

Scott McPherson

From: Chet Falkowski <chetfalkowski@gmail.com>
Sent: Monday, April 11, 2022 6:37 PM
To: Scott McPherson; Jessica Puroll; Hugh Conklin; Michael Cain
Subject: The Boyne City Short Term Dilemmas with Long Term Ramifications

It is often difficult to see the ramifications of our actions in attempting to resolve situations of great import such as those currently being considered by Boyne City. The major issues affecting the future of Boyne City and our families, the marina expansion, short term rentals, and overall growth, all have wide-ranging implications for the very fabric of our community. They are of the utmost import to community wellbeing, and deserve careful consideration.

With that as our starting point, we are able to properly assess the situations in question. In doing so, we must consider those factors that have great import to the community; to Boyne families. Regardless of our personal position, we must give credence to contrary opinions if we are to find a solution based on our unique cultural mores.

When considering the ramifications of our actions, we must balance our preferences with personal responsibility. Our personal freedoms are absolute and cannot be infringed – up to the point that they impact others. An individual or group has no advantage of freedom if it diminishes that of others.

The major issues facing Boyne City all rely on one thing when attempting justification, financial enrichment, which is an admirable pursuit. Everyone should be able to earn as much and have as much as they are able and desire, but it should never be allowed to happen at the expense of others. No person or group can be allowed to disrupt Boyne City and the families that live here, period.

If all decisions are made from a position based purely on greed, we fail the greatest system in the greatest nation on earth. Capitalism is the best system ever undertaken, but it can be easily subverted without adherence to the Judeo-Christian principles of America's founding.

We must understand that personal freedom and personal responsibility are inseparable, and we are the guardians of those principles; there is no other way to preserve America's families.

When we abandon the principles that have brought us this far, we also abandon a fair amount of our humanity.

- Chet Falkowski, Boyne City

Scott McPherson

From: Chet Falkowski <chetfalkowski@gmail.com>
Sent: Monday, April 18, 2022 6:38 PM
To: Hugh Conklin; Michael Cain; Scott McPherson; Jessica Puroll; Tom Neidhamer; Tim Nemecek; Marty Moody; George Lasater
Subject: The People's Business

Politics and Religion and City Hall

Politics and religion are two sides of the same coin. Politics deals with legalities, religion deals with moralities, and both are indispensable. We are not moral if we are not legal, and we are not legal if we are not moral.

To govern against the will of the people is immoral. To disregard the needs and desires of local families in favor of the monied elite, many of whom are not fulltime residents, damages the community. The actions being taken by the Boyne City Board of Commissioners will result in dire consequences for Boyne families. The lack of empathy for Boyne families and lack of harmony in decision-making is an abdication of responsibility.

To transform Boyne City into a playground for anyone willing to pay, while pushing local families to the sidelines is grossly immoral, and goes contrary to our founding ideals. The refusal to consider the voice of the people degrades the trust in Boyne City leadership to an irretrievable level.

Boyne City leadership could have taken a different approach and achieved an outcome that none could rival. Building and maintaining amenities for Boyne families, embracing the quaint smalltown vibe, encouraging and reinforcing local families, and promoting growth through education and civic pride, those are duties that should have been undertaken by city government, but sadly they were ignored in favor of some elitist utopia.

It is apparent that city leadership is out of touch with local families, even though last November, the voters proffered a mandate against the marina expansion, as well as their skepticism of the general direction of growth in the community, ipso facto.

The marina expansion is just one part of a scheme that can rightly be called Michael Cain's 'Great Reset'. This scheme also includes the Lofts on Lake Street which, regardless of the claims to the contrary, will be out of reach for most of the local population, and that is not a secret to anyone. With the lowest monthly rental at \$800+ for a 450 square foot studio apartment, there is no way this can be considered affordable housing. The fact that at this late date, construction has not yet started, with no punitive action taken by Boyne City against the owners, is telling – everyone's just waiting for the marina expansion to begin.

The Fox Run Mobile Home Park is just a mirage of affordable housing and is part of the great reset. When housing is a mobile or modular unit, there is no appreciation of asset; that particular type of housing only depreciates. Renting a small lot on which to place the unit does not benefit the homeowner, it only benefits the landowner. In this case the landowner is downstate. This system denies local families the opportunity to build equity, while an uninterested downstate landowner benefits and Boyne area families are consigned to veritable serfdom.

Another suspect project is the waterfront beautification across from Catt's 'Family Fare' shopping center. I am very skeptical of all the attention, money and effort given to that particular bit of shoreline. What are the plans for Catt's 'Family Fare' property in the near future, more condos once the marina expansion is implemented?

The airport expansion is another example of the sellout of Boyne families. Not only is Boyne City leadership encouraging expansion of the airport, further solidifying the transformation of Boyne City into a playground for the monied elite, but

their actions are seriously degrading the environment. Everyone should consider the excessive noise, and the “Greenies” should consider the carbon footprint. Both will be at catastrophic levels when the “Great Reset” of Boyne City is complete.

Where is the harmony? Where are the amenities and improvements to benefit local families? Where is the morality in the actions taken by Boyne City leadership?

Commissioners, this isn't personal, it's just business. It's your actions and attitude toward Boyne families and their quality of life that matters. It's nothing against you, it's just business; the people's business.

-Chet Falkowski, Boyne City

Scott McPherson

From: Chet Falkowski <chetfalkowski@gmail.com>
Sent: Sunday, April 24, 2022 7:59 PM
To: Hugh Conklin; Tim Nemecek; Marty Moody; George Lasater; Tom Neidhamer; Michael Cain; Scott McPherson; Jessica Puroll
Subject: At the Crossroads, or Boyne City's Faustian Bargain

At the Crossroads, or Boyne City's Faustian Bargain

When a bargain seems too good to be true, it usually is, and prudence dictates we step back before it's too late. Legend has it that Robert Johnson, the great blues artist, sold his soul to the devil at the crossroads in return for being the best guitarist. It now seems that Boyne City government is bargaining with the devil, too.

Boyne City is now standing at the crossroads and the course plotted for Boyne City including the marina and airport expansions, short term rentals, Lake Street Lofts, and Fox Run Mobile Home Park, all reek of abandonment of community. The decisions being made and the actions being considered are a delight to the devil; he wins, Boyne families lose.

The transformation of Boyne City, from small town paradise to playground for the monied elite, spells doom for average residents. They are being displaced. They are being relegated to the sidelines with mediocre employment opportunities, a worsening housing shortage, and a lack of quality family amenities, while the Boyne City Commissioners debate more and more amenities for the monied elite.

What will we do when we can no longer ignore the fate that we are dealing to Boyne families? Will we simply say that we were wrong, apologize, and move on? Once we abandon our community in favor of part-timers and tourists, it will cause irreparable damage, and it will be too late to do anything about it. Maybe that is your intent; I don't know your heart, but I sure can't find any compassion, empathy, or community spirit.

This deal with the devil won't go well. The price is too high and the very future of Boyne families is at risk. Once the deal is done there will be no turning back, Boyne families will lose, and the Board of Commissioners will have sold their souls.

-Chet Falkowski, Boyne City

Out of the 958 [potential occupants of STR], how many are children that come and fill spots but don't put money into the local economy?

Joe Diesenroth

After attending last night's meeting, I would like to share my personal opinion. There is a definite need for balance and regulations. Owning a cleaning company, we meet a variety of people and see a variety of situations. When we run into anyone on vacation and have conversations with visitors they are not talking about housing. Most of them are in their summer homes. They are talking about good improvements being made, service, restaurants, making suggestions, wondering about events in the area or just wanting to have a good conversation. Not once have I spoken with a visitor about a short-term housing problem. There are many summer homes that still bring in a lot of business as they always have. I am not against short term rentals. My husband and I hope to have one in the future at some point. They are also a big part of our business. Short-term rentals are also providing more chances for families to see each other comfortably, have a mini getaway on a budget and get to visit beautiful Boyne City.

I have known people to leave the area or state because of not having affordable housing or even options. Yes, we need to accommodate seasonal residents but we focus too much on them at the expense of year-round residents.

Boyne City and surrounding areas are suffering from being short staffed and are having trouble keeping up. There are more reasons than housing for this but it is a big part. The year-round residents matter and should have affordable options as well. This is our home. We work hard for our families, for our community and for visitors. We are key to the experience visitors leave with. Locals need more affordable and low-income housing. I agree with the point that was made in the meeting of a hotel being built. We have at least two locations in Boyne City that are motels more used as minimal housing options for locals on a tight budget.

Below are just some thoughts, ideas and points in hopes to help on this subject.

- **Regulations on how many short-term rentals each resident can own.** For instance, if there are 10 properties owned by one person/company, maybe allowing 2-3 of them to be short term rentals. The rest would be long term rentals. Hopefully, affordable housing. It would give other people a chance without taking advantage to have a choice on any short-term rentals in the future. If there is a cap put in place but basically those residents have already dipped a fair share into the short-term rentals, that isn't right and should change, be regulated.
- **Short-term rentals could be regulated that are bought by Michigan residents only for our area.**
- **Getting feedback from senior high school students as well as college students.** It is nearly impossible for young adults to make their way on their own and that is even referencing having roommates. It is truly hard to find anything available at all.
- **Low-income housing should also be regulated. I also believe this is part of the housing problem in the area.** There are too many people that take advantage of the assistance that is there, that is meant to be a stepping stone. I have known people to choose welfare and stay in those homes instead of working hard to get to a better place. Some residents don't

have plans on moving which in turn takes an opportunity away from honest, hardworking people that would use the opportunity in the way it is meant to be used.

- **Low-income housing should have a time limit.** I believe it should happen in their once-a-year review. I love the changes being made for low-income housing but people do take advantage. They need to help themselves. Have employment (unless medically not possible), a max on timing being able to stay in the home (example- 3-year max), incentive program of a percentage of what they have paid during the time in low-income housing is kept track and they get it back when they leave. That way they have help moving forward in their life. The hope would be not being able to take advantage of the system while still being able to provide assistance in various ways to the local families that need it.
- **Fees from short term rentals to go into a fund to provide funding for affordable housing/apartments for year-round residents.** Not only for short-term rentals but also for low-income.

Thank you for letting me share my opinion. I'm happy Boyne City is listening to all opinions and perspectives to come to a solution to this issue. Please let me know if there is anything we can do to help.

Leia Diesenroth

I live in town, bought in 1994. There were 0 STR when I moved in. Now in my one block (walk around) there are at least 6 – with 16 or so total homes. STR create no sense of community. You don't know your neighbors with [short-term] renters. Some good/some bad. Absent owners – they aren't aware of immediate condition of house. They can't see if there is a flood – which there has been on 2 occasions in last 2 years. Some restrictions are needed. You restrict Bed & Breakfast [establishments]. Need zoning or restrictions. If so good, let's just all sell our homes. Ask yourself, do you want to live next to one [STR]? What is it doing to property taxes of neighbors?

Lisa Thiel

- Tourist's desires have changed in the type of vacation accommodations they choose. This is likely to be a trend more than a unique issue. It is more comfortable to bring your family and friends to a home rather than a hotel room. Just as drive thru restaurants and banks have changed the way we do business, so has rental accommodation choice for tourists influenced the desire for STR's
- These renters(vacationers) support our economy. If they went away, so would the success of our restaurants and festivals.
- There are many service industries that rely on business from STR's. Too big of a limit would cause bigger problems for that sector of our job market. Our downtown could become much less vibrant. Is that what these rules are intended to do? The truth is we have only one hotel and one condo hotel available in town. STRs fulfill a need
- Affordable housing in place of STR's is not the only issue. STR's are not causing the entire housing shortage especially in lower income workforce housing. It is a national problem. Many of these STR's would be unaffordable as work force housing
- If I understand the numbers correctly, we have 2411 units of residential housing in Boyne City and there are 141 short term rentals. That is 5.8% which does not seem to be unreasonable
- We cannot control the fact that many retirees are moving to this area(response to the Sedona comparison). It is a demographic and a trend. That does affect school enrollment just as any other factor. STRs do affect enrollment, but, it was pointed out Michigan as a whole is seeing this decline because birth rates are down so that may not be such a big issue to consider
- In asking police chief about STR's being a nuisance, he said they were not any more of a nuisance than other properties, hence, they are not creating an unusual problem.
- Let the market rule the number of rentals. It is a free-market society and putting too many rules on how a homeowner can use their property infringes on those rights. I do feel that putting a density cap is a really good idea. For instance, possibly limit the number of units per block. This could act to maintain a neighborhood identity as a traditional residential district. If there are more than the limit now, they could be grandfathered in, but, if the property changes hands there is no guarantee that it could be used as a STR for the new owner if the density level in that block is too high
- Persons claiming 100% PRE status on their property taxes should have to either change their status or pay a fee for using their home as a STR. It is only fair to the other tax payers.
- Here are some suggestions that came to mind for me:
 - *Charge a yearly licensing fee for ALL rentals
 - * All units must meet minimum health and safety standards
 - * Require that a property manager(contact) be available that is not more than 20 miles away. This person can be the property owner.
 - *Limit occupancy on units. This can be based on square footage or bedrooms/baths, Etc. to be determined by ordinance.
 - *Limit parking based on rules in the ordinance
 - *Have effective enforcement for complaints established
 - *Cite the property owner with a fee if there are nuisance complaints
 - *Adding a tax on rental income is a good idea, but, I am not sure it is a feasible to enforce

Good Morning Commissioners

I want to follow up in writing on my comments made at the open meeting last night.

I also want to give you a bit more background on myself and my wife. We owned and operated rentals at Boyne Mountain for a little over ten years, from 2005 – 2016. In 2015 we bought a unit at The Harborage and for nearly two years this has been our primary residence. We also rent homes in Florida during the winter. So we have experience on both sides of the rental equation.

In addition, I'm the president of The Harborage Association, and we are in the midst of re-addressing rental issues within our association. And as mentioned, we have been notified by our insurance carrier that they will not renew our policy if we continue to allow STR. Clearly insurance companies are seeing STR as a significant loss risk and choosing not to participate.

In the interest of time last evening, I did not get into our personal feelings on STR. At the point in our lives when we owned at Boyne Mountain, we had to rent to afford the properties. I can appreciate that some of our owners at The Harborage are in the same financial situation, however The Harborage is a residential community versus Boyne Mountain which is designed to facilitate STR. But the vast majority of owners here (>90%) have no interest in having STR and the associated issues. We are currently addressing this.

What my wife and I have learned on both sides of the rental issue is the following:

- Having a professional rental management company provides value to the owner, renter and neighbors. Having an accessible (less than 30 minute) local person to address issues is paramount to minimizing complaints and concerns. This starts with an in person check in process where rules are reviewed and follows through to post departure inspections of the property.
- Enforceability of rules and guidelines is the biggest challenge. At Boyne Mountain, there is private security to manage this. In the city, the police are available. At The Harborage, we are in a tougher spot since this is private property. Fines and other deterrents are of limited value, however if STR are required to be "licensed" by the city, the license itself can be held at bay to ensure enforcement. We would highly recommend this.
- From a safety and health standpoint, it would seem that any STR would be required to meet zoning and building code requirements of a traditional place of short term lodging, in our case One Water Street is a good example. Here again the city "license" with inspections would be used to ensure that the property meets the requirements for short term commercial lodging. And given that this would be a new process, the properties would need to meet current code requirements, just like the retail shops in the city are required to do when they undergo renovations and/or change of use. Consistency and fairness is key.

- As with any activity where guidelines and rules are established, there will be those who attempt to skirt the requirements. A constant review of the on line rental sites as well as the local property managers sites will be necessary to ensure that only licensed properties are in the system. There may be a need for formal penalties for violation, perhaps misdemeanor charges.
- Having a limit on the number of licenses will also be key to avoiding the issue brought up by Mr. Schraw. In my opinion, we are likely at or above the number currently. I don't agree with the suggestions that more STR units are required for continued economic growth of Boyne City. We have actual data on this point. Every year, hundreds of people come to Boyne City for Boyne Thunder. They all manage to find someplace to stay. We are only 6 miles from Boyne Mountain where there are hundreds of STR available. In my opinion, the shortage of affordable housing is a much bigger issue holding back the economic growth of our city.

We appreciate the opportunity to share our views and would be happy to discuss these points in more detail.

Regards,

Tom Parker

Hi Hugh,

Thanks for reaching out to me and following up - apologies for my weekend delay. I was more than happy to attend the meeting and thought it was a proactive conversation. It's inspiring to hear that Boyne is open to finding a positive resolution instead of being closed-minded like some areas in this beautiful state.

I chose this profession for this very reason; I knew it was a growing demand and had a choice to watch it or be a part of it with an optimistic outlook and protect what we all cherish about this town/area being native from here. We are a tourist town - we have been my entire life, and it's great to see a positive economic resource that helps people either start a new business, encourages growth for current ones, or provides opportunities to offer good-paying jobs to this community.

I think Boyne doesn't have more Motels and Hotels because, in a development mindset or strategy concept, the workforce is limited. The majority of citizens or people moving to the area are retirees. One would get a better ROI by building a condo complex.

No matter what, the demand for this area will continue to grow. There will always be people buying second homes (some STR, some will not). In a positive economy like now, I would say the vacant homes outweigh the STRs ten to one, but the beauty of where we live and the STR industry is that even in a downturn, we will still have, instate tourism. And those people that aren't short term renting their homes now may choose to in a downturn to make ends meet, which will further help our local economy and trade workers—providing work and more options/supply for tourists.

As I mentioned, I believe that compliance/restrictions are a great compromise. I will provide some information below on nearby areas that have regulations. My suggestion would be to look at the Saugatuck Township regulations as I feel it is comparable to the Boyne area. I don't believe in a Permit Cap unless it is correctly zoned areas.

Here is some information I have on areas with restrictions:

Charlevoix, MI

Heavily Regulated - Permit Cap

REGULATIONS:

Local Agent Requirement Within 60 Mins, Contact Information Posted, Parking Requirements, Building/Health/Safety Regulations, Noise Restrictions, Fireworks Are Prohibited, Fire Pit Requirements, & Home Inspections Every Other Year

PERMITS:

Registration Required - Registration Limited In Some Zones.

NIGHT STAY LIMITATIONS:

(29) Consecutive Calendar Days Or Less

Evangeline Township, MI

Heavily Regulated - Permit Cap

REGULATIONS:

Permit Caps, Noise Restrictions, Garbage Removal/Recycling Plan, Parking Requirements, HOA/CC&R Regulations If Applicable, Fire/Safety Regulations, Local Owner/Manager Available 24/7 Within 30 Mins, Posting Requirements, Outdoor Fire Pit Restrictions, &

PERMITS:

Short Term Rental License

NIGHT STAY LIMITATIONS:

(30) Consecutive Calendar Days Or Less (Note)

Harbor Springs city, MI

REGULATIONS:

Local Agent Requirement (See Note), Signage Restrictions, Pet Regulations, Fireworks Are Prohibited, Periodic Inspections, Garbage Removal Plan, Parking Requirements, Fire/Safety Regulations, HOA/CC&R Regulations If Applicable, & Noise Restriction

PERMITS:

Short Term Rental License & Insurance Requirements (See Note)

NIGHT STAY LIMITATIONS:

(30) Consecutive Calendar Days Or Less

Saugatuck township, MI

Regulated - Home Inspection Required

REGULATIONS:

Home Inspection Required, Parking Requirements, Fire/Safety Regulations, Garbage Removal Plan, Local Owner/Manager Available 24/7 Within 45 Miles, & Noise Restrictions

PERMITS:

Short Term Rental Permit & Rental Registration Required

NIGHT STAY LIMITATIONS:

(28) Consecutive Calendar Days Or Less

New Buffalo township, MI

Regulated - Home Inspection Required

REGULATIONS:

Posting Requirements, Pool Regulations, Noise Restrictions, Garbage Removal Plan, Parking Requirements, HOA/CC&R Regulations If Applicable, Local Owner/Manager Available 24/7, Home Inspection, & Fire/Safety Regulations

PERMITS:

Short Term Rental Permit

NIGHT STAY LIMITATIONS:

(30) Consecutive Calendar Days Or Less

Please let me know if you have any further questions. Or how I can help!

Kindly,

Zac

Scott McPherson

From: Hugh Conklin <hughconklinbc@gmail.com>
Sent: Tuesday, April 12, 2022 4:30 PM
To: Scott McPherson; Michael Cain
Subject: Fwd: Boyne City STRs

I sent a follow up email to Zachary Knott after our meeting last Thursday. See his thoughtful response below.
- Hugh

----- Forwarded message -----

From: Zachary Knott <zachary.knott@vacasa.com>
Date: Mon, Apr 11, 2022 at 11:32 AM
Subject: Re: Boyne City STRs
To: Hugh Conklin <hughconklinbc@gmail.com>

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PERMITS:

Short Term Rental License

NIGHT STAY LIMITATIONS:

(30) Consecutive Calendar Days Or Less (Note)

Harbor Springs city, MI

REGULATIONS:

Local Agent Requirement (See Note), Signage Restrictions, Pet Regulations, Fireworks Are Prohibited, Periodic Inspections, Garbage Removal Plan, Parking Requirements, Fire/Safety Regulations, HOA/CC&R Regulations If Applicable, & Noise Restriction

PERMITS:

Short Term Rental License & Insurance Requirements (See Note)

NIGHT STAY LIMITATIONS:

(30) Consecutive Calendar Days Or Less

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PERMITS:

Short Term Rental Permit

NIGHT STAY LIMITATIONS:

(30) Consecutive Calendar Days Or Less

Please let me know if you have any further questions. Or how I can help!

Kindly,

Zac

On Fri, Apr 8, 2022 at 1:41 PM Hugh Conklin <hughconklinbc@gmail.com> wrote:

Hi Zachary,

I wanted to follow up with you after last evening's meeting. Thank you for being there. You have an interesting perspective on the issue as a Boyne native who now works for a highly successful property management company. You understand the character of Boyne City we need to protect while at the same time providing tools to keep our local economy strong.

I would be interested in your thoughts about the meeting and any information you might be able to provide that would be helpful to our discussion. I also wonder if you have any explanation for why Boyne City doesn't have more hotel/motel rooms, a question that was brought up often last night.

Take care,
Hugh

231.675.1768

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Zachary W. Knott | *Michigan Sr. Sales Executive*

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Book a Meeting:

<https://app.hubspot.com/meetings/zachary-knott>