

CASCO TOWNSHIP BOARD OF TRUSTEES  
MINUTES REGULAR MEETING  
JANUARY 15, 2018 @ 7:00 P.M.

Approved: 2/19/18

Call to Order: Overhiser called meeting to order at 7:05 p.m. and led in the Pledge of Allegiance.

Present: Overhiser, Brenner, Macyauski, Winfrey, Mary Whiteford (State Representative) and 14 other interested people.

Absent: Judy Graff

Allan thanked everyone for coming to the meeting tonight and introduced Mary Whiteford to speak before public comment.

**Mary** stated that Casco is the last township for her to visit in her district.

- One of the issues that she discussed was the high premiums for car insurance.
- Second was the Kalamazoo River being contaminated and the grants going to the state and not the areas that were affected for clean-up.
- Third issue was broadbands.
- Another issue is mental health and she has been appointed to that task force committee.
- Another issue is the high prescription prices.

**Tom Jessup** mentioned the new rates for septic and well inspections for single family have gone up. The reason for the increases is the wait time for inspections is presently 14 business days, the Health Dept. needs 3.5 more employees so the wait time isn't as long.

Tom also mentioned that Judge Kronin retired, it could take up to 6 months to fill the position.

He also reported that the bottom stairs at West Side Park are out in the water.

Community Mental Health, 28 employees were laid off.

Tom said that Josiah is in Bagdad right now.

Deputy Kurt Katje reported that traffic has slowed up since it is winter, there have been a lot of slide offs because of going too fast for conditions.

Kurt asked about the camera for the Nature Preserve? Allan said he has an appointment with John Kuhn about ordering the equipment, even though they sold their business they will still work with us.

Kurt mentioned that he only has one property check so far, this winter.

**PUBLIC COMMENT:** None

Reports:

Clerk:

10/23/17 and 11/20/17 were presented at the last meeting and we also have 12/11/17 & 12/18/17 tonight for approval.

Starting with **10/23/17**, Lu made motion to approve. Paul supported. All votes in favor. MC

**11/20/17** Regular Meeting minutes, Paul made motion to approve. Lu supported. All votes in favor. MC

**12/11/17** Special Meeting, Lu made motion to approve. Paul supported. All votes in favor. MC

**12/18/17** Regular Meeting, Lu made motion to approve. Paul supported. All votes in favor. MC.

Cheri, also, mentioned that we received a Thank You card from Board of Education from the Fennville Public Schools, thanking us for our hard work at the 11/7/17 election.

Also, all our election workers received a thank you from the County Clerk for their hard work on the election. This is something new to receive this, one election worker thought she had done something wrong when she saw who it was from. Allan said that is a nice touch, well deserved, that is a hard day.

Cheri reported that she wrote a letter to South Haven Public Schools that we agreed to collect their summer taxes with the same rate as before.

Also, Cheri mentioned that we received the \$9,020.00 for the surcharge that she mentioned last month. We have not received our reimbursement of our expenses from the November 7, 2017 election yet. Allan said we need a motion to collect the summer taxes at the same rate as last year for South Haven Public Schools. Paul made the motion. Lu supported. All votes in favor. MC.

Cheri said that she received an email from Jim and Karen Hart last month that she neglected to read it at the December 2017 board meeting. It was recommended to not read them at this time, all board members did get a copy of the email.

Treasurers Report:

Lu reported that the balances for all accounts are as follows:

General Fund	Balance	\$ 473,360.60
Parks Fund	Balance	\$ 23,542.30
Senior Services Fund	Balance	\$ 23,301.27
Fire Dept. Fund	Balance	\$ 395,479.49
Road Fund	Balance	\$ 259,947.28
Police Fund	Balance	\$ 100,350.76
Cemetery Fund	Balance	\$ 107,506.45
Collected Tax Account	Balance	\$1,580,925.31
Lakeview Sewer	Balance	\$ 8,049.33
Lakeview Water	Balance	\$ 575.84
Lakeview Paving	Balance	\$ 40,268.15
Pacific Sewer	Balance	\$ 13,561.05
Pacific Water	Balance	\$ 21,361.03
Orchard Sewer	Balance	\$ 24,387.99
102 <sup>nd</sup> Avenue SAD	Balance	\$ 38,268.65

Lu made motion to approve the following

GENERAL FUND	Orders#24760-24810	in the amount of	\$ 45,688.79
PARKS FUND	Orders#992-995	in the amount of	\$ 2,329.52
SENIORS FUND	Orders#657-660	in the amount of	\$ 2,283.08
COLLECTED TAX	Orders#3357-3375	in the amount of	\$ 198,633.38
POLICE FUND	Orders#202-203	in the amount of	\$ 6,816.99
PACIFIC WATER	Orders#105	in the amount of	\$ 23,088.85
PACIFIC SEWER	Orders#1014	in the amount of	\$ 2,096.00
102 <sup>nd</sup> AVE	Orders#002-004	in the amount of	\$ 21,783.89

Paul made motion to accept the treasurers report. Cheri supported. All votes in favor. MC

Parks & Recreation Report:

- Bruce Brandon reported that he was re-elected as chairperson, John Johnson as Secretary, Clay Greiffendorf as Vice chair on the Parks committee. Also, Bruce Brandon was re-elected as chairperson for the Allegan County Parks Advisory Board.
- Bruce said he would like to welcome Andrew Litts as the newest member of the committee and he also thanked Ron Seiler for his service to the parks committee and Casco Township. There is still one seat to be filled on the committee.
- The parks committee proposed an Operation and Maintenance plan and presented to the Board for consideration.
- Bruce reported that the bottom portion of the beach stairs at the Nature Preserve have sustained significant damage due to high water and storms. The committee recommends that the board consider an emergency funding so that the stairs can be repaired and reconfigured for summer usage. It should be noted that this situation is a lake wide phenomenon. The Westside County Park has also sustained heavy damage and will need considerable capital to repair. To put this in perspective, the current lake levels are 11 inches higher than January of 2017. We are 17 inches above long-term average but still 18 inches lower than the all-time high lake level recorded in 1986.

Bruce mentioned that the committee needs to get a job description to the Township Board for a summer employee at the preserve.

It was recommended for the board to read this proposal and put it on the agenda for February meeting. Chris Barczyk asked how this temporary employee would be paid. Allan explained that a new line item would have to be set up in the parks account.

Allan mentioned that he would like authorization from the board to talk to John Brush about repairing the bottom stairs with possibly a quote to fix them.

Paul made motion for Allan to act on contacting John Brush to give us a quote for fixing the bottom stairs at the Preserve.

Lu supported. All votes in favor. MC

#### Senior Service Report:

Susan Katt reported that they still have their exercise twice a week, cards on Tuesday, knitting and crochet group at 12:30 to 2:00pm Wednesday afternoon. This fall, Susan, went through the courses to become a MAP counselor, she has received a badge, so this shows that she is official. She had several Casco seniors that she counseled this fall. She went to Grand Rapids for the training with the Regional Director every week this fall.

Allan thanked Susan for doing this because it is a great benefit for Casco to have someone in house to be trained for this.

Susan also announced that there is no cards or exercise if the South Haven School is closed.

#### Library:

Bob Sherwood mentioned that the Chemical Bank in Fennville closed, and they donated to the library, paintings by Steve French.

The library has sponsored a very active book discussion group and it meets once a month, the 1<sup>st</sup> Wednesday of each month at 6:30pm, the next book is Snow Fly on Cedars. Once the group decides on a book the director will obtain copies for everyone. He said there is usually from 6 to 9 people at the group.

Planning Commission:

Dave Campbell mentioned that the commission is getting to issues that have been neglected because of the rental issues. There will be a joint meeting on March 24<sup>th</sup> @ 9:00am to 12:00noon.

ZBA: No meeting.

SHAES:

Allan reported that they did develop a Land Clearing Guidelines which gives the Chief the authority to shut down a fire if it is detrimental to animals and buildings.

The new ambulance was delivered last month.

**OLD BUSINESS:**

Rental Regulatory Ordinance-

Allan stated that at the last Planning Commission meeting there were three open issues that the Planning Commission identified and that came to us with a memo from Williams & Works which read There were other standards discussed that were included in previous versions of the ordinance that are Regulatory in nature. The Planning Commission recognizes this is written the purview of the Township Board. Nevertheless, the following items were discussed by the Planning Commission, and recommended to be considered by the Township Board:

Rationale for Applicability of Regulatory Ordinance in Each Zoning District: The Planning Commission recommended the Board provide rationale to apply the regulatory standards within each zoning district. An example for the Planning Commission was whether the regulatory ordinance should apply in the Agricultural District where complaint have not been made.

Limited Short-Term Rental: The Planning Commission recommended the Board consider a Limited Short-Term Rental allowing a one term, up to 14-day rental, and exempt them from the regulatory ordinance.

Notification to Neighbors: An applicant seeking registration and certification and/or re-registration, or re-certification shall notify all neighbors within three-hundred (300) feet of the subject property boundary of the intended establishment of a short-term rental. Proof of notice shall be provided to the Township by affidavit signed by the applicant or by furnishing certified mail receipts to the Township prior to certification or re-certification.

Allan read from his letter to the Township Board his view on these three issues:

**Agriculture (AG)**

This district is designed to preserve the agricultural character of the Township. There are a very limited number of rentals within this district and some of these helps to preserve a farm by providing an additional source of income. It is our current thought that these be allowed but not regulated by the Regulatory Ordinance. At this time, there have been no complaints, the lot sizes are large, and complaints are not likely to be experienced by other resident due to the very limited number of rentals. Also, it allows the Township to focus our compliance and enforcement efforts where they are most needed. Should problems arise in the AG district, we can apply the Regulatory Ordinance at a later time.

**Limited Short-Term Rentals allowing a one term, up to 14-day, rental with an exemption from the regulatory ordinance.**

Problems with over-capacity and other rental problems can occur whether a property is rented for more or less than 14 days. Without registration, none of the regulatory ordinance provisions designed to minimize the impact to the community would be in effect. Host Compliance and others have suggested

that trying to enforce renting for the 15<sup>th</sup> day and beyond would be an enforcement challenge and we are trying to keep this process as simple and consistent as possible – if you rent, you register and abide by the regulations.

**Notification to within 300 feet of the rental property with proof of notice provided to the Township by affidavit or certified mail receipts.**

Rather than notify home owners and tracking this process for homes within 300 feet, it was determined that providing a simple list of registered rental addresses in the Township and on the Township website was more efficient and provided several additional benefits. These benefits include informing neighbors who may be further than 300 feet and still impacted by noise or violations to be able to identify the house as a rental. Also, with a list of rental addresses, known rentals that are not on the registered list could be reported, if so desired, to enhance compliance. Rental owners can still notify their neighbors if they so choose but it is not a requirement of the Rental Ordinance.

**Rental Registration:**

Allan mentioned that we have a Rental Registration that has all the components to comply with the ordinance.

**Good Neighbor Policy:**

We have updated the Good Neighbor Policy.

There were no comments or questions from the board concerning these two documents.

Allan mentioned that Judy asked to be involved in the discussion of financing and the policies of enforcement, which she isn't here tonight.

We all agreed to meet on Monday, 1/22/18, at 1:00pm, a special meeting to review and discuss issues related to administration, enforcement, and adoption of the Short-Term Rental Regulatory Ordinance.

There was discussion of the process of enforcement, if we contract with Host Compliance.

Allan mentioned that the new Road Committee is meeting this Thursday, 1/18/18 @ 7:00pm.

Allan and Paul attended the Allegan County Road Commission surfacing meeting, a report was given to each board member which talks about the history of what has been going on and what is being projected for this year. The Road Commission is going to finish that stretch of Blue Star from the roundabout to Baseline Road. The cost for Casco is \$16,000 for the Road Commission to finish the stretch on Blue Star from Baseline to North Shore Dr. which the total cost of that project is \$350,000.00.

Paul made motion to accept the \$16,000 cost to Casco Township. Lu supported. All votes in favor. MC

At the new road program and at the committee meeting it is on the slate to do another mile on 107<sup>th</sup> Ave. from 68<sup>th</sup> Street to 66 St., the approximate estimate for that mile is \$195,321.50. Th Road Commission needs to know by February 1, 2018 if the township wants to act on this.

Paul made motion to move ahead with paving 107<sup>th</sup> Avenue another mile from 68<sup>th</sup> St. to 66<sup>th</sup> St. Cheri supported. All votes in favor. MC

**NEW BUSINESS:**

Boundary Line Adjustment:

Dan & Michelle Caudle, 7216 & 7218 Pacific Ave., South Haven, MI 49090.

Requested to make lots 7218 & 7216 into (2) 75' lots. They are presently 90' and a 60'.

Cheri made motion to approve the splitting of 5 parcels into (2) 75' lots which is a boundary line adjustment. Alfred has already approved this adjustment. Paul supported.

All votes in favor. MC

Roll Call Vote: Paul, yes, Allan, yes, Lu, yes, Cheri, yes.

Yays: 4

Nays: 0, with one board member absent

Cheri mentioned that on the agenda there were two boundary line adjustments and one was for herself. she couldn't locate the paper work on her desk. What happened is when we had a survey done in Cedar Bluff Park it showed that a cottage had built an addition and a portion of that addition is on our property, we gave them 14 ft boundary adjustment.

The audit report was distributed with the letter from Siegfried Crandall for the board to look over for review at the February 19 Regular Meeting.

Chris Barczyk asked if the audit could be put on the website. We will contact the auditor to get the electronic version.

Blanche Wilkinson would like to slow down and she has agreed to be an alternate on the Board of Review Board and Mary Tobin has agreed to take that position.

Allan made motion to recommended to appoint Mary Tobin to take the unexpired term of Blanche Wilkinson and appoint Blanche to be an alternate on the Board of Review.

Paul supported. All votes in favor. MC

#### **Resolution No. 11518-1**

**To establish a policy to apportion existing Special Assessments subsequent to a Land Division or Boundary Line adjustment.**

WHEREAS, the township is authorized to make improvements and pay for said improvements by assessing the cost to property that receives the benefit.

WHEREAS, property is sold and at times the parcel is split into multiple parcels,

WHEREAS, the treasurer must fairly divide the remaining balance of the Special Assessment,

NOW, THEREFORE, BE IT RESOLVED: as parcels are divided, the Treasurer shall apportion and apply Special Assessment balances based on the area or dimensions of the all the resulting parcels.

FURTHER RESOLVED: all resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Motioned by **Paul Macyauski**, supported by **Cheryl Brenner** to adopt the Resolution.

#### **Certification**

I certify that his resolution was adopted by the Township Board of Casco Township at a regular meeting held on January 15, 2018.

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Cheryl Brenner, Casco Township Clerk

Roll Call Vote: Lu, yes, Allan, yes, Cheri, Yes, Paul, Yes

Part of the agreement with SHAWSA, one of the things is to transfer the assets of the Water & Sewer over to SHAWSA, this needs to be done so SHAWSA can move forward.

**QUIT-CLAIM BILL OF SALE**

Casco Township, a Michigan municipal corporation, the principal business address of which is 7104 107<sup>th</sup> Avenue, South Haven, Mi 49090 (the “**Seller**”), quit claims to the South Haven Area Water-Sewer Authority, a Michigan public body corporate ( the “**buyer**”), all personal property comprising the Seller’s sanitary sewer collection system and water distribution system, including transmission mains, pumps, 1/lift stations, valves, meters, and hydrants, as generally depicted in Exhibit A of the South Haven Area Water-Sewer Authority, effectuated by the Buyer, Seller, and other parties on \_\_\_\_\_, 2018 (the “**SHAWSA Contract**”), subject to any interest Allegan County may hold in such property.

This conveyance is for the consideration of \$1.00 (the receipt of which is acknowledged) and other good and valuable consideration referred to in the SHAWSA Contract.

The above-described personal property is being sold on an “As Is basis, and the Seller makes no warranties or representations regarding the personal property or its condition. The delivery of this Bill of Sale is made to the Buyer wholly without recourse to the Seller.

The Seller signed and delivered this Quit Claim Bill of Sale on \_\_\_\_\_, 2018.

Paul made motion to approve the Quit-Claim Bill of Sale. Lu supported.

Roll call vote: Paul, yes, Allan, yes, Lu, yes, Cheri, yes.

Yahs: 4

Nays: 0 with one board member absent.

PUBLIC COMMENT:

Lu made motion to adjourn. Paul supported.

Meeting adjourned at 9:15 pm

Minutes respectively submitted by,

Cheryl Brenner, Township Clerk