

Danby Township Regular Meeting
June 27, 2013

The regular meeting was called to order at 7:00 p.m. at the Danby Township Hall, 13122 Charlotte Hwy. The meeting was opened with the Pledge of Allegiance.

Roll Call Board Members Present: Supervisor Pohl, Trustee Reisbig, Treasurer Kolarik, Clerk Platte

Roll Call Board Members Absent: Trustee McCormack

Approval of Minutes Regular Meeting May 30, 2013:

MOTION by Reisbig Seconded by Kolarik CARRIED
Approve the minutes of the May 30, 2013 regular meeting as presented.

Approval of Agenda: Under Unfinished Business add #5 Planning Commission Vacancy; Under New Business add #2 2012/2013 Audit and #3 Cemetery Grave Openings.

MOTION by Platte Seconded by Reisbig CARRIED
Approve agenda as amended.

Communications:

MOTION by Reisbig Seconded by Platte CARRIED
Place the communications on file.

Public comment: none

Unfinished Business:

Fire Authority Update: Chief Baker presented a 5 year plan for the Portland Area Fire Authority. The future meetings of the Portland Fire Authority Board will be taking place at Danby Township Hall.

FEMA National Flood Insurance Program: Trustee Reisbig filled out all of the paperwork for the FEMA National Flood Insurance Program and after reviewing all the documents the Danby Township Board needs to start with the Michigan Community Resolution and Intergovernmental Agreement To Manage Floodplain Development For The National Flood Insurance Program.

MOTION by Reisbig Seconded by Kolarik
Adopt a resolution to enter into Intergovernmental Agreement to Manage Floodplains with Ionia County.

**MICHIGAN COMMUNITY RESOLUTION AND INTERGOVERNMENTAL
AGREEMENT TO MANAGE FLOODPLAIN DEVELOPMENT
FOR THE NATIONAL FLOOD INSURANCE PROGRAM**

Community A: Danby Township **Community/Entity B:** Ionia County

WHEREAS, Community A (check the appropriate statement) currently participates

desires to participate in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory

requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this resolution:

1. Flood or Flooding means:
 - a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
 - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of a community, as may have been issued by the FEMA, where the boundaries of the areas of flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.
3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

WHEREAS, the Stille-Derossett-Hale Single State Construction Code Act”, Act No. 230 of the Public Acts of 1972, as amended, (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, and

WHEREAS, by the action dates of this document or an existing historical agreement na, Community/Entity B affirms/agrees on behalf of Community A to function as the designated enforcing agency to discharge the responsibility of administering, applying, and enforcing the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, to all development within Community A's political boundaries, and

WHEREAS, Community A and Community/Entity B enforce floodplain regulations of the construction code act, and Community A wishes to ensure that the administration of that code complies with requirements of the NFIP, and

NOW THEREFORE, to maintain eligibility and continued participation in the NFIP,

1. Community A and Community/Entity B agree that Community/Entity B's officially designated enforcing agency for the construction code act, Ionia County Building Inspector. (insert position title), be directed to administer, apply, and enforce on Community A's behalf the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations, by:
 - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area, and areas with potential flooding, and
 - b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and
 - c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, Community/Entity B shall implement the following applicable codes according to their terms:
 - i) Appropriate portions and referenced codes and standards of the current Michigan Residential Code.
 - ii) Appropriate portions and referenced codes and standards of the current Michigan Building Code.
 - iii) Appendix G of the current Michigan Building Code.
 - d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
 - e. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood proofing and lowest floor construction records, and cooperate with other officials, agencies, and persons for floodplain management.
 - f. Advising FEMA of any changes in community boundaries, including appropriate maps, and

- g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevation to which structures have been floodproofed.
- 2. Community A and Community/Entity B assure the Federal Insurance Administrator (Administrator) that they intend to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to assure Community A's compliant participation in the program.
- 3. Community A further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or the FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

FURTHER BE IT RESOLVED, both communities declare their understanding that, until this resolution is rescinded or Community A makes other provision to enforce the construction code act:

- 1. Community/Entity B must administer and enforce the construction code act in accordance with the terms and the conditions contained herein, and
- 2. For Community A to continue its participation in the NFIP, the construction code act must be administered and enforced according to the conditions contained herein.

Community A:	<u>Danby Township</u>	Date Passed:	<u>June 27, 2013</u>
Officer Name:	<u>Richard J. Pohl</u>	Title:	<u>Supervisor</u>
Signature:	_____	Date:	_____
Witness Name:	_____	Title:	_____
Signature:	_____	Date:	_____
Community/Entity B:	<u>Ionia County</u>	Date Passed:	_____
Officer Name:	<u>Julie Calley</u>	Title:	<u>Chairperson</u>
Signature:	_____	Date:	_____
Witness Name:	_____	Title:	_____
Signature:	_____	Date:	_____

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Cemetery Business: none

Public Comment: none

Announcements: The next meeting is July 25, 2013.

Adjournment: Supervisor Pohl adjourned the meeting at 8:18 p.m.

Kristina K. Platte
Danby Township Clerk