

**CASCADE CHARTER TOWNSHIP
KENT COUNTY, MICHIGAN**

RESOLUTION NO. 20-2020

THORNAPPLE RIVER SPECIAL ASSESSMENT DISTRICT NO. 1

**DECLARATION OF INTENT TO MAKE PUBLIC
IMPROVEMENTS; TENTATIVE DESIGNATION
OF THE SPECIAL ASSESSMENT DISTRICT;
NOTICE OF PUBLIC HEARING**

Minutes of a regular meeting of the Township Board of Cascade Charter Township, Kent County, Michigan, held via remote conferencing software ZOOM in accordance with State of Michigan Governor's Executive Order No. 2020-129 on September 9, 2020, at 7:00 p.m., local time.

PRESENT: Members Beahan, Koessel, Lewis, McDonald, Peirce, Shipley, Slater

ABSENT: Members _____

The following resolution was offered for adoption by Member McDonald and supported by Member Koessel :

WHEREAS, Public Act 188 of the Public Acts of Michigan of 1954, as amended (the "Act" or "Act 188") provides for the making of certain improvements by townships and provides the means to finance the improvements; and

WHEREAS, in the case of public improvements involving the improvement to or maintenance of a lake or other body of water, Section 3 of the Act provides that the Township Board may proceed, on its own initiative, to carry out the public improvements unless sufficient written objections are filed with the Township Board at or before the first public hearing on the special assessment district; and

WHEREAS, the Township intends to proceed to undertake certain public improvements (i.e. the control and eradication of certain aquatic weeds and river management) as described in Exhibit A attached hereto (the "Public Improvements") with regard to the portion of the Thornapple River located between the Cascade Dam upstream to 60th Street downstream ("Covered Portion") within Cascade Charter Township; and

WHEREAS, the nature of the Public Improvements is such that a periodic redetermination of costs may be necessary without a change in the special assessment district boundaries and, if at any time during the term of the special assessment district an actual incremental cost equals or exceeds the estimate or the prior year's costs by 10% or more, notice shall be given and a hearing afforded to the property owners and interested parties of record in the special assessment district; and

WHEREAS, there exists a need for the Public Improvements in the Township; and

WHEREAS, Act 188 provides the means to finance the Public Improvements in this matter.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

1. That the Township Board intends to proceed on its own initiative, and to make the Public Improvements as described in Exhibit A.

2. That the Township Board has authorized the preparation of plans showing the Public Improvements, their location, and an estimate of the costs thereof.

3. That the plans and the estimate of costs have been filed with the Township Clerk.

4. That the Township Board anticipates assessing the costs of the Public Improvements on a yearly basis beginning in 2020 based upon the estimates on file with the Township and the resolutions adopted by the Township Board pursuant to this process. Each year thereafter on or before September 30, the Township Board shall, to the extent possible, ascertain the project costs for the coming year. The Township Board shall establish the amount to be assessed based on unexpended funds, cash on hand, and the estimated project costs for that year and assesses that amount. The costs for administration and legal expenses for setting up this special assessment district shall be assessed in 2020.

5. That the Township Board hereby tentatively designates a special assessment district known as the Thornapple River Special Assessment District No. 1, consisting of certain parcels of property described as set forth in the Notice of Public Hearing attached hereto as Exhibit B, which descriptions are incorporated herein by reference for the special assessment district, and against which parcels all or a portion of the cost of said Public Improvements shall be assessed.

6. That the Township Board shall hold a public hearing on September 23, 2020, at 7:00 p.m. at the Kent District Library-Cascade Township Branch at 2870 Jacksmith Avenue SE, Grand Rapids, Michigan 49546, or via remote conferencing software ZOOM in accordance with State of Michigan Governor's Executive Order No. 2020-129 or any subsequent Executive Order, to hear and consider objections to the proposed Public Improvements, the special assessment district tentatively designated herein, and all other matters relating to said proposed Public Improvements.

7. That the Township Clerk shall cause to be published a Notice of the Public Hearing in the Grand Rapids Press, a newspaper of general circulation within the Township, at least two (2) times prior to the public hearing, with the first publication at least ten (10) days prior to the public hearing. Proofs of publication of such notice shall be filed with the Township Board.

8. That the Township Clerk, at least ten (10) days prior to the date of the public hearing, shall also send a Notice of the Public Hearing by first class mail addressed to each record owner, or party in interest, of each parcel of property to be assessed, at the address shown for each such owner or party in interest upon the last Township tax assessment records and roll for ad valorem tax purposes, as supplemented by any subsequent changes in the names or addresses of the owners or parties listed therein, except in the case of railroad companies, who shall be mailed a Notice of the Public Hearing by registered mail within five (5) days after the first publication of the notice described in Paragraph 7 above. If a record owner's name does not appear on the Township tax assessment records, then the notice required by this paragraph shall be given to the record owner at the address shown by the records of the Kent County Register of Deeds.

9. That the form of the Notice of the Public Hearing to be mailed and published, as required herein, shall be substantially as set forth in Exhibit B hereto.

10. That all actions heretofore taken by Township officials, employees, and agents with respect to the Public Improvements and proceedings under Act 188 are hereby ratified and confirmed.

11. That all resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

YEAS: Members Beahan, Koessel, Lewis, McDonald, Peirce, Shipley, Slater

NAYS: Members _____

ABSENT: Members _____

RESOLUTION DECLARED ADOPTED.



Susan Slater
Township Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF KENT)

I, Susan Slater, Cascade Charter Township Clerk, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Cascade Charter Township Board at a regular meeting held on September 9, 2020, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended, including, in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have affixed my official signature this 22nd day of March, 2021.

Susan B. Slater
Susan Slater
Township Clerk

EXHIBIT A

Description of the Public Improvements; Cost Estimates

Control and partial eradication of aquatic plants and weeds within the Covered Portion of the Thornapple River by means of chemical and/or biological means and/or weed harvesting and also river management (including, but not limited to, river studies, removal of blockages, dredging, sedimentation control and similar undertakings).

Projected/Estimated Total Cost for the Public Improvements for the Entire Duration of the Special Assessment (15 years)-	\$ <u>1,372,500</u> total
Projected/Estimated Total Cost per Year of the Public Improvements -	\$ <u>300</u>
Projected/Estimated Cost per Assessed Parcel per Year -	\$ <u>91,500</u>

[All costs and assessments are subject to changes and increases as provided by Act 188]

Map-area within the special assessment district (shaded):

[Insert map of the Covered Portion of the Thornapple River involved]



FIRST PUBLIC HEARING

TAKE NOTICE that the Township Board of Cascade Charter Township will hold a public hearing on _____, 2020 at 7:00 p.m. in the Kent District Library-Cascade Township Branch at 2870 Jacksmith Avenue SE Grand Rapids, Michigan 49546, to hear and consider any objections to the proposed Public Improvements, the proposed Special Assessment District, the proposed special assessment, and all other matters relating to the Public Improvements.

TAKE FURTHER NOTICE that a description of the Public Improvements and estimates of cost for the Public Improvements are on file with the Township Clerk for public examination.

PROPERTY SHALL NOT BE ADDED TO THE PROPOSED SPECIAL ASSESSMENT DISTRICT AND THE ORIGINAL ESTIMATE OF COSTS SHALL NOT BE INCREASED BY 10% OR MORE PER YEAR WITHOUT FURTHER NOTICE AND PUBLIC HEARING.

Periodic redeterminations of the costs of the Public Improvements may be necessary, without a change in the Special Assessment District, and in that event, such redeterminations may be made by the Township Board without further notice to record owners or parties in interest in the lands in the Special Assessment District, in accordance with the provisions of said Act 188 (unless the amounts assessed increase by 10% or more from the prior year, in which case notice and public hearing will occur).

TAKE FURTHER NOTICE that a property owner or person in interest must either appear and object at the public hearing or submit a letter of appearance and objection to the Township prior to the public hearing in order to preserve the person's right to appeal the special assessment to the Michigan Tax Tribunal. A record owner of land may appeal a special assessment by filing a written appeal with the Michigan Tax Tribunal within 30 days after written confirmation of the special assessment roll.

Should the Township Board determine at the above-mentioned hearing to approve the proposed special assessment district, then thereafter, a second hearing will be held to confirm the tax roll for the special assessment district.

This notice was authorized by the Township Board of Cascade Charter Township.

FOR FURTHER INFORMATION, PLEASE CONTACT:

Susan Slater
Township Clerk
Cascade Charter Township
2865 Thornhills Avenue SE
Grand Rapids, Michigan 49546
Phone: (616) 949-1508

Dated: _____, 2020

Susan Slater, Township Clerk