

BYLAWS OF THE BROWNFIELD REDEVELOPMENT AUTHORITY OF CASCADE CHARTER TOWNSHIP

ARTICLE I: NAME AND ADDRESS

The Cascade Charter Township Board (hereinafter referred to as the "Township Board", by Resolution number 10 of 2021, established by the Cascade Charter Township Brownfield Redevelopment Authority (hereinafter referred to as the "Authority"). The address of the Authority is 5920 Tahoe Dr. SE, Grand Rapids, MI 49546.

ARTICLE II: PURPOSE

The purpose of the Cascade Township Redevelopment Authority is to carry out those purposes and exercise those powers as conferred upon it by the Brownfield Redevelopment Financing Act (the "Act"), 1996 PA 381, as amended. In accordance with the Act, the Authority's mission is to facilitate the implementation of, and enter into, brownfield plans; to create and oversee brownfield redevelopment zones, to promote the revitalization redevelopment and reuse of certain property; including but not limited to tax reverted, blighted or functionally obsolete property; permit the issuances of bonds and other evidences of indebtedness; to authorize the acquisition and disposal of certain property; and to use certain tax increment financing, as permitted under the Act.

ARTICLE III. POWERS AND DUTIES OF THE AUTHORITY

The Authority, acting through the Brownfield Redevelopment Authority Board (hereinafter referred to as the "Authority Board") and acting in accordance with the Act, other statutes and its own By-Laws, may do any of the following:

1. Adopt, amend or repeal bylaws for the regulation of its affairs and the conduct of its official business.
2. Incur and expend funds, as allowed by the Act, to pay or reimburse a public or private person for eligible costs of eligible activities attributable to an eligible property.
3. In accordance with Section 8 of the Act, incur costs and expend funds from the local site remediation revolving fund for authorized purposes, and as approved by the Township Board.
4. Enter into contracts related to the exercise and performance of the Authority's powers and duties as provided by the Act, including by way of example, lease purchase agreements, land contracts, installment sales agreements, loan agreements and service contracts.

ARTICLE IV. AUTHORITY BOARD

1. **Officers:** The officers of the Authority Board shall be a chairperson, a vice chairperson, a treasurer and a recording secretary. All officers shall be members of the Authority Board, with the exception of the recording secretary and treasurer who need not be members of the Authority Board.
2. **Members:** The Authority Board shall consist of no fewer than five (5) and no more than nine (9) members, appointed by the Cascade Charter Township Supervisor and shall have powers as provided by the Act or as provided in these bylaws. Members may include public officials, whether appointed or elected. Before assuming the duties of office, a member shall qualify by taking and subscribing to the oath of office provided in Section 1 of Article XI of the State Constitution of 1963.
3. **Terms:** Of the initial members appointed, an equal number, as near as practicable, shall be appointed for 1 year, 2 years, and 3 years. Thereafter, each member shall serve for a term of 3 years. An Authority Board member may be reappointed for one or more successive three (3) year terms. A member whose term has expired may continue to hold office until reappointed or until a successor has been appointed.
4. **Chairperson:** The members of the Authority Board shall elect 1 of their membership as Chairperson. The Chairperson shall preside at all meetings of the Authority Board and shall discharge the duties as a presiding officer.
5. **Vice Chairperson:** The members of the Authority Board shall elect 1 of their membership as Vice-Chairperson. In the absence of the Chairperson or in the event of inability to serve as chairperson, the Vice Chairperson shall perform the duties of the Chairperson and when so acting, shall have all the powers and be subject to all the restrictions of the Chairperson.
6. **Treasurer:** The Authority Board shall appoint an Authority Board Treasurer, who shall keep the financial records of the Authority and together with the director, if there is a director, shall approve all vouchers for the expenditure of funds. The Treasurer shall prepare, with the assistance of appropriate Township officials, an annual financial report covering the fiscal year of the Authority. The fiscal year of the Authority shall be the same as that of the Township – January 1 to December 31. An annual audit will be made each year as part of the regular Township audit.
7. **Recording Secretary:** The Authority Board shall appoint a Secretary who shall maintain custody of records, books, documents and other papers not required to be kept by the Treasurer. The Secretary may be a member of the Authority Board. The Recording Secretary shall keep records of the Authority's proceedings and shall perform other duties as may be delegated by the Authority Board.
8. **Vacancy:** In the event of a vacancy on the Authority Board, due to resignation, incapacity, death or removal, the Authority Board shall notify the Cascade Charter Township Supervisor of such vacancy and request that an individual be appointed to fill the remainder of the term.

9. **Delegation of Operational Duties:** The Authority Board may employ, subject to approval by the Cascade Charter Township Board, a director of the Authority (hereinafter referred to as the "Director"). The Director shall manage day to day operation of the affairs of the Authority, shall act in accordance with the Act at the direction of the Authority Board, and shall regularly report to and serve at the pleasure of the Authority Board.
10. **Removal of Officers:** After notice and an opportunity to be heard, a member of the Authority Board may be removed by the Authority Board for cause before the expiration of his or her term.

ARTICLE V. MEETINGS

1. **Organizational Meeting and Election of Officers:** Officers shall be elected at the first organizational meeting of the Authority Board after the adoption of the Bylaws and then shall be appointed thereafter at the first regular meeting of the calendar year.
2. **Regular Meeting:** Regular meetings of the Authority Board shall be held at a time and place to be set by the Authority Board. Notice of the schedule of regular meetings shall be published. The Authority Board records and minutes shall be open to the public.
3. **Special Meetings:** Special meetings of the Authority Board may be called by or at the request of the Chairperson, the Vice-Chairperson in the absence of the Chairperson or by any three Authority Board members by giving twenty four hours written notice of the meeting, stating the purpose of the meeting, by posting a notice thereof eighteen hour prior to the meeting, and by twenty four hours' written notice to the Township Manager and the Township Supervisor.
4. **Notice of Meetings:** All notices of any meetings other than regularly scheduled meetings shall be given in accordance with the Open Meetings Act (Act No 267 of the Public Acts of 1976) as amended.
5. **Agenda:** The agenda for regular and special meetings shall be created by the Director. Following the calling of the meeting to order and the roll call, the agenda shall be approved as presented, or amended, upon motion and approval by a majority of members present.
6. **Rules of Order:** Robert's Rules of Order, 12th edition, will govern the conduct of all meetings.
7. **Open and Closed Meetings:** All regular and special meetings of the Authority Board shall be open to the public. Closed meetings of the Authority Board may be called for purposes listed in 1976 PA 267, as amended.
8. **Quorum:** A majority of the Authority Board members in office shall constitute a quorum for the transaction of business at any legally noticed meeting of the Authority Board. A majority of a quorum of the Authority Board may adjourn the meeting without further notice. A majority vote of a quorum shall constitute official Authority Board action, unless a larger majority is required by statute or in these bylaws.

9. **Conflict:** A member who has a direct or indirect interest in any matter before the Authority shall disclose his/her interest as soon as he/she becomes aware of the real or apparent conflict and not participate in discussions on, nor vote on any questions concerning, such matter. Such disclosure shall become part of the record of the Authority's official proceedings. If a member is uncertain whether a conflict exists, he or she should err on the side of disclosure and request that the rest of the Authority Board vote on whether the member has a conflict of interest.

ARTICLE VI. CONTRACTS, LOANS, CHECKS AND DEPOSITS, INVESTMENTS

1. **Contracts:** The Authority Board may employ and retain consultants as considered necessary by the Authority, including legal counsel to advise the Authority in the proper performance of its duties and to represent the Authority in action brought by or against the Authority. All contracts must be approved by the Authority Board.
2. **Loans/Grants:** No grant or loan shall be contracted on behalf of the Authority and no evidence of indebtedness shall be issued in its name unless authorized by a resolution of the Authority Board. Such authority may be general or confined to specific instances. Cascade Charter Township shall not be liable on bonds or notes issued by the Authority and the bonds and notes shall not be a debt of the Township unless specifically provided otherwise by a majority vote of the Township Board.
3. **Checks, Drafts, Etc:** All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Authority, shall be signed by such officer or officers, agent or agents of the Authority and in such a manner as shall from time to time be determined by resolution of the Authority Board.
4. **Investments:** The Authority may invest or deposit money of the Authority, at the Authority's discretion in obligations or depositories determined proper by the Authority, as allowed by law.
5. **Miscellaneous:** The Authority may do all other things necessary or convenient to achieve the objectives and purposes of the Authority, the Act, or other laws that relate to the purposes and responsibilities of the Authority.