

Leelanau County Housing Action Committee (HAC) Meeting

Date: Monday, June 13, 2022 at 3:00 PM
Location: Leelanau County Government Center (lower level)
8527 E. Government Center Dr.
Suttons Bay MI 49682

*(Proceedings of the meeting are being recorded and are not the official record of the meeting;
the formally approved/accepted written copy of the minutes will be the official record of the meeting.)*

(Please silence any unnecessary cellular/electronic devices)

Draft Agenda

Call to Order
Proposed Agenda
Public Comments
Staff Comments

Consideration of April 11, 2022 Minutes *pgs 2-6*

Old Business

Presentation: Permanently Preserving Modest Homes (*Jason Potes*) *pgs 7-8*

Discussion / Action

1. Update on Peninsula Housing
2. Update on Housing North – Housing Ready Program, and copy of Leelanau County contract *pgs 8-19*
2. Status of Projects:
 - Habitat for Humanity-Maple City (Proposed Brownfield Plan)
 - Homestretch – Marek Rd/Suttons Bay
 - Other

Communication Items – Washington Post Article *pg 20*

Public Comments

Staff Comments

Member Comments/Chair Comments

Adjournment

2022 Members:

Lois Bahle, Chair
Melinda Lautner, Vice-Chair
Frank Clements
Rick Foster
Phil Hallstedt
Tony Lentych
Casey Noonan
John O'Neill
Sharon Oriel
Ty Wessell
Claire Wood
Steve Yoder
*Resource: Yarrow Brown,
Housing North*

A regular meeting of the Leelanau County Housing Action Committee (HAC) was held on Monday, April 11, 2022 at the Leelanau County Government Center.

CALL TO ORDER

Meeting was called to order at 3:00 pm by Chair Lois Bahle.

ROLL CALL

Members Present: L. Bahle, R. Foster, C. Wood, S. Oriel, P. Hallstedt, T. Lentych, T. Wessell,

Members Absent
(Prior notice): F. Clements, J. O’Neill

Members Absent: C. Noonan, M. Lautner

Staff Present: T. Galla

Public Present: W. Irvin, Y. Brown

Welcome new members Claire Wood and Phil Hallstedt

CONSIDERATION OF AGENDA

The agenda was accepted as presented.

PUBLIC COMMENTS

Yarrow Brown spoke on a meeting this morning of Housing Solutions Network, which was under Networks Northwest. Housing North has expanded it to the ten counties and they tried to figure out their goal. It is a Housing Innovation Council and they focus on tools and innovation around housing. This is a way for them to get feedback and vet some ideas. They did a survey and asked what people wanted to hear about. Some of the topics were to discuss housing opportunity mapping and Accessory Dwelling Unit’s (ADU). Mapping would be for housing that is ready or in the process of being developed and could include information on zoning. The idea is to update story maps with current projects and share that with other communities to develop similar mapping in other communities. The Housing Solutions Network meets on the second Monday of each month at 10 am. The second part of today’s discussion was accessory dwelling units (ADUs).

STAFF COMMENTS

Galla stated she did a presentation on Saturday to Leelanau Indivisible on housing. Overall, the session went well and there was a good-sized audience with varied backgrounds. Wessell said the meeting was taped and that should be shared with everyone to watch.

CONSIDERATION OF FEBRUARY 14, 2022 MINUTES

Minutes were accepted by consensus, as presented.

OLD BUSINESS

Update: Housing North – Housing Ready position

Brown said they are making progress and will be in front of county commissioners to make a formal request for \$20,000.00 a year for 3 years, to support the position. They have presented it to at least five units of government and will try to get on all agendas for those they have not met with yet. Leelanau Christian Neighbors did agree to support the position with \$10,000.00 a year for three years. They have a request to Rotary Charity for \$30,000.00 for the first year and also put in a request to Grand Traverse Regional Community Foundation. No unit of government has passed a resolution yet but they do have some soft

pledges of \$5,000.00 and have heard from others that they will participate. If HAC members wanted to reach out to anyone in the townships, please do so. They are waiting to hear back from a few townships and villages. Brown invited members to attend a local meeting in their community for the presentation. Brown has draft contracts available for all units of government who have indicated support.

Hallstedt asked once there is this position, will it be available to all townships? Brown said it will be a county-wide position. Hallstedt asked about the cost and Brown replied they are asking for \$5,000.00 a year from each unit of government and \$20,000.000 a year from the county. Hallstedt asked how the work would be prioritized. If they contribute more, could they get more time of the person's expertise? Brown said they are going for \$100,000.00 each year with about 50% from philanthropy and 50% from communities. Hallstedt said he would love to go with Brown to the local government for the participation request.

Bahle asked how the Charlevoix County program works and Brown said there are more villages than townships in Charlevoix participating. There is one township and two villages that have contributed in Emmet County and the county is doing in kind donations. There are different models in each community for how this works.

Wessell said that the Township Foundation has made a \$10,000.00 a year commitment for three years. Just last week he heard that maybe if they get more services for Leelanau Township they would come up with more money. How can they make sure everyone benefits from this service? If it is focused only in Leelanau Township, he believes they would find the money.

Hallstedt said multiple counties might have the same issue. If you link funding to amount of contribution, that is a fair way. Wessell said on the other side of that is all of us benefit from projects no matter where they are in the county. Lentych felt that whatever Leelanau County does is probably going to be by itself. He wouldn't expect guidance or a model from others for Leelanau County, or for Leelanau to follow others. Oriel mentioned that getting philanthropic money helps out by not having the individual governments cover all of the balance.

DISCUSSION/ACTION ITEM

1. HAC Future Framework Discussion

Galla mentioned this has been on the agenda a few times and it was mentioned that Brown could talk about this and give an update.

Brown thought this related back to the Housing Ready position and some of the goals. Oriel sensed that it was Clements who wanted to make sure things were aligned and current. Lentych believed Clements was talking about the position and it would influence their framework. They can't do it if they don't know if there is a position. Assume their framework will have some components handled by the person.

Brown said hopefully by the June meeting they would know if they can get this position so they could advertise this summer or fall. Accessory Dwelling Unit (ADU's) may not have been on your goals but she thought that has risen to the top since it's a hot topic everywhere. Hallstedt asked what is the future framework? Lentych said it relates to their goal documents. If there is staff, they can accelerate it. Right now, they are trying to do it by a committee basis and they set their goals accordingly.

Hallstedt asked if this person would be an implementer, or strategy. Brown said they have a job description. They will be part of both by coordinating, facilitating, and collaborating. There is a lot of skills that go into it. Mostly they have to collaborate and be able to communicate and work along multiple levels of government. Having a housing background will be a plus, and having their own

housing – if they have to get housing here, that might be a problem. Hallstedt said it is time to get the position funded and get them here but how long will it take? Brown said it would be a couple months to put out the request and then about two-six months to get them oriented. Hallstedt asked why not work on framework with guidance from their other people right now. Couldn't they move forward with their planning? Brown said she hoped to get started in the beginning of summer.

Oriel said based on this discussion, maybe something members can do right now is to look at our existing framework and current description and make sure they don't disconnect between those two. Lentych said one of the reasons they wanted to go down this path with a position is they cannot get items done on their framework. At some point, they needed to flush that out.

Hallstedt asked if they could move ahead with Oriel's recommendation. Brown said this group began before the position so they could still have their own goals to help guide this position. Foster said it would be helpful to see the position descriptions in Charlevoix and Emmet. Bahle said she would like to look at them again with the most recent descriptions and one page paper on the housing program.

2. ADU discussion and upcoming webinar

Oriel wondered how many of the townships and villages permit ADUs. Brown said she could share a spreadsheet that they have started. Galla stated they found that a lot of ADUs are found in residential districts. If you are in any other district, you can have a single-family home but you can't have an ADU. The idea is to map out where the homes are, eliminate those that are not homestead and see how many would consider doing ADU. Galla has found many webinars on ADUs to be very informative. Galla said there are many homes in the county with two families living in them. Hallstedt said they have to realize these ADUs are probably already occurring with good intentions to help others.

Discussed ensued on regulatory issues.

Bahle said the Village of Suttons Bay allows ADUs but they are restricted to owner occupied. Currently there are two residents in the village that have another property that they rent on a twelve-month basis. They want to put an ADU in conjunction with the rental and also keep that as a long-term rental instead of a short-term rental, but the ordinance doesn't allow that, so there is a tweak in the language that is needed.

3. Funding for Housing – ARPA funds Special Board Meeting April 19

Bahle anticipates there is more funding coming in May but didn't know when or how much. Galla said there is a Special Board Meeting on April 19 if anyone wanted to join. There are still a couple presentations to be reviewed: Habitat for Humanity, Housing North and Leelanau Christian Neighbors have all asked for funds. Homestretch did receive a commitment of \$125,000.00 for the rental units on Marek Rd. They are still short from their goal.

Wessell was not optimistic that anyone is going to be satisfied when they are done as to how the ARPA funds get spent. The Board of Commissioners has heard a lot and learned a lot from all those doing the requests and doing the presentations. They still don't have all the money for broadband and towers. Even if they can't do it this round, they know they have more funds coming. They have learned a lot about housing, ALICE, and health

department needs. Even if they can't do anything this round for more housing, the presentation is going to be very important.

Bahle said if they look at how many people have been touched by housing it would probably be as big as the effect of broadband.

4. Status of Projects – Habitat for Humanity, Homestretch

Irvin commented on two shovel ready projects. The Maple City Crossings is in partnership with Leelanau County Land Bank Authority (LCLBA) and they are building three duplexes, and the zoning allows single family homes or duplexes. This will service families under 80% Area Media Income (AMI) and they have selected families for four houses. Status as of this morning was that EGLE is reviewing their sewer permit (Part 41). It is the only thing they are waiting on besides funding. They have the ability to wait until July to start but they are trying to expedite it. Another project is Bugai Rd/M-72 in partnership with New Waves Church of Christ. They are building fourteen homes; six houses are single family homes and eight rental units. It is a beautiful transitional process. If renters eventually go to home ownership, we will serve them in another part of the community. The two projects combined total about a \$3 million investment. They have currently raised \$1 million of it and it will take them probably three years to do both. Having funding is what holds them up and they have families on a waitlist.

Wessell asked if there were two buyers for each duplex and if this was an association. Irvin replied yes, it is already established and ready to go. Wessell asked if it allowed for owner rental units? For example, they have property in Northport village and would love duplexes. They don't have many people that can buy without a higher income. They would like a duplex with owner on one end and rental on the other. Irvin said it was an innovative thought. Any way they can serve the community, that's a great option. They have to be sustainable to continue their work.

Hallstedt said they talk a lot about money but these are driven by volunteer hours. This is a great opportunity by showing leadership to pull together volunteers and challenge people to come together. These barns around here were not built by one person or contractor, it was community built.

Irvin said they would expedite the process but still have to fundraise. They have budgeted an additional \$50,000.00 per house this year. Irvin talked about additional housing projects in the region that Habitat for Humanity is working on, and home repairs. They are desperately trying to fill that gap. Bahle asked if they work with utilities to get any funds? Consumers offers such a program. Irvin gets emails and calls all day long every day from people asking for help. It hurts, but it motivates them. They just hired four people to help them with all of this work.

Hallstedt said the campaign for Give Back to Leelanau is that so many people take away from resources in a good way. The Pure Michigan program has also been fantastic. He asked how they can help get this word out that this is an opportunity to give back to Leelanau.

Wessell asked how much the duplexes would go for in Maple City? Irvin replied that on average, their homeowners pay \$165,000.00. 30% of the income goes toward housing. The appraised value for Maple City Crossings is \$286,000.00 per unit which could go up after they build it. They secure their equity in that home so if it is sold, it comes back to Habitat. Irvin needs enough to cover rising costs for supplies, 30%-50% of rise in material costs, plus volunteer support.

Bahle said the Marek Rd project from Homestretch has \$122,000.00 left as the gap. Hallstedt said they are less than .7% from getting the rest of the money needed to get this thing over the line and get it going. Wessell

said they desperately need rental apartments for people who can't afford home prices. Lentych spoke on the funding and didn't understand why they can't get government to help.

Galla mentioned Homestretch ad in the paper. The drawings look nice and there are ways to get the word out for funding: Leelanau Ticker, Enterprise, etc. Wood said she could speak to Emily at Leelanau Ticker and see if she could write about this issue. Galla noted the Inn in Glen Haven said there is a non-profit putting \$2 million into the Inn. Under the comments in the article, it was noted there is \$2 million for an Inn but we can't get \$2 million for housing. Wood said there are a lot of people following this so another article might be good.

Lentych said if you can't build what your drawing shows and it has to cut down, that looks bad, that's why it is important to close the gap at the need and not try to cheapen it up and cut corners.

Hallstedt said they might need more government intervention but also more free market opportunities and that goes to regulations that prevent us from getting housing that is affordable.

Wessell said part of government intervention is looking at zoning and permitting, and things they are talking about with ADUs. Oriel said it's what Irvin and others are experiencing with EGLE, it's those kinds of delays that shows advocacy at state level is so important. Oriel said their time is money and those things really make a difference. We may get ignored versus a project down in Grand Rapids. Galla mentioned the Zoning Reform group through Michigan Association of Planning and how can we expedite that. The REACH project in Northport took 18 months to get a part 41 approved for 4 units. Maybe they need more staff or if they don't have the review done in a certain number of days, it is automatically approved. Irvin mentioned the numerous reviews and the additional cost for them on their project.

Hallstedt mentioned trying to get more funds and get this first rental project done. We need to help Homestretch get this done. Wood said if they don't have donors identified they should release it publicly to request funds.

Bahle said maybe the commissioners need to be challenged. Maybe a contribution from the county is to waive some fees. Wessell didn't think the fees were a major problem. Bahle felt they were a challenge.

Other:

Hallstedt said workforce housing is critical, seasonal workforce housing is in a crisis. There were eight job postings at Northport Public Grill and they don't know how they are going to fill those. For our orchard, we usually hire three interns and find housing. They have found five candidates, but they don't have housing and enough jobs to keep them working on his orchard. They are going to hire all five and have partnered with a couple other places to create a pool and have housing. Maybe something they can scale to help others. Wessell thinks Emily from Leelanau Ticker should report on that, too. What makes this different is you have a pool of workers and they can work for different employers.

COMMUNICATION ITEMS- None.

PUBLIC COMMENTS- None.

STAFF COMMENTS- None.

MEMBER/CHAIR COMMENTS- None.

ADJOURNMENT

Meeting adjourned at 4:13 pm.

Home Sweet Home, Permanently Preserving Modest Homes for the 7th Generation.

Modest homes are lost to market forces daily. We must permanently preserving these homes so that people earning local wages can purchase homes far into the future. The health of our community depends upon this.

How? Consider a family that qualifies for a \$250,000 mortgage but the house they need costs \$300,000. In exchange for a community investment of \$50,000, the homebuyers agree that when they decide to sell, the house will be sold to another family earning modest wages. The sellers receive the appreciation on their \$250,000 investment; the community's investment stays with the house to permanently preserve its affordability.

This will be done with a recorded deed restriction to legally preserve the home for people earning modest wages. Participation is entirely voluntary. This method preserves three to five homes at the cost of building one new home.

We are raising pledges now to demonstrate community support for this plan. **Not a dime will be collected before we firm up the details and an established local non-profit agrees to serve as a responsible fiduciary.** Before anyone contributes they will be encourage to review the plan. When we're ready to accept funds, all donations will remain voluntary. Donations will be used directly to help preserve modest homes, not for administration.

We aim to raise pledges of \$10,000 by the second week of June. Over 20% of this has been pledged already. We hope you will join this vital work of community stabilization. Our goal is to be ready to preserve at least one home before autumn of 2022. We are volunteers with deep professional experience in this field. See attached bios.

This work is faith based and open to all, based upon love of neighbor and respect for the earth. We observe all laws and regulations including the fair housing rules.

We are cooperating with existing non-profits. We are developing a model so that an existing non-profit may adopt it. If need be, we will start a non-profit with local board members. See Frequently Asked Questions below.

FAQ Frequently Asked Questions

Why families? Because children are especially vulnerable. "Surveys of families with safe, stable and affordable housing show fewer health problems, improved school performance, less psychological stress and more self-assured parents." <https://www.habitat.org/our-work/how-housing-affects-child-development>

How will families be chosen? We are developing selection criteria that are fair and impartial. This will balance need, ability to buy and to care for a home. This instrument will borrow from existing service organizations and lending criteria. We will observe the spirit and letter of fair housing and equal opportunity laws.

How will houses be chosen? Written criteria for house inspection will include quality, durability, ease of maintenance. Homes will be expected to serve for at least 100 years. Distance to work, public transit, shopping, and civic amenities will be considered. Homeowners will participate governance and homes will be inspect over time.

Have you selected a non-profit partner yet? No. The final design of the plan will be developed mutually with our non-profit partner or partners.

Why are you raising pledges now? The need is urgent. We need to show community support for this plan and to be ready as soon as we've completed organizing. A show of support will encourage a non-profit partnership.

What if I pledge but disagree with the plan? You may help to design the plan within the principles we've outlined. If you object to the plan you're free to keep your money or donate to another housing group.

Has this a proven method? Yes. Denver Colorado and Charlevoix Michigan experience market forces similar to those threatening our neighborhoods that working people live in. Traverse City is considering such a plan. Details differ locally, but this is a proven instrument to preserve neighborhoods and homes. See <https://www.housingnorth.org/deed-restriction-program> and <https://brothersredevelopment.org/globeville-elyria-swanssea-affordable-housing-collaborative/>

If Traverse City is considering such a plan, why duplicate it? We plan to cover a Leelanau, Grand Traverse, and Benzie County. Some of the localities may preserve year-round residences without regard to income limits.

If my income rises, do I have to move out? No. It's your home.

Can my children inherit the house? Yes. We will likely design the deed restriction to permit a recouping of the subsidy if their income is above the income limits.

May I donate an existing home? Yes, You may pledge a home. It will need to meet the plan's criteria.

What if the economy tanks? Recessions come and go. The Great Recession saw the banks saved but some seven million homeowners lost their homes. We will change our focus to help people remain in their home or to purchase a reasonably priced homes that will then be permanently preserved for homebuyers of modest means.

Why faith based? We believe that God will make it possible for people and their families to live in dignity. We refuse to discriminate. Yet we remember that hospitals, universities, and many good groups were started to benefit others though people of faith working together. With God, all things are possible. We do not proselytize.

Is this socialism? Far from it. This is a community-based action for the well-being of the entire community. We are not seeking tax dollars. Homebuyers will voluntarily enter into the deed restriction that allows the benefit they enjoy to be passed on to the next generation when they freely choose to sell.

Will you have a secret handshake? Yes, and we will teach it to anyone interested in our work. In all seriousness, this work is much-needed, relies upon volunteers, is demanding, fun and enjoyable. Come share the joy. Our working meetings are at Oryana West at noon every Wednesday. (This is the former Lucky's Market.)

May we ask other questions? Of course. We are committed to transparency.

Who are you? John O'Neill has worked more than 20 years in housing and emergency housing. He cut his teeth as a volunteer at St. Joseph's house of hospitality of the NYC Catholic Worker, and worked as an innkeeper and grant writer for the Goodwill Inn. He volunteered with Habitat and then served as Executive Director of Lake County Habitat and Habitat Grand Traverse. Under his leadership the Benzie Housing Council built 13 new homes, weatherized ten, and renovated five homes. During this time the BHC trained volunteer bankers and realtors to save over 50 homes from foreclosure. He currently serves on the Leelanau County Housing Action Committee.

johnoneillbackup@gmail.com References available on request.

Jason Potes earned a degree in Construction Management from MSU. He worked for Homestretch and the Benzie Housing Council. He was elected to the Benzonia City Council. He later worked with a micro-loan nonprofit in Traverse City. He now works in the private sector helping people to purchase homes for less than they'd pay in rent.

jearlpotes@gmail.com References available on request.

What is a 'Housing Ready' Community?



About Us

A Housing Ready Community offers a wide variety of housing options to meet the needs of a dynamic and diverse population. Everyone can secure attainable housing that fits their unique needs and allows them to contribute to their communities, including:

- People entering the workforce
- Young families
- Retirees
- Early entrepreneurs
- Working people with low incomes

Housing Ready Communities are healthy, robust, and bursting with opportunity for all. They have removed common barriers to attainable housing by:

- Coordinating projects between units of government and developers
- Revising outdated zoning to ensure it supports today's housing needs
- Exploring local government tools such as Land Bank and Brownfield Redevelopment authorities, and more
- Creating Housing Action Plans that provide clear paths to housing and future growth
- Developing housing opportunity maps to achieve housing goals

We are living through a national housing crisis. Housing North is developing solutions like the Housing Ready Program to address the way this crisis is impacting our region's residents and businesses.

Housing North is dedicated to creating housing choices for those not served by our current housing market. We focus on attainable housing for our workforce and affordable living situations for low-income residents.

OUR MISSION

is to build awareness, influence policy, and expand capacity so communities can create housing solutions that meet their unique needs.

THE MISSING INGREDIENT

A key ingredient missing from most rural housing mixes is a community development liaison who can connect local governments, non-profit organizations, developers, local businesses, and philanthropic funders to generate innovative housing solutions that serve the complex needs of today's communities.

This is where Housing Ready Directors come in! They are experienced community development professionals with expertise in land use planning, real estate development, and project management. They connect communities with proven solutions, as well as with the tools and networks needed to implement them. **The Housing Ready Program aims to provide these boots-on-the-ground connectors in the communities within our service area that have demonstrated a need and a desire for the position.**



STEPS TO BECOMING HOUSING READY

- ✓ Review Communications Toolkit and advocacy materials
- ✓ Complete Housing Ready checklist
- ✓ Work with Housing North to implement checklist (ongoing)
- ✓ Develop Housing Action Map & Housing Opportunity Map
- ✓ Facilitate housing projects and more opportunities

WHAT DOES SUCCESS LOOK LIKE?

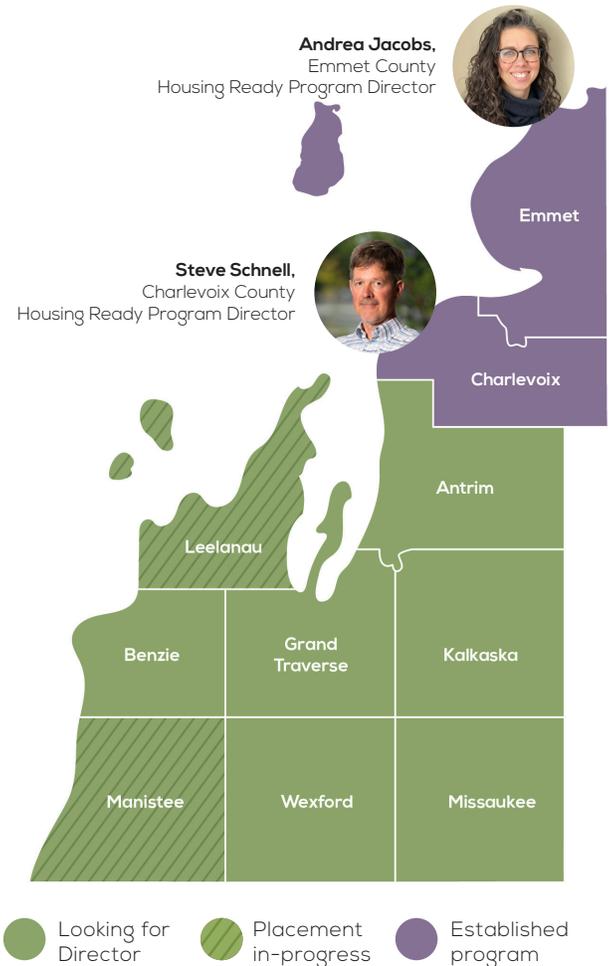
Thanks to the generosity of our private and public funders, both Charlevoix and Emmet counties have placed highly-qualified, locally-based staff providing customized services tailored to the specific needs of the counties they serve, with success defined in collaboration with participating partners.

In just two short years, Housing Ready Program Directors have made impressive progress, and they're just getting started!

- Accessory Dwelling Unit (ADU) Program implemented in Charlevoix County
- Deed Restriction Program launched in City of Charlevoix and expanded to Petoskey
- Petoskey LOFTS at Lumber Square project approved due to Housing Ready advocacy
- Zoning and master plan updates in Boyne City, Petoskey, Charlevoix, and East Jordan
- Housing Opportunity maps developed in Charlevoix and Emmet counties

Additional Program Milestones

- 50 communities introduced to Housing Ready Program
- 13 units of government have endorsed the Housing Ready Program
- 2 Housing Action Plans currently in progress
- 1 Housing Action Plan completed (Manistee)
- 500+ housing units built as a result of Housing Ready advocacy and technical support



How You Can Help

A strong Housing Ready program is funded by **private philanthropy, foundations, nonprofit organizations, and units of government** all working toward the same attainable housing goals.



DONATIONS

of cash or securities will ensure the Housing Ready Program has the necessary resources to facilitate housing systems change throughout our 10-county service area.

Gifts can be designated to support a specific Housing Ready Program in the county of your choice.



SPEAK UP!

Let your county leadership know you want a Housing Ready Program working to solve the housing crisis **in your community.**



Housing Ready Program (Leelanau County)

June 2022 Update

Fundraising Summary

We are grateful for the recent commitments of support of Leelanau County, the Village of Northport and Bingham Township. We are also super excited to share that we received \$30,000 from Rotary Charities of Traverse City to support this position for the first year. We are waiting to hear from the Grand Traverse Regional Community Foundation and a few other Townships over the next month. A press release will go out on Monday, June 13th announcing the most recent funding for this position.

Below is a funding summary to date:

Organization	Year 1	anticipated	years 2-3	Time period
Leelanau Township Community Foundation	\$10,000		\$20,000	3 years
Village of Northport		\$1,000	\$2,000	3 years
Businesses/Individuals	\$8,000			1 year
LCN	\$10,000		\$20,000	
GTRCF		\$10,000	\$20,000	
Rotary	30000			1 year
Leelanau County	\$20,000		\$40,000	3 years
Centerville		\$2,000	\$4,000	3 years
Elmwood		\$5,000	\$10,000	3 years
Bingham	1000		\$1,000	2 years
Leelanau Twp		\$10,000	\$20,000	3 years

Total	\$78,000	\$28,000	\$62,000	\$168,000
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Goal = \$100,000/year for 3 years

Position Description

[Here is a link](#) to the most recent position description. We will form a small interview committee a few members of the HAC and the Housing North Board. We will need to decide when to post this announcement. Housing North would be comfortable moving forward with announcing the position once we hear back from a few more Townships on their contributions- likely by the end of June. We hope present to Leelanau Township next week (the 14th), and are still hoping to be on the agendas for Suttons Bay Village, Suttons Bay Township, Empire Village and Empire Township.

We will be reaching out to individuals to participate on the interview team in early July.

Contractual Agreement

Between

Leelanau County
8527 E. Government Center Dr.
Suttons Bay, MI 49682

And

Housing North
P.O. Box 1434
Traverse City, MI 49685

This Contract, designated Number LC2022 is made and entered into by and between Leelanau County, 8527 E. Government Center Dr, Suttons Bay, MI 49682, hereinafter referred to as THE COUNTY and Housing North, P.O. Box 1434, Traverse City, MI 49685, hereinafter referred to as HN on the 27 day of May, 2022 (the "Effective Date").

In consideration of the mutual promises, covenants, and representations herein contained, the parties hereto agree as follows:

I. STATEMENT OF PURPOSE

The purpose of this agreement is to establish formal terms related to technical assistance provided by HN to THE COUNTY for the purpose of providing Housing Ready Program services.

II. SCOPE OF WORK

1. HN agrees to perform the functions set forth in Attachment A, hereinafter referred to as "The Project" and comply fully with subsequent revisions and modifications.
2. HN is performing Housing Ready Program services contemplated by this Contract as an independent contractor and is not acting as an employee or agent of THE COUNTY. As a result of the organization's status as an independent contractor, THE COUNTY shall not be responsible for any state or federal income tax withholdings and shall not be responsible for providing worker's compensation insurance coverage for HN.
3. HN will provide a report of its activities to THE COUNTY with each quarterly invoice.

III. PERIOD OF PERFORMANCE

The CONTRACTOR shall commence performance of this Contract on August 1, 2022, and shall complete said performance three years from August 1, 2022.

IV. COMPENSATION

THE COUNTY agrees to pay HN as compensation for all costs, work performed and services provided under this Contract an annual sum of \$20,000 for a total contractual amount not to exceed \$60,000. THE COUNTY will pay each annual payment, as follows: One-quarter of the annual payment will be due upon the execution of the Contract and the remaining compensation shall be billed in one-quarter increments every three months thereafter for the period of performance and shall be due within thirty (30) days of receipt of any invoice by THE COUNTY.

V. TERMINATION

1. Either party may terminate this Contract at any time by giving at least 30 days written notice to the other party of such termination and specifying the effective date thereof.
2. If either party terminates this Contract, HN will receive the Compensation through the effective date of termination. Any payment made in advance by THE COUNTY shall result in a pro rata refund of the unused portion of the prepaid services. Upon receipt of any unpaid Compensation, THE COUNTY will receive a report produced by HN under this Contract for the work product produced by HN through the effective date of termination. In no case will the compensation paid to HN for partial completion of services exceed the amount HN would have received had the services been completed in full.

VI. INSURANCE AND INDEMNIFICATION

1. To the fullest extent permitted by law, HN shall indemnify, defend (at HN's sole expense) and hold harmless THE COUNTY (including its officers, employees and agents) from and against any and all claims for bodily injury, death or damage to property, demands, damages, actions, causes of action, suits, losses, judgments, obligations and any liabilities, costs and expenses (including but not limited to investigative and repair costs, attorneys' fees and costs, and consultants' fees and costs) which arise or are in any way connected with the work performed, materials furnished, or services provided under this Contract by HN or its agents.

HN shall not be obligated to indemnify and defend THE COUNTY for any negligence or willful misconduct of THE COUNTY, whether passive or active (including its officers, employees and agents).

2. HN shall procure and shall maintain during the life of this Contract General Liability Insurance in an amount not less than \$1,000,000 per occurrence for injuries, including accidental death, for each person; and subject to the same limit for each person, in an amount not less than \$1,000,000 per occurrence on account of each accident; and Property Damage Insurance in an amount not less than \$1,000,000 each occurrence; and combined Single Limit for Bodily

Injury and Property Damage Liability in an amount not less than \$1,000,000 for each occurrence. The policy shall contain an endorsement stating that THE COUNTY, its board, officers, employees, and agents have been named as additional insureds onto such policy for all claims arising out of the services provided under this Agreement.

3. The indemnification and defense obligations hereunder shall extend to claims occurring after this Contract is terminated as well as while it is in force, and shall continue until it is finally adjudicated that any and all actions against THE COUNTY (including its officers, employees and agents) for such matters which are indemnified hereunder are fully and finally barred by applicable laws.

VII. FORCE MAJEURE

If because of Force Majeure either party is unable to carry out any of its obligations under this Contract (other than obligations of such party to pay or expend money for or in connection with the performance of this Contract), and if such party promptly gives to the other party concerned written notice of such force majeure, then the obligations of the party giving such notice will be suspended to the extent made necessary by such force majeure and during its continuance, provided the effect of such force majeure is eliminated insofar as possible with all reasonable dispatch. "Force Majeure" means unforeseeable events beyond a party's reasonable control and without such party's fault or negligence, including, but not limited to, acts of God, acts of public enemy, acts of the federal government, fire, flood, inclement weather, epidemic, quarantine restrictions, strikes and embargoes, labor disturbances, the unavailability of raw materials, legislation, orders or acts of civil or military authority, injunctions, or other causes of a similar nature which wholly or substantially prevent performance.

If the Contractor is delayed in the completion of the Project due to Force Majeure, or otherwise, the Period of Performance may be extended for a period determined by the parties to be equivalent to the time of such delay.

The parties agree the COVID-19 Pandemic is not a force majeure event; however, it may impact the method and means of completing the Project. This impact shall not affect the Compensation as set forth in this Contract.

VIII. NONDISCRIMINATION

The parties agree not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment because of race, color, sexual orientation, gender identity, religion, national origin, age, sex, height, weight, family status, marital status, or physical or mental disability. Breach of this covenant may be regarded as a material breach of this Contract.

IX. DISPUTE RESOLUTION

The parties agree to use good faith negotiations to resolve any dispute that may arise under or relate to this Contract and will attempt to reach an amicable resolution of such dispute. In the event that the parties are not able to resolve any dispute by negotiation, the parties agree prior to any other action or proceeding to meet in good faith in at least one mediation session with a mediator mutually agreed to by both parties at a location agreed

to by both parties. Each party will bear its own costs in mediation and the fees and expenses of the mediation will be shared equally by the parties.

X. MISCELLANEOUS

1. Governing Law. The parties agree that the validity, construction, enforcement and interpretation of this Contract shall be governed by the laws of the State of Michigan.
2. Non-Assignability. This Contract may not be assigned by either party without the express written consent of the other party.
3. Entire Agreement: The Contract contains the entire agreement of the parties hereto and supersedes all prior agreements and understandings, oral or written, if any, among the parties.
4. Severability The invalidity or unenforceability of any provision of this Contract shall not affect the other provisions, and this Contract shall be construed as if such invalid or unenforceable provision were omitted.
5. Modifications. A request for Contract modification may be made by either party and will be subject to negotiation, if necessary, but shall not be effective unless agreed to in writing by both parties.
6. Not a Joint Venture. The parties do not intend this Contract to be a joint venture.
7. Third Party Beneficiaries. This Contract confers no rights or remedies on any third party, other than the parties to this Contract and their respective successors and permitted assigns.
8. Execution in Counterparts. This Contract may be executed in counterparts, each of which shall be an original and all of which shall constitute the same instrument.
9. Digital Signatures. The parties hereto acknowledge and agree under the Uniform Electronic Transactions Act, MCL 450.832, et seq. that this Contract may be executed with the electronic signature of any person authorized and required to sign on behalf of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Contract the day and year first above written.

Signatures on the next page

FOR THE COUNTY OF LEELANAU

_____ Date

Ty Wessel

5-27-22

Ty Wessel, Chairman
Leelanau County Board of
Commissioners

FOR HOUSING NORTH

_____ Date

Carlin Smith

6/8/22

Carlin Smith
President

ATTACHMENT A

SCOPE OF WORK

Housing North staff will provide professional services to communities in Leelanau County including but not limited to the following activities:

Finance and Project Support

- Develop an active network of developers, builders, nonprofits, governmental bodies (e.g., Leelanau County Land Bank and Brownfield Redevelopment Authorities), and others to identify potential housing projects
- Develop and keep up-to-date a database of potential development sites, utilizing mapping services, review of zoning ordinances, and available properties.
- Provide assistance to developers and development partners, including public officials, lenders, investors, and nonprofits, in planning, funding, and advocating for housing development that meets local goals with activities including: Identifying funding needed to complement developer and other financing in order to achieve affordability goals for target households;
- Assist the County in identifying and apply for potential funding sources (including Federal, State, regional and local) to meet these needs and work with project partners and other Housing Action Committee members to develop funding proposals;
- Conduct third-party site plan reviews and/or financial reviews of major development proposals on behalf of HAC to assist with financial need or local development support in the form of tax abatement, infrastructure investments, or related opportunities for public-private partnerships;
- Work with partners to create and support new local and/or regional affordable housing financing vehicles; and help close deals and bring attainable housing projects of various scales to fruition

Leadership and Representation

- Represent and/or work closely with Leelanau County Housing Action Committee (HAC) as a spokesperson for efforts to increase affordable housing in Leelanau County. This may include speaking publicly to groups and organizations, and advocate for the approval of housing projects

- Develop and maintain strong working relationships with local government officials, developers, lenders, investors, businesses, and nonprofit organizations in the County to help with housing solutions and make connections to housing opportunities.
- Liaise with local and regional affordable housing groups to identify opportunities to collaborate, bring to Leelanau County relevant experiences and ideas being considered elsewhere in the region, and tap regional resources that could support and benefit the HAC activities in Leelanau County
- Collaborate with local, regional, and statewide nonprofits seeking to build, finance, and market affordable housing within Leelanau County
- Facilitate the development of innovative local policy-based programs, such as deed restrictions that limit occupancy to year-round residents, to help address the impact of the current shortage of affordable housing
- Recruit, motivate, and support volunteers and their respective committees, including Housing Action Committee members.
- Assist local units of government on policy development, possible zoning changes, and other initiatives that support the development of attainable housing

Opinion How NIMBYISM chokes off affordable housing even in Big Sky Country

By Kendall Cotton

June 9, 2022 at 7:00 a.m. EDT

Kendall Cotton is president and CEO of the Frontier Institute in Helena, Mont., and member of the State Policy Network.

Fifty years ago, my grandfather scraped together \$15,000 to buy a small “shotgun”-style house on a tiny lot in the middle of Missoula, Mont. Adjusted for inflation, that would mean about \$105,000 today. Yet the median price for a single-family home in Missoula now is more than \$550,000.

We often hear about the fading dream of homeownership for millions of Americans — especially young people hoping to raise a family — in New York, Los Angeles and other major cities. But the problem extends from coast to coast, with Missoula as a telling example of why there simply aren't enough houses to meet demand. The shortage drives the cost of existing homes to levels that are prohibitive for countless low- and middle-income Americans.

The shorthand explanation for the housing crunch is not-in-my-backyard NIMBYISM, but the political instrument that makes such hostility effective has a more prosaic description: strict local zoning regulations.

President Biden's recently announced [Housing Supply Action Plan](#) reflects a growing political consensus that an intervention is needed. People of all political stripes can unite around pro-housing reforms to give landowners more freedom to build new homes where they are needed most.

The Biden administration's housing plan calls the lack of available and affordable land through exclusionary zoning regulations, such as minimum lot area requirements, parking mandates and prohibitions on multifamily housing, as “one of the most significant issues constraining housing supply.”

Biden echoes points made by President Donald Trump in a 2019 executive order that called strict local and state zoning regulations “the leading factor in the growth of housing prices.” And before Trump, President Barack Obama developed a tool kit in 2016 that said “local policies acting as barriers to housing supply include land use restrictions that make developable land much more costly than it is inherently.”

Exclusionary zoning practices reserve vast portions of cities for single-family homes and prohibit building denser multifamily homes, such as duplexes and triplexes, that are more affordable by design. Other regulatory layers drive up building costs and can effectively prohibit multifamily homes when the requirements (see minimum lot areas and parking mandates above) can't be met in the existing space.

In emerging housing markets such as Montana's, we are seeing the pain caused by exclusionary zoning firsthand. A pandemic property gold rush coupled with low housing inventory has pushed median home list prices in some of the state's fast-growing cities over \$800,000. The organization I lead, the free-market Frontier Institute, recently published a [Montana Zoning Atlas](#) report on how exclusionary zoning worsens the housing shortage: More than 70 percent of primary residential areas in Montana's most in-demand cities either outright prohibit or penalize affordable multifamily housing development.

While there is no silver bullet that will resolve the housing crisis, pro-housing regulatory reforms would go a long way toward expanding the supply of homes. The small city of Helena, Mont., took this approach in 2020, abolishing minimum lot area requirements and restoring landowners' right to build townhouses and duplexes by right throughout all residential areas. These changes may be one factor keeping the median home list price in Helena relatively affordable, at \$470,000, compared with high-growth Montana cities that have strict exclusionary zoning, such as Bozeman, where the median home list price is \$849,000.

Unfortunately, local governments have historically been resistant to such change. NIMBY-driven homeowner movements can drive formidable political opposition to proposals allowing denser development. Multifamily housing projects are shot down after outcry from existing homeowners in a neighborhood. Perhaps due to this political influence, many local government officials still don't seem to believe regulatory reform is part of the solution, preferring instead to focus on measures such as rent control or increasing funding for housing-assistance programs.

Biden's Housing Supply Action Plan will leverage federal grant funding to entice skeptical local governments into reforming exclusionary zoning codes. Cities that give landowners freedom to build denser, more-affordable homes to meet the needs of low- and middle-income residents will be rewarded with higher scores in existing federal grant processes.

It will be fascinating to see whether federal incentives will be enough to prod stubborn local governments into action on zoning reforms. If civic leaders see grant dollars flowing to nearby cities and towns undertaking reforms, that might have a galvanizing effect.

Let's hope so. Any sign of movement toward addressing America's housing shortage would be welcome. But these daunting regulatory barriers took decades to construct and will require years of significant rollbacks if the American Dream of homeownership and individual prosperity is going to be restored.

That goal is one where people on the left and the right can find common cause. They just need to set aside the NIMBY temptation and press local politicians for responsible reform that will allow their fellow citizens a fair shot at homeownership.