

CASCO TOWNSHIP BOARD OF TRUSTEES
SPECIAL MEETING
MONDAY, SEPTEMBER 11, 2017 @ 6:00 PM

Approved 9/18/17

CALL TO ORDER: Overhiser called the meeting to order @ 6:00 pm. and led in the Pledge of Allegiance.

PRESENT: Overhiser, Brenner, Macyauski, Winfrey, Graff & 1 interested person.

ABSENT: None

REASON FOR SPECIAL MEETING:

1. To review the special assessment roll prepared by the Supervisor for water and sanitary sewer on Beach Drive.
2. Review the topics covered at the MTA August 23, 2017.
 - A. Medical Marijuana
 - B. Short Term Rentals
 - C. Solar Farms

Allan Opened Public Hearing @ 6:05 pm

Allan stated that we have the Special Assessment Roll that has changed a little bit because of the bids that we received were hire then expected, we received 4 or 5 bids, the lowest bid we had to throw out because it wasn't bid correctly. Then we went to the next highest bidder and worked to try and get his bid down thru some re-engineering and we did get it down to within \$15,000.00 above the original estimate, the original estimate was \$361,200.00 and now it will be \$374,723.10, this amounts to the single lot approximately about \$300 more spread over fifteen years, this is the effect. In addition, we will have our water loop as usual, Casco's cost will be \$31,249.00 because of fire protection improvements this will be taken out of the Fire Fund. In the \$374,723.10 amount equals the amounts listed below:

Bond Council/Legal Fees of	\$ 10,000.00
Engineering Costs	\$ 49,387.50
Contingency	\$ 24,058.50
Estimated Construction Cost	\$291,277.10

The actual construction cost is \$322,526.10 and the other costs that we borrow for it, comes up to \$374,723,10. This district is represented on the map and on the parcel list, the names in yellow own 75% of the district, signed water main extension petitions total 3.27 acres.

Judy asked if all the parcels in the tax per parcel, published in the paper? Allan explained that we send them each a notice with the cost per parcel and this informs them the right to appeal.

Allan asked for public comment.

Allan closed public hearing @ 6:10pm

Allan opened special meeting at 6:12 pm

1. Beach Dr. special assessment Resolution #3

Allan read Resolution No.3

RESOLUTION #3

WHEREAS, by resolution passed on July 31, 2017, it was determined that the Supervisor should prepare a special assessment roll covering and including the parcels of land described in said resolution; and

WHEREAS, the Supervisor submitted a special assessment roll, report and certificate in accordance with the instructions specified by this Township Board; and

WHEREAS, the Township Board did, on the receipt of such items, by resolution adopted July 31, 2017, set August 21, 2017, at 7:00 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 review and hear any objections to the special assessment roll; and

WHEREAS, the hearing was then rescheduled by the Township to a special Board meeting on September 11, 2017 at 6:00 p.m.;

WHEREAS, proper notice of said hearing was given 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 to review the special assessment roll and hear any objections and other matters related to the special assessment roll;

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the special assessment roll prepared and submitted by the Casco Township Supervisor, with amendments or corrections made, if any, by this Board, for Water and Sewer Special Assessment District No. 2017-01, including the lands described in the Notice of Hearing for this special assessment district roll, in the amount of \$374,723.10, plus the Township's costs of establishing the special assessment district, for the purpose of defraying the cost of constructing water and sanitary sewer improvements as are described in the Notice of Hearing on this special assessment roll, be and the same is hereby ratified, confirmed, and adopted. The Township Clerk is hereby directed to endorse on the assessment roll the fact the roll has been confirmed as of the date of this meeting.

2. That the special assessments contained in said special assessment roll shall be payable in fifteen or less equal principal and interest installments, or in full at any time with interest accrued through the month in which the final installment is paid.

3. That the first principal and interest payment shall be due on February 14, 2018. The remaining installments shall be due on February 14 in each and every year thereafter, through February 14, 2032.

4. That all unpaid installments, prior to their transfer to the Township tax roll as is provided in Act 188, shall bear interest, payable annually on each installment due date, at a rate of 4.29 percent per annum from October 1, 2017.

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

YES: **BRENNER, OVERHISER, MACYAUSKI, WINFREY, GRAFF**

NO: **NONE**

RESOLUTION DECLARED ADOPTED.

Dated: September 11, 2017

Cheryl A. Brenner, Township Clerk

Judy made motion to adopt said resolution. Lu supported.

Roll call vote: Paul, yes, Cheri, yes, Allan, Yes, Lu, yes, Judy, yes

Present: 5

Absent: None

All votes in favor. Motion carried.

2. Review topics covered at the MTA meeting 8/23/17

Allan mentioned that Dave and Mary Campbell, Judy, Paul, Cheri, and Kathy went to the MTA meeting at the Fetzer Center on 8/23/17.

Allan went to the Law Enforcement meeting at 8/23/17 that basically continued the same dialog started in the spring, that the sheriff has a plan for enhancing the patrols and detectives, this looks like there will be a millage but not sure if this will be on the Nov. 8th ballot but soon, there asking for an additional 1 mill. Their plan is to go from 24 road patrols to 32 and beef up their detectives because a lot of this cybercrimes and other issues that it is a lot more time consuming. This is something to be sure to look for.

At the meeting Allan said he pushed for this to be a county commitment.

A. MEDICAL MARIJUANA

Judy said that the key thing that it was like the one she attended at the County. Also, Judy said that what got to her is the presenter was recommending having a resolution for the zoning ordinance to opt out and clearly stated that we are not going to support marijuana in our township. Paul said the confusing thing for him was they started out saying that there are five separate licenses that the state

was allowing people to apply for **grow facilities, processor, transporters, provisioning centers (dispensary), and safety testing facility** and it also sounded like they were not going to review anything the township was talking about at meetings.

Allan said Katherine Mulhaught sent him some samples of some language to use to opt out resolution and recommended to work with our attorney to draw this up.

There was a lot of other discussion and Allan said he would talk to Ron Bultje, township attorney, on this subject.

B. SHORT TERM RENTALS

Paul stated this was a much shorter presentation because there is so much inconsistency throughout the State of Michigan, it listed samples of places that have short term rental ordinances- **City of South Haven, City of Marquette, Golden Township, City of St. Joseph (repealed).**

Paul also said that the firm that were the presenters made a couple comments that if your looking to reinvent the wheel, save yourself some time and look at City of South Havens, the presenter lives in South Haven and works in Kalamazoo, and at first, she was concerned because she lives next to something like some of Casco people live next to and with South Havens ordinance controlled her area and now she is very happy.

Judy mentioned a couple of issues that were pointed out, one is when do short term rentals turn into a commercial business and transient groups and what is the impact on the neighborhood. She continued to say that a case was mentioned - Torch Lake Protective Alliance v Ackerman, COA that short term rentals violated deed restrictions restricting property to private residential purposes and prohibiting commercial use of property. COA **Court of Appeals** found that short term rentals rose to the level of commercial use and violated township zoning ordinance.

This was based on deed restrictions.

The presenter said do not get involved with subdivisions that have deed restrictions. They should be taking care of themselves.

C. SOLAR FARMS

South Haven has a solar farm in the industrial park, catches the sun all the way around. Allan said he has considered a solar farm himself and it is about a 20-yr. payback. Paul mentioned that ~~U of M~~ **WMU** has a solar parking lot.

Judy Graff made motion to adjourn. Paul supported.

Meeting Adjourned at 6:50 p.m.

Minutes respectively submitted by,
Cheryl Brenner, Clerk