

CASCO TOWNSHIP BOARD MEETING
SPECIAL MEETING
7/31/17 @ 6:00pm

Approved 8/21/17

Call to order: Allan called the meeting to order at 6:02pm and led in the Pledge of Allegiance.

Present: Overhiser, Brenner, Winfrey, Graff, Macyauski and 9 other interested people.

Absent: None

Allan Overhiser opened the Public Hearing at 6:05pm

Proposed SAD on Beach Dr. in Miami Park this started with petitions in the spring and we have about a three or four-month period sought input and contacted all possible people that might be interested in this project and we have concluded at the Water & Sewer Authority to have a district described as the map before you, the district is represented of 75% of people that have signed petitions, it is both water and sewer, the estimated cost of this project as of today is \$361,200.00. Allan asked if there were any questions from the board about this?

Judy said obviously not every lot on Beach Street is part of this district and is it just the property owners that want this? Allan explained that the carve out of this are basically is the people that are already hooked up to the private waste water system in Miami Park. Allan further explained that the way Miami Park is, there are three options:

1. You can hookup to the public water & waste system
2. You could have a septic tank
3. You could use the private waste system.

Judy asked how are the individual property owners notified of the meetings? Allan explained that everyone was sent a letter concerning the meeting tonight. Judy wanted to know if just the assessment Dollar was mentioned in the letter or is the actual connection fee also in the letter?

Allan explained there was a letter sent out a couple of months ago explaining all the various costs.

Allan asked if there were any questions or comments from the public?

John Barkley asked about how the district is going to be financed.

Allan explained that the township finances it and the property owners in the district are given 15 years to pay the township through their property taxes.

Valerie Baas turned in a letter protesting the Beach Dr. Special Assessment District.

This letter will be attached to these minutes.

Public Hearing closed @ 6:25pm

Allan opened the meeting @ 6:30pm.

Resolution No. 1 - Beach Drive Special Assessment.

RESOLUTION NO. 1

WHEREAS, the Township Board has had filed with it a petition requesting that the Township acquire and construct water and sanitary sewer improvements as described below; and

WHEREAS; from a review of this petition and the appropriate records of the Allegan County Register of Deeds' Office as of the day of the filing of petition, it has been established that Said petition has been signed by the record owners of lands constituting more than 50 percent of The land area included in the special assessment district described in paragraph 4 below, excluding lands not subject to special assessment and lands within public highways and alley; and

WHEREAS; plans describing the water and sanitary sewer improvements, the location thereof, and an estimate of \$361,200.00 as the total cost of the improvements cost have been prepared by Midwest Civil Engineers, Inc., and filed with the Township Clerk; and

WHEREAS, the Township Board has the power and authority pursuant to the provisions of Act 188 to proceed to make this improvement and to assess all or a part of the cost thereof to the properties to be benefited; and

WHEREAS, the Township scheduled July 31, 2017, at 6:00 p.m., local time, at the Casco Township Hall located at 7104 – 107th Avenue, South Haven, Allegan County, Michigan, as the time and place for a public hearing to hear and consider objections to the above -referenced improvement, the proposed special assessment district, and the petition therefor and did give notice of said hearing by publication and mailing, all in accordance with the terms and provisions of Act 188, Act 162, and Act 64; and

WHEREAS, the board did meet at the time and place of said public hearing and hear and consider objections to the proposed improvement, to the proposed special assessment district and the petition therefor;

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF CASCO, ALLEGAN COUNTY, MICHIGAN, AS FOLLOWS:

1. That the Board confirms that Midwest Civil Engineers, Inc. has been properly authorized to prepare plans for the water and sanitary sewer improvements, the location thereof, and an estimate of cost thereof.
2. That the Board confirms the scheduling of the public hearing of necessity for these proposed water and sanitary sewer improvements, and the giving of proper notice for this public hearing, on July 31, 2017, at 6:00 p.m., at the Casco Township Hall.
3. That pursuant to Act 188 this Board does hereby determine to complete the following improvement (the "Improvement") consisting of the acquisition and construction of certain water and sanitary sewer improvements. Such water and sanitary sewer improvements shall include all necessary appurtenances and shall be described as follows: Extension of an eight-inch water main and extension of an eight-inch sewer main along Beach Drive, between Blue Star Highway and Michigan Avenue, in accordance with engineering plans prepared on behalf of the Township.
4. That this Board does hereby finally determine that the parcels of land described specifically below shall be designated as "Water and Sewer Special Assessment District - No. 2017-01" and shall continue for a term which shall expire at the later of the completion of the Improvement or the payment of the last assessment district are described as being located

in the Township of Casco, Allegan County, Michigan, consisting of the parcels identified by the Casco Township tax identification numbers which appear below:

Tax I.D. Number	Owner of Parcel
02-544-024-00	Dan and Linda Hoelzen
02-544-025-00	Dan and Linda Hoelzen
02-544-027-00	Dan and Linda Hoelzen
02-544-028-00	Kurtis and Susan Heemstra
02-544-031-00	John and Kathleen Barnes
02-544-034-00	Union Bag and Barrel Inc.
02-544-036-00	Dan and Meribeth Way
02-545-018-00	Ralph and Valerie Baas
02-545-021-00	Carl and Shelly Coulter
02-545-022-00	Carl and Shelly Coulter
02-545-023-00	Carl and Shelly Coulter
02-545-024-00	Carl and Shelly Coulter
02-545-007-00	Harry and Laura Werkema
02-545-027-00	Harry and Laura Werkema
02-545-030-00	Harry and Laura Werkema
02-545-032-00	Harry and Laura Werkema
02-545-034-00	Harry and Laura Werkema
02-547-006-00	Dan and Meribeth Way
02-547-007-00	Dan and Meribeth Way
02-547-008-00	Dan and Meribeth Way
02-547-009-00	Matt Kaleta
02-547-010-00	Matt Kaleta
02-547-011-00	Matt Kaleta
02-547-014-00	Matt Kaleta
02-547-015-00	Amanda Kaleta
02-547-017-00	Amanda Kaleta
02-548-006-00	Mary Bowler
02-548-012-00	Eva Morgenstern
02-548-015-00	John Ciarrachi

5. That the estimate of cost in the amount of \$361,200.00 as the total cost for the Improvement and the plans for the Improvement as originally presented, with such modifications, if any, made at this meeting, are hereby approved. The Board does hereby determine that the entire cost of the Improvement shall be specially assessed against the lands described in paragraph 4 above, plus the Township's costs of establishing this special district.
6. That the board does hereby direct the Township Supervisor to make a special assessment roll in which shall be entered and described all the parcels of land which are to be assessed, with the names of the respective record owners of each parcel, if known, and the total amount to be assessed against each parcel of land, which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the special assessment

district as the benefit to each parcel of land bears to the total benefit to all parcels of land in the special assessment district.

7. That all resolutions in conflict with this resolution are hereby revoked to the extent of such conflict.

Allan asked for a motion to adopt said resolution.

Judy made motion to adopt said Resolution No.1 Beach Dr. Paul supported.

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

All in favor. Motion Carried.

Ayes: 5

Nays: 0

RESOLUTION DECLARED ADOPTED – JULY 31, 2017

Allan read Resolution No. 2, As Follows:

RESOLUTION NO. 2

WHEREAS, by resolution adopted on July 31, 2017, the Supervisor was directed to make a special assessment roll for Water and Sewer Special Assessment District No. 2017-01 in conformance with paragraph 6 of that resolution; and

WHEREAS, the Supervisor has submitted the special assessment roll and his report and certificate in accordance with the instructions specified by this Township Board and filed the same in the office of the Township Clerk; and

WHEREAS, the Township Board must appoint a time and a place when it will meet, review and hear any objections to the special assessment roll;

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF CASCO, ALLEGAN COUNTY, MICHIGAN, AS FOLLOWS:

1. That the Township Board shall meet at the Casco Township Hall at 7104 – 107th Avenue, South Haven, Allegan County, Michigan, on the 21st day of August, 2017, at 7:00 p.m., local time, to review and hear any objections related to the special assessment roll.
2. That the special assessment roll shall be available for public inspection at the Township office during normal working hours until the public hearing and at the public hearing.
3. That notice of this hearing shall be given by publishing the same twice prior to the hearing in the **South Haven Tribune**, a newspaper circulating in said Township, and also by mailing these notices, as required by Michigan Act 162 of 1962, as amended, Michigan Act 188 of 1954, as amended, and Michigan Act 64 of 1989, as amended, by first-class mail, postage fully prepaid, to each owner of, or party in interest in, any and all property to be assessed for this improvement in the special assessment district, whose name appears upon the last Township tax assessment records, addressed to each such owner or party at the owner's or party's address as shown on said tax records, such mailing and the first such publication to be at least 10 days before the date of said hearing. The last Township tax assessment records from which such names and addresses are taken shall consist of the last Township assessment roll for ad valorem tax purposes changes in the names or addresses of such owners or parties listed on that roll. If an owner's name does not appear on the Township tax assessment records, then notice shall be given to the owner at the address shown on the records of the Allegan County Register of Deeds.

4. That all resolutions in conflict herewith in whole or in part are hereby revoked to the extent of such conflict.

Allan asked for a motion to adopt Resolution No. 2.

Lu made a motion to adopt Resolution No. 2 Beach Dr., Paul supported.

Roll Call: Ayes, Brenner, Overhiser, Graff, Winfrey, Macyauski.

Nays: None

All Votes in favor. Motion Carried

RESOLUTION DECLARED ADOPTED. – JULY 31, 2017.

2. Revising updates to the ZO Book.

The board needs to adopt a process of how, when, and whom to make changes to the ZO Book.

Judy spoke concerning whom should be responsible for the updates.

Allan explained that we had very few updates in the past 1986 to 2005 without reviewing and revising the Zoning Ordinance. There have been some amendments but they were done by Planners or Attorneys so there has been very little change.

Allan mentioned that the board needs to adopt a policy so that the board is on the same page.

Judy stated that presently no one internally oversees the updating changes and the Planning Commission doesn't know whom to talk to about this issue. She also said that the last updates were not integrated and the changes were stuck in the back of the book.

Judy stated that the additional point that gets lost in the shuffle is the master plan needs to get changed when necessary also.

There were several recommendations as to how and when this should be done. Judy thinks changes should be integrated every time there is a change. Allan thought this would be costly if we changed the book every time there is a change, once or twice a year should be sufficient.

After discussion Allan stated that, legally, the best place is in the Clerk's office. This would control information and if there were any requests for change the Clerk would be the one to certify and everything that goes along with it.

Judy stated for the planning commission that they want every time there is a change that change should be integrated in the chapter that is affected at that time, not later.

It was discussed to update the website at the time of the change. Judy suggested every time there is a change that chapter should be updated and the entire chapter be reprinted in the ZO Book.

John Barkley recommended a change log and Paul agreed.

Allan recommended if someone has a question about Zoning, contact Al Ellingsen he can give you the answer you need.

Chris Barcyk gave his ideas of how changes would be helpful.

Allan recommended to give Cheri a month to think about this and at next month's meeting we can discuss this further with her.

PUBLIC COMMENT:

Allan presented one more item that Judy brought to his attention 7/30/17 – Judy mentioned that Valerie brought it to her attention last weekend on the project putting in the tram at Miami Park and the permits from the Corp. of Engineers have not been issued. Allan mentioned that we had a meeting with the DEQ about the permit to build the seawall and the board discussed this. Valerie said that the DEQ only takes care of the area below the waterline and the Corp of Engineers takes care of the area above the waterline. Alan stated that the township board decided they didn't want the structure to

impede the beach walking. We wrote a letter to the DEQ with our concerns about the structure blocking the beach for walking. Allan further mentioned that this is about the seawall and nothing else. John Barkley mentioned that he has concerns about the structure blocking beach walking also. Allan said we will send the Corp of Engineers a copy of that same letter.

Lu made motion to adjourn @ 7:40pm. Judy supported.

Meeting adjourned at 7:40pm.

Minutes Respectively Submitted by,
Cheryl Brenner, Casco Township Clerk

DRAFT