

**AGENDA
CASCADE CHARTER TOWNSHIP
REGULAR BOARD MEETING**

Wednesday, May 22, 2019

7:00 P.M.

Cascade Branch of the Kent District Library, Wisner Center
2870 Jacksmith, S.E.

Expected Meeting Procedures

1. During public comments you may speak on any item not noted on the agenda for a public hearing.
2. Please limit comments to 3 minutes per person and the Board may or may not choose to respond.
3. Please limit your comments to a specific issue.
4. Please turn OFF cellular phones.

- Article 1. Call to Order, Roll Call**
- Article 2. Pledge of Allegiance to the Flag**
- Article 3. Approval of Agenda**
- Article 4. Presentations**
- Article 5. Public Comments-Anything on the Agenda not scheduled for a public hearing. (limit comments to 3 minutes)**
- Article 6. Approval of Consent Agenda**
- a. Receive and File Various Meeting Minutes
 1. Regular Board Meeting Minutes 05/08/2019.
 2. Regular Planning Commission Minutes 04/15/2019
 - b. Receive and File Reports
 - 1.
 - c. Receive and File Communications
 - 1.
 - d. Education Requests
 - 1.
- Article 7. Financial Actions**
- a. Consider Approval of April, 2019 Payroll, Payables and Transfers
- Article 8. Unfinished Business**
- Article 9. New Business**
- 032-2019 Consider Acceptant of the FY 2018 Audit and Comprehensive Annual Financial Report**
- 033-2019 Consider Resolution for Road Closure for Misty Lane (Roll Call)**
- 034-2019 a. Public Hearing – 3217 Thornapple River Drive: Rezone Approximately 12 Acres to PUD**

- b. **Consider Approval of Rezoning Approximately 12 Acres at 3217 Thornapple River Drive to PUD to Allow for 21 Condominium Units (Roll Call)**
- 035-2019 Consider Approval of Outdoor Gathering Permit for the Family Nights at the Library**
- 036-2019 Consider Approval of Outdoor Gathering Permit for the Cascade Metro Cruise Warm-Up**
- a. **Public Hearing – 1611/1616 Galbraith Drive; Final Plan Approval**
 - b. **Consider Approval for an Amendment to Add New Office Space and New Swim Center Building at 1611/1616 Galbraith Drive (Roll Call)**
- 038-2019 Consider Approval of Resolution to Proceed with the Redevelopment Ready Communities (RRC) Certification Program (Roll Call)**
- 039-2019 Consider Approval of a New Site Condominium Subdivision for 19 Single Family Detached Homes at 7280 48th Street.**
- 040-2019 Consider Approval of Bid for the Centennial Park Streetscape & Median Project**
- 041-2019 Consider Approval of the Cascade Charter Township Credit Card Issuance and Use Policy**
- 042-2019 Consider Adoption of the MERS Resolution Establishing Authorized Signatories for MERS Contract and Service Credit Purchase Approvals (Roll Call)**
- 043-2019 Consider Adoption of the MERS Health Care Savings Program Uniform Resolution Adopting the MERS Health Care Savings Program Participation Agreement (Roll Call)**
- 044-2019 Consider Setting a Public Hearing for a Proposed Ordinance Prohibiting Marihuana Establishments and Facilities in Cascade Charter Township**

- Article 10. Public Comments – Any comments...whether it is on the Agenda or not. (limit comments to 3 minutes)**
- Article 11. Manager Comments**
- Article 12. Board Member Comments**
- Article 13. Adjournment**

**MINUTES OF THE
CASCADE CHARTER TOWNSHIP
REGULAR BOARD MEETING**

Wednesday, May 8, 2019

7:00 P.M.

- Article 1.** Supervisor Beahan called the meeting to order.
Present: Supervisor Beahan, Clerk Slater, Treasurer Peirce, Trustees Lewis, Koessel, McDonald, Shipley and McDonald.
Absent: None
Also Present: Manager Swayze and those listed in Supplement #1.
- Article 2.** Supervisor Beahan led the Pledge of Allegiance to the Flag.
- Article 3.** Motion was made by Trustee Koessel and supported by Clerk Slater to amend the Agenda as presented to include a Resolution regarding our retiring Fire Captain. Motion carried unanimously.
- Article 4. Presentations**
- Article 5. Public Comments-Anything on the Agenda not scheduled for a public hearing. (limit comments to 3 minutes)**
Scott Rissi, 7238 Cascade Rd., commented on a New Business Item on tonight's agenda – 030-2019.
- Article 6. Approval of Consent Agenda**
- a. Receive and File Various Meeting Minutes
 - 1. Regular Board Meeting Minutes 04/24/2019.
 - b. Receive and File Reports
 - 1. Building Monthly Report for April, 2019.
 - 2. Treasurers Department Monthly Report for March, 2019.
 - c. Receive and File Communications
 - 1. Draft Letter to MTA – re: Proposed Legislation
 - 2. Letter from Charter Communications – re: Channel Changes.
 - 3. Letter from Comcast – re: Price Changes.
 - d. Education Requests
 - 1. Roger McCarty/Jennifer Genter – Michigan Assessor Association Conference – August 11-14, 2019 – Thompsonville, MI.
- Motion was made by Trustee Shipley and supported by Trustee Lewis to approve the Consent Agenda as presented. Motion carried unanimously.
- Article 7. Financial Actions**
- a. **Consider Approval of April, 2019 Financial Reports.**
Motion was made by Trustee Koessel and supported by Trustee Shipley to approve the April, 2019 Financial Reports. Motion carried unanimously.
- Article 8. Unfinished Business**
- Article 9. New Business**
- 028-2019 Consider Approval for Sewer Connection at Burton Park Maintenance Building.**
Manager Swayze reviewed the request with the Board. Motion was made by Trustee Shipley and supported by Trustee

McDonald to approve the sewer connection at Burton Park Maintenance Building. Motion carried unanimously.

029-2019

Consider Approval of Fire Department – Zodiac Boat Disposition.

Manager Swayze reviewed the request from the Fire Department to donate the boat to Caledonia Fire Department. Motion was made by Trustee Lewis and supported by Clerk Slater to approve the donation of the Zodiac Boat to Caledonia Fire Department. Motion carried unanimously.

030-2019

Consider Approval of Proposal for Thornapple River Sediment Testing from Fishbeck, Thompson, Carr and Huber.

Manager Swayze reviewed the proposal with the Board. Motion was made by Trustee McDonald and supported by Trustee Shipley to approve the proposal for Thornapple River Sediment Testing from Fishbeck, Thompson, Carr and Huber in the amount of \$9,484.00. Motion carried unanimously.

031-2019

Consider Appointments to Various Boards and Commissions

Motion was made by Trustee Koessel and supported by Trustee Lewis to approve the appointment of Michael Reese to the Centennial Park Review Board. Motion carried unanimously.

032-2019

Consider Approval of Resolution Honoring Captain Ronald Rowland for his Service in Cascade Fire Department.

Motion was made by Trustee Koessel and supported by Trustee McDonald to approve the Resolution Honoring Captain Ronald Rowland. Motion carried unanimously by roll call vote.

Article 10. Public Comments – Any comments...whether it is on the Agenda or not. (limit comments to 3 minutes)

Article 11. Manager Comments

Manager Swayze offered the following comments:

- Asked Stephanie Fast to give the Board an update on the Board communication newsletter and the excitement in the Fire Department.
 - Stephanie informed the Board the communication newsletters were going to the Post Office by Thursday.
 - Stephanie also informed the Board “Carry the Load” was coming into the Fire Department sometime this evening between 9-11.

Article 12. Board Member Comments

Trustee Shipley offered the following comments:

- Thanked residents in attendance.

Supervisor Beahan offered the following comments:

- Reminder Ron Rowland’s retirement party is next Thursday, May 16th here at the Wisner Center.

Article 13. Adjournment

Motion was made by Treasurer Peirce and supported by Trustee Shipley to adjourn. Motion carried unanimously.

Meeting adjourned at 7:25 p.m.

Respectfully submitted,

Denise M. Biegalle
Deputy Clerk

Approved by:

Susan B. Slater, Clerk

Robert S. Beahan, Supervisor

MINUTES

Cascade Charter Township
Planning Commission
Monday, April 15, 2019
7:00 P.M.

ARTICLE 1. Chairman Sperla called the meeting to order at 7:00 P.M.
Members Present: Johnson, Katsma, Lewis, Noordyke, Pennington, Rissi, Moxley and Sperla
Members Absent: Krieter
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance.

ARTICLE 3. Approve the current Agenda.

Motion was made by Member Lewis to approve the Agenda. Supported by Member Rissi. Motion carried 8 to 0.

ARTICLE 4. Approve the Minutes of the March 18, 2019 meeting.

Motion was made by Member Moxley to approve the minutes of March 18, 2019. Supported by Member Rissi. Motion carried 8 to 0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items.

No visitors came forward.

**ARTICLE 6. Case #18-3471 Watermark Property LLC
Property Address: 1611 Galbraith Ave SE**

Requested Action: Consider recommendation to Township Board for PUD Amendment for Swim Center and office addition.

Director Peterson stated the preliminary approval was awarded at the March Planning Commission Meeting, and there has since been an ordinance put together with the proper sections amended. The current Snap Fitness building will be allowed to be converted to offices for Watermark, with the square footage of current occupants noted. If or when the current occupants vacate the Snap Fitness building, Watermark will be allowed to convert those areas into Watermark office space as well. Director Peterson states that if approval is recommended, the ordinance and plan will go to the Township Board for a final decision after a public hearing.

Vice Chairman Rissi stated that he did not recall there being specific square footage requirements for the three tenants currently located in the Snap Fitness building. Director Peterson stated those were the square footages given by Watermark to identify

the space in question inside of the Snap Fitness building. Member Noordyke stated he recalled that only the new area of the building would be required to be exclusively occupied by Watermark offices, not the space currently occupied by third parties if or when they vacate.

Director Peterson stated that Watermark would be allowed to continue to lease the specified 3,100 sq ft to the current tenants. Vice Chairman Rissi stated that he did recall that Watermark would be allowed to continue to lease exclusively to the three named tenants, but not that there would be a square footage limit should one of the current tenants want more or less space. Chairman Sperla stated that he would have never voted in favor of the Amendment had the tenants not been tied to the current 3,100 sq ft. Member Noordyke suggested there be a cap at the 3,100 sq ft measurement currently being used by the three tenants, and that they can use that space between them as necessary, but not exceed it.

Chairman Sperla invited the Applicant to come forward with any comments.

Mr. Steve Plakmeyer came forward and introduced himself as one of the owners of Watermark. Mr. Plakmeyer stated that the ordinance in 2010 allowed no more than 6,729 sq ft. of the 14,000 sq ft building to be occupied by attorneys, engineers, accountants, or other low impact offices as determined by the Planning Commission. He states that he was not aware the proposed amended ordinance would be written that once a current third-party occupant vacates the building, the space could only then be occupied by Watermark staff. Mr. Plakmeyer states that he does not understand why Watermark would need to be under this restriction. He states his concern for the way the PUD Amendment is worded. Chairman Sperla suggests that a transcript of the previous two hearings be obtained to see what was said about the 2010 Amendment.

Ms. Kelly Kuiper (of Watermark/Nederveld) comes forward to state that when you walk into the Watermark office building, you're in a lobby with separated tenant spaces to the right, and Watermark offices to the left, the basement houses the fitness facility. Ms. Kuiper states that Watermark would like to expand their office space into the basement, but they would also like to maintain the separate third-party tenant space without any changes made to them, and have language in the Amendment that does not limit the occupants to the current tenants. She continues to say that if those tenants leave and that space can only then be used by Watermark, the interior would require a significant remodel to be retrofit that space to be functional for Watermark offices. Their main concern is to be able to maintain that tenant space, regardless of who the tenant is. She states that the building was designed to house the low impact office users that the 2010 PUD allowed. Ms. Kuiper states that she is concerned of the wording in the last section of 8.B.3 that reads "no more than 3,100 sq ft may be leased out to current tenants only as follows", and that Watermark would prefer it to read that "3,100 sq ft may be leased out to tenants; space A 1,500 sq ft; space B 800 sq ft; space C 800 sq ft." rather than specifically naming the current tenants.

Member Noordyke suggested that Watermark is arguing that they have the option to lease to new third party in the event that one of the current tenants vacates the property. Chairman Sperla then stated that the specific square footage of the space being occupied, and the specific tenants occupying that space, were listed on the Applicants application that was presented, which is why the Amendment was written to include those specifically named tenants.

Director Peterson suggested that a vote be held on this specific ordinance language, and if that does not pass, to amend the language written into the ordinance.

Secretary Johnson brought to Chairman Sperlas attention that he had a copy of the Minutes from the March 4th meeting. Secretary Johnson then read from the Minutes the motion that was made by Member Noordyke to “approve Applicants request for a PUD Amendment with the condition that the use would be exclusive to Watermark, or Watermark affiliates. Current tenants will not be affected.” Chairman Sperla stated that he would like to listen to the recording of the March 4th meeting as Minutes are a summary, not verbatim, and this Amendment is requiring specificity of words said. Director Peterson stated that the March 4th Meeting may have been recorded over after the written Minutes from that Meeting were approved by the Planning Commission at the March 18th Meeting.

Member Rissi suggested the PUD Amendment be written with the conditions the tenant’s names be removed from the Amendment, but maintaining the exception that no more than 3,100 sq ft be divided across three suites at 1,500 sq ft, 800 sq ft, and 800 sq ft.

Motion was made by Member Rissi to approve the PUD Amendment with the conditions that Watermark Offices will be permitted to occupy the space, and the 3,100 sq ft tenant space will be allowed to be occupied by low impact office uses. Supported by Member Noordyke. Motion carried 7 to 1.

ARTICLE 7. Case #18-3489 Lanterns

Property Address: 3217 Thornapple River Drive

Requested Action: Consider recommendation to Township Board for PUD Amendment for 21-unit site condominium.

Director Peterson stated this is a new PUD. Director Peterson then noted that this is a condominium project, not site condominium as referenced a couple of times in the documents.; those references will be corrected. The Signature Line will also be changed to reflect correct ownership. Director Peterson then stated that this Amendment does reflect the previous approval awarded by the Planning Commission, and a recommendation will go to the Township Board for final consideration at a Public Hearing.

Chairman Sperla invited the Applicant to come forward with any comment.

Mr. Douglass DeHaan came forward and stated that he did not have additional comments, and then asked if there were any further questions of him.

Motion was made by Member Pennington to forward positive recommendation to the Township Board for the PUD Amendment with the minor changes stated by Director Peterson. Supported by Member Lewis. Motion carried 8 to 0.

ARTICLE 8. Case #19-3519 Golden Valley

Property Address: 5800 Thornapple River Drive

Requested Action: Sketch Plan Review for 27 single family site condominium.

Director Peterson stated that this will be an introduction meeting with no real action taken. This will be a by-right sub division in the R1 Zoning District, with no common open space, and a minimum lot size of 80,000 sq ft., which is almost 2 acres. They will be served by well and septic, so the Health Department will be involved. Director Peterson states that they have proposed a common sewer system, leading to a common septic system. There will be two private roads; one off of Thornapple River Drive, the other off of 60th. There will be no more than 19 units on either dead end road. Director Peterson stated that stormwater will be reviewed by the Township Engineer before this Plan comes back to the Planning Commission. No sidewalks are planned for this project, it will not connect to any future pathways. Chairman Sperla stated that he would like the Applicant to consider joining the two dead end roads for fire safety purposes and ease of access for rescue vehicles.

Chairman Sperla invited the Applicant to come forward with any comment.

Mr. Don DeGroot from Excel Engineering came forward to state that the cul-de-sacs that provided meet Township and County standards that a fire truck could easily maneuver on. He then stated that the dead-end streets are desired to keep out through traffic from the busy intersection of 60th and Thornapple. Being private roads, they will not need to be maintained by the County. Mr. DeGroot stated that the average lot size will be around 92,000 sq ft.

No action is required by the Commission at this time and this will proceed to the next step in the process, a Tentative Preliminary Approval, after all required government approvals are completed.

ARTICE 10. Any other business

There will be a joint meeting with the Township Board and the DDA May 21, 2019.

ARTICLE 11. Adjournment

Motion was made by Member Noordyke to adjourn. Supported by Member Pennington. Motion carried 8 to 0. The meeting was adjourned at 7:55 p.m.

Respectfully submitted,
Phil Johnson, Secretary

CHECK DISBURSEMENT REPORT FOR CASCADE CHARTER TOWNSHIP
CHECK DATE FROM 04/01/2019 - 04/30/2019

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
FUND 101 - GENERAL FUND							
04/04/2019	GENF	69238	123NET	EVC 100708	924-000	265	699.00
04/04/2019	GENF	69238	123NET	EVC 100709	924-000	265	699.00
				CHECK GENF 69238 TOTAL FOR FUND 101:			<u>1,398.00</u>
04/04/2019	GENF	69239	B & B TRUCK EQUIPMENT INC	Z MASTER 7500 SERIES DIESEL RD DECK	970-000	901	30,000.00
04/04/2019	GENF	69240	ROBERT BEAHAN	SUPERVISOR MILEAGE	860-000	171	41.76
04/04/2019	GENF	69240	ROBERT BEAHAN	SUPERVISOR CELL PHONE	925-000	171	50.00
				CHECK GENF 69240 TOTAL FOR FUND 101:			<u>91.76</u>
04/04/2019	GENF	69243	BSB COMMUNICATIONS INC	OFFICE EQUIP/COMPUTER REPAIR	932-000	265	62.50
04/04/2019	GENF	69243	BSB COMMUNICATIONS INC	OFFICE EQUIP/COMPUTER REPAIR	932-000	265	62.50
				CHECK GENF 69243 TOTAL FOR FUND 101:			<u>125.00</u>
04/04/2019	GENF	69244	CASCADE PRINTING & GRAPHICS	TOWNSHIP ENVELOPES	727-000	295	386.36
04/04/2019	GENF	69248*#	DTE ENERGY	COMPLEX HEATING DTE ENERGY	923-000	265	1,059.65
04/04/2019	GENF	69248	DTE ENERGY	MUSEUM HEATING DTE ENERGY	923-000	803	135.56
				CHECK GENF 69248 TOTAL FOR FUND 101:			<u>1,195.21</u>
04/04/2019	GENF	69249*	FIDELITY SECURITY LIFE INS	VISION INSURANCE BENEFITS APRIL 2019	718-000	850	227.47
04/04/2019	GENF	69252	ROGER MC CARTY	ASSESSING MILEAGE MCCARTY 151 MILES	860-000	257	87.58
04/04/2019	GENF	69252	ROGER MC CARTY	ASSESSING MILEAGE MCCARTY PARKING	860-000	257	3.75
				CHECK GENF 69252 TOTAL FOR FUND 101:			<u>91.33</u>
04/04/2019	GENF	69254	MINER SUPPLY COMPANY	CLEANING SUPPLIES /PAPER PRODUCTS	931-000	265	97.83
04/04/2019	GENF	69257*#	MUTUAL OF OMAHA INSURANCE	DEPENDENT LIFE W/H (C)	231-220	000	11.70
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	DEPENDENT LIFE W/H (C)	231-220	000	11.70
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	ADDITIONAL LIFE W/H (D) GF	231-221	000	17.00
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	ADDITIONAL LIFE W/H (D) FIRE	231-221	000	36.00
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	ADDITIONAL LIFE W/H (E) GF	231-221	000	78.10
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	ADDITIONAL LIFE W/H (E) FIR	231-221	000	356.90
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	ADDITIONAL LIFE W/H (E) BLDG	231-221	000	50.00
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	ADDITIONAL LIFE W/H (D) GF	231-221	000	17.00
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	ADDITIONAL LIFE W/H (D) FIRE	231-221	000	36.00
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	ADDITIONAL LIFE W/H (E) GF	231-221	000	78.10
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	ADDITIONAL LIFE W/H (E) FIR	231-221	000	356.90
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	ADDITIONAL LIFE W/H (E) BLDG	231-221	000	50.00
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE LTD BENEFITS (F)	720-000	850	503.25
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE INSURANCE BENEFITS (A)	720-000	850	196.25
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE AD&D BENEFITS (B)	720-000	850	29.85
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE INSURANCE BENEFITS (A)	720-000	850	234.50
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE AD&D BENEFITS (B)	720-000	850	35.66
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE LTD BENEFITS (F)	720-000	850	593.29
				CHECK GENF 69257 TOTAL FOR FUND 101:			<u>2,692.20</u>
04/04/2019	GENF	69263*#	SUPPLYGEEKS.BIZ	GENERAL FUND OFFICE SUPPLIES	727-000	295	108.27
04/04/2019	GENF	69271*#	VERIZON WIRELESS	SUPERVISOR CELL PHONE MAR 2019	925-000	171	63.20
04/04/2019	GENF	69271	VERIZON WIRELESS	BLDG AND GROUNDS CELL PHONES MAR 2019	924-100	265	184.11
04/04/2019	GENF	69271	VERIZON WIRELESS	COMM DEV CELL/DATA MAR 2019	925-000	721	103.04
				CHECK GENF 69271 TOTAL FOR FUND 101:			<u>350.35</u>
04/04/2019	GENF	69273	WEST MICHIGAN OFFICE INTERIORS	HON OFFICE CHAIR	932-000	262	444.60
04/05/2019	GENF	5293(A)*#	CONSUMERS ENERGY	103023462197 2867 THORNHILLS AVE SE	921-000	265	61.61
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100000285161 2865 THORNHILLS AVE SE	921-000	265	2,092.33
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100012052419 6569 THORNBROOK ST SE	921-000	265	25.40
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100012548051 5601 WHITNEYVILLE AVE SE	921-000	276	25.40
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100012957591 7200 30TH ST SE	921-000	276	29.85
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100011965082 2870 JACK SMITH AVE SE	926-000	448	108.40
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100014570673 3804 THORNAPPLE RIVE	921-000	756	103.72
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100014570889 3820 THORNAPPLE RIVER D	921-000	756	33.94
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100012592265 2900 THORNAPPLE RIVER DR	921-000	756	175.03
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100012592398 2839 THORNAPPLE RIVER DR	921-000	803	66.23
				CHECK GENF 5293(A) TOTAL FOR FUND 101:			<u>2,721.91</u>
04/05/2019	GENF	5294(A)*#	KENT COUNTY TREASURER	PROPERTY TAX REFUNDS	950-000	295	5.66

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
04/05/2019	GENF	5296(A)*#	KINGSLAND'S ACE HARDWARE	DRIVE TUBE SHAFT STARTER	863-000	265	86.92
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	DRIVE TUBE TUNE-UP KITS	863-000	265	372.28
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	EMT STRAP RAIN-X FOAM WASH	863-000	265	10.72
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	STAR LAG SCREW	931-000	265	15.29
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	WIRELESS WEATHER STATION	931-000	265	37.78
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	LED BR30	931-000	265	14.97
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	RENTAL CHARGES BREAKER PAVING ELEC 60#	932-000	276	46.63
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	CEMETERY MAINT	932-000	276	(10.00)
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	DISPOSABLE EARPLUGS	935-000	756	15.29
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	DISPOSABLE EARPLUGS	935-000	756	15.29
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	AA BATTERY	935-000	756	12.59
				CHECK GENF 5296(A) TOTAL FOR FUND 101:			617.76
04/05/2019	GENF	5308(A)*#	WEX BANK	FUEL	864-000	265	932.80
04/11/2019	GENF	69277	CONSUMERS ENERGY	STREETLIGHTING MARCH 2019	926-000	448	10,766.89
04/11/2019	GENF	69278*#	CINTAS	2019 RUG CLEANING SERVICE COMPLEX	931-000	265	401.21
04/11/2019	GENF	69282	INTEGRITY BUSINESS SOLUTIONS, LLC	OFFICE SUPPLIES	727-000	295	148.75
04/11/2019	GENF	69286	SUBURBAN LANDSCAPE, LLC	RESIDENT DROP OFF AT PARK FROM STROM DAM	820-000	447	3,000.00
04/11/2019	GENF	69287*#	SUPPLYGEEKS.BIZ	GENERAL FUND OFFICE SUPPLIES	727-000	295	46.34
04/11/2019	GENF	69287	SUPPLYGEEKS.BIZ	GENERAL FUND OFFICE SUPPLIES	727-000	295	24.98
04/11/2019	GENF	69287	SUPPLYGEEKS.BIZ	GENERAL FUND OFFICE SUPPLIES	727-000	295	54.43
				CHECK GENF 69287 TOTAL FOR FUND 101:			125.75
04/11/2019	GENF	69288*#	VERIZON WIRELESS	TRUSTEE CELL PHONES	924-100	101	48.10
04/11/2019	GENF	69288	VERIZON WIRELESS	10.5" IPAD AIR	981-000	101	1,139.97
04/11/2019	GENF	69288	VERIZON WIRELESS	SUPERVISOR CELL PHONE	925-000	171	32.07
04/11/2019	GENF	69288	VERIZON WIRELESS	10.5" IPAD AIR	981-000	171	759.98
04/11/2019	GENF	69288	VERIZON WIRELESS	CLERK CELL PHONE	925-000	215	32.07
04/11/2019	GENF	69288	VERIZON WIRELESS	10.5" IPAD AIR	981-000	215	759.98
04/11/2019	GENF	69288	VERIZON WIRELESS	TREASURER'S CELL PHONES	924-100	253	16.03
04/11/2019	GENF	69288	VERIZON WIRELESS	10.5" IPAD AIR	981-000	253	379.99
04/11/2019	GENF	69288	VERIZON WIRELESS	CELL PHONES/DATA	924-100	257	16.03
04/11/2019	GENF	69288	VERIZON WIRELESS	10.5" IPAD AIR	981-000	257	379.99
04/11/2019	GENF	69288	VERIZON WIRELESS	BLDG AND GROUNDS CELL PHONES	924-100	265	16.03
04/11/2019	GENF	69288	VERIZON WIRELESS	12.9" IPAD PRO	981-000	265	899.99
04/11/2019	GENF	69288	VERIZON WIRELESS	CELL PHONES/DATA	924-100	295	16.03
04/11/2019	GENF	69288	VERIZON WIRELESS	10.5" IPAD AIR	981-000	295	379.99
04/11/2019	GENF	69288	VERIZON WIRELESS	COMM DEV CELL/DATA	925-000	721	32.07
04/11/2019	GENF	69288	VERIZON WIRELESS	10.5" IPAD AIR	981-000	721	759.98
				CHECK GENF 69288 TOTAL FOR FUND 101:			5,668.30
04/12/2019	GENF	5310(A)	CRYSTAL FLASH ENERGY	PROPANE HEAVY TANK PICK UP	935-000	756	125.00
04/12/2019	GENF	5311(A)	DAN VOS CONSTRUCTION CO INC	4 NEW DRAWER BOXES USING EXISTING FRONTS	970-000	901	1,340.00
04/12/2019	GENF	5312(A)	EASTERN FLORAL & GIFTS	PLANT MAINTENANCE APR 2019	787-000	295	54.00
04/12/2019	GENF	5315(A)	NAPA AUTO PARTS	VEHICLE MAINT MAXI C B I-30	863-000	265	29.98
04/12/2019	GENF	5317(A)	KONICA MINOLTA BUSINESS SOLUTIONS	C308 PRINTING COSTS	900-000	295	72.46
04/12/2019	GENF	5317(A)	KONICA MINOLTA BUSINESS SOLUTIONS	C308 PRINTING COSTS	900-000	295	78.57
04/12/2019	GENF	5317(A)	KONICA MINOLTA BUSINESS SOLUTIONS	C558 PRINTING COSTS	900-000	295	313.10
				CHECK GENF 5317(A) TOTAL FOR FUND 101:			464.13
04/18/2019	GENF	69291	CASCADE CHARTER TOWNSHIP	TRANSFER TO FIRE FUND	999-006	965	33,333.33
04/18/2019	GENF	69300*#	MUNIWEB	WEBSITE HOSTING MARCH 2019	815-000	295	228.00
04/18/2019	GENF	69300	MUNIWEB	MAINTENANCE MARCH 2019	815-000	295	1,470.00
				CHECK GENF 69300 TOTAL FOR FUND 101:			1,698.00
04/18/2019	GENF	69302*#	CASH - GENERAL FUND	COUNTER CANDY	787-000	295	24.16
04/18/2019	GENF	69302	CASH - GENERAL FUND	HAND SANITIZER	787-000	295	14.84
04/18/2019	GENF	69302	CASH - GENERAL FUND	COFFEE	787-000	295	36.99
				CHECK GENF 69302 TOTAL FOR FUND 101:			75.99
04/18/2019	GENF	69308*#	SUPERIOR PEST CONTROL INC	PEST CONTROL- B&G BURTON GARAGE	931-000	265	50.00
04/18/2019	GENF	69308	SUPERIOR PEST CONTROL INC	PEST CONTROL- MUSEUM	961-000	803	45.00
				CHECK GENF 69308 TOTAL FOR FUND 101:			95.00

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04/18/2019	GENF	69309	SUPPLYGEEKS.BIZ	GENERAL FUND OFFICE SUPPLIES	727-000	295	158.93
04/18/2019	GENF	69309	SUPPLYGEEKS.BIZ	GENERAL FUND OFFICE SUPPLIES	727-000	295	166.55
				CHECK GENF 69309 TOTAL FOR FUND 101:			325.48
04/18/2019	GENF	69311	TONY BETTEN & SON'S FORD INC	MAINTENANCE ON 2012 FORD SUPER DUTY TRUC	863-000	265	3,507.14
04/18/2019	GENF	69312	VARNUM	LEGAL FEES	826-000	295	3,230.00
04/18/2019	GENF	69312	VARNUM	LEGAL FEES	826-000	295	342.00
04/18/2019	GENF	69312	VARNUM	LEGAL FEES	826-000	295	38.00
04/18/2019	GENF	69312	VARNUM	LEGAL FEES	826-000	295	589.00
04/18/2019	GENF	69312	VARNUM	LEGAL FEES	826-000	295	969.00
				CHECK GENF 69312 TOTAL FOR FUND 101:			5,168.00
04/19/2019	GENF	5324(A)	CRYSTAL FLASH ENERGY	PROPANE FOR PARK B&G BUILDING	935-000	756	508.33
04/19/2019	GENF	5325(A)	FIRST CHOICE COFFEE SERVICE	COFFEE SERVICE FOR TWP. HALL	787-000	295	30.28
04/19/2019	GENF	5326(A)	LANGERAK ROOF SYSTEMS INC	LEAK EPAIR ON ROOF WHERE ADDITION IS	931-000	265	206.25
04/19/2019	GENF	5327(A)	MALLINDINE, JOHN	LIGHT FIXTURE REPLACEMENT	931-000	265	730.00
04/26/2019	GENF	69318	BS&A SOFTWARE	CEMETERY SOFTWARE	931-000	276	500.00
04/26/2019	GENF	69319	CARLETON EQUIPMENT	BOBCAT 5600, MAINT PKG, BLOWER, SWEEPER	970-000	901	58,499.25
04/26/2019	GENF	69321*#	COMCAST	COMPLEX PHONES	924-000	265	168.63
04/26/2019	GENF	69321	COMCAST	PARK PHONES	924-000	756	22.99
				CHECK GENF 69321 TOTAL FOR FUND 101:			191.62
04/26/2019	GENF	69324*#	FIRST BANKCARD	WMHIP TRAINING LUNCH - B.SWAYZE	724-000	171	10.05
04/26/2019	GENF	69324	FIRST BANKCARD	PARKING WMHIP MEETING - B.SWAYZE	860-000	171	24.00
04/26/2019	GENF	69324	FIRST BANKCARD	PARKING MAR MEETING - B.SWAYZE	860-000	171	15.00
04/26/2019	GENF	69324	FIRST BANKCARD	WMSC LUNCH - B.SWAYZE	862-550	171	35.15
04/26/2019	GENF	69324	FIRST BANKCARD	MAMC BASIC INSTITUTE MARCH 2019 - S.SLAT	724-000	215	467.25
04/26/2019	GENF	69324	FIRST BANKCARD	MAMC CONF DINNER - S.SLATER	724-000	215	13.77
04/26/2019	GENF	69324	FIRST BANKCARD	MAMC CONF DINNER - S.SLATER	724-000	215	10.06
04/26/2019	GENF	69324	FIRST BANKCARD	MAMC CONF GAS - S.SLATER	724-000	215	32.05
04/26/2019	GENF	69324	FIRST BANKCARD	MAMC CONF LUNCH - S.SLATER	724-000	215	11.47
04/26/2019	GENF	69324	FIRST BANKCARD	BOARD OF REVIEW EXPENSES	808-000	257	59.68
04/26/2019	GENF	69324	FIRST BANKCARD	HERBICIDE USE TRAINING - J.MACDONALD	724-000	265	105.00
04/26/2019	GENF	69324	FIRST BANKCARD	ICLOUD 50 GB STORAGE	924-000	265	0.99
04/26/2019	GENF	69324	FIRST BANKCARD	SANDISK 512 MB COMPACT FLASH CARD	727-000	295	22.95
04/26/2019	GENF	69324	FIRST BANKCARD	ALUMINUM FIELD EASELS	727-000	295	99.98
04/26/2019	GENF	69324	FIRST BANKCARD	INDEED MARCH AD	787-000	295	25.73
04/26/2019	GENF	69324	FIRST BANKCARD	INDEED APRIL AD	787-000	295	75.77
04/26/2019	GENF	69324	FIRST BANKCARD	TAX/ASSESSING ADMIN COSTS	814-000	295	50.00
04/26/2019	GENF	69324	FIRST BANKCARD	TAX/ASSESSING ADMIN COSTS	814-000	295	100.00
04/26/2019	GENF	69324	FIRST BANKCARD	JOB FAIR SUPPLIES - S.FAST	862-500	721	40.96
04/26/2019	GENF	69324	FIRST BANKCARD	COMM DEV EXPENSE ACCOUNT	862-500	721	35.33
				CHECK GENF 69324 TOTAL FOR FUND 101:			1,235.19
04/26/2019	GENF	69328	KENT COUNTY ASSESSOR'S ASSOC	ASSESSING MEMBERSHIPS KCAA GENTER	723-000	257	75.00
04/26/2019	GENF	69329	KENT COUNTY ASSESSOR'S ASSOC	ASSESSING MEMBERSHIPS KCAA MCARTY	723-000	257	75.00
04/26/2019	GENF	69331	MICHIGAN ASSOCIATION OF	COMM DEV MEMBERSHIPS AND DUES - S.FAST	723-000	721	60.00
04/26/2019	GENF	69334	MINER SUPPLY COMPANY	CLEANING SUPPLIES /PAPER PRODUCTS	931-000	265	152.32
04/26/2019	GENF	69336	MKSK	FOUR CORNERS MULTI MODAL PLAN	967-000	721	716.25
04/26/2019	GENF	69338	SLATER, SUE	CELL PHONE SLATER CELL ALLOW APR 2019	925-000	215	50.00
04/26/2019	GENF	69340	STATE OF MICHIGAN	TRAFFIC SIGNALS 4TH QTR 2018	927-100	448	34.52
04/26/2019	GENF	69345*#	WINDSTREAM	CELL PHONES/DATA APR 2019	924-100	295	102.18
04/26/2019	GENF	69345	WINDSTREAM	PARK PHONES APR 2019	924-000	756	68.11
				CHECK GENF 69345 TOTAL FOR FUND 101:			170.29
04/29/2019	GENF	29(E)*	WEST MICHIGAN HEALTH INSURANCE POOL	HEALTH INSURANCE BENEFITS	719-000	850	17,903.68
04/29/2019	GENF	5332(A)*	DELTA DENTAL	DENTAL INSURANCE BENEFITS MAY 2019	721-000	850	1,850.01
04/29/2019	GENF	5333(A)	EASTERN FLORAL & GIFTS	PLANT ROTATION - BROMELIAD	787-000	295	24.00

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04/29/2019	GENF	5337(A)	THORNAPPLE RIVER NURSERY, INC.	COMPLEX MAINTENANCE	931-000	265	56.00
Total for fund 101 GENERAL FUND							190,881.45
FUND 206 - FIRE FUND							
04/04/2019	GENF	69246	COMCAST	FIRE PHONES/BUTTRICK	924-002	336	94.90
04/04/2019	GENF	69248*#	DTE ENERGY	BUTTRICK HEATING DTE ENERGY	923-002	336	673.79
04/04/2019	GENF	69249*	FIDELITY SECURITY LIFE INS	VISION INSURANCE BENEFITS APRIL 2019	718-000	850	211.31
04/04/2019	GENF	69257*#	MUTUAL OF OMAHA INSURANCE	FIRE DEPENDENT LIFE W/H (C)	231-220	000	23.40
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	FIRE DEPENDENT LIFE W/H (C)	231-220	000	23.40
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE AD&D BENEFITS (B)	720-000	850	48.58
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE INSURANCE BENEFITS (A)	720-000	850	319.50
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE LTD BENEFITS (F)	720-000	850	781.38
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE AD&D BENEFITS (B)	720-000	850	48.58
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE INSURANCE BENEFITS (A)	720-000	850	319.50
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE LTD BENEFITS (F)	720-000	850	781.38
CHECK GENF 69257 TOTAL FOR FUND 206:							2,345.72
04/04/2019	GENF	69258	PHOENIX SAFETY OUTFITTERS	STRUCTURE GLOVES	959-000	336	1,974.95
04/04/2019	GENF	69263*#	SUPPLYGEEKS.BIZ	FIRE FUND OFFICE SUPPLIES	727-000	336	49.16
04/04/2019	GENF	69271*#	VERIZON WIRELESS	FIRE PHONES MAR 2019	924-000	336	113.04
04/05/2019	GENF	5292(A)	BIO CARE	PHYSICALS	957-000	336	12,095.00
04/05/2019	GENF	5293(A)*#	CONSUMERS ENERGY	100012762959 2990 BUTTRICK AVE SE	921-002	336	891.28
04/05/2019	GENF	5296(A)*#	KINGSLAND'S ACE HARDWARE	CASCADE PLATINUM PACS	738-000	336	22.27
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	RID-X GAS/OIL	936-000	336	59.53
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	RAIN-X	938-000	336	7.19
04/05/2019	GENF	5296(A)	KINGSLAND'S ACE HARDWARE	9V BATTERIES	958-000	336	14.99
CHECK GENF 5296(A) TOTAL FOR FUND 206:							103.98
04/05/2019	GENF	5298(A)	NYE UNIFORM COMPANY	PANT RIPSTOP R.RAVIOLO	768-000	336	70.49
04/05/2019	GENF	5307(A)	VALLEY CITY LINEN INC	FIRE STATION MAINT-RUG & TOWEL CLEANING	936-000	336	41.15
04/05/2019	GENF	5307(A)	VALLEY CITY LINEN INC	RUG & TOWEL CLEANING APRIL 2019	936-000	336	41.15
CHECK GENF 5307(A) TOTAL FOR FUND 206:							82.30
04/05/2019	GENF	5308(A)*#	WEX BANK	FIRE FUELS	745-000	336	1,458.20
04/11/2019	GENF	69278*#	CINTAS	2019 RUG CLEANING SERVICE FIRE	936-000	336	170.24
04/11/2019	GENF	69279	EXTREME GRAFFIX	BOAT LETTERING	970-000	901	731.84
04/11/2019	GENF	69280	FIRE DEPARTMENT TRAINING NETWORK	ANNUAL SUBSCRIPTION	726-000	336	240.00
04/11/2019	GENF	69283	J&B MEDICAL SUPPLY	O2 REGULATORS	958-000	336	430.00
04/11/2019	GENF	69283	J&B MEDICAL SUPPLY	FIRE SUPPLEMENTAL EQUIPMENT	958-000	336	10.20
CHECK GENF 69283 TOTAL FOR FUND 206:							440.20
04/11/2019	GENF	69284	KENT COUNTY EMERGENCY	QUARTERLY ASSESSMENT	723-000	336	301.06
04/11/2019	GENF	69287*#	SUPPLYGEEKS.BIZ	FIRE FUND OFFICE SUPPLIES	727-000	336	41.96
04/11/2019	GENF	69288*#	VERIZON WIRELESS	MODEMS MAR 2019	924-000	336	152.04
04/11/2019	GENF	69288	VERIZON WIRELESS	CELL PHONES/DATA-MODEMS	924-100	336	16.03
CHECK GENF 69288 TOTAL FOR FUND 206:							168.07
04/12/2019	GENF	5309(A)	BATTERIES PLUS - 383	2X 6V NICAD BATTERIES	958-000	336	75.70
04/12/2019	GENF	5309(A)	BATTERIES PLUS - 383	CREDIT ON ACCOUNT	958-000	336	(10.20)
CHECK GENF 5309(A) TOTAL FOR FUND 206:							65.50
04/12/2019	GENF	5321(A)	VALLEY CITY LINEN INC	RUG & TOWEL CLEANING APRIL 2019	936-000	336	41.15
04/18/2019	GENF	69293	GREAT AMERICA FINANCIAL SERVICE	COPIER FEBRUARY 2019	939-000	336	278.41
04/18/2019	GENF	69301	ROBERT J NORRIS	FIRE EQUIPMENT MAINT	938-000	336	30.34
04/18/2019	GENF	69303	POOLMAN, MICHAEL	FIRE TRAINING	726-000	336	74.94

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04/18/2019	GENF	69307	STERICYCLE INC	STERICYCLE WASTE DISPOSAL MAY 2019	936-000	336	88.50
04/18/2019	GENF	69308*#	SUPERIOR PEST CONTROL INC	FIRE STATION MAINT APRIL 2019	936-000	336	48.00
04/18/2019	GENF	69308	SUPERIOR PEST CONTROL INC	PEST CONTROL- BUTTRICK	936-002	336	48.00
				CHECK GENF 69308 TOTAL FOR FUND 206:			96.00
04/18/2019	GENF	69310	TECH MASTER INC	E-6 PUMP VALVE	938-000	336	397.39
04/18/2019	GENF	69313	JAMES WALKER	REIMBURSE EMS IC CONFERENCE	724-000	336	330.00
04/18/2019	GENF	69313	JAMES WALKER	REIMBURSE 300 MILES	724-000	336	174.00
				CHECK GENF 69313 TOTAL FOR FUND 206:			504.00
04/19/2019	GENF	5329(A)	SHMG OCCUPATIONAL HEALTH	HEALTH CLAIM- J. SNYDER	787-000	336	284.54
04/19/2019	GENF	5330(A)	VALLEY CITY LINEN INC	RUG & TOWEL CLEANING APRIL 2019	936-000	336	41.15
04/26/2019	GENF	69317	BOUND TREE MEDICAL LLC	MED SCISSORS	958-000	336	491.62
04/26/2019	GENF	69321*#	COMCAST	FIRE PHONES	924-000	336	61.32
04/26/2019	GENF	69321	COMCAST	FIRE PHONES/BUTTRICK	924-002	336	53.65
				CHECK GENF 69321 TOTAL FOR FUND 206:			114.97
04/26/2019	GENF	69322	EMPCO	FIRE FIGHTER EXAM	803-000	336	288.00
04/26/2019	GENF	69322	EMPCO	FIRE CAPTAIN EXAM	803-000	336	330.00
04/26/2019	GENF	69322	EMPCO	FIRE LIEUENANT EXAM	803-000	336	440.00
				CHECK GENF 69322 TOTAL FOR FUND 206:			1,058.00
04/26/2019	GENF	69323	FIRST CHOICE VEHICLE SPECIALTY	COMMAND VEHICLE CABINET	938-000	336	1,774.00
04/26/2019	GENF	69324*#	FIRST BANKCARD	MI EMS INSTRUCTOR - J.WALKER	724-000	336	429.45
04/26/2019	GENF	69324	FIRST BANKCARD	IAAI ARSON SCHOOL 2019 - R.NORRIS	724-000	336	315.00
04/26/2019	GENF	69324	FIRST BANKCARD	IAAI ARSON SCHOOL 2019 - D.POOLMAN	724-000	336	315.00
04/26/2019	GENF	69324	FIRST BANKCARD	IAAI SCHOOL ACCOM DEP - D.POOLMAN	724-000	336	99.74
04/26/2019	GENF	69324	FIRST BANKCARD	MISCELLANEOUS - COFFEE	787-000	336	81.00
04/26/2019	GENF	69324	FIRST BANKCARD	HOT COCOA MIX & CAPPUCCHINO FRENCH	787-000	336	29.56
04/26/2019	GENF	69324	FIRST BANKCARD	CAPPUCCHINO FRENCH	787-000	336	(14.58)
04/26/2019	GENF	69324	FIRST BANKCARD	FIRE FIGHTER HIRING	803-000	336	83.62
04/26/2019	GENF	69324	FIRST BANKCARD	BULLARD T3NIHM BATTERY REPLACEMENT	938-000	336	79.70
04/26/2019	GENF	69324	FIRST BANKCARD	FEDERAL SIGNAL DYNAMAX ES100 SPEAKER	970-000	901	363.20
				CHECK GENF 69324 TOTAL FOR FUND 206:			1,781.69
04/26/2019	GENF	69325	FIRST BANKCARD	PREPAY STAY FOR FIRE - T.STEVENSON	724-000	336	500.00
04/26/2019	GENF	69326	J&B MEDICAL SUPPLY	MED SUPPLIES	958-000	336	662.94
04/26/2019	GENF	69327	JTW ASSOCIATES LLC	NEBULUS	938-000	336	349.00
04/26/2019	GENF	69332	MELSE, ERIC	REIMBURSE WORKBOOT - E.MELSE	768-000	336	89.99
04/26/2019	GENF	69333	MELSE FIRE PROTECTION LLC	FIRE EQUIPMENT MAINT	938-000	336	69.00
04/26/2019	GENF	69337	PHOENIX SAFETY OUTFITTERS	HOODS/GLOVES	959-000	336	4,219.86
04/26/2019	GENF	69339	SNYDER, JON	REIMBURSE FDTN APR 2019 - J.SNYDER	726-000	336	8.98
04/26/2019	GENF	69339	SNYDER, JON	REIMBURSE FDTN APR 2019 - J.SNYDER	726-000	336	14.17
04/26/2019	GENF	69339	SNYDER, JON	REIMBURSE FDTN APR 2019 - J.SNYDER	726-000	336	17.17
04/26/2019	GENF	69339	SNYDER, JON	REIMBURSE FDTN APR 2019 - J.SNYDER	726-000	336	25.23
				CHECK GENF 69339 TOTAL FOR FUND 206:			65.55
04/26/2019	GENF	69341	STEVENSON, TODD ROY	REIMBURSE LIVEBURN - T.STEVENSON	726-000	336	101.29
04/26/2019	GENF	69342	SUPPLYGEEKS.BIZ	FIRE FUND OFFICE SUPPLIES	727-000	336	168.44
04/26/2019	GENF	69343	THORNAPPLE TOWNSHIP	FIRE TRAINING FACILITY USE	726-000	336	500.00
04/26/2019	GENF	69344	VERIZON WIRELESS	CELL PHONES/DATA-MODEMS	924-100	336	320.08
04/26/2019	GENF	69345*#	WINDSTREAM	FIRE PHONES APR 2019	924-000	336	68.11
04/26/2019	GENF	69345	WINDSTREAM	FIRE PHONES/BUTTRICK APR 2019	924-002	336	136.23
				CHECK GENF 69345 TOTAL FOR FUND 206:			204.34
04/29/2019	GENF	29(E)*	WEST MICHIGAN HEALTH INSURANCE POOL	HEALTH INSURANCE BENEFITS	719-000	850	18,463.83
04/29/2019	GENF	5332(A)*	DELTA DENTAL	DENTAL INSURANCE BENEFITS MAY 2019	721-000	850	2,381.03

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04/29/2019	GENF	5335(A)	NYE UNIFORM COMPANY	PANT RIPSTOP - A.FRIZZLE	768-000	336	70.49
04/29/2019	GENF	5336(A)	QUALITY AIR	STATION 2 BLOWER REPAIR	936-002	336	725.16
04/29/2019	GENF	5338(A)	VALLEY CITY LINEN INC	RUG & TOWEL CLEANING APRIL 2019	936-000	336	41.15
Total for fund 206 FIRE FUND							58,311.84
FUND 207 - POLICE FUND							
04/05/2019	GENF	5295(A)	KENT COUNTY TREASURER	SHERIFF PROTECTION FEB 2019	801-000	301	45,268.34
04/29/2019	GENF	5334(A)	KENT COUNTY TREASURER	SHERIFF PROTECTION MAR 2019	801-000	301	53,158.47
Total for fund 207 POLICE FUND							98,426.81
FUND 209 - OPEN SPACE FUND							
04/05/2019	GENF	5293(A)*#	CONSUMERS ENERGY	100041772151 6803 BURTON ST SE	921-000	751	265.69
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100061096465 6803 BURTON ST SE	921-000	751	25.40
CHECK GENF 5293(A) TOTAL FOR FUND 209:							291.09
04/12/2019	GENF	5316(A)	KERKSTRA PORTABLE RESTROOM SERVICE	RESTROOM RENTAL APRIL 2019	935-000	751	125.00
Total for fund 209 CCT OPEN SPACE							416.09
FUND 248 - DDA FUND							
04/04/2019	GENF	69271*#	VERIZON WIRELESS	CELL PHONES MAR 2019	924-100	170	50.25
04/05/2019	GENF	5293(A)*#	CONSUMERS ENERGY	100063460503 5770 FOREMOST DR SE	921-000	170	149.62
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100066874924 2990 LUCERNE DR SE	921-000	170	189.52
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100054379084 5196 28TH ST SE	921-000	170	221.08
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100054393572 5434 28TH ST SE	921-000	170	75.31
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100041059393 6282 28TH ST SE	921-000	170	127.74
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100041058650 6116 28TH ST SE	921-000	170	87.87
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100041059278 5905 28TH ST SE	921-000	170	102.51
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100041081355 5613 28TH ST SE	921-000	170	84.05
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100012017115 6753 OLD 28TH ST SE	921-000	170	210.94
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100012017305 6610 28TH ST SE	921-000	170	150.82
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100012213862 6658 28TH ST	921-000	170	25.40
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100011901541 6800 CASCADE RD SE	921-000	170	275.39
04/05/2019	GENF	5293(A)	CONSUMERS ENERGY	100011901814 6811 CASCADE RD SE	921-000	170	129.21
CHECK GENF 5293(A) TOTAL FOR FUND 248:							1,829.46
04/05/2019	GENF	5294(A)*#	KENT COUNTY TREASURER	DDA PROPERTY TAX REFUNDS	950-000	170	149.85
04/11/2019	GENF	69288*#	VERIZON WIRELESS	CELL PHONES	924-100	170	16.03
04/11/2019	GENF	69288	VERIZON WIRELESS	10.5" IPAD AIR	981-000	170	379.99
CHECK GENF 69288 TOTAL FOR FUND 248:							396.02
04/18/2019	GENF	69300*#	MUNIWEB	WEBSITE HOSTING MADEINCASCADE.ORG MARCH	787-000	170	135.00
04/18/2019	GENF	69302*#	CASH - GENERAL FUND	S/W LEIN LEGAL FEE	826-265	170	30.00
04/18/2019	GENF	69302	CASH - GENERAL FUND	PARKING DOWNTOWN GR	860-000	170	1.25
CHECK GENF 69302 TOTAL FOR FUND 248:							31.25
04/26/2019	GENF	69330	KORHORN, SANDRA	REIMBURSE 127 MILES- S. KORHORN	724-000	170	73.66
04/26/2019	GENF	69330	KORHORN, SANDRA	REIMBURSE 34 MILES- S. KORHORN	860-000	170	19.72
CHECK GENF 69330 TOTAL FOR FUND 248:							93.38
Total for fund 248 DDA							2,685.21
FUND 249 - BUILDING FUND							
04/04/2019	GENF	69241	BENOIT, BILL	CLOTHING ALLOWANCE - B.BENOIT	768-000	371	300.00
04/04/2019	GENF	69241	BENOIT, BILL	REIMBURSE 552 MILES - B.BENOIT	860-000	371	320.16
CHECK GENF 69241 TOTAL FOR FUND 249:							620.16
04/04/2019	GENF	69242	BIEGALLE, JEFFREY	REIMBURSE 616 MILES - J.BIEGALLE	860-000	371	357.28
04/04/2019	GENF	69245	CASCADE CHARTER TOWNSHIP	SW CONNECTION 2805 THORNAPPLE RIVER DR	237-000	000	1,100.00
04/04/2019	GENF	69247	KEN DAVIS	REIMBURSE 558 MILES - K.DAVIS	860-000	371	323.64

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
04/04/2019	GENF	69249*	FIDELITY SECURITY LIFE INS	VISION INSURANCE BENEFITS APRIL 2019	718-000	850	119.36
04/04/2019	GENF	69250	DANIEL L HEYER	REIMBURSE 480 MILES - D.HEYER	860-000	371	278.40
04/04/2019	GENF	69251	HUYSER, DANIEL A.	REIMBURSE 516 MILES D.HUYSER	860-000	371	299.28
04/04/2019	GENF	69253	VINCENT MILITO	REIMBURSE 543 MILES - V.MILITO	860-000	371	314.94
04/04/2019	GENF	69257*#	MUTUAL OF OMAHA INSURANCE	DEPENDENT LIFE W/H (C)	231-220	000	3.90
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	DEPENDENT LIFE W/H (C)	231-220	000	3.90
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE INSURANCE BENEFITS (A)	720-000	850	161.41
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE AD&D BENEFITS (B)	720-000	850	24.54
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE LTD BENEFITS (F)	720-000	850	404.68
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE INSURANCE BENEFITS (A)	720-000	850	161.41
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE AD&D BENEFITS (B)	720-000	850	24.54
04/04/2019	GENF	69257	MUTUAL OF OMAHA INSURANCE	LIFE LTD BENEFITS (F)	720-000	850	404.68
				CHECK GENF 69257 TOTAL FOR FUND 249:			1,189.06
04/04/2019	GENF	69259	REITSMA, RON	REIMBURSE 170 MILES - R.REITSMA	860-000	371	98.60
04/04/2019	GENF	69260	ROWLADER, DENNIS	REIMBURSE 330 MILES - D.ROWLADER	860-000	371	191.40
04/04/2019	GENF	69261	RON SABIN	REIMBURSE 346 MILES - R.SABIN	860-000	371	200.68
04/04/2019	GENF	69262	JIM SPAAK	REIMBURSE 27 MILES - J.SPAAK	860-000	371	15.66
04/04/2019	GENF	69271*#	VERIZON WIRELESS	CELL PHONES MAR 2019	924-100	371	457.33
04/04/2019	GENF	69272	BRIAN WILSON	REIMBURSE 156 MILES - B.WILSON	860-000	371	90.48
04/05/2019	GENF	5297(A)	KONICA MINOLTA BUSINESS SOLUTIONS	C454 MARCH 2019	939-000	371	13.33
04/11/2019	GENF	69274	ADA TOWNSHIP	MARCH 2019 PERMITS	964-400	964	2,916.65
04/11/2019	GENF	69275	CASCADE CHARTER TOWNSHIP	MARCH 2019 PERMITS	964-800	964	3,815.00
04/11/2019	GENF	69276	CASCADE CHARTER TOWNSHIP	SW CONNECTION 2757 CASCADE SPRINGS	237-000	000	1,100.00
04/11/2019	GENF	69276	CASCADE CHARTER TOWNSHIP	SW CONNECTION 3624 THORNAPPLE RIVER DR	237-000	000	1,100.00
04/11/2019	GENF	69276	CASCADE CHARTER TOWNSHIP	SW CONNECTION 6925 WOODBROOK DR SE	237-000	000	1,100.00
				CHECK GENF 69276 TOTAL FOR FUND 249:			3,300.00
04/11/2019	GENF	69281	GRAND RAPIDS CHARTER TOWNSHIP	MARCH 2019 PERMITS	964-300	964	4,024.15
04/11/2019	GENF	69287*#	SUPPLYGEEKS.BIZ	OFFICE SUPPLIES	727-000	371	138.81
04/11/2019	GENF	69287	SUPPLYGEEKS.BIZ	OFFICE SUPPLIES	727-000	371	64.08
04/11/2019	GENF	69287	SUPPLYGEEKS.BIZ	OFFICE SUPPLIES	727-000	371	(31.89)
				CHECK GENF 69287 TOTAL FOR FUND 249:			171.00
04/11/2019	GENF	69288*#	VERIZON WIRELESS	CELL PHONES	924-100	371	144.29
04/11/2019	GENF	69288	VERIZON WIRELESS	MODEMS MAR 2019	924-100	371	41.56
04/11/2019	GENF	69288	VERIZON WIRELESS	10.5" IPAD AIR	981-000	371	379.99
				CHECK GENF 69288 TOTAL FOR FUND 249:			565.84
04/12/2019	GENF	5313(A)	EAST GRAND RAPIDS/CITY OF	MARCH 2019 PERMITS	964-500	964	2,531.20
04/12/2019	GENF	5314(A)	FIRST CHOICE COFFEE SERVICE	COFFEE SERVICE FOR BLDG DEPT	939-000	371	104.51
04/12/2019	GENF	5318(A)	LOWELL TOWNSHIP	PERMITS DUE TO LOWELL TWP	964-100	964	2,373.60
04/12/2019	GENF	5319(A)	PLAINFIELD CHARTER TOWNSHIP	MARCH 2019 PERMITS	964-600	964	2,811.40
04/12/2019	GENF	5322(A)	VERGENNES TOWNSHIP	MARCH 2019 PERMITS	964-200	964	306.20
04/18/2019	GENF	69289	BENOIT, BILL	REIMBURSE 661 MILES B.BENOIT	860-000	371	383.38
04/18/2019	GENF	69290	BIEGALLE, JEFFREY	REIMBURSE 542 MILES J.BIEGALLE	860-000	371	314.36
04/18/2019	GENF	69292	KEN DAVIS	REIMBURSE 564 MILES K.DAVIS	860-000	371	327.12
04/18/2019	GENF	69294	DANIEL L HEYER	REIMBURSE MASTER PLBG LICENSE D.HEYER	724-000	371	300.00
04/18/2019	GENF	69294	DANIEL L HEYER	REIMBURSE 293 MILES D.HEYER	860-000	371	169.94
				CHECK GENF 69294 TOTAL FOR FUND 249:			469.94
04/18/2019	GENF	69295	HUYSER, DANIEL A.	REIMBURSE 256 MILES D.HUYSER	860-000	371	148.48

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
04/18/2019	GENF	69296	KUTCHINS, JULIE	MILEAGE KUTCHINS	860-000	371	11.60
04/18/2019	GENF	69297	MILITO, VINCE	REIMBURSE 544 MILES V.MILITO	860-000	371	315.52
04/18/2019	GENF	69304	REITSMA, RON	REIMBURSE 263 MILES R.REITSMA	860-000	371	152.54
04/18/2019	GENF	69305	ROWLADER, DENNIS	REIMBURSE 359 MILES D.ROWLADER	860-000	371	208.22
04/18/2019	GENF	69306	RON SABIN	REIMBURSE 222 MILES R.SABIN	860-000	371	128.76
04/18/2019	GENF	69314	BRIAN WILSON	REIMBURSE 268 MILES B.WILSON	860-000	371	155.44
04/19/2019	GENF	5323(A)	3040 CHARLEVOIX II, LLC	RENT 3040 CHARLEVOIX MAY 2019	940-000	371	5,030.64
04/19/2019	GENF	5323(A)	3040 CHARLEVOIX II, LLC	REPLACEMENT KEY CARD #4524	940-000	371	25.00
				CHECK GENF 5323(A) TOTAL FOR FUND 249:			5,055.64
04/19/2019	GENF	5328(A)	RICOH USA INC	MP C4504EX COPIER/PRINTER APR 2019	727-000	371	94.38
04/19/2019	GENF	69315	CODE OFFICIALS CONFERENCE OF MI	COCM MEMBERSHIP 2019- D. ROWLADER	723-000	371	40.00
04/19/2019	GENF	69315	CODE OFFICIALS CONFERENCE OF MI	COCM 2019 SPRING CONFERENCE- D. ROWLADER	724-000	371	185.00
				CHECK GENF 69315 TOTAL FOR FUND 249:			225.00
04/19/2019	GENF	69316	CODE OFFICIALS CONFERENCE OF MI	COCM 2019 MEMBERSHIP- B. BENOIT	723-000	371	40.00
04/19/2019	GENF	69316	CODE OFFICIALS CONFERENCE OF MI	COCM 2019 SPRING CONFERENCE- B. BENOIT	724-000	371	185.00
				CHECK GENF 69316 TOTAL FOR FUND 249:			225.00
04/26/2019	GENF	69320	CASCADE CHARTER TOWNSHIP	SW CONNECTION 5503 DENALI WOODS DR SE	237-000	000	1,100.00
04/26/2019	GENF	69320	CASCADE CHARTER TOWNSHIP	SW CONNECTION 7214 THORNAPPLE PARK	237-000	000	2,200.00
				CHECK GENF 69320 TOTAL FOR FUND 249:			3,300.00
04/26/2019	GENF	69321*##	COMCAST	PHONES	924-000	371	53.65
04/26/2019	GENF	69324*##	FIRST BANKCARD	PLUMBING MASTER LICENSE - V.MILITO	723-000	371	300.00
04/26/2019	GENF	69324	FIRST BANKCARD	PLUMBING MASTER LICENSE - J.BIEGALLE	723-000	371	300.00
04/26/2019	GENF	69324	FIRST BANKCARD	COMMERCIAL FIRE SPRINKLER PLANS EXAMINER	724-000	371	209.00
04/26/2019	GENF	69324	FIRST BANKCARD	SUPPLIES	727-000	371	12.98
04/26/2019	GENF	69324	FIRST BANKCARD	FRIGIDAIRE PURESOURCE 3 WATER FILTER	727-000	371	72.69
04/26/2019	GENF	69324	FIRST BANKCARD	BOARD OF APPEALS MTG MARCH 2019	862-500	371	18.83
				CHECK GENF 69324 TOTAL FOR FUND 249:			913.50
04/26/2019	GENF	69345*##	WINDSTREAM	PHONES APR 2019	924-000	371	34.06
04/29/2019	GENF	29(E)*	WEST MICHIGAN HEALTH INSURANCE POOL	HEALTH INSURANCE BENEFITS	719-000	850	9,595.78
04/29/2019	GENF	5331(A)	3040 CHARLEVOIX II, LLC	RENT/UTILITIES MAR 19	940-000	371	922.02
04/29/2019	GENF	5332(A)*	DELTA DENTAL	DENTAL INSURANCE BENEFITS MAY 2019	721-000	850	813.96
				Total for fund 249 BUILDING FUND			52,437.50
FUND 270 - LIBRARY FUND							
04/04/2019	GENF	69248*##	DTE ENERGY	LIBRARY HEATING DTE ENERGY	923-000	790	1,646.02
04/05/2019	GENF	5293(A)*##	CONSUMERS ENERGY	100000284784 2870 JACK SMITH AVE SE	921-000	790	3,959.67
04/05/2019	GENF	5296(A)*##	KINGSLAND'S ACE HARDWARE	STAR LAG SCREW TRIM SCREW	931-000	790	23.38
04/11/2019	GENF	69278*##	CINTAS	2019 RUG CLEANING SERVICE LIBRARY	931-000	790	469.69
04/11/2019	GENF	69285	MINER SUPPLY COMPANY	LIBRARY SUPPLIES	727-000	790	164.62
04/11/2019	GENF	69285	MINER SUPPLY COMPANY	KITCHEN/BATH PRODUCTS	727-000	790	280.42
				CHECK GENF 69285 TOTAL FOR FUND 270:			445.04
04/12/2019	GENF	5320(A)	QUALITY AIR	03-15-19 THROUGH 04-14-19	931-000	790	1,390.08
04/12/2019	GENF	5320(A)	QUALITY AIR	04-15-19 THROUGH 05-14-19	931-000	790	1,390.08
04/12/2019	GENF	5320(A)	QUALITY AIR	01-15-19 THROUGH 02-14-19	931-000	790	1,390.08
				CHECK GENF 5320(A) TOTAL FOR FUND 270:			4,170.24
04/18/2019	GENF	69298	MINER SUPPLY COMPANY	LIBRARY SUPPLIES	727-000	790	72.34
04/18/2019	GENF	69298	MINER SUPPLY COMPANY	LIBRARY SUPPLIES	727-000	790	36.17
				CHECK GENF 69298 TOTAL FOR FUND 270:			108.51
04/18/2019	GENF	69308*##	SUPERIOR PEST CONTROL INC	PEST CONTROL- LIBRARY	931-000	790	65.00

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
04/26/2019	GENF	69321*#	COMCAST	LIBRARY PHONES	924-000	790	15.33
04/26/2019	GENF	69345*#	WINDSTREAM	LIBRARY PHONES APR 2019	924-000	790	68.11
Total for fund 270 LIBRARY FUND							10,970.99
04/04/2019	GENF	69255	FORWARD AIR	DELQ TAX REFUND 41-50-18-024-291	230-002	000	19,087.39
04/04/2019	GENF	69256	GRAND RAPIDS GYMNASTICS	DELQ TAX - DUE TO OTHER UNIT OF GOVT	230-002	000	16.74
04/04/2019	GENF	69264	CASCADE CHARTER TOWNSHIP	DELQ TAX - FIRE	230-002	000	1,777.69
04/04/2019	GENF	69264	CASCADE CHARTER TOWNSHIP	DELQ TAX - INTEREST	230-002	000	39.60
CHECK GENF 69264 TOTAL FOR FUND 703:							1,817.29
04/04/2019	GENF	69265	CASCADE CHARTER TWP	DELQ TAX - DUE TO OTHER UNIT OF GOVT	230-002	000	33.21
04/04/2019	GENF	69265	CASCADE CHARTER TWP	DELQ TAX - OPERATING	230-002	000	1,313.27
04/04/2019	GENF	69265	CASCADE CHARTER TWP	DELQ TAX - ADMIN	230-002	000	321.18
04/04/2019	GENF	69265	CASCADE CHARTER TWP	DELQ TAX - PENALTIES	230-002	000	959.73
04/04/2019	GENF	69265	CASCADE CHARTER TWP	DELQ TAX OVER AND SHORT	230-032	000	0.52
CHECK GENF 69265 TOTAL FOR FUND 703:							2,627.91
04/04/2019	GENF	69266	LIBRARY FUND	DELQ TAX - LIBRARY	230-002	000	202.57
04/04/2019	GENF	69266	LIBRARY FUND	DELQ TAX - INTEREST	230-002	000	4.48
CHECK GENF 69266 TOTAL FOR FUND 703:							207.05
04/04/2019	GENF	69267	CASCADE CHARTER TOWNSHIP	DELQ TAX - OPEN SPACE	230-002	000	310.78
04/04/2019	GENF	69267	CASCADE CHARTER TOWNSHIP	DELQ TAX - INTEREST	230-002	000	6.88
CHECK GENF 69267 TOTAL FOR FUND 703:							317.66
04/04/2019	GENF	69268	PATHWAYS FUND	DELQ TAX - PATHWAYS	230-002	000	476.75
04/04/2019	GENF	69268	PATHWAYS FUND	DELQ TAX - INTEREST	230-002	000	10.76
CHECK GENF 69268 TOTAL FOR FUND 703:							487.51
04/04/2019	GENF	69269	POLICE FUND	DELQ TAX - POLICE	230-002	000	620.46
04/04/2019	GENF	69269	POLICE FUND	DELQ TAX - INTEREST	230-002	000	13.82
CHECK GENF 69269 TOTAL FOR FUND 703:							634.28
04/04/2019	GENF	69270	KENT DISTRICT LIBRARY	DELQ TAX - KDL	230-002	000	1,728.48
04/04/2019	GENF	69270	KENT DISTRICT LIBRARY	DELQ TAX - INTEREST	230-002	000	38.45
CHECK GENF 69270 TOTAL FOR FUND 703:							1,766.93
04/05/2019	GENF	5299(A)	CALEDONIA COMMUNITY SCHOOLS	DELQ TAX - OPERATING	230-002	000	5,291.16
04/05/2019	GENF	5299(A)	CALEDONIA COMMUNITY SCHOOLS	DELQ TAX - INTEREST	230-002	000	117.07
CHECK GENF 5299(A) TOTAL FOR FUND 703:							5,408.23
04/05/2019	GENF	5300(A)	CALEDONIA COMMUNITY SCHOOLS	DELQ TAX - DEBT	230-002	000	2,613.36
04/05/2019	GENF	5300(A)	CALEDONIA COMMUNITY SCHOOLS	DELQ TAX - INTEREST	230-002	000	65.76
CHECK GENF 5300(A) TOTAL FOR FUND 703:							2,679.12
04/05/2019	GENF	5301(A)	FOREST HILLS PUBLIC SCHOOLS	DELQ TAX - OPERATING	230-002	000	3,131.90
04/05/2019	GENF	5301(A)	FOREST HILLS PUBLIC SCHOOLS	DELQ TAX - DEBT	230-002	000	3,615.80
04/05/2019	GENF	5301(A)	FOREST HILLS PUBLIC SCHOOLS	DELQ TAX - REC	230-002	000	520.46
04/05/2019	GENF	5301(A)	FOREST HILLS PUBLIC SCHOOLS	DELQ TAX - INTEREST	230-002	000	300.00
CHECK GENF 5301(A) TOTAL FOR FUND 703:							7,568.16
04/05/2019	GENF	5302(A)	GRAND RAPIDS COMMUNITY COLLEGE	DELQ TAX - GRCC	230-002	000	777.97
04/05/2019	GENF	5302(A)	GRAND RAPIDS COMMUNITY COLLEGE	DELQ TAX - INTEREST	230-002	000	56.88
CHECK GENF 5302(A) TOTAL FOR FUND 703:							834.85
04/05/2019	GENF	5303(A)	KENT COUNTY TREASURER	DELQ TAX - OPERATING	230-002	000	1,879.54
04/05/2019	GENF	5303(A)	KENT COUNTY TREASURER	DELQ TAX - JAIL	230-002	000	1,062.61
04/05/2019	GENF	5303(A)	KENT COUNTY TREASURER	DELQ TAX - SENIOR	230-002	000	672.99
04/05/2019	GENF	5303(A)	KENT COUNTY TREASURER	DELQ TAX - VETS	230-002	000	67.08
04/05/2019	GENF	5303(A)	KENT COUNTY TREASURER	DELQ TAX - ZOO/MUZEUM	230-002	000	592.24
04/05/2019	GENF	5303(A)	KENT COUNTY TREASURER	DELQ TAX - CHILD EDUCATION	230-002	000	330.82
04/05/2019	GENF	5303(A)	KENT COUNTY TREASURER	DELQ TAX - DUE TO OTHER UNIT OF GOVT	230-002	000	197.07
CHECK GENF 5303(A) TOTAL FOR FUND 703:							4,802.35
04/05/2019	GENF	5304(A)	KENT COUNTY TREASURER-SET	DELQ TAX - SET	230-002	000	2,634.71
04/05/2019	GENF	5304(A)	KENT COUNTY TREASURER-SET	DELQ TAX - INTEREST	230-002	000	192.63
CHECK GENF 5304(A) TOTAL FOR FUND 703:							2,827.34

Check Date	Bank	Check #	Payee	Description	Account	Dept	Amount
04/05/2019	GENF	5305(A)	KENT INTERMEDIATE SCHOOLS	DELQ TAX - KISD	230-002	000	2,479.73
04/05/2019	GENF	5305(A)	KENT INTERMEDIATE SCHOOLS	DELQ TAX - INTEREST	230-002	000	181.31
				CHECK GENF 5305(A) TOTAL FOR FUND 703:			2,661.04
04/05/2019	GENF	5306(A)	LOWELL AREA SCHOOLS	DELQ TAX - OPERATING	230-002	000	17.75
04/05/2019	GENF	5306(A)	LOWELL AREA SCHOOLS	DELQ TAX - DEBT	230-002	000	20.88
04/05/2019	GENF	5306(A)	LOWELL AREA SCHOOLS	DELQ TAX - B/SITE	230-002	000	2.94
04/05/2019	GENF	5306(A)	LOWELL AREA SCHOOLS	DELQ TAX - INTEREST	230-002	000	4.15
				CHECK GENF 5306(A) TOTAL FOR FUND 703:			45.72
04/18/2019	GENF	69299	DELANGE ANDREW & ALEX	DUE TO 41-19-35-401-006	275-000	000	25.18
04/26/2019	GENF	69335	KAMPHUIS PIPELINE CO	DUE TO 41-50-18-021-278	275-000	000	72.41
				Total for fund 703 CURRENT TAX COLLECTION FUND			53,887.16
			TOTAL - ALL FUNDS				468,017.05

'*'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE FUND
 '#'-INDICATES CHECK DISTRIBUTED TO MORE THAN ONE DEPARTMENT

Transactions Log for Payroll Deductions
MONTH ENDING: APRIL 2019

Direct Deposit

Date Submitted	<u>4.02.19</u>	Transaction#	_____	Amount	<u>72,327.74</u>
Date Submitted	<u>4.16.19</u>	Transaction#	_____	Amount	<u>71,385.68</u>
Date Submitted	<u>4.30.19</u>	Transaction#	_____	Amount	<u>85,155.22</u>

Deferred Comp

Date Submitted	<u>4.2.19</u>	Transaction#	_____	Amount	<u>874.72</u>
Date Submitted	<u>4.16.19</u>	Transaction#	_____	Amount	<u>874.72</u>
Date Submitted	<u>4.30.19</u>	Transaction#	_____	Amount	<u>129354</u>

Payroll Taxes

Date Submitted	<u>4.2.19</u>	Transaction#	<u>01163321</u>	Amount	<u>29,574.86</u>
Date Submitted	<u>4.16.19</u>	Transaction#	<u>52272231</u>	Amount	<u>28,482.25</u>
Date Submitted	<u>4.30.19</u>	Transaction#	<u>42252891</u>	Amount	<u>33,542.93</u>

HSA

Date Submitted	<u>4.2.19</u>	Transaction#	_____	Amount	<u>3,723.00</u>
Date Submitted	<u>4.16.19</u>	Transaction#	_____	Amount	<u>2,723.00</u>
Date Submitted	<u>4.30.19</u>	Transaction#	_____	Amount	<u>4,223.00</u>

ICMA RC

Date Submitted	<u>4.2.19</u>	Transaction#	<u>102692103</u>	Amount	<u>490.67</u>
Date Submitted	<u>4.16.19</u>	Transaction#	<u>102695444</u>	Amount	<u>490.67</u>
Date Submitted	<u>4.30.19</u>	Transaction#	_____	Amount	<u>2553.69</u>

MERS DB EE

Date Submitted	<u>5.3.19</u>	Transaction#	<u>INV#94447-2</u>	Amount	<u>11,241.74</u>
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MERS DB ER

Date Submitted	<u>5.3.19</u>	Transaction#	<u>INV#94447-2</u>	Amount	<u>16,052.00</u>
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MERS DC

Date Submitted	<u>4.2.19</u>	Transaction#	_____	Amount	<u>11,497.88</u>
Date Submitted	<u>4.16.19</u>	Transaction#	_____	Amount	<u>11,641.64</u>
Date Submitted	<u>5.2.19</u>	Transaction#	_____	Amount	<u>12,166.11</u>

Monthly Check Register - Gross

Date Submitted	<u>5.3.19</u>	Amount	<u>577,482.08</u>
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Clerk's Office

Date 5.3.19

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CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

Date: May 22nd, 2019
To: Supervisor Beahan and Township Board Members
From: Ben Swayze, Township Manager
Subject: FY 2018 Audit and Comprehensive Annual Financial Report

FACTS:

The FY 2018 audit has been completed by Vredeveld Haefner LLC. Pete Haefner from the firm will be present at the Board Meeting to review the audit results and the Comprehensive Annual Financial Report with the Board.

Attached for your review are:

- Comprehensive Financial Annual Report (paper copies to be distributed)

ANALYSIS & CONCLUSIONS:

The Finance Committee met with Pete Haefner from Vredeveld Haefner at their June meeting to review the results of the audit. By all accounts, Cascade has once again improved its financial position by controlling expenditures and paying down debt. Highlights include:

- The Township's net position decreased through 2018 operations by \$3,444,625 (or 8.3%)
 - This came primarily through the elimination of the deferred special assessments for water and sewer connections which were previously accounted for.
- Total expenses of the Township's programs were \$15,038,605 which includes \$3.1 million attributed to the write-off of assessments receivable.
- Total revenues, including all program and general revenues, were \$11,593,980
- At the close of the current year, the Township's governmental funds reported combined ending fund balances of \$23,158,308, an increase of \$579,388 from the previous year.
- At the end of the current year, the unassigned fund balance for the General Fund was \$6,221,908, or 110% of total General Fund expenditures and transfers out.
- Total debt of the Township decreased by \$1,21,151 (or 3.8%) during the current year.

The Finance Committee has recommended the Township Board accept the FY2018 Comprehensive Annual Financial Report.

FINANCIAL CONSIDERATIONS:

There are no financial considerations in approving this request.

RECOMMENDED ACTION:

Accept the FY 2018 Comprehensive Annual Financial Report.



CASCADE CHARTER TOWNSHIP

KENT COUNTY, MICHIGAN

FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018



Vredeveld Haefner LLC
CPAs and Consultants

Cascade Charter Township

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Cascade Charter Township

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Vredeveld Haefner LLC

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INDEPENDENT AUDITORS' REPORT

April 30, 2019

Township Board
Cascade Charter Township
Kent County, Michigan

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of Cascade Charter Township (the Township), as of and for the year ended December 31, 2018, and the related notes to the financial statements, which collectively comprise the Township's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the Township, as of December 31, 2018, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis on pages 3 through 8 and the information on pages 39 through 48 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Township's basic financial statements. The combining and individual fund financial statements and schedules are presented for purposes of additional analysis and are not a required part of the basic financial statements.

The 2018 balances in the combining and individual fund financial statements and schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the 2018 balances in the combining and individual fund financial statements and schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

We also have previously audited, in accordance with auditing standards generally accepted in the United States of America, the Township's basic financial statements for the year ended December 31, 2017, which are not presented with the accompanying financial statements and we expressed unmodified opinions on the respective financial statements of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information. That audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Township's basic financial statements as a whole. The combining and individual fund financial statements, related to the 2017 financial statements for the year ended December 31, 2018, are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the 2017 basic financial statements. The information has been subjected to the auditing procedures applied in the audit of those basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the 2017 combining and individual fund financial statements are fairly stated in all material respects in relation to the basic financial statements from which they have been derived.

Urodeuxeld Haefner LLC

MANAGEMENT'S DISCUSSION AND ANALYSIS

Management's Discussion and Analysis

As management of Cascade Charter Township (the Township), we offer readers of the Township's financial statements this narrative overview and analysis of the financial activities of the Township for the fiscal year ended December 31, 2018. We encourage readers to consider the information presented here in conjunction with additional information that is furnished in the financial statements and notes to the financial statements.

Financial Highlights

- The Township's net position decreased through 2018 operations by \$3,444,625 (or 8.3%)
- Total expenses of the Township's programs were \$15,038,605 which includes 3.1 million attributed to the write-off of assessments receivable.
- Total revenues, including all programs and general revenues, were \$11,593,980.
- At the close of the current year, the Township's governmental funds reported combined ending fund balances of \$23,158,308, an increase of \$579,388 from the previous year.
- At the end of the current year, the unassigned fund balance for the General Fund was \$6,221,908 or 110% of total General Fund expenditures and transfers out.
- Total long-term debt of the Township decreased by \$121,151 (or 3.8%) during the current year.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the Cascade Charter Township's financial statements. The Township's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide financial statements. The *government-wide financial statements* are designed to provide readers with a broad overview of the Township's finances, in a manner similar to a private-sector business.

The *statement of net position* presents information on all of the Township's assets and liabilities, with the difference between the two reported as *net position*. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the Township is improving or deteriorating.

The *statement of activities* presents information showing how the government's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., earned but unused compensated absences, accrued interest, etc.).

Both of the government-wide financial statements distinguish functions of the Township that are principally supported by taxes and intergovernmental revenues (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The governmental activities of the Township include general government, public safety, public works, community and economic development, culture and recreation, and other township activities. The Township has no business-type activities.

Fund financial statements. A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Township, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the Township can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

Governmental funds. *Governmental funds* are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental funds balance sheet and the governmental funds statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

Information is presented separately in the governmental funds balance sheet and in the governmental funds statement of revenues, expenditures and changes in fund balances for the general, fire, police, improvement revolving, library, pathways, inspections, and open space funds which are considered major funds.

Data is combined into a single aggregated presentation for the other governmental funds. Individual fund data for each of the non-major governmental funds is provided in the form of *combining statements and schedules*.

The Township adopts an annual appropriated budget for its general and special revenue funds. Budgetary comparison schedules have been provided herein to demonstrate compliance with those budgets.

Fiduciary funds. Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are *not* reflected in the government-wide financial statement because the resource of those funds are *not* available to support the Township's own programs. The accounting used for fiduciary funds is much like that used for proprietary funds.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

Other information. In addition to the basic financial statements and accompanying notes, this report also presents certain *required supplementary information*. This consists of this management discussion and analysis, major fund budgetary schedules, and pension schedules.

Government-wide Financial Analysis

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of the Township, assets and deferred outflows exceeded liabilities and deferred inflows by \$38,021,164 at the close of the most recent fiscal year. A summary of net position is as follows:

Net Position

	<u>Governmental activities</u>	
	<u>2018</u>	<u>2017</u>
Current and other assets	\$29,679,187	\$32,481,133
Capital assets	20,087,973	20,453,414
Total assets	<u>49,767,160</u>	<u>52,934,547</u>
Deferred outflows of resources - pension	816,773	340,840
Long-term liabilities outstanding	6,262,417	5,132,258
Other liabilities	749,551	1,096,199
Total liabilities	<u>7,011,968</u>	<u>6,228,457</u>
Deferred inflows of resources	5,550,801	5,581,141
Net position:		
Net investment in capital assets	17,147,973	17,259,414
Restricted	14,420,087	16,243,573
Unrestricted	6,453,104	7,962,802
Total net position	<u>\$38,021,164</u>	<u>\$41,465,789</u>

A portion of the Township’s net position (17 percent) reflects unrestricted net position which is available for future operations while the largest portion of net position is invested in capital assets (e.g., land, buildings, vehicles, equipment and infrastructure), less any related debt used to acquire those assets that is still outstanding. The Township uses these capital assets to provide services to citizens; consequently, these assets are *not* available for future spending. The government’s net position decreased by \$3,444,625 during the current fiscal year.

Changes in Net Position

	<u>Governmental activities</u>	
	<u>2018</u>	<u>2017</u>
Revenue:		
Program revenue:		
Charges for services	\$ 2,876,521	\$ 2,613,027
Operating grants and contributions	99,077	94,340
Capital grants and contributions	28,415	42,770
General revenue:		
Property taxes	5,964,734	5,820,658
State sources	1,536,415	1,485,370
Intergovernmental	32,870	32,870
Unrestricted investment earnings	473,749	358,925
Other	582,199	435,820
Total revenue	11,593,980	10,883,780
Expenses:		
General government	2,883,580	2,460,139
Public safety	5,356,460	4,603,277
Public works	4,933,467	650,987
Community and economic development	700,702	636,827
Culture and recreation	1,095,391	1,118,945
Interest on long-term debt	69,005	243,982
Total expenses	15,038,605	9,714,157
Change in net position	(3,444,625)	1,169,623
Net position - beginning of year	41,465,789	40,296,166
Net position - end of year	\$38,021,164	\$41,465,789

Governmental Activities. During the year the Township invested \$5,356,460 or 36% of governmental activities expenses in public safety. General government expenses amounted to \$2,883,580 or 19% of governmental activities while public works, community and economic development, culture and recreation, interest on long-term debt, and other made up the remaining 45% of governmental activities expenses. The significant increase in public works expense is the result of a change in policy to eliminate certain assessments receivable.

Financial Analysis of the Government’s Funds

As noted earlier, the Township uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds. The focus of the Township’s *governmental funds* is to provide information on near-term inflows, outflows, and balances of *spendable* resources. Such information is useful in assessing the Township’s financing requirements. In particular, *unassigned fund balance* may serve as a useful measure of a government’s net resources available for spending at the end of the fiscal year. As of the end of the current fiscal year, the Township’s governmental funds reported combined ending fund balances of \$23,158,308, an increase of \$579,388 in comparison with the prior year. Of the \$23,158,308, \$9,241,411 is reported in the general fund.

The general fund is the chief operating fund of the Township. At the end of the current fiscal year, unassigned fund balance of the general fund was \$6,221,918. As a measure of the general fund's liquidity, it may be useful to compare unassigned fund balance to total fund expenditures. Unassigned fund balance represents 110% of total general fund expenditures and transfers out. The fund balance of the Township's general fund decreased by \$709,571 during the current fiscal year.

The fire fund is used to account for Fire Department operations of the Township. At the end of the current fiscal year, fund balance was \$2,463,215, a decrease of \$88,934 over the prior year. The decrease is primarily the result of planned use of fund balance for capital purchases.

The police fund is used to account for the contract with the County Sheriff Department to provide police protection to the Township. At the end of the current fiscal year, fund balance was \$1,311,410, an increase of \$8,237 over the prior year.

The improvement revolving fund collects connection fees for sewer and water hookups to be used for the construction of extension to the utility systems benefiting Township residents. At the end of the current fiscal year, fund balance was \$1,480,831, an increase of \$249,761 over the prior year. The increase is primarily due to revenues in excess of anticipated capital outlay.

The library fund is used to account for the property tax millage and expenditures related to the Township library. At the end of the current fiscal year, fund balance was \$2,044,349, an increase of \$15,043 over the prior year. The increase is primarily the result of budgeted capital outlay which was not spent.

The pathways fund is used to account for the property tax millage dedicated to the maintenance, operations and debt service related to the Townships pathway system. At the end of the current fiscal year, fund balance was \$1,692,348, an increase of \$543,835 from the prior year. The increase is due to collections in excess of maintenance needed on pathways in the current year.

The Inspections fund collects inspection (building, mechanical, electrical, plumbing) permits from Cascade Township and other customer community residents to be used for maintaining the operations of the Inspections Department. At the end of the current fiscal year, fund balance was \$3,380,905, an increase of \$482,617 over the prior year. The increase is primarily the result of inspections of significant building projects both within the Township and other communities who contract with the Township.

The open space fund is used to account for the property tax millage dedicated to the development of Township parks. At the end of the current fiscal year, fund balance was \$732,358 an increase of \$22,842 from the prior year.

Capital Asset and Debt Administration

Capital assets. The Township's investment in capital assets for its governmental activities as of December 31, 2018, amounted to \$20,087,973 (net of accumulated depreciation).

The Township's capital assets (net of depreciation) are summarized as follows:

	2018	2017
Land	\$ 9,966,753	\$ 9,932,583
Land improvements	2,427,629	2,762,288
Infrastructure	476,000	504,000
Buildings and improvements	5,075,528	5,007,845
Furniture and equipment	492,274	548,767
Vehicles	1,649,789	1,697,931
Total	\$20,087,973	\$20,453,414

Additional information on the Township's capital assets can be found in the footnotes to the financial statements.

Debt. At the end of the current fiscal year, the Township had total debt outstanding as follows:

	2018	2017
Accrued employee benefits	\$ 104,106	\$ 103,775
Bonds payable	2,940,000	3,194,000
Other obligations payable	132,849	-
Total	\$3,176,955	\$3,297,775

Additional information on the Township's long-term debt can be found in the footnotes to the financial statements.

Budgetary Highlights

Over the course of the year, the Township revised the annual General and Special Revenue Funds operating budgets to comply with the Michigan Department of Treasury guidelines. The budget amendments were made to reflect changes in revenues and expenditures as they occurred during the year.

- In several funds, interest revenue was increased to reflect a better return on investment. This return was precipitated by a change in banking institutions with a better interest rate, as well as participation in the MiClass fund.
- In the General Fund, the final amended budget estimated a decrease in fund balance of \$1,466,448, which was significantly larger than the original anticipated decrease of \$186,627. The major amendments included:
 - The Community Stabilization Share revenue was increased by \$58,000 to reflect the additional "Tier III" personal property tax reimbursement payment that was received by the Township
 - The Water & Sewer Implementation line was increased by \$24,000 to reflect higher water and sewer connection fees to the Township, 10% of which are transferred to the General Fund to cover administrative costs.
 - The Cell Tower Revenue was increased by \$50,000 as the Township received a lump sum payment from the cell tower company to extend the lease.
 - Election Reimbursement revenue was decreased by \$15,000 to reflect that there was no reimbursable election held as anticipated.
 - The Insect/Weed Control expense line was increased by \$34,000 to reflect a larger than anticipated Gypsy Moth Spray program
 - The Legal Fees expense line was increased by \$45,000 due to the need for additional legal representation throughout the year
 - The Special Projects line was increased by \$30,000 for a Facility Assessment Study that was approved by the Township Board.
 - The Road Overlays expense line was increased by \$1,100,000 to reflect an enhanced local road improvement program approved by the Township Board to repave approximately 12 miles of local roads.
 - The Defined Contribution Plan expense line was increased by \$61,504 to reflect the cost of incentives that were approved by the Township Board for employees to convert their Defined Benefit pension plan to a lump sum Defined Contribution plan payment.
 - The Capital Outlay – Bldg Imp expense line was increased by \$125,000 for the improvements to the Burton Street facility approved by the Township Board.
- In the Fire Fund, the final amended budget estimated a decrease in fund balance of \$157,946, which was significantly larger than the originally budgeted increase of \$152,727. The major amendments included:
 - The Firefighter Salary expense line was increased by \$154,035 to reflect the addition of 3 full-time positions to the department as approved by the Township Board.
 - The Wages/Salaries Overtime expense line was increased by \$35,000 and the Fire Paid on Call line was decreased by \$70,000 to reflect an increased reliance on overtime and a decreased reliance on Paid on Call firefighters to fill open shifts.
 - The Fire Equipment Maintenance expense line was increased by \$20,000 to reflect higher than anticipated apparatus expenses, including several high-dollar repairs to Engine 8.
 - The Defined Contribution Plan expense line was increased by \$131,544 to reflect the cost of incentives that were approved by the Township Board for employees to convert their Defined Benefit pension plan to a lump sum Defined Contribution plan payment.

- Several of the benefits expense lines, including FICA-Employer, Health Insurance Benefits, and Pension Plan Benefits, were increased to reflect the addition of 3 full-time positions to the department as approved by the Township Board.
- In the Infrastructure Revolving Fund, the final amended budget estimated an increase in fund balance of \$183,145, which was slightly larger than the originally budgeted increase of \$65,145. The major amendments included:
 - The Hook-Up fees revenue was increased by \$250,000 to reflect higher than anticipated connections to the utility system
 - The Capital Outlay – Land Imp expenditures was increased by \$130,000 to reflect a project to connect the recently purchased 60th Street watermain from Caledonia Township to the Cascade/Grand Rapids system.
- In the Building Fund, the final amended budget estimated an increase in fund balance of \$266,625 which was significantly higher than the originally budgeted increase of \$87,358. The major amendments included:
 - Nearly all permit revenue line items were increased due to higher than anticipated building activity in Cascade Township and all customer communities.
 - However, City of Lowell revenue line items were all decreased due to the expiration of that service contract in June 2018.
 - The Building Rental – Lease line item was increased by \$10,000 to reflect the true cost of the lease plus utilities that was finalized in early 2018.
 - The Defined Contribution Plan expense line was increased by \$94,477 to reflect the cost of incentives that were approved by the Township Board for employees to convert their Defined Benefit pension plan to a lump sum Defined Contribution plan payment.
 - All of the Payments to Other Townships line items were increased as the Township remits 20% of permit revenue to the jurisdiction the permit is created in, and permit revenues were also increased.
- In the Library Fund, the final amended budget estimated an increase in fund balance of \$7,628 which was lower than the originally budgeted fund balance increase of \$50,772. The major amendments included:
 - An increase in the Library Janitorial Contract expense of \$7,000 to reflect an increase in the janitorial contract.
 - An increase in the Library Maintenance line of \$30,000 to reflect projects to fix a leaking basement and improve the storm water retention system on the site.
 - An increase in the Library Maintenance/Additional line item to reflect the FY 2017 transfer that was inadvertently not made.

Economic Factors and Next Year’s Budgets and Rates

The following factors were considered in preparing the Township’s budget for the 2019 fiscal year:

- The FY2019 General and Special Funds budget was prepared utilizing the millage rates from the FY2018 budget with a Headlee Millage Reduction fraction of 0.9957 applied
- For FY 2019 the Township’s initial General Fund Budget anticipates a year-end fund balance increase of \$49,647. The Township continues to see an increase in real property tax revenue growth (4.48%) and state shared-revenue growth (2.5%). The FY2019 budget does also see an increase in Personal Property Tax Revenue (3.17%) even as the third year of Industrial Personal Property Tax elimination begins. Part of the loss of PPT revenues based on FY2013 levels is offset by PPT reimbursement from the State, which is estimated at \$35,134. For FY19 the Township budgeted significant capital improvement expenditures including replacement of several pieces of equipment in the Buildings and Grounds Department (\$140,000) and savings for the 30th Street Cemetery expansion (\$450,000) to be completed in FY 2020.
- In the FY 2019 Special Revenue and component funds, most funds will see modest budgeted increases to fund balance including the Police Fund (\$41,163), the Pathway Fund (\$377,980), the Downtown Development Authority (\$403,191) and the Building Fund (\$174,224). There is one fund, the Fire Fund, which will see a moderate fund balance decrease (\$58,442) due to a planned spend down of fund balance.

Requests for Information

This financial report is designed to provide a general overview of Cascade Charter Township’s finances. Questions concerning any of the information provided in this report or requests for additional information should be addressed to Benjamin Swayze, Township Manager, Cascade Charter Township, 2865 Thornhills SE, Grand Rapids, MI 49546-7140, (616) 949-1500, or by email at bswayze@cascadetwp.com.

BASIC FINANCIAL STATEMENTS

CASCADE CHARTER TOWNSHIP

STATEMENT OF NET POSITION

DECEMBER 31, 2018

	<u>Primary Government Governmental Activities</u>	<u>Component Unit Downtown Development Authority</u>
Assets		
Cash and pooled investments	\$ 23,096,810	\$ 1,112,093
Receivables		
Accounts	2,370,697	-
Taxes	3,349,617	241,283
Due from other governments	266,758	-
Prepaid items	<u>55,595</u>	<u>-</u>
Total current assets	<u>29,139,477</u>	<u>1,353,376</u>
Noncurrent assets		
Special assessments receivable	539,710	-
Capital assets		
Non-depreciable	9,966,753	59,366
Depreciable capital assets, net	<u>10,121,220</u>	<u>4,244,384</u>
Total noncurrent assets	<u>20,627,683</u>	<u>4,303,750</u>
Total assets	<u>49,767,160</u>	<u>5,657,126</u>
Deferred outflows of resources		
Pension related	<u>816,773</u>	<u>-</u>
Liabilities		
Accounts payable	314,020	12,109
Accrued payroll and benefits	74,733	-
Accrued interest payable	10,219	1,803
Current portion of bonds and obligations payable	<u>350,579</u>	<u>100,000</u>
Total current liabilities	<u>749,551</u>	<u>113,912</u>
Long-term liabilities		
Compensated absences	104,106	-
Net pension liability	3,436,041	-
Bonds and obligations payable	<u>2,722,270</u>	<u>103,000</u>
Total long-term liabilities	<u>6,262,417</u>	<u>103,000</u>
Total liabilities	<u>7,011,968</u>	<u>216,912</u>
Deferred inflows of resources		
Unavailable - taxes	5,461,167	241,283
Pension related	<u>89,634</u>	<u>-</u>
	<u>5,550,801</u>	<u>241,283</u>
Net position		
Net investment in capital assets	17,147,973	4,100,750
Restricted for		
Public safety	7,155,530	-
Public works	2,695,308	-
Culture and recreation	4,469,055	-
Cemetery trust	100,194	-
Unrestricted	<u>6,453,104</u>	<u>1,098,181</u>
Total net position	<u>\$ 38,021,164</u>	<u>\$ 5,198,931</u>

The accompanying notes are an integral part of these financial statements.

CASCADE CHARTER TOWNSHIP

STATEMENT OF ACTIVITIES

FOR THE YEAR ENDED DECEMBER 31, 2018

Functions/Programs	Expenses	Program Revenues		Net (Expense) Revenue	
		Charges for Services	Operating Grants and Contributions		Capital Grants and Contributions
Primary government					
Governmental activities					
General government	\$ 2,883,580	\$ 497,916	\$ 98,077	\$ 28,415	\$ (2,259,172)
Public safety	5,356,460	2,269,427	-	-	(3,087,033)
Public works	4,933,467	78,384	-	-	(4,855,083)
Community and economic development	700,702	30,794	-	-	(669,908)
Culture and recreation	1,095,391	-	1,000	-	(1,094,391)
Interest on long-term debt	69,005	-	-	-	(69,005)
Total primary government	\$ 15,038,605	\$ 2,876,521	\$ 99,077	\$ 28,415	\$ (12,034,592)
Component unit					
Downtown Development Authority	\$ 628,728	\$ -	\$ -	\$ -	\$ (628,728)
Total component unit	\$ 628,728	\$ -	\$ -	\$ -	\$ (628,728)

(Continued)

The accompanying notes are an integral part of these financial statements.

CASCADE CHARTER TOWNSHIP

STATEMENT OF ACTIVITIES

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Primary Government Governmental Activities</u>	<u>Component Unit Downtown Development Authority</u>
Changes in net position		
Net (expense) revenue	\$ (12,034,592)	\$ (628,728)
General revenues		
Property taxes		
General purpose	2,143,436	-
Specific purpose	3,821,298	809,253
State shared revenues	1,536,415	-
Intergovernmental revenues	32,870	-
Unrestricted interest	473,749	13,504
Miscellaneous	<u>582,199</u>	<u>3,450</u>
Total general revenues and transfers	<u>8,589,967</u>	<u>826,207</u>
Change in net position	(3,444,625)	197,479
Net position, beginning of year	<u>41,465,789</u>	<u>5,001,452</u>
Net position, end of year	<u>\$ 38,021,164</u>	<u>\$ 5,198,931</u>

(Concluded)

The accompanying notes are an integral part of these financial statements.

CASCADE CHARTER TOWNSHIP

**GOVERNMENTAL FUNDS
BALANCE SHEET**

DECEMBER 31, 2018

	<u>General</u>	<u>Fire</u>	<u>Police</u>	<u>Improvement Revolving</u>
Assets				
Cash and pooled investments	\$ 8,980,690	\$ 2,486,169	\$ 1,416,654	\$ 1,469,548
Receivables				
Accounts	739,197	778,819	271,846	16,283
Taxes	1,070,805	1,196,116	417,507	-
Special assessments	-	-	-	539,710
Due from other funds	11,378	-	-	-
Due from other governments	266,758	-	-	-
Prepaid items	19,950	21,014	-	-
Total assets	<u>\$ 11,088,778</u>	<u>\$ 4,482,118</u>	<u>\$ 2,106,007</u>	<u>\$ 2,025,541</u>
Liabilities, deferred inflows of resources and fund balances				
Liabilities				
Accounts payable	\$ 111,734	\$ 11,572	\$ 105,244	\$ 5,000
Accrued payroll and benefits	27,244	32,396	-	-
Due to other funds	10,000	-	-	-
Total liabilities	<u>148,978</u>	<u>43,968</u>	<u>105,244</u>	<u>5,000</u>
Deferred inflows of resources				
Unavailable revenue	<u>1,698,389</u>	<u>1,974,935</u>	<u>689,353</u>	<u>539,710</u>
Fund balances				
Nonspendable				
Prepaid items	19,950	21,014	-	-
Cemetery trust	-	-	-	-
Restricted				
Dedicated millage	-	2,442,201	1,311,410	-
Inspection fees	-	-	-	-
Capital improvements	-	-	-	1,480,831
Committed				
Cemetery trust	-	-	-	-
Unfunded pension liability	499,543	-	-	-
Facility improvements	2,500,000	-	-	-
Unassigned	6,221,918	-	-	-
Total fund balances	<u>9,241,411</u>	<u>2,463,215</u>	<u>1,311,410</u>	<u>1,480,831</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 11,088,778</u>	<u>\$ 4,482,118</u>	<u>\$ 2,106,007</u>	<u>\$ 2,025,541</u>

The accompanying notes are an integral part of these financial statements.

<u>Library</u>	<u>Pathways</u>	<u>Inspections</u>	<u>Open Space</u>	<u>Nonmajor Governmental Funds</u>	<u>Total</u>
\$ 2,064,951	\$ 1,726,469	\$ 3,418,226	\$ 732,622	\$ 801,481	\$ 23,096,810
88,940	208,181	-	136,182	-	2,239,448
136,354	319,681	-	209,154	-	3,349,617
-	-	-	-	-	539,710
-	-	-	-	10,000	21,378
-	-	-	-	-	266,758
-	-	14,631	-	-	55,595
<u>\$ 2,290,245</u>	<u>\$ 2,254,331</u>	<u>\$ 3,432,857</u>	<u>\$ 1,077,958</u>	<u>\$ 811,481</u>	<u>\$ 29,569,316</u>
\$ 20,603	\$ 34,121	\$ 25,481	\$ 265	\$ -	\$ 314,020
-	-	15,093	-	-	74,733
-	-	11,378	-	-	21,378
<u>20,603</u>	<u>34,121</u>	<u>51,952</u>	<u>265</u>	<u>-</u>	<u>410,131</u>
<u>225,293</u>	<u>527,862</u>	<u>-</u>	<u>345,335</u>	<u>-</u>	<u>6,000,877</u>
-	-	14,631	-	-	55,595
-	-	-	-	100,194	100,194
2,044,349	1,692,348	-	732,358	-	8,222,666
-	-	3,366,274	-	-	3,366,274
-	-	-	-	702,244	2,183,075
-	-	-	-	9,043	9,043
-	-	-	-	-	499,543
-	-	-	-	-	2,500,000
-	-	-	-	-	6,221,918
<u>2,044,349</u>	<u>1,692,348</u>	<u>3,380,905</u>	<u>732,358</u>	<u>811,481</u>	<u>23,158,308</u>
<u>\$ 2,290,245</u>	<u>\$ 2,254,331</u>	<u>\$ 3,432,857</u>	<u>\$ 1,077,958</u>	<u>\$ 811,481</u>	<u>\$ 29,569,316</u>

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CASCADE CHARTER TOWNSHIP

RECONCILIATION OF FUND BALANCES ON THE BALANCE SHEET FOR GOVERNMENTAL FUNDS TO NET POSITION OF GOVERNMENTAL ACTIVITIES ON THE STATEMENT OF NET POSITION

DECEMBER 31, 2018

Fund balances - total governmental funds	\$ 23,158,308
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Amounts reported for *governmental activities* in the statement of net position are different because

Capital assets used in governmental activities are not current financial resources and therefore are not reported in the funds.

Add - land	9,966,753
Add - capital assets (net of accumulated depreciation)	10,121,220

Certain assets are not due and receivable in the current period and therefore are offset with deferred revenue or not included in the funds.

Add - special assessments deferred receivable	539,710
Add - accrued interest receivable	131,249

Deferred outflows and inflows reported on the statement of net position are recognized over future periods and therefore are not reported in the funds.

Add - deferred outflows related to pensions	816,773
Deduct - deferred inflows related to pensions	(89,634)

Certain liabilities are not due and payable in the current period and therefore are not reported in the funds.

Deduct - compensated absences payable	(104,106)
Deduct - net pension liability	(3,436,041)
Deduct - bonds, obligations, and notes payable	(3,072,849)
Deduct - accrued interest on bonds and notes payable	(10,219)

Net position of governmental activities	<u>\$ 38,021,164</u>
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The accompanying notes are an integral part of these financial statements.

CASCADE CHARTER TOWNSHIP

**GOVERNMENTAL FUNDS
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES**

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>General</u>	<u>Fire</u>	<u>Police</u>	<u>Improvement Revolving</u>
Revenues				
Property taxes	\$ 2,143,436	\$ 1,946,874	\$ 671,298	\$ -
Licenses and permits	410,846	-	-	-
State	1,600,763	-	-	-
Local	-	-	-	-
Charges for services	166,258	-	-	-
Interest	333,577	63,729	12,055	31,525
Miscellaneous	143,998	4,980	-	542,333
Total revenues	<u>4,798,878</u>	<u>2,015,583</u>	<u>683,353</u>	<u>573,858</u>
Expenditures				
Current				
General government	1,847,120	-	-	-
Public safety	-	2,420,786	643,617	-
Public works	1,648,429	-	-	-
Community and economic development	363,109	-	-	-
Culture and recreation	78,396	-	-	-
Other	810,067	-	-	-
Debt service				
Principal	-	-	-	-
Interest	-	-	-	-
Capital outlay	463,712	83,731	-	324,097
Total expenditures	<u>5,210,833</u>	<u>2,504,517</u>	<u>643,617</u>	<u>324,097</u>
Revenues over (under) expenditures	<u>(411,955)</u>	<u>(488,934)</u>	<u>39,736</u>	<u>249,761</u>
Other financing sources (uses)				
Transfers in	145,384	400,000	-	-
Transfers out	(443,000)	-	(31,499)	-
Total other financing sources (uses)	<u>(297,616)</u>	<u>400,000</u>	<u>(31,499)</u>	<u>-</u>
Net changes in fund balances	(709,571)	(88,934)	8,237	249,761
Fund balances, beginning of year	<u>9,950,982</u>	<u>2,552,149</u>	<u>1,303,173</u>	<u>1,231,070</u>
Fund balances, end of year	<u>\$ 9,241,411</u>	<u>\$ 2,463,215</u>	<u>\$ 1,311,410</u>	<u>\$ 1,480,831</u>

The accompanying notes are an integral part of these financial statements.

<u>Library</u>	<u>Pathways</u>	<u>Inspections</u>	<u>Open Space</u>	<u>Nonmajor Governmental Funds</u>	<u>Total</u>
\$ 231,930	\$ 615,788	\$ -	\$ 355,408	\$ -	\$ 5,964,734
-	-	2,163,175	-	-	2,574,021
-	-	-	-	-	1,600,763
32,870	-	-	-	-	32,870
-	-	-	-	4,885	171,143
41,218	18,582	27,413	11,391	13,359	552,849
-	6,970	2,100	1,000	5,000	706,381
<u>306,018</u>	<u>641,340</u>	<u>2,192,688</u>	<u>367,799</u>	<u>23,244</u>	<u>11,602,761</u>
-	-	-	-	4,437	1,851,557
-	-	1,563,357	-	1,267	4,629,027
-	-	-	-	-	1,648,429
-	-	-	-	-	363,109
275,606	33,444	-	18,482	-	405,928
-	-	-	-	-	810,067
-	-	-	-	254,000	254,000
-	-	-	-	72,475	72,475
15,369	64,061	32,829	-	4,982	988,781
<u>290,975</u>	<u>97,505</u>	<u>1,596,186</u>	<u>18,482</u>	<u>337,161</u>	<u>11,023,373</u>
<u>15,043</u>	<u>543,835</u>	<u>596,502</u>	<u>349,317</u>	<u>(313,917)</u>	<u>579,388</u>
-	-	-	-	369,475	914,859
-	-	(113,885)	(326,475)	-	(914,859)
-	-	(113,885)	(326,475)	369,475	-
15,043	543,835	482,617	22,842	55,558	579,388
2,029,306	1,148,513	2,898,288	709,516	755,923	22,578,920
<u>\$ 2,044,349</u>	<u>\$ 1,692,348</u>	<u>\$ 3,380,905</u>	<u>\$ 732,358</u>	<u>\$ 811,481</u>	<u>\$ 23,158,308</u>

CASCADE CHARTER TOWNSHIP

**RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF ACTIVITIES**

FOR THE YEAR ENDED DECEMBER 31, 2018

Net changes in fund balances - total governmental funds	\$ 579,388
<p>Amounts reported for <i>governmental activities</i> in the statement of activities are different because</p> <p>Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets are allocated over their estimated useful lives and reported as depreciation expense.</p>	
Add - capital outlay	600,565
Deduct - depreciation expense	(874,322)
Deduct - net book value of disposed capital assets	(91,684)
<p>Special assessments receivable are long-term in nature and are collectable over several years. However the current receipts are reflected as revenues on the fund statements.</p>	
Deduct - net decrease in special assessments	(3,119,485)
<p>Interest receivable is recognized when earned in the statement of activities but is reflected as revenue on the fund statement when it is received.</p>	
Deduct - decrease in accrued interest receivable	(8,781)
<p>Bond or note proceeds provide current financial resources to governmental funds in the period issued, but issuing debt increases long-term liabilities in the statement of net position. Repayment of bond or note principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net position.</p>	
Add - principal payments on debt	254,000
Deduct - issuance of obligation payable	(426,769)
Add - principal paid on obligation payable	293,920
<p>Some expenses reported in the statement of activities do not require the use of current financial resources and therefore are not reported as expenditures in the funds.</p>	
Deduct - increase in net pension liability	(1,347,558)
Add - increase in deferred outflows related to pension	475,933
Add - decrease in deferred inflows related to pension	217,029
Deduct - increase in compensated absences	(331)
Add - decrease in accrued interest	3,470
Change in net position of governmental activities	<u>\$ (3,444,625)</u>

The accompanying notes are an integral part of these financial statements.

CASCADE CHARTER TOWNSHIP
AGENCY FUNDS
STATEMENT OF ASSETS AND LIABILITIES
DECEMBER 31, 2018

	Agency Funds
Assets	
Cash and pooled investments	\$ 3,644,092
Accounts receivable	<u>500</u>
Total assets	<u>\$ 3,644,592</u>
Liabilities	
Accounts payable	\$ 2,125,120
Escrow deposits	141,064
Due to other governmental units	<u>1,378,408</u>
Total liabilities	<u>\$ 3,644,592</u>

The accompanying notes are an integral part of these financial statements.

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CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accounting policies of Cascade Charter Township (the "Township") conform to generally accepted accounting principles as applicable to governments. The following is a summary of the significant policies.

Reporting Entity

These financial statements present the Township and its component units, entities for which the Township is considered to be financially accountable. Blended component units, although legally separate entities are, in substance, part of the Township's operations, so data from these units are combined with data of the primary government. Discretely presented component units are reported in separate columns in the financial statements to emphasize they are legally separate from the Township.

Blended Component Unit

The Building Authority (the "Authority") serves all the citizens of the Township and is governed by a Board appointed by the Township's Board. The primary purpose of the Authority is to acquire and construct Township public buildings. The Authority issues bonds that are approved by the Township Board, and the legal liability for the Authority's debt remains with the Township. The Authority then leases the assets to the Township to finance the repayment of the bonds. The Authority is reported as a debt service fund.

Discretely Presented Component Unit

The Downtown Development Authority (the "DDA") was created to correct and prevent deterioration in the downtown area and promote economic growth within downtown. The DDA governing body consists of individuals that are appointed by the Township's Board. The Township's Board approves the DDA's budget and has the ability to significantly influence operations of the DDA. Financial statements are not separately issued for the DDA.

This component unit provides services to the businesses located within the district. It is reported in a separate column to emphasize they are legally separate from the Township.

Government-wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the nonfiduciary activities of the primary government and its component units. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes and intergovernmental revenues are reported in total. The Township had no business-type activities. The *primary government* is reported separately from certain legally separate *component units* for which the primary government is financially accountable.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include (1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and (2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

Separate financial statements are provided for governmental funds and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds are reported as separate columns in the fund financial statements.

Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*, except for agency funds which do not have a measurement focus. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period, except for state shared revenue and reimbursement-based grants which use a one year collection period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, net pension liability and claims and judgments, are recorded only when payment is due. Property taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the Township.

The Township reports the following major governmental funds:

The *General Fund* is the general operating fund of the Township. It is used to account for all financial resources, except those required to be accounted for in another fund.

The *Fire Special Revenue Fund* is used to account for a special tax millage levied by the Township to maintain the operations and debt service of the Township Fire Department.

The *Police Special Revenue Fund* is used to account for a special tax millage levied by the Township to maintain law enforcement activities in the Township.

The *Improvement Revolving Special Revenue Fund* is used to account for a special assessment and fees used to construct and improve the sewer sanitation and water supply systems in the Township.

The *Library Special Revenue Fund* is used to account for a special tax millage levied by the Township to maintain operations and debt service of the Township library.

The *Pathways Special Revenue Fund* is used to account for a special tax millage levied by the Township to maintain operations and debt service of the Township pedestrian pathways system.

The *Inspections Special Revenue Fund* is used to account for permit fees collected to maintain the operations of the Township inspections department.

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

The *Open Space Special Revenue Fund* is used to account for a special tax millage levied by the Township purchase land needed for Township park development.

Additionally, the Township reports the following fund types:

The *Special Revenue Funds* are used to account for the proceeds of specific revenue sources (other than permanent trusts or major capital projects) that are legally restricted to expenditures for specified purposes.

The *Debt Service Fund* is used to account for the accumulation of resources for, and payment of, long-term debt principal, interest, and related costs.

The *Permanent Fund* accounts for fees collected to be used for cemetery improvements.

The *Agency Funds* are used to account for the collection and disbursement of funds that are collected on behalf of outside governments or other parties.

Budgets and Budgetary Accounting

Comparisons to budget are presented for the general and special revenue funds. General and special revenue funds adopt a legal budget with remaining funds maintaining budgets as a management control device. The Township follows these procedures in establishing the budgetary data reflected in the financial statements:

1. The Township Manager submits to the Township Board a proposed operating budget for the fiscal year commencing the following January 1.
2. Public hearings are conducted to obtain taxpayer comments.
3. Prior to January 1, the budget is legally enacted through passage of a resolution.
4. Budgets for the general and special revenue funds are adopted on a basis consistent with generally accepted accounting principles (GAAP).
5. Supplemental appropriations, when required to provide for appropriate expenditures are matched by additional anticipated revenues or an appropriation of available fund balance and must be approved by the Township Board. All appropriations lapse at year-end.

The appropriated budget is prepared by fund, function and department. The legal level of budgetary control is the department level. Supplemental appropriations were made during the year.

Cash and Pooled Investments

The Township's cash and pooled investments are considered to be cash equivalents because the balances are pooled and readily available similar to a demand deposit account.

CASCADE CHARTER TOWNSHIP
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2018

Investments

Investments are stated at fair value at the balance sheet date.

State statutes and Township policy authorize the Township to invest in:

- a. Bond, securities, other obligations and repurchase agreements of the United States, or an agency or instrumentality of the United States.
- b. Certificates of deposit, savings accounts, deposit accounts or depository receipts of a qualified financial institution.
- c. Commercial paper rated at the time of purchase within the two highest classifications established by not less than two standard rating services and that matures not more than 270 days after the date of purchase.
- d. Bankers' acceptances of United States banks.
- e. Obligations of the State of Michigan and its political subdivisions that, at the time of purchase that are rated as investment grade by at least one standard rating service.
- f. Mutual funds registered under the Investment Company Act of 1940 with the authority to purchase only investment vehicles that are legal for direct investment by a public corporation.
- g. External investment pools as authorized by Public Act 20 as amended.

Interfund Receivables and Payables

Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "due to/from other funds" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds".

Prepaid Items

Certain payments to vendors represent costs applicable to future accounting periods and are recorded as prepaid items in both the government-wide and fund financial statements. Prepaid items are accounted for following the consumption method

Capital Assets

Capital assets, which include land, land improvements, infrastructure, buildings and improvements, vehicles, and furniture and equipment, are reported in the in the government-wide financial statements.

Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 or more than \$15,000 for land improvements and building improvements and an estimated useful life in excess of one year. Such assets are valued at cost where historical records are available and at estimated historical cost where no historical records exist. Donated capital assets are valued at their fair value (the price that would be paid to acquire an asset with equivalent service potential in an orderly market transaction) on the date received.

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized. Improvements are capitalized and depreciated over the remaining useful lives of the related capital assets, as applicable.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Depreciation on capital assets is computed using the straight-line method over the following estimated useful lives:

	<u>Years</u>
Land improvements	10-25
Infrastructure	50
Buildings and improvements	5-50
Vehicles	5-20
Furniture and equipment	5-15

Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/ expenditure) until then. The Township has items that qualify for reporting in this category related to the net pension liability that is discussed in Note 7.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. The governmental funds and governmental activities report unearned revenues from property taxes levied for the following year. Additionally the governmental funds report unavailable revenue related to special assessments. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available. The Township also has items that qualify for reporting in this category related to the net pension liability that is discussed in Note 7.

Long-Term Obligations

In the government-wide financial statements, the long-term debt and other long-term obligations are reported as liabilities in the statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the effective interest method.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as expenditures.

Compensated Absences

Under contracts negotiated with employee groups, individual employees have a vested right to receive payments for unused vacation and sick leave under formulas and conditions specified in the contracts. Accumulated compensated absences of governmental funds are recorded on the statement of net position and not on the governmental fund balance sheets because the balance is not expected to be liquidated with expendable available financial resources. For governmental activities, compensated absences are generally liquidated by the general fund.

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

Pensions

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense; information about the fiduciary net position of the Municipal Employees Retirement System (MERS) of Michigan and additions to/deductions from MERS' fiduciary net position have been determined on the same basis as they are reported by MERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Net Position and Fund Balance Reporting

Governmental funds report fund balance in the following five categories:

1. Non-spendable - the related asset's form does not allow expenditure of the balance. The assets are either (a) not in a spendable form or (b) legally or contractually required to be maintained intact. Nonspendable fund balance would be equal to inventory, prepaid items, non-current financial assets, and the nonspendable portion of endowments.
2. Restricted - the related assets can only be spent for the specific purposes stipulated by constitution, external resource providers, or as identified in enabling legislation.
3. Committed - the related assets can only be spent for a specific purpose identified by formal resolution of the governing board.
4. Assigned - the related assets can only be spent for a specific purpose identified by management as authorized by the governing board.
5. Unassigned - is the residual classification and includes all spendable amounts not contained in the other classifications. Only the General Fund can have positive unassigned fund balance.

Net Position and Fund Balance Flow Assumptions

Sometimes the government will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted – net position/fund balance and unrestricted – net position/fund balance, a flow assumption must be made about the order in which the resources are considered to be applied. It is the government's policy to use restricted resources first, then unrestricted resource as they are needed. Further, when the components of unrestricted fund balance can be used for the same purpose, committed fund balance is depleted first, followed by assigned fund balance. Unassigned fund balance is applied last.

Property Taxes

Township property taxes attach as an enforceable lien on property as of December 1 of each year and are due without penalty on or before February 14. Tax bills include the Township's own property taxes and taxes billed on behalf of other taxing units. Real property taxes not collected as of March 1 are turned over to the county for collection, which advances the Township 100% of the delinquent real property taxes. Collection of delinquent personal property taxes remains the responsibility of the Township Treasurer. The December 1 levy is offset with unearned revenue at the end of the year because it is intended to fund expenditures of the following year.

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

Interfund Transactions

During the course of normal operations, the Township has numerous transactions between funds. Transactions that constitute reimbursement to a fund for expenditures/expenses initially made from it that are properly applicable to another fund, are recorded as expenditures/expenses in the reimbursing fund and as a reduction of expenditures/expenses in the fund that is reimbursed. Remaining transactions are generally reflected as transfers.

Risk Management

The Township is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees and natural disasters. During the year ended December 31, 2018, the Township carried commercial insurance to cover risks of losses. Settled claims resulting from these risks have not exceeded insurance coverage in any of the past three fiscal years.

2. STATUTORY COMPLIANCE

Michigan law provides that a local unit shall not incur expenditures in excess of the amount appropriated.

In the body of the financial statements, the Township's actual expenditures and budgeted expenditures for the budgeted funds have been shown on a departmental basis. The approved budgets of the Township for these budgeted funds were adopted at the department level. Changes in appropriations at the fund level require Board approval.

During the year ended December 31, 2018, the Township incurred expenditures in excess of the amount appropriated as follows:

	<u>Final Budget</u>	<u>Actual</u>	<u>Unfavorable Variance</u>
General Fund			
General government			
Treasurer	\$139,712	\$141,290	\$1,578
Public works			
Street lighting	123,000	129,197	6,197
Community and economic development			
Planning commission	350,370	362,089	11,719
Culture and recreation			
Parks and recreation	60,900	67,852	6,952
Historical	10,460	10,544	84
Transfers out	441,500	443,000	1,500
Library Special Revenue Fund			
Culture and recreation	258,258	275,606	17,348
Inspections Special Revenue Fund			
Capital outlay	32,000	32,829	829
Transfers out	105,300	113,885	8,585
Hazmat Special Revenue Fund			
Capital outlay	3,000	4,982	1,982

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

3. CASH AND POOLED INVESTMENTS

The captions on the financial statements relating to cash and pooled investments and investments are as follows:

	<u>Primary Government</u>	<u>Component Unit</u>	<u>Fiduciary Funds</u>	<u>Total</u>
Cash and pooled investments	\$23,096,810	\$1,112,093	\$3,644,092	\$27,852,995

The cash and investments making up the above balances are as follows:

Deposits	\$21,511,991
Petty cash	405
Investments	<u>6,340,599</u>
 Total	 <u>\$27,852,995</u>

The deposits are in financial institutions located in Michigan in varying amounts. State policy limits the Treasurer's investing options to financial institutions located in Michigan, with some exception. All accounts except as noted are in the name of the Township and a specific fund or common account. They are recorded in Township records at fair value. Interest is recorded when earned.

Custodial Credit Risk - Deposits. Custodial credit risk is the risk that in the event of a bank failure, the Township's deposits may not be returned. State law does not require, and the Township does not have, a policy for deposit custodial credit risk. As of year-end, \$16,485,979 of the Township's bank balance of \$22,304,250 was exposed to custodial credit risk because the balance was uninsured and uncollateralized.

Investments

The Township chooses to disclose its investments by specifically identifying each. As of year-end, the Township had the following investments:

	<u>Maturity</u>	<u>Fair Value</u>	<u>Rating</u>	<u>Source</u>
Investment pool accounts				
Kent County Investment Pool	N/A	\$1,135,508	Unrated	
MI Class Investment Pool	N/A	4,219,206	AAAm	S&P
JP Morgan Commercial Paper	3/22/2019	<u>985,885</u>	A1	Moody
 Total		 <u>\$6,340,599</u>		

The Township categorizes its fair value measurements of investments within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs.

The Township has the following recurring fair value measurements as of year-end:

- The Township does not have any investments that are valued using quoted market prices (Level 1 inputs).

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

- The Kent County Investment Pool, MI Class Investment Pool, and commercial paper are valued using a pricing model utilizing observable fair value measures of fund/pool investments and other observable inputs to determining the fair value of the securities making up the of investments fund/pool (Level 2 inputs).
- The Township does not have any investments that report fair value based on significant unobservable inputs (Level 3 inputs).

Investment and deposit risk

Interest Rate Risk. State law and Township policy limit the allowable investments and the maturities of some of the allowable investments as identified in Note 1, the summary of significant accounting policies. The Township's investment policy does not have specific limits in excess of state law on investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates. The maturity date for each investment is identified above for investments held at year-end. There is no stated maturity date for the Township's investment in the Kent County Public Funds Investment Pool identified above.

At December 31, 2018, the balance of the Kent County Public Funds Investment Pool consisted of the following:

<u>Investment</u>	<u>Percentage of pool total</u>	<u>Maturity in years</u>
Government agency securities	15.9%	0-3
Certificates of deposits	66.5%	0-3
Money market accounts	17.6%	Not applicable

Credit Risk. State law limits investments to specific government securities, certificates of deposits and bank accounts with qualified financial institutions, commercial paper with specific maximum maturities and ratings when purchased, bankers acceptances of specific financial institutions, qualified mutual funds and qualified external investment pools as identified in Note 1, the summary of significant accounting policies. The investment policy does not have specific limits in excess of state law on investment credit risk. The rating for each investment is identified above for investments held at year-end.

Custodial Credit Risk - Investments. For an investment, custodial credit risk is the risk that, in the event of the failure of the counterparty, the Township will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. State law does not require, and the Township does not have, a policy for investment custodial credit risk. Of the above investments in pools and mutual funds, the Township's custodial credit risk exposure cannot be determined because the mutual funds and the investment pools do not consist of specifically identifiable securities.

Concentration of Credit Risk. State law limits allowable investments but does not limit concentration of credit risk as identified in Note 1, the summary of significant accounting policies. The Township's investment policy does not have specific limits in excess of state law on concentration of credit risk. All investments held at year-end are reported above.

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

4. CAPITAL ASSETS

Capital asset activity for the year was as follows:

	Balance January 1, 2018	Additions	Deletions	Balance December 31, 2018
Governmental Activities				
Capital assets, not being depreciated				
Land	\$ 9,932,583	\$ 34,170	\$ -	\$ 9,966,753
Capital assets, being depreciated				
Land improvements	8,604,258	134,542	99,861	8,638,939
Infrastructure	1,400,000	-	-	1,400,000
Buildings and improvements	8,716,292	295,066	16,388	8,994,970
Furniture and equipment	1,611,174	54,286	307,301	1,358,159
Vehicles	2,509,036	82,501	95,808	2,495,729
Total capital assets, being depreciated	22,840,760	566,395	519,358	22,887,797
Less accumulated depreciation for				
Land improvements	5,841,970	410,253	40,913	6,211,310
Infrastructure	896,000	28,000	-	924,000
Buildings and improvements	3,708,447	220,884	9,889	3,919,442
Furniture and equipment	1,062,407	97,040	293,562	865,885
Vehicles	811,105	118,145	83,310	845,940
Total accumulated depreciation	12,319,929	874,322	427,674	12,766,577
Net capital assets, being depreciated	10,520,831	(307,927)	91,684	10,121,220
Governmental Activities capital assets, net	\$20,453,414	\$(273,757)	\$91,684	\$20,087,973
Component Unit				
Capital assets, not being depreciated				
Land	\$ 59,366	\$ -	\$ -	\$ 59,366
Construction in progress	-	-	-	-
Total capital assets, not being depreciated	59,366	-	-	59,366
Capital assets being depreciated				
Land improvements	7,570,820	-	19,711	7,551,109
Furniture and equipment	20,913	15,479	-	36,392
Vehicles	46,528	-	-	46,528
Total capital assets, being depreciated	7,638,261	15,479	19,711	7,634,029
Less accumulated depreciation for				
Land improvements	3,041,427	302,043	6,084	3,337,386
Furniture and equipment	837	4,894	-	5,731
Vehicles	46,528	-	-	46,528
Total accumulated depreciation	3,088,792	306,937	6,084	3,389,645
Net capital assets, being depreciated	4,549,469	(291,458)	13,627	4,244,384
Component Unit capital assets, net	\$4,608,835	\$(291,458)	\$13,627	\$4,303,750

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

Depreciation expense was charged to functions/programs of the primary government as follows:

Governmental Activities	
General government	\$122,614
Public safety	191,244
Recreation and cultural	<u>560,464</u>
Total depreciation expense - governmental activities	<u><u>\$874,322</u></u>

5. INTERFUND TRANSACTIONS

Transfers in and out for the year are as follows:

Transfers out	Transfers in			
	<u>General fund</u>	<u>Fire fund</u>	<u>Non-major funds</u>	<u>Total</u>
General fund	\$ -	\$400,000	\$ 43,000	\$443,000
Police fund	31,499	-	-	31,499
Inspections fund	113,885	-	-	113,885
Open space fund	-	-	326,475	326,475
	<u>\$145,384</u>	<u>\$400,000</u>	<u>\$369,475</u>	<u>\$914,859</u>

Transfers are used to (1) move unrestricted revenues collected in the general fund to finance capital and other various programs accounted for in other funds in accordance with budgetary authorizations and (2) move funds as provided for in the budget.

Amounts due to non-major funds from the general fund represent amounts allocated to the fund but not yet paid.

6. LONG-TERM DEBT

The following is a summary of the debt transactions of the Township for the year ended December 31, 2018:

	<u>Balance January 1, 2018</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance December 31, 2018</u>	<u>Due Within One Year</u>
\$4,430,000 Building Authority Bonds of 2009; due in annual installments of \$195,000 to \$340,000 plus interest at 2.65-4.50% through May 2028	\$ 455,000	\$ -	\$225,000	\$ 230,000	\$230,000
\$2,739,000 General Obligation Refunding Bonds of 2017; due in annual installments of \$29,000 to \$321,000 plus interest at 1.94% through May 2028	2,739,000	-	29,000	2,710,000	35,000

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Balance</u> <u>January 1,</u> <u>2018</u>	<u>Additions</u>	<u>Deletions</u>	<u>Balance</u> <u>December 31,</u> <u>2018</u>	<u>Due</u> <u>Within</u> <u>One Year</u>
\$426,769 2018 Pension conversion obligation; due in annual installments ranging from \$85,579 to \$3,356 through December 2021	\$ -	\$426,769	\$293,920	\$ 132,849	\$ 85,579
Total Long-Term Debt	3,194,000	426,769	547,920	3,072,849	350,579
Accrued compensated absences	103,775	331	-	104,106	60,480
Total Governmental Activities	\$3,297,775	\$427,100	\$547,920	\$3,176,955	\$411,059
Component Unit					
Downtown Development Authority					
\$912,000 Development Refunding Notes of 2010; due in annual installments of \$88,000 to \$103,000 plus interest at 1.90-3.65% through Oct. 2020	\$300,000	\$ -	\$97,000	\$203,000	\$100,000

The annual requirements to amortize all debt outstanding (excluding issuance discount and accrued compensated absences) as of December 31, 2018, are as follows:

<u>Year Ending</u> <u>December 31</u>	<u>Governmental Activities</u>		<u>Component Units</u>	
	<u>Principal</u>	<u>Interest</u>	<u>Principal</u>	<u>Interest</u>
2019	\$ 350,579	\$ 56,605	\$ 100,000	\$7,210
2020	317,914	49,238	103,000	3,760
2021	282,356	43,873	-	-
2022	284,000	38,412	-	-
2023	293,000	32,816	-	-
2024-2028	1,545,000	76,079	-	-
Total	\$3,072,849	\$297,023	\$203,000	\$10,970

During fiscal 2017, the Township issued \$2,739,000 of refunding bonds to provide resources to purchase U.S. Government securities that were placed in an irrevocable trust for debt service. As a result, the refunded bonds are considered to be defeased and the liability has been removed from the statement of net position. As of December 31, 2018, \$2,585,000 of the outstanding bonds payable are considered defeased and will be called in May 2019.

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

7. PENSION PLANS

Defined Benefit Pension Plan

The Township participates in the Municipal Employees Retirement System of Michigan (MERS). MERS is an agent multiple employer, statewide public employee pension plan established by the Michigan Legislature under Public Act 135 of 1945 and administered by a nine-member Retirement Board. MERS issues a publicly available financial report that includes financial statements and required supplementary information. This report may be obtained accessing the MERS website at www.mersofmich.com.

Benefits Provided

Only full-time employees participate in the plan. Benefits provided include a multiplier of 2.0 times final average compensation with a vesting period of 8 years. Normal retirement age is 60 with early retirement at 55 with 25 years of service with various benefits. Benefits are calculated using final average compensation of 5 years.

Benefit terms provide for annual cost-of-living adjustments to each employee's retirement allowance subsequent to the employee's retirement date. The annual adjustments are 2.5%.

Membership of the defined benefit plan consisted of the following at the date of the latest actuarial valuation (December 31, 2017):

Active plan members	43
Inactive employees entitled but not yet receiving benefits	5
Inactive employees or beneficiaries currently receiving benefits	<u>22</u>
Total	<u>70</u>

The defined benefit plan was closed to new entrants during the year ended December 31, 2018 and participants were offered a one-time incentive to convert from the defined benefit plan to the defined contribution plan.

Contributions

The Township is required to contribute at an actuarially determined rate, which for the current year was 12.58% of annual covered payroll. Contributions are determined based on participating employees. Participating employees are required to contribute 5.04% percent of gross wages to the Plan. The contribution requirements of the Township are established and may be amended by the MERS Retirement Board. The contribution requirements of employees are established and may be amended by labor agreements.

Net Pension Liability

The employer's net pension liability was measured as of December 31, 2018, and the total pension liability used to calculate the net pension liability was determined by an annual actuarial valuation as of December 31, 2017.

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

The total pension liability calculated in the December 31, 2017 annual actuarial valuation was determined using the following actuarial assumptions, applied to all periods included in the measurement:

- Inflation: 3%-4%
- Salary Increases: 3.75%
- Investment rate of return: 7.75%, net of investment expense, including inflation
- Mortality rates used were based on the 1994 Group Annuity Mortality Table of a 50% Male and 50% Female blend. For disabled retirees, the regular mortality table is used with a 10-year set forward in ages to reflect the higher expected mortality rates of disabled members.

The actuarial assumptions used in the valuation were based on the results of the most recent actuarial experience study.

The long-term expected rate of return on pension plan investments was determined using a model method in which the best-estimate ranges of expected future real rates of return (expected returns, net of investment and administrative expenses and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Long-Term Expected Real Rate of Return</u>	<u>Expected Money Weighted Rate of Return*</u>
Global Equity	57.5%	6.27%	3.60%
Global Fixed Income	20.0%	3.43%	0.68%
Real Assets	12.5%	5.48%	0.69%
Diversifying Strategies	10.0%	7.81%	0.78%
Inflation			2.00%
Administrative fee			0.25%
			<hr/>
Investment rate of return			8.00%
			<hr/> <hr/>

Discount rate. The discount rate used to measure the total pension liability is 8.00%. The projection of cash flows used to determine the discount rate assumes that employer and employee contributions will be made at the rates agreed upon for employees and the actuarially determined rates for employers. Based on these assumptions, the pension plan's fiduciary net position was projected to be available to pay all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

Changes in the Net Pension Liability

	Increase (Decrease)		
	Total Pension Liability (a)	Plan Fiduciary Net Position (b)	Net Pension Liability (a)-(b)
Balance at December 31, 2017	\$10,564,726	\$8,476,243	\$2,088,483
Changes for the Year:			
Service cost	324,267	-	324,267
Interest	830,058	-	830,058
Change in benefits	-	-	-
Difference between expected and actual experience	13,247	-	13,247
Change in assumptions	-	-	-
Contributions: employer	-	305,411	(305,411)
Contributions: employee	-	120,780	(120,780)
Net investment Income	-	(324,408)	324,408
Benefit payments, including refunds	(702,280)	(702,280)	-
Administrative expense	-	(16,413)	16,413
Other changes	265,356	-	265,356
Net changes	730,648	(616,910)	1,347,558
Balance at December 31, 2018	<u>\$11,295,374</u>	<u>\$7,859,333</u>	<u>\$3,436,041</u>

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

The following presents the net pension liability of the employer, calculated using the discount rate of 8.00%, as well as what the employer's net pension liability would be using a discount rate that is 1 percentage point lower (7.00%) or 1% higher (9.00%) than the current rate.

	1% Decrease	Current Discount Rate	1% Increase
Total Pension Liability	\$12,737,656	\$11,295,374	\$10,085,229
Fiduciary Net Position	7,859,333	7,859,333	7,859,333
Net Pension Liability	<u>\$ 4,878,323</u>	<u>\$ 3,436,041</u>	<u>\$ 2,225,896</u>

Pension Expense and Deferred Outflows of Resources Related to Pensions

For the year ended December 31, 2018 the employer recognized pension expense of \$960,007. The employer reported deferred outflows and inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences in experience	\$ -	\$89,634
Differences in assumptions	227,227	-
Excess (deficit) investment returns	589,546	-
Total	<u>\$816,773</u>	<u>\$89,634</u>

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

Amounts reported as deferred outflows and inflows of resources related to the pension will be recognized in pension expense as follows:

2019	\$311,093
2020	176,828
2021	38,404
2022	200,814
2023	-
Thereafter	-
Total	<u>\$727,139</u>

Defined Contribution Pension Plan

The Township maintains a defined contribution plan administered by an insurance company. The Township contributes 10 percent of each eligible employee's salary to the plan. Employees are also able to make additional voluntary contributions. Plan provision and contribution requirements are established and may be amended by the Board. The Township's contribution for 2018 was \$13,863.

The Township established a new defined contribution plan administered by MERS. Depending on hire date, the Township contributes 5 to 6 percent of each eligible employee's salary to the plan and will match an additional 5 to 6 percent of each eligible employee's salary. Employees previously participating in the MERS defined benefit pension plan were given a one-time incentive offer to convert to the MERS defined contribution plan. The Township paid \$293,920 for the incentives in 2018 and an obligation payable in the amount of \$132,849 has been recorded for additional incentive payments to be made in future years. The Township's contribution in 2018, not including incentive payments, was \$87,486.

8. LEASE AGREEMENT

The Township renewed an agreement in 2016, which provides for the leasing of the Cascade Dam to a private company for the purpose of generating and selling hydroelectric power. The original lease term through 2018 has an annual base rental of \$70,416 plus an annual maintenance reserve fee of \$5,000. Under the new agreement, the lease will automatically be extended for an additional 18 years upon expiration of the original term (through 2036). In years 2019 through 2029, the annual base rental is \$70,000 and from 2030 to 2036 the annual base rental will be \$72,000. The annual maintenance reserve fee will continue to be \$5,000 through the term of the new lease agreement. This is collected by the Township General Fund; \$40,000 plus the \$5,000 maintenance reserve fee is set aside each year in the Cascade Dam Major Repair Fund. At December 31, 2018, the Cascade Dam Major Repair Fund has accumulated \$674,767.

CASCADE CHARTER TOWNSHIP

NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED DECEMBER 31, 2018

The Township is also a lessee under an operating lease for building space. Lease expenditures for the year ended December 31, 2018 amounted to \$69,797. Future minimum lease payments for these leases are as follows:

Year Ending December 31,	Amount
2019	\$ 60,464
2020	61,625
2021	62,837
2022	58,619
	<u>\$243,545</u>

9. CONTINGENT LIABILITIES

In the normal course of its operations, the Township has become a party in various legal actions, including property tax appeals. Management of the Township is of the opinion that the outcome of such actions will not have a material effect on the financial position of the Township.

Amounts received or receivable from grantor agencies are subject to audit and adjustment by the grantor agencies, principally the federal and state government. Any disallowed claims, including amounts already collected, may constitute a liability to the applicable funds. The amount, if any, of expenditures that may be disallowed by the grantor cannot be determined at this time, although the Township expects such amounts, if any, to be immaterial.

10. TAX ABATEMENTS

The Township entered into property tax abatement agreements with local businesses under the Plant Rehabilitation and Industrial Development Districts Act, (known as the Industrial Facilities Exemption) PA 198 of 1974, as amended, provides a tax incentive to manufacturers to enable renovation and expansion of aging facilities, assist in the building of new facilities, and to promote the establishment of high tech facilities. An Industrial Facilities Exemption (IFE) certificate entitles the facility to exemption from ad valorem real and/or personal property taxes for a term of 12 years as determined by the local unit of government. The agreements entered into by the Township include claw back provisions should the recipient of the tax abatement fail to fully meet its commitments, such as employment levels and timelines for relocation. The IFE is computed at half the local property tax millage rate. This amounts to a reduction in property taxes of approximately 50%.

For the year ended December 31, 2018 the Township abated property tax revenues of approximately \$45,000.

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REQUIRED SUPPLEMENTARY INFORMATION

CASCADE CHARTER TOWNSHIP

**GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL**

FOR THE YEAR ENDED DECEMBER 31, 2018

	Budget Amounts		Actual Amount	Variance Positive (Negative)
	Original	Final		
Revenues				
Property taxes	\$ 2,083,450	\$ 2,141,450	\$ 2,143,436	\$ 1,986
Licenses and permits	428,900	428,900	410,846	(18,054)
State	1,558,512	1,590,512	1,600,763	10,251
Charges for services	111,900	158,900	166,258	7,358
Interest	259,500	309,500	333,577	24,077
Miscellaneous	144,177	149,377	143,998	(5,379)
Total revenues	<u>4,586,439</u>	<u>4,778,639</u>	<u>4,798,878</u>	<u>20,239</u>
Expenditures				
Current				
General government				
Township board	57,750	57,750	54,868	2,882
Supervisor	34,285	34,285	27,708	6,577
Manager	132,450	117,450	117,334	116
Clerk	95,168	95,968	91,593	4,375
Treasurer	139,712	139,712	141,290	(1,578)
Assessor	235,583	235,583	227,082	8,501
Elections	39,000	52,000	46,511	5,489
Buildings and grounds	469,784	484,784	467,618	17,166
Cemetery	35,000	35,000	5,711	29,289
Administration	616,429	737,429	667,405	70,024
Public works				
Drains	137,397	137,397	48,719	88,678
Road construction and maintenance	407,300	1,507,300	1,417,414	89,886
Street lighting	113,000	123,000	129,197	(6,197)
Waste collection	62,200	62,200	53,099	9,101
Community and economic development				
Planning commission	337,370	350,370	362,089	(11,719)
Building and zoning	4,000	4,000	1,020	2,980
Culture and recreation				
Parks and recreation	60,900	60,900	67,852	(6,952)
Historical	10,460	10,460	10,544	(84)
Other	737,949	826,553	810,067	16,486
Capital outlay	765,000	890,617	463,712	426,905
Total expenditures	<u>4,490,737</u>	<u>5,962,758</u>	<u>5,210,833</u>	<u>751,925</u>
Revenues over (under) expenditures	<u>95,702</u>	<u>(1,184,119)</u>	<u>(411,955)</u>	<u>772,164</u>
Other financing sources (uses)				
Transfers in	126,499	126,499	145,384	18,885
Transfers out	(441,500)	(441,500)	(443,000)	(1,500)
Total other financing sources (uses)	<u>(315,001)</u>	<u>(315,001)</u>	<u>(297,616)</u>	<u>17,385</u>
Net changes in fund balances	(219,299)	(1,499,120)	(709,571)	789,549
Fund balances, beginning of year	<u>9,950,982</u>	<u>9,950,982</u>	<u>9,950,982</u>	<u>-</u>
Fund balances, end of year	<u>\$ 9,731,683</u>	<u>\$ 8,451,862</u>	<u>\$ 9,241,411</u>	<u>\$ 789,549</u>

CASCADE CHARTER TOWNSHIP

FIRE SPECIAL REVENUE FUND SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Budget Amounts</u>		<u>Actual Amount</u>	<u>Variance Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>		
Revenues				
Property taxes	\$ 1,957,605	\$ 1,961,415	\$ 1,946,874	\$ (14,541)
Interest	45,750	59,750	63,729	3,979
Miscellaneous	3,500	8,100	4,980	(3,120)
Total revenues	<u>2,006,855</u>	<u>2,029,265</u>	<u>2,015,583</u>	<u>(13,682)</u>
Expenditures				
Current				
Public safety	2,124,128	2,457,211	2,420,786	36,425
Capital outlay	130,000	130,000	83,731	46,269
Total expenditures	<u>2,254,128</u>	<u>2,587,211</u>	<u>2,504,517</u>	<u>82,694</u>
Revenues over (under) expenditures	(247,273)	(557,946)	(488,934)	69,012
Other financing sources (uses)				
Transfers in	400,000	400,000	400,000	-
Net changes in fund balances	152,727	(157,946)	(88,934)	69,012
Fund balances, beginning of year	<u>2,552,149</u>	<u>2,552,149</u>	<u>2,552,149</u>	<u>-</u>
Fund balances, end of year	<u>\$ 2,704,876</u>	<u>\$ 2,394,203</u>	<u>\$ 2,463,215</u>	<u>\$ 69,012</u>

CASCADE CHARTER TOWNSHIP

POLICE SPECIAL REVENUE FUND SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Budget Amounts</u>		<u>Actual Amount</u>	<u>Variance Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>		
Revenues				
Property taxes	\$ 681,777	\$ 681,777	\$ 671,298	\$ (10,479)
Interest	<u>8,750</u>	<u>8,750</u>	<u>12,055</u>	<u>3,305</u>
Total revenues	690,527	690,527	683,353	(7,174)
Expenditures				
Current				
Public safety	<u>652,972</u>	<u>652,972</u>	<u>643,617</u>	<u>9,355</u>
Revenues over (under) expenditures	<u>37,555</u>	<u>37,555</u>	<u>39,736</u>	<u>2,181</u>
Other financing sources (uses)				
Transfers out	<u>(31,499)</u>	<u>-</u>	<u>(31,499)</u>	<u>(31,499)</u>
Net changes in fund balances	6,056	37,555	8,237	(29,318)
Fund balances, beginning of year	<u>1,303,173</u>	<u>1,303,173</u>	<u>1,303,173</u>	<u>-</u>
Fund balances, end of year	<u>\$ 1,309,229</u>	<u>\$ 1,340,728</u>	<u>\$ 1,311,410</u>	<u>\$ (29,318)</u>

CASCADE CHARTER TOWNSHIP

**IMPROVEMENT REVOLVING SPECIAL REVENUE FUND
SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL**

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Budget Amounts</u>		<u>Actual Amount</u>	<u>Variance Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>		
Revenues				
Interest	\$ 6,500	\$ 29,500	\$ 31,525	\$ 2,025
Miscellaneous	<u>232,145</u>	<u>482,145</u>	<u>542,333</u>	<u>60,188</u>
Total revenues	238,645	511,645	573,858	62,213
Expenditures				
Capital outlay	<u>173,500</u>	<u>328,500</u>	<u>324,097</u>	<u>4,403</u>
Net changes in fund balances	65,145	183,145	249,761	66,616
Fund balances, beginning of year	<u>1,231,070</u>	<u>1,231,070</u>	<u>1,231,070</u>	<u>-</u>
Fund balances, end of year	<u>\$ 1,296,215</u>	<u>\$ 1,414,215</u>	<u>\$ 1,480,831</u>	<u>\$ 66,616</u>

CASCADE CHARTER TOWNSHIP

LIBRARY SPECIAL REVENUE FUND SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL

FOR THE YEAR ENDED DECEMBER 31, 2018

	Budget Amounts		Actual Amount	Variance Positive (Negative)
	Original	Final		
Revenues				
Property taxes	\$ 223,225	\$ 233,417	\$ 231,930	\$ (1,487)
Local	32,869	32,869	32,870	1
Interest	40,600	40,600	41,218	618
Total revenues	296,694	306,886	306,018	(868)
Expenditures				
Current				
Culture and recreation	204,922	258,258	275,606	(17,348)
Capital outlay	41,000	41,000	15,369	25,631
Total expenditures	245,922	299,258	290,975	8,283
Net changes in fund balances	50,772	7,628	15,043	7,415
Fund balances, beginning of year	2,029,306	2,029,306	2,029,306	-
Fund balances, end of year	\$ 2,080,078	\$ 2,036,934	\$ 2,044,349	\$ 7,415

CASCADE CHARTER TOWNSHIP

PATHWAYS SPECIAL REVENUE FUND SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Budget Amounts</u>		<u>Actual Amount</u>	<u>Variance Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>		
Revenues				
Property taxes	\$ 592,295	\$ 592,295	\$ 615,788	\$ 23,493
Interest	18,600	18,600	18,582	(18)
Miscellaneous	-	-	6,970	6,970
Total revenues	<u>610,895</u>	<u>610,895</u>	<u>641,340</u>	<u>30,445</u>
Expenditures				
Current				
Culture and recreation	38,100	38,100	33,444	4,656
Capital outlay	<u>75,000</u>	<u>75,000</u>	<u>64,061</u>	<u>10,939</u>
Total expenditures	<u>113,100</u>	<u>113,100</u>	<u>97,505</u>	<u>15,595</u>
Net changes in fund balances	497,795	497,795	543,835	46,040
Fund balances, beginning of year	<u>1,148,513</u>	<u>1,148,513</u>	<u>1,148,513</u>	<u>-</u>
Fund balances, end of year	<u>\$ 1,646,308</u>	<u>\$ 1,646,308</u>	<u>\$ 1,692,348</u>	<u>\$ 46,040</u>

CASCADE CHARTER TOWNSHIP

INSPECTIONS SPECIAL REVENUE FUND SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Budget Amounts</u>		<u>Actual Amount</u>	<u>Variance Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>		
Revenues				
Licenses and permits	\$ 1,625,000	\$ 2,019,433	\$ 2,163,175	\$ 143,742
Interest	25,400	27,800	27,413	(387)
Miscellaneous	1,000	1,000	2,100	1,100
Total revenues	<u>1,651,400</u>	<u>2,048,233</u>	<u>2,192,688</u>	<u>144,455</u>
Expenditures				
Current				
Public safety	1,437,042	1,644,308	1,563,357	80,951
Capital outlay	32,000	32,000	32,829	(829)
Total expenditures	<u>1,469,042</u>	<u>1,676,308</u>	<u>1,596,186</u>	<u>80,122</u>
Revenues over (under) expenditures	182,358	371,925	596,502	224,577
Other financing sources (uses)				
Transfers out	(95,000)	(105,300)	(113,885)	(8,585)
Net changes in fund balances	87,358	266,625	482,617	215,992
Fund balances, beginning of year	<u>2,898,288</u>	<u>2,898,288</u>	<u>2,898,288</u>	<u>-</u>
Fund balances, end of year	<u>\$ 2,985,646</u>	<u>\$ 3,164,913</u>	<u>\$ 3,380,905</u>	<u>\$ 215,992</u>

CASCADE CHARTER TOWNSHIP

OPEN SPACE SPECIAL REVENUE FUND SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Budget Amounts</u>		<u>Actual Amount</u>	<u>Variance Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>		
Revenues				
Property taxes	\$ 341,770	\$ 357,410	\$ 355,408	\$ (2,002)
Interest	5,800	5,800	11,391	5,591
Miscellaneous	1,000	1,000	1,000	-
Total revenues	348,570	364,210	367,799	3,589
Expenditures				
Current				
Culture and recreation	24,100	24,100	18,482	5,618
Revenues over (under) expenditures	324,470	340,110	349,317	9,207
Other financing sources (uses)				
Transfers out	(325,725)	(326,475)	(326,475)	-
Net changes in fund balances	(1,255)	13,635	22,842	9,207
Fund balances, beginning of year	709,516	709,516	709,516	-
Fund balances, end of year	<u>\$ 708,261</u>	<u>\$ 723,151</u>	<u>\$ 732,358</u>	<u>\$ 9,207</u>

CASCADE CHARTER TOWNSHIP

DEFINED BENEFIT PENSION PLAN SCHEDULE OF CHANGES IN EMPLOYERS NET PENSION LIABILITY AND RELATED RATIOS

FOR THE YEAR ENDED DECEMBER 31, 2018

	2015	2016	2017	2018
Total pension liability				
Service cost	\$ 232,044	\$ 269,359	\$ 301,620	\$ 324,267
Interest	672,517	697,204	813,553	830,058
Changes in benefit terms	-	-	-	-
Difference between expected and actual experience	-	360,728	(407,538)	13,247
Changes in assumptions	-	568,066	-	-
Benefit payments including employee refunds	(347,736)	(337,024)	(460,299)	(702,280)
Other	(17,508)	(58,461)	68,638	265,356
Net change in total pension liability	539,317	1,499,872	315,974	730,648
Total pension liability, beginning of year	8,209,563	8,748,880	10,248,752	10,564,726
Total pension liability, end of year	<u>\$ 8,748,880</u>	<u>\$ 10,248,752</u>	<u>\$ 10,564,726</u>	<u>\$ 11,295,374</u>
Plan fiduciary net position				
Contributions-employer	\$ 232,013	\$ 245,343	\$ 290,039	\$ 305,411
Contributions-employee	117,128	123,282	124,705	120,780
Net investment income	(105,931)	776,510	1,004,690	(324,408)
Benefit payments including employee refunds	(347,736)	(337,024)	(460,299)	(702,280)
Administrative expense	(15,175)	(15,315)	(15,897)	(16,413)
Net change in plan fiduciary net position	(119,701)	792,796	943,238	(616,910)
Plan fiduciary net position, beginning of year	6,859,910	6,740,209	7,533,005	8,476,243
Plan fiduciary net position, end of year	<u>\$ 6,740,209</u>	<u>\$ 7,533,005</u>	<u>\$ 8,476,243</u>	<u>\$ 7,859,333</u>
Employer net pension liability	<u>\$ 2,008,671</u>	<u>\$ 2,715,747</u>	<u>\$ 2,088,483</u>	<u>\$ 3,436,041</u>
Plan fiduciary net position as a percentage of the total pension liability	77%	74%	80%	70%
Covered employee payroll	\$ 2,047,653	\$ 2,314,281	\$ 2,474,196	\$ 2,626,444
Employer's net pension liability as a percentage of covered employee payroll	98%	117%	84%	131%

CASCADE CHARTER TOWNSHIP
DEFINED BENEFIT PENSION PLAN
SCHEDULE OF EMPLOYER CONTRIBUTIONS
FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Actuarial determined contributions	\$ 232,013	\$ 245,343	\$ 290,039	\$ 305,411
Contributions in relation to the actuarially determined contribution	<u>232,013</u>	<u>245,343</u>	<u>290,039</u>	<u>305,411</u>
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Covered employee payroll	\$ 2,047,653	\$ 2,314,281	\$ 2,474,196	\$ 2,626,444
Contributions as a percentage of covered employee payroll	11.3%	10.6%	11.7%	11.6%

Notes to schedule

Actuarial cost method	Entry Age
Amortization method	Level percentage of payroll, open
Remaining amortization period	25 years
Asset valuation method	5 year smoothed (10 years for 2014)
Inflation	2.5% (3-4% for 2014)
Salary increases	3.75% (4.5 for 2014)
Investment rate of return	7.75% (8.00 for 2014)
Retirement age	Varies depending on plan adoption
Mortality	50% female/ 50% male RP-2014 mortality table

Notes to required supplementary information

Budgets and Budgetary Accounting

The Township adopts annual budgets for the general and special revenue funds fund following the GAAP basis of accounting. Unexpended appropriations lapse at year-end.

Pension Schedules

Pension data is based on a measurement date of December 31.
Pension schedules are being accumulated prospectively until ten years of data is presented.

**COMBINING AND INDIVIDUAL FUND
STATEMENTS AND SCHEDULES**

CASCADE CHARTER TOWNSHIP

**NONMAJOR GOVERNMENTAL FUNDS
COMBINING BALANCE SHEET**

DECEMBER 31, 2018

	<u>Special Revenue Funds</u>		<u>Debt Service Fund</u>	<u>Permanent</u>	
	<u>Cascade Dam Major Repair</u>	<u>Hazmat</u>	<u>Building Authority</u>	<u>Cemetery Perpetual Care</u>	<u>Total</u>
Assets					
Cash and pooled investments	\$ 664,767	\$ 27,477	\$ -	\$ 109,237	\$ 801,481
Due from other funds	<u>10,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>10,000</u>
Total assets	<u>\$ 674,767</u>	<u>\$ 27,477</u>	<u>\$ -</u>	<u>\$ 109,237</u>	<u>\$ 811,481</u>
Liabilities and fund balances					
Liabilities					
Accounts payable	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Fund balances					
Nonspendable					
Cemetery trust	-	-	-	100,249	100,249
Restricted					
Capital improvements	674,767	27,477	-	-	702,244
Committed					
Cemetery trust	<u>-</u>	<u>-</u>	<u>-</u>	<u>8,988</u>	<u>8,988</u>
Total fund balances	<u>674,767</u>	<u>27,477</u>	<u>-</u>	<u>109,237</u>	<u>811,481</u>
Total liabilities and fund balances	<u>\$ 674,767</u>	<u>\$ 27,477</u>	<u>\$ -</u>	<u>\$ 109,237</u>	<u>\$ 811,481</u>

CASCADE CHARTER TOWNSHIP

**NONMAJOR GOVERNMENTAL FUNDS
COMBINING STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES**

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Special Revenue Funds</u>		<u>Debt Service Fund</u>	<u>Permanent</u>	
	<u>Cascade Dam Major Repair</u>	<u>Hazmat</u>	<u>Building Authority</u>	<u>Cemetery Perpetual Care</u>	<u>Total</u>
Revenues					
Charges for services	\$ -	\$ -	\$ -	\$ 4,885	\$ 4,885
Interest	12,713	106	-	540	13,359
Miscellaneous	5,000	-	-	-	5,000
Total revenues	<u>17,713</u>	<u>106</u>	<u>-</u>	<u>5,425</u>	<u>23,244</u>
Expenditures					
Current					
General government	-	-	-	4,437	4,437
Public safety	-	1,267	-	-	1,267
Debt service					
Principal	-	-	254,000	-	254,000
Interest	-	-	72,475	-	72,475
Capital outlay	-	4,982	-	-	4,982
Total expenditures	<u>-</u>	<u>6,249</u>	<u>326,475</u>	<u>4,437</u>	<u>337,161</u>
Revenues over (under) expenditures	17,713	(6,143)	(326,475)	988	(313,917)
Other financing sources (uses)					
Transfers in	40,000	-	326,475	3,000	369,475
Net changes in fund balances	57,713	(6,143)	-	3,988	55,558
Fund balances, beginning of year	<u>617,054</u>	<u>33,620</u>	<u>-</u>	<u>105,249</u>	<u>755,923</u>
Fund balances, end of year	<u>\$ 674,767</u>	<u>\$ 27,477</u>	<u>\$ -</u>	<u>\$ 109,237</u>	<u>\$ 811,481</u>

CASCADE CHARTER TOWNSHIP

CASCADE DAM MAJOR REPAIR SPECIAL REVENUE FUND SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Budget Amounts</u>		<u>Actual Amount</u>	<u>Variance Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>		
Revenues				
Interest	\$ 11,000	\$ 11,000	\$ 12,713	\$ 1,713
Miscellaneous	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>	<u>-</u>
Total revenues	<u>16,000</u>	<u>16,000</u>	<u>17,713</u>	<u>1,713</u>
Expenditures				
Current				
General government	5,000	5,000	-	5,000
Capital outlay	<u>270,000</u>	<u>270,000</u>	<u>-</u>	<u>270,000</u>
Total expenditures	<u>275,000</u>	<u>275,000</u>	<u>-</u>	<u>275,000</u>
Revenues over (under) expenditures	(259,000)	(259,000)	17,713	276,713
Other financing sources (uses)				
Transfers in	<u>40,000</u>	<u>40,000</u>	<u>40,000</u>	<u>-</u>
Net changes in fund balances	(219,000)	(219,000)	57,713	276,713
Fund balances, beginning of year	<u>617,054</u>	<u>617,054</u>	<u>617,054</u>	<u>-</u>
Fund balances, end of year	<u>\$ 398,054</u>	<u>\$ 398,054</u>	<u>\$ 674,767</u>	<u>\$ 276,713</u>

CASCADE CHARTER TOWNSHIP

HAZMAT SPECIAL REVENUE FUND SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE BUDGET AND ACTUAL

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Budget Amounts</u>		<u>Actual Amount</u>	<u>Variance Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>		
Revenues				
Local	\$ 6,000	\$ -	\$ -	\$ -
Interest	<u>200</u>	<u>200</u>	<u>106</u>	<u>(94)</u>
Total revenues	<u>6,200</u>	<u>200</u>	<u>106</u>	<u>(94)</u>
Expenditures				
Current				
Public safety	5,000	5,000	1,267	3,733
Capital outlay	<u>3,000</u>	<u>3,000</u>	<u>4,982</u>	<u>(1,982)</u>
Total expenditures	<u>8,000</u>	<u>8,000</u>	<u>6,249</u>	<u>1,751</u>
Net changes in fund balances	(1,800)	(7,800)	(6,143)	1,657
Fund balances, beginning of year	<u>33,620</u>	<u>33,620</u>	<u>33,620</u>	<u>-</u>
Fund balances, end of year	<u>\$ 31,820</u>	<u>\$ 25,820</u>	<u>\$ 27,477</u>	<u>\$ 1,657</u>

CASCADE CHARTER TOWNSHIP

GENERAL FUND COMPARATIVE BALANCE SHEET

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ 8,980,690	\$ 9,747,142
Receivables		
Accounts	739,197	962,719
Taxes	1,070,805	767,199
Due from other funds	11,378	-
Due from other governments	266,758	264,481
Prepaid items	<u>19,950</u>	<u>13,092</u>
Total assets	<u>\$ 11,088,778</u>	<u>\$ 11,754,633</u>
Liabilities, deferred inflows of resources and fund balances		
Liabilities		
Accounts payable	\$ 111,734	\$ 181,680
Accrued payroll and benefits	27,244	17,145
Due to other funds	<u>10,000</u>	<u>10,000</u>
Total liabilities	<u>148,978</u>	<u>208,825</u>
Deferred inflows of resources		
Unearned revenue	<u>1,698,389</u>	<u>1,594,826</u>
Fund balances		
Nonspendable		
Prepaid items	19,950	13,092
Committed		
Unfunded pension liability	499,543	499,543
Facility Improvements	2,500,000	-
Loss of personal property tax revenues	-	475,000
Assigned		
Future years expenditures	-	152,397
Unassigned	<u>6,221,918</u>	<u>8,810,950</u>
Total fund balances	<u>9,241,411</u>	<u>9,950,982</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 11,088,778</u>	<u>\$ 11,754,633</u>

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CASCADE CHARTER TOWNSHIP

GENERAL FUND COMPARATIVE SCHEDULE OF REVENUES

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Property taxes		
Current property taxes	\$ 1,479,951	\$ 1,431,096
Street lighting assessment	64,956	62,185
Delinquent property taxes	4,260	9,001
Industrial facilities taxes	10,357	6,481
Interest and penalties on taxes	12,672	10,267
Tax administration fees	<u>571,240</u>	<u>606,384</u>
Total property taxes	<u>2,143,436</u>	<u>2,125,414</u>
Licenses and permits		
Cablevision fees	410,375	439,473
Dog licenses	66	74
Other permits	<u>405</u>	<u>560</u>
Total licenses and permits	<u>410,846</u>	<u>440,107</u>
State		
Sales taxes	1,549,636	1,493,733
PA 48/Metro Authority	15,342	15,565
Other state grants	<u>35,785</u>	<u>42,770</u>
Total state	<u>1,600,763</u>	<u>1,552,068</u>
Charges for services		
Planning and zoning fees	30,794	33,728
Summer tax collection fees	25,763	26,012
P.A. 198 tax application fees	3,000	2,776
Yard waste bag fees	1,470	1,382
Sewer and water implementation fees	51,809	36,568
Grave openings	22,950	21,545
Passport application fees	30,470	22,275
Sale of printed materials	<u>2</u>	<u>103</u>
Total charges for services	<u>166,258</u>	<u>144,389</u>
Interest		
Interest on deposits and investments	111,884	74,823
Rental income	<u>221,693</u>	<u>217,365</u>
Total interest	<u>333,577</u>	<u>292,188</u>
Miscellaneous		
Sale of assets	-	50
Contributions	124,432	109,620
Park income	365	7,675
Reimbursements	-	13,616
Refunds and rebates	2,261	15
Other	<u>16,940</u>	<u>22,675</u>
Total miscellaneous	<u>143,998</u>	<u>153,651</u>
Total revenues	<u>\$ 4,798,878</u>	<u>\$ 4,707,817</u>

CASCADE CHARTER TOWNSHIP

**GENERAL FUND
COMPARATIVE SCHEDULE OF EXPENDITURES**

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Expenditures		
Current		
General government		
Township board		
Personnel services	\$ 36,000	\$ 23,843
Other services and charges	18,868	17,055
Total township board	<u>54,868</u>	<u>40,898</u>
Supervisor		
Personnel services	20,000	15,000
Other services and charges	7,597	8,623
Capital outlay	111	15
Total supervisor	<u>27,708</u>	<u>23,638</u>
Manager		
Personnel services	115,073	108,595
Other services and charges	2,261	2,338
Total manager	<u>117,334</u>	<u>110,933</u>
Clerk		
Personnel services	85,958	79,074
Other services and charges	5,635	2,616
Total clerk	<u>91,593</u>	<u>81,690</u>
Treasurer		
Personnel services	135,676	120,117
Other services and charges	3,391	4,278
Capital outlay	2,223	2,403
Total treasurer	<u>141,290</u>	<u>126,798</u>
Assessor		
Personnel services	208,229	200,000
Supplies	397	304
Other services and charges	18,087	15,002
Capital outlay	369	1,227
Total assessor	<u>227,082</u>	<u>216,533</u>
Elections		
Personnel services	22,657	5,610
Supplies	13,861	544
Other services and charges	9,993	1,630
Total elections	<u>46,511</u>	<u>7,784</u>
Buildings and grounds		
Personnel services	272,994	238,489
Supplies	2,509	1,624
Other services and charges	189,818	135,729
Capital outlay	2,297	2,566
Total buildings and grounds	<u>467,618</u>	<u>378,408</u>
Cemetery		
Other services and charges	<u>5,711</u>	<u>30,151</u>
Administration		
Personnel services	110,151	104,489
Supplies	36,267	20,723
Other services and charges	515,912	442,808
Capital outlay	5,075	1,171
Total administration	<u>667,405</u>	<u>569,191</u>
Total general government	<u>1,847,120</u>	<u>1,586,024</u>

(Continued)

CASCADE CHARTER TOWNSHIP

**GENERAL FUND
COMPARATIVE SCHEDULE OF EXPENDITURES**

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Public works		
Drains		
Other services and charges	\$ 2,084	\$ 25,733
Capital outlay	<u>46,635</u>	<u>64,701</u>
Total drains	<u>48,719</u>	<u>90,434</u>
Road construction and maintenance		
Capital outlay	<u>1,417,414</u>	<u>256,093</u>
Street lighting		
Other services and charges	128,044	112,115
Capital outlay	<u>1,153</u>	<u>467</u>
Total street lighting	<u>129,197</u>	<u>112,582</u>
Waste collection		
Other services and charges	<u>53,099</u>	<u>57,496</u>
Total public works	<u>1,648,429</u>	<u>516,605</u>
Community and economic development		
Planning commission		
Personnel services	219,259	191,789
Supplies	669	437
Other services and charges	<u>142,161</u>	<u>37,139</u>
Total planning commission	<u>362,089</u>	<u>229,365</u>
Building and zoning		
Personnel services	<u>1,020</u>	<u>1,585</u>
Total community and economic development	<u>363,109</u>	<u>230,950</u>
Culture and recreation		
Parks and recreation		
Supplies	3,192	4,319
Other services and charges	64,093	52,960
Capital outlay	<u>567</u>	<u>4,700</u>
Total parks and recreation	<u>67,852</u>	<u>61,979</u>
Historical		
Supplies	6,000	5,000
Other services and charges	<u>4,544</u>	<u>4,083</u>
Total historical	<u>10,544</u>	<u>9,083</u>
Total culture and recreation	<u>78,396</u>	<u>71,062</u>
Other		
Employee benefits	493,547	364,513
Transportation services	<u>316,520</u>	<u>337,920</u>
Total other	<u>810,067</u>	<u>702,433</u>
Capital outlay	<u>463,712</u>	<u>383,971</u>
Total expenditures	<u>\$ 5,210,833</u>	<u>\$ 3,491,045</u>

(Concluded)

CASCADE CHARTER TOWNSHIP

FIRE SPECIAL REVENUE FUND COMPARATIVE BALANCE SHEET

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ 2,486,169	\$ 2,864,149
Receivables		
Accounts	778,819	1,030,833
Taxes	1,196,116	864,899
Prepaid items	<u>21,014</u>	<u>12,576</u>
Total assets	<u>\$ 4,482,118</u>	<u>\$ 4,772,457</u>
Liabilities, deferred inflows of resources and fund balances		
Liabilities		
Accounts payable	\$ 11,572	\$ 307,079
Accrued payroll and benefits	<u>32,396</u>	<u>17,497</u>
Total liabilities	<u>43,968</u>	<u>324,576</u>
Deferred inflows of resources		
Unearned revenue	<u>1,974,935</u>	<u>1,895,732</u>
Fund balances		
Nonspendable		
Prepaid items	21,014	12,576
Restricted		
Dedicated millage	<u>2,442,201</u>	<u>2,539,573</u>
Total fund balances	<u>2,463,215</u>	<u>2,552,149</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 4,482,118</u>	<u>\$ 4,772,457</u>

CASCADE CHARTER TOWNSHIP

**FIRE SPECIAL REVENUE FUND
COMPARATIVE SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE**

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Property taxes		
Current property taxes	\$ 1,927,812	\$ 1,870,405
Delinquent property taxes	4,694	4,947
Industrial facilities taxes	14,020	8,773
Interest and penalties on taxes	348	329
Total property taxes	<u>1,946,874</u>	<u>1,884,454</u>
Interest	63,729	30,990
Miscellaneous		
Other	<u>4,980</u>	<u>7,185</u>
Total revenues	<u>2,015,583</u>	<u>1,922,629</u>
Expenditures		
Current		
Public safety		
Fire department		
Personnel services	2,108,006	1,663,053
Supplies	106,323	51,492
Other services and charges	206,457	222,611
Total public safety	<u>2,420,786</u>	<u>1,937,156</u>
Capital outlay	<u>83,731</u>	<u>489,033</u>
Total expenditures	<u>2,504,517</u>	<u>2,426,189</u>
Revenues over (under) expenditures	(488,934)	(503,560)
Other financing sources (uses)		
Transfers in	<u>400,000</u>	<u>400,000</u>
Net changes in fund balances	(88,934)	(103,560)
Fund balances, beginning of year	<u>2,552,149</u>	<u>2,655,709</u>
Fund balances, end of year	<u>\$ 2,463,215</u>	<u>\$ 2,552,149</u>

CASCADE CHARTER TOWNSHIP

**POLICE SPECIAL REVENUE FUND
COMPARATIVE BALANCE SHEET**

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ 1,416,654	\$ 1,388,347
Receivables		
Accounts	271,846	359,820
Taxes	<u>417,507</u>	<u>301,901</u>
Total assets	<u>\$ 2,106,007</u>	<u>\$ 2,050,068</u>
Liabilities, deferred inflows of resources and fund balances		
Liabilities		
Accounts payable	<u>\$ 105,244</u>	<u>\$ 85,174</u>
Deferred inflows of resources		
Unearned revenue	<u>689,353</u>	<u>661,721</u>
Fund balances		
Restricted		
Dedicated millage	<u>1,311,410</u>	<u>1,303,173</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 2,106,007</u>	<u>\$ 2,050,068</u>

CASCADE CHARTER TOWNSHIP

**POLICE SPECIAL REVENUE FUND
COMPARATIVE SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE**

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Property taxes		
Current property taxes	\$ 664,645	\$ 645,561
Delinquent property taxes	1,638	1,727
Industrial facilities taxes	4,894	3,062
Interest and penalties on taxes	<u>121</u>	<u>115</u>
 Total property taxes	 671,298	 650,465
 Interest	 <u>12,055</u>	 <u>12,075</u>
 Total revenues	 683,353	 662,540
 Expenditures		
Current		
Public safety		
Law enforcement		
Other services and charges	<u>643,617</u>	<u>643,152</u>
 Revenues over (under) expenditures	 39,736	 19,388
 Other financing sources (uses)		
Transfers out	<u>(31,499)</u>	<u>-</u>
 Net changes in fund balances	 8,237	 19,388
 Fund balances, beginning of year	 <u>1,303,173</u>	 <u>1,283,785</u>
 Fund balances, end of year	 <u>\$ 1,311,410</u>	 <u>\$ 1,303,173</u>

CASCADE CHARTER TOWNSHIP

IMPROVEMENT REVOLVING SPECIAL REVENUE FUND COMPARATIVE BALANCE SHEET

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ 1,469,548	\$ 1,151,348
Receivables		
Accounts	16,283	10,068
Special assessments	539,710	3,669,668
Due from other governments	<u>-</u>	<u>133,453</u>
Total assets	<u>\$ 2,025,541</u>	<u>\$ 4,964,537</u>
Liabilities, deferred inflows of resources and fund balances		
Liabilities		
Accounts payable	<u>\$ 5,000</u>	<u>\$ 74,272</u>
Deferred inflows of resources		
Unavailable revenue	<u>539,710</u>	<u>3,659,195</u>
Fund balances		
Restricted		
Water and sewer improvements	<u>1,480,831</u>	<u>1,231,070</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 2,025,541</u>	<u>\$ 4,964,537</u>

CASCADE CHARTER TOWNSHIP

IMPROVEMENT REVOLVING SPECIAL REVENUE FUND COMPARATIVE SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Interest		
Interest on deposits	\$ 27,759	\$ 3,678
Interest on special assessments	3,766	3,081
Total interest	<u>31,525</u>	<u>6,759</u>
Miscellaneous		
Special assessments	25,105	54,912
Hookup fees	517,228	362,654
Total miscellaneous	<u>542,333</u>	<u>417,566</u>
Total revenues	<u>573,858</u>	<u>424,325</u>
Expenditures		
Debt service		
Principal	-	77,000
Interest and fees	-	2,289
Total debt service	-	79,289
Capital outlay	<u>324,097</u>	<u>710,136</u>
Total expenditures	<u>324,097</u>	<u>789,425</u>
Net changes in fund balances	249,761	(365,100)
Fund balances, beginning of year	<u>1,231,070</u>	<u>1,596,170</u>
Fund balances, end of year	<u>\$ 1,480,831</u>	<u>\$ 1,231,070</u>

CASCADE CHARTER TOWNSHIP

LIBRARY SPECIAL REVENUE FUND COMPARATIVE BALANCE SHEET

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ 2,064,951	\$ 2,040,988
Receivables		
Accounts	88,940	117,709
Taxes	<u>136,354</u>	<u>98,630</u>
Total assets	<u>\$ 2,290,245</u>	<u>\$ 2,257,327</u>
Liabilities, deferred inflows of resources and fund balances		
Liabilities		
Accounts payable	<u>\$ 20,603</u>	<u>\$ 11,682</u>
Deferred inflows of resources		
Unearned revenue	<u>225,293</u>	<u>216,339</u>
Fund balances		
Restricted		
Dedicated millage	<u>2,044,349</u>	<u>2,029,306</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 2,290,245</u>	<u>\$ 2,257,327</u>

CASCADE CHARTER TOWNSHIP

LIBRARY SPECIAL REVENUE FUND COMPARATIVE SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Property taxes		
Current property taxes	\$ 229,756	\$ 222,084
Delinquent property taxes	535	564
Industrial facilities taxes	1,599	1,000
Interest and penalties on taxes	40	37
Total property taxes	<u>231,930</u>	<u>223,685</u>
Local	32,870	32,870
Interest	<u>41,218</u>	<u>29,188</u>
Total revenues	<u>306,018</u>	<u>285,743</u>
Expenditures		
Current		
Recreation and cultural		
Library		
Supplies	5,291	3,868
Other services and charges	270,315	196,827
Total recreation and cultural	<u>275,606</u>	<u>200,695</u>
Capital outlay	<u>15,369</u>	<u>34,970</u>
Total expenditures	<u>290,975</u>	<u>235,665</u>
Net changes in fund balances	15,043	50,078
Fund balances, beginning of year	<u>2,029,306</u>	<u>1,979,228</u>
Fund balances, end of year	<u>\$ 2,044,349</u>	<u>\$ 2,029,306</u>

CASCADE CHARTER TOWNSHIP

**PATHWAYS SPECIAL REVENUE FUND
COMPARATIVE BALANCE SHEET**

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ 1,726,469	\$ 1,155,395
Receivables		
Accounts	208,181	312,321
Taxes	<u>319,681</u>	<u>262,049</u>
Total assets	<u>\$ 2,254,331</u>	<u>\$ 1,729,765</u>
Liabilities, deferred inflows of resources and fund balances		
Liabilities		
Accounts payable	<u>\$ 34,121</u>	<u>\$ 6,882</u>
Deferred inflows of resources		
Unearned revenue	<u>527,862</u>	<u>574,370</u>
Fund balances		
Restricted		
Dedicated millage	<u>1,692,348</u>	<u>1,148,513</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 2,254,331</u>	<u>\$ 1,729,765</u>

CASCADE CHARTER TOWNSHIP

PATHWAYS SPECIAL REVENUE FUND COMPARATIVE SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Property taxes		
Current property taxes	\$ 610,012	\$ 589,630
Delinquent property taxes	1,422	1,499
Industrial facilities taxes	4,248	2,658
Interest and penalties on taxes	106	100
Total property taxes	<u>615,788</u>	<u>593,887</u>
Interest	18,582	3,971
Miscellaneous	<u>6,970</u>	<u>-</u>
Total revenues	<u>641,340</u>	<u>597,858</u>
Expenditures		
Current		
Recreation and cultural		
Parks and recreations		
Supplies	5,285	13,150
Other services and charges	28,159	21,707
Total recreation and cultural	<u>33,444</u>	<u>34,857</u>
Debt service		
Principal	-	287,000
Interest and fees	-	5,423
Total debt service	<u>-</u>	<u>292,423</u>
Capital outlay	<u>64,061</u>	<u>77,393</u>
Total expenditures	<u>97,505</u>	<u>404,673</u>
Net changes in fund balances	543,835	193,185
Fund balances, beginning of year	<u>1,148,513</u>	<u>955,328</u>
Fund balances, end of year	<u>\$ 1,692,348</u>	<u>\$ 1,148,513</u>

CASCADE CHARTER TOWNSHIP

INSPECTIONS SPECIAL REVENUE FUND COMPARATIVE BALANCE SHEET

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ 3,418,226	\$ 3,004,032
Prepaid items	<u>14,631</u>	<u>9,445</u>
Total assets	<u>\$ 3,432,857</u>	<u>\$ 3,013,477</u>
Liabilities and fund balances		
Liabilities		
Accounts payable	\$ 25,481	\$ 103,103
Accrued payroll and benefits	15,093	12,086
Due to other funds	<u>11,378</u>	<u>-</u>
Total liabilities	<u>51,952</u>	<u>115,189</u>
Fund balances		
Nonspendable		
Prepaid items	14,631	9,445
Restricted		
Inspections	<u>3,366,274</u>	<u>2,888,843</u>
Total fund balances	<u>3,380,905</u>	<u>2,898,288</u>
Total liabilities and fund balances	<u>\$ 3,432,857</u>	<u>\$ 3,013,477</u>

CASCADE CHARTER TOWNSHIP

INSPECTIONS SPECIAL REVENUE FUND COMPARATIVE SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Licenses and permits		
Building permits	\$ 318,399	\$ 274,865
Electrical permits	101,326	84,775
Mechanical permits	100,870	92,525
Plumbing permits	48,848	46,053
Permits - other townships	1,433,954	1,264,343
Plan reviews	152,948	150,046
Contractor registration fees	6,830	10,755
Total licenses and permits	<u>2,163,175</u>	<u>1,923,362</u>
Interest	27,413	14,821
Miscellaneous	<u>2,100</u>	<u>1,670</u>
Total revenues	<u>2,192,688</u>	<u>1,939,853</u>
Expenditures		
Current		
Public safety		
Inspections		
Personnel services	1,065,579	854,817
Supplies	14,183	10,424
Other services and charges	483,595	368,393
Total public safety	<u>1,563,357</u>	<u>1,233,634</u>
Capital outlay	<u>32,829</u>	<u>141,262</u>
Total expenditures	<u>1,596,186</u>	<u>1,374,896</u>
Revenues over (under) expenditures	596,502	564,957
Other financing sources (uses)		
Transfers out	<u>(113,885)</u>	<u>(96,750)</u>
Net changes in fund balances	482,617	468,207
Fund balances, beginning of year	<u>2,898,288</u>	<u>2,430,081</u>
Fund balances, end of year	<u>\$ 3,380,905</u>	<u>\$ 2,898,288</u>

CASCADE CHARTER TOWNSHIP

**OPEN SPACE SPECIAL REVENUE FUND
COMPARATIVE BALANCE SHEET**

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ 732,622	\$ 717,643
Receivables		
Accounts	136,182	183,301
Taxes	<u>209,154</u>	<u>151,239</u>
Total assets	<u>\$ 1,077,958</u>	<u>\$ 1,052,183</u>
Liabilities, deferred inflows of resources and fund balances		
Liabilities		
Accounts payable	<u>\$ 265</u>	<u>\$ 11,177</u>
Deferred inflows of resources		
Unearned revenue	<u>345,335</u>	<u>331,490</u>
Fund balances		
Restricted		
Dedicated millage	<u>732,358</u>	<u>709,516</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 1,077,958</u>	<u>\$ 1,052,183</u>

CASCADE CHARTER TOWNSHIP
OPEN SPACE SPECIAL REVENUE FUND
COMPARATIVE SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Property taxes		
Current property taxes	\$ 352,074	\$ 340,297
Delinquent property taxes	821	865
Industrial facilities taxes	2,452	1,534
Interest and penalties on taxes	61	57
	<hr/>	<hr/>
Total property taxes	355,408	342,753
Interest	11,391	2,238
Miscellaneous	1,000	-
	<hr/>	<hr/>
Total revenues	<u>367,799</u>	<u>344,991</u>
Expenditures		
Current		
Recreation and cultural		
Parks and recreations		
Other services and charges	18,482	29,513
Debt service		
Bond costs	-	37,550
	<hr/>	<hr/>
Total expenditures	<u>18,482</u>	<u>67,063</u>
Revenues over (under) expenditures	<u>349,317</u>	<u>277,928</u>
Other financing sources (uses)		
Bond Issues	-	2,739,000
Payment to escrow agent	-	(2,754,088)
Transfers out	(326,475)	(292,369)
	<hr/>	<hr/>
Total other financing sources (uses)	<u>(326,475)</u>	<u>(307,457)</u>
Net changes in fund balances	22,842	(29,529)
Fund balances, beginning of year	<u>709,516</u>	<u>739,045</u>
Fund balances, end of year	<u><u>\$ 732,358</u></u>	<u><u>\$ 709,516</u></u>

CASCADE CHARTER TOWNSHIP

**CASCADE DAM MAJOR REPAIR SPECIAL REVENUE FUND
COMPARATIVE BALANCE SHEET**

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ 664,767	\$ 607,054
Due from other funds	<u>10,000</u>	<u>10,000</u>
Total assets	<u>\$ 674,767</u>	<u>\$ 617,054</u>
Liabilities and fund balances		
Liabilities		
Accounts payable	\$ <u>-</u>	\$ <u>-</u>
Fund balances		
Committed		
Dam repairs	<u>674,767</u>	<u>617,054</u>
Total liabilities and fund balances	<u>\$ 674,767</u>	<u>\$ 617,054</u>

CASCADE CHARTER TOWNSHIP

CASCADE DAM MAJOR REPAIR SPECIAL REVENUE FUND COMPARATIVE SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Interest	\$ 12,713	\$ 11,582
Miscellaneous	<u>5,000</u>	<u>5,000</u>
Total revenues	17,713	16,582
Expenditures		
Current		
General government	<u>-</u>	<u>-</u>
Revenues over (under) expenditures	17,713	16,582
Other financing sources (uses)		
Transfers in	<u>40,000</u>	<u>40,000</u>
Net changes in fund balances	57,713	56,582
Fund balances, beginning of year	<u>617,054</u>	<u>560,472</u>
Fund balances, end of year	<u>\$ 674,767</u>	<u>\$ 617,054</u>

CASCADE CHARTER TOWNSHIP

**HAZMAT SPECIAL REVENUE FUND
COMPARATIVE BALANCE SHEET**

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ 27,477	\$ 34,353
Liabilities and fund balances		
Liabilities		
Accounts payable	\$ -	\$ 733
Fund balances		
Restricted		
HAZMAT	27,477	33,620
Total liabilities and fund balances	<u>\$ 27,477</u>	<u>\$ 34,353</u>

CASCADE CHARTER TOWNSHIP

**HAZMAT SPECIAL REVENUE FUND
COMPARATIVE SCHEDULE OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE**

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Interest	\$ 106	\$ 124
Expenditures		
Current		
Public safety		
HAZMAT		
Other services and charges	1,267	2,266
Capital outlay	<u>4,982</u>	<u>486</u>
Total expenditures	<u>6,249</u>	<u>2,752</u>
Net changes in fund balances	(6,143)	(2,628)
Fund balances, beginning of year	<u>33,620</u>	<u>36,248</u>
Fund balances, end of year	<u>\$ 27,477</u>	<u>\$ 33,620</u>

CASCADE CHARTER TOWNSHIP

**BUILDING AUTHORITY DEBT SERVICE FUND
COMPARATIVE BALANCE SHEET**

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ -	\$ -
Liabilities and fund balances		
Liabilities		
Accounts payable	\$ -	\$ -
Fund balances		
Assigned		
Debt service	-	-
Total liabilities and fund balances	<u>\$ -</u>	<u>\$ -</u>

CASCADE CHARTER TOWNSHIP

BUILDING AUTHORITY DEBT SERVICE FUND COMPARATIVE SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Interest	\$ -	\$ -
Expenditures		
Debt service		
Principal	254,000	215,000
Interest and fees	<u>72,475</u>	<u>77,369</u>
Total expenditures	<u>326,475</u>	<u>292,369</u>
Revenues over (under) expenditures	(326,475)	(292,369)
Other financing sources (uses)		
Transfers in	<u>326,475</u>	<u>292,369</u>
Net changes in fund balances	-	-
Fund balances, beginning of year	<u>-</u>	<u>-</u>
Fund balances, end of year	<u>\$ -</u>	<u>\$ -</u>

CASCADE CHARTER TOWNSHIP

**CEMETERY PERPETUAL CARE FUND
COMPARATIVE BALANCE SHEET**

DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Assets		
Cash and pooled investments	\$ 109,237	\$ 105,249
Liabilities and fund balances		
Liabilities		
Accounts payable	\$ -	\$ -
Fund balances		
Nonspendable		
Cemetery trust	100,194	95,309
Committed		
Cemetery trust	<u>9,043</u>	<u>9,940</u>
Total fund balances	<u>109,237</u>	<u>105,249</u>
Total liabilities and fund balances	<u>\$ 109,237</u>	<u>\$ 105,249</u>

CASCADE CHARTER TOWNSHIP

CEMETERY PERPETUAL CARE FUND COMPARATIVE SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

FOR THE YEARS ENDED DECEMBER 31, 2018 and 2017

	<u>2018</u>	<u>2017</u>
Revenues		
Charges for services		
Cemetery care fees	\$ 4,885	\$ 3,725
Interest	<u>540</u>	<u>486</u>
Total revenues	5,425	4,211
Expenditures		
Current		
General government		
Cemetery	<u>4,437</u>	<u>513</u>
Revenues over (under) expenditures	988	3,698
Other financing sources (uses)		
Transfers in	<u>3,000</u>	<u>2,775</u>
Net changes in fund balances	3,988	6,473
Fund balances, beginning of year	<u>105,249</u>	<u>98,776</u>
Fund balances, end of year	<u>\$ 109,237</u>	<u>\$ 105,249</u>

CASCADE CHARTER TOWNSHIP
AGENCY FUNDS
STATEMENT OF ASSETS AND LIABILITIES
DECEMBER 31, 2018

	Trust and Agency Fund	Tax Collection Fund	Total
Assets			
Cash and pooled investments	\$ 141,106	\$ 3,502,986	\$ 3,644,092
Due from other governments	500	-	500
Total assets	\$ 141,606	\$ 3,502,986	\$ 3,644,592
Liabilities			
Accounts payable	\$ 542	\$ 2,124,578	\$ 2,125,120
Escrow deposits	141,064	-	141,064
Due to other governments	-	1,378,408	1,378,408
Total liabilities	\$ 141,606	\$ 3,502,986	\$ 3,644,592

CASCADE CHARTER TOWNSHIP

**AGENCY FUNDS
COMBINING STATEMENT OF CHANGES IN ASSETS AND LIABILITIES**

FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Trust and agency fund</u>			
	Balance January 1, 2018	Additions	Deductions	Balance December 31, 2018
Assets				
Cash and pooled investments	\$ 225,118	\$ 115,584	\$ 199,596	\$ 141,106
Due from other governments	-	500	-	500
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total assets	\$ 225,118	\$ 116,084	\$ 199,596	\$ 141,606
Liabilities				
Accounts payable	\$ 6	\$ 116,916	\$ 116,380	\$ 542
Escrow deposits	225,112	115,627	199,675	141,064
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total liabilities	\$ 225,118	\$ 232,543	\$ 316,055	\$ 141,606
<u>Tax collection fund</u>				
Assets				
Cash and pooled investments	\$ 4,544,544	\$ 58,400,976	\$ 59,442,534	\$ 3,502,986
Liabilities				
Accounts payable	\$ 2,853,363	\$ 126,843,875	\$ 127,572,660	\$ 2,124,578
Due to other governments	1,691,181	52,643,127	52,955,900	1,378,408
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total liabilities	\$ 4,544,544	\$ 179,487,002	\$ 180,528,560	\$ 3,502,986
<u>Total agency funds</u>				
Assets				
Cash and pooled investments	\$ 4,769,662	\$ 58,516,560	\$ 59,642,130	\$ 3,644,092
Due from other governments	-	500	-	500
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total assets	\$ 4,769,662	\$ 58,517,060	\$ 59,642,130	\$ 3,644,592
Liabilities				
Accounts payable	\$ 2,853,369	\$ 126,960,791	\$ 127,689,040	\$ 2,125,120
Escrow deposits	225,112	115,627	199,675	141,064
Due to other governments	1,691,181	52,643,127	52,955,900	1,378,408
	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Total liabilities	\$ 4,769,662	\$ 179,719,545	\$ 180,844,615	\$ 3,644,592

CASCADE CHARTER TOWNSHIP
DOWNTOWN DEVELOPMENT AUTHORITY
BALANCE SHEET/STATEMENT OF NET POSITION

DECEMBER 31, 2018

	Governmental		Statement
	Fund Type		of
	General		Net Position
	Fund	Adjustments	
Assets			
Cash and pooled investments	\$ 1,112,093	\$ -	\$ 1,112,093
Receivables			
Taxes	241,283	-	241,283
Capital assets			
Non-depreciable	-	59,366	59,366
Depreciable capital assets, net	-	4,244,384	4,244,384
Total assets	<u>\$ 1,353,376</u>	<u>\$ 4,303,750</u>	<u>\$ 5,657,126</u>
Liabilities, deferred inflows of resources and fund balance			
Liabilities			
Accounts payable	\$ 12,109	\$ -	12,109
Accrued interest payable	-	1,803	1,803
Bonds and notes payable - current portion	-	100,000	100,000
Bonds and notes payable	-	103,000	103,000
Total liabilities	<u>12,109</u>	<u>204,803</u>	<u>216,912</u>
Deferred inflows of resources			
Unearned revenue	<u>241,283</u>	<u>-</u>	<u>241,283</u>
Fund balance			
Unassigned	<u>1,099,984</u>	<u>\$ (1,099,984)</u>	<u>-</u>
Total liabilities, deferred inflows of resources and fund balance	<u>\$ 1,353,376</u>		
Net position			
Net investment in capital assets			4,100,750
Unrestricted			<u>1,098,181</u>
Total net position			<u>\$ 5,198,931</u>
Reconciliation of fund balances to net position:			
Fund balance of governmental fund			\$ 1,099,984
Amounts reported for governmental activities in the statement of net position are different because:			
Capital assets used in governmental activities are not current financial resources and therefore are not reported in the funds			
Add - land			59,366
Add - capital assets (net of accumulated depreciation)			4,244,384
Certain liabilities are not due and payable in the current period and therefore are not reported in the funds.			
Deduct - bonds and notes payable			(203,000)
Deduct - accrued interest			<u>(1,803)</u>
Net position of governmental activities			<u>\$ 5,198,931</u>

CASCADE CHARTER TOWNSHIP

**DOWNTOWN DEVELOPMENT AUTHORITY
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCE/STATEMENT OF ACTIVITIES**

FOR THE YEAR ENDED DECEMBER 31, 2018

	Governmental Fund Type		Statement of Activities
	General Fund	Adjustments	
Revenues			
Taxes	\$ 809,253	\$ -	\$ 809,253
Investment earnings	13,504	-	13,504
Miscellaneous	3,450	-	3,450
Total revenues	826,207	-	826,207
Expenditures			
Current			
General government	314,069	305,085	619,154
Debt service			
Principal	97,000	(97,000)	-
Interest	10,362	(788)	9,574
Total expenditures	421,431	207,297	628,728
Net changes in fund balance	404,776		
Change in net position			197,479
Fund balance/net position, beginning of year	695,208		5,001,452
Fund balance/net position, end of year	\$ 1,099,984		\$ 5,198,931
Reconciliation of change in fund balances to change in net position			
Net change in fund balance of governmental fund			\$ 404,776
Amounts reported for <i>governmental activities</i> in the statement of activities are different because:			
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets are allocated over their estimated useful lives and reported as depreciation expense.			
Add - capital outlay			15,479
Deduct - depreciation expense			(306,937)
Deduct - net book value of disposed capital assets			(13,627)
Repayment of bond or note principal is an expenditure in the governmental funds, but the repayment reduces the long-term liabilities in the statement of net position.			
Add - principal payments on debt			97,000
Some expenses reported in the statement of activities do not require the use of current financial resources and therefore are not reported as expenditures in the funds.			
Add - decrease in accrued interest			788
Change in net position of governmental activities			\$ 197,479

TOWNSHIP BOARD MEMORANDUM

To: Cascade Charter Township Board

From: Sandra Korhorn, DDA/Economic Development Director *SKK*

Subject: Consider Resolution for Road Closure for Misty Lane

Meeting Date: May 22, 2019

The Township received a request from the Whispering Brook neighborhood to close Misty Lane for a block party. The neighborhood party will be held Thursday, June 20, 2019 from 3:00 p.m. – 8:00 p.m.

While the Kent County Road Commission (KCRC) is responsible for road closures, they require a resolution from the Township Board before they will consider the request.

Both Chief Magers and Deputy Toonstra have reviewed the request and do not have any concerns with the road closure. The road closure should not affect any traffic movements through the neighborhood.

Staff is recommending approval of the resolution for the road closure.

**CASCADE CHARTER TOWNSHIP
KENT COUNTY, MICHIGAN**

RESOLUTION # of 2019

RESOLUTION TO APPROVE A REQUEST FOR A ROAD CLOSURE

The Cascade Charter Township Board Resolves:

WHEREAS, the Whispering Brook neighborhood wishes to hold a block party on Thursday, June 20, 2019; and,

WHEREAS, they will need to close Misty Lane between Tanglewood Dr. to the end of the cul-de-sac between 3:00 pm and 8:00 pm to facilitate the block party; and,

WHEREAS, the Kent County Sheriff's Department and Cascade Fire Department have reviewed and approved the request; and,

WHEREAS, Misty Lane is a local street.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT, the Cascade Charter Township Board approves the request for Misty Lane to be closed for the purpose of a block party on Thursday, June 20, 2019 from 3:00 pm until 8:00 pm; and,

BE IT FURTHER RESOLVED THAT, the Cascade Township Board hereby directs the Clerk to forward this request to the Kent County Road Commission for the necessary permit.

The foregoing Resolution was offered by Board Member , supported by Board Member .

The roll call vote being as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

RESOLUTION DECLARED ADOPTED

Susan B. Slater, Township Clerk

I HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Cascade Charter Township, County of Kent, Michigan, at a regular meeting held on May 22, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: May 22, 2019

Susan B. Slater, Township Clerk

From: [ROCHELLE NAJMY](#)
To: [Sandra](#)
Subject: Resolution to close off Misty Lane for a block party
Date: Wednesday, April 24, 2019 2:33:51 PM

Sandra,

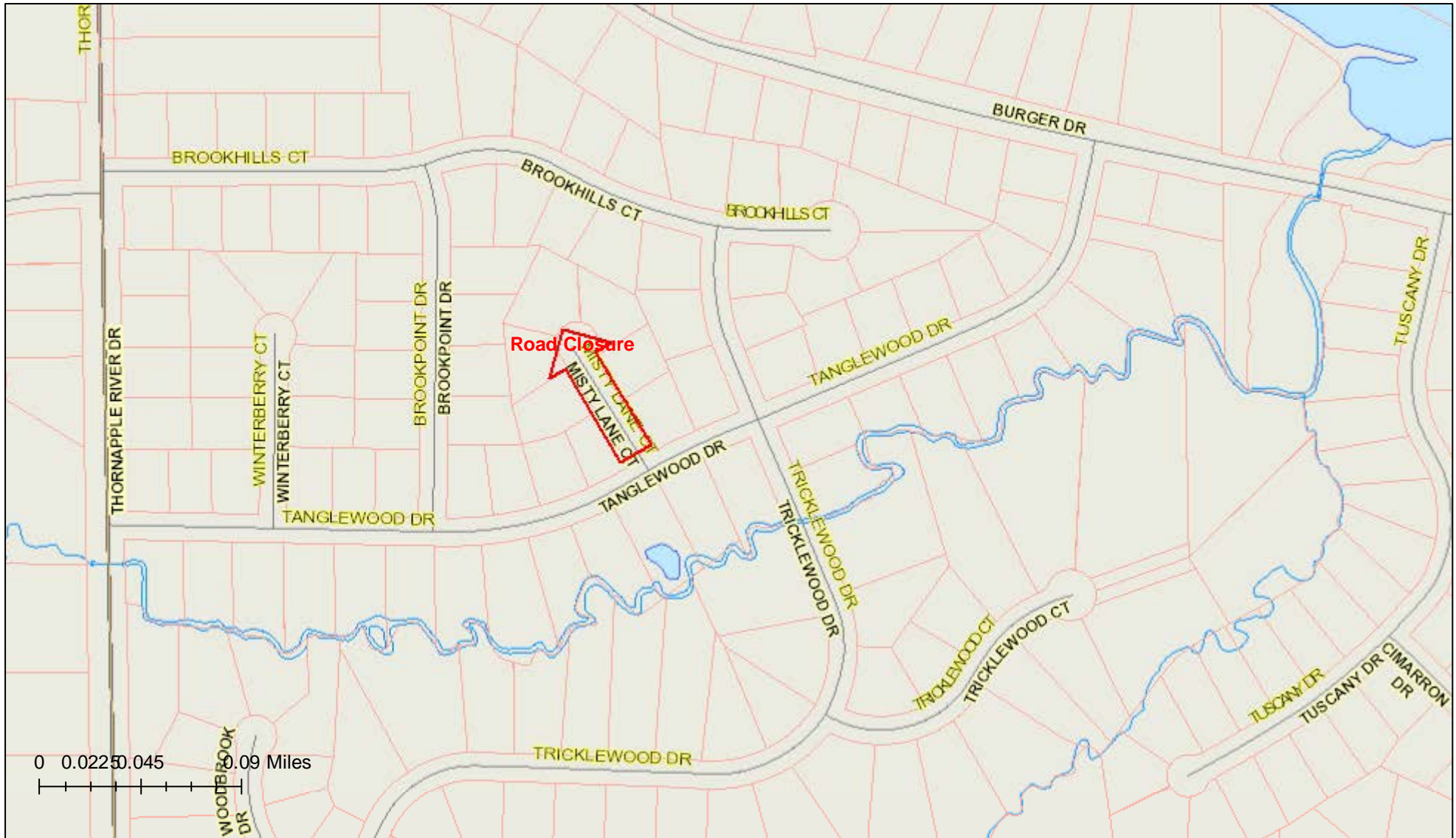
Per our discussion yesterday, I am following up with an email to ask permission from the township to close off Misty Lane (in the Whispering Brook neighborhood) on Thursday, June 20, 2019 from 3:00 pm - 8:00 pm for a neighborhood block party.

Please let me know if you need any additional information. It would be greatly appreciated if you could let me know which township meeting this resolution will be discussed so we can be in attendance to answer any questions or concerns.

Thank you for all of your help and assistance with this.

Rochelle Najmy

TITLE



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Printed 5/15/2019 9:24:28 AM

STAFF REPORT

TO: Cascade Charter Township Board
FROM: Steve Peterson, Community Development Director
REPORT DATE: May 15, 2019
MEETING DATE: May 22, 2019
CASE: #18-3489/ Doug Dehaan – The Lanterns

GENERAL INFORMATION

- A. Applicant: Doug Dehaan
DDSBBBS Group LLC
3299 Hudson Trails Dr
Hudsonville MI 49426

Telephone: 896-8300

- B. Status of Applicant: Developer

- C. General Location: The property is located at the SW corner of Thornhills and Thornapple River Dr.

- D. Requested Action: Rezone approximately 12 Acres to PUD to allow for 21 Condominium units.

- E. Existing Zoning on Subject Parcels: R2, Residential

- F. Zoning on Adjoining Parcels: PUD 44, PUD 43, PUD 39 and R2

- G. Parcel Size: Approximately 12 acres

- H. Existing Land Use on Subject Parcel: Single family home

- I. Adjacent Area Land Uses:
 - North - multi-unit attached residential
 - East - Church
 - South - single family detached residential
 - West - multi-unit attached residential

STAFF ANALYSIS

- A. The applicant is requesting Final Plan approval in order to rezone approximately 12 acres for a Condominium development Planned Unit Development called the Lanterns. This rezoning request is for 21 single-family site condo units.
- B. The property is zoned R2, single-family, and is Master Planned as Suburban Residential. It should be noted that the property to the west and north is multifamily attached residential and is master planned as community residential, which allows for higher densities.
- C. Suburban Residential is described as single-family detached development.
- D. The applicant has drawn a plan showing how the property could be developed with 21 lots using 50% open space with a minimum of 10,000 sq ft per lot. The test plan includes multiple access points to Thornapple River Dr. the test plan has been developed to meet our requirements with no exceptions.
- E. The proposed plan provides for 50% of the developable acreage to be left as open space and a minimum lot size of 10,000 sq.ft.
- F. The applicant is seeking PUD rezoning in order to decrease the required setbacks from the interior road in order to increase the setbacks along the perimeter of the site. They are also asking to have one entrance since the KCRC want the curb cut to align with the drive across the street.
- G. The proposed subdivision will not have individual lots as a condominium. But the units will be single family detached units.
- H. The developer has indicated that the units will be about 3,000 Sq ft and a target of \$600-\$700k. While we do not regulate the price point the minimum home size in the Residential zone is 1,300 sq ft for a one story and 1,600 sq ft for a two story.
- I. The development will be served by public sewer and public water. They have had the project reviewed by the City of Grand Rapids and have obtained comments from the city. There a few outstanding items, but are mostly just construction details. The biggest issue is the need for the easements from the neighboring subdivision which they have agreed to grant.
- J. The open space that is being provided is mainly located around the perimeter of the site. Some of the open space will have to accommodate a sewer and water line connections to the development to the west.
- K. The developer also plans to do some significant landscaping of the site. In addition to retaining the large wooded area to the north, they are landscaping the perimeter as well as the interior of the site and rather than provide traditional street trees have

developed a landscape plan around each unit. Since this is all common area as a condominium it will be easier to ensure that the landscaping remains in the future.

- L. The development will be utilizing private streets. The plans have been developed in accordance with our standards for private streets with the exception of the number of units on a dead end. The alternative would be to allow several lots with direct access to Thornapple River Dr. The street names and addresses have already been approved by the Kent County Road Commission.
- M. Traffic counts on Thornapple River Dr are 5,600 to 8,800. According to the KCRC a two-lane road has the capacity for about 10,000 cars. A 21-unit single family subdivision would add about 210 trips to the current traffic count.
- N. The Township Engineer has reviewed and approved the plan.
- O. No sidewalks are planned for the interior portion of the project but it does include an extension of the pedestrian path along the Thornapple river drive frontage to connect the subdivision to the light at the intersection. The pathway along Thornhills would be built by the developer and turned over to the Township for maintenance. The developer is also providing an easement to the south property line, to allow the pathway to continue in the future.
- P. They have already provided their condominium documents to our attorney for review.
- Q. As with all our residential projects they will have an airport recognition statement in the PUD Ordinance.
- R. The planning commission held a public hearing on the matter at their March 4, 2019 and has recommended approval of the plan along with the PUD Ordinance.
- S. **Standards**

Section 16.03 of the Zoning Ordinance requires that a Planned Unit Development must demonstrate that:

Standard	Staff Comment
<p>Granting of the Planned Unit Development rezoning will result in a recognizable and substantial benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved.</p>	<p>The property is already zoned R2 and the development that are asking for is consistent with the R2 zoning. The changes to accommodate the PUD allow for an increase in setbacks to the surrounding neighbors and allow for one</p>

	entrance in the preferred location, while eliminating any other private entrances.
In relation to underlying zoning, the proposed type and density of use shall not result in a material increase in the need for public services, facilities and utilities, and shall not place a material burden upon the subject or surrounding land or property owners and occupants or the natural environment	The type of use and density is consistent with the master plan would not result in a material increase in the need for public services.
The proposed development shall be compatible with the General Development Plan of the Township, and shall be consistent with the intent and spirit of this Chapter	The project is consistent with the master plan
In relation to underlying zoning, the proposed development shall not result in an unreasonable negative economic impact upon surrounding properties	The development is very similar to the surrounding projects and being consistent with the underlying zoning would not result in an unreasonable negative economic impact
The proposed development shall contain at least as much green area and usable open space as would otherwise be required by this Ordinance with respect to the most dominant use in the development	met.
The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance. This provision shall not prohibit a transfer of ownership or control, upon due notice to the Planning Director of the Township	met

Staff Recommendation

Staff recommends approval of the plan with the PUD Ordinance.

CASCADE CHARTER TOWNSHIP
Ordinance #__ of 2019
AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP
ZONING ORDINANCE AND ZONING MAP TO ESTABLISH THE
LANTERNS OF CASCADE
PLANNED UNIT DEVELOPMENT PROJECT.

Cascade Charter Township (the “Township”) Ordains:

Section I. An Amendment to the Cascade Charter Township Zoning Ordinance.

The application received from Douglas A. DeHaan, Manager of DDSBBS Group, LLC (hereinafter referred to as the “Developer”) for Planned Unit Development designation for the proposed Lanterns of Cascade Planned Unit Development Project (hereinafter referred to as the “Project”) was recommended by the Cascade Charter Township Planning Commission for approval at the _____, 2019 Planning Commission meeting. The Project is recommended for rezoning from R2, Residential to PUD, Planned Unit Development, thus permitting a condominium development. This action requires an amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission’s recommendations and the Cascade Charter Township Board of Trustees’ action on the _____, 2019.

Section II. Legal Description.

The legal description of the Project is made up of the following:

E 1/4 OF N 5/8 N 1/2 SE 1/4 EX N 525.0 FT OF E 50.0 FT * SEC 17 T6N R10W 11.90 A.

Section III. General Provisions.

The following provisions shall hereby apply to the Project, in addition to those provisions outlined in Chapter 16 of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988, as amended).

Section IV. Purpose.

The Project occupies approximately 11.9 acres of land in the Township. The Project will be a condominium development containing 21 single-family condominium units. Approximately 51% of the property is to be preserved as open space. This technique has been chosen by the Developer to give it and the eventual owners of each unit more control over the Project’s aesthetics and appearance. This development technique provides the Developer with the ability to develop the Project in a manner to meet market expectations where more traditional mechanisms such as creating subdivision plats do not.

The regulations contained herein are established to define the procedures necessary to ensure high quality development in the Project. Additionally, they are designed to achieve integration of this development with adjacent land uses.

Section V. Approval Limitations.

- A. The provisions of this Ordinance/Ordinance amendment (“this Ordinance”) are not intended as a substitute for the Cascade Charter Township Zoning Ordinance and the General Development Plan, nor do they in any way relieve the Developer from obtaining all approvals and permits required by the Township, except as otherwise expressly provided herein. In the event that a development issue or site plan element is not expressly addressed by this Ordinance, the specifications and requirements of the Cascade Charter Township Zoning Ordinance shall apply. Furthermore, all other applicable Cascade Charter Township ordinances shall still govern the Project where applicable.
- B. Except as expressly otherwise provided herein, the Developer and his assigns must meet all applicable provisions, ordinance requirements, and regulations of Cascade Charter Township, as well as federal and state law, and must obtain all necessary approvals from state and county governmental agencies that are required for construction, operation, or use.
- C. This PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition imposed herein is determined to be illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the Township reserves the right to review the entire Project under the PUD provisions of the Cascade Charter Township Zoning Ordinance, and further, to withdraw its approval of this PUD if the Township finds that, absent the effect of any condition imposed herein, the PUD no longer meets the standards for PUD approval contained in the Zoning Ordinance.
- D. All conditions contained herein and in the final approved site plan shall be binding upon the Developer, as well as its successors, tenants and assigns. The conditions may be modified or amended only pursuant to a formal amendment of the PUD approval, approved site plan, and ordinance amendment. The Project must be constructed and operated, and all properties therein used, in strict compliance with the PUD approval (including this Ordinance and the final approved site plan), and no deviations can occur without prior formal written approval by the Township. So-called minor deviations shall not occur unilaterally by the Developer or its successors, tenants, or assigns. Any deviation without prior formal written approval by the Township will constitute a violation of this Ordinance and the Cascade Charter Township Zoning Ordinance.
- E. This approval document shall be recorded with the Kent County Register of Deeds by the Developer prior to construction occurring on site and shall run with and bind the lands involved. Copies of this recorded document shall be supplied by the Developer to the Cascade Charter Township Clerk.**

- F. Failure to comply with the site plan or any condition of approval herein shall be deemed to be both a nuisance per se and a violation of the Cascade Charter Township Zoning Ordinance.
- G. **Prior to recording a copy of this document as specified in Section V(E) hereof, the Developer shall type the following statement onto the end of this document (or add an additional page to the document) as follows, and shall sign and date the same:**
- “I, Douglas A. DeHaan, Manager of DDSBBS Group LLC, have fully read the above PUD ordinance amendment, understand its provisions and fully agree with all requirements and conditions contained in the same, on behalf of myself and my assigns, successors and transferees in and to the property involved.”**

Section VI. Condominium Documents and Plans.

- A. Specific controls relating to architectural elements, common elements of the condominium project, construction materials, size and space requirements, improvements and out buildings, specific prohibitions and rules of conduct shall be governed by condominium bylaws and master deed. These restrictions shall become part of this Ordinance by reference.
- B. The Project shall be developed exactly in accordance with the site plan approved and signed by the Township. The site plan shall indicate where each building envelope will be located and shall provide appropriate measurements demonstrating compliance with Section 16.11(2) of the Zoning Ordinance. Engineering plans and documents relating to utilities, topography, drainage, and the survey of the Project shall be reviewed and approved by the Township Engineer. Approval of these documents shall be based upon their meeting the requirements of Section 16.11(4) of the Zoning Ordinance and also meeting recognized, acceptable engineering standards and practices. Once it has been determined that the plans have met Township requirements, the Township Engineer shall sign and mark these plan documents as “Approved,” and forward them to the Developer. Only approved plan documents shall be recorded with the appropriate county and state agencies.
- C. The number of building sites may be reduced or consolidated within the Project only after the review by and written approval of the Township Planning Department. The proposed changes to the site/survey plan to reduce or consolidate building sites shall be reviewed by the Planning Department to ensure compliance with the Cascade Charter Township Zoning Ordinance, this PUD Ordinance, and any other requirements. Once approved by the Planning Department, the amended site/survey shall then be recorded with the Kent County Register of Deeds Office and the appropriate state agencies by the Developer at his cost. A copy of the recorded site/survey plan shall be forwarded to the Planning Department, so that accurate files regarding the development can be maintained.

Section VII. Permitted Uses.

The permitted uses for the Lanterns PUD are as follows:

- A. Single Family Residences.
- B. Signs. All signs for the Project shall conform with Section 6.02 of the Cascade Charter Township Sign Ordinance (Ordinance 14 of 1997, as amended).

Section VIII. Design Guidelines, Requirements and Limitations.

The Project shall be developed in exact accordance with the site plan approved by the Township. No alterations, expansions or additions may occur as to the Project without a formal amendment to this Ordinance, unless expressly otherwise authorized herein.

- A. Maximum Number of Residential Units - The maximum number of single-family detached condominium units within the Project shall be limited to twenty-one (21) units.
- B. Maximum Building or Structure Height - 35 feet or 2½ stories whichever is the less.
- C. Setback Requirements

All condominium buildings and structures shall meet the following minimum setback requirements:

- 1. Front Yard Setback: 27 feet from the edge of Lamppost Dr and 110 feet from the center of Thornapple River Dr
 - 2. Side Yard Setback: minimum of 20 feet separation between buildings
 - 3. Rear Yard Setback: 25 feet.
- D. Minimum Floor Area

Each dwelling on a condominium unit shall contain a minimum of:

- 1. One Story & Bi-Level – 1,650 square feet on the main floor, top floor of a bi-level, finished livable area above grade level, exclusive of garages, decks, porches and breezeways.
 - 2. Two Story – 1,650 square feet, with a minimum of 800 square feet on the first floor, finished livable area above grade level, exclusive of garages, decks, porches and breezeways.
- E. Landscaping. The property shall be landscaped as shown on the approved landscape plan dated 1/31/19. All plantings shall be installed prior to occupancy of the final home.

- F. Pathways/Sidewalks. The developer is responsible to construct a pedestrian pathway according to Township standards from the norther property line connecting the existing trail to the entrance of the development. This pathway must be built before the 15th building permit or within five years of the start of the project whichever is first. The developer is also responsible to provide an easement South of the drive for a future pedestrian pathway.

Section IX. Private Street Development.

- A. The Developer has chosen to construct private roads to serve this development. These plans must be done in accordance with the Cascade Township standards.
- B. No combustible building materials may be erected on the Project until a temporary access road is constructed to within 100 feet of the furthest point of a structure. Such road shall be a minimum 18 feet wide and be able to support 20 tons on a single axle with dual wheels and standard road tires.

Section X. Temporary Buildings.

No structure of a temporary nature; trailer, tent or construction shack shall be constructed, placed or maintained within the Project except accessory to and during construction of any building or infrastructure improvement.

Section XI. Utilities.

- A. Water and Sewer – The individual units in the Project will be served by public sewer and public water. Such systems shall be designed, installed, and maintained pursuant to all applicable requirements of the City of Grand Rapids.
- B. Stormwater Drainage - All proposed stormwater drainage facilities shall be reviewed and approved by the Township Engineer, and the Kent County Drain Commissioner's office, and the Michigan Department of Environmental Quality (if it has jurisdiction) prior to the development of the Project. The Developer shall provide the Township Planning Department with copies of all correspondence and permits received from the Kent County Drain Commissioner and the Michigan Department of Environmental Quality regarding stormwater disposal.
- C. The Developer shall provide all necessary easements within the Project for telephone, electricity, gas and cable television to the appropriate utility provider without cost. Said easements shall be recorded with the Kent County Register of Deeds and be provided to each utility provider for their records.
- D. Exterior Lighting. All street lighting shall either be installed prior to the issuance of any certificate of occupancy for the first building in the Project or paid for prior to the issuance of any certificate of occupancy for the project.

Section XII. Soil Erosion Control Requirements.

The Developer shall submit a soil erosion control plan showing all temporary and permanent soil erosion control measures to be taken before, during, and after construction on the Project. This plan shall be reviewed and approved by the Township Engineer prior to commencing any excavation on the site.

Section XIII. Performance Guarantee.

To ensure compliance with this Ordinance and any conditions herein, the Township may require reasonable performance guarantees to ensure completion of improvements such as, but not limited to, landscaping, drainage, lighting, roads, and utilities. The Township Board, Engineer, or Planning Department may require such guarantees at any time they deem reasonably necessary to ensure completion of the improvements. The form (including the bank or surety involved), duration, and amount of the performance guarantee as shall be approved by the Township.

Section XIV. Permanent Common Open Space.

The permanent common open space area is to remain in its present undeveloped state in perpetuity. To ensure this occurs, the following regulations shall apply to the permanent common open space area:

- A. No buildings, structures, fences, or driveways shall be erected, constructed or placed within the common open space area with the exception of the improvements that are shown on the approved site plan dated 2/4/19.

Section XV. The Gerald R. Ford International Airport.

Within the recorded Master Deed, the Developer shall expressly disclose in writing that the Project is located in the vicinity of the Gerald R. Ford International Airport and that there may be noise, vibration, and property valuation impacts associated with such location.

Section XVI. Consistency of the Master Deed and/or Deed Restrictions/Covenants with the PUD Approval.

If the Project will be a condominium project (in whole or in part), the master deed (and attachments) shall be reviewed and approved by the Township Attorney prior to final recording to ensure consistency with this Ordinance. If some or all of the Project will be governed by deed restrictions/restrictive covenants apart from a condominium master deed, such deed restrictions/restrictive covenants shall be reviewed and approved by the Township Attorney before recording to ensure consistency with this Ordinance.

Section XVII. Consistency With Planned Unit Development (PUD) Standards.

The rezoning to Planned Unit Development will result in a recognizable benefit to the ultimate users of the Project and to the community. Current and future residents will recognize the benefits of a residential development that offers a low-density land use.

In relation to the underlying zoning (R2) the Township finds the Project will not result in a material increase in the need for public services, facilities and utilities and will not place a material burden upon the subject property and the surrounding properties. The Project is not anticipated to cause undo impact to the stormwater drainage of the surrounding area. All stormwater and soil erosion control plans have been approved by the Township Engineer and the appropriate County and State agencies.

The Project has been determined by the Township to be compatible with the 2009 Comprehensive Plan of the Township and with the spirit and intent of the Planned Unit Development Chapter of the Zoning Ordinance. The Project has been determined to be a "Residential" use, which is consistent with the Cascade Township Comprehensive Plan.

The Township finds the Project will not result in an unreasonable negative economic impact upon surrounding properties.

The Township finds the Project to have at least the same amount of green areas and usable open space than would typically be required by the Township Zoning Ordinance.

Finally, the Township recognizes the Project will be under single ownership or control. The Township recognizes that the Developer or its assigns will retain ownership and control of the Premises until a majority of the condominium units are purchased for single family residential purposes.

Section XVIII. Effective Date.

This Ordinance shall become effective seven (7) days after publication of the ordinance, or a summary thereof, in *The Grand Rapids Press*, a newspaper of general circulation within Cascade Charter Township.

The foregoing Ordinance was offered for adoption by Board Member _____, supported by Board Member _____. The roll call vote being as follows:

YEAS:

NAYS:

ABSENT:

Sue Slater
Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the _____ of _____ 2019.

Sue Slater
Cascade Charter Township Clerk

“I, Douglas A. DeHaan, Manager of the DDSBBS Group, LLC, have fully read the above PUD ordinance amendment, understand its provisions and fully agree with all requirements and conditions contained in the same, on behalf of the company and its assigns, successors and transferees in and to the property involved.

DDSBBS Group, LLC

By: _____

Douglas A DeHaan Date
Manager



March 14, 2019
Project No. 170168

Mr. Steve Peterson
Cascade Charter Township
2865 Thornhills Avenue, SE
Grand Rapids, MI 49546-7192

Re: Lanterns
Site Plan Review

Dear Steve:

We have reviewed the site plan for Lanterns, prepared by Exxel Engineering, Inc. The current site plan and basis of this review are dated February 26, 2019. The proposed project is a 21-unit condominium development with associated site improvements. The site is in the Thornapple River watershed, sub-drainage district Sentinel Point.

Stormwater and Drainage

Flood Control

The Cascade Charter Township Storm Water Ordinance (SWO), Section 1.04, states the ordinance shall apply to all development that requires any permit for work which will alter the stormwater drainage characteristics of the development site. The site is located in Stormwater Management Zone A, which requires retention of the 100-year storm event and infiltration to the greatest extent possible. Where soil conditions or other factors do not allow for adequate infiltration, the SWO requires detention of the 25-year storm event with a controlled release and a direct connection for stormwater runoff for the 100-year storm event, or detention of the 100-year storm event. The SWO also requires the first 0.5-inch of stormwater runoff be detained and released over a 24-hour period (Water Quality Control) and the 2-year storm event release rate be limited to 0.05 cfs/acre (Bank Erosion Control).

The proposed stormwater management design is to collect and infiltrate stormwater onsite in a retention basin located at the north end of the site. Stormwater runoff from all impervious and developed areas of the site will be collected and conveyed to the retention basin. The retention basin is sized for the 100-year storm event runoff from all impervious areas of the site.

The SWO requires a minimum of two soil borings extending a minimum of 10 feet below the bottom of a proposed retention basin and double-ring infiltrometer tests at the proposed bottom elevation of the basin. The applicant provided two double-ring infiltrometer test results taken at the retention basin location. The tests were taken at several feet below grade at the approximate bottom elevation of the retention basin. The test results revealed infiltration rates of 6 and 21 inches/hour. A design infiltration rate of half the lowest test result, 3 inches/hour, was used for design of the retention basin.

Soil borings were provided by the applicant. Two soil borings were located at the proposed retention basin extending 20 feet below existing grade. Soils encountered at the retention basin consisted of fine sand and fine silty sand. Groundwater was observed at 12.5 feet and 14.5 feet below existing grade, elevation 698 feet. The bottom of the proposed retention basin is 706 feet, 8 feet above the observed groundwater elevation.

The proposed stormwater management design is in accordance with the SWO.



Water Quality Control and Bank Erosion Control

The SWO requires the first 0.5 inch of stormwater runoff be detained and infiltrated where conditions permit, or released over a 24-hour period, and the 2-year storm event release rate be limited to 0.05 cfs/acre. The proposed stormwater management design will infiltrate all stormwater runoff up to the 100-year storm event. The proposed design is in accordance with the SWO.

Stormwater Runoff

The applicant provided stormwater calculations to size the retention basin. All stormwater runoff from the impervious areas of the site will discharge to the retention basin. Therefore, the site will not see an increase in rate of stormwater leaving the site.

Drainage Plan

The applicant has submitted drawings, calculations and additional documentation as required in the SWO Section 2.03, Drainage Plan. Please refer to the attached checklist for items and comments on each item. Please note a maintenance agreement is required before construction begins. The agreement should be submitted to the Township for review. The maintenance agreement and plan should include at a minimum cleaning of catch basin sumps and maintenance of the retention basin.

Utilities

The proposed project includes new 8-inch water main and 8-inch sanitary sewer main extensions through the site. The applicant has coordinated the utility design with the City of Grand Rapids (City) and has received engineering approval, with additional notes from the City to incorporate. City permits will be required for the new sanitary sewer and water main connections prior to construction.

The proposed sanitary sewer main will connect to an existing 8-inch sanitary sewer near the west property line. The proposed sanitary sewer will cross an existing drainage channel to make the connection. The drainage channel appears to be the outlet for an existing pond in the condominium development to the east. The proposed utility plan will fill the drainage channel to provide adequate cover over the sanitary sewer pipe. A new 2-foot diameter culvert is proposed to maintain drainage in the channel. The applicant provided supporting calculations for sizing of the culvert. A permit from the Michigan Department of Environmental Quality (MDEQ) will be required for the fill and culvert in the drainage channel.

Driveway

A new driveway is proposed for the development on Thornapple River Drive. The applicant coordinated the drive location with the Kent County Road Commission (KCRC). A permit from the KCRC will be required prior to construction.

Soil Erosion and Sedimentation Control

Soil Erosion and Sedimentation Control (SESC) measures are provided on the plan drawings. The applicant has included silt fence along the limits of disturbance and silt sacks in adjacent catch basins. SESC falls under the review and approval of the Kent County Road Commission and a permit is required before construction can begin. The SESC measures indicated on the drawings appear appropriate given the expected work.

Mr. Steve Peterson
Page 3
March 14, 2019



Summary

The proposed stormwater management design meets the Township SWO requirements for new developments. The applicant will need to apply for and obtain several permits (SESC, KCRC, MDEQ, water and sanitary sewer from the City) prior to construction. We recommend approval of the site plan from an engineering standpoint. If you have any questions or require additional information, please contact me at 616.464.3786 or nrtorrey@ftch.com.

Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.

A handwritten signature in black ink, appearing to read 'N. Torrey', is positioned above the printed name.

Nathan R. Torrey, PE

jlk

Attachment

By email

cc: Michael L. Berrevoets, PE – FTCH



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan
49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: DDSBBS Group, LLC Attn: Douglas DeHaan
Address: 3299 Hudson Trails Drive
City & Zip Code: Hudsonville, MI 49426
Telephone: 616-896-8300
Email Address: ddehaan@dehaanhomes.com

OWNER: * (If different from Applicant)
Name: _____
Address: _____
City & Zip Code: _____
Telephone: _____
Email Address: _____

NATURE OF THE REQUEST: (Please check the appropriate box or boxes)	
<input type="checkbox"/> Administrative Appeal	<input type="checkbox"/> Administrative Site Plan Review
<input type="checkbox"/> Deferred Parking	<input checked="" type="checkbox"/> P.U.D. - Rezoning *
<input type="checkbox"/> P.U.D. - Site Condominium *	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Site Plan Review *	<input type="checkbox"/> Sign Variance
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Subdivision Plat Review *
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____ *

** Requires an initial submission of 5 copies of the completed site plan*

BRIEFLY DESCRIBE YOUR REQUEST:**
Proposed 21-unit Villa Condominium development

(**Use Attachments if Necessary)
-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

See site plan

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 17-427-004

ADDRESS OF PROPERTY: 3217 Thornapple River Drive

PRESENT USE OF THE PROPERTY: Single Family Homes

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:

Name(s)

Address(es)

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)

DOUGLAS A. DELMON MEMBER
Owner – Print or Type Name
(*If different from Applicant)

Applicant – Print or Type Name

* [Signature]
Owner's Signature & Date
(*If different from Applicant)

Applicant's Signature & Date

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET – THANK YOU



- GENERAL NOTES:**
1. PROPERTY INFORMATION:
 - a) PROPERTY DESCRIPTION: THE EAST ONE-QUARTER OF THE NORTH ONE-EIGHTH OF THE NORTH ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 17, TOWN NORTH, RANGE 18 WEST, CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN.
 - b) PROPERTY ADDRESS: 3217 THORNAPPLE RIVER DRIVE SE.
 - c) PARCELS SIZE: 12.8 ACRES (11.85 ACRES EXCL. RWY)
 2. MAPING:
 - a) BOUNDARY INFORMATION BASED ON ALTA SURVEY PREPARED BY MOORE & BROOKBANK, P.L.L.C., 1974, INCLUDING UNDEVELOPED LOTS AND TOPOGRAPHICAL FEATURES BASED AVAILABLE KENT COUNTY GIS DATA.
 - b) EXISTING UTILITY AND ADJACENCIES BASED ON AVAILABLE RECORDS.
 3. EXISTING ZONING: R-2 RESIDENTIAL.
 4. PROPOSED LAND USE: RESIDENTIAL.
 - a) ZONING DISTRICT: R-2
 - b) ZONING DISTRICT: R-2
 - c) ZONING DISTRICT: R-2
 5. PROPOSED UNITS: 21 UNITS PER BASE DENSITY PLAN.
 - a) ALLOWABLE DENSITY: 21 UNITS PER BASE DENSITY PLAN
 - b) GROUND SPACE CALCULATION:
 - DEVELOPABLE AREA = 11.82 AC.
 - OPEN SPACE PROVIDED = 6.49 AC. (RWY EXCLUDED STRETS)
 6. PROPOSED DIMENSIONAL REQUIREMENTS:
 - a) MINIMUM DISTANCE BETWEEN BUILDINGS = 30'
 - b) SETBACK FROM FRONT DRIVE BAYMENT = 4' (WHENVER PROJECTIONS)
 - c) FRONT OF DRIVE TO EDGE OF DRIVEWAY = 30'
 - d) FROM CL. THORNAPPLE RIVER DRIVE = 110'
 - e) MINIMUM DISTANCE FROM OVERALL BOUNDARY = 30'
 7. PROPOSED IMPROVEMENTS:
 - a) PRIVATE STREET (ONE WAY) WILL BE CONSTRUCTED TO MEET THE STANDARDS OF THE TOWNSHIP ENGINEER.
 - b) SANITARY AND SEWERAGE WILL BE EXTENDED AS SHOWN ON THE PLAN. CONSTRUCTION WILL CONFORM TO THE CITY OF GRAND RAPIDS REQUIREMENTS.
 - c) STORMWATER MANAGEMENT WILL BE DESIGNED TO CONFORM TO THE TOWNSHIP STORMWATER DISTRICT.
 - d) POWER, GAS AND COMMUNICATION LINES WILL BE INSTALLED UNDERGROUND.
 - e) A 18' WIDE SIDE PATH WILL BE CONSTRUCTED FROM THE NORTH PROPERTY LINE TO THE NORTH EDGE OF THE SOUTH SIDE DRIVE.
 - f) APPROPRIATE ORIENT LIGHTING, LANDSCAPING AND SIGNAGE WILL BE PROVIDED FOR THE DEVELOPMENT - DETAILS TO BE PROVIDED BY SUBSEQUENT SUBMITTALS.



PLD CONDOMINIUM PLAN
PLAN TERMS
 FOR: DODDS GROUP, LLC
 ATTORNEYS: DEANAN
 3025 HIDDEN TRAILS DRIVE
 HIDDENVILLE, MI 49425
 IN: PART OF THE SE 1/4, SECTION 17, TOWN NORTH,
 CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN

RE: 3217 THORNAPPLE RIVER DRIVE

Scale: engineering, Inc.
 ENGINEERS - ARCHITECTS - SURVEYORS
 REGISTERED PROFESSIONAL ENGINEERS
 PROFESSIONAL SURVEYORS
 11000 S. HAWTHORNE AVENUE, SUITE 100
 GRAND RAPIDS, MI 49508

DATE: 01/20/2024
 DRAWN BY: JLD
 CHECKED BY: JLD
 SCALE: 1" = 50'

1 of 2

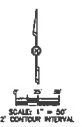
\p\projects\3217 Thornapple River Drive\3217 Thornapple River Drive.dwg, PLOT: 01/20/2024 11:18 AM, JLD



- GENERAL NOTES:**
1. PROPERTY INFORMATION:
 a. PROPERTY LOCATION: THE EAST ONE-QUARTER OF THE NORTH TWO-FOURTHS OF THE NORTH ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 17, TOWNSHIP 4 NORTH, RANGE 18 WEST, CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN.
 b. PROPERTY ADDRESS: 3217 THORNAPPLE RIVER DRIVE SE.
 c. PARCEL NO.: 12.48 ACRES (12.45 ACRES EXCL. R/W)
 2. MAPPING:
 a. BOUNDARY INFORMATION BASED ON ALTA SURVEY PREPARED BY MOORE & BERGLUND, FEB. 4, 1976.
 b. EXISTING GROUND CONTOURS AND TOPOGRAPHICAL FEATURES BASED AVAILABLE KENT COUNTY GIS DATA.
 c. EXISTING UTILITY AND ADJACENCIES BASED ON AVAILABLE RECORDS.
 3. EXISTING ZONING: P-2 RESIDENTIAL.
 4. DIMENSIONAL REQUIREMENTS PER TABLE 6.2 OF CASCADE TOWNSHIP SUBORDINATE ORDINANCE:
 a. MINIMUM BUILDING SETBACKS:
 FRONT = 20'
 SIDE = 10'
 REAR = 20'
 FROM OS, THORNAPPLE RIVER DRIVE = 110'
 MINIMUM LOT SIZE = 10,000 SQ. FT. (WITH MAX OPEN SPACE)
 c. MINIMUM LOT WIDTH = 80' (WITH MAX OPEN SPACE)
 d. REQUIRED OPEN SPACE = 11.33 ± A.S. ± 6.82 ACRES
 5. BASE DENSITY PLAN SUMMARY:
 a. 21 SITE CONDO UNITS
 b. MINIMUM LOT SIZE = 10,000 SQ. FT.
 c. OPEN SPACE PROVIDED = 6.82 ACRES (EXCLUDES STREAM)
 d. PRIVATE STREET MEETS CASCADE TOWNSHIP PRIVATE STREET REQUIREMENTS

SITE CONDO UNIT SIZE TABLE

Unit	Area (sq. ft.)	Area (sq. ft.)	
1	8000	12	10000
2	8000	13	8000
3	10000	14	10000
4	10000	15	10000
5	10000	16	10000
6	10000	17	10000
7	10000	18	10000
8	10000	19	10000
9	10000	20	10000
10	10000	21	10000
11	10000		



BASE DENSITY PLAN
LANTERNS RE: 3217 THORNAPPLE RIVER DRIVE

FOR: DOODS GROUP, LLC
 ATTN: DOUGLAS DEHANN
 3083 HUDSON TRAILS DRIVE
 HUNTSVILLE, MI 48820

IN: PART OF THE SE 1/4, SECTION 17, T8N, R10W,
 CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN

DATE: 11/11/2011
 DRAWN BY: JMB
 CHECKED BY: JMB
 SCALE: AS SHOWN

Michael Engineering, Inc.
 planners - engineers - surveyors
 10000 W. 10th Street, Grand Rapids, MI 49508
 PH: 616.221.1100 FAX: 616.221.1101

SHEET 2 of 2

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Lanterns of Cascade



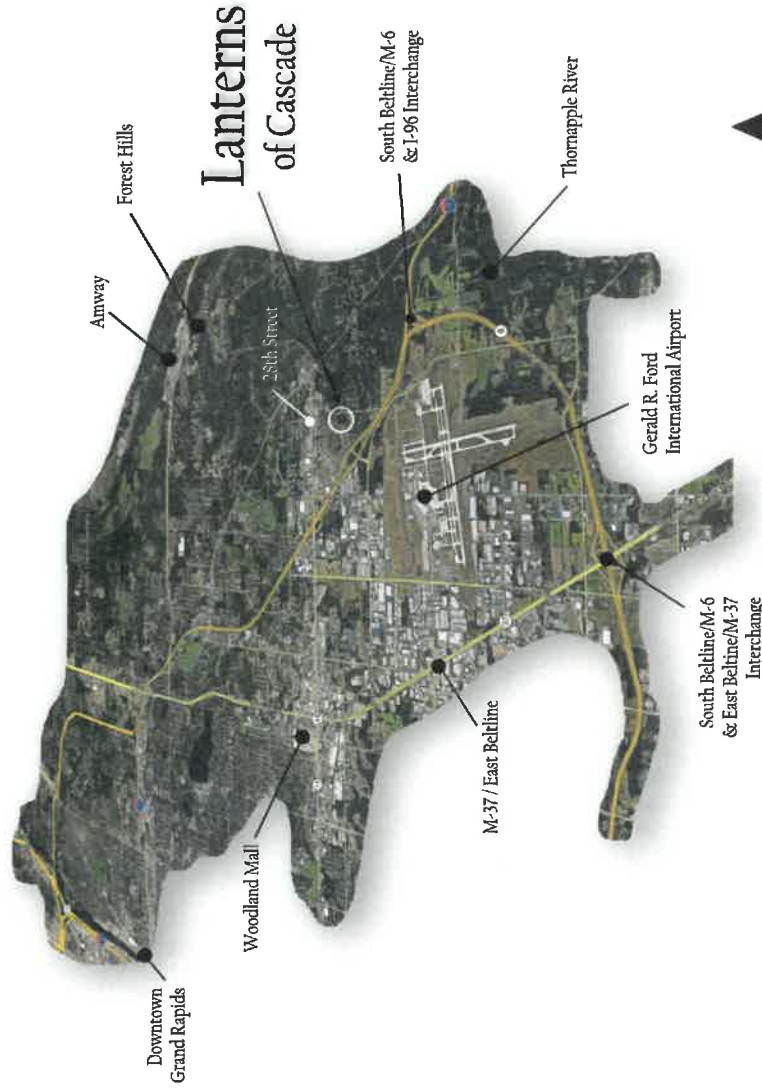
Lanterns
of Cascade

1.	DATE	DESCRIPTION	ISSUED FOR
2.	2008 10	APPLICATION <td>NOI AND</td>	NOI AND
3.			
4.			
5.			
6.			



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2.	Project A. Narrative B. Schedule	Sheet 2-3 Sheet 4
3.	Alternative Site Layouts	Sheet 5 Sheet 6
4.	Civil Engineering Documentation A. Site Dimension & Layout Plan w/ Map B. Site Dimension & Layout Plan C. Site Grading Plan D. Lighting Plan Opt 1 E. Lighting Plan Opt 2 E. Lighting Plan Opt 2	Sheet 7 Sheet 7A Sheet 8 Sheet 9 Sheet 10 Sheet 11
5.	Landscaping Plan A. Site Clearing & Landscape B. Master Site Landscape Plan C. Enlarged Entry Landscape Plan D. Individual Unit Landscape Plan	Sheet 12 Sheet 13 Sheet 14 Sheet 15
6.	Entrance Detail A. Entrance Pavilion & B. Typical Gas Lantern Detail C. Street Signage Detail	Sheet 16 Sheet 17
7.	Residential Home Designs A. Plan A B. Plan B C. Plan C	Sheet 18-19 Sheet 20-21 Sheet 22-23
8.	Support & Legal Documentation A. Warranty Deed B. Heathmoor Condo Easement Email C. Condo Documentation / Master Deed D. Exhibit A to Master Deed	Sheet 24



Lanterns of Cascade



1.	DATE	DESCRIPTION	ISSUED FOR
2.	2019	CON PLAN	
3.			
4.			
5.			
6.			

SHEET

1

Section 1 - Project Location & Area Map

Strategy:

Understanding our neighbors and their home types help us define our product line and deliverable:

- Heathmoor Condominiums border both our westerly and northern property lines, they have a combination of single and duplex units. We plan to plant several mature evergreens along the property line to share a common buffer.
- Thornapple Estates, our neighbors to the south, are higher end - single-family, custom-built homes. There is a total of 5 properties that border the Woods property and all currently maintain a +/- 60' buffer of trees to the shared property line. Our plan is to plant large pine trees along our southern property line and landscape outside each unit to preserve privacy for our owners and help buffer the neighbors to our south.
- The "former" Woods property - as it sits today, consists of two very old homes that are set for demolition - one is nearly condemned. The removal of these 2 homes, one old barn and free-standing garage - which allows for a community/village to be built with their removal.
- Thornapple Community Church resides east of Thornapple River Drive as a commercial property

Thoughtful Engineering of the site:

Location on the property:

Engineering the development on the upland portion of land accomplishes the following goals:

- Uses existing cleared land that former homes, barn, and accessory building (garage) had already occupied.
- Creates a safe entry at the crest of Thornapple River drive - directly across from the Thornapple Community church - in accordance with Kent County Road commission's recommendation for entry, access and safety - to obtain approvals.
- Allows for a de-acceleration lane into development off Thornapple River Drive - (currently it is 45 MPH at proposed entry into development)
- Provides ease of City of Grand Rapids water connection through development to water service main located at street end of Heathmoor condominiums - looping lines for redundancy and water quality improvements for all properties.
- Allows for zero step design for "active adult/age in place" lifestyle" for owners that will purchase condominiums - our site topography also allows for future finish if needed with daylight or walkout sites (for additional living space or storage)
- Allows for minimal grades on circulation drive - easy to navigate for owners
- Eliminates "hard corners" on shared drive - traffic flows smoothly through development - ease of circulation
- Allows for opportunity for street lighting and street furnishings within development
- Maintains nearly 3 acres of green space preserving existing vegetation - allowing natural habitat for wildlife
- Maintains storm water drain from Heathmoor Condominium Association through natural valley on property - promoting best management practices for storm drainage for neighbors and our new development
- Minimizes additional surface parking area that artfully blend into development - view-scape of additional parking is minimized by evergreen landscaping
- Ease of maintenance of front yard lawns for owners with minimal grade elevations to home entries

Circulation Drive within the property:

The drive creates a unique space that provides a distinct sense of place within this wooded site. A typical/conventional grid pattern design would not allow the creative use and benefits of the property or respect the topography it renders. The innovation of the drive design allows a flowing park like feel to this village/community and spaciouly allows 21 free standing units.

Even though the private drive width (18' - excluding the blacktop valley gutter) allows for two-way traffic per the township private drive standards, the intent for this development is to provide for one-way traffic.

One-way drives are proven to be safer as traffic is slower. (15 MPH), and for the owners that now depend on a traffic pattern that is predictable while backing out of their unit driveways.

Entry Statement to welcome owner to the property:

The entry will showcase an architectural element or amenity "the pavilion" provides a design aesthetic and shelter.

- The entry statement "pavilion" will showcase the first of many "gas lanterns" as one enters the development, all association owned and maintained. This element connects to pedestrian paths or walkways, creates a sense of space and destination while reinforcing community and social interaction.

- This structure has a utilitarian purpose as well:

It will house electrical services for entry lighting and water metering devices for entry signage and landscaping

Designing product to fit our buyer:

Our market research and understanding our current property neighbors - we plan to create Condominium "homes" - single family dwellings with front and rear porches, two or three stall garages, with a variety of elevations to produce a "village" fitting well between custom homes to our south and multiunit - attached condominiums - to our west and north, all while sitting across the street from commercial building with large parking areas.

In a recent trade publication, it was circulated that 73% of all new homes built in the next 7 years will service the 54 active adult market. We intend to help fill this need and build a quality, association-maintained, community of homes in the Cascade market place.

New homes cost 15% more than existing homes - but in a recent survey we conducted in another similar project, most buyers feel it is worth it. Why new versus used? Its just like a car.

Our clientele like the ability to:

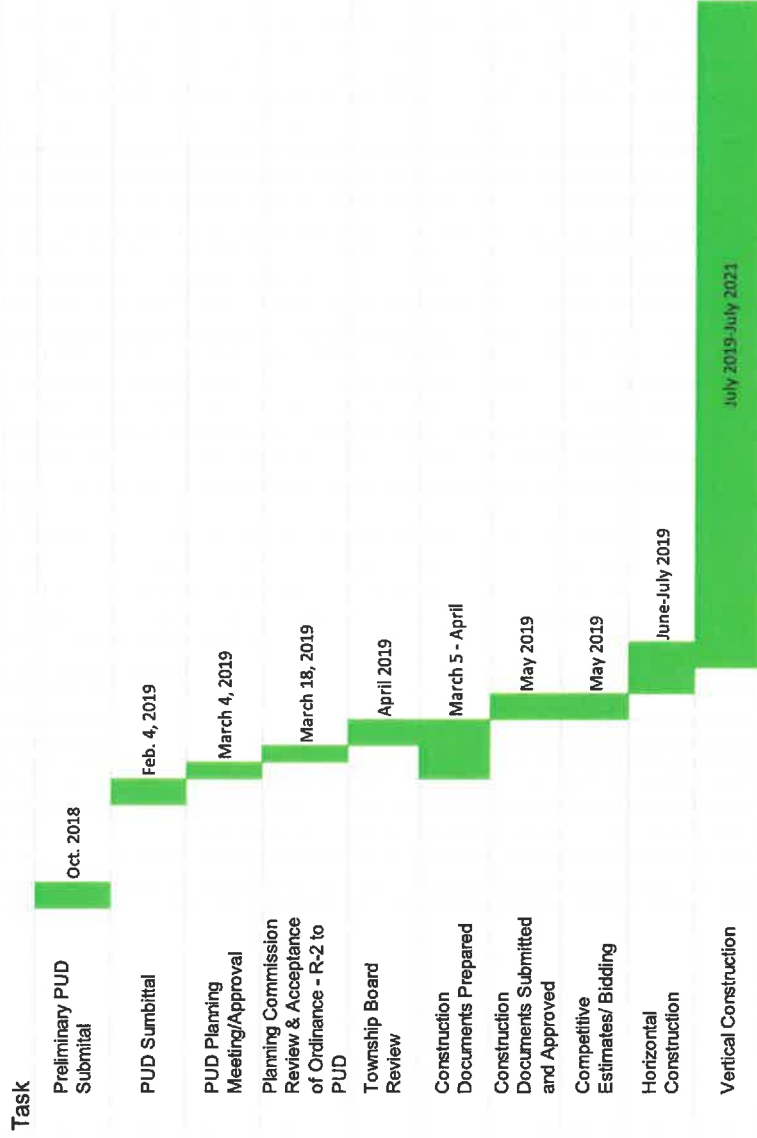
- Choose the finishes, fixtures and interiors.
- Obtain a builder warranty
- White glove service program - procurement of our product after the sale
- Cutting edge design and architecture - understanding buyers need for updated - open floor plans
- Latest home automation - great for the second home buyer who manages their real estate from a smart phone
- Energy efficient heating, cooling and venting solutions on the market to reduce monthly fixed costs
- Newest insulation available to lower energy bills
- Ease of use..... low maintenance - lower retainage fees for association owners

Section 2 - Project Narrative

SHEET

3

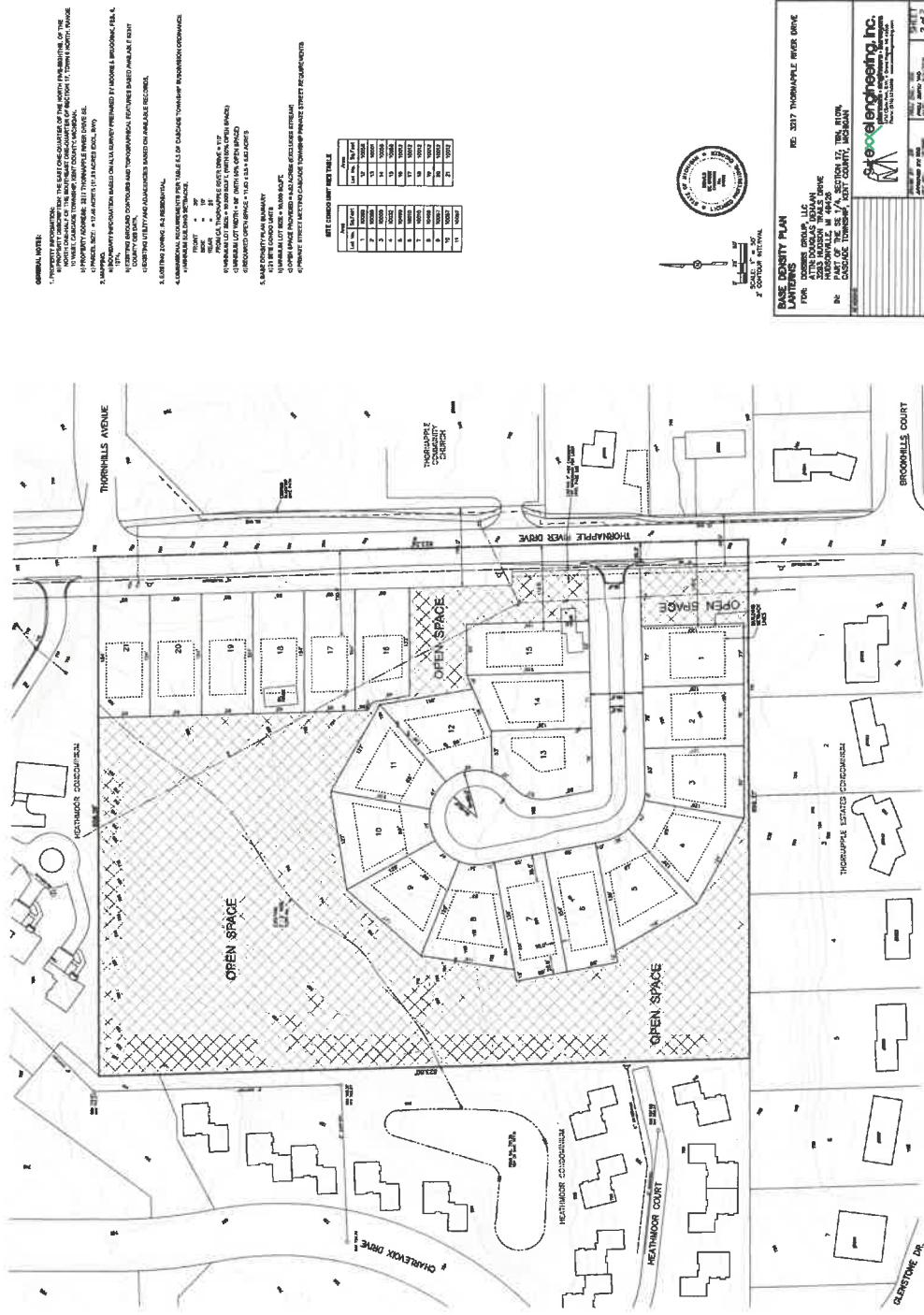
The Lanterns Proposed Development Schedule



1.	DATE	DESCRIPTION
2.	2 04 19	APPLICATION FOR BID
3.		
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Lanterns
of Cascade

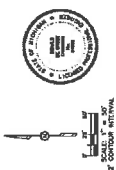




- GENERAL NOTES:**
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 2. CONTRACT DOCUMENTS: THE CONTRACT DOCUMENTS SHALL BE THE ARCHITECT'S STANDARD CONTRACT DOCUMENTS, LATEST EDITION, AND ANY ADDENDUMS THEREON.
 3. PROJECT SIZE: THIS PLAN IS FOR A PROJECT OF APPROXIMATELY 100 UNITS.
 4. PROPERTY INFORMATION: THE INFORMATION ON THIS PLAN IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.
 5. THE INFORMATION ON THIS PLAN IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.
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NET COVERED AREA TABLE

LOT NO.	NET COVERED AREA (SQ. FT.)
1	1,200
2	1,300
3	1,400
4	1,500
5	1,600
6	1,700
7	1,800
8	1,900
9	2,000
10	2,100
11	2,200
12	2,300
13	2,400
14	2,500
15	2,600
16	2,700
17	2,800
18	2,900
19	3,000
20	3,100
21	3,200



BASE DENSITY PLAN
 FOR
LANTERNS
 AT 3017 THORSHILLS AVENUE DRIVE
 FOR
 ATOR HOMES, LLC
 10000 10TH AVENUE, SUITE 100
 BELLINGHAM, WA 98226
 IN
 THE CITY OF THE STATE OF WASHINGTON
 PROJECT NO. 2017-0001
 SHEET 5 OF 5

Excel Engineering, Inc.
 10000 10TH AVENUE, SUITE 100
 BELLINGHAM, WA 98226
 PROJECT NO. 2017-0001
 SHEET 5 OF 5

Section 3 - Base Density Site Plan

GENERAL NOTES:

1. THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF IMAGIreets LIFESTYLE DESIGN. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS INFORMATION WITHOUT THE WRITTEN PERMISSION OF IMAGIreets LIFESTYLE DESIGN IS PROHIBITED.
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LAD CONFORMANCE PLAN
LANTERNS
 REC: 2017 THORNTON WALK DRIVE
 FOR: [Client Name]
 PREPARED BY: [Engineer Name]
 DATE: [Date]
 SCALE: [Scale]
 SHEET: 1 OF 2

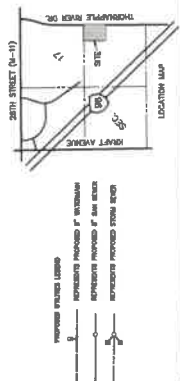
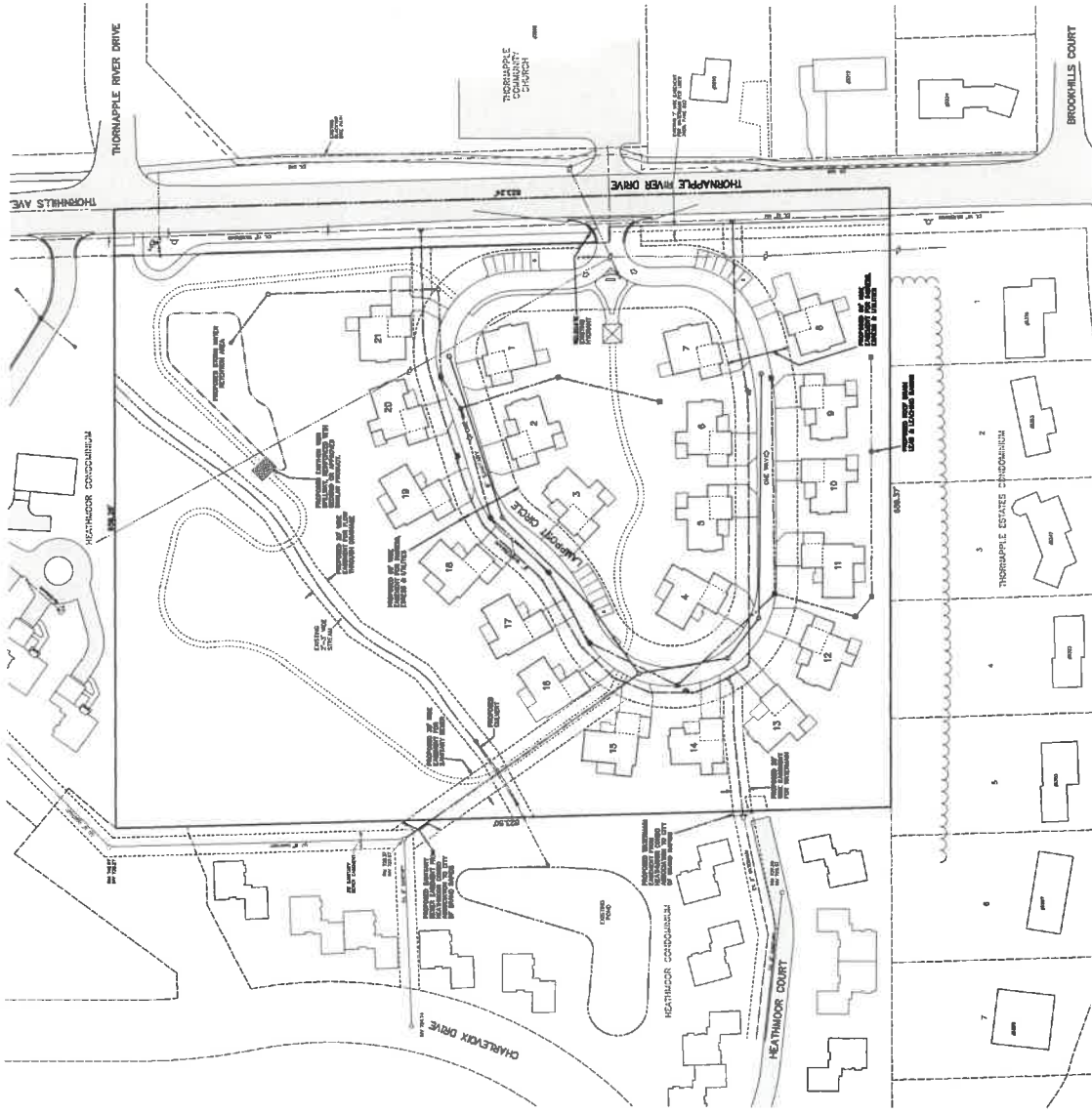
Section 3 - Initial Site Design Layout

1	DATE	12/15/11
2	DATE	04/19/12
3	DATE	05/15/12
4	DATE	
5	DATE	
6	DATE	

Lanterns of Cascade



NOTES:
 1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES.
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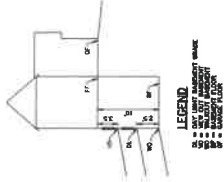
UTILITY PLAN
LANterns OF CASCADE PUD RE: 3217 THORNAPPLE RIVER DRIVE
 FOR: DOSSIS GROUP, LLC
 ATTORNEYS: DOUGLAS J. BOHANNON
 ENGINEER: JAMES M. WILSON
 PART OF THE SE 1/4 SECTION 17, T24N, R17W,
 CHARLEVOIX TOWNSHIP, LEIST COUNTY, MICHIGAN

excel engineering, inc.
 10000 E. 14th Ave., Suite 100
 Greenwood Village, CO 80120
 Phone: 303.751.1100
 www.exceleng.com

DATE: 04/19/12
 PROJECT NO.: 11-001
 SHEET NO.: 8 OF 8

Section 4 - Civil Engineering Documentation Site Utility Plan

1	DATE	DESCRIPTION
2	DATE	DESCRIPTION
3	DATE	DESCRIPTION
4	DATE	DESCRIPTION
5	DATE	DESCRIPTION
6	DATE	DESCRIPTION



LEGEND
 PROPOSED CENTERLINE
 EXISTING CENTERLINE
 PROPOSED CURB
 EXISTING CURB
 PROPOSED DRIVEWAY
 EXISTING DRIVEWAY

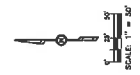
LEGEND
 PROPOSED CENTERLINE
 EXISTING CENTERLINE
 PROPOSED CURB
 EXISTING CURB
 PROPOSED DRIVEWAY
 EXISTING DRIVEWAY



SITE GRADING PLAN
LANTERNS OF CASCADE PUD
 FOR
 2800 MASSON TRAILS DRIVE
 PART OF THE SE 1/4 SECTION 17, T8N, R10W
 CASCADE TOWNSHIP, KOSCIUSKO COUNTY, MICHIGAN

ecolengineering, inc.
 10000 E. 13th Ave., Suite 100
 Aurora, CO 80012
 TEL: 303.751.1111
 FAX: 303.751.1112
 WWW.ECOLENGINEERING.COM

DATE: 08/11/11
 SHEET: 3 OF 3



Section 4 - Civil Engineering Documentation
 Site Grading Plan

DATE PLOTTED: 08/11/11 10:00 AM

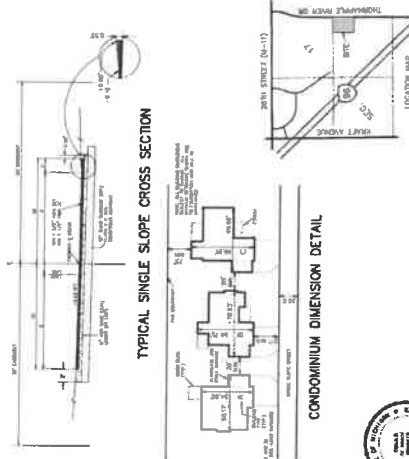
GENERAL NOTE:
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Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number of Lamps	File Name	Lumens Per Lamp	Light Loss Factor	Wattage
B	OPEN SPACE	6	Antique Street Lamp	EH16 GCF XT 63LED 530MA 40K R2	EH16 GCF LED 1 MODULE 63 LED 530MA 4000K TYPE 2 OPTIC POS.	ONE 109-W LED, DOWNLIGHT	1	EH16_GCF_X T_63LED_53 0MA_40K_R2	8135	1	109.9

Statistics

Description	Symbol	Avg	Max	Min	Max/Min Avg/Min
Calc Zone #2	+	0.8 f.c.	6.1 f.c.	0.0 f.c.	N/A

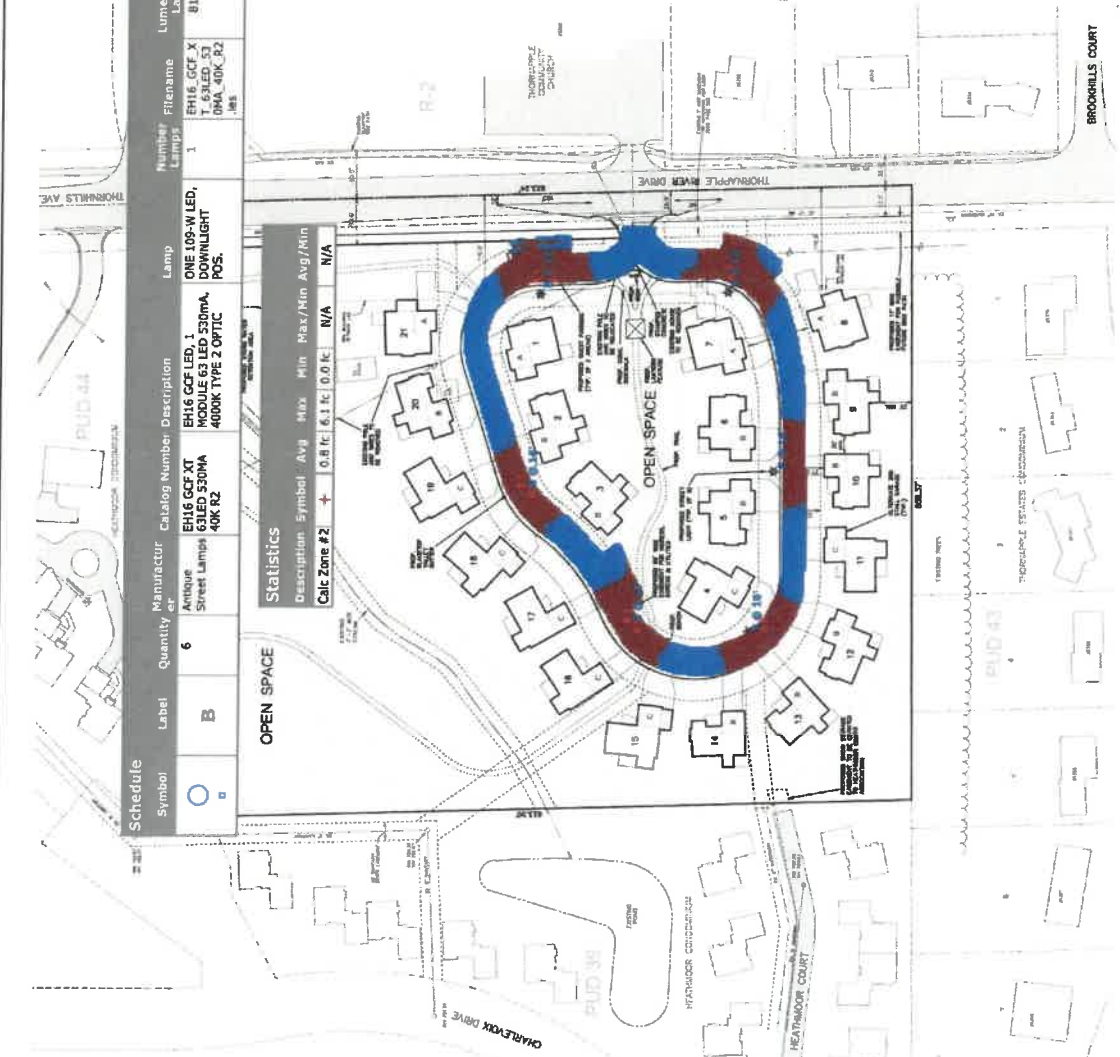
IF PROPOSED PHOTOVOLTAIC SYSTEMS ARE TO BE INSTALLED ON THE ROOFS OF THE TOWERPARK COMMERCIAL BUILDINGS, THE SYSTEMS WILL BE INSTALLED AS PER THE CITY OF PORTLAND'S PHOTOVOLTAIC SYSTEMS INSTALLATION MANUAL. THE SYSTEMS WILL BE INSTALLED AS PER THE CITY OF PORTLAND'S PHOTOVOLTAIC SYSTEMS INSTALLATION MANUAL. THE SYSTEMS WILL BE INSTALLED AS PER THE CITY OF PORTLAND'S PHOTOVOLTAIC SYSTEMS INSTALLATION MANUAL.



DELTA AN HOMES

Site Dimension and Layout Plan
 LANterns of Cascade PUD
 FOR: DOBBS GROUP, LLC
 10000 N. 100th Ave., Suite 100
 Greenwood, WA 98042
 PHONE: (206) 835-1100
 FAX: (206) 835-1101
 WWW.DELTAAH.COM

excel engineering, inc.
 10000 N. 100th Ave., Suite 100
 Greenwood, WA 98042
 PHONE: (206) 835-1100
 FAX: (206) 835-1101
 WWW.EXCEL-ENG.COM



Section 4 - Civil Engineering Documentation
 Proposed Lighting Photometric Plan-Opt 1

1	DATE	10/15/19
2	DATE	10/15/19
3	DATE	
4	DATE	
5	DATE	
6	DATE	



Storm Water Detention Area per Kent Co. Drain Commission requirements (Green)

Req'd clearing for Storm Water connection & Detention Area (Purple)

Req'd clearing for Utilities & Sidewalk adjacent to road (Red)

Req'd clearing area for individual residential unit placement (Orange)

Single Entry/Exit Location & Drive per Kent Co. Road Commission (Dark Grey)

Entrance & Perimeter Landscape Improvements per Developer's request. (Note: No zoning requirement for Landscape Buffer along adjacent properties of same R-2 zoning type). (Green)

Property Line

Existing Woodland Open Area to remain

Fescue Tall Grass ground cover in all clearing areas

Proposed 8" Sanitary Connection & Easement

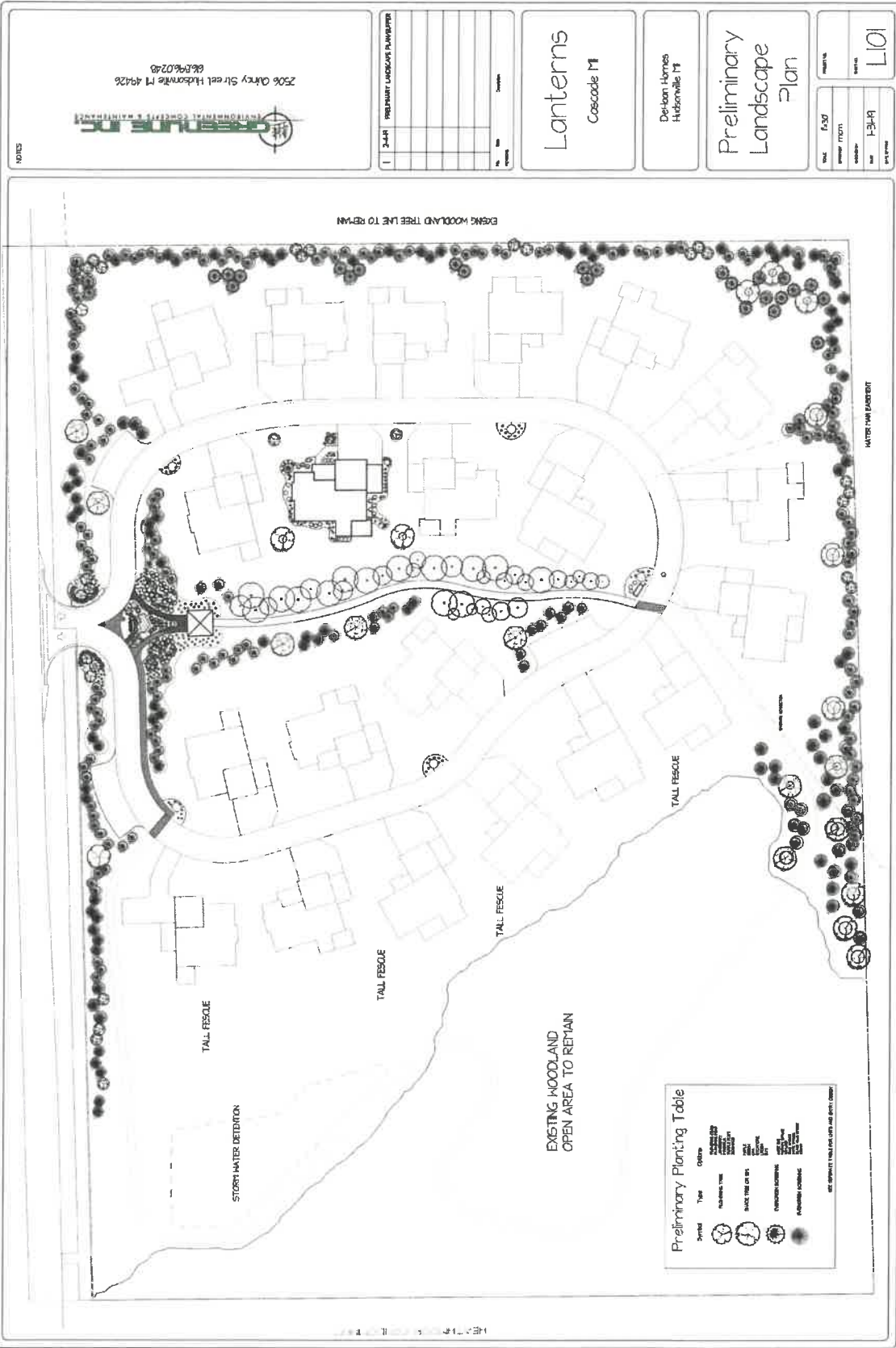
Proposed 8" Water Main Connection & Easement

Proposed Snowplowing Easement agreement for neighboring Heathmoor Condominiums

Existing Woodland tree line on adjacent neighboring property

Section 5 - Site Clearing & Landscape Plan

1	DATE	08/12/14
2	PROJECT NO.	14026
3	PROJECT NAME	LANTERNS
4	CLIENT	DELIAAN HOMES
5	DESIGNER	IMAGItecs
6	SCALE	AS SHOWN



NOTES



2506 Olney Street Hudsonville MI 49426
616.296.0248

NO.	DESCRIPTION	DATE
1	PRELIMINARY LANSCLAPING PLAN	08/12/14

Lanterns
Cascade MI

Deliaan Homes
Hudsonville MI

Preliminary
Landscape
Plan

DATE	08-12-14
DESIGNER	IMAGItecs
PROJECT NO.	14026
PROJECT NAME	LANTERNS
CLIENT	DELIAAN
SCALE	AS SHOWN
SHEET NO.	13
TOTAL SHEETS	101

Preliminary Planting Table

Symbol	Type	Quantity
(Tree symbol)	SMALL TREE	100
(Tree symbol)	MEDIUM TREE	50
(Tree symbol)	LARGE TREE	20
(Tree symbol)	TALL TREE	10
(Tree symbol)	SHRUB	200
(Tree symbol)	PERENNIAL	500
(Tree symbol)	GRASS	1000
(Tree symbol)	GROUND COVER	1000

SEE EXHIBIT FOR LAYOUT AND SPECIFICATIONS

Section 5 - Landscaping Plan
Master Landscaping Plan

1	DATE	DESCRIPTION
2	DATE	DESCRIPTION
3	DATE	DESCRIPTION
4	DATE	DESCRIPTION
5	DATE	DESCRIPTION
6	DATE	DESCRIPTION



NOTES

2506 Olney Street, Hudsonville MI 49426
616.946.0243

ENVIRONMENTAL CONSULTING & LANDSCAPE ARCHITECTURE

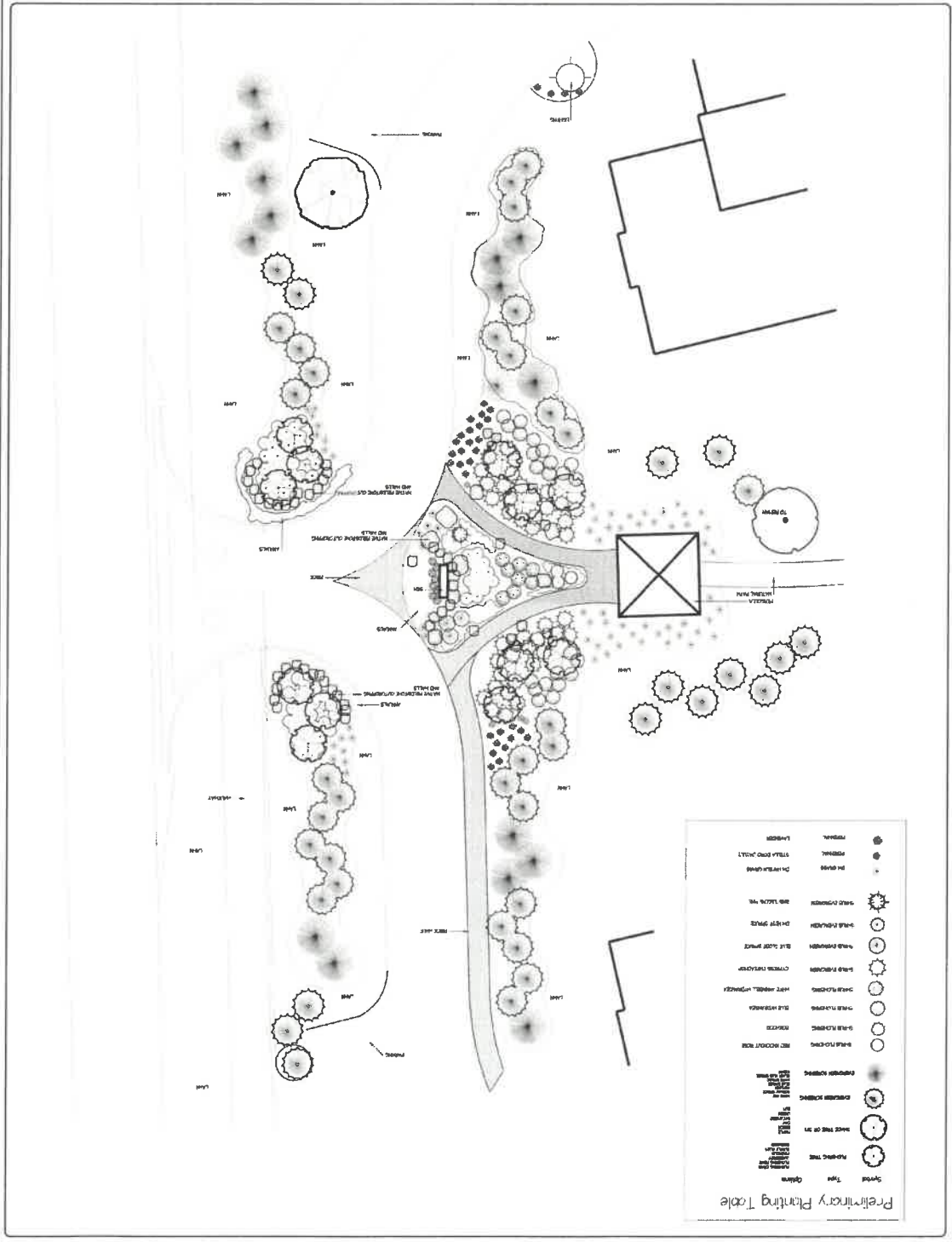
Lanterns
Cascade M

Design Notes
Hudsonville MI

Preliminary
Entrance
Landscape
Detail

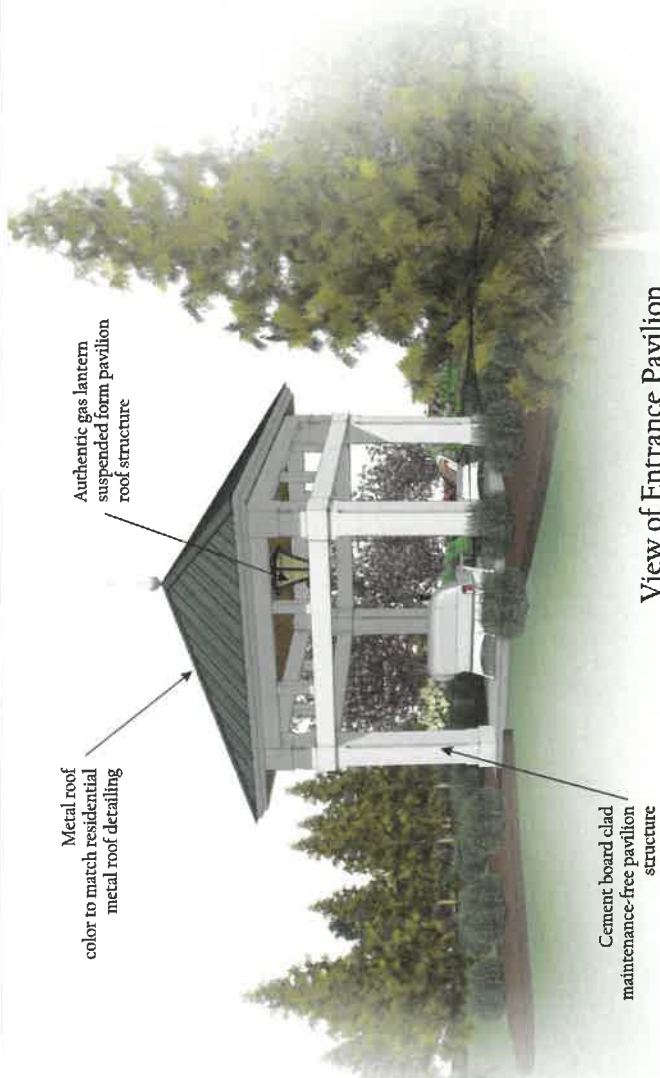
DATE: 11/10/11
BY: J. S. J.

PROJECT: L102



Section 5 - Landscaping Plan
Enlarged Entry Landscape Plan

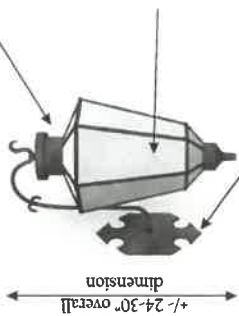
1	DATE	10/11/17
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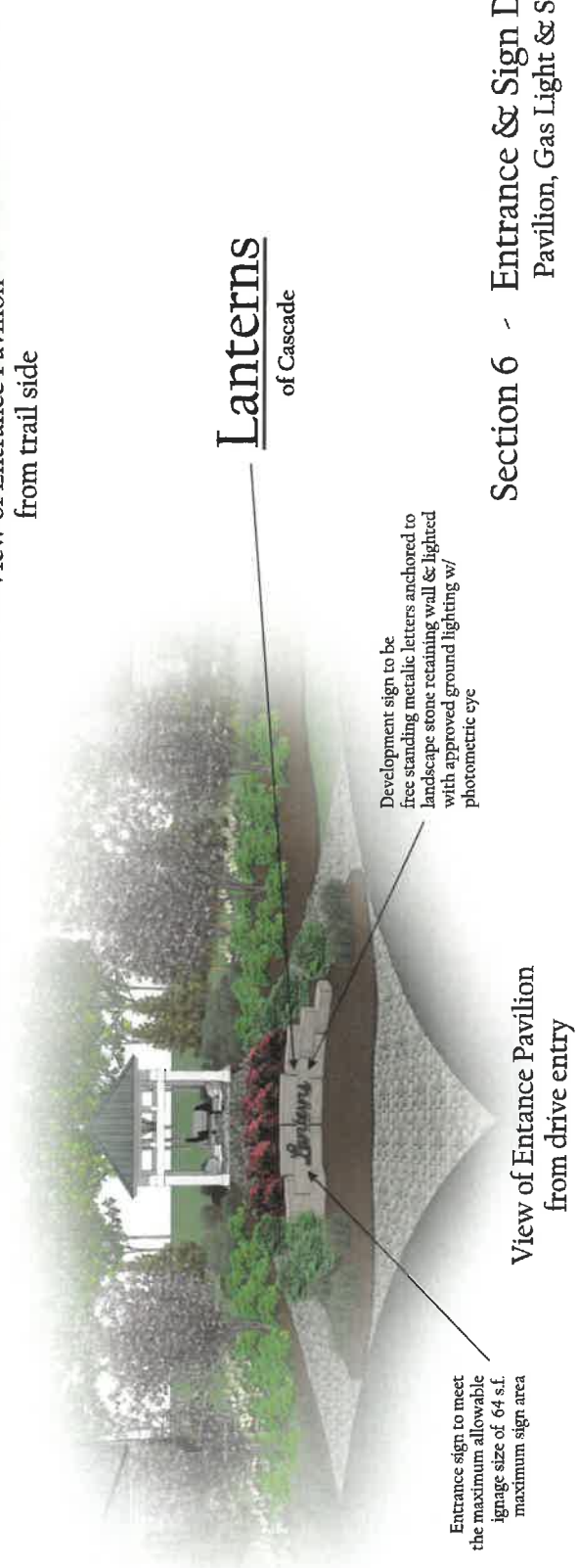
Aged Iron Metalwork to match Pella 'Iron Ore' window cladding typ.

Clear glass surround w/ Aged Iron Metalwork frame & internals typ.

Aged Iron Metalwork Sconce plate on house units



Typical Gas Lantern Detail



Lanterns
of Cascade

Section 6 - Entrance & Sign Detail
Pavilion, Gas Light & Signage



8"

Hardwood base material w/ lettering in relief (typical all signage)

The shared drive will be named 'Lampost Circle' and a street sign conforming to the Kent County Road Commission's street sign standards will be placed at the entrance to the development per the county standard requirements.



Hardwood base material w/ lettering in relief (typical all signage)

A One Way - Do Not Enter sign will be placed near the development entrance, in an open and clearly visible location, for directing traffic flow.

12"

18"



A 'Speed Limit 15' sign, and a 'One Way' traffic flow sign will be placed near and to the right of the development entrance; directing traffic in the intended traffic flow.

NOTE:

All signage to be of hardwood base material w/ high relief lettering & exposed wood grain background using carving or sandblasting to exposed wood grain.

Boarders and lettering to be painted white w/ entire sign to receive clear coat UV finish typ.

1	DATE	
2	DESCRIPTION	
3	2018	
4	BY	
5		
6		

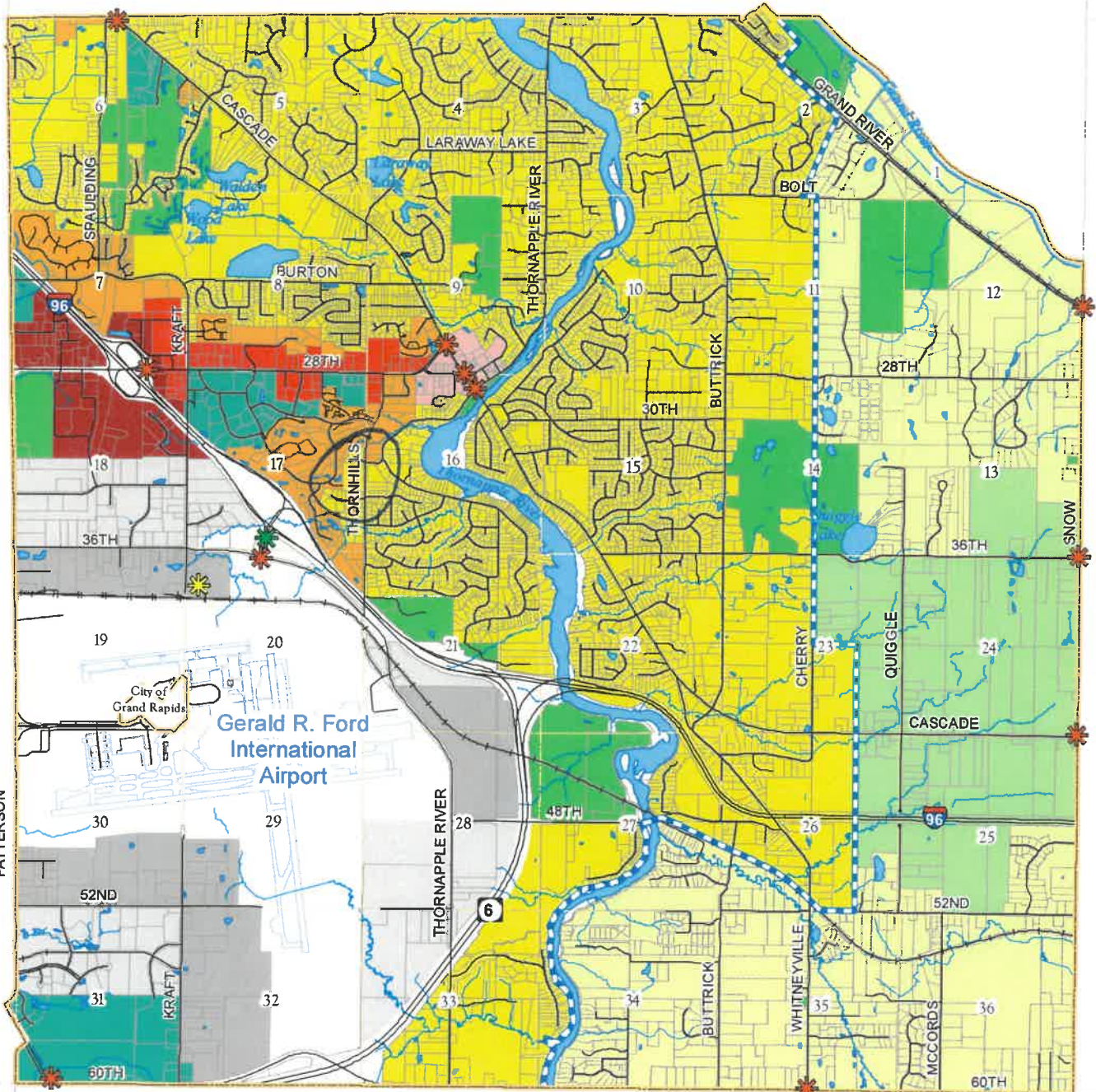
Section 6 - Entrance & Sign Detail
Street, Speed & Direction Signage

Ada Twp

City of Kenwood

Lowell Twp

Caledonia Twp



Cascade Charter Township

Kent County, Michigan

Map 15 Future Land Use

Legend

- Gateway Feature
- Park 'n' Ride
- Rail Station
- Utility Service Area
- Farmland Preservation
- Rural Residential
- Suburban Residential
- Community Residential
- Village Commercial
- General Commercial
- Highway Commercial
- Mixed Use
- Heavy Industrial
- Light Industrial
- Community Facility/ Golf Course



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 This map does not represent a legal document
 It is intended to serve as a guide, no specific
 representation or information shown on the
 map is to be construed as accuracy and should
 be verified through other means. Any duplication
 or modification of any part of this map and the
 information shown on it is prohibited under the
 Michigan Access to Public Records Act
 PA 422 of 1996, as amended.

Williams & Works
 ENGINEERS ARCHITECTS

414.224.1188 (phone) 414.224.1181 (toll-free)
 549 Ottawa Avenue NW • Grand Rapids, MI 49503

April 22, 2009

have been identified in the Natural Features Inventory. Subdivisions and site condominiums should be allowed as a special land use, with standards in place to ensure adequate buffering, preservation of open space, deep setbacks from roadways, and preservation of natural features as identified in the Natural Features Inventory.



SUBURBAN RESIDENTIAL

Description: A significant portion of the Township has been developed as suburban style single family residential neighborhoods as a result of historic planning efforts by the Township. These communities are relatively homogeneous in form and land uses, scaled primarily for passenger car travel and developed primarily for families with small and school-age children. New suburban residential areas should incorporate pedestrian access connecting cul-de-sac subdivisions to the Township's non-motorized trail system, when available or planned. New development within the suburban residential areas should also provide an internal trail or sidewalk system to encourage walking, biking, and healthy neighborhoods.

Location: The suburban residential land use category is located in the central portion of the Township and within the utility service boundary.

Desired Uses and Densities: The primary land use within this area will be single family homes developed in subdivisions or site condominiums on lots ranging from 1/3 acre to 1 acre (i.e. 1 to 3 dwelling units per acre) or in conservation clusters that result in the preservation of significant open lands and overall densities of 3 or more dwelling units per acre. The Township should explore different tools that will provide for the extension of utilities as the result of new development. Such tools may include requiring utility extensions when existing utilities are close by, allowing options for developers to choose from in those areas that are further out but still inside the utility boundary, and other tools with the goal of increasing the number of homes connected to municipal water and sewer helping to maintain quality ground water supplies and encourage sequential development within the utility boundary. Traffic patterns will be established to safely move vehicles through local streets to connectors and to arterials while minimizing vehicle/pedestrian conflicts. A network of pedestrian and bike trails, sidewalks, clear pedestrian crossings and traffic calming techniques will be utilized to promote safe non-motorized and motorized transportation. The neighborhood character will also be enhanced with sidewalks, street trees and street lights. In addition to single family homes, suburban residential neighborhoods may include schools, neighborhood parks, churches and similar uses that support quality residential neighborhoods. Police and fire service to these

neighborhoods is a primary concern and measures should be taken periodically to assure proper coverage of these services. Private roads should be considered under certain circumstances, such as for the preservation of large stands of trees, or to preserve steep slopes, where drainage and run-off is a concern, or where important natural features have been identified in the Natural Feature Inventory.

COMMUNITY RESIDENTIAL

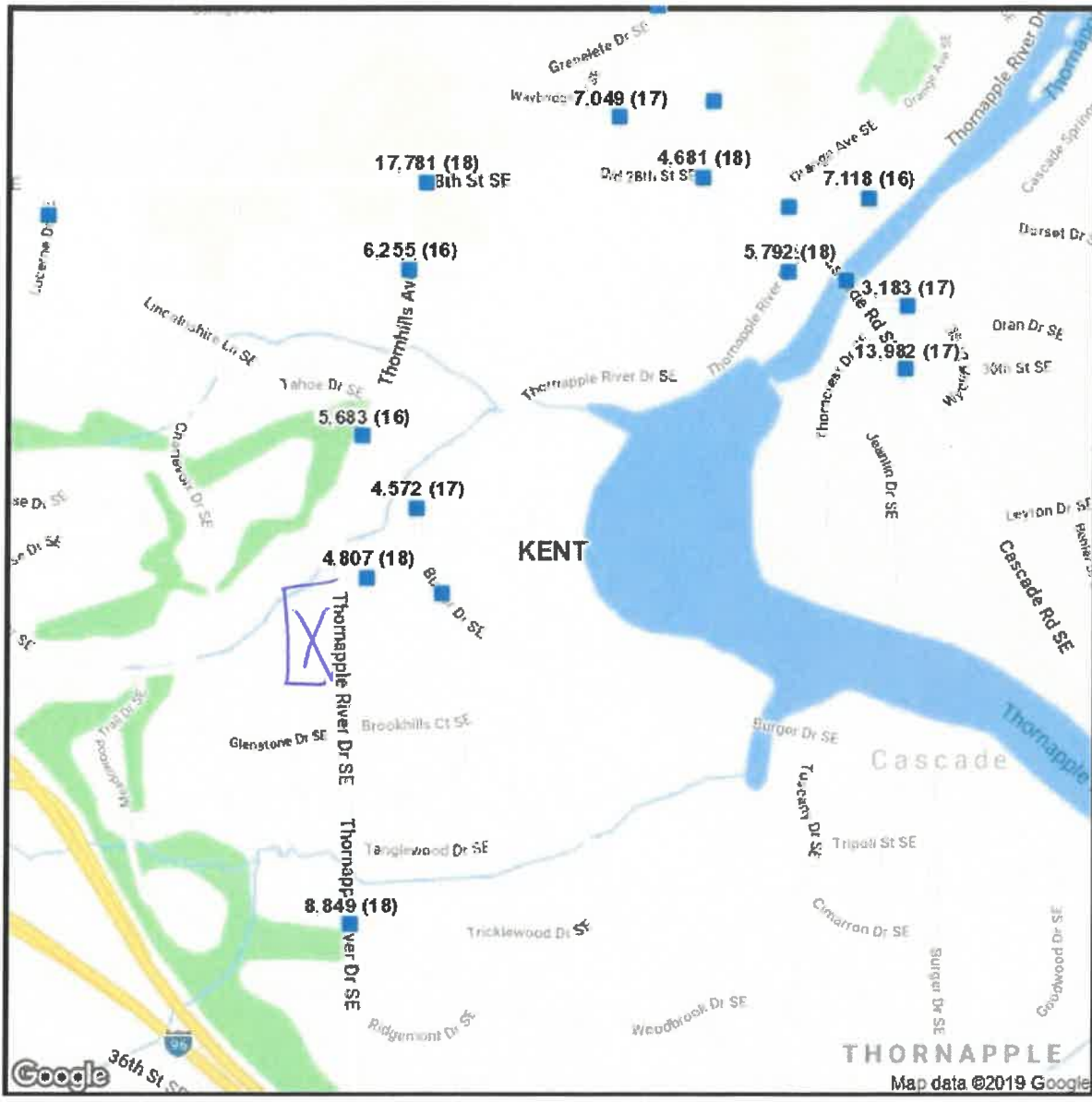
Description: The community residential land use designation is intended for attached or detached single family and multi-family housing. A project should be designed and developed to provide attractive, up-scale master planned living environments with amenities such as open spaces, walking paths, street trees, street lighting and attractive architectural style. Buildings and structures should be designed to minimize bulk and massing of attached living units.

Location: The community residential land use area primarily serves as a transition from commercial/mixed use and suburban residential uses along 28th Street. However, there are two areas where this use is proposed along the south side of Cascade Road north of Burton.

Desired Uses and Densities: Uses may include attached and detached residential dwellings, including projects that incorporate a variety of housing options, as well as assisted living and retirement communities. Master-planned retirement communities may also incorporate low-impact commercial uses internal and integrated within the development such as personal service establishments (barber shop or hair salon), post office, financial institution and other necessary uses for the convenience of the residents but not available for use by the general public. Development within the community residential area should include a walking system that connects to any existing or planned non-motorized pathway. The Township desires for the community residential areas to be served by mass transit in the future. Water and sewer must be available for new development or redevelopment in this land use category. Additionally, any natural features should be preserved and protected in projects located in the community residential land use area. Only public roads would be permitted in the community residential land use category. Allowable densities would range between 4-6 dwelling units to the acre.

VILLAGE COMMERCIAL

Description: This land use designation is intended to foster a pedestrian-scale, local shopping district confined to the parcels currently zoned for commercial use. It is not the intent of this land use plan to expand commercial uses either north or south along Cascade Road.



- TCDS Locations**
- Short
 - Continuous
 - WIM
 - Located Short
 - Located Continuous
 - Located WIM



2/14/2019

TOWNSHIP BOARD MEMORANDUM

To: Cascade Charter Township Board

From: Sandra Korhorn, DDA/Economic Development Director *SKK*

Subject: Consider Approval of Outdoor Gathering Permit for the Family Nights at the Library

Meeting Date: May 22, 2019

Last summer the library held 5 outdoor summer programs at the Cascade Township Branch of the Kent District Library. The programs were family friendly for all ages and very popular.

This year there will be eight outdoor summer programs held on the property. The library added a few concerts after receiving comments from the attendees of the summer programs. These programs will be family friendly for all ages.

The DDA is once again partnering with the library to hold these summer programs. The residents continue to tell us they would like more events in the community and these family friendly shows were well attended last year.

The Buildings and Grounds crew will setup the stage prior to the first evening event. It is anticipated these events will last approximately one hour. Library staff will be on site to assist with the programs.

Attached is information addressing the requirements of the Outdoor Gathering permit.

Township department heads have reviewed the application and have no concerns with the request. Staff recommends approval of the Outdoor Gathering permit for the Family Nights at the Library.

Attachment: Application and Site Map



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7192

OUTDOOR GATHERING APPLICATION

1. Name of Applicant: KDL-Cascade & DDA 2. Name of Property Owner: Cascade Township
3. Address of Event: 2870 Jacksmith Dr. SE
4. Type of Event to be Held: A series of outdoor summer programs at the Cascade Township Branch of the Kent District Library. These events provide family friendly entertainment for all ages in an enjoyable outdoor venue.
5. Date of Event: See attached schedule 6. Hours of Event: See attached schedule
7. Number of Attendants: Each event will vary, but some events could have up to 300.

Each application shall be accompanied by a detailed explanation, including drawings and diagrams where applicable, of the prospective licensee's plans to provide for the following:

- a. Police and Fire Protection
- b. Food and Water Supply and Facilities
- c. Health and Sanitation Facilities
- d. Medical Facilities and Services, including Emergency Vehicles and Equipment
- e. Vehicle Access and Parking
- f. Camping and Trailer Facilities
- g. Illumination Facilities
- h. Communications Facilities
- i. Noise Control and Abatement
- j. Facilities for Clean up and Waste Disposal
- k. Insurance and Bonding Arrangements

In addition, the application shall be accompanied by a map or maps of the overall site of the proposed outdoor assembly.

Signature of Applicant/Property Owner:  Date: 4-25-19

Office Use Only

Township Board:

Approved: _____ Denied: _____ Date: _____

Outdoor Gathering Permit – KDL-Cascade & DDA Family Nights at the Library

The Cascade Township Downtown Development Authority (DDA) is partnering with the Cascade branch of the Kent District Library – to offer a series of eight outdoor programs this summer. The outdoor programs will be family friendly entertainment for all ages.

These events are open to the public and the outdoor events will be held on the property to the north of the library (see attached map).

I have attached the schedule for the eight outdoor events for the summer series at the library. The shows begin at 6:30 p.m. and are expected to last approximately an hour.

Deputy Eric Toonstra and Chief Magers are aware of the events.

There will be no food served at the events. Water will be provided to participants during the evening events by the Rotary Club of Ada.

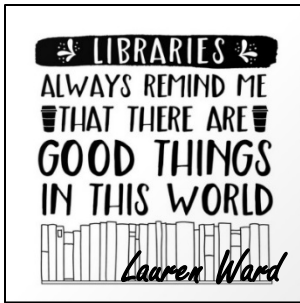
Restroom facilities are available at the library. The programs will be monitored to see if additional restroom facilities will be needed for future events.

Parking will be available at the library lot. Library staff will also be talking with Noto's in case there is a need for overflow parking.

There is not a need for camping or trailer facilities. No lighting is needed for the events.

Each group will have their own sound system. These events should be wrapped up by 7:30-8:00 p.m., well within the confines of the noise ordinance.

The DDA donated \$1,550 for the event, there will be no other financial obligations to the Township to hold the event. KDL and Cascade Friends of the Library picked up the remaining cost for the acts.



Family Nights at the Library

Proposal for Cascade DDA

Program: A series of eight outdoor summer programs at the Cascade Township Branch of the Kent District Library.

Purpose: To provide family entertainment for all ages in an enjoyable outdoor venue.

Lineup:

Tap Your Toes with the Porters, Thursday, June 13, at 6:30pm

Come swing and dance to the sounds of The Porters, a four-piece band that will captivate and entertain even the youngest audience.

Voices of Freedom, Thursday, June 20, at 6:30pm

An 8-part, a cappella, vocal ensemble composed of men and women from the greater Grand Rapids, Michigan area. This group sings songs from the patriotic and Americana genres.

Bangarang Circus, Thursday, June 27, at 6:30pm

A collective of performance artists who share a passion for all things circus.

Bucket o' Maybes, Thursday, July 11, at 6:30pm

A five-piece band devoted to classic rock tunes that will have you tapping your toes and singing along.

A Magic Show with Tom Plunkard, Thursday, July 18, at 6:30pm

Tom Plunkard's entertaining and hilarious show includes animals, audience involvement and tons of amazing magic.

Audacious Hoops, Thursday, July 25, at 6:30pm

A lively, interactive hula hoop show.

Pint size Polkas, Thursday, August 1, at 6:30pm

Education and entertainment through the happy sounds of polka music.

126 Army Band, Thursday, August 8, at 6:30pm

The Michigan National Guard's military musical ensemble.



Stage

FIFTH THIRD BANK
6475
28TH ST SE

COMERICA BANK INC
6511
28TH ST SE

BRUTTIG THOMAS TRUST
6539
28TH ST SE

SDJS LLC
6579
28TH ST SE

SDJS LLC
6789
OLD 28TH ST SE

LLW INVESTMENTS LLC
6621
28TH ST SE

PEPPER RIDGE INC
6701
OLD 28TH ST SE

DALGA STEVEN
6725
OLD 28TH ST SE

REAVIS JEFFREY
6761
OLD 28TH ST SE

BRIXMOR HOLDINGS 1 SPE LLC
6501
28TH ST SE

CARPENTER VETERINARY LAND DEV
6555
28TH ST SE

EGGLESTON EDWARD & ROSANNE
6715
OLD 28TH ST SE

ONEILL FAMILY PROPERTY MNGMT LLC
6747
OLD 28TH ST SE

BANK OF AMERICA CORP
6464
28TH ST SE

WHITE SPRUCE PROPERTIES LLC
6504
28TH ST SE

EVJ PROPERTIES
6640
28TH ST SE

T J LEASING LLC
6720
OLD 28TH ST SE

GRAND RAPIDS FIGHT HOUSE LLC
6770
OLD 28TH ST SE

YU DEVELOPMENT LLC
6740
OLD 28TH ST SE

TJ LEASING LLC
6722
OLD 28TH ST SE

M P M INTERIORS
6660
OLD 28TH ST SE

ALMAZAN LLC
6690
OLD 28TH ST SE

THORNHILLS PROPERTIES LLC
2845
THORNHILLS AVE SE

NOTO PROPERTIES II LC
2850
THORNHILLS AVE SE

CASCADE CHARTER TOWNSHIP
2864
THORNHILLS AVE SE

CASCADE CHARTER TOWNSHIP
6642
28TH ST SE

GRAND RAPIDS FIGHT HOUSE LLC
6772
OLD 28TH ST SE

TJ LEASING LLC
6732
OLD 28TH ST SE

CASCADE CHARTER TOWNSHIP
2865
THORNHILLS AVE SE

2880 THORNHILLS LLC
2880
THORNHILLS AVE SE

CASCADE CHARTER TOWNSHIP
2870
JACKSMITH AVE SE

CASCADE CHARTER TOWNSHIP
6646
28TH ST SE

BUTLER MELFORD & CAROL
2999
OVERLOOK SUMMIT DR SE

WEGE ULRIKE HART TRUST
2993
OVERLOOK SUMMIT DR SE

FROBEL DORIS TRUST
2975
OVERLOOK SUMMIT DR SE

UNDERWOOD DAVID & SHAYNE
2945
OVERLOOK SUMMIT DR SE

BRADLEY MARY & HOWARD CATO W JR
2954
OVERLOOK SUMMIT DR SE

PASTOOR EVELYN TRUST
2932
OVERLOOK SUMMIT DR SE

W&W LLC
2951
THORNHILLS AVE SE

FINKO LLC
3000
THORNHILLS AVE SE

ROY HAROLD G JR
3039
THORNAPPLE RIV DR SE

ZAAGMAN LANCE & JULIE
3047
THORNAPPLE RIV DR SE

NAHIKIAN MARY
3000
OVERLOOK SUMMIT DR SE

REYNOLDS PATRICIA TRUST
2992
OVERLOOK SUMMIT DR SE

HUHN DAVID V
2940
OVERLOOK SUMMIT DR SE

TOWNSHIP BOARD MEMORANDUM

To: Cascade Charter Township Board

From: Sandra Korhorn, DDA/Economic Development Director *SKK*

Subject: Consider Approval of Outdoor Gathering Permit for the Cascade Metro Cruise Warmup

Meeting Date: May 22, 2019

The Cascade Metro Cruise Warmup is an event open to the public and is being held August 22. The Metro Cruise Warmup will once again be held at the Thornapple Centre. The property and business owners in the Thornapple Centre are aware of the event and are excited about the exposure and traffic that it will bring. Laura, owner of the Fowling Warehouse also sits on the committee and has been involved in the planning for the event.

The Buildings and Grounds crew will help setup the stage prior to the event, but the committee is securing volunteers to help with setup, cleanup and tear down for the event.

Attached is information addressing the requirements of the Outdoor Gathering permit.

Township department heads have reviewed the application and have no concerns with the request. Staff recommends approval of the Outdoor Gathering permit for the Cascade Metro Cruise Warmup.

Attachment: Application and Site Map



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7192

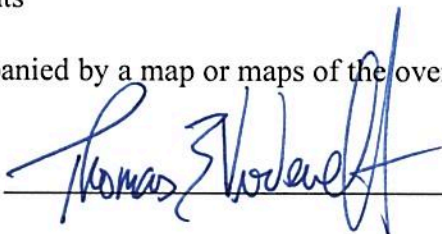
OUTDOOR GATHERING APPLICATION

1. Name of Applicant: Cascade Metro Cruise Warmup Committee
2. Name of Property Owner: Cascade Road Retail
3. Address of Event: 6797 Cascade Rd. SE
4. Type of Event to be Held: Cascade Metro Cruise Warmup – Show Cars, Band, Food Trucks, Kids Activities
5. Date of Event: Thursday, August 22, 2019 6. Hours of Event: 4:30 – 8:30 p.m.
7. Number of Attendants: 500

Each application shall be accompanied by a detailed explanation, including drawings and diagrams where applicable, of the prospective licensee's plans to provide for the following:

- a. Police and Fire Protection
- b. Food and Water Supply and Facilities
- c. Health and Sanitation Facilities
- d. Medical Facilities and Services, including Emergency Vehicles and Equipment
- e. Vehicle Access and Parking
- f. Camping and Trailer Facilities
- g. Illumination Facilities
- h. Communications Facilities
- i. Noise Control and Abatement
- j. Facilities for Clean up and Waste Disposal
- k. Insurance and Bonding Arrangements

In addition, the application shall be accompanied by a map or maps of the overall site of the proposed outdoor assembly.

Signature of Applicant/Property Owner:  Date: 4.19.19

Office Use Only

Township Board:

Approved: _____ Denied: _____ Date: _____

Outdoor Gathering Permit – Cascade Metro Cruise Warmup Event

The Cascade Metro Cruise Warmup is an event open to the public and will be held at the Thornapple Centre. The property and business owners in the Thornapple Center are aware of the event and are excited about the exposure and traffic that it will bring. Laura Sullivan, owner of the Fowling Warehouse, has joined our committee and has participated in the planning for the event.

Similar to last year, the event will be held one night only – Thursday, August 22 from 4:30 – 8:30 p.m. Last year the event was incredibly busy.

Both Deputy Toonstra and Chief Magers are aware of the event and layout for the event. There will be volunteers on site to help with traffic.

We will again have up to 6 food trucks on site. Each food truck will have to provide a copy of their current Kent County Health Dept. permit to serve food prior to the event. There will be no sale, distribution or consumption of alcoholic beverages at the event.

Restroom facilities (port a johns) and handwashing stations will be available to the public.

There will be some parking on site. Volunteers will provide clean up after the event. There will be trash cans on site for waste disposal. This year we have hired a band, Soul Syndicate, for the event. They will be finished playing by 8:00 p.m., which is well within the confines of the Cascade noise ordinance regulations.

While the DDA donated \$5,000 for the event, there will be no other financial obligations to the Township to hold the event. Additional expenses will be covered by sponsors.

The Township insurance policy covers this event.



Patron/Event
Parking

Patron/Event
Parking

Patron Parking

Food Trucks
Show Cars

Stage

Show Cars

Bounce House
Dunk Tank

Show Cars

Patron Parking

Patron Parking

Fowling Warehouse
Parking

STAFF REPORT: Case # 18-3471
REPORT DATE: May 15, 2019
PREPARED FOR: Cascade Charter Township Board
MEETING DATE: MaY 22, 2019
PREPARED BY: Steve Peterson, Planning Director

APPLICANT:
Steve Plakmeyer
Watermark Property LLC
5500 Cascade Rd
Cascade MI 49546

STATUS

OF APPLICANT: Developer

REQUESTED ACTION: Final Plan approval for an amendment to add a new office space and new swim center building

EXISTING ZONING OF SUBJECT PARCEL: P.U.D. 15

GENERAL LOCATION: Southern terminus of Gailbraith

PARCEL SIZE: Approximately 60 acres.

EXISTING LAND USE ON THE PARCEL: Golf Course/Country Club

ADJACENT AREA LAND USES:
N – Office
S – Clubhouse
E- Golf course
W – Gas station

ZONING ON ADJOINING PARCELS:
N – Golfview PUD 2
S – Watermark PUD 15
E- Watermark PUD 15
W – Watermark PUD 15

STAFF COMMENTS:

1. The applicant is requesting Final Plan approval in order to amend the existing Planned Unit Development to replace the existing swim center building with a new and expanded building. This building will also house the existing SNAP fitness facility.

2. The existing Snap fitness building will be turned into additional offices for the Watermark Staff. This is in addition to the existing office tenants that were permitted as part of the 2008 project.
3. The new swim center building will increase from 1,695 sq ft to 6,563 sqft.
4. The existing SNAP fitness building was permitted for a total of 14,000 sq ft with professional office limited to no more than 6,729 sq ft.
5. This new project would therefore increase the swim center by 4,868 sq ft and allow for about 7,000 sq ft of new office space in the existing SNAP fitness building.
6. PUD 15 was originally approved in 1997 and has gone through several amendments since.
7. I have copied the minutes from the planning commission meetings from 2009 when the SNAP fitness building was approved. As you will see there was a bit of discussion regarding the use of the building and some concern regarding the expanded use of the building for office space.
8. In summary, I would suggest that the current building was a compromise. This allowed for the SNAP fitness while limiting the office use. I believe the current request was asked and already answered during the 2009 process.
9. I have attached the Ordinance from 2010 that approved the SNAP fitness building
10. I have told the applicant that an addition or expanded swim center is not the issue but the conversion of the existing Snap Fitness for additional office space is not something I would support. I believe this is not what was originally agreed to, is against the long-term plan for Cascade Rd and was already asked for in 2009 and not approved then, which is why the building was downsized.
11. The applicant has now indicated that the expanded office space in the SNAP fitness building would be limited for Watermark offices only. Although this is a change from what was presented when this case was first introduced in 2018 it does appear that this was also discussed in 2009 and is one of the reasons the building was downsized. Even the limited use by Watermark staff only would be almost impossible to enforce and would lead to future change request to open the use for general offices.
12. The plan also includes a couple of minor modification to address the swim center addition. They would need to change the setbacks on the east and north side of the building.
13. Parking for the site has been provided that shows they can accommodate the expanded uses.
14. Although not unprecedented, it is a little unusual that the Planning Commission has recommended approval of a project that staff does not support. I have attached the

minutes from the Planning Commission public hearing as well as their meeting recommending the project 7-1.

15. The PUD Ordinance and plan that the Planning Commission has forwarded for approval would allow the existing fitness building to be used for Watermark offices as well as tenant space for existing and future tenants.
16. As a result of the Township Board public notice, I received a call from a neighbor from the project, Bill Boss. Bill was concerned and asked for something to be done about the loud speaker system. I have informed the applicant and asked them to be prepared to address this issue.

A. Standards

Section 16.03 of the Zoning Ordinance requires that a Planned Unit Development must demonstrate that:

Standard	Staff Comment
Granting of the Planned Unit Development rezoning will result in a recognizable and substantial benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved.	The property is already zoned PUD. The additional office space portion of the amendments was not something that staff supported in 2009 and was a reason the building was downsized with limited office use as a compromise.
In relation to underlying zoning, the proposed type and density of use shall not result in a material increase in the need for public services, facilities and utilities, and shall not place a material burden upon the subject or surrounding land or property owners and occupants or the natural environment	Staff does not feel that the additional office use is not consistent with the compromise that was reached in 2009 nor consistent with the overall plan for the area.
The proposed development shall be compatible with the General Development Plan of the Township, and shall be consistent with the intent and spirit of this Chapter	The project with a new office building is not consistent with the master plan
In relation to underlying zoning, the proposed development shall not result in an unreasonable negative economic impact upon surrounding properties	The increase in swim center should not result in an unreasonable negative economic impact. However, the expansion of the office space, given that it is already a compromise to have the limited office use in the building could

	over time have negative impacts upon surrounding properties
The proposed development shall contain at least as much green area and usable open space as would otherwise be required by this Ordinance with respect to the most dominant use in the development	met.
The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance. This provision shall not prohibit a transfer of ownership or control, upon due notice to the Planning Director of the Township	met

If you want to approve the project, I would adopt it as the Planning Commission has recommended. If you would like to make any substantive change it should be sent back to the planning commission with your concerns and for them to reconsider. If you wish to deny the project you may either do that or also send it back the planning commission for them to reconsider.



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan
49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Watermark Property LLC

Address: 5500 Cascade Road SE Suite 220

City & Zip Code Grand Rapids, MI 49546

Telephone: (616) 949-0570

Email Address: splakmeyer@watermarkcc.com

OWNER: * (if different from Applicant)

Name: _____

Address: _____

City & Zip Code: _____

Telephone: _____

Email Address: _____

NATURE OF THE REQUEST: (Please check the appropriate box or boxes)

- | | |
|--|--|
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Administrative Site Plan Review |
| <input type="checkbox"/> Deferred Parking | <input type="checkbox"/> P.U.D. – Rezoning * |
| <input type="checkbox"/> P.U.D. – Site Condominium * | <input type="checkbox"/> Rezoning |
| <input checked="" type="checkbox"/> Site Plan Review * | <input type="checkbox"/> Sign Variance |
| <input type="checkbox"/> Special Use Permit | <input type="checkbox"/> Subdivision Plat Review * |
| <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other: _____ * |

*** Requires an initial submission of 5 copies of the completed site plan**

BRIEFLY DESCRIBE YOUR REQUEST:**

Expansion of the pool building structure

(**Use Attachments if Necessary)

-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

See attached

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 06-402-003

ADDRESS OF PROPERTY: 1611 Galbraith Ave SE, Grand Rapids, MI 49546

PRESENT USE OF THE PROPERTY: Watermark County Club pool facility

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR
EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)

Address(es)

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)

Owner – Print or Type Name
(*If different from Applicant)

WATERMARK PROPERTY, LLC
STEVE PLAKMEYER, MEMBER MGR
Applicant – Print or Type Name

* _____
Owner's Signature & Date
(*If different from Applicant)

 6/12/2018
Applicant's Signature & Date

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET – THANK YOU

PROJECT DESCRIPTION
 1611 Galbraith Avenue SE Site Plan Review

The proposed expansion to the existing Watermark Country Club pool building at 1611 Galbraith Avenue SE is minor in nature. The building is physically expanding from 1,695 square feet to 7,174 square feet, however, the impervious surface addition is only 5,687 square feet. In addition, the existing setbacks are changing as listed in the tables below. However, it is important to note that the only setbacks that about property not included as part of the existing Watermark operation are to the north (side setback) and west (rear setback). The east and south setbacks, front and side respectively, are adjacent to other Watermark property and therefore can be considered one for zoning purposes. A parcel combination form can be submitted to the Township Assessor if the Commission desires to formalize this condition.

CURRENT SETBACKS:

Front	24.4 ft
Rear	Unchanging
North Side	44.3 ft
South Side	Unchanging

PROPOSED SETBACKS:

Front	15.0 ft (8.1 ft from entry overhang)
Rear	Unchanging
North Side	21.3 ft
South Side	Unchanging

The expansion of the building will allow the kitchen and associated seating area to increase, the restrooms and changing rooms to increase in size and the SNAP Fitness facility to move into this building (from the Watermark Office building at 1616 Galbraith Avenue SE). These requested expansions are a testament to the success of the Watermark Country Club and a confirmation of their long-term presence in Cascade Township. The details of the proposed square footages of each use within the building are included in the table below.

BUILDING DETAILS:

Kitchen	1,126 SF
Pool Locker Rooms	700 SF
Fitness (including Office and Locker Rooms)	5,180 SF

The minor increase of 5,687 square feet of impervious surface to the existing building only results in an increase of 2% to the total impervious surface of the golf course campus (buildings, parking, drives, etc. north of the residences). Majority of the pool site is already impervious and only the minor expansions to front and sides result in an increase to the existing impervious area. Due to this minor increase there are no proposed changes to the existing stormwater management of the overall Watermark Country Club site.

Finally, it is important to note that although the square footage of the pool building is increasing by 5,479 square feet, parking calculations for recreational sites are primarily determined by occupancy. Although an increased square footage could potentially mean a greater occupancy, the overall membership of the Country Club and pool are not increasing congruently. In addition, although the fitness facility is moving to this building from the existing office building, the square footages of the previous fitness facility to the proposed are equivalent. Additional office space for Watermark Country Club is proposed where the previous fitness facility was located. Therefore, the approved uses from the original Watermark Planned Unit Development are not changing and the current shared parking facilities will continue to exceed the necessary required.

NEDERVELD
 LAND SURVEYING & ENGINEERING
 1000 W. WASHINGTON
 GRAND RAPIDS, MI 49503
 Phone: 616.781.1000
 FAX: 616.781.1001

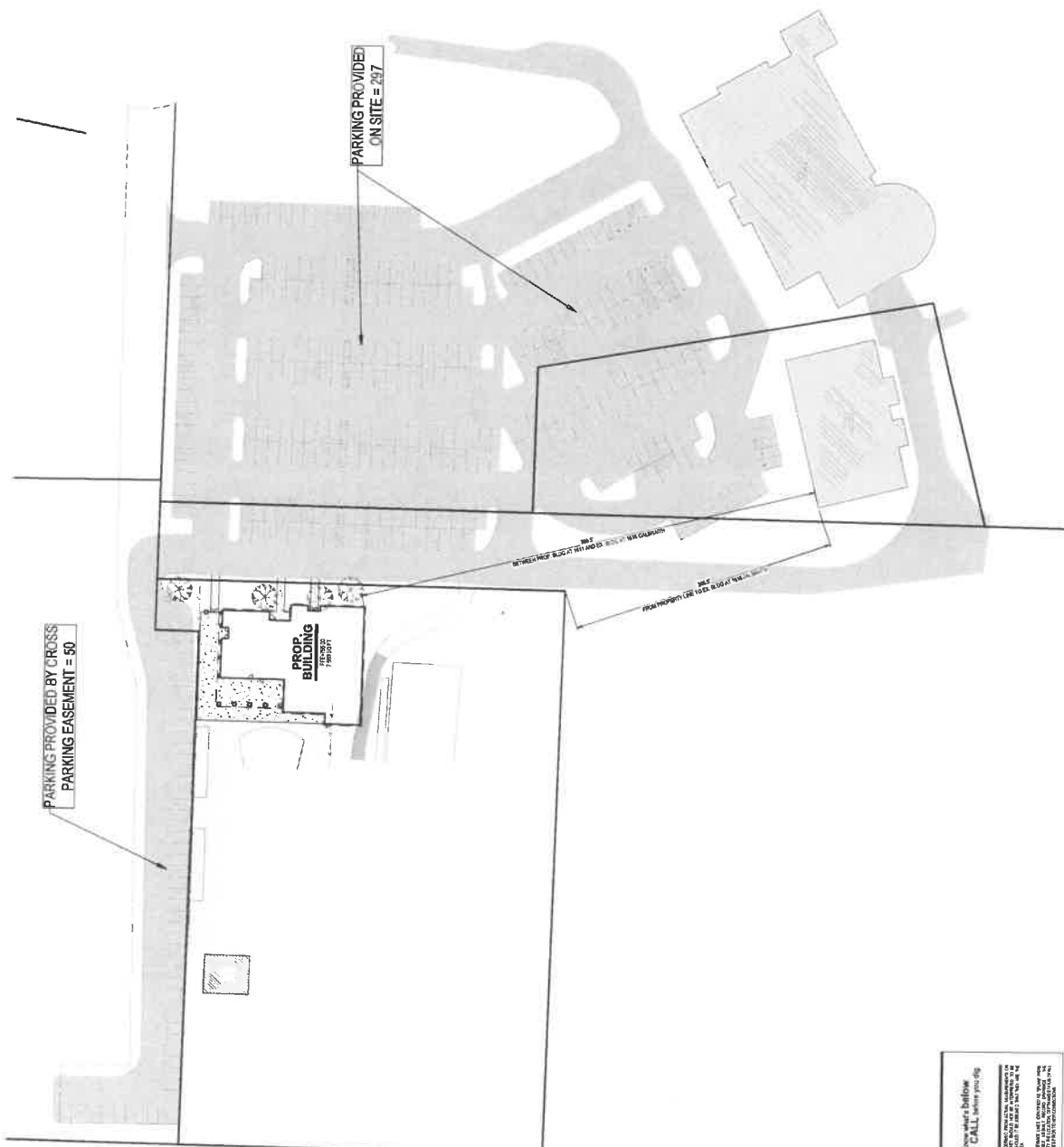
ST. LOUIS

PREPARED FOR:
 County of Wayne, Michigan
 Planning, Zoning
 Department

555 Corporate Center, C/S E
 Grand Rapids, MI 49502
 Phone: 616.686.1100

REVISIONS:

DATE	DESCRIPTION	BY
11/25/10	ISSUE FOR PERMITTING	JL
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WATERMARK POOL BUILDING
 Overall Site Layout
 1611 GLENN AVENUE SE
 CITY OF GRAND RAPIDS, MI 49508
 PART OF THE NE 1/4 OF SECTION 7 AND PART OF THE SE 1/4 OF SECTION 6, T1N 10W



PROJECT NO: 19400396
 SHEET NO: C-206
 SHEET: 1 OF 1

PARKING PROVIDED ON SITE = 297
 PARKING PROVIDED BY CROSS PARKING EASEMENT = 50
 TOTAL PARKING PROVIDED = 347

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Proposed Parking Summary

Proposed Watermark Pool and Fitness Building Information

Tenant	Use	Area (square feet)	Parking Ratio Req'd	Parking Spaces Req'd
Snap Fitness (capacity = 91 people)	Recreational Uses	4,563	1 space / 4 persons capacity	22.8
Watermark Pool Building & Deck Area (capacity = 500 people) ❖	Recreational Uses	25,000	1 space / 4 persons capacity	125.0

❖ Although the pool building is being modified, the capacity of the pool building and deck are still limited to 500 people

Existing Building to the South Information

Tenant	Use	Area (square feet)	Parking Ratio Req'd	Parking Spaces Req'd
Watermark Offices*	General Office	6,349	3 spaces / 1,000 sf	19.0
Highpoint/Prop Resources	General Office	2,155	3 spaces / 1,000 sf	6.5
Visser Dessign	General Office	1,339	3 spaces / 1,000 sf	4.0
Reliable Energy	General Office	1,407	3 spaces / 1,000 sf	4.2
Watermark/RedWater	General Office	2,155	3 spaces / 1,000 sf	6.5

* Existing Snap Fitness portion of existing southerly building will be used for Watermark office space following Snap Fitness relocation to the proposed building

Existing Building to the Southeast Information

Tenant	Use	Area (square feet)	Parking Ratio Req'd	Parking Spaces Req'd
Watermark Pro Shop	Low Intensity Retail/Repair/Workshop	666	2 spaces / 1,000 sf	1.3
Watermark Restaurant	Restaurant	4,344	10 spaces / 1,000 sf	43.4
Watermark Banquet A	Restaurant	1,046	10 spaces / 1,000 sf	10.5
Watermark Banquet B	Restaurant	4,779	10 spaces / 1,000 sf	47.8
Watermark Banquet C	Restaurant	735	10 spaces / 1,000 sf	7.4

TOTAL PARKING REQUIRED

298

PARKING PROVIDED ON SITE

297

PARKING PROVIDED BY CROSS PARKING EASEMENT (SEE NOTE 3 BELOW)

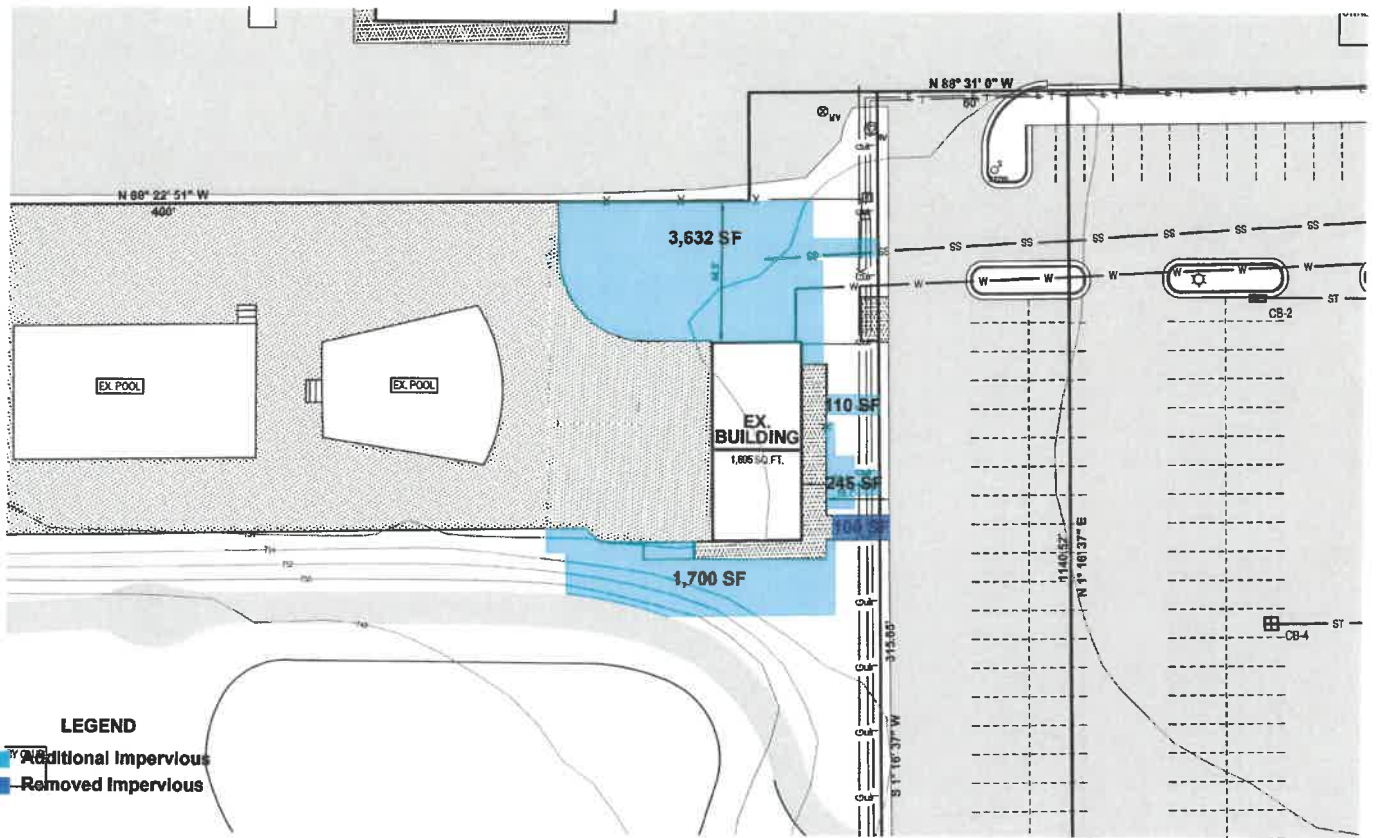
50

TOTAL PARKING PROVIDED

347

Notes:

- Capacity of Snap Fitness is based on International Building Code occupancy use group A-3 with a minimum of 50sf/person at maximum occupancy load.
- Capacity of Watermark Pool & Deck Area is based on International Building Code requirements for 50sf/person for the pool deck area at maximum occupancy load.
- A cross parking easement (Liber 5628 Page 919-928) exists for the benefit of Watermark pool for a total of 50 spaces from the property owner to the north.



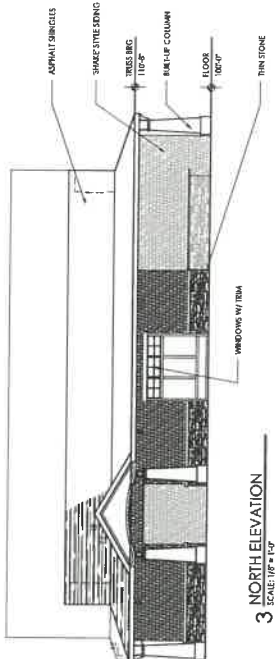
LEGEND
 ■ Additional Impervious
 ■ Removed Impervious

June 15, 2018

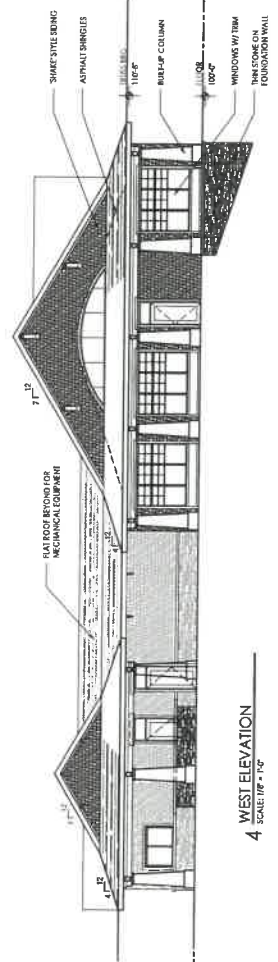


WATERMARK POOL BUILDING
 IMPERVIOUS SURFACE EXHIBIT
 project number: 16400396

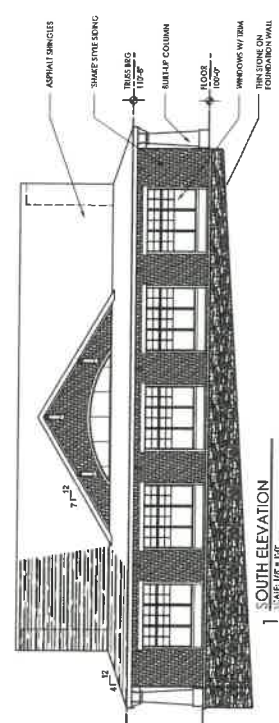




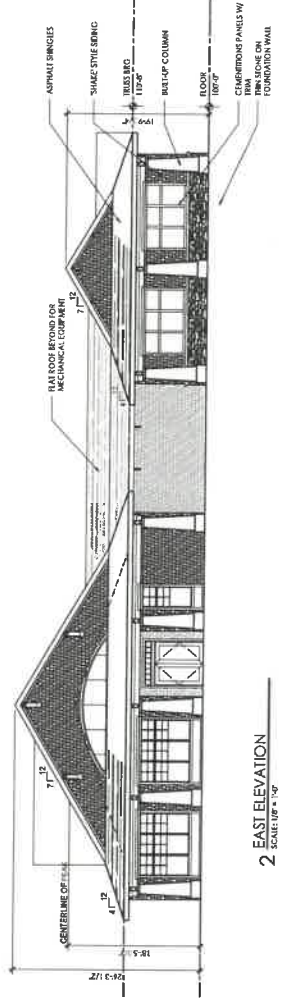
3 NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



4 WEST ELEVATION
 SCALE: 1/8" = 1'-0"



1 SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



2 EAST ELEVATION
 SCALE: 1/8" = 1'-0"

THIS SHEET AND THE WORK THEREON SHALL BE THE PROPERTY OF GHAFARI ASSOCIATES, LLC AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF GHAFARI ASSOCIATES, LLC.



February 27, 2019
Project No. 170168

Mr. Steve Peterson
Cascade Charter Township
2865 Thornhills Avenue, SE
Grand Rapids, MI 49546-7192

Re: Watermark Pool Building
Site Plan Review

Dear Steve:

We have reviewed the site plan for the Watermark Pool Building, prepared by Nederveld. The current site plan and basis of this review are dated January 18, 2019. The proposed project is the demolition of the existing pool building and construction of a new 6,563 square-foot building in the same location. The site is located in the Thornapple River watershed, sub-drainage district Schoolhouse Creek.

Stormwater and Drainage

Flood Control

The Cascade Charter Township Storm Water Ordinance (SWO), Section 1.04, states the Ordinance shall apply to all development that requires any permit for work which will alter the stormwater drainage characteristics of the development site. The site is located in Stormwater Management Zone A, which requires retention of the 100-year storm event and infiltration to the greatest extent possible. Where soil conditions or other factors do not allow for adequate infiltration, the SWO requires detention of the 25-year storm event with a controlled release and a direct connection for stormwater runoff for the 100-year storm event, or detention of the 100-year storm event. The SWO also requires the first 0.5-inch of stormwater runoff be detained and released over a 24-hour period (Water Quality Control) and the 2-year storm event release rate be limited to 0.05 cfs/acre (Bank Erosion Control).

The proposed stormwater management design is to collect and infiltrate stormwater runoff from the new building and adjacent paved areas. Stormwater runoff from the site will be collected by a series of catch basins and conveyed by storm pipe to a new underground infiltration basin located on the south side of the new building. Roof drains will connect directly into the storm sewer system. The underground infiltration basin is sized for the 100-year storm event.

The applicant provided the results of a geotechnical investigation including soil borings and infiltration tests. The soil borings indicated the presence of sand to a minimum depth of 10 feet below the bottom of the underground infiltration basin. Two double-ring infiltrometer tests were also performed at the infiltration basin location, 5 feet below existing grade. Infiltration rates were 13.2 and 4.2 inches/hour. The existing soils are favorable for stormwater infiltration. The infiltration basin was sized using an infiltration rate of one-half the average of the two test results, 8.7 inches/hour. The proposed stormwater management design is in accordance with the SWO.

Water Quality Control and Bank Erosion Control

The SWO requires the first 0.5 inch of stormwater runoff be detained and infiltrated where conditions permit, or released over a 24-hour period, and the 2-year storm event release rate be limited to 0.05 cfs/acre. The proposed stormwater management design will infiltrate all stormwater runoff up to the 100-year storm event. The proposed design is in accordance with the SWO.



Stormwater Runoff

The applicant provided stormwater calculations to size the underground infiltration basin. All stormwater runoff from the increase in impervious area will be discharged to the basin. Therefore, the site will not see an increase in rate of stormwater leaving the site.

Drainage Plan

The applicant has submitted drawings, calculations, and additional documentation as required in the SWO Section 2.03, Drainage Plan. Please refer to the attached checklist for items and comments on each item. Please note a maintenance agreement is required before construction begins. The agreement should be submitted to the Township for review. The maintenance agreement and plan should include at a minimum cleaning of catch basin sumps and the underground infiltration basin.

Utilities

No new utility services are proposed for the new building. The new building will tie-in to the previous building's water and sanitary sewer services.

Soil Erosion and Sedimentation Control

Soil Erosion and Sedimentation Control (SESC) measures are provided on the plan drawings. The applicant has included silt fence along the limits of disturbance and silt sacks in catch basins. SESC falls under the review and approval of the Kent County Road Commission and a permit is required before construction can begin. The SESC measures indicated on the drawings appear appropriate given the expected work.

Summary

The proposed stormwater management design meets the Township SWO requirements for new developments. The applicant will need to apply for and obtain an SESC permit prior to construction. We recommend approval of the site plan from an engineering standpoint. If you have any questions or require additional information, please contact me at 616.464.3786 or nrtorrey@ftch.com.

Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.

A handwritten signature in black ink, appearing to read 'N. Torrey', is positioned above the printed name.

Nathan R. Torrey, PE

jlk

Attachment

By email

cc: Michael L. Berrevoets, PE – FTCH



Cascade Charter Township

Storm Water Ordinance, Ordinance 7 of 2002, as amended by Ordinance No. 2 of 2008, May 14, 2008

Reviewing Engineer Comments are Italicized

OK - Received and Acceptable

NA - Not Applicable

NR - Not Received, Needs Follow-up, See Comments

Watermark Pool Building

Drainage Plan Checklist

- OK (1) Location of the development site and water bodies that will receive stormwater runoff
Stormwater runoff from the site discharges to an underground infiltration basin.
- OK (2) Existing and proposed topography of the development site, including the alignment and boundary of the natural drainage courses, with contours having a maximum interval of one foot (using USGS datum). The information shall be superimposed on the pertinent Kent County soil map.
Existing and proposed contours are indicated on the site drawing. Soil map information is not required for this project.
- OK (3) Development tributary area to each point of discharge from the development
Stormwater calculations were provided.
- OK (4) Calculations for the final peak discharge rates
Stormwater calculations were provided.
- OK (5) Calculations for any facility or structure size and configuration
Stormwater calculations were provided.
- OK (6) Drawing showing all proposed storm water runoff facilities with existing and final grades
The applicant provided a utility plan showing all proposed stormwater runoff facilities.
- NA (7) The sizes and locations of upstream and downstream culverts serving the major drainage routes flowing into and out of the development site. Any significant offsite and onsite drainage outlet restrictions other than culverts should be noted on the drainage map.
There are no culverts or significant offsite flows indicated on the site plan.
- OK (8) An implementation plan for construction and inspection of all stormwater runoff facilities necessary to the overall drainage plan, including a schedule of the estimated dates of completing construction of the stormwater runoff facilities shown on the plan and an identification of the proposed inspection procedures to ensure the stormwater runoff facilities are constructed in accordance with the approved drainage plan.



- OK (9) Plan to ensure the effective control of construction site stormwater runoff and sediment track-out onto roadways
Soil Erosion and Sedimentation Control (SESC) measures are included on the site plan. SESC falls under the review and approval of the KCRC, and a permit is needed before construction can begin. The SESC measures shown on the plan appear appropriate given the expected work.
- OK (10) Drawings, profiles, and specifications for the construction of the stormwater runoff facilities reasonably necessary to ensure stormwater runoff will be drained, stored, or otherwise controlled in accordance with this ordinance
The site plan includes sufficient detail to ensure compliance with the stormwater ordinance.
- NR (11) Maintenance agreement, in form and substance acceptable to the Township, for ensuring maintenance of any privately owned stormwater runoff facilities. The maintenance agreement shall include the developer's written commitment to provide routine, emergency, and long-term maintenance of the facilities and, in the event the facilities are not maintained in accordance with the approved drainage plan, the agreement shall authorize the Township to maintain any onsite stormwater runoff facility as reasonably necessary, at the developer's expense
Maintenance agreement was not provided and is required.
- OK (12) Name of the engineering firm and the registered professional engineer who designed the drainage plan and will inspect final construction of the stormwater runoff facilities
- NA (13) All design information must be compatible for conversion to Grand Valley Regional Geographic Information System (REGIS)
This is a privately owned system and will not be uploaded to REGIS.
- OK (14) Other information necessary for the Township to verify the drainage plan complies with the Township's design and performance standards for drains and stormwater management systems

CASCADE CHARTER TOWNSHIP
Ordinance # __ of 2019
AN ORDINANCE TO AMEND ORDINANCE #10 OF 1997, THE
FOREST HILLS GOLF COURSE/WATERMARK CONDOMINIUMS
PLANNED UNIT DEVELOPMENT PROJECT

CASCADE CHARTER TOWNSHIP ORDAINS:

Section 1. Amendment to the Forest Hills Golf Course/Watermark Condominiums PUD Ordinance

Section VI. Development Areas shall be amended in its entirety to read as follows:

The Project consists of three different development areas as follows:

Development Area A”	Condominiums, site condominiums, and golf course.
Development Area “B”	Clubhouse, restaurant, driving range, office building, swim center/health club, and other associated facilities.
Development Area “C”	Office buildings along Cascade Road frontage.

These three development areas shall be governed by specific regulations contained within this PUD Ordinance as described in Section VIII in addition to the regulations found in the other Sections of this Ordinance which apply to the development in its entirety.

Section VII.E. Permitted Uses shall be amended to read as follows:

E. One combined office building located west of the clubhouse with a maximum size of 14,000 sq ft. The building shall be consistent with the approved elevation plan approved dated 8/14/09.

H. Swim Center/Healthclub

Section VIII.B of Specific Development Regulations shall be amended as follows
Clubhouse, Restaurant, Driving Range, office building, Swim center/healthclub and other associated facilities.

Section VIII.B.3 of the Design Guidelines, Requirements and Limitations shall read as follows:

3. The maximum size of the professional office shall be 14,000 sq ft. as shown on the approved floor plans dated 9.3.09. This building is not to be used for any tenant or third party other than Watermark employees with the exception that the existing tenant space of no more than 3,100 sq ft may be leased out for professional office use. Examples of professional office include: attorney, engineer, accountant or other low impact type offices as determined by the Planning Commission.

Section VIII.B.4.c Signs shall be amended to read as follows

c. The office building shall be permitted 50 square feet of wall sign. In lieu of the 50 sq ft wall sign the owner can choose to install a 30 sq ft wall sign and a 20 sq ft ground sign in the location shown on the approved site plan dated 1/13/10.

d. A 12 sq ft directional sign at the south end of Galbraith is permitted in the location shown on the approved site plan dated 1/13/10.

Section 2. Effective Date

This PUD Ordinance amendment shall become effective upon publication in the Grand Rapids Press, a newspaper of general circulation within Cascade Charter Township.

Section 3. Effect

The Cascade Charter Township Zoning Ordinance, as amended, and the remainder of Ordinance #10 of 1997, except as otherwise expressly amended herein, shall remain in full force and effect.

The foregoing Ordinance amendment was offered by Board Member _____, supported by Board Member _____. The roll call vote being as follows:

YEAS:

NAYS:

ABSENT:

ORDINANCE DECLARED ADOPTED.

Sue Slater
Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the ___ day of _____ 2019.

Sue Slater
Cascade Charter Township Clerk

MINUTES
Cascade Charter Township
Planning Commission
Monday, April 15, 2019
7:00 P.M.

- ARTICLE 1.** Chairman Sperla called the meeting to order at 7:00 P.M.
Members Present: Johnson, Katsma, Lewis, Noordyke, Pennington, Rissi, Moxley and Sperla
Members Absent: Krieter
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.
- ARTICLE 2.** **Pledge of Allegiance.**
- ARTICLE 3.** **Approve the current Agenda.**
- Motion was made by Member Lewis to approve the Agenda. Supported by Member Rissi. Motion carried 8 to 0.**
- ARTICLE 4.** **Approve the Minutes of the March 18, 2019 meeting.**
- Motion was made by Member Moxley to approve the minutes of March 18, 2019. Supported by Member Rissi. Motion carried 8 to 0.**
- ARTICLE 5.** **Acknowledge visitors and those wishing to speak to non-agenda items.**
- No visitors came forward.
- ARTICLE 6.** **Case #18-3471 Watermark Property LLC**
Property Address: 1611 Galbraith Ave SE
Requested Action: Consider recommendation to Township Board for PUD Amendment for Swim Center and office addition.
- Director Peterson stated the preliminary approval was awarded at the March Planning Commission Meeting, and there has since been an ordinance put together with the proper sections amended. The current Snap Fitness building will be allowed to be converted to offices for Watermark, with the square footage of current occupants noted. If or when the current occupants vacate the Snap Fitness building, Watermark will be allowed to convert those areas into Watermark office space as well. Director Peterson states that if approval is recommended, the ordinance and plan will go to the Township Board for a final decision after a public hearing.
- Vice Chairman Rissi stated that he did not recall there being specific square footage requirements for the three tenants currently located in the Snap Fitness building. Director Peterson stated those were the square footages given by Watermark to identify

the space in question inside of the Snap Fitness building. Member Noordyke stated he recalled that only the new area of the building would be required to be exclusively occupied by Watermark offices, not the space currently occupied by third parties if or when they vacate.

Director Peterson stated that Watermark would be allowed to continue to lease the specified 3,100 sq ft to the current tenants. Vice Chairman Rissi stated that he did recall that Watermark would be allowed to continue to lease exclusively to the three named tenants, but not that there would be a square footage limit should one of the current tenants want more or less space. Chairman Sperla stated that he would have never voted in favor of the Amendment had the tenants not been tied to the current 3,100 sq ft. Member Noordyke suggested there be a cap at the 3,100 sq ft measurement currently being used by the three tenants, and that they can use that space between them as necessary, but not exceed it.

Chairman Sperla invited the Applicant to come forward with any comments.

Mr. Steve Plakmeyer came forward and introduced himself as one of the owners of Watermark. Mr. Plakmeyer stated that the ordinance in 2010 allowed no more than 6,729 sq ft. of the 14,000 sq ft building to be occupied by attorneys, engineers, accountants, or other low impact offices as determined by the Planning Commission. He states that he was not aware the proposed amended ordinance would be written that once a current third-party occupant vacates the building, the space could only then be occupied by Watermark staff. Mr. Plakmeyer states that he does not understand why Watermark would need to be under this restriction. He states his concern for the way the PUD Amendment is worded. Chairman Sperla suggests that a transcript of the previous two hearings be obtained to see what was said about the 2010 Amendment.

Ms. Kelly Kuiper (of Watermark/Nederveld) comes forward to state that when you walk into the Watermark office building, you're in a lobby with separated tenant spaces to the right, and Watermark offices to the left, the basement houses the fitness facility. Ms. Kuiper states that Watermark would like to expand their office space into the basement, but they would also like to maintain the separate third-party tenant space without any changes made to them, and have language in the Amendment that does not limit the occupants to the current tenants. She continues to say that if those tenants leave and that space can only then be used by Watermark, the interior would require a significant remodel to be retrofit that space to be functional for Watermark offices. Their main concern is to be able to maintain that tenant space, regardless of who the tenant is. She states that the building was designed to house the low impact office users that the 2010 PUD allowed. Ms. Kuiper states that she is concerned of the wording in the last section of 8.B.3 that reads "no more than 3,100 sq ft may be leased out to current tenants only as follows", and that Watermark would prefer it to read that "3,100 sq ft may be leased out to tenants; space A 1,500 sq ft; space B 800 sq ft; space C 800 sq ft." rather than specifically naming the current tenants.

Member Noordyke suggested that Watermark is arguing that they have the option to lease to new third party in the event that one of the current tenants vacates the property. Chairman Sperla then stated that the specific square footage of the space being occupied, and the specific tenants occupying that space, were listed on the Applicants application that was presented, which is why the Amendment was written to include those specifically named tenants.

Director Peterson suggested that a vote be held on this specific ordinance language, and if that does not pass, to amend the language written into the ordinance.

Secretary Johnson brought to Chairman Sperlas attention that he had a copy of the Minutes from the March 4th meeting. Secretary Johnson then read from the Minutes the motion that was made by Member Noordyke to “approve Applicants request for a PUD Amendment with the condition that the use would be exclusive to Watermark, or Watermark affiliates. Current tenants will not be affected.” Chairman Sperla stated that he would like to listen to the recording of the March 4th meeting as Minutes are a summary, not verbatim, and this Amendment is requiring specificity of words said. Director Peterson stated that the March 4th Meeting may have been recorded over after the written Minutes from that Meeting were approved by the Planning Commission at the March 18th Meeting.

Member Rissi suggested the PUD Amendment be written with the conditions the tenant’s names be removed from the Amendment, but maintaining the exception that no more than 3,100 sq ft be divided across three suites at 1,500 sq ft, 800 sq ft, and 800 sq ft.

Motion was made by Member Rissi to approve the PUD Amendment with the conditions that Watermark Offices will be permitted to occupy the space, and the 3,100 sq ft tenant space will be allowed to be occupied by low impact office uses. Supported by Member Noordyke. Motion carried 7 to 1.

ARTICLE 7.

Case #18-3489 Lanterns

Property Address: 3217 Thornapple River Drive

Requested Action: Consider recommendation to Township Board for PUD Amendment for 21-unit site condominium.

Director Peterson stated this is a new PUD. Director Peterson then noted that this is a condominium project, not site condominium as referenced a couple of times in the documents.; those references will be corrected. The Signature Line will also be changed to reflect correct ownership. Director Peterson then stated that this Amendment does reflect the previous approval awarded by the Planning Commission, and a recommendation will go to the Township Board for final consideration at a Public Hearing.

Chairman Sperla invited the Applicant to come forward with any comment.

Mr. Douglass DeHaan came forward and stated that he did not have additional comments, and then asked if there were any further questions of him.

Motion was made by Member Pennington to forward positive recommendation to the Township Board for the PUD Amendment with the minor changes stated by Director Peterson. Supported by Member Lewis. Motion carried 8 to 0.

ARTICLE 8. Case #19-3519 Golden Valley

Property Address: 5800 Thornapple River Drive

Requested Action: Sketch Plan Review for 27 single family site condominium.

Director Peterson stated that this will be an introduction meeting with no real action taken. This will be a by-right sub division in the R1 Zoning District, with no common open space, and a minimum lot size of 80,000 sq ft., which is almost 2 acres. They will be served by well and septic, so the Health Department will be involved. Director Peterson states that they have proposed a common sewer system, leading to a common septic system. There will be two private roads; one off of Thornapple River Drive, the other off of 60th. There will be no more than 19 units on either dead end road. Director Peterson stated that stormwater will be reviewed by the Township Engineer before this Plan comes back to the Planning Commission. No sidewalks are planned for this project, it will not connect to any future pathways. Chairman Sperla stated that he would like the Applicant to consider joining the two dead end roads for fire safety purposes and ease of access for rescue vehicles.

Chairman Sperla invited the Applicant to come forward with any comment.

Mr. Don DeGroot from Excel Engineering came forward to state that the cul-de-sacs that provided meet Township and County standards that a fire truck could easily maneuver on. He then stated that the dead-end streets are desired to keep out through traffic from the busy intersection of 60th and Thornapple. Being private roads, they will not need to be maintained by the County. Mr. DeGroot stated that the average lot size will be around 92,000 sq ft.

No action is required by the Commission at this time and this will proceed to the next step in the process, a Tentative Preliminary Approval, after all required government approvals are completed.

ARTICE 10. Any other business

There will be a joint meeting with the Township Board and the DDA May 21, 2019.

ARTICLE 11. Adjournment

Motion was made by Member Noordyke to adjourn. Supported by Member Pennington. Motion carried 8 to 0. The meeting was adjourned at 7:55 p.m.

Respectfully submitted,
Phil Johnson, Secretary

MINUTES
Cascade Charter Township
Planning Commission
Monday, March 4, 2019
7:00 P.M.

- ARTICLE 1.** Chairman Sperla called the meeting to order at 7:00 P.M.
Members Present: Lewis, Johnson, Katsma, Noordyke, Pennington, Rissi, Krieter, Moxley, and Sperla.
Members Absent: None
Others Present: Community Development Director, Steve Peterson and those listed on the sign in sheet.
- ARTICLE 2.** **Pledge of Allegiance.**
- ARTICLE 3.** **Approve the current Agenda.**
- Motion was made by Member Lewis to approve the Agenda. Supported by Member Pennington. Motion carried 9 to 0.**
- ARTICLE 4.** **Approve the Minutes of the February 18, 2019 meeting.**
- Motion was made by Member Johnson to approve the minutes of February 19, 2018. Supported by Member Katsma. Motion carried 9 to 0.**
- ARTICLE 5.** **Acknowledge visitors and those wishing to speak to non-agenda items.**
- No visitors came forward.
- ARTICLE 6.** **Case #18-3471 Watermark Property LLC**
Public Hearing
Property Address: 1611 Galbraith Avenue SE
Requested Action: The Applicant is requesting a Preliminary Plan Approval for an amendment to the PUD for additional office space and a new swim center building.
- Director Peterson started by overviewing the site plan for the Watermark Country Club, pointing out the Snap Fitness facility and swim center building. The Applicant would like to add around 5,000 sq ft to the existing swim center in order to relocate the Snap Fitness facility to that location. The Watermark offices would then be moved to the empty Snap Fitness building. Director Peterson stated that at the introductory meeting for this project, he was asked for additional/historical information about the original approval of the swim center building. He did include the minutes from those meetings in the packet for tonight.
- Director Peterson started to walk through a chronological timeline of development of the area around Cascade Road and Galbraith.

The golf course was redeveloped in 1991, which allowed for the residential, club house, restaurant, and other development at that time. In 1997, the development that allowed for the office space along Cascade Road occurred as part of the Watermark Golf Course redevelopment; this is also when the incorporation of the standards from the 1994 Cascade Road Corridor Study started. A developer also came forward in 1997 to redevelop the old Lacks facility (called the Health Plex at the time) and that allowed for the old industrial plating facility to be redeveloped, along with several other offices along Cascade Road, and sprinkled throughout the entire site. The Health Plex development did not occur, so in 1999, the two projects were separated, and that's where the Golf View Development name came from. When those were separated, Golf View wanted to take all of the permitted office development and reallocate it into what is there today. There has been a lot of discussion since the original Health Plex as to how much office development would be permitted in this area, and the uses of those buildings. There were amendments to the original Watermark facility, extending some roads and adding some residential development. In 2000 the swim center was built, and in 2010 the Snap Fitness building was added. Referring back to the original minutes from 2010, Director Peterson pointed out that there was quite a bit of debate about the size and use of the building. The building was eventually built smaller than originally planned, half being used for tenant office space, and half being used for the Snap Fitness facility.

Director Peterson noted that staff's original position at that time (2010) was there was to be no additional office space in that area, but a compromise was reached to accommodate the Snap Fitness facility. The Applicant's current request as far as the Site Plan is simple, with the building growing by a proposed 5,000 sq ft. There are a few issues with setbacks, but nothing unusual that hasn't been seen with other projects. Staff's position is not in support of the current PUD Amendment, with the feeling that the last reached compromise (2010) would be final. Director Peterson stated that the Engineers have looked at their plan and they have reached storm water requirements, with parking requirements being met as well.

Director Peterson advised that if denial was recommended to the Board, the recommendation would then go to the Township Board, and if the Board decided the project to be positive, the decision would then return to the Planning Commission. At that point the ordinance could be written if it were reconsidered, or upon another denial the Township Board would make the final decision. If approval of the project is recommended tonight, the next step would be to write the PUD ordinance and make a recommendation to the board with the site plan and ordinance as normal. At this point an elevation drawing for the swim center building has not been submitted, if the project is approved it will need to be provided.

Chairman Sperla invited the Applicant or Applicants consultants to come forward with any comments.

Kelly Kuiper came forward and introduced herself as the Project Manager with Nederveld. Ms. Kuiper started by noting that the Watermark Group is a successful group, not only at this country club, but across West Michigan, and has established their offices here in Cascade Township. Because of their success, they have found themselves in need of additional office space, leading to the necessary expansion of their pool facility. Primary updates to the pool facility would include a larger kitchen, and larger and updated locker rooms. During that expansion, the Snap Fitness facility would be moved to the pool facility building, going from a current 6,300 sq ft space, to a proposed 4,500 sq ft in the new location with a much more efficient use of space. The space vacated by Snap Fitness would be turned into office space exclusively for the Watermark group, not an additional or outside office user. This expansion will not have any visual impact on the Cascade Road corridor. Ms. Kuiper reiterated that they did get the Township Engineers approval for the storm water detention facility.

Steve Plakmeyer from Watermark Properties came forward to add that the demand for amenities like the swim center addition and remodel are growing, and that their office staff is currently in two separate buildings as they have run out of space in their preferred building. He states that being housed in one facility would help with daily operations for their staff. Member Kruiter asked Mr. Plakmeyer for a current number of members that use, or will use, the pool facility, he stated that number to be over 400. Mr. Plakmeyer noted that two complaints they receive is that there is no covered/shaded area for outdoor dining, and the food standard is not as expected due to a small kitchen. Their requested expansion would address both of these complaints. Mr. Plakmeyer was asked if there is a "Plan B" if the current proposal is denied, he stated there is not at this time. Mr. Plakmeyer was then asked about the intention of the Snap Fitness building should the facility be relocated, and he stated that building would become the sole office space for their Watermark Group staff.

Applicant offered no additional comments.

Motion was made by Member Rissi to open public hearing. Supported by Member Krieter. Motion carried 9 to 0.

Chairman Sperla invited others present to come forward with comment.

Mark DeWall, owner of the office space located directly behind the pool (Watermark Tech Center, Suite 302) came forward in support of the Applicants request. He has been a tenant for 14 years, and states the Watermark Group has been a great, responsible neighbor throughout those years, and believes they are an asset to the Cascade community.

John Postma, whom resides at 5503 Denali Woods Drive, and is a realtor in the Forest Hills area that has been selling homes for 41 years, came forward to state that a lot of the families he sells homes to at the development across the street (Manchester Hills) appreciate that they can use the Watermark facilities.

Mr. Plakmeyer was asked by Chairman Sperla if residents could have individual pool memberships, or if they needed to be grouped with golf or fitness memberships as well.

Mr. Plakmeyer stated that yes, individual pool memberships were given, and that 80-90 of the 400 memberships are for pool usage only.

Motion was made by Member Rissi to close public hearing. Supported by Member Krieter. Motion carried 9 to 0.

Member Rissi stated that after reading the history of the original proposal, it seems as though there was talk of the fitness facility eventually being part of the pool facility, and at that time the Planning Commission did support that proposal. Director Peterson stated that they wanted to support the recreational usage without additional office space being created at that time. Member Rissi then stated that with traffic concerns being an issue on Cascade Road, he believes the center turn lane has helped alleviate the heavy flow of traffic, and that as a business owner he can relate to a growing company needing more office space. He states this to be a good compromise.

Member Krieter agreed with Member Rissi that it seems to be a good compromise. She states that the expansion of the pool area, with a benefit of improving office space, would have a positive community impact of over 400+ families, and seemingly no negative impact to the neighborhood.

Member Pennington agreed and stated that he would not like to see the Watermark Group go somewhere else. He stated he would like to see a written agreement that the vacated fitness building could not be leased out to a third party, but used to expand the growing business as stated it would be.

Charman Sperla stated that there were a lot of concessions made all along during the initiation of the golf course and splitting up the site. He stated that most of those concessions were made with the strong indication that those would be final. Chairman Sperla stated that PUDs are not created for purposes of constant expansions and changing site uses. He then stated that Cascade Township engaged an independent consultant and had a study group that returned with a steadfast directive that they wanted to keep everything south of Spaulding residential, with any commercial building being one story tall, and similar to residential housing to blend into the community. Chariman Sperla continued on to say that he would like to see the business stay in Cascade Township as long as the proposed plan is complementary to the golf courses (two or three besides Watermark; all administrative offices are housed here) and athletic facilities, and continues to be a business that is beneficial to the community. He also states that it will make a difference that all occupants of the office building be from the underlying business complex.

Director Peterson noted that the current tenants of the Snap Fitness building will remain there after the Snap Fitness facility relocates. Chairman Sperla listed the tenants as Watermark Offices, Highpoint Property Resources, Visser Design, Reliable Energy, and Watermark Red Water. Chairman Sperla then asked Mr. Plakmeyer to clarify his relationships with these businesses. Mr. Plakmeyer stated that Highpoint Property Resources is owned by partners Doug Bauer and Brian Sikkema, whom are both owners in Watermark Group. Jeff Visser designed the building, does other architectural work for the Watermark Group, and independent contract work; Reliable Energy has been a

tenant of the building since it was built, contributes work to the golf courses and other facilities, and contracts independent work. They all currently have existing leases. Mr. Plakmeyer clarified that the vacated Snap Fitness facility would house only Watermark Group offices, no additional outside businesses. Chairman Sperla then asked Mr. Plakmeyer to estimate the number of employees of each company. Mr. Plakmeyer guessed Visser Design to have 4-5 employees, Reliable Energy to have 3-4 employees, and the rest of the occupants are connected to Watermark Group. When asked by Chairman Sperla if they would be willing to proceed with the understanding that the vacated Snap Fitness area would not be used for any tenant or third party other than the Watermark Group, Mr. Plakmeyer said "yes", and stated that is their intention.

Member Pennington made note about the Master Plan stating that no more office space is wanted on Cascade Road, but that this PUD amendment request is more of a unique situation, and noted the current office sits around 2,000 ft off of Cascade Road, with a fair amount of open space in between the road and building. He also stated that a PUD should not be negotiated every few years, and that he is in support of this request, he does believe the expansion would be a positive thing for the township.

Member Katsma asked Director Peterson if a written restriction on third party usage of unoccupied space can be put in to the amendment. Director Peterson highly recommended that be done if you support the request. Chairman Sperla suggested that it be a written condition of use as part of an approval.

Member Pennigton then asked Director Peterson if the fitness center were to be vacated, is there a contingency in place on what that space can be used for? Director Peterson stated that the current PUD ordinance limits it to only a fitness facility.

Chairman Sperla stated that either an acceptance or rejection of the proposal needed to be made to the board.

Motion was made by Member Noordyke to approve Applicant's request for a PUD Amendment with the condition that the use would be exclusive to Watermark or Watermark affiliates, current tenants will not be affected. Supported by Member Rissi. Motion carried 9-0.

ARTICLE 7. Case #18:3489 Lanterns

Public Hearing

Property Address: 3217 Thornapple River Drive

Requested Action: The Applicant is requesting a Preliminary Plan Approval to rezone the property to PUD to accommodate a 21-unit single family detached condominium project.

Director Peterson started by showing on the provided map where this property is located, and explained that it would be a condominium, not site condominium, meaning that the whole area outside of the building themselves would be common area. Director Peterson stated that the Applicant is asking for two exceptions. One is to have setbacks closer to their internal road, which would allow them to pull some units further from adjoining property lines, and the second is to have one entrance. Director

Peterson stated that at 20 properties, two means of access are required on private streets. Director Peterson stated that one thing that is asked of developers asking for exceptions, is to produce a test plan that shows how they can develop the property meeting all of the requirements. Director Peterson points out on the test plan the one main entry drive from Thornapple River Drive, and then shows several home sites that have individual access to Thornapple River Drive as well. The location of the property is zoned R2, which is the smallest single-family lot zoning. The property is proposed to be developed as an open space project, which means 50% of the space would be dedicated as common open space for the development. Director Peterson stated that each lot size would be a minimum of 10,000 sq ft., with each unit being about 3,000 sq ft, which is well above the township requirement of 1,300 sq ft for a one story, and 1,600 sq ft. for a two story home. The developer did indicate the price point would be around \$600,000-\$700,000.

Director Peterson stated the development would be connected to sewer and water, with connections needing to be made to the adjoining development to the west, the Heathmoor Development. There is a letter from the President of that association agreeing to allow those connections, and some review comments from the City of Grand Rapids. The site plan does show significant landscaping plans, however Director Peterson noted that the Township does not regulate landscape requirements for residential developments. There is no new landscaping along the north of the site, as they would like to maintain the current vegetation. The stormwater retention pond is in that area as well, but most of that land would remain untouched.

Director Peterson continued on to state that the streets would be private, and the county did already approve street names, and provide an approval of addresses. The location of the curb cut has been changed; the county would like that to be right across the street from the church driveway. Traffic count numbers from the Thornapple River Drive area of Thornhills and 28th Street area is on average 5,600 trips, to further south at 36th Street is close to 9,000 trips. A single family development of 21 lots would typically add about 200 trips to that, keeping the trip count below the two lane road capacity of 10,000 per the Road Commission.

The Township Engineer has reviewed the project, and has no concerns at this time. There are no interior sidewalks in this project, but the Applicant has agreed to build a pathway connection that connects to the pedestrian pathway with a crosswalk at the light. There will be no pathway going south of the road since there is nothing to connect to, but the Applicant will provide an easement if/when needed there will be an easement in place for the pathway.

Director Peterson stated that the Township has received the Applicants condominium documents, and they have been reviewed by the Township Attorney to look for conflicts or inconsistencies with Township requirements. As with all residential projects, the Applicant will need an airport recognition statement. With this project being zoned R2, it does appear to meet objectives for Zoning and Master Plan standards.

Staff is recommending approval of this PUD rezoning. If approved, it will come back with the ordinance for recommendation to the board.

Chairman Sperla invited the Applicant to come forward with any comment.

Douglas DeHaan, from DeHaan Homes (located at 3299 Hudson Trails in Hudsonville), came forward to share that their goal is to change from an R2 to PUD, and that when the initial drawing for this project was submitted in September, it had two entries with a loop drive, but the Road Commission stated that they did not want two drives, and preferred the single drive across from the church entry. So he is asking for a waiver to the exception that the Township wants two entries, but the Road Commission wants just the one.

Mr. DeHaan stated that the sewer was intentionally kept from this property per request of the prior owners. The easement is 5 feet off the property, and the invert for the sewer is 10 feet from the property. When meeting with the Heathmoor Association, Mr. DeHaan said that he requested to be hooked up to the sewer, and link the water for a loop for pressure. The Board stated that they did not want to tie the two developments together, Mr. DeHaan stated that it was a must for this project.

Mr. DeHaan stated that there is an operating retention pond on the neighboring property that they agreed to clean up and put an easement together for the Heathmoor Condominium Association so they would not have to worry about it in the future.

While addressing the sewer needs and removing diseased/dead trees and scrub from the woods, Mr. DeHaan stated there would be a couple of "holes" in the woods that they intend to fill and/or cover with a perimeter of Evergreen, which will be a nice screening year round for all neighboring properties. There is also a fence at the end of the property that made snow removal difficult for Heathmoor, Mr. DeHaan stated that fence will be removed and landscaping will start about 15 ft back from the property line to allow the Heathmoor Association to push snow onto my development.

Mr. DeHaan described the vision of the project as a village, where each unit may look different, but they are cohesive and the vernacular is the same. The materials used will be cement, board, brick, and stone, all in a monochromatic color. There will be gas lanterns throughout, which is what the development was named after. Mr. DeHaan continued on to state that they did talk about a deceleration lane to give owners more time to slow down to turn into the development as the speed limit is 45mph in that area, and then also discussed having a one-way road in the development so all drivers circulate one way for added safety, and eliminates the need for a cul-de-sac. There will be a pedestrian walkway included throughout the property, and a pavilion in the front of the property with benches and a lantern underneath.

John Postma came forward to state that there is a growing need for "empty nester" housing, and that with the zero step main floor layout of this development, they are anticipating aging clientele as a main buyer. He stated he is excited and proud of the quality of product this development will be.

Don DeGroot with Excel Engineering came forward to state there are different options for the proposed bike path should they need to be explored. He then stated that the stormwater management pond is designed to take advantage of the sites sandy soil, and the water will be looped to provide enhanced quality to the dead end on Heathmoor Ct.

Motion was made by Member Rissi to open public hearing. Supported by Member Krieter. Motion carried 9 to 0.

Randy Butcher, 6269 Heathmoor Court, came forward to ask for more clarity on the landscaping, snow removal, and disturbance while putting in the sewer. Douglas DeHaan stated that the property needs to be crossed to get to the water line and sewer connection, so a fence will be removed, as well as some foliage. Trees will be implanted to offset and improve that landscaping disturbance. Mr. DeHaan stated that the snow removed from the end of Heathmoor Court will be allowed to be pushed onto the Lanterns property, giving them an easement for snow. Mr. DeHaan also stated that the landscaping budget of \$250,000, which includes close to 50 large Evergreen trees for privacy around the development.

Jenny Waney, 6255 Heathmoor Ct, stated that there is a huge amount of invasive species, especially oriental bittersweet, in the woods, and that they tend to love disturbance. She stated that she would like to see a focus on eliminating those invasive species as landscaping is done.

David Korff, 3191 Thornapple River Drive, stated that traffic on Thornapple River Drive has increased significantly. He also stated that the view from his home is where the pathway will connect, and the lack of proposed landscaping at that spot concerns him. Chairman Sperla mentioned that his concerns have both been previously addressed.

Nancy Goff, Thornhills Ct. states that she is in support of the bike path being maintained on the east side of the street.

Dan Kryaski, 3593 Charlevoix Drive, inquired about the proposed open space at the edge of his property (that meets the project property), and wondered if any landscaping was being done there. The Applicant shook his head "no".

Andrew Ramsahoi, 6347 Glenstone Drive, stated his concern of the length of setbacks on the southern side of the property. The Applicant stated that they are maintaining the minimum of 25 ft setbacks, and the closest unit would have a 33 ft setback. Mr. Ramsahoi also stated his concern regarding the landscaping on that side of the property, specifically the planting of trees. The Applicant stated that the trees would be 12-14 ft tall, and would be 15-16 ft deep on the project property.

Tom Hackett, 6379 Glenstone Drive, came forward to state his concerns for the following: large vehicles (moving vehicles, trash trucks, etc.) coming and going, and if they'd have enough turn space; the location of the lanterns through the property and if they were natural gas; mailbox placement; storage sheds and out buildings being added to the property; and where visitors will park. The Applicant stated that trash will be picked up by a single hauler in a medium sized truck, mailboxes will all be located in the

entry drive, there are park outs located on the site plan for visitors, the lanterns will be natural gas, and located on the units themselves; no sheds will be allowed on the properties.

Motion was made by Member Rissi to close public hearing. Supported by Member Johnson. Motion carried 9 to 0.

Motion was made by Member Pennington to approve the Applicants Preliminary Plan Approval to rezone the property to PUD. Supported by Member Krieter. Motion carried 9 to 0.

ARTICLE 8. Case # 17-3392 Freedom Reigns Farm

Property Address: 8613 52nd St.

Requested Action: The Applicant is requesting a Tentative Preliminary Approval to develop a 12 unit detached single family site condominium project.

Director Peterson started by stating that this property is about 43 acres, so will have a significant amount of common open space, some being undevelopable wetlands. This property is zoned Agricultural, Master Plan suburban residential. The area would be served by well and septic. Director Peterson stated that they have received their driveway permit from the Road Commission, and have their DEQ permits. Director Peterson did note that the street named has changed since the last plan was submitted, and will need to get recorded. The Applicant has chosen to do a 50% open space project, so a minimum of 50,000 sq ft lots will be required. No exceptions by the Applicant are being asked for at this time. An airport recognition statement will need to be provided with their Master Deed still. No light poles or street trees have been indicated, they are not required by the Township in this area. The Engineer has reviewed and approved the stormwater plan. A Tentative Preliminary Approval will guarantee a lot layout to the developer for one year.

Chairman Sperla invited the Applicant to come forward with any comment.

Doug Lee came forward and introduced himself as the property owner. He lives on an adjacent property. Mr. Lee stated that as far as street lights, they may do posts on the property, but being that this property is more in a country setting, he would like to see as much night sky as possible. Mr. Lee stated that each lot would be between 50,000-60,000 sq ft., some with wetlands on the lot. Mr. Lee noted that he would place signs on the property regarding wetland rules and regulations.

Motion was made by Member Pennington to approve the Applicants Tentative Preliminary Approval with the seven conditions identified in the Staff Report. Supported by Member Lewis. Motion carried 9-0.

ARTICLE 9. Any other business

None.

ARTICLE 10. Adjournment

**Motion was made by Member Rissi to adjourn. Supported by Member Krieter.
Motion carried 9 to 0. The meeting was adjourned at 9:06 p.m.**

Respectfully submitted,
Phil Johnson, Secretary

MINUTES
Cascade Charter Township Planning Commission
Tuesday, January 20, 2009
7:00 p.m.

ARTICLE 1. Chairman McDonald called the meeting to order at 7:00 p.m.
Members Present: Hammond, Lewis, Logue, McCarthy,
McDonald, Pennington, Robinson, Sperla, Waalkes
Members Absent: None
Others Present: Township Planning Director Peterson and
Members of the Public.

ARTICLE 2. Chairman Robinson led the Pledge of Allegiance to the Flag.

ARTICLE 3. Chairman Robinson requested a motion for the approval of the
January 20, 2009 Agenda.

**Member Lewis motioned to approve the January 20th Agenda
as presented, supported by Member McDonald. All in favor
with none opposed, the motion carried.**

ARTICLE 4. **Approval of the Minutes from the December 15, 2008 Meeting.**
Chairman Robinson asked if there were any corrections to the
December 15th Minutes or requested a motion for approval.

Member Waalkes asked on Page 3, under the roll call vote, that he
be added as a yes; he was present at that meeting and voted in
favor.

**Member Waalkes motioned to approve the December 15, 2008
Minutes with the addition on Page 3, supported by Member
Hammond. All in favor with none opposed: December 15,
2008 Minutes approved as corrected.**

ARTICLE 5. **Approval of the Minutes from the January 5, 2009 Meeting.**
Chairman Robinson asked if there were any corrections to the
January 5th Minutes or requested a motion for approval.

Member McCarthy asked on Page 4, last sentence be cleaned up
and Staff noted the sentence should read "...although we did just
have a site plan...."

**Member Lewis motioned to open the Public Hearing,
supported by Member Hammond. All in favor with none
opposed: January 5, 2009 Minutes approved as corrected.**

ARTICLE 6.

**Case # 08-2960: Forest Hills Golf / Watermark Condo's
Address of Property: 5536 Cascade Road
Requested Action: Basic Plan Review for an amendment to add a
new office / health club.**

Planning Director Peterson referenced the site plan drawing in the Commissions' packets noting the location of the project within Watermark and also referred to the copy of the Golfview Planned Unit Development (P.U.D.).

The Applicant is requesting to amend the existing P.U.D. and add a new office/health club near the clubhouse at the end of Galbraith Avenue.

The building is a 17,000 square-foot (s.f.) building with 13,000 s.f. for the office and approximate 4,000 s.f. for the health club.

The Watermark Development is currently under a P.U.D. and has been so since 1997. Originally the P.U.D. included what became the Golfview project. They were separated after Watermark developed and the Golfview portion of the project did not. The golfview project went to its own P.U.D. in 1999.

The Watermark P.U.D. does not contemplate this additional building and therefore, the Applicant must proceed through the P.U.D. amendment process.

Staff has met with the Applicants to review the project and has indicated to them that there are concerns regarding the project:

- a. Adding more office space to the area.
- b. Bypassing the negotiated 1997 P.U.D.
- c. The health club ideas seems like a good fit but not the primary user of the building.
- d. Large multi-tenant will want exposure to Cascade Road.
- e. Splitting off a one-acre piece of property.

Staff has indicated that if the project were just a health club, it would have more merit and would fit within the development as an accessory to the golf course. This would be the same as when the swim center was approved in 2000 as an accessory use to the clubhouse.

The Applicant has submitted this package as required for the Basic Plan Review that allows the Applicant to introduce the project to the Planning Commission for their input. This review is a little different since Staff normally works with the Applicant to work out some of the issues, and as of this point, have not been able to do so. Staff did explain to the Applicant that they are not in favor

of the project as presented and the Applicant would still like to hear from the Planning Commission.

If the Commission supports staff's opinion then that should be communicated to the applicant so they can decide on how to proceed.

If the Commission thinks the project is worthwhile or the Developer would like to continue with it, the Applicant would need to include:

- a. A complete landscape plan.
- b. Lighting plan.
- c. A completed site plan
- d. A completed site plan showing all four (4) sides of the building including the materials of the building.
- e. A perspective of the building from Cascade Road.
- f. Approval of the storm water plan from FTCH (Fishbeck Thomson Carr & Huber).

Member McDonald referred to Staff's report under adjacent area land uses regarding the gas station on the west if that was correct and Planning Director Peterson corrected the report in saying that there is a parking lot and the swim center on the west property.

Member McDonald asked if the project was in P.U.D. 2 or P.U.D. 15 and Planning Director Peterson clarified it is in P.U.D. 15, Watermark, and P.U.D. 2 is the Golfview project.

Member Pennington noted that his company has done some of the work on the Watermark project and are not involved in this particular project. He does not believe his involvement poses a conflict of interest.

Member Lewis also disclosed that he is a member of Watermark and lives in the development, but does not see any conflict of interest with this case.

Applicant Kevin Einfeld, 5510 Cascade Road, is one of the principals of Watermark, also present are principals, Doug Bauer and Steve Plakmeyer.

Watermark was developed in 1997 with approximately 160-home sites and includes a wonderful golf course, clubhouse and swim center.

The reason for coming before the Planning Commission is because the development has a void in their club and that is having a fitness center.

The fitness center would complete the project as many other developments offer a fitness center along with the golf course and pool.

The reason for the request for both the office space and the health club is based on the economy and the cost of the construction. Not many buildings of 4,000 s.f. are built due to the financial costs of the project therefore additional square footage justifies the costs. Watermark Development would move their offices into the building along with an interior design group and interest from a possible sports doctor who would lease space.

Applicant Einfeld referred to the changes for the existing service drive allowing for a circle area for the bag drop. They have also been in dialogue with the neighbors in implementing some traffic calming devices in the pick up areas as traffic is moving too quickly in the area.

The Applicant noted that a fitness center is very complimentary to a golf course. They have proposed fifty-two (52) parking spaces to accommodate the fitness center noting use of parking for the clubhouse would also be utilized.

One of the concerns of the project is its visibility from Cascade Road and Applicant Einfeld produced two (2) images showing the view. He noted the building is approximately 1700-feet from Cascade Road.

Applicant Einfeld also noted regarding traffic and traffic control, that with the improvements earlier noted and the current traffic flow, the addition of the fitness center would not impose any additional problems.

The Applicant also addressed their proposal for signage proposing that they would ask for a small increase in their current square footage, they currently have 50-s.f., and would also like to have additional small signage at the north end of the building.

The current office buildings in the development are quality buildings and is currently 100% leased. The Applicant said the new building will also be built of high-end quality and believes it would benefit the development.

Member Lewis asked the Applicant if they explored the possibility of adding just the fitness center to one of the current two buildings in the development. Applicant Einfeld said they believe the fitness center should be a part of the clubhouse facility to allow those at the fitness center to have lunch if they would like and provide more accessibility of the facilities to the community.

Member Lewis noted that the Township is completing their new Master Plan and the survey taken of the residents regarding Cascade Road. Ten years ago, when the survey was taken, people were concerned about office space and traffic on the road. People are still preferring to keep Cascade Road as it is without adding more office or retail between Hall Road and Burton Street.

Member Lewis also noted that there were conditions that were placed on the office buildings for the Watermark Development, along with others along Cascade Road, in that there had to be fifty percent (50%) occupancy of the office building. The current plan notes this is a request for an office building with a fitness center.

The Watermark P.U.D. was negotiated with the developers and the project was developed as stated within the P.U.D. It is difficult to amend the P.U.D. to include an additional office building and believes it would be more appropriate if done as the swim center, as a benefit to the clubhouse.

Currently there are approximately ninety (90) P.U.D.s within the Township and if this P.U.D. were amended to allow for additional office space, it could set a precedence for the others to do the same. If the project were proposed with just the fitness center that would benefit the clubhouse, the more likely the project would be supported. The people, however, would not support additional office space.

Member Lewis said he is personally having trouble opening up the P.U.D. that was heavily negotiated in 1997 for additional office space.

Member McDonald noted that the project should conform with the Master Plan and is also concerned with setting precedence in amending P.U.D.s. and referred back to another case that was asking to rezone to office space from residential and the people expressed their concerns with that case as well.

Member Sperla agreed with the previous comments and also noted that when the green space is removed, there is not anymore green space within the development. He noted that the other office buildings are more removed from the club, this project brings the

office use into the club area of the development. He agrees the office use could be focused around the fitness center with sports medical practioners, etc., but general office use does not seem to conform to the clubhouse and fitness uses. He supports Member Lewis' idea in adding onto the current facility for the fitness center but is not in favor of additional office space.

Member Sperla also noted that there was a condition to one of the buildings that was developed and that was to be limited to 10,000 square feet, this proposed building is 17,000-s.f. and another restriction was a 25-foot height maximum. He believes in looking at the proposed office / fitness center that the proposed building exceeds the original P.U.D. standard.

Member Hammond asked the Applicant if they have spoken with the membership of the country club regarding the fitness center and Applicant Einfeld said they have and they are supportive of it. Member Hammond noted that 4,000-s.f. does not seem very big for a fitness center as he lived in a development that also had a fitness center. He noted that his development's center closed when MVP Sports Complex opened because their facility could not offer the amenities that MVP Sports could. He agrees that the office use is inappropriate and he is also concerned of the success of the fitness center in the future.

Chairman Robinson supported the concerns the Planning Commission has expressed regarding additional office space and opening up the established P.U.D.

Applicant Einfeld said he appreciates the Commissions' input and they need to figure out how to add the fitness center into the development. He is not in favor of putting the building off of Cascade Road since the community is not in favor of more office on the road and the project would entail additional parking. They would prefer to utilize the parking from the clubhouse.

Member Waalkes asked the Applicant if they have considered adding the fitness center onto the clubhouse and Applicant Einfeld said they have but there is no logical place for the addition. It is also not economically feasible to build a 4,000-s.f. building solely for the purpose of a fitness center.

Member Logue asked if the addition could be added to the swim center since locker facilities are already built and Applicant Einfeld said they could not add onto the swim center in a reasonable fashion.

Mr. Plakmeyer asked what size would be appropriate for a fitness center if 4,000-s.f. seems small? He also noted that the proposed office area is being proposed at 80% occupied. His understanding is that the residents do not want more office space that remains unoccupied and they have 80% of theirs occupied.

Chairman Robinson said it is not a question of occupancy of the office space but a matter of that the office space is larger than the fitness center. The proposal is for an office center with a health club, not for a health club with a few offices.

Mr. Plakmeyer asked if more health related offices would be more appropriate and Chairman Robinson said that what he is hearing from the Planning Commission is that the health club is the smaller than the proposed offices. The residents of the Township are also opposed to new office space on Cascade Road. He also noted that opening the P.U.D. would set precedence.

Planning Director Peterson also noted that the Township does not want the golf course to fail and when it was originally done, the offices were allowed on Cascade Road to help support the golf course. The Staff is open to having a fitness center but opposed to additional office use. The two (2) office buildings that are along Cascade Road is part of the comprise established when the P.U.D. was developed in 1997.

Member Sperla noted that if the project were proposed as extended use of the clubhouse it would be more acceptable but to open a P.U.D. for office space is setting precedence and is not in support of additional office space.

Member Waalkes said he would not oppose the fitness center with related uses and the building could be reduced to approximately 10,000-s.f.

Member Sperla also noted that the other country clubs have their fitness centers within their clubhouses and this has the feel of an independent project.

Mr. Platmeyer noted that fitness centers today do not necessarily contain locker rooms as people are looking for a quick way to exercise and they leave. He does not believe that locker rooms are necessary for the project.

Member Hammond suggested that the Applicant show the Commission that some of the additions to the current clubhouse and swim center would not work. Mr. Plakmeyer said they have spent \$1 million in the swim center and they do not want to disrupt

that facility. There is a service drive, drop off and golf course that surrounds the clubhouse and the addition is not feasible on that building. They are trying to establish more viable business opportunities in support of their project.

Member Lewis also suggested that the current building houses the golf carts and asked if that area could be renovated into the fitness center providing access to showers and locker rooms. The golf carts could be stored in a freestanding building. Mr. Plakmeyer said the area was considered but would not allow for a freestanding health club facility and the cart storage area is a basement area that is not easily accessible.

Member Lewis asked whom the Applicants met with in obtaining support of the project and Applicant Einfeld said that they spoke with the Watermark Board who favored the project.

Planning Director Peterson suggested tabling the Basic Plan Review. It seems that all agree that the health club use seems appropriate and anything more than the club, the uses should be limited to related uses of the health club. The building's height and square footage would also need to meet the previous requirements of the P.U.D. that has been established. The Applicant should also provide a study of the need for a fitness center. If the case were tabled, the Applicant could further develop his plans according to the comments heard this evening and request another Basic Site Plan Review.

Member McDonald clarified for the Applicant that the area is not compatible for office use and does not want the Applicant misled. If there were a couple of offices related to the health club, including the Watermark offices, that may be considered as acceptable but the health club should be the predominant use of the building.

Member Sperla motioned to table Case # 08-2960: Forest Hills Golf / Watermark Condo's, supported by Member Hammond. All in favor with none opposed.

ARTICLE 7.

Any Other Business.

Chairman Robinson opened the meeting for any other business. There was no other business of the Planning Commission.

Member McDonald noted that the Planning Commission should consider the issues of heliports in their residential areas as Ada Township has recently addressed this.

ARTICLE 8.

Adjournment

Chairman Robinson requested a motion for adjournment.

Member McDonald supported by Member Hammond moved to adjourn. The motion carried and the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

John Sperla, Secretary

Lisa Hern, Recording Secretary

MINUTES
Cascade Charter Township Planning Commission
Monday, July 20, 2009
7:00 p.m.

ARTICLE 1. Secretary Sperla called the meeting to order at 7:00 p.m.
Members Present: Lewis, Logue, McCarthy, McDonald,
Pennington, Sperla
Members Absent: Hammond (excused), Robinson (excused),
Waalkes (excused).
Others Present: Township Planning Director Peterson, Recording
Secretary Hern and Members of the Public.

ARTICLE 2. Secretary Sperla led the Pledge of Allegiance to the Flag.

ARTICLE 3. **Approval of the Agenda for the July 20, 2009 Planning
Commission Meeting.**
Secretary Sperla requested a motion for the approval of the July
20, 2009 Agenda.

**Motion was made by Member McDonald and supported by
Member Pennington to approve the Agenda as presented.
Motion carried unanimously.**

ARTICLE 4. **Approval of the Minutes from the July 6, 2009 Meeting.**
Secretary Sperla asked if there were any corrections to the July 6th
Minutes or requested a motion for approval.

Member Logue noted a correction needs to be made on Page 4, last
paragraph containing Member Sperla's motion, the motion needs
to reflect the property location at 2950 Kraft Avenue with a permit
granted to co-locate a microwave dish on the tower at that location.

**Motion was made by Member Lewis and supported by
Member McCarthy to approve the July 6, 2009 Minutes as
corrected. Motion carried unanimously.**

ARTICLE 5. **Case # 08-2960: Forest Hills Golf/Watermark Condo's
(From the Table of January 20, 2009)**
Address of Property: 5536 Cascade Road
**Requested Action: Basic Plan Review for an amendment to add a
new office/health club.**

**Motion was made by Member Lewis and supported by
Member McDonald to remove Case # 08-2960: Forest Hills
Golf/Watermark Condo's from the January 20th Table.
Motion carried unanimously.**

Planning Director Peterson said the Planning Commission last saw this project on January 20, 2009 and at that meeting, the Commission gave the Applicant some direction on this project. The Applicant has attempted to respond to those concerns and is asking that the Commission review their revised plans.

One of the changes to the plan is the building's location. The building site has been moved from in front (north) of the clubhouse to a location west of the clubhouse.

The Applicant has enlarged the fitness center and made the building a little smaller. It is Staff's preference that the fitness center be at least half of the building's square footage. There was some support from the Commissioners in having Watermark's offices within the building.

Planning Director Peterson said he has spoken with the Applicant regarding the types of offices within the building and it is Staff's preference that the offices be limited to "professional" offices to limit the impact on traffic onto the site and the need for signage on Cascade Road.

Staff's preference regarding signage for this project is not to have additional signage and considers the fitness center an amenity to the country club they have.

Staff indicated the Applicant is looking for the Commissions' opinion regarding the project prior to it going to Public Hearing.

Planning Director Peterson said there have been some good changes within the plan. He was hoping to see the fitness center take at least half of the building's space and wanted the Applicant to have a clear understanding that there would not be additional signage on Cascade Road as a result of this project.

The Applicant is here this evening to present the new plans for further questions of the Commission.

Secretary Sperla opened the meeting for questions for Staff by the Commission.

Member McDonald asked if the Planning Commission needed to take action on this case this evening or if they were to provide the Applicant with their input regarding the project. Planning Director Peterson said that the Applicant is looking for the Commissions' feedback prior to investing in the formal drawings and paperwork that would be required to proceed further with the project.

Member Pennington asked if the main reason Staff does not want signs on Cascade Road is because of the amount of signs currently there? Planning Director Peterson clarified that the intent is not to have any new signs out there and if Watermark would like to change their existing signage to reflect the fitness center that would be allowed. Staff's intent is that there not be any additional signage on Cascade Road due to this project.

Secretary Sperla asked if this project is part of a P.U.D. (Planned Urban Development) that was previously approved and does the P.U.D. include a 10,000-square foot limit on all buildings? Planning Director Peterson clarified that the 10,000-square foot limit comes from the Cascade Corridor Plan that the Township has used for those buildings along Cascade Road. The Watermark Clubhouse is larger than 10,000-square feet along with the Fishbeck buildings. Secretary Sperla asked if the buildings have to have Cascade Road frontage in order to apply and Planning Director Peterson said it has been applied to the buildings that are alongside Cascade Road.

There were no further questions of Staff and Secretary Sperla invited the Applicant to address the Planning Commission.

Wayne Visbeen, Architect for the Applicant, thanked the Commission for reviewing their plans and providing input.

The first building they proposed was 17,000-square feet that was two-stories tall plus a lower level for storage and equipment. The new plan proposes a 7,100-square foot walkout with the building's location being adjacent to the clubhouse, next to the driving range and the cart storage area.

As far as the building's use, the Applicant is planning on having the health facility in the entire lower level with an entrance on the main level with steps going down to the facility. The walkout entry would go directly into the health center. The lower level would also have some additional offices and storage.

The main level would have the professional offices. Mr. Visbeen noted that he is personally looking into an office in this facility.

He noted the Applicant is trying to comply with the requests and concerns provided at the January 2009 meeting and with a smaller facility and new location they believe this is a much better plan. He believes the new plans fit the character of Watermark.

Mr. Visbeen noted there are potentially three (3) entrances to the building: one (1) into the health facility and one (1) or two (2) for the offices depending on the floor plan.

Member McDonald noted the new plan is much more appealing than the plan presented in January with its location, size and use. Member McDonald asked if the new proposed location for the building is in the mound near the dumpster and asked if that mound would be excavated. Mr. Visbeen distributed updated drawings to the Commission noting that the building is a walkout and the mound is a natural slope. The side would face the driving range, the front would face the parking lot and the back faces the golf cart storage.

Member McDonald asked if the drive along the driving range stays and Mr. Visbeen said yes.

Secretary Sperla asked if there would be locker room facilities within the fitness center and Steve Plakmeyer, 2410 Cascade Springs, said a locker facility has been included for the fitness center within the building. Adding the locker rooms took the fitness facility's square footage from approximately 4,200-square feet to 5,000-square feet. There will be showers, bathrooms and lockers available at the fitness facility.

Secretary Sperla asked if the Applicant has thought through the signage and Mr. Visbeen said they would like to have additional 25-square feet but understands Planning Director Peterson prefers they use the existing signage. Planning Director Peterson noted that the existing sign is limited to 50-square feet for the golf course. Mr. Visbeen said they are hoping to add 25-square feet to the current signage.

Secretary Sperla recalled concern in passing the P.U.D. for the project and having the P.U.D. change ownership with the new owner making requests to amend the original P.U.D. Secretary Sperla asked Member Lewis how he feels this plan fits in with the current P.U.D. Member Lewis said he does have concerns when introducing new owners to a P.U.D.

Member Lewis asked if the current Watermark offices are located in the building by Cascade Road and Mr. Visbeen noted that currently, the offices are located in the clubhouse and they are running out of room in the office area. He also noted that there is a small portion of their business office in the building on Cascade Road but have not committed to moving those offices into the new facility.

Member Lewis expressed concern in having multiple parties involved as owners and who the Township is to deal with regarding the P.U.D. Mr. Visbeen noted that the same people are still involved in the ownership.

Secretary Sperla asked if the same owner own the golf course, country club, and fitness facility all? Mr. Visbeen said yes and there are some new LLC's that have been formed in dealing with the banks, that is the only difference, the same owners are still involved.

Member McDonald referred to the document dated July 10, 2009 in the summary where it says that there is a demand from the 500 member families of the Watermark Country Club and Swim Facility for a fitness component on the grounds and Staff noted in their report they would like to see a feasibility study. Were the families actually polled regarding their needs of this fitness facility? Mr. Visbeen said they have spoken with the members and have spoken with the Association's Board. They shared their original plans with the Association Board who was very supportive of the facility, as it seemed to be one area the country club was lacking in terms of fitness component. They have recently met with the Association and shared the new plan and favored the new plan as well. He said they could poll the members and the community for their opinions regarding the project but believes there would be a high majority in favor of the project. Mr. Visbeen also noted that when potential members inquire to membership at Watermark, they often ask if the facility has a fitness center and, currently, that is the one (1) component missing and many potential members do not join because there is no fitness center. He further clarified that they have spoken to the Association Board Members but have not polled the community because they do not want to promote plans that might change after the Planning Commissions' review.

Member Lewis noted that he is a member at Watermark and after the first presentation amongst other members; the members were discouraged with the initial location of the facility. After reviewing the building's new location, Member Lewis spoke with a couple of members and the new location is much more favorable and complimented the Applicant in making the changes.

Secretary Sperla asked if the new drawings are what they have in mind for the project and Mr. Visbeen said these are the plans.

Secretary Sperla asked if the facade for the fitness center is compatible with the country club and Mr. Visbeen said it is.

Member McDonald noted that the Applicant's report also notes that the architects will be incorporating many green aspects into the new building and asked what they are proposing at this point. Mr. Visbeen said he is proposing geothermal and would like to make this a very state-of-the-art green building. The building will be under Energy Star that goes for silver, gold, platinum levels and hopes to make it a green building and targeting energy conservation.

Member McCarthy asked in the previous plans there was a proposal to redesign the parking lot and the new plans look like they have gone back to the existing parking lot? Mr. Visbeen said they have gone back to the existing parking lot with minor adjustments with some additional spaces by moving a curb-cut down with an option to add parking, if needed, towards the north end.

Planning Director Peterson noted that this type of detail will be included once the Township receives the formal site plans along with other project details.

Member McCarthy also said she has a concern of the width of the drive going down the side with the parking spaces along with the tree that is located on the corner. Mr. Visbeen said that those are specific issues they have not addressed yet and will once they have received the Commissions' support of the new plans.

Member McCarthy asked why the offices were put on the main floor and the health club in the lower level? Mr. Visbeen said that the health club should be located on the lower level, on top of the concrete to support the machines and the weight equipment. Having the office entrance on the main floor also allows them to have a beautiful entrance and the steps to the health facility are often viewed as a "game" to the members and they do not mind going up and down stairways as compared to those who visit an office.

Secretary Sperla asked how profitable it is to have offices in the building that are not tied-in with the fitness club, such as an outside lawyers office or doctors office? Mr. Visbeen noted that the office is a destination and being located on the site of a country club is beneficial as he can walk to lunch, as an example.

Secretary Sperla noted that the architect plans to have his office in the building along with the health club's offices, is there anyone else that currently has interest in having an office in the building. Mr. Visbeen said there is an interior designer who is interested in sharing amenities with Mr. Visbeen's architectural firm.

Member Lewis asked if the building would block the view from the country club's main banquet room and Mr. Visbeen said the buildings are 50-feet apart and the building is set back from the country club so the view to the 18th green will remain the same very much as it is today and does not foresee a problem.

Secretary Sperla asked Staff if the construction of the new building would require an amendment to the current P.U.D. Planning Director Peterson said it would. He noted that adding the new building, any changes to signage, approving the site plan are some basic things that would need to be amended. Secretary Sperla said he is not in favor of numerous changes to a P.U.D. as they are usually heavily negotiated between the Township and the original owners. He would like to keep the amendments to a minimum. Secretary Sperla said he would also like to keep the current signage square footage as it currently is as this is not a high commercial area and the signage along the road is minimal and very low and he would like to see minimal changes to the signage currently on Cascade Road.

Planning Director Peterson shared his perspective on the signage, the Township does allow for up to 64-square feet for non-residential use in a residential zone. If this were allowed, however, Staff believes it would open the requests from other offices in the area to request the maximum 64-square feet for their signage.

Member Pennington said that he thinks the new plan is a good one and does not have any concerns regarding the split between the office space and fitness center.

Member Lewis said that he would prefer the building to be 10,000-square feet and Mr. Visbeen said they did review the area with a 10,000-square foot footprint that was a single floor and it had more of a visual impact on the site and believe the current, 7,000-square foot footprint is more visually appealing and has less impact on the site. From an architectural perspective, the office space needs 6,000-square feet, the health club needs 6,000 feet, etc. and hopes the Planning Commission will consider the 7,000-square foot footprint as it is most economical and would be the most visually appealing.

Member McDonald noted that with the 7,000-square foot footprint the Applicant is minimizing the impact on the site. In reviewing the current plan, he is not as adamant about the 10,000-square foot building if the building at 7,000-square feet as presented this evening is the building that is constructed. Mr. Visbeen noted that

with the building being stacked on a natural slope it will help with making the building a green building.

Member McDonald noted that the plan is nicely done as presented as it is not obtrusive to the residents in the area and is done professionally and discreetly. He likes the project and concurs with the comments regarding the signs.

Secretary Sperla remains concerned with the P.U.D. amendments. He likes the way the building fits in and the closer the building can be at 10,000-square feet the more favorable that would be. Member Pennington said he does not agree with having the building's size come close to 10,000-square feet when the building is well done with the 7,000-square foot footprint.

Member Lewis noted that members of the community do read the ordinance with the 10,000-square foot footprint and the Master Plan was recently amended and the community's feelings are to keep Cascade Road the way it is. This building is much better than the one first proposed and he is in favor of the project.

Member Logue questioned if all of the buildings within the P.U.D. have been built out and if those tenants will view this as an opportunity to expand. Could the fitness center be added onto the clubhouse? Mr. Visbeen said that the site has over 200-acres and makes this P.U.D. very unique as it is a golf club with its own P.U.D. and asked if there were any others within the Township. Planning Director Peterson noted Centennial Country Club and Quail Ridge have their own P.U.D.'s.

Planning Director Peterson addressed Member Logue's concerns noting that the clubhouse was limited to 30,000-square feet when it originally went in and is built out.

Member McDonald noted that one of the purposes of a P.U.D. is that there is room for flexibility and negotiation within the ordinances and to handle specific requirements and the Applicant has met some of the concerns expressed at the January meeting. He believes that Member Logue's concern is in setting precedence but does not believe allowing this project would do so since this is a unique P.U.D. and it is adding a specific building for specific purposes.

Secretary Sperla believes that when negotiations take place it should be done all at once and not in pieces, otherwise, they can keep chipping away at the compromises made early on become meaningless. He believes this should be done for all P.U.D.'s and that all aspects and potential should be reviewed early on.

Secretary Sperla also clarified that a 10,000-square foot footprint is not what he prefers but he does prefer to see a footprint that is closer to the 10,000 to 14,000-square feet as it might be viewed more favorably.

Member McDonald said that he agrees to a point and noted that the Planning Commission does have the final say in the building plans. At this time he is hearing more favorable responses to the smaller footprint.

He also noted that P.U.D.'s are developed when there is not a need for something, such as a fitness center. People's needs change and now there is an interest in having a fitness center on the site and agrees that he does not like seeing amendments to P.U.D.'s four or five times. This project, however, seems to be a reasonable change that is not encroaching on any of the neighbors, the residents or the development.

Mr. Visbeen noted the economic climate is different and adding a health center would make the project work.

Secretary Sperla said if the building were totally designated as a health center, he would not have any issues with the project as it supports the club. Since there is office space within the building he has some concerns with the amendments. Mr. Visbeen noted the health club is fifty percent of the building and there is additional storage, mechanical room, etc. on that level that equals 7,000-square feet along with the 7,000-square feet for the office level; it is just not all lease able space. Member McDonald noted to the Applicant that it would be very helpful to the Planning Commission if they could know the exact usage planned for the building's square footage and Mr. Visbeen said he could add 500-feet here and revise the plans to show the mechanical rooms, storage, etc.

Mr. Visbeen asked the Planning Commission if they favored the updated plans and if it compatible with the club and if it is compatible with the neighbors. Mr. Visbeen said he is sensing both very favorable feedback and negative feedback and does not wish to proceed any further until he has clearer direction.

Member Lewis noted that the Planning Commission is not voting upon the plans as they have been presented this evening but is hearing from the Commission favor of the new plans for the site.

Secretary Sperla said that when the project reaches the point of having definitive plans regarding the building's construction; he

will be very interested in the building's details to ensure that the plans presented are the plans that are implemented by the Applicant.

Member McCarthy said the new plan has vastly been improved upon since the plan originally submitted in January. She was not a part of the original Planning Commission when this P.U.D. was developed and she did find the documentation regarding the last amendment that was done twelve (12) years ago and the world has vastly changed during that time. She said she is not opposed to amending a P.U.D. but does share her colleague's concerns in having reasonable amendments. She looks forward to reviewing the specifics for this project.

Secretary Sperla thanked the Applicant for their added effort in developing a more favorable site plan.

Planning Director Peterson said the direction he will provide to the Applicant is to proceed with their documents and to go forward in the process to a Public Hearing. He noted that the next phase would include the detailed site plan review for the Public Hearing. Member Lewis said the Commission would like to see the detail regarding the square footage devoted to the health club, storage space and office space. Member McDonald added that the more space that the fitness related area takes in the lower level the more favorable the project will be with the Township, they would like the health facility to be in more than 50% (fifty) of the building.

ARTICLE 6.

Any Other Business.

Secretary Sperla opened the meeting for any other business. There was no other business of the Planning Commission.

Planning Director Peterson noted that Centennial Park Overlay Zone and Farmland Preservation sections of the amendments for the Zoning Ordinance are next for review. Chairman Robinson has requested to attend the committee meetings and Staff is looking for any other interested Commissioners, approximately two (2) or three (3) volunteers. The meeting date has not been established yet.

Secretary Sperla noted that Member Hammond lives in Centennial Park and believes he would be an interested participant on the committee. Member Logue said he is interested in serving on both committees: Centennial Park and Farmland Preservation. Member McDonald said that if a fourth volunteer is needed, he would be available and Member Lewis said he would be available as well if needed.

Planning Director Peterson said that if someone's plans change he will contact either Member Lewis or Member McDonald for their availability.

ARTICLE 8.

Adjournment

Secretary Sperla requested a motion for adjournment.

Motion was made by Member Lewis and supported by Member McDonald to adjourn. Motion carried unanimously and the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

John Sperla, Secretary

Lisa Hern, Recording Secretary

MINUTES

Cascade Charter Township Planning Commission
Monday, September 14, 2009
7:00 p.m.

- ARTICLE 1.** Chairman Robinson called the meeting to order at 7:00 p.m.
Members Present: Hammond, Lewis, McCarthy, McDonald, Pennington, Robinson, Sperla, Waalkes.
Members Absent: Logue (excused)
Others Present: Township Planning Director Peterson, Recording Secretary Hern and Members of the Public.
- ARTICLE 2.** Chairman Robinson led the Pledge of Allegiance to the Flag.
- ARTICLE 3.** **Approval of the Agenda for the September 14, 2009 Planning Commission Meeting.**
Chairman Robinson requested a motion for the approval of the September 14, 2009 Agenda.

Motion was made by Member Sperla and supported by Member McCarthy to approve the Agenda as presented. Motion carried unanimously.
- ARTICLE 4.** **Approval of the Minutes from the August 17, 2009 Meeting.**
Chairman Robinson asked if there were any corrections to the August 17th Minutes or requested a motion for approval.

Motion was made by Member Lewis and supported by Member Sperla to approve the August 17, 2009 Minutes as submitted. Motion carried unanimously.
- ARTICLE 5.** **Case # 09-2960: Kevin Einfeld/Watermark Country Club (PUBLIC HEARING)**
Address of Property: 5536 Cascade Road SE
Requested Action: The Applicant is requesting an amendment to the Watermark P.U.D. that would allow the construction of a new fitness center/office building.

Planning Director Peterson said the Applicant is requesting Preliminary Plan Approval in order to amend the existing Planned Unit Development (P.U.D.) and add a new office/fitness center at the end of Gailbraith Avenue.

The site for the health facility/offices is just west of the country club building and the Planning Commission has received the latest drawings of the plan.

The Commission has seen this case a couple of times. This project was introduced at the January 20, 2009 meeting. At that meeting, the Commission agreed that the fitness center was a compatible use but expressed concern regarding how much office space was associated with the project.

At the July 20, 2009 meeting, the Applicant revised the January 2009 plan and submitted a revised site plan. At this meeting, the Commission felt the Applicant responded well to the original comments by addressing several issues including most notably the new location and the downsizing of the building.

The P.U.D. amendment is necessary in order to allow another building in the project.

In addition to the need to amend the Ordinance to include this additional building, there are other changes that are needed or that they are asking for as a result of this project. Staff has compiled a small table in their report showing the issues and Staff's comments:

The Applicant has requested an increase in the amount of signage on Cascade Road to a maximum 64-square foot sign. Staff recommends denial of this request; as other office uses on Cascade Road are limited to 50-square foot sign.

The Applicant is requesting an increase in the existing on-site directional sign by 4-square feet and Staff would approve this request since this is a small sign that would benefit those coming to the site and enable them to find the building easier. Currently there is no language allowing the directional signage and Staff suggested adding it.

The Applicant is also requesting to add 50-square feet of wall signage to the new building. The existing clubhouse is allowed a 50-square foot wall sign and Staff suggested that the same amount be allowed for this building.

In regards to the building's use, the Applicant would like the ability to include in the lower level area, marked as "Sports Fitness" for office use. Staff recommends denial of this request keeping the lower level for the health club uses makes the building fifty percent (50%) health club and the office use is already a compromise. This plan shows the top level for office uses and in conversations with the Applicant, they have indicated putting office use in the lower level. Staff would like to see the lower level utilized for the fitness center.

The parking lot is being redesigned and will flow better. This design is closer to meeting the Township's requirements that are present today.

The Applicant is also requesting a side setback of 17-feet that does not meet the Township's required 25-foot setback. Staff approves of this request as the site has plenty of separation and the minimum having a smaller east side setback does not compromise the site.

Planning Director Peterson said the Township's Fire Department has reviewed the plans and does not have any issues.

The Township Engineer has reviewed the plans and has indicated conditional approval pending approval from the City of Grand Rapids for the sanitary sewer connection. Planning Director Peterson referred to the original sewer connection and said the Applicant will be able to connect in another area. This item will need to be addressed prior to proceeding.

The Applicant is redesigning the parking lot area that includes some areas that are available for additional parking if needed in the future. The biggest issue would be to make sure the Applicant meets the Township's standard storm water regulations.

Staff's report also includes the Standards with comments.

Staff believes the Site Plan has been adjusted to address the major issues raised at previous meetings and recommends approval of the P.U.D. amendment provided the following issues are addressed:

1. Signage issues
2. Use of the building
3. Sanitary sewer connections
4. Review by Watermark Associations

The Applicants have requested to come before the Planning Commission prior to approaching the associations to see if the plan is feasible. The Planning Commission needs to hear the Association members' comments regarding the project.

Member Lewis noted that the parking is a problem by the clubhouse and when the facility is in full use, you have to park far away from the facility. There are enough parking spaces but the distance is rather far. He is also concerned with holding additional parking in reserve. Planning Director Peterson believes the Applicant's redesign of the parking will help with traffic flow. Member Lewis agreed the redesign would help the traffic flow.

Member Sperla still questions who the Township is working with on the project, are there multiple owners and if so, should the amendment include the updated owners of the property? Planning Director Peterson said they have the property owners signature but would speak with the Township Attorney to ensure that the amendments are done correctly.

Representative Wayne Visbeen of Watermark LLC and architect for the project said they have reduced the square footage of the building based on the Commissions' comments at the last meeting.

They also understand the Commissions' request to have the fitness center be the tenant of the lower level of the building. He believes that at the last meeting, the Commission said they were comfortable having a Watermark office in the lower level. He agrees in not having a general office for rent in the lower level, the office would be strictly for Watermark's use and asked Planning Director Peterson if that was his understanding.

Planning Director Peterson said that was not his understanding and understood that the Watermark offices would be upstairs. Representative Visbeen said there are other sports-related professions who are considering leasing the space. Their goal is to have it be all fitness but if they are not able to lease the space, they would like to utilize it for Watermark's offices.

Representative Visbeen asked for clarification regarding signage and the 50-square feet they are requesting is for building signage. They are hoping to divide the 50-square feet and have 10-square feet above each door in the transom glass (i.e. Visbeen and Associates, Inc.) and one above Snap Fitness and the additional tenant. They are also hoping to have a 20-square foot sign on a stone base in the front grass area as shown on the drawings and dedicated for Snap Fitness. Planning Director Peterson said the Township would like to see the wall signage limited to 50-square feet. Representative Visbeen asked if 30-square feet on the building and 20-square feet on an attractive monument were acceptable? Planning Director Peterson said that he would be agreeable to that.

Representative Visbeen said they are also requesting a 64-square foot sign on Cascade Road. He understands that everyone is at 50 or 54-square feet and Planning Director Peterson said the Cascade Road Corridor study was done in the 1990's and buildings are allowed a maximum of 50-square feet on Cascade Road. Representative Visbeen said they are requesting additional square footage since all those buildings have direct access off of Cascade Road and direct visibility of the business. They are looking to pull

additional attention to their facilities that is off Cascade Road and gain more visibility but will leave this decision to the Planning Commission.

Member Sperla asked if the same materials would be used to construct the new building and match the clubhouse.

Representative Visbeen said they would match but the materials might be different. They are looking to make the new building a "green" building and have not decided on the materials yet, but the buildings will match and their design elements are very similar.

Motion was made by Member Sperla and supported by Member McDonald to open the Public Hearing. Motion carried unanimously.

Planning Director Peterson said the Township did not receive any phone calls or letters concerning the project.

Mark deWald, 1601 Galbraith SE, was concerned with additional office going into the building since there is vacant office space available close by already. After hearing the plans for the building it seems like a nice facility.

Motion was made by Member Lewis and supported by Member McDonald to close the Public Hearing. Motion carried unanimously.

Member McDonald appreciates Staff's work and agrees with their recommendations in their report including the 20-foot square foot stone directional sign and 30-square feet on the building. He is concerned with allowing Watermark offices in the lower level and dedicating the space solely for that use. The initial intent is the more square footage dedicated to the fitness center.

Member Pennington asked if that area could be dedicated to Snap Fitness and listed as an accessory to the fitness center and limited to those in the building? Planning Director Peterson said it would be difficult to regulate the use if allowed to use as an office. Once it becomes an office, it would be used as an office and difficult to regulate. Chairman Robinson agreed with Staff and the Commission agreed the fitness center should have 50% capacity of the building in the lower level. Member Lewis noted the goal of the Commission was to have the occupancy as even as possible and understands the Applicant's request but would like the building remain that the lower level remain dedicated for the fitness center in the lower level.

Representative Visbeen said their goal is to lease the space for the fitness center but in case they cannot lease the space, they would like to put Watermark into the space and utilize the area so it does not remain empty.

Member McDonald asked where Snap Fitness' office space would be and Representative Visbeen said within their leased area, there is only one (1) office.

Member Sperla said he is more comfortable in keeping the lower level dedicated to the fitness center and not allow office use in the lower level.

Member Hammond also said he favors in keeping the office use in the upstairs level of the building and favors the distinct separation of office and fitness center.

Member McCarthy favors keeping the space dedicated to the health profession as the Applicant has commented that they have interested health professionals considering the space.

Member Waalkes noted that the building is not designed to accommodate office use in the lower level. He does not see Watermark's usage of the space as a problem.

Regarding the signage on Cascade Road, Member Sperla said he is not in favor of granting more square footage on the sign. If a larger sign were allowed, that would set precedence and he is not willing to set precedence and believes the sign should remain at 50-square feet.

Member Waalkes noted that the current 50-square foot sign could be redesigned to allow for recognition to those in the building.

Member Lewis noted that the 50-square foot sign was discussed at the July meeting in great detail and the Applicant did not wish to enlarge the sign at the time. He supports remaining with the 50-square foot sign.

Member Hammond also supported keeping the square footage of the sign at 50-square feet. The businesses that do go into the building are destination businesses and supported redesigning the sign to allow for recognition of those in the new building.

Member Lewis said he is still concerned with the parking and Representative Visbeen noted they have met the requirements for the number of parking spaces and the distance from the parking spot to the door should not be an issue. He does not foresee the

parking lot always being so full; there are a few peak times that numerous engagements would be happening at the same time.

Chairman Robinson asked why the need for the reserved parking spots, what might change that the additional parking might be needed in the future? Representative Visbeen said they designated future parking if the need should arise in the future and in case, for some reason, they have a need for more.

Member McDonald said he understands Member Lewis' concerns but he is comfortable with the parking.

Motion was made by Member Sperla and supported by Member McDonald to approve the request for an amendment to the Watermark P.U.D. that would allow the construction of a new fitness center/office building provided the following issues are addressed:

- 1) Cascade Road signage to remain at 50-square feet
- 2) No general office use in the lower level
- 3) Directional signage is allowed.
- 4) The building shall have 30-square feet of wall signage and 20-square feet of directional signage on the ground
- 5) Developer is to meet with Watermark Associations and review plans for their comments
- 6) Sanitary sewer connections are approved.

All in favor with none opposed, the motion carried.

Member Lewis asked if the Applicant would be reviewing the plans and meeting with all of the Watermark Associations and Planning Director Peterson said the Applicant would be presenting their plans to the homeowner's association, and the club members for their comments.

Member Sperla asked that the P.U.D. language be corrected to reflect the drawings received at this meeting and Planning Director Peterson said that provision has already been addressed.

ARTICLE 6.

Any Other Business.

Township Building Official, Butch Visser, addressed the concerns from the Planning Commission regarding the possible new State law regarding sprinkler systems in residential homes.

He explained the current law process for the State of Michigan and noted that Townships are not allowed to amend State laws and codes. He does not believe the regulation will be in the next code stipulated by the State as the code is receiving a lot of opposition

from builders at this current time. He will keep the Township updated if anything changes.

Member Sperla asked if there has been any progress with Tassell Park and Planning Director Peterson said they are exploring options.

Planning Director Peterson reported that the round a bout feasibility study has been completed and the project does work at Cascade Road and 28th Street. The Downtown Development Authority (DDA) will manage the project and will be moving forward with it.

ARTICLE 9.

Adjournment

Chairman Robinson requested a motion for adjournment.

Motion was made by Member McDonald and supported by Member Waalkes to adjourn. Motion carried unanimously and the meeting was adjourned at 8:22 p.m.

Respectfully submitted,

John Sperla, Secretary

Lisa Hern, Recording Secretary

CASCADE CHARTER TOWNSHIP

recodified

Ordinance # 9 of 1999

As amended by Ord 18 of 2000; 10/18/2000

As amended by Ord 19 of 2000; 10/18/2000

As amended by Ord 6 of 2003; 5/28/03

As amended by Ord 4 of 2015; 12/16/15

As amended by Ord 4 of 2018; 3/28/18

**AN ORDINANCE TO AMEND THE CASCADE CHARTER TOWNSHIP
ZONING ORDINANCE AND ZONING MAP TO ESTABLISH THE
GOLF VIEW OFFICE PARK
PLANNED UNIT DEVELOPMENT PROJECT.**

Cascade Charter Township Ordains:

Section I. An Amendment to The Cascade Charter Township Zoning Ordinance.

The application received from Sports Plex Properties of Cascade or their assigns (hereinafter referred to as the "Developer"), for Planned Unit Development designation for the proposed Golf View Office Park Development Project (herein after referred to as the "Project") was recommended by the Cascade Charter Township Planning Commission for approval on September 7, 1999. The Project is recommended for rezoning from an existing Health Plex PUD, Planned Unit Development, to PUD, Planned Unit Development permitting an office complex. This action requires an amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission's recommendation and the Cascade Charter Township Board of Trustees' action on September 30, 1999.

Section II. Legal Description.

The legal description of the Project is as follows:

Lots 17 through 32, inclusive, Cascade Gardens (Liber 35 of Plats, Page 17) and part of the Northeast one-quarter of Section 6, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan, and all being described as: COMMENCING at the East one-quarter corner of said Section 6; thence North 88 degrees 31'00" West 1322.96 feet along the East - West one-quarter line to the Southeast corner of the West one-half of the Northeast one-quarter of said section; thence North 88 degrees 31'00" West 500.00 feet along the East - West one-quarter line to the TRUE PLACE OF BEGINNING; thence North 00 degrees 25'44" West 2093.28 feet along a line which goes through a point being 101.65 feet Northwesterly (as measured along a line being parallel with and 70.00 feet Southwesterly of the centerline of Cascade Road) of the West line of the East 500.00 feet of the West one-half of the Northeast one-quarter of said section; thence South 47 degrees 00'53" East 129.84 feet along a line being parallel with and 50.00 feet Southwesterly of the centerline of Cascade Road; thence Southeasterly 466.35 feet parallel with said centerline on a 17238.73 foot radius curve to the left, the chord of which bears South 47 degrees 47'23" East 466.34 feet; thence South 48 degrees 33'53" East 728.99 feet parallel with said centerline; thence Southeasterly 109.15 feet along the

Northeasterly line of Lot 17 of Cascade Gardens on a 105.69 foot radius curve to the right, the chord of which bears South 18 degrees 58'48" East 104.36 feet; thence South 10 degrees 36'16" West 986.00 feet along the West right of way line of Galbraith Avenue; thence Southerly 178.04 feet along said right of way line on a 1265.02 foot radius curve to the left, the chord of which bears South 06 degrees 34'21" West 177.89 feet to the Southeast corner of Lot 32 of said plat; thence South 85 degrees 43'51" East 44.90 feet along the South line of Lot 32 extended Easterly; thence South 11 degrees 01'00" West 170.38 feet; thence North 88 degrees 31'00" West 380.00 feet parallel with and 185.00 feet South of the East - West one-quarter line; thence South 01 degrees 16'48" West 315.84 feet along the West line of the East 60.00 feet of the West one-half of the Southeast one-quarter of said section; thence North 88 degrees 22'52" West 440.00 feet along the North line of the South 824.53 feet of the North - West one-quarter of the Southeast one-quarter of said section; thence North 01 degrees 16'48" East 499.80 feet to the place of beginning. (41.7529 acres excluding right of way)

As amended by ordinance 18 of 2000; 10/18/2000

Section II. Legal Description. The following described property shall be deleted from the Golfview Office Park PUD

Part of the Northwest one-quarter of the Southeast one-quarter of Section 6, Town 6 North, Range 10 West, Cascade Township, Kent County, Michigan, described as follows: Beginning North 88 degrees 31 minutes 00 seconds West 1382.97 feet (as measured along the East-West one-quarter line) and South 01 degrees 16 minutes 48 seconds West 185.00 feet (as measured along the West line of the East 60.00 feet of the Northwest one-quarter of the Southeast one-quarter of said section) from the East one-quarter corner of said Section 6; thence South 01 degrees 16 minutes 48 seconds West 315.84 feet; thence North 88 degrees 22 minutes 52 seconds West 440.00 feet along the North line of the South 824.53 feet of the Northwest one-quarter of the Southeast one-quarter of said section; thence North 01 degrees 16 minutes 47 seconds East 297.80 feet; thence South 88 degrees 31 minutes 00 seconds East 140.00 feet; thence South 01 degrees 29 minutes 00 seconds West 16.00 feet; thence South 88 degrees, 31 minutes 00 seconds East 163.00 feet; thence North 01 degrees 29 minutes 00 seconds East 21 feet; thence South 88 degrees 31 minutes 00 seconds East 47.00 feet; thence North 83 degrees 53 minutes 00 seconds East 90.73 feet to the place of beginning.

2.9815 acres

The developer shall have eighteen (18) months to exercise one of the following options:

1. The Golfview Office Park PUD Project shall continue as approved as Ordinance #9 of 1999.
2. The Golfview Office Park PUD Project shall convert 15,000 square feet of health club use to office use in the existing Lack's building. In conjunction, Phase V (labeled as Office building "C" on the approved site plan, consisting of 10,000 square feet) shall be deleted from the project.

Section III. General Provisions.

The following provisions shall hereby apply to the Project, in addition to those Provisions outlined in Chapter 16 of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988, as amended).

Section IV. Purpose.

The Project occupies approximately 42 acres of land that presently contains an office building, manufacturing facility, wetlands, and vacant property. The Project is proposed to be developed into an office complex. The Planned Unit Development technique has been chosen by the Developer to provide more control over the Project's aesthetics and appearance. This development technique provides the Developer with the ability to develop the Project in a manner to meet market expectations and develop the project in a unified manner.

The regulations contained herein are established to define the procedures necessary to insure high quality development in the Project. Additionally, they are designed to achieve integration of this development with adjacent land uses.

Section V. Approval Limitations. As amended by Ord 6 of 2003;5/28/03

- A. The provisions of this Ordinance are not intended as a substitute for the Cascade Charter Township Zoning Ordinance and the General Development Plan, nor do they in any way relieve the Developer from obtaining all approvals and permits required by the township, except as otherwise expressly provided herein. In the event that a development issue or site plan element is not addressed by this Ordinance, the specifications and requirements of the Cascade Charter Township Zoning Ordinance shall be enforced.
- B. Except as otherwise provided herein, the Developer and his assigns must meet all applicable provisions and regulations of Cascade Charter Township, as well as federal and state law, and must obtain all necessary approvals from state and county governmental agencies that are required for operation or use.
- C. This PUD approval is expressly contingent upon all conditions of approval herein remaining fully effective and valid. If any condition imposed herein is determined to be illegal or contrary to law as a result of a successful legal challenge by the Developer or its assigns, or any other party, the Township reserves the right to review the entire Project under the PUD provisions of the Cascade Charter Township Zoning Ordinance, and further, to withdraw its approval of this PUD if it finds that, absent the effect of any condition imposed herein, the PUD no longer meets the standards for PUD approval contained in the Zoning Ordinance.
- D. All conditions contained herein shall be binding upon the Developer, as well as its successors, tenants and assigns. The conditions may be modified or amended only pursuant to a formal amendment of the PUD approval and ordinance amendment.

- E. This approval document shall be recorded with the Kent County Register of Deeds by the Developer prior to construction occurring on site and shall run with and bind the lands involved. Copies of this recorded document shall be supplied by the Developer to the Cascade Charter Township Clerk.
- F. Failure to comply with the site plan or any condition of approval herein shall be deemed a violation of the Cascade Charter Township Zoning Ordinance.
- G. The developer shall have approved and recorded the Declaration of Building and Use restrictions for the entire PUD as submitted to the Township Board. These restrictions shall be for the purpose of insuring the use of the parcels for the purposes as stated in the approved PUD and for the purpose of preserving the attractiveness and future maintenance of the PUD. Finally the Township shall be notified and must approve any amendments to the declaration. (Ord 6 of 2003; 5/28/03)

Section VI. Permitted Uses.

The permitted uses for the Golf View Office Park PUD do not include any retail sales operations, the following uses are allowed:

EXISTING (amended by Ord 4 of 2015) (amended by Ord 4 of 2018)

- A. One (1) 44,670 square foot corporate office building. As shown on the approved site plan 9-25-15.
- B One (1) 4,370 square foot corporate lodging facility. As shown on the approved site plan 1-10-18.

PHASE 1

- B. The renovation of the existing Lack's manufacturing and warehousing facility will be broken down into three (3) multi-use office buildings, each building is separated by an open atrium. The maximum square footage of all three buildings is 127,000 square feet. Uses permitted within this building shall be limited to those listed below:
 - 1. Computer design and service business
 - 2. Health/Sports Club
 - 3. Professional Office
 - 4. Church
 - 5. Executive and administrative offices, data processing centers and business offices such as real estate, insurance, and non-profit organizations.
 - 6. The amount of square footage devoted to office uses shall be allowed to a maximum of 92,000 square feet. The total square footage of the building will not exceed 127,000 square feet. A minimum of 35,000 square feet shall be devoted to the Health/Sports Club.

PHASE 2

- C. One (1) professional office building containing a maximum of 60,000 square feet, labeled building "D" on the approved site plan. This building may be developed

originally as one 40,000 square foot office, with a maximum addition in the future of 20,000 square feet. The building is intended to be used as an office facility for an engineering firm.

PHASE 3

- D. Two (2) office buildings containing a maximum of 10,000 square feet each. These are buildings labeled "A" and "B" on the approved site plan and are subject to the design requirements of the Cascade Road Spaulding Avenue Corridor Study.

PHASE 4

- A. Two (2) professional office buildings containing a maximum of 30,000 square feet each located toward the rear of the property and labeled buildings "E" and "F" on the approved site plan. These buildings are intended to be used for the future development of the same engineering firm.

PHASE 5

- B. One (1) office building containing a maximum of 10,000 square feet. This building is labeled "C" on the approved site plan and is subject to the design requirements of the Cascade Road Spaulding Avenue Corridor Study.

Section VII. Master Development Plan - Phasing.

The project shall conform in as much as reasonably possible to the master development plan approved by the Township Board and signed by the Township Supervisor on September 30, 1999. The Developer will develop the project in five (5) separate and distinct phases, and will be required to submit site plans for each phase, building, or site improvement. This includes the plans for Phase 1. This will also allow the Township to ensure that only those areas needed to be disturbed for each phase, are the areas planned to be disturbed. The Planning Commission shall review and approve all building or site improvement plans prior to the construction of each phase to insure consistency with the master development plan.

All phases of the Project shall comply with the Permitted Uses listed in Section VI and the Specific Development Regulations in Section VIII of this Ordinance. Site plan approval of each phase, building, or site improvement shall only be granted in accordance with Chapters 16 and 21 of the Zoning Ordinance, as may be amended.

Each phase shall be considered complete with the issuance of the required occupancy permit granted by the Township. Phase 1, 2 and 3 can occur concurrently and must be completed in entirety prior to the commencement of any site work or construction of Phase 4 and 5.

Section VIII. Specific Development Regulations.

The Project shall be developed in accordance with the site plan approved and signed by the Township. The site plan shall indicate where each building will be located and provide appropriate measurements demonstrating compliance with this ordinance. Engineering plans and documents relating to utilities, topography, drainage, and the survey of the Project shall be reviewed and approved by the Township Engineer.

Approval of these documents shall be based upon their meeting recognized, acceptable engineering standards and practices. No alterations, expansions or additions may take place to the Project without an amendment to this Ordinance, unless authorized otherwise herein.

A. Design Guidelines, Requirements and Limitations.

With the exceptions listed below, all of the requirements of the Cascade Township Zoning Ordinance, as may be amended, must be complied with for site plan review for any new construction within the Project. Landscaping shall be provided within each Phase consistent with the approved landscape plans for each site as their individual site plans are considered for approval.

- **Phase 1 (existing Lack's manufacturing building) (amended by Ord 4 of 2015)**
 - a. Maximum Building Square Footage – 44,670 square feet.
 - b. Maximum Building Height - 30 feet
 - c. Parking - The total amount of parking for the Existing phase shall be a maximum of 121 parking spaces.
 - d. Setback Requirements –
 - 1) Front 50 feet
 - 2) Rear 25 feet
 - 3) Side 25 feet
 - e. The buildings must be constructed using a sloped or pitched roof as shown on the approved elevation plan dated 8-14-15.
 - f. No access directly to Cascade Road from the building. Access to be gained from either Galbraith and/or Arboretum Dr.
 - g. Landscaping to be developed as shown on the approved landscape plan dated 8-17-15.
 - h. Site to be developed in accordance with the approved site plan dated 9-25-15. Owner to sign and record the storm water maintenance agreement prior to commencing construction.
 - i. One (1) freestanding ground mounted development identification sign along Galbraith Avenue. Such sign shall contain no more than 60 square feet. The sign shall be setback a minimum of 25 feet from the right-of-way. The sign is limited to no more than 7 feet tall with the allowance for a decorative feature up to 8'6".
 - j. Wall signage or marquee, not to exceed fifty (50) square feet in total sign area.
 - k. One directional sign shall be allowed. The total size of the directional sign shall be no larger than 10 square feet. The directional shall be limited to no more than 4 feet high and may be placed up to the right-of-way line.
- **Phase 2 (One Building, marked Building "D" on the approved site plan)**
 - a. Maximum Building Square footage – 60,000 square feet
 - b. Maximum Building Height – 32 feet
 - c. Parking – The total amount of parking for Phase 2 shall be a maximum of 231 parking spaces.
 - d. The buildings must be constructed of an actual sloped or pitched roof on all sides of the building.
 - e. The material of the roof to be considered at the time of site plan review.

- f. No access directly to Cascade Road, access to come from the one and only curb cut on Cascade Road for the development, and the one and only curb cut on Galbraith.
- **Phase 3 (Two Buildings, marked Buildings “A” and “B” on the approved site plan). (Amended by ord 6 of 2003; 5/28/03)**
 - a. Maximum Building Square footage – 20,000 square feet, with a maximum building size of 10,000 square feet for each building.
 - b. Maximum Building Height – 25 feet
 - c. Parking – The total amount of parking for Phase 3 shall be a maximum of 82 parking spaces. Due to the topography near buildings “A” and “B” parking to be allowed in the front yard provided it is well screened from Cascade Road. This will be assured during site plan review. The berm along Cascade Road to remain.
 - d. The buildings must be constructed of an actual sloped or pitched roof on all sides of the building.
 - e. The material of the roof to be considered at the time of site plan review.
 - f. No access directly to Cascade Road, access to come from the one and only curb cut on Cascade Road for the development, and the one and only curb cut on Galbraith.
 - g. The building must be at least 50% owner occupied for a period of at least 5 years after the first owner occupant purchases the building. The existing recorded restrictive covenant concerning owner occupancy shall be amended to reflect the changes made by this amendment to the PUD. (Amended by ord 6 of 2003; 5/28/03)
 - h. Increased landscaping where necessary.
 - **Phase 4 (Two Buildings, marked “E” and “F” on the approved site plan)**
 - a. Maximum Building Square footage – 60,000 square feet
 - Two 30,000 square foot buildings
 - b. Maximum Building Height – 32 feet
 - c. Parking – The total amount of parking for Phase 2 shall be a maximum of 232 parking spaces
 - d. The buildings must be constructed of an actual sloped or pitched roof on all sides of the building.
 - e. The material of the roof to be considered at the time of site plan review.
 - f. No access directly to Cascade Road, access to come from the one and only curb cut on Cascade Road for the development, and the one and only curb cut on Galbraith.
 - **Phase 5 (One Building, marked “C” on the approved site plan)**
 - a. Maximum Building Square footage – 10,000 square feet.
 - b. Maximum Building Height – 25 feet
 - c. Parking – The total amount of parking for Phase 5 shall be a maximum of 42 parking spaces. Parking to be located as shown on the approved site plan. This will be assured during site plan review.

- d. The buildings must be constructed of an actual sloped or pitched roof on all sides of the building.
- e. The material of the roof to be considered at the time of site plan review.
- f. No access directly to Cascade Road, access to come from the one and only curb cut on Cascade Road for the development, and the one and only curb cut on Galbraith.
- g. The buildings must be at least 50% owner occupied.
- h. Increased landscaping where necessary.

Section IX. Setbacks.

The setbacks for each phase and building shall comply with the approved PUD site plan dated September 30, 1999, in as much as possible. This will be assured when each phase submits for site plan approval.

Section X. Signs. The following signs shall be permitted for Phase 1, 2, 3, 4 and 5:
Amended by Ord 19 of 2000; 10/18/2000

- 1. One (1) freestanding ground mounted development identification sign along Cascade Road. Such sign shall contain no more than 50 square feet and shall not be lighted in any manner. Subject to the provisions of the Cascade Charter Township Sign Ordinance (Ordinance 12 of 1988, as amended).
- 2. One (1) freestanding ground mounted development identification sign along Galbraith Avenue. Such sign shall contain no more than 50 square feet and shall not be lighted in any manner. Subject to the provisions of the Cascade Charter Township Sign Ordinance (Ordinance 12 of 1988, as amended).
- 3. One (1) wall sign or marquee per building, not to exceed fifty (50) square feet in total sign area. Or, one (1) awning/canopy sign per building, not to exceed thirty-two (32) square feet in total sign area. In the event the building has multiple tenants, each tenant space will be allowed a sign area equal to one square foot for each linear foot of building frontage that each respective tenant occupies, not to exceed a sign length of more than two-thirds the subject frontage and a height of 24 inches.
- 4. ~~The non-conforming Billboard sign located on the property must be removed before the start of phase four or five. (As amended by Ord 19 of 2000)~~
- 5. One directional sign shall be allowed for each building in the project. The total size of each directional sign shall be no larger than 10 square feet. The placement for the signs shall be regulated by the Sign Ordinance for directional signs and shall be placed to avoid seeing the directional signs from Cascade Road.

Section XI. Temporary Buildings.

No structure of a temporary nature; trailer, tent or construction shack shall be constructed, placed or maintained within the Project except accessory to and during construction/ renovation of buildings or infrastructure improvements.

Section XII. Land Splits

The entire premises shall be under the control of one owner. Should the developer request smaller lots, permission to perform a Land Division must be granted by the Planning Department. The Planning Department will review the proposed land division under the criteria of the Land Division Act and the Cascade Charter Township Zoning Ordinance. In no case shall any lot be smaller than 2 Acres in size.

Section XIII. Utilities .

- A. Public Water and Sanitary Sewer - All buildings within the Project shall be served by public sanitary sewer and water at the developer's expense. No building permits will be issued for any construction within the Project until final approval of the public utility system is approved by the City of Grand Rapids and Cascade Township. This does not preclude the applicant from starting on Phase 1. However, no Occupancy permit will be granted for Phase 1 until the utilities are approved.
- B. Stormwater Drainage - All proposed stormwater drainage facilities shall be reviewed and approved by the Township Engineer and the Kent County Drain Commissioner's office prior to the development of the Project. The Developer shall provide the Township Planning Department with copies of all correspondence and permits received from the Kent County Drain Commissioner and Michigan Department of Environmental Quality regarding stormwater disposal and wetland issues.
- C. The Developer shall provide all necessary easements within the Project for telephone, electricity, gas and cable television to the appropriate utility provider without cost. Said easements shall be recorded with the Kent County Register of Deeds and provided to each utility provider for their records.

Section XIV. Lighting

The required lighting section of the Zoning Ordinance as amended shall regulate lighting for the entire project. Furthermore, the total height of individual light poles shall be limited to a maximum of 20 feet high. The use of wall pack and/or unshielded lights is discouraged unless in areas not viewed by the public or passerby.

Section XV. Soil Erosion Control Requirements.

Prior to each phase of construction, the Developer shall submit a soil erosion control plan showing all temporary and permanent soil erosion control measures to be taken before, during, and after construction on the Project. This plan shall be reviewed and approved by the Township Engineer prior to commencing any building on the site.

Section XVI. Performance Guarantee.

To insure compliance with this Ordinance and any conditions herein, Cascade Township may require reasonable performance guarantees, as authorized under the Township Rural Zoning Enabling Act to insure completion of improvements such as, but not limited to,

landscaping, drainage, lighting, roads, and utilities. The Township Board, Engineer, or Planning Department may require such guarantees at any time they deem necessary to insure completion of the improvements.

Section XVII. Reimbursement of Review Fees.

The Developer shall re-imburse the Township for all fees associated with the review of the Project. These fees may include, but not be limited to, legal, engineering, publishing, and planning review fees.

Section XVIII. Consistency With Planned Unit Development (PUD) Standards.

The rezoning to Planned Unit Development will result in a recognizable benefit to the ultimate users of the Project and to the community. The conversion of a manufacturing building to a office complex is viewed as a more compatible use to adjacent residential and recreational land uses.

In relation to the underlying zoning (R1, Residential and PUD, Planned Unit Development) the Township finds the Project will not result in a material increase in the need for public services. Utility extensions and construction will be the responsibility of the Developer and will not place a material burden upon the subject property or the surrounding properties. The Project is not anticipated to cause undo impact to the stormwater drainage of the surrounding area. All stormwater and soil erosion control plans have been approved by the Township Engineer and the appropriate County and State agencies. All stormwater created by this development will be maintained on site.

The Project has been determined by the Township to be compatible with the General Development Plan of the Township and with the spirit and intent of the Planned Unit Development Chapter of the Zoning Ordinance. The Project is also consistent with the standards recommended in the Cascade Road Spaulding Avenue Corridor Study.

The Township finds the Project will not result in an unreasonable negative economic impact upon surrounding properties.

The Township finds the Project to have more wetlands, green areas, and usable open space than would typically be required by the Township Zoning Ordinance.

Finally, the Township recognizes the Project will be under single ownership or control. The Township recognizes that the Developer or its assigns will retain ownership and control of the project until some of the buildings may be sold to other parties.

Section XIX. Effective Date.

This Ordinance shall become effective upon publication of the ordinance, or a summary thereof, in The Grand Rapids Press, a newspaper of general circulation within Cascade Charter Township. All prior Planned Unit Development ordinances that were previously approved for this property shall become null and void.

The foregoing Ordinance was offered by Board Member Timmons, supported by Board Member Kleinheksel. The roll call vote being as follows:

YEAS: Timmons, Kleinheksel, Goodyke, and Julien
NAYS: Johnson, Carpenter, and Parrish
ABSENT: None

Marlene Kleinheksel
Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Charter Township Board on the 30th day of September, 1999.

Marlene Kleinheksel
Cascade Charter Township Clerk

TOWNSHIP BOARD MEMORANDUM

To: Cascade Charter Township Board

From: Sandra Korhorn, DDA/Economic Development Director *SKK*

Subject: Consider Approval of Resolution to Proceed with the Redevelopment Ready Communities (RRC) Certification Program

Meeting Date: May 22, 2019

In March, 2018, Cascade submitted the self evaluation to the Michigan Economic Development Corporation (MEDC) to begin the process of becoming certified as a Redevelopment Ready Community.

Certification as a Redevelopment Ready Community (RRC) indicates the community has taken steps to be development ready and competitive in today's economy. The program measures and then certifies communities that integrate transparency, predictability and efficiency into their daily development practices. The RRC certification is a formal recognition that your community has a vision for the future - and the fundamental practices in place to get there.

The MEDC will also assist communities that are RRC certified with technical assistance and will help to market three properties ready for redevelopment.

In early May the Michigan Economic Development Corporation completed the Baseline Report for Cascade Township. This report completes a key step in the RRC process. There are several areas where the Township falls short in terms of best practices because either additional action is needed or the best practice component is either not present or outdated. Highlights of the findings are below:

1. The Townships' existing practices already align with 29% of the RRC best practices including:
 - An adopted corridor plan
 - Elements of the zoning ordinance
 - Annual review of the fee schedule
2. The Township is partially aligned with another 36% of the RRC best practices. Major areas of partial alignment include:
 - Updating the master plan align with RRC best practice criteria and the Michigan Planning Enabling act.

- Updating the capital improvements plans to reflect the current fiscal year and continually updating yearly.
 - Developing a flowchart of the development process that includes timelines.
3. Finally, the Township has a handful of areas where we found little or no alignment with the best practice criteria. These include the lack of an economic development plan and marketing plan as well as lack of information on recruitment and orientation for newly appointed or election officials.

To continue on the path of certification, the next step is for the Township Board to approve the attached resolution that indicates its support of proceeding with the RRC program with the goal of taking the necessary steps to meet the RRC best practices. Once Cascade Township has met all the best practice criteria, the Township will be a certified Redevelopment Ready Community.

Staff believes the RRC program of best practices is a great opportunity for the township to improve our process and procedures, to offer superior customer service and have a streamlined development approval process making pertinent information available around-the clock for anyone to view. Staff recommends the board approve the resolution to continue with the steps for certification.

Cascade Charter Township
Kent County Michigan
Resolution # of 2019

RESOLUTION AUTHORIZING THE IMPLEMENTATION OF
RECOMMENDATIONS NECESSARY TO RECEIVE A REDEVELOPMENT READY
COMMUNITIES CERTIFICATION FROM THE MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION (MEDC)

WHEREAS, Cascade Charter Township has participated in the Michigan Economic Development Corporation (MEDC) Redevelopment Ready Communities Program, including entering into a Memorandum of Understanding with the MEDC and undergoing an evaluation of the Township's redevelopment practices as reported in the Redevelopment Ready Communities Baseline Report dated March 2019; and

WHEREAS, the MEDC has developed a program for certifying Redevelopment Ready Communities and Cascade Township desires to achieve that certification by implementing best practices and recommend strategies for redevelopment; and

WHEREAS, the program includes evaluating the partnerships with Township boards and commissions related to development, including the Township Board, Planning Commission, Zoning Board of Appeals and Downtown Development Authority; and

WHEREAS, after review of the Redevelopment Ready Communities Baseline Report, Cascade Township is willing to complete the tasks as outlined; and

WHEREAS, certain recommendations have and will be made by the MEDC that are required to be completed in order for the Township to attain Redevelopment Ready Communities Certification.

Now Therefore Be It Resolved that Cascade Township, through its Township Board, authorizes the implementation of recommendations made by the MEDC that are necessary to receive Redevelopment Ready Communities Certification from MEDC.

The foregoing Resolution was offered by Board Member , supported by Board Member .
The roll call vote being as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

RESOLUTION DECLARED ADOPTED.

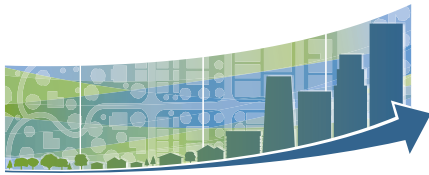
Susan B. Slater
Township Clerk

CERTIFICATION

I hereby certify the above to be a true copy of a resolution adopted by the Cascade Charter Township Board at a regular meeting held at the Cascade Library Wisner Center on the 22th day of May, 2019, at 7:00 p.m., pursuant to the required statutory procedures.

May 22, 2019

By _____
Susan B. Slater
Township Clerk



redevelopment ready
communities®

RRC Baseline Report

Cascade Township

March 2019

MICHIGAN ECONOMIC
DEVELOPMENT CORPORATION

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Redevelopment Ready Communities® (RRC) is a certification program supporting community revitalization and the attraction and retention of businesses, entrepreneurs and talent throughout Michigan. RRC promotes communities to be development ready and competitive in today's economy by actively engaging stakeholders and proactively planning for the future—making them more attractive for projects that create places where people want to live, work and invest.

To become formally engaged in the RRC program, communities must complete the RRC self-evaluation and a community representative must attend all six best practice trainings. The governing body must also pass a resolution of intent, outlining the value the community sees in participating in the program. Representatives from the Charter Township of Cascade's Township staff submitted the self-evaluation in March 2018 and completed training in August 2015. In February 2018, township board passed a resolution of intent to participate in the program.

Through participation in the RRC certification process, Cascade Township will have the opportunity to strengthen its collaborative efforts with local partners and have the potential to both support existing talent and attract new talent to the township. Strengthening local partnerships with the planning commission, township board, tax increment finance authority, economic development partners, real estate firms, property owners and residents can help the township share the workload to complete the RRC Best Practices. Developed by experts in the public and private sector, the RRC Best Practices are the standard to achieve certification. The best practices are designed to create a predictable experience for investors, businesses and

residents working within a community; communities must demonstrate that all best practice criteria have been met to receive RRC certification.

To reach certification, the township will need to continue its proactive efforts in planning and zoning and solidify the impressive resources that are available on the township's website. A capital improvements plan (CIP) will need to be updated in order to meet RRC criteria. The CIP is a crucial document to plan for future projects that will help propel Cascade Township forward. The master plan will need to be updated to meet RRC best practice criteria. Developing a marketing strategy will help the township prioritize resources in order to best communicate with the public. The creation of an economic development plan will assist in identifying goals and action the community has identified to assist in strengthening its overall economic health. This will be an opportunity to highlight both local and regional assets, economic strengths and weaknesses, and work to implement strategies to help create a vibrant and attractive community. Other items such as the public participation plan, zoning amendments, and board and commission information will need to be developed.




Through developer interviews, it was noted that the planning staff is very knowledgeable and helpful throughout the site plan review process. The RRC process is designed to help communities build capacity and improve their development-related practices. Ultimately, RRC is built on the idea that community development is a collaborative effort and is only successful when multiple stakeholders come to the table. With hard work and engaging with different stakeholders, Cascade Township will be well positioned to move forward in the RRC process.

The basic assessment tool for evaluation is the RRC Best Practices. These six standards were developed in conjunction with public and private sector experts and address key elements of community and economic development. A community must demonstrate all of the RRC Best Practice components have been met to become RRC certified. Once received, certification is valid for three years.

Measurement of a community to the best practices is completed through the RRC team’s research and interviews, as well as the consulting advice and technical

expertise of the RRC advisory council. The team analyzes a community’s development materials, including, but not limited to: the master plan; redevelopment strategy; capital improvements plan; budget; public participation plan; zoning regulations; development procedures; applications; economic development strategy; marketing strategies; meeting minutes and website.

A community’s degree of attainment for each best practice criteria is visually represented in this report by the following:

	Green indicates the best practice component is currently being met by the community.
	Yellow indicates some of the best practice component may be in place, but additional action is required.
	Red indicates the best practice component is not present or is significantly outdated.

This report represents the community’s current status in meeting all the redevelopment ready processes and practices. This baseline establishes a foundation for the community’s progress as it moves forward in the program. All questions should be directed to the RRC team at RRC@michigan.org.

Best Practice findings

Cascade Township has completed 29 percent of the Redevelopment Ready Communities® criteria and is in the process of completing another 36 percent.						
1.1.1	1.1.2 (N/A)	1.1.3	1.1.4	1.2.1	1.2.2	1.2.3
2.1.1	2.1.2	2.1.3	2.1.4	2.1.5	2.1.6	2.1.7
2.1.8	3.1.1	3.1.2	3.1.3	3.1.4	3.1.5	3.1.6
3.1.7	3.1.8	3.2.1	3.2.2	4.1.1	4.1.2	4.2.1
4.2.2	4.2.3	4.2.4	5.1.1	5.1.2	5.2.1	5.2.2
6.1.1	6.1.2	6.1.3	6.1.4	6.1.5	6.1.6	

Best Practice 1.1—The plans

Best Practice 1.1 evaluates community planning and how the redevelopment vision is embedded in the master plan, downtown plan and capital improvements plan. The master plan sets expectations for those involved in new development and redevelopment, giving the public some degree of certainty about the community's vision for the future, while assisting the Township in achieving its stated goals. Local plans can provide key stakeholders with a road map for navigating the redevelopment process in the context of market realities and community goals.

The Michigan Planning Enabling Act (MPEA), Public Act 33 of 2008, requires that the planning commission create and approve a master plan as a guide for development and review the master plan at least once every five years after adoption. With the assistance of countless hours and efforts of community leaders, residents, staff and volunteers, Cascade Township last adopted their master plan on April 22, 2009. The master plan process was done in four phases which included data collection, review and public input. The outcome was a comprehensive document that details the vision for the community, it includes information on demographics, a zoning plan, and complete street elements. Goals and objectives identified in the master plan are tied to the implementation chapter. A matrix table was created to identify responsible parties, priority projects, funding, actions and a time line to ensure that the vision of the master plan is being implemented. Given that the last update was in 2009, the township is currently undergoing a master plan update. The update contains four themes, each having a goal, data, maps and projects to be implemented. Those themes are:

- Neighborhood and partnerships;
- Environment and sustainability;
- Transportation and mobility;
- Economy and innovation;

The 2009 master plan for Cascade Township identifies a zoning plan that is divided into 11 zoning districts, ranging from residential to commercial. The master plan identifies opportunities for zoning changes in order to remain consistent with the community's vision for the future. The zoning plan and its identification of opportunities provides a framework for how changes can

be integrated into the zoning ordinance. This will need to be integrated into the new master plan update.

As mentioned earlier, the existing master plan has a good implementation matrix that sets up an organized method of tracking goals and objectives yearly to ensure progress is being made. The current plan update has set up four themes with identified projects, along with the why and how on implemented goals of the master plan. The implementation section also reflects those projects, however, there will need to be more specific information on who is going to accomplish each project and by when, so a time line will need to be included. Progress on the master plan should be reported annually through the planning commission annual report, this will be a good opportunity to review the projects identified in the master plan update.

The 2009 master plan also does a good job identifying strategies for redevelopment areas. Strategies focus on opportunities in areas used as commercial or industrial facilities, diversifying the tax base, ensuring all new development and redevelopment conforms to current plans, promoting interconnectedness and infrastructure improvements. The master plan update should focus on those strategies for priority redevelopment areas.

Cascade Township Downtown Development Authority (DDA) was created in June 1993 and is designed as the primary tool for project improvements along 28th Street and into the Village Area. In 2003 and 2004, the boundaries of the DDA were modified to include additional land. The DDA district is divided into four development areas. Those are:

- The Village Area
- 28th Street Corridor
- The Interchange Area
- Centennial Park.

All these areas are covered under the tax increment financing and development plan which was adopted in 2011 and plans out to the year 2042. While there are four development areas, the village area, which is the location of the original commercial development in Cascade Township, is planned for more of a resident-customer atmosphere. There is a complete streets plan in place for the Village Area that focuses on pedestrian-friendly

Best Practice 1.1—The plans *continued*

elements that will increase safety and walkability in the area. Those changes include improving cross roads, incorporating islands widths, road re-alignment, sidewalk expansions, multi-lane roundabout, commercial/retail center connections and widening sidewalks wherever feasible. The Village Area district was amended in 2010 to provide mixed uses with residential above retail, updated setback standards, landscaping, access to help govern the appearance and form of new development and redevelopment. Projects identified in the DDA plan are categorized by development areas and have cost estimates, timing and priority levels. Coordination between plans is essential, especially between the master plan and capital improvements plan, as the plans lay out the foundation for desired development of projects.

The comprehensive DDA plan describes the community’s vision of developing the Village Area as a downtown district. While this vision is fully supported by the RRC team, it should be noted that the Township does not have a Traditional Downtown according to MEDC criteria; and therefore, the village area will be associated with Best Practice 1.1.3 (corridor plan) instead of 1.1.2 (downtown plan). The criteria and expectations of these best practices are the same.

Over the years, as communities grow, infrastructure needs to adapt and pave the way for future growth. Infrastructure needs to consider new technology, transportation laws, building codes, building design and township layout. Therefore, it will be important for the community to keep up with those changes. A comprehensive capital improvement plan (CIP) is an essential tool for the planning and development of the physical and economic well-being of a community. The CIP is a tool used to implement the vision and goals identified in other plans, including the master plan and downtown plan, and provides a link between planning and budgeting for capital projects. The six-year CIP is currently reflecting fiscal years 2013–2018. The capital improvements plan will need to be updated so that it plans for the upcoming six years. The requirement that capital improvement plans plan six years out is outlined in the Michigan Planning Enabling Act (PA 33 of 2008). Staff in all departments should review the CIP and work to prioritize infrastructure needs, ensuring close alignment between community-developed plans and implementation. The township’s capital improvements plan should be updated annually.

Status	Evaluation criteria	Recommended actions for certification	Estimated time line
1.1.1	The governing body has adopted a master plan in the past five years.	<input type="checkbox"/> Update master plan to align with RRC Best Practice criteria and MPEA guidelines	6 months
1.1.2	The governing body has adopted a downtown plan.	N/A	
1.1.3	The governing body has adopted a corridor plan.	✓	
1.1.4	The governing body has adopted a capital improvements plan.	<input type="checkbox"/> Update CIP to reflect current fiscal year and continue to update yearly	6 months

Best Practice 1.2—Public participation

Best Practice 1.2 assesses how well the community identifies and engages its stakeholders on a continual basis. Public participation aims to prevent or minimize disputes by creating a process for resolving issues before they become an obstacle. Predictability and public support are essential to attract the right type of development to a community. Developers and township staff are not the only key stakeholders in what happens in the Township, proactive public input is critical in creating a harmonious community.

Cascade Township currently uses the basic methods of communication by following the open meetings act and newspaper postings, website positing, and postcards. Additionally, the township uses proactive outreach tools including individual mailings, charettes, community workshops, focus groups and social networking. Staff and partners should consider adding additional proactive methods of engagement in order to ensure all efforts are being done to outreach to the public. Creating a straightforward process to ensure the voices of community members are heard helps create a sense of place, which has the potential to attract new community members to participate in the future of Cascade Township. A good place to start formalizing the plan is noting all the successful methods used to gather input information on the master plan. The update to the master plan provides a community outreach summary with very impressive participation in the master plan process.

In order to facilitate consistent future public engagement, staff should formalize a comprehensive public engagement strategy document. This strategy will help the Township determine which methods of engagement it would like to pursue, identify when and how each method would be used, and establish ways to measure the effectiveness of each method. The plan should identify goals and objectives, key stakeholders, methods of communication, strategies for outreach and how to communicate results to the public.

Once the plan is created, the public participation plan should identify local and regional economic development, state and municipal partners. News and media outlets are another opportunity for partnerships in public participation in an effort to get news out on community events, meetings, or seeking public input. The plan can also be a chance for the Township to engage stakeholders to identify opportunities for partnerships. The final component of any public participation strategy is to ensure that the results of public participation efforts are shared so stakeholders who were not able to attend can learn what happened and those who did attend can see the results of their efforts. For example, the site dedicated to the master plan does a good job-sharing community input results. Information like this should be highlighted via social media or be made available on the townships website's homepage. An explanation of how the township will share public input results should be included in the plan. When completed, it can be used as a guiding document for the creation of future plans.

Based on the information obtained during this evaluation, this report recommends the following to help the Township reach RRC certification:

- Describe public participation methods and appropriate venues to use each method;
- Identify key stakeholders;
- Develop specific actions for meeting objectives;
- Be formatted to allow a third party to adhere to the public participation strategy if needed;
- Create a method to track and share success of various outreach methods;
- Establish a method to assist a developer in soliciting input on a proposal early in the site plan approval process.

With this information outlined in a plan, the township and its stakeholders will have a clear understanding of expectations for communicating in a consistent and transparent manner.

Best Practice 1.2—Public participation *continued*

Status	Evaluation criteria	Recommended actions for certification	Estimated time line
1.2.1	The community has a public participation plan for engaging a diverse set of community stakeholders.	<input type="checkbox"/> Create a formalized public participation plan	10 months
1.2.2	The community demonstrates that public participation efforts go beyond the basic methods.	✓	
1.2.3	The community shares outcomes of public participation processes.	<input type="checkbox"/> Outline how the community will share outcomes of public participation events	10 months

Best Practice 2.1—Zoning regulations

Best Practice 2.1 evaluates the township’s zoning ordinance and assesses how well it implements the goals of the master plan. Zoning is a significant mechanism for achieving desired land use patterns and quality development. Foundationally, the Michigan Zoning Enabling Act (MZEA), Public Act 110 of 2006, requires that a zoning ordinance be based on a plan to help guide zoning decisions. The zoning code for the Charter Township of Cascade was adopted in January 2013 and should be reviewed to ensure alignment with the updated master plan. A direct link to the zoning ordinance can be found under the community development web page. The ordinance is very comprehensive, easy to read and includes hyperlinks, rules of procedures, responsibilities and a set of definitions. The ordinance also provides various graphics to help explain ordinance language.

A community’s zoning ordinance is the regulatory tool used to enforce decisions based off guidance from the township’s master plan. When it comes to flexible tools used to encourage development and redevelopment the township meets this criterion by clearly establishing special land use procedures defined under Chapter 17 of the zoning ordinance, non-conforming regulations and provides overlay zones. The ordinance allows for a variety of new economy type uses such as medical offices, indoor recreation, catering and arts and crafts and micro-distilleries. A mix of uses are permitted by right within the B-1 village business district, which is identified by both the zoning map and land use map as one of many areas of concentrated development. The ordinance does allow for a variety of housing types such as second floor residential, live/work units, town houses, duplexes, and accessory dwelling units. In the future, if the township’s intent is to create more compact housing in the Village Area, it should consider modifying the allowed dwelling units per development.

The B-1 village business district has building design standards that give direction on the desired pedestrian-friendly form. This includes pedestrian connectivity to the front and rear entrance to the building provided via sidewalks, requiring the principle entry to face the street, outdoor dining tables, building materials, and

requirement of store front transparency. There is an opportunity to consider allowing for build-to-lines and start planning for pedestrian friendly development in a concentrated area within the township. Non-motorized standards are provided under Section 19.13 Development Standards which includes safety features for pedestrians from bicycles and vehicles, location of bicycle parking facilities, and direct on-site access to pedestrian and bicycle destinations should also be implemented to create more walkable pedestrian-friendly environments. To meet this criteria, language could be included to improve sidewalk connectivity with new construction, providing traffic calming standards, barrier-free standards or providing street lighting.

Certified Redevelopment Ready Communities® also have the ability to address historic preservation, environmental preservation and green infrastructure. Environmental preservation efforts and green infrastructure are established under Chapter 20, “Landscape and Greenbelt Provisions.” This chapter provides regulations for stormwater retention, parking lot landscaping, and street tree planting standards. The ordinance will need to include some language regarding historic preservation. Standard language on preserving historic structures, materials or character can be provided. When updating the master plan, stakeholders should consider how they want Cascade Township to look 20 years to 30 years from now and determine standards to implement to ensure that the character of the community stays preserved.

As seen in many cities, parking has become either overly burdensome or underutilized. For this reason, it is important for communities to apply flexible parking standards. The parking standards can be found under Chapter 19. The ordinance provides parking flexibility through a shared parking provision. Under Section 19.23, the planning commission has the ability to modify parking standards for non-residential uses via an application filed with the planning commission. There are no standards provided as to how the planning commission will make the determination to eliminate parking, and the ordinance refers to Section 19.21 which

Best Practice 2.1—Zoning regulations *continued*

does not exist in the code. It is recommended that additional standards for flexible parking be added to the ordinance. An additional standard could be:

- Parking maximums;
- Reduction or elimination of required parking when on-street parking is available;

- Parking maximums
- Elimination of parking minimums;
- Payment in lieu of parking;
- Parking waivers.

Status	Evaluation criteria	Recommended actions for certification	Estimated time line
2.1.1	The governing body has adopted a zoning ordinance that aligns with the goals of the master plan.	<input type="checkbox"/> Review zoning ordinance to ensure alignment with master plan	6 months
2.1.2	The zoning ordinance provides for areas of concentrated development in appropriate locations and encourages the type and form of development desired.	<input type="checkbox"/> Include language on historic preservation	6 months
2.1.3	The zoning ordinance includes flexible tools to encourage development and redevelopment.	✓	
2.1.4	The zoning ordinance allows for a variety of housing options.	✓	
2.1.5	The zoning ordinance includes standards to improve non-motorized transportation.	✓	
2.1.6	The zoning ordinance includes flexible parking standards.	<input type="checkbox"/> Include additional flexible parking standards	6 months
2.1.7	The zoning ordinance includes standards for green infrastructure.	✓	
2.1.8	The zoning ordinance is user-friendly.	✓	

Best Practice 3.1—Development review policy and procedures

Best Practice 3.1 evaluates the township’s development review policies and procedures, project tracking and internal/external communications. An efficient site plan review process is integral to being redevelopment ready and can assist a community in attracting investment dollars while ensuring its zoning ordinance and other laws are followed.

Cascade Township’s site plan and special use review process can be found in Chapter 17 and Chapter 21 of the zoning ordinance. Both procedures involve submitting a proposed site plan to the planning department with additional review from other township departments or Kent County governmental agencies for design sufficiency. The planning department submits a report to the applicant within 15 days after submittal of the site plan informing them of any site plan deficiencies. Following a review, site plans are submitted to the planning commission for review/approval. Depending on the application type there are different time lines for review and for making approvals or denial decisions on applications. In order to improve efficiency, transparency and predictability in the site plan review process it is recommended that a flow chart be developed that outlines the site plan and special use permit process as well as an internal review process document. This is also a perfect opportunity to advertise pre-conceptual meetings.

RRC communities have the ability to provide pre-conceptual meetings open to the general public. Pre-conceptual meetings should be offered and advertised as much as possible. This will help to ensure all materials are being turned in on time and give the zoning administrator and the applicant an opportunity to discuss any hurdles. This may lead to recommending the applicant to discuss projects with neighboring property owners or avoiding being delayed at planning commission review due to a missing item. This could be an opportunity for an applicant to sit in on a joint site plan review meeting. It is recommended that a joint site

plan review team be clearly identified or created. A joint plan team should include all the appropriate departments involved in the development review process, especially those that are submitted a site plan application for review. This process has the potential to further eliminate any potential barriers within the township for upcoming development projects.

A feedback mechanism should also be created in order to improve on any internal process or cost barriers that may arise. Similar to how the community is seeking feedback on facilities and services on social media, the community should develop something similar for the development review process. Any feedback should be reviewed annually by the joint site plan review team. Documentation of the internal process is key, in order to have any staff member pick up on process if any staff turnover arises. A key component to any site plan review process is knowing the status of a project. RRC communities have the ability to track any project at any stage of the development. Projects are currently tracked through the BS&A software, which also tracks permitting and inspections.

Based on the information obtained during this evaluation, this report recommends the following to help the Township reach RRC certification:

- Outline pre-conceptual meetings with staff and create a checklist of expectations to help ensure these meetings are as productive as possible for both Township staff and the developer;
- Clearly document internal review process;
- Develop an easy to follow flowchart of development processes that includes time lines;
- Create a feedback mechanism to gather input from applicants after they go through the process. This input should be reviewed by the site review team and planning commission to identify potential improvements to the process.

Best Practice 3.1—Development review policy and procedures *continued*

Status	Evaluation criteria	Recommended actions for certification	Estimated time line
3.1.1	The zoning ordinance articulates a thorough site plan review process.	✓	
3.1.2	The community has a qualified intake professional.	✓	
3.1.3	The community defines and offers pre-application site plan review meetings for applicants.	<input type="checkbox"/> Outline pre-development meetings with staff and create a checklist of expectations to help ensure these meetings are as productive as possible for both township staff and the developer	10 months
3.1.4	The appropriate departments engage in joint site plan reviews.	<input type="checkbox"/> Develop a joint site plan review team or clearly identify team	10 months
3.1.5	The community has a clearly documented internal staff review policy.	<input type="checkbox"/> Document internal review process	10 months
3.1.6	The community promptly acts on development requests.	<input type="checkbox"/> Develop an easy to follow flowchart of development processes that includes time lines	10 months
3.1.7	The community has a method to track development projects.	✓	
3.1.8	The community annually reviews the successes and challenges with the site plan review and approval procedures.	<input type="checkbox"/> Create a feedback mechanism to gather input from applicants after they go through the process. This input should be reviewed by the site review team and planning commission to identify potential improvements to the process.	10 months

Best Practice 3.2—Guide to Development

Best Practice 3.2 evaluates the availability of the community’s development information. All of the pertinent planning and zoning information a developer or applicant needs, can be found on the services/ department’s web page. The web page links to city services such as:

- Assessing;
- Building inspections;
- Community development;
- Economic development.

Conveniently everything from permit forms, fees, frequently asked questions, recreation plan, land use application and zoning information is all interconnected

in one location. The more documents become available online the better. This has the potential to increase efficiency and allow an investor or a local resident to go online and search for all the information they need. A recommendation would be to keep adding additional information to the planning/zoning web page to have all information required by RRC in one location. The flow cart once completed can be added to the web page, the link to the DDA plan should also be included.

The fee schedule is reviewed annually during the budget process to ensure that costs are fair and affordable for their customer. The township conveniently accepts credit cards for building permits.

Status	Evaluation criteria	Recommended actions for certification	Estimated time line
3.2.1	The community maintains an online guide to development that explains policies, procedures and steps to obtain approvals.	<input type="checkbox"/> Add flow chart, and downtown plan and any other document to the community development web page	8 months
3.2.2	The community annually reviews the fee schedule.	✓	

Best Practice 4.1—Recruitment and orientation

Best Practice 4.1 evaluates how a community conducts recruitment and orientation for newly appointed or elected officials. Such officials sit on the numerous boards, commissions and committees that advise community leaders on key policy decisions. There is a web page online that identifies the six boards and commissions online. The information should be updated to include a more descriptive text on boards and commissions, as well as making an application to apply for boards and commissions online. If a potential board member does not have Internet access to gain

information on a potential vacancy, a person should have the ability to visit township staff for more information.

When new members join a board or commission it is important to ensure they are up-to-speed on their responsibilities and relevant issues. Staff will need to show what information is provided for orientation packets to appointed or elected positions within the township. The comprehensive orientation packets should include applicable state and local laws, rules of procedure, and roles in relation to other boards and Open Meetings Act.

Status	Evaluation criteria	Recommended actions for certification	Estimated time line
4.1.1	The community sets expectations for board and commission positions.	<input type="checkbox"/> Create desired skill sets for development-related boards and commissions <input type="checkbox"/> Develop and make board and commission application available online	5 months
4.1.2	The community provides orientation packets to all appointed and elected members of development-related boards and commissions.	<input type="checkbox"/> Create a comprehensive packet for incoming board members and commissioners	5 months

Best Practice 4.2—Education and training

Best Practice 4.2 assesses how a community encourages training and tracks educational activities for appointed and elected officials and staff. Trainings provide officials and staff with an opportunity to expand their knowledge and ultimately make more informed decisions about land use and redevelopment issues which increases predictability for the development process overall. An effective training program includes four components: financial resources to support training, a plan to identify priority topics and track attendance, consistent encouragement to attend trainings and sharing of information between boards and commissions to maximize the return on investment for the community.

Cascade Township will need to demonstrate how the township budgets funds to support training for staff and elected officials. It is recommended that a method to track attendance of trainings through a spreadsheet or other system be developed. A training tracker, versus recording through minutes, will help identify who attended what training and could target beneficial trainings for staff and elected officials in one sheet. This process is very important in order to have a good record of trainings that will support staff, board and commissions with information that can greatly benefit their skill sets when making decisions for the community.

Information sharing is another key component to this process, so those who were not able to attend the training can have an idea of any valuable lessons learned that will benefit the community. A valuable resource the township has is its website and social media. The community is very active on social media and does a good job advertising any events, keeping the public informed on news. Cascade Township staff can find many training opportunities through the Michigan Association of Planning, American Planning Association, MSU Extension, as well as visiting the MEDC Community Development website (www.miplace.org).

The RRC Best Practices recommend that the township establish, at a minimum, a joint annual meeting between the township board, DDA and planning commission as the foundation of information sharing. This could also be a great opportunity for joint training. The planning commission annual report (as required by the Michigan Planning Enabling Act) should be shared with the RRC planner, in order to ensure all ideas and opportunities for improvement are being discussed and possibly implemented. Finally, to ensure information sharing occurs, staff could consider adding time on agendas for training attendees to share what they learned with those who were not at trainings.

Status	Evaluation criteria	Recommended actions for certification	Estimated time line
4.2.1	The community has a dedicated source of funding for training.	<input type="checkbox"/> Demonstrate how funding is allocated toward trainings for staff boards, commissions or elected officials	6 months
4.2.2	The community identifies training needs and tracks attendance of the governing body, boards, commissions and staff.	<input type="checkbox"/> Create a method of tracking trainings attended	6 months
4.2.3	The community encourages the governing body, boards, commissions and staff to attend trainings.	✓	
4.2.4	The community shares information between the governing body, boards, commissions and staff.	<input type="checkbox"/> Provide planner with annual planning commission report	6 months

Best Practice 5.1—Economic development strategy

Best Practice 5.1 evaluates goals and actions identified by the community to assist in strengthening its overall economic health. Strategic economic development planning is critical to attract jobs and new investment in communities; therefore, it is critical for Cascade Township to adopt a comprehensive economic development strategy. An effective economic development strategy will articulate a clear vision and strategy, drive regional and local efforts to the area in attracting the types of jobs, residents and visitors the community wants to see. A huge benefit to the community is the opportunity to partner with neighboring communities and incorporating regional economic development elements into a plan. Partners already identified online is the Forest Hills Business Association and The Right Place.

An economic development strategy can be incorporated into the master plan or exist as a stand-alone document. Identifying local economic development partners is a good first step and a great resource Cascade Township can use to formulate an

economic development strategy and assist the strategy in tying into the regional efforts.

The economic development strategy should have goals, actions, time lines and responsible parties to implement economic development efforts. RRC is a perfect opportunity to identify economic challenges and opportunities, coordinate with all stakeholders, focus on implementation, and develop a process to review actionable items annually.

Goals should tie back developed plans in the community and showcase what steps the community will take to implement a pedestrian-friendly environment, support and attract small business, and increase economic opportunity for residents and businesses. Once complete, the plan should be reviewed at least annually. The township is encouraged to continue monthly updates in the township manager report as well.

RRC has developed an excellent resource library of examples of different communities and their economic development strategies that Cascade Township could review to get an idea of how to get started.

Status	Evaluation criteria	Recommended actions for certification	Estimated time line
5.1.1	The community has approved an economic development strategy.	<input type="checkbox"/> Adopt an economic development strategy per RRC Best Practice criteria	12 months
5.1.2	The community annually reviews the economic development strategy.	<input type="checkbox"/> Implement a strategy to review the plan annually	12 months

Best Practice 5.2—Marketing and promotion

Best Practice 5.2 evaluates how the community promotes and markets itself. Marketing and branding are essential tools in the promotion of a community’s assets and unique attributes. People are attracted to places that evoke positive feelings and to communities that take pride in their town and their history.

It is recommended that staff and local officials activate stakeholders and work together to develop a comprehensive marketing strategy. The marketing strategy should identify opportunities in the community and outline steps to attract businesses, consumers and real estate development. Items from the economic development strategy should be identified in the marketing strategy, as well as marketing priority redevelopment sites. Key stakeholders for formulating a marketing strategy should include those identified in the public participation plan. Coordinating marketing efforts with other local, regional and state partners extends the marketing message to a wider audience, providing more opportunities for prospective businesses, consumers and real estate investors to learn about what the community

has to offer. The marketing strategy should build upon the vision, values and goals outlined in locally adopted planning documents, including the master plan and economic development strategy. The RRC process is a perfect opportunity for Cascade Township to challenge themselves on developing a marketing a message to the outside community of why someone would want to live, work or explore in the community. Summarize what makes Cascade Township unique, identify who target audiences are, and develop a brand for the community.

A township’s website is often the first point of interaction between a township and its residents, businesses, potential developers and even tourists. As such, having an up-to-date and easy to navigate website is essential for any redevelopment ready community. Developers in particular will visit the website in an effort to learn more about the development process, fees, community activities and more. The township’s current website is simple to navigate and has a clean layout. As documents are completed, they should be made available online for the public or future investors to read.

Status	Evaluation criteria	Recommended actions for certification	Estimated time line
5.2.1	The community has developed a marketing strategy.	<input type="checkbox"/> Create a unified marketing strategy as outlined in Best Practice 5.2.1	12 months
5.2.2	The community has an updated, user-friendly municipal website.	<input type="checkbox"/> Add missing items to website as completed	12 months

Best Practice 6.1—Redevelopment Ready Sites®

Best Practice 6.1 assesses how a community identifies, visions for, and markets their priority redevelopment sites. Communities must think strategically about the redevelopment of properties and investments and should be targeted in areas that can catalyze further development around it. Instead of waiting for developers to propose projects, redevelopment ready communities identify priority sites and prepare information to assist developers in finding opportunities that match the township’s vision.

In order to meet this RRC Best Practice, the township will need to engage stakeholders across the community to identify redevelopment ready sites and prioritize at least three. As part of this process, the community should

develop a vision for what they’d prefer to see on the sites—this vision should be tied to the master plan and the township should ensure the framework is in place to support that vision. From there, the township should gather basic information such as the address, owner, value, infrastructure, and package that information into a short, marketable document. At least one site package should be developed further into a complete property information package which includes an expanded list of more technical items (as applicable) such as environmental conditions, traffic studies, etc. Finally, the sites should be actively marketed via the township and its economic development partners.

Status	Evaluation criteria	Recommended actions for certification	Estimated time line
6.1.1	The community identifies and prioritizes redevelopment sites.	<input type="checkbox"/> Identify at least three priority sites	7 months
6.1.2	The community gathers basic information for prioritized redevelopment sites.	<input type="checkbox"/> Gather basic information for prioritized sites as outlined in the RRC Best Practices	5 months
6.1.3	The community has development a vision for the priority redevelopment sites.	<input type="checkbox"/> Develop a vision for each of the sites	7 months
6.1.4	The community identifies potential resources and incentives for prioritized redevelopment sites.	<input type="checkbox"/> Identify financial or other incentives for each site	6 months
6.1.5	A property information package for the prioritized redevelopment site(s) is assembled.	<input type="checkbox"/> Complete at least one property information package	8 months
6.1.6	Prioritized redevelopment sites are actively marketed.	<input type="checkbox"/> Market the complete property information package online	12 months

The RRC program assists communities in maximizing their economic potential by embracing effective redevelopment tools and best practices. As mentioned at the beginning of this report, Cascade Township is at a perfect place to take full advantage of RRC by using the best practices to ensure the processes and development-friendly atmosphere currently in place continues well into the future.

Next steps for Cascade Township include reviewing this report of findings and determining whether these

actions (and RRC certification in general) fit within the township's vision for the future. If so, the governing body should pass a resolution of support to proceed with the RRC program and continue efforts to complete the missing criteria. During that time, RRC will be in regular contact with the township to follow its progress and offer support and assistance as needed. Once all criteria are met, the township will be certified as a Redevelopment Ready Community®!

STAFF REPORT

TO: Cascade Charter Township Board
FROM: Steve Peterson, Community Development Director
REPORT DATE: May 15, 2019
MEETING DATE: May 22, 2019
CASE: #18-3507/Thornapple Pointe Subdivision

GENERAL INFORMATION

- A. Applicant: Buffum Builders
144 44th St SW
Grand Rapids MI 49548
Telephone: 538-4663
- B. Status of Applicant: Developer
- C. General Location: The property is located on the South side of 48th St just east of M-6.
- D. Requested Action: approval of a new site condominium subdivision for 19 single family detached homes.
- E. Existing Zoning on Subject Parcels: R1, Residential
- F. Zoning on Adjoining Parcels:
- N – ARC, Agricultural Rural Conservation
 - S– R1, Residential
 - E– R1, Residential
 - W- ARC, Agricultural Rural Conservation
- G. Parcel Size: Approximately 39 Acres
- H. Existing Land Use on Subject Parcel: Vacant
- I. Adjacent Area Land Uses:
- North - Golf Course
 - East - Residential
 - South - Residential
 - West - Vacant/M-6

STAFF ANALYSIS

1. The applicant is requesting Tentative Preliminary Plan approval. The development would allow for a new subdivision for 20 single family detached homes on a new public road.
2. This same applicant originally proposed a 21-unit platted subdivision back in 2015 on the property. They never went through with that project and have decided to resubmit with a slightly different plan.
3. The development will not be seeking deviations from our subdivision ordinance.
4. The property is zoned R1 and is Master Planned Suburban Residential, which is essentially an extension of the residential zoning district.
5. The area is not served by water and sewer and therefore the property would have to get approval from the KCHD for on-site well and septic.
6. The site does not have access to the Thornapple River.
7. The applicant has chosen the "25% private open space" method for determining minimum lot size. This method requires a minimum lot size of 40,000 sq.ft. The open space provided is calculated after removing the non-buildable portion of the property.
8. The plans indicate that the lots range in size from 40,000 to almost 65,000 sq ft. with an average lot size of 43,870 sq ft.
9. The process follows the platting process since they are not seeking any deviations. The platting process does not require a public hearing but does require the applicant to submit more detailed information each time.
10. The plan now includes private road and will be designed to meet our requirements.
11. They will have to enter into an agreement for maintenance of the storm water system.
12. As with all of our residential developments, the developer will be required to install an airport recognition statement and because this will not have a PUD Ordinance it will be required to be in their deed restrictions.

13. The applicant has indicated light poles and street trees on the plan.
14. The subdivision plan is located inside the utility service area.
Although utilities are not planned we have required others to enter into a SAD agreement for future service.
15. Tentative Approval of a Preliminary Plat shall guarantee that the general terms and conditions under which approval was granted will not be changed by the Township, and further, shall confer upon the subdivider approval of lot sizes, lot orientation, and street layout for a period of one (1) year from the date of tentative approval. Such tentative approval may be extended if applied for by the subdivider and granted by the Township Board in writing.
16. The Planning Commission reviewed the tentative preliminary plan and recommended approval with the following changes:
 - a. Submit the required information for Final Preliminary Plat approval.
 - b. Copy of the proposed deed restrictions, including the airport recognition statement and sewer and water SAD agreement.
 - c. Block grading plan for storm water runoff from home sites.
 - d. Revise lots to meet our minimum requirements.
 - e. Revise the detention system to accommodate the airport concerns for wet ponds

STAFF RECOMMENDATION

Staff believes this project meets the requirements for tentative preliminary plat approval of our subdivision ordinance is consistent with the Master Plan. Staff Recommends approval of the plan with the following conditions:

1. Submit the required information for Final Preliminary Plat approval.
2. Copy of the proposed deed restrictions, including the airport recognition statement and sewer and water SAD agreement.
3. Block grading plan for storm water runoff from home sites.

If you approve the plan, the development will come back around to the Planning Commission and Township Board with additional information for final preliminary approval.

Attachments: Site Plan
 Attachments from the applicant



April 30, 2019

Mr. Steve Peterson
Cascade Charter Township
2865 Thornhills SE
Grand Rapids, MI 49546

Re: Thornapple Point Estates
7280 48th Street

Dear Mr. Peterson,

The following changes have been made to the Tentative Preliminary plan that the Planning Commission recommended for approval.

1. The project will be a site condominium, not a plat.
2. The entrance of the road on 48th Avenue was moved to align with the golf course per Kent County Road Commission/MDOT.
3. The proposed roads will be private, not public.

Per your letter dated December 18, 2018 the plans would be scheduled for review by the Township Board after the following items were addressed:

4. *Revise Lots to meet our minimum requirements.* The table of lot widths and areas has been updated. All lots meet the minimum 100 foot width and 40,000 sf area.
5. *Revise the detention system to accommodate the airport concerns for wet ponds.* The development will utilize detention ponds, not wet ponds.

We request that the Tentative Preliminary plan be sent to the Township Board for their review. We also request that the construction plans be reviewed by the township and township engineer.

Once approval is granted for the construction plans by the Road Commission/MDOT, the Township and the Health Department, we will submit for Final Preliminary. This submittal will include the proposed Master Deed language regarding the proximity to the airport and the sewer and water SAD agreement and a block grading plan.

Sincerely,

Feenstra and Associates, Inc.

David A Hanko

David A Hanko, PE



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan
49546-7140

PLANNING & ZONING APPLICATION

APPLICANT: Name: Feenstra & Assoc. (Dave Hanko)

Address: 7482 Main Street

City & Zip Code Jenison, MI 49428

Telephone: 616-457-7050

Email Address: dave@feenstrainc.com

OWNER: * (If different from Applicant)

Name: Buffum Builders (Norm Buffum)

Address: 144- 44th Street SW

City & Zip Code: Grand Rapids, MI 49548

Telephone: 616-538-4663

Email Address: ~~norm@buffumbuilders.com~~ norm@buffumhomes.com

NATURE OF THE REQUEST: (Please check the appropriate box or boxes)

<input type="checkbox"/> Administrative Appeal	<input type="checkbox"/> Administrative Site Plan Review
<input type="checkbox"/> Deferred Parking	<input type="checkbox"/> P.U.D. – Rezoning *
<input checked="" type="checkbox"/> P.U.D. – Site Condominium *	<input type="checkbox"/> Rezoning
<input type="checkbox"/> Site Plan Review *	<input type="checkbox"/> Sign Variance
<input type="checkbox"/> Special Use Permit	<input type="checkbox"/> Subdivision Plat Review *
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Other: _____ *

*** Requires an initial submission of 5 copies of the completed site plan**

BRIEFLY DESCRIBE YOUR REQUEST:**

Site Condominium, Open Space PUD, originally submitted and approved as a plat in 2016.

(**Use Attachments if Necessary)
-SEE OTHER SIDE-

LEGAL DESCRIPTION OF PROPERTY:**

shown on plan

(**Use Attachments if Necessary)

PERMANENT PARCEL (TAX) NUMBER: 41-19 27-301-027

ADDRESS OF PROPERTY: 7280 - 48th Street SE

PRESENT USE OF THE PROPERTY: farm land

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:

Name(s)	Address(es)
<u>Buffum Builders LLC</u>	<u>SW 144-44th St SE, Grand Rapids, MI</u>

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) also agree to reimburse the Cascade Charter Township for all costs, including consultant costs, to review this request in a timely manner. I (we) understand that these costs may also include administrative reviews which may occur after the Township has taken action on my (our) request.

I (we) the undersigned also acknowledge that the proposed project does not violate any known property restrictions (i.e. plat restrictions, deed restrictions, covenants, etc.)

Norm Buffum, Buffum Builders LLC

Owner – Print or Type Name
(*If different from Applicant)

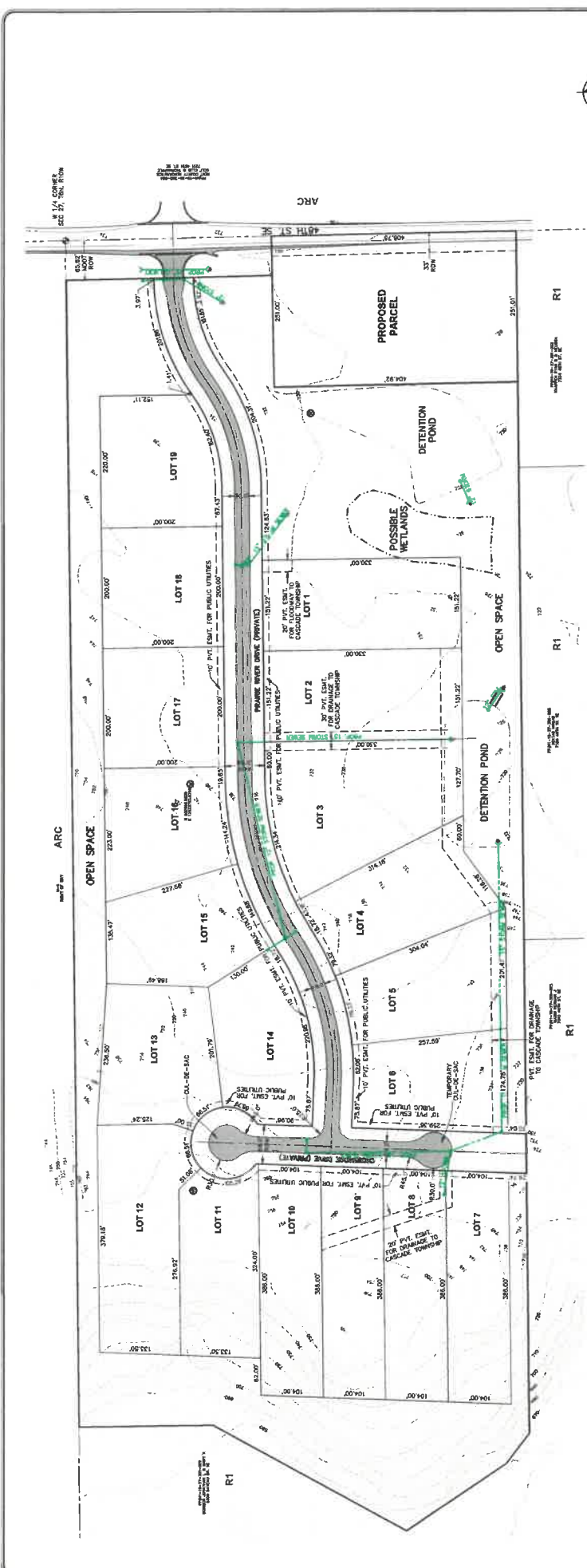
* 
Owner's Signature & Date
(*If different from Applicant)

Dave Hanco, Feenstra & Assoc.

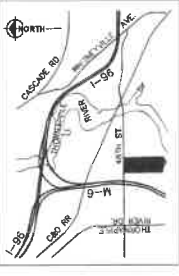
Applicant – Print or Type Name

 11/20/2018
Applicant's Signature & Date

PLEASE ATTACH ALL REQUIRED DOCUMENTS NOTED IN THE PROCESS REVIEW SHEET – THANK YOU



LOCATION MAP



NOT TO SCALE



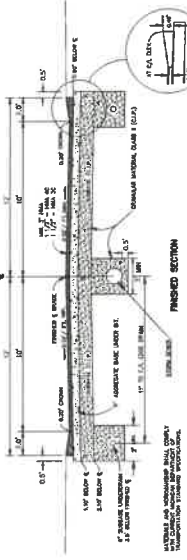
PRELIMINARY SITE CONDOMINIUM THORNAPPLE POINTE ESTATES (PP# 41-19-27-301-027)
 FOR: BUTLUM BULLERS
 7280 48th Street SE
 GRAND RAPIDS, MI 49548
 PHONE: (616) 538-4683

PART OF THE SW 1/4, SECTION 27, T19N, R10W, CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN

Greenstra
 1400 Lake Street
 Grand Rapids, MI 49508
 Phone: (616) 407-2800
 Fax: (616) 407-2810
 www.greenstramich.com

REVISIONS

NO.	DATE	DESCRIPTION
1	10/20/10	INITIAL DESIGN
2	11/05/10	REVISED PER COMMENTS
3	11/15/10	REVISED PER COMMENTS
4	11/25/10	REVISED PER COMMENTS
5	12/05/10	REVISED PER COMMENTS
6	12/15/10	REVISED PER COMMENTS
7	12/25/10	REVISED PER COMMENTS
8	01/05/11	REVISED PER COMMENTS
9	01/15/11	REVISED PER COMMENTS
10	01/25/11	REVISED PER COMMENTS
11	02/05/11	REVISED PER COMMENTS
12	02/15/11	REVISED PER COMMENTS
13	02/25/11	REVISED PER COMMENTS
14	03/05/11	REVISED PER COMMENTS
15	03/15/11	REVISED PER COMMENTS
16	03/25/11	REVISED PER COMMENTS
17	04/05/11	REVISED PER COMMENTS
18	04/15/11	REVISED PER COMMENTS
19	04/25/11	REVISED PER COMMENTS
20	05/05/11	REVISED PER COMMENTS
21	05/15/11	REVISED PER COMMENTS
22	05/25/11	REVISED PER COMMENTS
23	06/05/11	REVISED PER COMMENTS
24	06/15/11	REVISED PER COMMENTS
25	06/25/11	REVISED PER COMMENTS
26	07/05/11	REVISED PER COMMENTS
27	07/15/11	REVISED PER COMMENTS
28	07/25/11	REVISED PER COMMENTS
29	08/05/11	REVISED PER COMMENTS
30	08/15/11	REVISED PER COMMENTS
31	08/25/11	REVISED PER COMMENTS
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81	01/15/13	REVISED PER COMMENTS
82	01/25/13	REVISED PER COMMENTS
83	02/05/13	REVISED PER COMMENTS
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92	05/05/13	REVISED PER COMMENTS
93	05/15/13	REVISED PER COMMENTS
94	05/25/13	REVISED PER COMMENTS
95	06/05/13	REVISED PER COMMENTS
96	06/15/13	REVISED PER COMMENTS
97	06/25/13	REVISED PER COMMENTS
98	07/05/13	REVISED PER COMMENTS
99	07/15/13	REVISED PER COMMENTS
100	07/25/13	REVISED PER COMMENTS



- PROPOSED IMPROVEMENTS**
- All street light of wgs shall be private, 66 feet in width.
 - Street lighting shall be 24 foot aluminum valley curb and gutter.
 - The condominium shall be serviced with private water.
 - Drainage design shall conform to the Cascade Township Stormwater Ordinance.
 - 18 feet North or East of centerline.
 - 18 feet North or East of centerline.
 - Utilities shall be located to the west of the street.
 - Foot top street lights will be installed at the locations shown. Location shall conform with NCDOT requirements.

LOT INFORMATION

Lot Number	Area (Sq. Ft.)	Area (Acres)	Lot Number	Area (Sq. Ft.)	Area (Acres)
1	4000	0.09	11	4000	0.09
2	4000	0.09	12	4000	0.09
3	4000	0.09	13	4000	0.09
4	4000	0.09	14	4000	0.09
5	4000	0.09	15	4000	0.09
6	4000	0.09	16	4000	0.09
7	4000	0.09	17	4000	0.09
8	4000	0.09	18	4000	0.09
9	4000	0.09	19	4000	0.09
10	4000	0.09	20	4000	0.09
11	4000	0.09	21	4000	0.09
12	4000	0.09	22	4000	0.09
13	4000	0.09	23	4000	0.09
14	4000	0.09	24	4000	0.09
15	4000	0.09	25	4000	0.09
16	4000	0.09	26	4000	0.09
17	4000	0.09	27	4000	0.09
18	4000	0.09	28	4000	0.09
19	4000	0.09	29	4000	0.09
20	4000	0.09	30	4000	0.09
21	4000	0.09	31	4000	0.09
22	4000	0.09	32	4000	0.09
23	4000	0.09	33	4000	0.09
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25	4000	0.09	35	4000	0.09
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27	4000	0.09	37	4000	0.09
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32	4000	0.09	42	4000	0.09
33	4000	0.09	43	4000	0.09
34	4000	0.09	44	4000	0.09
35	4000	0.09	45	4000	0.09
36	4000	0.09	46	4000	0.09
37	4000	0.09	47	4000	0.09
38	4000	0.09	48	4000	0.09
39	4000	0.09	49	4000	0.09
40	4000	0.09	50	4000	0.09
41	4000	0.09	51	4000	0.09
42	4000	0.09	52	4000	0.09
43	4000	0.09	53	4000	0.09
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56	4000	0.09	66	4000	0.09
57	4000	0.09	67	4000	0.09
58	4000	0.09	68	4000	0.09
59	4000	0.09	69	4000	0.09
60	4000	0.09	70	4000	0.09
61	4000	0.09	71	4000	0.09
62	4000	0.09	72	4000	0.09
63	4000	0.09	73	4000	0.09
64	4000	0.09	74	4000	0.09
65	4000	0.09	75	4000	0.09
66	4000	0.09	76	4000	0.09
67	4000	0.09	77	4000	0.09
68	4000	0.09	78	4000	0.09
69	4000	0.09	79	4000	0.09
70	4000	0.09	80	4000	0.09
71	4000	0.09	81	4000	0.09
72	4000	0.09	82	4000	0.09
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80	4000	0.09	90	4000	0.09
81	4000	0.09	91	4000	0.09
82	4000	0.09	92	4000	0.09
83	4000	0.09	93	4000	0.09
84	4000	0.09	94	4000	0.09
85	4000	0.09	95	4000	0.09
86	4000	0.09	96	4000	0.09
87	4000	0.09	97	4000	0.09
88	4000	0.09	98	4000	0.09
89	4000	0.09	99	4000	0.09
90	4000	0.09	100	4000	0.09

LEGAL DESCRIPTION
 Part of Section 27, T19N, R10W, Cascade Township, Kent County, Michigan, containing 683.28 feet North along the West section line from the Southwest corner of said section; thence East 271.00 feet; thence S60°37'00"E, 388.00 feet; thence S45°32'00"E, 172.00 feet; thence S88°53'31"W, 340.84 feet; thence S10°42'24"W, 65.62 feet; thence S88°53'31"W, 340.84 feet to the West section line; thence N05°40'24"W along the West section line 65.62 feet to the beginning.

ZONING REQUIREMENTS
 R1 (SINGLE FAMILY RESIDENTIAL)

MINIMUM AREA 40,000 SF
MINIMUM WIDTH 100 FT.
MINIMUM SETBACKS 35 FT. FRONT, 10' MIN., 25' COMBINED REAR.

OPEN SPACE CALCULATION
 OVERALL PARCEL AREA - 32.29 ACRES
 MODERATE SLOPE AREA - 3.70 ACRES
 STEEP SLOPE AREA - 1.85 ACRES
 USABLE ACREAGE - 457.00 ACRES
 USABLE ACREAGE - 26.07 ACRES
 MIN. OPEN AREA (25%) - 6.52 ACRES
 ACTUAL OPEN AREA - NO CREDIT
 MODERATE SLOPES (0.75 ACRES @ 50% CREDIT)
 MIN. SLOPES OR FLAT AREAS - 7.20 ACRES
 TOTAL OPEN AREA - 3.15 ACRES

RIGHT OF WAY - 3.15 ACRES

TOWNSHIP BOARD MEMORANDUM

To: Cascade Charter Township Board

From: Sandra Korhorn, DDA/Economic Development Director *SKK*

Subject: Consider Approval of Bid for the Centennial Park Streetscape & Median Project

Meeting Date: May 22, 2019

Cascade Township received bids on May 14 for the above referenced project. The three low bids are as follows:

Contractor	Price
Anlaan Corporation	\$606,430.74
Katerberg VerHage, Inc.	\$672,000.00
Dykema Excavators, Inc.	\$713,197.00

Greg Whittle and Mike Berrevoets from Fishbeck, Thompson, Carr & Huber reviewed the bids and is recommending the project be awarded to Anlaan.



May 17, 2019
Project No. 181644

Ms. Sandra Korhorn
Cascade Charter Township
2865 Thornhills Avenue, SE
Grand Rapids, MI 49546-7192

Re: Cascade Charter Township
2019 DDA Sidewalk, Lights, and Median Improvements
Executed Contract Documents

Dear Ms. Korhorn:

On May 14, 2019, we received bids for the referenced project. The three low bids are:

Anlaan Corporation	\$606,430.74
Katerberg VerHage, Inc.	\$672,000.00
Dykema Excavators, Inc.	\$713,197.00

Fishbeck, Thompson, Carr & Huber, Inc. (FTCH) has reviewed the bids and discussed the project with Mr. Jason Workman of Anlaan Corporation. We recommend that the project be awarded to Anlaan Corporation.

Attached for your execution is a Notice of Award. Please sign, date, and return a copy to FTCH to my attention. Once received, we will assemble the Executed Contract Documents with the Contractor's bonds and insurance documents. The bid tabulation is also attached.

If you have any questions or require additional information, please contact me at 616.464.3929.

Sincerely,

FISHBECK, THOMPSON, CARR & HUBER, INC.

Gregory P. Whittle, PE

Michael L. Berrevoets, PE

jc2
Attachments
By email
cc: Mr. Jason Workman – Anlaan Corporation

Bid Item Tracking

Project Name: 2019 DDA Sidewalk, Lights, and Median Improvements

Project Location: Cascade Charter Township

Project Number: 181644

Bid Opening Date: May 14, 2019

Time: 3 pm

Engineer's Estimate By/Date:

Checked By/Date: GPW

Bid Tab Information

Item No.	Item Description	Unit	Total Estimated Quantity	Apparent Low Bid Anlaan Corporation		Second Lowest Bid Katerberg VerHage		Third Lowest Bid Dykema Excavators		4th K&R	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Mobilization	LS	1	46000.00	\$46,000.00	35126.20	\$35,126.20	\$35,000.00	\$35,000.00	60000.00	\$60,000.00
2	Cash Allowances – Testing	Dollars	20,000	1.00	\$20,000.00	1.00	\$20,000.00	\$1.00	\$20,000.00	1.00	\$20,000.00
3	Maintaining Traffic	LS	1	17000.00	\$17,000.00	23275.00	\$23,275.00	\$25,000.00	\$25,000.00	28000.00	\$28,000.00
4	Soil Erosion and Sedimentation Control	LS	1	3500.00	\$3,500.00	3250.00	\$3,250.00	\$10,000.00	\$10,000.00	8500.00	\$8,500.00
5	Remove Pavement	SY	1,500	8.00	\$12,000.00	8.50	\$12,750.00	\$7.50	\$11,250.00	14.00	\$21,000.00
6	Remove Concrete Sidewalk and Drive Approach	SY	200	10.00	\$2,000.00	11.00	\$2,200.00	\$7.50	\$1,500.00	9.00	\$1,800.00
7	Remove Concrete Curb and Gutter	LF	800	13.00	\$10,400.00	8.75	\$7,000.00	\$7.50	\$6,000.00	10.00	\$8,000.00
8	Remove Tree 6-inch and Larger	EA	24	250.00	\$6,000.00	250.00	\$6,000.00	\$1,500.00	\$36,000.00	240.00	\$5,760.00
9	Remove, Salvage, and Reinstall Sign	EA	2	100.00	\$200.00	350.00	\$700.00	\$150.00	\$300.00	250.00	\$500.00
10	Storm Sewer, 15-inch	LF	9	115.00	\$1,035.00	205.00	\$1,845.00	\$90.00	\$810.00	94.00	\$846.00
11	Storm Sewer, 18-inch	LF	15	125.00	\$1,875.00	210.00	\$3,150.00	\$100.00	\$1,500.00	98.00	\$1,470.00
12	Catch Basin, 4-foot Diameter	EA	1	2700.00	\$2,700.00	2530.00	\$2,530.00	\$3,500.00	\$3,500.00	2975.00	\$2,975.00
13	Sidewalk Grading	LF	3,200	9.00	\$28,800.00	7.50	\$24,000.00	\$7.00	\$22,400.00	18.00	\$57,600.00
14	Subbase	CY	25	30.00	\$750.00	25.00	\$625.00	\$20.00	\$500.00	26.00	\$650.00
15	Aggregate Base, 8-inch	SY	1,500	12.00	\$18,000.00	19.50	\$29,250.00	\$15.00	\$22,500.00	18.00	\$27,000.00
16	Structure Casting, Adjust	EA	2	250.00	\$500.00	750.00	\$1,500.00	\$500.00	\$1,000.00	400.00	\$800.00
17	Valve Box, Adjust	EA	7	250.00	\$1,750.00	350.00	\$2,450.00	\$400.00	\$2,800.00	375.00	\$2,625.00
18	Bituminous Paving, LVSP	TON	30	105.00	\$3,150.00	286.00	\$8,580.00	\$200.00	\$6,000.00	176.50	\$5,295.00
19	Hand Patching, LVSP	TON	200	105.00	\$21,000.00	290.00	\$58,000.00	\$250.00	\$50,000.00	176.50	\$35,300.00
20	Concrete Curb and Gutter	LF	2,400	18.25	\$43,800.00	17.50	\$42,000.00	\$17.95	\$43,080.00	20.50	\$49,200.00
21	Concrete Sidewalk, 4-inch	SF	17,500	3.25	\$56,875.00	3.90	\$68,250.00	\$3.35	\$58,625.00	3.50	\$61,250.00
22	Concrete Sidewalk, 6-inch	SF	3,400	4.75	\$16,150.00	4.75	\$16,150.00	\$4.15	\$14,110.00	5.00	\$17,000.00
23	ADA Sidewalk Ramp Tactile Warning Plate	SF	150	30.00	\$4,500.00	66.00	\$9,900.00	\$60.00	\$9,000.00	30.00	\$4,500.00
24	6-inch Pavement Marking	LF	240	4.00	\$960.00	1.50	\$360.00	\$5.00	\$1,200.00	5.00	\$1,200.00
25	6'-8' Coniferous Tree	EA	10	320.00	\$3,200.00	260.00	\$2,600.00	\$410.00	\$4,100.00	415.00	\$4,150.00
26	Lawn Restoration	LF	3,200	3.60	\$11,520.00	6.75	\$21,600.00	\$8.15	\$26,080.00	6.00	\$19,200.00
27	Landscaping Planting	LS	1	9666.72	\$9,666.72	12158.80	\$12,158.80	\$20,941.00	\$20,941.00	22000.00	\$22,000.00
28	Brick Pavers	LS	1	20349.02	\$20,349.02	21000.00	\$21,000.00	\$29,201.00	\$29,201.00	16750.00	\$16,750.00
29	Miscellaneous Work Allowance	Dollars	10,000	1.00	\$10,000.00	1.00	\$10,000.00	\$1.00	\$10,000.00	1.00	\$10,000.00
30	Tree Trimming (Additional)	Hour	10	115.00	\$1,150.00	200.00	\$2,000.00	\$150.00	\$1,500.00	330.00	\$3,300.00
31	Electrical Street Lighting	LS	1	231300.00	\$231,300.00	220750.00	\$220,750.00	\$236,300.00	\$236,300.00	216482.00	\$216,482.00
32	3-inch PVC Sleeve	LF	200	1.50	\$300.00	15.00	\$3,000.00	\$15.00	\$3,000.00	12.00	\$2,400.00
	Construction Cost Subtotal (calculated)				\$606,430.74		\$672,000.00		\$713,197.00		\$715,553.00
	As-Read (from submitted bid)				\$606,430.74		\$672,000.00		\$713,197.00		\$715,553.00



SECTION 00 51 00 - NOTICE OF AWARD

Dated May 17, 2019

TO: Anlaan Corporation
16750 Lincoln Street
Grand Haven, MI 49417

CONTRACT: 2019 DDA Sidewalk, Lights, and Median Improvements
Cascade Charter Township
181644

You are notified that your Bid dated May 14, 2019 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for the 2019 DDA Sidewalk, Lights, and Median Improvements.

The Contract Price of your Contract is Six Hundred Six Thousand Four Hundred Thirty and 74/100 Dollars (\$606,430.74). Two copies of the proposed Contract Documents as identified in the Agreement accompany this Notice of Award.

You must comply with the following conditions precedent within 15 days of the date of this Notice of Award, that is by June 6, 2019.

1. Deliver to the Owner two fully executed counterparts of the Contract Documents which accompany this Notice of Award, each of which must bear your signature at the designated location.
2. Deliver with the Executed Contract Documents the Contract security (bonds) as specified in the Instructions to Bidders (Article 20), the General Conditions (Paragraph 5.01), and the Supplementary Conditions (Paragraph SC-5.01).
3. Deliver with the Executed Contract Documents the insurance documents as specified in the General Conditions (Article 5) and the Supplementary Conditions (Article SC-5).
4. List other conditions precedent

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

Cascade Charter Township

By: _____
(Authorized Signature)

(Name and Title)

*Typed or printed in ink

Copy to Engineer

END OF SECTION 00 51 00



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

Date: May 22, 2019
To: Supervisor Beahan and Township Board Members
From: Ben Swayze, Township Manager
Subject: Cascade Charter Township Credit Card Issuance and Use Policy

FACTS:

The ability for local units of government to utilize credit cards for purchases is authorized by Public Act 266 of 1995 (MCL 129.241 as amended). The Act states:

“A local unit shall not be a party to a credit card arrangement unless the governing body of the local unit has adopted by resolution a written policy...”

Cascade Township does currently have a credit card issuance and use policy in place. The proposed policy provides an update to that policy, specifically in terms of the authorized credit limit. The previous Township policy limited the combined authorized credit limit of the Township to \$10,000. The new policy addresses the credit limits of the Township as follows:

- Combined authorization limit of \$100,000
- Cards issued to individuals: \$1,000 per transaction, \$5,000 total limit
- Cards issued to the Township: \$5,000 per transaction, \$15,000 total limit

Attached for your review is:

- Resolution to adopt the Credit Card Policy and Cardholder Agreement
- Proposed Credit Card Issuance and Use Policy
- Public Act 266 of 1995

ANALYSIS & CONCLUSIONS:

The use of Credit Cards and lines of credit have become more prevalent in municipal purchasing, especially with the advent of online purchasing. In order to allow for the most proficient and efficient processes for the procurement of necessary goods and services, the Township needs to update the Credit Card policy accordingly.

The combined authorized credit limit of all cards issued by the Township is governed by MCL 129.244 which states:

“The total combined authorized credit limit of all credit cards issued by a local unit shall not exceed 5% of the total budget of the local unit for the current fiscal year”

Utilizing the formula in the Act, the combined authorized credit limit of all cards issued to the Township cannot exceed \$560,000. Township staff feel the \$100,000 combined limit is more appropriate for our Township given the size and nature of our operation. The proposed transaction and total limits for individual cards will allow the Township to accurately track and monitor credit card purchases and limit occurrences of abuse.

It should also be noted that credit cards are not a means to circumvent the purchasing policies of the Township, and all other purchasing policies, including the Purchase Order policy, must be followed.

The proposed policy was reviewed by the Personnel and Finance Committee at their May meeting and it has been recommended by the that the Township Board adopt the proposed Credit Card Issuance and Use Policy.

FINANCIAL CONSIDERATIONS:

Adoption of the proposed policy will not have any financial considerations.

RECOMMENDED ACTION:

Approve the Resolution to Adopt the Credit Card Policy and Cardholder Agreement

**CASCADE CHARTER TOWNSHIP
KENT COUNTY, MICHIGAN
BOARD MEETING MAY 22, 2019
RESOLUTION ___ OF 2019**

RESOLUTION TO ADOPT THE CREDIT CARD POLICY AND CARDHOLDER AGREEMENT

The following resolution was offered by Board Member _____ and supported by Board Member _____.

WHEREAS, the State of Michigan Public Act 266 of 1995 requires the governing body of local units to adopt by resolution a written policy for the use of credit cards; and,

WHEREAS, the Cascade Charter Township Board of Trustees Personnel and Finance Committee has recommended the implementation of the Credit Card Policy and the Cardholder Agreement; and,

WHEREAS, the Cascade Charter Township Board has the desire to enact clear and concise guidelines for credit card usage and responsibilities for the Township.

NOW, THEREFORE, BE IT RESOLVED

Cascade Charter Township hereby adopts the Credit Card Policy and the use of the Cardholder Agreement including all the provisions therein.

YEAS: Board Members _____

NAYS: Board Members _____

ABSTAIN: Board Members _____


ABSENT: Board Members _____

RESOLUTION DECLARED ADOPTED MAY 22, 2019

Susan B. Slater, Township Clerk

I HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Cascade Charter Township, County of Kent, Michigan, at a regular meeting held on May 22, 2019, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by the Act.

Susan B. Slater, Township Clerk

	CASCADE CHARTER TOWNSHIP, MICHIGAN			
	POLICIES AND PROCEDURES		# OF PAGES: 4	POLICY #:
	SUBJECT: Credit Card Issuance and Use		APPROVED BY: TOWNSHIP MANAGER , BENJAMIN SWAYZE	
	DEPARTMENT: Administration	SUPERCEDES: Previous Policy	DATE OF ISSUE: 05/22/2019	DATE OF EFFECT: Immediate

I. PURPOSE

The purpose of this policy is to establish rules and procedures for issuing, using and accounting for the use of credit cards on behalf of Cascade Charter Township.

II. POLICY STATEMENT

In an effort to comply with Public Act 266 of 1995, being MCL 129.241 et.seq (the “Act”), it is the policy of the Cascade Township Board of Trustees to authorize the use of credit cards in accordance with the procedure set forth within.

III. PROCEDURES

A. Definitions

1. **Act** – Public Act 266 of 1995, being MCL 129.241 et.seq, as amended
2. **Board** – Cascade Charter Township Board of Trustees
3. **Credit Card** – A card or device issued by a person under Public Act 379 of 1884, being MCL 493.101 et.seq, as amended, which provides for an arrangement whereby the cardholder has the privilege of obtaining credit form the card issuer or other person in purchasing or leasing property or services, obtaining credit or loans, or otherwise, and includes, but not limited to, gasoline credit cards, cards issued by retail establishments and cards issued by banks or other financial institutions.
4. **Township Manager** – The Cascade Township Manager or his/her designee.

B. Authority

The Board shall authorize the issuance and use of credit cards by adoption of a Resolution, which references this Policy. The Board authorizes the Manager, Clerk, Treasurer and Department Heads or their designees or employees to use credit cards issued pursuant to the Policy and the Act.

C. Usage of Credit Cards

1. The Township Cardholder Agreement (Attachment A) must be signed prior to issuance and use of a credit card assigned to an individual. The signed agreement will be retained by Human Resources in the employee personnel file in accordance with the Township Record Retention Policy.
2. **Issuance** – The Township Manager is responsible for issuing and retrieving a credit card, accounting for and monitoring the use of a credit card, and enforcing the requirements established by this Policy.
3. **Usage** – A credit card issued pursuant to this Policy shall be used for official purposes only, such as the purchase of goods and/or services for the Township including, but not limited to, the acquisition of equipment, furniture, materials, resource supplies, and travel related expenses consistent with the normal operation of the Township. Any use of the credit card for any purpose other than authorized official business may subject the individual to disciplinary action up to and including discharge from employment, as well as any criminal penalties as provided for in the Act.
4. **Card Responsibility** – An individual issued a credit card pursuant to this Policy is ultimately responsible for the protection and custody of the credit card. An individual issued a credit card shall immediately notify the Township Manager if the credit card is lost or stolen, who shall notify the Township Treasurer.
5. **Card Surrender** – Upon termination of employment or services, or at any time at the request of the Township Manager, an individual authorized to use a credit card shall promptly return the credit card to the Township Manager (or, in the case of the Township Manager, the card shall be returned to the Treasurer) and not charge any expenses through the use of the credit card or any information relating to the credit card. Any charges incurred by the person on the credit card after the person's termination date and without prior approval of the Township Manager shall be deducted from the person's final pay check. Such deductions shall also include charges if any. If the final pay check does not cover the unapproved charges, the Township can pursue the amount due by any legal means necessary.

D. Accounting Controls

1. **Documentation** – After using the credit card, the authorized individual shall submit to the Department Head a receipt of purchase containing the following information:
 - a. The goods or services purchased
 - b. The cost of the goods or services
 - c. The date of purchase

CREDIT CARD TRANSACTIONS
Act 266 of 1995

AN ACT to authorize and regulate credit card transactions involving local units of government, including the use of credit cards by officers and employees of local units of government; and to provide for powers and duties of certain state and local agencies, officers, and employees.

History: 1995, Act 266, Eff. July 8, 1996.

The People of the State of Michigan enact:

129.241 Definitions.

Sec. 1. As used in this act:

(a) "Budget" means a plan of financial operation for a given period of time, including an estimate of all proposed expenditures from the funds of a local unit and the proposed means of financing the expenditures. As used in section 4(1), budget does not include any of the following:

- (i) A fund for which the local unit acts as a trustee or agent.
- (ii) An intragovernmental service fund.
- (iii) An enterprise fund.
- (iv) A public improvement or building and site fund.
- (v) A special assessment fund.

(b) "Credit card" means a card or device issued under a credit card arrangement by a person licensed under 1984 PA 379, MCL 493.101 to 493.114, by a person licensed under the consumer financial services act, 1988 PA 161, MCL 487.2051 to 487.2072, or by a depository financial institution as defined in section 1a of the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651a.

(c) "Credit card arrangement" means an unsecured extension of credit for purchasing goods or services from the credit card issuer or any other person that is made to the holder of a credit card and that is accessed with a credit card.

(d) "Credit card policy" means a policy adopted by resolution of a local unit under section 3.

(e) "Governing body" means any of the following:

- (i) The council, commission, or other entity vested with the legislative power of a village.
- (ii) The council or other entity vested with the legislative power of a city.
- (iii) The township board of a township.
- (iv) The county board of commissioners of a county.
- (v) The board of county road commissioners of a county.
- (vi) The board of education of a local school district.
- (vii) The board of education of an intermediate school district.
- (viii) The board of trustees of a community college district.

(ix) The official body to which is granted general governing powers over an authority or organization of government established by law that may issue obligations under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, and that may expend funds of the authority or organization.

(x) A community mental health authority created under section 205 of the mental health code, 1974 PA 258, MCL 330.1205.

(f) "Local school district" means a school district organized under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, or a district governed by a special or local act.

(g) "Local unit" means any of the following:

- (i) A village.
- (ii) A city.
- (iii) A township.
- (iv) A county.
- (v) A county road commission.
- (vi) A local school district.
- (vii) An intermediate school district.
- (viii) A community college district.

(ix) An authority or organization of government established by law that may issue obligations under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, and that may expend funds of the authority or organization.

(x) A community mental health authority created under section 205 of the mental health code, 1974 PA 258, MCL 330.1205.

History: 1995, Act 266, Eff. July 8, 1996;—Am. 2000, Act 169, Imd. Eff. June 20, 2000;—Am. 2002, Act 257, Imd. Eff. May 1, 2002.

129.242 Credit card arrangement; use of credit cards.

Sec. 2. (1) Subject to sections 3 and 5, the governing body of a local unit may enter into a credit card arrangement.

(2) A credit card arrangement or the use of credit cards under this act is not subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, or to provisions of law or charter concerning the issuance of debt by a local unit.

History: 1995, Act 266, Eff. July 8, 1996;—Am. 2002, Act 257, Imd. Eff. May 1, 2002.

129.243 Adoption of resolution; written policy; provisions.

Sec. 3. A local unit shall not be a party to a credit card arrangement unless the governing body of the local unit has adopted by resolution a written policy that provides all of the following:

(a) That an officer or employee designated by the credit card policy is responsible for the local unit's credit card issuance, accounting, monitoring, and retrieval and generally for overseeing compliance with the credit card policy.

(b) That a credit card may be used only by an officer or employee of the local unit for the purchase of goods or services for the official business of the local unit. In addition, the credit card policy may limit the specific official business for which credit cards may be used. This subdivision does not limit the applicability of chapter XXIVA or section 174, 175, 219a, or 490a of the Michigan penal code, Act No. 328 of the Public Acts of 1931, being sections 750.157m to 750.157w, 750.174, 750.175, 750.219a, and 750.490a of the Michigan Compiled Laws; section 1a of the code of criminal procedure, Act No. 175 of the Public Acts of 1927, being section 769.1a of the Michigan Compiled Laws; or any other law, or ordinance, applicable to use of a credit card, issued by a local unit, for other than official business of the local unit.

(c) That an officer or employee using credit cards issued by the local unit shall submit to the local unit documentation described in the credit card policy detailing the goods or services purchased, the cost of the goods or services, the date of the purchase, and the official business for which purchased.

(d) That an officer or employee issued a credit card is responsible for its protection and custody and shall immediately notify the local unit if the credit card is lost or stolen.

(e) That an officer or employee issued a credit card shall return the credit card upon the termination of his or her employment or service in office with the local unit.

(f) For a system of internal accounting controls to monitor the use of credit cards issued by the local unit.

(g) For the approval of credit card invoices before payment.

(h) That the balance including interest due on an extension of credit under the credit card arrangement shall be paid for within not more than 60 days of the initial statement date. The local unit shall comply with this provision of the credit card policy.

(i) For disciplinary measures consistent with law for the unauthorized use of a credit card by an officer or employee of the local unit.

(j) Any other matters the governing body considers advisable.

History: 1995, Act 266, Eff. July 8, 1996.

129.244 Total combined authorized credit limit; limitation; payment of balance, annual fee, and interest.

Sec. 4. (1) The total combined authorized credit limit of all credit cards issued by a local unit shall not exceed 5% of the total budget of the local unit for the current fiscal year.

(2) The governing body of a local unit may include in its budget and pay the balance due on any credit cards, including the annual fee and interest.

History: 1995, Act 266, Eff. July 8, 1996.

129.245 Limiting or suspending authority to issue and use credit cards; issuance of order; hearing.

Sec. 5. After a hearing conducted under the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws, the department of treasury may issue an order limiting or suspending the authority of a local unit to issue and use credit cards under this act for failure to comply with the requirements of this act or with the requirements of the local unit's credit card policy.

History: 1995, Act 266, Eff. July 8, 1996.

129.246 Validity of credit card arrangement before effective date of act.

Sec. 6. A credit card arrangement entered into by a local unit before the effective date of this act is valid but may not be used for credit card transactions on or after the effective date of this act unless the requirements of sections 3 and 4 are complied with.

History: 1995, Act 266, Eff. July 8, 1996.

129.247 Effective date.

Sec. 7. This act shall take effect 6 months after the date of its enactment.

History: 1995, Act 266, Eff. July 8, 1996.



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

Date: May 22, 2019
To: Supervisor Beahan & Cascade Township Board
From: Ben Swayze, Township Manager
Subject: MERS Signatories Resolution

FACTS

MERS has developed a resolution for the Township Board to authorize signatories for MERS documents. This resolution will authorize certain positions in the Township to act as official signatories for the Township on MERS contracts and service credit purchase approvals.

Attached for your review is:

- MERS Resolution Establishing Authorized Signatories for MERS Contract and Service Credit Purchase Approvals

Analysis and Conclusion

This resolution is now required by MERS for the Township Board to establish authorized signatories. The signatories are set by position, rather than individuals, so that the resolution does not have to be revisited in the case of a personnel change. The recommended signatories are:

1. Township Manager
2. Township Clerk
3. Township Supervisor

All contract from MERS will still come before the Township Board prior to being authorized.

Financial Considerations

None

Recommendation

Adopt the MERS Resolution Establishing Authorized Signatories for MERS Contracts and Service Credit Purchase Approvals

Resolution Establishing Authorized Signatories for MERS Contracts and Service Credit Purchase Approvals



1134 Municipal Way Lansing, MI 48917 | 800.767.MERS (6377) | Fax 517.703.9711

www.mersofmich.com

This Resolution is entered into under the provisions of 1996 PA 220 and the Municipal Employees' Retirement System of Michigan ("MERS") Plan Document, as each may be amended.

This resolution applies to reporting unit(s) # 01 of the participating municipality listed below.

WHEREAS, Cascade Twp ("Employer") is a participating municipality with the Municipal Employees' Retirement System of Michigan ("MERS") and has adopted one or more retirement, insurance, investment or other post-employment benefit products administered by MERS;

WHEREAS, MERS requires signatures of an authorized representative of the Employer to execute contracts with MERS, the entry of which is authorized by the governing body and permitted under the applicable MERS Plan Document(s);

WHEREAS, the Employer wishes to designate certain job position(s), the holder(s) of which may sign MERS' contracts relating to the adoption, amendment and termination of MERS' products, and defined benefit service credit purchase approvals on behalf of Employer to implement decisions and actions of the governing body;

WHEREAS, this Resolution is not intended to apply to MERS forms or any other MERS document except as specifically mentioned herein,

Therefore, the Governing Body resolves:

The holders of the following job position(s) are hereby *Authorized Officials* that can sign: (1) MERS Adoption Agreements, Resolutions, Participation Agreements, Administrative Services Agreements, Withdrawal Agreements and any other contracts between MERS and the Employer with respect to Employer's participation in any MERS-administered product and any amendments and addendums thereto, and (2) MERS Defined Benefit service credit purchase approvals:

1. Township Manager

Optional additional job positions:

2. Township Clerk
3. Township Supervisor

This Resolution may be revoked in writing or amended by the Governing Body at any time, provided that it will not be effective until such writing or amended Resolution is received by MERS. The Governing Body agrees that MERS may rely upon this Resolution as conferring signing authority upon the holders of the above job position(s) to bind Employer with respect to MERS.

Adopted at a regular/special meeting of the Governing Body on _____, 20_____.

Authorized signature: _____

Name: _____

Title: _____

Witness signature: _____

Witness name: _____

Witness title: _____



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

Date: May 17, 2019
To: Supervisor Beahan & Cascade Township Board
From: Ben Swayze, Township Manager
Subject: MERS Health Care Savings Program

FACTS

As part of the benefit package for Township Full-Time employees, the Township Board adopted a FY 2019 budget that included:

- \$1,000 HSA contribution for each employee enrolled in the Cascade Township Health Insurance Program
- \$1,000 MERS Health Care Saving Program (HCSP) contribution for each employee not covered by the Cascade Township Health Insurance Program

The MERS Health Care Savings Program is designed to help participants prepare for the costs of health care after they leave employment, with an invested account they manage. It's an employer sponsored program providing a tax-free medical Savings account for covering the cost of post-employment medical expenses.

Attached for your review is:

- MERS Health Care Savings Program Brochure
- MERS Health Care Savings Program Participation Agreement
- MERS Health Care Savings Program Uniform Resolution

Analysis and Conclusion

Currently all employees that are enrolled in the Cascade Township Health Care program have access to a Health Savings Account (HSA). While the HSA can be utilized to save money, tax-free, for current qualified health care expenses, it can also be used as a vehicle to save money, tax-free, for future qualified medical expenses, including those in retirement.

In order to be eligible for an HSA account, you must be enrolled in a qualified high-deductible health insurance program. Since we have several employees that opt-out of our health insurance, they do not have access to an HSA, even for voluntary contributions. The MERS HCSP will allow employees to begin to save for retirement health care costs, as the Township does not provide any retirement health insurance.

The MERS HCSP participation agreement requires both a uniform employee group and a uniform contribution model. The Covered Employee group has been defined as *Full-time employees not covered by township health insurance*. The uniform employer contributions have been identified as *\$1,000 per year*. Employees will be able to make voluntary, after-tax, contributions if they so desire.

Financial Considerations

The Township currently has 12 employees that are eligible for the MERS HCSP, which will equate to \$12,000 in Township contributions. These contributions have been budgeted, and will be made in June for FY2019. Starting in 2020 they will be made in January of each year.

Recommendation

Adopt the MERS Health Care Savings Program Uniform Resolution adopting the MERS Health Care Savings Program Participation Agreement and Authorize the Township Manager to execute it on behalf of the Township.



Health Care Savings Program

Participant Handbook

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myMERS Online Account Access

With myMERS, you can access your MERS plan(s) 24 hours a day, seven days a week for account details, statements, beneficiary information, publications, forms, calculators and much more.

Join the thousands of MERS participants who are already enjoying the benefits of myMERS. To get started, visit www.mersofmich.com.



Who is MERS?

The Municipal Employees' Retirement System (MERS) of Michigan is an independent professional retirement services company that was created to administer the retirement plans for Michigan's local units of government on a not-for-profit basis.

MERS Retirement Board

MERS is administered by a nine-member Retirement Board, made up of representatives from municipalities at the employer, employee, and retiree level, and the general public. It has the fiduciary responsibility for the investment of assets and oversees the System.

The Board appoints the Chief Executive Officer, who manages and administers MERS under the supervision and direction of the Board. The Board also oversees the MERS Health Care Savings Program Plan Document, which governs the Plan.

It Pays to Understand Rising Health Care Costs

The rising costs of health care can't be ignored. Consider these statistics:

- By the year 2050, life expectancy is expected to increase to between 89-93 years for women and to between 83-86 for men
- Studies show health care costs rank second only to food for retiree expenses, and can erode an individual's retirement savings without proper planning
- The standard Medicare Part B monthly premium continues to increase annually
- Medicare only covers 51% of costs, and does not include long term care, dental expenses, vision expenses or hearing aids

A Closer Look at the MERS Health Care Savings Program

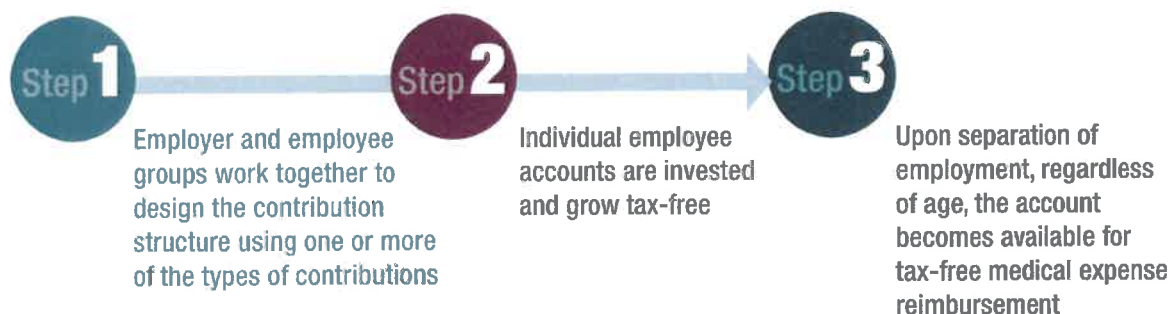
The MERS Health Care Savings Program is designed to help you prepare for the costs of health care after you leave your employer, with an invested account you manage. It's an employer-sponsored program providing a tax-free medical savings account for covering the costs of post-employment medical expenses. Your account is available for tax-free reimbursements for you, your spouse and any legal dependents and the ability to name a beneficiary to utilize the account on a taxable basis should the account balance exceed the life of you, your spouse and dependents.

Your MERS Health Care Savings Program is not the same as a Health Savings Account, Flexible Spending Account, or Health Reimbursement Account.

The MERS Health Care Savings Program is a tax-exempt Section 115 Governmental Integral Part Trust, healthcare reimbursement account. Features include:

- No requirements for a high-deductible health plan or any specific type of health plan
- Trust is approved by an IRS Private Letter ruling, which clarifies its tax-exempt status
- Can be used tax-free by your dependents
- Available for reimbursements after leaving employment

How it Works



Contributions

The money you will eventually use in your account starts with what's put into it — in the form of contributions. Your employer makes contributions to your account based on the provisions they've adopted. For more information regarding your plan provisions, contact your employer or MERS' Service Center.

Basic Employer Contributions

Your employer may contribute either a fixed dollar amount or a percentage of salary on a pre-tax basis. Your employer's contributions may also have vesting requirements. Vesting is the required amount of service credit you must earn to gain ownership of your employer's contributions. MERS calculates your service based on whole calendar months of employment.

Employers may choose their vesting options, some examples are listed:

- **Immediate Vesting** — You are fully vested in your employer's contributions upon deposit into the MERS Health Care Savings Program
- **Cliff Vesting** — You are fully vested in your employer's contributions upon completion of a stated number of years of service
- **Graded Vesting** — For each year of service you complete, you are vested in a percentage of your employer's contribution account balance

Mandatory Salary Reduction

Your group may have a fixed dollar or required percentage for mandatory salary reductions. While you are actively working, you cannot suspend your reductions. These are withheld pre-tax and submitted by your employer through a payroll deduction.

Leave Conversion Contributions

Leave time that is not used (either a portion or all) may be contributed to your MERS Health Care Savings Program account. Some examples of leave include vacation, personal time, sick time, or severance pay. The leave conversion is deposited into your MERS Health Care Savings Program account either annually or at separation of employment. If your employer has selected a leave conversion contribution, it is mandatory.

Post-Tax Voluntary Employee Contributions

The program also allows you to contribute to your account on a voluntary, post-tax basis, which means these contributions are submitted by your employer after taxes. You may start or stop these contributions at any time. The funds are invested after taxes, and investment returns and reimbursements are made on a tax-free basis.

You can begin making voluntary contributions by completing the *Investment Change Form (MD-102)*, available on myMERS, and returning it to us.



There are no federally mandated maximums for the Health Care Savings Program.

MERS Investments

The MERS Health Care Savings Program is an invested account, meaning you take an active role in determining your financial goals, making investment choices and monitoring your portfolio. The decisions you make today will affect the results you see tomorrow.

The MERS Investment Menu is simplified into two categories to help you find the investment mix that best meet your investment style.



“Do it for me”

The **Retirement Strategies** are a simplified way to invest. These options are fully diversified, professionally managed, and automatically adjust over time as you get closer to retirement. All newly enrolled participants are defaulted into Retirement Strategies unless they elect otherwise.



“Help me do it”

These **Premium Selected Options** were actively chosen for you by MERS. Here you have access to pre-built portfolios that MERS helps you manage by monitoring the investment managers and rebalancing the portfolio quarterly. It also gives you access to selected funds to help you build your own portfolio.

Once you separate from employment, you will see a transfer of \$1,000 of your assets deposited into a money market fund through Alerus. This ensures appropriate assets are available for reimbursement at the time you begin using your account for reimbursement of medical expenses. Your total account balance will always reflect the full market value as of the last business day and claims will be processed until your account reaches zero balance.

You'll find additional information on our website, as well as forms, benefit calculators, and helpful tutorials. **Log in to myMERS for your specific account details, investment information, and to make changes.**

You can also contact MERS Service Center weekdays by calling **800.767.6377**.

Making Investment Changes

With myMERS www.mersofmich.com, you have access to your MERS Health Care Savings Program account anytime. By creating a free myMERS account, you can make investment changes to your MERS Health Care Savings Program, track fund performance, download forms, as well as many other useful benefits.

You can also download the *Payroll/Investment Election Form (MD-102)* from myMERS, or call us to help you.

Investment Oversight — and Insight

While we've made investing easier with the MERS Investment Menu, there are other ways we help you, too.

The MERS Retirement Board and Office of Investments provide oversight of the investment lineup, actively managing the investment options available to you. We review our investment menu on a regular basis and changes are made if appropriate. If a fund is removed, you will be given at least 30 days notice before the change.

You'll also find some insight in the *Understanding the MERS Investment Menu* publication, which offers a closer look at each of the investment options, instructions on changing your investment selections, glossary and more.

In addition to the account statements we send you quarterly, another important publication we offer is the *MERS Investment Menu Summary*, which details the performance and fees of each of our funds. The summary is updated on a quarterly basis, making sure you have the most up-to-date investment information. You can download a copy of the publications from our website, or call us to have them sent to you.



Death, Disability and Divorce – What Happens to Your Benefits?

When the unexpected happens, the MERS Health Care Savings Program can offer employees and their families peace of mind. This section looks at how you're covered in the event of death, disability or divorce.

Death

In the event of your death, your spouse and legal dependent(s) can continue to use your account for reimbursement of medical expenses until the account reaches a zero balance. MERS will work with the spouse/legal dependents and inform them on how to use the account on a tax-free basis. If you have no spouse or legal dependent(s), your beneficiary will be able to access your account on a taxable basis. If there are employer contributions associated with your account and you have not vested, any basic employer contributions will be forfeited back to your municipality.

Disability

If you are collecting a disability benefit from MERS or another a public pension plan, you may be eligible to use your account early. Once your employer notifies us of your disabled status, you'll receive information on how to begin receiving reimbursements from your account.

Extended Medical Leave

If you take an extended medical leave from your employer, you will be eligible to use your account after six months. If you return from extended medical leave, you must stop using your account, although any eligible medical expenses from your leave period will still qualify for reimbursement.

Divorce

Your MERS Health Care Savings Program account is not considered a legal marital asset unless specifically outlined in a Domestic Relations Order as part of the Judgment of Divorce.

If you find yourself in the process of a divorce, please follow these steps:

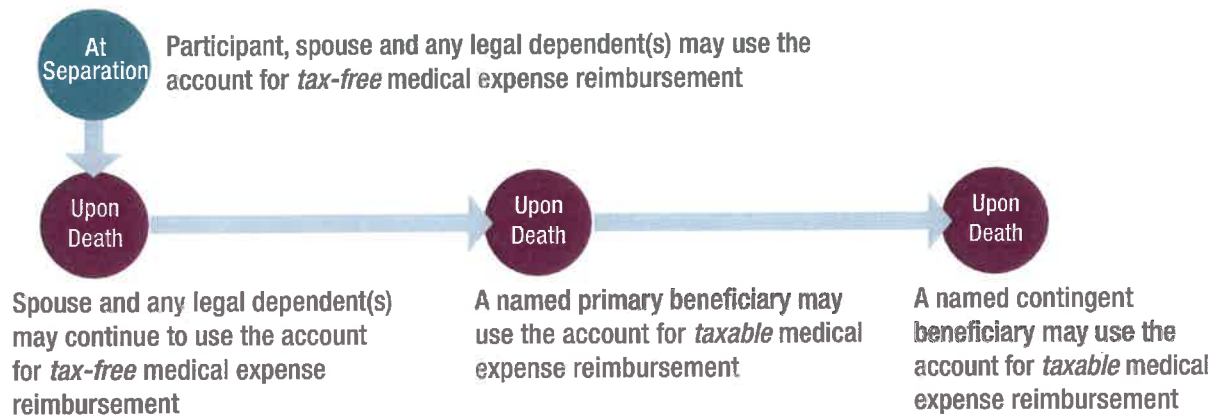
1. [Download a model domestic relations order \(DRO/QDRO/EDRO*\)](#) from our website — your attorney may find it helpful.
2. Send us a copy of your proposed order for review and approval before entry by the court.
3. Send us a complete copy of your Judgment of Divorce and a copy of the final Domestic Relations Order after your divorce is granted.

Once we have received the documentation for review and approval, we will distribute the account as directed.

** Domestic Relations Order (DRO), Qualified Domestic Relations Order (QDRO) and Eligible Domestic Relations Orders (EDRO) are specific types of court orders. Processing fees may apply.*

A Benefit That Keeps Working

The ability for a designated beneficiary to use the balance of your MERS Health Care Savings Program account after you pass away is unique to MERS.



Changing Jobs Within Your Municipality

If you change jobs within your municipality, there are two possible scenarios:

Moving into a Division That Offers MERS Health Care Savings Program

- Vesting is calculated from your original hire date, not the date of your transfer.
- Your MERS Health Care Savings Program account will transfer to the current division's provisions.
- Your MERS Health Care Savings Program account will be accessible to you upon separation of employment.

Moving into a Division That Does Not Offer MERS Health Care Savings Program

- Vesting is calculated using your original date of hire, not the date of your transfer.
- You may not receive further employer contributions or make further deposits.
- Your MERS Health Care Savings Program account is only accessible to you for medical expenses after separation of employment (either termination or retirement).

Changing the Beneficiary

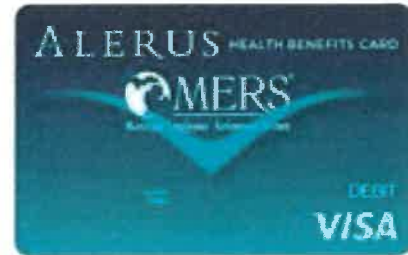
It's easy to change or update a beneficiary for the MERS Health Care Savings Program. You can add, edit or delete beneficiary information in your [myMERS account](#). Changes to your beneficiary can be made at any time, before or after you leave current employment.

Reimbursement Options

You may begin receiving reimbursements for qualified medical expenses after you leave employment. There are three ways you can be reimbursed for purchases using the MERS Health Care Savings Program:

Health Benefits Debit Card

Each Health Care Savings Program participant will be provided with a debit card approximately seven days from the time the participant's termination date has been reported to MERS. The debit card is a convenient way to use your Health Care Savings Program account for reimbursement of eligible medical expenses. Unlike a traditional debit card, the Health Benefits debit card does not require a PIN and automatically identifies a medical expense at the time of purchase. It is important to keep your receipts as you will likely be asked to submit them for verification.



For your security, the Health Benefits debit card has a daily swipe limit of \$10,000.

Online/Mobile Reimbursements

You can also request reimbursements online by using the claims management section of myMERS or the Alerus Retirement and Benefits app. From here, you can update banking information for direct deposit, and upload third party receipts showing which expenses have been paid. Processing your request takes one business day. All reimbursements are processed by direct deposit.

Additionally, you can pay providers directly through myMERS or the mobile app. Simply follow the instructions for uploading the bill you received, enter the payment information for the vendor and schedule the direct payment. Participants utilizing this payment option should monitor their account to ensure the payment was distributed from their account in a timely manner.

Reimbursement by Mail

You can also submit your requests by mail. A reimbursement form along with a copy of the applicable receipts is required. All reimbursements are processed by direct deposit within 10 business days. You can access Reimbursement and Direct Deposit forms through your myMERS online account.

You may receive information from Alerus Financial, which has partnered with MERS to provide trading and custodial services. If you have any questions regarding your claims, please call Alerus' Call Center at 866.808.7823 option 3.

Account Eligibility

You can begin using the money in your MERS Health Care Savings Program account after you have a separation from employment, if collecting disability from a public pension plan, or on extended medical leave (six months or longer). Please refer to the previous section for more information about disability and medical leave.

Once we're notified by your employer of your separation, you'll receive information on how to begin receiving reimbursements from your account.

Eligible Medical Expenses

An eligible medical expense is defined as those expenses paid for care as described in Section 213(d) of the Internal Revenue Code. Eligible medical expenses may include:

- Ambulance Transport
- Artificial limbs
- Blood tests
- Blood transfusions
- Braces
- Cardiographs
- Chiropractor
- Contact lenses
- Crutches
- Dental treatment
- Dentures
- Dermatologists
- Diagnostic fees
- Drug addiction therapy
- Drugs (prescription)
- Elastic hosiery (prescription)
- Eyeglasses
- Healing services
- Hearing aids
- Health care insurance premiums*
- Insulin treatment
- Lab tests
- Long-term care insurance
- Medicare B premium
- Operating room costs
- Ophthalmologist
- Orthopedist
- Osteopath
- Pediatrician
- Primary Care Physician
- Podiatrist
- Practical nurse for medical services
- Prescription medicines
- Splints
- Surgeon
- Therapy equipment
- Vaccines
- X-rays

**Note: Health insurance premiums when paid by salary reduction (for you or your spouse) or on a pre-tax basis are not eligible for reimbursement from HCSP.*

For more detailed information, please refer to www.mersofmich.com.

Who Can Use My Account?

Your account is available for reimbursement for you, a spouse, or legal dependents. The definition of legal dependent has been expanded to include any children under 27 at the end of the year. This means adult children can use your MERS Health Care Savings Program account whether or not they are:

- married
- living with you
- in school
- financially dependent on you

In the event of death with no spouse or legal dependent to use your funds, your account may be available to use by a named beneficiary on a taxable basis. See page 6 for details.

Retiree Health Care Exchange

MERS is pleased to provide you with access to a private retiree health care exchange – Mercer Marketplace 365 – to support you in choosing a health plan that best meets your needs.

With licensed benefits counselors to guide you through understanding options for pre-65 and Medicare insurance plans, Mercer is dedicated to helping you feel confident about your retiree health care choices.

To learn more, call 1.855.694.5369 or visit retiree.mercermarketplace.com/mers to view and compare plans in your area.

Helping You Prepare

The road to a sound financial future is paved with preparation, and we're here to help you. As you learn more about your program, there are always questions and concerns that arise. We provide you with quality, unbiased educational resources so you can make thoughtful, informed choices.

Seminars and Workshops

Whether you're in the middle of your career and need help preparing for retirement, or are ready to retire, we're here to help. MERS has a variety of seminars to help meet your needs.

- Group presentations and one-on-one consultations at municipalities
- Seminars and workshops are offered at different times and locations throughout the year
- Visit www.mersofmich.com for up-to-date information

Statements

Every quarter, you'll receive a statement detailing all your account information and the performance of your fund choices. You can also log in to your account at myMERS to find up-to-date information about your MERS account.

Service Center

MERS Service Center offers friendly, knowledgeable, over-the-phone assistance for a wide variety of benefit questions and issues. The Service Center staff is available weekdays at 800.767.MERS (6377).

Full Picture Report

The Full Picture report builder is available by logging in to your myMERS account. You can customize retirement goals, add spouse information and include non-MERS retirement accounts to create a "full picture" of your retirement readiness.

Social Media

Want to make the most out of your plan and receive tips to help you with your financial future? MERS delivers relevant news articles, helpful resources, tips and videos. Follow us today.



Municipal Employees' Retirement System of Michigan
1134 Municipal Way • Lansing, MI 48917
800.767.MERS (6377)
www.mersofmich.com

This publication contains a summary description of MERS benefits, policies or procedures. MERS has made every effort to ensure that the information provided is accurate and up to date as of 04/19/2019. If this publication conflicts with the relevant provisions of the Plan Document, the Plan Document Controls. MERS, as a governmental plan, is exempted by state and federal law from registration with the SEC. However, it employs registered investment advisors to manage the trust fund in compliance with Michigan Public Employee Retirement System Investment Act. Past performance is not a guarantee of future returns. Please make independent investment decisions carefully and seek the assistance of independent experts when appropriate.

PUB 3125 2019-04-19

MERS Health Care Savings Program Participation Agreement



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9707

www.mersofmich.com

I. PARTICIPATING EMPLOYER

Employer Name: Cascade Charter Township
(Name of municipality or court)
Municipality Number: 4110 **Division Number:** _____

II. EFFECTIVE DATE

1. If this is the initial Participation Agreement relating to the MERS Health Care Savings Program for this covered group, the effective date of the program here adopted shall be:
6/1/19
(Date)
2. If this is an amendment and restatement of an existing Participation Agreement relating to the MERS Health Care Savings Program for this covered group, the effective date of this amendment and restatement shall be effective: _____
(Date)

Note: You only need to mark **changes** to your plan throughout the remainder of this Agreement.

III. COVERED EMPLOYEE GROUPS

A participating Employer may cover all of its employee groups, bargaining units or personnel/ employee classifications ("Covered Group"), in Health Care Savings Program. **Contributions shall be made on the same basis within each Covered Group identified by this agreement, and remitted as directed by the Program Administrator.** If the Employer has varying coverage or contribution structures between groups, a separate agreement will need to be completed for each covered group. This agreement encompasses the following group(s):

Employees not covered by township health insurance
(Name/s of HCSP covered group/s)

IV. ELIGIBLE EMPLOYEES

Only Employees of a "municipality" may be covered by the Health Care Savings Program Participation Agreement. Independent contractors may not participate in the Health Care Savings Program.

The Employer shall provide MERS with the name, address, Social Security Number, and date of birth for each Eligible Employee, as defined by the Participation Agreement.

V. EMPLOYER CONTRIBUTIONS TO THE HEALTH CARE SAVINGS PROGRAM

The Participating Employer hereby elects to make contributions to the Trust. Contributions shall be made on the same basis within each Covered Group specified in this agreement, and remitted to MERS as directed by the Employer, to be credited to the individual accounts of Eligible Employees as follows (next page):

MERS Health Care Savings Program Participation Agreement

Check one or more (A or B, C and/or D):

- A. Employer Contributions for Retirees / Former Employees.** Employer contributions may be made according to any frequency. Identify below the contribution formula or amount that will apply to all in this covered group. *Note: If this contribution is selected, Sections B, C, and D do not apply.*

Contribution structure (specify): \$1,000 per year

For active employees, please check one or more below (B, C, and/or D).

- B. Basic Employer (Before-Tax) Contributions.** Before-tax employer contributions may be made as a percentage of salary and/or by a specified dollar amount. Identify below the basic employer contribution formula to be applied to the covered groups within the Health Care Savings Program identified in this agreement.

Contribution structure (specify):

Vesting Cycle For Basic Employer Contributions Only. The employer contributions identified in this Participation Agreement are subject to the following vesting cycle.

- Immediate Vesting upon Participation
- Cliff Vesting: The participant is 100% vested upon _____ year(s).
(Stated years)
- Graded Vesting Percentage per year of service: Employers can select the percentage of vesting with the corresponding years of service:

Years of Service	Percent Vested
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	100%

FORFEITURE PROVISION. Upon separation from service with the Employer prior to meeting the required vesting schedule set out above or in the event a Participant dies without Dependent(s) and/or a named Beneficiary, a Participant's account assets shall:

Check only one:

- Remain in the HCSP sub-trust to be reallocated among all Plan participants equally
- Remain in the HCSP sub-trust to be used to offset future Employer Contributions
- Be transferred to the Retiree Health Funding Vehicle ("RHFV")

MERS Health Care Savings Program Participation Agreement

- C. **Mandatory Salary Reduction (Before-Tax) Contributions.** Before-tax Employer Contributions to the Health Care Savings Program Sub-Trust shall be made that represent a mandatory salary reduction resulting from collective bargaining or the establishment of a personnel policy. These reductions may be made as a percentage of salary or a specific dollar amount.

Contribution structure (specify):

- D. **Mandatory Leave Conversion (Before-Tax) Contributions.** Before-tax Employer Contributions to the Health Care Savings Program Sub-Trust shall be made that represent a mandatory conversion of accrued leave including, but not limited to vacation, holiday, sick leave, or severance amounts otherwise paid out, to a cash contribution. These contributions may be calculated as a percentage of accrued leave or a specific dollar amount representing the accrued leave. Leave conversions may be made on an annual basis or at separation from service, or at such other time as the Employer indicates. *(Note: The leave conversion program shall not permit employees the option of receiving cash in lieu of the employer contribution.)*

Check one or more:

- As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.
- As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.
- As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.
- As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.

MERS Health Care Savings Program Participation Agreement

Post-Tax Employee Contributions. Post-tax Employee Contributions made by Eligible Employees within the Covered Group(s) shall be remitted as directed by the Program Administrator, to be credited to the individual accounts of Eligible Employees. All Employee Contributions must be remitted to MERS along with the Participation Report.

VI. MODIFICATION OF THE TERMS OF THE PARTICIPATION AGREEMENT

If a Participating Employer desires to amend any of its previous elections contained in this Participation Agreement, including attachments, the Governing Body by official action must adopt a new Participation Agreement and forward it to the Board for approval. The amendment of the new Participation Agreement is not effective until approved by the Board and other procedures required by the Trust Agreement and Plan Document have been implemented.

VII. STATE LAW

To the extent not preempted by federal law, this agreement shall be interpreted in accordance with Michigan law.

VIII. TERMINATION OF THE PARTICIPATION AGREEMENT

This Participation Agreement may be terminated only in accordance with the Trust Agreement.

IX. EXECUTION BY GOVERNING BODY OF MUNICIPALITY

The foregoing Participation Agreement is hereby adopted and approved on the ____ day of _____, 20____ at the official meeting held by Cascade Charter Township
(Name of approving employer)

Authorized Signature: _____

Name: _____

Title: _____

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20____

(Authorized MERS signatory)

MERS Health Care Savings Program Uniform Resolution



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711

www.mersofmich.com

WHEREAS, the Municipal Employees Retirement Act authorized the Municipal Employees' Retirement Board ("Board") to establish additional programs including but not limited to defined benefit and defined contribution program (MERS Plan Document Section 72; MCL 38.1536(2)(a)).

WHEREAS, the Board has authorized MERS' establishment of the health care savings program ("HCSP" or "Program"), which a participating municipality or court, or another eligible public employer that constitutes a "municipality" under MERS Plan Document Section 2; MCL 38.1502b(2) ("Eligible Employer"), may adopt for its Eligible Employees.

WHEREAS, MERS has been determined by the Internal Revenue Service to be a tax qualified "governmental plan" and trust under section 401(a) of the Internal Revenue Code of 1986, and all trust assets within MERS reserves are therefore exempt from taxation under Code section 501(a) (IRS Letter of Favorable Determination dated October 8, 2016).

WHEREAS, the Board has established a governmental trust (the "Trust Fund") to hold the assets of the HCSP, which Trust Fund shall be administered under the discretion of the Board as fiduciary, directly by (or through a combination of) MERS or MERS' duly-appointed Program Administrator.

WHEREAS, 1999 PA 149, the Public Employee Health Care Fund Investment Act, MCL 38.1211 et seq. ("PA 149") provides for the creation by a public corporation of a public employee health care fund, and its administration, investment, and management, in order to accumulate funds to provide for the funding of health benefits for retirees and beneficiaries.

WHEREAS, a separate MERS health care trust fund created under PA 149 also constitutes a governmental trust established by an Eligible Employer, provided that all such employers shall be the State of Michigan, its political subdivisions, and any public entity the income of which is excluded from gross income under Section 115 of the Internal Revenue Code; provided further, that the PA 149 trust shall not accept assets from any defined benefit health account established under Section 401(h) of the Internal Revenue Code.

WHEREAS, the Board acts as investment fiduciary for the pooled assets of each MERS participating municipality as defined by the MERS 401(a) Plan Document, on whose behalf MERS performs all plan administration and investment functions, and such participating municipalities and courts have full membership, representation and voting rights at the Annual Meeting as provided under Plan Section 78; MCL 38.1545.

WHEREAS, the Board also acts as investment fiduciary for those participating employers who are non-MERS participating municipalities and courts that have adopted the MERS Health Care Savings Program, Retiree Health Funding Vehicle, or Investment Service Program, and such entities are not accorded membership, representation or voting rights provided to MERS participating municipalities and courts at the Annual meeting under Plan Document Section Document 78; MCL 38.1545.

MERS Health Care Savings Program Uniform Resolution

WHEREAS, adoption of this Uniform Resolution and the HCSP Participation Agreement (the “Uniform Resolution”) by each Eligible Employer is necessary and required in order that the benefits available under the MERS HCSP may be extended to the Eligible Employer’s employees.

- It is expressly agreed and understood as an integral and nonseverable part of extension or continuation of coverage under this HCSP Resolution that Section 43 of the MERS Plan Document shall not apply to this Uniform Resolution Adopting MERS HCSP, the Participation Agreement, the HCSP Plan Document, the Trust Agreement, and their administration or interpretation.
- In the event any alteration of the language, terms or conditions stated in this Uniform Resolution Adopting MERS HCSP is made or occurs, it is expressly recognized that MERS and the Board, as fiduciary of the MERS Plan and its trust reserves, and whose authority is nondelegable, shall have no obligation or duty to administer (or to have administered) the Trust Fund, or to continue administration.

WHEREAS, concurrent with this HCSP Uniform Resolution, and as a continuing obligation, this governing body has completed, approved, and submitted to MERS documents necessary for participation in and implementation of the HCSP. This obligation applies to any documents deemed necessary to the operation of the Trust Fund by MERS.

NOW, THEREFORE, BE IT RESOLVED that the governing body adopts (or readopts) the MERS HCSP as provided below.

SECTION 1. HCSP PARTICIPATION

EFFECTIVE _____, 20____, (to be known as the ADOPTION DATE) the

MERS HCSP is hereby adopted by the _____
(MERS municipality or court or other eligible employer)

- (A) **CONTRIBUTIONS** shall be as allowed and specified in the MERS Health Care Savings Program Participation Agreement. Basic Employer Contributions, Mandatory Salary Reduction Contributions, Mandatory Leave Conversion Contributions, and Post-Tax Employee Contributions, shall be remitted pursuant to MERS by the Eligible Employer, and credited to the Eligible Employer’s separate fund within the MERS Trust Fund.
- (B) **INVESTMENT** of funds accumulated and held in the Health Care Savings Program Trust Fund shall be held in a separate reserve and invested on a pooled basis by MERS subject to the Public Employee Retirement System Investment Act (“PERSIA”), 1965 PA 314, as provided by MERS Plan Document Section 76; MCL 38.1539, and PA 149.
- (C) **THE ELIGIBLE EMPLOYER** shall abide by the terms of the HCSP, including the HCSP Plan Document, HCSP Trust Agreement, all investment, administration, and service agreements, and all applicable provisions of the Code and other law. It is affirmed that no assets from any defined benefit health account established under Section 401(h) of the Internal Revenue Code shall be transferred to, or accepted by, MERS.

MERS Health Care Savings Program Uniform Resolution

SECTION 2. IMPLEMENTATION DIRECTIONS FOR MERS

- (A) The governing body of this Eligible Employer desires that all assets placed in its MERS HCSP Trust Fund (as a sub-fund within all pooled HCSP trust funds with MERS) be administered by MERS, which shall act as investment fiduciary with all powers provided under PERSIA, pursuant to PA 149, all applicable provisions of the Internal Revenue Code and other relevant law.
- (B) The governing body desires, and MERS upon its approval of this Resolution agrees, that all funds accumulated and held in the MERS HCSP Trust Fund shall be invested and managed by MERS within the collective and commingled investment of all HCSP funds held in trust for all Eligible Employers.
- (C) All monies in the MERS HCSP Trust Fund (and any earnings thereon, positive or negative) shall be held and invested for the sole purpose of paying health care benefits for the exclusive benefit of “Eligible Employees” who shall constitute “qualified persons” who have retired or separated from employment with the Eligible Employer, and for any expenses of administration, and shall not be used for any other purpose, and shall not be distributed to the State.
- (D) The Eligible Employer will fund on a defined contribution, individual account, basis its MERS HCSP Trust sub-fund to provide funds for health care benefits for “Eligible Employees” who shall constitute “qualified persons” under the Internal Revenue Code. Participation in and any coverage under HCSP shall not constitute nor be construed to constitute an “accrued financial benefit” under Article 9 Section 24 of the Michigan Constitution of 1963.
- (E) The Eligible Employer designates and incorporates as “Eligible Employees” who shall constitute “qualified persons” under this HCSP Resolution those who are “Eligible Employees as defined in the HCSP Participation Agreement under this HCSP.
- (F) The Eligible Employer may designate employer contacts who shall receive necessary reports, notices, etc. and shall act on behalf of the Eligible Employer.

SECTION 3. EFFECTIVENESS OF THIS HCSP UNIFORM RESOLUTION

This Resolution shall have no legal effect until an executed copy of this adopting Resolution is filed with MERS, and MERS determines that all necessary requirements under MERS Plan Document Section 72, PA 149 and other relevant laws, and this Resolution have been met. Upon MERS’ determination that all necessary documents have been submitted, MERS shall execute this Resolution, and return a copy to the Eligible Employer’s designated primary contact.

In the event an amendatory resolution or other action by the Eligible Employer is required by MERS, such Resolution or action may be deemed effective as of the date of the initial Resolution or action where concurred in by this governing body and MERS (and the Program Administrator if necessary). Section 86 of the MERS Plan Document shall apply to this Resolution and all acts performed under MERS’ authority. The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

MERS Health Care Savings Program Uniform Resolution

I hereby certify that the above is a true copy of the Uniform Resolution Adopting The MERS Health Care Savings Program, adopted at the official meeting held by the governing body of this municipality:

On _____, 20____
(Signature of authorized official)

Printed name: _____ Position title: _____
(Authorized Official - printed) (Authorized Official - position)

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20____
(Authorized MERS signatory)



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

Date: May 22, 2019
To: Supervisor Beahan and Cascade Township Board
From: Benjamin Swayze, Township Manager
Subject: Set Public Hearing for an Ordinance Prohibiting Marihuana Establishments and Facilities in Cascade Charter Township

FACTS:

The Michigan Regulation and Taxation of Marihuana Act was approved by the voters in the State of Michigan in November 2018. Section 6 of the act specifically permits municipalities to prohibit Marihuana Establishments within their boundaries. Marihuana Establishments are defined by the act to mean: a commercial grower, a marihuana compliance facility, a marihuana processor, a marihuana retailer, and any other marihuana business licensed by the Department of Licensing and Regulatory Affairs.

The Medical Marihuana Facilities Licensing Act of 2016 also deals with these types of business, for the purposes of marihuana used for medical purposes as outlined in the law. This Act refers to these businesses as Marihuana Facilities. The most common type of Marihuana Facility is a Marihuana Dispensary. To our understanding, there are no Marihuana Facilities operating in the Township. In order for a Marihuana Facility to operate in the Township, the Township Board would need to explicitly allow them through a Zoning Ordinance and licensing process. The Township Board has chosen not to pursue this action.

At the direction of the Governance Committee, staff have caused to be prepared a proposed General Ordinance to prohibit Marihuana Establishments and Facilities in Cascade Township. In order to consider the proposed ordinance, the Township Board must set a public hearing to receive public comment on the proposed ordinance. It is being recommended that the public hearing be set for Wednesday June 12 at 7:00pm at the Wisner Center during the regularly scheduled Township Board meeting. If approved by the Township Board, the public hearing will be published in the Grand Rapids Press a minimum of 10 days prior to the hearing as required by law.

Attached for your review are:

- Proposed Ordinance to Prohibit Marihuana Establishments and Facilities in Cascade Charter Township
- Michigan Regulation and Taxation of Marihuana Act of 2018
- Medical Marihuana Facilities Licensing Act of 2016

ANALYSIS & CONCLUSIONS:

The proposed ordinance prohibits marihuana businesses as defined in the acts only. It does not prohibit activities that may legally be carried on by private individuals in accordance with the

new laws. By adopting this ordinance, commercial grow operations, processing operations, retail stores and dispensaries would be prohibited in the Township, whether for recreational or medical purposes. The ordinance could also be modified to allow one or the other (recreational or medical). However, if the Township Board wishes to allow medical marijuana facilities they must also proactively pass a zoning ordinance allowing them and establish a licensing program.

The State of Michigan has announced that it will issue proposed regulations for Marijuana Establishments in June and expects to have final regulations in place by September. If the Township does not pass an ordinance prohibiting Marijuana Establishments prior to those regulations being approved, such businesses will be permitted by the new law and any applications filed prior to the Township acting (if at all) would be grandfathered in and not subject to any Township prohibition. As such, many municipalities are opting to prohibit such facilities until such a time that the State licensing framework can be reviewed. If the Township chooses in the future to allow such facilities, the general ordinance can be repealed.

Township legal counsel has also recommended that whatever action the Township Board chooses, the decision eventually be memorialized in a zoning ordinance regulation as well. At this time, Township Staff is not recommending adoption of a companion zoning regulation until after the State regulatory framework has been established. Legal counsel has concurred with the recommendation and indicates the lack of an immediate zoning ordinance regulation will not otherwise weaken the proposed general ordinance

The issue was reviewed in-depth with the Governance Committee. After review, that committee agreed that the Township should prohibit Marijuana Establishments until such time that the State regulatory framework can be reviewed and analyzed. As such, the Governance Committee has recommended the Township Board adopt a resolution prohibiting Marijuana Establishments.

The action sought is to establish a public hearing for the proposed ordinance, to be held June 12, 2019 at the Wisner Center at 7:00pm during the regularly scheduled Township Board meeting. Once the public hearing has been held, the Township may take action on the proposed ordinance, at that meeting or any subsequent meeting.

FINANCIAL CONSIDERATIONS:

Other than staff time and publication costs there are no financial considerations in setting the public hearing.

RECOMMENDED ACTION:

To set the public hearing for the proposed Ordinance Prohibiting Marijuana Establishments and Facilities in Cascade Charter Township for June 12, 2019 at the Wisner Center at 7:00pm during the Regularly Scheduled Township Board Meeting.

**CASCADE CHARTER TOWNSHIP
KENT COUNTY, MICHIGAN**

**AN ORDINANCE PROHIBITING MARIHUANA
ESTABLISHMENTS AND FACILITIES IN
CASCADE CHARTER TOWNSHIP**

**Ordinance No. _____ of 2019
Adopted: _____, 2019**

At a regular meeting of the Township Board for Cascade Charter Township held at the Cascade Library Wisner Center on _____, 2019, beginning at 7:00 p.m., the following Ordinance was offered for adoption by Township Board Member _____ and was seconded by Township Board Member _____.

An Ordinance to secure the public health, safety, and general welfare of the residents and property owners in Cascade Charter Township, Kent County, Michigan, by prohibiting marihuana establishments and facilities within said Township and to repeal all ordinances or parts of ordinances inconsistent with or less restrictive than this Ordinance.

THE CHARTER TOWNSHIP OF CASCADE (THE "TOWNSHIP") ORDAINS:

MARIHUANA ESTABLISHMENTS AND FACILITIES

Section 1 Definitions.

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *IHRA* means the Industrial Hemp Research Act, 2014 PA 547, MCL 286.841 *et seq.*
- (b) *Marihuana establishment* means that term as defined in the MRTMA.
- (c) *Marihuana facility* means that term as defined in the MMFLA.
- (d) *MMFLA* means the Medical Marihuana Facilities Licensing Act, 2016 PA 281, as amended.
- (e) *MMMA* means the Michigan Medical Marihuana Act, 2008 IL 1, as amended.

(f) *MRTMA* means the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, as amended.

Section 2 Marihuana Establishments and Facilities Prohibited.

(a) Pursuant to Section 6 of the MRTMA, marihuana establishments are prohibited within the boundaries of Cascade Charter Township.

(b) Marihuana facilities are prohibited within the boundaries of Cascade Charter Township.

Section 3 Rights Unaffected by Ordinance.

(a) Except as specifically provided in Section 7.151, this Ordinance shall not affect the rights or privileges of any individual or other person preserved under the MRTMA.

(b) This Ordinance does not affect the rights or privileges of a marihuana facility outside of Cascade Charter Township to engage in activities within Cascade Charter Township that it is permitted to engage in under the MMFLA within a municipality that has not authorized marihuana facilities to operate within its boundaries.

(c) This Ordinance does not affect the rights or privileges of registered qualifying patients or registered primary caregivers under the MMMA or the MMFLA.

(d) This Ordinance does not affect the rights or privileges of any individual or other person under the IHRA.

(e) This Ordinance does not affect the rights or privileges of any individual or other person under any other federal or state law, rule or regulation related to the medical use of marihuana.

Section 4 Severability.

If any part of this Ordinance shall be found to be invalid or unconstitutional by any Court of competent jurisdiction, said finding shall not affect the remaining portions hereof which shall remain in full force and effect.

Section 5 Effective Date.

This Ordinance shall become effective thirty (30) days after publication.

The vote to adopt this Ordinance was as follows:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

Susan Slater
Cascade Charter Township Clerk

CERTIFICATION

I certify the foregoing to be a true copy of an Ordinance adopted at a Regular Meeting of the Cascade Township Board on the ___ day of _____, 2019.

Susan Slater
Cascade Charter Township Clerk

MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT
Initiated Law 1 of 2018

An initiation of legislation to allow under state law the personal possession and use of marihuana by persons 21 years of age or older; to provide for the lawful cultivation and sale of marihuana and industrial hemp by persons 21 years of age or older; to permit the taxation of revenue derived from commercial marihuana facilities; to permit the promulgation of administrative rules; and to prescribe certain penalties for violations of this act. If not enacted by the Michigan State Legislature in accordance with the Michigan Constitution of 1963, the proposed legislation is to be voted on at the General Election, November 6, 2018.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

The People of the State of Michigan enact:

333.27951 Short title.

Sec. 1. This act shall be known and may be cited as the Michigan Regulation and Taxation of Marihuana Act.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27952 Purpose and intent.

Sec. 2. The purpose of this act is to make marihuana legal under state and local law for adults 21 years of age or older, to make industrial hemp legal under state and local law, and to control the commercial production and distribution of marihuana under a system that licenses, regulates, and taxes the businesses involved. The intent is to prevent arrest and penalty for personal possession and cultivation of marihuana by adults 21 years of age or older; remove the commercial production and distribution of marihuana from the illicit market; prevent revenue generated from commerce in marihuana from going to criminal enterprises or gangs; prevent the distribution of marihuana to persons under 21 years of age; prevent the diversion of marihuana to illicit markets; ensure the safety of marihuana and marihuana-infused products; and ensure security of marihuana establishments. To the fullest extent possible, this act shall be interpreted in accordance with the purpose and intent set forth in this section.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27953 Definitions.

Sec. 3. As used in this act:

(a) "Cultivate" means to propagate, breed, grow, harvest, dry, cure, or separate parts of the marihuana plant by manual or mechanical means.

(b) "Department" means the department of licensing and regulatory affairs.

(c) "Industrial hemp" means a plant of the genus cannabis and any part of that plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration that does not exceed 0.3% on a dry-weight basis, or per volume or weight of marihuana-infused product, or the combined percent of delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus cannabis regardless of moisture content.

(d) "Licensee" means a person holding a state license.

(e) "Marihuana" means all parts of the plant of the genus cannabis, growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marihuana concentrate and marihuana-infused products. For purposes of this act, marihuana does not include:

(1) the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of

germination;

(2) industrial hemp; or

(3) any other ingredient combined with marihuana to prepare topical or oral administrations, food, drink, or other products.

(f) "Marihuana accessories" means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marihuana into the human body.

(g) "Marihuana concentrate" means the resin extracted from any part of the plant of the genus *cannabis*.

(h) "Marihuana establishment" means a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by the department.

(i) "Marihuana grower" means a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

(j) "Marihuana-infused product" means a topical formulation, tincture, beverage, edible substance, or similar product containing marihuana and other ingredients and that is intended for human consumption.

(k) "Marihuana microbusiness" means a person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.

(l) "Marihuana processor" means a person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.

(m) "Marihuana retailer" means a person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.

(n) "Marihuana secure transporter" means a person licensed to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.

(o) "Marihuana safety compliance facility" means a person licensed to test marihuana, including certification for potency and the presence of contaminants.

(p) "Municipal license" means a license issued by a municipality pursuant to section 16 of this act that allows a person to operate a marihuana establishment in that municipality.

(q) "Municipality" means a city, village, or township.

(r) "Person" means an individual, corporation, limited liability company, partnership of any type, trust, or other legal entity.

(s) "Process" or "Processing" means to separate or otherwise prepare parts of the marihuana plant and to compound, blend, extract, infuse, or otherwise make or prepare marihuana concentrate or marihuana-infused products.

(t) "State license" means a license issued by the department that allows a person to operate a marihuana establishment.

(u) "Unreasonably impracticable" means that the measures necessary to comply with the rules or ordinances adopted pursuant to this act subject licensees to unreasonable risk or require such a high investment of money, time, or any other resource or asset that a reasonably prudent businessperson would not operate the marihuana establishment.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27954 Scope of act; unauthorized activities with marihuana and marihuana accessories; limitations; application of privileges, rights, immunities, and defenses under other marihuana laws; employer rights; property owner rights.

Sec. 4. 1. This act does not authorize:

(a) operating, navigating, or being in physical control of any motor vehicle, aircraft, snowmobile, off-road recreational vehicle, or motorboat while under the influence of marihuana;

(b) transfer of marihuana or marihuana accessories to a person under the age of 21;

(c) any person under the age of 21 to possess, consume, purchase or otherwise obtain, cultivate, process, transport, or sell marihuana;

(d) separation of plant resin by butane extraction or another method that utilizes a substance with a flashpoint below 100 degrees Fahrenheit in any public place, motor vehicle, or within the curtilage of any residential structure;

(e) consuming marihuana in a public place or smoking marihuana where prohibited by the person who owns, occupies, or manages the property, except for purposes of this subdivision a public place does not include an area designated for consumption within a municipality that has authorized consumption in designated areas that are not accessible to persons under 21 years of age;

(f) cultivating marihuana plants if the plants are visible from a public place without the use of binoculars, aircraft, or other optical aids or outside of an enclosed area equipped with locks or other functioning security devices that restrict access to the area;

(g) consuming marihuana while operating, navigating, or being in physical control of any motor vehicle, aircraft, snowmobile, off-road recreational vehicle, or motorboat, or smoking marihuana within the passenger area of a vehicle upon a public way;

(h) possessing marihuana accessories or possessing or consuming marihuana on the grounds of a public or private school where children attend classes in preschool programs, kindergarten programs, or grades 1 through 12, in a school bus, or on the grounds of any correctional facility; or

(i) Possessing more than 2.5 ounces of marihuana within a person's place of residence unless the excess marihuana is stored in a container or area equipped with locks or other functioning security devices that restrict access to the contents of the container or area.

2. This act does not limit any privileges, rights, immunities, or defenses of a person as provided in the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430, the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801, or any other law of this state allowing for or regulating marihuana for medical use.

3. This act does not require an employer to permit or accommodate conduct otherwise allowed by this act in any workplace or on the employer's property. This act does not prohibit an employer from disciplining an employee for violation of a workplace drug policy or for working while under the influence of marihuana. This act does not prevent an employer from refusing to hire, discharging, disciplining, or otherwise taking an adverse employment action against a person with respect to hire, tenure, terms, conditions, or privileges of employment because of that person's violation of a workplace drug policy or because that person was working while under the influence of marihuana.

4. This act allows a person to prohibit or otherwise regulate the consumption, cultivation, distribution, processing, sale, or display of marihuana and marihuana accessories on property the person owns, occupies, or manages, except that a lease agreement may not prohibit a tenant from lawfully possessing and consuming marihuana by means other than smoking.

5. All other laws inconsistent with this act do not apply to conduct that is permitted by this act.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27955 Lawful activities by person 21 years of age or older; terms, conditions, limitations, and restrictions; denial of custody or visitation prohibited.

Sec. 5. 1. Notwithstanding any other law or provision of this act, and except as otherwise provided in section 4 of this act, the following acts by a person 21 years of age or older are not unlawful, are not an offense, are not grounds for seizing or forfeiting property, are not grounds for arrest, prosecution, or penalty in any manner, are not grounds for search or inspection, and are not grounds to deny any other right or privilege:

(a) except as permitted by subdivision (b), possessing, using or consuming, internally possessing, purchasing, transporting, or processing 2.5 ounces or less of marihuana, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate;

(b) within the person's residence, possessing, storing, and processing not more than 10 ounces of marihuana and any marihuana produced by marihuana plants cultivated on the premises and cultivating not more than 12 marihuana plants for personal use, provided that no more than 12 marihuana plants are possessed, cultivated, or processed on the premises at once;

(c) assisting another person who is 21 years of age or older in any of the acts described in this section; and

(d) giving away or otherwise transferring without remuneration up to 2.5 ounces of marihuana, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate, to a person 21 years of

age or older, as long as the transfer is not advertised or promoted to the public.

2. Notwithstanding any other law or provision of this act, except as otherwise provided in section 4 of this act, the use, manufacture, possession, and purchase of marihuana accessories by a person 21 years of age or older and the distribution or sale of marihuana accessories to a person 21 years of age or older is authorized, is not unlawful, is not an offense, is not grounds for seizing or forfeiting property, is not grounds for arrest, prosecution, or penalty in any manner, and is not grounds to deny any other right or privilege.

3. A person shall not be denied custody of or visitation with a minor for conduct that is permitted by this act, unless the person's behavior is such that it creates an unreasonable danger to the minor that can be clearly articulated and substantiated.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27956 Adoption or enforcement of ordinances by municipality; marihuana establishment local license; annual fee; restrictions on transportation or other facilities prohibited.

Sec. 6. 1. Except as provided in section 4, a municipality may completely prohibit or limit the number of marihuana establishments within its boundaries. Individuals may petition to initiate an ordinance to provide for the number of marihuana establishments allowed within a municipality or to completely prohibit marihuana establishments within a municipality, and such ordinance shall be submitted to the electors of the municipality at the next regular election when a petition is signed by qualified electors in the municipality in a number greater than 5% of the votes cast for governor by qualified electors in the municipality at the last gubernatorial election. A petition under this subsection is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488.

2. A municipality may adopt other ordinances that are not unreasonably impracticable and do not conflict with this act or with any rule promulgated pursuant to this act and that:

- (a) establish reasonable restrictions on public signs related to marihuana establishments;
- (b) regulate the time, place, and manner of operation of marihuana establishments and of the production, manufacture, sale, or display of marihuana accessories;
- (c) authorize the sale of marihuana for consumption in designated areas that are not accessible to persons under 21 years of age, or at special events in limited areas and for a limited time; and
- (d) designate a violation of the ordinance and provide for a penalty for that violation by a marihuana establishment, provided that such violation is a civil infraction and such penalty is a civil fine of not more than \$500.

3. A municipality may adopt an ordinance requiring a marihuana establishment with a physical location within the municipality to obtain a municipal license, but may not impose qualifications for licensure that conflict with this act or rules promulgated by the department.

4. A municipality may charge an annual fee of not more than \$5,000 to defray application, administrative, and enforcement costs associated with the operation of the marihuana establishment in the municipality.

5. A municipality may not adopt an ordinance that restricts the transportation of marihuana through the municipality or prohibits a marihuana grower, a marihuana processor, and a marihuana retailer from operating within a single facility or from operating at a location shared with a marihuana facility operating pursuant to the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27957 Implementation, administration, and enforcement by department; powers; duties; public meetings; annual report.

Sec. 7. 1. The department is responsible for implementing this act and has the powers and duties necessary to control the commercial production and distribution of marihuana. The department shall employ personnel and may contract with advisors and consultants as necessary to adequately perform its duties. No person who is pecuniarily interested, directly or indirectly, in any marihuana establishment may be an employee, advisor, or consultant involved in the implementation, administration, or enforcement of this act. An employee, advisor, or consultant of the department may not be personally liable for any action at law for damages sustained by a person because of an action performed or done in the performance of their duties in the

implementation, administration, or enforcement of this act. The department of state police shall cooperate and assist the department in conducting background investigations of applicants. Responsibilities of the department include:

(a) promulgating rules pursuant to section 8 of this act that are necessary to implement, administer, and enforce this act;

(b) granting or denying each application for licensure and investigating each applicant to determine eligibility for licensure, including conducting a background investigation on each person holding an ownership interest in the applicant;

(c) ensuring compliance with this act and the rules promulgated thereunder by marihuana establishments by performing investigations of compliance and regular inspections of marihuana establishments and by taking appropriate disciplinary action against a licensee, including prescribing civil fines for violations of this act or rules and suspending, restricting, or revoking a state license;

(d) holding at least 4 public meetings each calendar year for the purpose of hearing complaints and receiving the views of the public with respect to administration of this act;

(e) collecting fees for licensure and fines for violations of this act or rules promulgated thereunder, depositing all fees collected in the marihuana regulation fund established by section 14 of this act, and remitting all fines collected to be deposited in the general fund; and

(f) submitting an annual report to the governor covering the previous year, which report shall include the number of state licenses of each class issued, demographic information on licensees, a description of enforcement and disciplinary actions taken against licensees, and a statement of revenues and expenses of the department related to the implementation, administration, and enforcement of this act.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27958 Rules; limitations.

Sec. 8. 1. The department shall promulgate rules to implement and administer this act pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to MCL 24.328, including:

(a) procedures for issuing a state license pursuant to section 9 of this act and for renewing, suspending, and revoking a state license;

(b) a schedule of fees in amounts not more than necessary to pay for implementation, administration, and enforcement costs of this act and that relate to the size of each licensee or the volume of business conducted by the licensee;

(c) qualifications for licensure that are directly and demonstrably related to the operation of a marihuana establishment, provided that a prior conviction solely for a marihuana-related offense does not disqualify an individual or otherwise affect eligibility for licensure, unless the offense involved distribution of a controlled substance to a minor;

(d) requirements and standards for safe cultivation, processing, and distribution of marihuana by marihuana establishments, including health standards to ensure the safe preparation of marihuana-infused products and prohibitions on pesticides that are not safe for use on marihuana;

(e) testing, packaging, and labeling standards, procedures, and requirements for marihuana, including a maximum tetrahydrocannabinol level for marihuana-infused products, a requirement that a representative sample of marihuana be tested by a marihuana safety compliance facility, and a requirement that the amount of marihuana or marihuana concentrate contained within a marihuana-infused product be specified on the product label;

(f) security requirements, including lighting, physical security, and alarm requirements, and requirements for securely transporting marihuana between marihuana establishments, provided that such requirements do not prohibit cultivation of marihuana outdoors or in greenhouses;

(g) record keeping requirements for marihuana establishments and monitoring requirements to track the transfer of marihuana by licensees;

(h) requirements for the operation of marihuana secure transporters to ensure that all marihuana establishments are properly serviced;

(i) reasonable restrictions on advertising, marketing, and display of marihuana and marihuana establishments;

(j) a plan to promote and encourage participation in the marihuana industry by people from communities that have been disproportionately impacted by marihuana prohibition and enforcement and to positively

impact those communities; and

(k) penalties for failure to comply with any rule promulgated pursuant to this section or for any violation of this act by a licensee, including civil fines and suspension, revocation, or restriction of a state license.

2. In furtherance of the intent of this act, the department may promulgate rules to:

(a) provide for the issuance of additional types or classes of state licenses to operate marihuana-related businesses, including licenses that authorize only limited cultivation, processing, transportation, delivery, storage, sale, or purchase of marihuana, licenses that authorize the consumption of marihuana within designated areas, licenses that authorize the consumption of marihuana at special events in limited areas and for a limited time, licenses that authorize cultivation for purposes of propagation, and licenses intended to facilitate scientific research or education; or

(b) regulate the cultivation, processing, distribution, and sale of industrial hemp.

3. The department may not promulgate a rule that:

(a) establishes a limit on the number of any type of state licenses that may be granted;

(b) requires a customer to provide a marihuana retailer with identifying information other than identification to determine the customer's age or requires the marihuana retailer to acquire or record personal information about customers other than information typically required in a retail transaction;

(c) prohibits a marihuana establishment from operating at a shared location of a marihuana facility operating pursuant to the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801, or prohibits a marihuana grower, marihuana processor, or marihuana retailer from operating within a single facility; or

(d) is unreasonably impracticable.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27959 License to operate a marihuana establishment; application; qualifications; issuance; disclosure.

Sec. 9. 1. Each application for a state license must be submitted to the department. Upon receipt of a complete application and application fee, the department shall forward a copy of the application to the municipality in which the marihuana establishment is to be located, determine whether the applicant and the premises qualify for the state license and comply with this act, and issue the appropriate state license or send the applicant a notice of rejection setting forth specific reasons why the department did not approve the state license application within 90 days.

2. The department shall issue the following state license types: marihuana retailer; marihuana safety compliance facility; marihuana secure transporter; marihuana processor; marihuana microbusiness; class A marihuana grower authorizing cultivation of not more than 100 marihuana plants; class B marihuana grower authorizing cultivation of not more than 500 marihuana plants; and class C marihuana grower authorizing cultivation of not more than 2,000 marihuana plants.

3. Except as otherwise provided in this section, the department shall approve a state license application and issue a state license if:

(a) the applicant has submitted an application in compliance with the rules promulgated by the department, is in compliance with this act and the rules, and has paid the required fee;

(b) the municipality in which the proposed marihuana establishment will be located does not notify the department that the proposed marihuana establishment is not in compliance with an ordinance consistent with section 6 of this act and in effect at the time of application;

(c) the property where the proposed marihuana establishment is to be located is not within an area zoned exclusively for residential use and is not within 1,000 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12, unless a municipality adopts an ordinance that reduces this distance requirement;

(d) no person who holds an ownership interest in the marihuana establishment applicant:

(1) will hold an ownership interest in both a marihuana safety compliance facility or in a marihuana secure transporter and in a marihuana grower, a marihuana processor, a marihuana retailer, or a marihuana microbusiness;

(2) will hold an ownership interest in both a marihuana microbusiness and in a marihuana grower, a marihuana processor, a marihuana retailer, a marihuana safety compliance facility, or a marihuana secure transporter; and

(3) will hold an ownership interest in more than 5 marihuana growers or in more than 1 marihuana microbusiness, except that the department may approve a license application from a person who holds an ownership interest in more than 5 marihuana growers or more than 1 marihuana microbusiness if, after January 1, 2023, the department promulgates a rule authorizing an individual to hold an ownership interest in more than 5 marihuana growers or in more than 1 marihuana microbusiness.

4. If a municipality limits the number of marihuana establishments that may be licensed in the municipality pursuant to section 6 of this act and that limit prevents the department from issuing a state license to all applicants who meet the requirements of subsection 3 of this section, the municipality shall decide among competing applications by a competitive process intended to select applicants who are best suited to operate in compliance with this act within the municipality.

5. All state licenses are effective for 1 year, unless the department issues the state license for a longer term. A state license is renewed upon receipt of a complete renewal application and a renewal fee from any marihuana establishment in good standing.

6. The department shall begin accepting applications for marihuana establishments within 12 months after the effective date of this act. Except as otherwise provided in this section, for 24 months after the department begins to receive applications for marihuana establishments, the department may only accept applications for licensure: for a class A marihuana grower or for a marihuana microbusiness, from persons who are residents of Michigan; for a marihuana retailer, marihuana processor, class B marihuana grower, class C marihuana grower, or a marihuana secure transporter, from persons holding a state operating license pursuant to the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801; and for a marihuana safety compliance facility, from any applicant. One year after the department begins to accept applications pursuant to this section, the department shall begin accepting applications from any applicant if the department determines that additional state licenses are necessary to minimize the illegal market for marihuana in this state, to efficiently meet the demand for marihuana, or to provide for reasonable access to marihuana in rural areas.

7. Information obtained from an applicant related to licensure under this act is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018..

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27960 Lawful activities by marihuana grower, processor, transporter, or retailer; limitations; contracts related to operation of marihuana establishments.

Sec. 10. 1. Notwithstanding any other law or provision of this act, and except as otherwise provided in section 4 of this act or the rules promulgated thereunder, the following acts are not unlawful, are not an offense, are not grounds for seizing or forfeiting property, are not grounds for arrest, prosecution, or penalty in any manner, are not grounds for search or inspection except as authorized by this act, and are not grounds to deny any other right or privilege:

(a) a marihuana grower or an agent acting on behalf of a marihuana grower who is 21 years of age or older, cultivating not more than the number of marihuana plants authorized by the state license class; possessing, packaging, storing, or testing marihuana; acquiring marihuana seeds or seedlings from a person who is 21 years of age or older; selling or otherwise transferring, purchasing or otherwise obtaining, or transporting marihuana to or from a marihuana establishment; or receiving compensation for goods or services;

(b) a marihuana processor or agent acting on behalf of a marihuana processor who is 21 years of age or older, possessing, processing, packaging, storing, or testing marihuana; selling or otherwise transferring, purchasing or otherwise obtaining, or transporting marihuana to or from a marihuana establishment; or receiving compensation for goods or services;

(c) a marihuana secure transporter or an agent acting on behalf of a marihuana secure transporter who is 21 years of age or older, possessing or storing marihuana; transporting marihuana to or from a marihuana establishment; or receiving compensation for services;

(d) a marihuana safety compliance facility or an agent acting on behalf of a marihuana safety compliance facility who is 21 years of age or older, testing, possessing, repackaging, or storing marihuana; transferring, obtaining, or transporting marihuana to or from a marihuana establishment; or receiving compensation for services;

(e) a marihuana retailer or an agent acting on behalf of a marihuana retailer who is 21 years of age or older, possessing, storing, or testing marihuana; selling or otherwise transferring, purchasing or otherwise obtaining,

or transporting marihuana to or from a marihuana establishment; selling or otherwise transferring marihuana to a person 21 years of age or older; or receiving compensation for goods or services; or

(f) a marihuana microbusiness or an agent acting on behalf of a marihuana microbusiness who is 21 years of age or older, cultivating not more than 150 marihuana plants; possessing, processing, packaging, storing, or testing marihuana from marihuana plants cultivated on the premises; selling or otherwise transferring marihuana cultivated or processed on the premises to a person 21 years of age or older; or receiving compensation for goods or services.

(g) leasing or otherwise allowing the use of property owned, occupied, or managed for activities allowed under this act;

(h) enrolling or employing a person who engages in marihuana-related activities allowed under this act;

(i) possessing, cultivating, processing, obtaining, transferring, or transporting industrial hemp; or

(j) providing professional services to prospective or licensed marihuana establishments related to activity under this act.

2. A person acting as an agent of a marihuana retailer who sells or otherwise transfers marihuana or marihuana accessories to a person under 21 years of age is not subject to arrest, prosecution, forfeiture of property, disciplinary action by a professional licensing board, denial of any right or privilege, or penalty in any manner, if the person reasonably verified that the recipient appeared to be 21 years of age or older by means of government-issued photographic identification containing a date of birth, and the person complied with any rules promulgated pursuant to this act.

3. It is the public policy of this state that contracts related to the operation of marihuana establishments be enforceable.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27961 Marihuana establishments; requirements; limitations.

Sec. 11. (a) A marihuana establishment may not allow cultivation, processing, sale, or display of marihuana or marihuana accessories to be visible from a public place outside of the marihuana establishment without the use of binoculars, aircraft, or other optical aids.

(b) A marihuana establishment may not cultivate, process, test, or store marihuana at any location other than a physical address approved by the department and within an enclosed area that is secured in a manner that prevents access by persons not permitted by the marihuana establishment to access the area.

(c) A marihuana establishment shall secure every entrance to the establishment so that access to areas containing marihuana is restricted to employees and other persons permitted by the marihuana establishment to access the area and to agents of the department or state and local law enforcement officers and emergency personnel and shall secure its inventory and equipment during and after operating hours to deter and prevent theft of marihuana and marihuana accessories.

(d) No marihuana establishment may refuse representatives of the department the right during the hours of operation to inspect the licensed premises or to audit the books and records of the marihuana establishment.

(e) No marihuana establishment may allow a person under 21 years of age to volunteer or work for the marihuana establishment.

(f) No marihuana establishment may sell or otherwise transfer marihuana that was not produced, distributed, and taxed in compliance with this act.

(g) A marihuana grower, marihuana retailer, marihuana processor, marihuana microbusiness, or marihuana testing facility or agents acting on their behalf may not transport more than 15 ounces of marihuana or more than 60 grams of marihuana concentrate at one time.

(h) A marihuana secure transporter may not hold title to marihuana.

(i) No marihuana processor may process and no marihuana retailer may sell edible marihuana-infused candy in shapes or packages that are attractive to children or that are easily confused with commercially sold candy that does not contain marihuana.

(j) No marihuana retailer may sell or otherwise transfer marihuana that is not contained in an opaque, resealable, child-resistant package designed to be significantly difficult for children under 5 years of age to open and not difficult for normal adults to use properly as defined by 16 C.F.R. 1700.20 (1995), unless the marihuana is transferred for consumption on the premises where sold.

(k) No marihuana establishment may sell or otherwise transfer tobacco.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27962 Deduction of certain expenses from income.

Sec. 12. In computing net income for marihuana establishments, deductions from state taxes are allowed for all the ordinary and necessary expenses paid or incurred during the taxable year in carrying out a trade or business.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27963 Imposition of excise tax.

Sec. 13. 1. In addition to all other taxes, an excise tax is imposed on each marihuana retailer and on each marihuana microbusiness at the rate of 10% of the sales price for marihuana sold or otherwise transferred to anyone other than a marihuana establishment.

2. Except as otherwise provided by a rule promulgated by the department of treasury, a product subject to the tax imposed by this section may not be bundled in a single transaction with a product or service that is not subject to the tax imposed by this section.

3. The department of treasury shall administer the taxes imposed under this act and may promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to MCL 24.328, that prescribe a method and manner for payment of the tax to ensure proper tax collection under this act.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27964 Marihuana regulation fund; creation; administration; allocation of expenditures.

Sec. 14. 1. The marihuana regulation fund is created in the state treasury. The department of treasury shall deposit all money collected under section 13 of this act and the department shall deposit all fees collected in the fund. The state treasurer shall direct the investment of the fund and shall credit the fund interest and earnings from fund investments. The department shall administer the fund for auditing purposes. Money in the fund shall not lapse to the general fund.

2. Funds for the initial activities of the department to implement this act shall be appropriated from the general fund. The department shall repay any amount appropriated under this subsection from proceeds in the fund.

3. The department shall expend money in the fund first for the implementation, administration, and enforcement of this act, and second, until 2022 or for at least two years, to provide \$20 million annually to one or more clinical trials that are approved by the United States food and drug administration and sponsored by a non-profit organization or researcher within an academic institution researching the efficacy of marihuana in treating the medical conditions of United States armed services veterans and preventing veteran suicide. Upon appropriation, unexpended balances must be allocated as follows:

(a) 15% to municipalities in which a marihuana retail store or a marihuana microbusiness is located, allocated in proportion to the number of marihuana retail stores and marihuana microbusinesses within the municipality;

(b) 15% to counties in which a marihuana retail store or a marihuana microbusiness is located, allocated in proportion to the number of marihuana retail stores and marihuana microbusinesses within the county;

(c) 35% to the school aid fund to be used for K-12 education; and

(d) 35% to the Michigan transportation fund to be used for the repair and maintenance of roads and bridges.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27965 Violations; penalties.

Rendered Thursday, May 16, 2019

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Sec. 15. A person who commits any of the following acts, and is not otherwise authorized by this act to conduct such activities, may be punished only as provided in this section and is not subject to any other form of punishment or disqualification, unless the person consents to another disposition authorized by law:

1. Except for a person who engaged in conduct described in sections 4(1)(a), 4(1)(b), 4(1)(c), 4(1)(d), 4(1)(g), or 4(1)(h), a person who possesses not more than the amount of marihuana allowed by section 5, cultivates not more than the amount of marihuana allowed by section 5, delivers without receiving any remuneration to a person who is at least 21 years of age not more than the amount of marihuana allowed by section 5, or possesses with intent to deliver not more than the amount of marihuana allowed by section 5, is responsible for a civil infraction and may be punished by a fine of not more than \$100 and forfeiture of the marihuana.

2. Except for a person who engaged in conduct described in section 4, a person who possesses not more than twice the amount of marihuana allowed by section 5, cultivates not more than twice the amount of marihuana allowed by section 5, delivers without receiving any remuneration to a person who is at least 21 years of age not more than twice the amount of marihuana allowed by section 5, or possesses with intent to deliver not more than twice the amount of marihuana allowed by section 5:

(a) for a first violation, is responsible for a civil infraction and may be punished by a fine of not more than \$500 and forfeiture of the marihuana;

(b) for a second violation, is responsible for a civil infraction and may be punished by a fine of not more than \$1,000 and forfeiture of the marihuana;

(c) for a third or subsequent violation, is guilty of a misdemeanor and may be punished by a fine of not more than \$2,000 and forfeiture of the marihuana.

3. Except for a person who engaged in conduct described by section 4(1)(a), 4(1)(d), or 4(1)(g), a person under 21 years of age who possesses not more than 2.5 ounces of marihuana or who cultivates not more than 12 marihuana plants:

(a) for a first violation, is responsible for a civil infraction and may be punished as follows:

(1) if the person is less than 18 years of age, by a fine of not more than \$100 or community service, forfeiture of the marihuana, and completion of 4 hours of drug education or counseling; or

(2) if the person is at least 18 years of age, by a fine of not more than \$100 and forfeiture of the marihuana.

(b) for a second violation, is responsible for a civil infraction and may be punished as follows:

(1) if the person is less than 18 years of age, by a fine of not more than \$500 or community service, forfeiture of the marihuana, and completion of 8 hours of drug education or counseling; or

(2) if the person is at least 18 years of age, by a fine of not more than \$500 and forfeiture of the marihuana.

4. Except for a person who engaged in conduct described in section 4, a person who possesses more than twice the amount of marihuana allowed by section 5, cultivates more than twice the amount of marihuana allowed by section 5, or delivers without receiving any remuneration to a person who is at least 21 years of age more than twice the amount of marihuana allowed by section 5, shall be responsible for a misdemeanor, but shall not be subject to imprisonment unless the violation was habitual, willful, and for a commercial purpose or the violation involved violence.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27966 Failure to act by department; application to municipality.

Sec. 16. 1. If the department does not timely promulgate rules as required by section 8 of this act or accept or process applications in accordance with section 9 of this act, beginning one year after the effective date of this act, an applicant may submit an application for a marihuana establishment directly to the municipality where the marihuana establishment will be located.

2. If a marihuana establishment submits an application to a municipality under this section, the municipality shall issue a municipal license to the applicant within 90 days after receipt of the application unless the municipality finds and notifies the applicant that the applicant is not in compliance with an ordinance or rule adopted pursuant to this act.

3. If a municipality issues a municipal license pursuant to this section:

(a) the municipality shall notify the department that the municipal license has been issued;

(b) the municipal license has the same force and effect as a state license; and

(c) the holder of the municipal license is not subject to regulation or enforcement by the department during the municipal license term.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

333.27967 Construction of act; effect of federal law; severability.

Sec. 17. This act shall be broadly construed to accomplish its intent as stated in section 2 of this act. Nothing in this act purports to supersede any applicable federal law, except where allowed by federal law. All provisions of this act are self-executing. Any section of this act that is found invalid as to any person or circumstances shall not affect the application of any other section of this act that can be given full effect without the invalid section or application.

History: 2018, Initiated Law 1, Eff. Dec. 6, 2018.

Compiler's note: This new act was proposed by initiative petition pursuant to Const. 1963, art 2, section 9. The proposed language was certified to the legislature on April 26, 2018 with the 40-day consideration period lapsing on June 5, 2018. The initiative petition was submitted to the voters as proposal 18-1 at the November 6, 2018 general election where it was approved 2,356,422 for and 1,859,675 against.

MEDICAL MARIHUANA FACILITIES LICENSING ACT
Act 281 of 2016

AN ACT to license and regulate medical marihuana growers, processors, provisioning centers, secure transporters, and safety compliance facilities; to allow certain licensees to process, test, or sell industrial hemp; to provide for the powers and duties of certain state and local governmental officers and entities; to create a medical marihuana licensing board; to provide for interaction with the statewide monitoring system for commercial marihuana transactions; to create an advisory panel; to provide immunity from prosecution for marihuana-related offenses for persons engaging in certain activities in compliance with this act; to prescribe civil fines and sanctions and provide remedies; to provide for forfeiture of contraband; to provide for taxes, fees, and assessments; and to require the promulgation of rules.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018;—Am. 2018, Act 648, Eff. Mar. 28, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

The People of the State of Michigan enact:

PART 1. GENERAL PROVISIONS

333.27101 Short title.

Sec. 101. This act shall be known and may be cited as the "medical marihuana facilities licensing act".

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27102 Definitions.

Sec. 102. As used in this act:

- (a) "Advisory panel" or "panel" means the marihuana advisory panel created in section 801.
- (b) "Affiliate" means any person that controls, is controlled by, or is under common control with; is in a partnership or joint venture relationship with; or is a co-shareholder of a corporation, a co-member of a limited liability company, or a co-partner in a limited liability partnership with a licensee or applicant.
- (c) "Applicant" means a person who applies for a state operating license. Applicant includes, with respect to disclosures in an application, for purposes of ineligibility for a license under section 402, or for purposes of prior board approval of a transfer of interest under section 406, and only for applications submitted on or after January 1, 2019, a managerial employee of the applicant, a person holding a direct or indirect ownership interest of more than 10% in the applicant, and the following for each type of applicant:
 - (i) For an individual or sole proprietorship: the proprietor and spouse.
 - (ii) For a partnership and limited liability partnership: all partners and their spouses. For a limited partnership and limited liability limited partnership: all general and limited partners, not including a limited partner holding a direct or indirect ownership interest of 10% or less and who does not exercise control over or participate in the management of the partnership, and their spouses. For a limited liability company: all members and managers, not including a member holding a direct or indirect ownership interest of 10% or less and who does not exercise control over or participate in the management of the company, and their spouses.
 - (iii) For a privately held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, and all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.
 - (iv) For a publicly held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, and all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.
 - (v) For a multilevel ownership enterprise: any entity or person that receives or has the right to receive more than 10% of the gross or net profit from the enterprise during any full or partial calendar or fiscal year.
 - (vi) For a nonprofit corporation: all individuals and entities with membership or shareholder rights in accordance with the articles of incorporation or the bylaws and their spouses.
- (d) "Board" means the medical marihuana licensing board created in section 301.
- (e) "Cutting" means a section of a lead stem or root stock that is used for vegetative asexual propagation.

- (f) "Department" means the department of licensing and regulatory affairs.
- (g) "Grower" means a licensee that is a commercial entity located in this state that cultivates, dries, trims, or cures and packages marihuana for sale to a processor, provisioning center, or another grower.
- (h) "Industrial hemp" means that term as defined in section 7106 of the public health code, 1978 PA 368, MCL 333.7106.
- (i) "Industrial hemp research and development act" means the industrial hemp research and development act, 2014 PA 547.
- (j) "Licensee" means a person holding a state operating license.
- (k) "Marihuana" means that term as defined in section 7106 of the public health code, 1978 PA 368, MCL 333.7106.
- (l) "Marihuana facility" means a location at which a licensee is licensed to operate under this act.
- (m) "Marihuana plant" means any plant of the species *Cannabis sativa* L. Marihuana plant does not include industrial hemp.
- (n) "Marihuana-infused product" means a topical formulation, tincture, beverage, edible substance, or similar product containing any usable marihuana that is intended for human consumption in a manner other than smoke inhalation. Marihuana-infused product is not considered a food for purposes of the food law, 2000 PA 92, MCL 289.1101 to 289.8111.
- (o) "Marihuana tracking act" means the marihuana tracking act, 2016 PA 282, MCL 333.27901 to 333.27904.
- (p) "Michigan medical marihuana act" means the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430.
- (q) "Municipality" means a city, township, or village.
- (r) "Paraphernalia" means any equipment, product, or material of any kind that is designed for or used in growing, cultivating, producing, manufacturing, compounding, converting, storing, processing, preparing, transporting, injecting, smoking, ingesting, inhaling, or otherwise introducing into the human body, marihuana.
- (s) "Person" means an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, limited liability limited partnership, trust, or other legal entity.
- (t) "Plant" means any living organism that produces its own food through photosynthesis and has observable root formation or is in growth material.
- (u) "Processor" means a licensee that is a commercial entity located in this state that purchases marihuana from a grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer in packaged form to a provisioning center or another processor.
- (v) "Provisioning center" means a licensee that is a commercial entity located in this state that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a registered primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the Michigan medical marihuana act is not a provisioning center for purposes of this act.
- (w) "Registered primary caregiver" means a primary caregiver who has been issued a current registry identification card under the Michigan medical marihuana act.
- (x) "Registered qualifying patient" means a qualifying patient who has been issued a current registry identification card under the Michigan medical marihuana act or a visiting qualifying patient as that term is defined in section 3 of the Michigan medical marihuana act, MCL 333.26423.
- (y) "Registry identification card" means that term as defined in section 3 of the Michigan medical marihuana act, MCL 333.26423.
- (z) "Rules" means rules promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, by the department in consultation with the board to implement this act.
- (aa) "Safety compliance facility" means a licensee that is a commercial entity that takes marihuana from a marihuana facility or receives marihuana from a registered primary caregiver, tests the marihuana for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the marihuana facility.
- (bb) "Secure transporter" means a licensee that is a commercial entity located in this state that stores marihuana and transports marihuana between marihuana facilities for a fee.
- (cc) "Seed" means the fertilized, ungerminated, matured ovule, containing an embryo or rudimentary plant, of a marihuana plant that is flowering.
- (dd) "Seedling" means a marihuana plant that has germinated and has not flowered and is not harvestable.

(ee) "State operating license" or, unless the context requires a different meaning, "license" means a license that is issued under this act that allows the licensee to operate as 1 of the following, specified in the license:

- (i) A grower.
- (ii) A processor.
- (iii) A secure transporter.
- (iv) A provisioning center.
- (v) A safety compliance facility.

(ff) "Statewide monitoring system" or, unless the context requires a different meaning, "system" means an internet-based, statewide database established, implemented, and maintained by the department under the marihuana tracking act, that is available to licensees, law enforcement agencies, and authorized state departments and agencies on a 24-hour basis for all of the following:

- (i) Verifying registry identification cards.
- (ii) Tracking marihuana transfer and transportation by licensees, including transferee, date, quantity, and price.
- (iii) Verifying in commercially reasonable time that a transfer will not exceed the limit that the patient or caregiver is authorized to receive under section 4 of the Michigan medical marihuana act, MCL 333.26424.

(gg) "Tissue culture" means a marihuana plant cell, cutting, tissue, or organ, that is kept under a sterile condition on a nutrient culture medium of known composition and that does not have visible root formation. A tissue culture is not a marihuana plant for purposes of a grower.

(hh) "Usable marihuana" means the dried leaves, flowers, plant resin, or extract of the marihuana plant, but does not include the seeds, stalks, and roots of the plant.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018;—Am. 2018, Act 582, Eff. Jan. 1, 2019;—Am. 2018, Act 648, Eff. Mar. 28, 2019;—Am. 2019, Act 3, Imd. Eff. Apr. 16, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

PART 2. APPLICATION OF OTHER LAWS

333.27201 Protected activities; person owning or leasing property upon which marihuana facility located subject to penalties or sanctions prohibited; conditions; activities of certified public accountant or financial institution not subject to certain penalties or sanctions; other provisions of law inconsistent with act; definitions.

Sec. 201. (1) Except as otherwise provided in this act, if a person has been granted a state operating license and is operating within the scope of the license, the licensee and its agents are not subject to any of the following for engaging in activities described in subsection (2):

- (a) Criminal penalties under state law or local ordinances regulating marihuana.
- (b) State or local criminal prosecution for a marihuana-related offense.
- (c) State or local civil prosecution for a marihuana-related offense.
- (d) Search or inspection, except for an inspection authorized under this act by law enforcement officers, the municipality, or the department.
- (e) Seizure of marihuana, real property, personal property, or anything of value based on a marihuana-related offense.
- (f) Any sanction, including disciplinary action or denial of a right or privilege, by a business or occupational or professional licensing board or bureau based on a marihuana-related offense.

(2) The following activities are protected under subsection (1) if performed under a state operating license within the scope of that license and in accord with this act, rules, and any ordinance adopted under section 205:

- (a) Growing marihuana.
- (b) Purchasing, receiving, selling, transporting, or transferring marihuana from or to a licensee, a licensee's agent, a registered qualifying patient, or a registered primary caregiver.
- (c) Possessing marihuana.
- (d) Possessing or manufacturing marihuana paraphernalia for medical use.
- (e) Processing marihuana.
- (f) Transporting marihuana.
- (g) Testing, transferring, infusing, extracting, altering, or studying marihuana.
- (h) Receiving or providing compensation for products or services.

(3) Except as otherwise provided in this act, a person who owns or leases real property upon which a marihuana facility is located and who has no knowledge that the licensee violated this act is not subject to any of the following for owning, leasing, or permitting the operation of a marihuana facility on the real property:

- (a) Criminal penalties under state law or local ordinances regulating marihuana.
- (b) State or local civil prosecution based on a marihuana-related offense.
- (c) State or local criminal prosecution based on a marihuana-related offense.
- (d) Search or inspection, except for an inspection authorized under this act by law enforcement officers, the municipality, or the department.
- (e) Seizure of any real or personal property or anything of value based on a marihuana-related offense.
- (f) Any sanction, including disciplinary action or denial of a right or privilege, by a business or occupational or professional licensing board or bureau.

(4) Except as otherwise provided in this act, a certified public accountant who is licensed under article 7 of the occupational code, 1980 PA 299, MCL 339.720 to 339.736, is not subject to any of the following for engaging in the practice of public accounting as that term is defined in section 720 of the occupational code, 1980 PA 299, MCL 339.720, for an applicant or licensee who is in compliance with this act, rules, and the Michigan medical marihuana act:

- (a) Criminal penalties under state law or local ordinances regulating marihuana.
- (b) State or local civil prosecution based on a marihuana-related offense.
- (c) State or local criminal prosecution based on a marihuana-related offense.
- (d) Seizure of any real or personal property or anything of value based on a marihuana-related offense.
- (e) Any sanction, including disciplinary action or denial of a right or privilege, by a business or occupational or professional licensing board or bureau based on a marihuana-related offense.

(5) Except as otherwise provided in this act, a financial institution is not subject to any of the following for providing a financial service to a licensee under this act:

- (a) Criminal penalties under state law or local ordinances regulating marihuana.
- (b) State or local civil prosecution based on a marihuana-related offense.
- (c) State or local criminal prosecution based on a marihuana-related offense.
- (d) Seizure of any real or personal property or anything of value based on a marihuana-related offense.
- (e) Any sanction, including disciplinary action or denial of a right or privilege, by a business or occupational or professional licensing board or bureau based on a marihuana-related offense.

(6) For the purposes of regulating the commercial entities established under this act, any provisions of the following acts that are inconsistent with this act do not apply to a grower, processor, secure transporter, provisioning center, or safety compliance facility operating in compliance with this act:

- (a) The business corporation act, 1972 PA 284, MCL 450.1101 to 450.2098.
- (b) The nonprofit corporation act, 1982 PA 162, MCL 450.2101 to 450.3192.
- (c) 1931 PA 327, MCL 450.98 to 450.192.
- (d) The Michigan revised uniform limited partnership act, 1982 PA 213, MCL 449.1101 to 449.2108.
- (e) The Michigan limited liability company act, 1993 PA 23, MCL 450.4101 to 450.5200.
- (f) 1907 PA 101, MCL 445.1 to 445.5.
- (g) 1913 PA 164, MCL 449.101 to 449.106.
- (h) The uniform partnership act, 1917 PA 72, MCL 449.1 to 449.48.

(7) As used in this section:

- (a) "Financial institution" means any of the following:
 - (i) A state or national bank.
 - (ii) A state or federally chartered savings and loan association.
 - (iii) A state or federally chartered savings bank.
 - (iv) A state or federally chartered credit union.
 - (v) An insurance company.
 - (vi) An entity that offers any of the following to a resident of this state:
 - (A) A mutual fund account.
 - (B) A securities brokerage account.
 - (C) A money market account.
 - (D) A retail investment account.
 - (vii) An entity regulated by the Securities and Exchange Commission that collects funds from the public.
 - (viii) An entity that is a member of the National Association of Securities Dealers and that collects funds from the public.

(ix) Another entity that collects funds from the public.

(b) "Financial service" means a deposit; withdrawal; transfer between accounts; exchange of currency;

loan; extension of credit; purchase or sale of any stock, bond, certificate of deposit, or other monetary instrument; or any other payment, transfer, or delivery by, through, or to a financial institution, by whatever means effected.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27203 Registered qualifying patient or registered primary caregiver; criminal prosecution or sanctions prohibited; conditions.

Sec. 203. A registered qualifying patient or registered primary caregiver is not subject to criminal prosecution or sanctions for purchasing marihuana from a provisioning center if the quantity purchased is within the limits established under the Michigan medical marihuana act. A registered primary caregiver is not subject to criminal prosecution or sanctions for any transfer of 2.5 ounces or less of marihuana to a safety compliance facility for testing.

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27204 Medical purpose defense.

Sec. 204. This act does not limit the medical purpose defense provided in section 8 of the Michigan medical marihuana act, 2008 IL 1, MCL 333.26428, to any prosecution involving marihuana.

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27205 Marihuana facility; ordinance; requirements.

Sec. 205. (1) The board shall not issue a state operating license to an applicant unless the municipality in which the applicant's proposed marihuana facility will operate has adopted an ordinance that authorizes that type of facility. A municipality may adopt an ordinance to authorize 1 or more types of marihuana facilities within its boundaries and to limit the number of each type of marihuana facility. A municipality may adopt other ordinances relating to marihuana facilities within its jurisdiction, including zoning regulations, but shall not impose regulations regarding the purity or pricing of marihuana or interfering or conflicting with this act or rules for licensing marihuana facilities. A municipality that adopts an ordinance under this subsection that authorizes a marihuana facility shall provide the department with all of the following on a form prescribed and provided by the department:

(a) An attestation that the municipality has adopted an ordinance under this subsection that authorizes the marihuana facility.

(b) A description of any zoning regulations that apply to the proposed marihuana facility within the municipality.

(c) The signature of the clerk of the municipality or his or her designee.

(d) Any other information required by the department.

(2) A municipal ordinance may establish an annual, nonrefundable fee of not more than \$5,000.00 to help defray administrative and enforcement costs associated with the operation of a marihuana facility in the municipality.

(3) The department may require a municipality to provide the following information to the department on a form prescribed and provided by the department regarding a licensee who submits an application for license renewal:

(a) Information that the board declares necessary to determine whether the licensee's license should be renewed.

(b) A description of a violation of an ordinance or a zoning regulation adopted under subsection (1) committed by the licensee, but only if the violation relates to activities licensed under this act and rules or the Michigan medical marihuana act.

(c) Whether there has been a change to an ordinance or a zoning regulation adopted under subsection (1) since the license was issued to the licensee and a description of the change.

(4) Information a municipality obtains from an applicant under this section is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. Except as otherwise provided in this subsection, information a municipality provides to the department under this section is subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marijuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27206 Rules.

Sec. 206. The department, in consultation with the board, shall promulgate rules and emergency rules as necessary to implement, administer, and enforce this act. The rules must ensure the safety, security, and integrity of the operation of marijuana facilities, and must include rules to do the following:

- (a) Set appropriate standards for marijuana facilities and associated equipment.
- (b) Subject to section 408, establish minimum levels of insurance that licensees must maintain.
- (c) Establish operating regulations for each category of license to ensure the health, safety, and security of the public and the integrity of marijuana facility operations.
- (d) Establish qualifications and restrictions for persons participating in or involved with operating marijuana facilities.
- (e) Establish testing standards, procedures, and requirements for marijuana sold through provisioning centers.
- (f) Provide for the levy and collection of fines for a violation of this act or rules.
- (g) Prescribe use of the statewide monitoring system to track all marijuana transfers, as provided in the marijuana tracking act and this act, and provide for a funding mechanism to support the system.
- (h) Establish quality control standards, procedures, and requirements for marijuana facilities.
- (i) Establish chain of custody standards, procedures, and requirements for marijuana facilities.
- (j) Establish standards, procedures, and requirements for waste product disposal and storage by marijuana facilities.
- (k) Establish chemical storage standards, procedures, and requirements for marijuana facilities.
- (l) Establish standards, procedures, and requirements for securely and safely transporting marijuana between marijuana facilities.
- (m) Establish standards, procedures, and requirements for the storage of marijuana by marijuana facilities.
- (n) Establish labeling and packaging standards, procedures, and requirements for marijuana sold or transferred through provisioning centers, including a prohibition on labeling or packaging that is intended to appeal to or has the effect of appealing to minors.
- (o) Establish daily and monthly purchasing limits at provisioning centers for registered qualifying patients and registered primary caregivers to ensure compliance with the Michigan medical marijuana act.
- (p) Establish marketing and advertising restrictions for marijuana products and marijuana facilities.
- (q) Establish maximum tetrahydrocannabinol levels for marijuana-infused products sold or transferred through provisioning centers.
- (r) Establish health standards to ensure the safe preparation of products containing marijuana that are intended for human consumption in a manner other than smoke inhalation.
- (s) Establish restrictions on edible marijuana-infused products to prohibit shapes that would appeal to minors.
- (t) Establish standards, procedures, and requirements for the sale of industrial hemp from a provisioning center to a registered qualified patient. The rules promulgated under this subdivision must be promulgated before March 1, 2019.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018;—Am. 2018, Act 648, Eff. Mar. 28, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marijuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27207 Third-party inventory control and tracking system; exception for statewide monitoring system.

Sec. 207. (1) Except as otherwise provided in subsection (2), a licensee shall adopt and use a third-party inventory control and tracking system that is capable of interfacing with the statewide monitoring system to allow the licensee to enter or access information in the statewide monitoring system as required under this act

and rules. The third-party inventory control and tracking system must have all of the following capabilities necessary for the licensee to comply with the requirements applicable to the licensee's license type:

(a) Tracking all marihuana plants, products, packages, patient and primary caregiver purchase totals, waste, transfers, conversions, sales, and returns that are linked to unique identification numbers.

(b) Tracking lot and batch information throughout the entire chain of custody.

(c) Tracking all products, conversions, and derivatives throughout the entire chain of custody.

(d) Tracking marihuana plant, batch, and product destruction.

(e) Tracking transportation of product.

(f) Performing complete batch recall tracking that clearly identifies all of the following details relating to the specific batch subject to the recall:

(i) Sold product.

(ii) Product inventory that is finished and available for sale.

(iii) Product that is in the process of transfer.

(iv) Product being processed into another form.

(v) Postharvest raw product, such as product that is in the drying, trimming, or curing process.

(g) Reporting and tracking loss, theft, or diversion of product containing marihuana.

(h) Reporting and tracking all inventory discrepancies.

(i) Reporting and tracking adverse patient responses or dose-related efficacy issues.

(j) Reporting and tracking all sales and refunds.

(k) Electronically receiving and transmitting information as required under this act, the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430, and the marihuana tracking act.

(l) Receiving testing results electronically from a safety compliance facility via a secured application program interface into the system and directly linking the testing results to each applicable source batch and sample.

(m) Identifying test results that may have been altered.

(n) Providing the licensee with access to information in the tracking system that is necessary to verify that the licensee is carrying out the marihuana transactions authorized under the licensee's license in accordance with this act.

(o) Providing information to cross-check that product sales are made to a registered qualifying patient or a registered primary caregiver on behalf of a registered qualifying patient and that the product received the required testing.

(p) Providing the department and state agencies with access to information in the database that they are authorized to access.

(q) Providing law enforcement agencies with access to only the information in the database that is necessary to verify that an individual possesses a valid and current registry identification card.

(r) Providing licensees with access only to the information in the system that they are required to receive before a sale, transfer, transport, or other activity authorized under a license issued under this act.

(s) Securing the confidentiality of information in the database by preventing access by a person who is not authorized to access the statewide monitoring system or is not authorized to access the particular information.

(t) Providing analytics to the department regarding key performance indicators such as the following:

(i) Total daily sales.

(ii) Total marihuana plants in production.

(iii) Total marihuana plants destroyed.

(iv) Total inventory adjustments.

(2) If the statewide monitoring system is capable of allowing a licensee to access or enter information into the statewide monitoring system without use of a third-party inventory control and tracking system, a licensee may access or enter information into the statewide monitoring system directly and the licensee is not required to adopt and use a third-party inventory control and tracking system.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 582, Eff. Jan. 1, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27208 Marihuana facility and property; examination by local and state police.

Sec. 208. A marihuana facility and all articles of property in that facility are subject to examination at any time by a local police agency or the department of state police.

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

PART 3. MEDICAL MARIHUANA LICENSING BOARD

333.27301 Medical marihuana licensing board; creation; membership; appointment; terms; vacancy; reimbursement for expenses; other public office; eligibility; removal of member; appointment and employment limitations; financial disclosure statement; direct or indirect interest.

Sec. 301. (1) The medical marihuana licensing board is created within the department of licensing and regulatory affairs.

(2) The board consists of 5 members who are residents of this state, not more than 3 of whom are members of the same political party. The governor shall appoint the members. One of the members shall be appointed from 3 nominees submitted by the senate majority leader and 1 from 3 nominees submitted by the speaker of the house. The governor shall designate 1 of the members as chairperson.

(3) The members shall be appointed for terms of 4 years, except, of those who are first appointed, 1 member shall be appointed for a term of 2 years and 2 members shall be appointed for a term of 3 years. A member's term expires on December 31 of the last year of the member's term. If a vacancy occurs, the governor shall appoint a successor to fill the unexpired term in the manner of the original appointment.

(4) Each member of the board shall be reimbursed for all actual and necessary expenses and disbursements incurred in carrying out official duties.

(5) A board member shall not hold any other public office for which he or she receives compensation other than necessary travel or other incidental expenses.

(6) A person who is not of good moral character or who has been indicted for, charged with, or convicted of, pled guilty or nolo contendere to, or forfeited bail concerning any felony or a misdemeanor involving a controlled substance violation, theft, dishonesty, or fraud under the laws of this state, any other state, or the United States or a local ordinance in any state involving a controlled substance violation, dishonesty, theft, or fraud that substantially corresponds to a misdemeanor in that state is not eligible to serve on the board.

(7) The governor may remove any member of the board for neglect of duty, misfeasance, malfeasance, nonfeasance, or any other just cause.

(8) The board shall not appoint or employ an individual if any of the following circumstances exist:

(a) During the 3 years immediately preceding appointment or employment, the individual held any direct or indirect interest in, or was employed by, a person who is licensed to operate under this act or under a corresponding license in another jurisdiction or a person with an application for an operating license pending before the board or in any other jurisdiction. The board shall not employ an individual who has a direct or indirect interest in a licensee or a marihuana facility.

(b) The individual or his or her spouse, parent, child, child's spouse, sibling, or spouse of a sibling has an application for a license pending before the board or is a member of the board of directors of, or an individual financially interested in, any licensee or marihuana facility.

(9) Each member of the board and each key employee as determined by the department shall file with the governor a financial disclosure statement listing all assets and liabilities, property and business interests, and sources of income of the member and key employee and his or her spouse, if any, affirming that the member and key employee are in compliance with subsection (8)(a) and (b). The financial disclosure statement shall be made under oath and filed at the time of employment and annually thereafter.

(10) Each employee of the board shall file with the board a financial disclosure statement listing all assets and liabilities, property and business interests, and sources of income of the employee and his or her spouse. This subsection does not apply to a key employee.

(11) A member of the board or key employee shall not hold any direct or indirect interest in, be employed by, or enter into a contract for services with an applicant, a board licensee, or a marihuana facility for a period of 4 years after the date his or her employment or membership on the board terminates. The department in consultation with the board shall define the term "direct or indirect interest" by rule.

(12) For 2 years after the date his or her employment with the board is terminated, an employee of the board shall not acquire any direct or indirect interest in, be employed by, or enter into a contract for services with any applicant, licensee, or marihuana facility.

(13) For 2 years after the termination of his or her office or employment with the board, a board member or an individual employed by the board shall not represent any person or party other than this state before or against the board.

(14) A business entity in which a former board member or employee or agent has an interest, or any partner, officer, or employee of the business entity, shall not make any appearance or represent a party that the former member, employee, or agent is prohibited from appearing for or representing. As used in this subsection, "business entity" means a corporation, limited liability company, partnership, limited liability partnership, association, trust, or other form of legal entity.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 582, Eff. Jan. 1, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marijuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27302 Board; duties.

Sec. 302. The board has general responsibility for implementing this act. The board has the powers and duties specified in this act and all other powers necessary and proper to fully and effectively implement and administer this act for the purpose of licensing, regulating, and enforcing the licensing and regulation system established under this act for marijuana growth, processing, testing, and transporting. The board is subject to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. The board's duties include all of the following:

- (a) Granting or denying each application for a state operating license within a reasonable time.
- (b) Deciding all license applications in reasonable order.
- (c) Conducting its public meetings in compliance with the open meetings act, 1976 PA 267, MCL 15.231 to 15.246.
- (d) Consulting with the department in promulgating rules and emergency rules as necessary to implement, administer, and enforce this act. The board shall not promulgate a rule establishing a limit on the number or type of marijuana facility licenses that may be granted.
- (e) Implementing and collecting the application fee described in section 401 and, in conjunction with the department of treasury, the tax described in section 601 and regulatory assessment described in section 603.
- (f) Providing for the levy and collection of fines for a violation of this act or rules.
- (g) Providing oversight of a marijuana facility through the board's inspectors, agents, and auditors and through the state police or attorney general for the purpose of certifying the revenue, receiving complaints from the public, or conducting investigations into the operation of the marijuana facility as the board considers necessary and proper to ensure compliance with this act and rules and to protect and promote the overall safety, security, and integrity of the operation of a marijuana facility.
- (h) Providing oversight of marijuana facilities to ensure that marijuana-infused products meet health and safety standards that protect the public to a degree comparable to state and federal standards applicable to similar food and drugs.
- (i) Reviewing and ruling on any complaint by a licensee regarding any investigative procedures of this state that are believed to be unnecessarily disruptive of marijuana facility operations. The need to inspect and investigate is presumed at all times. The board may delegate authority to hear, review, or rule on licensee complaints to a subcommittee of the board. To prevail on the complaint, a licensee must establish by a preponderance of the evidence that the procedures unreasonably disrupted its marijuana facility operations.
- (j) Holding at least 2 public meetings each year. Upon 72 hours' written notice to each member, the chairperson or any 2 board members may call a special meeting. Three members of the board constitute a quorum, including when making determinations on an application for a license. Three votes are required in support of final determinations of the board on applications for licenses and all other licensing determinations, except that 4 votes are required in support of a determination to suspend or revoke a license. The board shall keep a complete and accurate record of all of its meetings and hearings. Upon order of the board, 1 of the board members or a hearing officer designated by the board may conduct any hearing provided for under this act or by rules and may recommend findings and decisions to the board. The board member or hearing officer conducting the hearing has all powers and rights regarding the conduct of hearings granted to the board under this act. The record made at the time of the hearing shall be reviewed by the board or a majority of the board, and the findings and decision of the majority of the board are the order of the board in the case.
- (k) Maintaining records that are separate and distinct from the records of any other state board. The records shall be made available for public inspection subject to the limitations of this act and shall accurately reflect all board proceedings.
- (l) Reviewing the patterns of marijuana transfers by the licensees under this act as recorded in a statewide database established for use in administering and enforcing this act and making recommendations to the governor and the legislature in a written annual report to the governor and the legislature and additional

reports that the governor requests. The annual report shall be submitted by April 15 of each year and shall include the report required under section 702, a statement of receipts and disbursements by the board, the actions taken by the board, and any additional information and recommendations that the board considers appropriate or that the governor requests.

(m) Except as otherwise provided in this act, all information, records, interviews, reports, statements, memoranda, or other data supplied to or used by the board are subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, except for the following:

(i) Unless presented during a public hearing or requested by the licensee or applicant who is the sole subject of the data, all of the information, records, interviews, reports, statements, memoranda, or other data supplied to, created by, or used by the board related to background investigation of applicants or licensees and to trade secrets, internal controls, and security measures of the licensees or applicants.

(ii) All information, records, interviews, reports, statements, memoranda, or other data supplied to or used by the board that have been received from another jurisdiction or local, state, or federal agency under a promise of confidentiality or if the release of the information is otherwise barred by the statutes, rules, or regulations of that jurisdiction or agency or by an intergovernmental agreement.

(iii) All information in the statewide monitoring system.

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27303 Board; powers.

Sec. 303. (1) The board has jurisdiction over the operation of all marihuana facilities. The board has all powers necessary and proper to fully and effectively oversee the operation of marihuana facilities, including the authority to do all of the following:

(a) Investigate applicants for state operating licenses, determine the eligibility for licenses, and grant licenses to applicants in accordance with this act and the rules.

(b) Investigate all individuals employed by marihuana facilities.

(c) At any time, through its investigators, agents, auditors, or the state police, without a warrant and without notice to the licensee, enter the premises, offices, facilities, or other places of business of a licensee, if evidence of compliance or noncompliance with this act or rules is likely to be found and consistent with constitutional limitations, for the following purposes:

(i) To inspect and examine all premises of marihuana facilities.

(ii) To inspect, examine, and audit relevant records of the licensee and, if the licensee fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and videotapes, including electronically stored records, money receptacles, or equipment in which the records are stored.

(iii) To inspect the person, and inspect or examine personal effects present in a marihuana facility, of any holder of a state operating license while that person is present in a marihuana facility.

(iv) To investigate alleged violations of this act or rules.

(d) Investigate alleged violations of this act or rules and take appropriate disciplinary action against a licensee.

(e) Consult with the department in adopting rules to establish appropriate standards for marihuana facilities and associated equipment.

(f) Require all relevant records of licensees, including financial or other statements, to be kept on the premises authorized for operation of the marihuana facility of the licensee or in the manner prescribed by the board.

(g) Require that each licensee of a marihuana facility submit to the board a list of the stockholders or other persons having a 1% or greater beneficial interest in the facility in addition to any other information the board considers necessary to effectively administer this act and rules, orders, and final decisions made under this act.

(h) Eject, or exclude or authorize the ejection or exclusion of, an individual from a marihuana facility if the individual violates this act, rules, or final orders of the board. However, the propriety of the ejection or exclusion is subject to a subsequent hearing by the board.

(i) Conduct periodic audits of marihuana facilities licensed under this act.

(j) Consult with the department as to appropriate minimum levels of insurance for licensees in addition to the minimum established under section 408 for liability insurance.

(k) Delegate the execution of any of its powers that are not specifically and exclusively reserved to the board under this act for the purpose of administering and enforcing this act and rules.

(l) Take disciplinary action as the board considers appropriate to prevent practices that violate this act and rules.

(m) Review a licensee if that licensee is under review or the subject of discipline by a regulatory body in any other jurisdiction for a violation of a controlled substance or marihuana law or regulation in that jurisdiction.

(n) Take any other reasonable or appropriate action to enforce this act and rules.

(2) The board may seek and shall receive the cooperation and assistance of the department of state police in conducting background investigations of applicants and in fulfilling its responsibilities under this act. The department of state police may recover its costs of cooperation under this subsection.

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27305 Board; disclosure form; providing certain notices to chairperson; ex parte communication; outside employment; personal transaction involving marihuana with licensee or applicant; violation.

Sec. 305. (1) By January 31 of each year, each member of the board shall prepare and file with the governor's office and the board a disclosure form in which the member does all of the following:

(a) Affirms that the member or the member's spouse, parent, child, or child's spouse is not a member of the board of directors of, financially interested in, or employed by a licensee or applicant.

(b) Affirms that the member continues to meet any other criteria for board membership under this act or the rules promulgated by the board.

(c) Discloses any legal or beneficial interests in any real property that is or that may be directly or indirectly involved with operations authorized by this act.

(d) Discloses any other information as may be required to ensure that the integrity of the board and its work is maintained.

(2) By January 31 of each year, each employee of the board shall prepare and file with the board an employee disclosure form in which the employee does all of the following:

(a) Affirms the absence of financial interests prohibited by this act.

(b) Discloses any legal or beneficial interests in any real property that is or that may be directly or indirectly involved with operations authorized by this act.

(c) Discloses whether the employee or the employee's spouse, parent, child, or child's spouse is financially interested in or employed by a licensee or an applicant for a license under this act.

(d) Discloses such other matters as may be required to ensure that the integrity of the board and its work is maintained.

(3) A member, employee, or agent of the board who becomes aware that the member, employee, or agent of the board or his or her spouse, parent, or child is a member of the board of directors of, financially interested in, or employed by a licensee or an applicant shall immediately provide detailed written notice thereof to the chairperson.

(4) A member, employee, or agent of the board who within the previous 10 years has been indicted for, charged with, or convicted of, pled guilty or nolo contendere to, or forfeited bail concerning a misdemeanor involving controlled substances, dishonesty, theft, or fraud or a local ordinance in any state involving controlled substances, dishonesty, theft, or fraud that substantially corresponds to a misdemeanor in that state, or a felony under Michigan law, the laws of any other state, or the laws of the United States or any other jurisdiction shall immediately provide detailed written notice of the conviction or charge to the chairperson.

(5) Any member, employee, or agent of the board who is negotiating for, or acquires by any means, any interest in any person who is a licensee or an applicant, or any person affiliated with such a person, shall immediately provide written notice of the details of the interest to the chairperson. The member, employee, or agent of the board shall not act on behalf of the board with respect to that person.

(6) A member, employee, or agent of the board shall not enter into any negotiations for employment with any person or affiliate of any person who is a licensee or an applicant and shall immediately provide written notice of the details of any such negotiations or discussions in progress to the chairperson. The member, employee, or agent of the board shall not take action on behalf of the board with respect to that person.

(7) Any member, employee, or agent of the board who receives an invitation, written or oral, to initiate a

discussion concerning employment or the possibility of employment with a person or affiliate of a person who is a licensee or an applicant shall immediately report that he or she received the invitation to the chairperson. The member, employee, or agent of the board shall not take action on behalf of the board with respect to the person.

(8) A licensee or applicant shall not knowingly initiate a negotiation for or discussion of employment with a member, employee, or agent of the board. A licensee or applicant who initiates a negotiation or discussion about employment shall immediately provide written notice of the details of the negotiation or discussion to the chairperson as soon as he or she becomes aware that the negotiation or discussion has been initiated with a member, employee, or agent of the board.

(9) A member, employee, or agent of the board, or former member, employee, or agent of the board, shall not disseminate or otherwise disclose any material or information in the possession of the board that the board considers confidential unless specifically authorized to do so by the chairperson or the board.

(10) A member, employee, or agent of the board or a parent, spouse, sibling, spouse of a sibling, child, or spouse of a child of a member, employee, or agent of the board shall not accept any gift, gratuity, compensation, travel, lodging, or anything of value, directly or indirectly, from any licensee or any applicant or affiliate or representative of a licensee or applicant, unless the acceptance conforms to a written policy or directive that is issued by the chairperson or the board. Any member, employee, or agent of the board who is offered or receives any gift, gratuity, compensation, travel, lodging, or anything of value, directly or indirectly, from any licensee or any applicant or affiliate or representative of an applicant or licensee shall immediately provide written notification of the details to the chairperson.

(11) A licensee or applicant, or an affiliate or representative of an applicant or licensee, shall not, directly or indirectly, give or offer to give any gift, gratuity, compensation, travel, lodging, or anything of value to any member, employee, or agent of the board that the member, employee, or agent of the board is prohibited from accepting under subsection (10).

(12) A member, employee, or agent of the board shall not engage in any conduct that constitutes a conflict of interest and shall immediately advise the chairperson in writing of the details of any incident or circumstances that would present the existence of a conflict of interest with respect to performing board-related work or duties.

(13) A member, employee, or agent of the board who is approached and offered a bribe as described in section 118 of the Michigan penal code, 1931 PA 328, MCL 750.118, or this act shall immediately provide written account of the details of the incident to the chairperson and to a law enforcement officer of a law enforcement agency having jurisdiction.

(14) A member, employee, or agent of the board shall disclose his or her past involvement with any marihuana enterprise in the past 5 years and shall not engage in political activity or politically related activity during the duration of his or her appointment or employment.

(15) A former member, employee, or agent of the board may appear before the board as a fact witness about matters or actions handled by the member, employee, or agent during his or her tenure as a member, employee, or agent of the board. The member, employee, or agent of the board shall not receive compensation for such an appearance other than a standard witness fee and reimbursement for travel expenses as established by statute or court rule.

(16) A licensee or applicant or any affiliate or representative of an applicant or licensee shall not engage in ex parte communications with a member of the board. A member of the board shall not engage in any ex parte communications with a licensee or an applicant or with any affiliate or representative of an applicant or licensee.

(17) Any board member, licensee, or applicant or affiliate or representative of a board member, licensee, or applicant who receives any ex parte communication in violation of subsection (16), or who is aware of an attempted communication in violation of subsection (16), shall immediately report details of the communication or attempted communication in writing to the chairperson.

(18) Any member of the board who receives an ex parte communication in an attempt to influence that member's official action shall disclose the source and content of the communication to the chairperson. The chairperson may investigate or initiate an investigation of the matter with the assistance of the attorney general and state police to determine if the communication violates subsection (16) or subsection (17) or other state law. The disclosure under this section and the investigation are confidential. Following an investigation, the chairperson shall advise the governor or the board, or both, of the results of the investigation and may recommend action as the chairperson considers appropriate. If the chairperson receives such an ex parte communication, he or she shall report the communication to the governor's office for appropriate action.

(19) A new or current employee or agent of the board shall obtain written permission from the director of the department or his or her designee before continuing outside employment held at the time the employee

begins to work for the board. Permission shall be denied, or permission previously granted shall be revoked, if the director of the department or his or her designee considers the nature of the work to create a possible conflict of interest or if it would otherwise interfere with the duties of the employee or agent for the board.

(20) An employee or agent of the board granted permission for outside employment shall not conduct any business or perform any activities, including solicitation, related to outside employment on premises used by the board or during the employee's working hours for the board.

(21) The chairperson shall report any action he or she has taken or proposes to take under this section with respect to an employee or agent or former employee or former agent to the board at the next meeting of the board.

(22) Except as allowed under the Michigan medical marihuana act, a member, employee, or agent of the board shall not enter into any personal transaction involving marihuana with a licensee or applicant.

(23) If a licensee or applicant, or an affiliate or representative of a licensee or applicant, violates this section, the board may deny a license application, revoke or suspend a license, or take other disciplinary action as provided in section 407.

(24) Violation of this section by a member of the board may result in disqualification or constitute cause for removal under section 301(7) or other disciplinary action as recommended by the board to the governor.

(25) A violation of this section by an employee or agent of the board need not result in termination of employment if the board determines that the conduct involved does not violate the purpose of this act. However, all of the following apply:

(a) If, after being offered employment or beginning employment with the board, the employee or agent intentionally acquires a financial interest in a licensee or an applicant, or an affiliate or representative of a licensee or applicant, the offer or employment with the board shall be terminated.

(b) If a financial interest in a licensee or an applicant, or an affiliate or representative of a licensee or applicant, is acquired by an employee or agent that has been offered employment with the board, an employee of the board, or the employee's or agent's spouse, parent, or child, through no intentional action of the employee or agent, the individual shall have up to 30 days to divest or terminate the financial interest. Employment may be terminated if the interest has not been divested after 30 days.

(c) Employment shall be terminated if the employee or agent is a spouse, parent, child, or spouse of a child of a board member.

(26) Violation of this section does not create a civil cause of action.

(27) As used in this section:

(a) "Outside employment", in addition to employment by a third party, includes, but is not limited to, the following:

(i) Operation of a proprietorship.

(ii) Participation in a partnership or group business enterprise.

(iii) Performance as a director or corporate officer of any for-profit or nonprofit corporation or banking or credit institution.

(iv) Performance as a manager of a limited liability company.

(b) "Political activity" or "politically related activity" includes all of the following:

(i) Using his or her official authority or influence for the purpose of interfering with or affecting the result of an election.

(ii) Knowingly soliciting, accepting, or receiving a political contribution from any person.

(iii) Running for the nomination or as a candidate for election to a partisan political office.

(iv) Knowingly soliciting or discouraging the participation in any political activity of any person who is either of the following:

(A) Applying for any compensation, grant, contract, ruling, license, permit, or certificate pending before the board.

(B) The subject of or a participant in an ongoing audit, investigation, or enforcement action being carried out by the board.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 582, Eff. Jan. 1, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

PART 4. LICENSING

333.27401 Licensure; application; background investigation; consent to inspections,

examinations, searches, and seizures; disclosure of confidential records; interest in other state operating license; fee; additional costs; notification to municipality.

Sec. 401. (1) Beginning December 15, 2017, a person may apply to the board for state operating licenses in the categories of class A, B, or C grower; processor; provisioning center; secure transporter; and safety compliance facility as provided in this act. The application shall be made under oath on a form provided by the board and shall contain information as prescribed by the board, including, but not limited to, all of the following:

(a) The name, business address, business telephone number, Social Security number, and, if applicable, federal tax identification number of the applicant.

(b) The identity of every person having any ownership interest in the applicant with respect to which the license is sought. If the disclosed entity is a trust, the application shall disclose the names and addresses of the beneficiaries; if a privately held corporation, the names and addresses of all shareholders, officers, and directors; if a publicly held corporation, the names and addresses of all shareholders holding a direct or indirect interest of greater than 5%, officers, and directors; if a partnership or limited liability partnership, the names and addresses of all partners; if a limited partnership or limited liability limited partnership, the names of all partners, both general and limited; or if a limited liability company, the names and addresses of all members and managers.

(c) An identification of any business that is directly or indirectly involved in the growing, processing, testing, transporting, or sale of marihuana, including, if applicable, the state of incorporation or registration, in which an applicant or, if the applicant is an individual, the applicant's spouse, parent, or child has any equity interest. If an applicant is a corporation, partnership, or other business entity, the applicant shall identify any other corporation, partnership, or other business entity that is directly or indirectly involved in the growing, processing, testing, transporting, or sale of marihuana in which it has any equity interest, including, if applicable, the state of incorporation or registration. An applicant may comply with this subdivision by filing a copy of the applicant's registration with the Securities and Exchange Commission if the registration contains the information required by this subdivision.

(d) Whether an applicant has been indicted for, charged with, arrested for, or convicted of, pled guilty or nolo contendere to, forfeited bail concerning any criminal offense under the laws of any jurisdiction, either felony or controlled-substance-related misdemeanor, not including traffic violations, regardless of whether the offense has been reversed on appeal or otherwise, including the date, the name and location of the court, arresting agency, and prosecuting agency, the case caption, the docket number, the offense, the disposition, and the location and length of incarceration.

(e) Whether an applicant has ever applied for or has been granted any commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been denied, restricted, suspended, revoked, or not renewed and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.

(f) Whether an applicant has filed, or been served with, a complaint or other notice filed with any public body, regarding the delinquency in the payment of, or a dispute over the filings concerning the payment of, any tax required under federal, state, or local law, including the amount, type of tax, taxing agency, and time periods involved.

(g) A statement listing the names and titles of all public officials or officers of any unit of government, and the spouses, parents, and children of those public officials or officers, who, directly or indirectly, own any financial interest in, have any beneficial interest in, are the creditors of or hold any debt instrument issued by, or hold or have any interest in any contractual or service relationship with an applicant. As used in this subdivision, public official or officer does not include a person who would have to be listed solely because of his or her state or federal military service.

(h) A description of the type of marihuana facility; anticipated or actual number of employees; and projected or actual gross receipts.

(i) Financial information in the manner and form prescribed by the board.

(j) A paper copy or electronic posting website reference for the ordinance or zoning restriction that the municipality adopted to authorize or restrict operation of 1 or more marihuana facilities in the municipality.

(k) A copy of the notice informing the municipality by registered mail that the applicant has applied for a license under this act. The applicant shall also certify that it has delivered the notice to the municipality or will do so by 10 days after the date the applicant submits the application for a license to the board.

(l) Any other information the department requires by rule.

(2) The board shall use information provided on the application as a basis to conduct a thorough

background investigation on the applicant. A false application is cause for the board to deny a license. The board shall not consider an incomplete application but shall, within a reasonable time, return the application to the applicant with notification of the deficiency and instructions for submitting a corrected application. Information the board obtains from the background investigation is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(3) An applicant must provide written consent to the inspections, examinations, searches, and seizures provided for in section 303(1)(c)(i) to (iv) and to disclosure to the board and its agents of otherwise confidential records, including tax records held by any federal, state, or local agency, or credit bureau or financial institution, while applying for or holding a license. Information the board receives under this subsection is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(4) An applicant must certify that the applicant does not have an interest in any other state operating license that is prohibited under this act.

(5) A nonrefundable application fee must be paid at the time of filing to defray the costs associated with the background investigation conducted by the board. The department in consultation with the board shall set the amount of the application fee for each category and class of license by rule. If the costs of the investigation and processing the application exceed the application fee, the applicant shall pay the additional amount to the board. All information, records, interviews, reports, statements, memoranda, or other data supplied to or used by the board in the course of its review or investigation of an application for a license under this act shall be disclosed only in accordance with this act. The information, records, interviews, reports, statements, memoranda, or other data are not admissible as evidence or discoverable in any action of any kind in any court or before any tribunal, board, agency, or person, except for any action considered necessary by the board.

(6) By 10 days after the date the applicant submits an application to the board, the applicant shall notify the municipality by registered mail that it has applied for a license under this act.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 582, Eff. Jan. 1, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27402 License; issuance; ineligibility; circumstances; other considerations granting license; fingerprint processing fee; criminal history check; requirements applicable to fingerprints; definitions; review of application; informing applicant of decision; issuance; duration; renewal; notice; expiration; consent to inspections; examinations, searches, and seizures; information required to be provided by applicant.

Sec. 402. (1) The board shall issue a license to an applicant who submits a complete application and pays both the nonrefundable application fee required under section 401(5) and the regulatory assessment established by the board for the first year of operation, if the board determines that the applicant is qualified to receive a license under this act.

(2) An applicant is ineligible to receive a license if any of the following circumstances exist:

(a) The applicant has been convicted of or released from incarceration for a felony under the laws of this state, any other state, or the United States within the past 10 years or has been convicted of a controlled substance-related felony within the past 10 years.

(b) Within the past 5 years the applicant has been convicted of a misdemeanor involving a controlled substance, theft, dishonesty, or fraud in any state or been found responsible for violating a local ordinance in any state involving a controlled substance, dishonesty, theft, or fraud that substantially corresponds to a misdemeanor in that state.

(c) The applicant has knowingly submitted an application for a license under this act that contains false information.

(d) The applicant is a member of the board.

(e) The applicant fails to demonstrate the applicant's ability to maintain adequate premises liability and casualty insurance for its proposed marihuana facility.

(f) The applicant holds an elective office of a governmental unit of this state, another state, or the federal government; is a member of or employed by a regulatory body of a governmental unit in this state, another state, or the federal government; or is employed by a governmental unit of this state. This subdivision does not apply to an elected officer of or employee of a federally recognized Indian tribe or to an elected precinct delegate.

- (g) The board determines that the applicant is not in compliance with section 205(1).
- (h) The applicant fails to meet other criteria established by rule.
- (3) In determining whether to grant a license to an applicant, the board may also consider all of the following:
 - (a) The integrity, moral character, and reputation; personal and business probity; financial ability and experience; and responsibility or means to operate or maintain a marihuana facility of the applicant and of any other person that meets either of the following:
 - (i) Controls, directly or indirectly, the applicant.
 - (ii) Is controlled, directly or indirectly, by the applicant or by a person who controls, directly or indirectly, the applicant.
 - (b) The financial ability of the applicant to purchase and maintain adequate liability and casualty insurance.
 - (c) The sources and total amount of the applicant's capitalization to operate and maintain the proposed marihuana facility.
 - (d) Whether the applicant has been indicted for, charged with, arrested for, or convicted of, pled guilty or nolo contendere to, forfeited bail concerning, or had expunged any relevant criminal offense under the laws of any jurisdiction, either felony or misdemeanor, not including traffic violations, regardless of whether the offense has been expunged, pardoned, or reversed on appeal or otherwise.
 - (e) Whether the applicant has filed, or had filed against it, a proceeding for bankruptcy within the past 7 years.
 - (f) Whether the applicant has been served with a complaint or other notice filed with any public body regarding payment of any tax required under federal, state, or local law that has been delinquent for 1 or more years.
 - (g) Whether the applicant has a history of noncompliance with any regulatory requirements in this state or any other jurisdiction.
 - (h) Whether at the time of application the applicant is a defendant in litigation involving its business practices.
 - (i) Whether the applicant meets other standards in rules applicable to the license category.
- (4) Each applicant shall ensure that 1 set of fingerprints is submitted to the department of state police. The applicant shall submit with its application the applicant's written consent to the criminal history check described in this section and the submission of the applicant's fingerprints to, and the inclusion of the applicant's fingerprints in, the state and federal database systems described in subsection (7).
- (5) The fingerprints required under subsection (4) may be taken by a law enforcement agency or any other person determined by the department of state police to be qualified to take fingerprints. The applicant shall submit a fingerprint processing fee to the department in an amount required under section 3 of 1935 PA 120, MCL 28.273, and any costs imposed by the Federal Bureau of Investigation.
- (6) The department of state police shall do all of the following:
 - (a) Conduct a criminal history check on each applicant and request the Federal Bureau of Investigation to make a determination of the existence of any national criminal history pertaining to each applicant.
 - (b) Provide the board with a written report containing the criminal history record information of each applicant.
- (7) All of the following apply concerning fingerprints submitted to the department of state police under this section:
 - (a) The department of state police shall store and retain all fingerprints submitted under this section in an automated fingerprint identification system database that searches against latent fingerprints, and provides for an automatic notification if and when a subsequent fingerprint is submitted into the system that matches a set of fingerprints previously submitted under this section or if and when the criminal history of an individual whose fingerprints are retained in the system is updated. Upon receiving a notification, the department of state police shall immediately notify the board. Information in the database maintained under this subsection is confidential, is not subject to disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, and shall not be disclosed to any person except for purposes of this act or for law enforcement purposes.
 - (b) The department of state police shall forward all fingerprints submitted to it under this section to the Federal Bureau of Investigation for submission of those fingerprints into the FBI automatic notification system. This subdivision does not apply until the department of state police is a participant in the FBI automatic notification system. As used in this subdivision:
 - (i) "Automatic notification system" means a system that stores and retains fingerprints, and that provides for an automatic notification to a participant if and when a fingerprint is submitted into the system that matches an individual whose fingerprints are retained in the system or if and when the criminal history of an

individual whose fingerprints are retained in the system is updated.

(ii) "FBI automatic notification system" means the automatic notification system that is maintained by the Federal Bureau of Investigation.

(8) The board shall review all applications for licenses and shall inform each applicant of the board's decision.

(9) A license shall be issued for a 1-year period and is renewable annually. Except as otherwise provided in this act, the board shall renew a license if all of the following requirements are met:

(a) The licensee applies to the board on a renewal form provided by the board that requires information prescribed in rules.

(b) The application is received by the board on or before the expiration date of the current license.

(c) The licensee pays the regulatory assessment under section 603.

(d) The licensee meets the requirements of this act and any other renewal requirements set forth in rules.

(10) The department shall notify the licensee by mail or electronic mail at the last known address on file with the board advising of the time, procedure, and regulatory assessment under section 603. The failure of the licensee to receive notice under this subsection does not relieve the licensee of the responsibility for renewing the license.

(11) If a license renewal application is not submitted by the license expiration date, the license may be renewed within 60 days after its expiration date upon application, payment of the regulatory assessment under section 603, and satisfaction of any renewal requirement and late fee set forth in rules. The licensee may continue to operate during the 60 days after the license expiration date if the license is renewed by the end of the 60-day period.

(12) License expiration does not terminate the board's authority to impose sanctions on a licensee whose license has expired.

(13) In its decision on an application for renewal, the board shall consider any specific written input it receives from an individual or entity within the local unit of government in which the applicant for renewal is located.

(14) A licensee must consent in writing to inspections, examinations, searches, and seizures that are permitted under this act and must provide a handwriting exemplar, fingerprints, photographs, and information as authorized in this act or by rules.

(15) An applicant or licensee has a continuing duty to provide information requested by the board and to cooperate in any investigation, inquiry, or hearing conducted by the board.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2017, Act 105, Imd. Eff. July 13, 2017;—Am. 2018, Act 582, Eff. Jan. 1, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27403 Application deficiency; correction.

Sec. 403. If the board identifies a deficiency in an application, the board shall provide the applicant with a reasonable period of time to correct the deficiency.

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27404 Repealed. 2018, Act 582, Eff. Jan. 1, 2019.

Compiler's note: The repealed section pertained to a true party of interest.

333.27405 Background check.

Sec. 405. Subject to the laws of this state, before hiring a prospective employee, the holder of a license shall conduct a background check of the prospective employee. If the background check indicates a pending charge or conviction within the past 10 years for a controlled substance-related felony, a licensee shall not hire the prospective employee without written permission of the board.

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27406 Transfer, sale, or purchase of license.

Sec. 406. Each license is exclusive to the licensee, and a licensee or any other person must apply for and receive the board's approval before a license is transferred, sold, or purchased. The attempted transfer, sale, or other conveyance of an interest in a license without prior board approval is grounds for suspension or revocation of the license or for other sanction considered appropriate by the board, but only if the transfer, sale, or other conveyance would result in the transferee meeting the definition of applicant.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 582, Eff. Jan. 1, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27407 Denial, suspension, revocation, or restriction of license.

Sec. 407. (1) If an applicant or licensee fails to comply with this act or rules, if a licensee fails to comply with the marihuana tracking act, if a licensee no longer meets the eligibility requirements for a license under this act, or if an applicant or licensee fails to provide information the board requests to assist in any investigation, inquiry, or board hearing, the board may deny, suspend, revoke, or restrict a license. The board may suspend, revoke, or restrict a license and require the removal of a licensee or an employee of a licensee for a violation of this act, rules, the marihuana tracking act, or any ordinance adopted under section 205. The board may impose civil fines of up to \$5,000.00 against an individual and up to \$10,000.00 or an amount equal to the daily gross receipts, whichever is greater, against a licensee for each violation of this act, rules, or an order of the board. Assessment of a civil fine under this subsection is not a bar to the investigation, arrest, charging, or prosecution of an individual for any other violation of this act and is not grounds to suppress evidence in any criminal prosecution that arises under this act or any other law of this state.

(2) The board shall comply with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, when denying, revoking, suspending, or restricting a license or imposing a fine. The board may suspend a license without notice or hearing upon a determination that the safety or health of patrons or employees is jeopardized by continuing a marihuana facility's operation. If the board suspends a license under this subsection without notice or hearing, a prompt postsuspension hearing must be held to determine if the suspension should remain in effect. The suspension may remain in effect until the board determines that the cause for suspension has been abated. The board may revoke the license or approve a transfer or sale of the license upon a determination that the licensee has not made satisfactory progress toward abating the hazard.

(3) After denying an application for a license, the board shall, upon request, provide a public investigative hearing at which the applicant is given the opportunity to present testimony and evidence to establish its suitability for a license. Other testimony and evidence may be presented at the hearing, but the board's decision must be based on the whole record before the board and is not limited to testimony and evidence submitted at the public investigative hearing.

(4) Except for license applicants who may be granted a hearing at the discretion of the board under subsection (3), any party aggrieved by an action of the board suspending, revoking, restricting, or refusing to renew a license, or imposing a fine, shall be given a hearing before the board upon request. A request for a hearing must be made to the board in writing within 21 days after service of notice of the action of the board. Notice of the action of the board must be served either by personal delivery or by certified mail, postage prepaid, to the aggrieved party. Notice served by certified mail is considered complete on the business day following the date of the mailing.

(5) The board may conduct investigative and contested case hearings; issue subpoenas for the attendance of witnesses; issue subpoenas duces tecum for the production of books, ledgers, records, memoranda, electronically retrievable data, and other pertinent documents; and administer oaths and affirmations to witnesses as appropriate to exercise and discharge the powers and duties of the board under this act. The director of the department or his or her designee may issue subpoenas and administer oaths and affirmations to witnesses.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 582, Eff. Jan. 1, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27407a Operation of marihuana facility; license required; violation; penalties.

Sec. 407a. Beginning June 1, 2019, a person shall not hold itself out as operating a marihuana facility if the

person does not hold a license to operate that marihuana facility or if the person's license to operate that marihuana facility is suspended, revoked, lapsed, or void, or was fraudulently obtained or transferred to the person other than pursuant to section 406. A person that violates this section is guilty as follows:

(a) In the case of a first violation, a misdemeanor punishable by a fine of not less than \$10,000.00 or more than \$25,000.00 or imprisonment of not more than 93 days, or both.

(b) In the case of a second or subsequent violation, a misdemeanor punishable by a fine of not less than \$10,000.00 or more than \$25,000.00 or imprisonment of not more than 1 year, or both.

(c) If the violation causes death or serious injury, a felony punishable by a fine of not less than \$10,000.00 or more than \$25,000.00 or imprisonment for not more than 4 years, or both.

History: Add. 2018, Act 582, Eff. Jan. 1, 2019.

333.27408 Proof of financial responsibility.

Sec. 408. (1) Before the board grants or renews any license under this act, the licensee or applicant shall file with the department proof of financial responsibility for liability for bodily injury to lawful users resulting from the manufacture, distribution, transportation, or sale of adulterated marihuana or adulterated marihuana-infused product in an amount not less than \$100,000.00. The proof of financial responsibility may be in the form of cash, unencumbered securities, a liability insurance policy, or a constant value bond executed by a surety company authorized to do business in this state. As used in this section:

(a) "Adulterated marihuana" means a product sold as marihuana that contains any unintended substance or chemical or biological matter other than marihuana that causes adverse reaction after ingestion or consumption.

(b) "Bodily injury" does not include expected or intended effect or long-term adverse effect of smoking, ingestion, or consumption of marihuana or marihuana-infused product.

(2) An insured licensee shall not cancel liability insurance required under this section unless the licensee complies with both of the following:

(a) Gives 30 days' prior written notice to the department.

(b) Procures new proof of financial responsibility required under this section and delivers that proof to the department within 30 days after giving the department the notice under subdivision (a).

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27409 State operating license as revocable privilege.

Sec. 409. A state operating license is a revocable privilege granted by this state and is not a property right. Granting a license does not create or vest any right, title, franchise, or other property interest. A licensee or any other person shall not lease, pledge, or borrow or loan money against a license.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 582, Eff. Jan. 1, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

PART 5. LICENSEES

333.27501 Grower license.

Sec. 501. (1) A grower license authorizes the grower to grow not more than the following number of marihuana plants under the indicated license class for each license the grower holds in that class:

(a) Class A – 500 marihuana plants.

(b) Class B – 1,000 marihuana plants.

(c) Class C – 1,500 marihuana plants.

(2) Except as otherwise provided in this subsection, a grower license authorizes sale of marihuana plants to a grower only by means of a secure transporter. A grower license authorizes the sale or transfer of seeds, seedlings, or tissue cultures to a grower from a registered primary caregiver or another grower without using a secure transporter.

(3) A grower license authorizes a grower to transfer marihuana without using a secure transporter to a processor or provisioning center if both of the following are met:

(a) The processor or provisioning center occupies the same location as the grower and the marihuana is

transferred using only private real property without accessing public roadways.

(b) The grower enters each transfer into the statewide monitoring system.

(4) A grower license authorizes sale of marihuana, other than seeds, seedlings, tissue cultures, and cuttings, to a processor or provisioning center.

(5) Except as otherwise provided in subsections (2) and (3) and section 505, a grower license authorizes the grower to transfer marihuana only by means of a secure transporter.

(6) To be eligible for a grower license, the applicant and each investor in the grower must not have an interest in a secure transporter or safety compliance facility.

(7) Until December 31, 2018, for a period of 30 days after the issuance of a grower license and in accord with rules, a grower may transfer any of the following that are lawfully possessed by an individual formerly registered as a primary caregiver who is an active employee of the grower:

(a) Marihuana plants.

(b) Seeds.

(c) Seedlings.

(8) A grower shall comply with all of the following:

(a) Until December 31, 2021, have, or have as an active employee an individual who has, a minimum of 2 years' experience as a registered primary caregiver.

(b) While holding a license as a grower, not be a registered primary caregiver and not employ an individual who is simultaneously a registered primary caregiver.

(c) Enter all transactions, current inventory, and other information into the statewide monitoring system as required in this act, rules, and the marihuana tracking act.

(9) A grower license does not authorize the grower to operate in an area unless the area is zoned for industrial or agricultural uses or is unzoned and otherwise meets the requirements established in section 205(1).

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27502 Processor license; exception for industrial hemp.

Sec. 502. (1) A processor license authorizes purchase of marihuana only from a grower and sale of marihuana-infused products or marihuana only to a provisioning center or another processor.

(2) Except as otherwise provided in section 505 and this subsection, a processor license authorizes the processor to transfer marihuana only by means of a secure transporter. A processor license authorizes a processor to transfer marihuana without using a secure transporter to a grower or provisioning center if both of the following are met:

(a) The grower or provisioning center occupies the same location as the processor and the marihuana is transferred using only private real property without accessing public roadways.

(b) The processor enters each transfer into the statewide monitoring system.

(3) To be eligible for a processor license, the applicant and each investor in the processor must not have an interest in a secure transporter or safety compliance facility.

(4) Until December 31, 2018, for a period of 30 days after the issuance of a processor license and in accord with rules, a processor may transfer any of the following that are lawfully possessed by an individual formerly registered as a primary caregiver who is an active employee of the processor:

(a) Marihuana plants.

(b) Usable marihuana.

(5) A processor shall comply with all of the following:

(a) Until December 31, 2021, have, or have as an active employee an individual who has, a minimum of 2 years' experience as a registered primary caregiver.

(b) While holding a license as a processor, not be a registered primary caregiver and not employ an individual who is simultaneously a registered primary caregiver.

(c) Enter all transactions, current inventory, and other information into the statewide monitoring system as required in this act, rules, and the marihuana tracking act.

(6) This act does not prohibit a processor from handling, processing, marketing, or brokering, as those terms are defined in section 2 of the industrial hemp research and development act, MCL 286.842, industrial hemp.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018;—Am. 2018, Act 648, Eff. Mar. 28, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27503 Secure transporter license.

Sec. 503. (1) A secure transporter license authorizes the licensee to store and transport marihuana and money associated with the purchase or sale of marihuana between marihuana facilities for a fee upon request of a person with legal custody of that marihuana or money. It does not authorize transport to a registered qualifying patient or registered primary caregiver. If a secure transporter has its primary place of business in a municipality that has adopted an ordinance under section 205 authorizing that marihuana facility, the secure transporter may travel through any municipality.

(2) To be eligible for a secure transporter license, the applicant and each investor with an interest in the secure transporter must not have an interest in a grower, processor, provisioning center, or safety compliance facility and must not be a registered qualifying patient or a registered primary caregiver.

(3) A secure transporter shall enter all transactions, current inventory, and other information into the statewide monitoring system as required in this act, rules, and the marihuana tracking act.

(4) A secure transporter shall comply with all of the following:

(a) Each driver transporting marihuana must have a chauffeur's license issued by this state.

(b) Each employee who has custody of marihuana or money that is related to a marihuana transaction shall not have been convicted of or released from incarceration for a felony under the laws of this state, any other state, or the United States within the past 5 years or have been convicted of a misdemeanor involving a controlled substance within the past 5 years.

(c) Each vehicle must be operated with a 2-person crew with at least 1 individual remaining with the vehicle at all times during the transportation of marihuana.

(d) A route plan and manifest must be entered into the statewide monitoring system, and a copy must be carried in the transporting vehicle and presented to a law enforcement officer upon request.

(e) The marihuana must be transported in 1 or more sealed containers and not be accessible while in transit.

(f) A secure transporting vehicle must not bear markings or other indication that it is carrying marihuana or a marihuana-infused product.

(5) A secure transporter is subject to administrative inspection by a law enforcement officer at any point during the transportation of marihuana to determine compliance with this act.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27504 Provisioning center license.

Sec. 504. (1) A provisioning center license authorizes the purchase or transfer of marihuana only from a grower or processor and sale or transfer to only a registered qualifying patient or registered primary caregiver. Except as otherwise provided in section 505 and this subsection, all transfers of marihuana to a provisioning center from a separate marihuana facility must be by means of a secure transporter. A transfer of marihuana to a provisioning center from a marihuana facility that occupies the same location as the provisioning center does not require a secure transporter if the marihuana is transferred to the provisioning center using only private real property without accessing public roadways.

(2) A provisioning center license authorizes the provisioning center to transfer marihuana to or from a safety compliance facility for testing by means of a secure transporter or as provided in section 505.

(3) To be eligible for a provisioning center license, the applicant and each investor in the provisioning center must not have an interest in a secure transporter or safety compliance facility.

(4) A provisioning center shall comply with all of the following:

(a) Sell or transfer marihuana to a registered qualifying patient or registered primary caregiver only after it has been tested and bears the label required for retail sale.

(b) Enter all transactions, current inventory, and other information into the statewide monitoring system as required in this act, rules, and the marihuana tracking act.

(c) Before selling or transferring marihuana to a registered qualifying patient or to a registered primary caregiver on behalf of a registered qualifying patient, inquire of the statewide monitoring system to determine whether the patient and, if applicable, the caregiver hold a valid, current, unexpired, and unrevoked registry

identification card and that the sale or transfer will not exceed the daily and monthly purchasing limit established by the medical marihuana licensing board under this act.

(d) Not allow the sale, consumption, or use of alcohol or tobacco products on the premises.

(e) Not allow a physician to conduct a medical examination or issue a medical certification document on the premises for the purpose of obtaining a registry identification card.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27505 Safety compliance facility license; exception for industrial hemp.

Sec. 505. (1) In addition to transfer and testing authorized in section 203, a safety compliance facility license authorizes the safety compliance facility to do all of the following without using a secure transporter:

(a) Take marihuana from, test marihuana for, and return marihuana to only a marihuana facility.

(b) Collect a random sample of marihuana at the marihuana facility of a grower, processor, or provisioning center for testing.

(2) A safety compliance facility must be accredited by an entity approved by the board by 1 year after the date the license is issued or have previously provided drug testing services to this state or this state's court system and be a vendor in good standing in regard to those services. The board may grant a variance from this requirement upon a finding that the variance is necessary to protect and preserve the public health, safety, or welfare.

(3) To be eligible for a safety compliance facility license, the applicant and each investor with any interest in the safety compliance facility must not have an interest in a grower, secure transporter, processor, or provisioning center.

(4) A safety compliance facility shall comply with all of the following:

(a) Perform tests to certify that marihuana is reasonably free of chemical residues such as fungicides and insecticides.

(b) Use validated test methods to determine tetrahydrocannabinol, tetrahydrocannabinol acid, cannabidiol, and cannabidiol acid levels.

(c) Perform tests that determine whether marihuana complies with the standards the board establishes for microbial and mycotoxin contents.

(d) Perform other tests necessary to determine compliance with any other good manufacturing practices as prescribed in rules.

(e) Enter all transactions, current inventory, and other information into the statewide monitoring system as required in this act, rules, and the marihuana tracking act.

(f) Have a secured laboratory space that cannot be accessed by the general public.

(g) Retain and employ at least 1 staff member with a relevant advanced degree in a medical or laboratory science.

(5) This act does not prohibit a safety compliance facility from taking or receiving industrial hemp for testing purposes and testing the industrial hemp pursuant to the industrial hemp research and development act.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018;—Am. 2018, Act 648, Eff. Mar. 28, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

PART 6. TAXES AND FEES

333.27601 Provisioning center; imposition of tax; rate; administration.

Sec. 601. (1) A tax is imposed on each provisioning center at the rate of 3% of the provisioning center's gross retail receipts. By 30 days after the end of the calendar quarter, a provisioning center shall remit the tax for the preceding calendar quarter to the department of treasury accompanied by a form prescribed by the department of treasury that shows the gross quarterly retail income of the provisioning center and the amount of tax due, and shall submit a copy of the form to the department. If a law authorizing the recreational or nonmedical use of marihuana in this state is enacted, this section does not apply beginning 90 days after the effective date of that law.

(2) The taxes imposed under this section shall be administered by the department of treasury in accordance with 1941 PA 122, MCL 205.1 to 205.31, and this act. In case of conflict between the provisions of 1941 PA

122, MCL 205.1 to 205.31, and this act, the provisions of this act prevail.

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27602 Medical marihuana excise fund.

Sec. 602. (1) The medical marihuana excise fund is created in the state treasury.

(2) Except for the application fee under section 401, the regulatory assessment under section 603, and any local fees, all money collected under section 601 and all other fees, fines, and charges, imposed under this act must be deposited in the medical marihuana excise fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the medical marihuana excise fund at the close of the fiscal year remains in the fund and does not lapse to the general fund.

(4) The state treasurer is the administrator of the medical marihuana excise fund for auditing purposes.

(5) The money in the medical marihuana excise fund must be allocated, upon appropriation, as follows:

(a) 25% to municipalities in which a marihuana facility is located, allocated in proportion to the number of marihuana facilities within the municipality.

(b) 30% to counties in which a marihuana facility is located, allocated in proportion to the number of marihuana facilities within the county.

(c) 5% to counties in which a marihuana facility is located, allocated in proportion to the number of marihuana facilities within the county. Money allocated under this subdivision must be used exclusively to support the county sheriffs and must be in addition to and not in replacement of any other funding received by the county sheriffs.

(d) 30% to this state for the following:

(i) Until September 30, 2017, for deposit in the general fund of the state treasury.

(ii) Beginning October 1, 2017, for deposit in the first responder presumed coverage fund created in section 405 of the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.405.

(e) 5% to the Michigan commission on law enforcement standards for training local law enforcement officers.

(f) 5% to the department of state police.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27603 Regulatory assessment.

Sec. 603. (1) A regulatory assessment is imposed on certain licensees as provided in this section. All of the following shall be included in establishing the total amount of the regulatory assessment established under this section:

(a) The department's costs to implement, administer, and enforce this act, except for the costs to process and investigate applications for licenses supported with the application fee described in section 401.

(b) Expenses of medical-marihuana-related legal services provided to the department by the department of attorney general.

(c) Expenses of medical-marihuana-related services provided to the department by the department of state police.

(d) Expenses of medical-marihuana-related services provided by the department of treasury.

(e) \$500,000.00 to be allocated to the department for expenditures of the department for licensing substance use disorder programs.

(f) An amount equal to 5% of the sum of the amounts provided for under subdivisions (a) to (d) to be allocated to the department of health and human services for substance-abuse-related expenditures including, but not limited to, substance use disorder prevention, education, and treatment programs.

(g) Expenses related to the standardized field sobriety tests administered in enforcing the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

(h) An amount sufficient to provide for the administrative costs of the Michigan commission on law enforcement standards.

(2) The regulatory assessment is in addition to the application fee described in section 401, the tax

described in section 601, and any local licensing fees.

(3) The regulatory assessment shall be collected annually from licensed growers, processors, provisioning centers, and secure transporters. The regulatory assessment for a class A grower license shall not exceed \$10,000.00.

(4) Beginning in the first year marihuana facilities are authorized to operate in this state, and annually thereafter, the department, in consultation with the board, shall establish the total regulatory assessment at an amount that is estimated to be sufficient to cover the actual costs and support the expenditures listed in subsection (1).

(5) On or before the date the licensee begins operating and annually thereafter, each grower, processor, provisioning center, and secure transporter shall pay to the state treasurer an amount determined by the department to reasonably reflect the licensee's share of the total regulatory assessment established under subsection (4).

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27604 Marihuana regulatory fund.

Sec. 604. (1) The marihuana regulatory fund is created in the state treasury.

(2) The application fee collected under section 401 and the regulatory assessment collected under section 603 shall be deposited in the marihuana regulatory fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the marihuana regulatory fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The department shall be the administrator of the marihuana regulatory fund for auditing purposes.

(5) Except as provided in section 603(1)(d) and (e), the department shall expend money from the marihuana regulatory fund, upon appropriation, only for implementing, administering, and enforcing this act.

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27605 Use of money from Michigan marihuana registry fund.

Sec. 605. The department may use any money appropriated to it from the marihuana registry fund created in section 6 of the Michigan medical marihuana act, 2008 IL 1, MCL 333.26426, for the purpose of funding the operations of the department and the board in the initial implementation and subsequent administration and enforcement of this act.

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

PART 7. REPORTS

333.27701 Financial statements.

Sec. 701. By 30 days after the end of each state fiscal year, each licensee shall transmit to the board and to the municipality financial statements of the licensee's total operations. The financial statements shall be reviewed by a certified public accountant in a manner and form prescribed by the board. The certified public accountant must be licensed in this state under article 7 of the occupational code, 1980 PA 299, MCL 339.720 to 339.736. The compensation for the certified public accountant shall be paid directly by the licensee to the certified public accountant.

History: 2016, Act 281, Eff. Dec. 20, 2016.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

333.27702 Report.

Rendered Thursday, May 16, 2019

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Sec. 702. The board shall submit with the annual report to the governor under section 302(I) and to the chairs of the legislative committees that govern issues related to marihuana facilities a report covering the previous year. The report shall include an account of the board actions, its financial position, results of operation under this act, and any recommendations for legislation that the board considers advisable.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 582, Eff. Jan. 1, 2019.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

PART 8. MARIHUANA ADVISORY PANEL

333.27801 Marihuana advisory panel.

Sec. 801. (1) The marihuana advisory panel is created within the department.

(2) The marihuana advisory panel consists of 17 members, including the director of state police or his or her designee, the director of this state's department of health and human services or his or her designee, the director of the department or his or her designee, the attorney general or his or her designee, the director of the department of agriculture and rural development or his or her designee, and the following members appointed by the governor:

- (a) One registered medical marihuana patient or medical marihuana primary caregiver.
- (b) One representative of the industry from the growers category.
- (c) One representative of the industry from the processors category.
- (d) One representative of the industry from the provisioning centers category.
- (e) One representative of the industry from the safety compliance facilities category.
- (f) One representative of townships.
- (g) One representative of cities and villages.
- (h) One representative of counties.
- (i) One representative of sheriffs.
- (j) One representative of local police.

(k) One physician licensed under article 15 of the public health code, 1978 PA 368, MCL 333.16101 to 333.18838.

(l) One representative of the industry from the secure transporter category.

(3) The governor shall appoint the first members of the panel by March 1, 2018. The members appointed to the panel shall serve at the pleasure of the governor and shall serve for terms of 3 years or until a successor is appointed, whichever is later.

(4) If a vacancy occurs on the advisory panel, the governor shall make an appointment for the unexpired term in the same manner as the original appointment.

(5) The director of the department or his or her designee shall call the first meeting of the panel within 1 month after the advisory panel is appointed. At the first meeting, the panel shall elect from among its members a chairperson and any other officers it considers necessary or appropriate. After the first meeting, the panel shall meet at least 2 times each year, or more frequently at the call of the chairperson.

(6) A majority of the members of the panel constitute a quorum for the transaction of business. A majority of the members present and serving are required for official action of the panel.

(7) The business that the panel performs must be conducted at a public meeting held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(8) A writing prepared, owned, used, in the possession of, or retained by the panel in the performance of an official function is subject to the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(9) Members of the panel shall serve without compensation. However, members of the panel may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the panel.

(10) The panel may make recommendations to the board concerning promulgation of rules and, as requested by the board or the department, the administration, implementation, and enforcement of this act and the marihuana tracking act.

(11) State departments and agencies shall cooperate with the panel and, upon request, provide it with meeting space and other necessary resources to assist it in the performance of its duties.

History: 2016, Act 281, Eff. Dec. 20, 2016;—Am. 2018, Act 10, Imd. Eff. Jan. 26, 2018.

Compiler's note: Enacting section 2 of Act 281 of 2016 provides:

"Enacting section 2. The legislature finds that the necessity for access to safe sources of marihuana for medical use and the immediate need for growers, processors, secure transporters, provisioning centers, and safety compliance facilities to operate under clear requirements establish the need to promulgate emergency rules to preserve the public health, safety, or welfare."

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