

**AGENDA
CASCADE CHARTER TOWNSHIP
REGULAR BOARD MEETING**

Wednesday, January 13, 2016

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/Public Comments (limit comments to 3 minutes)

Article 5. Approval of Consent Agenda

- a. Receive and File Various Meeting Minutes
 1. Regular Township Board Minutes for 12/16/15.
- b. Receive and File Reports
 1. Treasurer's Department Monthly Report for October, 2015.
 2. Fire Department Monthly Reports for Nov., 2015.
- c. Education Requests
 1. Denise M. Biegalle – Labor & Employment Conference – Plymouth, MI – April 14-15, 2016.
- d. Receive and File Communications
 1. Letters from Comcast – re: Channel Lineups.

Article 6. Financial Actions

- a. **Consider Pay Draw #6 for the Museum Gardens Project.**

Article 7. Unfinished Business

Article 8. New Business

- 001-2016 a. Public Hearing – Amend P.U.D #55 to permit 10 Unit Single Family Detached homes for Roundhill.**
b. Consider Approval of Ordinance to Amend P.U.D #55 to permit 10 Unit Single Family Detached homes for Roundhill. (roll call)
- 002-2016 Consider Approval of Resolution to Adopt 2016 Poverty Exemption Policy and Guidelines. (roll call)**
- 003-2016 Consider Approval of Fire Chiefs Vehicle.**

- 004-2016** **Consider Approval of Resolution of Support for Liquor License for Blue Sky Brewing, LLC at 6262 28th St., S.E. (roll call)**
- 005-2016** **Consider Approval of Dog Park Naming Application.**
- 006-2016** **Consider Approval of Resolution to Recognize the Pine Ridge Elementary PTO as a Non-Profit Organization. (roll call)**

Article 9. **Public Comments on any other matters. (limit comments to 3 minutes)**

Article 10. **Manager Comments**

Article 11. **Board Member Comments**

Article 12. **Adjournment**

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

Wednesday, December 16, 2015

7:00 P.M.

Article 1. Supervisor Beahan called the meeting to order at 7:00 p.m.
Present: Supervisor Beahan, Treasurer Peirce, Clerk Goodyke, Trustee Lewis, Koessel, McDonald and Goldberg.
Absent: None
Also Present: Manager Swayze, Community Development Director Peterson 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 Lewis and supported by Trustee Goldberg to approve the Agenda as presented. Motion carried unanimously.

Article 4. Presentations/Public Comments (limit comments to 3 minutes)
Gerald Miller, 7397 Buccaneer Dr., S.E. gave the Board a quick update of the Kent Conservation District.
Thomas Albert, candidate for State Representative in the 86th District was present to introduce himself to the Board.

Article 5. Approval of Consent Agenda

- a. Receive and File Various Meeting Minutes
 - 1. Regular Township Board Minutes for 11/18/15.
 - 2. Budget Workshop Board Minutes for 12/7/15.
 - 3. Zoning Board of Appeals Minutes for 11/10/15.
 - 4. Planning Commission Minutes for 11/16/15.
- b. Receive and File Reports
 - 1. Treasurer's Department Monthly Report for September, 2015.
 - 2. Building Department Monthly Report for November, 2015.
 - 3. Fire Department Monthly Reports for Sept/Oct., 2015.
- c. Education Requests
 - 1. Douglas Poolman – Michigan Fire Inspectors Society 2016 Winter Seminar – E. Lansing, MI – 1/21/16 – 1/22/16.
 - 2. Robert Norris – Instructor Training Certification – Alabama – 2/7/16.

Motion was made by Clerk Goodyke and supported by Trustee Koessel to Approve the Consent Agenda as presented. Motion was carried unanimously.

Article 6. Financial Actions

a. Consider Approval of October/November, 2015 General/Special Funds.

Motion was made by Trustee Koessel and supported by Trustee Lewis to approve the October/November, 2015 General/Special Funds. Motion carried unanimously.

b. Consider Approval of October/November, 2015 Payables, Payroll and Transfers.

Motion was made by Treasurer Peirce and supported by Clerk Goodyke to approve the October/November, 2015 Payables, Payroll and Transfers. Motion carried unanimously.

- c. **Consider Pay Draw #5 for the Museum Gardens Project.**
Motion was made by Trustee Koessel and supported by Trustee McDonald to approve the Pay Draw #5 for the Museum Gardens Project in the amount of \$40,063.50. Motion carried unanimously.
- d. **Consider Change Order #4 and Pay Draw #4 for the Village Improvements.**
Motion was made by Trustee Lewis and supported by Trustee McDonald to approve Change Order #4 and Pay Draw #4 for the Village Improvements in the amount of \$503,856.47 along with the approval of Change Order #4. Motion carried unanimously.
- e. **Consider Approval of Resolutions for Amendments to the 2015 Budget – 4th Qtr.**
Motion was made by Trustee Koessel and supported by Treasurer Peirce to approve the Resolutions for Amendments to the 2015 Budget – 4th Quarter. Motion carried unanimously by roll call vote.

Article 7. Unfinished Business

Article 8. New Business
080-2015

a. Public Hearing – Amend the Golfview P.U.D. to allow an addition to the Lacks Corporate HQ Building Located on the south side of Cascade Rd ¼ mile south of Hall St.

Motion was made by Clerk Goodyke and supported by Trustee Goldberg to move into a public hearing. Motion carried unanimously. Community Development Director Peterson reviewed the request. Motion was made by Trustee McDonald and supported by Trustee Lewis to reconvene into regular session. Motion carried unanimously.

b. Consider Approval of Ordinance to Amend the Golfview P.U.D. to allow an addition to the Lacks Corporate HQ Building Located on the south side of Cascade Rd ¼ mile south of Hall St.

Motion was made by Trustee Goldberg and supported by Clerk Goodyke to approve the Ordinance to Amend the Golfview P.U.D. to allow an addition to the Lacks Corporate HQ Building located on the South side of Cascade Rd. ¼ Mile south of Hall St. Motion carried unanimously by roll call vote.

081-2015

Consider Tentative Preliminary Approval of the Thornapple Pointe Subdivision.

Community Development Director Peterson reviewed the general layout of the subdivision. Motion was made by Trustee Goldberg and supported by Trustee Koessel to approve the Tentative Preliminary Approval of the Thornapple Pointe Subdivision. Motion carried unanimously.

082-2015

Consider Approval of Township Strategic Plan – 2016 Work Plan.

Manager Swayze reviewed the document with the Board. Discussion followed. Motion was made by Trustee Koessel and supported by Trustee McDonald to approve the Township Strategic Plan – 2016 Work Plan. Motion carried unanimously.

- 083-2015 Consider Approval of Adoption of the 2016 – 2021 Capital Improvements Plan.**
Manager Swayze reviewed the plan with the Board. Motion was made by Trustee Koessel and supported by Trustee Lewis to approve the adoption of the 2016-2021 Capital Improvement Plan. Motion carried unanimously.
- 084-2015 Consider Approval of Resolution of the General Fund Support to the Fire Fund.**
Motion was made by Trustee Goldberg and supported by Trustee McDonald to approve the Resolution of the General Fund Support to the Fire Fund in the amount of \$400,000. Motion carried unanimously by roll call vote.
- 085-2015 a. Public Hearing - Proposed 2016 General/Special Budgets.**
Motion was made by Trustee Koessel and supported by Trustee Lewis to move into public hearing. Motion carried unanimously. Motion was made by Trustee Koessel and supported by Trustee Goldberg to reconvene into regular session. Motion carried unanimously.
- b. Consider Approval of Resolution to Adopt the FY2016 Cascade Charter Township General/Special Funds Budget.**
Motion was made by Trustee Koessel and supported by Clerk Goodyke to approve the Resolution to Adopt the FY2016 Cascade Charter Township General/Special Funds Budget. Motion carried unanimously by roll call vote.
- 086-2015 Consider Approval of Resolution to Approve the Intent to Levy the 2016 Millage Rates.**
Motion was made by Clerk Goodyke and supported by Treasurer Peirce to approve the Resolution to Approve the Intent to Levy the 2016 Millage Rates. Motion carried unanimously by roll call vote.
- 087-2015 Consider Approval of Water System Improvements – Cascade & Burton Pressure Reduction Valve Project.**
Manager Swayze reviewed the project with the Board. Motion was made by Trustee Goldberg and supported by Trustee McDonald to approve the Water System Improvements – Cascade & Burton Pressure Reduction Valve Project to K&R in the amount of \$278,725. Motion carried unanimously.
- 088-2015 Consider Approval of the 2016 Meeting Schedule.**
Motion was made by Clerk Goodyke and supported by Trustee McDonald to approve the 2016 Meeting Schedule. Motion carried unanimously.
- 089-2015 Consider Approval of Appointments to Various Boards and Commissions.**
Supervisor Beahan reviewed the proposed appointments to the following: Planning Commission, Zoning Board of Appeals, Downtown Development Authority and Park Committee. Motion carried unanimously.

Article 9. Public Comments on any other matters. (limit comments to 3 minutes)

Article 10. Manager Comments

Manager Swayze offered the following comments:

- The Legislature approved the tax restructuring for the Switch Data Center to move into Gaines Township.
- The Finance Team met with the Auditors today...to kick off the 2016 audit process.
- We will put together the budget books for all the Board members.

Article 11. Board Member Comments

Trustee Koessel offered the following comments:

- With the merger of the law firms Law Weathers and Varnum Riddering should we put together an RFP for legal services? Consensus was that maybe we should look into putting together an RFP.
- Looking for status on our request on the "no right hand turn on red" at Thornapple River and Cascade Rd. Discussion followed. Rob mentioned they would talk to Tim at the County Road Commission.

Treasurer Peirce offered the following comments:

- This was the first CIP mentioned without the "roundabout" mentioned. I am very pleased.

Trustee Goldberg offered the following comments:

- I will be gone for awhile in January and may not make the (2) meetings in January.

Trustee Lewis offered the following comments:

- I will be gone in February.

Article 12. Closed Session

a. Township Manager Performance Evaluation

Motion was made by Trustee Koessel and supported by Clerk Goodyke to move into closed session for the purpose of the Township Manager Performance Evaluation. Motion carried unanimously.

Motion was made by Trustee Lewis and supported by Clerk Goodyke to reconvene into regular session. Motion carried unanimously.

Motion was made by Treasurer Peirce and supported by Clerk Goodyke to approve the recommendation of the Personnel Committee on Manager Swayze's evaluation and the increase to his salary of 3.2%. Motion carried unanimously.

Article 13. Adjournment

Motion was made by Treasurer Peirce and supported by Clerk Goodyke to adjourn. Motion carried unanimously.

Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Denise M. Biegalle
Deputy Clerk

Approved by:

Ron Goodyke, Clerk

Robert S. Beahan, Supervisor

Draft

TREASURER'S DEPARTMENT

CASCADE CHARTER TOWNSHIP
TAX ACCOUNTS
OCTOBER 2015

BANK BALANCES

TOWNSHIP BALANCES

BANK AMOUNT

REGISTER AMOUNT

CHEMICAL BANK

CHEMICAL BANK

TAX CHECKING \$108,318.69

TAX CHECKING \$108,318.69

CHEMICAL BANK

CHEMICAL BANK

DELINQUENT TAX \$561.55

DELINQUENT TAX \$561.55

CHEMICAL BANK

CHEMICAL BANK

TAX WIRE ACCT \$35,547.45

TAX WIRE ACCT \$35,547.45

GRAND TOTAL \$144,427.69

GRAND TOTAL \$144,427.69

Sourine

12/8/2015

Submitted by
OXANA SOURINE
DEPUTY TREASURER

Kenneth B. Peirce 12/09/2015

Reviewed by
KENNETH B. PEIRCE
TREASURER

Date

CASCADE CHARTER TOWNSHIP
 TREASURER'S OFFICE REPORT
 October 15

FUND	INSTITUTION	DEMAND DEPOSIT		CDs			SECURITIES			TOTALS	
		\$	%	\$	%	DATE	\$	%	DATE	\$	%
101	GENERAL FUND										
	CHEMICAL	-	0.05								
	CHEMICAL	814,405.80	0.05								
	KENT CTY POOL	3,427,389.27	0.49								
	INDEPENDENT			300,000.00	1.35	9/27/2016					
	MERCANTILE			510,589.72	0.90	7/20/2018					
	FLAGSTAR			257,874.61	0.65	11/21/2016					
	HUNTINGTON			514,870.13	0.91	9/13/2017					
	UNITED BANK			500,000.00	0.80	4/11/2016					
	CONSUMERS CU			250,000.00	1.50	7/8/2016					
	MACATAWA			250,000.00	0.89	11/21/2016					
	BANK OF HOLLAND			266,373.53	0.75	5/27/2016					
	BANK OF HOLLAND					10/22/2015					
	FLAGSTAR			500,000.00	0.80	1/12/2017					
	COMERICA SECUR.WF						500,000.00	1.00	9/25/2017		
	COMERICA SECUR.								9/26/2015		
	TOTAL GENERAL FUND	4,241,795.07	0.41	3,349,317.99	0.92		500,000.00	1.00		8,091,113.06	0.66
151	CEMETERY										
	OLD NATIONAL BANK	91,281.65	0.01	-						91,281.65	0.01
206	FIRE FUND										
	CHEMICAL	505,912.99	0.05								
	LMCU	407,377.11	0.50								
	LMCU			523,615.60	1.15	4/25/2016					
	FNBA			531,427.61	1.50	7/24/2018					
	HUNTINGTON			256,799.85	0.60	11/21/2015					
	OPTION 1			250,005.00	0.75	3/24/2017					
	S3 BANK			250,000.00	0.69	7/21/2016					
	TOTAL FIRE FUND	913,290.10	0.25	1,811,848.06	1.06					2,725,138.16	0.79
207	POLICE FUND										
	FLAGSTAR	525,805.74	0.50								
	NORTHPOINTE BANK			250,000.00	1.20	11/8/2016					
	BANK OF HOLLAND			614,281.25	1.00	8/20/2016					
	TOTAL POLICE FUND	525,805.74	0.50	864,281.25	1.06					1,390,086.99	0.85
208	HAZMAT FUND										
	LMCU	49,549.21	0.40							49,549.21	0.40
209	OPEN SPACE										
	CHEMICAL	176,837.09	0.05								
	OLD NATIONAL BANK										
	CWCU			250,001.00	0.75	10/15/2016					
	TOTAL OPEN SPACE	176,837.09	0.05	250,001.00	0.76					426,838.09	0.46
211	DAM REPAIR										
	LMCU	212,001.88	0.50								
	LMCU			311,935.86	1.30	3/10/2017					
	TOTAL DAM REPAIR	212,001.88	0.50	311,935.86	1.30					523,937.74	0.98
216	PATHWAY FUND										
	MACATAWA	257,250.27	0.25								
	OPTION 1			524,327.53	1.10	10/8/2018					
	TOTAL PATHWAY FUND	257,250.27	0.25	524,327.53	1.10					781,577.80	0.82
246	PUBLIC UTILITY										
	CHEMICAL BANK	322,550.93	0.05								
	IRF										
	LMCU	679,649.87	0.50								
	LMCU			262,812.23	1.00	12/22/2015					
	TALMER			500,000.00	0.95	6/29/2018					
	TOTAL PUBLIC UTILITY	1,002,200.80	0.36	762,812.23	0.97					1,765,013.03	0.62
248	DDA FUND										
	LMCU	266,988.89	0.50								
	OLD NATIONAL BANK		0.04								
	CHEMICAL BANK	420,587.16	0.05								
	OPTION ONE			200,005.00	0.75	3/24/2017					
	BANK OF HOLLAND			265,466.16	0.75	5/26/2016					
	LMCU			262,812.23	1.00	12/22/2015					
	TOTAL DDA FUND	687,576.05	0.22	728,283.39	0.84					1,415,859.44	0.54
249	BLDG. INSPECTION										
	CHEMICAL BANK	555,268.99	0.05								
	CHEMICAL BANK R.	40,983.25									
	CONSUMERS CU			300,025.00	0.70	3/10/2017					
	FNB OF AMERICA			100,879.52	1.40	12/18/2017					
	FNB OF AMERICA			200,000.00	1.35	9/18/2016					
	FNB OF MI			511,395.83	1.15	10/11/2018					
	FIRST COMMUNITY B.			250,000.00	1.00	5/1/2718					
	INDEPENDENT BANK			300,000.00	1.10	12/19/2016					
	CHEMICAL BANK										
	TOTAL BLDG. INSPECT.	596,252.24	0.05	1,662,300.35	1.08					2,258,552.59	0.80
270	LIBRARY FUND										
	UNITED BANK	371,460.07	0.40								
	LMCU			832,967.83	1.30	3/20/2017					
	WMCB			250,000.00	0.85	6/1/2016					
	BANK OF HOLLAND			526,501.36	0.70	4/7/2016					
	TOTAL LIBRARY FUND	371,460.07	0.40	1,609,469.19	1.03					1,980,929.26	0.91
408	HOMEYER O.SP.										
	LMCU	350,580.15	0.50								
	TOTAL HOMEYER O.SP.	350,580.15	0.50							350,580.15	0.50
701	T & A										
	OLD NATIONAL	130,356.77	0.04							130,356.77	0.04
701	JAMES TIMMONS										
	CHEMICAL BANK			12,400.00	1.60	3/21/2017				12,400.00	1.60
701	JACK SMITH INV.										
	CHEMICAL BANK	22,804.54	0.05							22,804.54	0.05
701	HENRY KRAMER										
	CHEMICAL BANK	15,167.91	0.05							15,167.91	0.05
	TOTAL	9,644,209.64	0.34	11,886,976.85	1.00		500,000.00	1.00		22,031,186.39	0.71

Submitted by Oxana Sourine Date 1/5/16
 Oxana Sourine Deputy Treasurer

Reviewed by Ken Peirce Date 1/6/2016
 Ken Peirce Treasurer



Cascade Charter Township Fire Department Month End Report
November 2015

Site Plan Review:

We had one site plan review this month:

- Cascade Animal Hospital addition

Public Relations:

We participated in four (4) public relation programs this month:

- Forest Hills Presbyterian Pre-school safety talk
- CPR/AED class
- Safety talk/tour for Boy Scout Troop 3634
- Girl Scout Troop First Aid Merit Badge Class

Meeting attendance:

- KCEMS Agency meeting
- KCEMS Governing Board meeting
- SDS Meeting
- KCEMS QI meeting
- KCEMS Dispatch Steering Committee meeting
- FDAC meeting
- Active Shooter meeting GR Ford Airport
- MABAS 3603 meeting
- Kent County Chiefs meeting
- Fire Officer meeting
- MABASMI meeting
- Child Preparedness meeting / Red Cross
- Caravelle Village Association meeting
- MABAs 3603 Communications Committee meeting
- July 4th meeting

On Site Program:

We performed no on-sites this month:

Fires and Fire Investigations:

We had no fires or investigations this month:

New Hires:

We had no new hires this month.

Items Completed by Staff:

- Locking and unlocking township properties
- General repairs to apparatus and equipment

- Monthly trainings – Department and Shift
- Physical fitness
- Cleaned both stations
- Shift Trainings
- Maintenance of buildings
- Department training
- Equipment Maintenance
- Public Relations
- CPR class

Training:

This month's training covered the following topics.

- Department training:
 - Firefighter Survival
 - Firefighter Health and Wellness / Tour of YMCA Facility with Kentwood

Types of Alarms:

➤ Fire Alarms	19
➤ Automatic Aid	0
➤ Aircraft Alerts	0
➤ Bomb Threat	0
➤ CO Alarm	2
➤ Dumpster Fire	0
➤ Check Welfare	0
➤ Service Calls	3
➤ Fires	2
➤ Grass Fire	2
➤ Hazardous Incident	1
➤ Illegal Burn	3
➤ Lock Out	1
➤ Lift Assist	1
➤ Lightning Strike (no fire)	0
➤ Med 1	42
➤ Med 2	8
➤ Med 3	24
➤ Medical Alarm	2
➤ Mechanical Failure	0
➤ Mutual Aid	2
➤ Gas Leak	1
➤ Odor of Smoke	3
➤ Personal Injury Accidents	8
➤ Property Damage Accidents	2
➤ Stand By	0
➤ Search	0
➤ Technical Rescue	0
➤ Tree Down	1
➤ Vehicle Fire	1
➤ Wires Down	4
➤ Wash Downs	0
➤ Water Leak	0
TOTAL	130

Mutual/Automatic Aid responses:

Ada Fire	Caledonia Fire	Kentwood Fire	City of Grand Rapids	Alto Fire	Airport Fire
	MA for a medical on Whitneyville				MA on medical at Viewing Area

Mutual Aid=MA

Automatic Aid=AA

Summary:

We responded to 130 calls for assistance this month with an average turnout per incident of four (4) personnel. As of November 30, 2015, we responded to 1572 calls for the year compared to 1540 as of November 30, 2014. This is an increase of 32 responses from last year. We had 7 calls that overlapped during the month.



John C. Sigg
Fire Chief

Life EMS Ambulance November 2015 Report

Cascade Twp

Total Responses: 71
Total Transports: 58
% Transports: 82%

Suburban Response Interval

Priority 1 12:00
Priority 2 20:00
Priority 3 20:00

Rural Response Interval

Priority 1 15:00
Priority 2 20:00
Priority 3 20:00

Fractile Response Interval

Cascade Twp Suburban Priority 1

0-2 Min	2-4 Min	4-6 Min	6-8 Min	8-10 Min	10-12 Min	12-14 Min	14-15 Min	15-16 Min	16-18 Min	18-20 Min	20-22 Min	22-24 Min	>24 Min	Requested Exceptions	TOTAL	Compliant	Average
0	6	7	5	5	4	0	1	0	0	0	0	0	0	0	28	96%	0:07:50

Cascade Twp Suburban Priority 2

0-2 Min	2-4 Min	4-6 Min	6-8 Min	8-10 Min	10-12 Min	12-14 Min	14-15 Min	15-16 Min	16-18 Min	18-20 Min	20-22 Min	22-24 Min	>24 Min	Requested Exceptions	TOTAL	Compliant	Average
1	0	1	3	2	1	1	1	0	1	0	0	0	0	0	11	100%	0:09:58

Cascade Twp Suburban Priority 3

0-2 Min	2-4 Min	4-6 Min	6-8 Min	8-10 Min	10-12 Min	12-14 Min	14-15 Min	15-16 Min	16-18 Min	18-20 Min	20-22 Min	22-24 Min	>24 Min	Requested Exceptions	TOTAL	Compliant	Average
0	1	1	0	4	3	3	1	2	2	1	0	1	0	0	19	95%	0:13:33

Cascade Twp Rural Priority 1

0-2 Min	2-4 Min	4-6 Min	6-8 Min	8-10 Min	10-12 Min	12-14 Min	14-15 Min	15-16 Min	16-18 Min	18-20 Min	20-22 Min	22-24 Min	>24 Min	Requested Exceptions	TOTAL	Compliant	Average
0	0	0	0	2	2	3	3	0	0	0	0	0	0	0	10	100%	0:13:03

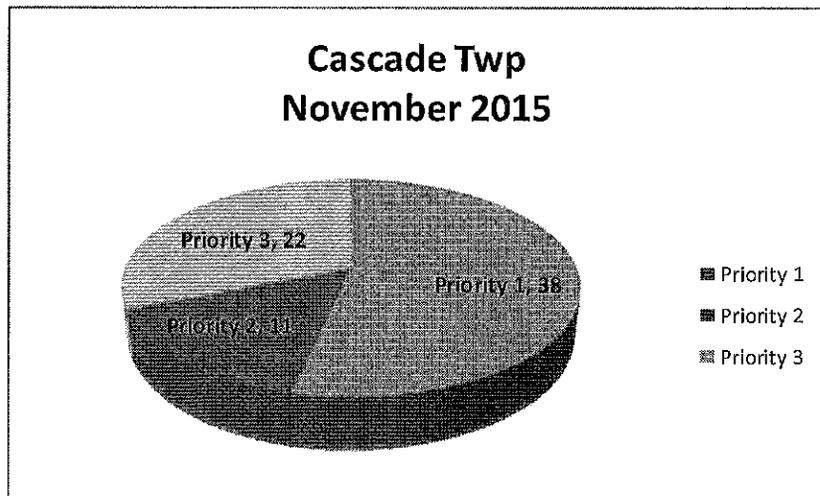
Cascade Twp Rural Priority 2

0-2 Min	2-4 Min	4-6 Min	6-8 Min	8-10 Min	10-12 Min	12-14 Min	14-15 Min	15-16 Min	16-18 Min	18-20 Min	20-22 Min	22-24 Min	>24 Min	Requested Exceptions	TOTAL	Compliant	Average
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0:00:00

Cascade Twp Rural Priority 3

0-2 Min	2-4 Min	4-6 Min	6-8 Min	8-10 Min	10-12 Min	12-14 Min	14-15 Min	15-16 Min	16-18 Min	18-20 Min	20-22 Min	22-24 Min	>24 Min	Requested Exceptions	TOTAL	Compliant	Average
0	0	0	0	0	0	2	1	0	0	0	0	0	0	0	3	100%	0:14:09

Response Priority	Total
Priority 1	38
Priority 2	11
Priority 3	22
Grand Total	71





**Cascade Charter Township
Seminar/Conference Attendance Request Form**

This form must be filled out if the employee is requesting Township payment or reimbursement for the employee's attendance to a seminar or conference.

Conditions:

1. Cascade Charter Township will reimburse employees for approved registration for work related seminars and conferences. Individual seminars and conferences must be related to the employee's current job duties or a foreseeable-future position in the organization in order to be eligible for educational assistance.
2. Some seminars/conferences that an employee may attend may be unrelated to their particular job or government in general, and are therefore not covered by this assistance policy.
3. Any request that requires an overnight stay or expenditure over \$200 requires Township Board approval before the seminar/conference is attended.
4. Under extenuating circumstances, the Township Manager may approve an overnight stay or expenditure over \$200 for a conference or seminar prior to Township Board approval. The request must be made before attendance to a seminar/conference. The Township Board will be informed of request at their next scheduled meeting.

This form must be completed by the employee and approved by the Township Manager and/or Township Board before the seminar/conference is attended.

Name: Denise M. Biegalle

Application Date: December 30, 2015

Location of Seminar/Conference Plymouth, MI

Name of Proposed Seminar/Conference: Labor & Employment Law Institute

Description of Seminar/Conference: (may also be attached) Major Changes and significant rulings made in Employment Law. (See attached brochure)

How will the Seminar/Conference benefit the employee and the township? Keeping abreast of current HR practices and Employment Law rulings.

Cost of the Seminar/Conference: (Registration) \$ \$395

(Lodging) \$ (1) night @ \$139 **(Travel)** \$ 296 Miles @ .54/mile \$159.84

Account #: 101-295-724-000

Your Signature: 

Approvals:

Department Head: _____ Date: _____

Township Manager:  Date: 1-08-16

Clerk's Signature: _____ Date: _____

(Showing Township Board approval)

Original to personnel file

1 copy to applicant

1 copy to Accounting



41ST ANNUAL

APRIL 14-15, 2016 | PLYMOUTH

Labor & Employment Law *institute*

Tackle Today's Hot Topics in Labor and Employment Law

Cosponsors

Labor & Employment Law Section
of the State Bar of Michigan

Federal Mediation &
Conciliation Service

Networking Events

Special Roundtable
Lunch Discussion

Midday Reception

REGISTER TODAY

www.icle.org/labor
877-229-4350



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University Thomas M. Cooley Law School • Michigan State University College of Law

Agenda

8:00am Continental Breakfast and Registration *Daily*

THURSDAY, APRIL 14, 2016

- 9:00am Welcome and Section Activity Update
- 9:20am Americans with Disabilities Act Update
- 10:05am Networking Break
- 10:20am Equal Employment Opportunity Update
- 11:05am Family and Medical Leave Act Update
- 11:55am Networking Lunch On-Site
- 11:55am Special Roundtable Lunch Discussion (Pre-Registration Required—Limit 75)
- 1:10pm Fair Labor Standards Act Update

Employment Law Track

- 2:05pm Medical Marijuana and the Workplace: Clearing the Haze
- 3:00pm Exhibit Hall Showcase and Midday Reception
- 3:45pm The Changing Definition of the Workforce: Are We All Employees?
- 4:50pm A View from the Bench

Labor Law Track

- The Court of Public Opinion: The Practice of Labor and Employment Law in Today's 24/7 Media Cycle
- Exhibit Hall Showcase and Midday Reception
- NLRB/MERC Update

Human Resources Track

- The Year in Review for Human Resources Professionals—Part One
- Exhibit Hall Showcase and Midday Reception
- The Year in Review for Human Resources Professionals—Part Two

FRIDAY, APRIL 15, 2016

Employment Law Track

- 9:00am LGBT Issues in Employment Law After *Obergefell v Hodges**
- 10:05am Noncompetition Agreements: How to Effectively Implement and Avoid Contractual Restrictive Covenants*

Labor Law Track

- Quickie Elections: The Practical Effect*
- In the Mind of the Arbitrator: Dos and Don'ts for Arbitrators—Avoiding Self-Destruction*

Human Resources Track

- The Risks and Rewards of Tapping Unlikely Talent Pools*
- Immigration Fundamentals*

- 11:00am Networking Break
- 11:15am The E-Workplace: Reducing Employer Liability Versus Respecting Employee Privacy

* MP3 download available to all registrants after the seminar.

Accommodations

The Inn at St. John's
44045 Five Mile Road
Plymouth, MI 48170

A block of rooms has been reserved at The Inn at St. John's, Plymouth, under ICLE/Labor & Employment Law for April 13–14, 2016. The room rate is \$139/night. Please call 734-414-0600 to reserve a room.

Reservations must be made by March 30, 2016. Registrants are responsible for their own hotel expenses.

Tracks

Plenary Sessions

9:00am, Thursday

Welcome and Section Activity Update

Brian E. Koncius, Chair, Labor & Employment Law Section of the State Bar of Michigan, Bogas Koncius & Croson PC, *Bingham Farms*

9:20am/Thursday

Americans with Disabilities Act Update

Mami Kato, Sachs Waldman PC, *Detroit*; John R. Runyan, Sachs Waldman PC, *Detroit*

10:20am/Thursday

Equal Employment Opportunity Update

Maria Fracassa Dwyer, Clark Hill PLC, *Detroit*; Jeffrey A. Steele, Clark Hill PLC, *Detroit*

11:05am/Thursday

Family and Medical Leave Act Update

Susan Hartmus Hiser, Vercruyse Murray PC, *Bingham Farms*; Brian E. Koncius, Chair, Labor & Employment Law Section of the State Bar of Michigan, Bogas Koncius & Croson PC, *Bingham Farms*

11:55am/Thursday

Networking Lunch On-Site

Relax and mingle with your fellow attendees at our informal lunch.

11:55am/Thursday

Special Roundtable Lunch Discussion

Sit down with the leaders in human resources, labor law, and employment law to learn how they rose to the top of their fields. Share your experiences, meet new contacts, and network with your colleagues. Lawyers: get new ideas on how to market yourself and your practice. Human Resources professionals: get tips on how to maximize your career. (Pre-Registration Required—Limit 75)

1:10pm/Thursday

Fair Labor Standards Act Update

Robert A. Boonin, Dykema, *Detroit*

3:00pm/Thursday

Exhibit Hall Showcase and Midday Reception

Network with colleagues, sponsors, and exhibitors while you enjoy light snacks and complimentary beer and wine.

4:50pm/Thursday

A View from the Bench

Get the lowdown on best practices from state and federal court judges who handle employment law cases on a regular basis. Covering topics such as managing discovery, handling discovery disputes, use of experts and motions too, learn what each judge likes and dislikes, as well as pet peeves.

Hon. Phillip J. Green, U.S. District Court, Western District of Michigan, *Grand Rapids*; Hon. Judith E. Levy, U.S. District Court, Eastern District of Michigan, *Ann Arbor*; Hon. Denise Langford Morris, Sixth Circuit Court, *Pontiac*; Hon. Anthony P. Patti, U.S. District Court, Eastern District of Michigan, *Detroit*

11:15am/Friday

The E-Workplace: Reducing Employer Liability Versus Respecting Employee Privacy

Back by popular demand! Adam provides the latest developments in technology and the workplace such as “disappearing” and “anonymous” apps, live-stream apps, collaboration platforms, and digital interview platforms and explains the NLRB’s most current views on these technologies and how they are impacting employers and employees alike. Get answers to your most pressing questions like: Are posts on social media sites legally protected? Can conduct via employer-provided technology trigger an employer’s duty to take prompt remedial action? What are the risks of implementing a BYOD policy?

Adam S. Forman, Epstein Becker & Green PC, *Southfield*

Employment Law Track

2:05pm/Thursday

Medical Marijuana and the Workplace: Clearing the Haze

Michigan is one of 23 states and the District of Columbia that has legalized medical marijuana. Explore the impact of medical marijuana in the workplace in Michigan and beyond, including drug testing and the implications of positive tests, the duty to accommodate under the ADA, and disciplining employees for medical marijuana use.

Michael W. Groebe, Foley & Lardner LLP, *Detroit*

3:45pm/Thursday

The Changing Definition of the Workforce: Are We All Employees?

Improperly classifying your workforce can result in legal challenges and costly fines. Understanding the importance of properly classifying your workforce is critical. This presentation will focus on the risks of improperly classifying a worker as an intern, an independent contractor, or even a temporary employee and will provide practical strategies to help in making the proper determination.

Megan A. Bonanni, Pitt McGehee Palmer & Rivers PC, *Royal Oak*; Naomi Oglesby, Vercruyse Murray PC, *Bingham Farms*

9:00am/Friday

LGBT Issues in Employment Law After *Obergefell v Hodges*

While *Obergefell* made same-sex marriage legal in all states, its effect on employment issues such as implementing compliant employer policies and navigating the new landscape of potential employment discrimination claims remains murky. Get the latest caselaw and EEOC developments in this area, and discover the EEOC’s current position on transgender discrimination. Identify common areas where this civil rights quagmire is likely to be seen, and get strategies to effectively represent your clients.

Erica Powell Bell, Multi-Training Systems LLC, *Southfield*; Dale R. Price, Jr., U.S. Equal Employment Opportunity Commission Detroit Field Office, *Detroit*; James M. Reid IV, Maddin Hauser Roth & Heller PC, *Southfield*

Tracks

10:05am/Friday

Noncompetition Agreements: How to Effectively Implement and Avoid Contractual Restrictive Covenants

Protection of an employer's intellectual property is often accomplished through the use of noncompete agreements with key employees. Likewise, employers continually search for new employees to assist with development of new products. The tension between those interests often plays out in threatened (or actual) litigation. Get tips for drafting and implementing effective noncompete agreements, and learn strategies for avoiding noncompetes and litigating when the need for enforcement arises.

James F. Hermon, Dykema, *Detroit*; Katherine J. Van Dyke, Jackson Lewis PC, *Southfield*

Labor Law Track

2:05pm/Thursday

The Court of Public Opinion: The Practice of Labor and Employment Law in Today's 24/7 Media Cycle

Rather than addressing employment issues directly with their employers, employees are taking their case directly to the media where they are able to distribute their message quickly and to the masses. Get best practice tips for approaching high-profile employment matters from media savvy employee advocates, defense lawyers and a well-seasoned media veteran. Hear why traditional strategies for addressing workplace issues are no longer effective as we explore the 21st century workplace.

Deborah L. Gordon, Deborah Gordon Law, Gordon & Prescott, *Bloomfield Hills*; Gloria A. Hage, General Counsel, Eastern Michigan University, *Ypsilanti*; Walter Kraft, Vice President Communications & Public Affairs, Eastern Michigan University, *Ypsilanti*; Donica Thomas Varner, University of Michigan Office of the General Counsel, *Ann Arbor*

3:45pm/Thursday

NLRB/MERC Update

Explore the most significant decisions issued by the National Labor Relations Board, the courts, the Michigan Employment Relations Commission, and the Court of Appeals in reviewing MERC decisions.

D. Lynn Morison, Bureau of Employment Relations, *Detroit*; Dynn Nick, National Labor Relations Board, *Detroit*

9:00am/Friday

Quickie Elections: The Practical Effect

What are the implications on the workplace and its employees when union election periods are shortened? Take a look at the process of preparing for and winning expedited union elections and whether the new NLRB rule actually increases the viability of union campaigns or fosters an environment of union avoidance.

Amy J. Zdravecky, Miller Canfield PLC, *Grand Rapids*

10:05am/Friday

In the Mind of the Arbitrator: Dos and Don'ts for Arbitrators—Avoiding Self-Destruction

This presentation will provide specific examples of skills and tactics that may either promote or inhibit successful arbitration hearings. It will also explore case scenarios to demonstrate actual application of effective tools; pinpoint when, where, and how mistakes are made; suggest effective alternative approaches; and offer observations and analyses from two expert arbitrators.

Earlene R. Baggett-Hayes, The Law & Mediation Center PLLC, *Pontiac*; Samuel E. McCargo, Lewis & Munday PC, *Detroit*

Human Resources Track

2:05pm/Thursday

The Year in Review for Human Resources Professionals—Part One

This annual update uses case studies and audience voting to show how the newest court decisions impact your human resources department. Get expert insight and analysis from top experts who advise HR professionals in their practice every day. Bring your questions and get them answered!

Robert A. Boonin, Dykema, *Detroit*; Maria Fracassa Dwyer, Clark Hill PLC, *Detroit*; Susan Hartmus Hiser, Vercruyse Murray PC, *Bingham Farms*; John R. Runyan, Sachs Waldman PC, *Detroit*

3:45pm/Thursday

The Year in Review for Human Resources Professionals—Part Two

Part two of this annual update uses case studies and audience voting to show how the newest court decisions impact your human resources department. Get expert insight and analysis from top experts who advise HR professionals in their practice every day. Bring your questions and get them answered!

Robert A. Boonin, Dykema, *Detroit*; Maria Fracassa Dwyer, Clark Hill PLC, *Detroit*; Susan Hartmus Hiser, Vercruyse Murray PC, *Bingham Farms*; John R. Runyan, Sachs Waldman PC, *Detroit*

9:00am/Friday

The Risks and Rewards of Tapping Unlikely Talent Pools

Finding it difficult to attract and retain good employees? Then this session is for you. Learn about promising new areas where employers are finding talent, and get an update on the risks involved in hiring—and not hiring—applicants with criminal backgrounds. Learn strategies for navigating the line between liability for negligent hiring and discrimination claims for failing to hire, and explore recent EEOC regulations and cases applicable to this area.

Ryan D. Bohannon, Kienbaum Opperwall Hardy & Pelton PLC, *Birmingham*; Shelly Tucker, PhD, Corrections2Community, *Harper Woods*; Gail Wambsgans, American Axle & Manufacturing Inc, *Detroit*

10:05am/Friday

Immigration Fundamentals

Learn the fundamentals of employment-based immigration law, and gain an understanding of common immigration terms and immigrant classifications. Find out the circumstances in which visas may be granted, and explore the variety of visa types and when each is appropriate. Plus, get tips for completing and updating I-9s.

Clara DeMatteis Mager, Butzel Long, *Detroit*



December 18, 2015

Mr. Benjamin Swayze, Manager
Cascade Township
2865 Thornhills Ave. SE
Grand Rapids, MI 49546

Dear Mr. Swayze:

As part of Comcast's commitment to keep you informed about important developments that affect our customers in your community, I am writing to notify you of some changes to the channel lineup. Customers are being notified of these changes via bill message.

National Geographic Channel (channel 109) and National Geographic Channel HD (channels 199 and 1261) are now available on the TV 450 Latino and the TV 300 Latino channel lineups. Fox Sports 1 (channel 731) and Fox Sports 1 HD (channels 223 and 1620) are now available on the TV 300 Latino channel lineup.

Also, effective January 7, 2016, GAC (channel 147) will be available on the Digital Starter channel lineup.

As always, feel free to contact me directly at 734-254-1557 with any questions you may have.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kyle V. Mazurek", is written over a light blue horizontal line.

Kyle V. Mazurek
Manager of External Affairs
Comcast, Heartland Region
41112 Concept Drive
Plymouth, MI 48170



December 3, 2015

Mr. Benjamin Swayze, Manager
Cascade Township
2865 Thornhills Ave. SE
Grand Rapids, MI 49546

Dear Mr. Swayze:

As part of Comcast's commitment to keep you informed about important developments that affect our customers in your community, I am writing to notify you of a change to the channel lineup. Customers are being notified of this change via bill message.

WWMT-Comet, channel 296, is now available on the Limited Basic channel lineup.

As always, feel free to contact me directly at 734-254-1557 with any questions you may have

Sincerely,

A handwritten signature in blue ink, appearing to read "Kyle V. Mazurek".

Kyle V. Mazurek
Manager of External Affairs
Comcast, Heartland Region
41112 Concept Drive
Plymouth, MI 48170

TOWNSHIP BOARD MEMORANDUM

To: Cascade Charter Township Board
From: Sandra Korhorn, DDA/Economic Development Director *SKK*
Subject: Consider Pay Draw #6 for the Museum Gardens project
Meeting Date: January 13, 2016

Attached is the contractor's application for payment #6 for the Museum Gardens improvement project. The pay application, pay estimate report and account balance are attached.

The amount due is \$13,119.06. The work completed and recommended for payment in this pay request has been reviewed and approved by Pat Cornelisse of Cornelisse Design Associates.

The work at the Museum Gardens is 90% complete. The final landscaping, irrigation and restoration will be completed in the spring.

Staff recommends approval of Pay Draw #6 in the amount of \$13,119.06 for the Museum Gardens project.

Attachments: Cornelisse Design letter
Pay Draw #6



Cornelisse
Design Associates, Inc.
LANDSCAPE ARCHITECTURE

January 10, 2016

TO: Sandra Korhorn, Cascade Township

**RE: Pay Application #6 Approval
Cascade Township Gateway Park Improvements**

Dear Sandra:

We have reviewed the Pay Application #6 from Apex Contractors. This pay application covers completion of most of the project. Weather shut the final touches down til Spring. We have about \$15-20,000 worth of work to complete (primarily restoration and irrigation).

We recommend payment of the application.

Sincerely yours,

Patricia Cornelisse, ASLA, LLA
Cornelisse Design Associates, Inc.

site planning ■
land planning
park planning & design

APPLICATION AND CERTIFICATE FOR PAYMENT

To: Cascade Charter Township
 2865 Thornhills SE
 Grand Rapids, MI 49546
 FROM: APEX Contractors, Inc.
 4101 27th Street, Dorr, MI 49323

PROJECT: Cascade Gateway Park Improvement APPLICATION NO: 6
 PERIOD TO: 12/31/15
 VIA: Cornelisse Design Associates, Inc.
 818 Sarasota SE
 Grand Rapids, MI 49546
 ARCHITECT: Pat Cornelisse
 PROJECT NO: 201404
 PO NO: 44562
 CONTRACT DATE: March 5, 2015

OWNER
 ARCHITECT
 CONTRACTOR

CONTRACT FOR: General Construction

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Change Orders approved in previous months by owner			
TOTAL		\$ 43,484.00	\$ (14,767.00)
APPROVED THIS MONTH			
Number	Date Approved		
		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -
TOTALS		\$ 43,484.00	\$ (14,767.00)
Net change by Change Orders		\$ 28,717.00	

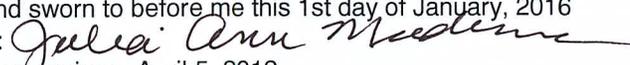
Application is made for Payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

- 1. ORIGINAL CONTRACT SUM..... \$ 289,293.11
- 2. Net change by change Orders..... \$ 28,717.00
- 3. CONTRACT SUM TO DATE (LINE 1+2)..... \$ 318,010.11
- 4. TOTAL COMPLETED & STORED TO DATE..... \$303,810.11
 (Column G on G703)
- 5. RETAINAGE:
 - a. 10% of Completed Work \$30,381.01
 - b. 10% of Stored Material \$ -
 - Total Retainage(line 5a+5b) \$ 30,381.01
- 6. TOTAL EARNED LESS RETAINAGE \$273,429.10
 (LINE 4 LESS LINE 5 TOTAL)
- 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 260,310.04
- 8. CURRENT PAYMENT DUE..... **\$13,119.06**
- 9. BALANCE TO FINISH, PLUS RETAINAGE..... \$ 44,581.01
 (Line 3 less Line 6)

The undersigned Contractor certifies that to the best of the Contractor's Knowledge information and belief the Work covered by this application for payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: APEX Contractors, Inc.

By: 

State of: **Michigan** County of: **Allegan**
 Subscribed and sworn to before me this 1st day of January, 2016
 Notary Public: 
 My Commission expires: April 5, 2019

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief, the Work has progressed as indicated, the Quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED.....

(Attach explanation if amount certified differs from the amount applied for.)

ARCHITECT:

By: Patricia S Cornelisse Date: 1/10/16

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

AIA Document G702, APPLICATION AND CERTIFICATE FOR PAYMENT, containing Contractor's signed Certification is attached
 In tabulations below, amounts are stated to the nearest dollar,
 Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NUMBER: 6
APPLICATION DATE : 1/1/16
PERIOD TO: 12/31/15
ARCHITECT'S PROJECT NO: 201404

A	B	C	D	E	F	G	H	I
ITEM NO	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED	THIS PERIOD	MATERIALS PRESENTLY STORED NOT IN D OR E	TOTAL COMPLETED AND STORED TO DATE (D+E+F+)	BALANCE TO FINISH (C-G)	RETAINAGE
1	Demolition work	\$ 10,203.28	\$ 10,203.28	\$ -		\$ 10,203.28	\$ -	\$ 1,020.33
2	Earthwork	\$ 18,200.00	\$ 17,500.00	\$ 700.00		\$ 18,200.00	\$ -	\$ 1,820.00
3	Drainage	\$ 30,073.10	\$ 30,073.10	\$ -		\$ 30,073.10	\$ -	\$ 3,007.31
4	Paving, precast straight curb	\$ 64,015.73	\$ 61,415.00	\$ 2,600.73		\$ 64,015.73	\$ -	\$ 6,401.57
5	Masonry Retaining Walls	\$ 46,600.00	\$ 46,600.00	\$ -		\$ 46,600.00	\$ -	\$ 4,660.00
6	Site Furnishings	\$ 16,285.00	\$ 12,200.00	\$ 3,585.00		\$ 15,785.00	\$ 500.00	\$ 1,578.50
7	Site Musical Instruments	\$ 28,025.00	\$ 28,025.00	\$ -		\$ 28,025.00	\$ -	\$ 2,802.50
8	Site Electrical	\$ 38,500.00	\$ 34,500.00	\$ 4,000.00		\$ 38,500.00	\$ -	\$ 3,850.00
9	Landscape Work	\$ 8,819.50	\$ 2,000.00	\$ 1,819.50		\$ 3,819.50	\$ 5,000.00	\$ 381.95
10	Irrigation System	\$ 9,700.00	\$ 1,000.00	\$ -		\$ 1,000.00	\$ 8,700.00	\$ 100.00
11	Miscellaneous Items	\$ 18,871.50	\$ 17,000.00	\$ 1,871.50		\$ 18,871.50	\$ -	\$ 1,887.15
12	Change Order 1	\$ 825.00	\$ 825.00	\$ -		\$ 825.00	\$ -	\$ 82.50
13	Change Order 2	\$ 8,517.00	\$ 8,517.00	\$ -		\$ 8,517.00	\$ -	\$ 851.70
14	Change Order 3	\$ 18,151.00	\$ 18,151.00	\$ -		\$ 18,151.00	\$ -	\$ 1,815.10
15	Change Order 4	\$ 1,224.00	\$ 1,224.00	\$ -		\$ 1,224.00	\$ -	\$ 122.40
16						\$ -	\$ -	\$ -
17						\$ -	\$ -	\$ -
18						\$ -	\$ -	\$ -
19						\$ -	\$ -	\$ -
20						\$ -	\$ -	\$ -
21						\$ -	\$ -	\$ -
22						\$ -	\$ -	\$ -
		\$ 318,010.11	\$ 289,233.38	\$ 14,576.73	\$ 0.00	\$ 303,810.11	\$ 14,200.00	\$ 30,381.01

STAFF REPORT

TO: Cascade Charter Township Board
FROM: Steve Peterson, Community Development Director
REPORT DATE: January 7, 2016
MEETING DATE: January 13, 2015
CASE: #15-3229 / RJV Ventures

GENERAL INFORMATION

- A. **Applicant:** Tom Guisti
PO Box 441
Ada MI 49301
- B. **Status of Applicant:** purchase agreement
- C. **General Location:** East side of Thornhills just south of Thornbook
- D. **Requested Action:** Amend PUD #55 to permit 10 unit single family detached homes.
- E. **Existing Zoning on Subject Parcels:** PUD #55
- F. **Zoning on Adjoining Parcels:**
N - PUD 36 and PUD 37
S - PUD 55
E - R2
W - PUD 39
- G. **Parcel Size:** Approximately 5.2 acre
- H. **Existing Land Use on Subject Parcel:** Vacant
- I. **Adjacent Area Land Uses:**
North - office/vacant
East - residential
South - senior housing
West - Residential

STAFF ANALYSIS

- A. The applicant is requesting Final approval in order to develop the property into 10 single family detached units.
- B. The property is currently zoned as a part of the Sentinel Pointe development. When originally approved by the Township this area of the development was designated for a 40 unit elderly housing facility. Obviously that portion of the development has never occurred since the property is vacant today with the exception of the access road to the pump station.
- C. The new project is being developed as a condominium project, which basically means that they will not have individual lots for each unit. Essentially the property will be common areas outside of each structure. The project is being developed similar to other projects in the transitional areas (areas master planned community residential) of the township. Examples of these other projects include: Watermark, Park Place, Meadowood, Heathmoor, Gatehouse, The Summit, Highridge and Forest Hills Condominiums.
- D. Since the property is already zoned PUD as a part of the sentinel pointe project this project is being processed as an amendment to the PUD to change the 40 unit elderly housing facility to the 10 unit single family project.
- E. The project was originally introduced to the Planning Commission March 2, 2015. Since that time a few major changes have occurred. The biggest change is that the number of units was reduced from 15 to 10.
- F. This reduction in units has now allowed for some additional spacing of the units and more setback from surrounding properties. This is very similar to the other condo projects that we have approved in the transitional areas. The nearest building to an adjoin property is unit one which would have about an 18 foot setback. This is closest to the property owned by the Township. The nearest building to an adjoining residential property is unit 6 which would be 25 feet off the property line. This is our traditional rear yard setback for residential.
- G. The applicant has designed a storm water system that meets our requirements. This has been reviewed and approved by the township engineer. The storm water maintenance agreement will be required before construction can begin.
- H. The current Master Plan designation for this property is community residential. This designation allows for a wide variety of projects including single family detached residential of densities of 4-6 units per acre. The project has a density of 1.92 units per acre.
- I. The master plan does recommend public roads which was a reaction to maintenance and long term care of the road. The establishment of an association with a provision for road upkeep is being established as part of the condominium project. To address this.

- J. The plan also includes sidewalk to Thornhills to connect to the pathway system.
- K. Traffic on Thornhills is relatively light for a collector road. The most recent traffic count (2013) has a 2 way count of just over 5,000. According to the KCRC a typical three lane road would have a capacity of 22-25,000. The addition of 10 single family homes would not be a problem for this road.
- L. The Planning Commission held a public hearing on August 17, 2015 and approved the site plan with the following conditions:
 - Sign the storm water maintenance agreement.
 - Review and approval of condominium documents to ensure compliance with township requirements.
 - Revise the plans to include the drainage swale around the south end of the site to direct storm water flow into the proposed catch basins as discussed at the meeting.

Those conditions have been addressed and the planning commission forwarded a recommendation for approval at the December 7, 2015 meeting.

Standards

Section 16.03 of the Zoning Ordinance requires that a proposed 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. Keeping and updating the PUD will allow the Township to incorporate the requirements of today's standards to this section of the PUD.
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 current PUD allows for a much more dense development of 40 units. The change to less dense use would not increase the need for services for the property or place any more burden on the surrounding 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 is consistent with the master plan
In relation to underlying zoning, the proposed development shall not result in an	Since the project complies with zoning use and the master plan it would not result in an

unreasonable negative economic impact upon surrounding properties	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	The original plan for the one 40 unit elderly housing facility did not have the engineering detail to determine what the impact would be on the landscaping plan. However, it would certainly be more built up around the building. Whereas the new plan allows for more greenspace throughout the development, in a more traditional residential manner, that is consistent with how we have approved several other similar projects.
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	The developer would be purchasing the vacant property only and therefore we would only be updating the portion of the PUD Ordinance that addresses the 40 unit elderly housing facility. If broken out to create a new PUD we would still need to amend the current PUD to eliminate the 40 unit elderly housing facility.

Staff Recommendation

Staff recommends approval of the P.U.D amendment with the following condition:

1. Execute the storm water maintenance agreement.
2. Execute the PUD Ordinance.

ATTACHMENTS:

- APPLICATION
- SITE PLAN
- P.U.D. AMENDMENT
- LOCATION MAP
- TOWNSHIP ENGINEER REPORT
- MASTER PLAN MAP AND EXCERPT
- PROPOSED ELEVATION
- PROPOSED RETAINING WALL EXAMPLE
- TRAFFIC COUNT MAP
- FIRE DEPT MEMO
- PC MINUTES
- ILLUSTRATIVE ONE STORY 40 UNIT FACILITY

CASCADE CHARTER TOWNSHIP

Ordinance of 2016

AN ORDINANCE TO Amend the
Sentinel Pointe
Ordinance #1 of 1980
as amended by Ord No 6 of 1984
PLANNED UNIT DEVELOPMENT PROJECT.

CASCADE CHARTER TOWNSHIP ORDAINS:

SECTION I. AN AMENDMENT TO THE CASCADE CHARTER TOWNSHIP ZONING ORDINANCE.

The application received from Driftwood Ventures or its assigns (hereafter referred to as the “Developer”) is to amend the Sentinel Pointe Planned Unit Development to replace the 40 unit elderly housing facility with a ten unit single family residential development called Roundhill (hereinafter referred to as the “Project”). The existing 154 unit retirement facility is not part of this amendment. The project was recommended by the Cascade Charter Township Planning Commission for approval on _____, to amend the current PUD, Planned Unit Development. Approval of the proposed PUD amendment requires an amendment to the Cascade Charter Township Zoning Ordinance and Zoning Map to incorporate the Planning Commission’s recommendations and the final actions of the Cascade Charter Township Board on _____.

SECTION II. LEGAL DESCRIPTION.

1. Ten unit condominium project - Roundhill

PART OF NW 1/4 COM AT NW COR OF SEC TH 90D 00M 00S E ALONG N SEC LINE 1475.51 FT TO E LINE OF LOT 7 OF ARDEN HILLS PLAT EXT N TH S 0D 08M 00S E ALONG SD EXT E LOT LINE & SD E LOT LINE & SD E LOT LINE EXT S 0D 08M 00S E 1125.46 FT TO BEG OF THIS DESC - TH S 78D 30M 00S W 212.73 FT TH N 85D 00M 00S W 759.30 FT TO ELY LINE OF THORNHILLS AVE /100 FT WIDE/ TH NLY ALONG ELY LINE OF SD AVE TO A PT 895 FT S FROM N SEC LINE TH E PAR WITH N SEC LINE TO E LINE OF SD LOT 7 EXT S TH S 0D 08M 00S E ALONG SD EXT E LOT LINE TO BEG * SEC 16 T6N R10W 5.24 A.

2. Existing 154 unit retirement home

411916103012 PART OF NW 1/4 COM AT NW COR OF SEC TH 90D 00M E ALONG N SEC LINE 1475.51 FT TO E LINE OF LOT 7 OF ARDEN HILLS EXT N TH S 00D 08M E ALONG SD EXT E LOT LINE TO CL OF THORNAPPLE RIVER DR TH S 63D 15M 32S W 234.98 FT TH S 46D 34M 38S W 129.5 FT

TO BEG OF THIS DESC- TH N 45D 00M W 275.0 FT TH N 49D 00M E 175.0 FT TH N 57D 00M E 187.47 FT TH N 85D 00M W 759.30 FT TO ELY LINE OF THORNHILLS AVE /100 FT WIDE/ TH SWLY ALONG SD ELY LINE TO A PT 288.21 FT N FROM E&W 1/4 LINE TH E 10 FT TH S 24.21 FT TO N LINE OF S 264 FT OF NW 1/4 TH E ALONG SD N LINE TO CL OF THORNAPPLE RIVER DR TH NELY ALONG SD CL TO BEG * SEC 16 T6N R10W 18.25 A.

SECTION III. GENERAL PROVISIONS.

The conditions, requirements, and regulations contained in this document shall apply to the Project in addition to those requirements and regulations contained in Chapter XVI of the Cascade Charter Township Zoning Ordinance (Ordinance No. 11 of 1988).

SECTION IV. PURPOSE.

The Project occupies approximately 5.24 acres of land that is proposed to be developed as a 10 unit single family residential condominium development. The Planned Unit Development technique has been chosen by the Developer to provide more control over the development's aesthetics and appearance.

The conditions, requirements, and regulations contained in this document are established to ensure high quality development of the Project. Additionally, they are designed to achieve integration of this development with adjacent and area 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 its assigns must meet all applicable provisions, ordinance requirements, and regulations of Cascade Charter Township, as well as federal, county, 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 invalid, 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, operated and maintained, 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 or be made 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:

“Driftwood Ventures has fully read the above PUD ordinance amendment, understands its provisions and fully agrees with all requirements and conditions contained in the same, on behalf of it and its assigns, successors and transferees in and to the property involved.”

SECTION VI. PERMITTED USES.

The permitted uses for the Sentinel Pointe PUD are as follows:

- A. 10 Single Family Residences - Roundhill
- B. The Existing 154 unit retirement facility – Sentinel Pointe
- C. 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 VII. 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
 - 1. Roundhill – Ten (10) single-family detached condominium units.
 - 2. Existing retirement facility - 154
- B. Maximum Building or Structure Height
 - 1. Roundhill – 35 feet or two and a half stories whichever is less
 - 2. Existing retirement facility – as constructed
- C. Setback Requirements
 - 1. Roundhill - All condominium buildings and structures shall be placed within the building footprint area as shown on the final approved site plan dated _____.
 - 2. Existing retirement facility – as constructed
- D. Minimum Floor Area
 - 1. Roundhill -Each dwelling on a condominium unit shall contain a minimum of:
 - (a) One Story: 1300 square feet on the main floor, finished livable area above grade level, exclusive of garages, decks, porches and breezeways.
 - (b) Two Story: 1600 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.
 - 2. Existing retirement facility
 - (a) As constructed

Section VIII. Private Street Development - Roundhill.

- A. The Developer shall submit to the Township a street construction, maintenance, and pavement plan consistent with Section 16.11(4)(f) of the Zoning Ordinance. The Developer may establish private streets to serve the Project provided the roads are constructed in accordance with the “Cascade Charter Township Engineering Design Requirements and Standards for Private Streets” and the following specifications:
 - 1. The road grades shall not exceed a six percent (6%) grade. All grades shall be sufficient to allow safe ingress/egress of emergency vehicles.
 - 2. The private streets shall be posted with signs stating the street names. These signs shall be consistent with Kent County Road Commission standards and requirements and shall be installed at the Developer’s cost.
 - 3. Any private street shall intersect any public road at a 90 degree angle.
 - 4. Copies of any permits required by the Kent County Road Commission to connect the private street to any public road shall be provided to the Township Planning Department by the Developer.

- B. In accordance with Section G of the “Cascade Charter Township Engineering Design Requirements and Standards for Private Streets,” the Developer of the Project shall provide a disclosure statement on all property deeds to all owners of the private street, all those who utilize the private street and all persons securing a building permit to construct a building or structure served by the private street, stating that by applying for and securing a building permit for construction of a building or structure that utilizes the private street, all such persons shall use the private street at their own risk and the Township (and its employees, officials, and agents) shall not be responsible for any aspect of the private street.

- C. In accordance with Section I of the “Cascade Charter Township Engineering Design Requirements and Standards for Private Streets,” it shall be the responsibility of the Developer and its successors or the individual property owners to fully maintain and keep the private streets in good repair at all times and to ensure that snow and ice is removed in a timely fashion during the winter.

- D. No building may be erected within 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 IX. Temporary Buildings.

No structure of a temporary nature, including, but not limited to, any trailer, tent or construction shack shall be constructed, placed or maintained within the Project except lawfully accessory to and during construction of any building or infrastructure improvement.

Section X. Utilities.

A. Water and Sewer – The individual units in the Project will be served by public water and sewer. Such systems shall be designed, installed, and approved by Cascade Township and the City of Grand Rapids.

B. Stormwater Drainage –

In lieu of requiring that an Act 433 agreement or a drainage district be established with the Kent County Drain Commissioner, Cascade Charter Township has agreed to approve the site plan for the Project so long as the Project (and any and all portions thereof) always complies with the Cascade Charter Township Stormwater Ordinance (as that ordinance may be amended from time to time, as well as any successor ordinance or ordinances). Accordingly, the property owner’s association (the “Association”) and all landowners within the Project (“Co-Owners”) are required to ensure the proper installation and permanent maintenance of any and all storm drainage and water retention systems, pipes, ponds, and facilities for the Project (collectively, the “Facilities”) shown on the approved site plan or as otherwise required by the Cascade Charter Township Stormwater Ordinance (as that ordinance may be amended from time to time, as well as any successor ordinance or ordinances, all of which shall collectively be referred to hereinafter as the “Stormwater Ordinance”). Such requirements and obligations of the Association and Co-Owners include, but are not necessarily limited to, the following:

1. Maintenance and repair regarding the following items shall be done on a regular basis and in such fashion as to ensure that all components of the Facilities function properly at all times:
 - (a) Sediment removal;
 - (b) Erosion control;
 - (c) Ensuring constant structural integrity of the physical systems; and
 - (d) Designate access to the facilities.
 - (e) Cleaning of catch basin sumps
 - (f) Sediment and debris removal from the infiltration basin
 - (g) Landscape maintenance of the infiltration basin to maintain the design volume and ensure the system is operating as designed.
 - (h) Other maintenance procedures as outlined by the applicant’s engineer in their letter dated June 4, 2015.

2. The Township (including its designated officials, officers, agents, and contractors) shall have the right to physically inspect all aspects of the Facilities at all reasonable times, or any other times if, in the opinion of the Township, there is a threat to the public health, safety, or welfare.
3. Buildings, structures, landscaping, trees, or similar items shall not be installed, planted, or placed over any portion of the Facilities without prior written Township approval.
4. The Township shall be supplied with an engineer's "as-built" certification to certify that the Facilities as constructed and installed matches the approved design. The Township shall also be supplied with a reduced copy of the approved site plan graphically showing the Facilities, together with any and all easements therefor.
5. The Township shall be supplied with a permanent easement or irrevocable license allowing the Township (as well as its designated officials, officers, agents, and contractors) to have access between the public road right-of-way to any and all portions of the Facilities.
6. Should the Facilities not be properly installed, maintained, and/or repaired, in compliance with all of the requirements of this Section XII.B, the approved site plan, and the Stormwater Ordinance (whether due to the fault or neglect of the developer, the Association, and/or the Co-Owners), and any such noncompliance or deficiency shall not have been fully remedied within 30 days of the date when the Township has given the Association written notice of any such noncompliance or deficiencies, the Township, at its sole option and discretion, shall have the right and authority to perform any and all installations, repairs, and/or maintenance which is reasonably required and charge back the costs thereof to the Association and Co-Owners (together with reasonable administrative costs and legal fees). Should any challenge occur regarding the Township's actions, the following shall be applicable:
 - (a) Establishment of a Special Assessment District. The Township may establish a special assessment district for the Project to pay for or reimburse the Township for any and all such costs (as well as to ensure future required repairs and maintenance) pursuant to whichever state statute the Township desires to utilize. In such event, all of the Co-Owners and the Association shall be deemed to have consented to the establishment of such a special assessment district.
 - (b) Proceeding to Collect Pursuant to the Master Deed and Condominium Documents. Alternately, the Township shall also have the authority to collect or seek reimbursement for any and all

such costs from the Association and Co-Owners as if such obligations of the Association and Co-Owners were in the form of a permanent deed restriction or covenant on the Project. Should the Township pursue this remedy, the Township would have any and all rights attributable to the Association when collecting dues or assessments from Co-Owners. Additionally, such costs shall be a lien on each of the Units, which shall be enforceable in accordance with Act No. 94 of the Public Acts of 1933, as amended from time to time. Any such charges which are delinquent for six (6) months or more may be certified annually to the Township Treasurer, who shall enter the lien on the next tax roll against the applicable Unit, and the costs shall be collected and the lien shall be enforced in the same manner as provided for in the collection of taxes assessed upon the roll in the enforcement of a lien for taxes. In addition to any other lawful enforcement methods, the Township shall have all remedies authorized by Act No. 94 of the Public Acts of 1933, as amended.

The above alternate remedies (being (a) and (b)) shall be deemed to be in addition to any and all other remedies provided for elsewhere in the Master Deed or condominium documents or at law or equity. The Township shall have the sole authority and discretion to determine whether or not to proceed pursuant to (a) or (b), above.

- C. Before construction commences, the Developer shall provide to the Township (and any other applicable governmental units and utilities) all necessary permanent easements within the Project for telephone, telecommunications, 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 XI. 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. Developer shall comply with any and all licenses, approvals, or permits issued regarding soil erosion control requirements and measures.

Section XII. Performance Guarantee.

To ensure compliance with this Ordinance, the Cascade Township Zoning Ordinance, and any conditions and requirements 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 XIII. 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 XIV. 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 also be reviewed and approved by the Township Attorney before recording to ensure consistency with this Ordinance.

Section XV. 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 (PUD), 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.

This Ordinance also incorporates and adopts the staff comments and conclusions on pages 3-4 of the staff report dated January 7, 2016 as additional findings by the Township Board.

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 site condominium units are purchased for single family residential purposes.

SECTION XVI. EFFECTIVE DATE.

This Ordinance/Ordinance amendment shall become effective upon the expiration of seven (7) days after publication of this documents (or a summary) in the *Grand Rapids Press*, a newspaper of general circulation within Cascade Charter Township.

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

YEAS:

NAYS:

ABSENT:

Ron Goodyke
Cascade Charter Township Clerk

CERTIFICATION

I hereby certify the foregoing to be a true copy of an Ordinance/Ordinance amendment adopted at a Regular Meeting of the Cascade Charter Township Board on the ___th day of _____, 2015.

Ron Goodyke
Cascade Charter Township Clerk

Applicant Statement:

“Driftwood Ventures has fully read the above PUD ordinance amendment, understands its provisions and fully agrees with all requirements and conditions contained in the same, on behalf of it and its assigns, successors and transferees in and to the property involved.”

Signature _____ Printed Name _____ Date _____

NEDERVELD
 ARCHITECTURAL & ENGINEERING
 GRAND RAPIDS
 AIN ARFOR
 CHICAGO
 COLUMBUS
 HOLLAND
 INDIANAPOLIS
 ST. LOUIS

PREPARED FOR:
 RJE
 Tom Gosh
 P.O. Box 114
 1000 W. 13th St.
 Grand Rapids, MI 49504
 Phone: 616-961-8114

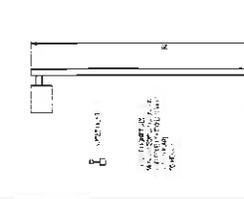
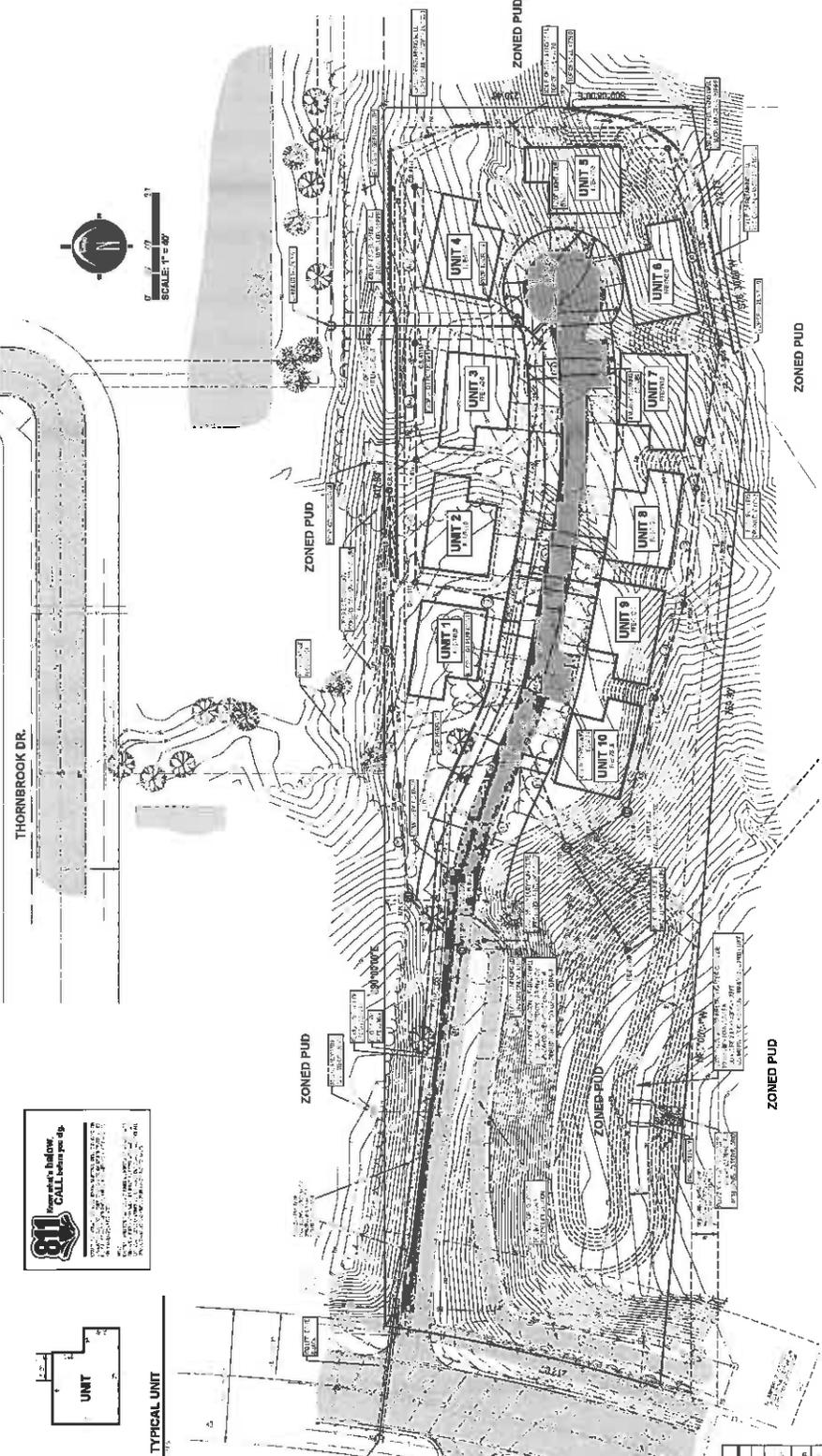
REVISIONS:

NO.	DATE	DESCRIPTION
1	01/11/14	ISSUE FOR PERMIT
2	02/11/14	REVISED PER PERMIT COMMENTS
3	03/11/14	REVISED PER PERMIT COMMENTS
4	04/11/14	REVISED PER PERMIT COMMENTS
5	05/11/14	REVISED PER PERMIT COMMENTS
6	06/11/14	REVISED PER PERMIT COMMENTS
7	07/11/14	REVISED PER PERMIT COMMENTS
8	08/11/14	REVISED PER PERMIT COMMENTS
9	09/11/14	REVISED PER PERMIT COMMENTS
10	10/11/14	REVISED PER PERMIT COMMENTS
11	11/11/14	REVISED PER PERMIT COMMENTS
12	12/11/14	REVISED PER PERMIT COMMENTS

ROUND HILL
 Preliminary Utility Plan
 PART OF THE NORTHWEST 1/4, SECTION 10, T4N, R10W, N10E
 COUNTY OF THORNAPPLE, MICHIGAN

STAMP:

PROJECT NO: 1401335
SHEET NO: C-205



LAND USE SUMMARY

ZONED PUD

LEGEND

NOTES

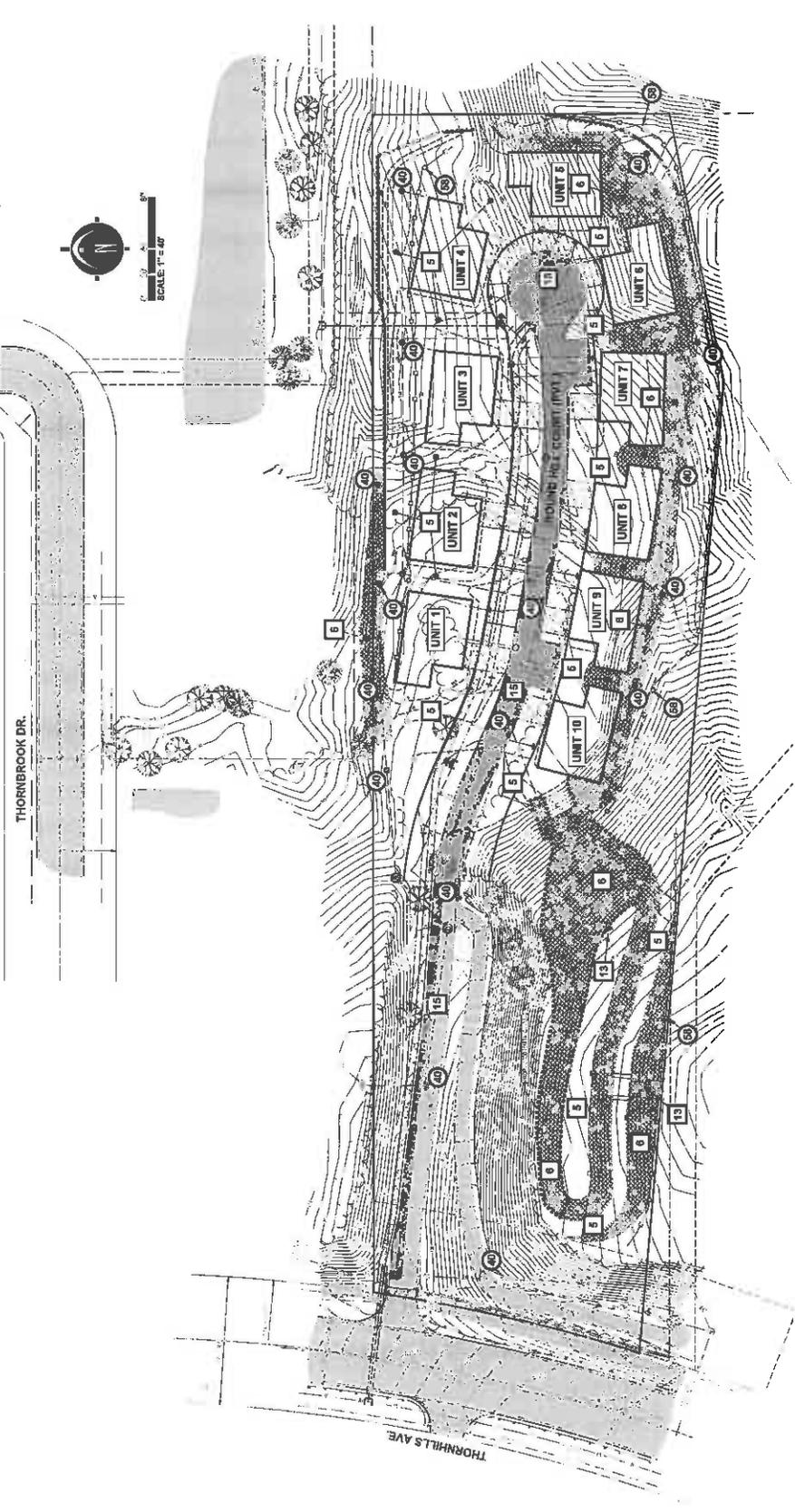
18' WIDE PRIVATE ROAD CROSS SECTION

CONCRETE SPILLWAY DETAIL FOR DETENTION BASIN

SECTION AA
 SECTION BB

STORM SEWER DRAINAGE STRUCTURES

NO.	TYPE	DATE	TYPE
1	18" DIA. MANHOLE	11/11/14	18" DIA. MANHOLE
2	30" DIA. MANHOLE	11/11/14	30" DIA. MANHOLE
3	42" DIA. MANHOLE	11/11/14	42" DIA. MANHOLE
4	60" DIA. MANHOLE	11/11/14	60" DIA. MANHOLE
5	72" DIA. MANHOLE	11/11/14	72" DIA. MANHOLE
6	90" DIA. MANHOLE	11/11/14	90" DIA. MANHOLE
7	108" DIA. MANHOLE	11/11/14	108" DIA. MANHOLE
8	126" DIA. MANHOLE	11/11/14	126" DIA. MANHOLE
9	144" DIA. MANHOLE	11/11/14	144" DIA. MANHOLE
10	162" DIA. MANHOLE	11/11/14	162" DIA. MANHOLE
11	180" DIA. MANHOLE	11/11/14	180" DIA. MANHOLE
12	216" DIA. MANHOLE	11/11/14	216" DIA. MANHOLE
13	252" DIA. MANHOLE	11/11/14	252" DIA. MANHOLE
14	288" DIA. MANHOLE	11/11/14	288" DIA. MANHOLE
15	324" DIA. MANHOLE	11/11/14	324" DIA. MANHOLE
16	360" DIA. MANHOLE	11/11/14	360" DIA. MANHOLE
17	432" DIA. MANHOLE	11/11/14	432" DIA. MANHOLE
18	504" DIA. MANHOLE	11/11/14	504" DIA. MANHOLE
19	576" DIA. MANHOLE	11/11/14	576" DIA. MANHOLE
20	648" DIA. MANHOLE	11/11/14	648" DIA. MANHOLE
21	720" DIA. MANHOLE	11/11/14	720" DIA. MANHOLE
22	792" DIA. MANHOLE	11/11/14	792" DIA. MANHOLE
23	864" DIA. MANHOLE	11/11/14	864" DIA. MANHOLE
24	936" DIA. MANHOLE	11/11/14	936" DIA. MANHOLE
25	1008" DIA. MANHOLE	11/11/14	1008" DIA. MANHOLE
26	1080" DIA. MANHOLE	11/11/14	1080" DIA. MANHOLE
27	1152" DIA. MANHOLE	11/11/14	1152" DIA. MANHOLE
28	1224" DIA. MANHOLE	11/11/14	1224" DIA. MANHOLE
29	1296" DIA. MANHOLE	11/11/14	1296" DIA. MANHOLE
30	1368" DIA. MANHOLE	11/11/14	1368" DIA. MANHOLE
31	1440" DIA. MANHOLE	11/11/14	1440" DIA. MANHOLE
32	1512" DIA. MANHOLE	11/11/14	1512" DIA. MANHOLE
33	1584" DIA. MANHOLE	11/11/14	1584" DIA. MANHOLE
34	1656" DIA. MANHOLE	11/11/14	1656" DIA. MANHOLE
35	1728" DIA. MANHOLE	11/11/14	1728" DIA. MANHOLE
36	1800" DIA. MANHOLE	11/11/14	1800" DIA. MANHOLE
37	1872" DIA. MANHOLE	11/11/14	1872" DIA. MANHOLE
38	1944" DIA. MANHOLE	11/11/14	1944" DIA. MANHOLE
39	2016" DIA. MANHOLE	11/11/14	2016" DIA. MANHOLE
40	2088" DIA. MANHOLE	11/11/14	2088" DIA. MANHOLE
41	2160" DIA. MANHOLE	11/11/14	2160" DIA. MANHOLE
42	2232" DIA. MANHOLE	11/11/14	2232" DIA. MANHOLE
43	2304" DIA. MANHOLE	11/11/14	2304" DIA. MANHOLE
44	2376" DIA. MANHOLE	11/11/14	2376" DIA. MANHOLE
45	2448" DIA. MANHOLE	11/11/14	2448" DIA. MANHOLE
46	2520" DIA. MANHOLE	11/11/14	2520" DIA. MANHOLE
47	2592" DIA. MANHOLE	11/11/14	2592" DIA. MANHOLE
48	2664" DIA. MANHOLE	11/11/14	2664" DIA. MANHOLE
49	2736" DIA. MANHOLE	11/11/14	2736" DIA. MANHOLE
50	2808" DIA. MANHOLE	11/11/14	2808" DIA. MANHOLE
51	2880" DIA. MANHOLE	11/11/14	2880" DIA. MANHOLE
52	2952" DIA. MANHOLE	11/11/14	2952" DIA. MANHOLE
53	3024" DIA. MANHOLE	11/11/14	3024" DIA. MANHOLE
54	3096" DIA. MANHOLE	11/11/14	3096" DIA. MANHOLE
55	3168" DIA. MANHOLE	11/11/14	3168" DIA. MANHOLE
56	3240" DIA. MANHOLE	11/11/14	3240" DIA. MANHOLE
57	3312" DIA. MANHOLE	11/11/14	3312" DIA. MANHOLE
58	3384" DIA. MANHOLE	11/11/14	3384" DIA. MANHOLE
59	3456" DIA. MANHOLE	11/11/14	3456" DIA. MANHOLE
60	3528" DIA. MANHOLE	11/11/14	3528" DIA. MANHOLE
61	3600" DIA. MANHOLE	11/11/14	3600" DIA. MANHOLE
62	3672" DIA. MANHOLE	11/11/14	3672" DIA. MANHOLE
63	3744" DIA. MANHOLE	11/11/14	3744" DIA. MANHOLE
64	3816" DIA. MANHOLE	11/11/14	3816" DIA. MANHOLE
65	3888" DIA. MANHOLE	11/11/14	3888" DIA. MANHOLE
66	3960" DIA. MANHOLE	11/11/14	3960" DIA. MANHOLE
67	4032" DIA. MANHOLE	11/11/14	4032" DIA. MANHOLE
68	4104" DIA. MANHOLE	11/11/14	4104" DIA. MANHOLE
69	4176" DIA. MANHOLE	11/11/14	4176" DIA. MANHOLE
70	4248" DIA. MANHOLE	11/11/14	4248" DIA. MANHOLE
71	4320" DIA. MANHOLE	11/11/14	4320" DIA. MANHOLE
72	4392" DIA. MANHOLE	11/11/14	4392" DIA. MANHOLE
73	4464" DIA. MANHOLE	11/11/14	4464" DIA. MANHOLE
74	4536" DIA. MANHOLE	11/11/14	4536" DIA. MANHOLE
75	4608" DIA. MANHOLE	11/11/14	4608" DIA. MANHOLE
76	4680" DIA. MANHOLE	11/11/14	4680" DIA. MANHOLE
77	4752" DIA. MANHOLE	11/11/14	4752" DIA. MANHOLE
78	4824" DIA. MANHOLE	11/11/14	4824" DIA. MANHOLE
79	4896" DIA. MANHOLE	11/11/14	4896" DIA. MANHOLE
80	4968" DIA. MANHOLE	11/11/14	4968" DIA. MANHOLE
81	5040" DIA. MANHOLE	11/11/14	5040" DIA. MANHOLE
82	5112" DIA. MANHOLE	11/11/14	5112" DIA. MANHOLE
83	5184" DIA. MANHOLE	11/11/14	5184" DIA. MANHOLE
84	5256" DIA. MANHOLE	11/11/14	5256" DIA. MANHOLE
85	5328" DIA. MANHOLE	11/11/14	5328" DIA. MANHOLE
86	5400" DIA. MANHOLE	11/11/14	5400" DIA. MANHOLE
87	5472" DIA. MANHOLE	11/11/14	5472" DIA. MANHOLE
88	5544" DIA. MANHOLE	11/11/14	5544" DIA. MANHOLE
89	5616" DIA. MANHOLE	11/11/14	5616" DIA. MANHOLE
90	5688" DIA. MANHOLE	11/11/14	5688" DIA. MANHOLE
91	5760" DIA. MANHOLE	11/11/14	5760" DIA. MANHOLE
92	5832" DIA. MANHOLE	11/11/14	5832" DIA. MANHOLE
93	5904" DIA. MANHOLE	11/11/14	5904" DIA. MANHOLE
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NEDERVELD
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 ANN ARBOR
 CHICAGO
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 HOLLAND
 INDIANAPOLIS
 ST. LOUIS

PREPARED FOR:
 Round Hill
 Round Hill
 Round Hill

REVISIONS:

NO.	DATE	DESCRIPTION
1	11/11/11	ISSUED FOR PERMITS
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ROUND HILL
 S.F.S.C. Plan
 300 THORNHILLS AVE
 ROUND HILL, MI 48066-1000

STAMP:

PALETT
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PROJECT NO:
 1401335

SHEET NO:
C-300

3 OF 3

EXISTING DRIVE TO BE USED IS 18
 ROUND HILL COMMON (PUD)
 APPROX. 3000 THORNHILLS AVE SE

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SOIL EROSION AND SEDIMENTATION CONTROL NOTES

1. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES (MDNR) EROSION CONTROL MANUAL.
3. ALL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT SOIL EROSION AND SEDIMENTATION FROM OCCURRING ON THE SITE.
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SOIL EROSION AND SEDIMENTATION CONTROL SCHEDULE

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July 6, 2015

Mr. Steve Peterson, Planning Director
Cascade Charter Township
2865 Thornhills Avenue SE
Grand Rapids, Michigan 49546

RE: 3000 Thornhills Avenue property – PUD Amendment Preliminary Development Plan

Dear Mr. Peterson:

On behalf of RJV Ventures, we have enclosed the following PUD Amendment Preliminary Development Plan for the proposed development of vacant property at 3000 Thornhills Avenue in Cascade Township, Michigan. The property is part of an existing PUD which has been approved for a 40 unit assisted living facility. Attached please find three (3) sets of plans and 1 set of supporting documentation for consideration at the August 3, 2015 Planning Commission meeting. A disc copy of this information is also attached. Supporting documentation attached includes:

- Email from Nathan Torry, FTCH that all engineering comments have been addressed.
- Letter from John Strunk, KCRC approving the proposed private street name.
- Email from Arden Postma indicating lift station sewer capacity issues are resolved.
- Drain pack submittal information related to site storm water management.
- Private Road Easement and Maintenance Agreement (“Draft”).
- Storm Water Runoff Facility Maintenance Agreement (“Draft”) and a copy of basin summary construction/maintenance requirements.
- Storm Water Drainage Easement (“Draft”)

Also attached please find a narrative to address your March 3, 2015 review comments and supporting statements to address Paragraph 3 items A. through J. of the Preliminary Development Plan Review checklist.

Should you have any questions or concerns, please do not hesitate to contact me at 616-575-5190. Thank you for your kind attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kyle D. Wilson", with a stylized flourish at the end.

Kyle D. Wilson, P.E.
Project Engineer

K:\2014\144\14401335\OUTGOING\Twp Subm Cvr Ltr.PUD Amendment Preliminary Development Plan.2015.07.06.DOC

217 GRANDVILLE AVE. SW, SUITE 302 • GRAND RAPIDS, MI 49503 • P. 616.575.5190 • F. 616.575.6544

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July 16, 2015
Project No. G080322

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

Re: Round Hill, 3000 Thornhills Avenue
Site Plan Review

Dear Steve:

We have reviewed the site plan for the Round Hill development, located at 3000 Thornhills Avenue, prepared by Nederveld Associates, Inc. The proposed project is a 10 unit residential development. We provided comments on the site plan in letters dated February 12 and April 17, 2015. As a result, the site plan was revised several times. The current site plan and the basis of this review was received on June 30, and is dated April 27, 2015.

Stormwater and Drainage

Flood Control

The proposed project is a new development, so all improvements shall comply with the requirements of the Cascade Charter Township (Township) Stormwater Ordinance (SWO). The site is located in Stormwater Management Zone A, which requires detention of the 100-year storm event and infiltration where possible. The SWO also requires the first 0.5 inch of stormwater runoff be detained and infiltrated where conditions permit, or released over a 24-hour period.

Stormwater from the site will discharge to an infiltration basin sized to detain the 100-year storm event. The infiltration basin is located at the southwest corner of the site. Stormwater runoff from all impervious areas of the site will discharge to the infiltration basin. The infiltration basin was sized and designed in accordance with the SWO.

Roof drains from the rear of the structures will connect directly to the onsite storm sewer system that discharges directly to the infiltration basin. The roof drains from the front of the structures will discharge to the surface and continue down the street to catch basins that connect to the storm sewer system and infiltration basin.

The applicant provided two infiltration tests at the location of the proposed basin and the soils were found to be favorable for infiltration. The tests were taken at 2 to 4 feet below the bottom of the infiltration basin. The soils are described as dark brown poorly graded sand with silt. The infiltration rate used in the calculations to size the basin is half of the lowest rate tested as required by the SWO.

The applicant submitted information related to the existing drainage patterns of the site. A drainage map was provided that shows one-third of the site drains to the northwest corner of the site where a series of catch basins and storm sewer pipes collect the runoff and discharge it south to the Thornapple Hills County Drain (County Drain). One-third of the site flows towards the southwest portion of the property where it flows overland to the County Drain. The remaining one-third of the site flows towards the southeast corner of the property where it flows overland to the County Drain. The entire site discharges to the County Drain in one way or another. The proposed site plan, onsite storm sewer system, and infiltration basin will collect all runoff from



the developed portion of the property. In the event that a storm exceeds the design 100-year volume of the infiltration basin, it will overtop and flow into the County Drain. The proposed development will not alter the drainage district boundaries of the area.

Maintenance access is required for the infiltration basin. A 15-ft maintenance access route is provided to access the infiltration basin from the road. The applicant stated that maintenance will be accomplished using small track driven bobcats able to traverse the maintenance access slope. Debris that has deposited in the basin will be collected and disposed of. The applicant stated that dues collected from residents will fund maintenance activities on an as-needed basis.

Water Quality 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. The proposed design will infiltrate all stormwater runoff up to the 100-year event. This requirement has been satisfied.

Stormwater Runoff

The applicant provided stormwater calculations to size the infiltration basins. All stormwater runoff from the impervious areas of the site will be captured by the infiltration basin. Therefore, the site will not see an increase in rate or volume of stormwater leaving the site.

Drainage Plan

The applicant has submitted plans, 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, sediment and debris removal from the infiltration basin, and landscape maintenance of the infiltration basin to maintain the design volume and ensure the system is operating as it was designed. A summary of maintenance procedures was provided by the applicant, dated June 4, 2015, a copy of which should be attached to the maintenance agreement.

Utilities

Sanitary Sewer

The applicant has been working with the City of Grand Rapids (City) on the sanitary sewer service and issues with the existing Thornhills lift station. As summarized in our April 17, 2005 letter, the projected sewer discharge from the Round Hill development would not be detrimental to the Thornhills lift station on its own. However, the remaining capacity of the lift station in its current state is anticipated to be fully utilized by the Ridges of Cascade Development, currently under construction.

In an email dated June 3, 2015, the City stated they will purchase and complete the installation of upgraded impellers for the Thornhills lift station to accommodate both developments. The planned upgrade by the City will relieve the requirement of either development to participate in or have responsibility for the upgrade.



Water

The proposed water line will tap into the 12-inch water main in Thornhills Avenue. It will extend through the proposed development and into the Library property to the north and tap into the existing 8-inch water main creating a looped system, as requested by the City. A permit from the Kent County Road Commission (KCRC) will be required for the water line crossing of Thornhills Avenue.

Soil Erosion and Sedimentation Control

Soil Erosion and Sedimentation Control (SESC) measures are provided on the plan drawings. The applicant has included silt fence around most of the site, silt sacks in catch basins, and erosion control revegetation mats on the steeper slopes of the site. The developed site has several areas of moderately steep slopes (3:1). Care should be taken following construction to properly stabilize these areas. The applicant will need to apply for and obtain a SESC from the KCRC prior to beginning any work.

Summary

The proposed stormwater design meets the Township SWO requirements for new developments. The applicant will need to apply for and obtain a number of permits (SESC, Water and Sewer from the City) prior to beginning 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, CFM

jc2
Attachment
By email



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

Round Hill, 3000 Thornhills Avenue

Drainage Plan Checklist

- OK (1) Location of the development site and water bodies that will receive stormwater runoff
All stormwater runoff from the site will be infiltrated onsite. In the event that a storm exceeds the design 100-year volume of the infiltration basin, it will overtop and flow into the Thornapple Hills County Drain.
- 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 included on the site plan.
- OK (3) Development tributary area to each point of discharge from the development
The stormwater calculations submitted by the applicant included tributary areas for each onsite catch basin as well as offsite areas.
- OK (4) Calculations for the final peak discharge rates
Calculations were provided for peak flow rates to the infiltration basin.
- OK (5) Calculations for any facility or structure size and configuration
Calculations were provided for sizing of the onsite storm sewer system and infiltration basin.
- OK (6) Drawing showing all proposed storm water runoff facilities with existing and final grades
All proposed storm water runoff facilities, including existing and final grades, are shown on the site plan drawings, dated April 27, 2015.
- OK (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.
Offsite flow enters the property from the north. The applicant provided calculations to quantify the amount of offsite flow and provided a storm sewer design to capture and route it around the site.
- 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.
A construction schedule was provided by the applicant and is shown on the site plan.



OK (9) Plan to ensure the effective control of construction site stormwater runoff and sediment track-out onto roadways
SESC measures are shown on the site plan and appear appropriate given the expected work. SESC falls under the review and approval of the KCRC, and a permit is needed before construction can begin.

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
Details related to the storm sewer system are shown on the site plan and are adequate to meet the requirements of the SWO.

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

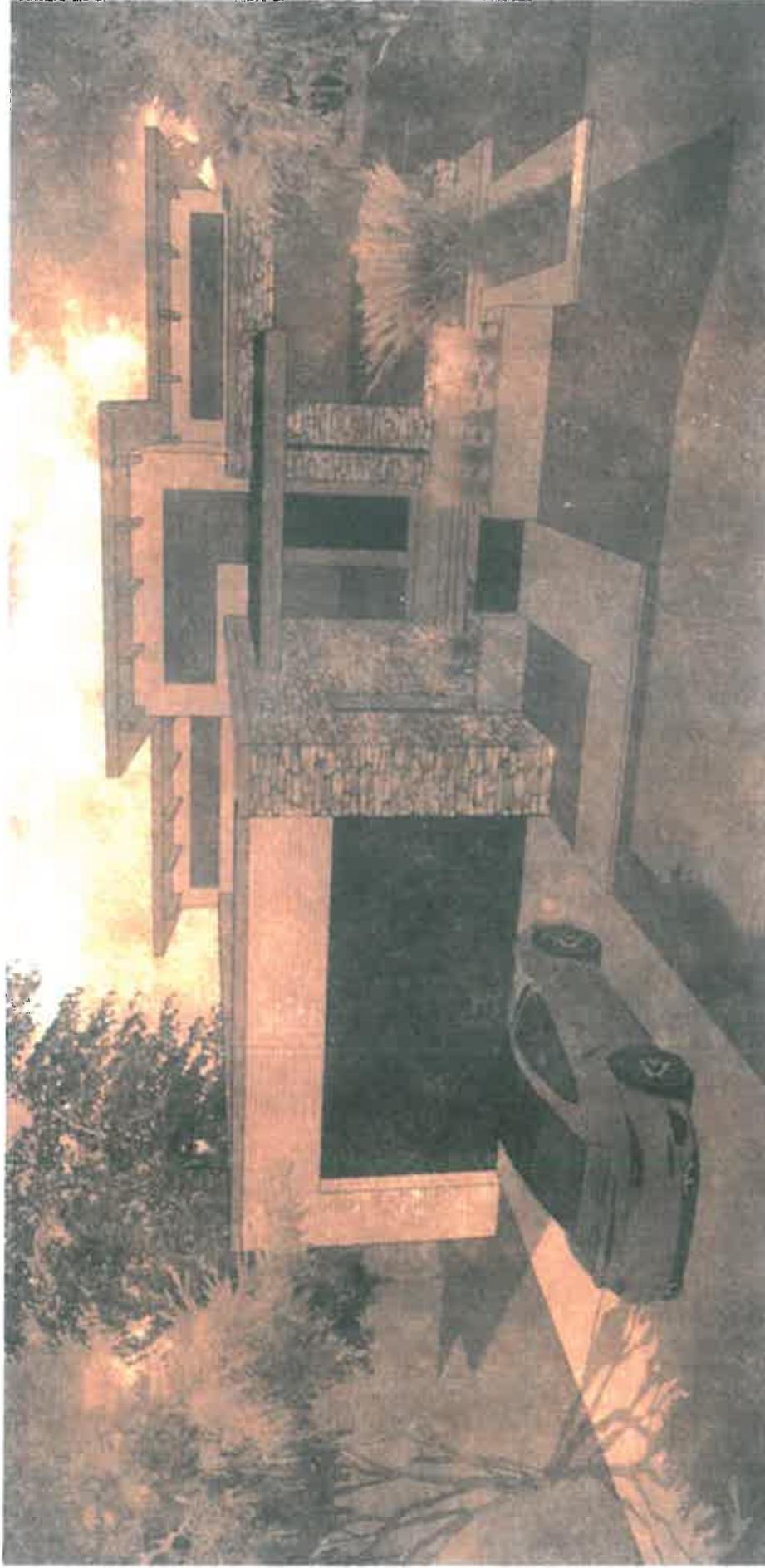
FIRE DEPARTMENT MEMORANDUM



TO: STEVE PETERSON – COMMUNITY DEVELOPMENT DIRECTOR
FROM: JOHN SIGG – FIRE CHIEF
SUBJECT: SITE PLAN REVIEW FOR ROUND HILL DEVELOPMENT
DATE: JULY 14, 2015
CC: DOUG POOLMAN – FIRE INSPECTOR

After reviewing the site plan submitted we have the following comments.

- All addresses need to be posted and visible from the road.
- Radius of cul-de-sac need a minimum radius of 30 feet



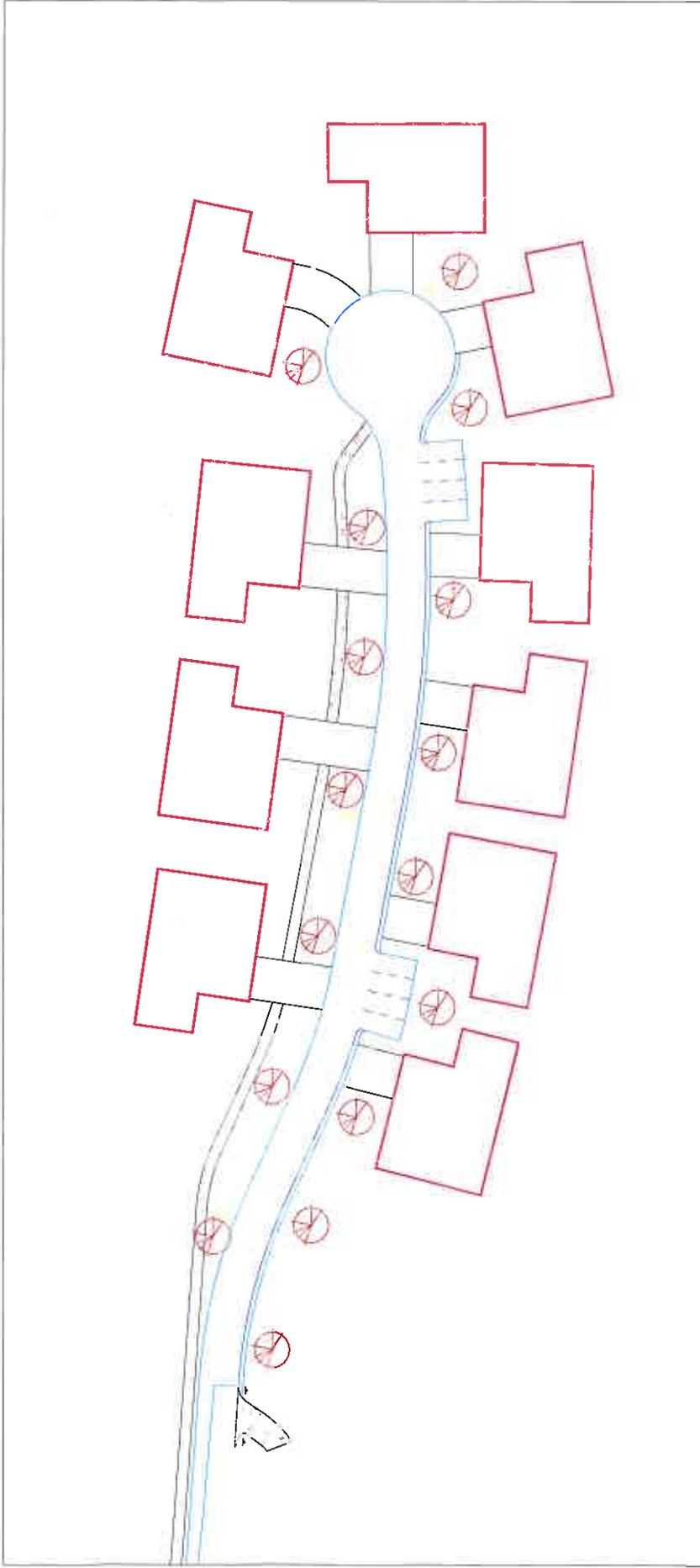
Round Hill Condominiums
3000 Thornhills Ave
Cascade Twp, Michigan

March 02.2015



create 3 architecture
616.734.9314

www.create3architecture.com



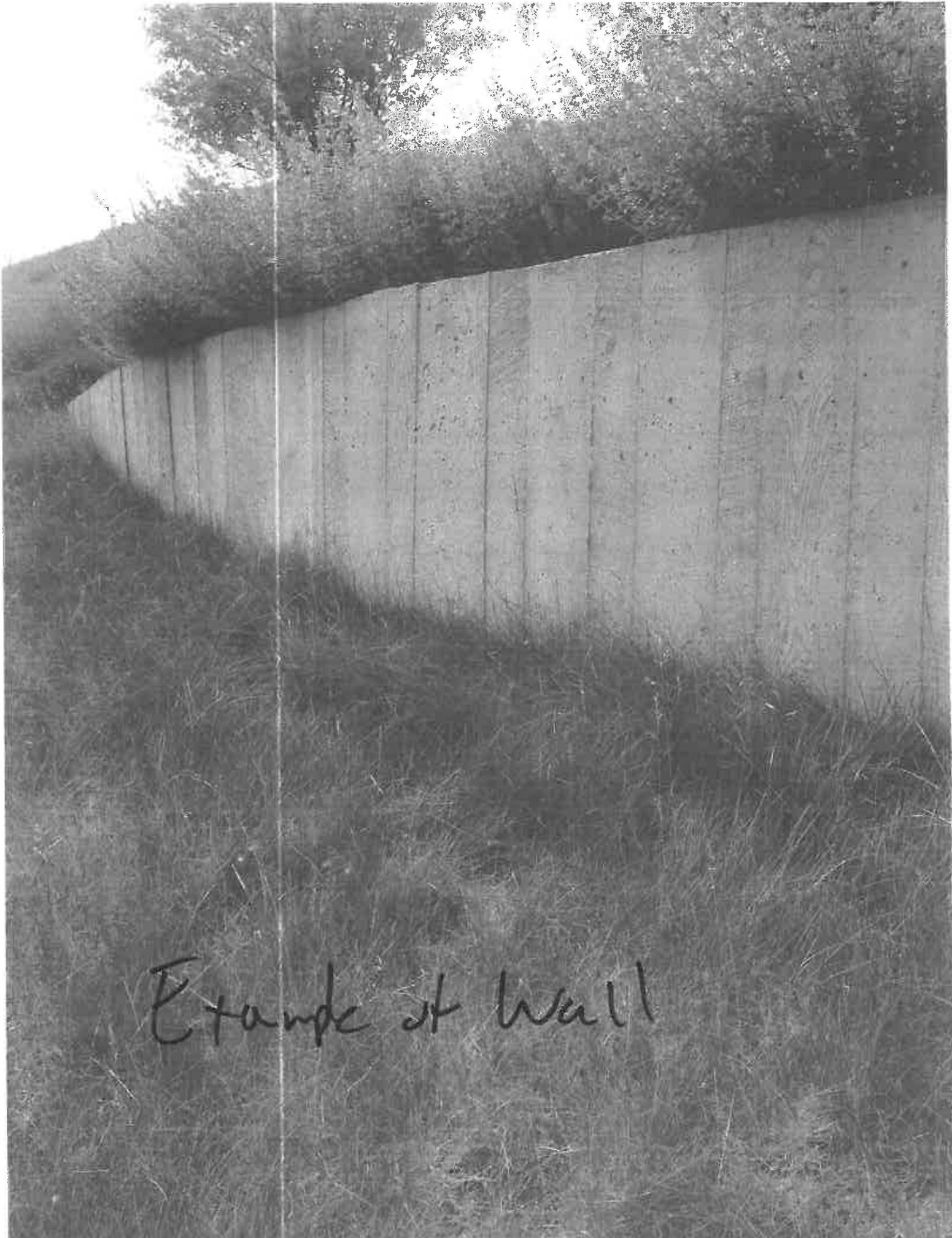
STREET TREE LANDSCAPE PLAN

Round Hill - 3000 Thornhills Ave SE

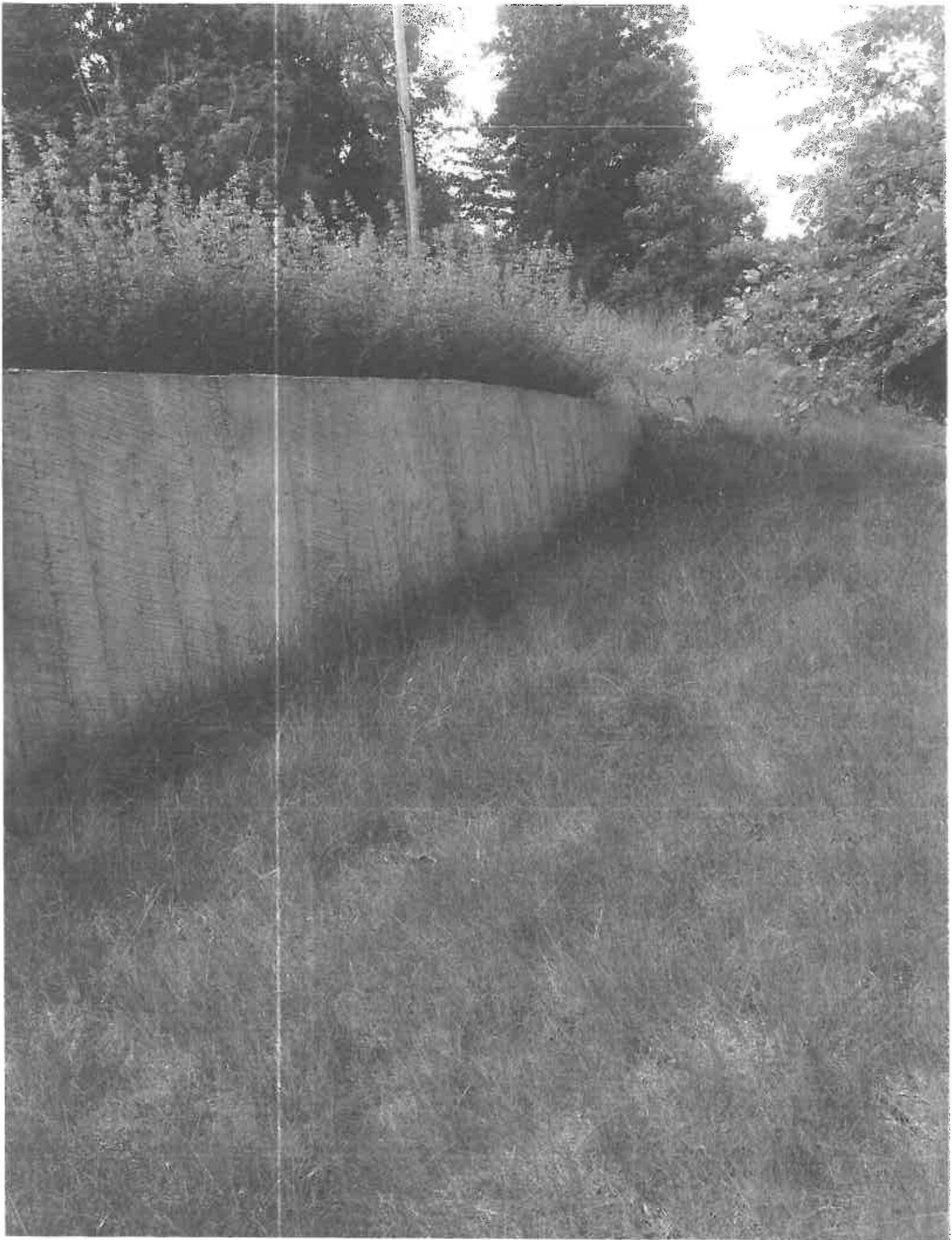
 symbol	NUMBER OF PROPOSED TREES	TYPE OF TREE	SIZE OF TREE
	16	'ACER PLATANOIDES' 'CRIMSON KING' - NORWAY MAPLE	2 1/2" - 3" caliper 10'-12' tall

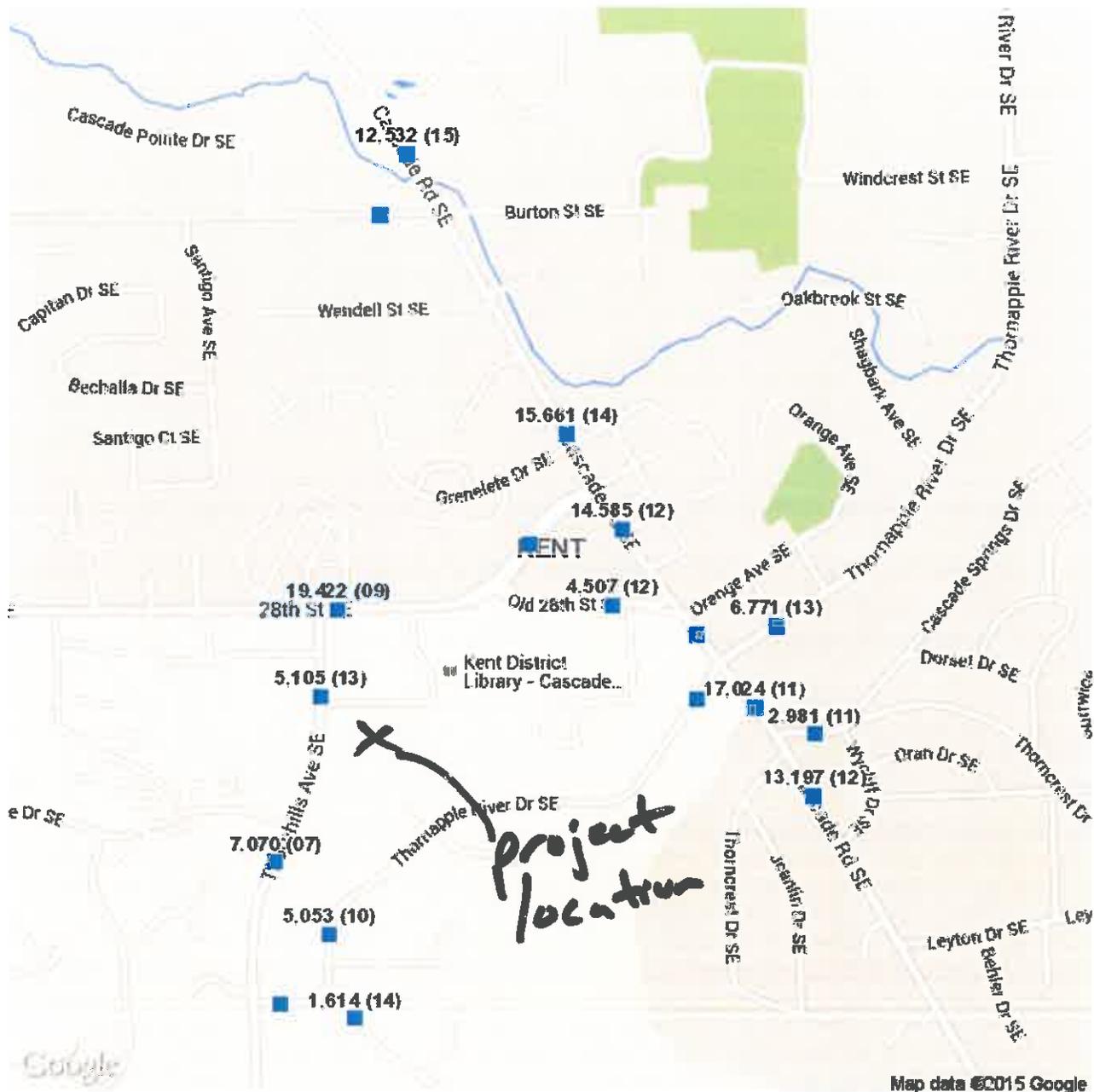
Designed By:
 Ronald W. McCollum
 Landscape Architectural Designer
 P.O. Box 150843
 Grand Rapids, MI 49515
 (616) 437-2780
 thinksizzle@gmail.com

Prepared For:
 RJF Ventures
 Tom Giusti
 P.O. Box 441
 Ada, MI 49301
 (616) 581-8744



Etande at wall





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



Kent County Road Commission
 1500 Scribner NW
 Grand Rapids, MI 49504
 Phone: 616-242-6920
 Fax: 616-336-4397

Permit No. 2015-035366
 Issue Date 09/18/2015

**PERMIT TO CONSTRUCT, OPERATE, USE AND/OR MAINTAIN
 WITHIN THE RIGHT-OF-WAY OF; OR TO CLOSE, A COUNTY ROAD
 Commercial Dwy**

APPLICANT	Round Hill Condominiums 3000 Thornhills Ave	CONTRACTOR	
------------------	--	-------------------	--

Applicant/Contractor requests a permit for the following work within the right of way of a county road:
Commercial - Commercial Dwy

LOCATION: County Road 3000 Thornhills Ave. Between _____ And _____

Municipality: CASCADE TOWNSHI Section _____ Side of Road _____ Property ID _____

DATE: Work to begin on 9/18/15 Work to be completed by 9/18/16 Plat _____ Lot _____

I certify and acknowledge that (1) the information contained in this application is true and correct, (2) the commencement of the work described in this application shall constitute acceptance of the permit as issued, including all terms and conditions thereof and, (3) if this permit is for commercial or residential driveway work, I am the legal owner of the property that this driveway will serve, or I am the authorized representative.

PERMIT

The term "Permit Holder" in the terms and conditions set forth on the reverse side hereof, refers to the applicant and the contractor, where applicable. By performing work under this permit, the Permit Holder acknowledges and agrees that this permit is subject to all the rules, regulations, terms and conditions set forth herein, including on the reverse side hereof. Failure to comply with any of said rules, regulations, terms and conditions shall render this permit NULL AND VOID.

REQUIREMENTS	FEE TYPE	AMOUNT	RECEIPT NO.	DATE			
					Letter of Credit _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
					Surety Bond _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
					Retainer Letter _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
					Approved Plans on File 15-043 _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					Certificate of Insurance _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
					Attachments/Supplemental Specifications _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Other To Be Billed						

OTHER REQUIREMENTS:

Existing driveway to be used as ls.

TERMS AND CONDITIONS

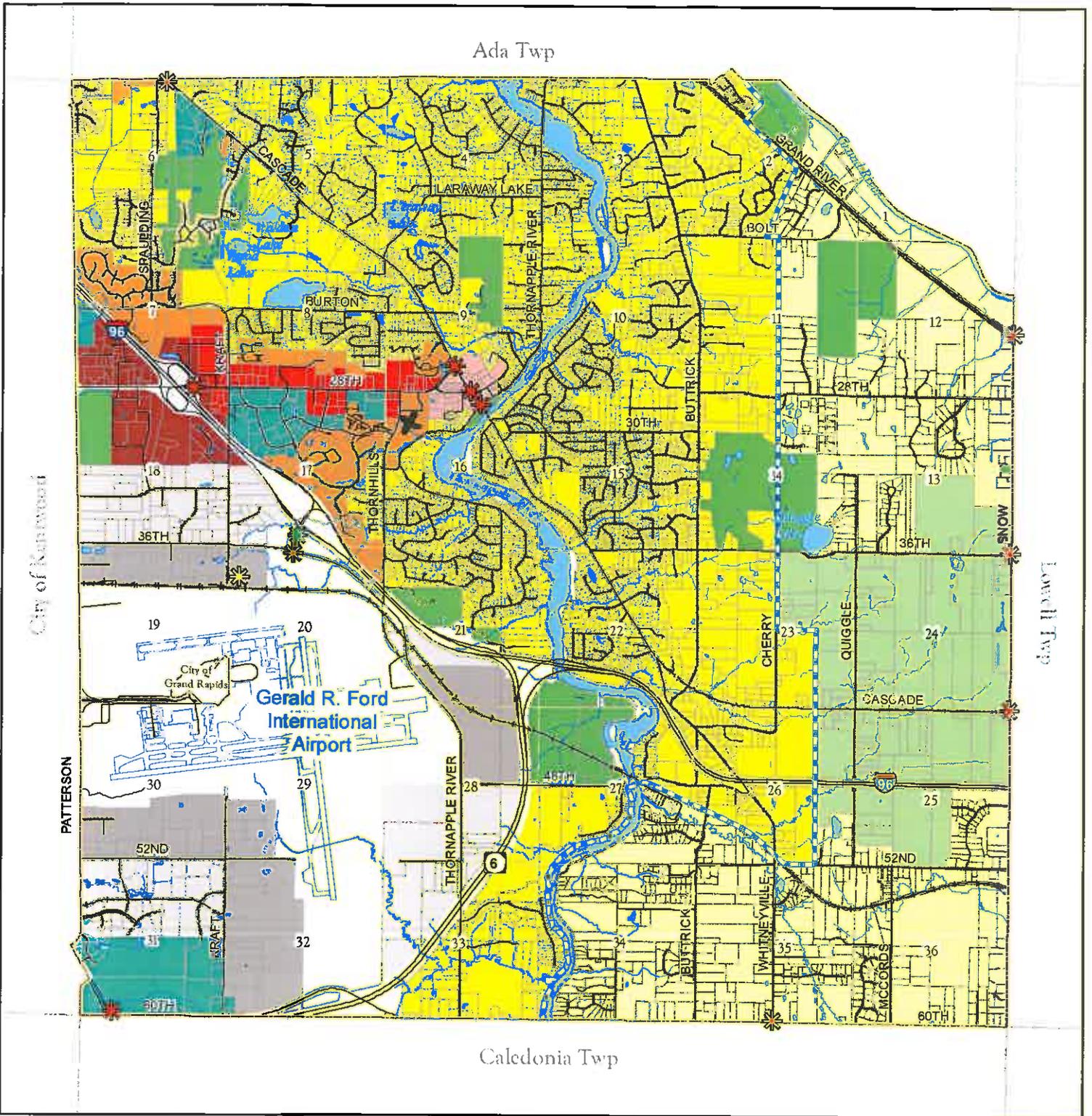
1. **Specifications.** All work performed under this permit must be done in accordance with the application, plans, specifications, maps and statements filed with the County Road Commission ("Road Commission") and must comply with the Road Commission's current procedures and regulations on file at its offices and the current MDOT Standard Specifications for Construction, if applicable.
2. **Fees and Costs.** The Permit Holder shall be responsible for all costs incurred by the Road Commission in connection with this permit and shall deposit estimated fees and costs as determined by the Road Commission, at the time the permit is issued.
3. **Bond.** The Permit Holder shall provide a cash deposit, irrevocable letter of credit or bond in a form and amount acceptable to the Road Commission at the time permit is issued.
4. **Insurance.** The Permit Holder shall furnish proof of general liability insurance in amounts not less than \$1,000,000 each occurrence and general aggregate, proof of automobile liability in amounts not less than \$1,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in an amount not less than \$500,000 for bodily injury per person. Such proof of insurance shall include a valid certificate of insurance demonstrating that the Road Commission is an additional insured party on the policy. Such insurance shall cover a period not less than the term of this permit and shall provide that it cannot be cancelled without 30 days advance written notice to the Road Commission, by certified mail, first-class, return receipt requested. This permit is invalid if insurance expires during the authorized period of work described herein.
5. In addition to any other liability or obligation that may otherwise exist, the Permit Holder, to the fullest extent permitted by law, shall indemnify and hold harmless the Road Commission and its agents and employees from and against all claims, damages, losses, and expenses including, but not limited to, attorneys' fees, arising out of or resulting from the performance of the work performed including claims, damages, losses, and expenses attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, but only to the extent caused by the fault, negligent acts, or omissions of the Permit Holder, a Subcontractor, anyone directly or indirectly employed by them, or anyone for whose acts they may be liable, regardless of whether or not such claim, damage, loss or expense is caused in part by the parties indemnified hereunder. This obligation does not include an obligation to indemnify the parties indemnified hereunder for their sole negligence and shall not be construed to negate or modify other rights or obligations of indemnity that otherwise exist as to the parties or persons described herein.
6. **Miss Dig.** The Permit Holder must comply with the requirements of Act 53 of Public Acts of 1974, as amended. CALL MISS DIG AT (800) 482-7171 or www.missdig.org AT LEAST THREE (3) FULL WORKING DAYS, BUT NOT MORE THAN FOURTEEN (14) CALENDAR DAYS, BEFORE YOU START WORK. The Permit Holder assumes all responsibility for damage to or interruption of underground utilities.
7. **Notification of Start and Completion of Work.** The Permit Holder must notify the Road Commission at least 48 hours before starting work, when work is completed, and additionally as directed by the Road Commission.
8. **Time Restrictions.** All work shall be performed Mondays through Fridays between and unless written approval is obtained from the Road Commission, and work shall be performed only during the period set forth in this permit. Perform no work except emergency work, unless authorized by the Road Commission on Saturdays, Sundays, or from on the day proceeding until the normal starting time the day after the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
9. **Safety.** Furnish, install and maintain all necessary traffic controls and protection during Permit Holder's operations in accordance with the Manual of Uniform Traffic Control Devices, Part 6 and any supplemental specifications set forth herein.
10. **Restoration and Repair of Road.** The construction, operation and maintenance of the activity covered by this permit shall be performed by the Permit Holder without cost to the Road Commission unless specified herein. The Permit Holder shall also be responsible for the cost of restoration and repair of the right-of-way determined by the Road Commission to be damaged as a result of the activity which is the subject of this permit. Restoration shall meet or exceed conditions when work is commenced and be in accordance with specifications. The Permit Holder shall be responsible for costs incurred by the Road Commission for emergency repairs performed by or on behalf of the Road Commission for the safety of the motoring public. Said repairs shall be performed with or without notice to the Permit Holder if immediate action is required. This determination shall be in the sole and reasonable opinion of the Road Commission.
11. **Limitation of Permit.** Issuance of this permit does not relieve Permit Holder from meeting any and all requirements of law, or of other public bodies or agencies. The Permit Holder shall be responsible for securing and shall secure any other permits or permission necessary or required by law from cities, villages, townships, corporations, property owners, or individuals for the activities hereby permitted. Any work not described by the application, including the time and place thereof, is strictly prohibited in the absence of the application for and issuance of an additional permit or amendment to this permit.
12. **Revocation of Permit.** This permit may be suspended or revoked at will, and the Permit Holder shall surrender this permit and alter, relocate or remove its facilities at its expense at the request of the Road Commission. It is understood that the rights granted herein are revocable at the will of the Road Commission and that the Permit Holder acquires no rights in the right-of-way and expressly waives any right to claim damages or compensation in case this permit is revoked.
13. **Assignability.** This permit is not assignable and not transferable unless specifically agreed to by the Road Commission.
14. **Authority.** The statutory authority of the Road Commission to require compliance with permit requirements is predicated upon its jurisdictional authority and is set forth in various statutes including, without limitation and in no particular order, MCL

NARRATIVE

Response to Steve Peterson March 3, 2015 Review Letter

1. The final plan attached shows 10 total units as part of the fully developed site.
2. Dimensions of the proposed house shown on the detail provided on plan sheet C-205. The square footage of the house being proposed is 2,700 square feet of living space plus an additional 477 square feet of garage area.
3. Anticipated price point for the units is to be in the \$500,000 - \$600,000 price range.
4. An email has been received from Nate Torrey, FTCH (attached) indicating all engineering issues have been addressed. We understand the Township will receive a letter from FTCH indicating this also.
5. Final plans provided show all roof drains connecting to site storm sewers which drain to the on-site retention basin.
6. Based on the most recent discussions, we understand the pedestrian access/sidewalk connection to the library property is no longer desired. Plan sheet C-205 shows a proposed 15' wide grading easement along the north property line of this development to be granted by the Township. We understand Mr. Tom Giusti of RJV Ventures has met with the Township Supervisor and received verbal permission that this would be granted.
7. A copy of the approval of the proposed road name is attached (March 6, 2015 letter from Mr. John Strunk, Kent County Road Commission).
8. Proposed section of the private road in a 66' easement is provided on plan sheet C-205 and will meet the requirements of Cascade Township zoning ordinance. A draft "Easement and Maintenance" document is also attached as part of this submittal.
9. See attached email from Mr. Arden Postma, P.E., City of Grand Rapids indicating lift station improvements are being made by Grand Rapids to address this development as well as The Ridges of Cascade.
10. Based on discussions with Mr. Postma, the public utilities shown have incorporated his comments, including looping the proposed watermain at the east end to public watermain providing a looped system. We will proceed through the check print process for approval of the public utilities upon PUD approvals from the Township.
11. A detail of the proposed street light is provided on plan sheet C-205 along with light pole locations.
12. Landscape plan completed by others is attached.
13. A 5' concrete sidewalk is proposed through the development as shown on the plans.
14. Photos of the retaining wall proposed to be used have been provided. Top of wall height is listed on plan sheet C-205.

Ada 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



WILLIAMS & WORKS
 CONSULTING ENGINEERS
 10000 W. 10th St., Grand Rapids, MI 49508
 616-224-1900 phone • 616-224-1861 fax
 540 Ottawa Avenue NW • Grand Rapids, MI 49503

Williams & Works
 equal opportunity employer

April 22, 2009

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.

MINUTES

**Cascade Charter Township Planning Commission
Monday, December 07, 2015
7:00 P.M.**

ARTICLE 1. Chairman Pennington called the meeting to order at 7:00 PM.
Members Present: Katsma, Lewis, Mead, Pennington, Rissi, Robinson, Waalkes, Williams
Members Absent: Sperla (Excused)
Others Present: Community Development Director, Steve Peterson, and others listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance to the flag.

ARTICLE 3. Approve the current Agenda.

**Motion by Member Mead to approve the Agenda. Support by Member Lewis.
Motion carried 8-0.**

ARTICLE 4. Approve the Minutes of the November 16, 2015 meeting.

Motion by Member Lewis to approve the minutes of the November 16, 2015 meeting as written. Support by Member Waalkes. Motion carried 8-0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items (Comments are limited to five minutes per speaker.)

Mark Rohde, 3087 Thornapple River Drive, stated that in the meeting minutes from the November 16, 2015 meeting, you recommended for approval the new use for the old Perkins. Part of the approval for the site was increasing the green area and putting up a landscaping bond to make sure it is done. I applaud that and it is consistent with what you have asked other developers to do. I've built 30 projects for Anchor Properties over the last 20 years including the Walgreens on Cascade and 28th and we will be constructing the new Anchor Property. We look forward to making the site more purposeful. With that, I would like to note that on the current project on the agenda, there is no consideration for any landscaping on a project that is taking up three acres of old growth trees and cutting off the top of a hill. The project is also putting in 700 plus feet of retaining walls within 6 or 7 feet of adjacent properties including Cascade Township Library and the future Township Hall. It seems to be an omission and it should be looked at, as you are normally very concerned with landscaping and there is certainly going to be a major change to that land.

transformed into a condo, I have received some complaints. I have been doing the same thing for 20 years but now the community does not appreciate the barking dogs. The issue is not going to go away and I want to be a good neighbor so I am enclosing outdoor exercise yards. The reason it is built this way is that I have to stay under 19,000 sq. ft. or I have to retrofit the entire hospital with a sprinkler system. Everything within the addition and outside will be Canine Grass or Astro Turf. All of the construction will contain sound control without creating an echo chamber within the building. I have done multiple additions and I will make sure the addition is compatible with the building. I will be putting up landscape to buffer it even more for my neighbors.

Member Lewis asked if he was adding the gate that the Fire Department requested. The Applicant stated that it was already added to the plan.

Member Waalkes made a motion for Site Plan Approval for Case 15:3270 Cascade Hospital for Animals with the conditions from Staff:

- They will provide the Township with a soil erosion permit
- They will provide an executed Storm Water Maintenance Agreement
- They comply with all the Fire Department recommendations from the letter dated November 13, 2015.

Support by Member Robinson. Motion carried 8-0.

ARTICLE 7. Case #15-3229 RJV Ventures

Property Address: 3000 Thornhills Avenue SE

Requested Action: The Applicant is requesting a recommendation to the Township Board to amend the PUD #55 to permit 10 single family detached homes.

Director Peterson presented the case. The preliminary project was approved in August. The reason for the delay is that for residential projects we typically look at Master Deeds and Condo Documents to assure that there is nothing in them that would conflict with Township Ordinances. We had been waiting for those documents and our Township Attorney has now reviewed them and did not find any conflicts with our Township Ordinances. One of the things we are responsible for is the PUD Ordinance which is in your packet. This has also been reviewed by our attorney as well as by the Applicant. There was one item to revise on the plans which included the adding of drainage swales in the back. This has been addressed in the plans. At this point, it is forwarding the recommendation of the Ordinance with the plan that you approved to the Township Board. The Township Board will hold a Public Hearing to consider the matter for final approval.

Member Waalkes asked if there was a Landscape Plan in the packet. Director Peterson stated that typically we do not require a Landscape Plan for residential

projects. It's not that it never happens, but it is traditionally not required nor are there buffer yard requirements for residential projects.

Member Mead asked if Director Peterson felt that all open questions had been answered by the Applicant. Director Peterson stated that the project would not be this far if there were questions that remained.

Member Williams stated that this is a Sentinel Pointe PUD and that Sentinel Pointe has not signed off on this project. Is this unusual? Director Peterson stated that it is not unusual and we did have our Township Attorney verify that we are within Township Rights to move forward with the PUD Amendment.

Member Waalkes stated that there were two different names on the case. There is RJV Ventures and Driftwood Ventures. Director Peterson stated that they have changed their legal name to Driftwood Ventures.

Member Lewis made a motion to forward a positive recommendation to the Township Board for Case 15:3229 RJV Ventures to amend PUD #55 to permit 10 single family detached homes with the conditions by staff. Support by Member Mead. Motion carried 8-0.

ARTICLE 8. Any other business

ARTICLE 9. Adjournment

Motion made by Member Mead to Adjourn. Support by Member Williams. Motion carried 8-0. Meeting adjourned at 7:32 PM.

Respectfully submitted,
Aaron Mead, Secretary
Ann Seykora/Julie Kutchins – Planning Administrative Assistant

MINUTES

Cascade Charter Township Planning Commission
Monday, August 17, 2015
7:00 P.M.

ARTICLE 1. Chairman Pennington called the meeting to order at 7:00 PM.
Members Present: Lewis, Mead, Pennington, Rissi, Robinson, Sperla, Williams
Members Absent: Waalkes (Excused) and Hammond (Excused)
Others Present: Community Development Director, Steve Peterson, and others listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance to the flag.

ARTICLE 3. Approve the current Agenda.

**Motion by Member Lewis to approve the Agenda. Support by Member Mead.
Motion carried 7-0.**

ARTICLE 4. Approve the Minutes of the July 20, 2015 meeting.

Motion by Member Mead to approve the minutes of the July 20, 2015 meeting as written. Support by Member Rissi. Motion carried 7-0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items (Comments are limited to five minutes per speaker.)

Dawn Dotson and Sam Zarou of 7399 Lime Hollow, stated that they are home owners that live in Cascade Township and would like access to the river. They have access at the Dam for Kayaks, but would like to have access for their Jet Skis. According to the DNR the Township used to have access at the dam.

Chairman Pennington suggested that they bring their concerns to the Township Board.

ARTICLE 6. Case #15-3229 RJV Ventures

Public Hearing

Property Address: 3000 Thornhills Avenue SE

Requested Action: The Applicant is requesting to amend PUD #55 to permit 10 single family detached homes.

Director Peterson presented the case. This is the property on Thornhills Avenue on the east side of the street. The Applicant is following up from the March meeting on the PUD Amendment for Sentinel Pointe, which originated in the

1980's and was set aside for a 40 unit Elderly Housing Facility. The proposal is to amend the PUD to allow 10 single family detached condominiums instead of the 40 unit Elderly Housing Facility. Examples of similar projects would be Watermark, Park Place, Summit, Heathmoor, Meadowwood, Gate House, High Ridge and Forest Hills Condominiums. Director Peterson wanted to point out how they are similar in how they are being developed with the spacing and the setbacks from the road. All very common condominium projects, not what we would see in our low density areas, they are in our transitional areas. The reduction in the units accommodates spacing and are similar to other condominium projects. Using the Master Plan as the guide for our densities, 4-6 units per acre is the guideline which will project up to 30 units, well within the Community Residential category for this project.

A Storm Water Plan has been developed using the pond on the southern side of the property. They developed the plan meeting the Storm Water Ordinance with the Township Engineers. Another item from the Master Plan is the development plan for the Community Residential project where we want to see more public roads. The issue is maintenance for these roads. The intent is to make sure the private roads are maintained properly. Also, it was discussed that there be a connection to the Library. After reviewing with the developers it was taken off the plan to avoid any conflict with the future township hill project.

Traffic statistics per the Kent County Road Commission have shown that the counts are low with 5000 at the most recent count. The capacity is 22,000 to 25,000.

Director Peterson reviewed the standards for the PUD designation.

The total impact of the project is difficult to measure compared to the approved 40 unit project due to the lack of details from the original plan. However, it is being developed into a more traditional condominium development with greenspace interspersed throughout the entire project rather than just around the perimeter.

The Planning Commission could either amend the current PUD to allow the 10 unit site or it could be broken out on its own. We would have to amend the current PUD either way as we would want to adjust the amount of units allowed in the PUD.

The Township Engineer will discuss the Storm water report but there were a couple items that I wanted to point out regarding the neighbors report on the site.

- To use the standards in the Ordinance for the evaluation.

- The idea of exploring the use of swales behind the units to help direct the water to the catch basins that are around the outside of the site.
- Require a \$250,000 Bond to guarantee the success of the project or to clean it up if it fails. We have not required this in the past.
- Market Study to see if there is a need for the project. We have not required this in the past if the project complies with the Master Plan.

Staff is comfortable with the plan before you and I am recommending approval of the PUD. With your approval of the project with the conditions stated, the Ordinance would be drafted for your approval before being forwarded to the Township Board.

Member Williams asked if there were any other Senior Living facilities planned for Cascade Township. Director Peterson stated that no one has come forward with any at this moment. There are other areas suitable within the Township for similar projects.

Nathan Torrey, Township Engineer (FTC & H) came forward regarding the Storm Water Drainage Plan. The existing drainage patterns has the site broken into thirds. The SE portion drains SE toward the Thornapple Hills County drain. The SW portion drains to the South to the County Drain. The central portion drains to the W-NW towards the high area where water may pond. There is a swale and several catch basins that tie into an existing storm sewer system and discharge to the County drain just downstream of Thornhills Avenue.

There is an area of offsite flow that comes into the project site. The area to the north of the property drains into the property and continues to the W-NW into existing catch basins and discharge into the county drains to the south.

The proposed plan will collect all surface water and convey it to an infiltration basin at the SW corner of the site. The project is located in Storm Water Management Zone A which requires 100 year detention and infiltration of storm water where possible. The Applicant did size the infiltration pond for the 100 year runoff for the site per the Ordinance requirements. The pond also has an overflow spillway directing water to the County Drain to the south. This emergency spillway is required for all infiltration ponds. The calculations the Applicant provided meets all of our requirements. The plan is to have all impervious systems tied directly into the catch basins including roof drains and parking surfaces. It should be noted that the overall plan does not change the drainage district boundary of the site. This plan is not sending storm water to a different adjacent drain, it is going to the County Drain as projected in the original PUD.

Member Lewis asked if there was any standing water anticipated in the infiltration pond. Engineer Torrey stated that the two infiltration tests showed 6" per hour and 9" inches per hour. The soil should be adequate for infiltration and we should not see any standing water in the infiltration ponds.

Member Mead asked how the flow through from the Township property to the North is being handled. Engineer Torrey has stated that the Applicant is proposing to put in a couple catch basins and an additional swale to improve the channel. Offsite flow will be collected and diverted to the County Drain.

Chairman Pennington asked the Applicant to come forward with comments.

Kyle Wilson, Civil Engineer, Nederveld, spoke on behalf of the Applicant. Also in attendance is Tom Guisti, builder/ developer and partner Raleigh Finkelstein. Since our last meeting in March, we have reduced our plan from 15 to 10 units and have completed the soil tests. We feel that we meet the Township Ordinances. As Steve previously mentioned, this site was previously zoned a PUD for 40 units and we feel 10 units is less dense. We are meeting the Master Plan goal for community residential which is 4-6 units per acre as our project is at two (2) units per acre.

Member Lewis asked what the square footage and price point of the units would be. The Applicant stated the price point is \$500,000-\$600,000 per unit with 2,700 square feet in addition to the garage.

Member Williams stated that there was a purchase agreement for the land with the original application. Has the land since been purchased? The Applicant stated that the purchase agreement is contingent on the approval of the PUD.

Member Lewis made a motion to open the Public Hearing. Support by Member Robinson. Motion carried 7-0.

Chairman Pennington asked if anyone wished to speak to come forward.

Randall Kraker, Varnum Attorney represented Mr. & Mrs. Mark Rohde. They have a concern and objection to the planned site. The site is not like other PUD developments, as far as the look of the site, not the use. We do not think this PUD is compatible with the Master Plan. We have concerns with how the units will fit on the property. Referring to his packet, there is a greater footprint with the proposed 10 units than with the original 40 unit plan and also the severe grading of the site and removal of old growth trees. There was originally an

amendment to PUD 55 for rezoning and there was an objection from the owner of Sentinel Pointe. He refers to Page 93 in his packet, which states with respect to community residents, the natural features should be preserved and protected in projects in residential areas with only public roads permitted. We think this project destroys natural features, has severe grading and the roads are not public. We think there needs to be a request for a new PUD. There is also some evidence that shows that a traffic study should be required on this site. There are some very significant sight impairments such as the hill, curve and guard rail where the access area to the site is located. There has also been significant problems with the Thornapple Drain and you are planning on adding to it. The environmental impact of this addition should be weighed carefully. We have an issue as to who wants to pay \$500,000 To \$600,000 for a backyard that looks at a 12-15 foot retaining wall. There will be significant destruction to the land and trees that is not compatible with what was already approved in the Master Plan. The Finding of Fact shows that a material burden should not be placed on the surrounding land or natural environment. The severe grading and removal of trees will most certainly unfavorably impact the natural environment. In addition, the green area will not be significant as the old growth trees will not be immediately replaced. We respectfully ask that you reject the project.

Chairman Pennington asks if anyone else wished to come forward.

Member Sperla asked why the 40 unit building was never constructed. The Applicant stated that there had been several attempts to build this project but there was not support for the large size of the project. In addition, the property had not been marketed over the last several years.

Member Sperla made a motion to close the Public Hearing. Support by Member Williams. Motion carried 7-0.

Member Mead asked if the 10-12 foot retaining wall was part of the project. Director Peterson stated that there a couple of retaining walls proposed on the project. There will be one around the south as well as along the north side of the site. The topography goes from high to low from north to south. On the north side of the site the homeowners will see more wall than the residents to the south. The wall just exceeds ten feet at its highest point.

Member Mead stated that in his past experience in dealing with governmental PUD's, it has always been in the Ordinance that a major change in a PUD required a majority of all interested parties in that PUD to sign off on it. Do we have something in writing in regards to a major change to a PUD? Director Peterson stated that the standard that we are talking about refers to an existing project. "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 the Ordinance. This provision shall not prohibit a transfer of ownership or control upon due notice to the Planning Director of the Township.” We have never gotten signatures from those that are impacted by the changes. Since this change does not impact the existing Retirement Facility we would not require them to sign off. Member Mead asked if any owners in the development speak in favor of this development. Director Peterson stated that the only comment that he had received was from the Management group at Sentinel Pointe who is opposed.

Member Williams stated for clarification that we could either approve the amendment or request issuing a new PUD. Director Peterson stated that this was correct. Regardless there will have to be an amendment to the current PUD as we do not want a 40 unit Senior Living site still on the books on a site that is no longer available.

Member Sperla asked that if in the 1980’s, the project was going to be phased when it was approved. Director Peterson stated that it was not indicated it would be phased.

Member Sperla asked if Township Engineer felt there was going to be any negative impact on the three homes that are along Thornapple River Drive that we should weigh in our decision. Director Peterson stated that this has not been found to be the case. The issues with Thornhills drain are being addressed regardless of this project. We are working with the DEQ to meet all drain requirements.

Member Rissi stated that if someone wanted to build the 40 unit project, would they still have to come before the Board as it is already in the PUD. Director Peterson stated that they would still need Site Plan Approval for such a project and meet today’s Storm Water Requirements.

Member Mead stated that the 40 unit project had parking for 36. Would that meet today’s standards? Director Peterson stated that the parking would need to be approved by today’s standards. Member Mead stated that theoretically he is concerned that the 36 parking spaces created 8,000 sq. ft. of impervious surface with 17,500 for the building for a total of 25,500 sq. ft. The new project is ¼ the size but just the dwelling and garage is just less than 32,000 sq. ft. This is a significant amount of additional impervious surface being introduced to this development. Director Peterson stated that you have to be careful using a site plan from the 1980’s as we require much more detail today.

The Applicant stated that for clarification they have designed their retention basin to accommodate the 100 year storm and we have the emergency spillway. We are very comfortable with what we have presented.

Member Williams asked about all of the trees that would be removed. Director Peterson stated that with all of the construction and grading that would occur he could not dispute the trees being removed. It would be a similar impact to any other residential site in the area.

Member Sperla asked if there was a detailed landscaping plan. Director Peterson stated that we typically do not require landscaping plans for residential developments. There are some street trees being placed out front. There are no plans to landscape the perimeter of the site.

Member Williams asked why the developer dropped back to 10 sites rather than the 15 that were originally proposed. The Applicant stated this is a better fit for the site. Member Williams asked if this then increased the price of the units. The Applicant stated that this was the price point that was originally planned.

Member Mead asked if it was the Applicants intention to get 100% of the site developed and stabilized prior to construction or are you going incrementally build the site. The Applicant stated that they will build the road and the infrastructure and the site will be completely build ready. Member Mead asked what the time frame for this project would be to be absorbed by the market. The Applicant stated that it would most likely be a two-year build out.

Member Mead asked what the typical bond amount that is given on a project such as this. Director Peterson stated that there typically is not a bond.

Member Lewis stated that everyone has a right to proceed as long as they meet all the requirements. The Applicant meets all of our Ordinances. In that regard, I would support any favorable motion.

Member Lewis made a motion that Case 15:3229 RJV Venture request to amend PUD #55 to permit 10 single family detached homes be approved with the conditions by Staff.

- 1. Sign the Storm Water Maintenance Agreement**
- 2. Review and approval of condominium documents to ensure compliance with Township requirements.**
- 3. Add swale around south side of project as discussed.**

Support by Member Robinson. Motion carried 7-0.

ARTICLE 7. Any other business

There was no new business.

ARTICLE 8. Adjournment

**Motion made by Member Mead to Adjourn. Support by Member Williams.
Motion carried -0. Meeting adjourned at 8:11 PM.**

Respectfully submitted,

Aaron Mead, Secretary
Ann Seykora
Julie Kutchins
Planning Administrative Assistant

MINUTES

Cascade Charter Township Planning Commission
Monday, March 2, 2015
7:00 P.M.

ARTICLE 1. Chairman Pennington called the meeting to order at 7:00 PM.
Members Present: Hammond, Lewis, Mead, Pennington, Rissi, Sperla, Waalkes
Members Absent: Robinson, Williams (Excused)
Others Present: Community Development Director, Steve Peterson, and others listed on the sign in sheet.

ARTICLE 2. Pledge of Allegiance to the flag.

ARTICLE 3. Approve the current Agenda.

Motion by Member Mead to approve the Agenda. Support by Member Hammond. Motion carried 7-0.

ARTICLE 4. Approve the Minutes of the February 02, 2015 meeting.

Motion by Member Lewis to approve the minutes of the February 02, 2015 meeting as written. Support by Member Sperla. Motion carried 7-0.

ARTICLE 5. Acknowledge visitors and those wishing to speak to non-agenda items (Comments are limited to five minutes per speaker.)

No one wished to speak to non-agenda items.

ARTICLE 6. Case #15-3229 RJV Ventures

Property Address: 3000 Thornhills Avenue SE

Requested Action: The Applicant is requesting to amend PUD #55 to permit a 15 unit single family detached homes.

Director Peterson presented the case. This property is part of the Sentinel Pointe P.U.D. The Library is to the east and the Township office is to the west. The PUD was established in 1984. At that time, we approved a 154 unit retirement facility and a 40 unit elderly housing unit facility. The 40 unit housing facility was never built and is on a separate parcel of land. New owners are now trying to amend the project. They have plans for 15 units. It will be set up as condominiums so there are not separate lots. You will note that several of the buildings will be quite close to the road right of way where we would typically have our setbacks taken from. This will be similar to the club homes in Watermark. They have proposed a 15' setback around the perimeter and 20' separation between units. I have a laundry list of items that they need to provide for us. There is a

discrepancy in some materials. They talk of 14 units and in others 15. Engineering work will need to be done. There is a preliminary review from the Township Engineer but there is quite a bit of material that will need to be provided before a public hearing can be scheduled. Another item that I would like to see is pedestrian access to the library. The new road will be a private road. It will have to meet our design requirements as well. The pump station access will need to be reviewed by the City of Grand Rapids for any easements or accessibility requirements. Street lights and street trees are typical and we need to make your feelings known. Sidewalks are sometimes required if they could connect to our pathway system and there is access to a pathway from this development. It would seem that this would be an appropriate time to require sidewalks.

Member Sperla asked if this was part of Sentinel Pointe; if anyone could develop the property; is it restricted to a compatible use. Director Peterson stated it is a separate piece of property and could be developed by anyone.

Member Lewis asked if there was a storm water situation that needed to be addressed. Director Peterson stated the Township is looking to do some improvements to the Thornhills Drain in the area but there is not an issue because they will have their own storm water facility. There will not be a direct benefit to the site from the Township improvements.

Member Mead asked for clarification that all onsite water would be diverted directly to the detention basin. Member Mead also questioned if the basements would be walkouts or crawl space and stated the retaining wall may be significant as well for drainage.

Chairman Pennington asked the Applicant to come forward with comments.

Kyle Wilson, Nederveld, and Tom Guisti, the Developer came forward on behalf of the Applicant. The plan before you is a basic plan. With regard to the storm water we are in Zone A which means we have to contain the 100 year storm. The Township Engineer stated we need to use the soil survey data. The survey indicates sandy soil so we will be using an infiltration system. We will do soil borings and perk test to verify the findings. We have been working with the City of Grand Rapids on the sanitary sewer system capacity for this project. Our architect did put together a mock-up of what the buildings and floor plans would look like. As far as the retaining wall height, it will depend on our surveys and what will be needed to control the water.

Member Mead asked if the units would be on crawl spaces or basements. The Applicant stated the units would have basements.

Member Sperla asked if these would be considered retirement living and would there be an affiliation with Sentinel Pointe. The Applicant stated the apartments would not be retirement living but more for empty nesters.

Member Lewis asked the proposed square footage of the units. The Applicant stated the units would be approximately 2,500 sq. ft. of living space plus the basement.

We want the residents to be able to access the library and other Township amenities. It may not be from the rear of the site but there will be access. Member Sperla asked if there would be sidewalks within the site. The Applicant stated they are open to suggestions.

Member Mead stated that some of the units will not have any additional parking available at the unit and asked if there would be an area for overflow parking for these units. The Applicant stated the layout of the buildings is not set in stone and we are really not in that part of the planning phase at this point. That being said, we do want the units to be well done and these types of ideas will be considered.

Member Waalkes asked if the 15 units was their critical mass or density needed for the project. The Applicant stated they were looking to see what would work best on the site with the land that is available.

Member Sperla stated the site had a lot of trees and were they planning on replacing the trees with landscaping. The Applicant stated they would replace what is taken out and they do want it to be nicely landscaped and dense.

Member Sperla asked the Applicant if they were in favor of the connector to the library. The Applicant stated they were very open to it. They want people to be able to walk to the library and surrounding businesses. The Commissioners would prefer the connector be placed on the Township property rather than trespassing through someone's back yard to cut the corner to the library.

Member Waalkes asked the Applicant if they were planning to market this community as a zero step or minimal step community. The Applicant stated they were thinking the units would be a typical ranch with a step down.

Member Hammond asked the Applicant if they were planning on having these be 2 unit homes. The Applicant stated they had thought about that, but felt that would have a duplex feel which is not what they want. The price point they're anticipating is \$500,000 - \$600,000 because of the amenities inside which they'll

be trying to achieve. However, the only struggle Member Hammond is seeing is its large enough and priced right for a family to slip in yet it's too small to have any outdoor living area. The Applicant stated they would be addressing outdoor living space in their next step.

Member Lewis stated Cascade Township has been looking for different ways for people to come downtown. There will be changes in roads and walkways in the area to encourage walkers and bike riders and would welcome new residential property. That said, don't overprice these units. He feels the price point is not realistic.

Member Rissi feels the developer needs to concentrate on the ratio of density to greenspace and parking.

Kyle Wilson stated he wasn't sure what the next step would be for him. Planner Peterson stated Mr. Wilson will receive a letter from him telling him all the items that were discussed tonight and a public hearing will be scheduled once all the items are received by the Township.

ARTICLE 7. Case #15:3232 Township Initiated Rezoning

Property Address: 5905 Broadmoor Avenue

Requested Action: Discuss options for possible Township initiated rezoning.

Director Peterson presented the case. This property is in the furthest southwest corner. He showed the Commissioners an aerial view of the property. The property boundaries are 60th Street, M-37, and Patterson. This piece is cut off from Cascade. There are lots of challenges with this property which is surrounded by roads. This is a 14 acre property but it doesn't feel that big especially for an industrial piece. There's a lot wet area to the south with a county drain that runs through the three different communities. There's a billboard on the property. Peterson stated he spoke with the KCRC and felt they would not allow a curb cut on M-37. No one has ever spoken with the Township regarding the property. Peterson gave the Commissioners a chart stating what the options for this property could be. Rezoning may help assist this property to become marketable. This property is currently zoned Industrial. In meeting with Caledonia Township and reading the Steelcase Study, which was a study of this whole area, they're calling for a Mixed Use Zoning District and discouraging a commercial area. Caledonia Township has zoned this whole southern quarter as Highway Commercial. Kentwood has this area in a PUD for Steelcase. Their plan for that area is a bit like Meadowbrook where there's inner connectivity going through everywhere. Director Peterson feels an Office Zoning district would tie in with what is in the perimeter of the Steelcase site. The zoning requirements for

Original
Site Plan

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PERMANENT
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15' ZONING
APPROX.

THUNDERBOLT RIVER DRIVE

111



CASCAD E CHARTER TOWNSHIP

ORDINANCE NO. 6-1984

The Board of Cascade Charter Township of Kent County, Michigan, ORDAINS:
That Ordinance #1-1980, being the Thornhills Estates 150 unit Planned Unit
Development, be amended by Ordinance #6-1984, to allow for a 154 unit
retirement home, and a 40 unit elderly housing facility, on the following
described property:

SECTION I

Part of the NW 1/4, of Section 16, T6N, R10W, Cascade Township,
Kent County, Michigan, described as: Commencing at the NW corner
of said Section 16; thence N90 00'E 1475.51 feet along the North
line of said Section; thence S0 08'E 895.0 feet (along the
extended East line of Lot 7 of Arden Hills Plat) to the PLACE OF
BEGINNING of this description; thence S90 00'W (along the South
line of the North 895.0 feet of said NW 1/4) to the centerline
of Thornhills Drive; thence Southerly along said centerline to
its intersection with the North line of the South 264.0 feet
of said NW 1/4; thence East parallel with the South line of
said NW 1/4 to the centerline of Thornapple River Drive; thence
Northeasterly along said centerline to the extended East line
of Lot 7 of Arden Hills Plat; thence North along said extended
line to the place of beginning. Subject to highway right-of-ways
of record for Thornhills Drive and Thornapple River Drive.

SECTION II

The penalty for violation of this Ordinance shall be the same as those
penalties set forth in Chapter 19, paragraph 19.1, of the Cascade Charter
Township Zoning Ordinance No. 2-1978, as amended.

SECTION III

This Ordinance shall be published in a newspaper circulated in the Charter
Township of Cascade, within 10 days following adoption thereof. This ordinance
shall be effective 30 days after publication. All ordinances or parts of
Ordinances in conflict herewith are hereby repealed.

The foregoing Ordinance #6-1984 was offered by member Burlingham, supported by
member Lewis. The vote being as follows:

Yeas: Burlingham, Carpenter, Champion, Ellinger, Hansen, Henning, Lewis.

Nays: None

Absent: None

Date of Adoption: April 25, 1984

CASCADE CHARTER TOWNSHIP

TRENDA HENNING, CLERK

ENDELL CHAMPION, SUPERVISOR

Endell G. Champion
Trenda J. Henning

Additional planning commission information for agenda of March 19th:

Article 4. Burger King: Randy Kracker will be in attendance to explain proposed concept for access for Burger King and parcels east and north. Enclosed is the proposal which will be discussed. Again, the site plan will be considered, and recommendations made on the variances to the Board of Appeals. The variances that are required: 1. Curbcut less than 300 feet
2. Lot size less than 3 acres, 3. Lot frontage less than 300 feet, 4. Sign height of 100 feet.

Article 5. Public Hearing for Sentinal Pointe and Cascade Manor: These changes have been made to the site plan:

1. Parking areas for Sentinal Pointe have been shifted to allow for landscaping along Thornhills Dr. Parking arrangements have also been slightly changed.
2. Total unit number has been increased from 152 to 154. The unit number for Cascade Manor will remain at 40. Gross density will be 6.4 units per acre.
3. Parking area for Cascade Manor has been shifted to the rear.

The final plan meets all requirements under section 13.6, with the exception of submittal of elevations of proposed buildings. These will be presented at Monday's meeting. The applicants have submitted an addendum to the material handed out on February 27. Also enclosed in your packets is correspondence from the drain office. The planning commission had requested that alternate locations for the driveway be considered. The road commission has been contacted, and I will have additional information at the meeting. Tentative discussions with the road commission have indicated that they feel that the proposed location of the driveway is acceptable. The proposed Cascade Manor has yet to obtain approval of the HUD financing, and according to representative this will not be confirmed until September 30. We may want to defer approval of the project until confirmation of the financing. At that time we can then review the proposed plans. Another option to consider would be to approve the project subject to financing, and then more closely review the plans. The proposed single family lots exceed lot requirements for the R1B zone.

Historically, the Township has looked favorably upon multi-family PUD's being proposed in transition zones, ie: between residential and commercial zones. Overall densities of these projects have been between 4.3 units (Quailcrest), and 6-7 units (Foremost). In reviewing the purpose and description of the PUD concept, staff feels that this project would meet these intents. The developers have made good use of the limited land area available, by constructing in areas which will support development by minimal grading and clearing of the land, and yet preserving a large percentage of the land which will remain a natural buffer to single family homesites along Thornapple River Dr. Recommendations on the amendment should be made to the township board.

Article 6: Site plan review for industrial building on northeast corner of Hendrick and Patterson. The site plan meets all requirements with the exception

- a. Creation of a smaller size lot than what is required.
- b. Burger King should be recognized as high traffic density use, and because of this would like to see Burger King work diligently to create a 27th Street, which would help alleviate traffic congestion, and urge the Board of Appeals to negotiate this program.

It was noted that the request for smaller lot size variance will be on the next Board of Appeals agenda. Member Lewis stated that it would be wise to grant the requested variance as this opens up possibilities of going forward with 27th Street, and curbcut locations will be known. Member Kerekes then moved to recommend that the variance for the lot size less than three acres and 300 feet frontage be approved, due to high level of cooperation extended by RT Company. Member Boverhof supported the motion and it was carried. With respect to the curbcut variance of less than 300 feet. Member Mohr moved to recommend this variance. Member Kerekes supported.

Motion Carried.

ARTICLE 5.

CASE # 284: Final Public Hearing for PUD amendment for Sentinel Point and Cascade Manor,, Thornhills Avenue. The Planner reviewed the plans briefly and explained the prior proposal on this property. Paul LeBlanc, with WBDC, explained the proposal. Changes to the preliminary Site Plan include rearrangement of parking areas, entrance drive and addition of two units to the retirement home (see Feb. 27 Minutes). Elevations of proposed construction were presented. Both Cascade Manor and Sentinel Point would be architecturally similar. Mr. LeBlanc spoke to the access situation, explaining problems of moving the driveway, which is proposed to be located across from Tahoe Drive. The knoll on the subject property would be reduced for better visibility both north and south. Jack Carahan, the engineer, explained the storm drainage proposal, which will consist of a number of gabion wiers, which would trap sediment. Larry Snyder with Hartger and Willard, explained the financing program. Cascade Manor (40 units) will be considered for HUD money (202), but will not know if the loan is approved until September 30. The retirement home is to be financed with conventional loan, FHA guaranteed. It was noted that the Cascade Christian Church will be sponsoring the Cascade Manor project. Chairman Peterson then explained the rules for the Public Hearing, and it was opened on a motion by Member Koessel, which was supported by Member Grier. The motion carried.

COMMENTS FROM THE PUBLIC:

Horace Hunt-concerned with traffic situation on Tahoe and Thornhills.

Ben Halpin-expressed concerns with the proposed storm water drainage measures, and he called for a bond to be posted to ensure maintenance of the structures.

Don Finch-questioned the establishment of a Chapter 20 Drain.

Jim James-was concerned about silt problems on his land by the bayou. He expressed approval, however, of the intended use of land.

Jack Smith-stated that the Township would not be assured of a viable project with HUD funding. He called for possible de-acceleration lanes.

Ray Gaylord-expressed concern about the need to build housing which the senior citizens can afford.

Bryan Berger-questioned the number of residents to live in both projects, and the number of employees.

Bill Levy-disagreed with the number of parking spaces provided.

Steve Kuna-expressed some concern with parking spaces.

Ester Wick-commented that seniors who will live in the housing would not be from the "slums".

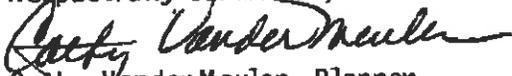
Bryan Berger-questioned the construction time.

There were no other comments. The Chairman asked that a letter received from James Voss be made part of the record (Supplement #3). The hearing was then closed on a motion by Member Lewis, supported by Member Grier. The motion carried. The Planning Commission then discussed among themselves the concerns raised by the residents. Members expressed concerns over drainage. It was suggested that the Planner set up a meeting with the Township engineers, project engineers and the Drain Commissioner. Member Kerekes also expressed concerns with the proposed ingress and egress. This will be researched further by staff and the Road Commission, with respect to possible stoplights or deacceleration lanes. It was suggested that Members physically view this proposed entrance at the site before the next meeting. Questions concerning parking for Cascade Manor and lighting for the project will be further studied. After a short discussion, Member Kerekes moved to table this issue for the above information. Member Koessel supported the motion and it carried.

- ARTICLE 8.
- A. The Planner discussed the situation with 3 M Company's proposal for billboards along I-96 expressway. It was discussed that our ordinance, possibly, is not clear on requirements. Chairman Peterson appointed a subcommittee consisting of Members Lewis, Mohr, Grier and Smith, to work with the Planner. It was discussed that we may have to change language and or proposed changes to the existing ordinance.
- B. Chairman Peterson reported on a tour held for members of the "Four Corners" group at the new Steelcase plant in Kentwood.

ARTICLE 9. The meeting was adjourned at 10:55 p.m.

Respectfully submitted,


Cathy VanderMeulen, Planner
Cascade Charter Township

CASCADE CHARTER TOWNSHIP PLANNING COMMISSION
MINUTES

Monday, April 2, 1984; 7:30 p.m.

ARTICLE 1 The meeting was called to order at 7:30 p.m.
Present: Members Boonenberg, Boverhof, Grier, Kerekes, Koessel,
Lewis, Mohr, Peterson.

Absent: Member Smith

Others Present: Cathy VanderMeulen and those registered on Supplement
#1.

ARTICLE 2 Minutes of the March 19, 1984 meeting were approved as submitted,
on a motion by Member Lewis, supported by Member Grier. The motion
carried.

ARTICLE 3 Item 8A, site plan for A.J. Venaklassen was added to the agenda.
Member Kerekes moved, supported by Member Grier, to support the
motion; the motion carried.

At this time, Chairman Peterson introduced new Member Mary Ellen
Boonenberg.

ARTICLE 4 **OLD BUSINESS**
From the table of March 19th: Consider the amendment of the PUD
for Sentinel Pointe and Cascade Manor, on Thornhills Drive. Member
Boverhof moved to bring the item from the table. Member Grier sup-
ported the motion and it carried. Planner VanderMeulen explained
what has transpired since the last meeting concerning drainage
and road access. (Supplement #2) The Revised Site Plan indicates
where parking lot lighting will be placed. The Planner read a letter
from Project Engineer Jack Carnahan (Supplement #3) concerning
the proposed drainage concept. Barry Buttrick, Drain Commiss-
ioner, briefly outlined how drainage structures would be main-
tained. Currently, the County drain ends at Thornhills Drive.
The drain will be extended to Thornapple River Drive and will be-
come a permanent part of Thornhills Drain and thus would be main-
tained under the Drain Commissioner and drainage area district.
The Drain Commissioner felt that by installing proposed wiers, etc.
on the site, will improve the drainage situation downstream. The
Township engineers have also reviewed drainage plans (Supplement
#4). The Commission discussed the proposed access from Thornhills.
Member Kerekes expressed his concern over the location of the curb-
cut, and requested that the Planning Commission go on record re-
questing a traffic light in this location. The Planner will
write to either appropriate agency. The Planner pointed out the
possibilities of providing sidewalk, and a possible crosswalk
on 28th Street. After discussion, Chairman Peterson asked if there

were any comments from the public.

BEN HALPIN-requested that the developer post a bond ensuring maintenance of the wiers.

ALBERT CONOVAN-stated that traffic will be a problem.

There were no other comments from the public. Barry Bittrick again explained the cleaning of wiers, etc. and the drain and that he (Bittrick) has the right to assess upstream property owners to maintain the drain. Mr. LeBlanc stated that this project would participate in any costs to maintain the wiers. After a short discussion, Member Lewis moved to recommend that the Thornhills PUD be amended to allow Sentinel Pointe, a 154 unit retirement home, and Cascade Manor, a 40-unit elderly housing facility, and 3 single family lots along Thornapple River Dr., with these conditions:

- 1.) That the developer provide sidewalks along the east side of Thornhills Dr., from the project driveway to the northerly lot line.
- 2.) That the Board go on record that the Township has requested a street light at the intersection of Thornhills and Tahoe as soon as possible (stop-and-go light).
- 3.) The bond issue for drainage improvements should be considered at the Township Board level.

Member Koessel supported the motion. **Discussion:** The Planning Commission discussed the location of a sidewalk. It was discussed that the Township could use community development funds to extend a sidewalk to 28th Street. The vote on the motion was unanimous and the motion carried.

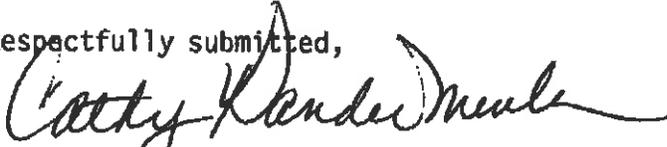
PUBLIC HEARINGS

- ARTICLE 5 Three public hearings were held concerning earth housing, dish antenna and swimming pools.
- 1.) **Earth Housing**-Larry Nix, Consultant, reviewed the tentative language (Supplement #5). Member Koessel moved to open the hearing. Member Grier supported the motion and it carried. The only comment was from Bob VanStrien who stated that he felt the ordinance was good. There were no other comments and the hearing was closed on a motion by Member Boverhof, which was supported by Member Lewis. The motion carried. Member Kerekes then moved to recommend these changes concerning earth housing to the Township Board. Member Grier supported the motion and it carried.

- 2.) The Planner will have a letter on Burger King driveway cuts from GRETS at the next meeting.
- 3.) The Drain Commission has reviewed the drainage for Kraft Industrial Plat. This will be passed on to the Township Board.
- 4.) The Planning Commission received and passed a Resolution calling for sidewalks and crosswalk for Sentinel Pointe and Cascade Manor, recommended for approval to the Township Board.

ARTICLE 10 Adjournment at 10:05 p.m.

Respectfully submitted,



Cathy VanderMeulen, Planner
Cascade Charter Township

Additional Planning Commission Information for Monday, April 2, 1984

Sentinel Points: The project was tabled at our last meeting for a number of reasons:

1. Road Access
2. Drainage Concerns
3. Parking
4. Lighting

As per the Planning Commission's concern, I have met with the Road Commission and Drain Commission to discuss these items.

1. **Road Access.** Mr. Dave Groenleer, engineer with the Road Commission, spent a great deal of time explaining why the access to the project should be in the location that is shown on the site maps. Profiles of Thornhills Ave. indicated that vision is much better here than what it would be if the cut were located on other areas of Thornhills Drive. The proposed access will be located at the highest point of the hill, and provides the best sight vision in both directions. I will present these profiles at the meeting. The Planning Commission also questioned possibilities of a stoplight at this intersection. Mr. Groenleer informed me that there would not be enough traffic volume to warrant a light. Basic criteria for a light would be 630 vehicles per hour for 8 hours a day, on a major road and 70 vehicles per hour for 8 hours on a minor road. Mr. Groenleer stated that we could place a request on record for the light, however. During the course of discussion, staff inquired as to possibilities of sidewalks in this area and a pedestrian crossing on 28th Street. Mr. Groenleer stated that a sidewalk could be built along the east side of Thornhills, at a cost of about \$3-4,000. The Township has community block grant funds which could be used, along with a contribution from the development. Staff feels that this should be pursued with the developers, and possibly included in a motion to approve the project. I have drafted a resolution, that with the Planning Commission's approval, will be sent to the Road Commission for their consideration of the crosswalk and sidewalk. With respect to the parking and lighting, I have requested that WBDC revise the site plan to address these concerns.

Article 5. Public hearings for various revisions to the ordinance. Copies will be available to the public at our meeting. Each item should be considered separately and recommendations made to the Township Board. Larry Nix will be in attendance concerning the earth housing language.

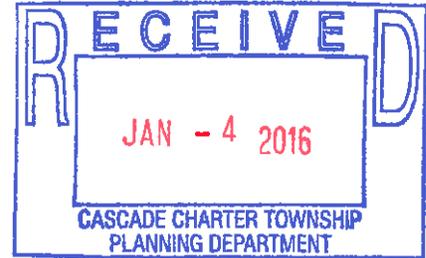
Staff has also met with the Drain Commissioner, Township engineers and project engineers concerning the proposed drainage concept. Our engineers have stated that they feel the drainage plan will adequately address the concerns of siltation etc., which the Planning Commission and residents voiced. (letter attached). I have requested a letter from the Drain Commissioner for our meeting, which will give approval to the concept, subject to a more in-depth review of the specifics when construction commences. Mr. Bittrick will also be in attendance at our meeting to answer questions.

Article 6. Site plan for **PepsiCola**. The parcel is located at the end of Kraft Avenue, which contains the old Warehousing Building. There will be no addition to the building, per se; however, a great deal of additional paving (100,000 sq. ft.) will be built. Staff has requested the Drain Commissioner's approval

Sentinel Pointe Investors, LLC
1230 Rosecrans Avenue, Suite 405
Manhattan Beach, CA 90266
310-725-0120

December 24, 2015

Mr. Rob Beahan
Cascade Township Supervisor
2865 Thornhills Avenue SE,
Grand Rapids, MI 49546-7192



**Re: Round Hill Amended PUD Proposal
Case # 15-3229 RJV Ventures**

Mr. Beahan:

As the Managing Member of the entity which owns Sentinel Pointe Retirement Community at 2900 Thornhills Ave SE, I would like to once again reiterate my position that we are very much against modifying the PUD to allow an alternative use. This proposed change will negatively impact us.

If this Amended PUD proposal is approved by the Cascade Board and Round Hill Condos were constructed, the following negative implications to Sentinel Pointe would occur:

1. The project would cut off the top of the adjacent hill [30,000 CY of earthwork], 3 acres of old growth woods would be cut down, and 600'+ of 10'-14' concrete retaining walls, within 7' of the property lines, would be constructed. This would substantially and negatively alter the views of 30%-40% of the Sentinel Pointe residents;
2. An improperly designed retention pond would be constructed at our north property line with the overflow going directly onto our property without permission or an easement;
3. The overflow will then go downhill 80 feet into Thornapple Creek [Thornapple Hills Drain] which runs W-E through the length of our property. This drain has so many longstanding systemic problems that Cascade Township has a 37 Page application, dated 9/30/15, to completely restore the Creek [Drain] because of sediment problems which are harming the nearby Thornapple River. Cascade currently has no funding available to implement the restoration once a permit is given. As such, it could be years before the problem is mitigated. This Proposal would cause direct harm to our property.

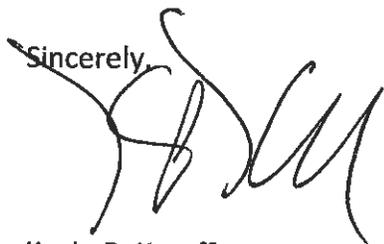
It is the opinion of our company, as owner, that the Round Hill Applicant should have met with us long before this proposal ever was submitted to Cascade Township for approval. That meeting should have resulted in the Applicant formally requesting us to approve his plans to amend the

PUD and modifying these plans for any issues we felt negatively affected us. This would have resulted in some changes which might have allowed us to approve the concept, and the resultant storm water overflow across our property.

It is the Sentinel Pointe Ownership's position that the Board should not consider or approve the Round Hill Proposal until the Thornapple Hills Drain Restoration is completed, and the Applicant has sought our approval and signoff on the Amended PUD Proposal.

Finally, except for the hearing last August, we have not received any notices of public hearings. I was notified of this upcoming meeting by an adjacent land owner. Please make sure your staff has the correct address on file (noted above).

Sincerely,

A handwritten signature in black ink, appearing to read 'Kaseff', written over the word 'Sincerely,'.

Kevin P. Kaseff
Managing Member

Cc: Steve Peterson, Cascade Township
Mark Rohde, Rohde Construction
Clay Lorinsky, Esq.

Memo

To: Cascade Township Board

From: Roger Mc Carty, Assessor

CC:

Date: 12/15/2015

Re: Request for approval of 2016 Poverty Exemption Guidelines

Attached is a resolution we approve each year for the updated Poverty Guidelines. The only change is the updated Federal household income guidelines as reported on STC Bulletin 14 of 2015.

We usually have only one or two applications each year.

If you have any questions, please contact me.

CASCADE CHARTER TOWNSHIP
Kent County, Michigan
Resolution /2016

**RESOLUTION TO ADOPT 2016 POVERTY EXEMPTION
POLICY AND GUIDELINES**

At a regular meeting of the Township Board for the Township of Cascade, County of Kent, State of Michigan, held in the Cascade Library, Wisner Center in said Township on the 13th of January at 7:00 p.m.

MEMBERS PRESENT:

MEMBERS ABSENT:

Resolution offered by: Supported by:

WHEREAS, on December 1, 2004 the Cascade Charter Township Board did establish “Policies and Guideline to Grant Poverty Exemption, and

WHEREAS, Resolution #55/2006 did approve the “Policy and Guidelines to Grant Poverty Exemptions” in accordance with the State Tax Commission Bulletin #5 dated January 23, 1995, and Bulletin #1 dated January 8, 2003 and

WHEREAS, The Board of Review and Assessor’s office recognized the need to adopt definite procedures and guidelines, approved by the Township Board, to be used as standards when considering appeals made based upon financial hardship.

NOW, BE IT THEREFORE RESOLVED that the Cascade Charter Township Board approves the “2016 Poverty Exemption Policy and Guidelines” as updated per the Federal Poverty Guidelines for the 2016 assessments which is attached.

The vote being as follows on the foregoing resolution:

YEAS:

NAYS:

ABSENT:

Ronald H. Goodyke

CERTIFICATION

I certify that the foregoing to be a true copy of a Resolution adopted by the Cascade Charter Township Board at a Regular Meeting held on January 13, 2016

Dated: January 13, 2016

Ronald H. Goodyke
Cascade Charter Township Clerk

CASCADE TOWNSHIP POVERTY EXEMPTION GUIDELINES

1. **Purpose.** The principal residence of persons who, in the judgment of the Board of Review, by reason of poverty, are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation.
2. **Eligibility.** To be eligible for the exemption:
 - a) The applicant must be an owner of, and occupy as a principal residence, the property for which the exemption is requested
 - b) Total annual household income shall not exceed the amounts set forth under the Federal poverty guidelines as defined and determined annually by the United States Office of Management and Budget; as follows:

Size of Family Unit	Poverty Guidelines
1	\$ 11,770
2	\$ 15,930
3	\$ 20,090
4	\$ 24,250
5	\$ 28,410
6	\$ 32,570
7	\$ 36,730
8	\$ 40,890
Each additional person add	\$ 4,160

- c) Total assets, except the homestead being claimed, essential household goods, and the first \$5,000 of the market value of a motor vehicle should not exceed:
 - (i) \$4,000 for the claimant:
 - (ii) \$6,000 for the household

Assets include, but are not limited to real estate other than the principal residence, motor vehicles, recreational vehicles and equipment, certificates of deposits, savings accounts, checking accounts, stocks, bonds, life insurance, and retirement funds. Assets do not include essential household goods such as furniture, appliances, dishes, and clothing.

The Board of Review will not reduce the value of the assets by the amounts of any indebtedness otherwise owed by the applicant.

If the applicant meets these eligibility requirements, the applicant will be entitled to a poverty exemption as long as the applicant complies with the remaining requirements and procedures as set forth in these guidelines.

3. Application. To apply for the poverty exemption, a person shall do all of the following on an annual basis:
 - a) File a Hardship Exemption Application with the Assessor or Board of Review. Applicants must obtain the application from the Assessor's Office. Handicapped or infirmed applicants may call the Assessor's Office to make necessary arrangements for assistance.
 - b) Submit copies of federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year.
 - c) Produce a valid driver's license or other form of identification.
 - d) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested, if such proof of ownership is requested by the Board of Review.
 - e) Provide evidence of other assets including investments, real property, and retirement accounts.
4. Deadline The application must be submitted after January 1, but before the day prior to the last day of the Board of Review.
5. Appearance Before the Board of Review. The applicant, or a representative of the applicant, will be required to appear before the Board of Review to respond to any questions that the Board of Review or Assessor may have concerning the exemption application.
 - a) An applicant may be called to appear before the Board on short notice.
 - b) An applicant may have to answer questions regarding the applicant's financial affairs, health, or the status of people living in the applicant's home before the Board at a meeting that is open to and will be attended by the public.
 - c) Applicants appearing before the Board may be administered an oath as follows:

“Do you _____ swear and affirm that the evidence

and testimony you will give in your own behalf before the Board of Review is the truth, the whole truth, and nothing but the truth, so help you.”

- d) The Assessor may tape record and will keep minutes of all proceedings before the Board of Review.
 - e) If called to appear before the Board, physically challenged or infirmed applicants may call the Assessor’s Office to make necessary arrangements for assistance.
 - f) The Board of Review may, in its discretion, review poverty exemption applicants without the applicant or the applicants’ representative being physically present.
6. Evaluation of Application. Applications for poverty exemptions will be evaluated based on information submitted to the Board of Review by the applicant, testimony taken from the applicant, and information gathered by the Board from any source.
- a) The Board of Review is not required to grant a poverty exemption for property owned by multiple owners as long as at least one owner is not eligible for the poverty exemption.
 - b) The Board of review may conduct an investigation to verify the information submitted or statements made to the Assessor or Board of Review in regard to the applicant’s poverty exemption claim.
 - c) The Board of Review may not deny a poverty exemption based upon mere speculation regarding the level of an applicant’s income or assets.
 - d) A poverty exemption, if granted, shall remain in effect for one year and an applicant’s eligibility for the poverty exemption shall be determined each year.
 - e) The Board of Review may not determine an applicant’s eligibility for the poverty exemption based on the number of years that the applicant has been granted a poverty exemption in the past, or the number of years that the applicant may be granted a poverty exemption in the future.
7. Special Circumstances Warranting Application of the Poverty Exemption. The Board of Review, may, in its discretion, grant a poverty exemption to a Taxpayer who does not meet the income and asset tests contained in these guidelines where one or more of the following has resulted in hardship to the taxpayer:

- a) Unforeseen prolonged cessation of income due to circumstances beyond The applicant's control;
 - b) Trauma or critical illness of the applicant or the applicant's immediate Family member which resulted in excessive financial liabilities for which the taxpayer does not receive reimbursement;
 - c) Catastrophic loss; or
 - d) Other extenuating circumstances which the Assessor and Board of Review agree are legitimate hardships over which the applicant has no control.
8. Amount of Exemption. The Assessor will determine the estimated property tax liability for the applicable tax year and the estimated state homestead credit for each applicant under the Homestead Property Tax Credit, Public Act 281 of 1967. The poverty exemption shall not exceed the amount of the tax liability minus the homestead credit refund.
9. Deviation from the Guidelines. The Board of Review shall follow these guidelines in granting or denying an exemption unless the Board of review determines there are substantial and compelling reasons why there should be a deviation from the guidelines and the substantial and compelling reasons are communicated in writing to the claimant.

FIRE DEPARTMENT MEMORANDUM



TO: BENJAMIN SWAYZE - TOWNSHIP MANAGER
FROM: JOHN SIGG - FIRE CHIEF *JS*
SUBJECT: PURCHASE OF FIRE CHIEF'S VEHICLE
DATE: JANUARY 4, 2016
CC: TOWNSHIP BOARD

This is a request for approval of a new Fire Chief's vehicle. This project was approved under the 2016 CIP, line item of the 2016 budget, as well as by FDAC. The budgeted amount is \$45,000. The vehicle will be purchased from Tinney Chevrolet at a cost of \$37,512.40 with additional Emergency equipment costing \$7,000 for a total estimated purchase price of \$44,512.40.

Attached is an e-mail from the sales representative at Tinney stating the break down in cost for the vehicle. This is through the State of Michigan bid with the \$5,200.00 being the state discount.

I ask you approve this purchase for a new Chevrolet Tahoe from Tinney Chevrolet.

John Sigg

From: Eric Zant <ezant@tinneyautomotive.com>
Sent: Thursday, November 19, 2015 11:07 AM
To: John Sigg; Ron Rowland
Cc: 'Eric Zant'
Subject: 2016 Tahoe
Attachments: cascadefinal2016tahoe.pdf

Hi John and Ron,

Attached is the detail specifications.

\$42547.40
-\$5200 fleet cash
+\$150 tinney
+15 Title

37512.40 Total

I will keep in loop!

Thank you!

Vehicle Specifications

PEG: 1FL - Commercial / Fleet Preferred Equipment Group	Trim: H0U - Cloth, Jet Black, Interior Trim
Primary Color: GAZ - Summit White	Engine: L83 - Engine: 5.3L, V-8, SIDI, Active Fuel Mgt
Emissions:	
Transmission: MYC - 6-Speed Automatic	
Ordered Options:	
5W4: Vehicle Special Service, Municipal (SEO)	KC4: Cooler, Engine Oil
9U3: Cloth Seat Trim Override (SEO)	KI4: 110 Volt Electrical Receptacle, In Cab
AG1: Power Seat Adjuster (Driver's Side)	KNP: Transmission Cooling System
AG2: Seat Adjuster, Front Passenger, Power	KW7: Alternator, 170 AMP
AQQ: Keyless Remote Entry	N33: Steering Column: Manual Tilt
AT6: Seats, 2nd Row 60/40 Bench, Manual Configurable	NHT: Max Trailering Package
ATD: Seat Delete: Third Row	NQH: T-Case, 4WD, Electronic Autotrac w/ Rotary Dial Ctrls
AU3: Power Door Locks	NZZ: Underbody Shield
AY0: Airbags- Head Curtain, Side Impact	PZX: Wheels: 18" Aluminum
AZ3: Seats: Front 40/20/40 Split-Bench	RC4: Tire, Spare, P265/70R17 Blackwall
B30: Floor Covering: Carpet, Color Keyed	RKX: Tires: P265/65 R18 All Season, Blackwall
B58: Floor Mats, Color-Keyed Carpeted 1st & 2nd Row	SAF: Spare Tire Lock
BTV: Remote Engine Starting Pkg	TB4: Rear Lift Gate, Manual
	TG5: Compact Disc & MP3 Player
	U2J: SiriusXM Satellite Radio, Delete
	UD7: Rear Parking Assist Sensors
	UE1: OnStar Communication System

BVE: Assist Steps
C49: Defogger, Rear Window, Electric
C6A: GVW Rating 7300 Lbs
CE1: Wipers, Front intermittent, Rainsense
CJ4: Climate Control, Electronic - Multi-zone
DL8: Mirrors, O/S, Power, Heated
FE9: Federal Emissions
FHS: E85 Flex Fuel Capable
G80: Locking Differential, Rear
GU6: Rear Axle, 3.42 Ratio
IO3: Base Radio, 4.2" Color Screen, w/ USB Port
JL1: Integrated Trailer Brake Controller
K34: Cruise Control
K47: Air Cleaner, High Capacity
K4B: Battery, Auxiliary, 730 CCA
UN9: Grounding Straps
UPF: Bluetooth for Phone
UQ3: Speaker System
UTJ: Theft Protection System, Unauthorized Entry
UVC: Rear View Camera System
VPV: Hdlg Charge Arlghtn Assm To Kerr Ind. Rtn to Arlg Assm
VQ2: Holdback N/A, Dealer Fleet Assistance
VV4: Onstar 4G LTE Wi-Fi Hotspot
YK6: SEO Processing Option
Z82: Trailering Package
ZY1: Paint, Solid

Eric Zant
Tinney Automotive Group
BAC 178003
11249 W Carson City Rd
Greenville, MI 48838
ph: 616-754-3605
fax: 616-754-1418
cell:616-893-3022



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

Date: January 13th, 2016
To: Supervisor Beahan and Township Board Members
From: Ben Swayze, Township Manager
Subject: Resolution of Support for Liquor License

FACTS:

Township staff has been working with two local businessmen, Jeff Coffey and Eric Couch, on opening a new brewery in the Cascade Center, located at 6262 28th Street (same complex as Subway). You recall that in late 2014 and early 2015 the DDA, Planning Commission and Township Board worked on updating our Liquor License and Zoning Ordinances in order to hopefully attract this type of business. This will be the first application for a resolution of support for a new on-premise license the Township has received since these changes have been made.

Mr. Coffey and Mr. Couch, through their business Blue Sky Brewing LLC., are applying for a Micro Brewer, Small Winery and Small Distiller license. Details regarding these licenses are attached. The business plan calls for the installation of a 7bbl brewing system and a focus on craft beer. They estimate that the annual production should be around 1,000 bbls per year. They also plan on utilizing the winery license for hard ciders and meads, and the distillery license for small batch artisan spirits on site. The business plan calls for an initial focus of 75% craft beers, 20% ciders/meads and 5% spirits with the plan to be refined as the market develops.

The site is two storefronts in the Cascade Center, located adjacent to the Subway. They anticipate they will have approximately 3100 sf of space, roughly divided in half for production and front of the house. The plan is for seating capacity of 99, along with outdoor seating of 25-30. The long-term plan may include a restaurant, but the initial focus will be the taproom and distribution with snack food offerings.

Mr. Couch's background is he is a 20 year Kent County resident and has spent 30 years as an engineer primarily in the automotive industry. He has been home brewing for 21 years and has been the president of Primetime Brewers, Grand Rapids oldest home brew club, for the past 7 years. He has also served as a Gaines Township Trustee for the last 7 years.

Mr. Coffey's background is he has been a Cascade resident since 1998 and is a former board member of the Cascade Thornapple River Association. He has a Master's degree in engineering and is currently an independent contractor at a major manufacturer in the Grand Rapids area. Mr. Coffey has also been home brewing for 20+ years.

Attached for your review:

- Proposed Resolution of Support
- State of Michigan Liquor Control Commission Requirements and General Information sheets for the Micro Brewer, Small Winemaker and Small Distillery Licenses.

ANALYSIS & CONCLUSIONS:

In late 2014 and early 2015 the DDA, Planning Commission and Township Board approved changes to our Liquor License ordinance and Zoning Ordinances in order to try to attract restaurants that serve alcohol and breweries/wineries/distilleries as well as to conform to the new Michigan Liquor Control Commission (MLCC) policies and procedures. As part of the applicant's application to the MLCC, they are required to obtain a resolution of support from the Township. According to the ordinance, the Township will consider the following factors when deciding to support a license application:

A conviction of three or more liquor violations or a felony in any court or before the Michigan Liquor Control Commission, within a period of five years preceding the receipt of the application

- No known felonies or liquor violations for either applicant

A license which, under this chapter, has been revoked for cause

- No known previous licenses

Whether all of the members of such copartnership shall qualify to obtain a license.

- Will be determined by the Liquor Control Commission

With respect to a corporation, whether any officer, manager or director thereof, or a stock owner or stockholders owning in the aggregate more than 5% of the stock of such corporation, is not eligible to receive a license hereunder for any reason.

- Will be determined by the Liquor Control Commission

Whether the business is conducted by a manager or agent unless such manager or agent possesses the same qualifications required of the licensee.

- Not Applicable

A conviction of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor or a controlled substance.

- No known convictions

Whether the applicant owns the premises for which a license is sought or does not have lease therefor for the full period for which the license is issued, or a person, corporation or copartnership that does not have sufficient financial assets to carry on or maintain the business.

- Applicant intends to enter into a 5-year lease for the premises on February 1

Whether the applicant is a law enforcement public official or a member of the Township Board, and whether such official is interested in any way, either directly or indirectly, in the manufacture, sale or distribution of alcoholic liquor.

- Not applicable (The term Township Board refers to the Board of Cascade Township, not any Township)

Whether there exists a violation of the applicable building, electrical, mechanical, plumbing or fire codes, applicable zoning regulations, applicable public health regulations, or any other applicable Township ordinance

- No current violations exist

Whether, for any new license or for the transfer of any existing license, the sale of beer, wine or spirits is shown to be an accessory use to other permitted business uses upon the site, such as but not limited to food sales, motel operations, or recreational activities

- The manufacturing, distribution and sale of beer, wine and spirits will be the primary use, which is an acceptable use in our zoning ordinance. Long term plans may include a restaurant.

Whether the premises does not or will not soon after commencement of operations have adequate off-street parking, lighting, refuse disposal facilities, screening, noise, or nuisance control or where a nuisance does or will exist.

- All standards are met, and the approval of the license is not anticipated to cause a nuisance.

With respect to a person whose license is in escrow, whether owners of the escrowed license are in violation of any provision of this chapter, state law, other local ordinance or rule of the Michigan Liquor Control Commission, or if the license is held in escrow for more than one year.

- Not applicable

In short, this is the type of business we were attempting to attract with the changes to our Zoning Ordinances and Liquor License Ordinance, and there is nothing to indicate that the Township should not support the applicant application for a liquor license from the Michigan Liquor Control Commission.

FINANCIAL CONSIDERATIONS:

None, this is a resolution of support only and will not have any direct financial implications for the Township.

RECOMMENDED ACTION:

To approve the Resolution of Local Government Approval for Blue Sky Brewing, LLC to apply for a Micro Brewer, Small Winery and Small Distillery license from the Michigan Liquor Control Commission.



Local Government Approval
(Authorized by MCL 436.1501)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a Regular meeting of the Cascade Charter Township council/board
called to order by Supervisor Beahan on January 13, 2016 at 7:00pm
the following resolution was offered:

Moved by and supported by
that the application from Blue Sky Brewing, LLC
for the following license(s): Micro Brewer, Small Winery and Small Distillery

to be located at: 6262 28th Street SE, Grand Rapids, MI 49546

and the following permit, if applied for:

Banquet Facility Permit Address of Banquet Facility:

It is the consensus of this body that it recommends this application be considered for approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are

Vote

Yeas:
Nays:
Absent:

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the Township council/board at a regular meeting held on January 13, 2016

Ronald Goodyke

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:
Michigan Liquor Control Commission
Mailing address: P.O. Box 30005, Lansing, MI 48909
Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933
Fax to: 517-763-0059



Michigan Department of Licensing & Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
525 W. Allegan P.O. Box 30005
Lansing, Michigan 48909

Michigan Brewer & Micro Brewer Requirements and General Information

A "Brewer" license, as defined by MCL 436.1105(11), is issued by the Michigan Liquor Control Commission to a person located in Michigan to manufacture and sell to licensed wholesalers, beer produced at the licensed brewery facility.

- May sell beer it manufactures to licensed Michigan wholesalers who may resell it to licensed Michigan retailers.
- May have multiple brewing facilities. Each brewing facility located in Michigan requires a separate Brewer license.
- A Brewer may sell to consumers for on-premises consumption at not more than two of the brewers licensed locations in Michigan.
- A Brewer that has more than one licensed brewery premises may sell for on-premises consumption beer that it has produced at one licensed brewery premise at any of its other licensed brewery locations
- May offer free samples to consumers from the brewery facility.
- May sell beer it manufactures to consumers for off-premises consumption (take-out) from the brewery premises with no additional license.
- May not sell beer directly to retail licensees. All distribution to retailers must be done through licensed wholesalers.
- Must enter into exclusive territory agreement with each wholesaler.
- Must obtain a "Brewer's Notice" from the Alcohol, Tobacco, Tax & Trade Bureau (TTB).

A "Micro Brewer" license, as defined by MCL 436.1109(3), is issued by the Commission to a person located in Michigan to manufacturer no more than 60,000 barrels per year and sell to licensed wholesalers, beer produced at the licensed brewery facility.

- May sell beer it manufactures to licensed Michigan wholesalers who may resell it to licensed Michigan retailers.
- May have multiple brewing facilities. Each brewing facility located in Michigan requires a separate Micro Brewer license.
- In determining the 60,000-barrel limit for a Micro Brewer, the combined production of all brewing facilities, including those located outside Michigan shall be considered.
- A Micro Brewer that produces in total 30,000 barrels of beer or more per year may sell its beer for on-premises consumption at not more than three of the micro brewers licensed locations in Michigan.
- A Micro Brewer that has more than one licensed brewery premises may sell for on-premises consumption beer that it has produced at one licensed brewery premise at any of its other licensed brewery locations
- May offer free samples to consumers from the brewery facility.
- May sell beer it manufactures to consumers for on-premises consumption from the brewery premises without any additional license.
- May sell beer it manufactures to consumers for off-premises consumption (take-out) from the brewery premises with no additional license.
- May not sell beer directly to retail licensees. All distribution to retailers must be done through wholesalers unless Micro Brewer meets the definition of a "qualified micro brewer" under MCL 436.1203 (14)(j) who may self-distribute to retail accounts.
- Must enter into an exclusive territory agreement with each wholesaler.
- Must obtain a "Brewer's Notice" from the Alcohol, Tobacco, Tax & Trade Bureau (TTB).

How To Apply For A License:

Please refer to the "Manufacturers & Wholesale License Application Process" information sheet for applicable forms and required documents.

All forms are available on our website at: www.michigan.gov/lcc --> Commission Forms --> Manufacturers & Wholesalers.

Licensing Requirements:

Federal Basic Permit:

Receipt of a Federal "Brewer's Notice" issued by the Alcohol and Tobacco Tax and Trade Bureau ("TTB") is required prior to the issuance of a Brewer/Micro Brewer license.

- Administrative rule R 436.1609(1)

For Brewer's Notice info contact: Alcohol and Tobacco Tax and Trade Bureau
550 Main St. Room 8002
Cincinnati, OH 45202
(513) 684-3337
www.ttb.gov

Bond Application:

A Surety Bond (Form MW-816) executed by an insurance company authorized to do business in Michigan in the amount of \$1,000.00 for the first year licensed is required prior to issuance of the license. Bond form (MW-816) & instructions can be found on our website. Bond does not need to be submitted until applicant has received notification from our office of approval for their license application by our Commission.

- MCL 436.1801 (1)(a)

Proof of Financial Responsibility:

A statutory requirement to provide security for liability of not less than \$50,000. May be in the form of cash, unencumbered securities, liquor liability insurance, constant value bond, or membership in a group self-insurance pool authorized by law that provides security for liability under Section 436.803 of the Liquor Control Code. Proof of Financial Responsibility Form LC-95 & instructions can be found on our website. Does not need to be submitted until applicant has received notification from our office of approval for their license application by our Commission.

- MCL 436.1803(1)

Server Training Requirement

A licensee authorized to sell or sample alcoholic beverages for on-premises consumption is required to have present on the licensed premises, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served who have successfully completed a server training program approved by the Commission. Server Training forms will be mailed upon Commission approval of the license application.

- MCL 436.1501(1), Administrative rule R 436.1060

License Fee:

The initial license fee for a Brewer or a Micro Brewer is \$50.00. The annual renewal fee for a Brewer or Micro Brewer will be \$50.00 for manufacturers of less than 15,000 barrels during the preceding calendar year. The renewal fee for manufacturers of more than 15,000 barrels during the preceding calendar year shall be \$50.00 per 1,000 barrels, or fraction of a barrel, produced annually with a maximum fee of \$1,000.00. Licensing year is May 1 - April 30. License fee may not be prorated for part year licensure and is payable at the time of initial application.

- MCL 436.1525

Food Establishment License

The Michigan Food Law (Act 92, P.A. of 2000) requires all food establishments, including processing operations such as wineries, breweries and distilleries to obtain a food establishment of one type or another. Contact the Michigan Department of Agriculture & Rural Development ("MDARD") for details on the specific food establishment license required for your operation. The MDARD may be contacted as follows:

MDARD Central Licensing
P.O. Box 30746
Lansing, MI 48909
(517) 241-6666
www.michigan.gov/mda

General Information:

Age:

A person must be 21 years of age or older to have any ownership interest in a Brewer or Micro Brewer license. A person must be 18 years of age or older to sell, serve or promote alcoholic beverages for a Brewer or Micro Brewer.

- Administrative rule R 436.1105(1)(a)

Church and School:

A new application to sell alcoholic beverages at retail (including manufacturers), or a request to transfer location of an existing license, may be denied if the contemplated location is within 500' of a church or school. The Commission may waive the church/school provision if the church or school does not file an objection to the proposed license. If the church or school files an objection, the Commission will hold a hearing before making a decision on the issuance of the license.

- MCL 436.1503

Manufacturing & Labeling:

Beer must be manufactured in accordance with federal beer regulations published in the Code of Federal Regulations (CFR) Title 27, Part 25. Contact the TTB for details.

- Administrative rule R 436.1611

Label Registration:

All beer products sold in Michigan must have labels approved by the Commission prior to being sold. All beer sold in Michigan must be labeled in accordance with TTB regulations. The Commission uses an on-line label registration process which requires prior registration with the TTB. Upon licensure, you will be provided with a password and instructions to access the on-line registration site. There is no fee for Michigan label registration.

- Administrative rule R 436.1611

Mandatory Label Information (Pursuant to TTB Regulations):

- Brand name.
- Class, type or, in lieu of, a truthful & adequate statement of composition shall appear on the brand label of the product.
- Name and address of bottler or packer where bottled or packed.
- Net contents.
- Government Warning Statement.
- Alcohol content by volume is optional.

For Federal Labeling information contact:

Alcohol and Tobacco Tax and Trade Bureau
Alcohol Labeling & Formulation
650 Massachusetts Ave., N.W.
Washington, DC 20226
(866) 927-2533
www.ttb.gov

Container Deposits:

Beer, mixed wine drink (wine coolers) & mixed spirit drink (spirit coolers) sold in containers of one (1) gallon or less must comply with the Beverage Container Act (Initiated Law of 1976) by requiring a deposit of not less than 10 cents per container when sold to consumers. Containers must be clearly labeled with the name of this state and the deposit amount. "MI" or "MICH" are acceptable abbreviations for Michigan. The wholesaler who sells the returnable containers to their retail customers initiates the container deposit.

- MCL 445.571 – MCL 445.576

Beer Excise Tax Reports:

Michigan beer excise tax rate is \$6.30 per barrel. A barrel contains 31 gallons. The excise tax equates to approximately 46 cents for a case containing 24/12 ounce containers. Brewers and Micro Brewers shall pay the Michigan beer excise tax or may designate a wholesaler to pay the tax on their behalf for all beer manufactured and sold in this state. Taxes are collected on a monthly basis (biweekly if your monthly tax liability averages \$50,000 or more). Sales and shipments made to military installations, Indian reservations or out-of-state by Brewers/Micro Brewers are nontaxable. Beer that is provided as samples in a hospitality room of a brewery or beer damaged in the process of brewing is also nontaxable. Beer that is sold for on-premise consumption by a Micro Brewer is subject to the beer excise tax and must be submitted by the brewer regardless if a wholesaler has been designated to pay tax on wholesale shipments to retailers.

A report of operations (copy of TTB - Report of Operations) is due in the Commission's Lansing office not later than the fifteenth day of the month for the preceding month's activity. Copies of invoices verifying sales to Michigan wholesalers or a summary report of wholesaler sales are submitted with your monthly beer excise tax report. Payment of the beer excise tax shall accompany the report. Monthly reporting forms are available on our web site at: www.michigan.gov/lcc.

Brewers & Micro Brewers who manufacture less than 50,000 barrels of beer per year, are eligible for a credit against future beer excise taxes in the amount of \$2.00 per barrel for the first 30,000 barrels per year.

- MCL 436.1409, administrative rule R 436.1621

For further questions relating to beer tax, please contact our Financial Management Division at: (517) 284-6352.

Sales to Wholesalers:

All sales must be made through licensed wholesalers. A Micro Brewer may self-distribute to a retail account if they meet the definition of a "qualified micro brewer" (noted below), under MCL 436.1203 (13).

Brewers and Micro Brewers must grant each of their wholesalers with an exclusive sales territory. A Brewer or Micro Brewer must give each of their wholesalers a written agreement specifying the brand or brands to be distributed and the territory where exclusive sales are granted. There can be no overlapping of sales territories between wholesalers of similar brands.

There is no prohibition against offering wholesalers quantity discounts as long as the discounts are uniformly offered to all wholesalers. All sales made to wholesalers must be for cash only.

- MCL 436.1105(11), MCL 436.1109(3), MCL 436.1401, MCL 436.1403

Self-Distribution to Retailers:

A "qualified micro brewer" or an out-of-state entity that is substantial equivalent of a micro brewer may sell and deliver beer to a retailer.

"Qualified micro brewer" means a micro brewer that produces less than 1,000 barrels of beer per year. All brands of the micro brewer, whether brewed in this state or outside of Michigan, shall be combined.

A micro brewer that self-distributes to retail licensees must comply with the following:

- 1) Must file a schedule of net cash prices to retailers with the Commission office.
 - 2) Beer must be delivered by employees of the Micro Brewer.
 - 3) Must obtain a delivery decal from the Commission office for any vehicles used to deliver beer to retailers. \$50.00 fee per vehicle.
 - 4) Cannot deliver beer in a sales territory that the micro brewer has granted to a wholesaler.
- MCL 436.1203 (13)(14)(i)

Sale to Consumers by the Glass:

A Micro Brewer that produces less than 30,000 barrels of beer per year may sell beer it manufactures to consumers for on-premises consumption at any of its licensed brewery locations. A Micro Brewer that produces 30,000 barrels of beer or more per year may sell its beer to consumers for on-premises consumption at not more than three licensed locations in Michigan.

A Brewer may sell beer it manufactures to consumers for on-premises consumption at not more than two licensed locations in Michigan.

- MCL 436.1109, MCL 436.1411

Take-Out Sales from Brewery:

A Micro Brewer by definition may sell beer that it produces to consumers for off-premises consumption (take-out).

- MCL 436.1109(3), MCL 436.1537(k)

A Brewer may sell beer that it produces to consumers for off-premises consumption (take-out).

- MCL 436.1537 (k)

Sales for Cash Only:

The Liquor Control Code requires the sale and purchase of all alcoholic beverages to be for cash only, at the time of delivery to wholesalers. Consumers may use bona-fide credit cards to pay for purchases from the brewery.

- MCL 436.2013

Hospitality Room – Sampling by Consumers:

A Brewer or Micro Brewer may allow persons 21 years of age or older to sample beer manufactured by that brewery in a hospitality room located on the brewery premises. Beer may not be served to persons in an intoxicated condition.

- MCL 436.2025, administrative rule R 436.1613

Barrel Deposits:

Manufacturers of beer are required to collect a barrel deposit of \$30.00 for all barrels, 1/2 barrels and 1/4 barrels of beer sold to wholesalers. A refund of \$30.00 shall be made to a licensee who has made the deposit and returned the barrels for refund. The Rule does not allow a deposit in excess of \$30.00.

- Administrative rule R 436.1629

Interest in another License:

Michigan statute strictly prohibits a Brewer/Micro Brewer from holding any interest, directly or indirectly, in a **wholesale or retail license**. Examples of prohibited interests include: stock ownership, leasing real estate to/from a wholesale or retail licensee; interlocking officers or directors between licensees; financial interest such as a moneylender with a wholesale or retail licensee. A Michigan manufacturer **may** hold interest in another licensed supplier under MCL 436.1603. The combined production from all facilities owned by a Micro Brewer may not exceed 60,000 barrels per calendar year. The Commission may also approve a Brewer or Micro Brewer participating with one or more Brewers or Micro Brewers in an alternating proprietor operation subject to the written approval of the Alcohol, Tobacco, Tax and Trade Bureau (TTB), in accordance with 27 CFR part 25, subpart F, section 25.52.

- MCL 436.1603

Other Manufacturing licenses:

A Micro Brewer may obtain other manufacturing licenses including a Small Wine Maker, Brandy Manufacturer, Manufacturer of Spirits, Manufacturer of Mixed Spirit Drink or a Small Distiller which allows the manufacture and sale of wine, brandy, mixed spirit drinks or distilled spirits.

- MCL 436.1111(9), MCL 436.1109 (6), MCL 436.1113(9)

Permits:

There are additional permits that a Brewer or Micro Brewer might want to apply for to be held in conjunction with their primary license.

- **Beer and Wine Sampling Permit** - A Brewer/Micro Brewer may obtain a Beer and Wine Sampling Permit which allows beer and wine tastings to be conducted on licensed off-premises accounts that hold a Specially Designated Merchant (SDM) license. There is a one time \$70.00 fee for this permit. Upon issuance of this permit notification of sampling events must be received at least 10 days prior to the event and all employees or licensed agents conducting the sampling event must have successfully completed a server training program approved by the MLCC.
- **Outdoor Service Permit** - Permit allows the sale and consumption of alcoholic beverage in outdoor patio areas. The area must be under the control of the licensee.
- **Specific Purpose Permit** - Permit required to remain open for business after the legal closing hour of 2:00am, or to be open for business before 7:00am Monday through Saturday, or to open before 12:00 noon on Sunday, for the sale of food.
- **Direct Connection** - Technically this is not a Permit but rather permission from the Commission to maintain a direct connection between licensed premises and nonlicensed premises. This permission will be required if your operations include multiple license holders who maintain inside connections to either nonlicensed premises or licensed premises under the control of another licensee.
- **Living Quarters Permit** - Permit required when living quarters are directly connected to the licensed premises.
- **Dance Permit** - Permit required for dancing by customers on the licensed premises. Dance floor must be clearly marked, void of tables and chairs when in use and a minimum of 100 square feet in dimension. Permit allows for dancing during the legal hours for the sale of alcoholic liquor only.
- **Entertainment Permit** - Permit required for monologues, dialogues, motion pictures, still slides, closed circuit television, contests, or other performances for public viewing on the licensed premises. An Entertainment Permit does not allow topless entertainment. Permit allows for entertainment only during the legal hours for the sale of alcoholic liquor. You do not need an Entertainment Permit for live bands, the playing of an orchestra, piano, or other types of musical instruments, singing or the viewing of any publicly broadcast television of a federally licensed station.
- **Sunday Sales AM** – Permit required for the sale of beer from 7:00 a.m.- 12:00 noon, unless prohibited in the county and local governmental unit where the licensed establishment is located. \$160.00 fee.

Salesperson License:

Any person employed by a Brewer/Micro Brewer to sell, deliver, promote, or otherwise assist in the sale of alcoholic liquor in this state is required to hold a Salesperson license issued by the Commission. Employees who work exclusively at the brewery premises and have no personal contact with wholesalers, retailers or consumers, off brewery premises, do not need a Salesperson license. Salesperson licenses are available from the Manufacturers & Wholesalers Section. Salesperson licenses are currently \$35.00 for a three-year licensure period. Salespersons must be at least 18 years of age. Licensed Salespersons are prohibited from being employed by a retail licensee on a paid or any other basis.

- Administrative rule R 436.1853

Aid & Assistance Prohibition:

MCL 436.1609, and Rule 436.1035 prohibit alcoholic beverage manufacturers, suppliers or wholesalers from aiding or assisting any other licensee by giving them anything of value. Further, a licensee is prohibited from accepting aid and assistance from another industry member. Alcoholic beverage suppliers are prohibited from giving anything of value to their wholesalers or retailers. Likewise, alcoholic beverage wholesalers are prohibited from giving anything of value to their retailers. This principle is the cornerstone of Michigan's trade practices regulatory structure. It is designed to provide a level playing field for all industry members. Suppliers and wholesalers are prohibited from giving anything of value to retail licensees, including but not limited to: alcoholic beverages, merchandise, furniture, fixtures, equipment, uniforms, cash or loans, labor, etc.

This same principle prohibits suppliers and wholesalers from providing free advertising, incentive programs, free or discounted product, draft system installation and maintenance, etc. Violations in the aid and assistance statute will result in all participants (retailer, wholesaler and supplier) being cited before the Commission.

Section 609 (3) of the Code, includes exceptions to the prohibition of items and services that a licensed supplier, warehouse, or wholesaler, may provide to any other vendor. Some of these exceptions include allowing suppliers, wholesalers, and warehouse to provide advertising items that have no use or value beyond actual brand and price advertising, including, but not limited to: mirrors, napkin holders, and table tents to licensees. Further, Section 609 (5) allows retailers to possess and use beer and wine brand logoed barware, including, but not limited to: glassware, coasters, and napkins if they have been purchased from a third party barware retailer and also allows retailers to possess and use spirit brand logoed barware, such as: glassware, coasters, and napkins if purchased from a manufacturer of spirits, vendor of spirits, a licensed salesperson, or broker, or a third party barware retailer.

- MCL 436.1609, Administrative rule R 436.1035

Record Retention:

All licensees are required to maintain all sales, purchase and salesperson expense records for a minimum of four (4) years. Records may be maintained electronically or otherwise as long as a hard copy of the record can be created upon demand.

- Administrative rules R 436.1007, R 436.1641, R 436.1865

Consumer Participatory Brewery (“Brew-On-Premise”) Operation:

The Michigan Liquor Control Code (“Code”) requires a license to manufacture and sell beer. While the Code does allow for home brewing for personal consumption, the home brewing must be done at a person’s residence. Therefore, a Brew-On-Premise operation whereby a person provides a facility and equipment allowing consumers to participate in the brewing process is not recognized as home brewing and is allowable in Michigan only under a Micro Brewer or Brewer license. The Commission recognizes the licensed Brewer or Micro Brewer to be the manufacturer of the beer and holds that licensee accountable for all actions on its licensed premises. The licensee may not lease out their licensed premises or equipment to any person; however, consumers may participate in the brewing process under the supervision of the licensee. The Commission recognizes the licensee to be selling the finished beer product to the participating consumer. The licensee may however collect the money up-front from the participating consumer. The licensee will be responsible for paying the appropriate beer excise taxes on all beer manufactured and sold in this state. The licensee will also be responsible for registering all beer brands with TTB and the Commission and labeling all containers in accordance with TTB standards. The Commission will allow Brew-On-Premise operations to register a ‘generic label’ approved by TTB and registered with the Commission with the very basic required information (name and address of bottler, net contents & government warning statement), and allow such labels to be further customized by the customer or licensee with additional brand name or fanciful name addition.

Inspection of Premises and Books & Records:

A licensee must make the licensed premises available for inspection and search by a Commission Investigator or any law enforcement officer empowered to enforce the Commission’s rules and code during regular business hours or when the premises is occupied. The Commission or its duly authorized agent may examine the books, records or papers of a licensee.

- MCL 436.1217, administrative rule R 436.1645

Advertising and Promotions:

Inside signs advertising alcoholic liquor utilized by a retail licensee must not exceed 3,500 square inches in dimension. Alcoholic beverage advertising provided by suppliers and wholesalers to retailers shall not have any use or value beyond the actual advertising of brands and prices of the alcoholic liquor, other than the exceptions provided in MCL 436.1609(2)(3)(4).

- Administrative rules R 436.1303 – R 436.1331 MCL 436.1609

Samples:

Brewers, Micro Brewers and Wholesalers are allowed to sample their products with on-premises or off-premises retail licensees and the retailer’s employees. All containers used to sample products with retailers must be marked with the word “Sample” with lettering at least ½-inches high and may not be sampled by consumers. Samples from multiple beverages may be offered, however only one (1) sample container of 750 ml size or smaller may be left with a retail licensee for sampling by the retailer and their staff. A sample container must be removed from the premises within 24 hours.

- Administrative rules R 436.1001, R 436.1421, R 436.1513, R 436.1863

Purchasing Drinks for Consumers:

A licensed Salesperson of beer, for promotional purposes, may purchase one (1) drink for each customer of an on premises retail licensee only. Maximum spending limit of \$50.00 per day at one account; and not more than twice per month at the same licensed retail location. The drink shall be purchased from the on-premises licensee and shall be of a brand represented by the salesman.

- Administrative rule R 436.1865

Contract Brewing:

A Brewer or Micro Brewer may contract brew beer for another person. Such contract-brewed beer is basically treated like any other beer. The Brewer or Micro Brewer producing the beer is responsible for registering the product and trade name with TTB and the Commission; paying the beer excise taxes to the Commission for the beer sold in Michigan; assigning sales territories to wholesalers; and selling the beer only to licensed Michigan wholesalers. Contract brewed beer is no different than any other beer except that some one else may own the trade name, formula and label rights. Brewers may produce private labeled beer for retail licensees under this scenario.

- Administrative rule R 436.1615

Compliance with Laws, Zoning & Ordinances

A Brewer/Micro Brewer must comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules and ordinances.

- Administrative rules R 436.1003, R 436.1105(3), R 436.1702

How to Contact the Michigan Liquor Control Commission:

Questions relating to Brewer/Micro Brewer licenses and other non-retail licenses may be directed to:

Michigan Liquor Control Commission
Manufacturers & Wholesalers Section
P.O. Box 30005 Lansing, MI 48909-7505
Toll free 1-866-813-0011 (517) 763-0060 (fax)
E-mail: MLCCMWapplications@michigan.gov Website: www.michigan.gov/lcc



Michigan Department of Licensing & Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
525 W. Allegan Lansing, MI 48933
P.O. Box 30005 Lansing, MI 48909

Michigan Wine Maker & Small Wine Maker Requirements and General Information

A **“Wine Maker”** license is issued by the Michigan Liquor Control Commission to a person located in Michigan to manufacture wine and to sell, at wholesale or retail, wine manufactured by that person.

- MCL 436.1113(9)

A **“Small Wine Maker”** means a Wine Maker that manufactures or bottles not more than 50,000 gallons of wine in 1 calendar year.

- MCL 436.1111(10)

A Wine Maker/Small Wine Maker License:

- May sell wine they manufacture to licensed Michigan wholesalers and to licensed Michigan retailers.
- May offer free or may include a charge for samples to consumers from the winery premises.
- May sell wine they manufacture directly to consumers for off-premises consumption (take-out) from the winery premises.
- May sell wine they manufacture to consumers for on-premises consumption at the winery in conjunction with a restaurant at the winery premises.
- Must obtain a “Wine Producer’s” Basic Permit from Alcohol, Tobacco Tax and Trade Bureau (“TTB”).
- \$100.00 annual license fee for Wine Maker; \$25.00 annual license fee for Small Wine Maker. License renews annually on May 1. License fee may not be prorated for part year licensure and is payable at the time of initial application.

How To Apply For A License:

Please refer to the “Manufacturers & Wholesale License Application Process” information sheet for applicable forms and required documents

All forms are available on our website at: www.michigan.gov/lcc → Commission Forms → Manufacturers & Wholesalers.

Licensing Requirements:

Federal Basic Permit

Receipt of a Federal “Wine Producer and Blenders” Basic Permit issued by the Alcohol and Tobacco Tax and Trade Bureau (“TTB”) is required prior to the issuance of a winery license.

- Administrative rule R 436.1708 (1)

For Federal Basic Permit info contact: Alcohol and Tobacco Tax and Trade Bureau (TTB)

550 Main St. Room 8002
Cincinnati, OH 45202
(513) 684-3337
www.ttb.gov

Bond Application

Receipt of a Surety Bond (Form MW-816) executed by an insurance company authorized to do business in Michigan in the amount of \$1,000.00 for the first year licensed is required prior to issuance of the license. Bond form (MW-816) & instructions can be found on our website. Bond does not need to be submitted until applicant has received notification from our office of approval for their license application by our Commission.

- MCL 436.1801 (1)(a)

Proof of Financial Responsibility

A statutory requirement to provide security for liability of not less than \$50,000 prior to the issuance of the license. May be in the form of cash, unencumbered securities, liquor liability insurance, constant value bond, or membership in a group self-insurance pool authorized by law that provides security for liability under Section 436.803 of the Liquor Control Code. Proof of Financial Responsibility Form LC-95 & instructions can be found on our website. Does not need to be submitted until applicant has received notification from our office of approval for their license application by our Commission.

- MCL 436.1803

Server Training Requirement

A licensee authorized to sell or sample alcoholic beverages for on-premises consumption is required to have present on the licensed premises, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served who have successfully completed a server training program approved by the Commission. Server Training forms will be mailed upon Commission approval of the license application.

- MCL 436.1501(1), Administrative rule R 436.1060

Food Establishment License

The Michigan Food Law (Act 92, P.A. of 2000) requires all food establishments, including processing operations such as wineries, breweries and distilleries to obtain a food establishment of one type or another. Contact the Michigan Department of Agriculture & Rural Development ("MDARD") for details on the specific food establishment license required for your operation. The MDARD may be contacted as follows:

MDARD Central Licensing
P.O. Box 30746
Lansing, MI 48909
(517) 241-6666
www.michigan.gov/mda

General Information:

Church and School:

A new application to sell alcoholic beverages at retail (including manufacturers), or a request to transfer location of an existing license, may be denied if the contemplated location is within 500' of a church or school. The Commission may waive the church/school provision if the church or school does not file an objection to the proposed license. If the church or school files an objection, the Commission will hold a hearing before making a decision on the issuance of the license.

- MCL 436.1503

Manufacturing & Labeling

Wine must be manufactured and labeled in accordance with federal wine regulations published in the Code of Federal Regulations (CFR), Title 27, Part 4 and (CFR), Title 27, Part 24. Contact the TTB for details.

- Administrative rules R 436.1707, R 436.1708

Label Registration

Wine products must have all labels approved by the Commission prior to the wine being sold in Michigan. The Commission uses an on-line label registration process which requires prior registration with the TTB. Upon licensure, you will be provided with a password and instructions to access the on-line registration site. There is no fee for Michigan label registration.

- Administrative rule R 436.1719

Mandatory Label Information (Pursuant to TTB Regulations):

- Brand name listed.
- Class, type or, in lieu of, a truthful and adequate statement of composition shall appear on the brand label of the product.
- Name and address of bottler or packer and place (city/state) where bottled. Name must be preceded by "Bottled by" or "Packed by".

- Alcohol content must be listed. By definition, wine may contain ½ of 1% or more alcohol by volume but not more than 21% alcohol by volume. Table wine with alcoholic content of 11%-14% does not have to list the actual alcohol content. Listing “table wine” is adequate.
- Net contents.

For Federal Labeling information contact:

Alcohol and Tobacco Tax and Trade Bureau
 Alcohol Labeling & Formulation
 650 Massachusetts Ave., N.W.
 Washington, DC 20226
 (866) 927-2533
www.ttb.gov

Wine Excise Taxes & Monthly Reports

Wine excise taxes apply to both wine and mixed wine drink. The Wine Maker or Small Wine Maker shall pay the Michigan wine excise tax or may designate a wholesaler to pay the tax on their behalf for all wine or mixed wine drink manufactured by that Wine Maker and sold in this state. A Wine Maker or Small Wine Maker is required to submit a Michigan Wine Tax Report and Michigan Winery Monthly Report of Sales no later than the 15th of each month regardless if a wholesaler has been designated to pay the taxes. If a wholesaler has been designated to pay tax on wholesale shipments to retailers, the Wine Maker or Small Wine Maker must still submit any tax payments for on-site tasting room wine sales.

Sacramental wine sold to churches is exempt from taxes. Sales made by a Wine Maker/Small Wine Maker out-of-state are nontaxable.

Tax Rates: 16% or less alcohol by volume = \$.135 (13 ½ cents) per liter.
 Over 16% - 21% alcohol by volume = \$.20 (20 cents) per liter

- MCL 436.1301, Administrative rule R 436.1725

For further questions relating to wine tax, please contact our Financial Management Division at: (517) 284-6352.

Samples To Consumers

A Wine Maker or Small Wine Maker may offer free or may include a charge for samples to consumers for on-premise tastings at the winery premises. The samples must be of products manufactured and sold under the Wine Maker or Small Wine Maker license.

- MCL 436.1537 (3), MCL 436.2025

Sales To Consumers From Winery

A Wine Maker or Small Wine Maker is authorized to sell wine manufactured by the Wine Maker or Small Wine Maker from the winery premises to consumers for off-premises consumption (take-out sales) with no additional license.

A Wine Maker or Small Wine Maker may also sell wine they manufacture by the glass for consumption on the premises in a restaurant at their winery premises that is owned by the Wine Maker or Small Wine Maker or is leased to another person. Only wine manufactured by the Wine Maker or Small Wine Maker may be sold by the glass in a winery restaurant.

- MCL 436.1111(10), MCL 436.1113(9), MCL 436.1537(2)

Direct Shipping/Deliveries to Consumers

A Direct Shipper license is required for in-state and out-of-state wineries to ship **domestic** wine directly to Michigan consumers. This license does not allow direct shipment of imported wines. License fee is \$100.00 annually (renewable May 1) and allows total annual shipment to Michigan consumers of 13,500 liters (1,500 9-liter cases). Direct Shippers must pay Michigan excise taxes (quarterly) and Michigan sales tax. The age of the person placing the order must be verified by obtaining a copy of a photo identification issued by a state or

the federal government of the person placing the order, or by utilizing an identification service approved by the Commission. You must record and maintain records of the name, address, date of birth and telephone number of the person placing the order on the order form. The Direct Shipper must stamp, print, or label on the outside of the shipping container that the package "Contains Alcohol. Must be delivered to a person 21 years of age or older." A label must be placed on the top panel of the shipping container listing the Direct Shipper license number, order number, the name and address of the individual placing the order, and the name of the designated recipient if different from the name of the individual placing the order. The person delivering the alcohol shall verify the person accepting delivery is of legal age.

- MCL 436.1203, MCL 436.1537(d)

Tasting Room Location

Licensed Wine Makers/Small Wine Makers may apply for a Tasting Room location approval located off the winery licensed premises. The Wine Maker/ Small Wine Maker may offer free or may include a charge for tastings to the consumer and may sell for off premise consumption only, wine made by the Wine Maker/Small Wine Maker. As with other tastings & sales, only wine made by the Wine Maker/Small Wine Maker may be sampled or sold at the Tasting Room location. Under no circumstances may any other alcoholic beverage products other than those produced by the Wine Maker/Small Wine Maker be sampled in the Tasting Room. Wine can not be sold by the glass for consumption at the tasting room premises. Only samples may be provided. An annual license fee of \$100.00 per location shall be paid for the Tasting Room location.

- MCL 436.1537(4)

Other Manufacturing licenses

A Wine Maker/Small Wine Maker may obtain other manufacturing licenses including a Brandy Manufacturer, Micro Brewer/Brewer, Manufacturer of Spirits, Manufacturer of Mixed Spirit Drink or a Small Distiller which allows the manufacture and sale of wine, brandy, mixed spirit drinks or distilled spirits.

- MCL 436.1111(9), MCL 436.1109 (3)(6), MCL 436.1113(9)

Permits

There are additional permits that a Wine Maker or Small Wine Maker may apply for to be held in conjunction with their primary license.

- **Beer and Wine Sampling Permit** - A Wine Maker/Small Wine Maker may obtain a Beer and Wine Sampling Permit which allows beer and wine tastings to be conducted on licensed off-premises accounts that hold a Specially Designated Merchant (SDM) license. There is a one time \$70.00 fee for this permit. Upon issuance of this permit notification of sampling events must be received at least 10 days prior to the event and all employees or licensed agents conducting the sampling event must have successfully completed a server training program approved by the MLCC.
- **Farmer's Market Permit** – permit for a qualified Small Wine Maker who manufactures or bottles not more than 5,000 gallons of wine in one calendar year combining all licensed locations, to conduct free wine tastings and sell, for consumption off the licensed premises, wine produced by that Small Wine Maker at a Farmer's Market.
- **Outdoor Service Permit** - Permit allows the sale and consumption of alcoholic beverage in outdoor patio areas. The area must be under the control of the licensee.
- **Specific Purpose Permit** - Permit required to remain open for business after the legal closing hour of 2:00am, or to be open for business before 7:00am Monday through Saturday, or to open before 12:00 noon on Sunday, for the sale of food.
- **Direct Connection** - Technically this is not a Permit but rather permission from the Commission to maintain a direct connection between licensed premises and nonlicensed premises. This permission will be required if your operations include multiple license holders who maintain inside connections to either nonlicensed premises or licensed premises under the control of another licensee.
- **Living Quarters Permit** - Permit required when living quarters are directly connected to the licensed premises.
- **Dance Permit** - Permit required for dancing by customers on the licensed premises. Dance floor must be clearly marked, void of tables and chairs when in use and a minimum of 100 square feet in dimension. Permit allows for dancing during the legal hours for the sale of alcoholic liquor only.

- **Entertainment Permit** - Permit required for monologues, dialogues, motion pictures, still slides, closed circuit television, contests, or other performances for public viewing on the licensed premises. An Entertainment Permit does not allow topless entertainment. Permit allows for entertainment only during the legal hours for the sale of alcoholic liquor. You do not need an Entertainment Permit for live bands, the playing of an orchestra, piano, or other types of musical instruments, singing or the viewing of any publicly broadcast television of a federally licensed station.
- **Sunday Sales AM** – Permit required for the sale of wine from 7:00 a.m.-12:00 noon, unless prohibited in the county and local governmental unit where the licensed establishment is located. \$160.00 fee.

Sales To Wholesalers and Territory Agreements

A Wine Maker or Small Wine Maker may sell their products to licensed Michigan wholesalers who in turn may resell the wine to licensed Michigan retailers. A Wine Maker or Small Wine Maker must grant each of their wholesalers a written agreement specifying the brand or brands to be distributed and the territory where sales are granted. Wholesalers are prohibited from selling alcoholic beverages outside of their assigned sales territories. Beginning June 1, 2010, Michigan statute prohibits a manufacturer from assigning the right to sell a specific brand or brands of wine to more than one wine wholesaler in the same sales territory. However, a manufacturer may continue an agreement that was in effect on June 1, 2010, which assigned the distribution rights to more than one wine wholesaler for a specified brand of wine in the same sales territory. All sales to wholesalers must be for cash only. Quantity discounts to wholesalers are legal as long as the discount is nondiscriminatory.

- MCL 436.1305, MCL 436.1307

Sales To Retailers

A Wine Maker or Small Wine Maker is authorized to sell their wines to licensed retailers. A Wine Maker or Small Wine Maker selling their wines to retailers must file with the Commission in Lansing, before January 1, April 1, July 1, and October 1 of each year, a schedule of the net cash prices to retail licensees. The net cash price shall not be changed during the quarter without first notifying the Commission in writing of the price changes. "Post offs" (price reductions) shall **not** be granted for periods of less than 14 consecutive calendar days in duration. Quantity discounts to retailers are prohibited. All sales to retailers must be for cash only.

- MCL 436.1111(10), MCL 436.1113(9), Administrative rule R 436.1726

Interest In Another License

Michigan statute strictly prohibits a Wine Maker/Small Wine Maker from holding any interest, directly or indirectly, in a **wholesale or retail license**. Examples of prohibited interests include: stock ownership, leasing real estate to/from a wholesale or retail licensee; interlocking officers or directors between licensees; financial interest such as a moneylender with a wholesale or retail licensee. A Michigan manufacturer **may** hold interest in another licensed supplier under MCL 436.1603. The Commission may also approve a Wine Maker or Small Wine Maker participating with 1 or more Wine Makers or Small Wine Makers in an alternating proprietor operation subject to the written approval of the United States Department of Treasury, Alcohol and Tobacco Tax and Trade Bureau, in accordance with 27 CFR part 25, subpart F, section 25.52.

- MCL 436.1603(8)(13)

Rebates, Special Purchase Allowances, & Quantity Discounts

A Wine Maker or Small Wine Maker is prohibited from rebating any money to wholesalers. A special purchase allowance may be offered to wholesalers as long as the allowance is offered to all wholesalers and is based on the wholesaler purchases at the time of the allowance and not based on past sales. A Wine Maker or Small Wine Maker may offer quantity discounts to their wholesalers but may not offer free merchandise to their wholesalers.

- MCL 436.1609

Bulk Wine Used For Blending

A Wine Maker or Small Wine Maker may purchase bulk wine to be used for blending purposes from a licensed Outstate Seller of Wine. A shipment of bulk wine to a Wine Maker or Small Wine Maker must be accompanied by a "Release of Alcohol or Alcoholic Beverages for Commercial Use" (LC/MW 836) approved by the Commission.

- Administrative rule R 436.1721

Salesperson License

Any person employed by a Wine Maker or Small Wine Maker to sell, deliver, promote, or otherwise assist in the sale of alcoholic liquor in this state is required to hold a Salesperson license issued by the Commission. Office staff and winery personnel who work exclusively at the winery premises and have no personal contact with retailers or consumers off the winery premises do not need a Salesperson license. Salesperson's must be 18 years of age or older. Salesperson licenses are \$35.00 for three-year licensing period. Licensed salespersons are prohibited from being employed by a retail licensee on a paid or any other basis. Licensed truck drivers or delivery persons are prohibited from consuming alcoholic beverages while on duty.

- Administrative rule R 436.1853

Aid and Assistance

MCL 436.1609, and Rule 436.1035 prohibit alcoholic beverage manufacturers, suppliers or wholesalers from aiding or assisting any other licensee by giving them anything of value. Further, a licensee is prohibited from accepting aid and assistance from another industry member. Alcoholic beverage suppliers are prohibited from giving anything of value to their wholesalers or retailers. Likewise, alcoholic beverage wholesalers are prohibited from giving anything of value to their retailers. This principle is the cornerstone of Michigan's trade practices regulatory structure. It is designed to provide a level playing field for all industry members. Suppliers and wholesalers are prohibited from giving anything of value to retail licensees, including but not limited to: alcoholic beverages, merchandise, furniture, fixtures, equipment, uniforms, cash or loans, labor, etc.

This same principle prohibits suppliers and wholesalers from providing free advertising, incentive programs, free or discounted product, draft system installation and maintenance, etc. Violations in the aid and assistance statute will result in all participants (retailer, wholesaler and supplier) being cited before the Commission.

Section 609 (3) of the Code, includes exceptions to the prohibition of items and services that a licensed supplier, warehouse, or wholesaler, may provide to any other vendor. Some of these exceptions include allowing suppliers, wholesalers, and warehouse to provide advertising items that have no use or value beyond actual brand and price advertising, including, but not limited to: mirrors, napkin holders, and table tents to licensees. Further, Section 609 (5) allows retailers to possess and use beer and wine brand logoed barware, including, but not limited to: glassware, coasters, and napkins if they have been purchased from a third party barware retailer and also allows retailers to possess and use spirit brand logoed barware, such as: glassware, coasters, and napkins if purchased from a manufacturer of spirits, vendor of spirits, a licensed salesperson, or broker, or a third party barware retailer.

- MCL 436.1609, Administrative rule R 436.1035

Record Retention

All licensees are required to maintain all sales, purchase and salesperson expense records for a minimum of four (4) years. Records may be maintained electronically or otherwise as long as a hard copy of the record can be created upon demand.

- Administrative rules R 436.1007, R 436.1641, R 436.1865

Sales For Cash Only

The Liquor Control Code requires the sale and purchase of all alcoholic beverages to be for cash only, at the time of delivery to wholesalers or retailers. Consumers may use bona-fide credit cards to pay for purchases from the winery.

- MCL 436.2013

Inspection of Premises and Books & Records

A licensee must make the licensed premises available for inspection and search by a Commission Investigator or any law enforcement officer empowered to enforce the Commission's rules and code during regular business hours or when the premises is occupied. The Commission or its duly authorized agent may examine the books, records or papers of a licensee.

- MCL 436.1217, Administrative rule R 436.1645 & R 436.1728

Samples

Wine Makers and Small Wine Makers are allowed to sample their products with on-premises or off-premises retail licensees and the retailer's employees. Sample tastings may not be offered to consumers by the wine maker at a licensed on-premises or off-premises account. All containers used to sample products with

retailers must be marked with the word "Sample" in lettering at least ½-inch high. While Wine Makers and Small Wine Makers may offer tasting samples to retailers from multiple beverages, only one (1) sample container of 750 ml size or smaller may be left with a retail licensee for sampling by the retailer and their staff. A sample container must be removed from the premises within 24 hours and again may not be sampled by consumers.

- Administrative rules R 436.1001, R 436.1421, R 436.1511, R 436.1513, R 436.1863

Purchasing Drinks For Consumers

A licensed Salesperson of a manufacturer of wine, for promotional purposes, may purchase one (1) drink for each customer of an on-premises retail licensee only. The drink shall be purchased from the on-premises licensee and shall be of a brand represented by the salesperson.

- Administrative rule R 436.1865

Advertising and Promotions

Inside advertising signs must be unilluminated and no more than 3,500 square inches in dimension. Alcoholic beverage advertising provided by suppliers and wholesalers to retailers shall not have any use or value beyond the actual advertising of brands and prices of the alcoholic liquor, other than the exceptions provided in MCL 436.1609(2)(30(4)).

- Administrative rules R 436.1305 – R 436.1331 MCL 436.1609

Compliance with Laws, Zoning & Ordinances

A Wine Maker or Small Wine Maker must comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules and ordinances.

- Administrative rules R 436.1003, R 436.1105(3), R 436.1702

How to Contact the Michigan Liquor Control Commission

Questions relating to Wine Maker/Small Wine Maker licenses and other non-retail licenses may be directed to:

Michigan Liquor Control Commission
Manufacturers & Wholesalers Section
P.O. Box 30005
Lansing, MI 48909
Toll free 1-866-813-0011 (517) 763-0060 (fax)
E-mail: MLCCMWapplications@michigan.gov Website: www.michigan.gov/lcc



Michigan Department of Licensing & Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
525 W. Allegan Lansing, MI 48933
P.O. Box 30005 Lansing, MI 48909

Michigan Small Distiller License Requirements and General Information

A Small Distiller license:

- License issued by the Liquor Control Commission to manufacture spirits, not to exceed 60,000 gallons annually of all brands combined.
- License also includes the manufacture of Brandy.
- May offer free samples to consumers on the manufacturing premises.
- May sell spirits to consumers for consumption on the manufacturing premises.
- May sell spirits to consumers for off-premises consumption (take-out) for not less than the uniform price set by the Commission.
- May **not** sell spirits directly to Michigan retail licensees.
- May sell spirits to the Michigan Liquor Control Commission who resells spirit products through the spirit distribution system.
- Must contract with an Authorized Distribution Agent ("ADA") to warehouse and deliver spirits to retailers through the Commission's spirit distribution system.
- Must obtain a "Distilling, Rectifying, Blending and/or Bottling Spirits" Basic Permit from Alcohol and Tobacco Tax and Trade Bureau ("TTB").
- \$100.00 annual license fee. License renews annually on May 1. License fee may not be prorated for part-year licensure and is payable at the time of initial application.

How To Apply For A License:

Please refer to the "Manufacturers & Wholesale License Application Process" information sheet for applicable forms and required documents.

All forms are available on our website at: www.michigan.gov/lcc --> Commission Forms --> Manufacturers & Wholesalers.

Licensing Requirements:

Federal Basic Permit:

Receipt of a Federal "Distilling, Rectifying, Blending and/or Bottling Spirits" Basic Permit, issued by the Alcohol and Tobacco Tax and Trade Bureau ("TTB") is required prior to the issuance of a Small Distiller license.

-Administrative rule R 436.1827

For Federal Basic Permit info contact: Alcohol and Tobacco Tax and Trade Bureau
550 Main St. Room 8002
Cincinnati, OH 45202
(513) 684-3337
www.ttb.gov

Proof of Financial Responsibility:

A statutory requirement to provide security for liability of not less than \$50,000. May be in the form of cash, unencumbered securities, liquor liability insurance, constant value bond, or membership in a group self-insurance pool authorized by law that provides security for liability under Section 436.803 of the Liquor Control Code. Proof of Financial Responsibility Form LC-95 & instructions can be found on our website. Proof of Financial Responsibility does not need to be submitted until applicant has received notification from our office of approval for their license application by our Commission.

- MCL 436.1803

Server Training Requirement:

A licensee authorized to sell or sample alcoholic beverages for on-premises consumption is required to have present on the licensed premises, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served who have successfully completed a server training program approved by the Commission. Server Training forms will be mailed upon Commission approval of the license application.

- MCL 436.1501(1), Administrative rule R 436.1060

Food Establishment License

The Michigan Food Law (Act 92, P.A. of 2000) requires all food establishments, including processing operations such as wineries, breweries and distilleries to obtain a food establishment of one type or another. Contact the Michigan Department of Agriculture & Rural Development ("MDARD") for details on the specific food establishment license required for your operation. The MDARD may be contacted as follows:

MDARD Central Licensing
P.O. Box 30746
Lansing, MI 48909
(517) 241-6666
www.michigan.gov/mda

General Information:**Michigan Spirit Distribution System:**

Michigan operates as a "control" state for the sale of spirits. The Commission acts as the wholesaler for all spirit products. A Vendor of Spirits sells spirits to the Commission. The Commission then resells the spirits to both on and off-premises retail licensees. Spirit products are warehoused and delivered to retail licensees by Authorized Distribution Agents ("ADA"). An ADA is required to be certified by the Commission and is also required to have a contract with each Vendor of Spirits they represent to deliver their particular spirit products. Spirit products that are sold to consumers for off-premise consumption by licensed Specially Designated Distributors ("SDD") are sold statewide at uniform prices set by the Commission. The uniform price set by the Commission is determined by the cost of the spirit product to the Commission plus a 65% mark-up, plus a combination of specific taxes. All of the aforementioned components of the system are further described below.

Vendor of Spirits:

A Small Distiller must also register with the Commission as a "Vendor of Spirits" in order to sell their spirit products to the Michigan Liquor Control Commission. Michigan is a "control" state, which means the Michigan Liquor Control Commission acts as the wholesaler for all spirit products, excluding mixed spirit drinks. The Commission purchases spirits from Vendors of Spirits. The Vendor of Spirits is responsible for registering product lines and filing quotations with the Commission. The Commission then adds the statutory mark-up (currently 65%) and specific taxes (currently totaling 12%) and sells the spirits to licensed retailers who in turn may sell to consumers. There is no fee for registering as a Vendor of Spirits. There is also no licensing investigation for registering as a Vendor of Spirits. Additional information on registering as a Vendor of Spirits may be found at the Commission's Website www.michigan.gov/lcc --> "Products" --> "New Vendor Application Packet".

Authorized Distribution Agents:

A Small Distiller who wishes to sell its spirits through the Commission's spirit distribution system as a Vendor of Spirits must contract with an Authorized Distribution Agent ("ADA") to warehouse and distribute their spirits. The ADA is required to be certified by the Commission to store and deliver spirits. A signed contract with a Certified ADA is required to be filed prior to the Commission approving any product distribution. **If a Small Distiller only intends to sell their product directly to consumers from their licensed manufacturing premises, they do not need to contract with an ADA.**

An ADA must have a written contract with each Vendor of Spirits they represent. The contract must specify the following:

- The contract must designate each brand of spirits the ADA is authorized to warehouse and deliver.
- The contract must specify the ADA's authorized geographical delivery area. Statewide distribution must be covered by an individual ADA or by contracting with multiple ADA's.
- The contract must indicate the responsibilities of both parties.
- The contract must have a specific beginning and ending date.
- The contract must specify the amount per case to be paid to the ADA by the Vendor of Spirits. This

warehouse/delivery fee must be a minimum of \$8.85 per case. (The MLCC pays the Vendor of Spirits \$7.50 per case to partially offset this warehousing/delivery fee.)

- Both the ADA and the Vendor of Spirits must sign the contract.

An ADA is required to make weekly deliveries to any retail licensee making a one case or more minimum order. An ADA may not charge any split case fees nor may they charge any delivery fee except for emergency orders placed by retail licensees in addition to their weekly delivery. In such cases, an ADA may charge a \$20.00 delivery fee. The ADA is responsible for collecting payment from the retail licensee on behalf of the Commission and is responsible for submitting various sales documents to the Commission. An ADA may not have any interest, directly or indirectly in any Vendor of Spirits or in any retail licensee. A Vendor of Spirits must make each of its products available statewide to all retail licensees. While a Vendor of Spirits may utilize more than one ADA to cover the state, all document transmittals required by the Commission must be done by only one ADA.

Vendor Representative:

Vendors of Spirits are required to license an individual as a Vendor Representative who will represent them in transactions with the Commission. The Vendor Representative license fee is \$50.00 for a three year period. Additional information and application for Vendor Representative licenses may be found at the Commission's Website www.michigan.gov/lcc.

DEFINITIONS:

"Alcoholic liquor" means any spirituous, vinous, malt or fermented liquor, powder, liquids and compounds, or compounds, whether or not medicated, proprietary, patented, and by whatever name called, containing ½ of 1% or more alcohol by volume that are fit for food purposes or beverage purposes.

"Spirits" means any beverage which contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, and includes wine containing an alcoholic content of more than 21% by volume, except for sacramental wine and mixed spirit drink.

- MCL 436.1105(3), MCL 436.1111(14)

Manufacturing & Labeling:

Spirits must be manufactured, identified and labeled in accordance with federal spirit regulations published in Code of Federal Regulations Title 27, part 19 and Title 27, part 5. Contact the TTB for details.

- Administrative rules R 436.1825, R 436.1827, R 436.1829

Product Registration:

All spirit products must be registered with the Commission prior to their introduction in Michigan. All spirits are now registered on-line through the Commission's E-Quote system. Each Vendor of Spirits is provided with a User Name, Password and Database Identifier to access the on-line E-Quote spirit registration system. For more information on Michigan's on-line spirit product registration system, visit the Liquor Control Commission's Website at www.michigan.gov/lcc or contact the Commission's Financial Management Division at (866) 813-0011.

- Administrative rule R 436.1829

Mandatory Label Information (Pursuant to TTB Regulations):

- Brand name.
- Class, type or, in lieu of, a truthful & adequate statement of composition shall appear on the brand label of the product.
- Name and address of bottler or packer where bottled or packed.
- Net contents.
- Government Warning Statement.
- Alcohol content.

For Federal Labeling information contact:

Alcohol and Tobacco Tax and Trade Bureau
Alcohol Labeling & Formulation
650 Massachusetts Ave., N.W.
Washington, DC 20226
(866) 927-2533
www.ttb.gov

Sales To Consumers From Distillery

A Small Distiller is authorized to sell brands manufactured by the distiller from the licensed premises to consumers for on premises consumption and off-premises consumption (take-out sales) with no additional license.

A Small Distiller may also sell spirits made by that distiller in a restaurant for consumption on or off the distillery premises that is owned by the Small Distiller or operated by another person under an approved agreement by the Commission. Spirits sold for off premises consumption shall be sold at the uniform price set by the Commission.

- MCL 436.1534, MCL 436.1537(1)(p)(9), MCL 436.1603 (5)(6)

Hospitality Room – Sampling by Consumers:

A Small Distiller may allow persons 21 years of age or older to sample spirits manufactured by them at no charge in a hospitality room located at the manufacturing premises.

- MCL 436.2025

Church and School:

A new application to sell alcoholic beverages at retail (including manufacturers), or a request to transfer location of an existing license, may be denied if the contemplated location is within 500' of a church or school. The Commission may waive the church/school provision if the church or school does not file an objection to the proposed license. If the church or school files an objection, the Commission will hold a hearing before making a decision on the issuance of the license.

- MCL 436.1503

Tasting Room Location:

Licensed Small Distillers may apply for a Spirit Tasting Room location approval located off the distillery licensed premises. The Small Distiller may offer free tastings to the consumer and may sell for off premise consumption only, spirit products made by the Small Distiller. Under no circumstances may any other alcoholic beverage products other than those produced by the Small Distiller be sampled in the Tasting Room. Spirit products cannot be sold by the glass for consumption at the tasting room premises. Only samples may be provided. An annual license fee for the Tasting Room location is \$100.00.

- MCL 436.1537(9)

Other Manufacturing licenses:

A Small Distiller may obtain other manufacturing licenses including a Small Wine Maker, Brewer/Micro Brewer, Manufacturer of Spirits, and Manufacturer of Mixed Spirit Drink which allows the manufacture and sale of wine, beer and mixed spirit drinks.

- MCL 436.1113(9), MCL 436.1105(11), MCL 436.1109(6)

Permits

There are additional permits that a Small Distiller may apply for to be held in conjunction with their primary license.

- **Spirit Consumer Sampling Event license** -A Small Distiller, a Manufacturer of Spirits or Vendor of Spirits may obtain a Consumer Sampling Event license which allows spirit samplings to be conducted on licensed off-premises accounts that hold a Specially Designated Distributor (SDD) license. There is a one time \$70.00 fee for this permit. Upon issuance of this permit notification of sampling events must be received at least 10 days prior to the event and all employees or licensed agents conducting the sampling event must have successfully completed a server training program approved by the MLCC.
- **Outdoor Service Permit** - Permit allows the sale and consumption of alcoholic beverage in outdoor patio areas. The area must be under the control of the licensee.
- **Specific Purpose Permit** - Permit required to remain open for business after the legal closing hour of 2:00am, or to be open for business before 7:00am Monday through Saturday, or to open before 12:00 noon on Sunday, for the sale of food.
- **Direct Connection** - Technically this is not a Permit but rather permission from the Commission to maintain a direct connection between licensed premises and non-licensed premises. This permission will be required if your operations include multiple license holders who maintain inside connections to either non-licensed premises or licensed premises under the control of another licensee.
- **Living Quarters Permit** - Permit required when living quarters are directly connected to the licensed premises.
- **Dance Permit** - Permit required for dancing by customers on the licensed premises. Dance floor must be clearly marked, void of tables and chairs when in use and a minimum of 100 square feet in

- dimension. Permit allows for dancing during the legal hours for the sale of alcoholic liquor only.
- **Entertainment Permit** - Permit required for monologues, dialogues, motion pictures, still slides, closed circuit television, contests, or other performances for public viewing on the licensed premises. An Entertainment Permit does not allow topless entertainment. Permit allows for entertainment only during the legal hours for the sale of alcoholic liquor. You do not need an Entertainment Permit for live bands, the playing of an orchestra, piano, or other types of musical instruments, singing or the viewing of any publicly broadcast television of a federally licensed station.
- **Sunday Sales AM** – Permit required for the sale of spirits, mixed spirit drink, beer and wine from 7 a.m.-12:00 noon, unless prohibited in the county and local governmental unit where the licensed establishment is located. \$160 fee.
- **Sunday Sales PM** – Permit required for the sale of spirits and mixed spirit drink from 12 noon-2:00 a.m. Monday morning, unless prohibited in the county and local governmental unit where the licensed establishment is located. \$15 fee – 15% of the license fee.

Interest In Another License

Michigan statute strictly prohibits a Small Distiller from holding any interest, directly or indirectly, in a **wholesale or retail license**. Examples of prohibited interests include: stock ownership, leasing real estate to/from a wholesale or retail licensee; interlocking officers or directors between licensees; financial interest such as a moneylender with a wholesale or retail licensee. A Michigan manufacturer **may** hold interest in another licensed supplier under MCL 436.1603 (8).

Aid and Assistance

MCL 436.1609, and Rule 436.1035 prohibit alcoholic beverage manufacturers, suppliers, wholesalers or warehousemen from aiding or assisting any other licensee by giving them anything of value. Further, a licensee is prohibited from accepting aid and assistance from another industry member. Alcoholic beverage suppliers are prohibited from giving anything of value to their wholesalers or retailers. Likewise, alcoholic beverage wholesalers are prohibited from giving anything of value to their retailers. This principle is the cornerstone of Michigan's trade practices regulatory structure. It is designed to provide a level playing field for all industry members. Suppliers, wholesalers and warehousemen are prohibited from giving anything of value to retail licensees, including but not limited to: alcoholic beverages, merchandise, furniture, fixtures, equipment, uniforms, cash or loans, labor, etc.

This same principle prohibits suppliers and wholesalers from providing free advertising, incentive programs, free or discounted product, draft system installation and maintenance, etc. Violations in the aid and assistance statute will result in all participants (retailer, wholesaler and supplier) being cited before the Commission.

Section 609 (3) of the Code, includes exceptions to the prohibition of items and services that a licensed supplier, wholesaler, or warehouseman may provide to any other vendor. Some of these exceptions include allowing suppliers, wholesalers, and warehousemen to provide advertising items that have no use or value beyond actual brand and price advertising, including, but not limited to: mirrors, napkin holders, and table tents to licensees. Further, Section 609 (5) allows retailers to possess and use beer and wine brand logoed barware, including, but not limited to: glassware, coasters, and napkins if they have been purchased from a third party barware retailer and also allows retailers to possess and use spirit brand logoed barware, such as: glassware, coasters, and napkins if purchased from a manufacturer of spirits, vendor of spirits, a licensed salesperson, or broker, or a third party barware retailer.

- MCL 436.1609, Administrative rule R 436.1035

Salesperson License:

Any person employed by a Small Distiller to sell, deliver, promote, or otherwise assist in the sale of Alcoholic liquor in this state is required to hold a Salesperson license issued by the Commission. Office personnel who work exclusively at the manufacturing premises and have no personal contact with consumers off the licensed premises do not need a Salesperson license. Salesperson's must be 18 years of age or older. A Salesperson license is \$35.00 for a three-year licensing period. Licensed salespersons are prohibited from being employed by a retail licensee on a paid or any other basis. Licensed truck drivers or delivery persons are prohibited from consuming alcoholic beverages while on duty.

- Administrative rule R 436.1853

Inspection of Premises and Books & Records:

A licensee must make the licensed premises available for inspection and search by a Commission Investigator or any law enforcement officer empowered to enforce the Commission's rules and code during regular business hours or when the premises is occupied. The Commission or its duly authorized agent may examine the books, records or papers of a licensee.

- MCL 436.1217, Administrative rule R 436.1645, R 436.1728

Samples to Retail Licensee and Staff:

A Small Distiller is allowed to sample their products with on-premises or off-premises retail licensees and the retailer's employees. Sample tastings may not be offered to consumers at licensed retail accounts. All containers used to sample products with retailers must be marked with the word "**Sample**" in lettering at least ½-inch high. A sample container must be removed from the premises within 24 hours and again may not be sampled by consumers.

- Administrative rules R 436.1001, R 436.1421, R 436.1511, R 436.1513, R 436.1863

Purchasing Drinks For Consumers:

A licensed Salesperson, for promotional purposes, may purchase one (1) drink for each customer of an on-premises retail licensee only. The drink shall be purchased from the on-premises licensee and shall be of a brand represented by the salesperson.

- Rule 436.1865

Advertising and Promotions:

Inside advertising signs must be unilluminated and no more than 3,500 square inches in dimension. Alcoholic beverage advertising provided by suppliers and wholesalers to retailers shall not have any use or value beyond the actual advertising of brands and prices of the alcoholic liquor, other than the exceptions provided in MCL 436.1609(2)(30(4).

- Administrative rules R 436.1305 – R 436.1331 MCL 436.1609

Compliance with Laws, Zoning & Ordinances:

A Small Distiller must comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules and ordinances.

- Administrative rules R 436.1003, R 436.1105(3)

How To Contact The Michigan Liquor Control Commission:

Questions relating to a Small Distiller license and other non-retail licenses may be directed to:

Michigan Liquor Control Commission

Manufacturers & Wholesalers Section

P.O. Box 30005

Lansing, MI 48909

Toll free 1-866-813-0011 517) 763-0060 (fax)

email: MLCCMWapplications@michigan.gov Website: www.michigan.gov/lcc



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7140

Date: January 13th, 2016
To: Supervisor Beahan and Township Board Members
From: Ben Swayze, Township Manager
Subject: Approval of Dog Park Naming Application

FACTS:

The Township has received an application from the Cascade Hospital for Animals / Richard Siegle D.M.V. for the naming rights to the Dog Park that was recently completed in the Recreation Park. According Dr. Seigle, the Cascade Hospital for Animals is celebrating 60 years of business in Cascade. He indicates that CHFA has been blessed that the Cascade Community has supported and appreciated their services of the past 60 years and being the lead donor for the dog park is their way of “thanking” the Cascade community for all the years of support and improving the human-animal bond.

Dr. Seigle has committed to donating \$25,000 towards the cost of constructing the dog park. The cost of construction of the dog park is \$250,000, which includes the dog park and amenities itself, as well as the park improvements that were necessary to facilitate the dog park (parking lots, storm retentions, etc...)

Attached for your review:

- Application to Request a Name for a Township Asset from Cascade Hospital for Animals / Dr. Siegle
- Copy of the Policy for the Naming of Township Assets
- Copy of proposed signage

ANALYSIS & CONCLUSIONS:

In 2009 the Township adopted a policy for the naming rights of Township assets. In considering the application, the following items were considered:

The person made significant contributions, financial or otherwise to the community of Cascade Township

- The Cascade Hospital for Animals has been in business in Cascade Township for 60 years and both the business and Dr. Seigle have made significant contributions to the community.

All official names shall be approved by the Township Board after a review by the Infrastructure Committee

- The Infrastructure Committee considered the request at their 01-06-16 meeting and has recommended approval.

Generally, donations should exceed 10% of the cost or value of the asset to be named.

- The estimated cost for constructing the dog park, including all amenities and land improvements, was \$250,000. The proposed gift of \$25,000 meets the qualifications.

The proposed signage recognizing the financial gift from the Cascade Hospital for Animals is attached. This plaque will be cast in bronze and placed on a landscaping rock at the site. If approved, all park signage, literature and marketing related to the asset will bear the name "Cascade Hospital for Animals Dog Park."

FINANCIAL CONSIDERATIONS:

If approved, Dr. Seigle will gift the Township \$25,000 that will be utilized to offset the cost of constructing the dog park, which carried an estimated cost of \$250,000.

RECOMMENDED ACTION:

To approve the Application to Request a Name For a Township Asset to name the Recreation Park Gog Park the "Cascade Hospital for Animals Dog Park" and accept the gift of \$25,000 from Dr. Richard Seigle to be utilized for construction of the Dog Park.



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7192

APPLICATION TO REQUEST A NAME FOR A TOWNSHIP ASSET

Date 8/25/2015

Applicant Name: Cascade Hospital for Animals /
Richard L. Siegle D.V.M.

Address: 6730 Cascade Rd SE

Phone: office-- 616-949-0960 ; Cell -- 616-901-6158

Email: rsiegle@chfa.net

Asset to be named: Cascade Hospital for Animals (Dog Park or
Crate Escape)

Requested Name and Justification for Name:

Cascade Hospital for Animals is celebrating 60 years of business in Cascade next month. Over the past 60 years, CHFA has changed drastically from beginning in an old farmhouse to now serving the community in a modern facility. CHFA has been blessed that the Cascade community has supported and appreciated our services that we have provided over the past 60 years. Being the lead donor for the dog park is our way of "thanking" the Cascade community for all the years of support and improving the human - animal bond.

Proposed Gift Consideration (Donation) \$25,000.00

Signature of Applicant : Richard L. Siegle D.V.M.



CASCADE CHARTER TOWNSHIP

2865 Thornhills SE Grand Rapids, Michigan 49546-7192

Policy for the Naming of Township Assets

Adopted by the Township Board on May 13, 2009

Purpose – This policy has been adopted to establish criteria for use by Cascade Charter Township in the naming of any current or future Township building, park, prominent feature, or facility. The criteria will ensure that names are not duplicated and to give proper honor and respect to noteworthy community figures and organizations.

Scope - This policy shall apply to all property and assets under the ownership of Cascade Charter Township, a Michigan municipal corporation, and shall be in full effect upon adoption.

Regulations - The Township shall designate an official name in honor of an individual person, persons or entity provided that the following are met:

- A. The person made significant contributions, financial or otherwise to the community of Cascade Township.
- B. All official names shall be approved by the Township Board after a review by the Infrastructure Committee. Requests for official name designation shall be done at the request of the Township Manager, any member of the Township Board, or via an application submitted to the Township office.
- C. Donor Related Naming – A formal gift agreement between the Township and the donor must be executed before any facility, park, open space, pavilion, roadway (within a park), playing field, pathway, or other major asset of the Township is named. Generally, donations should exceed 10% of the cost or value of the asset to be named.
- D. Miscellaneous, Smaller Named Items - Bricks, plaques, benches, landscaping items and similar miscellaneous items obtained through gifts may carry donor or honorary names with the approval of the Township Manager. Approval by the Township Board will not be required for any such naming, although the Township Manager should notify the Township Supervisor and Board early in the gifting process.
- E. Recognition - When a Township Asset is named for an individual, the actual name will appear on all signage, literature, and marketing related to it.
- F. Exceptions - There may be an extraordinary case whereby an exception may be granted to the above policies and procedures. In such an instance, the Township Manager will complete a formal review and make a recommendation to the Township Board for final approval.
- G. Change of Name - The Township Board reserves the right to change the name of a Township Asset, but only for good cause when it is in the best interest of the Township.

24"
16"

This dog park was
generously supported by
Cascade Hospital for Animals

16"
8"



CASCADE CHARTER TOWNSHIP
2865 Thornhills SE Grand Rapids, Michigan 49546-7140

Date: January 13th, 2016
To: Supervisor Beahan & Cascade Township Board
From: Benjamin Swayze, Township Manager
Subject: Resolution to Recognize the Pine Ridge Elementary PTO as a Non-Profit Organization

FACTS:

In order for non-profit organizations to obtain charitable gaming licensing from the State of Michigan, they are required to obtain a certified resolution from the local governmental unit recognizing them as a nonprofit organization. Cascade Township has received such a request from the Pine Ridge Elementary PTO. Attached for your review is a copy of the Forest Hills PTO and Booster Council 501(c)3 tax exempt status letter, which covers the Pine Ridge Elementary PTO, as well as a completed Qualification Information sheet.

ANALYSIS & CONCLUSIONS:

The Township Staff have reviewed the request from the Pine Ridge Elementary PTO and have determined that they meet all of the qualification necessary to be recognized as a nonprofit organization operating in the community. The primary consideration on the part of the township is 501(c)3 tax exempt status, which the organization has.

FINANCIAL CONSIDERATIONS:

There is no financial impact on the Cascade Township budget by passing the resolution.

RECOMMENDED ACTION:

To approve the resolution to recognize the Pine Ridge Elementary PTO as a Non-Profit Organization for the purposes of obtaining a charitable gaming license from the State of Michigan



Charitable Gaming Division
 Box 30023, Lansing, MI 48909
 OVERNIGHT DELIVERY:
 101 E. Hillsdale, Lansing MI 48933
 (517) 335-5780
 www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES
 (Required by MCL 432.103(K)(ii))

At a regular meeting of the Cascade Township Board
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by Supervisor Beahan on January 13, 2016
DATE

at 7:00 p.m. a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from Pine Ridge Elementary PTO of Cascade Township
NAME OF ORGANIZATION CITY

county of Kent, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for approval
APPROVAL/DISAPPROVAL

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the Cascade Township Board at a regular
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on January 13, 2016
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

Ronald Goodyke, Cascade Township Clerk
PRINTED NAME AND TITLE

2865 Thornhills SE, Grand Rapids, MI 48546
ADDRESS

COMPLETION: Required.
 PENALTY: Possible denial of application.
 BSL-CG-1153(R6/09)



QUALIFICATION INFORMATION

The organization must complete this form and submit with the qualification documents. **If this form does not accompany the qualification documents, documents will be returned to contact person.** This will delay processing. Any misrepresentation is grounds for denial.

Please check the appropriate box(es) for the license you wish to obtain. <input type="checkbox"/> Millionaire Party <input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Charity Game Ticket				Application(s) and fee(s) enclosed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
1. Name of Organization Pine Ridge Elementary PTO					
2. Doing Business As (DBA) (if applicable)				3. US Federal Employer Identification Number 38-3216877	
4. Organization Physical Address 3250 Redford SE					
City Grand Rapids		State MI	Zip 49546	County Kent	
5. Organization Mailing Address <input checked="" type="checkbox"/> Same as Physical Address					
City		State	Zip	County	
6. Telephone Number 616-493-8910		7. Fax Number		8. Date Organization Established	
9. Briefly describe the purpose of the organization We fundraise, provide volunteers + help with educational + enrichment activities for our elementary school					
10. Name of Authorized Contact Person Melissa Bonner			11. Authorized contact person's position or role with organization President of PTO, 2015-16		
12. Mailing Address 3250 Redford SE					
City Grand Rapids		State MI	Zip 49546	County Kent	
13. Email Address missybonner@comcast.net		14. Telephone Number 616-560-3208		15. Fax Number	
The undersigned hereby certifies that the representations, information and data, presented are true, accurate and complete to the best of the undersigned's knowledge. <i>The undersigned understands that failure to answer truthfully, completely and accurately could preclude the organization from receiving an approval to obtain a gaming license.</i>					
Authorized Contact Signature MBonner				Date 1.7.16	
Print Name and Title Melissa A Bonner, Pine Ridge Pto, President					

PLEASE READ CAREFULLY

If you are qualifying for a millionaire party license, mail this completed form and the required qualification documentation to Michigan Gaming Control Board, PO Box 30786, Lansing, MI 48909.

If you are qualifying for a raffle, bingo, or charity game ticket license, mail this completed form and the required qualification documentation to Charitable Gaming Division, PO Box 30023, Lansing, MI 48909.

If you are qualifying for a millionaire party AND raffle, bingo, or charity game license, you must submit copies of this form and all qualification documents to BOTH agencies.





LOCAL CIVIC ORGANIZATION QUALIFICATION REQUIREMENTS

Please allow at least 8 weeks for the qualification process.

If the organization has never submitted qualifying information as a local civic organization, the following information shall be submitted in the name of the organization prior to being approved to conduct a bingo, millionaire party, raffle, or charity game. A previously qualified organization may be required to submit updated qualification information to assure its continued eligibility under the act.

1. A **signed and dated** copy of the organization's current bylaws or constitution, including membership criteria.
2. A complete copy of the organization's Articles of Incorporation that have been filed with the Corporations and Securities Bureau, if the organization is incorporated.
3. A copy of the letter from the IRS stating the organization is exempt from federal tax under IRS code 501(c)

OR

copies of one bank statement per year for the previous five years, excluding the current year.

4. A provision in the bylaws, constitution, or Articles of Incorporation that states should the organization dissolve, all assets, and real and personal property will revert:
 - A. If exempt under 501(c)3, to another 501(c)3 organization.
 - B. If not exempt under 501(c)3, to the local government.
5. A revenue and expense statement for the previous 12 month period to prove all assets are used for charitable purposes, i.e. 990's, treasurer's report, audit. Do not send check registers or cancelled checks. Explain the purpose of each expenditure made to an individual. Once the organization has conducted licensed gaming events, the Bureau may require the organization to provide additional proof that all assets are being used for charitable purposes.
6. A copy of a resolution passed by the local body of government stating the organization is a recognized nonprofit organization in the community (form attached).
7. A provision in the bylaws, constitution, or Articles of Incorporation indicating the organization will remain nonprofit forever.

Additional information may be requested after the initial documents submitted have been reviewed. If you have any questions or need further assistance, please call our office at (517) 335-5780.

Act 382 of the Public Acts of 1972, as amended, defines a local civic organization as an organization "that is organized not for pecuniary profit; that is not affiliated with a state or national organization; that is recognized by resolution adopted by the local governmental subdivision in which the organization conducts its principal activities; whose constitution, charter, articles of incorporation, or bylaws contain a provision for the perpetuation of the organization as a nonprofit organization; whose entire assets are used for charitable purposes; and whose constitution, charter, articles of incorporation, or bylaws contain a provision that all assets, real property, and personal property shall revert to the benefit of the local governmental subdivision that granted the resolution upon dissolution of the organization."

FOREST HILLS PTO & BOOSTERS COUNCIL

September 22, 2014

The Internal Revenue Service
Ogden, Utah 84201

Re: Forest Hills PTO & Boosters Council
Group Exemption Number 3538

Dear Sir or Madam:

As required in our group exemption letter dated November 10, 1999, this letter is an update of our original application information and our last annual update of September 23, 2013. There has been no change during the last year in the purposes, character or method of operation of Forest Hills PTO Boosters Council or its subordinate organizations.

The attached listing shows each subordinate organization's employer identification number, Form 990 filing requirement, subordinate organization's name and purpose, address, contact person, source of receipts and nature of expenditures and date incorporated.

Two groups need to be added to the subordinate listing:

<u>Group Name</u>	<u>Group EID</u>
FHC Bat Club	46-4599663
Rangerball Club	47-1049426

One group needs to be deleted to the subordinate listing as the group appears twice on the listing with two different EIN's:

<u>Group Name</u>	<u>Group EID</u>
Orchardview PTO	<u>90-0528831</u>

The information on which our present group exemption letter is based applies to each of these subordinate organizations. None of the listed subordinate organizations is a private foundation as defined in section 509(a) of the code, and none of the subordinate organizations are a school.

Please review this information and feel free to contact me or our attorney, Wendy Parr Holtvluwer at (616) 831-1788, if you have any questions or need additional information.

Very truly yours,



Julie Davis
President,
Forest Hills PTO & Boosters' Council

JD/WPH/mh
cc: Wendy Parr Holtvluwer

Employer ID Number	Form 990 Filing Code	Entity & Description of Purpose	Address	City, State, Zip	Contact	Source of Receipts & Nature of Expenditures	Date Incorporated
38-3477168	2	Forest Hills PTO & Boosters' Council - central organization (See Form 1023 for purpose)	6590 Cascade Rd.	Grand Rapids, MI 49546-6497	Julie Davis	Funded by contributions, product donations, product sales, etc.	2/5/1999
20-0816635	1	Forest Hills Eastern Athletic Boosters - supports the students at Forest Hills Eastern Schools	2200 Pettis NE	Ada, MI 49546	Brad Nelson	Funded by contributions, product donations, product sales, etc.	3/31/2004
20-1699070	1	Forest Hills Eastern Band Boosters - supports the students at Forest Hills Eastern Schools	2200 Pettis NE	Ada, MI 49546	Michelle Gray	Funded by contributions, product donations, product sales, etc.	10/4/2004
20-1789234	1	Forest Hills Eastern Orchestra Boosters - supports the students at Forest Hills Eastern Schools	2200 Pettis NE	Ada, MI 49546	Chris Talsma-McLean	Funded by contributions, product donations, product sales, etc.	10/25/2004
20-1897861	1	Forest Hills Eastern Choir Boosters - supports the students at Forest Hills Eastern Schools	2200 Pettis NE	Ada, MI 49546	Connie Culhane	Funded by contributions, product donations, product sales, etc.	11/16/2004
20-2034878	1	Forest Hills Eastern Crew - supports the students at Forest Hills Eastern Schools	2200 Pettis NE	Ada, MI 49546	Elana Hostetter	Funded by contributions, product donations, product sales, etc.	12/21/2004
20-2385993	1	Forest Hills Eastern Graduating Class - supports the students at Forest Hills Eastern Schools	2200 Pettis NE	Ada, MI 49546	Connie Culhane	Funded by contributions, product donations, product sales, etc.	2/18/2005
20-2815678	1	Ranger Football Parents - supports football athletic programs for Forest Hills Central Schools	5901 Hall St., SE	Grand Rapids, MI 49546	Shelie Smith	Funded by contributions, product donations, product sales, etc.	5/10/05 - Restated 12/5/05 to be part of group exemption
20-3272414	1	Forest Hills Central Varsity Pom Squad - supports the students at Forest Hills Central Schools	5901 Hall St., SE	Grand Rapids, MI 49546	Laura Smith	Funded by contributions, product donations, product sales, etc.	8/2/2005
20-3548374	1	Forest Hills Eastern Scrip Boosters - supports the students at Forest Hills Eastern Schools	2200 Pettis NE	Ada, MI 49546	Connie Culhane	Funded by contributions, product donations, product sales, etc.	9/29/2005

Employer ID Number	Form 990 Filing Code	Entity & Description of Purpose	Address	City, State, Zip	Contact	Source of Receipts & Nature of Expenditures	Date Incorporated
20-5865846	1	Sub Forest Hills Eastern Theater Boosters - supports the theater students at Forest Hills Eastern High School	2200 Pettis NE	Ada, MI 49546	Gwen Jackson	Funded by contributions, donations, product sales, etc.	9/21/2006
20-8578698	1	Sub Ranger Lacrosse Club - supports lacrosse athletic programs for Forest Hills Central Schools	5901 Half St., SE	Grand Rapids, MI 49546	Kathy Kransburger	Funded by contributions, donations, product sales, etc.	3/7/2007
26-1163131	1	Sub Forest Hills Northern Hills Choir Booster - supports the Forest Hills Northern Choir students	3801 Leonard NE	Grand Rapids, MI 49525	Therese Schneider	Funded by contributions, donations, product sales, etc.	6/18/1985
26-2663127	1	Sub Forest Hills Central Middle School PTO - supports students at Forest Hills Central Middle School	5810 Ada Dr., SE	Ada, MI 49301	Nicky Conn	Funded by contributions, donations, product sales, etc.	5/22/2008
26-2664019	1	Sub FHC Ranger Youth Lacrosse - supports lacrosse athletic programs for Forest Hills Central High School	5901 Half St., SE	Grand Rapids, MI 49546	Bob Nolan	Funded by contributions, donations, product sales, etc.	5/22/2008
26-3389612	1	Sub Forest Hills Girls Lacrosse Club - supports the female lacrosse programs of the Forest Hills School District	6590 Cascade Rd., SE	Grand Rapids, MI 49546	Jenny Fanning	Funded by contributions, donations, product sales, etc.	9/18/2008
26-3802528	1	Sub Hawks Lacrosse Club - supports the lacrosse programs of Forest Hills Central Schools	2200 Pettis NE	Ada, MI 49301	Dave Clay	Funded by contributions, donations, product sales, etc.	12/3/2008
26-4123363	1	Sub FHIN Husky Lacrosse - supports the lacrosse programs of Forest Hills Northern Schools	3801 Leonard, NE	Grand Rapids, MI 49525	Todd Griffith	Funded by contributions, donations, product sales, etc.	1/27/2009
26-4331095	1	Sub FHE Academic Boosters Club - supports the students of Forest Hills Eastern Schools	2200 Pettis NE	Ada, MI 49301	Mary Vonck	Funded by contributions, donations, product sales, etc.	2/25/2009
26-4816963	1	Sub FHC Orchestra Boosters - supports the orchestra programs of Forest Hills Central Schools	5901 Half Street, SE	Grand Rapids, MI 49546	Carol McCoy	Funded by contributions, donations, product sales, etc.	5/6/2009

Employer ID Number	Form 990 Filing Code	Entity & Description of Purpose	Address	City, State, Zip	Contact	Source of Receipts & Nature of Expenditures	Date Incorporated
27-353545	1	Northern Hills Middle School Parent Group - supports the students of Forest Hills Northern Hills Middle School	3775 Leonard, NE	Grand Rapids, MI 49525	Val Mas	Funded by contributions, product donations, product sales, etc.	9/24/2010
30-0045238	1	Forest Hills Central Mat Club - supports the students of Forest Hills Central High School	5901 Hall St., SE	Grand Rapids, MI 49546	Deidre Mills	Funded by contributions, donations, product sales, etc.	2/2/2002
30-0154867	1	Forest Hills Wrestling Club - supports the Forest Hills Public School wrestling students	6590 Cascade Rd.	Grand Rapids, MI 49546-6497	Charles Alm	Funded by contributions, donations, product sales, etc.	1/16/2003
36-4530152	1	Knapp Forest PTO - supports the students of Knapp Forest Elementary	4243 Knapp Valley Drive NE	Grand Rapids, MI 49525	Kristen Wolowski	Funded by contributions, donations, product sales, etc.	5/2/2003
38-2786268	1	Collins Elementary PTO - parent organization that supports Collins elementary school students	4368 Heather Lane, SE	Grand Rapids, MI 49546	Melanie Jansen	Funded by contributions, donations, product sales, etc.	1/25/1995
38-2839335	1	Pine Ridge Elementary PTO - parent organization that supports Pine Ridge Elementary school students	3250 Redford, SE	Grand Rapids, MI 49546	Jackie Rogne	Funded by contributions, donations, product sales, etc.	2/19/1999
38-2864796	1	Forest Hills Central Athletic Boosters - supports the students at Forest Hills Central High School	5901 Hall St., SE	Grand Rapids, MI 49546	Gina Holles	Funded by contributions, donations, product sales, etc.	6/27/2013
38-2976856	1	Thornapple PTO, Inc. - supports the students of Forest Hills Ada Vista School	6932 Bridgewater, S.E.	Grand Rapids, MI 49546-9723	Charity Buckley	Funded by contributions, donations, product sales, etc.	7/25/1996
38-3061710	1	Forest Hills Northern High School Band Boosters - supports the Forest Hills Northern High School band students	3801 Leonard, NE	Grand Rapids, MI 49525	Yvonne Mackenzie-Lynn	Funded by contributions, donations, product sales, etc.	9/14/2000
38-3065549	1	Meadow Brook Elementary PTO - parent organization that supports Meadowbrook Elementary school students	1450 Forest Hills, SE	Grand Rapids, MI 49546	Rachel Conrad	Funded by contributions, donations, product sales, etc.	2/19/1999

Employer ID Number	Form 990 Filing Code	Entity & Description of Purpose	Address	City, State, Zip	Contact	Source of Receipts & Nature of Expenditures	Date Incorporated
38-3089797	1	Forest Hills Northern Orchestra Boosters - supports the Forest Hills Northern High School Band Students	3801 Leonard, NE	Grand Rapids, MI 49525	Michelle Addington	Funded by contributions, donations, product sales, etc.	10/9/1992
38-3142524	1	Orchard View PTO - supports the students of Orchard View Elementary School	2770 Leffingwell, NE	Grand Rapids, MI 49525	Katie Gilbert	Funded by contributions, donations, product sales, etc.	11/4/1994
38-3312099	1	Forest Hills Central High School PTO - parent organization that supports the Forest Hills Central High School students	5901 Hall St., SE	Grand Rapids, MI 49546	Jeannine Leslie	Funded by contributions, donations, product sales, etc.	6/18/1999
38-3415188	1	Central Woodlands School PTO - parent organization that supports Central Woodlands elementary school students	400 Alta Dale, SE	Grand Rapids, MI 49546	Marlene Thompson	Funded by contributions, donations, product sales, etc.	2/19/1999
38-3461578	1	Forest Hills Central High School Academic Boosters - supports the Forest Hills Central High School Academic Club students	5901 Hall St., SE	Grand Rapids, MI 49546	Kristine Candela	Funded by contributions, donations, product sales, etc.	2/19/1999
38-3461579	1	Forest Hills Central High School Band Boosters - supports the Forest Hills Central High School band students	5901 Hall St., SE	Grand Rapids, MI 49546	Kim Banks	Funded by contributions, donations, product sales, etc.	2/19/1999
38-3475243	1	Forest Hills Central High School Choir Boosters - supports the Forest Hills Central High School choir students	5901 Hall St., SE	Grand Rapids, MI 49546	Kathy Gill	Funded by contributions, donations, product sales, etc.	5/27/1999
38-3475245	1	Forest Hills Northern Football Parents - supports the Forest Hills Northern High School football students	3801 Leonard, NE	Grand Rapids, MI 49525	Mike Hleshetter	Funded by contributions, donations, product sales, etc.	5/21/1999
38-3484411	1	Northern Trails PTO - parent organization that supports Northern Trails elementary school students	3777 Leonard, NE	Grand Rapids, MI 49525	Suzanne Callahan	Funded by contributions, donations, product sales, etc.	8/9/1999
38-3487222	1	Academic Boosters Club of Forest Hills Northern High School - supports the Forest Hills Northern Academic Club high school students	3801 Leonard, NE	Grand Rapids, MI 49525	Kim Engle	Funded by contributions, donations, product sales, etc.	3/30/1999

Employer ID Number	Form 990 Filing Code	Entity & Description of Purpose	Address	City, State, Zip	Contact	Source of Receipts & Nature of Expenditures	Date Incorporated
38-3496880	1	Forest Hills Northern High School Athletic Boosters - supports the Forest Hills Northern High School athletic students	3801 Leonard, NE	Grand Rapids, MI 49525	Jim Sprague	Funded by contributions, donations, product sales, etc.	10/22/1999
38-3496882	1	Forest Hills Northern and Forest Hills Eastern Hockey Club - supports the Forest Hills Northern High School hockey students	3801 Leonard, NE	Grand Rapids, MI 49525	Mike Boverhof	Funded by contributions, donations, product sales, etc.	10/22/1999
38-3532025	1	Forest Hills Northern Graduating Class - supports the students of Forest Hills Northern High School	3801 Leonard, NE	Grand Rapids, MI 49525	Jennifer Kolster	Funded by contributions, donations, product sales, etc.	11/1/2001
38-3632640	1	Forest Hills Northern Crew - supports the students of Forest Hills Northern High School	3801 Leonard, NE	Grand Rapids, MI 49525	Mike Fanning	Funded by contributions, donations, product sales, etc.	11/5/2001
38-3652000	1	Ada Vista PTO - supports the students of Forest Hills Ada Vista School	7192 Bradford, SE	Ada, MI 49301	Lori Kirkhoff	Funded by contributions, donations, product sales, etc.	6/7/2002
38-6026854	1	Ada PTO, Inc. - parent organization that supports Ada Elementary School students	731 Ada Dr., SE	Ada, MI 49301	Jennifer Brom	Funded by contributions, donations, product sales, etc.	9/19/1995
45-2949220	1	Forest Hills Northern Mat Club - supports the wrestling programs at Forest Hills Northern Schools	3801 Leonard, NE	Grand Rapids, MI 49525	Brian Rice	Funded by contributions, donations, product sales, etc.	8/9/2011
45-3704570	1	Forest Hills Central Senior All Night Party - supports the students of Forest Hills Central High School	5901 Hall St., SE	Grand Rapids, MI 49546	Jeanne Klingemeyer	Funded by contributions, donations, product sales, etc.	10/31/2011
45-3742759	1	Forest Hills Central Senior Dinner Dance - supports the students of Forest Hills Central High School	5901 Hall St., SE	Grand Rapids, MI 49546	Anne Pymnonen	Funded by contributions, donations, product sales, etc.	11/4/2011
45-4712809	1	FHPS Authentic Language Experiences - supports the students of Forest Hills Public Schools	6590 Cascade Rd.	Grand Rapids, MI 49546	Susan Wells	Funded by contributions, donations, product sales, etc.	3/6/2012

Employer ID Number	Form 990 Filing Code	Entity & Description of Purpose	Address	City, State, Zip	Contact	Source of Receipts & Nature of Expenditures	Date incorporated
45-5075519	1	Forest Hills Central Hockey Association - supports the Forest Hills Central hockey students	5901 Hall St., SE	Grand Rapids, MI 49546	James Gaudette	Funded by contributions, donations, product sales, etc.	4/18/2012
45-5327189	1	Forest Hills Northern Model UN Booster Club, Inc. - supports the Forest Hills Northern Model UN students	3801 Leonard, NE	Grand Rapids, MI 49525	Jeffrey McKay	Funded by contributions, donations, product sales, etc.	5/14/2012
46-1430012	1	FHPS CHI-PAC - supports the Chinese Immersion students of Forest Hills Public Schools	3801 Leonard, NE	Grand Rapids, MI 49525	Jennie Mac Anaspie	Funded by contributions, donations, product sales, etc.	11/21/2012
46-3059295	1	FHC Theatre Advisory Council - supports the theatre students of Forest Hills Central High School	5901 Hall St., SE	Grand Rapids, MI 49546	Patricia Donovan	Funded by contributions, donations, product sales, etc.	6/26/2013
46-4598663	1	FHC Bat Club - supports the Forest Hills Central baseball students	5901 Hall St., SE	Grand Rapids, MI 49546	Paige Kelly	Funded by contributions, donations, product sales, etc.	1/22/2014
47-1049426	1	Rangerball Club - supports the Forest Hills Central boys basketball students	5901 Hall St., SE	Grand Rapids, MI 49546	Michele Maly-Dykema	Funded by contributions, donations, product sales, etc.	6/5/2014
65-1185186	1	Forest Hills Central Crew - supports the students of Forest Hills Central High School	5901 Hall St., SE	Grand Rapids, MI 49546	Dana Bract	Funded by contributions, donations, product sales, etc.	4/17/2003
90-0628831		OrchardView PTO	2770 Leffingwell, NE	Grand Rapids, MI 49525			
91-2104981	3	Forest Hills PTO & Boosters Council - Group Return	6590 Cascade Rd.	Grand Rapids, MI 49546	Julie Davis	Funded by contributions, donations, product sales, etc.	2/5/1999

ADD
ADD
DELETE

ADD
ADD
DELETE

Employer ID Number	Form 990 Filing Code	Entity & Description of Purpose	Address	City, State, Zip	Contact	Source of Receipts & Nature of Expenditures	Date Incorporated
45-4596663	1	FHC Bat Club - supports the Forest Hills Central baseball students	5901 Hall St., SE	Grand Rapids, MI 49546	Paige Kelly	Funded by contributions, donations, product sales, etc.	1/22/2014
47-1049426	1	Rangerball Club - supports the Forest Hills Central boys basketball students	5901 Hall St., SE	Grand Rapids, MI 49546	Michele Maly-Dykema	Funded by contributions, donations, product sales, etc.	6/5/2014

Please ADD the following groups to the subordinate listing:

The following groups are requested to be added for calendar year 2014:

Please REMOVE the following group from the subordinate listing as the group appears twice with two EIN's:

90-0528831	Sub	OrchardView PTO	2770 Leffingwell, NE	Grand Rapids, MI 49525			
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CINCINNATI, OH 45201

Date: NOV 10 1999

FOREST HILLS PTO & BOOSTERS COUNCIL
C/O TANIA E FULLER
FULLER MILLER JOHNSON SNELL
PO BOX 306
GRAND RAPIDS, MI 49501-0306

Employer Identification Number:
38-3477168

DLN:
17053202025009

Contact Person:
MS. MEDINA

IDW 52444

Contact Telephone Number:
(877) 829-5500

Addendum Applies:

YES

Dear Applicant:

We have considered your application for a group exemption letter recognizing your subordinates as exempt from federal income tax under section 501(a) of the Internal Revenue Code as organizations of the type described in section 501(c)(3).

Our records show that you were recognized as exempt from federal income tax under section 501(c)(3) of the Code. Your exemption letter remains in effect.

Based on information you supplied, we recognize your subordinates whose names appear on the list you submitted as exempt from federal income tax under section 501(c)(3) of the Code.

Additionally, we have classified the organizations that you operate, supervise, or control, and that are covered by your notification to us, as organizations that are not private foundations because they are organizations of the type described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code.

Donors may deduct contributions to your subordinates as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your subordinates or for their use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of section 2055, 2106, and 2522 of the Code.

Your subordinates whose gross receipts each year are normally more than \$25,000 are each required to file Form 990, Return of Organization Exempt From Income Tax, by the 15th day of the fifth month after the end of their annual accounting period. If you prefer, you may file a group return for those subordinates that authorize you in writing to include them in that return. If you are required to file Form 990 for your own activities, you must file a separate return and may not be included on any group return that you file for your subordinates. The law imposes a penalty of \$20 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty imposed cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so your subordinates should make sure

Letter 2419 (DO/CG)

FOREST HILLS PTO & BOOSTERS COUNCIL

their returns are complete before filing them. Please advise your subordinates that, if they receive a Form 990 package in the mail, they should file the return even if their gross receipts do not exceed the \$25,000 minimum. If not required to file, a subordinate should simply attach the label provided, check the box in the heading to indicate that its annual gross receipts are normally \$25,000 or less and sign the return. This will allow us to update our records to show that the subordinate is not required to file and to delete that subordinate from the list of organizations that will receive Form 990 packages in future years.

The law requires that your subordinates make their annual return available for public inspection without charge for three years after the due date of the return. You and your subordinates are also required to make available for public inspection a copy of your exemption application, any supporting documents and this exemption letter to any individual who requests such documents in person or in writing. You can charge only a reasonable fee for reproduction and actual postage costs for the copied materials. The law does not require you to provide copies of public inspection documents that are made widely available, such as by posting them on the Internet (World Wide Web). You may be liable for a penalty of \$20 a day for each day you do not make these documents available for public inspection (up to a maximum of \$10,000 in the case of an annual return).

Your subordinates are not required to file federal income tax returns unless subject to the tax on unrelated business income under section 511 of the Code. Each organization subject to this tax must file Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your subordinates' present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

Each year, at least 90 days before the end of your annual accounting period, please send the items listed below to the Internal Revenue Service Center at the address shown below.

1. A statement describing any changes during the year in the purposes, character, or method of operation of your subordinates;
2. A list showing the names, mailing addresses (including Postal ZIP codes), actual addresses if different, and employer identification numbers of subordinates that, since your previous report:
 - a. Changed names or address;
 - b. Were deleted from your roster; or
 - c. Were added to your roster.
3. For subordinates to be added, attach:
 - a. A statement that the information on which your present group exemption letter is based applies to the new subordinates;
 - b. A statement that each has given you written authorization to add its name to the roster;

Letter 2419 (DO/CG)

FOREST HILLS PTD & BOOSTERS COUNCIL

- c. A list of those to which the Service previously issued exemption rulings or determination letters;
- d. A statement that none of the subordinates is a private foundation as defined in section 509(a) of the Code if the group exemption letter covers organizations described in section 501(c)(3);
- e. The street address of each subordinate whose mailing address is a P.O. Box; and
- f. The information required by Revenue Procedure 75-50, 1975-2 C.B. 587, for each subordinate that is a school claiming exemption under section 501(c)(3). Also include any other information necessary to establish that the school is complying with the requirements of Revenue Ruling 71-447, 1971-2 C.B. 230. This is the same information required by Schedule A, Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.

4. If applicable, a statement that your group exemption roster did not change since your previous report.

Please mail the information requested in this letter to the following address:

Internal Revenue Service
Ogden UT 84201

Your Group Exemption Number is 3538. Your subordinates are required to include this number on each Form 990, Return of Organization Exempt From Income Tax, and Form 990-T, Exempt Organization Business Income Tax Return, that they file. Please advise your subordinates of this requirement and provide them with the Group Exemption Number.

If the heading of this letter indicates that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about the exempt status and foundation status of your subordinates, you should keep it for your records.

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Letter 2419 (DO/CG)

Michigan Sales and Use Tax Certificate of Exemption

DO NOT send to the Department of Treasury. Certificate must be retained in the Seller's Records. This certificate is invalid unless all four sections are completed by the purchaser.

SECTION 1: TYPE OF PURCHASE

One-time purchase.
Order or Invoice Number: _____

Blanket certificate.
Expiration Date (maximum of four years): _____

Blanket Certificate. Recurring business relationship

The purchaser hereby claims exemption on the purchase of tangible personal property and selected services made from the vendor listed below. This certifies that this claim is based upon the purchaser's proposed use of the items or services, OR the status of the purchaser.

Vendor's Name and Address

SECTION 2: ITEMS COVERED BY THIS CERTIFICATE

Check one of the following:

- All items purchased
- Limited to the following items: _____

SECTION 3: BASIS FOR EXEMPTION CLAIM

Check one of the following:

- For Resale at Retail. Enter Sales Tax License Number: F38-3216877
- For Lease. Enter Use Tax Registration Number: _____

The following exemptions DO NOT require the purchaser to provide a number:

- For Resale at wholesale
- Agricultural Production. Enter percentage: _____ %
- Industrial Processing. Enter percentage: _____ %
- Church, Government Entity, Nonprofit School, or Nonprofit Hospital (Circle type of organization)
- Nonprofit Internal Revenue Code Section 501(c)(3) or 501(c)(4) Exempt Organization (must provide IRS authorized letter with this form)
- Nonprofit Organization with an authorized letter issued by the Michigan Department of Treasury prior to June 1994 (must provide copy of letter with this form)
- Rolling Stock purchased by an Interstate Motor Carrier
- Other (explain): _____

SECTION 4: CERTIFICATION

I declare, under penalty of perjury, that the information on this certificate is true, that I have consulted the statutes, administrative rules and other sources of law applicable to my exemption, and that I have exercised reasonable care in assuring that my claim of exemption is valid under Michigan law. In the event this claim is disallowed, I accept full responsibility for the payment of tax, penalty and any accrued interest, including, if necessary, reimbursement to the vendor for tax and accrued interest.

Type of Business (see codes on page 2) <u>15</u>	Business Name <u>Pine Ridge PTO</u>
Business Address <u>3250 Redford Dr. SE</u>	City, State, ZIP Code <u>Grand Rapids, MI 49546</u>
Business Telephone Number (include area code) <u>616-719-7473</u>	Name (Print or Type) <u>Karen Witham</u>
Signature and Title <u>Karen Witham Treasurer</u>	Date Signed <u>11/5/15</u>

RESTATED
BYLAWS
OF
PINE RIDGE ELEMENTARY PTO

ARTICLE I

NAME AND PURPOSES

Section 1.1 Name. This corporation shall be known as Pine Ridge Elementary PTO.

Section 1.2 Purposes. The corporation is formed for educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code. The corporation is specifically formed to provide funds, materials and services to supplement academic, athletic and artistic programs in Pine Ridge Elementary School.

The corporation may engage in any activity in connection with the above-stated purposes for which a non-profit corporation may be organized under the Michigan Nonprofit Corporation Act of 1982, as amended. However, the corporation shall not carry on any other activities not permitted to be carried on by: (a) a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code; or (b) a corporation to which contributions are deductible under Section 170(c)(2) of the Internal Revenue Code.

The corporation has not been formed for pecuniary profit or gain. No part of the assets, income or profit of the corporation will inure to the benefit of its officers or directors. However, the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in this Section.

No substantial part of the activities of the corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation. The corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Section 1.3 Objectives. The Objectives of Pine Ridge Elementary PTO shall be to promote the welfare of our children and to enrich their educational environment by:

- (a) providing school volunteer programs;
- (b) participating in fundraising activities as determined by the corporation general membership; and
- (c) providing a variety of educational and enrichment activities for members.

The objectives of the Pine Ridge Elementary PTO are promoted through educational programs directed towards students, parents, faculty, staff and the general public and those educational programs are developed through conferences, committees, projects and programs.

ARTICLE II

MEMBERS

Section 2.1 Criteria. Every individual who is a parent or legal guardian of a student at Pine Ridge Elementary School is eligible for membership of Pine Ridge Elementary PTO. All Pine Ridge Elementary School faculty, whether employed full-time or part-time, are eligible for membership of Pine Ridge Elementary PTO. Members shall include those who are eligible and who attend the annual meeting. Each member shall be entitled to vote if that person is present at Pine Ridge Elementary PTO member meetings.

Section 2.2 Annual Meeting. The annual meeting of the members of the corporation, for the election of directors and to transact such other business as may properly be brought before the meeting, shall be held in May at such date, time and place as determined by the board of directors.

Section 2.3 Regular and Special Meetings. Regular monthly meetings of the members shall be held in September, October, November, January, February, March and April. Special meetings may be called by the president or the board of directors in writing, or at the request of not less than ten percent (10%) of all the members entitled to vote at the meeting. Such request shall state the purpose or purposes of the proposed meeting.

Regular and special meetings shall be held at such time and date as may be designated by the president or the board of directors in the notice of the meeting. Business transacted at all regular and special meetings shall be confined to the objects and the matters stated in the notice of the meeting, unless the majority of members that are present agree to the transaction of business relating to objects not stated in the notice of the meeting.

Section 2.4 Place of Meetings. All meetings of the members, whether annual meetings, regular meetings or special meetings, shall be held at such place or places,

within or without the State of Michigan, as a majority of the board of directors may from time to time determine by resolution, or as set forth in a waiver signed by a majority of the members. The corporation shall provide and pay for babysitting for member meetings so long as the member seeking such services requests such services at least one day prior to the meeting. Any member may participate electronically or via telephone conference if prior approval is obtained by a majority of the board of directors. Such participation shall be deemed participation in person.

Section 2.5 Notice of Meeting. At least seven (7) days but not more than sixty (60) days' notice of the purpose, place, day and hour of each meeting of the members, whether annual, regular or special, shall be given by written notice served upon each member of record entitled to vote at the meeting. Service of notice shall be made via electronic transmission, facsimile, personally, or by mailing such notice, postage prepaid, plainly addressed to each member at the member's address as it appears on the books of the corporation. Personal notice includes delivery of the notice to the child beneficiaries of the organization who are directed to deliver the notice to the members. Notice by mail shall be deemed to be given at the time when the same has been deposited in the United States mail.

Section 2.6 Waiver of Notice. Notice of the time, place and purpose of any meeting of the members may be waived by any writing, either before or after such meeting has been held. If the majority of the members attending the meeting waive notice of the meeting, no notice of same shall be required. Whenever the members shall meet in person or by proxy, such meeting shall be valid for all purposes, without call or notice, provided, however, that the attendance of a member at a meeting shall not constitute a waiver of notice of such meeting where the member attends the meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Any member failing to designate the member's address to the Pine Ridge Elementary School secretary, or a change of address, shall be deemed to have waived notice of such meeting except at the address on record with the Pine Ridge Elementary School secretary.

Section 2.7 Quorum. Not less than nine (9) of the members, present in person or represented by proxy, shall constitute a quorum at all meetings of the members for the transaction of business, except as otherwise provided by statute or by the Articles of Incorporation.

ARTICLE III

OFFICERS

Section 3.1 Officers. All officers shall serve as voting directors of the corporation. The principal of Pine Ridge Elementary School shall provide direction and advice, but shall be a non-voting member of the board of directors. The corporation shall have one (1)

authority to spend up to Two Hundred Dollars (\$200.00) that is not budgeted so long as the president receives the consent of the majority of the directors/officers.

Section 3.6 Vice President. The vice president, shall: exercise the functions of the president during the president's absence, disability or failure to act; assist the president in the president's duties as reasonably requested by the president; organize and coordinate the spring luncheon if one is held; manage and coordinate volunteers, including publishing the Volunteer Book, maintaining the special expertise general volunteer database and coordinating the volunteer phone tree. The vice president shall have such powers and perform such duties as the board of directors shall assign from time to time. The vice president will be expected to assume the office of President in the year following the term of office.

Section 3.7 Corresponding Secretary. The corresponding secretary shall conduct all correspondence including sending cards, as needed, to Pine Ridge Elementary School staff and families; and shall publish the corporation's newsletter. The newsletter will include monthly Pine Ridge Elementary PTO meeting highlights. The corresponding secretary shall maintain and revise the Survival guide and online updates as needed.

Section 3.8 Recording Secretary. The recording secretary shall give notice of all director/officer and member meetings; and record and maintain in the company record book minutes of all member meetings. Such minutes shall be provided to the directors/officers one (1) week prior to any member meeting. At the same time, the recording secretary shall make copies of such minutes available for members at the Pine Ridge Elementary School office or shall post such minutes on the PTO Bulletin Board, outside the Pine Ridge Elementary School office. (passed 3/07)

Section 3.9 Treasurer. The treasurer shall: have custody of the funds and other property of the corporation, including all committee funds; keep an itemized account of all receipts and disbursements of the corporation in financial books to be maintained for that purpose; present accurate written financial statements at every member meeting; make a yearly report at the annual meeting; compile information and ensure that all federal and state tax filings, including sales tax filings are made; deposit all assets in the name and to the credit of the corporation with such depository or depositories as shall be designated by the board of directors. The Treasurer shall perform such other duties as may be specified from time to time by the board of directors.(passed 3/07)

Section 3.10 Assistant Treasurer The Assistant Treasurer shall act as an aide to the Treasurer and shall assist as directed. The assistant treasurer's main responsibility is to disburse and deposit checks.(passed 3/07)

Section 3.11 Parliamentarian The parliamentarian shall keep all director/officer board meetings in order by relying on Robert's Rules of Order. The parliamentarian shall review the corporation's Bylaws not less than once each term and shall recommend changes to the

directors/officers. Upon the approval of the directors/officers, Bylaw revisions shall be reviewed and approved by the members at a member meeting.

Section 3.12 Other Officers All other officers, as may from time to time be appointed by the members of the board of directors pursuant to this Article and shall perform such duties and exercise such authority as the members of the board of directors shall prescribe.

Section 3.13 Absence of Officer In the case of the absence of any officer, or for any other reason that the board may deem sufficient, the board may delegate from time to time the powers or duties of such officer to any other officer or to any director

Section 3.14 Other Officer Responsibilities The board of directors may, in its discretion, have the treasurer's accounts examined by an auditor or an auditing committee of not less than three members, who shall confirm that the treasurer's annual report is correct and shall sign a statement of that fact at the end of the report. All officers shall deliver to their successor all official material not later than ten (10) days following the expiration of their term of office.

ARTICLE IV

DIRECTORS

Section 4.1 Powers. The affairs of the corporation shall be managed by the board of directors subject to the limitations of the Articles of Incorporation of the corporation, these Bylaws and the laws of the State of Michigan. The board of directors shall consist of the officers of the corporation and the Teacher Representative as voting members and the principal of Pine Ridge Elementary as a non-voting member. The board of directors is empowered on behalf of the corporation to do and perform all acts reasonably necessary, appropriate or incident to the accomplishment of the purposes of the corporation, as determined by the board of directors in their sole discretion. The board of directors is specifically authorized to approve and submit to the membership its annual budget for the corporation and to create and dissolve standing committees as is necessary to promote the objectives and carry on the work of the corporation.

The listing of standing committees may be modified from time to time by the board of directors in its sole discretion. Such standing committees shall report to the board of directors and shall prepare and present a final report at the time they complete their function or at the annual meeting, as is requested by the board of directors.

Section 4.2 Number of Directors. The board of directors shall be composed of not less than three (3) members and not more than fifteen (15) members and shall consist of all of the elected officers of the corporation, the Teacher Representative and the principal of Pine Ridge Elementary School.

Section 4.3 Teacher Representative. The Teacher Representative shall be a member of the Pine Ridge Elementary School faculty and shall be selected by the faculty to serve as a member of the corporation's board. The Teacher Representative shall: serve as the liaison between the school faculty and the parents, submit faculty requests to the board of directors and membership, and communicate member and board of director decisions to the other faculty members. The Teacher Representative shall attend all monthly meetings.

Section 4.4 Vacancies. In the event any vacancy shall occur on the board of directors because of death, resignation, removal, incapacity to act, or disqualification of a director, the remaining directors/officers shall immediately appoint a new director/officer for the former director/officer and the appointed director/officer shall fill the unexpired term of the former director/officer.

Section 4.5 Regular Meetings. Regular meetings of the board of directors of the corporation shall be held at such time and place as the board of directors may designate, or in the absence of designation by the board, as the president shall designate.

Section 4.6 Special Meetings. Special meetings of the board of directors for any purpose or purposes shall be held whenever called by the president or vice president of the corporation or when requested by any two (2) directors/officers. The secretary or any other officer designated by the president or vice president shall notify the directors/officers of the meeting. Such request shall state the purpose or purposes of the proposed meeting.

Section 4.7 Place of Meetings. Meetings of the board of directors shall be held at any place within or outside the State of Michigan, which may be designated from time to time by resolution of the board. Any member may participate electronically or via telephone conference if prior approval is obtained by a majority of the board of directors. Such participation shall be deemed participation in person.

Section 4.8 Notices. No notice of regular meetings of the board of directors shall be required. Notice of the place, day and hour of any special meeting of the board of directors shall be given by written or printed notice served upon each director/officer. Service of notice may be made personally, by electronic transmission, facsimile, by telephone, by making meeting notices available to a Pine Ridge Elementary School student who resides with the board member or by mailing such notice, postage prepaid, plainly addressed to the board member at the board member's last known post office address. Notice by mail shall be deemed to be given at the time when the same is deposited in the United States mail, with postage fully paid, plainly addressed to the director entitled to said notice. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board of directors need be specified in the notice of such meeting.

Section 4.9 Waiver of Notice. Notice of the time, date and place of any special meeting of the board of directors may be waived by a writing either before or after such meeting has been held. If all the directors/officers waive notice of the meeting, no notice of the same shall be required. Attendance of a director at a special meeting shall constitute a waiver of notice of such meeting except where the director attends the special meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened. Any director/officer failing to designate his or her address to the corresponding secretary of the corporation, or a change of address, shall be deemed to have waived notice of such meeting except at the address on record with the corresponding secretary of the corporation.

Section 4.10 Action Without Meeting. Any action that may be taken at a meeting of the board of directors may be taken without a meeting if all the directors/officers shall consent in writing to such action. Such action by written consent shall have the same force and effect as the unanimous vote of the directors/officers.

Section 4.11 Quorum. A majority of the directors/officers in office shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors/officers present at a duly held meeting at which a quorum is present shall be the act or decision of the board of directors, unless a statute, the Articles of Incorporation or these Bylaws require a greater proportion.

Section 4.12 Organization. The president of the corporation, or in the president's absence, a vice president, or upon the absence of the president and vice president, a director/officer chosen by a majority of the directors/officers present, shall act as chairperson at every meeting of the board of directors. The secretary of the corporation, or in the secretary's absence, any person appointed by the chairperson of the meeting, shall act as secretary of the meeting.

Section 4.13 Compensation. The directors/officers shall serve without compensation. Upon resolution of the board of directors, the directors/officers may receive reimbursement of expenses.

Section 4.14 Meeting by Telephone or Similar Equipment. Any member of the board of directors may participate in a meeting of the board by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other, and participation in a meeting pursuant to this Section shall constitute presence in person at the meeting.

ARTICLE V

INDEMNIFICATION OF OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS

Section 5.1 Indemnification: Third Party Actions. The corporation has the power to indemnify a person who was or is a party, or is threatened to be made a party to a threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative and whether formal or informal (other than an action by or in the right of this corporation) by reason of the fact that the person is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of the corporation as a director, officer, partner, trustee, employee or agent of another foreign or domestic corporation, business corporation, partnership, joint venture, trust, or other enterprise, whether for profit or not for profit, against expenses (including attorneys' fees), judgments, penalties, fines and amounts paid in settlement actually and reasonably incurred by that person in connection with the action, suit or proceeding if that person acted in good faith and in a manner reasonably believed by that person to be in or not opposed to the best interests of the corporation or its members, and with respect to a criminal action or proceeding, that person had no reasonable cause to believe that the conduct was unlawful. The termination of an action, suit or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner reasonably believed by that person to be in or not opposed to the best interests of the corporation or its members and, with respect to a criminal action or proceeding, had reasonable cause to believe that the person's conduct was unlawful.

Section 5.2 Indemnification: Actions in the Right of the Corporation The corporation has the power to indemnify a person who was or is a party to, or is threatened to be made a party to a threatened, pending or completed action or suit by or in the right of the corporation to procure a judgment in its favor by reason of the fact that the person is or was a director, officer, employee or agent of the corporation, or is or was serving at the request of this corporation as a director, officer, partner, trustee, employee or agent of another foreign or domestic corporation, business corporation, partnership, joint venture, trust or other enterprise, whether for profit or not, against expenses (including actual and reasonable attorneys' fees) and amounts paid in settlement incurred by that person in connection with the action or suit if that person acted in good faith and in a manner reasonably believed by that person to be in or not opposed to the best interests of the corporation or its members. However, no indemnification shall be made for a claim, issue or matter in which such person shall have been found to be liable to the corporation unless and only to the extent that the court in which such action or suit was brought has determined upon application that, despite the adjudication of liability but in view of all circumstances of the case, that person is fairly and reasonably entitled to indemnification for the expenses which the court considers proper.

Section 5.3 Indemnification: Mandatory and Permissive Payments.

ARTICLE IX

**REFERENCE TO INTERNAL
REVENUE CODE**

Any reference in these Bylaws to a provision of the Internal Revenue Code shall refer to that provision in the Internal Revenue Code of 1986, as amended, or the corresponding provision of any future United States internal revenue law.

CERTIFICATE

I, Jacqueline Stancil, Parliamentarian of Pine Ridge Elementary PTO hereby certify that the above Restated Bylaws were duly adopted by the Members in the school year 2008/2009 on this 8th day of January, 2009.

By: _____
Jacqueline Stancil, Parliamentarian

I, Melissa Bonner, President of Pine Ridge Elementary PTO, certify these are still in effect.

MBanner
1.7.16

