Fm 146 Rd
   - City: Falmouth
   - State: MI
   - Zip Code: 49632

3. Telephone Number: (Area Code) (213) 836-3855

4. Alternative Telephone Number (cell, work, etc.): (Area Code) ( )

5. E-mail address: ________________________________

**II. Property Location (Can be taken from the Deed/Land Contract):**
6. County: [County]
   - Township, City or Village: [Township, City or Village]
   - Section No. [Section No.]
   - Town No. [Town No.]
   - Range No. [Range No.]

**III. Legal Information:**
9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)
10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.
11. Is there a tax lien against the land described above? [ ] Yes [X] No
    If "Yes", please explain circumstances:
    ________________________________

12. Does the applicant own the mineral rights? [X] Yes [ ] No
    If owned by the applicant, are the mineral rights leased? [ ] Yes [X] No
    Indicate who owns or is leasing rights if other than the applicant:
    ________________________________
    Name the types of mineral(s) involved:
    ________________________________

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes? [ ] Yes [X] No
    If "Yes", indicate to whom, for what purpose and the number of acres involved:
    ________________________________
    ________________________________

14. Is land being purchased under land contract? [ ] Yes [X] No
    If "Yes", indicate vendor (sellers):
    Name: ________________________________
    Address: ________________________________
    Street: ________________________________
    City: ________________________________
    State: ________________________________
    Zip Code: ________________________________

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

    Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

    ________________________________
    Date

    ________________________________
    Signature of Land Contract Vendor(s) (Seller)

---

rev. 1/2011
15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

- 2 or more persons having a joint or common interest in the land
- Corporation
- Limited Liability Company
- Trust
- Partnership
- Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: BRIAN GERMANT
Title: Owner

Name: LOREN GERMANT
Title: Owner

Name: __________________________________________
Title: __________________________________________

Name: __________________________________________
Title: __________________________________________

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)
This application is for:

- a. 40 acres or more  
  complete only Section 16 (a thru g);
- b. 5 acres or more but less than 40 acres  
  complete only Sections 16 and 17; or
- c. a specialty farm  
  complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc.):

Livestock

b. Total number of acres on this farm: 76

c. Total number of acres being applied for (if different than above):

d. Acreage in cultivation: 76

e. Acreage in cleared, fenced, improved pasture, or harvested grassland:

f. All other acres (swamp, woods, etc.):

g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings: 0  
Residence:  
Barn:  
Tool Shed:  
Silo:  
Grain Storage Facility:  
Grain Drying Facility:  
Poultry House:  
Milking Parlor:  
Milk House:  
Other: (Indicate)

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of $200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application from the sale of agricultural products (not from rental income):

$ __________ :  __________ = $ __________ (per acre)

total income  
total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by the Michigan Department of Agriculture, be 15 acres or more in size, and produce a gross annual income from an agricultural use of $2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: $ __________

Please note: specialty farm designation may require an on-the-farm site visit by an MDA staff person.
Application for Farmland Agreement

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years): ______

V. Signature(s):
20. The undersigned declare that this application, including any accompanying informational material, has been
   examined by them and to the best of their knowledge and belief is true and correct.

(Signature of Applicant) 
(Signature of Corporate Officer)

(Co-owner, If Applicable) 
(Title)

(Date)

ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY
ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.

RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II

I. Date Application Received: 4-10-19 (Note: Local Governing Body has 45 days to take action)
   Action by Local Governing Body: Jurisdiction: Missaukee County ❏ Township ❏ City ❏ Village

This application is ❏ approved, ❏ rejected Date of approval or rejection: ________________
(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk’s Signature: ___________________________

Property Appraisal: $____________________ is the current fair market value of the real property in this application.

II. Please verify the following:
   ❏ Upon filing an application, clerk issues receipt to the landowner indicating date received.
   ❏ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments
   Note: Review Agencies have 30 days in which to respond before local governing body can proceed.
   ❏ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application,
      attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.
   ❏ If approved, applicant is notified and the original application, all supportive materials/attachments, and
      letters of review/comment from reviewing agencies (if provided) are sent to:

      MDA-Farmland and Open Space Program, PO Box 30449, Lansing 48909

*Please do not send multiple copies of applications and/or send additional attachments in separate
   mailings without first contacting the Farmland Preservation office.

Please verify the following regarding Reviewing Agencies (sending a copy to reviewing agencies is
required):

COPY SENT TO:
   ❏ County or Regional Planning Commission
   ❏ Conservation District
   ❏ Township (if county has zoning authority)
   ❏ City (if land is within 3 miles of city boundary)
   ❏ Village (if land is within 1 mile of village boundary)

Before forwarding to State Agency, FINAL APPLICATION SHOULD INCLUDE:
   ❏ Copy of Deed or Land Contract (most recent showing current ownership)
   ❏ Copy of most recent Tax Bill (must include tax description of property)
   ❏ Map of Farm
   ❏ Copy of most recent appraisal record
   ❏ Copy of letters from review agencies (if available)
   ❏ Any other applicable documents

Questions? Please call Farmland Preservation at (517) 373-3328
Map of Farm with Structures and Natural Features:

A. Show boundary of land cited in application. (Grid below is designed to represent a 5280 ft² (1 mile²) Section)
B. Show all buildings (house(s), barn(s), etc.); also label roads and other avenues of travel (i.e. utility access, etc.).
C. Outline and designate the current uses of the property (crops, pasture, forest, swamp, etc.).
D. Clear copies of map(s) provided by USDA Farm Service Agency are acceptable, but please label any roads visible on map, structures and their use, etc.

Note: Any residential structures housing persons not directly associated with the farm operation must be excluded from the application. Please indicate if a building falls in this category and provide the appropriate property description for its exclusion. Unless the appropriate description is included, your application cannot be processed.

County MISSOURI
Township ENTERPRISE
T.23N R.5W Section 30

↑ North
FARMLAND AND OPEN SPACE PRESERVATION PROGRAM
Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. Please read the Eligibility and Instructions document before filling out this form.

ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR

I. Personal Information:
   1. Name(s) of Applicant: Koster Land LLC
      Last First Initial

      (If more than two see #15)

      Last First Initial

      Marital status of all individual men listed on application, if more than one, indicate status after each name:
      ☐ Married ☐ Single

   2. Mailing Address: 1871 S. 7 Mile Rd, Falmouth, MI 49632
      Street City State Zip Code

   3. Telephone Number: (Area Code) ( )

   4. Alternative Telephone Number (cell, work, etc.): (Area Code) (231) 878-1952

   5. E-mail address: KosterLand@Outlook.com

II. Property Location (Can be taken from the Deed/Land Contract)
   6. County: Missaukee
      7. Township, City or Village: West Branch

   8. Section No. 26 Town No. 23 N Range No. 6 W

III. Legal Information:
   9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)
   10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.
   11. Is there a tax lien against the land described above? ☐ Yes ☒ No

      If "Yes", please explain circumstances:

   12. Does the applicant own the mineral rights? ☒ Yes ☐ No

      If owned by the applicant, are the mineral rights leased? ☐ Yes ☒ No

      Indicate who owns or is leasing rights if other than the applicant:

      Name of mineral(s) involved:

   13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes? ☐ Yes ☒ No

      If "Yes", indicate to whom, for what purpose and the number of acres involved:

   14. Is land being purchased under land contract ☐ Yes ☒ No: If "Yes", indicate vencor (sellers):

      Name: ____________________________
      Address: ____________________________

      Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (sellers) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

      Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

      Date ____________________________
      Signature of Land Contract Vendor(s) (Seller)

rev. 12/2015
Application for Farmland Agreement

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

- [ ] 2 or more persons having a joint or common interest in the land
- [ ] Corporation
- [ ] Limited Liability Company
- [ ] Partnership
- [ ] Estate
- [ ] Trust
- [ ] Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: ___________________________ Title: ___________________________

Name: ___________________________ Title: ___________________________

Name: ___________________________ Title: ___________________________

Name: ___________________________ Title: ___________________________

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)

This application is for:

- [X] a. 40 acres or more → complete only Section 16 (a thru g);
- [ ] b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17;
- [ ] c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

livestock

b. Total number of acres on this farm: 120

c. Total number of acres being applied for (if different than above): 120

d. Acreage in cultivation:

e. Acreage in cleared, fenced, improved pasture, or harvested grassland: 100

f. All other acres (swamp, woods, etc.):

[g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings: 0

Residence: ___________ Barn: ___________ Tool Shed: ___________

Silo: ___________ Grain Storage Facility: ___________ Grain Drying Facility: ___________

Poultry House: ___________ Milking Parlor: ___________ Milk House: ___________

Other: (Indicate) ___________

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of $200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application from the sale of agricultural products (not from rental income):

$ ___________________________ (per acre)

total income

total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of $2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: $ ___________________________

Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.
Application for Farmland Agreement

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years): 25

V. Signature(s):
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(Signature of Applicant)

(Corporate Name, If Applicable)

(Co-owner, If Applicable)

(Signature of Corporate Officer)

(Date)

(Title)

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RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II

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Action by Local Governing Body: Jurisdiction: Missaukee

☑ County ☐ Township ☐ City ☐ Village

This application is ☐ approved, ☐ rejected

(Date of approval or rejection: ____________

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Application for Farmland Agreement

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   Note: Any residential structures housing persons not directly associated with the farm operation must be excluded
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   description for its exclusion. Unless the appropriate description is included, your application cannot be processed.

County  Missaukee
Township  West Branch
T 23N  R 6W  Section 26

↑ North

Figure: Map showing the boundary and uses of the farm land.