WHITEWATER TOWNSHIP BOARD
AGENDA FOR REGULAR MEETING – FEBRUARY 11, 2020
7:00 p.m. at the Whitewater Township Hall
5777 Vinton Road, Williamsburg, MI 49690
Phone 231-267-5141/Fax 231-267-9020

Please silence your electronic devices.

A. Call to Order/Pledge of Allegiance

B. Roll Call of Board Members

C. Set/Adjust Meeting Agenda

D. Declaration of Conflict of Interest

E. Public Comment
Any person shall be permitted to address a meeting of the township board. Public comment shall be carried out in accordance with the following board rules and procedures:
1. Comments shall be directed to the board, with questions directed to the chair.
2. Any person wishing to address the board shall speak from the lectern and state his or her name and address.
3. Persons may address the board on matters that are relevant to township government issues.
4. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer board members' questions. The chair shall control the amount of time each person shall be allowed to speak, which shall not exceed five (5) minutes.
5. In order to avoid unscheduled debates, the board generally will not comment or respond to presenters. Silence or non-response from the board should not be interpreted as disinterest or disagreement by the board.

F. Public Hearing (none)

G. Reports/Presentations/Announcements/Comments
1. County Commissioner Report
2. County Road Commissioner Report
3. Mobile Medical Response Report
4. Fire Department Report
5. Planning Commission Report
6. Parks & Recreation Advisory Committee Report

H. Consent Calendar
Receive and File
1. Supervisor's Report for January 2020
2. Clerk/Parks & Recreation Administrator's Report for January/February 2020
3. Zoning Administrator's January 2020 Staff Report
4. Mobile Medical Response January 2020 Activity Reports
5. Fire Department January 2020 Report
6. Historical Society January 2020 Report
7. Treasurer's Cash Balance Report 12/31/2019
8. Approved 09/26/2019 Zoning Board of Appeals Minutes
9. Approved 10/14/2019 Parks & Recreation Advisory Committee Minutes
10. Approved 12/04/2019 Planning Commission Minutes
11. Approved 12/09/2019 Parks & Recreation Advisory Committee Minutes
12. Approved 12/11/2019 Historical Society Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for January 2020
2. 01/14/2020 Dee Prabhaker Public Comment re: Event Barns
3. 01/14/2020 E-mail Dee Prabhaker re: Paul Wiemerslage Comments re: Event Barns
4. 01/14/2020 Ron Bachi Public Comment re: Event Barns

Minutes

1. Recommend approval of 01/14/2020 regular meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 44889 through 44978
2. Approval of First Community Bank Miami Beach vouchers # (none)
3. Approval of First Community Bank WMDLS vouchers # (none)

Budget Amendments (none)

Revenue & Expenditure Report 01/31/2020

I. Unfinished Business
   1. Miami Beach Sewer System Transfer
      a. Resolution #20-01 Resolution to Authorize Sale of Property
      b. Discuss/Decide Manner of Termination of O&M Agreement with County BPW
   2. Ordinance Recodification Proposals
      a. 7:30 p.m. Phone Q&A Session with Municipal Code
      b. 7:45 p.m. Phone Q&A Session with General Code
      c. 8:00 p.m. Phone Q&A Session with American Legal
      d. Choose Codification Company

J. New Business
   1. Resolution #20-02 Whitewater Township Poverty Exemption Application, Guidelines, and Income Levels
   2. Planning Commission Appointment – Mickey Dean
   3. Approval of Revised Zoning Board of Appeals Bylaws
   4. Annual Review of Medical Marihuana Opt-Out and Recreational Marihuana Prohibition

K. Tabled Items (none)

L. Board Comments/Discussion

M. Announcements
   1. Next regular meeting date March 17, 2020

N. Public Comment

O. Adjournment

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend. Contact the township clerk at 231-267-5141 or the TDD at 800-649-3777.

To: Township Board Members

From: Cheryl A. Goss, Township Clerk

Date: 02/05/2020

Re: Consent Calendar for Township Board Meeting 02/11/2020

Receive and File

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Budget Amendments (none)

Revenue & Expenditure Report 01/31/2020

An appropriate motion would be: Motion to approve Consent Calendar items as presented.

Roll call vote required.

Whitewater Township Supervisor's Report

January 2020

1) Investigate citizen observations:

   A. Caller reports residential snow plowing along Samels Road has created dangerously large banks of hard snow within the Right-of-Way. The concern was forwarded to the Grand Traverse County Road Commission for further follow up.

   B. Incident report was received from an individual detailing a fall caused by slippery parking lot conditions near the recycle bins. This item remains open.

2) Office duties:

   A. Meetings:

      1) Met with Tim Maylone of Cherry Capital Connection in regards to a new round of government funding available to install high speed internet in rural areas. As with most funding opportunities a significant amount of leg work is required. Companies have until March to submit a request. More information to follow.

      2) Attended the monthly Supervisor's Meeting with guests from the Grand Traverse County Road Commission (GTCRC). GTCRC is under new leadership and plans to continue the cost sharing program assisting township's with road rebuilding efforts. The amount of funding is directly related to the cost of wintertime maintenance, the lighter snowfall allows for a greater reallocation of funding available for townships.

      3) Met with Fire Chief Brandon Flynn several times reviewing the Department's budget, General Ordinance 40, and mechanical issues with the Department's Command vehicle.

      4) Invited Jeff Ackerman of Crain Systems Group, Inc. to the Hall for a visit. This Microsoft, IBM, Lenovo and HP certified IT group was contacted to learn more about how the Township can protect itself from the explosion of ransomware. Ransomware is an encryption protocol unknowingly installed by opening certain emails. Once the ransomware takes hold, the computer becomes unusable until money is paid to the kidnapper. More to follow on this topic.

      5) Attended Grand Traverse Band of Ottawa and Chippewa Indians 2% Grant Award Media Event. Whitewater Township received two awards including Clerk Goss's request a little more than $18,000 to remodel bathrooms at the Camping Park and Fire Chief Flynn's $7,000 request funding a replacement enclosed emergency service trailer. Great job Clerk Goss and Fire Chief Flynn!

B. Other Items of Interest:

1) A new member has been added to the Board of Review. Thank you to Brenda Welch for responding to the Township's need. We have a number of openings remaining so if you have some interest in your local unit of government, let's talk!

2) Work streamlining the Land Use Permit process continues with a trial run expected in February.

3) Signage on road ends for the Paddle Antrim Group, along with cautionary signs "use at your own risk" remain the same as last month. We are awaiting to learn the Road Commission's Permitting process.

4) Results from the proposed natural gas main extension project along Ayers, portions of Cram and Palaestrum Roads mailing were very positive. Tabulations of responses will begin in early February.

5) The Township Hall Video Camera – Discussions with Industrial Covert Unlimited, the devices vendor, point towards installing a stand-alone recording device as part of the package. This device will be capable of handling the massive file sizes created by video and should free up computer resources. A proposal for the hardware and installation is in the works.

6) Budget season has begun and a proposed document for review should be available in early February.

Respectfully Submitted,

Ron Popp
Whitewater Township Supervisor.

Clerk/Parks & Recreation Administrator's Report for January/February 2020

To: Whitewater Township Board and Community
From: Cheryl A. Goss, Township Clerk/Parks Administrator
Date: 02/04/2020

This report details activity in the Clerk's office since my last report dated 01/06/2020.

Meetings Attended (in addition to Township Board meetings):
1. 01/08/2020 Mobile Medical Response Advisory Board
2. 01/09/2020 David Capser/Linda Slopsema re: Dugouts
3. 01/09/2020 Grand Traverse County Municipal Clerks' Association
4. 01/10/2020 Netlink Business Solutions (Steve) re: Copier Lease
5. 01/13/2020 Parks & Recreation Advisory Committee
6. 01/30/2020 Grand Traverse Band Media Event re: 2% Awards

Elections: The Clerk's office has been very busy preparing for the March 10, 2020 Presidential Primary. There are many tasks to complete. Two Election Assistants have been appointed to assist with issuing and receiving absent voter ballots, Kathi Gober and Nicole Schultz. To this date, 265 AV ballots have been issued. Applications for AV ballots are received daily.

Recodification of General/Zoning Ordinances: Further review of the codification proposals is on the 2/11 agenda.

Article 11, Recreational RC-1: We are awaiting the planning commission's list of pros and cons of reducing the minimum lot size in this district.

Miami Beach Sewer System: Documents were finalized at the November 2019 meeting. The president of MBRA is scheduled to sign the documents on February 5th. A resolution appears elsewhere in this meeting packet authorizing Whitewater Township to execute the documents.

Whitewater Township Park: There have been lots of phone calls and emails from the public regarding camping at the park. Two fishing tournaments have been booked in May. Some of last year's employees have called to say they would like to work at the park again this summer.

With Ranger Dan Belanger's valuable assistance, I applied in the November 2019 cycle for a 2% grant in the amount of $18,069 to tile the restrooms. We were awarded this grant and I attended the Media Event on January 30 to receive the check and thank the Grand Traverse Band for generously supporting the park.

Hi Pray Park/Battle Creek Natural Area/Lossie Road Nature Trail/Petobego Natural Area:
The Parks & Recreation Advisory Committee meets again the night before the 2/11 meeting. I will provide an update on happenings with these parks at that time.

Traffic Signal at M-72/Williamsburg/Elk Lake Roads:
The visible progress is that there are four new poles at the intersection. I noticed that there is work taking place today, February 4th, but I have not received a status update from MDOT recently. Last I heard, they were planning for the signal to become operational this month. Williamsburg is soon to be on the map!

Other News: None

# # #

Certified Zoning Services
Robert Hall
511 E. Division Street
Cadillac, Michigan 49601

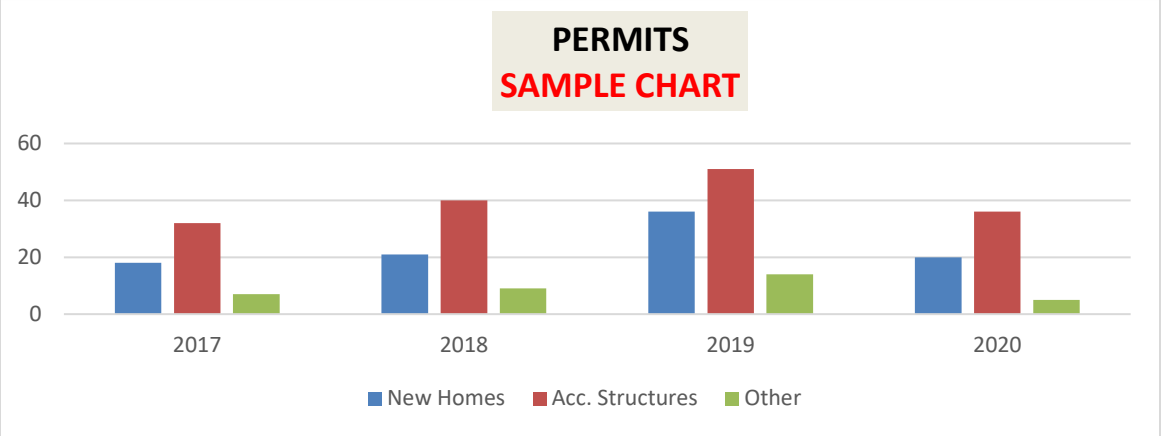
Telephone (231)-429-6703

email: CZServices@hotmail.com

Whitewater Township – CLERK
5777 Vinton Road – P.O. Box 159
Williamsburg, Michigan 49690

STAFF REPORT

Following up on last months report, please find attached a basic tabulation of all types of permits issued during the previous 4 calendar years. This information would more useful if it were broken down into fewer (more meaningful) categories and would be easier to interpret. See sample illustration below:



Planning / Zoning

The Master Plan has been recognized as needing to be updated to further suit the desires of the community. Most important will be the addition of key (statutorily mandated) elements as required by the Michigan Planning Enabling Act. One of the primary requirements during the planning process is the study and information gathering phase where the results are often recorded in a document known as. the 'fact-book'.

> "Make careful and comprehensive surveys and studies of present conditions and future growth within the planning jurisdiction with due regard to its relation with neighboring jurisdictions" (Sec.21(2)(a))

Included within the above are generally topics such as updated demographics, transportation (complete streets), a future land use plan, a zoning plan (required if your jurisdiction has zoning). In addition, "…the Master Plan ***shall*** include maps, charts, plats … and other related matter and ***shall*** show the

planning commission's recommendations for the physical development of the planning jurisdiction" (Sec. 33(1)).

The Zoning Administrator looks forward to assisting the Whitewater Township planning commission in the capacity necessary to serve its residents and property owners.

Going Green

The Zoning Administrator has probably fielded at least, a dozen calls since August 1st related to either: Medical Marijuana, Adult Use (recreational) Marijuana, Microbusinesses (associated with adult use / recreational marijuana, and Industrial Hemp. While it is the understanding of staff that Whitewater Township did not opt in to participate in any activity associated with Medical Marijuana, and that you did opt out of the adult use / recreational industry, you should be aware that inquiries are being made.

Miscellaneous

There are multiple training opportunities related to planning and zoning issues available over the next several months. I will be attending the Michigan Townships Association annual educational conference during the last week of April – this is not expected to affect my availability at Whitewater Township.

I continue to communicate with Supervisor Popp regarding our ability to provide proficient and timely customer service for all matters related to planning and zoning in Whitewater Township.

Respectfully submitted,

Robert Hall

Robert (Bob) Hall

Fractile Response Time

Company IS MOBILE MEDICAL RESPONSE; AND Trip Date IS BETWEEN 01/01/2020 AND 01/31/2020; AND Initial Priority IS P-1 Life Threatening Emergency OR P-2 Emergency No Lights OR P-3 Downgrade (No Lts/Sirens); AND Dispatch Zones IS GT-Whitewater; AND Dispatch Status IS Canceled At Destination OR Canceled At Scene OR Canceled Complete OR Canceled Partiall Available OR Canceled Transporting OR Complete; AND Exclude Copied Trips; AND the time 'Save' was clicked

MOBILE MEDICAL RESPONSE

	Call Count	Cumulative Call Count	Percent of Total Calls	Cumulative Percent of Total Calls
00:00 - 01:59	1	1	6%	6%
02:00 - 02:59	1	2	6%	13%
03:00 - 03:59	1	3	6%	19%
04:00 - 04:59	1	4	6%	25%
05:00 - 05:59	1	5	6%	31%
06:00 - 06:59	3	8	19%	50%
07:00 - 07:59	1	9	6%	56%
08:00 - 08:59	4	13	25%	81%
09:00 - 09:59	1	14	6%	88%
10:00 - 10:59	1	15	6%	94%
16:00 - 16:59	1	16	6%	100%

Total Calls for MOBILE MEDICAL RESPONSE: 16

Demand Analysis by Day of Week for Whitewater Twp

From 01/01/2020 to 01/31/2020

Time of Day	1.SUN	2.MON	4.WED	5.THU	6.FRI	7.SAT	Total
03:00 - 03:59	1	0	0	0	0	0	1
04:00 - 04:59	0	0	0	1	0	0	1
07:00 - 07:59	1	0	0	0	0	0	1
09:00 - 09:59	0	0	2	1	1	0	4
10:00 - 10:59	0	0	3	0	0	0	3
14:00 - 14:59	0	0	1	0	0	0	1
15:00 - 15:59	0	0	0	1	0	0	1
16:00 - 16:59	0	0	1	0	0	0	1
17:00 - 17:59	0	0	0	1	0	0	1
19:00 - 19:59	0	1	0	1	0	0	2
22:00 - 22:59	0	0	0	0	1	1	2
Total	2	1	7	5	2	1	18

Requests by Nature of Call in Whitewater Twp

From 01/01/2020 to 01/31/2020

	Total
Allergies (Reactions)/Envenomations (Stings, Bites)	1
Back Pain (Non-traumatic or Non Recent Trauma)	1
Chest Pain (Non-Traumatic)	2
Diabetic Problems	1
Falls	6
Sick Person (Specific Diagnosis)	5
Unconscious/Fainting (Near)	2
Total	18

Transport Count by Month

	1/2019	2/2019	3/2019	4/2019	5/2019	6/2019	7/2019	8/2019	9/2019	10/2019	11/2019	12/2019	1/2020	Total
Village of Elk Rapids	11	14	7	12	10	7	12	22	16	12	12	14	11	160
Elk Rapids Twp	10	6	5	1	5	2	10	6	4	5	2	4	7	67
Milton Twp	8	8	8	5	10	11	13	14	11	10	10	13	8	129
Whitewater Twp	9	11	4	15	20	25	12	23	20	12	11	9	17	188
Torch Lk Twp	0	1	1	0	0	0	0	2	2	0	0	0	1	7
Kalkaska County	1	0	0	0	1	0	0	2	0	1	1	0	0	6
GT County	2	3	1	1	2	2	3	3	2	0	1	4	1	25
Total	41	43	26	34	48	47	50	72	55	40	37	44	45	**582**

WHITEWATER TOWNSHIP FIRE DEPARTMENT
8380 OLD M-72 • PO BOX 9 • WILLIAMSBURG, MICHIGAN 49690 • 231.267.5969 • FIRECHIEF@WHITEWATERTOWNSHIP.ORG

January 2020 Monthly Report
Fire Chief Brandon Flynn

Alarms: The fire department responded to 7 emergency calls in January.

- Residential structure fire at Fife Lake
- Tree Down
- CO Detector activation
- Open burning complaint
- Motor vehicle accident
- Vehicle fire
- EMS assist

Training: Four scheduled training sessions were held in January.

- Vehicle maintenance
- Target Solutions, Building Construction
- Snowmobile Training
- Pump Operations, hydrant winterizing policy

Meetings/Other:

- Medical Control Authority Meeting, January 14
- VASA Race Public Safety Meeting, January 15
- 911 Board Technical Subcommittee, January 15
- County Chiefs Meeting, January 15
- LEPC, January 16
- 911 Board, January 16
- MABAS meeting, January 22

General:

Chief Flynn along with Firefighter's Stephenson and Tilley attended the funeral of retired Fire Chief Richard VanderMey from Peninsula Township on Jan. 4, 2020 who died unexpectedly on December 26, 2019.

Chief Flynn attended a lockdown drill at Woodland School on Jan. 9 with TCAPS and GTSO.

8380 OLD M-72 ◆ PO BOX 9 ◆ WILLIAMSBURG, MICHIGAN 49690 ◆ 231.267.5969 ◆ FIRECHIEF@WHITEWATERTOWNSHIP.ORG

Squad 3, which is used as the Chief's vehicle was taken to Bill Marsh Ford on Jan. 20 with engine problems. The vehicle was then taken to Redmond Auto in Traverse City for a second opinion. Squad 3 was repaired by Redmond Auto and is back in service.

Top Line electric has completed the wiring for the gutter heat tape.

Chief Flynn & Supervisor Popp attended the GTB 2% Grant Award Media Event on January 30, 2020 located at the Grand Traverse Resort. The Whitewater Township Fire Department graciously accepted a check for $7,125.00 to purchase a new snowmobile trailer.

As of January 31, 2020, Alex Johnson has been promoted to regular firefighter from probationary firefighter. During the last 17 months, FF Johnson has completed all of the required training including in-house training and has shown he is ready for regular firefighter status.

This monthly report includes a fire department summary of activity for calendar year 2019.

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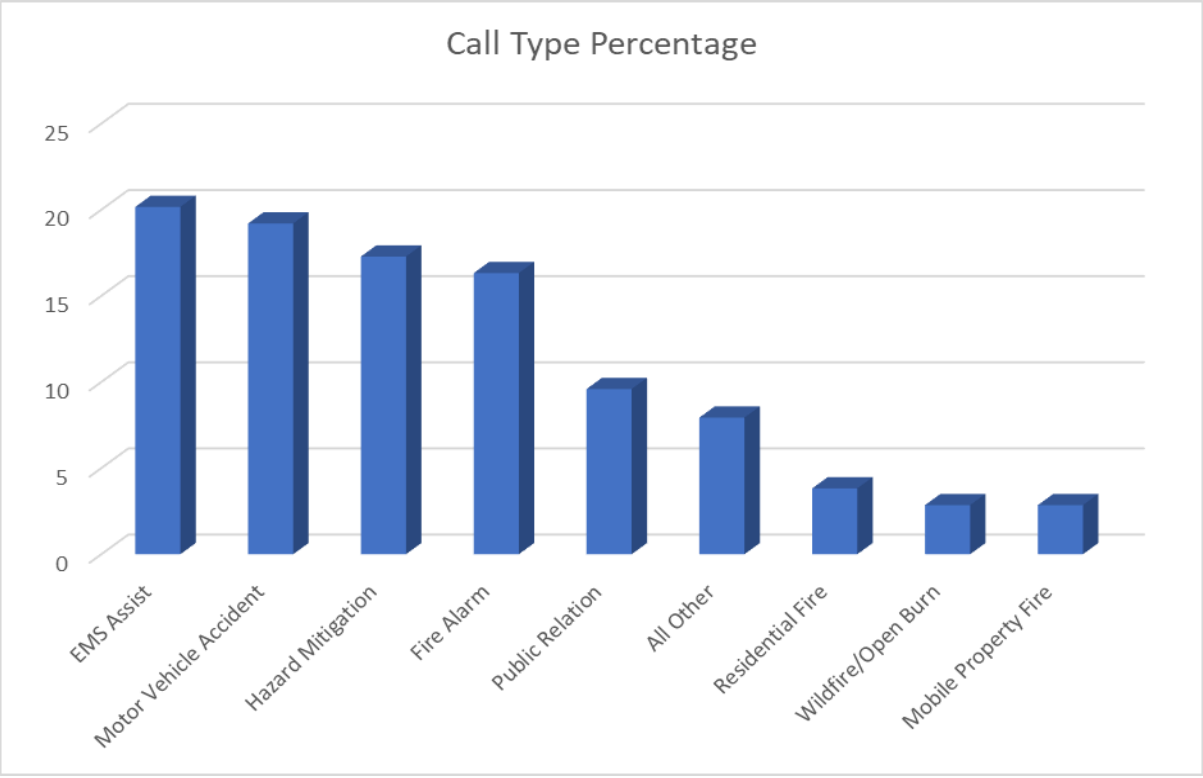
Whitewater Township Fire Department
2019 Run Total

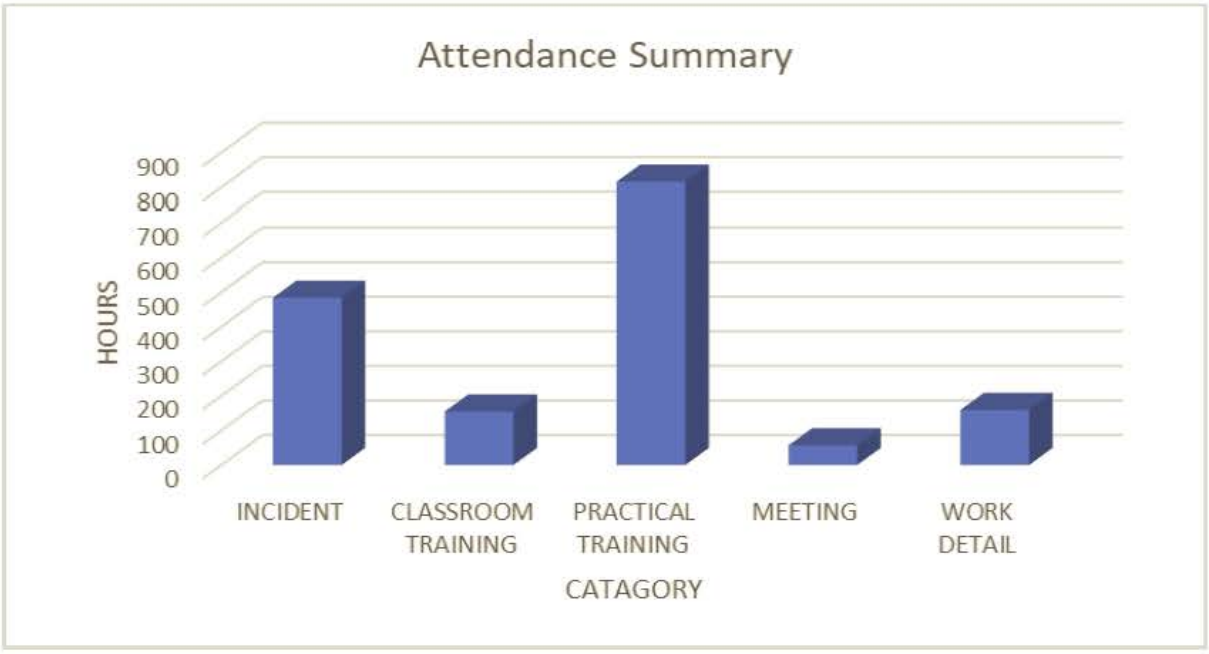
Most popular call type: **EMS ASSISTS**	2019 TOTAL	BUSIEST MONTH	AVG. TIME/DAY	RESPONSE APPARATUS	Busiest Day/wk	AVG. RESPONSE TIME corrected	Calls between 08:00-00:00	Calls between 00:01-07:59
	104	**SEPTEMBER**	**14:03**	**E3**	**MON**	**12:10**	**94**	**10**

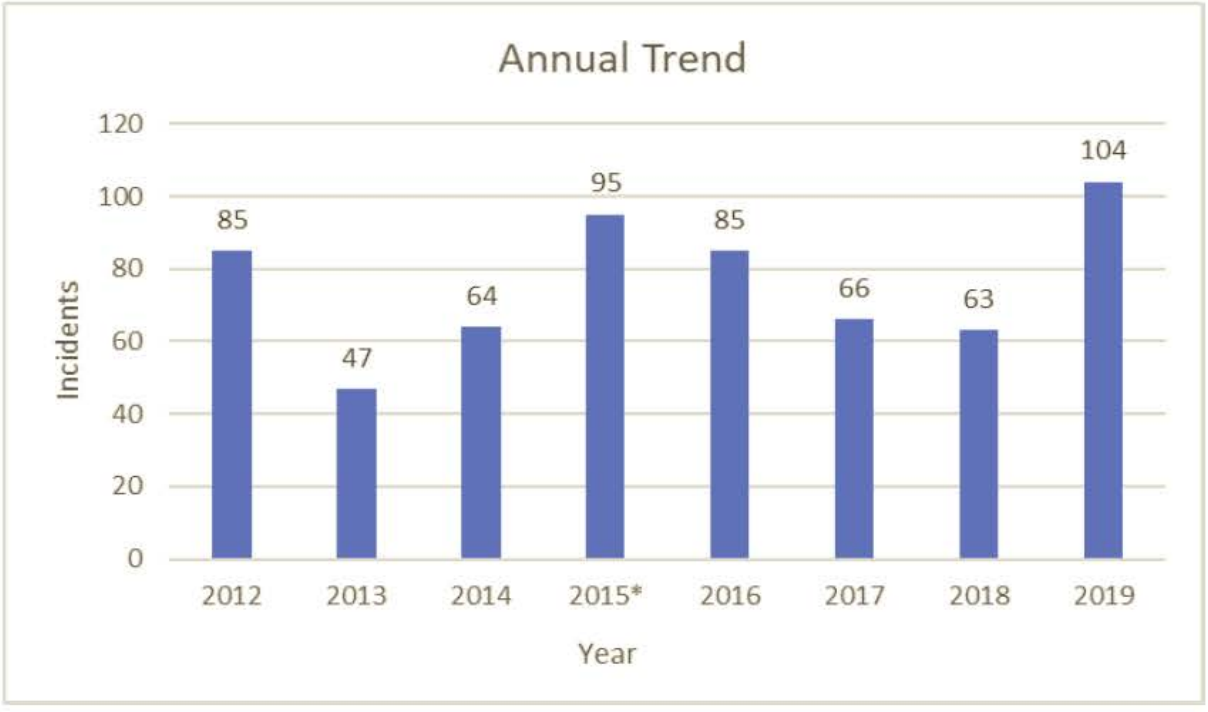
Call Type	Percent	Total
EMS Assist	20.16	21
Motor Vehicle Accident	19.2	20
Hazard Mitigation	17.28	18
Fire Alarm	16.32	17
Public Relation	9.59	10
All Other	7.93	8
Residential Fire	3.82	4
Wildfire/Open Burn	2.85	3
Mobile Poperty Fire	2.85	3
Total	100%	104

Attendance Summary	Hours
Incident	484.20
Classroom Training	155.00
Practical Training	816.00
Meeting	57.00
Work Detail	159.50
Total Employee Hours	1643.70

MVA-Motor Vehicle Accident
PR-Public Relations
Hazard Mitigation-Power line/tree down open burning
MAR-Mutual Aid Received
MAG-Mutual Aid Given







*August 2, 2015 storm added approximately 25 calls over a five day period.

Whitewater Township Fire Department
2019 Run Total

Call Type	Incident #	DATE	TIME	Unit	Day	Response Time in Seconds		Mutual Aid
Power Line Down	1	7-Jan	11:50	E3 C3	Mon	405		
Lockdown Drill	2	10-Jan	11:00	C3	Thu	0		
Dispatch Error	3	17-Jan	6:19	N/A	Thu	0	Cancelled	
MVA	4	17-Jan	7:05	E3 A3	Thu	120		
EMS Assist	5	18-Jan	13:17	C3	Fri	284		
Chimney Fire	6	22-Jan	6:46	E3 A3 T3 C3	Tue	196		
Fire Alarm	7	24-Jan	11:35	C3	Thu	788		
PR	8	9-Feb	8:00	A3 C3	Sat	0		
MVA	9	9-Feb	15:41	E3 A3	Sat	508		
CO Detector	10	14-Feb	14:56	C3	Thu	492		
MVA	11	15-Feb	8:08	A3 C3	Fri	151		
EMS Assist	12	17-Feb	18:44	A3	Sun	493		
MVA	13	21-Feb	14:14	A3 C3	Thu	0		
Tree Down	14	24-Feb	18:42	E3 A3	Sun	1088		
Tree Down	15	24-Feb	20:56	E3 A3	Sun	1001		
Tree Down	16	24-Feb	21:20	E3 A3	Sun	655		
Car Fire	17	27-Feb	8:11	C3	Wed	0	Cancelled	
Car Fire	18	1-Mar	8:16	E3	Fri	1781		
EMS Assist	19	3-Mar	19:54	A3	Sun	510		
Fire Alarm	20	6-Mar	16:44	E3	Wed	958		
Chimney Fire	21	7-Mar	22:46	E3 A3 T3 C3	Thu	1283	Clearwater	MAG
Fire Alarm	22	2-Apr	20:09	E3	Tue	940		
MVA	23	5-Apr	17:03	A3 E3	Fri	403		
Tree Down	24	8-Apr	20:53	E3	Mon	750		
EMS Assist	25	10-Apr	2:34	POV	Wed	586		
Lockdown Drill	26	15-Apr	12:45	C3	Mon	0		
Open Burning	27	22-Apr	16:06	B3-2	Mon	697		
EMS Assist	28	24-Apr	22:55	POV	Wed	693		
EMS Assist	29	24-Apr	23:22	E3	Wed	247		
Lockdown Drill	30	25-Apr	15:00	C3	Thu	0		
Lost Person	31	2-May	21:06	B3-2 K3	Thu	1315		
Open Burning	32	5-May	17:03	B3-2	Sun	812		
Fire Alarm	33	13-May	17:28	C3	Mon	81		
MVA	34	15-May	17:50	A3 E3	Wed	580		
Tree Down	35	25-May	8:09	E3	Sat	992		
PR	36	27-May	10:00	E3 A3 T3 C3	Mon	0		
MVA-Extrication	37	1-Jun	14:05	A3 E3	Sat	1140	Metro	MAR
CO Detector	38	6-Jun	3:17	E3	Thu	1122		
MVA	39	8-Jun	16:19	A3 E3 C3	Thu	112		
PR	40	20-Jun	8:00	A3 E3	Sat	0		
Boat Fire	41	26-Jun	12:57	E3 C3	Wed	474		

Call Type	Incident #	DATE	TIME	UNIT	DAY	Response Time in Seconds		Mutual Aid
MVA	42	27-Jun	16:12	A3 E3 C3	Thu	267		
MVA	43	29-Jun	17:00	A3 E3	Sat	497		
Fire Alarm	44	30-Jun	22:40	E3	Sun	1167		
Fire Alarm	45	1-Jul	10:33	C3	Mon	812		
Fuel Spill	46	3-Jul	0:55	E3	Wed	771		
Power Line Down	47	5-Jul	14:25	E3	Fri	1001		
Fire Alarm	48	7-Jul	8:47	E3	Sun	1484		
EMS Assist	49	8-Jul	9:38	C3	Mon	120		
Fire Alarm	50	10-Jul	20:02	E3	Wed	799		
Open Burning	51	12-Jul	20:27	E3	Fri	349		
Fire Alarm	52	14-Jul	7:57	E3	Sun	1062		
PR	53	20-Jul	9:00	A3 E3 K3	Sat	0		
EMS Assist	54	22-Jul	21:23	E3	Mon	147		
Fire Alarm	55	23-Jul	4:35	E3	Tue	1282		
Fire Alarm	56	25-Jul	20:43	E3	Thu	1100		
Power Line Down	57	27-Jul	20:15	E3	Sat	1450		
MVA	58	28-Jul	10:38	A3 E3	Sun	1215	Metro	MAG
MVA	59	3-Aug	23:16	A3 E3 T3	Sat	734		
EMS Assist	60	10-Aug	18:13	A3 B3-2 K3	Sat	1656		
EMS Assist	61	15-Aug	18:48	POV	Thu	659		
EMS Assist	62	17-Aug	1:16	E3	Sat	1064		
EMS Assist	63	19-Aug	20:35	POV	Mon	690		
EMS Assist	64	19-Aug	21:21	E3	Mon	410		
EMS Assist	65	20-Aug	12:10	C3	Tue	158		
Fire Alarm	66	27-Aug	8:27	C3	Tue	778		
EMS Assist	67	1-Sep	11:40	N/A	Sun	0	Cancelled	
Fire Alarm	68	2-Sep	23:00	POV	Mon	2410		
Power Line Down	69	3-Sep	11:30	C3	Tue	95		
Tree Down	70	3-Sep	13:32	B3-2	Tue	1372		
MVA	71	6-Sep	14:23	A3 E3 C3	Fri	542		
MVA	72	6-Sep	17:44	N/A	Fri	0	Fife Lake Cancelled	MAG
EMS Assist	73	8-Sep	23:42	POV	Sun	628		
MVA	74	8-Sep	13:24	A3 E3	Sun	1155		
Fire Alarm	75	10-Sep	15:23	C3	Tue	130		
Tree Down	76	13-Sep	16:25	E3	Fri	268		
Fire Alarm	77	18-Sep	9:39	E3	Wed	393		
Power Line Down	78	21-Sep	10:22	E3	Sat	943		
EMS Assist	79	21-Sep	12:03	B3-2	Sat	1034		
MVA	80	21-Sep	14:11	E3	Sat	1396	Fife Lake	MAG
Power Line Down	81	23-Sep	11:23	E3 C3	Mon	46		
MVA	82	10-Oct	13:20	A3 E3 C3	Thu	188		
EMS Assist	83	16-Oct	8:54	B3-2 K3	Wed	1699		
Power Line Down	84	16-Oct	18:42	E3	Wed	1469		
Power Line Down	85	17-Oct	13:58	A3 C3	Thu	229		
Power Line Down	86	21-Oct	16:20	A3 E3 C3	Mon	449		

Call Type	Incident #	DATE	TIME	UNIT	DAY	Response Time in Seconds		Mutual Aid
Lockdown Drill	87	23-Oct	9:42	C3	Wed	0		
Structure Fire	88	31-Oct	10:31	T3	Thu	908	Metro Cancelled	MAG
PR	89	1-Nov	9:00	E3 C3	Fri	0		
PR	90	2-Nov	9:00	A3 E3 B3-2 C3 K3	Sat	0		
Odor Investigation	91	3-Nov	9:41	A3 E3	Sun	856		
Fire Alarm	92	5-Nov	9:34	C3	Tue	261		
Structure Fire	93	11-Nov	20:13	A3 E3 T3 C3	Mon	436	Clearwater	MAG
Water Leak	94	14-Nov	22:58	E3	Thu	784		
MVA	95	15-Nov	9:16	A3 E3 C3	Fri	1236		
MVA	96	23-Nov	17:45	E3	Sat	260		
Fire Alarm	97	2-Dec	8:15	C3	Mon	149		
Odor Investigation	98	2-Dec	12:58	C3	Mon	0	Cancelled	
EMS Assist	99	9-Dec	0:27	POV	Mon	1424		
MVA	100	17-Dec	20:07	A3 E3	Tue	879		
EMS Assist	101	19-Dec	11:35	E3 C3	Thu	247		
EMS Assist	102	23-Dec	20:35	E3	Mon	356		
Tree Down	103	30-Dec	14:21	A3	Mon	233		
Power Line Down	104	30-Dec	15:58	A3 C3	Mon	470		
			14:03			618		

Historical Society Report for January 2020

To: Whitewater Township Board Members

From: Luann Snider, Historical Society Director

Date: February 4, 2020

Meetings: The regular meeting was held on January 8, 2020 at 7:00 pm at the Township Hall. I discussed some of the new information that I came across, one item was how a Sawmill ran in the late 1800's, and how interesting the history in this area really was, we were also looking up information for the presentation that we are doing for the archaeology group.

Public Inquiries: There have been a couple people that have stopped into the hall when I have been there and have said, they will see if they have photos or information that we can copy.

Scan/Catalog Documents: Approximately 20 hours per week has been spent going through the files and organizing them, and typing out some of the papers so they are easier to read. I have also been looking online for information pertaining to some of the documents.

New Documents/Items Received: None

Williamsburg School Reunion: None

Other News: No other news to report at this time.

Luann Snider
Historical Society Director

Whitewater Township

Cash Balance Report
December 31, 2019

101 General Fund			
101-000-001	General Fund-ASB - 101	$	489,253.69
101-000-003	General MM - 101		101,954.60
101-000-005	Tower Removal FCB Savings		10,990.61
	Total 101		**602,198.90**
203 Road Fund			
203-000-001	Road Fund-ASB- 203		22,981.03
203-000-003	Road Fund MM - 203		20.31
	Total 203		**23,001.34**
204 Road Repair/Replacement Fund			
204-000-001	Road Repair/Rep-ASB - 204		266,034.20
	Total 204		**266,034.20**
206 Fire Fund			
206-000-001	Fire Fund-ASB- 206		225,492.01
206-000-003	Fire MM - 206		25,488.18
	Total 206		**250,980.19**
208 Park Fund			
208-000-001	Park Fund-ASB - 208		176,137.09
208-000-003	Park MM - 208		18,351.52
	Total 208		**194,488.61**
209 Recreation Fund			
209-000-001	Recreation Fund-ASB - 209		67,795.16
	Total 209		**67,795.16**
210 Ambulance Fund			
210-000-001	Ambulance Fund-ASB- 210		213,959.65
	Total 210		**213,959.65**
211 Ambulance Replacement Fund			
	Total 211		**0.00**
401 Public Improvement Fund			
401-000-001	Public Imprvmt Fund-ASB - 401		50,261.10
	Total 401		**50,261.10**
406 Fire Capital Improvement Fund			
406-000-001	Fire Cap Imprvmt Fund-ASB- 406		206,726.72
406-000-003	Fire Cap Imp MM - 406		7,136.71
406-000-005	Fire Cap Imp FCB Savings		121,826.41

Whitewater Township

Cash Balance Report
December 31, 2019

	Total 406		**335,689.84**
590 Miami Beach Sewer Fund			
590-000-008	Cash MB Sewer Receiving-FCB		76,876.02
	Total 590		**76,876.02**
703 Property Tax Fund			
703-000-001	Property Tax Fund FCB - 703		243,547.83
	Total 703		**243,547.83**
750 Payroll Clearing Fund			
750-000-001	Payroll Clearing-Gen Fund-750		5,949.55
	Total 750		**5,949.55**
811 WMDLS Road Assessment			
811-000-001	WMDLS Road Assmt Fund-FCB- 811		1,520.60
	Total 811		**1,520.60**
	Grand Total	**$**	**2,332,302.99**

Whitewater Township

Bank Accounts

December 31, 2019

	Balance
General Fund Checking - ASB	
General Fund-ASB - 101	489,253.69
Road Fund-ASB- 203	22,981.03
Road Repair/Rep-ASB - 204	266,034.20
Fire Fund-ASB- 206	225,492.01
Park Fund-ASB - 208	176,137.09
Recreation Fund-ASB - 209	67,795.16
Ambulance Fund-ASB- 210	213,959.65
Public Imprvmt Fund-ASB - 401	50,261.10
Fire Cap Imprvmt Fund-ASB- 406	206,726.72
Payroll Clearing-Gen Fund-750	5,949.55
Total General Fund Checking	**1,724,590.20**
General Fund MM - ASB	**152,951.32**
General Fund Savings - FCB	**132,817.02**
Miami Beach Sewer Fund - FCB	
Cash MB Sewer Receiving-FCB	76,876.02
Property Tax Fund - FCB	
Property Tax Fund FCB - 703	243,547.83
WMDLS Funds - FCB	
WMDLS Road Assmt Fund-FCB- 811	1,520.60

WHITEWATER TOWNSHIP ZONING BOARD OF APPEALS
Minutes for Regular Meeting on Thursday, September 26, 2019
7:00 p.m. at the Whitewater Township Hall
5777 Vinton Road, Williamsburg, MI 49690
Phone 231-267-5141/Fax 231-267-9020

Call to Order by Chair at 7:00 p.m.
Roll Call: Bowen, Halstead, Hooper, Lake, Alternate Shaffer, Alternate Garza
Benak is one of the applicants of the appeal
Absent:
Set/Adjust Agenda – Add public comment
Declaration of Conflict of Interest – None
Public Comment - None
Approval of Minutes:

MOTION by Hooper, second by Shaffer, to approve minutes of August 15, 2019. On voice vote, all in favor. Motion carried.

Scheduled Public Hearing:

A. Appeal #A-19-06, Ardella and Donald Benak, 8190 Bunker Hill Road, Williamsburg, Michigan, are requesting a dimensional variance. Parcels are in the RC Zoning District.
Parcels 28-13-016-004-01, 28-13-016-004-03 and 28-13-016-004-10.

a. Open Public Hearingon Appeal #A-19-06 at 7:08 p.m. Ardella and Donald Benak are requesting a dimensional variance to reconfigure three vacant properties to make all three more conforming to current zoning standards, make more accessible and buildable. The plan is to build a home on newly created lot.

Public hearing was posted in the Record Eagle September 11, 2019, and notices were sent to property owners within 300' of property subject to this public hearing.

b. Zoning Administrator Presentation: Staff report: Seeking a variance from zoning ordinance and a variance of the land division ordinance. The land division ordinance references the zoning ordinance. The ZA notes in his report that the Whitewater Township Land Division Ordinance #26, Section VIII sets forth a variance procedure for land divisions a well as the standards to be reviewed. The review standards are substantially different from the traditional dimensional variance standards enumerated in Article XVIII, Section 18.70.B. There is a family history of land ownership. This is a unique circumstance. No parcels will be separated by the road. It is within the spirit and intent of the ordinance. The end result will add an additional parcel to the tax roll.

c. Petitioner Presentation: Ardella Benak, 8190 Bunker Hill Rd., Williamsburg, Michigan. The letter explains the history of the property. The five acre rule has stopped the family from being able to use the property as intended when purchased by ancestors. We could give an easement to access the land locked piece of property but it would not be good for emergency vehicles. By making these changes we are making it safer, stopping a split of property by the road, bringing three parcels more into compliance and will be able to carry on a family tradition of building family homes in the area that has been going on since the 1920's.
Linda Denham, Don's sister, is working with the bank to get the pie shaped piece returned back to Don and Della as indicate in the correspondence letter provided by Linda.
Noted by the ZBA: These lots were created before the 5 acre rule came into being. The act of the government created the non-conformity.
It looks confusing but it really is just down to having to be addressed because it is non-conforming and

wants to make changes.
Benak is looking for the ZBA's blessing on this issue.
The Board is looking at the five acre rule.

d. Report on Site Visit: The hill is steep.
e. Correspondence: Two letters received in favor of the appeal.
f. Public Speaking in Favor of Appeal: None
g. Public Speaking in Opposition to Appeal: None
h. Anyone Wishing to Speak on the Appeal Who Has Not Already Commented: None
i. Close Public Hearing on Appeal #A-19-06 at 7:32.
j. Discussion of Appeal: Lake: I can understand what they want to do. The family was born, raised and grew up there. They want to make it right and fair and are putting out a lot of money for surveys to try to make it right. We had a similar circumstance with the family and the land.
Hooper: The non-conformity was created because of a ruling created in the township after the land was divided. It is a pretty easy, basic one to grant because the ruling made it a hardship for the property owner.
Halstead: Believes they are doing the best they can with the situation.
k. Findings of Fact:

1. **Granting the variance will not be contrary to the public interest and will not be contrary to the spirit and intent of this ordinance**.

The Master Plan and Zoning Ordinance encourage respect of property rights, promoting orderly development and promoting and protecting property values.

YES __X___ NO _____

2. **Granting the variance shall not permit the establishment within a zoning district of any use, which is not permitted by right within the district.**

The land use is currently residential and will continue to be used for residential purposes.

YES __X___ NO _____

3. **Granting the variance will not cause any significant adverse effect to property in the vicinity or in the zoning district or the Township.**

Granting the variance will be in harmony with the appropriate and orderly development of the surrounding area and will allow all properties within the vicinity the opportunity to continue their use as historically has been enjoyed.

YES __X___ NO _____

4. **There are practical difficulties on the site which unreasonably prevent the owner from using the property for a permitted purpose without presenting an excessive burden and the practical difficulty is not resulting from any act of the applicant.**

The current parcel layout could be used for their intended purposes – residential. However, parcel 28-13-106-004-01 will require a variance to develop with no road frontage. The ability to reconfigure the lots to allow them to be more conforming seems to be the course of action.

YES __X___ NO _____

5. **The variance will do substantial justice to the applicant, but the decision shall not bestow the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity which may endanger the public health, safety or welfare.**

If granted, the variance will allow for continuance of the rights currently enjoyed – two non-conforming lots becoming less non-conforming. There will be no impacts that may endanger public health, safety and welfare.

YES __X___ NO _____

6. **The requested variance is the minimum necessary to permit reasonable use of the land.**

If granted the variance will allow the properties to be more conforming to current township standards. There are not many opportunities to be able to bring non-conformities more compliant.

YES __X___ NO _____

7. **The practical difficulty is not self-created.**

The actual right of way for Bunker Hill Road helped cause the unique layout and other factors that are not the fault of the applicants.

YES __X___ NO _____

Determining the answers to the seven review standards should give us a well-supported foundation in regards to approving or denying the requested variance; as well as a well-supported foundation in case of an appeal to Circuit Court. Decisions related to zoning are rarely easy and they are not usually a matter of right and wrong. The duties of the Zoning Board of Appeals require a balancing of the needs of the community and the rights of the property owner.

l. Conclusion: We agree with the petitioner

m. Reasons for Conclusion: Based on the findings of fact.

n. Decision: Grant the variance with a requirement of obtaining a survey clearly defining the newly created parcels with appropriate legal descriptions. Also, the ZBA deems these new parcels to be buildable under the Whitewater Township zoning ordinance regardless of minimum lot size in effect at the time an application is made for a land use permit.

o. MOTION by Shaffer, second by Garza, to grant the requested dimensional variance on appeal #A-19-06, with the stipulation to obtain and provide to the township a survey that clearly defines the newly created parcels with appropriate legal descriptions demonstrating any applicable zoning regulations, such as setbacks, are fully compliant. Also, the ZBA deems these new parcels to be buildable under the Whitewater Township zoning ordinance regardless of minimum lot size in effect at the time an application is made for a land use permit.

Upon roll call vote: Halstead-yes; Hooper-yes; Lake-yes; Garza-yes; Bowen-yes; Shaffer-yes; Benak-NA. Motion carried.

Other Matters to be reviewed by the Zoning Board of Appeals

a. Correspondence Received - None
b. Zoning Board of Appeals Members - None

Report of Planning Commission Representative, Hooper: The PC is having a special meeting open house at 6 p.m. and Public Hearing on removing the ordinance regarding Environmentally Sensitive Areas because the county and state have people and entities that address those issues.

Report of Township Board Representative, Benak: N/A

Report of Zoning Administrator, Hall: None

Public Comment: None

Next regularly scheduled meeting will be October 24, 2019, if it is necessary.

Adjournment: 7:49 p.m.

Respectfully submitted by Recording Secretary, Lois MacLean

Whitewater Township
Parks and Recreation Advisory Committee
Regular Minutes for Monday, October 14, 2019

Call to order 7:02 p.m.
Roll Call: Butler, Hubbell, Leach, Melton, Slopsema
Absent: Cosgrove
Also in attendance Clerk Goss and Angela Keas
Set / Approve Agenda: Set
Declaration of Conflict of Interest: None
Public Comment. Phil Knapp, 8784 Palaestrum, Update, regarding covering over the wetland of the Lossie Trail, about 220 feet of the wet area. The permit includes engineering and we (the Knapps) will cover that also. Neil Schock of EGLE, said it could take 90 days to get the permit once the application is sent in then we have up to 5 years to complete. Knapp notes that he does not want to pay for a culvert. He has been walking the trail for years and does not see that the culvert would fit the need of what is there. Phil feels that the four wheelers would still be able to use the trail if it had a culvert not a board walk with wings on the ends of the walk. This is a unique three mile trail, it is in the woods with a brook trout stream and I think that people could really enjoy this trail. Cheryl notes that the township does not have a MiWaters account yet. Brandon is familiar with working with the MiWaters website. Possible Land Conservancy people could help. There will have to be all of the permits through the township, county, and DEQ. This is considered a commercial project.

Approval of minutes:
Motion to approve minutes of September 9, 2019, Leach by second by Hubbell. On voice vote, all in favor. Motion carried.

Reports/Presentations/Announcements/Comments/Correspondence:
Angela Keas of InMotion Chiropractic. What is happening in Whitewater? Connecting with nature? Get people moving.
Committee notes: We have about six miles of natural walking trails. We do have a long term plan for the Hi Pray Park that includes a walking trail around the whole park and ball diamonds.
Wild life and nature.
Keas: Options for the community to be able to get moving in the winter indoors. Yoga for the elderly. Millbrook is right here. Are there buildings / rooms available to the community at the local church or the local school? There is not a centralized information system out here in Williamsburg. InMotion has a Cherryoga class that is focused on the beginner and the elderly. Possibly connect with the school to open it to walking on specific nights of the week.

Unfinished Business:
1. Follow up on projects:
Cheryl has the electrical work and osprey nest removal lined up to be taken care of at Hi Pray Park. The pitching machine will be all ready to go in the spring. The county is finally ready to sign off on the batting cage after our zoning administrator signs off on it.
2. WTP Trails upgrade signage: Melissa: presentation of park trail numbering with distances designated.

3. Hi Pray Dug outs: Goss checked with Icon Dugouts. Mark Pressell will look at the drawing and see if it meets the GTC snow load requirement. Will look into having a local builder and engineer do this project. Melton supplied a picture of a fence dugout which may be a much more reasonably priced option. Goss will check with Apple Fence and

Perfect Fence.
Feel like we can do a lot better price-wise than the originally planned $20,000.

The lower field dugouts have been cleaned and painted by a young lady who wanted to do it as a community project. They will also put in helmet hooks and bat holders. The little league used the fields a lot this last year and they are anticipating a lot of use next year.

4. Lossie Trail bridge board walk discussion during public comment. Going through EGLE is a very lengthy process.

5. Battle Creek Natural Area trail: Linda: No trail to the lake runs next to the property owner's lot line. Melissa walked the trail area that had been mowed. Discussion of signs and colors.

Cheryl will investigate with 360 Signs. Melissa will get information to the Cheryl.
New Business:
1. Resolution PRAC19-02 to change the regular meeting date in March 2020. Change to March 16, 2020.
Motion by Butler, second by Leach to change the meeting date to March 16, 2020. On roll call vote: Butler-yes; Cosgrove-NA; Hubbell-yes; Leach-yes; Melton-yes; Slopsema-yes.

Next regular meeting: November 11, 2019. Agenda: Follow-up on projects

Public Comment: None Adjournment: 9:45 p.m.
Respectfully submitted,
Lois MacLean
Recording Secretary

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
December 4, 2019

Call to Order at 7:01 p.m.
Roll Call: Dean, Hooper, Jacobson, Lawson, Mangus, Savage
Absent: Render
Also in attendance: Recording Secretary MacLean
Set / Adjust Agenda: Set

Declaration of Conflict of Interest: None.
Public Comment: Loraine Ehle, 268 Island View Dr., 5 acre, as a property owner against changing, birds and animals in the area, loss of trees, higher density, soil erosion, creates traffic concerns, 253 listings under 10 acres for sale. Average cost of building a home $95-$135 sf. Urge the PC and board to not reduce the lot size in Whitewater Township.

Public Hearing: None
Approval of Minutes:
MOTION to approve November 6, 2019 Regular Meeting Minutes by Savage , second by Lawson, a amended .
All in favor. Motion carried.

Correspondence: None.
Reports:
Zoning Administrator Report,Hall: RLUPA, Clinton Twp., was caught treating a church differently than other uses.
PC intents to plan, review of the Master Plan notices will be going out on 12/05/2019 by the ZA. Will supply a check list for the Master Plan including ZA notes. A plan for the whole township.
Anyone interested in the Planning and Zoning subscription – let Bob know.
Up to date on permits.

Chair's Report, Mangus: It has come to my attention, despite our best efforts, the amendments that have been made in the last year, that have been completed through the Board, have not been updated in the zoning ordinances that are available to the public, to the ZA or to the PC or the Board. Will be working diligently on that to get updated information into all of the copies. Would like to present a letter to the Board for their January meeting, from the PC Chair or from the Board representative, Lawson. Savage notes a time-line needs to be established. Incorporate into the PC By-Laws.
Township Board Rep., Lawson: The Board repealed of the Private Road Ordinance, #32.
ZBA Representative, Hooper: No meetings.
Committee Reports: None.
Additional Items: None.

Unfinished Business

1. Survey – Outreach survey completed but the board did not feel comfortable with the time to include in the December Newsletter. Publish in the ER News, TC Record Eagle, email blast, postcard, flyers on local bulletin boards for the open house that will be at 6 p.m. before the January meeting. Consensus to do notices in the local paper(s), email blast and community calendars.
2. Site Condo Standards went to the board for their meeting on the 10th. They will likely be sent to the attorney.
3. Master Plan (MP) review, process, timeline and missing items. Bob will have a check list for us, discretionary and mandatory items. The goals and objectives are the bulk of the MP.
   Tentative time line: It will depend on what we get back from the ZA. Bob notes that it generally takes six to nine months to complete the review. We can have PC work sessions and subcommittees for MP review work only.
   A zoning plan should be included in the MP. Need more definition of items such as "preserve rural character", it means different things to different people, different communities.
   Will set up a schedule to address specific items.
   Address a couple of the maps right away as they may take additional time. We can work with GTCounty GIS.

New Business:

1. Projects for 2020:
   Last year the board asked us to work on more zoning ordinances while they worked on the recodification.
   The Board has solicited our input on the RC District.

We had previously been working on the Ag District, Supplemental provisions, temporary uses and Article 1 (where the PC gets the authority).
The MP seems to be the most pressing thing that needs to be done. Focus on the MP.

2. Five Acre zoning in the RC District – direction, outreach plan, survey and report requested by the Board. The Board has requested a pros and cons list of various lot sizes in the RC district. They are looking for the PC to give them input on the 5 acre zoning in the RC District by their February meeting.
   Hooper notes that he wants community input. Was really looking forward to the input of the survey.
   We had previously discussed a couple things that we had decided on how we wanted to gather information from the community. Dedicated survey and open house.
   Research the number of acres, number of lots, number of land owners, etc.
   Conflict of interest has been brought up to the Board.
   Develop a plan to address the request of the board.
   The PC is the deliberating body on zoning.
   We do not know what the Board wants to do with the PC opinions they are requesting.
   The assessor will be able to get the basic information. Build out analysis information. Factual information.
   The PC requested that the attorney look at the legal basis of the five acre issue and the PC needs to be able to see the attorney opinion.
   If it wasn't done properly it needs to be done properly.
   Start with community input. Property owners, adjacent property owners and township as a whole.
   Process of coming up with the pros and cons.
   Send a progress update to the board.
   Survey and build out analysis sent out with core basic information.
   Survey is necessary to get the information to the board that they are requesting.
   Open house / town hall meeting.

3. 2019 PC Summary, year-end report, Chair's report.
   Some items are pending, sitting on the shelf.
   R1, R2, R3, waterfront, accessory structure definition, private road ordinance, environmentally sensitive, stand-alone structures, ADUs, condominium standards, Ag, temporary uses, event barns.

Next Regular Meeting is scheduled for January 8, 2020.
January 8, 2020, at 6 p.m. will be an open house
Regular meeting agenda items: Survey; MP maps; Time line of when amendments and updates are completed; Review of By-Laws; by-laws on process of amendments and public input; election of officers; 2020/2021 Meeting Schedule.

Public Comment: John Mater, 464 Island View Dr., lots of disconnect between the board and the PC. Attended a lot of meetings during the MP. 70+% is public land. 100 residents around the lake. Thought the legal opinion was that it was handled properly and it would stand up in a court of law. Benak has been trying to get rid of this from the beginning. She is the one who has been pushing. You can send an opinion to the board that you want to leave it. You can do a survey. Who is really pushing this? We are getting retirees not young families. We had 7 properties sold this past year. The money is coming up here. There are plenty of properties for sale. The area is in need of a lot of homes. There are a lot of property owners down there that want it to stay the same. We don't want a housing development.

Ron Bachi, 6987 Cook Rd., I don't see anyone that wants the splits. To Mickey, we haven't always seen eye to eye but I am begging you to please come back to the PC. Transparency and accountability: the PC has made leaps and bounds. Seems to be a lot of micro-management on the board level. There is one person in control on the Board. The micro-management needs to stop. Team work. We need to delegate, work together. Event Barn survey it was an overwhelming big NO. I've seen lots of people and heard lots of people say no event barns. There is no one pushing for one but lots of people pushing against. Open houses: listen to public concerns. My hope is that it is not used as a tool to check off the list. People have lives, they cannot always make it to a meeting.

Gerard Engler 240 Island View Dr., A couple ideas, the open house, I would do a postcard with bullet points. Most of the people do not look at the papers. Do what is effective. Five acre: the board wants you to give them the pros and cons. There are no pros, there are a lot of cons. Who is requesting this? Who is driving this? How do you conduct a survey?

How does changing the RC1 fit in with the MP? It needs to be very well spelled out or you will get inaccurate information. Thank you.

Ron Rebant, 648 Island View Dr., I sit on boards so I know the agony you go through trying to make everyone happy. Don't ever underestimate the information you can get form the people. I am concerned with the relationship between this commission and the board. Your board is not engaging. We all love it at Island Lake. We don't understand what could happen on the property next to us. We haven't heard anything we like except 5 acre lots. If the PC doesn't stick with the 5 acre lots we will see you in court.

Tom Packer, 212 Island View, we want the survey to go out to the public.

Commission Discussion/Comments: Lawson: Point out that this year is a census year and it is very important.
Mangus: Please try to understand that we are genuinely going to represent all of the community (the best we can). There has been a long standing situation in this community where people do not speak up without being scared.
Savage: If you can, get enough people to purchase even a part of the property.
Hooper: Who is pushing this? No one has been pushing it. We have been looking at this for 15 years.

Continuing Education: Planning and Zoning News: Let Bob know.
Adjournment: 9:32 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

Whitewater Township
Parks and Recreation Advisory Committee
Regular Minutes for Monday, December 9, 2019

Call to order 7:02 p.m.
Roll Call: Butler, Hubbell, Leach, Melton, Slopsema
Absent: Cosgrove, Leach
Also in attendance Clerk Goss
Set / Approve Agenda: Set
Declaration of Conflict of Interest: None
Public Comment: None

Approval of minutes: Postpone to January.

Reports/Presentations/Announcements/Comments/Correspondence: Newsletter: Nice article about PRAC. The township received a $200,000 Water Ways Commission grant to increase the capacity at the park boat launch. Ideally, construction would begin shortly after Labor Day and be completed in the fall. There are many steps that must be completed for the DNR. Discussion of proposed project.

Unfinished Business:
1. Trail signs: WTP, Lossie, BCNA: WTP: Generic map with the number at the top of the post. Trailhead sign for the beach trail. UV protection, Image 360. Melissa will send the lists to Cheryl to get the signs ordered. Kiosks for Lossie Trail. Park rules signs. No motorized vehicles signs.
BCNA: entrance sign.
May be able to get the signs purchased in this fiscal year.

2. Hi Pray Park Dug outs: Need good estimates / quotes for budget. Research needed.
   Research tennis backboard.

3. Batting Cage: Complete, ready to be used in the spring. Google calendar.

4. Lossie Trail walk cover project: No update.

Next regular meeting: January 13, 2020. Agenda: Follow-up on projects; 2020/2021 meeting schedule; election of officers; batting cage rules, calendar, usage and lock; 2020/2021 budget

Public Comment: None
Adjournment: 8:51 p.m.
Respectfully submitted,
Lois MacLean
Recording Secretary

Approved 1-8-2020 JB

Whitewater Township Historical Society

Minutes of the Meeting held on December 11, 2019

Call to Order:

-Meeting was called to order by Snider at 7:14 pm, at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690.

Roll Call:

-Members Present: Birks / Yes, Snider / Yes.

-Members Absent: Lake

Set / Adjust Agenda:

-No Changes

Approval of Minutes:

-Birks made the motion to approve the November 13, 2019 minutes and Snider seconded the motion.

-All in favor for approving the November 13, 2019 minutes: 2 / Opposed 0

Motion Carried

Public Comment:

-None

Correspondence:

-None

Unfinished Business:

-Discussing what new information that Snider has been finding in the files, regarding a lot of information on the Indians from our area, and also information on our earliest settlers.

New Business:

-We were discussing what items we would be talking about in the spring, at the presentation for the archeological group that Roger Birks belongs to. They are wanting information on Mable, Barker Creek, Indian Trails from around the area, and also St. Mary's of the wood in Barker Creek.

Public Comment:

-None

Adjournment:

-Birks made the motion to adjourn the meeting and Snider seconded the motion.

-The meeting was adjourned by Snider at 8:20 pm

Respectfully Submitted,

Luann Snider

Historical Society Recording Secretary

Grand Traverse Sheriff's Office Citation, Accident & Arrest Statistics

January 2020

Location	Citations	Traffic Crashes			Arrests		Traffic Crash Totals
		Fatal	PIA	PDA	OWI	Criminal	
01 Acme	20	0	0	22	0	4	22
02 Blair	25	0	4	21	2	23	25
03 East Bay	58	0	0	33	1	7	33
04 Fife Lake	1	1	0	4	0	1	5
05 Garfield	109	0	8	84	6	80	92
06 Grant	1	0	0	6	0	2	6
07 Green Lake	10	0	1	15	0	2	16
08 Long Lake	5	0	3	16	2	10	19
09 Mayfield	1	0	2	7	1	1	9
10 Peninsula	1	0	0	8	1	1	8
11 Paradise	5	0	1	10	0	5	11
12 Union	2	0	0	3	0	0	3
13 Whitewater	2	0	0	9	0	0	9
29 Fife Lake Vlg	1	0	0	1	0	0	1
30 Kingsley Vlg	3	0	0	2	0	3	2
66 Traverse City	4	0	0	0	0	90	0
84 Out of County	0	0	0	0	0	26	0
Totals	248	1	19	241	13	255	261

Ticket stats are based on what District Court has entered as of 2/04/20.

Arrest stats are as of 2/04/20.

Greetings and Happy New Year. I am here tonight as a concerned resident to express strong opposition to any ordinance that would allow an Event Barn commercial business to operate on agricultural land. By any measure, the results of the Event Barn survey were overwhelmingly negative, and showed serious concerns that our residents had about what the increased traffic, drunk driving and noise would do to our safety and quality of life.

The original push behind this initiative was to provide opportunities for farmers with suitable, existing structures, to generate supplemental income. With that being said, I am unsure why these farmers have not stepped forward and publicly asked for this. It makes me wonder if this is really about farmers and preserving historic barns after all.

Meanwhile, there are property owners across the road from me who have been saving the original barnwood from a structure they took down... for what purpose? To wait for an ordinance that would provide a financial incentive to build a brand new event facility, slap the old wood on top and declare that the barn has been "lovingly restored" and is now open for business? At what cost? The safety and quality of life of neighboring residents?

My family, and many others in our community, chose to live here because we value the peace, quiet, safety and rural character. Tonight, when you discuss next steps on the event barn survey results, I urge the members of the township board to listen to the voices of our residents and abandon this ordinance.

Dee Prabhaker

6925 Cook Road

Ron Popp

From: Deepak Prabhaker <dprabhaker@erschools.com>
Sent: Tuesday, January 14, 2020 10:17 AM
To: Ron Popp
Subject: public comment for tonight
Attachments: Event Barn Response.pdf

Mr. Popp,

I've attached a public comment from a colleague of mine who is hoping to attend tonight's meeting, but has documented his comment in case he is unable. In case he is unable, I am wondering if I could be permitted to read it aloud, or if a board member would do this?

Regards,
Dee

January 14, 2020

Whitewater Township Board
PO Box 159
Williamsburg, MI 49690-0159

Dear Whitewater Township Board:

After reading the results of the event barn survey and speaking with others in the community, I find myself debating the costs and benefits of this issue. At face value, I am in favor of an individuals right to creatively seek ways to generate income on their property. The nature of a farmer's land is especially conducive to event style gatherings. These types of gatherings are also gaining in popularity, which creates a demand for event locations. I do feel that it is the right of a farmer who wishes, to supplement their farming income by holding events like these within reason.

However, fallow or minimally worked land marked for agricultural purposes being used for the sole or majority purpose of hosting events does not to me fit the intent of it's zoning and is working instead for commercial purposes. It seems unfair then, that residents living in proximity to these potential event barns, who purchased their property for the rural character and safety it provides and who based on zoning classification assumed these qualities would persist, should see these qualities infringed upon or diminish for the purposes of allowing commercial event barns a work around.

To be clear:

- I am in favor of individual landowner rights
- I am in favor of farmers supplementing their income through the use of their structures to host events highlighted by the rural character of this area.
- I am not in favor of commercializing our rural qualities for the sole purposes of event style gatherings
- I am not in favor of infringing upon township resident rights to enjoy the rural qualities they expect and are deserved.
- I am not in favor of commercially purposed event barns operating on agricultural land. (I would define commercially purposed event barns as land with structures that generate a majority of their income through events or gatherings.)

To ensure that the rural character of this township is preserved in the future, I would hope (and maybe it is?) that supplemental income generated through special events on agricultural land is capped at a percentage of a landowner's agricultural profit. This would serve to dissuade potential investors from purchasing agricultural land with the intent of converting its operations to events and gatherings solely.

I understand this is a complicated and sensitive issue and I do feel that there is a good compromise here somewhere. Thank your for hearing my concerns.

Paul Wiemerslage
5050 Lackey Rd.
Williamsburg

Ronald Bachi 6987 Cook Rd. Please attach to the minutes, verbatim.
I would like to wish a Happy New Year to the board and the citizens of Whitewater Township. Tonight, we discuss the Event Barn Survey results. Concerns I have with the origin of the survey. The fact that our elected Supervisor was not part of the creation of the survey, is troubling. Mr. Popp was away on medical leave, and the survey couldn't wait one more month, but then it took five months for the results.

The front page of the survey shows a barn, it states that event barns are agricultural barns. First question: In what area of the Township would an event barn be most suitable? Are you kidding me? That's a leading question. Yet, the majority of residents didn't buy into it, they answered right, they said commercial. They ask the question, have you attended an event barn? The question should be, how would you like to live next to an event barn? As I read the Survey, it's the comment sections that had the most impact on me. It' fairly obvious that people were passionate about how they felt toward event barns.

Its not just slanted, instead its overwhelmingly negative against event barns. If you can't see that, you either can't read or you need new glasses.

But I don't want to talk about the survey right now, I want to talk to you what this is really about. Its about the commercialization of our agricultural and residential districts. Its about big business in our back yards. In 2016 an individual bought a large chunk of land between M 72 and Cook rd. for just under 2million dollars.

Shortly after purchase they began to go through the steps that would allow them to build an Event Center on that land. Here's the question of the day! Why would they purchase a piece of land for that price with the intent to put an event center on it, when In White Water township, the zoning ordinance does not permit event barns anywhere. Were promises made, did someone say this could happen.

Here's what I know. This situation was never about the farmer, this was always about Special Interest-Big Business. This is just fine and dandy for the purchaser of this property. Not so much for the Whitewater residence that surrounds it. They need just one thing to make this happen, A white water town ship Event Barn ordinance. Is the Board, at all cost' willing to provide them with an Event Barn ordinance.
If this was to happen, it would be the beginning of the end of Whitewater Township as we know it.

I have gotten to know this board, pretty well over the last 18 months. Trust me on this one, don't get caught drinking their cool aid.
The Board knows there is a lot of pushback from the community on this issue, so they may take a different angle of persuasion.
They know that the Whitewater Township residence don't want the event barn ordinance, their next play will be scare tactics.
They will try to convince you that we need an event barn ordinance, to protect us from exactly what they are trying to bring to our township.
They will try to convince you that we need to be proactive with the event barn ordinance, so we can make the rules. Don't fall for this, not even a little bit.
Then they will try to make you feel guilty about the farmer.
The Whitewater farmer is an important staple of our community,
I appreciate and respect what the farmer does for our community
A commercial event barn is not part of agricultural farming operations under' The Right to Farm Act.
And let's not forget about agritourism. The event center, that provides alcohol, music, and entertainment to large volumes of people, repetitively should not be confused with the corn maze or hayrides, or farm animal education. They are clearly different.

In conclusion, the event barn pushback is real. Presently I have hundreds of signatures against the event barn ordinance. And that number grows daily. Here is a statistic you can take to the bank. 99%

of the residence that were approached signed the petition against the ordinance that would allow Event Barns or centers as a special use within the agricultural or residential districts.
People have showed up against the Event barn ordinance at meetings, in letters, through publications and now with the survey. The court of public opinion has spoken, are you listening? We the People of Whitewater Township demand to be represented by you, the board. Abandon the Event Barn ordinance.
Thank You.

DRAFT MINUTES

Whitewater Township Board
Minutes of Regular Meeting held January 14, 2020

Call to Order/Pledge of Allegiance
Supervisor Popp called the meeting to order at 7:02 p.m. at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan, followed by the Pledge of Allegiance.

Roll Call of Board Members
Board Members present: Treasurer Benak, Clerk Goss, Trustee Hubbell, Trustee Lawson, Popp
Board Members absent: None
Others present: County Commissioner Gordie LaPointe, Fire Chief Brandon Flynn, Deputy Treasurer Lois MacLean, Planning Commission Chair Kim Mangus, Deputy Supervisor Ron Bachi, and 21 others

Set/Adjust Meeting Agenda
There were no adjustments.

At Popp's request, a moment of silence was observed for the passing of Linda Cosgrove, wife of Tom Cosgrove, member of the Parks & Recreation Advisory Committee.

Declaration of Conflict of Interest
None

Public Comment (9:14)
Ronald Bachi, 6987 Cook Road, read from a prepared statement in opposition to event barns. (See attachment.)

(14:34)
Janet Bachi, 6987 Cook Road, spoke in opposition to event barns.

(19:53)
Popp notified Janet Bachi that her five minutes were up.

(20:44)
Heidi Vollmuth, 8371 Winnie Lane, spoke in opposition to an event barn ordinance.

(24:45)
Kate Glancy, attorney, said she is representing a group of concerned property owners from Whitewater Township. She listed their concerns and their request that the board not make this change tonight unless further study and investigation has been done.

(26:27)
Dee Prabhaker, 6925 Cook Road, read from prepared comments in opposition to an event barn ordinance. (See attachment.) He also read from prepared comments of Paul Wiemerslage, 5050 Lackey Road, in opposition to event barns.

(30:29)
Bob Campbell, 8886 Skegemog Point Road, spoke in opposition to event barns.

(33:51)
Bob Reider, 9435 Fairview Road, spoke in opposition to event barns.

(34:48)
Ryan Stibbs, 9675 Old M-72, spoke in opposition to event barns and proposed that another survey be done.

Public Hearing (38:04)
None

Reports/Presentations/Announcements/Comments (38:08)
County Board of Commissioners Report
Gordie LaPointe gave the following report:

- They finalized the budget. They maintained their commitment of putting $7 million toward the pension deficit at a minimum. They made a commitment to have a fund balance of 25%. The $1.3 million excess at the end of the year was committed 50% to pension, 25% to budget stabilization fund, and 25% to a capital fund. They committed $7.4 million to the defined benefit pension.
- Regarding the jail, it was built in the 1960's, it is inefficient to operate, and they always are running a deficit in the number of corrections officers. He is hoping the county board will take action this year to remedy the situation. He is very impressed with the new captain who runs the jail, Captain Barsheff; he is always available to the board to explain what is going on. They have done a number of things within the budget to improve things.
- They are looking at combining the clerk and register of deeds' offices. They have asked the county administrator to look into the feasibility and the pros and cons. He does not see the willingness on the board to do it, but they will go through the exercise.
- Airport governance continues to move along, looking at changing the governance from a commission to an authority. There are a lot of pros and cons on both sides. The articles of incorporation are outdated. It was done when Traverse City was a part owner. Since then, the county bought them out. There are huge gaps in the document that governs the airport. Grand Traverse County owns 85%; Leelanau County owns 15%. He explained some of the issues.
- TIF 97 is still motoring along. They are looking at ways in which they can apply some pressure to the city to not allow an extension for another 14 years beyond the expiration. There are a couple ways in which they may have some leverage to cause the city to discuss it.
- Pugsley has fallen apart. However, the gun range will go ahead.
- In their last meeting, there was talk about the board agreeing to refugee residency. They cannot relocate in a community unless the local jurisdiction has given approval. Bethany Christian Services sponsors this, which affects a half dozen people or so. There was a 7 to 0 vote of approval. They come under refugee status. They get vetted and they get reviewed and inspected every year. It is a very worthwhile program and is small scale.

There was brief discussion of the airport governance topic.

County Road Commissioner Report (49:18)
No one is present from the Road Commission.

Mobile Medical Response Report (49:25)
No one is present from Mobile Medical Response. December activity reports were provided.

Fire Department Report (49:31)
Brandon Flynn gave the following report:

- It was an uneventful month. Some training sessions were skipped because of the holidays.
- He attended a town hall meeting put on by the State Fire Marshal to talk about the new Public Act 291 which will regulate all firefighter training. The state is going to require continuing education credits for firefighters. He thinks the township is ahead of the game since they got Target Solutions last year. It may have negative effects as far as the time commitment for new recruits. It will probably take effect later in the year.
- He applied for a Volunteer Fire Assistance Grant through the DNR and received a 50% match grant in the amount of $4,000 to replace their wildland firefighting gear. He explained the need for this type of personal protection equipment and how it will be used.

There was brief discussion of the new pumper tanker. The chassis is in and they are finalizing some of the details before they get the body in.

Planning Commission Report (54:36)
Lloyd Lawson gave the following report:

- The PC had a meeting on 1/8. Before the meeting, they had an open house. A lot of people turned out and there was a lot of discussion back and forth. Their regular meeting started a few minutes late. They discussed the turnout being good. This is something they are probably going to plan on doing four or five times a year.
- They discussed reviewing the RC district. There was also discussion of possibly putting together a subcommittee to maybe lay out the pros and cons and then bring it back to the PC with recommendations. Their timeline is possibly June having it all done. Originally, the board was talking about February, but they do not see getting all the information together by then.
- They did not review their bylaws. It was pushed off to the next meeting. They elected officers, Mangus chair, Dean vice chair, and Jacobson secretary.
- The PC asked about codification, which is on the board's agenda tonight.
- They made a resolution on meeting dates.

There was discussion that Mickey Dean was going to step down but changed his mind. Popp asked about bylaws and board approval. Lawson reiterated that bylaws were moved to the next meeting.

Parks & Recreation Advisory Committee Report (57:47)
Cheryl Goss gave the following report:

- The committee met last night; 4 members and 1 alternate were present; 1 member was absent.
- Chet Grant was present and spoke with the committee during public comment about the status of Lossie Trail.
- Minutes were approved for their 10/14 and 12/9 meetings. The November meeting was cancelled.
- The committee adopted a resolution setting their 2020/2021 meeting schedule and elected officers.
- Goss provided an update about trail signs, namely, that Image 360 has been provided with some information about the trails at Whitewater Township Park and they have been asked to do design work for trail signs. It will be a design that is unique to Whitewater Township and will be used at other parks.
- Linda Slopsema reported on some recent extensive damage to the Lossie Road Nature Trail from vehicular traffic and provided pictures. The committee agreed that they will get and install two "Motorized Vehicles Prohibited" signs on T posts until more substantial signs and posts blocking vehicular traffic can be installed in the spring. Vehicle tracks in the snow were present coming from the Vannest property to the north of the Cook Road entrance. Slopsema suggested that letters be sent to adjacent property owners reminding them of the non-motorized status of the trail.
- Regarding the Hi Pray Park dugout project, Slopsema and Goss met last week with David Capser of Fleis & VandenBrink to talk about this project. They were invited to submit a variable proposal for some or all of the project. The proposal is supposed to be available later this week.
- Regarding the batting cage usage and rules, it was decided that it will be booked in 1-hour increments. Hours of operation were not decided upon. More information will be sought. The committee did come up with an initial set of rules.
- Elk Rapids Youth Baseball recently received some grant funds which they would like to share with the township, and the committee suggested asking them to purchase a live pitching protective screen. Goss will transmit that request to Elk Rapids Youth Baseball.
- Regarding the tennis backboard, Melissa Melton got more information about the cost of this structure for budget purposes.
- The meeting adjourned at 9:27 p.m.
- The committee wanted Goss to ask the board if they are agreeable with letters going out to adjacent property owners reminding them of the nonmotorized status of the trail.

Discussion followed. There was no objection from the board to the letters.

Goss will draft the letter and send it to all adjacent property owners.

Consent Calendar (1:01:45)

Receive and File

1. Supervisor's Report for December 2019
2. Clerk/Parks & Recreation Administrator's Report for December 2019/January 2020
3. Zoning Administrator December 2019 Staff Report
4. Mobile Medical Response December 2019 Activity Reports

5. Fire Department December 2019 Report
6. Historical Society December 2019 Report
7. Approved 10/02/2019 Planning Commission Special Meeting Minutes (with footer date correction)
8. Approved 11/06/2019 Planning Commission Minutes
9. Approved 11/13/2019 Historical Society Minutes

Correspondence

1. Grand Traverse County Sheriff Department Statistics for December 2019, 4th Quarter 2019, Year-To-Date 2019
2. Public Comment 12/10/2019 Dee Prabhaker re: Event Barns
3. E-mail 12/10/2019 John Nolan re: Constructive Criticism
4. Letter 01/06/2020 Paddle Antrim re: Capital Campaign Goal

Minutes

1. Recommend approval of 12/10/2019 regular meeting minutes

Bills for Approval

1. Approval of Alden State Bank vouchers # 44788 through 44888
2. Approval of First Community Bank Miami Beach vouchers # 1262
3. Approval of First Community Bank WMDLS voucher # (none)

Budget Amendments (none)

Revenue & Expenditure Report 12/31/2019

Referring to the expenditure for publishing the synopsis of the 11/12/2019 meeting, Popp stated he would like to remove this item as it was not carried out in accordance with state law. The clerk is supposed to prepare it and provide it to the supervisor for approval.

Discussion followed.

Motion by Lawson to adjust the Consent Calendar accordingly as stated.

After further discussion, **Popp said there is a motion made, and he will second it, to amend the Consent Calendar Bills for Approval to remove the Traverse-City Record-Eagle payment for synopsis of the 11/12/2019 meeting.**

Goss noted that the motion was Lawson's **motion to adjust the Consent Calendar accordingly as stated.**

Popp stated he will second that.

In response to Hubbell's question, Goss noted it has been paid.

Roll call vote: Benak, no; Goss, no; Hubbell, no; Lawson, yes; Popp, yes. Motion failed.

Motion by Goss to approve the Consent Calendar as presented; second by Benak. Roll call vote: Goss, yes; Hubbell, yes; Lawson, no; Popp, no; Benak, yes. Motion carried.

Unfinished Business (1:10:29)

Miami Beach Sewer System Transfer (Verbal Update)

John Nolan and Tom Slopsema are present.

Goss provided an update concerning the documents, i.e., Transfer Agreement, Bill of Sale, Easement Agreement, and two Warranty Deeds, and stated she sent an e-mail to Attorney Patterson with the updated documents, asked him to provide the deeds, if there is anything else the board needs to do before the documents are signed, and whether it should be done by motion or resolution. Goss is expecting an answer by the end of the week and expects document signing will take place at the February meeting.

Proposed Revision of AP&P Section 2.6 Independent Contractor Agreement (Nov 2019) (1:13:16)

Motion by Benak to adopt the proposed changes to Whitewater Township Policies and Procedures Manual, Section 2.0, Township Board Administration, to include Section 2.6(a) and 2.6(b), as written; second by Lawson.

Goss proposed the following changes, all of which were agreed to by the board:

- Page 88, first line of paragraph 2.6(b), strike the word “non” in the phrase “non contract labor . . ..”
- Page 88, third line of paragraph 2.6(b), strike "shall be used when such labor needs arise." Instead, insert "is a starting point. All independent contractor agreements shall be reviewed by the township attorney prior to finalization."
- Page 88, paragraph 1 under Instructions for Use, the words “only as needed” should be underlined to comport with the attorney’s version of the template.
- Page 89, middle of the page, where it says, “Note: Material in brackets and italics is optional or must be completed depending on the contract or use involved,” the words “optional or must be completed” should be underlined to comport with the attorney’s version of the template.
- Page 89, below paragraph 1, Services To Be Performed, a blank line should be inserted after “The township engages IC to perform the following tasks or services” to comport with the attorney’s version of the template.
- Page 89, the last 4 bracketed lines on the page should be italicized to comport with the attorney’s version of the template.
- Page 90, Terms of Payment, in the last line concerning verification, add “clerk or treasurer” after the word “supervisor.”
- Page 90, insert a blank line after paragraph 3 to comport with the attorney’s version of the template.
- Page 90, insert a blank line after paragraph 4 to comport with the attorney’s version of the template.
- Page 90, in paragraph 7, the bracketed material in the second bullet point should be italicized to comport with the attorney’s version of the template.

- Page 91, under Liability Insurance, the per occurrence limit will be reduced to $500,000.
- Page 91, paragraph 10 is a bracketed paragraph and should be italicized to comport with the attorney's version of the template.
- Page 91, paragraph 12, the bracketed words "[or immediately upon completion of the services/project]" will be italicized to comport with the attorney's version of the template.

Benak amended the wording of her motion from "as written" to "as amended." Second by Lawson.

Roll call vote: Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.

Proposed Amendment of GO #40 Fire Prevention Code (Dec 2019) (1:40:00)
Ordinance 40 needs to be updated to remove references to Rural Fire, to cite a newer version of the International Fire Code, etc.

Brief discussion followed.

Motion by Popp to authorize Fire Chief Brandon Flynn to generate a new fire prevention ordinance with fee schedule, including legal review of proposed ordinance for township board approval; second by Benak. On voice vote, all those present voted in favor, none opposed. Motion carried.

Event Barn Survey - Next Step (Dec 2019) (1:46:00)
Popp asked the audience to be patient and allow the board to have their discussion, after which he may ask the board to entertain anyone wishing to speak.

The following points were discussed:

- When Question 1 is tabulated on the basis of how many are opposed or not opposed to event barns, 78 respondents chose "opposed to this type of development in any district." 312 respondents selected one or more of the other choices.
- Benak offered to do the same tabulation in Excel and provide it to the board, as well as other information that can be extrapolated.
- Despite criticism about the survey, there is a lot of good data. Future surveys should not be tainted because somebody does not like the results and they are going to bash it. The survey itself did not do anything wrong. The numbers are the numbers.
- Goss debunked the earlier public comment assertion that Popp was not involved in the survey and provided detail as to his involvement from beginning to end.
- Popp argued that 68.7% answering other than "opposed to this type of development in any district" does not mean approval, stating Question 1 was not designed in that context.
- Responses to Questions 7 and 8 were discussed.

(2:02:16)
Goss noted the excessive chatter going on in the back of the room, making it difficult for others to hear, and asked Popp to quiet it down.

Popp asked that everyone be respectful and make their notes.

- Discussion of survey comments continued.
- There was brief discussion of special use permits and use variances.
- Benak acknowledged there is a specific group of people who do not want event barns, and she understands why. Benak said she wants to do what is right; she wants to give the planning commission all the information they can possibly use to make good recommendations back to the board. The board said they were going to do a survey, gather information, look it over, and then decide what we were going to do with it. She thinks it needs to go to the planning commission for them to go over the material, and stated she did provide the survey to the planning commission. She would like to see it go to them, do what they are supposed to do with stuff like this, and then make recommendations. She would not like to see this board be the one that makes the choices on it until after it has been fully vetted.
- Goss asked Benak to tabulate the survey for the opposed/not opposed and add that to the survey results, as well as the other items Goss tallied, and then post revised event barn survey results.
- The statistics on the Additional Comments section were discussed. Benak noted that the negative comments are coming from the "not in my township."
- Benak offered that she will sit down with anybody and have them look at it (the surveys).
- Popp suggested, before any additional public input is garnered, we should define what this thing is and where we think it should be located.
- Benak agreed it is a perfect time to turn it over to the planning commission to see what they recommend.

Motion by Benak that we turn this event barn question over to the planning commission and ask them to take it up, using the results from the survey, to give us a recommendation moving forward; second by Hubbell.

Goss reiterated her request that Benak add the opposed/not opposed tabulation to the survey results.

Lawson does not feel the planning commission will take up this topic until summer.

Benak agreed to do the tabulation.

Lawson will take it back to the planning commission.

There was brief discussion regarding zoning of parcels which does not match the use.

The board declined to hear further comments from the audience.

The motion was re-read: **Motion by Benak that we turn this event barn question over to the planning commission and ask them to take it up, using the results from the survey, to give us a recommendation moving forward; second by Hubbell.**

There was agreement that the board is not limiting the planning commission's research to the survey results.

Roll call vote: Lawson, yes; Popp, yes; Benak, yes; Goss, yes; Hubbell, yes. Motion carried.

New Business (2:19:32)

Ordinance Recodification Proposals - American Legal, General Code, Municipal Code

Benak created a comparison chart of the items she looked at in the three codification proposals and provided copies for the board and public.

Lawson commented that, from the original proposals to now, there are a lot more internet available products they handle. Some of the services provide complete website service; some do just links, and suggested the board needs to figure out where we are going with that. Are we going to duplicate services with our website that we already have versus what we need from them to link to our website.

The meeting was paused while a large number of meeting attendees filed out of the building.

Lawson continued to point out the different website services that are available. Some of them have a fee to download; some provide a free PDF.

Discussion followed.

Lawson said he is not ready to pick one of these yet and would like a little bit more time.

Popp said we are not ready to let go of our ordinance into somebody else's hands entirely who may own the copyrights to it.

Discussion followed as to the availability of hard copies, Word copies.

Goss stated the biggest thing we will be getting out of recodification is finding out if we have things which are not consistent with state law anymore, if we have things that clash with each other internally in the zoning ordinance, or between the general ordinances and the township ordinances, and it was discussed previously that it is much more economical to have a codification company do it than to pay the township attorney $200+ an hour to do it. The attorney is going to be involved in the final product. Goss acknowledged that she is not ready to make a motion for one particular company but urged that the board should be ready to do so by the next meeting.

Further discussion centered on:

- What is in our shopping list for what we want for services, i.e., Word documents, searchability for surrounding ordinances, how long does it take them to get the revised amendments on the webpage.
- Goss will provide a couple links for each of the codification companies to municipalities who have their ordinances.

- The proposals will not be sent to the planning commission for review.
- Font size and number of pages was discussed.
- Should interviews be done with the sales people for each company.

It was agreed that Goss will set up phone calls with each of the codification representatives for the February 11 meeting, at approximately 7:30 p.m., approximately 7:45 p.m., and approximately 8:00 p.m.

This matter will be brought back at the February 11 meeting.

Appointment of Board of Review Alternate (2:36:55)
Brenda Welch is present.

Popp is recommending Brenda Welch as a Board of Review alternate.

Motion by Goss to appoint Brenda Welch as a Board of Review alternate, term to expire 12/31/2020; second by Lawson.

Welch holds a real estate license but is currently not practicing. They have a heating and cooling company and she currently works there.

Roll call vote: Popp, yes; Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes. Motion carried.

Popp will get Welch signed up for training in Cadillac.

Whitewater Township Park 2020 Dates and Rates (2:40:15)
Motion by Benak to designate the 2020 opening, closing and free camping weekend dates as recommend by the clerk; second by Popp. On voice vote, all those present voted in favor, none opposed. Motion carried.

Motion by Benak to approve the 2020 camping and miscellaneous rates as recommended by the clerk; second by Popp. On voice vote, all those present voted in favor, none opposed. Motion carried.

Approval of Contract/Fee for Redesign of Park Website (2:41:42)
Motion by Popp to approve the $3,760 expenditure for redesign of the park website and to authorize the Clerk to sign the Brick House Interactive contract for same; second by Lawson. Roll call vote: Benak, yes; Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes. Motion carried.

DNR Fire Grant (2:42:53)
Motion by Popp to authorize Chief Flynn and Ron Popp to sign the 2020 Volunteer Fire Assistance Project Agreement on behalf of Whitewater Township; second by Hubbell.

There was brief discussion concerning the signatures already on the document.

Benak suggested adding the word "supervisor" to the motion.

The motion was restated by Popp: **Motion to authorize Chief Flynn and Supervisor Ron Popp to sign the 2020 Volunteer Fire Assistance Project Agreement on behalf of Whitewater Township.**

Second by Benak.

Roll call vote: Goss, yes; Hubbell, yes; Lawson, yes; Popp, yes; Benak, yes. Motion carried.

Tabled Items (2:47:21)
None

Board Comments/Discussion (2:47:21)
Benak brought up the need to set budget meeting dates.

After much discussion, it was agreed that the first budget work session will take place at a special meeting on February 4th at 6:00 p.m. The fire department budget will be discussed.

Announcements (2:48:03)
Next regular meeting date is February 11, 2020, at 7:00 p.m.

Public Comment (2:52:40)
Ron Bachi, 6987 Cook Road, spoke again concerning the event barn survey results.

(2:58:18)
Heidi Vollmuth, 8371 Winnie Lane, commented on a planning commission meeting, the 2009 survey, and event barns.

(3:00:03)
Kim Mangus, 1214 Cerro Drive and 5101 Brown Bear Lane, noted that she worked on the 2009 survey and has tabulated surveys, and offered comments concerning the legality of event barns in the township.

Adjournment (3:03:48)
Motion by Lawson to adjourn; second by Popp. On voice vote, all those present voted in favor, none opposed. Meeting adjourned at 9:58 p.m.

Respectfully submitted,

Cheryl A. Goss
Whitewater Township Clerk

1-14-20

Ronald Bachi 6987 Cook Rd. Please attach to the minutes, verbatim.
I would like to wish a Happy New Year to the board and the citizens of Whitewater Township. Tonight, we discuss the Event Barn Survey results. Concerns I have with the origin of the survey. The fact that our elected Supervisor was not part of the creation of the survey, is troubling. Mr. Popp was away on medical leave, and the survey couldn't wait one more month, but then it took five months for the results.
The front page of the survey shows a barn, it states that event barns are agricultural barns. First question: In what area of the Township would an event barn be most suitable? Are you kidding me? That's a leading question. Yet, the majority of residents didn't buy into it, they answered right, they said commercial. They ask the question, have you attended an event barn? The question should be, how would you like to live next to an event barn? As I read the Survey, it's the comment sections that had the most impact on me. It' fairly obvious that people were passionate about how they felt toward event barns.
Its not just slanted, instead its overwhelmingly negative against event barns. If you can't see that, you either can't read or you need new glasses.
But I don't want to talk about the survey right now, I want to talk to you what this is really about. Its about the commercialization of our agricultural and residential districts. Its about big business in our back yards. In 2016 an individual bought a large chunk of land between M 72 and Cook rd. for just under 2million dollars.
Shortly after purchase they began to go through the steps that would allow them to build an Event Center on that land. Here's the question of the day! Why would they purchase a piece of land for that price with the intent to put an event center on it, when In White Water township, the zoning ordinance does not permit event barns anywhere. Were promises made, did someone say this could happen.

Here's what I know. This situation was never about the farmer, this was always about Special Interest-Big Business. This is just fine and dandy for the purchaser of this property. Not so much for the Whitewater residence that surrounds it. They need just one thing to make this happen, A white water town ship Event Barn ordinance. Is the Board, at all cost' willing to provide them with an Event Barn ordinance.
If this was to happen, it would be the beginning of the end of Whitewater Township as we know it.

I have gotten to know this board, pretty well over the last 18 months. Trust me on this one, don't get caught drinking their cool aid.
The Board knows there is a lot of pushback from the community on this issue, so they may take a different angle of persuasion.
They know that the Whitewater Township residence don't want the event barn ordinance, their next play will be scare tactics.
They will try to convince you that we need an event barn ordinance, to protect us from exactly what they are trying to bring to our township.
They will try to convince you that we need to be proactive with the event barn ordinance, so we can make the rules. Don't fall for this, not even a little bit.
Then they will try to make you feel guilty about the farmer.
The Whitewater farmer is an important staple of our community,
I appreciate and respect what the farmer does for our community
A commercial event barn is not part of agricultural farming operations under' The Right to Farm Act.
And let's not forget about agritourism. The event center, that provides alcohol, music, and entertainment to large volumes of people, repetitively should not be confused with the corn maze or hayrides, or farm animal education. They are clearly different.

In conclusion, the event barn pushback is real. Presently I have hundreds of signatures against the event barn ordinance. And that number grows daily. Here is a statistic you can take to the bank. 99%

of the residence that were approached signed the petition against the ordinance that would allow Event Barns or centers as a special use within the agricultural or residential districts.
People have showed up against the Event barn ordinance at meetings, in letters, through publications and now with the survey. The court of public opinion has spoken, are you listening? We the People of Whitewater Township demand to be represented by you, the board. Abandon the Event Barn ordinance.
Thank You.

1-14-2020

Greetings and Happy New Year. I am here tonight as a concerned resident to express strong opposition to any ordinance that would allow an Event Barn commercial business to operate on agricultural land. By any measure, the results of the Event Barn survey were overwhelmingly negative, and showed serious concerns that our residents had about what the increased traffic, drunk driving and noise would do to our safety and quality of life.

The original push behind this initiative was to provide opportunities for farmers with suitable, existing structures, to generate supplemental income. With that being said, I am unsure why these farmers have not stepped forward and publicly asked for this. It makes me wonder if this is really about farmers and preserving historic barns after all.

Meanwhile, there are property owners across the road from me who have been saving the original barnwood from a structure they took down… for what purpose? To wait for an ordinance that would provide a financial incentive to build a brand new event facility, slap the old wood on top and declare that the barn has been "lovingly restored" and is now open for business? At what cost? The safety and quality of life of neighboring residents?

My family, and many others in our community, chose to live here because we value the peace, quiet, safety and rural character. Tonight, when you discuss next steps on the event barn survey results, I urge the members of the township board to listen to the voices of our residents and abandon this ordinance.

Dee Prabhaker

6925 Cook Road

Bills for Approval
February 11, 2020

ALDEN STATE BANK	**44889 - 44978**	
ACCTS PAYABLE 1/7	44889 - 44908	Grand Total $8,502.68
PAYROLL 1/17	44909 - 44930	Gross Payroll $9,418.05
ACCTS PAYABLE 1/21	44931 - 44950	Grand Total $113,152.46
PAYROLL 1/31	44951 - 44978	Gross Payroll $8,804.06

FIRST COMMUNITY BANK - MIAMI BEACH

FIRST COMMUNITY BANK - WMDLS

ALDEN STATE BANK - MONEY MARKET

Check Register Report

Bills for Approval 02/11/2020

Date: 02/03/2020
Time: 12:16 pm
Page: 1

Whitewater Township

BANK: ALDEN STATE BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
ALDEN STATE BANK Checks							
44889	01/07/2020	Printed		365 OUTD	365 OUTDOOR	11/01-12/31/2019	945.00
44890	01/07/2020	Printed		ACE	ACE HARDWARE	ICE MELT	33.98
44891	01/07/2020	Printed		AD ASSESS	AD ASSESSING INC	JAN 2020	1,916.67
44892	01/07/2020	Printed		AMERICAN	AMERICAN WASTE	01/01-01/31/2020	32.00
44893	01/07/2020	Printed		AT&T-CELL	AT&T MOBILITY	12/23/19-01/22/20	47.07
44894	01/07/2020	Printed		BRANDON F	BRANDON FLYNN	JAN 2020	40.00
44895	01/07/2020	Printed		CHARTER	CHARTER COMMUNICATIONS	01/01-01/31/2020	329.95
44896	01/07/2020	Printed		CHERRYLANI	CHERRYLAND ELECTRIC COOP	M72 & COOK RD	43.42
44897	01/07/2020	Printed		CLIA	CLIA LABORATORY PROGRAM	APPLICATION FOR CLIA	180.00
44898	01/07/2020	Printed		CONSUMERS	CONSUMERS ENERGY	12/01-12/31/2019	77.18
44899	01/07/2020	Printed		JENNY	JENNYCLEAN	INV#'S13827/13828/13829/13830	1,450.00
44900	01/07/2020	Printed		CULLIGAN	MCCARDEL CULLIGAN WATER COND	JAN RENTAL PLUS 2 BOTTLES	27.50
44901	01/07/2020	Printed		MICHIGAN G	MICHIGAN GUTTERS INC.	INSTALL SEAMLESS GUTTER &	1,122.00
44902	01/07/2020	Printed		MTA	MICHIGAN TOWNSHIPS ASSOCIATION	ROUNTREE-BOR	128.50
44903	01/07/2020	Printed		MUNSON OH	MUNSON OCCUPATIONAL HEALTH	PRE-EMPLOYMENT PHYSICAL	312.04
44904	01/07/2020	Printed		NWMAA	NORTHWEST MI ASSESSORS ASSN	BOR TRAINING FOR HALSTEAD/	60.00
44905	01/07/2020	Printed		SONDEE R	SONDEE, RACINE & DOREN, P.L.C.	DTE vs WHITEWATER (MTT)	180.50
44906	01/07/2020	Printed		TC RECORD	TC RECORD-EAGLE, INC.	ADM NTC ZOA #73 AND	243.55
44907	01/07/2020	Printed		VERIZON	VERIZON WIRELESS	11/24-12/23/2019	40.01
44908	01/07/2020	Printed		VISA	VISA	FIRE-DOOR SWITCH/	1,293.31
44931	01/21/2020	Printed		AFLAC	AFLAC	DECEMBER 2019	210.96
44932	01/21/2020	Printed		BRICK HOUS	BRICK HOUSE INTERACTIVE	DOWN PMT ON NEW WEBSITE	1,128.00
44933	01/21/2020	Printed		CONSUMERS	CONSUMERS ENERGY	12/12/19-01/12/20	1,595.89
44934	01/21/2020	Printed		CSI EMERG	CSI EMERGENCY APPARATUS, LLC	CHASSIS PAYMENT	94,811.00
44935	01/21/2020	Printed		EFTPS	EFTPS	PAYROLL 12/06/2019	4,898.32
44936	01/21/2020	Printed		ELECT SRC	ELECTIONSOURCE	1000 ENVELOPES FOR AV APPS	121.26
44937	01/21/2020	Printed		FAHEY	FAHEY SCHULTZ BURZYCH RHODES	ADMR/ORDINANCE	422.50
44938	01/21/2020	Printed		FUELMAN	FUELMAN	FUEL FOR FIRE EQUIPMENT	306.20
44939	01/21/2020	Printed		GT BAND	GT BAND OTTAWA & CHIPPEWA	10/01-12/31/19	232.04
44940	01/21/2020	Printed		JOHN HANCC	JOHN HANCOCK LIFE INS CO	OCT/NOV/DEC 2019	1,979.81
44941	01/21/2020	Printed		KCI	KCI	ASSESSMENT CHANGE NOTICES	771.75
44942	01/21/2020	Printed		KSS ENTER	KSS ENTERPRISES	PAPER TOWELS/SIMPLE GREEN	96.20
44943	01/21/2020	Printed		NETLINK	NETLINK BUSINESS SOLUTIONS	FINAL PMT ON COMPUTER	3,686.50
44944	01/21/2020	Printed		NWMAA	NORTHWEST MI ASSESSORS ASSN	BRENDA WELCH BOR TRAINING	20.00
44945	01/21/2020	Printed		SCI NET	SCI NETWORKS	01/14-02/13/20	209.37
44946	01/21/2020	Printed		STAPLES	STAPLES CREDIT PLAN	CLERK/TREAS/ZONING/TWP BD	132.66
44947	01/21/2020	Printed		STATE TAX	STATE OF MICHIGAN - TREASURY	PAYROLLS 12/06/19 & 12/20/19	2,144.58
44948	01/21/2020	Printed		THIRLBY	THIRLBY AUTOMOTIVE	2 SNOWMOBILE BATTERIES	148.00
44949	01/21/2020	Printed		UNIFI EQ	UNIFI EQUIPMENT FINANCE, INC.	COLOR COPIER LEASE	87.42
44950	01/21/2020	Printed		VOYA INSTI	VOYA INSTITUTIONAL TRUST CO	OCT/NOV/DEC 2019	150.00

Total Checks: 40	**Checks Total (excluding void checks):**	**121,655.14**
Total Payments: 40	**Bank Total (excluding void checks):**	**121,655.14**
Total Payments: 40	**Grand Total (excluding void checks):**	**121,655.14**

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
Fund: 101 GENERAL FUND							
Dept: 101 Township Board							
101-101-727 Office Supplies & Exp							
	STAPLES CREDIT PLAN		CLERK/TREAS/ZONING/TWP E	44946	01/09/2020	01/21/2020	14.00
							14.00
101-101-830 Pension Plan							
	JOHN HANCOCK LIFE INS C		OCT/NOV/DEC 2019	44940	01/21/2020	01/21/2020	665.00
							665.00
101-101-901 Publishing							
	TC RECORD-EAGLE, INC.	12192055	ADM NTC ZOA #73 AND	44906	12/31/2019	01/07/2020	135.40
							135.40
101-101-940 Equipment Rental							
	UNIFI EQUIPMENT FINANCE	551688	COLOR COPIER LEASE	44949	01/21/2020	01/21/2020	87.42
							87.42
					Total Dept. Township Board:		**901.82**
Dept: 195 Elections							
101-195-727 Office Supplies & Exp							
	ELECTIONSOURCE	19-45918	1000 ENVELOPES FOR AV API	44936	01/15/2020	01/21/2020	121.26
							121.26
					Total Dept. Elections:		**121.26**
Dept: 209 Assessor							
101-209-728 Postage							
	KCI	205507	ASSESSMENT CHANGE NOTIC	44941	01/13/2020	01/21/2020	771.75
							771.75
101-209-807 Assessing Services							
	AD ASSESSING INC		JAN 2020	44891	01/01/2020	01/07/2020	1,916.67
							1,916.67
					Total Dept. Assessor:		**2,688.42**
Dept: 210 Attorney							
101-210-801 Legal Services							
	FAHEY SCHULTZ BURZYCH	50775	ADMR/ORDINANCE	44937	01/03/2020	01/21/2020	422.50
	SONDEE, RACINE & DOREN	6	DTE vs WHITEWATER (MTT)	44905	12/31/2019	01/07/2020	180.50
							603.00
					Total Dept. Attorney:		**603.00**
Dept: 215 Clerk							
101-215-727 Office Supplies & Exp							
	STAPLES CREDIT PLAN		CLERK/TREAS/ZONING/TWP E	44946	01/09/2020	01/21/2020	95.87
							95.87
101-215-901 Publishing							
	TC RECORD-EAGLE, INC.	12192055	ADM NTC ZOA #73 AND	44906	12/31/2019	01/07/2020	108.15
							108.15
					Total Dept. Clerk:		**204.02**
Dept: 247 Board of Review							
101-247-880 Education & Training							
	MICHIGAN TOWNSHIPS ASS		ROUNTREE-BOR	44902	01/07/2020	01/07/2020	128.50
	NORTHWEST MI ASSESSOR		BOR TRAINING FOR HALSTEA	44904	01/07/2020	01/07/2020	60.00
	NORTHWEST MI ASSESSOR		BRENDA WELCH BOR TRAINI	44944	01/16/2020	01/21/2020	20.00
							208.50

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
					Total Dept. Board of Review:		208.50
Dept: 253 Treasurer							
101-253-727 Office Supplies & Exp							
	STAPLES CREDIT PLAN		CLERK/TREAS/ZONING/TWP E	44946	01/09/2020	01/21/2020	3.12
							3.12
					Total Dept. Treasurer:		3.12
Dept: 265 Township Hall & Groun							
101-265-740 Operating Expense &							
	ACE HARDWARE	115643	ICE MELT	44890	01/06/2020	01/07/2020	33.98
	MCCARDEL CULLIGAN WATI		JAN RENTAL PLUS 2 BOTTLES	44900	01/01/2020	01/07/2020	27.50
							61.48
101-265-811 Waste Removal Servi							
	AMERICAN WASTE	3422736	01/01-01/31/2020	44892	01/01/2020	01/07/2020	16.00
							16.00
101-265-845 Snowplowing Service							
	365 OUTDOOR	4615	11/01-12/31/2019	44889	01/02/2020	01/07/2020	360.00
							360.00
101-265-851 Internet/Website							
	CHARTER COMMUNICATION		12/30/19-01/29/20	44895	01/01/2020	01/07/2020	109.99
							109.99
101-265-922 Electricity							
	CONSUMERS ENERGY	205188727694	12/11/19-01/10/20	44933	01/10/2020	01/21/2020	624.64
							624.64
101-265-923 Electric Heat							
	CONSUMERS ENERGY	205188727693	12/11/19-01/10/20	44933	01/10/2020	01/21/2020	159.36
							159.36
101-265-924 Telephone							
	CHARTER COMMUNICATION		12/30/19-01/29/20	44895	01/01/2020	01/07/2020	49.99
	SCI NETWORKS	1546146	01/14-02/13/20	44945	01/14/2020	01/21/2020	174.47
							224.46
					Total Dept. Township Hall & Grounds:		1,555.93
Dept: 276 Cemetery							
101-276-922 Electricity							
	CONSUMERS ENERGY	204298807940	12/11/19-01/10/20	44933	01/10/2020	01/21/2020	25.36
							25.36
					Total Dept. Cemetery:		25.36
Dept: 405 Zoning Administrator/F							
101-405-727 Office Supplies & Exp							
	STAPLES CREDIT PLAN		CLERK/TREAS/ZONING/TWP E	44946	01/09/2020	01/21/2020	3.12
							3.12
					Dept. Zoning Administrator/Planning:		3.12
Dept: 901 Capital Expenditure							
101-901-970 Capital Expenditure							
	NETLINK BUSINESS SOLUTI	139756	FINAL PMT ON COMPUTER	44943	01/20/2020	01/21/2020	3,686.50
							3,686.50
					Total Dept. Capital Expenditure:		3,686.50
					tal Fund GENERAL FUND:		10,001.05

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
Fund: 203 ROAD FUND							
Dept: 446 Road Right of Way							
203-446-921 Street Lights							
	CHERRYLAND ELECTRIC CC		M 72 & MOORE RD	44896	12/26/2019	01/07/2020	13.74
	CHERRYLAND ELECTRIC CC		M72 & SKEGEMOG PT RD	44896	12/26/2019	01/07/2020	14.84
	CHERRYLAND ELECTRIC CC		M72 & COOK RD	44896	12/26/2019	01/07/2020	14.84
	CONSUMERS ENERGY	207057015214	12/01-12/31/2019	44898	12/31/2019	01/07/2020	77.18
							120.60
					Total Dept. Road Right of Way:		**120.60**
					Total Fund ROAD FUND:		**120.60**
Fund: 206 FIRE FUND							
Dept: 336 Fire Dept							
206-336-713 Other Benefits							
	AFLAC	897633	DECEMBER 2019	44931	12/26/2019	01/21/2020	210.96
							210.96
206-336-727 Office Supplies & Exp							
	STAPLES CREDIT PLAN		CLERK/TREAS/ZONING/TWP E	44946	01/09/2020	01/21/2020	16.55
							16.55
206-336-739 Fuel & Oil							
	FUELMAN	5755340999540	FUEL FOR FIRE EQUIPMENT	44938	01/16/2020	01/21/2020	306.20
							306.20
206-336-740 Operating Expense &							
	KSS ENTERPRISES	1198446	PAPER TOWELS/SIMPLE GREI	44942	12/18/2019	01/21/2020	96.20
							96.20
206-336-803 Medical Professional							
	MUNSON OCCUPATIONAL H	00182210-00	PRE-EMPLOYMENT PHYSICAL	44903	12/31/2019	01/07/2020	312.04
							312.04
206-336-804 Professional Services							
	VERIZON WIRELESS	9844924811	11/24-12/23/2019	44907	12/23/2019	01/07/2020	40.01
							40.01
206-336-810 Janitorial Services							
	JENNYCLEAN	40191	STRIP / WAX VCT FLOORING	44899	01/01/2020	01/07/2020	475.00
	JENNYCLEAN		INV#'S13827/13828/13829/1383	44899	01/01/2020	01/07/2020	250.00
							725.00
206-336-811 Waste Removal Servi							
	AMERICAN WASTE	3422097	01/01-01/31/2020	44892	01/01/2020	01/07/2020	16.00
							16.00
206-336-830 Pension Plan							
	JOHN HANCOCK LIFE INS C		OCT/NOV/DEC 2019	44940	01/21/2020	01/21/2020	1,314.81
							1,314.81
206-336-845 Snowplowing Service							
	365 OUTDOOR	4615	11/01-12/31/2019	44889	01/02/2020	01/07/2020	585.00
							585.00
206-336-851 Internet/Website							
	CHARTER COMMUNICATION		01/01-01/31/2020	44895	01/01/2020	01/07/2020	69.99
							69.99
206-336-922 Electricity							
	CONSUMERS ENERGY	204298807939	12/11/19-01/10/20	44933	01/10/2020	01/21/2020	344.21
							344.21

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
206-336-924 Telephone							
	CHARTER COMMUNICATION		01/01-01/31/2020	44895	01/01/2020	01/07/2020	99.98
							99.98
206-336-925 Cellular Phone							
	BRANDON FLYNN		JAN 2020	44894	01/01/2020	01/07/2020	40.00
							40.00
206-336-928 Water							
	GT BAND OTTAWA & CHIPPE		10/01-12/31/19	44939	01/02/2020	01/21/2020	116.02
							116.02
206-336-933 Vehicle Repair & Mair							
	THIRLBY AUTOMOTIVE	727246	2 SNOWMOBILE BATTERIES	44948	01/15/2020	01/21/2020	148.00
	VISA		FIRE-DOOR SWITCH/	44908	12/29/2019	01/07/2020	67.97
							215.97
206-336-970 Capital Expenditure							
	MICHIGAN GUTTERS INC.	14094	INSTALL SEAMLESS GUTTER	44901	12/10/2019	01/07/2020	561.00
	VISA		FIRE-DOOR SWITCH/	44908	12/29/2019	01/07/2020	1,225.34
							1,786.34
						Total Dept. Fire Dept:	**6,295.28**
Dept: 890 Contingency							
206-890-890 Contingency							
	CLIA LABORATORY PROGRA	C LIA ID 23D2175679	APPLICATION FOR CLIA	44897	11/26/2019	01/07/2020	180.00
							180.00
						Total Dept. Contingency:	**180.00**
						Total Fund FIRE FUND:	**6,475.28**
Fund: 208 PARK FUND							
Dept: 756 Township Park							
208-756-851 Internet/Website							
	BRICK HOUSE INTERACTIVE		DOWN PMT ON NEW WEBSITE	44932	01/16/2020	01/21/2020	1,128.00
							1,128.00
208-756-922 Electricity							
	CONSUMERS ENERGY	202874908280	12/12/19-01/12/20	44933	01/12/2020	01/21/2020	25.36
	CONSUMERS ENERGY	202874908281	12/12/19-01/12/20	44933	01/12/2020	01/21/2020	46.02
							71.38
208-756-924 Telephone							
	SCI NETWORKS	1546146	01/14-02/13/20	44945	01/14/2020	01/21/2020	34.90
							34.90
208-756-925 Cellular Phone							
	AT&T MOBILITY		12/23/19-01/22/20	44893	01/07/2020	01/07/2020	47.07
							47.07
						Total Dept. Township Park:	**1,281.35**
						Total Fund PARK FUND:	**1,281.35**
Fund: 209 RECREATION FUND							
Dept: 757 Recreation							
209-757-922 Electricity							
	CONSUMERS ENERGY	205188727692	12/11/19-01/10/20	44933	01/10/2020	01/21/2020	26.74
							26.74
						Total Dept. Recreation:	**26.74**

Fund/Dept/Acct	Vendor Name	Invoice #	Invoice Desc.	Check #	Due Date	Check Date	Amount
					Fund RECREATION FUND:		26.74
Fund: 210 AMBULANCE FUND							
Dept: 651 Ambulance							
210-651-810 Janitorial Services							
	JENNYCLEAN	40191	STRIP / WAX VCT FLOORING	44899	01/01/2020	01/07/2020	475.00
	JENNYCLEAN		INV#'S13827/13828/13829/1383	44899	01/01/2020	01/07/2020	250.00
							725.00
210-651-922 Electricity							
	CONSUMERS ENERGY	204298807939	12/11/19-01/10/20	44933	01/10/2020	01/21/2020	344.20
							344.20
210-651-928 Water							
	GT BAND OTTAWA & CHIPPE		10/01-12/31/19	44939	01/02/2020	01/21/2020	116.02
							116.02
210-651-970 Capital Expenditure							
	MICHIGAN GUTTERS INC.	14094	INSTALL SEAMLESS GUTTER	44901	12/10/2019	01/07/2020	561.00
							561.00
					Total Dept. Ambulance:		1,746.22
					Fund AMBULANCE FUND:		1,746.22
Fund: 406 FIRE CAPITAL IMPROV							
Dept: 000							
406-000-970 Capital Expenditure							
	CSI EMERGENCY APPARATU	8465B	CHASSIS PAYMENT	44934	01/08/2020	01/21/2020	94,811.00
							94,811.00
					Total Dept. 000:		94,811.00
					AL IMPROVEMENT FUND:		94,811.00
Fund: 750 PAYROLL CLEARING F							
Dept: 000							
750-000-238 Pension Withheld							
	VOYA INSTITUTIONAL TRUS		OCT/NOV/DEC 2019	44950	01/21/2020	01/21/2020	150.00
							150.00
750-000-258 Accrued Payroll Taxes							
	EFTPS	270040802289106	PAYROLL 12/20/2019	44935	01/08/2020	01/21/2020	1,835.52
	EFTPS	270040894461923	PAYROLL 1/03/2020	44935	01/08/2020	01/21/2020	1,422.73
	EFTPS	270040803709890	PAYROLL 12/06/2019	44935	01/08/2020	01/21/2020	1,640.07
	STATE OF MICHIGAN - TREA	SMIBUS003405944	PAYROLLS 10/11/19 & 10/25/19	44947	01/08/2020	01/21/2020	849.81
	STATE OF MICHIGAN - TREA	SMIBUS003406215	PAYROLLS 11/08/19 & 11/22/19	44947	01/08/2020	01/21/2020	656.56
	STATE OF MICHIGAN - TREA	SMIBUS003406323	PAYROLLS 12/06/19 & 12/20/19	44947	01/08/2020	01/21/2020	638.21
							7,042.90
					Total Dept. 000:		7,192.90
					YROLL CLEARING FUND:		7,192.90
					Grand Total:		121,655.14

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud

Fund: 001 - ACCOUNTS PAYABLE CLEARING

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 101 - GENERAL FUND							
Revenues							
Dept: 000							
402 Property Taxes	121,000.00	121,000.00	21,885.68	0.00	0.00	99,114.32	18.1
445 Penalties & Interest	1,000.00	1,000.00	975.74	0.00	0.00	24.26	97.6
447 Property Tax Admin Fees	59,000.00	59,000.00	52,194.24	0.00	0.00	6,805.76	88.5
448 Collection Fees	4,250.00	4,250.00	0.00	0.00	0.00	4,250.00	0.0
451 Franchise Fees	30,000.00	30,000.00	23,473.22	0.00	0.00	6,526.78	78.2
476 Licenses & Permits	2,000.00	2,000.00	2,520.00	0.00	0.00	-520.00	126.0
566 State Grants	0.00	0.00	0.00	0.00	0.00	0.00	0.0
573 Local Community Stabilization	0.00	0.00	0.00	0.00	0.00	0.00	0.0
574 State-Shared Revenues	215,000.00	215,000.00	148,744.00	0.00	0.00	66,256.00	69.2
575 Swamp Taxes/Comm Forest Distri	25,000.00	25,000.00	963.47	0.00	0.00	24,036.53	3.9
590 Grants-Private Sources	0.00	0.00	0.00	0.00	0.00	0.00	0.0
607 Service Fees	1,500.00	1,500.00	900.00	0.00	0.00	600.00	60.0
608 Interment Fees	1,000.00	1,000.00	3,075.00	0.00	0.00	-2,075.00	307.5
633 Election Reimbursement	0.00	0.00	0.00	0.00	0.00	0.00	0.0
642 Sale of Cemetery Lots	600.00	600.00	1,200.00	0.00	0.00	-600.00	200.0
643 Miscellaneous Sales	0.00	0.00	33.00	0.00	0.00	-33.00	0.0
665 Interest Earned	1,500.00	1,500.00	2,522.51	0.00	0.00	-1,022.51	168.2
668 Oil & Gas Lease	0.00	0.00	0.00	0.00	0.00	0.00	0.0
670 Cell Tower Lease	41,000.00	41,000.00	27,785.04	0.00	0.00	13,214.96	67.8
671 Other Revenues	1,000.00	1,000.00	694.09	0.00	0.00	305.91	69.4
673 Sale of Fixed Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.0
678 Gypsy Moth Assessment	0.00	0.00	0.00	0.00	0.00	0.00	0.0
687 Refunds	100.00	100.00	32.89	0.00	0.00	67.11	32.9
699 Transfers From Other Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	503,950.00	503,950.00	286,998.88	0.00	0.00	216,951.12	56.9
Revenues	503,950.00	503,950.00	286,998.88	0.00	0.00	216,951.12	56.9
Expenditures							
Dept: 101 Township Board							
702 Salaries	8,000.00	8,000.00	4,160.00	320.00	0.00	3,840.00	52.0
703 Wages	3,000.00	3,000.00	1,123.60	0.00	0.00	1,876.40	37.5
715 Social Security (Employer)	700.00	700.00	327.58	19.84	0.00	372.42	46.8
716 Medicare (Employer)	170.00	170.00	76.61	4.64	0.00	93.39	45.1
727 Office Supplies & Expense	2,000.00	2,000.00	854.10	14.00	0.00	1,145.90	42.7
728 Postage	500.00	500.00	447.25	0.00	0.00	52.75	89.5
802 Audit & Accounting Services	7,000.00	7,000.00	6,678.00	0.00	0.00	322.00	95.4
804 Professional Services	8,500.00	8,500.00	0.00	0.00	0.00	8,500.00	0.0
817 Clean Up Day Services	9,000.00	9,000.00	9,985.00	0.00	0.00	-985.00	110.9
830 Pension Plan	3,400.00	3,400.00	3,042.00	665.00	0.00	358.00	89.5
840 Dues and Memberships	3,600.00	3,600.00	3,587.37	0.00	0.00	12.63	99.6
852 Promotional Expenses	1,000.00	1,000.00	1,750.00	0.00	0.00	-750.00	175.0
853 Finance Charges	0.00	0.00	0.00	0.00	0.00	0.00	0.0
854 Late Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.0
860 Mileage Reimbursement	100.00	100.00	0.00	0.00	0.00	100.00	0.0
865 Meal/Lodging Expense	200.00	200.00	0.00	0.00	0.00	200.00	0.0
880 Education & Training	250.00	250.00	0.00	0.00	0.00	250.00	0.0
901 Publishing	2,250.00	2,250.00	1,248.10	135.40	0.00	1,001.90	55.5
902 Printing	100.00	100.00	0.00	0.00	0.00	100.00	0.0
903 Township Newsletter Expense	1,500.00	1,500.00	2,345.49	0.00	0.00	-845.49	156.4
940 Equipment Rental	1,100.00	1,100.00	961.62	87.42	0.00	138.38	87.4
941 Postage Meter Rental/Fees	1,200.00	1,200.00	1,070.89	0.00	0.00	129.11	89.2
955 Grand Vision	0.00	0.00	0.00	0.00	0.00	0.00	0.0
956 Miscellaneous Expense	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	0.0
957 Boardman River Project	0.00	0.00	0.00	0.00	0.00	0.00	0.0
958 Gypsy Moth Program	0.00	0.00	0.00	0.00	0.00	0.00	0.0
959 Scrap Tire Expense	400.00	400.00	234.00	0.00	0.00	166.00	58.5
964 Refunds	500.00	500.00	0.00	0.00	0.00	500.00	0.0
Township Board	55,470.00	55,470.00	37,891.61	1,246.30	0.00	17,578.39	68.3

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 101 - GENERAL FUND							
Expenditures							
Dept: 171 Supervisor							
702 Salaries	26,780.00	26,780.00	22,660.00	3,090.00	0.00	4,120.00	84.6
703 Wages	4,000.00	4,000.00	0.00	0.00	0.00	4,000.00	0.0
715 Social Security (Employer)	1,900.00	1,900.00	1,404.92	191.58	0.00	495.08	73.9
716 Medicare (Employer)	450.00	450.00	328.68	44.82	0.00	121.32	73.0
727 Office Supplies & Expense	250.00	250.00	0.00	0.00	0.00	250.00	0.0
728 Postage	25.00	25.00	33.30	0.00	0.00	-8.30	133.2
860 Mileage Reimbursement	400.00	400.00	0.00	0.00	0.00	400.00	0.0
865 Meal/Lodging Expense	250.00	250.00	0.00	0.00	0.00	250.00	0.0
880 Education & Training	250.00	250.00	0.00	0.00	0.00	250.00	0.0
Supervisor	34,305.00	34,305.00	24,426.90	3,326.40	0.00	9,878.10	71.2
Dept: 195 Elections							
703 Wages	7,000.00	7,000.00	0.00	0.00	0.00	7,000.00	0.0
715 Social Security (Employer)	300.00	300.00	0.00	0.00	0.00	300.00	0.0
716 Medicare (Employer)	100.00	100.00	0.00	0.00	0.00	100.00	0.0
727 Office Supplies & Expense	2,500.00	2,500.00	991.16	121.26	0.00	1,508.84	39.6
728 Postage	1,200.00	1,200.00	77.50	0.00	0.00	1,122.50	6.5
847 Software Support	0.00	0.00	0.00	0.00	0.00	0.00	0.0
860 Mileage Reimbursement	500.00	500.00	160.08	0.00	0.00	339.92	32.0
865 Meal/Lodging Expense	250.00	250.00	0.00	0.00	0.00	250.00	0.0
880 Education & Training	500.00	500.00	0.00	0.00	0.00	500.00	0.0
901 Publishing	300.00	300.00	0.00	0.00	0.00	300.00	0.0
970 Capital Expenditure	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Elections	12,650.00	12,650.00	1,228.74	121.26	0.00	11,421.26	9.7
Dept: 209 Assessor							
702 Salaries	1,200.00	1,200.00	1,000.00	100.00	0.00	200.00	83.3
715 Social Security (Employer)	75.00	75.00	62.00	6.20	0.00	13.00	82.7
716 Medicare (Employer)	20.00	20.00	14.50	1.45	0.00	5.50	72.5
727 Office Supplies & Expense	300.00	300.00	29.77	0.00	0.00	270.23	9.9
728 Postage	1,000.00	1,000.00	809.90	771.75	0.00	190.10	81.0
807 Assessing Services	25,000.00	25,000.00	18,816.72	1,916.67	0.00	6,183.28	75.3
847 Software Support	700.00	700.00	633.00	0.00	0.00	67.00	90.4
880 Education & Training	0.00	0.00	0.00	0.00	0.00	0.00	0.0
901 Publishing	50.00	50.00	0.00	0.00	0.00	50.00	0.0
Assessor	28,345.00	28,345.00	21,365.89	2,796.07	0.00	6,979.11	75.4
Dept: 210 Attorney							
801 Legal Services	30,000.00	30,000.00	15,174.30	603.00	0.00	14,825.70	50.6
Attorney	30,000.00	30,000.00	15,174.30	603.00	0.00	14,825.70	50.6
Dept: 215 Clerk							
702 Salaries	27,295.00	27,295.00	23,095.82	3,149.43	0.00	4,199.18	84.6
703 Wages	12,000.00	12,000.00	9,611.98	1,073.74	0.00	2,388.02	80.1
715 Social Security (Employer)	2,440.00	2,440.00	2,025.29	261.85	0.00	414.71	83.0
716 Medicare (Employer)	570.00	570.00	473.59	61.23	0.00	96.41	83.1
727 Office Supplies & Expense	1,500.00	1,500.00	1,130.18	95.87	0.00	369.82	75.3
728 Postage	100.00	100.00	46.05	0.00	0.00	53.95	46.1
840 Dues and Memberships	120.00	120.00	0.00	0.00	0.00	120.00	0.0
847 Software Support	2,400.00	2,400.00	2,355.07	0.00	0.00	44.93	98.1
860 Mileage Reimbursement	600.00	600.00	307.40	0.00	0.00	292.60	51.2
865 Meal/Lodging Expense	600.00	600.00	427.97	0.00	0.00	172.03	71.3
880 Education & Training	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	0.0
901 Publishing	1,500.00	1,500.00	497.35	108.15	0.00	1,002.65	33.2
Clerk	50,125.00	50,125.00	39,970.70	4,750.27	0.00	10,154.30	79.7
Dept: 247 Board of Review							
702 Salaries	950.00	950.00	450.00	300.00	0.00	500.00	47.4
715 Social Security (Employer)	70.00	70.00	27.90	18.60	0.00	42.10	39.9
716 Medicare (Employer)	20.00	20.00	6.54	4.35	0.00	13.46	32.7

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 101 - GENERAL FUND							
Expenditures							
Dept: 247 Board of Review							
727 Office Supplies & Expense	50.00	50.00	0.00	0.00	0.00	50.00	0.0
728 Postage	100.00	100.00	0.00	0.00	0.00	100.00	0.0
860 Mileage Reimbursement	100.00	100.00	0.00	0.00	0.00	100.00	0.0
865 Meal/Lodging Expense	200.00	200.00	0.00	0.00	0.00	200.00	0.0
880 Education & Training	500.00	500.00	208.50	208.50	0.00	291.50	41.7
901 Publishing	400.00	400.00	0.00	0.00	0.00	400.00	0.0
Board of Review	2,390.00	2,390.00	692.94	531.45	0.00	1,697.06	29.0
Dept: 253 Treasurer							
702 Salaries	26,780.00	26,780.00	22,660.00	3,090.00	0.00	4,120.00	84.6
703 Wages	10,200.00	10,200.00	8,297.68	903.12	0.00	1,902.32	81.3
715 Social Security (Employer)	2,300.00	2,300.00	1,919.39	247.58	0.00	380.61	83.5
716 Medicare (Employer)	550.00	550.00	448.98	57.91	0.00	101.02	81.6
727 Office Supplies & Expense	1,600.00	1,600.00	1,125.22	3.12	0.00	474.78	70.3
728 Postage	2,600.00	2,600.00	1,940.25	0.00	0.00	659.75	74.6
804 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
840 Dues and Memberships	100.00	100.00	0.00	0.00	0.00	100.00	0.0
847 Software Support	1,500.00	1,500.00	1,305.00	0.00	0.00	195.00	87.0
860 Mileage Reimbursement	1,350.00	1,350.00	502.86	0.00	0.00	847.14	37.2
865 Meal/Lodging Expense	600.00	600.00	0.00	0.00	0.00	600.00	0.0
880 Education & Training	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	0.0
901 Publishing	125.00	125.00	0.00	0.00	0.00	125.00	0.0
Treasurer	48,705.00	48,705.00	38,199.38	4,301.73	0.00	10,505.62	78.4
Dept: 265 Township Hall & Grounds							
703 Wages	500.00	500.00	0.00	0.00	0.00	500.00	0.0
715 Social Security (Employer)	50.00	50.00	0.00	0.00	0.00	50.00	0.0
716 Medicare (Employer)	20.00	20.00	0.00	0.00	0.00	20.00	0.0
740 Operating Expense & Supplies	1,800.00	1,800.00	712.43	61.48	0.00	1,087.57	39.6
809 Lawn Maintenance Services	1,000.00	1,000.00	695.00	0.00	0.00	305.00	69.5
810 Janitorial Services	1,800.00	1,800.00	1,100.00	0.00	0.00	700.00	61.1
811 Waste Removal Services	225.00	225.00	160.00	16.00	0.00	65.00	71.1
845 Snowplowing Services	1,500.00	1,500.00	360.00	360.00	0.00	1,140.00	24.0
851 Internet/Website	1,500.00	1,500.00	1,181.52	109.99	0.00	318.48	78.8
922 Electricity	2,250.00	2,250.00	2,139.00	624.64	0.00	111.00	95.1
923 Electric Heat	3,500.00	3,500.00	2,772.38	159.36	0.00	727.62	79.2
924 Telephone	2,750.00	2,750.00	2,128.13	224.46	0.00	621.87	77.4
930 Facility Repairs/Maintenance	10,000.00	10,000.00	2,921.00	0.00	0.00	7,079.00	29.2
931 Office Equipment Repairs/Maint	3,000.00	3,000.00	2,214.60	0.00	0.00	785.40	73.8
Township Hall & Grounds	29,895.00	29,895.00	16,384.06	1,555.93	0.00	13,510.94	54.8
Dept: 276 Cemetery							
703 Wages	500.00	500.00	7.83	0.00	0.00	492.17	1.6
715 Social Security (Employer)	50.00	50.00	0.49	0.00	0.00	49.51	1.0
716 Medicare (Employer)	20.00	20.00	0.11	0.00	0.00	19.89	0.6
740 Operating Expense & Supplies	1,000.00	1,000.00	214.00	0.00	0.00	786.00	21.4
808 Cemetery Sexton	5,000.00	5,000.00	3,075.00	0.00	0.00	1,925.00	61.5
809 Lawn Maintenance Services	4,000.00	4,000.00	3,100.00	0.00	0.00	900.00	77.5
847 Software Support	0.00	0.00	0.00	0.00	0.00	0.00	0.0
922 Electricity	300.00	300.00	254.08	25.36	0.00	45.92	84.7
930 Facility Repairs/Maintenance	4,000.00	4,000.00	350.00	0.00	0.00	3,650.00	8.8
Cemetery	14,870.00	14,870.00	7,001.51	25.36	0.00	7,868.49	47.1
Dept: 400 Planning Commission							
702 Salaries	9,000.00	9,000.00	5,190.00	900.00	0.00	3,810.00	57.7
703 Wages	3,600.00	3,600.00	1,600.00	300.00	0.00	2,000.00	44.4
715 Social Security (Employer)	800.00	800.00	420.98	74.40	0.00	379.02	52.6
716 Medicare (Employer)	200.00	200.00	98.65	17.40	0.00	101.35	49.3
727 Office Supplies & Expense	500.00	500.00	0.00	0.00	0.00	500.00	0.0
728 Postage	500.00	500.00	0.00	0.00	0.00	500.00	0.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 101 - GENERAL FUND							
Expenditures							
Dept: 400 Planning Commission							
804 Professional Services	17,000.00	17,000.00	0.00	0.00	0.00	17,000.00	0.0
840 Dues and Memberships	0.00	0.00	0.00	0.00	0.00	0.00	0.0
860 Mileage Reimbursement	500.00	500.00	58.00	0.00	0.00	442.00	11.6
865 Meal/Lodging Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0
880 Education & Training	2,000.00	2,000.00	329.00	0.00	0.00	1,671.00	16.5
901 Publishing	1,000.00	1,000.00	114.05	0.00	0.00	885.95	11.4
902 Printing	500.00	500.00	0.00	0.00	0.00	500.00	0.0
Planning Commission	35,600.00	35,600.00	7,810.68	1,291.80	0.00	27,789.32	21.9
Dept: 405 Zoning Administrator/Planning							
702 Salaries	50,000.00	20,000.00	9,422.00	0.00	0.00	10,578.00	47.1
703 Wages	4,100.00	4,100.00	16.96	0.00	0.00	4,083.04	0.4
715 Social Security (Employer)	3,400.00	3,400.00	585.21	0.00	0.00	2,814.79	17.2
716 Medicare (Employer)	800.00	800.00	136.87	0.00	0.00	663.13	17.1
727 Office Supplies & Expense	600.00	600.00	78.92	3.12	0.00	521.08	13.2
728 Postage	170.00	170.00	13.30	0.00	0.00	156.70	7.8
803 Medical Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
804 Professional Services	1,250.00	31,250.00	7,469.14	0.00	0.00	23,780.86	23.9
830 Pension Plan	0.00	0.00	0.00	0.00	0.00	0.00	0.0
840 Dues and Memberships	250.00	250.00	0.00	0.00	0.00	250.00	0.0
847 Software Support	500.00	500.00	0.00	0.00	0.00	500.00	0.0
860 Mileage Reimbursement	300.00	300.00	304.68	0.00	0.00	-4.68	101.6
865 Meal/Lodging Expense	500.00	500.00	0.00	0.00	0.00	500.00	0.0
880 Education & Training	500.00	500.00	0.00	0.00	0.00	500.00	0.0
Zoning Administrator/Planning	62,370.00	62,370.00	18,027.08	3.12	0.00	44,342.92	28.9
Dept: 410 Zoning Board of Appeals							
702 Salaries	3,100.00	3,100.00	1,935.00	380.00	0.00	1,165.00	62.4
703 Wages	1,600.00	1,600.00	500.00	150.00	0.00	1,100.00	31.3
715 Social Security (Employer)	300.00	300.00	150.97	32.86	0.00	149.03	50.3
716 Medicare (Employer)	80.00	80.00	35.36	7.70	0.00	44.64	44.2
728 Postage	50.00	50.00	23.80	0.00	0.00	26.20	47.6
860 Mileage Reimbursement	250.00	250.00	0.00	0.00	0.00	250.00	0.0
865 Meal/Lodging Expense	100.00	100.00	0.00	0.00	0.00	100.00	0.0
880 Education & Training	500.00	500.00	208.00	0.00	0.00	292.00	41.6
901 Publishing	600.00	600.00	366.40	0.00	0.00	233.60	61.1
Zoning Board of Appeals	6,580.00	6,580.00	3,219.53	570.56	0.00	3,360.47	48.9
Dept: 803 Historical Society							
703 Wages	14,456.00	14,456.00	4,536.55	1,560.56	0.00	9,919.45	31.4
715 Social Security (Employer)	900.00	900.00	281.27	96.76	0.00	618.73	31.3
716 Medicare (Employer)	210.00	210.00	65.78	22.63	0.00	144.22	31.3
727 Office Supplies & Expense	1,300.00	1,300.00	652.27	0.00	0.00	647.73	50.2
728 Postage	25.00	25.00	0.00	0.00	0.00	25.00	0.0
803 Medical Professional Services	150.00	150.00	259.50	0.00	0.00	-109.50	173.0
804 Professional Services	500.00	500.00	0.00	0.00	0.00	500.00	0.0
840 Dues and Memberships	100.00	100.00	0.00	0.00	0.00	100.00	0.0
847 Software Support	500.00	500.00	0.00	0.00	0.00	500.00	0.0
860 Mileage Reimbursement	100.00	100.00	0.00	0.00	0.00	100.00	0.0
865 Meal/Lodging Expense	250.00	250.00	0.00	0.00	0.00	250.00	0.0
880 Education & Training	250.00	250.00	0.00	0.00	0.00	250.00	0.0
Historical Society	18,741.00	18,741.00	5,795.37	1,679.95	0.00	12,945.63	30.9
Dept: 852 Employee Health Insurance							
714 Health Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Employee Health Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 862 Soc Sec/Medicare (Employer)							
715 Social Security (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
716 Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 101 - GENERAL FUND							
Expenditures							
Soc Sec/Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 865 Insurance							
820 Liability Insurance	13,500.00	13,500.00	5,476.00	0.00	0.00	8,024.00	40.6
821 Workers Compensation	4,000.00	4,000.00	933.97	0.00	0.00	3,066.03	23.3
Insurance	17,500.00	17,500.00	6,409.97	0.00	0.00	11,090.03	36.6
Dept: 890 Contingency							
890 Contingency	35,000.00	30,300.00	0.00	0.00	0.00	30,300.00	0.0
Contingency	35,000.00	30,300.00	0.00	0.00	0.00	30,300.00	0.0
Dept: 901 Capital Expenditure							
970 Capital Expenditure	23,500.00	75,600.00	11,074.32	3,686.50	0.00	64,525.68	14.6
971 Land	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Capital Expenditure	23,500.00	75,600.00	11,074.32	3,686.50	0.00	64,525.68	14.6
Dept: 966 Transfers Out							
999 Transfers To Other Funds	205,000.00	207,600.00	207,600.00	0.00	0.00	0.00	100.0
Transfers Out	205,000.00	207,600.00	207,600.00	0.00	0.00	0.00	100.0
Expenditures	711,046.00	761,046.00	462,272.98	26,489.70	0.00	298,773.02	60.7

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 203 - ROAD FUND							
Revenues							
Dept: 000							
452 METRO Act Fees	6,900.00	6,900.00	8,747.15	0.00	0.00	-1,847.15	126.8
665 Interest Earned	5.00	5.00	29.35	0.00	0.00	-24.35	587.0
Dept: 000	6,905.00	6,905.00	8,776.50	0.00	0.00	-1,871.50	127.1
Dept: 931 Transfers IN							
699 Transfers From Other Funds	10,000.00	10,000.00	10,000.00	0.00	0.00	0.00	100.0
Transfers IN	10,000.00	10,000.00	10,000.00	0.00	0.00	0.00	100.0
Revenues	16,905.00	16,905.00	18,776.50	0.00	0.00	-1,871.50	111.1
Expenditures							
Dept: 446 Road Right of Way							
846 Road Brining Service	20,000.00	20,000.00	11,084.00	0.00	0.00	8,916.00	55.4
921 Street Lights	2,000.00	2,000.00	1,363.55	120.60	0.00	636.45	68.2
Road Right of Way	22,000.00	22,000.00	12,447.55	120.60	0.00	9,552.45	56.6
Dept: 890 Contingency							
890 Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Expenditures	22,000.00	22,000.00	12,447.55	120.60	0.00	9,552.45	56.6

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 204 - ROAD REPAIR/REPLACEMENT FUND							
Revenues							
Dept: 000							
665 Interest Earned	150.00	150.00	290.64	0.00	0.00	-140.64	193.8
699 Transfers From Other Funds	50,000.00	50,000.00	50,000.00	0.00	0.00	0.00	100.0
Dept: 000	50,150.00	50,150.00	50,290.64	0.00	0.00	-140.64	100.3
Revenues	50,150.00	50,150.00	50,290.64	0.00	0.00	-140.64	100.3
Expenditures							
Dept: 000							
935 Road Repair	100,000.00	100,000.00	0.00	0.00	0.00	100,000.00	0.0
Dept: 000	100,000.00	100,000.00	0.00	0.00	0.00	100,000.00	0.0
Dept: 890 Contingency							
890 Contingency	18,000.00	18,000.00	0.00	0.00	0.00	18,000.00	0.0
Contingency	18,000.00	18,000.00	0.00	0.00	0.00	18,000.00	0.0
Expenditures	118,000.00	118,000.00	0.00	0.00	0.00	118,000.00	0.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 206 - FIRE FUND							
Revenues							
Dept: 000							
402 Property Taxes	205,000.00	205,000.00	36,492.29	0.00	0.00	168,507.71	17.8
445 Penalties & Interest	0.00	0.00	0.00	0.00	0.00	0.00	0.0
590 Grants-Private Sources	0.00	0.00	0.00	0.00	0.00	0.00	0.0
630 Rural Fire Dept Rental Fee	0.00	0.00	0.00	0.00	0.00	0.00	0.0
635 Mutual Aid	0.00	0.00	0.00	0.00	0.00	0.00	0.0
637 Cost Recovery	0.00	0.00	0.00	0.00	0.00	0.00	0.0
665 Interest Earned	300.00	300.00	544.22	0.00	0.00	-244.22	181.4
671 Other Revenues	0.00	0.00	1,459.91	0.00	0.00	-1,459.91	0.0
673 Sale of Fixed Assets	0.00	0.00	9,790.00	0.00	0.00	-9,790.00	0.0
674 Rural Fire Dissolution Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
675 Contributions	0.00	0.00	0.00	0.00	0.00	0.00	0.0
679 GTB Inspection Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
687 Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
699 Transfers From Other Funds	0.00	2,600.00	2,600.00	0.00	0.00	0.00	100.0
Dept: 000	205,300.00	207,900.00	50,886.42	0.00	0.00	157,013.58	24.5
Revenues	205,300.00	207,900.00	50,886.42	0.00	0.00	157,013.58	24.5
Expenditures							
Dept: 336 Fire Dept							
702 Salaries	56,650.00	56,650.00	47,934.70	6,536.55	0.00	8,715.30	84.6
703 Wages	3,500.00	3,500.00	2,961.64	403.86	0.00	538.36	84.6
704 Wages (Officers)	2,500.00	2,500.00	2,115.52	288.48	0.00	384.48	84.6
705 Training Wages	15,000.00	15,000.00	12,701.59	849.40	0.00	2,298.41	84.7
707 Run Wages	10,000.00	10,000.00	6,588.04	774.94	0.00	3,411.96	65.9
713 Other Benefits	5,000.00	5,000.00	210.96	210.96	0.00	4,789.04	4.2
714 Health Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.0
715 Social Security (Employer)	5,450.00	5,450.00	4,482.77	548.90	0.00	967.23	82.3
716 Medicare (Employer)	1,300.00	1,300.00	1,048.43	128.39	0.00	251.57	80.6
721 Loss of Wage	0.00	0.00	0.00	0.00	0.00	0.00	0.0
727 Office Supplies & Expense	1,200.00	1,200.00	905.25	16.55	0.00	294.75	75.4
728 Postage	150.00	150.00	0.00	0.00	0.00	150.00	0.0
739 Fuel & Oil	4,000.00	4,000.00	3,326.73	306.20	0.00	673.27	83.2
740 Operating Expense & Supplies	3,000.00	3,000.00	4,815.42	96.20	0.00	-1,815.42	160.5
745 Turnout Gear	6,000.00	6,000.00	0.00	0.00	0.00	6,000.00	0.0
747 Uniforms	3,000.00	3,000.00	2,435.10	0.00	0.00	564.90	81.2
801 Legal Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
803 Medical Professional Services	5,000.00	5,000.00	2,248.40	312.04	0.00	2,751.60	45.0
804 Professional Services	1,000.00	1,000.00	863.10	40.01	0.00	136.90	86.3
809 Lawn Maintenance Services	500.00	500.00	455.00	0.00	0.00	45.00	91.0
810 Janitorial Services	2,800.00	2,800.00	2,675.00	725.00	0.00	125.00	95.5
811 Waste Removal Services	200.00	200.00	160.00	16.00	0.00	40.00	80.0
812 Septic Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
814 Mutual Aid	4,000.00	4,000.00	0.00	0.00	0.00	4,000.00	0.0
815 Contractual Services (hazmat)	500.00	500.00	395.00	0.00	0.00	105.00	79.0
818 Rural Fire Dept Assessment	0.00	0.00	0.00	0.00	0.00	0.00	0.0
823 State Unemployment	0.00	0.00	0.00	0.00	0.00	0.00	0.0
830 Pension Plan	5,665.00	5,665.00	5,650.59	1,314.81	0.00	14.41	99.7
840 Dues and Memberships	450.00	450.00	500.00	0.00	0.00	-50.00	111.1
845 Snowplowing Services	1,500.00	1,500.00	585.00	585.00	0.00	915.00	39.0
851 Internet/Website	900.00	900.00	699.90	69.99	0.00	200.10	77.8
854 Late Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.0
855 Community Education	500.00	500.00	0.00	0.00	0.00	500.00	0.0
860 Mileage Reimbursement	250.00	250.00	0.00	0.00	0.00	250.00	0.0
865 Meal/Lodging Expense	0.00	2,000.00	847.07	0.00	0.00	1,152.93	42.4
880 Education & Training	3,000.00	3,000.00	3,633.91	0.00	0.00	-633.91	121.1
901 Publishing	500.00	500.00	224.00	0.00	0.00	276.00	44.8
920 Natural Gas	1,000.00	1,000.00	495.98	0.00	0.00	504.02	49.6
922 Electricity	4,000.00	4,000.00	2,716.03	344.21	0.00	1,283.97	67.9
924 Telephone	1,250.00	1,250.00	999.80	99.98	0.00	250.20	80.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 206 - FIRE FUND							
Expenditures							
Dept: 336 Fire Dept							
925 Cellular Phone	1,000.00	1,000.00	400.00	40.00	0.00	600.00	40.0
926 Propane Heat	0.00	0.00	0.00	0.00	0.00	0.00	0.0
927 Pager	0.00	0.00	0.00	0.00	0.00	0.00	0.0
928 Water	400.00	400.00	267.01	116.02	0.00	132.99	66.8
930 Facility Repairs/Maintenance	7,000.00	7,000.00	7,407.02	0.00	0.00	-407.02	105.8
932 Equipment Repair & Maintenance	7,500.00	7,500.00	2,472.08	0.00	0.00	5,027.92	33.0
933 Vehicle Repair & Maintenance	15,500.00	15,500.00	14,347.26	215.97	0.00	1,152.74	92.6
942 Building Rental	0.00	0.00	0.00	0.00	0.00	0.00	0.0
956 Miscellaneous Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0
964 Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
970 Capital Expenditure	5,000.00	5,000.00	2,508.98	1,786.34	0.00	2,491.02	50.2
Fire Dept	186,165.00	188,165.00	140,077.28	15,825.80	0.00	48,087.72	74.4
Dept: 852 Employee Health Insurance							
714 Health Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Employee Health Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 862 Soc Sec/Medicare (Employer)							
715 Social Security (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
716 Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Soc Sec/Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 865 Insurance							
820 Liability Insurance	18,500.00	18,500.00	16,673.00	0.00	0.00	1,827.00	90.1
821 Workers Compensation	7,400.00	7,400.00	5,107.28	0.00	0.00	2,292.72	69.0
Insurance	25,900.00	25,900.00	21,780.28	0.00	0.00	4,119.72	84.1
Dept: 890 Contingency							
890 Contingency	15,000.00	15,600.00	1,088.04	180.00	0.00	14,511.96	7.0
Contingency	15,000.00	15,600.00	1,088.04	180.00	0.00	14,511.96	7.0
Dept: 966 Transfers Out							
999 Transfers To Other Funds	223,351.00	223,351.00	223,351.00	0.00	0.00	0.00	100.0
Transfers Out	223,351.00	223,351.00	223,351.00	0.00	0.00	0.00	100.0
Expenditures	450,416.00	453,016.00	386,296.60	16,005.80	0.00	66,719.40	85.3

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 208 - PARK FUND							
Revenues							
Dept: 000							
590 Grants-Private Sources	0.00	0.00	0.00	0.00	0.00	0.00	0.0
626 Fees Charged	105,000.00	105,000.00	136,404.00	0.00	0.00	-31,404.00	129.9
627 Pavilion Rental	500.00	500.00	400.00	0.00	0.00	100.00	80.0
628 Boat Ramp Fees	11,000.00	11,000.00	12,375.00	0.00	0.00	-1,375.00	112.5
631 Shirts Hats	0.00	0.00	0.00	0.00	0.00	0.00	0.0
632 Reservation Fees	8,000.00	8,000.00	10,400.00	0.00	0.00	-2,400.00	130.0
644 Ice Sales	4,000.00	4,000.00	4,974.00	0.00	0.00	-974.00	124.4
645 Pop Sales	0.00	0.00	0.00	0.00	0.00	0.00	0.0
646 Wood Sales	6,000.00	6,000.00	9,445.00	0.00	0.00	-3,445.00	157.4
648 Shower Fees	1,700.00	1,700.00	2,227.75	0.00	0.00	-527.75	131.0
665 Interest Earned	200.00	200.00	319.78	0.00	0.00	-119.78	159.9
671 Other Revenues	400.00	400.00	976.81	0.00	0.00	-576.81	244.2
673 Sale of Fixed Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.0
687 Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
688 Sales Tax Discount	0.00	0.00	0.00	0.00	0.00	0.00	0.0
694 Cash Over & Short	0.00	0.00	9.25	0.00	0.00	-9.25	0.0
699 Transfers From Other Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	136,800.00	136,800.00	177,531.59	0.00	0.00	-40,731.59	129.8
Revenues	136,800.00	136,800.00	177,531.59	0.00	0.00	-40,731.59	129.8
Expenditures							
Dept: 756 Township Park							
702 Salaries	6,000.00	6,000.00	5,076.94	692.31	0.00	923.06	84.6
703 Wages	70,000.00	70,000.00	55,592.84	0.00	0.00	14,407.16	79.4
715 Social Security (Employer)	4,800.00	4,800.00	3,761.56	42.93	0.00	1,038.44	78.4
716 Medicare (Employer)	1,100.00	1,100.00	879.79	10.05	0.00	220.21	80.0
727 Office Supplies & Expense	600.00	600.00	923.23	0.00	0.00	-323.23	153.9
728 Postage	0.00	0.00	0.50	0.00	0.00	-0.50	0.0
729 Licenses & Fees	700.00	700.00	300.30	0.00	0.00	399.70	42.9
739 Fuel & Oil	300.00	300.00	94.15	0.00	0.00	205.85	31.4
740 Operating Expense & Supplies	7,000.00	7,000.00	8,663.02	0.00	0.00	-1,663.02	123.8
741 Ice	3,000.00	3,000.00	2,697.89	0.00	0.00	302.11	89.9
742 Pop	0.00	0.00	0.00	0.00	0.00	0.00	0.0
743 Wood	5,000.00	5,000.00	2,905.00	0.00	0.00	2,095.00	58.1
744 Shirts & Hats	0.00	0.00	0.00	0.00	0.00	0.00	0.0
747 Uniforms	500.00	500.00	986.28	0.00	0.00	-486.28	197.3
748 Sales Tax	800.00	800.00	780.18	0.00	0.00	19.82	97.5
749 Credit Card Processing Fees	4,000.00	4,000.00	3,391.71	0.00	0.00	608.29	84.8
803 Medical Professional Services	1,000.00	1,000.00	767.50	0.00	0.00	232.50	76.8
804 Professional Services	4,000.00	4,000.00	4,058.95	0.00	0.00	-58.95	101.5
809 Lawn Maintenance Services	7,000.00	7,000.00	5,125.00	0.00	0.00	1,875.00	73.2
811 Waste Removal Services	1,800.00	1,800.00	2,145.00	0.00	0.00	-345.00	119.2
812 Septic Services	5,000.00	5,000.00	4,610.00	0.00	0.00	390.00	92.2
823 State Unemployment	0.00	0.00	0.00	0.00	0.00	0.00	0.0
851 Internet/Website	2,500.00	2,500.00	2,902.00	1,128.00	0.00	-402.00	116.1
852 Promotional Expenses	500.00	500.00	0.00	0.00	0.00	500.00	0.0
854 Late Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.0
860 Mileage Reimbursement	500.00	500.00	125.28	0.00	0.00	374.72	25.1
901 Publishing	0.00	0.00	0.00	0.00	0.00	0.00	0.0
902 Printing	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	0.0
922 Electricity	8,500.00	8,500.00	7,456.20	71.38	0.00	1,043.80	87.7
924 Telephone	500.00	500.00	533.53	34.90	0.00	-33.53	106.7
925 Cellular Phone	600.00	600.00	470.06	47.07	0.00	129.94	78.3
929 Propane	1,500.00	1,500.00	1,115.87	0.00	0.00	384.13	74.4
930 Facility Repairs/Maintenance	35,000.00	35,000.00	48,287.43	0.00	0.00	-13,287.43	138.0
934 Fire Damage	0.00	0.00	0.00	0.00	0.00	0.00	0.0
940 Equipment Rental	1,000.00	1,000.00	432.50	0.00	0.00	567.50	43.3
956 Miscellaneous Expense	0.00	0.00	107.00	0.00	0.00	-107.00	0.0
964 Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 208 - PARK FUND							
Expenditures							
Dept: 756 Township Park							
965 Theft	0.00	0.00	0.00	0.00	0.00	0.00	0.0
970 Capital Expenditure	40,000.00	190,000.00	2,800.00	0.00	0.00	187,200.00	1.5
Township Park	214,200.00	364,200.00	166,989.71	2,026.64	0.00	197,210.29	45.9
Dept: 862 Soc Sec/Medicare (Employer)							
715 Social Security (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
716 Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Soc Sec/Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 865 Insurance							
820 Liability Insurance	4,000.00	4,000.00	3,301.00	0.00	0.00	699.00	82.5
821 Workers Compensation	2,500.00	2,500.00	927.27	0.00	0.00	1,572.73	37.1
Insurance	6,500.00	6,500.00	4,228.27	0.00	0.00	2,271.73	65.1
Dept: 890 Contingency							
890 Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 907 Debt Service/Park							
991 Debt Service Principal	0.00	0.00	0.00	0.00	0.00	0.00	0.0
997 Debt Service Interest	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Debt Service/Park	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Expenditures	220,700.00	370,700.00	171,217.98	2,026.64	0.00	199,482.02	46.2

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 209 - RECREATION FUND							
Revenues							
Dept: 000							
402 Property Taxes	0.00	0.00	0.00	0.00	0.00	0.00	0.0
445 Penalties & Interest	0.00	0.00	0.00	0.00	0.00	0.00	0.0
590 Grants-Private Sources	0.00	0.00	0.00	0.00	0.00	0.00	0.0
627 Pavilion Rental	75.00	75.00	225.00	0.00	0.00	-150.00	300.0
629 Ballfield Rental Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.0
645 Pop Sales	0.00	0.00	0.00	0.00	0.00	0.00	0.0
665 Interest Earned	0.00	0.00	67.37	0.00	0.00	-67.37	0.0
671 Other Revenues	0.00	0.00	0.00	0.00	0.00	0.00	0.0
673 Sale of Fixed Assets	0.00	0.00	0.00	0.00	0.00	0.00	0.0
687 Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
699 Transfers From Other Funds	30,000.00	30,000.00	30,000.00	0.00	0.00	0.00	100.0
Dept: 000	30,075.00	30,075.00	30,292.37	0.00	0.00	-217.37	100.7
Revenues	30,075.00	30,075.00	30,292.37	0.00	0.00	-217.37	100.7
Expenditures							
Dept: 757 Recreation							
702 Salaries	800.00	800.00	676.94	92.31	0.00	123.06	84.6
703 Wages	7,000.00	7,000.00	3,561.25	480.00	0.00	3,438.75	50.9
715 Social Security (Employer)	500.00	500.00	262.61	35.46	0.00	237.39	52.5
716 Medicare (Employer)	150.00	150.00	61.47	8.30	0.00	88.53	41.0
727 Office Supplies & Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0
728 Postage	0.00	0.00	0.00	0.00	0.00	0.00	0.0
729 Licenses & Fees	200.00	200.00	142.30	0.00	0.00	57.70	71.2
740 Operating Expense & Supplies	600.00	600.00	340.84	0.00	0.00	259.16	56.8
742 Pop	0.00	0.00	0.00	0.00	0.00	0.00	0.0
804 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
809 Lawn Maintenance Services	6,000.00	6,000.00	4,850.00	0.00	0.00	1,150.00	80.8
811 Waste Removal Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
812 Septic Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
823 State Unemployment	0.00	0.00	0.00	0.00	0.00	0.00	0.0
854 Late Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.0
860 Mileage Reimbursement	100.00	100.00	25.52	0.00	0.00	74.48	25.5
880 Education & Training	250.00	250.00	0.00	0.00	0.00	250.00	0.0
901 Publishing	0.00	0.00	0.00	0.00	0.00	0.00	0.0
922 Electricity	1,500.00	1,500.00	681.52	26.74	0.00	818.48	45.4
930 Facility Repairs/Maintenance	30,000.00	30,000.00	8,893.21	0.00	0.00	21,106.79	29.6
956 Miscellaneous Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0
964 Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
970 Capital Expenditure	35,000.00	35,000.00	3,815.00	0.00	0.00	31,185.00	10.9
Recreation	82,100.00	82,100.00	23,310.66	642.81	0.00	58,789.34	28.4
Dept: 862 Soc Sec/Medicare (Employer)							
715 Social Security (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
716 Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Soc Sec/Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 890 Contingency							
890 Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Expenditures	82,100.00	82,100.00	23,310.66	642.81	0.00	58,789.34	28.4

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 210 - AMBULANCE FUND							
Revenues							
Dept: 000							
402 Property Taxes	305,450.00	305,450.00	54,545.67	0.00	0.00	250,904.33	17.9
445 Penalties & Interest	0.00	0.00	0.00	0.00	0.00	0.00	0.0
590 Grants-Private Sources	0.00	0.00	697.50	0.00	0.00	-697.50	0.0
626 Fees Charged	0.00	0.00	0.00	0.00	0.00	0.00	0.0
665 Interest Earned	0.00	0.00	342.19	0.00	0.00	-342.19	0.0
667 Facility Rent	7,200.00	7,200.00	5,400.00	0.00	0.00	1,800.00	75.0
671 Other Revenues	0.00	0.00	0.00	0.00	0.00	0.00	0.0
673 Sale of Fixed Assets	0.00	0.00	3,710.00	0.00	0.00	-3,710.00	0.0
675 Contributions	0.00	0.00	0.00	0.00	0.00	0.00	0.0
687 Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
699 Transfers From Other Funds	65,000.00	65,000.00	65,000.00	0.00	0.00	0.00	100.0
Dept: 000	377,650.00	377,650.00	129,695.36	0.00	0.00	247,954.64	34.3
Revenues	377,650.00	377,650.00	129,695.36	0.00	0.00	247,954.64	34.3
Expenditures							
Dept: 651 Ambulance							
702 Salaries	0.00	0.00	0.00	0.00	0.00	0.00	0.0
703 Wages	0.00	0.00	0.00	0.00	0.00	0.00	0.0
704 Wages (Officers)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
705 Training Wages	0.00	0.00	0.00	0.00	0.00	0.00	0.0
708 Duty Crew Wages	0.00	0.00	0.00	0.00	0.00	0.00	0.0
709 On Call Wages	0.00	0.00	0.00	0.00	0.00	0.00	0.0
715 Social Security (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
716 Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
721 Loss of Wage	0.00	0.00	0.00	0.00	0.00	0.00	0.0
727 Office Supplies & Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0
728 Postage	0.00	0.00	0.00	0.00	0.00	0.00	0.0
729 Licenses & Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.0
739 Fuel & Oil	0.00	0.00	0.00	0.00	0.00	0.00	0.0
740 Operating Expense & Supplies	0.00	0.00	0.00	0.00	0.00	0.00	0.0
746 Medical Supplies	0.00	0.00	0.00	0.00	0.00	0.00	0.0
747 Uniforms	0.00	0.00	0.00	0.00	0.00	0.00	0.0
801 Legal Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
803 Medical Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
806 Contractual Services - MMR	295,000.00	295,000.00	295,000.00	0.00	0.00	0.00	100.0
809 Lawn Maintenance Services	500.00	500.00	0.00	0.00	0.00	500.00	0.0
810 Janitorial Services	2,800.00	2,800.00	2,675.00	725.00	0.00	125.00	95.5
811 Waste Removal Services	125.00	125.00	0.00	0.00	0.00	125.00	0.0
812 Septic Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
813 Billing Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
823 State Unemployment	0.00	0.00	0.00	0.00	0.00	0.00	0.0
830 Pension Plan	0.00	0.00	0.00	0.00	0.00	0.00	0.0
840 Dues and Memberships	0.00	0.00	0.00	0.00	0.00	0.00	0.0
845 Snowplowing Services	1,500.00	1,500.00	0.00	0.00	0.00	1,500.00	0.0
855 Community Education	0.00	0.00	0.00	0.00	0.00	0.00	0.0
860 Mileage Reimbursement	0.00	0.00	0.00	0.00	0.00	0.00	0.0
865 Meal/Lodging Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0
880 Education & Training	0.00	0.00	0.00	0.00	0.00	0.00	0.0
901 Publishing	0.00	0.00	0.00	0.00	0.00	0.00	0.0
902 Printing	0.00	0.00	0.00	0.00	0.00	0.00	0.0
920 Natural Gas	1,000.00	1,000.00	495.99	0.00	0.00	504.01	49.6
922 Electricity	4,000.00	4,000.00	2,716.04	344.20	0.00	1,283.96	67.9
924 Telephone	500.00	500.00	0.00	0.00	0.00	500.00	0.0
925 Cellular Phone	0.00	0.00	0.00	0.00	0.00	0.00	0.0
927 Pager	0.00	0.00	0.00	0.00	0.00	0.00	0.0
928 Water	250.00	250.00	267.00	116.02	0.00	-17.00	106.8
930 Facility Repairs/Maintenance	7,000.00	7,000.00	7,138.81	0.00	0.00	-138.81	102.0
942 Building Rental	0.00	0.00	0.00	0.00	0.00	0.00	0.0
956 Miscellaneous Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 210 - AMBULANCE FUND							
Expenditures							
Dept: 651 Ambulance							
964 Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
970 Capital Expenditure	45,000.00	45,000.00	3,901.00	561.00	0.00	41,099.00	8.7
Ambulance	357,675.00	357,675.00	312,193.84	1,746.22	0.00	45,481.16	87.3
Dept: 862 Soc Sec/Medicare (Employer)							
715 Social Security (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
716 Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Soc Sec/Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 890 Contingency							
890 Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Expenditures	357,675.00	357,675.00	312,193.84	1,746.22	0.00	45,481.16	87.3

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 211 - AMBULANCE REPLACEMENT FUND							
Revenues							
Dept: 000							
665 Interest Earned	0.00	0.00	0.00	0.00	0.00	0.00	0.0
671 Other Revenues	0.00	0.00	0.00	0.00	0.00	0.00	0.0
699 Transfers From Other Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Revenues	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Expenditures							
Dept: 000							
970 Capital Expenditure	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 890 Contingency							
890 Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 966 Transfers Out							
999 Transfers To Other Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Transfers Out	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Expenditures	0.00	0.00	0.00	0.00	0.00	0.00	0.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 401 - PUBLIC IMPROVEMENT FUND							
Revenues							
Dept: 000							
566 State Grants	0.00	0.00	0.00	0.00	0.00	0.00	0.0
590 Grants-Private Sources	0.00	0.00	0.00	0.00	0.00	0.00	0.0
665 Interest Earned	0.00	0.00	26.50	0.00	0.00	-26.50	0.0
671 Other Revenues	0.00	0.00	0.00	0.00	0.00	0.00	0.0
695 Proceeds from Loan	0.00	0.00	0.00	0.00	0.00	0.00	0.0
699 Transfers From Other Funds	50,000.00	50,000.00	50,000.00	0.00	0.00	0.00	100.0
Dept: 000	50,000.00	50,000.00	50,026.50	0.00	0.00	-26.50	100.1
Revenues	50,000.00	50,000.00	50,026.50	0.00	0.00	-26.50	100.1
Expenditures							
Dept: 000							
804 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
816 Co Road Comm Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
970 Capital Expenditure	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 966 Transfers Out							
999 Transfers To Other Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Transfers Out	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Expenditures	0.00	0.00	0.00	0.00	0.00	0.00	0.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 406 - FIRE CAPITAL IMPROVEMENT FUND							
Revenues							
Dept: 000							
590 Grants-Private Sources	0.00	0.00	15,161.04	0.00	0.00	-15,161.04	0.0
665 Interest Earned	200.00	200.00	382.26	0.00	0.00	-182.26	191.1
671 Other Revenues	0.00	0.00	0.00	0.00	0.00	0.00	0.0
699 Transfers From Other Funds	223,351.00	223,351.00	223,351.00	0.00	0.00	0.00	100.0
Dept: 000	223,551.00	223,551.00	238,894.30	0.00	0.00	-15,343.30	106.9
Revenues	223,551.00	223,551.00	238,894.30	0.00	0.00	-15,343.30	106.9
Expenditures							
Dept: 000							
703 Wages	0.00	0.00	0.00	0.00	0.00	0.00	0.0
715 Social Security (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
716 Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
740 Operating Expense & Supplies	0.00	0.00	0.00	0.00	0.00	0.00	0.0
804 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
860 Mileage Reimbursement	0.00	0.00	0.00	0.00	0.00	0.00	0.0
970 Capital Expenditure	270,000.00	301,000.00	197,928.20	94,811.00	0.00	103,071.80	65.8
Dept: 000	270,000.00	301,000.00	197,928.20	94,811.00	0.00	103,071.80	65.8
Dept: 862 Soc Sec/Medicare (Employer)							
715 Social Security (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
716 Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Soc Sec/Medicare (Employer)	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 890 Contingency							
890 Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Contingency	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 908 Debt Service/Fire Capital Imp							
991 Debt Service Principal	0.00	0.00	0.00	0.00	0.00	0.00	0.0
997 Debt Service Interest	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Debt Service/Fire Capital Imp	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Expenditures	270,000.00	301,000.00	197,928.20	94,811.00	0.00	103,071.80	65.8

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 590 - MIAMI BEACH SEWER FUND							
Revenues							
Dept: 000							
402 Property Taxes	0.00	0.00	0.00	0.00	0.00	0.00	0.0
445 Penalties & Interest	0.00	0.00	0.00	0.00	0.00	0.00	0.0
446 Penalties-Special Assessments	0.00	0.00	0.00	0.00	0.00	0.00	0.0
626 Fees Charged	0.00	0.00	7,515.87	0.00	0.00	-7,515.87	0.0
665 Interest Earned	0.00	0.00	127.08	0.00	0.00	-127.08	0.0
669 Interest/Special Assessments	0.00	0.00	0.00	0.00	0.00	0.00	0.0
671 Other Revenues	0.00	0.00	0.00	0.00	0.00	0.00	0.0
672 Special Assessments	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	0.00	0.00	7,642.95	0.00	0.00	-7,642.95	0.0
Revenues	0.00	0.00	7,642.95	0.00	0.00	-7,642.95	0.0
Expenditures							
Dept: 000							
727 Office Supplies & Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0
801 Legal Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
804 Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.0
805 Contracted Services-DPW	0.00	0.00	5,252.78	0.00	0.00	-5,252.78	0.0
956 Miscellaneous Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0
964 Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
968 Depreciation	0.00	0.00	0.00	0.00	0.00	0.00	0.0
969 Amortization	0.00	0.00	0.00	0.00	0.00	0.00	0.0
970 Capital Expenditure	0.00	0.00	0.00	0.00	0.00	0.00	0.0
995 Bond Interest	0.00	0.00	0.00	0.00	0.00	0.00	0.0
996 Bond Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	0.00	0.00	5,252.78	0.00	0.00	-5,252.78	0.0
Expenditures	0.00	0.00	5,252.78	0.00	0.00	-5,252.78	0.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 701 - WMDLS Trust							
Revenues							
Dept: 000							
665 Interest Earned	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Revenues	0.00	0.00	0.00	0.00	0.00	0.00	0.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 703 - PROPERTY TAX FUND							
Expenditures							
Dept: 000							
727 Office Supplies & Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Expenditures	0.00	0.00	0.00	0.00	0.00	0.00	0.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud

Fund: 750 - PAYROLL CLEARING FUND

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 811 - WMDLS Road Special Assessment							
Revenues							
Dept: 000							
664 Interest-Spec Assmnt	0.00	0.00	0.00	0.00	0.00	0.00	0.0
665 Interest Earned	0.00	0.00	6.19	0.00	0.00	-6.19	0.0
672 Special Assessments	0.00	0.00	0.00	0.00	0.00	0.00	0.0
687 Refunds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
695 Proceeds from Loan	0.00	0.00	0.00	0.00	0.00	0.00	0.0
699 Transfers From Other Funds	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	0.00	0.00	6.19	0.00	0.00	-6.19	0.0
Revenues	0.00	0.00	6.19	0.00	0.00	-6.19	0.0
Expenditures							
Dept: 000							
956 Miscellaneous Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.0
964 Refunds	0.00	0.00	2,003.21	0.00	0.00	-2,003.21	0.0
970 Capital Expenditure	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 000	0.00	0.00	2,003.21	0.00	0.00	-2,003.21	0.0
Dept: 901 Capital Expenditure							
970 Capital Expenditure	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Capital Expenditure	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 909 Debt Service/WMDLS Road							
991 Debt Service Principal	0.00	0.00	0.00	0.00	0.00	0.00	0.0
995 Bond Interest	0.00	0.00	0.00	0.00	0.00	0.00	0.0
996 Bond Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Debt Service/WMDLS Road	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Dept: 966 Transfers Out							
998 Transfer to Other Units	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Transfers Out	0.00	0.00	0.00	0.00	0.00	0.00	0.0
Expenditures	0.00	0.00	2,003.21	0.00	0.00	-2,003.21	0.0

For the Period: 4/1/2019 to 1/31/2020	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 950 - LONG TERM DEBT							
Grand Total Net Effect:	-637,556.00	-868,556.00	-531,882.10	-141,842.77	0.00	-336,673.90	

MEMO

To: Whitewater Township Board

From: Cheryl A. Goss, Clerk

Date: 02/05/2020

Re: **Miami Beach Sewer System Transfer**

RESOLUTION #20-01 – RESOLUTION TO AUTHORIZE SALE OF PROPERTY

The board will remember that the Transfer Agreement and Bill of Sale were finalized at the 11/12/2019 meeting. No changes were made on 11/12 to the Easement Agreement, which had last been revised on 08/27/2019. Thereafter, John Nolan and Tom Slopsema were to take the documents to the Miami Beach Road Association membership for approval.

At the December meeting, Slopsema "advised the board regarding the Miami Beach Sewer System Transfer that the Miami Beach board gave unanimous approval to the terms in the revised documents and recommended to the membership to proceed with the ownership transfer. They will advise the township board as soon as they have the membership votes tallied."

Also in December, I advised the board of the following items to be dealt with:

- On the Bill of Sale, Cook Road should be excluded at the end of the first paragraph.
- The Miami Beach representative is John Nolan, Treasurer (not Secretary).
- The quit claim deeds will be brought to the January meeting.
- The Miami Beach Road Association address needs to be changed on the deeds and in the Easement Agreement.

An e-mail exchange is attached between me and the township attorneys following up on the listed items, as well as inquiring about the most appropriate method to give township board members authority to sign the documents. Attached are the documents as returned by Attorney Witte on January 17th, including the Resolution to Authorize Sale of Property.

I went on to inquire about giving notice of termination of the operation and maintenance agreement to the County BPW, as well as eventual repeal of Ordinance No. 28, the Miami Beach Rate Ordinance. See Attorney Witte's reply to those questions on January 24.

All of the documents are ready for township signatures and are referenced in the Resolution to Authorize Sale of Property. MBRA signatures are required on the Transfer Agreement and Easement Agreement, and those have been obtained.

An appropriate motion would be: Motion to adopt Resolution #20-01, Resolution to Authorize Sale of Property.

(continued)

DISCUSS/DECIDE MANNER OF TERMINATION OF O&M AGREEMENT WITH COUNTY DPW

The second item of business for 2/11 is to make a decision regarding terminating the agreement with the County BPW for operation and maintenance. In Attorney Witte's 1/24 e-mail, he relates his discussion with John Divozzo regarding this issue and provides two options for how this could be handled.

John Nolan is planning to be at the 2/11 meeting and will have information for the board on this issue.

An appropriate motion would be: (dependent on board decision) _____

_____

Note: Repeal of Ordinance No. 28 is **not** on the 2/11 agenda.

# # #

WHITEWATER TOWNSHIP
GRAND TRAVERSE COUNTY, MICHIGAN
RESOLUTION TO AUTHORIZE SALE OF PROPERTY
RESOLUTION NO. 20-01

At a regular meeting of the Whitewater Township Board, Grand Traverse County, Michigan, held at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan 49690, on the 11th day of February 2020, at 7:00 p.m., Eastern Daylight Time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____

and supported by _____:

WHEREAS, the Township owns certain real property and the common drain field system located on the real property (the "System"); and

WHEREAS, the Township Board finds the System and the associated real property is no longer needed to be operated and maintained by the Township; and

WHEREAS, the transfer and sale of the System and the associated real property is determined to be in the best interests of the Township;

NOW, THEREFORE, BE IT RESOLVED by the Township Board of Whitewater Township, Grand Traverse County, Michigan, as follows:

1. The Township Board approves the transfer and sale of the System to the Miami Beach Road Association, Inc. for the sum of one dollar and zero cents ($1.00).

2. The Township Board approves the sale of certain real property located on Lossie Road to the Miami Beach Road Association, Inc. for the sum of one dollar and zero cents ($1.00).

3. The Township Board approves the sale of certain real property located on Miami Beach Road to the Miami Beach Road Association, Inc. for the sum of one dollar and zero cents ($1.00).

4. The Township Board approves the grant of an easement over certain portions of Lossie Road to the Miami Beach Road Association, Inc. for the sum of one dollar and zero cents ($1.00).

5. The Township Board authorizes and directs the Township Supervisor, Township Clerk, Township Treasurer, and Township Trustees to execute such documents as are necessary to effect the sale of the Property and the associated real property, including but not limited to the following documents attached to the resolution and reviewed by the Township Board at the time of approval:

i. The Transfer Agreement transferring the System to the Miami Beach Road Association, Inc. and establishing Miami Beach Road Association, Inc.'s continuing obligations with respect to the ownership and maintenance of the System.

ii. The Bill of Sale transferring the System to the Miami Beach Road Association, Inc.

iii. The Easement Agreement granting Miami Beach Road Association, Inc. a non-exclusive easement over a portion of Lossie Road.

iv. The Warranty Deed transferring certain real property located on Lossie Road to the Miami Beach Road Association, Inc.

v. The Warranty Deed transferring certain real property located on Miami Beach Road to the Miami Beach Road Association, Inc.

6. All prior resolutions and parts of prior resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

Yeas: _____

Nays: _____

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) ss
GRAND TRAVERSE COUNTY)

I, the undersigned, the duly qualified and acting Clerk for Whitewater Township, Grand Traverse County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Whitewater Township Board at a meeting held on the 11th day of February, 2020, and further certify that the above Resolution was adopted at said meeting.

_____
Cheryl Goss, Township Clerk
Whitewater Township

Cheryl A. Goss

From: Jacob Witte [redacted]
Sent: Friday, January 24, 2020 4:00 PM
To: Cheryl A. Goss
Cc: Christopher Patterson
Subject: RE: Miami Beach Sewer System Transfer
Attachments: 2020.01.17 Repeal of Ordinance No 28.docx; 2020.01.23 Notice of Adoption Repeal of Ordinance # 28.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Cheryl,

I agree that Ordinance 28 should be repealed—there are no provisions within this ordinance that will remain useful to the Township. I've attached a repealing ordinance as well as a notice of adoption.

With regards to the Township's agreement with the County BPW, Paragraph 16 of the agreement provides that termination requires six months' advance notice. I spoke to John Divozzo, the Director of the County BPW, and he told me that the County would be willing to immediately terminate the agreement with the Township if the MBRA sends a letter to the County expressing its willingness to enter into a similar agreement. To avoid the six-month notice period, the Township may wish to request that the MBRA provide the County with such a letter. If the six-month wait is of no concern, we can provide you with a letter giving notice of termination as provided in the agreement.

Please let me know how the Township wishes to proceed.

Sincerely,

Jake

Jacob N. Witte
Associate • Fahey Schultz Burzych Rhodes
[redacted]
U.S. News & World Report Ranked Best Law Firm

From: Cheryl A. Goss <clerk@whitewatertownship.org>
Sent: Friday, January 17, 2020 12:18 PM
To: Jacob Witte [redacted]
Cc: Christopher Patterson [redacted]
Subject: RE: Miami Beach Sewer System Transfer

Jacob –

Thank you for your prompt review and return of documents!

After I sent the e-mail, a couple more questions came to mind.

1. Once the system has been sold/transferred, we need to give written notice to the County BPW that we are terminating the agreement for operation of the system. (See agreement attached.) Could you provide us with an appropriate letter to that effect? (MBRA and the BPW intend to contract with each other for the same services, but they will need some time to get that in place.)
2. What about Ordinance 28, Miami Beach Rate Ordinance? (See attachment) Should this be repealed at some point?

Thank you for your assistance in these matters!

Cheryl A. Goss, CMMC
Whitewater Township Clerk
5777 Vinton Road, P.O. Box 159
Williamsburg, Michigan 49690
Telephone: 231.267.5141 X 24
Fax: 231.267.9020
clerk@whitewatertownship.org
Office Hours: Mon/Tue/Wed/Thurs 9:00 am to 5:00 pm

I Pledge Allegiance to the Flag of the United States of America, and to the REPUBLIC for which it stands, one Nation, under God, Indivisible, with Liberty and Justice for All.

From: Jacob Witte [redacted]
Sent: Friday, January 17, 2020 11:26 AM
To: Cheryl A. Goss
Cc: Christopher Patterson
Subject: RE: Miami Beach Sewer System Transfer

Cheryl,

We reviewed all of the documents you shared with us. I've attached revised versions.

For all the documents except the warranty deeds, my changes are in redline. I added revised language to the Bill of Sale reflecting the Township will retain the Cook Road portion of the system. I also changed the signature years, where applicable, and amended the warranty deeds to reflect the accurate address for the MBRA. The transfer agreement did not require any revisions.

The most appropriate method of approval would be by resolution of the Township Board. I've attached a resolution approving the sale/transfer of the system and associated real property, as well as the granting of an easement over Lossie Road. This resolution incorporates all of the documents we have prepared. Once the resolution is approved by a majority of the Board, the relevant Board members can execute the documents.

After the resolution passes and the documents are signed, no further action should be required by the Township.

Please don't hesitate to contact us if you have any other questions or concerns.

Sincerely,

Jake

Jacob N. Witte
Associate • Fahey Schultz Burzych Rhodes
[redacted]
U.S. News & World Report Ranked Best Law Firm

From: Cheryl A. Goss <clerk@whitewatertownship.org>
Sent: Monday, January 13, 2020 3:46 PM
To: Christopher Patterson [redacted]; Jacob Witte [redacted]
Subject: Miami Beach Sewer System Transfer

Hello Chris and Jacob –

You'll remember that there came a point where the township board decided to retain ownership of the Cook Road portion of the Miami Beach Sewer System due to issues with the Grand Traverse County Road Commission. You provided documents to us which were discussed at the board's 11/12/2019 meeting. You brought to our attention a discrepancy in the footage of the system, and we were able to resolve that on 11/12 with the Miami Beach Road Association representatives (John Nolan and Tom Slopsema). Those numbers were corrected in the documents, and the board accepted or rejected other proposed changes, and added some wording of its own in a few places. All of these revisions are described in detail in the 11/12 meeting minutes, an excerpt of which is attached. I made all of the 11/12 agreed-upon changes to the Transfer Agreement and Bill of Sale; those documents are also attached.

We last amended the Easement Agreement on 8/27. The only recent change to that is MBRA's address change. The updated document is attached.

It was left at the 11/12 meeting that these were the final documents, and MBRA would seek approval of their board.

At the board's 12/10 meeting, we were informed by Tom Slopsema that the MBRA board approved the terms in the revised documents, and MBRA would now seek membership approval. Two excerpts from the 12/10 draft minutes are attached.

Per a 1/6/2020 verbal update from Tom Slopsema, overwhelming approval of the membership has been received.

In the meantime, there are a couple matters that John Nolan brought up with respect to the documents.

1. The Bill of Sale should reflect that the Cook Road portion of the system is <u>not</u> being transferred to MBRA. You'll see in the attached Bill of Sale that John added some language in yellow. I'm not sure if

that's how you would have worded the exclusion of the Cook Road portion from that document. Please advise.

2. There are two Warranty deeds that Ben Price's office supplied, but they both need to have the MBRA address changed to 9933 Miami Beach Road, Williamsburg, MI 49690. Attached are the two deeds as supplied to me by John Nolan. Not sure if we need to get these changes from Ben Price's office. Please advise.

Then I have a couple other items:

1. We will have to change all of the years for signatures to 2020.
2. What is the most appropriate method to give township board members authority to sign these documents? Motion? Resolution?
3. If there's anything else the board needs to do before signing these documents, please advise.

Please acknowledge receipt of this e-mail and let me know when you'll be able to give attention to the matters herein.

As always, thank you for your valuable assistance!

Cheryl A. Goss, CMMC
Whitewater Township Clerk
5777 Vinton Road, P.O. Box 159
Williamsburg, Michigan 49690
Telephone: 231.267.5141 X 24
Fax: 231.267.9020
clerk@whitewatertownship.org
Office Hours: Mon/Tue/Wed/Thurs 9:00 am to 5:00 pm

I Pledge Allegiance to the Flag of the United States of America, and to the REPUBLIC for which it stands, one Nation, under God, Indivisible, with Liberty and Justice for All.

TRANSFER AGREEMENT

This **TRANSFER AGREEMENT** (the "***Agreement***"), effective as of the date of the last party to sign below (the "***Effective Date***"), is made by and between **Township of Whitewater**, a Michigan municipal corporation, whose address is 5777 Vinton Road, Williamsburg, Michigan 49690 (the "***Township***"), and **Miami Beach Road Association, Inc.**, a Michigan non-profit corporation, whose address is 9933 Miami Beach Road, Williamsburg, Michigan 49690 (the "***Association***").

WHEREAS, the Township owns certain real property described on Exhibit A and the common drain field system located on the real property (the "System"); provided, however, the approximately 1,200 feet of 3" pipe in the Cook Rd. right of way, within the System, is specifically excluded and shall be retained by the Township;

WHEREAS, pursuant to MCL 41.2, the Township is authorized to convey or lease Township property that is no longer needed for public purposes;

WHEREAS, the real property described on Exhibit A and the System are no longer needed by the Township to serve a public purpose;

WHEREAS, on the Effective Date, Association acquired from the Township certain real property described on Exhibit A, including all of the Township's right, title and interest in the System pursuant to the terms of a warranty deed and bill of sale;

WHEREAS, in connection with the transfer of the System, Township shall immediately assign all of the funds in its possession relating to the System to the Association;

WHEREAS, Article 9, § 18 of the Michigan Constitution prohibits municipalities from giving away public property without consideration; and

WHEREAS, the Township has received good and valuable consideration from the Association in exchange for the real property described on Exhibit A and the System.

NOW, THEREFORE, in consideration of the covenants and agreements contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Transfer. The Township hereby grants, bargains, sells, assigns, warrants, transfers to the Association by (i) a Warranty Deed, a copy of which is attached hereto as Exhibit A, (ii) a Bill of Sale of all personal property associated with the System, a copy of which is attached hereto as Exhibit B, and (iii) an Easement for ingress and egress from Cook Road to the System and a maintenance and repair easement, a copy of which is attached hereto as Exhibit C, (iv) all right, title and interest of the Township in and to the System, (v) all funds (approximately $80,000.00) in its possession relating to the System, (vi) all permits, approvals, authorizations,

and certificates issued by any federal, state, county, or other governmental authority relating to the use, maintenance, construction, or improvement of the System which the Township is able to transfer or assign; and (vii) all unexpired claims, warranties, and guarantees, if any, received in connection with the purchase, construction, or improvement of the System, to the extent such rights are assignable.

2. Assumption. The Association hereby accepts the transfer of the Township's interest in the System, and hereby assumes ownership and shall be fully and completely responsible for all maintenance, repair and replacements of the System, regardless of whether the same accrued before, on or after the Effective Date. Beginning on the Effective Date, the Township shall have no duty or obligation to maintain, repair or replace the System. If, for any reason the Township is required to conduct any maintenance, repair or replacement of the System after the Effective Date, the Association shall promptly reimburse the Township for any and all costs incurred by the Township in taking such action. The Association further consents to the Township's ability to recover such costs, if not timely paid, through special assessments under applicable law. To the extent any property owners within the assessment district are entitled to file objections to such assessments under any applicable law, the property owners, through approval of this Agreement, waive any objections and consent to such assessments to recover costs incurred to the Township under this Agreement.

3. Indemnification. To the extent provided by law, beginning on the Effective Date, the Association covenants and agrees that it shall indemnify and hold the Township, and all of its officials, board members, representatives, agents, employees, officers, contractors and affiliates harmless for any claim, loss, damage, cost, charge, expense, lien, settlement or judgment, including interest thereon and any costs and attorney fees of litigation, whether to any person or property or both, arising directly or indirectly out of, or in connection with the Association's use or ownership of the System, or the Association's use of the Easement.

a. Scope of Indemnity. This obligation to indemnify and hold the Township harmless includes, but is not limited to, injuries that occur to members of the Association or its contractors and sub-contractors, or injuries to members of the public, or injuries to employees of the Township, or any liability for interruption or loss of sewer service provided by or with the System, or any civil or regulatory liability for failing to maintain or operate the System as required by any state, local or federal governmental entity. The Association will not be liable under this section for damages arising out of injury or damage to persons or property directly or indirectly caused by the intentional conduct or sole negligence of the Township.

b. Proceedings. In the event any suit or other proceedings, for any claim, loss, damage, cost, charge, or expense covered by the Association's foregoing indemnity should be brought against the Township, or any of its officials, board members, representatives, agents, employees, officers, contractors or affiliates, the Township has the right to select counsel of its choice for the defense; however, the Association may participate in or assume control of the defense with counsel of its choice, which counsel must be reasonably acceptable to the Township. In any event, the Association hereby covenants and agrees to the defense at the Association's own expense and to pay any and all costs, charges, attorney's fees, and other expenses, and any and all judgments that may

be incurred by, or obtained against the Township, or any of its officials, representatives, agents, employees, officers, contractors or affiliates in such suits or other proceedings. In the event of any judgment or other lien being placed upon the property of the Township in such suits or other proceedings, the Association shall at once cause the same to be dissolved and discharged by giving bond or otherwise.

c. Non-Liability of Township Official, Employees and Agents. No elective or appointive board, commission, member, officer, employee or other agent of the Township shall be personally liable to the Association, its successors and assigns, in the event of any default or breach by the Township or for any amount which may become due to the Association, its successors and assigns, or for any obligation of the Township under this Agreement.

d. No Liability for Damage, Death or Bodily Injury. Except to the extent that damage or injury is caused by the intentional conduct or gross negligence of the Township, the Township nor any of its commissions, departments, boards, officers, agents or employees shall be liable for any damage to the property of the Association, its members, agents, employees, contractors or subcontractors, or their employees, or for any bodily injury or death to such persons, resulting or arising from the System or activities authorized by this Agreement, the condition of any Township property subject to this Agreement or the Association's use of any Township property, except as otherwise provided herein and permitted by law.

e. Waiver of Claims regarding Fitness of the System. The Association acknowledges that the Township has made no warranties or representations regarding the condition of the System and that any performance of work or costs incurred by the Association is at the Association's sole risk. The Association on behalf of itself and its successors and assigns, waives its right to recover from, and forever releases and discharges, the Township and its agents, and their respective heirs, successors, administrators, personal representatives and assigns, from any and all claims, whether direct or indirect, known or unknown, foreseen and unforeseen, that may arise on account of or in any way be connected with the physical or environmental condition of the System or any law or regulation applicable thereto.

f. No Liability for Consequential or Incidental Damages. The Association expressly acknowledges and agrees that the Township will not be liable for any consequential or incidental damages, including, but not limited to, lost profits and loss of good will, arising out of a disruption to the System. The Township would not be willing to enter into this Agreement in the absence of a waiver of liability for consequential or incidental damages due to the acts or omissions of Township or its agents, and the Association expressly assumes the risk with respect thereto. Accordingly, without limiting any indemnification obligations of the Association or other waivers contained in this Agreement and as a material part of the consideration for this Agreement, the Association fully RELEASES, WAIVES AND DISCHARGES forever any and all claims, demands, rights, and causes of action for consequential and incidental damages (including without limitation, lost profits and loss of good will), and covenants not to sue for such damages, the Township, its Board, departments, commissions, officers, and employees, and all

persons acting by, through or under each of them, arising out of this Agreement or the work and activities authorized hereunder, including, without limitation, any interference with uses conducted by the Association pursuant to this Agreement, except to the extent caused by the gross negligence of the Township or its agents.

g. Agency Orders. If any regulatory agency, administrative agency or governmental body having jurisdiction over the System or the approximately 1,200 feet of 3" pipe carrying effluent water in the public right-of-way of Cook Road belonging to the Township (the "Township's Cook Road Portion") orders the Township to take any action related to the maintenance, repair, operation or improvement of the System or the Township's Cook Road Portion, the Association shall be responsible for ensuring the order is timely carried out. If the Association fails to timely carry out any such order and the Township is required to act instead, the Association shall reimburse the Township for any and all costs incurred by the Township in taking such action within thirty (30) days after receiving written notice from the Township. The Association further consents to the Township's ability to recover such costs, if not timely paid, through special assessments of parcels within the assessment district of the System to be assessed equally. To the extent any property owners within the assessment district are entitled to file objections to such assessments under any applicable law, the property owners, through approval of this Agreement, waive any objections and consent to such assessments to recover costs incurred to the Township under this Agreement.

4. Permits. The Association shall obtain, at its sole expense, all applicable permits as are required by Township or any other agency to operate, maintain and repair the System.

5. Grant. The Township hereby grants consent to the Association and the Association's employees', agents', tenants', licensees', invitees' and contractors' ongoing use of the Township's public rights-of-way for the sole purpose of operating, maintaining, repairing or replacing the System. This grant of consent is non-exclusive and is subject to the Township's continuing Constitutional right to exercise control over its public rights-of-way.

a. All Rights Nonexclusive. Notwithstanding any other provision of this Agreement, any and all rights expressly or impliedly granted to the Association under this Agreement shall be non-exclusive, and shall be subject and subordinate to (1) the continuing right of the Township to use, and to allow any other person or persons to use, any and all parts of the public rights-of-way, exclusively or concurrently with any other person or persons, and (2) the public easement for streets and any and all other deeds, easements, dedications, conditions, covenants, restrictions, encumbrances and claims of title (collectively, "Encumbrances") which may affect the public rights-of-way now or at any time during the term of this Agreement, including without limitation any Encumbrances granted, created or allowed by the Township at any time.

b. Reservation of Powers. The Township reserves any and all powers it may have, now or in the future under applicable local, state, or federal law, to regulate the System, its use, or the use of the public rights-of-way or of other Township property. The Association shall be subject to all present and future ordinances of the Township and its

boards and commissions. Nothing in this Agreement shall be construed as a waiver of any codes, ordinances or regulations of the Township or of the Township's right to require the Association to secure the appropriate permits or authorizations for exercising the rights set forth in this Agreement.

c. All Activities at Association's Sole Expense. Notwithstanding any other provision of this Agreement, the operation, maintenance, repair, replacement and removal of the System, and all other activities permitted hereunder and all obligations of the Association under this Agreement, shall be the Association's sole responsibility at the Association's sole cost and expense.

6. Use of the Public-Right-of-Way.

a. No Burden on Public Right-of-Way. The Association, its contractors, subcontractors, and the System shall not unduly burden or interfere with the present or future use of any of the public rights-of-way. The System shall be maintained so as to not endanger or injure persons or property in or about the public rights-of-way. If the Township reasonably determines that any portion of the System constitutes an undue burden or interference, due to changed circumstances, the Association, at its sole expense, shall modify the System or take such other actions as the Township may determine is in the public interest to remove or alleviate the burden, and the Association shall do so within a reasonable time period.

b. Maintenance. The Association shall maintain the System in a functional and reasonably safe condition. The Association may perform maintenance on the System without prior approval of the Township, provided that the Association shall obtain approval from the Township at least seven (7) days in advance of any scheduled maintenance in the event that such maintenance will disturb or block vehicular traffic.

c. Restoration of Property. Upon completion of any maintenance or repair to be performed by the Association to the System, the Association, its contractors and subcontractors shall immediately (subject to seasonal work restrictions) restore, at the Association's sole expense, in a manner approved by the Township, any portion of the ROW that is in any way disturbed, damaged, or injured by the construction, installation, operation, maintenance or removal of any component of the System to a reasonably equivalent (or, at the Association's option, better) condition as that which existed prior to the disturbance. In the event that the Association, its contractors or subcontractors fail to make such repair within sixty (60) days after written notice, the Township may make the repair and the Association shall pay the costs the Township incurred for such repair. The provisions of this paragraph shall survive the expiration, completion or earlier termination of this Agreement.

d. Compliance with Laws. The Association shall comply with all laws, statutes, ordinances, rules and regulations regarding the maintenance, repair or removal of the System, whether federal, state or local, now in force or which hereafter may be promulgated. Before any work is commenced, the Association or its contractors shall secure all necessary permits, licenses and approvals from the Township or other

governmental entity as may be required by law, including, without limitation, all utility line permits and highway permits. The Township shall not unreasonably delay or deny issuance of any such permits, licenses or approvals. The Association shall comply in all respects with applicable codes and industry standards. The Association shall comply with all zoning and land use ordinances as may exist or may hereafter be amended. This Section does not constitute a waiver of the Association's right to challenge laws, statutes, ordinances, rules or regulations now in force or established in the future.

e. Public Emergency. The Township shall have the right to sever, disrupt, dig-up or otherwise destroy the System or a portion thereof if such action is necessary because of a public emergency. If reasonable to do so under the circumstances, the Township shall attempt to provide notice to the Association. Public emergency shall be any condition which poses an immediate threat to life, health, or property caused by any natural or man-made disaster, including, but not limited to, storms, floods, fire, accidents, explosions, water main breaks, hazardous material spills, etc. The Association shall be responsible for repair at its sole cost and expense of any portion of the System damaged pursuant to any such action taken by the Township.

7. Use of the Township's Cook Road Portion. The System will be required to utilize approximately 1,200 feet of 3" pipe carrying effluent water in the public right-of-way of Cook Road belonging to the Township (the "Township's Cook Road Portion"). Once the System is transferred to the Association, the Association will be the sole user of the Township's Cook Road Portion of the System for as long as the System is operated by the Association, except as otherwise mutually agreed to by the parties. In exchange for the Township allowing use of the Township's Cook Road Portion, Association shall comply with the following:

a. Operation and Maintenance: The Association shall operate and maintain, and shall be responsible for the actual costs of operating and maintaining, the Township's Cook Road Portion, including any necessary repairs and improvements. The Association shall reimburse the Township for any costs incurred by the Township related to the operation and maintenance of the Township's Cook Road Portion within thirty (30) days after receiving written notice from the Township. The Association further consents to the Township's ability to recover such costs, if not timely paid, through special assessments of parcels within the assessment district of the System to be assessed equally. To the extent any property owners within the assessment district are entitled to file objections to such assessments under any applicable law, the property owners, through approval of this Agreement, waive any objections and consent to such assessments to recover costs incurred to the Township under this Agreement.

b. Study and Report. Within five (5) years of the Effective Date of this Agreement, the Association shall commission an engineering study to determine the condition of the Township's Cook Road Portion and whether any maintenance, repairs or improvements are necessary. The Association shall provide a copy of this report to the Township. The Association shall commission such a study and report to the Township no less than once every five (5) years. The Township shall have the right to commission an independent review of the study and the report to verify its accuracy, and the reasonable costs of the

same will be charged to the Association. The Association shall be responsible for the cost of any maintenance, repairs or improvements recommended by such studies.

c. Compliance with Applicable Law. The maintenance and reporting requirements set forth in this Section shall not be construed to excuse compliance with any more restrictive maintenance or reporting requirements promulgated by any regulatory agency, administrative agency or governmental body having jurisdiction over the System. Any expenses incurred by the Township in bringing the System or Township's Cook Road Portion into compliance with any applicable law or regulation will be paid by the Association. The Association further consents to the Township's ability to recover such costs, if not timely paid, through special assessments of parcels within the assessment district of the System to be assessed equally. To the extent any property owners within the assessment district are entitled to file objections to such assessments under any applicable law, the property owners, through approval of this Agreement, waive any objections and consent to such assessments to recover costs incurred to the Township under this Agreement.

8. Decommissioning Plan. The Association shall properly decommission the System within the Easement Area (as defined in Exhibit C) and the Township's Cook Road Portion upon the termination, inoperability or abandonment of the System. Decommissioning shall include removal of all components of the System within the Easement Area and the Township's Cook Road Portion no longer in use, restoration of the soil within the Easement Area and the Township's Cook Road Portion, and restoration of vegetation within the Easement Area and the Township's Cook Road Portion within one (1) year of the termination, inoperability or abandonment of the System within the Easement Area and the Township's Cook Road Portion. Extensions may be granted upon request to the Township prior to that expiration of the one (1) year requirement for decommissioning. If the Association fails to timely decommission the System within the Easement Area and the Township's Cook Road Portion, the Township may (but has no obligation to) decommission the System within the Easement Area and the Township's Cook Road Portion. If the Township decommissions the System within the Easement Area and the Township's Cook Road Portion, the Association shall promptly reimburse the Township for any and all costs incurred by the Township in taking such action. The Association further consents to the Township's ability to recover such costs, if not timely paid, through special assessments of parcels within the assessment district of the System to be assessed equally. To the extent any property owners within the assessment district are entitled to file objections to such assessments under any applicable law, the property owners, through approval of this Agreement, waive any objections and consent to such assessments to recover costs incurred to the Township under this Agreement.

9. Notices: All notices under this Agreement shall be given as follows:

If to the Township, to the Township of Whitewater, Attn: Township Supervisor
5777 Vinton Road, P.O. Box 159
Williamsburg, MI 49690

If to the Association, to John Nolan, MBRA Treasurer

9933 Miami Beach Road
Williamsburg, Michigan 49690

Change of Address: The Association and the Township may change its address or personnel for the receipt of notices at any time by giving notice thereof to the other as set forth above.

10. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the Township and the Association and their respective successors and assigns.

11. Power and Authority. Each party represents and warrants to the other that it is fully empowered and authorized to execute and deliver this Agreement, and the individual signing this Agreement on behalf of such party represents and warrants to the other party that he or she is fully empowered and authorized to do so.

12. Counterparts. This Agreement may be executed in a number of identical counterparts, each of which for all purposes is deemed an original, and all of which constitute collectively one (1) agreement, but in making proof of this Agreement, it shall not be necessary to produce or account for more than one such counterpart. Facsimile or email copies of signatures on this Agreement shall be deemed to be originals.

13. Entire Agreement. This Agreement along with any exhibits or attachments thereto constitutes the entire Agreement between the parties and may not be modified except in writing signed by both parties. Where any exhibit or attachment to this Agreement is inconsistent with the terms of this Agreement, the terms of this Agreement shall govern. Nothing contained in this Agreement shall be construed to create a partnership, agency, joint venture, or employer/employee relationship between the parties.

14. Amendment. This Agreement may be amended only by written agreement of the Township and the Association.

15. Headings. The article headings in this Agreement are for convenience only and shall not be considered a part of or used in the interpretation of this Agreement.

16. Severability. Should any provision(s) of this Agreement become illegal or invalid under any statute or rule of law, or be declared or determined by any court to be illegal or invalid, the validity of the remaining parts, terms or provisions shall not be affected thereby, and the illegal or invalid provision(s) shall be deemed not to be part of this Agreement.

17. Jurisdiction and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan and venue for any disputes shall lie in Grand Traverse County, Michigan.

IN WITNESS WHEREOF, Township and Association have executed and delivered this Agreement as of the date of the last party to sign below.

TOWNSHIP:

TOWNSHIP OF WHITEWATER

By:_____
Supervisor Ron Popp

By:_____
Clerk Cheryl A. Goss

By:_____
Treasurer Ardella Benak

By:_____
Trustee Paul Hubbell

By:_____
Trustee Lloyd Lawson

Dated:
_____

ASSOCIATION:

MIAMI BEACH ROAD ASSOCIATION, INC.

By: _____

Its: _____

Dated: _____

EXHIBIT A

The real property is located in the Township of Whitewater, County of Grand Traverse, State of Michigan, described as:

Part of the Southeast one-quarter (¼) of Section 27, Town 28 North, Range 9 West, described as: Commencing at the South ¼ corner of Section 27, thence North along the North-South quarter line, 1967.56 feet; thence S 88°50'00" E, 723.55 feet to the point of beginning of a 5.151 acre parcel; thence South, 222.57 feet; thence S 23°15'39" E, 255.19 feet; thence S 41°25'17" E, 181.94 feet; thence East, 217.12 feet; thence North, 584.52 feet; thence N 88°50'00" W, 438.36 feet to the point of beginning.

Part of the Southwest one-quarter (¼) of the Northeast one-quarter (¼) of government lot 2, Section 27, Town 28 North, Range 9 West, described as: Commencing at the N.W. corner of government Lot 2, thence East, 622.3 feet; thence S 0°05' E, 200 feet; thence N 89°55' E, 179.9 feet; thence S 17°33' W, 181.3 feet; thence S 72°28' E, 212.80 feet; thence S 17°35' W, 338.85 feet to the point of beginning; thence S 89°55' W, 154.06 feet; thence S 17°35' W, 69.25 feet; thence N 89°55' E, 154.06 feet; thence N 17°35 E, 69.25 feet to the point of beginning.

BILL OF SALE

For adequate consideration, the receipt of which is hereby acknowledged, Whitewater Township, a Michigan municipal corporation ("Grantor") hereby grants, bargains, sells, assigns, warrants, transfers and delivers to Miami Beach Road Association, Inc., a Michigan non-profit corporation ("Grantee"), all of Grantor's right, title and interest in and to the sewer system and common drain field system located at the property described in Exhibit A and any personal property associated with the sewer system, with the exception of the Cook Road Portion described below (the "System").

The System includes, but is not limited to, the following components:

1. A pressurized collection system consisting of approximately 5,450 lineal feet of 3-inch force main, which includes segments located beneath Miami Beach Road (the "Miami Beach Road Portion") and Lossie Road a/k/a Lossie Road Nature Trail (the "Lossie Road Portion"), but does not include the approximately 1,200 lineal feet of 3-inch force main located beneath the Cook Road right-of-way that connects the Miami Beach Road Portion to the Lossie Road Portion (the "Cook Road Portion");

2. Clean out structures built at intervals of several hundred feet along the Miami Beach Road Portion and Lossie Road Portion, but not including any clean out structures located along the Cook Road Portion;

3. One air release valve contained within a 4-foot diameter concrete manhole;

4. One 1,600-gallon sediment tank;

5. One 1,600-gallon pump chamber, housing two submersible effluent pumps operated by an ultrasonic level/pump controller;

6. One above-ground electrical panel housing the pump controller for the pump chamber, an alarm beacon and necessary controls for pump and alarm functions;

7. One field dosing chamber consisting of two 1,600-gallon tanks;

8. Two trap and bell siphons leading from the field dosing chamber, monitored and controlled by two battery-powered Red Lion II controls/totalizing counters located on discharge lines within a 4-foot concrete manhole;

9. One drain field measuring 125 feet by 80 feet; and

Grantor warrants title to the System and that the System is free, clear and discharged of all liens and encumbrances of whatever nature created or caused by Grantor.

Grantor is transferring the System to Grantee, and Grantee hereby accepts the System AS-IS WHERE IS, WITHOUT WARRANTIES EXPRESS OR IMPLIED, (except for warranty of title expressly provided above), INCLUDING WITHOUT LIMITATION WITHOUT ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.

IN WITNESS WHEREOF, the undersigned has executed this instrument this ___ day of _____, 2020~~19~~.

WHITEWATER TOWNSHIP

Dated: _____ By: _____

Its: _____

EXHIBIT A

The System is located on two land parcels described below, with Parcel One containing the drain field and Parcel Two containing the pump station, and with connecting piping infrastructure between these parcels located in and along the Right of Way on the following roads: Lossie Road a/k/a Lossie Road Nature Trail and Miami Beach Road.~~,~~ The System does not include the approximately 1,200 lineal feet of 3-inch force main located beneath the Cook Road right-of-way that connects the Miami Beach Road Portion to the Lossie Road Portion. ~~excluding portion along Cook Road right-of-way that connects the Miami Beach Road Portion to the Lossie Road Portion, and Miami Beach Road.~~

Parcel One
Part of the Southeast one-quarter (¼) of Section 27, Town 28 North, Range 9 West, described as: Commencing at the South ¼ corner of Section 27, thence North along the North-South quarter line, 1967.56 feet; thence S 88°50'00" E, 723.55 feet to the point of beginning of a 5.151 acre parcel; thence South, 222.57 feet; thence S 23°15'39" E, 255.19 feet; thence S 41°25'17" E, 181.94 feet; thence East, 217.12 feet; thence North, 584.52 feet; thence N 88°50'00" W, 438.36 feet to the point of beginning.

Parcel Two
Part of the Southwest one-quarter (¼) of the Northeast one-quarter (¼) of government lot 2, Section 27, Town 28 North, Range 9 West, described as: Commencing at the N.W. corner of government Lot 2, thence East, 622.3 feet; thence S 0°05' E, 200 feet; thence N 89°55' E, 179.9 feet; thence S 17°33' W, 181.3 feet; thence S 72°28' E, 212.80 feet; thence S 17°35' W, 338.85 feet to the point of beginning; thence S 89°55' W, 154.06 feet; thence S 17°35' W, 69.25 feet; thence N 89°55' E, 154.06 feet; thence N 17°35 E, 69.25 feet to the point of beginning.

The remaining piping infrastructure is located in the Miami Beach Road right of way along the First Addition to Miami Beach, Miami Beach No. 3, and Clearwater Beach subdivisions, as recorded in plats thereof.

EASEMENT AGREEMENT

This Easement Agreement (the "Agreement") is entered into on _____, 2019, between Township of Whitewater, a Michigan municipal corporation, whose address is 5777 Vinton Road, Williamsburg, Michigan 49690 (the "Grantor"), and Miami Beach Road Association, Inc., a Michigan non-profit corporation, whose address is 9933 Miami Beach Road, Williamsburg, Michigan 48690 (the "Grantee"), on the terms and conditions set forth below.

1. **Purpose**. Grantor and Grantee own adjacent parcels of real property. Grantor grants to Grantee a non-exclusive easement on, over, under and across a portion of Grantor's parcel for the sole and exclusive purpose of repairing, maintaining, improving or replacing existing underground sewage pipes as built on the Grantor's parcel as of the date of this Agreement, which will burden Grantor's parcel for the benefit of Grantee's parcel. The above-described activities are permitted only to the extent that they do not extend, enlarge, or increase the size or placement of the underground sewage pipes as built on the Grantor's parcel as of the date of this Agreement without Grantor's written consent, which shall not be unreasonably withheld, delayed or conditioned. The easement granted to Grantee is for no other purpose except as stated explicitly above.

2. **Burdened Property**. Grantor owns land in the Township of Whitewater, Grand Traverse County, Michigan, described on the attached Exhibit A (the "Burdened Property").

3. **Benefited Property**. Grantee owns land in the Township of Whitewater, Grand Traverse County, Michigan, described on the attached Exhibit B (the "Benefited Property").

4. **Consideration**. Grantee, in consideration of the grant of easement stated in this Agreement, agrees to pay Grantor One Dollar ($1.00) payable at the time of signing this Agreement.

5. **Easement Granted.** Grantor grants to Grantee a non-exclusive easement for the purposes provided in Section 1 above, on, over, under and across that part of the Burdened Property as depicted on the attached Exhibit C (the "Easement Area"), for the benefit of Grantee's Benefitted Property. The Easement shall be for the benefit of the owner of Benefited Property, and said owner's employees, agents, tenants, licensees, invitees and contractors (collectively, the "Permitted Users"). Neither Grantor nor Grantee shall park or otherwise block the Easement Area or erect improvements upon the Easement Area which may impair the flow of foot traffic or vehicular over and across same.

6. **Maintenance**. Grantee shall, at its expense, be responsible for all repairs, maintenance, improvements and replacements to the pipe constructed by Grantee in the Easement Area, including without limitation, maintenance, repair, and replacement of the pipe itself, unless caused by Grantor's gross negligence. The pipe and all improvements constructed by Grantee in the Easement Area shall be maintained by Grantee in good condition and repair at all times. If snow plowing is required by Grantee in order to repair, maintain, improve or replace the pipe, Grantee may snow plow at Grantee's sole cost and expense. Except for the pipe and work related to the pipe, Grantor shall be responsible for (but shall have no obligation to) maintaining the Easement Area, including without limitation, mowing, tree trimming, maintenance, improvement or repair of any driveway surface. After Grantee performs any work within the Easement Area, or if Grantee damages or otherwise alters the Easement Area in any manner, Grantee shall restore the Easement Area to its original condition.

7. **Approval Required**. Grantee will provide notice to Grantor prior to conducting any repairs,

maintenance, or replacement of underground pipe in the Easement Area. Except under emergent circumstances, Grantee shall provide the Grantor with seven (7) days' advance notice of any such intended repairs, maintenance or replacement of underground pipe.

8. **Interest in Realty.** The Easement granted in this Agreement is to be an easement on, over, under and across the Burdened Property for the use and benefit of the Benefited Property and is to be an appurtenance to the Benefited Property and run with the land.

9. **Termination.** The Easement granted in this Agreement shall terminate when the common drain field system owned and operated by the Grantee is no longer used, no longer functions or is abandoned. Additionally, the Easement granted in this Agreement shall terminate if the common drain field system owned and operated by the Grantee is transferred to another entity, unless said transferee demonstrates to the satisfaction of Grantor that said transferee will assume all of the Grantee's duties and obligations with respect to the common drain field system.

10. **Indemnification**. Grantee agrees to indemnify and hold Grantor harmless from any and all claims, debts, causes of actions, or judgments for any damage to any property or injury to any person which may arise out of the Grantee's actions within, use of, or around the Easement Area, by itself, or by the Permitted Users.

11. **No Other Rights**. Grantee acknowledges, and agrees on behalf of Grantee and Grantee's heir, successors and assigns of the Benefited Property, that the rights granted herein shall constitute the only rights Grantee and Grantee's heirs, successors and assigns of the Benefited Property has or shall have to use the Burdened Property, and Grantee, on behalf of Grantee and Grantee's heirs, successors and assigns of the Benefited Property specifically hereby releases, conveys and disclaims any other easements, rights-of-way, rights of access, and other rights in the Burdened Property, whether acquired by grant, reservation, implied grant, implied reservation, prescription, adverse possession, acquiescence or otherwise.

12. **Taxes.** Grantor shall be responsible for paying all taxes and assessments on the Burdened Property.

13. **Entire Agreement**. This Agreement and all exhibits constitute the entire agreement between the parties with respect to the subject matter of this Agreement, and all prior negotiations and agreements with respect to the Easement between the parties, whether written or oral, shall be of no further force and effect. This Agreement may not be modified except by a written document signed by both parties

14. **Binding Effect**. This Agreement shall be binding upon the heirs, successors and permitted assigns of the parties.

15. **Notice**. Except as otherwise provided, all notices required under this Agreement shall be effective only if in writing or in a form of electronic or facsimile transmission which provides evidence of receipt, and shall be either personally served, electronically transmitted, or sent with postage prepaid to the appropriate party at its address as set forth in the introductory paragraph of this Agreement. Either party may change its address by giving notice of the change or a new facsimile transmission number to the other as provided in this section.

16. **Severability**. If any term, covenant, or condition of this Agreement or the application of which to any party or circumstance shall be to any extent invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant, or condition to persons or circumstances other than those to which it is held invalid or unenforceable, shall be effective, and each term, covenant, or condition of this Agreement shall be valid and enforced to the fullest extent permitted by law.

17. **Jurisdiction and Venue**. Any disputes under this conveyance shall be subject to the laws of the State of Michigan and venue for any disputes shall lie in Grand Traverse County, Michigan.

18. **Time is of the Essence**. Time shall be of the essence in the performance and actions undertaken under this Agreement.

19. **Authority**. The parties represent that they have full authority to enter into this Agreement and all appropriate and necessary action has been taken in order to authorize this Agreement.

20. **Exhibits**. The following exhibits are attached to and are a part of this Agreement:

Exhibit A - Legal description of the Burdened Property
Exhibit B – Legal description of the Benefited Property
Exhibit C - Map of the Easement Area

21. **Subdividing.** Grantee acknowledges that dividing, platting, condominiumizing, splitting or subdividing the Benefited Property into additional parcels will generate additional traffic and overly burden the Easement. Therefore, Grantee agrees that the Benefited Property will not be divided, platted, condominiumized, split or subdivided into any additional parcels, lots, units or tracts.

22. **Transfer Tax Exemptions**. This Agreement is exempt from State Real Estate Transfer Taxes pursuant to MCL 207.526(a), and exempt from County Real Estate Transfer Taxes pursuant to MCL 207.505(a).

23. **Effective Date**. Grantor and Grantee have signed this Agreement and it shall be effective as of the day and year first above written.

[INTENTIONALLY LEFT BLANK]

GRANTOR:

TOWNSHIP OF WHITEWATER

By: _____

Its: _____

STATE OF MICHIGAN)
) ss.
COUNTY OF GRAND TRAVERSE)

The foregoing was acknowledged before me this ____ day of _____ 20202~~19~~, by _____, the _____ of the Township of Whitewater.

_____
_____, Notary Public
_____ County, Michigan
Acting in _____ County, Michigan
My commission expires: _____

GRANTEE:

MIAMI BEACH ROAD ASSOCIATION, INC.

By: _____

Its: _____

STATE OF MICHIGAN)
) ss.
COUNTY OF _____)

The foregoing was acknowledged before me this ____ day of _____ 20~~19~~2019, by _____, the _____ of the Miami Beach Road Association, Inc..

_____
_____, Notary Public
_____ County, _____
Acting in _____ County, _____
My commission expires: _____

Drafted by, and when recorded, return to:
Benjamin J. Price
Foster, Swift, Collins & Smith, P.C.
313 S. Washington Square
Lansing, Michigan 48933
517.371.8253

EXHIBIT A

LEGAL DESCRIPTION OF BURDENED PROPERTY

Property situated in the Township of Whitewater, County of Grand Traverse, State of Michigan, described as:

The 1,161.93 ft long portion of Lossie Road a/k/a Lossie Road Nature Trail, the centerline of which is described as: Part of the Southeast ¼ of Section 27, Town 28 North, Range 9 West, commencing at South ¼ corner of section 27, thence North along the North-South quarter line 1967.56 feet to the point of beginning; thence S 88º50’00” E, 723.55 ft; thence N 88º50’00” E, 438.38 ft to the point of ending; encompassing the standard 33 ft right of way on either side of this centerline.

EXHIBIT B

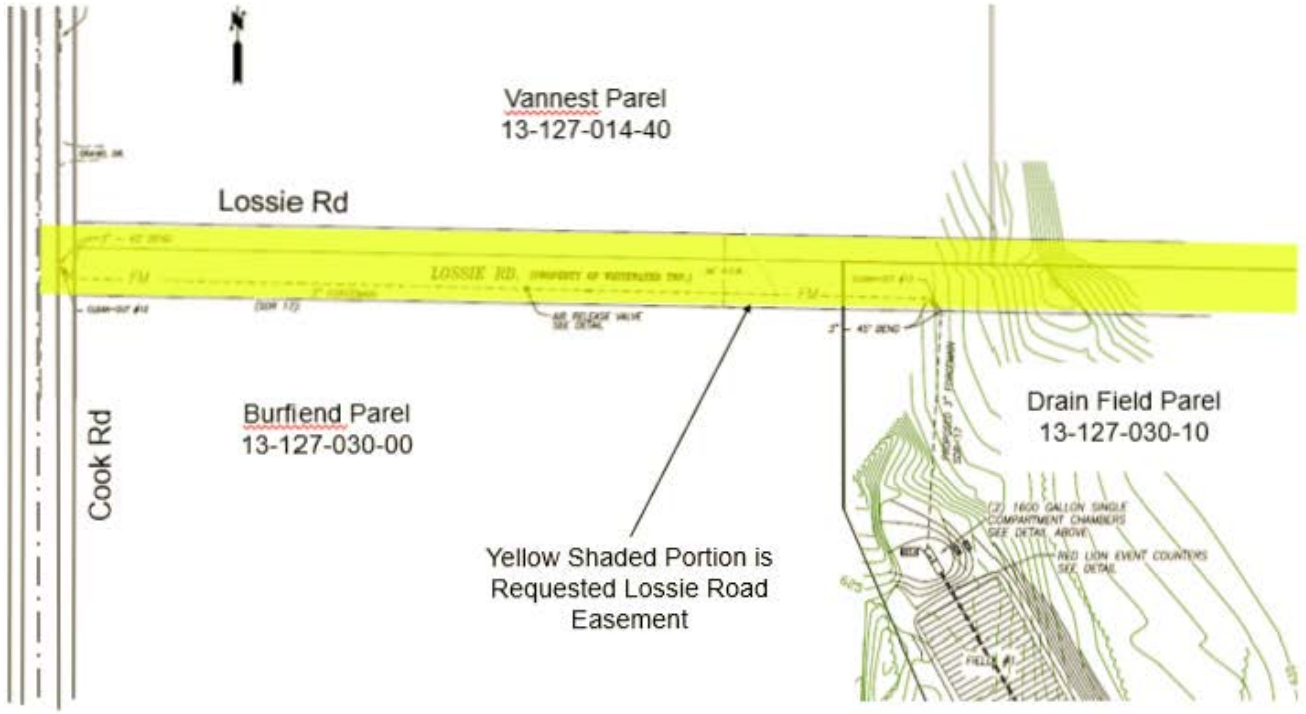
LEGAL DESCRIPTION OF BENEFITTED PROPERTY

Property situated in the Township of Whitewater, County of Grand Traverse, State of Michigan, described as:

Part of the Southeast one-quarter (¼) of Section 27, Town 28 North, Range 9 West, described as: Commencing at the South ¼ corner of Section 27, thence North along the North-South quarter line, 1967.56 feet; thence S 88°50’00” E, 723.55 feet to the point of beginning of a 5.151 acre parcel; thence South, 222.57 feet; thence S 23°15’39” E, 255.19 feet; thence S 41°25’17” E, 181.94 feet; thence East, 217.12 feet; thence North, 584.52 feet; thence N 88°50’00” W, 438.36 feet to the point of beginning.

EXHIBIT C

DEPICTION OF EASEMENT AREA



Revised per 08/27/2019 Township Board Meeting

WARRANTY DEED

Township of Whitewater, a Michigan municipal corporation, whose address is 5777 Vinton Road, Williamsburg, Michigan 49690 ("Grantor") conveys and warrants to Miami Beach Road Association, Inc., a Michigan non-profit corporation, whose address is 9933 Miami Beach Road, Williamsburg, Michigan 49690 ("Grantee"), the property located in the Township of Whitewater, County of Grand Traverse, and State of Michigan, more particularly described on the attached Exhibit A and as shown on the survey attached as Exhibit B (the "Property").

Together with all and singular easements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion or reversions, remainder or remainders, leases, rents, proceeds, security deposits, issues, income and profits thereof; and all the estate, right, title, interest, claim, or demand whatsoever, of the Grantor, either in law or equity, or, in, and to the Property, with the said hereditaments and appurtenances; to have and to hold the Property as before described, with the appurtenances, unto said Grantee, its successors and assigns, forever.

The conveyance is subject to existing building and use restrictions, zoning ordinances and easements, if any.

For the consideration of One Dollar ($1.00).

The Property may be located within the vicinity of farmland or farm operations. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by "The Michigan Right to Farm Act."

Grantor grants to Grantee the right to make all available divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

This Deed is exempt from State Real Estate Transfer Tax pursuant to MCL §207.526(a), and is exempt from County Real Estate Transfer Tax pursuant to MCL §207.505(a).

GRANTOR:

TOWNSHIP OF WHITEWATER

By: _____

Its: _____

STATE OF MICHIGAN)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2020, by _____, the _____ of the Township of Whitewater.

_____
_____, Notary Public
_____ County, _____
Acting in _____ County, _____
My commission expires: _____

Drafted By, When Recorded, Return To:
Benjamin J. Price
Foster, Swift, Collins & Smith, P.C.
313 S. Washington Square
Lansing, Michigan
517.371.8253

99999:BPRICE:4161705-1

EXHIBIT A

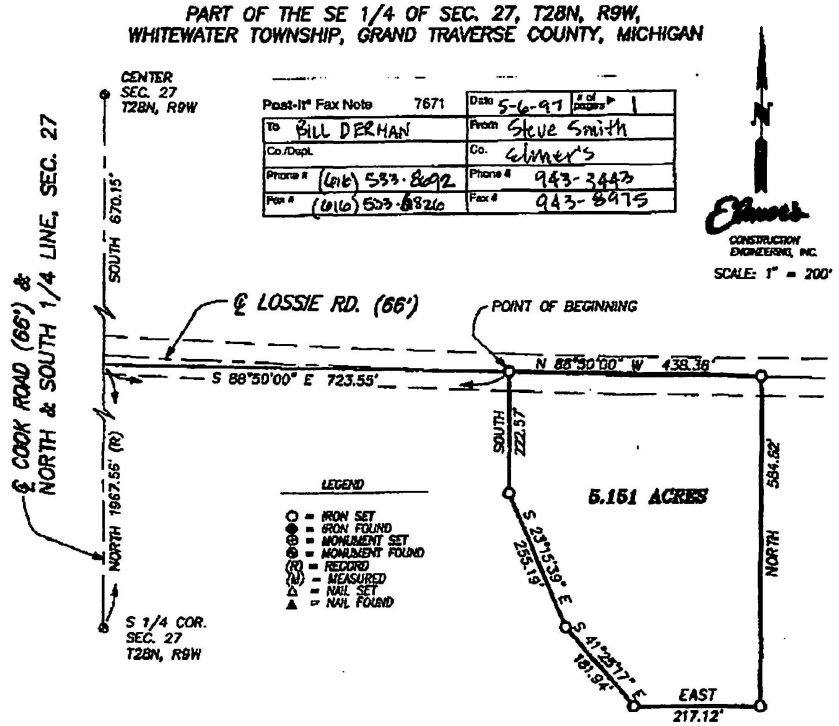
The real property is located in the Township of Whitewater, County of Grand Traverse, State of Michigan, described as:

Part of the Southeast one-quarter (¼) of Section 27, Town 28 North, Range 9 West, described as: Commencing at the South ¼ corner of Section 27, thence North along the North-South quarter line, 1967.56 feet; thence S 88°50'00" E, 723.55 feet to the point of beginning of a 5.151 acre parcel; thence South, 222.57 feet; thence S 23°15'39" E, 255.19 feet; thence S 41°25'17" E, 181.94 feet; thence East, 217.12 feet; thence North, 584.52 feet; thence N 88°50'00" W, 438.36 feet to the point of beginning.

EXHIBIT B

CERTIFICATE OF SURVEY

PART OF THE SE 1/4 OF SEC. 27, T28N, R9W,
WHITEWATER TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN



PART OF THE SOUTHEAST ONE-QUARTER (1/4) OF SECTION 27, TOWN 28 NORTH, RANGE 9 WEST, DESCRIBED AS: COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 27, THENCE NORTH ALONG THE NORTH-SOUTH QUARTER LINE, 1967.56 FEET; THENCE S 88°50'00" E, 723.55 FEET TO THE POINT OF BEGINNING OF A 5.151 ACRE PARCEL; THENCE SOUTH, 222.57 FEET; THENCE S 23°15'39" E, 255.19 FEET; THENCE S 41°25'17" E, 181.94 FEET; THENCE EAST, 217.12 FEET; THENCE NORTH, 584.52 FEET; THENCE N 88°50'00" W, 438.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.151 ACRES.

I, THE UNDERSIGNED, BEING A PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE ABOVE PARCEL OF LAND, THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS IS 1/10,000+, AND THAT I HAVE FULLY COMPLIED WITH THE REGULATIONS OF P.A. 132 OF 1970 AS AMENDED.

STEPHEN K. SMITH
P.S. #36000

STATE OF MICHIGAN
STEPHEN K. SMITH
PROFESSIONAL SURVEYOR
No. 36000
LICENSED PROFESSIONAL SURVEYOR

BEARING BASIS:

Elmer's CONSTRUCTION ENGINEERING, INC.
3800 RENNIE SCHOOL ROAD
P.O. BOX 6150
TRAVERSE CITY, MI 49685-6150
(616) 943-3443
FAX (616) 943-5975
ENGINEERING — SURVEYING — INSPECTION — TESTING

FOR: MIAMI BEACH RD. ASSOC.
DATE: 5-6-97 JOB NO. 970122 DRAWN BY: JLH
SCALE: 1" = 200' CHECKED BY: SKS
BOUNDARY SURVEY
FILE: 970122.dwg SHEET: 1 of 1

WARRANTY DEED

Township of Whitewater, a Michigan municipal corporation, whose address is 5777 Vinton Road, Williamsburg, Michigan 49690 ("Grantor") conveys and warrants to Miami Beach Road Association, Inc., a Michigan non-profit corporation, whose address is 9933 Miami Beach Road, Williamsburg, Michigan 49690 ("Grantee"), the property located in the Township of Whitewater, County of Grand Traverse, and State of Michigan, more particularly described on the attached Exhibit A and as shown on the survey attached as Exhibit B (the "Property").

Together with all and singular easements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion or reversions, remainder or remainders, leases, rents, proceeds, security deposits, issues, income and profits thereof; and all the estate, right, title, interest, claim, or demand whatsoever, of the Grantor, either in law or equity, or, in, and to the Property, with the said hereditaments and appurtenances; to have and to hold the Property as before described, with the appurtenances, unto said Grantee, its successors and assigns, forever.

The conveyance is subject to existing building and use restrictions, zoning ordinances and easements, if any.

For the consideration of One Dollar ($1.00).

The Property may be located within the vicinity of farmland or farm operations. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by "The Michigan Right to Farm Act."

Grantor grants to Grantee the right to make all available divisions under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

This Deed is exempt from State Real Estate Transfer Tax pursuant to MCL §207.526(a), and is exempt from County Real Estate Transfer Tax pursuant to MCL §207.505(a).

GRANTOR:

TOWNSHIP OF WHITEWATER

By: _____

Its: _____

STATE OF MICHIGAN)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2020, by _____, the _____ of the Township of Whitewater.

_____
_____, Notary Public
_____ County, _____
Acting in _____ County, _____
My commission expires: _____

Drafted By, When Recorded, Return To:
Benjamin J. Price
Foster, Swift, Collins & Smith, P.C.
313 S. Washington Square
Lansing, Michigan
517.371.8253

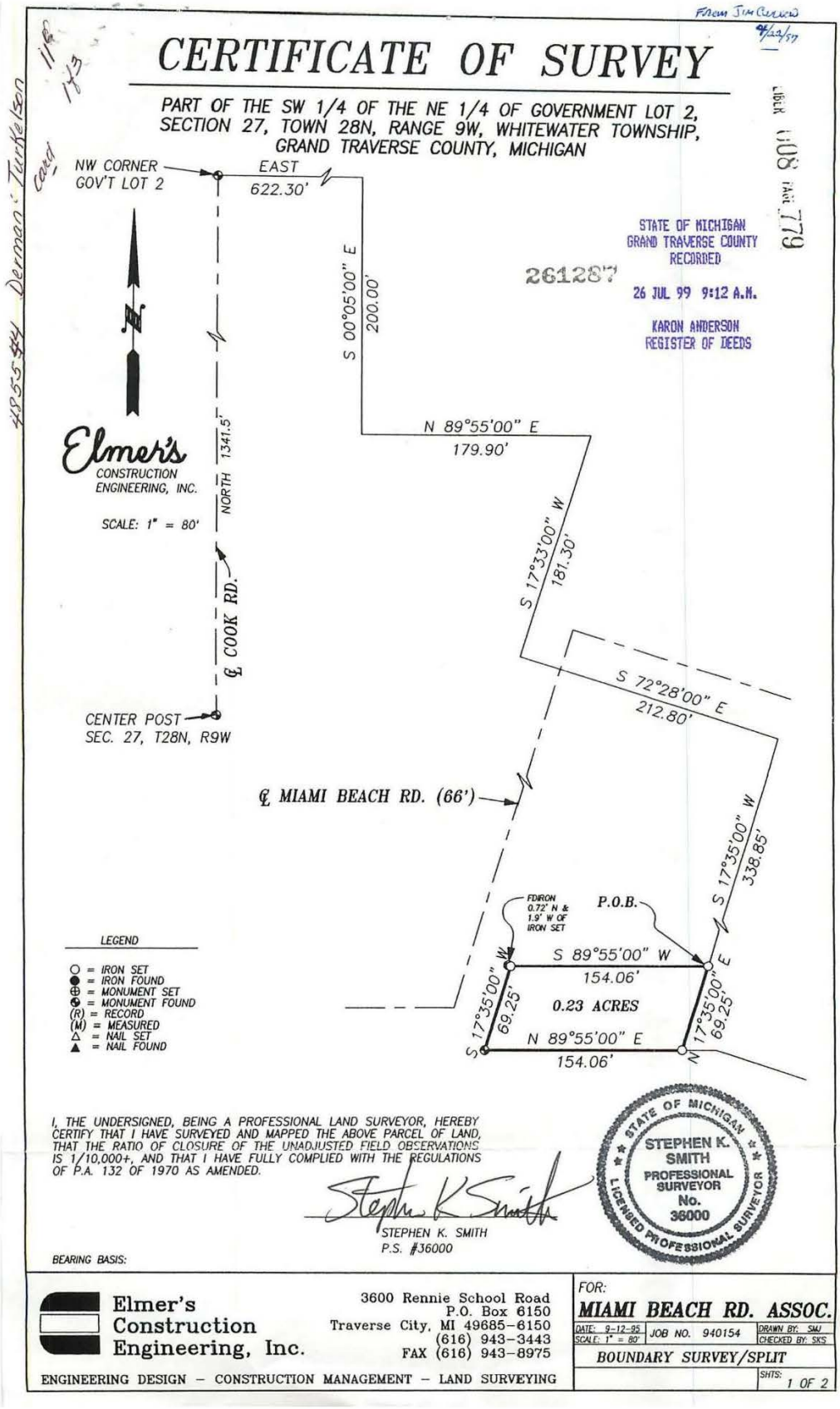
99999:BPRICE:4161705-1

EXHIBIT A

The real property is located in the Township of Whitewater, County of Grand Traverse, State of Michigan, described as:

Part of the Southwest one-quarter (¼) of the Northeast one-quarter (¼) of government lot 2, Section 27, Town 28 North, Range 9 West, described as: Commencing at the N.W. corner of government Lot 2, thence East, 622.3 feet; thence S 0°05’ E, 200 feet; thence N 89°55’ E, 179.9 feet; thence S 17°33’ W, 181.3 feet; thence S 72°28’ E, 212.80 feet; thence S 17°35’ W, 338.85 feet to the point of beginning; thence S 89°55’ W, 154.06 feet; thence S 17°35’ W, 69.25 feet; thence N 89°55’ E, 154.06 feet; thence N 17°35 E, 69.25 feet to the point of beginning.

EXHIBIT B


CERTIFICATE OF SURVEY
PART OF THE SW 1/4 OF THE NE 1/4 OF GOVERNMENT LOT 2, SECTION 27, TOWN 28N, RANGE 9W, WHITEWATER TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN
NW CORNER GOV'T LOT 2
EAST 622.30'
S 00°05'00" E 200.00'
N 89°55'00" E 179.90'
S 17°33'00" W 181.30'
S 72°28'00" E 212.80'
S 17°35'00" W 338.85'
S 89°55'00" W 154.06'
N 17°35'00" E 69.25'
N 89°55'00" E 154.06'
S 17°35'00" W 69.25'
0.23 ACRES
P.O.B.
FD IRON 0.72' N & 1.9' W OF IRON SET
NORTH 1341.5'
℄ COOK RD.
CENTER POST SEC. 27, T28N, R9W
℄ MIAMI BEACH RD. (66')
SCALE: 1" = 80'
Elmer's CONSTRUCTION ENGINEERING, INC.
STATE OF MICHIGAN GRAND TRAVERSE COUNTY RECORDED
261287
26 JUL 99 9:12 A.M.
KARON ANDERSON REGISTER OF DEEDS
LIBER 1108 PAGE 779
LEGEND
○ = IRON SET
● = IRON FOUND
⊕ = MONUMENT SET
◉ = MONUMENT FOUND
(R) = RECORD
(M) = MEASURED
△ = NAIL SET
▲ = NAIL FOUND
I, THE UNDERSIGNED, BEING A PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE ABOVE PARCEL OF LAND, THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS IS 1/10,000+, AND THAT I HAVE FULLY COMPLIED WITH THE REGULATIONS OF P.A. 132 OF 1970 AS AMENDED.
STEPHEN K. SMITH
P.S. #36000
STATE OF MICHIGAN
STEPHEN K. SMITH
PROFESSIONAL SURVEYOR
No. 36000
LICENSED PROFESSIONAL SURVEYOR
BEARING BASIS:
Elmer's Construction Engineering, Inc.
3600 Rennie School Road
P.O. Box 6150
Traverse City, MI 49685-6150
(616) 943-3443
FAX (616) 943-8975
ENGINEERING DESIGN – CONSTRUCTION MANAGEMENT – LAND SURVEYING
FOR:
MIAMI BEACH RD. ASSOC.
DATE: 9-12-95
SCALE: 1" = 80'
JOB NO. 940154
DRAWN BY: SMJ
CHECKED BY: SKS
BOUNDARY SURVEY/SPLIT
SHTS: 1 OF 2

CERTIFICATE OF SURVEY

PART OF THE SW 1/4 OF THE NE 1/4 OF GOVERNMENT LOT 2, SECTION 27, TOWN 28N, RANGE 9W, WHITEWATER TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

LIBER 008 PAGE 780

PART OF THE SOUTHWEST ONE-QUARTER (1/4) OF THE NORTHEAST ONE-QUARTER (1/4) OF GOVERNMENT LOT 2, SECTION 27, TOWN 28 NORTH, RANGE 9 WEST, DESCRIBED AS: COMMENCING AT THE N.W. CORNER OF GOVERNMENT LOT 2, THENCE EAST, 622.3 FEET; THENCE S 0°05' E, 200 FEET; THENCE N 89°55' E, 179.9 FEET; THENCE S 17°33' W, 181.3 FEET; THENCE S 72°28' E, 212.80 FEET; THENCE S 17°35' W, 338.85 FEET TO THE POINT OF BEGINNING; THENCE S 89°55' W, 154.06 FEET; THENCE S 17°35' W, 69.25 FEET; THENCE N 89°55' E, 154.06 FEET; THENCE N 17°35' E, 69.25 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.23 ACRES.

Elmer's Construction Engineering, Inc.
ENGINEERING DESIGN - CONSTRUCTION MANAGEMENT - LAND SURVEYING

3600 Rennie School Road
P.O. Box 6150
Traverse City, MI 49685-6150
(616) 943-3443
FAX (616) 943-8975

FOR: MIAMI BEACH RD. ASSOC.

DATE: 9-12-95 | JOB NO. 940154 | DRAWN BY: SMJ
SCALE: 1" = 80' | CHECKED BY: SKS

BOUNDARY SURVEY/SPLIT

SHTS: 2 OF 2

MEMO

To: Whitewater Township Board

From: Cheryl A. Goss, Clerk

Date: 02/04/2020

Re: **Ordinance Recodification Proposals**

As agreed upon by the board at the 01/14/2020 meeting, I have set up the phone Q&A sessions with each of the codification company representatives at the following times:

7:30 p.m. – Tracy Stevanov – Municipal Code

7:45 p.m. – Marcia Clifford – General Code

8:00 p.m. – Richard Frommeyer - American Legal Publishing

The codification proposals are attached as they appeared in the 01/14/2020 packet.

Hopefully, the board will be ready to choose a codification company on 2/11.

An appropriate motion would be: Motion to select _____ to codify the township's general and zoning ordinances and to authorize the clerk or supervisor to sign the appropriate contract.

# # #

Codification Proposal
Code of Ordinances
Township of Whitewater, Michigan

Whitewater Township, Michigan

AMERICAN LEGAL
Publishing Corporation

Richard C. Frommeyer
Codification Consultant
1-800-445-5588

AMERICAN LEGAL PUBLISHING CORPORATION
PROPOSAL FOR THE TOWNSHIP OF WHITEWATER, MICHIGAN

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1. Letter
2. Advantages and Benefits
3. Security Features
4. List of Key Personnel
5. League Affiliations and Client List
6. Codification Cost and Services Summary; Codification Agreement
7. Sample Code Pages (single and dual column)
8. Sample Legal and Editorial Research Report
9. Search & Retrieval Program for the Web

AMERICAN LEGAL
Publishing Corporation

December 11, 2019

Cheryl Goss
Township Clerk
Whitewater Township
P.O. Box 159
Williamsburg, MI 49690

Dear Cheryl:

Thank you for your continued interest and considering American Legal Publishing for your codification project. Enclosed is our proposal to codify Whitewater Township's code of ordinances. A codification includes incorporating all permanent nature ordinances into a codified code book, creating an index and tables as needed, formatting the pages into a new typestyle and look, including the choice of a single or dual column print, and complete copies of the entire code book.

It also includes a legal review and written report by one of our staff attorneys. **We feel an accurate code reviewed and edited by a staff attorney is the most important part of any codification project.**

The project will be overseen by our law department. The review will uncover inconsistencies between sections in the code and inconsistencies with the code and state statutes. Additionally, there might be some reorganization and renumbering of the code if necessary. New binders and divider tabs are included in the price. There is also the option to receive the new code on a flash drive, downloadable (dropbox/FTP site), and we still offer a CD-Rom as well. We also can place you code on the Web.

We welcome the opportunity to provide codification services for Whitewater Township's municipal documents. I would be happy to setup a meeting to go over the agreement and provide a demonstration of our software in the near future. Should you have any questions about the proposal, please do not hesitate to call me.

Sincerely,

AMERICAN LEGAL
Publishing Corporation

Richard C. Frommeyer
Codification Consultant
American Legal Publishing Corporation
rfrommeyer@amegal.com
800.445.5588 office
513.235.3926 cell

AMERICAN LEGAL PUBLISHING CORPORATION
ADVANTAGES AND BENEFITS

QUALIFICATIONS

- American Legal Publishing Corporation began as the codification division of the Anderson Publishing Company of Cincinnati in **1934**. We became a separate corporation in 1979. In 2007 we became an employee owned company.

- American Legal currently serves more than 3,400 local government clients across the country. Our clients range in size from Boston, New York City, Los Angeles, Cleveland, Chicago, Dallas, Fort Worth, Philadelphia and Salt Lake City to villages with populations under 500.

- American Legal currently serves over 120 municipalities in the state of Michigan including the Cities of Dearborn, Flint, Sterling Heights, and Wyandotte and the Townships of Big Rapids, Casseville, Dalton, Mussey, Parma, Plymouth, Silver Creek, Somerset, Williamstown, and Yates to name a few.

- We are the codification consultants to the International Municipal Lawyers Association and numerous state municipal leagues.

LEGAL ANALYSIS

- Our legal staff's **Exclusive Editorial and Legal Report** details internal code inconsistencies as well as inconsistencies between your ordinances and state statutes and federal law. Our legal team consists of fifteen members with law degrees, including the president of the company. An attorney will provide your legal review.

- We provide the **most comprehensive analysis** in the codification industry: outlining problems, providing you with alternatives, and allowing you to implement desired improvements.

- You receive the Editorial and Legal Report with the **draft** of your code, allowing you to review your code with the assistance of our detailed, written editorial analysis which will ultimately be reviewed with you at a conference in Whitewater Township.

SUBJECT MATTER FORMAT

- We will arrange your ordinances according to logical subject matter. We group all of your land use ordinances together in one section, your business regulations together in one section, your administrative ordinances in another section, etc.

- We can offer you free **Model Ordinances** covering nearly any municipal topic to replace an outdated ordinance or to cover an area where you may not have an ordinance.

TABLE OF SPECIAL ORDINANCES, PARALLEL REFERENCES AND INDEXING

- As part of your new code, we will create Tables of Special Ordinances covering such topics as annexations, zoning map changes, franchises, easements, etc. These ordinances will be listed in table form by ordinance number, date of passage, and will include a brief description of each ordinance.

- Your code will include Parallel Reference Tables that indicate which code sections are based on state statutes, where prior code sections appear in your new code, and a cross-reference of ordinance numbers to code section numbers.

- Our comprehensive index includes no dead ends when you search for a topic.

STYLE OPTIONS

- We offer different typestyles for your code, single or dual column printing and various types of binders.

TIMELY DELIVERY AND FLEXIBLE BILLING

- We will complete your code within 9 months (excluding your review time).
- We can work with you to schedule the project so that it meets your budgetary needs.
- We complete supplements within 45 days for yearly supplements or instantly.

RE-ORDERS AND PAMPHLETS

- We have **no minimum** or maximum orders of extra copies of your code. You can call us at any time and order 1 or 1,000 additional copies of your code.
- You can order only as many codes as you need without having to worry about buying, storing and updating copies that you don't need.
- You can receive specific pamphlets for your police department, zoning department, etc.

COMPUTERIZATION OF CODE

- You can receive your code downloadable, a flash drive, and we still offer a CD-ROM in WordPerfect or Microsoft Word compatible at no additional charge.
- Access every word in your code in just seconds with our "open source" online searchable software. Your code can be linked to your meeting minutes and other municipal documents. We use open source software for the internet, and do all the conversion work ourselves; we have produced thousands of codes online.
- Users can customize their version by creating color highlights, bookmarks, notes, and pop-up links without affecting the original text.

SUBSCRIBERS SERVICE

- American Legal can sell current copies of Whitewater Township's code (printed and computer versions) via our “800” number directly to Law Firms, Developers and other outside parties.
- Our service relieves Whitewater Township of the burden of maintaining and updating inventory of codes and processing individual payments.

SUPPLEMENT SERVICE

- Our fast and efficient supplement service will keep your code current in future years. Delivery is within 45 days or less for yearly updates and much quicker for instant updates. You can supplement as often as necessary - even after every council meeting.

SUBCONTRACTING

- We do all editing, legal review, printing and computer/internet work inhouse and at one location.

American Legal Publishing
Security Features

American Legal Publishing provides monitoring services of our website 24 hours a day, 7 days a week, 365 days a year. The ALP website is hosted on a VMWare Esx cluster. We have 4 separate hosts that the virtual machines can run on. All 4 of these servers use VMWare High Availability. We also replicate these virtual machines to our Louisville datacenter every 4 hours. At our Colo the internet is a multi-provider based with 6 separate providers that is BGP load balanced and we are given a 99.999% uptime commitment. The Colo is a SOC-3 compliant datacenter for security purposes.

The facility is a hardened facility. We have offsite backups every day. We backup all our documents every night off site as well as an image level backup every hour. We have backup power and a fire suppression system at the facility. The facility is monitored 24 hours a day 7 days a week. There is a video monitoring system at the facility. Due to the number of large city clients we don't revel the location of our servers or any additional information.

All standard maintenance is completed on Saturdays after 12 a.m. eastern standard time. The website could go slow for a few seconds or a couple of minutes during maintenance. Over the last 365 days our uptime is 99.999%.

We have tools in place to monitor attacks or breeches. There is redundant power to the server and a redundant power supply to the facility should there be a catastrophic power outage. There are two different fire prevention and suppression systems in the building. Due to the nature of our business we don't offer any additional information in writing about our security systems. We would be happy to answer any additional questions over the phone.

In the event that our website is attacked or goes down because of malicious activity we are notified immediately that there is an issue by our facility. We provide notice to our clients by email or and in some cases phone calls detailing the problem and letting our clients know we are working on a solution. Once we determine the problem we work to get the website up and running as quickly as possible. We immediately put our backup plan in place and this includes uploading all our codes at our Louisville, Kentucky location so we can have our clients back on the web within 4-6 hours of the initial incident. We do provide all clients a copy of their code downloadable, on a disk, or flash drive that could be placed on their site that is searchable as well.

To get into the building where our servers are located you need to swipe a keycard and you need a security code for a keypad punch entry system. You then need a thumb print and other keypad punch code. Once inside the facility the servers are stored in a cage and another key code is needed to open the cage.

We have never experienced a security breach. However, in the event of a security breach we determine the severity of the breach and our next course of action. We would notify our clients of the breach if necessary by email or phone. In the meantime we immediately start our disaster recovery plans. We use our backup server and install all our online codes onto a safe and secured server at a different facility. This typically will take 4-6 hours.

American Legal Publishing is coming out with a new search engine and web hosting site December 30, 2019. By the time your code project is finished we will have been on this new site for close to a year. American Legal has spent over $300,000.00 to allow the site to be even more user friendly and offer many additional services for our clients.

The website is open source so it will allow easy access for the municipality to use the code in other programs or to provide it to its citizens, businesses, and staff.

Our website auto-recognizes a device being used to access it and adjusts to fit the screen. Navigation icons condense under a drop-down menu when the screen is tablet sized or smaller. These include the Table of Contents; Code Version and Compare features (if applicable per client); Sharing icons (bookmark, print, share, download); and user control icons (search; login; google translate; help and back to Code Library).

Should you have additional questions, please feel free to give us a call.

KEY PERSONNEL

With 49 employees, our editorial support staff consists of more than 22 experienced editors skilled in the multiple disciplines required in providing codification services. Our typical editor is a college graduate with a degree in English, Journalism, or Law (14 staff members have law degrees). American Legal has a higher percentage of editors with Masters or Doctorate Degrees than any other national codification firm. Our staff includes a former City Law Director, Former City Councilmember, former City Mayor, and former Neighborhood Council President.

American Legal Publishing shall devote a team of our most experienced professionals to provide editing and codification services to Whitewater Township. The qualifications and role of each team member is described below, depending on production schedules the individuals could change:

AIMEE CHOI - DIRECTOR OF NEW CODE DEPARTMENT

Qualifications:
- Manages the production of American Legal's newest accounts and special projects
- Editor of many large and small cities including the Tucson, Arizona Code, Frankfort, Kentucky, San Bernardino County, California, Cape Coral, Florida, and Lake County, Illinois to name a few
- B.A., English/Creative Writing, Northern Kentucky University
- B.A., Journalism/Public Relations, Northern Kentucky University
- Overt twenty years with American Legal

Role: Project manager for the Township of Whitewater; responsible for overall project quality and for the successful completion and delivery of the project

DARLENE FOLEY - EDITOR AND STAFF ATTORNEY

Qualifications:
- Has extensive experience in the editing, supplementing and analysis of municipal codes in Michigan as well as elsewhere including Flint, MI, Fort Worth, Texas, San Bernardino, California, Will County, Illinois, Chicago, Illinois, Cleveland, Ohio and many other large cities and counties.
- J.D., University of Cincinnati
- B.A., University of Cincinnati
- Over fifteen years with American Legal

Role: Will be main editor for the Township of Whitewater.

LAURA MOSER - LEGAL REVIEW STAFF

Qualifications:
- J.D., Salmon P. Chase College of Law, Northern Kentucky University
- B.A., Political Science, Northern Kentucky University, Cum Laude
- Over eight years providing legal reviews to Michigan clients

Clients
- Provided the Legal Review for the City of Dearborn, the Charter Township of Big Rapids, the City of East Grand Rapids, and Mussey Township to name a few

Role: Responsible for providing the editorial and legal review for the Township of Whitewater.

SARAH BAUER - DIRECTOR OF ELECTRONIC PUBLISHING

Qualifications:
- Manages American Legal's CD-ROM and Internet publishing department
- Project manager for high level clients
- B.A., English, Northern Kentucky University
- M.A. English, University of Cincinnati
- Fifteen years with American Legal

Role: Responsible for production and placing the Whitewater Township Code of Ordinances on the Web; primary technical contact for the Township

RICHARD C. FROMMEYER - CODIFICATION CONSULTANT

Qualifications:
- Over twenty-five years experience with American Legal Publishing
- B.S., University of Kentucky
- Sales Representative for over twenty-five years in Michigan
- Negotiated the contracts with Dearborn, MI, Wyandotte, MI and many additional clients in Michigan. Nationally worked on Forth Worth, Texas, Lake and Will County, Illinois, Wake County, North Carolina, Warren County, New York and many more cities, towns, and counties across the country.

Role: Main contact person for contract negotiations

Additional Legal Staff:

STEPHEN G. WOLF - PRESIDENT

- J.D., University of Cincinnati College of Law.

- B.B.A., Management, University of Cincinnati.

- Current City Attorney of an Ohio city, and former Mayor.

- Over Thirty-five years with American Legal Publishing.

CYNTHIA A. POWELEIT - VICE PRESIDENT AND EDITOR-IN-CHIEF

- J.D., Salmon P. Chase College of Law, Northern Kentucky University.

- B.A., English, Denison University.

- Over twenty-five years with American Legal Publishing.

RAY G. BOLLHAUER - VICE-PRESIDENT, CLIENT RELATIONS

- J.D., University of Cincinnati College of Law
- B.A., Economics, University of Cincinnati
- Over twenty-five years with American Legal
- Past President and Councilmember.

TODD MYERS - SUPPLEMENT DIRECTOR

- J.D., University of Cincinnati College of Law (Law Review)
- B.S., Criminal Justice, University of Cincinnati
- Over twenty years with American Legal

CHRISTI G. BAUNACH - LEGAL REVIEW STAFF

- J.D., University of Louisville, Cum Laude
- B.A., Political Science, University of Louisville, Cum Laude
- Over twenty-four years with American Legal

deRICCI GETTY - LEGAL REVIEW STAFF

- J.D., University of Akron Law School
- B.A. Marketing, Ohio University
- Licensed in Pennsylvania and Ohio
- Owned law firm for nine years practicing in municipal law in Pennsylvania
- Over fifteen years with American Legal Publishing.

RENELL HAMILTON - LEGAL EDITOR

- J.D., University of Cincinnati College of Law
- B.S., Education, University of Wisconsin
- Over twenty years with American Legal; former Law Firm Administrator

LISA BRICKNER - LEGAL EDITOR

- J.D., University of Cincinnati College of Law
- University of San Diego School of Law, Magdalen College
- B. A. Police Administration, Eastern Kentucky University
- University of Oxford, Oxford, England
- Over fifteen years with American Legal Publishing.

DEVON MOSER - LEGAL REVIEW STAFF

- J.D., University of Cincinnati College of Law
- B.A. International Studies, Wright State University
- Army Cadet
- Over fifteen years with American Legal Publishing

MICHAEL FIELMAN - LEGAL EDITOR

- J.D., Salmon P. Chase College of Law, Northern Kentucky University
- Law Review
- B.S. Finance, Miami University (Oxford, Ohio)
- Over twelve years with American Legal Publishing

OWEN PARSONS - LEGAL EDITOR

- J.D., Salmon P. Chase School of Law
- B.A. Government Studies, Centre College
- Over five years with American Legal Publishing

BRANDI BUCHENAU - STAFF ATTORNEY

- J.D., Salmon P. Chase School of Law
- B.A. Political Science, Northern Kentucky University
- Over three years with American Legal

AMERICAN LEGAL PUBLISHING CORPORATION
LEAGUE AFFILIATIONS

American Legal Publishing is proud of its relationship as consultants to the following organizations:

INTERNATIONAL MUNICIPAL LAWYERS ASSOCIATION (IMLA)
1110 Vermont Avenue, NW, Suite 200
Washington, DC 20005
Contact: Chuck Thompson
Executive Director and General Counsel
(202) 466-5424

LEAGUE OF ARIZONA CITIES AND TOWNS
1820 West Washington Street
Phoenix, AZ 85007
Contact: Ken Strobeck,
Executive Director
(602) 258-5786

ARIZONA ASSOCIATION OF COUNTIES
1910 West Jefferson Street
Phoenix, AZ 85007
Contact: Jennifer Marson
Executive Director
(602) 252-6563

OHIO MUNICIPAL LEAGUE
175 South Third Street, Suite 510
Columbus, OH 43215
Contact: Kent M. Scarrett
Executive Director
(614) 221-4349

NORTH CAROLINA LEAGUE OF MUNICIPALITIES
P.O. Box 3069
Raleigh, NC 27602
Contact: Kimberly Hibbard
General Counsel
(919) 834-1311

LEAGUE OF OREGON CITIES
1201 Court Street NE, Suite 302
Salem, OR 97301
Contact: Codification Coordinator
(503) 588-6550

INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS (IIMC)
8331 Utica Avenue
Rancho Cucamonga, CA 91730
Contact: Chris Shalby, Executive Director
(909) 592-4462

LEAGUE OF MINNESOTA CITIES
145 University Avenue West
St. Paul, MN 55103-2044
Contact: Amber Eisenschenk
Staff Attorney
(651) 281-1200

LEAGUE OF NEBRASKA MUNICIPALITIES
1335 L Street
Lincoln, NE 68508
Contact: Christy Abraham
Legal Counsel
(402) 476-2829

LEAGUE OF WISCONSIN MUNICIPALITIES
202 State Street, Suite 300
Madison, WI 53703-2215
Contact: Claire Silverman
Legal Counsel
(608) 267-2380

VIRGINIA MUNICIPAL LEAGUE
13 E. Franklin Street
Whitewater, VA 23241
Contact: Michelle Gowdy
General Counsel
(804) 523-8525

SOUTH DAKOTA MUNICIPAL LEAGUE
214 E. Capitol Avenue
Pierre, SD 57501
Contact: Yvonne Taylor
Executive Director
(605) 224-8654

INDIANA ASSOCIATION OF CITIES & TOWNS
150 West Market Street
Indianapolis, IN 46204
Contact: Jodie Woods
General Counsel
(317) 237-6200

LEAGUE OF KANSAS MUNICIPALITIES
300 Southwest 8th Avenue, Suite 100
Topeka, Kansas 66603-3951
Contact: Eric Smith
Deputy General Counsel
(785) 354-9565

Partial Client List

Listed below are a few of the nearly 3,400 ordinance codification clients of American Legal Publishing.

Michigan Partial Client list:

City of Auburn
Big Rapids Township
Breitung Township
Burtchville Township
Casseville Township
Dalton Township
City of Dearborn
City of Flint
Gerrish Township
Montrose Township
Mussey Township
Plymouth Township
City of Saginaw
Silvercreek Township
City of Sterling Heights
Tuscarora Township
Sebewraing Township
Somerset Township
City of Wyandotte
Yates Township

National clients include:

Albuquerque
Boston
Boise
Chicago
Cleveland
Dallas
Fort Worth
Honolulu
Los Angeles
Louisville/Jefferson County
Montgomery County, MD
New York City
Salt Lake City Utah
San Diego County
San Francisco
Sioux Falls, SD
Toledo
Tucson
Waterbury, CT
Weirton, WV

American Legal Publishing Corporation
Michigan Reference List

Listed below are a few of the over 3,400 ordinance codification and online clients of American Legal Publishing Corporation. Some of our clients include New York City, Albuquerque, Boston, Cleveland, Dallas, Fort Worth, Honolulu, Los Angeles, Philadelphia, San Diego County, and the City and County of San Francisco. We have over 120 clients in Michigan.

City of Dearborn
George Darany
City Clerk
16901 Michigan Avenue
Dearborn, MI 48126
313-943-2665
They have been a client since July 2019. We supplement the code on the web instantly and the paper code yearly.

Township of Burtchville
Bob Bailey
Township Clerk
4000 Burtch Road
Lakeport, MI 48059
810-385-5577
The Township has been a client for over 10 years and supplements as necessary.

Township of Caseville
Michelle Stirrett
Township Clerk
6767 Main Street
Caseville, MI 48725
989-856-3053
The Township has been a client for over 14 years and supplement as necessary.

City of Wyandotte
Beth Lekity
Deputy City Clerk
3200 Biddle Avenue
Wyandotte, MI 48192
734-324-4568
They became a client in 2018 for 6 month supplements and the code on the web. They are now doing a complete recodification of the code of ordinances.

Williamstown Township
Robin Cleveland
Deputy Clerk
4990 North Zimmer Road
Williamston, MI 48895
517-655-3193
They have been a client for over 15 years and supplement as necessary. They also have their minutes on the web.

CODIFICATION COST AND SERVICE SUMMARY

American Legal Publishing proposes to codify the ordinances for Whitewater Township, Michigan at the following price:

I. Base Cost $14,000.00

**The actual page count may vary from the estimate or you might add new ordinances during the codification process. If the page estimate is low, the cost will be higher than the initial base cost and visa versa.*

Includes

a. Number of Copies of Whitewater Township's Code (includes binders and divider tabs) 10

b. Legal Analysis
   i. Research Internal Consistency
   ii. Research State Law Consistency
   iii. Legal and Editorial Research and Report

c. Special Features
   i. Tables of Special Ordinances
   ii. Parallel References
   iii. Comprehensive Index
   iv. Tabular Matter (Tables, Charts, Graphs)
   v. Code on CD-ROM (WordPerfect, MS Word compatible)

d. Estimated Number Of Pages (we can provide anytime of font)
   8½" x 11" Format
   i. Single column (12 point type) 700 pages
   ii. Dual column (11 point type) 595 pages

II. Variable Cost

a. Per Page Increase or Decrease Rate
   8½" x 11" Format
   i. Single Column $18.00
   ii. Dual Column $21.00

b. Shipping & Handling T.B.D.

III. Time to Completion

Number of Months Until Manuscript	4-7 months
Number of Months Until Completed Code (after return of manuscript)	1-3 months
Number of Days for Updated Supplements	45 days or less

IV. Optional Services that may be ordered:

a. Additional Copies of Code
   i. Cost per Extra Code with Binder $125.00
   ii. Cost per Extra Code without Binder $100.00

b. Supplement Service
   8½" x 11" Format
   i. Single-column $19.50/per reprinted page
   ii. Dual-column $23.50/per reprinted page
   iii. Tables, charts, graphs, etc. $10.00 per page

c. We offer a Subscription Service to sell to citizens Price T.B.D.

d. Pamphlets (With cardstock cover)
   Per Impression (Printed Page)
   i. 1-50 copies 7.5 ¢
   ii. 51-99 copies 7.0 ¢
   iii. 100 copies or greater 6.5 ¢
   iv. Pamphlet Binders $11.50 each

e. Web Based Search and Retrieval Software

   Documents on the Web on Publisher's website:
   i. Initial build of the Code of Ordinances and placing the code on the Web the first year. $750.00

   ii. Future Supplements of Web Based Code (cost is includes the editing charge for printed pages):

   • Annual update • Six month updates
   • Quarterly updates • Monthly updates
   (assumes online update is in conjunction with update to printed supplement)

   iii. Phone Support No Extra Charge

   Optional Services:
   i. On-Site Installation & Training (not necessary) $695.00/day + travel
   ii. Web based Training (not necessary) $95.00 an hour minimum fee of $200.00
   iii. Additional copies of Folio Bound flash drive of the code in a searchable format $75 each
   iv. Additional CD's of the Folio Bound code in a searchable format $60 each
   v. Code can be downloaded off our website or from FTP/Dropbox **No charge**

f. Code on the Web (after initial 1st year build and placement on the Web) $495.00 per year

g. Access and Search other codes on American Legal Publishing's Website No charge

h. Advance Legislative Service $10.00 per ordinance

i. New Ordinance Notification Service $5.00 per ordinance

j. Comprehensive Ordinance List $15.00 per ordinance

l. History Linking Service $10.00 per ordinance

l. Definition Links Service $95.00 an hour

m. Archived Codes Online Service $45.00 each supplement with maximum yearly $300.00 fee

n. Custom Banner Service Price T. B. D.

o. Online Meeting Minutes (send in minutes for actual price) 75¢ to $2.50 per page

p. Packages available for a discount, please let us know what services so we can provide a price.

V. Terms (**can be budgeted over two fiscal years**)

i. Forty percent (40%) due upon acceptance of this agreement.
ii. Forty percent (40%) within 30 days of receiving the draft and legal and editorial report.
iii. Pay balance 30 days after receiving and delivery of the completed code.

American Legal Publishing Corporation
432 Walnut Street, 12th Floor
Cincinnati, Ohio 45202

Whitewater Township
P.O. Box 159
Williamsburg, MI 49690

CODIFICATION AGREEMENT

December 10, 2019

Whitewater Township, a municipal corporation in the State of Michigan ("Municipality") and American Legal Publishing Corporation, ("Publisher"), an Ohio corporation, agree as follows:

I. THE PUBLISHER SHALL:

(1) Examine the Municipality's Charter (if any), and prior code of ordinances (if any), and all ordinances or resolutions provided by the Municipality and determine which materials are to be codified.

(2) Utilize its staff of attorneys to review all materials to be codified and prepare a written report for the municipal attorney.

(a) The report may include notice of and suggestions for resolving the following:

Apparent conflicts with referenced state and federal statutes and administrative regulations;

Repealed, renumbered, or obsolete state and federal statutes and administrative regulations;

Apparent conflicts with prominent federal case law; and Internal discrepancies such as duplications, ambiguities, and obsolete terminology.

(b) Suggest new provisions which the Municipality should consider including in the new code, and delete old provisions which are no longer necessary or which might be improper or unlawful.

(c) The review will not involve re-drafting of entire chapters by the Publisher. However, the Publisher will provide model ordinances to the Municipality upon request if available.

(d) At the option of the municipality, hold a manuscript conference with municipal representatives to review the report. The Municipality will not be billed for time of the American Legal staff attorney if it chooses this option, but will be billed for travel expenses.

Note: The review performed by the Publisher should not be considered as a substitute for the competent advice of your Municipal Attorney, especially based on his/her in-depth knowledge of the municipal practices and procedures, and American Legal Publishing is in no way assuming the role of attorney for the municipality. Land Use sections of the code are especially specific to the locality and are thus only subject to cursory review and comparison with the rest of the code. (A sample Report is attached to indicate the type of comments that are likely to be contained in the report for Whitewater Township.)

(3) Classify all ordinances and resolutions which are of a general and permanent nature into titles, chapters, and sections, according to subject matter.

(4) Make changes to effect uniformity of style and to correct typographical and spelling errors, grammar, and usage. Substantive changes shall not be made in the wording of the ordinances. Suggestions for additions or changes in the ordinances will be submitted to the Municipal Attorney.

(5) Prepare:

(a) Title, chapter, and section headings.

(b) A table of contents and sectional analysis for each chapter.

(c) A legislative history for each section, citing the ordinance number and date of passage, as indicated on copies of ordinances supplied to the Publisher.

(d) Statutory cross-references to sections of the state statutes and to other pertinent parts of the Code where applicable. These references shall appear at the end of the section to which they apply.

(e) Tables of Special Ordinances listing chronologically those ordinances in certain subject areas that the Municipality finds to be pertinent.

(f) Parallel Reference Tables showing:

1. The disposition of ordinances (in numeric sequence) included in the codification (Ordinance to Code).

2. A listing of code sections based on state statutes (Statute to Code).

3. A listing of prior code sections incorporated into the new code if applicable (Old Code to New Code).

(g) An index (which will be created after the first draft of the Code is submitted).

(6) Provide the Municipality with model or sample ordinances when available and upon request, at no additional charge.

(7) Deliver to the Municipality, within seven months from receipt of the materials deemed necessary by the Publisher to begin the codification (prior code, ordinances and new code questionnaire), one copy of a draft of the Code for the Municipality's examination.

(8) If necessary, hold a conference to make final corrections, additions, and deletions to the Code. The Municipality will be billed for the travel expenses of the American Legal staff attorney. The Municipality may present changes to pages of the draft at the conference. After the final conference, no additional changes are to be made. Any further changes, additions, or deletions shall be made in the future supplements to the Code in accordance with III(3) of this Agreement. When the draft, and any changes thereto made by the Municipality, is returned to the Publisher, such return of the draft shall be deemed final authorization by the Municipality to publish the Code as returned. If additional conferences are requested by the Municipality which require the travel of a member of the staff of the Publisher, then the Municipality shall be advised what the additional cost, if any, for such conference will be.

(9) Deliver to the Municipality, within three months of receipt of the corrected draft, 10 printed copies of the Code meeting the following specifications:

(a) Type to be single or dual column, at the option of the Municipality

(b) Page size to be 8½" x 11"

(c) Printed on high quality paper

(d) All copies to be in hard-covered, 3-ring, loose leaf binders. All binders shall have the Municipality's name stamped in gold and shall contain divider tabs.

(10) Provide a sample adopting ordinance to the Municipality.

II. THE MUNICIPALITY SHALL:

(1) The Municipality will provide clear copies of all materials necessary to perform the codification, including an up to date copy of any previously published code of ordinances, copies of ordinances and pertinent resolutions not previously codified, and a completed New Code Questionnaire (provided by the Publisher). (If the Municipality provides meeting minutes to the Publisher to review for legislation contained therein rather than actual ordinances or resolutions, there will be an additional charge of $45.00 an hour to extract ordinances or resolutions from the minutes for use in the new code.)

(2) After receipt of the draft of the code and legal report described in paragraph I (2), the Municipality shall have 90 days to review the draft and report and to return to the Publisher its comments about the draft and its answers to the legal report. In the alternative, if the Municipality opts for the legal conference described in paragraph I (9), it must contact the Publisher within 90 days to set up a meeting date. The meeting, itself, need not occur within the same 90 day period. If the Municipality fails to either return its comments and answers to the legal report within 90 days or, if applicable, to set up a meeting date, the Municipality may request that the Publisher extend the deadline in writing. The Publisher may adjust the contract price to cover any increased costs due to the Municipality's delay.

(3) The Publisher agrees to include in the final version of the Code all ordinances adopted by the Municipality up to the time the manuscript is originally due back to the Publisher under the provisions of (2) above. The Municipality agrees that any ordinances adopted after this date shall be included at the Publishers' supplement rates (as set out in paragraph III(3)(b)) at the time of the inclusion of these ordinances into the code.

(4) (a) Pay to the Publisher for shipping of the final code order as a base price, the sum of $14,000.00 for its services set out in Section I, payable as follows:

Pay forty percent (40%) due upon acceptance of this agreement and provided invoice.

Pay forty percent (40%) within 30 days of receiving the draft and legal and editorial report.

Pay balance 30 days after receiving and delivery of the completed code.

Terms can be setup over two year budgeting if necessary.

If the code page contains an image (diagram, photograph, chart, graph, etc.) or table, there is an additional $10.00 per page rate.

(b) The price above is based upon a code of the following number of pages according to the format option chosen by the Municipality. Should the final page count be more or less pages than this estimate, the base price will increase or decrease accordingly at the time of the final invoice, the decrease rate will only be in effect for 100 pages or less:

FORMAT	NUMBER OF PAGES	INCREASE/DECREASE
8½" x 11" Single-column page 12 point font	700	$18.00 per page
8½" x 11" Dual-column page 11 point font	595	$21.00 per page

(5) Pay any invoices within 30 days of the invoice date. Invoices outstanding beyond the 30 day period shall be subject to a late payment equal to 1.5% of the unpaid balance per month, or part thereof.

III. OPTIONAL SERVICES.

The Municipality, by the initials of the person executing the agreement on its behalf, exercises the following options:

INITIAL

(1) Code Format: (Initial one only)

(a) Single-column format _____

(b) Dual-column format _____

(2) Additional Copies of Code: number of copies _____ (with binders: Yes or No) _____

The Municipality may purchase additional codes at (*circle one:*)$125.00 per copy with a binder or $100.00 without a binder.

(3) Five year supplemental service plan: _____

For a period of five years after delivery of the code:

(a) The Publisher shall:

1. Incorporate into the code new pertinent ordinances submitted by the Municipality.

2. Revise or make additional entries to the table of contents, parallel reference tables, and index as necessary to reflect the incorporation of additional, changed or deleted material.

3. Within 45 days, deliver to the Municipality 10 printed copies of supplemental pages with an instruction sheet for directing the placement of the new pages in the code.

(b) The Municipality shall:

1. Provide a copy of ordinances or resolutions passed subsequent to publication of the previous code supplement;

2. Pay to the Publisher the sum of $19.50 per reprinted single column page or $23.50 per reprinted dual column page, plus shipping and handling.

The prices above are for a five-year period and cannot be changed except for adjustments in the second, third, fourth, and fifth years of this agreement to reflect any decrease or increase in the United States Consumer Price Index calculable from the month of delivery of the Code.

If the code page contains an image (diagram, photograph, graph, etc.) or table, there is an additional $10.00 per page charge.

(c) Upon completion of the five-year period, this agreement shall automatically renew itself from year to year except that either party may alter or cancel the terms of this agreement at any time upon ninety days written notice.

(4) Code Downloadable or on CD-ROM (word processing program): _____

At no additional charge, the Publisher will provide the code downloadable or on CD-ROM in one of the following formats (*circle one*): WordPerfect or Microsoft Word compatible

If requested the code can be provided on a flash-drive for $25.00.

(5) Subscribers Service: _____

The Publisher will operate a subscription service upon the Municipality's request as follows:

(a) After the Publisher determines production cost and shipping and handling charges, the Municipality has the right to set the total price of the codes for the subscribers. The difference will be credited to the Municipality's future supplement invoices.

(b) Subscribers can be charged in advance or at time of shipment if they wish to subscribe to the supplements. The total cost for this subscription will be for a year's worth of supplements.

(c) Subscribers of the complete code will be required to pay in advance of shipment by check or credit card.

(d) The Publisher will incur all mailing costs for the marketing of the code. Order forms with an announcement of the codes and supplement service availability will be included in this mailing.

(e) Any law firms, realtors, businesses, libraries or other interested parties contacted may inquire about code orders by using the Publisher's toll-free number.

(f) The Publisher will print subscribers' orders as needed, and will not require the Municipality to either pre-purchase copies or store extra copies.

(6) Pamphlets:

(a) Pamphlets, sized for 8½" x 11" copy, containing component parts of a Code, with a cardstock cover, may be ordered: (*circle desired topic and insert number of copies*):

Charter	# of copies _____	_____
Traffic/General Offenses Code	# of copies _____	_____
Zoning Code	# of copies _____	_____
Subdivision	# of copies _____	_____
All Land Use Regulations	# of copies _____	_____
Other_____	# of copies _____	_____

(b) Cost:

1-50	copies of pamphlet — .075 per printed page
51-99	copies of pamphlet — .070 per printed page
100 or more	copies of pamphlet — .065 per printed page

(c) Optional 3-ring pamphlet binders ($11.50 each) _____

(d) Pocket sized pamphlets are available at rates to be agreed upon.

(7) Web based Search and Retrieval program:

(a) The Publisher shall build the Municipality's code into a web based format on the Publisher's website. Publisher will provide a link for the Municipality to link to the site for $750.00. (This is the fee for the first year.) _____

(b) Future Web Supplements (cost included in editing charge for printed pages): Initial one below: _____

Web Updates:_____ annually _____ six months _____ quarterly _____ as ordinances pass

Printed Books Updates:_____ annually _____ six months _____ quarterly _____ as ordinances pass

(assumes Web update is in conjunction with update to printed supplement)

(c) Optional On-Site Installation & Training (not necessary) at $695.00/day + Travel Expenses. _____

or Optional Web Based Training (not necessary) at $95.00/an hour with a minimum charge of a $200.00. _____

(d) Code on the Web (after initial build and first year charge) at $495.00 per year. _____

(e) Access and Search other codes on American Legal Publishing's Website No charge

(f) Advance Legislative Service (PDF): As new ordinances are passed they will be added to the New Ordinance List. This list will have the latest ordinances listed by date passed. Once ordinances are supplemented this list will be cleared. An ordinance can post on the same day. The cost for this service is $10.00 per ordinance. If the entire ordinance needs to stay online then chose our other service called Comprehensive Ordinance List. _____

(g) New Ordinance Notification Service: As new ordinances are passed, American Legal will place a New Ordinance Notice that this code section has been amended. Once the ordinance is supplemented into the code of ordinances the Notice will be removed. The cost for this service is $5.00 per notice. This service is usually combine this service with the Advance legislative Service or the Comprehensive Ordinance List. _____

(h) Comprehensive Ordinance List: As new ordinances are passed they will be added to the Comprehensive Ordinance List. This list will have the latest ordinances listed by year. The ordinances will be highlighted in yellow until they are added to the code book. All ordinances can be listed, even ones that are not usually codified such as annexation, variances, budget, and other miscellaneous ordinances. The ordinance is linked to a pdf copy of the original ordinance. The price for this service is $15.00 an ordinance. If you store the ordinances on the Municipal website there is no storage cost. If ordinances are stored on ALP website a price will be determined each year based on the number of ordinances stored on American Legal Publishing's site. Initially the cost will be $50.00 per year for storage. _____

(i) History Linking to Original Ordinance: American Legal Publishing can link a PDF version of your original ordinance to the history section of your online code. The cost for this service is $10.00 ordinance.

_____

(j) Definition Links Service: American Legal will build defined term links or pop up boxes to any word requested by the Municipal. Many counties like this service so that a user can see the definition of the word without going back to the defined terms section of the code. This service is available for the Code of Ordinances and the Land Development Code. The cost for this service is $95.00 an hour. _____

(k) Archived Codes Online Service: American Legal Publishing can store previous versions of your code and or supplements online for research purposes. The cost for this service is $75.00 each supplement. _____

(l) Translation Software Services: American Legal can place your code of ordinances in 90 languages for one low annual fee of $95.00 a year. This service will allow citizens to view and read the code in many different languages. _____

(m) Custom Banner Services: American Legal can make your online code look just like the counties website. The cost for this service is based on the files that are provided by the Municipal. The one time fee is anywhere from $200.00 and up. Please send the files for an actual price.

(n) Online Meeting Minutes Service: American Legal can store meeting minutes as well as other documents online. Your minutes, resolutions, annexations can all be placed online and indexed for 75¢ per page provided to publisher in a format set by Publisher. _____

IV. TRANSMITTAL AS OFFER.

The transmittal of this Agreement to the Municipality is an offer by the Publisher to perform the stated services at the prices and terms referenced within the Agreement. This offer will expire if not executed by the Municipality by February 29, 2020, unless such date is extended in writing by the Publisher.

IN WITNESS WHEREOF the parties to this contract have hereunto set their hands on the date(s) indicated:

Whitewater Township, Michigan	American Legal Publishing Corporation
By_____	By_____
Title_____	Title Ray Bollhauer, Vice- President
Date_____	Date_____

CHAPTER 71: TRAFFIC REGULATIONS

Section

General Provisions

71.01 Speed limit in city alleys
71.02 Operation of motor vehicles on unpaved public or private property prohibited

Motorcycles; Motor Scooters and Motor Bikes

71.25 Safety helmet or headgear required
71.26 Operator's permit required

71.99 Penalty

Cross-reference:

Speed limits on designated streets, see Chapter 76, Schedule I
Citations for traffic and parking violations, see §§ 72.150 through 72.157

GENERAL PROVISIONS

§ 71.01 SPEED LIMIT IN CITY ALLEYS.

(A) For purposes of this chapter an ***ALLEY*** shall mean every street or way within a block, which is set apart for public use, vehicular traffic and local convenience. ('72 Code, § 34-4)

(B) No person shall drive a motor vehicle upon any alley in the city at a speed in excess of ten miles per hour. ('72 Code, § 34-5)
(Ord. 2087, passed 2-5-80; Am. Ord. O-87-72, passed 12-23-87) Penalty, see § 71.99

§ 71.02 OPERATION OF MOTOR VEHICLES ON UNPAVED PUBLIC OR PRIVATE PROPERTY PROHIBITED.

(A) It shall be unlawful for any person to operate a motor vehicle, as defined by the Florida Uniform Traffic Control Law, F.S. Chapter 316, as may be amended from time to time, on any unpaved public property, or on any paved or unpaved shoulder of a public road.

CHAPTER 71: TRAFFIC REGULATIONS

Section

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(B) It shall be unlawful for any person to operate a motor vehicle on any unpaved private property, not owned by the operator or his immediate family, without the express written consent of the owner, lessee, tenant or other person entitled to possession and use of such premises; said written consent to be carried on the operator's person.

(C) The foregoing provisions shall not apply to the following:

(1) A licensed and franchised public utility in the conduct of its business;

(2) Any federal, state or local governmental agency;

(3) Any licensed emergency vehicle;

(4) Any situation where such operation is necessary to avoid collision with other traffic;

(5) Where such operation is in compliance with other laws or the directions of a law enforcement officer or official traffic-control devices.
('72 Code, § 34-13) (Ord. O-73-51, passed 6-27-73) Penalty, see § 71.99

AMERICAN LEGAL PUBLISHING CORPORATION
SEARCH & RETRIEVAL WEB SOFTWARE

Following is information on our web search and retrieval program American Legal offers. Our open source software allows you to create electronic text as well as access any section, word, or reference in that text (i.e. your code or meeting minutes) instantaneously. The website also provides you with a complete word index. Every word in your code is catalogued.

With our web based software you can conduct searches by word, phrase, section number, date, or anything you want. You can also perform stem searches when you are not sure of the ending of the words you want to find (e.g. go% = going, gone, went, etc.) proximity searches (e.g. find "penalty within 5 words of jail"), and more. You can also do searches by title, chapter, table of contents, and in multiple infobases (such as in the Code of Ordinances, Charter, Council Minutes, and anything else in the Web based format) at the same time. Additionally, our software allows each user to customize his or her version by creating a user account with color and style highlights, bookmarks, notes, and pop-up links within the text without affecting the original text.

American Legal Publishing can provide your Code and other material on the web, downloadable, on a flash drive, and we still can offer the materials on a CD-ROM.

SAMPLE SEARCHES ONLINE

Search	Result	Example of Findings
21 years of age	finds every paragraph in the code in which 21 and the words: years, of, age appear	1) 21 years of age 2) age of 21 years
"21 years of age"	finds only the exact phrase "21 years of age"	1) 21 years of age
21 or 18 years of age	finds every place where either 21 years or 18 years of age appears in the code	1) 21 years of age 2) age of 21 years 3) 18 years of age 4) age of 18 years
"21 18"@5	finds every place in the code where 21 and 18 appear within five words of each other	1) anyone between the age of 18 to 21... 2) the prior age of majority of 18 has been changed to 21
go%	finds all words which are variations	1) go 2) gone 3) going 4) went
good$	finds synonyms	1) good 2) advantage 3) benefit 4) usefulness
council*	finds all words beginning with "council"	1) council 2) council's 3) councilman 4) councilwoman 5) councilmember

JUMP LINKS - when clicked on, they will take you directly to another section of the code. For example, clicking on the link *Penalty, see § 70.99* (underlined and in green) following a section, will take you directly to that penalty section.

GENERAL CODE

A Member of the ICC Family of Companies

Proposal for Codification Services

PREPARED FOR:

Township of Whitewater, Michigan

PREPARED BY:

MARCIA CLIFFORD, ESQ.

CODIFICATION ACCOUNT MANAGER

mclifford@generalcode.com

800.836.8834

DATE:

November 27, 2019

(Valid for six months)

GENERAL CODE

A Member of the ICC Family of Companies

November 27, 2019

Cheryl Goss
Clerk, Township of Whitewater
P.O. Box 159
Williamsburg, MI 49690

Dear Ms. Goss,

General Code is delighted to present the Township of Whitewater with this proposal for codification services. As detailed in the enclosed proposal, our custom solution incorporates General Code's state-specific knowledge, innovative technology and experienced staff to assemble Whitewater's laws into a Code that is accurate, enforceable and easily accessible by the Township's constituents and broader community.

As an experienced codifier that has served communities and municipal staff for over a half century, General Code's unique knowledge of local government drives us to create better codification solutions and technology that are grounded in municipal input, and support both the current and future needs of your community. Our collaborative approach leverages our team's unique understanding of codification and combines your feedback with our cutting-edge technology – such as our online Code platform, *eCode360*® – to transform the way municipal officials and citizens access and share Code information.

Beyond the numbers and strategies presented in this proposal, we offer the Township a long-standing commitment to creating community-focused solutions, coupled with our core values, including integrity, personal responsibility and honest care and concern for local governments and the communities they serve. Throughout the codification process, our Wisconsin-based Staff Attorney and Account Manager, Marcia Clifford, will be available to meet with you and answer any questions the Township may have.

We are committed to helping Whitewater experience a higher standard of codification.

As a member of the International Code Council family of companies, General Code and the ICC are proud to provide robust Code solutions that benefit the community, encourage economic growth, and help the Township save time and resources.

We look forward to serving your community.

Sincerely,

Cristina LoVerde
Vice President of Sales & Marketing

Marcia Clifford
Codification Account Manager

Experience the Higher Standard. Explore the Possibilities.

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Executive Summary

A thorough review of your request has given us a better understanding of your unique needs and helped us determine ways that we can partner with you to organize the Township of Whitewater's legislation into a Code that is a useful and effective resource for your community. The executive summary below serves as an overview for building a collaborative codification solution that can help the Township achieve its goals. Full solution details are listed in the Recommended Solution section on page 4 of this proposal.

Situation Analysis

The Township of Whitewater's General Ordinances have never been codified and the Zoning Ordinance was originally adopted in 1972, and was last compiled in 1994. The General Ordinances and Zoning Ordinance were last updated in 2019. However, your community may not be able to easily find the Township's laws, and your legislation may contain inconsistencies, errors and outdated information that could potentially affect enforceability and alignment with relevant state statutes.

It is our understanding that the Township would like to codify its legislation, including a comprehensive review, to include all legislation of a general and permanent nature to Ordinance No. 55 and Zoning Amendment No. 74. This process would ensure that legislation is up-to-date and is in line with state statutes and the current needs of your constituents, in addition to making the overall Code consistent in organization, format, style, and content.

The Township would also like to provide access to the Code and make it easier for constituents and staff to find information by implementing a fully searchable online version of its Code, housed on our unparalleled *eCode360* platform.

Our Solution

Our comprehensive codification solution for Whitewater includes:

- **An Editorial and Legal Analysis and codification of existing materials**
  This process will identify conflicts, redundancies and inconsistencies in your legislation and enable you to incorporate the necessary revisions to assemble a Code that is enforceable and fully complies with state statutes
- **An online Code housed on our innovative *eCode360* platform**
  Created for a variety of users, *eCode360* will make the complete text of your Code available online in a format that is easy for your community to use and is fully searchable

- **3 custom printed Code books, with an option for additional printed volumes**
  We will provide you with 3 fully customized print copies of your new Code, with additional copies as requested

Solution Benefits

General Code currently serves over 3,000 municipalities across the United States and Canada, including 54 in Michigan. Based on over a half century of experience working with local governments, we understand the needs and challenges of communities like yours as well as the importance of collaborating throughout the codification process. A comprehensive codification solution from General Code will:

1. Deliver a Code that is always accessible to the public and up-to-date
2. Help you keep Whitewater's legislation enforceable
3. Improve transparency with constituents
4. Save Whitewater's staff time and resources by empowering constituents to find Code information independently

Who Benefits?

1. **Constituents**—Citizens will be able to find and use laws in a comprehensive, up-to-date and understandable format
2. **Staff**—All staff members will be able to gather the information they need to do their jobs and to answer questions from both citizens and other municipal officials
3. **Planners/Developers**—Your new Code will provide a clear view of existing regulations and make it easier to determine the impact of proposed changes and amendments on development and growth initiatives
4. **Attorneys**—Legal staff can draft and amend legislation more efficiently by using *eCode360* to research similar laws that other communities have passed

Whitewater's Investment

The price of General Code's recommended solution will be $13,995.

A detailed breakdown of the investment and available options can be found in the Investment Details and Options section on page 12.

Recommended Solution for Whitewater

Based on our discussions with the Township, we have put together a collaborative codification solution built for your community's specific needs. In addition to having years of codification experience, our staff is uniquely qualified to serve your community, based on backgrounds in municipal law, code enforcement, zoning and planning, information technology, and government administration. Our recommended solution includes the following services from General Code:

Create a Code

General Code will provide the Township with a Code that is clear, enforceable, and easy for your community to access and use. During the codification process, we will include all legislation of a general and permanent nature to Ordinance No. 55 and Zoning Amendment No. 74 and organize it to logically accommodate different types of legislation. We will also convert your Code into XML format to make your Code information fully searchable online and easy to update.

Provide an Editorial and Legal Analysis

Our project team will do a thorough review and analysis of your legislation and provide recommendations for assembling a Code that is clear, reliable and enforceable. The Editorial and Legal Analysis workbook contains specific questions compiled by your Code consultant while reviewing the Township's legislation. These questions highlight errors, inconsistencies and other issues that may affect the accuracy, clarity and enforceability of your final Code. The Editorial and Legal Analysis workbook guides your stakeholders to make decisions about revisions to the legislation. All final decisions regarding the sufficiency of the legislation which is to be codified, and any changes to be made to said legislation, shall be the province of the Township officials and the Township Attorney.

Your Online Review Tool, *eCode360 Code Review*

eCode360 Code Review will be a helpful resource as you review the Editorial and Legal Analysis, enabling you to reference and search relevant Code sections online to answer questions and work through conflicts, duplications and inconsistencies within the Code.

Publish a Secure Online Code with *eCode360*

eCode360 is a secure, reliable online platform created specifically to house codified laws and municipal documents. Built with a variety of user needs in mind, *eCode360* will provide Whitewater's citizens, staff and businesses with unparalleled flexibility to quickly access and search your Code on a variety of desktop and mobile devices.

eCode360 Benefits:

A centralized solution—laws, regulations and related documents are integrated into a dynamic, centralized resource so that Code users can find information in one place

Simple to use—*eCode360* is easy and intuitive and offers powerful time-saving features that let your community members easily access, search and share Code sections with incredible speed and precision

Always up-to-date—General Code will update your *eCode360* site with each supplement to your Code. This saves your staff time while ensuring that your Code information is always accurate and enforceable and available to your constituents

A trusted, "go-to" resource—Empower your staff to answer frequently asked questions with clarity and confidence—even before they are asked

Always evolving—We push the boundaries of what is possible with our *eCode360* platform by consistently releasing innovative functionality based on communities' needs

User Benefits:

Constituents—Members of your community have 24/7 access to research topics and find information on their own, saving phone calls and trips to the Township offices

Clerk/Secretary—*eCode360* allows staff to better serve your community by simplifying information searches to give constituents fast and accurate answers to Code questions

Planner/Developer— *eCode360* provides a clear view of existing situations and makes it easier to determine the impact of proposed changes and amendments on development and growth initiatives

Attorney—Legal staff can draft and amend legislation more efficiently by using *eCode360* to research similar laws that other communities are enforcing

eCode360 Service Level included in this Project: **Standard**

	eCode360 Lite	Standard *eCode360*	Premium *eCode360*
Annual Maintenance Fee	$695	$995	$1,195
New Laws	x	x	x
Easy and Flexible Searching	x	x	x
Dynamic Table of Contents	x	x	x
Email or Share Links	x	x	x
Printing	x	x	x
Bookmarking Searches	x	x	x
Archive View	x	x	x
"Sticky" Table Headers	x	x	x
Administrative Tools	x	x	x
Translate	x	x	x
eCode360 Search App	x	x	x
Linked New Laws		x	x
Public and Private Notes		x	x
Sample Legislation (Multicode Search)		x	x
Download to Word		x	x
Download to PDF			x
New Laws Indicator			x
Advanced Search			x
Customizable Titles			x
eAlert			x
Public Documents Module			x

For more information about *eCode360* and the service levels we offer, see page 21.

Publish a Custom Printed Code

General Code will publish 3 printed copies of your Code in high-quality, custom-imprinted post binders. The Code pages will be designed in an 8 ½-by-11-inch page size, using 11-point Times New Roman font in a single-column format on 100% recycled paper.

General Code lets you customize the look of your final printed Code, including the color of your binder (blue, dark red, green, brown, black or gray) and the color of the silk-screen lettering on the binder cover (white, silver or gold). We can also emboss the Township's Seal on the front and spine for added impact at no additional charge. Each copy of the Code will include a set of tab dividers for individual customization and will also be serial-numbered for easy identification.

Provide Ongoing Code Maintenance

The codification process is not truly over when your new Code is delivered. Your community will change and grow, and ultimately, your Code will evolve with it. In order to maintain your Code as an accurate and reliable resource, it is important that the Township keeps the Code up-to-date after initial publication. General Code's supplementation services are designed to make the process easy, fast and accurate.

For more information about General Code's Supplementation Services, see page 27.

Project Materials

Source Materials

The Township of Whitewater has provided General Code with the following documents, which will be used as the source materials for the recodification project:

- Uncodified general ordinances adopted from Ordinance No. 1 through Ordinance No. 55
- Uncodified zoning legislation adopted from Zoning Amendment No. 1 to Zoning Amendment No. 74

Project Scope

This proposal and the scope of this project consider only the legislation submitted for review as listed above. The processing, review, and inclusion of any materials not submitted are outside the project scope as proposed and therefore may be subject to additional charges. We request that Whitewater set up a process to routinely send any new legislation upon adoption. This additional legislation will be included in the Code up to the point where the editorial work has been completed and will be subject to an additional charge at the end of the project.

The General Code Codification Process

Our goal is to organize your legislation into a systematized, clean format, designed to provide you and your community with an easy-to-understand, simple-to-reference, and logically indexed Code.

We Know Your Community

Our Code consultants have an average of 15 years building and maintaining Codes and have helped develop Codes for more than 54 communities across Michigan. This state-specific knowledge gives us an understanding of the shared history, values and concerns of your area, helping us better work with you to build a Code that reflects the values of your community.

We Include You in the Process

The project workflow that General Code has developed is highly collaborative, allowing you to engage with a Code consultant at every key stage of the codification process. Our Code consultants are invested in working with local governments and strive to ensure that your Code improves transparency within your community while accurately reflecting your laws.

Process Outline

Beginning a Code Project

To begin the project, the Township shall provide the source materials for the new Code. For more detail, see the source materials listed on page 7.

Project Launch

At the beginning of the project, General Code will consult with Whitewater's designated contact person to review the project generally and to clarify any initial questions for both General Code and the Township.

Organizational Analysis

During this phase, we will prepare an Organizational Analysis of your legislation for the Township to review, which will include a proposed Table of Contents of the Code and a listing of legislation reviewed, along with questions about any missing material and adoption dates as well as any other questions pertaining to the completeness of materials being reviewed. The Township will review the Organizational Analysis and make whatever changes it feels are necessary. An editor will incorporate the feedback received into the project and move forward to prepare the Manuscript and the Editorial and Legal Analysis.

Manuscript

As needed, we will prepare a Manuscript using the materials provided by the Township. The Manuscript organizes your legislation into a logical system of chapters arranged alphabetically by subject matter. At this step we will incorporate amendments into the Manuscript, noting repealed or superseded material. The resulting Manuscript will show exactly the legislation that is currently in effect.

Editorial and Legal Analysis

For the second part of the analysis of the Township's legislation, we will prepare an Editorial and Legal Analysis for your review. Our staff of editors and attorneys is in contact with hundreds of communities and will provide you with the benefit of their experience, including information you can use to determine how your legislation can be revised and improved. Your project team will do a thorough review and analysis of your legislation and provide specific recommendations and input for improvement. The Analysis will be compiled into a workbook with an easy-to-use checklist format. Township officials, including the Township Attorney, will have the final decision-making authority for the resolution of any and all issues.

The Editorial and Legal Analysis will include the following:

- Identification of duplications, conflicts and inconsistencies between or within various sections of the Code
- Identification of duplications, conflicts and inconsistencies with Michigan statutes
- Any practical recommendations to make your legislation more enforceable
- Suggestions regarding fines, fees and penalties
- Suggestions on ways to modernize your legislation

Your Responsibilities

The Township will review the Editorial and Legal Analysis and make the final decisions on any changes that are deemed necessary. All final decisions regarding the sufficiency of the legislation which is to be codified, and any changes to be made to said legislation, shall be the province of the Township officials and the Township Attorney.

A review period is set by the performance schedule. We stress the importance of staying within the allotted time period to avoid disruptions in the production process and delays in the delivery of the Code. Our staff attorney, Marcia Clifford, is available to meet with the Township to discuss the Editorial and Legal Analysis at no charge, upon request by the Township.

eCode360 Code Review

eCode360 Code Review is a searchable online repository that houses your Code Manuscript and Editorial and Legal Analysis during the review stages of the codification process. When the Manuscript and Editorial and Legal Analysis are ready for review, General Code will activate your *Code Review* site and provide your review committee with a link to a secure online version of your in-process Code and the supporting documents. *Code Review* allows users to reference and search relevant Code sections online as you answer questions and work through conflicts, duplications and inconsistencies within your Code. As the project continues, additional secure drafts will be available on your *Code Review* site, making the review process easy and clear.

Upon completion of the project, your *Code Review* site will be replaced by your *eCode360* site and will house the adopted version of your Code, which will be made available to the public.

Final Editing of the Manuscript

Once the Editorial and Legal Analysis is returned, an editor will begin the final editing process. During this time, we will:

- Edit the text to incorporate any revisions and additions previously approved in the Editorial and Legal Analysis phase
- Update the Table of Contents listing all chapters and articles included in the Code, as applicable
- Include cross-references and Editor's Notes, as required, and add historical notations indicating the source and date of adoption of each enactment
- Proofread all copy to correct typographical and spelling errors

Draft

Using *Code Review,* General Code will submit a Draft of the Code for final review by the Township. At this time, the editorial work on your project will be completed; therefore, if the Township requires any additional changes, further charges will apply.

Comprehensive Index

During final publication, General Code will prepare a comprehensive index that is designed to let you quickly and easily locate information in the Code.

Disposition List

We will create a Disposition List that sets forth—in chronological order—the subject matter, date of adoption and disposition of each item of new legislation reviewed with the project. It will also indicate whether those items are included in or omitted from the Code.

Code Adoption Legislation

We will prepare adoption legislation for the proposed Code and give it to the Township Attorney for review and enactment by the governing body.

The Code should be adopted as soon as possible to formally enact the many revisions authorized by the Township and establish the Code as the permanent enforceable system of law in the Township.

If the Code adoption legislation is enacted and returned to us within 90 days of submission, we will include this material in the Code free of charge. Once the Code is adopted, it can be amended directly to change, add or delete material.

Code Delivery

General Code will make your *eCode360* site available to the public and deliver 3 printed copies of your Code in custom imprinted post binders.

Ongoing Supplementation

As the Township adopts new legislation, General Code's supplementation services will help you keep your Code up-to-date, accurate and a reliable resource for your community.

Investment Details and Options

Codification Project Price $13,995

Services included with the codification project:

- Project Launch
- Creation of a New Code, with Project Scope Including Legislation to Ordinance No. 55 and Zoning Amendment No. 74
- Editorial Work
- Proofreading
- Shipping

Initial deliverables included with the codification project:

- Organizational Analysis
- Editorial and Legal Analysis
- Manuscript
- Draft

Final deliverables included with the codification project:

- Publication of 3 Code Volumes in Standard Imprinted Post Binders
- Comprehensive Index
- Disposition List
- Customizable Tabs
- Code Adoption Legislation
- Standard *eCode360* (Setup and First Year)

Standard *eCode360* Annual Maintenance $ 995

The maintenance fee is an annual recurring flat fee. Therefore, we recommend that the Township budget for this service each year. The fee covers annual licensing, web hosting, and posting of new legislation between regular Code supplements. Please note that this does not include the cost for codifying new legislation.

Optional Components

The following is available to you at an additional charge:

$200	Upgrade to Premium *eCode360*, Including PubDocs Module *Annual Maintenance: $1,195*

Please note: Code books in addition to the 3 Code books included in the Codification Project Price may be ordered through the publication date of your Code. Pricing is available upon request.

Performance and Payment Schedule

Codification Project Price $13,995

Performance Schedule

Deliverable	Delivery Date
New Code Project Launch	Within 30 days of contract signing
Submission of the Organizational Analysis	Within 80 days of contract signing and receipt of the materials; the Township has 30 days for review
Submission of the Manuscript and Editorial and Legal Analysis	Within 180 days of receipt of the responses to the Organizational Analysis; the Township has 100 days for review
Submission of Draft	Within 145 days of receipt of responses to the Editorial and Legal Analysis; the Township has 45 days to review
Delivery of the Code	Within 40 days of approval to proceed with the publication of the Code

Performance schedule reflects only business days excluding legal holidays.

Payment Schedule

Percentage of Total Project Price	Milestone
20%	Due within 30 days of contract signing
20%	Due upon submission of the Organizational Analysis
30%	Due upon submission of the Manuscript and Editorial and Legal Analysis
20%	Due upon submission of the Draft
Balance	Due upon delivery of the Code

Authorization and Agreement

The Township of Whitewater, Codification, November 27, 2019

Codification Project Price $13,995

Optional Components

___Upgrade to Premium *eCode360*, Including PubDocs Module $200
Annual Maintenance: $1,195

Total Investment

Including all of the options selected above, the total project price will be: $ .....

The Township of Whitewater, Michigan, hereby agrees to the procedures outlined above, and to General Code's Codification Terms and Conditions, which are available at http://www.generalcode.com/terms-and-conditions-documents/.

Township of Whitewater, Grand Traverse County, Michigan

By: _____ Witnessed by: _____

Title: _____ Title: _____

Date: _____ Date: _____

GENERAL CODE, LLC

By: _____ Witnessed by: _____

Title: _____ Title: _____

Date: _____ Date: _____

This document serves both as a proposal and as an agreement. To accept this proposal and delegate authority to General Code to administer the codification project, complete the form above, including authorized signatures. A signed copy of this agreement will be mailed back to Whitewater for its records.

Scan and email the completed form to contracts@generalcode.com. You may also fax the completed form to General Code at (585) 328-8189 or return it by mail to General Code, 781 Elmgrove Road, Rochester, NY 14624.

Appendix

Your General Code Team

General Code has assembled a staff of highly trained project managers, editorial assistants, attorneys, legal editors, production staff, account managers, training specialists, service representatives, and software engineers that have unique expertise in codification. With backgrounds in municipal law and local government and years of hands-on experience working with over 3,000 municipalities, every segment of our team is uniquely qualified to partner with your community. We take pride in our strong relationships with local governments that have been built through the personal care and exceptional support provided by our entire staff over the 55 years we have been in business.

General Code is a proud member of the International Code Council family of companies

With a worldwide membership of 64,000, the International Code Council (ICC) is the global leader in developing model codes and standards used in the design, build and compliance process to construct safe, sustainable, affordable, and resilient structures and communities. Most U.S. communities and many global markets choose the International Codes.

General Code's partnership with the ICC strategically aligns our companies' like-minded missions, values and long-standing commitment to building strong partnerships with local governments. It also gives General Code even greater capacity to build on our portfolio of municipality-focused solutions by tapping into the expanded resources and global reach of the ICC.

Michigan Communities We Serve

For more than a half century, we have had the pleasure of forming long-term, collaborative working relationships with municipalities of all types and sizes across the country. Below are some of the 54 municipalities in Michigan that have trusted General Code to codify their laws:

Berrien County
Charter Township of Watervliet
City of Bridgman
City of New Buffalo
Three Oaks Township
Township of Buchanan
Village of Baroda
Village of Michiana
Village of Stevensville

Branch County
City of Coldwater

Calhoun County
Nottawaseppi Huron Band of the Potawatomi

Cass County
Village of Cassopolis

Eaton County
Village of Bellevue

Grand Traverse County
Grand Traverse Band

Ingham County
Charter Township of Meridian

Jackson County
Blackman Charter Township
Township of Spring Arbor

Kalamazoo County
City of Kalamazoo
Village of Richland
Village of Vicksburg

Kent County
Cascade Charter Township
Township of Cannon

Lapeer County
City of Lapeer

Livingston County
Township of Putnam

Macomb County
Charter Township of Chesterfield
City of Roseville
Village of New Haven

Midland County
Charter Township of Midland

Monroe County
City of Monroe

Muskegon County
Township of Blue Lake

Oakland County
Charter Township of Oakland
City of Royal Oak

Ottawa County
City of Holland
Township of Park
Village of Spring Lake

Roscommon County
Township of Denton

Saginaw County
Charter Township of Buena Vista

Shiawassee County
City of Corunna

St. Clair County
City of Port Huron
Township of East China

Van Buren County
Township of Lawrence
Township of Paw Paw

Washtenaw County
Charter Township of Pittsfield

Wayne County
Charter Township of Huron
City of Rockwood
Township of Grosse Ile
Township of Northville

Municipal Contacts

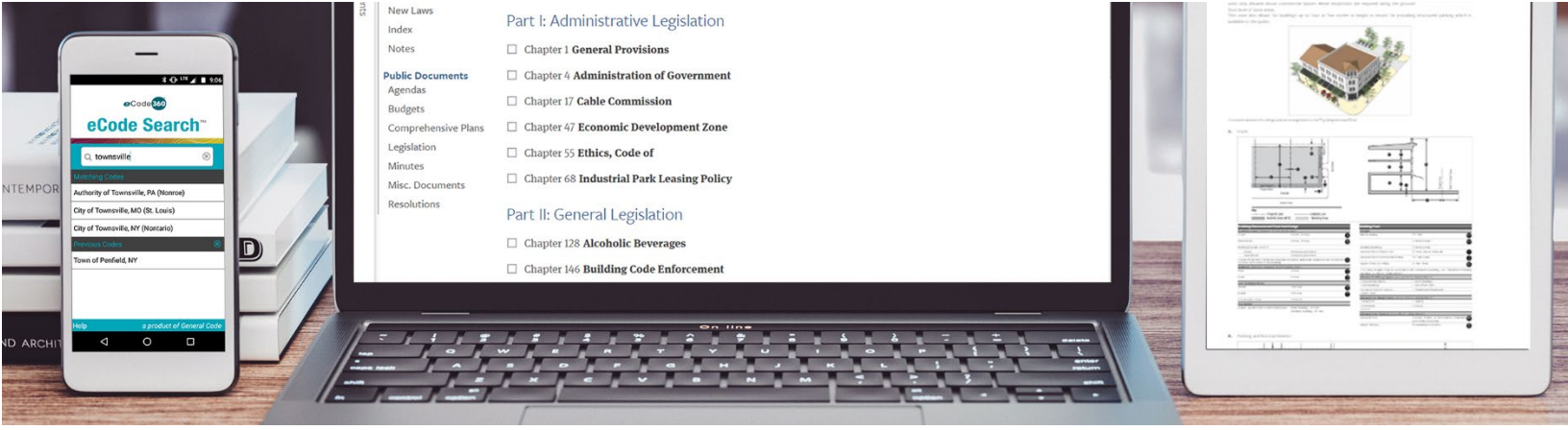
The following municipalities have completed similar projects with General Code. Please feel free to contact anyone on the list.

Township of Paw Paw, MI
Rebecca Payne, Deputy Clerk
(269) 657-4340
dclerk@pawpawtownship.org
eCode360: https://www.ecode360.com/PA3846

City of Kalamazoo, MI
Scott Borling, Clerk
borlings@kalamazoocity.org
(269) 337-8792
eCode360: https://www.ecode360.com/KA2666

City of Bridgman, MI
Alyson Holm, Clerk
aholm@bridgman.org
(269) 465-5144

Township of Northville, MI
Sue Hillebrand, Clerk
shillebrand@twp.northville.mi.us
(248) 662-0491
eCode360: https://www.ecode360.com/NO1919



Online Solutions to Better Serve the Public

General Code supports your community through technologies that transform your users' experience and empower your community to access, navigate and share your Code in exciting new ways. The online solutions below represent an ever-expanding portfolio of technological innovation built by codifiers, planners, zoning experts, and software engineers who understand the importance and value of simplifying the way your community uses your Code.

eCode360

Our *eCode360* platform is designed specifically to house codified laws and municipal information. *eCode360*'s intuitive design, responsive navigation, and robust search functionality drive performance and user satisfaction. Built with a variety of user needs in mind, *eCode360* provides staff, citizens and other constituents with unparalleled flexibility to quickly access and search your Code on a variety of desktop and mobile devices.

Multicode Search[1]

eCode360's Multicode Search function allows you to browse our library of over 2,000 municipal Codes to find reliable answers instantly – even after business hours – to questions like "What do neighboring communities' Codes say about…?"

Add Public and Private Notes[1]

eCode360 makes it simple for administrators to add public or private notes within your Code with links and annotations to give constituents access to additional information, such as forms, instructions or comments on areas of the Code that are currently being amended or reviewed.

Linked New Laws[1]

Our Linked New Laws feature makes it easy for your community to identify what chapters and articles are affected as your Code is amended. After we post your new legislation, users can click a link next to each ordinance in New Laws and view the sections of your Code that have changed.

New Laws Indicator[2]

Our New Laws Indicator helps users identify sections of your Code that have been changed. When new legislation is posted to *eCode360,* the New Laws Indicator icon will appear beside affected chapters and articles in the Table of Contents and throughout the Code. At the top of amended chapters and articles, the New Laws Indicator box will appear to flag changes and allow users to click to view the applicable legislation in New Laws.

Customizable Titles[2]

Administrative users can add customized titles and comments to your legislation in New Laws, making it easier for constituents and staff to identify new ordinances and access additional information.

Public Documents (PubDocs) Module[2]

The PubDocs Module provides immediate online access to information and documents that are not incorporated into the Code, such as meeting minutes, agendas, resolutions, budgets, pending legislation, and more. PubDocs is integrated with Premium *eCode360* and is concurrently searchable with your Code. PubDocs is a great way to augment your e-government services and improve your overall community outreach.

Archive View

With each supplement of your Code, *eCode360*'s Archive View retains the prior versions of your Code for archive purposes.

Customized *eCode360* Banner

eCode360 gives administrative users the ability to add a customized masthead banner and accent colors for a seamless transition from your municipal website to your online Code. Or, if the Township prefers, for an additional fee, General Code can add a customized masthead banner and accent colors on the Township's behalf.

1. This feature is available with Standard and Premium *eCode360* subscriptions only.
2. This feature is available with the Premium *eCode360* subscription only.

eCode360 Service Levels

Standard *eCode360* includes the following features:

New Laws: Between regular Code supplements, General Code will temporarily post PDF copies of new legislation to your online Code

Custom Settings for Admin Users: Control the look of your *eCode360* by selecting custom colors and accents, and uploading a custom banner or photo

Easy and Flexible Searching: Search by key words, phrases, section numbers and more

Electronic Index: A comprehensive list of key words and phrases to speed searching

Dynamic Table of Contents: Users can find the information they need and see their current location with a table of contents that moves as users browse

Email or Share Links: Email a link to a specific Code section or share via social media

Printing: Print using simple, user-friendly functionality and a variety of user options

Bookmarking Searches: Save "favorites" to quickly return to sections of the Code

Archive View: View a permanent archive of your Code, updated with each supplement

"Sticky" Table Headers: Table headers remain stationary as you scroll

Translate: Public users can view your Code in more than 100 additional languages

***eCode360* Search App:** Use your mobile device to search your Code

Linked New Laws: As new legislation is posted, we will add links from the New Laws section of *eCode360* to the affected Code chapters or articles

Public and Private Notes: Create personalized links and annotations within the Code

Multicode Search: Search across multiple Codes by municipality, geographic region, government type or population to find sample legislation or other Code content for zoning use, legal cases or historical research

Download to Word: Administrative users can download Code text to a Microsoft Word document to edit and track changes when drafting new legislation

Premium *eCode360* includes all of the above Standard features plus:

Download to PDF: Public users can directly download Code text to a PDF document

New Laws Indicator: Code Change Indicators help users identify sections of your Code that have been changed and provide links to the new legislation

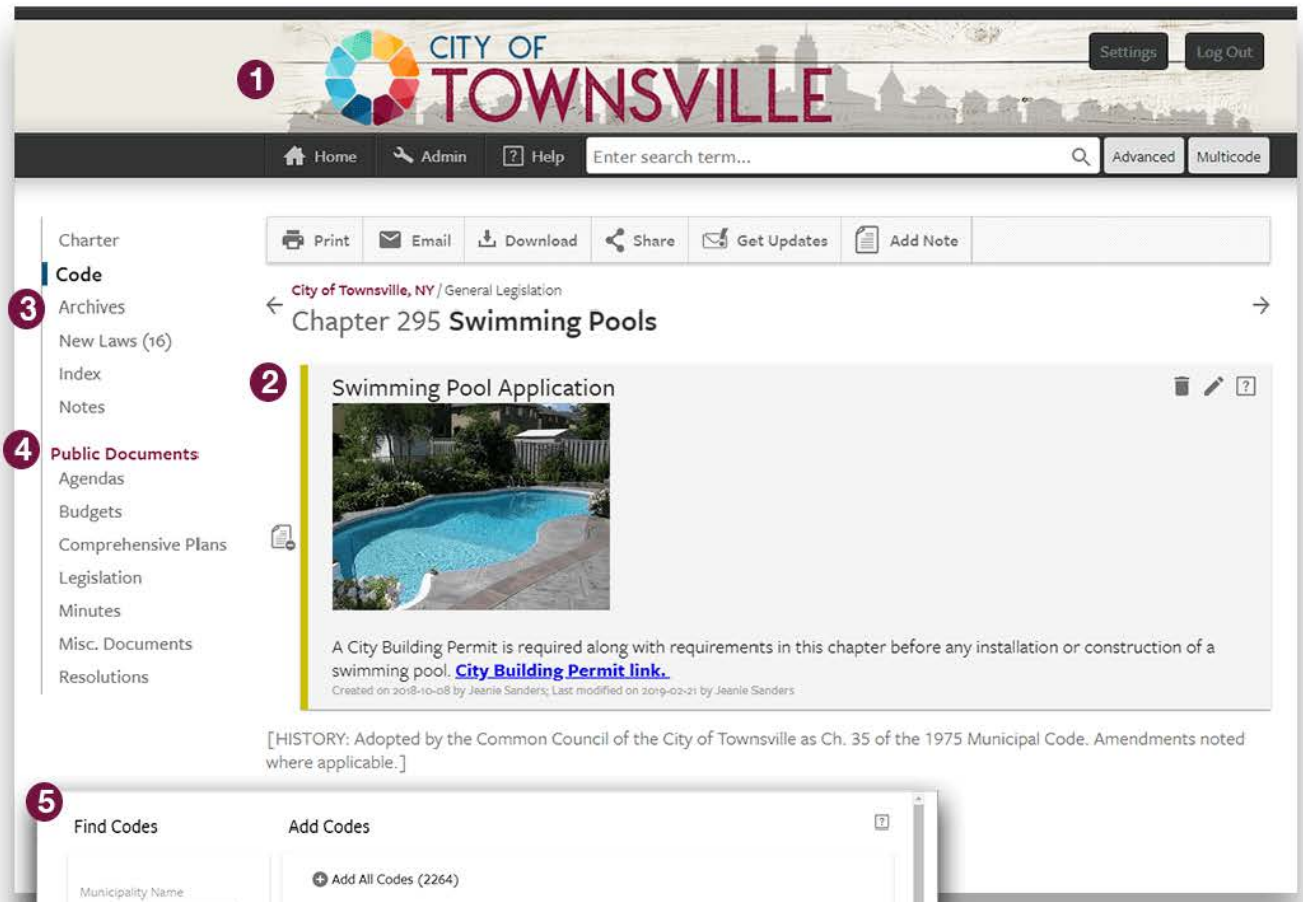
Advanced Search: Search across the Code, Public Documents, New Laws and Notes using an intuitive query tool and filtering system to quickly pinpoint the most relevant information

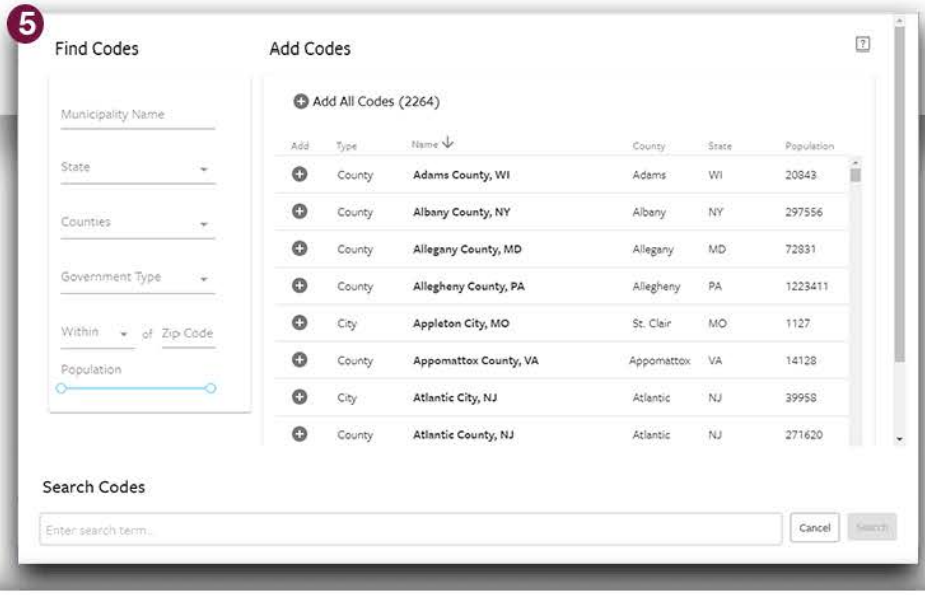
Customizable Titles: Administrative users can add customized titles and comments to your legislation in New Laws

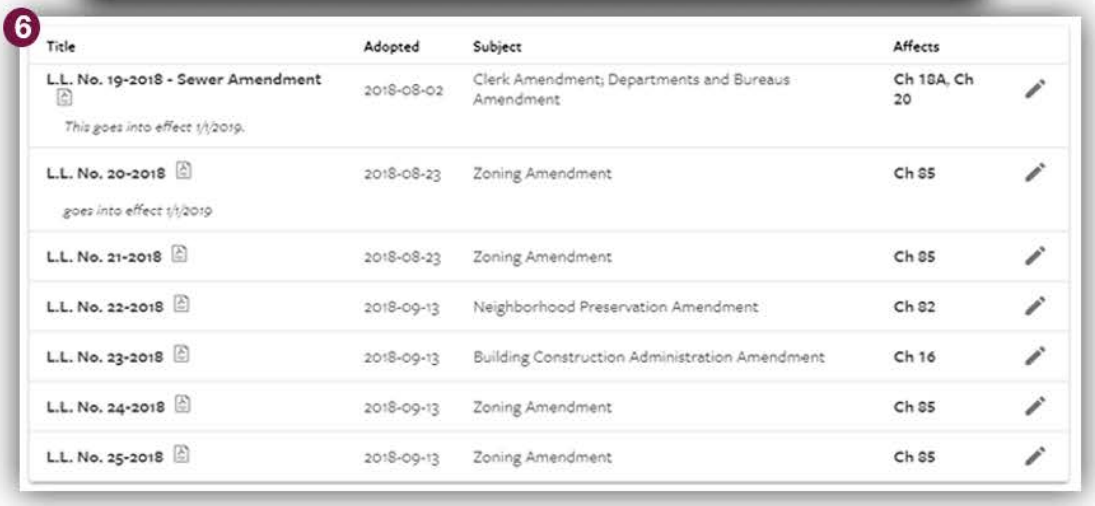
eAlert: Public users can sign up to receive notifications of changes in the Code

PubDocs Module: Post non-Code documents along with your online Code

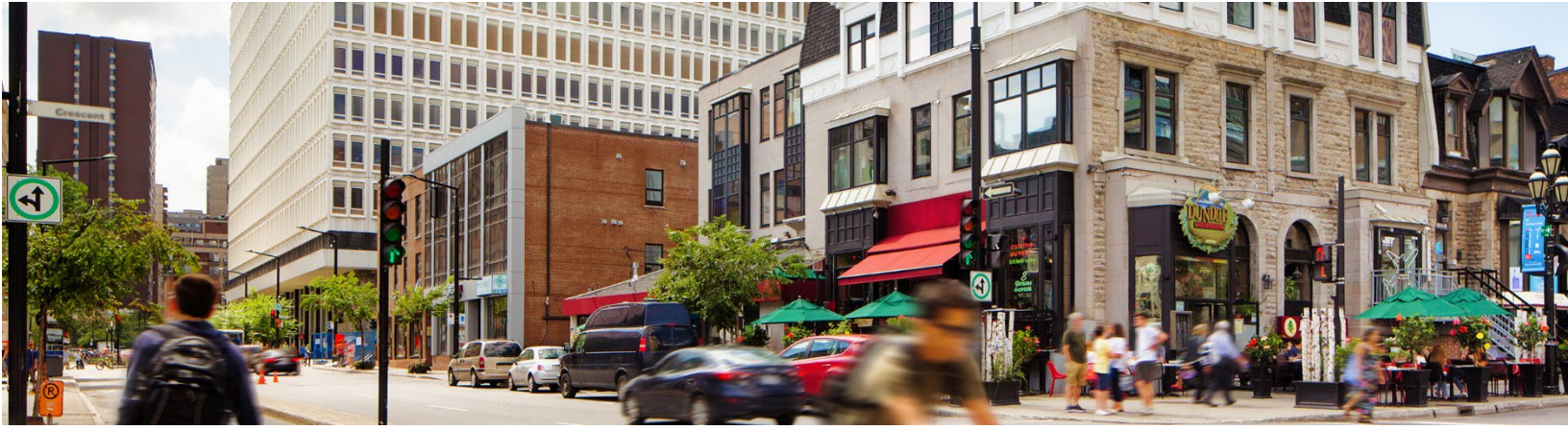
Sample *eCode360* Screens







1. Custom Banner
2. Public and Private Notes
3. View Archived Codes
4. Public Documents Portal
5. Multicode
6. New Laws



Visual Zoning™

eCode360® MapLink™ powered by ZoningHub™

eCode360 MapLink is a *Visual Zoning* service that makes it easier for business and property owners, planners, developers, and constituents to find the information they need in your community's Zoning ordinance by presenting Zoning Code data from *eCode360* in an interactive online map. *MapLink* users can click on a map to view details about permitted uses and answer questions such as, "Where can I open my business?" and "What can I do with my property?" With just a few clicks, users interested in economic development can view dimensional requirements, allowable uses, and zoning districts, zoom to an individual parcel to examine its requirements, or search for properties based on land use. By making it easier for users to find the information they need for their development projects, they are more likely to open their businesses in the Township, which can help grow your community.

MapLink uses your municipality's existing GIS map information and seamlessly presents data from *eCode360*, so your interactive map clearly and accurately displays your essential Zoning elements. When a Code supplement including a Zoning change is completed and posted to *eCode360*, your Code data is simultaneously updated in *MapLink*, ensuring that users are always working with the most accurate requirements.

eCode360® Enhanced Graphics™

eCode360 Enhanced Graphics can help drive economic development in your community by presenting an online Zoning Code that is clear, easy to understand and always up-to-date. *Enhanced Graphics* offers zoning specific features like integrated tables that allow users to view tables in context, multi-column layout options to accommodate natural image placement, searchable image captions, color coding to create easier navigation, and high-quality graphics. Every community is unique, so we also offer custom solutions tailored to suit your community's specific needs.

For more information on *Visual Zoning* services please contact us at sales@generalcode.com

Formatting & Style

General Code takes pride in offering high-quality printed Code services. Our experience and attention to detail in the design and production of your Code go hand-in-hand with our approach to municipal partnerships.

Organization

The Code will be organized and divided into parts to accommodate different types of legislation. Typically Part I is made up of legislation of an administrative nature, namely, that dealing with the Township's departments, officers and employees; Part II is made up of the legislation that regulates the general public. Within each part, the various pieces of legislation will be organized into chapters, which will be arranged alphabetically by subject matter. For example, all legislation pertaining to the regulation of streets and sidewalks may be found in Part II, in the chapter entitled "Streets and Sidewalks." Wherever there are two or more pieces of legislation dealing with the same subject, they will be combined into a single chapter. In such chapters, the use of article designations will preserve the identity of the individual pieces of legislation. The Township will have the opportunity to review and approve the organization of the Code.

Table of Contents

The Table of Contents lists the various chapters included in the Code and can be used to help locate desired provisions. Space will be reserved for later insertion of new material in its proper alphabetical sequence. Such space is accommodated in the body of the Code by breaks in the chapter numbering and in the page-numbering sequence between chapters.

Pagination

Each chapter forms an autonomous unit in the page-numbering system. The first page number in each chapter is the number of that chapter followed by a colon and the numeral "1." For example, Chapter 6 begins on page 6:1, Chapter 53 on page 53:1, etc. If a page were to be added between pages 53:2 and 53:3, it would be numbered 53:2.1. This system makes it possible to add or to change pages in any chapter without affecting pages in other chapters and to insert new chapters without affecting the existing organization.

Scheme

The scheme is the list of section titles that appears at the beginning of each chapter and precedes the text. These titles are written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease of reference, section titles are repeated as section headings in the text.

Section Numbering

In a chapter-related section-numbering system, each section of every item of legislation is assigned a number that indicates both the number of the chapter in which the legislation is located and the location of the section within that chapter. For example, the first section of Chapter 6 is § 6-1, while the fourth section of Chapter 53 is § 53-4. New sections can also be added between existing sections by using a decimal system. For example, if two sections are to be added between §§ 53-4 and 53-5, they will be numbered as §§ 53-4.1 and 53-4.2.

Legislative Histories

The legislative history for each chapter is located immediately following the scheme for that chapter. The history indicates the specific legislative source from which the chapter was derived, including the enactment number and the date of adoption. In the case of chapters containing parts or articles derived from more than one item of legislation, the source of each part or article is indicated in the text, under its title. Amendments to individual sections or subsections are indicated by boldfaced histories directly in the text.

General References and Editor's Notes

Each chapter containing material related to other chapters in the Code includes a table of General References to direct the reader's attention to those related chapters. Editor's Notes are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

Chapter 198

TAXICABS

Section Numbering

Scheme

§ 198-1. License required.
§ 198-2. Licensing power of Board of Selectmen; revocation; records.
§ 198-3. Rates of Fare
§ 198-4. Licensing conditions.
§ 198-5. Use of public ways.

Legislative Histories

[HISTORY: Adopted by the City Meeting of the City of Springfield. Amendments noted where applicable.]

General References

GENERAL REFERENCES

Vehicle noise restrictions — See Ch. 75.

Vehicle and traffic regulations — See Ch. 111.

§ 198-1. License required.

No person shall set up, use, or drive in the City any unlicensed taxicab or motor vehicle for the conveyance of passengers for hire from place to place.

§ 198-2. Licensing power of Board of Selectmen; revocation; records.

The Board of Selectmen may license taxicabs or motor vehicles for the conveyance of persons for hire from place to place within the City. They may revoke such licenses at their discretion. A record of all licenses so granted or revoked shall be kept by the Board of Selectmen.

§ 198-3. Rates of Fare

Legislative Histories

A. Minimum zone rates. [Amended 2-12-1980 by Ord. No. 80-73][1]

(1) On all trips originating or terminating north of Riverside Cemetery, the following minimum zone rates may be charged for distances north of said cemetery, which portion of the City is hereby divided into three zones as follows:

(a) Zone A, from Riverside Cemetery to and including Boxart Street: $2.50, plus $1 for each additional passenger.

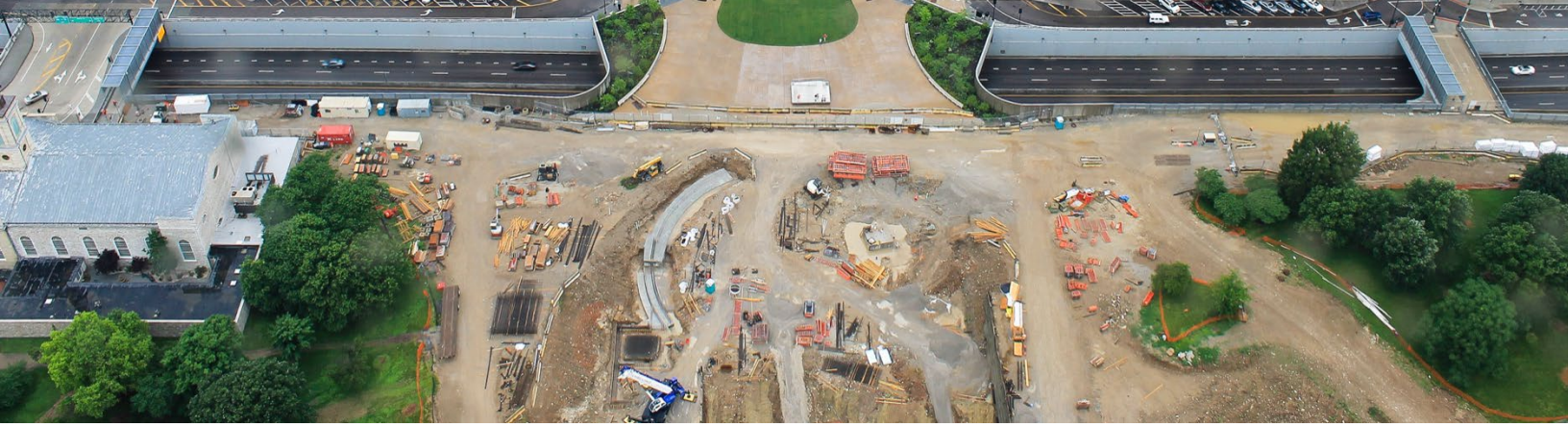
(b) Zone B, from Boxart Street to and including Denise Road: $3.50, plus $1 for each additional passenger.

(c) Zone C, from Denise Road to and including Beach Avenue: $4, plus $1 for each additional passenger.

(2) Each zone shall include all areas lying between the lines of its boundary streets extended to the easterly and westerly limits of the City. The minimum rates

Editor's Notes

1. Editor's Note: This ordinance provided an effective date of 3-31-1980.



Ongoing Code Maintenance

Your Code is always evolving and is an investment you need to protect

Because your Code will evolve and grow with your community, the codification process is not truly over when your new Code is delivered. In order to maintain your community's trust and reliance on your Code, General Code offers supplementation services that will help to keep your Code reliable, accurate and up-to-date. Our supplementation services are designed to make the process easy, fast and accurate. In addition, General Code provides a free sample legislation service to municipalities we serve as well as regular legislative alerts to inform local governments of the latest trends in legislation that may affect their communities.

Materials

After the enactment of new legislation, the Township can forward a copy to us by whatever method is most convenient.

Online copies of the legislation can be sent via email to ezsupp@generalcode.com. Upon receipt, we will send you an email confirming that we have received your legislation. Should an alternative method of transmission be required for transferring large files, please contact us and we will provide the necessary information.

General Code will hold legislation pending a pre-approved schedule, or begin the job, as directed by the Township. Please note that charges for supplementation services are outside of the scope of this proposal and will be billed separately. An estimate of the charges applicable to a particular supplement is available upon request.

Posting of New Laws

Between regular Code supplements, General Code will temporarily post PDF copies within 1 to 2 business days of receipt of new legislation to your online Code, to provide ready access to information until such time as the legislation can be codified through supplementation. If supplementation does not occur within one year of appending, General Code will remove the link to that new legislation.

Schedule

Code supplements will be provided on a schedule designed to meet the needs of Whitewater. Typical schedules may be quarterly, semiannual, or annual, or upon authorization by the Township. Updates to the electronic version of the Code can occur on a more frequent schedule than printed supplements if the Township prefers.

Our average turnaround time for processing routine supplementation is between 4 and 6 weeks.

Editorial Work on Your Supplement

The work on your supplement specifically focuses on the new legislation being incorporated with each supplement. For each supplement we provide project management, recordkeeping, processing, professional review of new legislation, and consult throughout the project. Our goal is to make the information easily accessible without altering in any way the meaning of what was originally adopted. The work on your supplement specifically focuses on the new legislation being incorporated with each supplement. As part of our process for new legislation, we will:

- Acknowledge receipt of all materials
- Verify adoption of all legislation, including date of action by governing body
- Review legislation and distinguish between Code and non-Code material
- Update record of legislation received and its disposition (Disposition List)
- Request any missing legislation/missing pages
- Determine proper placement of legislation within Code
- Impose or utilize the adopted flexible section numbering system that allows for later changes
- Create/modify chapter, article and/or section titles
- Add historical annotations
- Add any necessary cross references
- Include editorial notes to sections that require additional explanation
- Correct any misspellings so that searchability in eCode360 is not compromised
- Impose a distinctive style for definitions, to aid Code user in quickly finding the meaning of a particular term
- Maintain legislative integrity by following the original tables and graphics and, where necessary, improving the presentation so that the information contained therein is easily accessible
- Impose standard internal section organizational hierarchy consistent with the rest of the Code
- Impose standard style conventions consistent with the rest of the Code, i.e., number citation, capitalization, nonsubstantive grammar and punctuation, internal and statutory reference citation
- Confirm accuracy of internal references; correct as necessary and appropriate
- Confirm accuracy of statutory references; correct as necessary and appropriate
- Read and review for missing wording; internal conflicts
- Update ancillary Code pieces, such as the Table of Contents and chapter schemes, when necessary
- Update Code Index
- Create an Instruction Page so that Code holders can properly update the Code
- Notify client of any issues and concerns noted and work together to determine appropriate resolution

Printed Supplements

Amendments to the printed Code occur in the form of printed supplement pages that are issued as replacement pages. Printed supplements include an updated Table of Contents, Disposition List, Index, text pages, and Instruction Page.

Electronic Updates

Amendments to the electronic version of the Code can be provided on their own schedule or can accompany printed supplements. Electronic updates will be incorporated into the Code, and a fully searchable, complete Code will be delivered online.

Delivery

Printed supplements to the Code will be delivered in bulk to Whitewater, unless it chooses to utilize General Code's Distribution Services. The website will be updated in one to two business days.

Experience the Higher Standard.

Explore the Possibilities.

781 Elmgrove Road | Rochester, NY 14624 | 800.836.8834 | generalcode.com

municode

CONNECTING YOU & YOUR COMMUNITY

CODIFICATION, SUPPLEMENTATION AND ONLINE CODE HOSTING SERVICES

Quote for Whitewater Township, Michigan

November 19, 2019 - Valid for 90 days

Tracy Stevanov
Midwest Territory Account Manager
Phone 800-262-2633 ext. 1383
Email tstevanov@municode.com
PO Box 2235 Tallahassee, FL 32316

LETTER OF INTEREST

municode
P.O. Box 2235 Tallahassee, FL 32316
municode.com • 800.262.2633

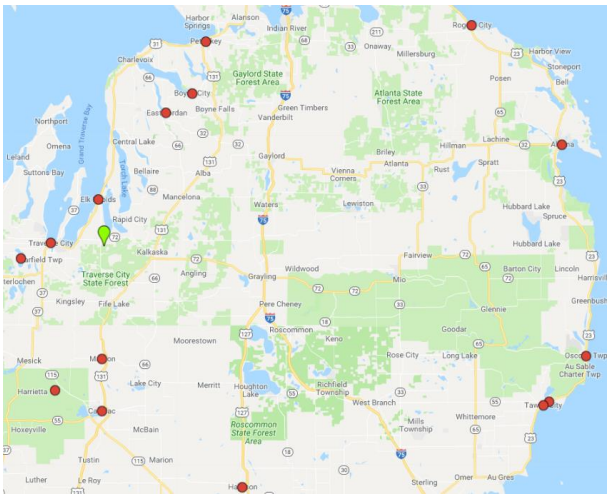
November 19, 2019

Ms. Cheryl Goss
Township Clerk
PO Box 159
Williamsburg, MI 49690 via email: clerk@whitewatertownship.org

Ms. Goss:

Thank you for speaking with Midwest Account Manager Tracy Stevanov regarding the codification of the Township's ordinances. This proposal will provide the scope of services and pricing details for the codification process, which will result in an official Code of Ordinances that is free from internal conflicts and inconsistencies, conforms to the laws of the State of Michigan, and is easily accessible in print and online to staff and citizens alike. Our staff includes 12 in-house professional codification attorneys who have completed hundreds of codification projects nationwide. We will be happy to provide a recent Legal Review Memorandum sample upon request.

With over 68 years of experience, Municode is the oldest and most trusted codifier in the nation. We currently provide codification services to over 4,500 municipalities throughout the United States and host over 3,500 municipal codes online via our code hosting platform, MunicodeNEXT. Whether it's through the legal codification process, full-service or self-service supplementation options, online legislative search tools, meeting management and agenda software, or custom government website design, we have the experience, resources and expertise to provide our local government clients with innovative products, superior technology and excellent customer service. We invite you to visit our corporate website at www.municode.com to explore our full suite of government services.



Municode provide Code publishing services to 321 municipalities in Michigan, including many near Whitewater.

Our Supplement team includes 14 teams of Legal Editors and Proofreaders who are dedicated to providing the most accurate and efficient supplement process possible for the ongoing maintenance of your new code. Our code hosting platform, MunicodeNEXT, is the nation's most advanced, accessible and intuitive website for government codes. Customers who trust Municode with both their online codes and their municipal website enjoy the added benefit of a unified search engine. With a simple button click, you can easily filter your website search results to pull up all matches within your online Code of Ordinances.

To start the codification process, simply make your selections on pages 3-5 of this proposal and fill in and sign the signature page on page 13. If you have any questions, please let us know. In addition to email, Tracy can be reached at 800-262-2633 ext. 1383, and our Vice President of Client Services, Steffanie Rasmussen (800-262-2633 ext. 1148), also welcomes your call at any time. Thank you for the opportunity to submit this proposal. We look forward to speaking with you soon.

Sincerely,

Dale M. Barstow
Vice President of Sales
Phone: 800-262-2633 ext. 1225

EXECUTIVE SUMMARY

Codification, Supplementation and Website Hosting

Logic: Organize your legislation into a logical and comprehensive Code of Ordinances. Engage our full-time attorneys to examine your current body of legislation for legal sufficiency and consistency. Create a Code of Ordinances that is clear, concise and accessible for your staff and citizens. Quickly and efficiently transition your code to the most advanced suite of web/mobile services available in the nation: ***MunicodeNEXT.***

★ **Codification**.....**$11,950**[1]

Timeline.....**10-12 months**

The codification base cost of $11,950 is based on a 525 page, single column 10-point code (or 593 11-point pages or 656 12-point pages).

A full-time, Municode attorney will legally review the ordinances, not just a code editor. We will research all legislation against the State Constitution, State Law, and the Charter, and ordinances will be compared to Code content to determine if there are inconsistencies or conflicts within the legislation itself. We will suggest a structure and organization for the code and provide a table of contents indicating the recommended structure. We will also provide State Law references within the code and hyperlinks to internal references within the code. We will provide a legal memorandum containing recommended options and conduct a conference to review the memorandum and recommendations. Our team will edit the text of your code to reflect proper grammar and stylistic consistency; create a subject matter index (if elected); create all tables (contents, State Law reference, prior code comparison, and ordinance disposition); and insert graphics into the printed and electronic versions of the code. A draft code will be provided to you for final review prior to printing and shipment.

★ **Supplement Service** (single column per page rate).....**$18**
Municode does not charge an extra fee for posting supplements online or printing your supplement pages. All of these services are already included in your supplement per page rate.

★ **Online hosting = MunicodeNEXT!** .....**$450**[2]
The online code is only $450 for our standard service. If you want to further enhance the transparency of your online code, you can upgrade to the MyMunicode bundle for only $1,195 annually

[1] Please see page 3 for additional pricing details.
[2] Please see page 5 for additional features and pricing available on our MunicodeNEXT platform.

CODIFICATION QUOTATION SHEET

Codification base cost, includes **$11,950**[3]

- ★ 525 single column 10-point font pages, including zoning
- ★ Receipt, review and organization of materials
- ★ Legal analysis & research by a full-time, Municode attorney
  - ★ Preparation of legal memorandum by a Municode attorney
- ★ Conference with attorney (make selections below)
- ★ Implementation of approved legal findings
  - ★ Updating State Law references
  - ★ Editorial preparation and proofreading
  - ★ Page formatting (make selections below)
  - ★ Indexing (if elected)
- ★ Tables[4], Graphics[5] & tabular matter[6]
- ★ Final proofreading and corrections
- ★ Quality control review and printing
  - ★ 5 copies, to include 3-post stamped binders and tabs
- ★ Adopting ordinance prepared by a Municode attorney

Project is based on the font size & pages below – please only select one:

Font Size Single Column: ❑ 10-point (525) ❑ 11-point (593) ❑ 12-Point (656)

Conference Selection:

- ❑ On-site conference, each — **Attorney time, travel, lodging and per diem**
- ❑ Teleconference or web-based conference, 3-hour session — **No charge**[7]

Format Elections ***(Please check or circle desired elections below)***

Font: Times New Roman - Will be used as the font unless otherwise indicated.

Other choices include: Helvetica, **Avant-Garde Demi**, Courier, Palatino, Helvetica Narrow, Century Gothic, Gill Sans and Arial MT

Binder Color: ❑ Semi-Bright Black ❑ Dark Blue ❑ Hunter Green ❑ Burgundy

Binder Stamping Color: ❑ Gold ❑ Silver

Items not included in base cost

- ★ Pages **over** 525 10-point, single column pages per page (or equivalent) — **$24**
- ★ Freight — **Actual**
- ★ State sales tax — **If applicable**
- ★ Post your code on MunicodeNEXT — **See selections on page 5**

Payments for codification project - *Your project can be budgeted over two fiscal years*

- ★ Execution of Agreement — **$4,180**
- ★ Submission of the Legal Memorandum — **$2,990**
- ★ Submission of Draft Code — **$2,990**
- ★ Delivery — **Balance**

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[3] Legislation added to the project must be approved and received prior to the established cutoff date. Following the delivery of the final code draft for client proofing, any extensive changes requested in the Code content, and/or any material added to the Code that was not previously contemplated, will be subject to an additional Proof Update fee. Proofs not returned within 45 days may be subject to a Proof update fee, if applicable.

[4] The following tables will be created and are included in the base cost: supplement history table, code comparative table, State Law reference table and ordinance history table. An additional hourly charge applies for creation, modification, addition or updating of any table or schedule other than those enumerated in this footnote. This includes Traffic and Fee tables or schedules.

[5] Includes printing all copies.

[6] Tabular matter is defined as algebraic formula, or other materials that require special programs or extra editorial time to modify and prepare for inclusion in an update.

[7] For the initial 3-hour session, then $150 per hour thereafter.

SUPPLEMENTATION QUOTATION SHEET

Supplement Service Base Page Rate[8]

Page Format	Base Page Rate
Single Column	$18 per page

Base page rate above includes:

- ★ Acknowledgement of material
- ★ Data conversion, as necessary
- ★ Editorial work
- ★ Proofreading
- ★ Updating the index (if elected)
- ★ Schedule as selected by you[9]
- ★ Updating electronic versions[10] and online code
- ★ Printing 5 copies

Base page rate above excludes:

★ Freight	**Actual**
★ State sales tax	**If applicable**
★ Images, Graphics[11] & tabular[12] matter, each	**$10**
★ MyMunicode or online code	**Selections on page 5**

Electronic media options for Code of Ordinances (sent via download) [13]

❑ Folio Bound Views	**$295 initially then $100 per update**
❑ WORD (DOCX)	**$150 initially then $75 per update**
❑ Adobe PDF of the code	**$150 initially then $75 per update**
❑ Adobe PDF of each supplement	**$150 initially then $75 per update**

Invoices for Supplements and Additional Services will be submitted upon shipment of project(s).

[8] All prices quoted in this section may be increased annually in accordance with the Consumer Price Index – Bureau of Labor Statistics.
[9] Schedule for supplements can be weekly, bi-weekly, monthly, bi-monthly, quarterly, tri-annual, semi-annual, annual or upon authorization. Electronic updates can occur more frequently than printed supplements.
[10] We do not charge a per page rate for updating the internet; however, a handling fee is charged for PDF, Word, Folio or additional electronic media items ordered.
[11] Includes printing of all copies.
[12] Tabular matter is defined as tables, algebraic formula, or other materials that require special programs or extra editorial time to modify and prepare for inclusion in an update.
[13] "delivery" is defined as making updated electronic data available to you via download or FTP. Fee applies whenever content is delivered as PDF, Folio or Word, via one of the aforementioned mediums.

WEBSITE HOSTING QUOTATION SHEET (MunicodeNEXT)

Online features can be purchased on an a la carte basis, or through our MyMunicode bundle for the best value. Please visit our online library of over 3,500 codes on MunicodeNEXT here. You can learn more about our standard and premium online services here.

Please check the appropriate box (es) to indicate your selection:

STANDARD WEB HOSTING

- ❑ **Online Code = *MunicodeNEXT,*** annually **$450**
  Mobile friendly site. Full functionality and optimal screen resolution on all devices. In-line images & scrolling tables & charts. Narrow, Pinpoint & Advanced (including Boolean) Searching. Previous and Hit buttons, Persistent breadcrumb trail. Print or Save as formatted WORD (DOCX). Google Translate supports over 90 languages. Social Media/Email. Share links to sections via email, Facebook, Twitter, etc.

OPTIONAL SERVICES

- ❑ **CodeBank** annually **$150**
  Permanent online collection of previous versions of the code.
- ❑ **OrdBank** annually (or per ordinance) **$325**
- ❑ Permanent online collection of ordinances with hyperlinks from history notes, supplement history table, and code comparative table to ordinances. Applies to amendatory (included) ordinances only. **($35)**
- ❑ **OrdBank + OrdLink** annually (or per ordinance) **$425**
  Provides hyperlinks from newly adopted amendatory legislation to sections of the code that will be amended. **($60)**
- ❑ **CodeBank Compare + eNotify**[14] annually **$250**
  Compare any two versions of your online code (starting with the first Municode supplement). Notify provides readers email updates each time the code is updated.
- ❑ **MuniPRO** Service annually **$295**
  Search over 3,500 online codes/ordinances. Attach notes to codes and drafts of new legislation.
- ❑ **Custom Banner** one-time fee **$250**
  Customize MunicodeNEXT to match the look of your website.
- ❑ **MuniDocs**[15] annually, upgraded self-loading capabilities – *first 3 months service at no charge!* **$350**[16]
  Host any other municipal documents in a fully searchable format, including Minutes, Agendas, Resolutions, Budgets and more for self-loading to the MuniDocs platform!

My Municode - Value Pricing!

- ❑ **MyMunicode** annually **$1,195**[17]
  Includes MunicodeNEXT (Online Code), OrdBank, CodeBank, CodeBank Compare + eNotify, MuniPRO, and Custom Banner

RECOMMENDED ADDITIONAL SERVICES **(See pages 11 & 12 to review additional services)**

- ❑ **MunicodeMEETINGS** Agenda Management Software, annually **$3,400**
  Cloud-based agenda meeting management system. Streamlines and automates agenda process. Increases agenda process visibility, easy agenda updates, approval workflow, live council voting & roll call, email notifications, a unified document search and automated approval routing.

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[14] Enrollment in CodeBank is required in order to receive the CodeBank Compare/eNotify technology.

[15] Your MuniDocs files can also serve as storage for archived ordinances within the MuniDocs platform. Unlike our online OrdBank feature, these self-loaded archived ordinances will not be linked to the legislation within the online Code. All ordinances for codification and all ordinances for linking via our OrdBank feature can be emailed to us at ords@municode.com.

[16] Includes up to 25 GB storage. Quote for additional storage is available upon request.

[17] Total value if each item were to be purchased a la carte would be approximately $1,470 per year with participation in our OrdBank service.

COMPANY PROFILE

History, Mission, and Team

With over 68 years of experience, Municode's mission is to connect public sector organizations with their communities. Our solutions promote transparency and efficiency - such as custom website design, meeting and agenda management, the legal codification process, and our robust suite of online legislative search tools.

Municode partners with more than 4,500 government agencies across all fifty states. Municode is a privately-owned corporation and is financially sound with no debt. Our leadership focuses on improving Municode through investments in its people and its technology. Our culture is conducive to the longevity of our employees; Our clients can establish a long-term partnership with our experienced and stable workforce.

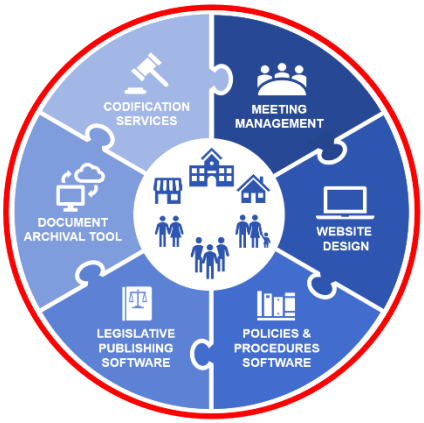
Municode is home to over 160 employees (most of whom enjoy a 10+ year tenure). Our headquarters in Tallahassee, Florida includes four buildings totaling 56,000 square feet. Our West Coast office is located just south of Portland in Lake Oswego, Oregon. We also have individual team members working in several states across the country.

Our Vision: Simple, Seamless Integration

Our vision is to create seamless integration between our service offerings. The goal is to reduce staff workload, while at the same time, increasing the ability for municipalities to connect with their communities.

The following example integration points are either in place today or envisioned in our future strategic roadmap.

- Unified search across all platforms (website, meetings, online codes)
- Auto-publish agendas and minutes from the Meetings platform to the Website
- Ordinance auto-publishing from the Meetings platform to your online code, queued for supplementation, Code of ordinance cross-references to legislative voting history, minutes, and video/audio



GovTech Top 100 Innovators in 2016, 2017 & 2018

municode
CONNECTING YOU & YOUR COMMUNITY

SCOPE OF SERVICES

Codification & Publication Summary

During the codification process, the attorney assigned to your project will organize and examine all ordinances and code related material in order to produce a Code of Ordinances that it is free from conflicts and inconsistencies and conforms to the laws of the State of Michigan. Your Municode attorney will be available to consult with you and your staff at any time during the codification process. This personal dialogue ensures that your code will accurately reflect the intent of your ordinances and the unique needs of your community. The complete process is outlined below.

Ordinances. All legislation of a general and permanent nature, passed in final form by you as of the cutoff date established by you and your Municode attorney, will be included in the code. All material that we receive will be acknowledged via e-mail, in order to establish a record of included ordinances. Legislation not of a general and permanent nature will be omitted from the code unless otherwise instructed by you. Notations can be added in the code to reference legislation adopted by reference, if elected.

Attorney Analysis and Review of Material. Your Municode attorney, along with his/her team of legal editors, proofreaders and indexers will be assigned to this project. Our legal team will research all legislation submitted by you to ensure conformity with state statutes. The ordinances will also be compared to Code content in order to determine if there are any inconsistencies or conflicts within the legislation itself. Ordinances enacted, or added, subsequent to the date of this agreement, or items not contemplated within the scope of service, may be included later at an agreed upon page rate. We will suggest a structure and organization for the code and provide a Table of Contents indicating the recommended structure.

Page Format Options. We will work with you to determine the desired formatting and style of the new code, and will review page composition format options, such as font type, font size, page layout, and graphics appearance and placement with you. We will help you choose a format that produces a professional document that is easily researched.

References. We will provide State Law References within the code. Editorial notes will be provided as appropriate. Internal references within the code will be hyperlinked in the online version.

Legal Memorandum. We will provide you with a user-friendly Legal Memorandum containing all of our analyses and recommendations. This memorandum will reflect our attorney's Legal Review and will provide you with recommended options intended to remove conflicts and inconsistencies; conform to State Law, when appropriate; and ensure compliance with your charter. This approach facilitates collaboration and dissemination among departments, thus making the process as easy for you as possible. Our goal is to make the codification process simple and smooth for you.

Conference. Within 30 days of your receipt of the Legal Memorandum, we will conduct a conference, either in person or via telephone or webinar, to review the Legal Memorandum and our recommendations. All interested personnel may be included, but your attorney and clerk are essential. Issues discovered during the legal research will be discussed at the conference, with the goal of the conference being to come to agreement on any required changes. Your attorney has the final decision-making authority for resolution of issues brought up at the conference or noted in the Legal Memorandum.

Editing and Proofreading. Our team will edit the text of your code to reflect proper grammar and stylistic consistency. We will not reword any provision that changes the substantive intent of the code, unless you approve the revision. However, non-substantive revisions to improve readability are a part of the process. We will proofread your code. The text will be reviewed for sense and structure and to ensure the implementation of the decisions by your attorney and our attorney.

Index, Graphics and Tables. Our team will create a hierarchical, subject matter Index (if elected) and all tables (contents, State Law Reference, prior code comparison and ordinance disposition) for your code as necessitated by the materials provided. We will insert the graphics you have provided into the printed and electronic versions of the code.

Post Conference Code Draft. After editing and proofreading, a post-conference Code Draft incorporating solutions captured in the Legal Memorandum and agreed upon at the legal conference will be delivered to you for final review prior to printing and shipping. We guarantee typographical correctness. Any errors attributable to

our team will be corrected at no charge during the term of this agreement. After the code draft is provided additional material can be added to the project for an additional charge.

Adopting Ordinance. Our attorney will provide an adopting ordinance upon completion of the codification.

Printing and Binding. We will print your new code on high quality acid-free paper, with an SFI (Sustainable Forest Initiative) certification. These copies will be housed in heavy duty, 3-post leatherette binders (with 4 color choices), name-stamped on the front and spine of each binder. Divider tabs for each major section of the code and index (if elected) will also be provided.

The time frame for completion of the codification project is within **10 to 12 months**, excepting any delays occasioned by the Township. Adhering to an established schedule of deadlines is critical to the success of this project and will ensure the contents of the Legal Memorandum remain current and complete at the time the Code is adopted and published. To ensure a successful project completion, it's important that a conference is held to discuss the findings of the Legal Memorandum within 30 days of its receipt, and that the subsequent Code Draft we provide be returned within 45 days with any revisions noted. If the Code draft is not returned within 45 days, additional update fees may apply.

Your participation in the Scope of Services for Codification & Publication of the code is anticipated to be as follows:

Codification and Publication

- ★ Provide all ordinances and code material, preferably in WORD format;
- ★ Provide images, graphics and tabular matter, preferably in original format;
- ★ Be available to answer any questions from the Municode Attorney conducting the project;
- ★ Attend the conference to discuss the findings of the Legal Memorandum;
- ★ Work with the Municode Attorney to resolve the findings of the Legal Memorandum;
- ★ Work with Municode to determine the desired formatting and style of the new code;
- ★ Return the draft code to Municode with any revisions noted;
- ★ Adopt the newly codified code.

Supplementation Services

Municode's full-service supplementation process has been designed for timeliness, efficiency, simplicity and most of all, for our customers' convenience. Supplements can be provided on the schedule of your choice. In addition to printed supplements, we can deliver the updates in Word, PDF and/or Folio formats.

We pride ourselves on a turnaround time of **30 to 35 days for printed supplements** and can provide you with "always up to date" **electronic update services within 10 to 15 days** at the same per page rate quoted for printed supplements. With printed supplementation, the online code is updated within **3 days** after shipping the supplement, and there is no additional fee for this service.

A recent analysis of our 2018 printed supplement Services indicated an editorial error rate of less than .1%, which is made possible by our attention to detail, ongoing communication with our clients, and strict quality control checks to ensure we continue to produce the best printed and electronic supplements available in our industry. Any errors attributable to Municode during the preparation, printing and maintenance of the code will be corrected at no cost. The printed supplement process is outlined below:

1. Receipt of new legislation will be acknowledged within 24 hours. Our production support team will record the adoption date, effective date and ordinance number(s) and ensure that all necessary exhibits, tables and graphics are included. You will be advised promptly if any pertinent information is missing from your submission. Your material will then be immediately forwarded to our Supplement team for codification. If our OrdBank service (advance legislation service) is selected, the legislation will be posted online within 48 hours in PDF format as "Adopted Legislation not yet Codified".

2. Editorial Review – Our editorial team will review all ordinances received to determine whether the ordinance should be included in your code; where the ordinance should be placed; whether the ordinance conflicts with your existing code format; what material should be removed from your existing code; whether history notes will be added; what tables will be updated and whether the Table of Contents in the front of the code and at the Chapter/Title level should be amended. If any significant errors or numbering issues are noted, your editor will contact you for clarification. No substantive changes to your legislation will be made by our editorial team, however minor typographical errors will

be corrected as part of the supplement process. Should the editorial, legal and/or proofreading team find discrepancies in your ordinances, we will communicate with you to ensure that the ordinances are correct and consistent with the existing code.

3. Indexing – If an Index is elected, your supplement will now be sent to our indexing team, where all new legislation is indexed and cross-referenced in all appropriate locations.

4. Proofreading – The proofreader assigned to your editorial team will then examine your supplement line by line to ensure editorial accuracy, code hiera rchy and layout and to confirm that your supplement is grammatically correct and free of errors in spelling and capitalization. Your supplement is examined again line by line to ensure that the improvements made by the editorial team were thorough and accurate. During this process, the original ordinance is compared again with the newly added text to further ensure editorial accuracy.

5. Posting the supplement online (MunicodeNEXT) – After your supplement has been completed, your online code will be updated within 3 days and any electronic products requested will be provided. You will receive notification that the website has been updated via email. If our CodeBank Compare + eNotify service is selected, citizens will be notified each time the online code is updated. When your code is updated on MunicodeNEXT, all internal cross-reference links are updated. With our OrdBank feature, each history note will be linked to the ordinance that amended the respective section.

6. Printing and Shipping – We will print, cut, 3 hole-punch, insert divider tabs and ship your supplement to you quarterly unless otherwise instructed. You can change your supplement schedule at any time, and there is no additional charge for more frequent supplementation. *Instruction Sheet:* With each printed supplement, we will furnish a page of instructions for removal of the obsolete pages and insertion of the new pages; as well as a *Checklist* of up-to-date pages with each supplement.

Website Hosting Services (MunicodeNEXT)

Our code hosting platform, MunicodeNEXT, includes both Standard and Premium features, designed to provide a wide variety of additional capabilities for the research and navigation of your code, as well as for preserving its history. With our MunicodeNEXT advanced features, your staff and citizens need only click the link provided on your municipality's website to access your full Code of Ordinances. They not only have access to your complete and current Code of Ordinances, but to all archived versions of your code, every official copy of your ordinances, the power to compare versions of your code over time, the ability to be notified every time your code is updated, and the ability to translate your code into over 100 languages via ***Google Translate***, which is included at no additional charge. We encourage you to visit our online library of over 3,500 codes hosted on MunicodeNEXT: https://library.municode.com/.

ADA compliance is multi-faceted. All HTML content viewed via our MunicodeNEXT web application is WCAG 2.1 Level AA compliant and will scale to the viewport of any modern smartphone or tablet running iOS, Android, or Windows Phone 7 or higher. Web application accessibility techniques continue to involve and improve as technology advances. Municode is committed to making accessibility an import part of ongoing product updates. Our tech stack includes HTML5 & CSS3, Javascript (AngularJS), and a restful API written in C# running on .Net Core. All content is rendered in standard HTML and is viewable in all modern browsers including PC: Microsoft Internet Explorer 10 or later, Firefox 3.6 or later, macOS®: Safari™ 5.0 or later, and Chrome 18 or later.

We house our public facing website in a secure, SAS70, PCI compliant data center owned and operated by Flexential in Atlanta, Georgia. All systems are backed up and synchronized between our Tallahassee, Florida and Atlanta, Georgia locations for full geographic redundancy. We actively monitor the status of our hosting facility. We utilize Veeam Backup & Recovery to take daily snapshots of all servers in both of our data centers. Snapshots are performed from 8 pm EST to 5 am EST, are replicated between sites and are routinely tested. Biometric authentication is required to enter the data center facility, and anyone entering the premises must be either active customers or authorized vendors with badge and PIN access. Each rack is locked with a combination lock to prevent unauthorized entry or access. The facility is monitored by camera 24/7 to further provide physical security.

We secure our systems using enterprise grade security products. We employ firewalls from Palo Alto networks to secure the perimeter and endpoint security from Carbon Black to provide anti-virus scanning and threat detection on all servers, desktops, laptops, virtual machines and mobile devices. Carbon Black actively scans all file access on all endpoints of our network and quarantines any suspected malware, immediately sending notification to our systems administration staff. We use Nimble and 3Par SANs for all our storage needs. Each SAN member is fully redundant – redundant power supplies, controllers, NICs, etc. The drives on each array are configured as either RAID 5, RAID 50, or RAID 60 arrays.

Our powerful search engine allows users to enter simple or advanced searches and supports Boolean operators, stemming, wildcards, proximity searches, and a global synonym list. Users can easily search the code using keywords or phrases, and can print, download and/or email any portion of your code. Search terms can be applied to the entire code or narrowed to search only within specific chapters or sections. Our recent website upgrade allows users to sort results by relevance or book order! Our collapsible Table of Contents, continuous next-hit feature and internal and external hyperlinking and cross-referencing features simplify and enhance the navigation of your online code, allowing your staff and citizens the capability of simultaneously searching your code, ordinances, minutes, resolutions, budgets and more.

MunicodeNEXT is designed with accessibility in mind. Our application is fully responsive, ensuring all features are available on appropriately sized desktop, tablet, and smartphone viewports. Designed to provide easy access and an intuitive interface, it is extremely well-suited for use on tablets and mobile devices running iOS or Android. Our application also conforms to Level AA of the Web Content Accessibility Guidelines 2.0.

MunicodeNEXT Premium Feature Summary

- ★ **CodeBank** will enable you to have instant access to past versions of your code after each supplementation.
- ★ **CodeBank Compare + eNotify** provides you with the ability to select a past version of your online code and compare it to any other version of the code each time the code is updated. The differences will be shown via Highlights (added materials) or Strikethrough (deleted material).
- ★ **eNotify** allows users to enroll to receive an email notification each time your online code is updated. A "modified," "removed" or "added" badge is shown within the online table of contents to alert users of recently amended sections of your code.
- ★ **OrdBank** will create one click access to every amendatory ordinance via linked history notes. Ordinances are permanently stored online in the OrdBank repository and filed in annual folders.
- ★ **OrdLink** will create highlights within your online code to help users identify what amendatory ordinances have been recently adopted and what code sections have been amended.
- ★ **MuniPRO** allows you to search over 3,500 codes in the Municode library, save frequently used or complex searches, create notes to attach to any publication and draft new ordinances.
- ★ **MuniDocs** has recently been upgraded to allow clients to upload a wide variety of .rtf, .doc, .docx, and .pdf documents to browse and search alongside the code. Uploading is as simple as dragging and dropping the document from your computer into the upload dialog box on the improved administrator dashboard, where previously uploaded documents can also be managed. When uploaded, users can choose from a wide list of predefined document types, including minutes, agendas, resolutions and more. These documents are immediately converted to PDF and indexed for search, organized in nested folders – allowing the public to browse and search them immediately.

ADDITIONAL SERVICES AVAILABLE FOR PURCHASE

Municode offers a wide variety of services, all of which have been designed primarily to serve local governments. Please contact us for information and pricing on any of the services listed below, all of which may be purchased under this contract and all of which are competitively priced.

Website Design and Hosting Services

Let our team of web analysts and developers create or redesign a website for your municipality that provides your staff and citizens with a stunningly beautiful website that is simple for staff to use, easy for citizens to access, responsive, interactive, dynamic, and extremely efficient! Using the popular Drupal, open-source framework, we will work with you to understand your history, anticipate your future, define your priorities and achieve the long-term goals of your community.

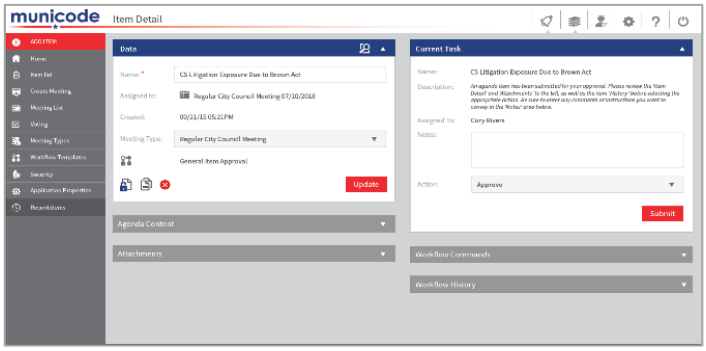
When Municode designs your completely mobile friendly website, our goal is to improve your image and your community profile, increase the self-service capacity of your residents, and empower your staff to create, edit and maintain website content as simply and efficiently as possible. The result will be an unparalleled municipal website solution at a very compelling price.

- ❑ **Request MunicodeWEB Demo/Proposal**

Meeting and Agenda Management

Municode provides a cloud-based agenda meeting management system that enables our clients to save time and money by streamlining and automating the agenda process. With zero set-up requirements, minimal budget impact, built in automatic upgrades and internal and external IT support issues managed directly by Municode's expert team of web analysts and system developers, your staff will spend significantly less time on agenda management, while still maintaining total administrative control of your agenda packets.

Municode provides the highest level of government transparency to your citizens. We will show you how to live stream your meeting videos at no cost and can provide archived video and audio linking capabilities that will allow your constituents to access the exact point in the meeting video where a specific piece of business is discussed. You can take roll call and record votes live in the meeting – and legislators can also vote directly from their Mac, PC, iPad, or Android device!



Other benefits include agenda process visibility, easy agenda updates, approval workflow, live Council voting & roll call, Email notifications, a Unified Document Search and automated approval routing. When you are ready to publish your Agenda, our "single click publishing" will provide you with automatic agenda and packet creations.

- ❑ **Request MunicodeMEETINGS Demo/Proposal (*see pricing page 5*)**

Payment Solutions - Point and Pay

Our preferred payment solutions partner, Point & Pay (https://www.pointandpay.com/) makes paying bills easier! Everything they do is backed by their best-in-class user interfaces, insightful features and high-quality service and support. Point and Pay can assist in processing City/County taxes, utility bills, permits & licensing, and more. With a focus on mobile interfaces, they enable your customers to conveniently pay bills whenever and wherever they want!

- ❑ **Request Point and Pay Demo/Proposal**

MCCi Services:

Laserfiche Enterprise Content Management Software and Services

MCCi understands the challenges organizations face every day with paper-based processes. We provide innovative solutions that transform these challenges into smart practices that improve efficiency, productivity and organizational structure. Recognized as one of the nation's top 20 Most Promising Government Technology Solution Providers, we are also the largest Laserfiche provider in the world. MCCi is passionate about helping organizations run their office more efficiently – saving time, money and resources! With 900 clients nationwide, MCCi is the largest provider of Laserfiche solutions in the world.

Digital Imaging Services

Through MCCi, Municode can help with your digital imaging services needs include scanning, indexing and integration of hard copy documents, electronic documents, and microfilm/microfiche. MCCi provides the most powerful index retrieval search engine available.

Open Records Request Software

JustFOIA is an affordable, easy to use, completely web-based hosted service that was created specifically to help you manage and track public records requests. Since JustFOIA is completely web-based, you are able to login anywhere that has an internet connection. You simply type in your customized web address and enter your credentials, safely and securely. Your service is available 24/7, every single day of the year.

JustFOIA helps agencies receive, track and report on open records requests. JustFOIA is a hosted solution that is user-friendly, affordable, and integrated with Laserfiche Enterprise Content Management.

- ❑ **Request MCCi Demo/Proposal**

Internet-based Document Editing and Presentation System

enCodePlus is a unique Internet-based document editing and presentation system used for authoring, displaying, and managing all aspects of land development regulations or zoning ordinances. Developed by community planners, **encode**Plus assists in the creation of land development and zoning ordinances that are fully customizable, easy to navigate and rich with features including GIS interactive mapping, a "Land Use Look Up" tool, hyperlinking to outside resources, historical archiving and in-line graphics.

From its humble beginnings as a stand-alone Windows PC program, **enCode**Plus has matured to meet the needs of an innovative and exacting group of land use code writers and their client communities. To learn more about how **enCode**Plus can be an economic driver for your municipality and positively impact the transparency and navigability of your zoning or land development ordinance, please visit this link: http://www.encodeplus.com/

- ❑ **Request enCodePlus™ Demo/Proposal**

SIGNATURE PAGE

This proposal shall be valid for a period of ninety (90) days from the date appearing below unless signed and authorized by Municode and the Township of Whitewater, Michigan.

Term of Agreement. This Agreement shall begin upon execution of this Agreement and end three years after the publication date of the new code. Thereafter, the supplement service shall be automatically renewed from year to year provided that either party may cancel or change this agreement with sixty (60) days written notice.

Submitted by:

MUNICIPAL CODE CORPORATION

Municode Officer: Dale M Barstow

Title: Dale M. Barstow, Vice President of Sales

Date: November 19, 2019

Accepted by:

TOWNSHIP OF WHITEWATER, MICHIGAN

Signature: _____

Printed Name: _____

Title: _____

Date: _____

municode

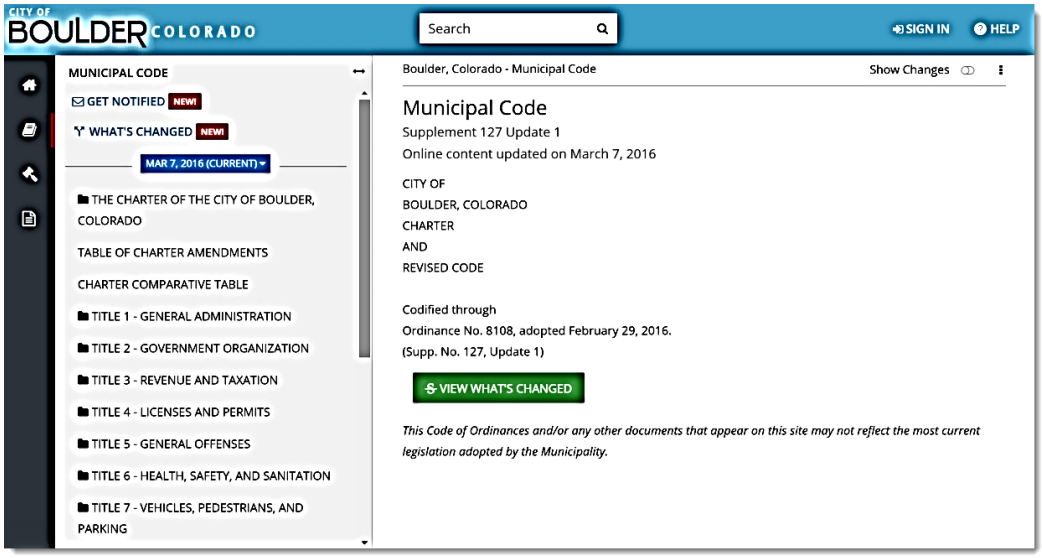
CONNECTING YOU & YOUR COMMUNITY

ATTACHMENT A

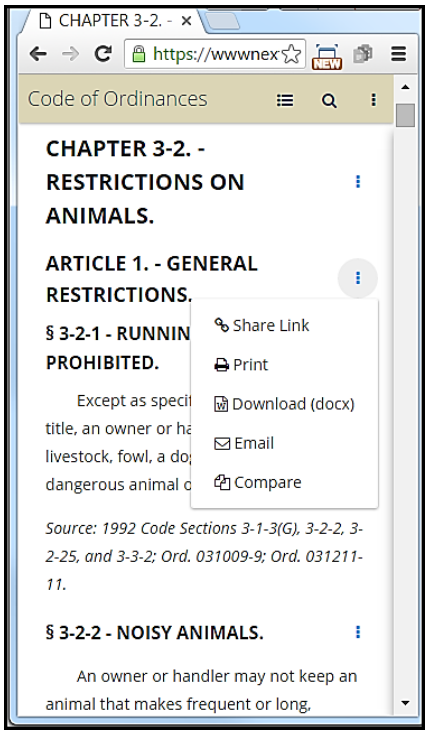
MunicodeNEXT Standard & Premium Features

STANDARD FEATURES OF MunicodeNEXT

Responsive Design – Our team designed MunicodeNEXT to function on any device. Over 20% of our traffic is generated from a smartphone or tablet. Our user interface, based on Google's Material Design guidelines, ensures any device that accesses our application will have access to our full suite of features.

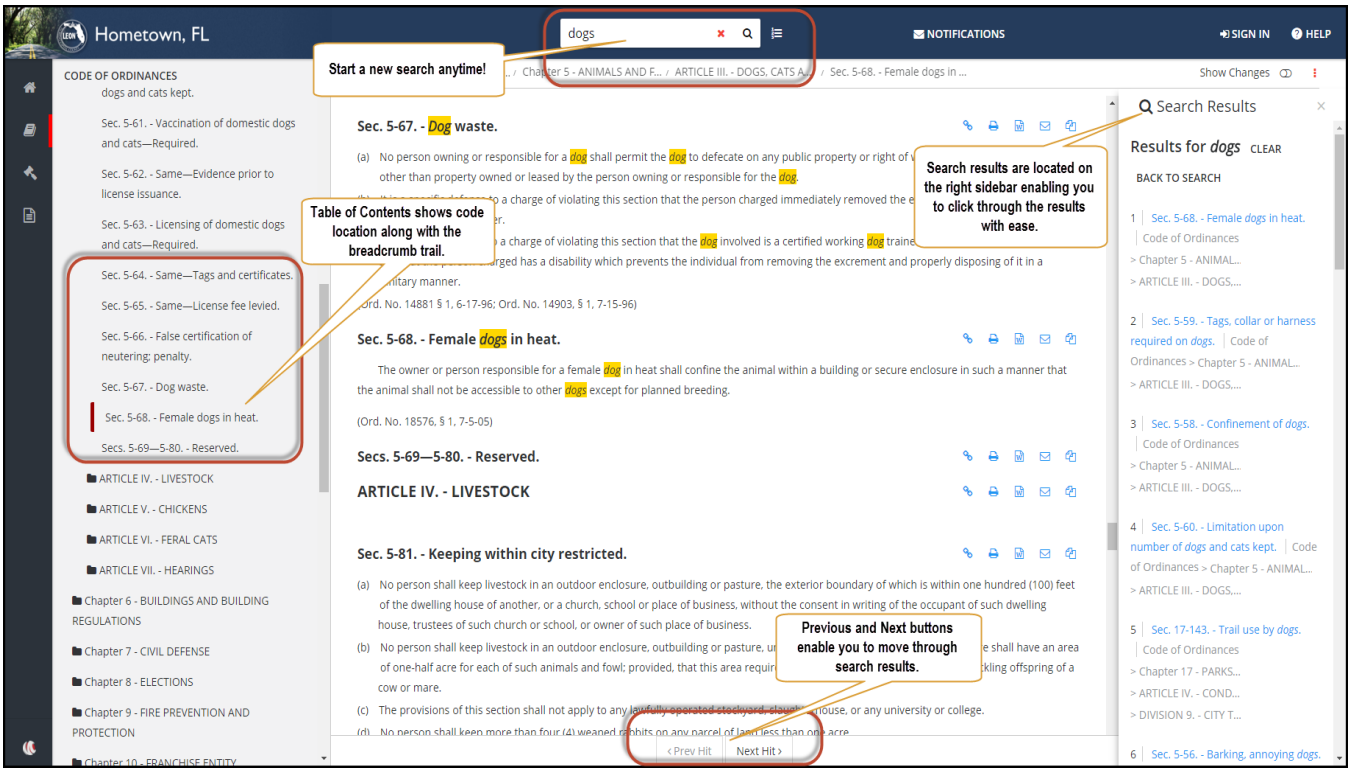


Mobile and Tablet friendly – Our application uses touch friendly icons, easy to access menus, and fly overs to expose all functionality while maintaining a clean, intuitive interface.



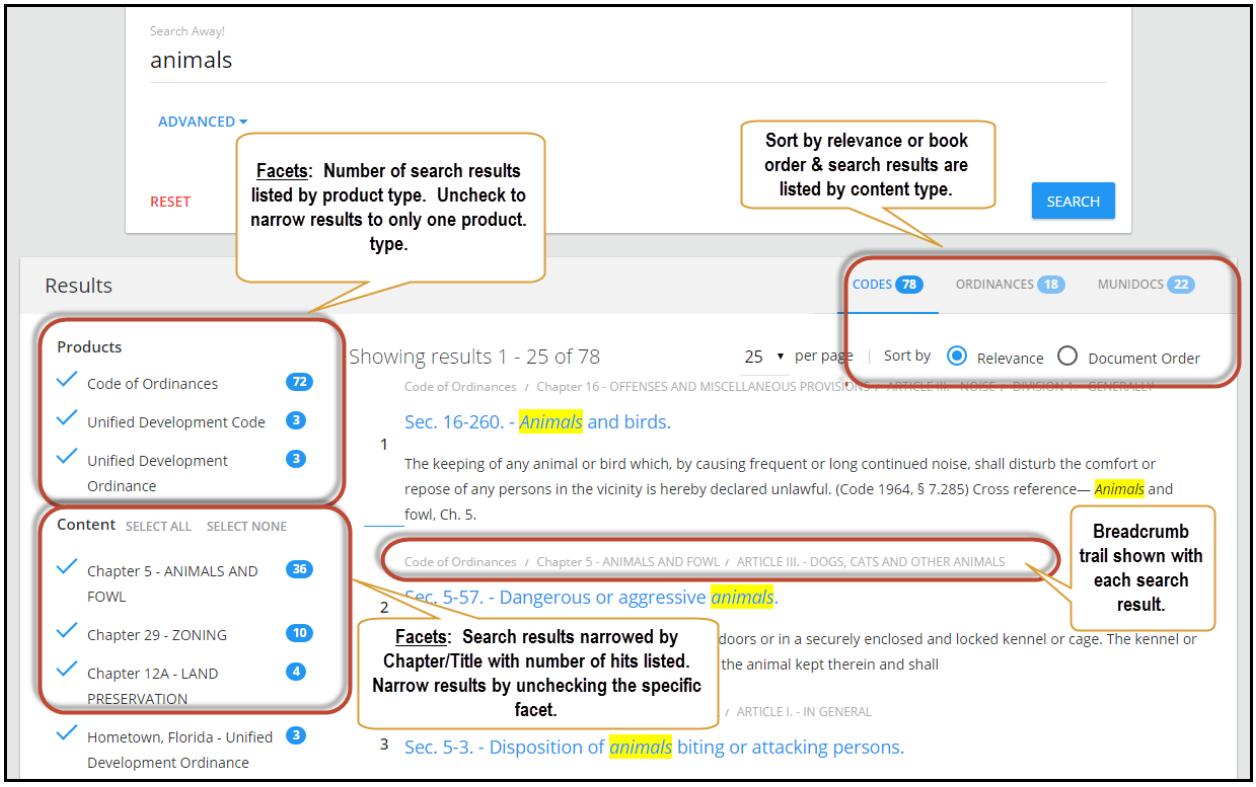
Print/Save/Email – Users can print, save (as WORD) or email files at the section level, as well as at the article or chapter level. You can print, save or email non-sequential sections from multiple portions of your Code(s). Not all codification companies enable you to download WORD documents directly from the website. Being able to do so greatly enhances your ability to draft new legislation.

Searching – Municode leverages a powerful open source search platform that also power sites such as Stackexchange, Github, and Wikipedia. Search starts on a dedicated page, then moves to a persistent right-hand sidebar as you cycle through the results. This enables you to quickly move through search results without clicking "back" to a search results page. The Code is also indexed by the section, returning more accurate, granular results. Search results can be sorted by relevance or book order as seen in the screenshot below.



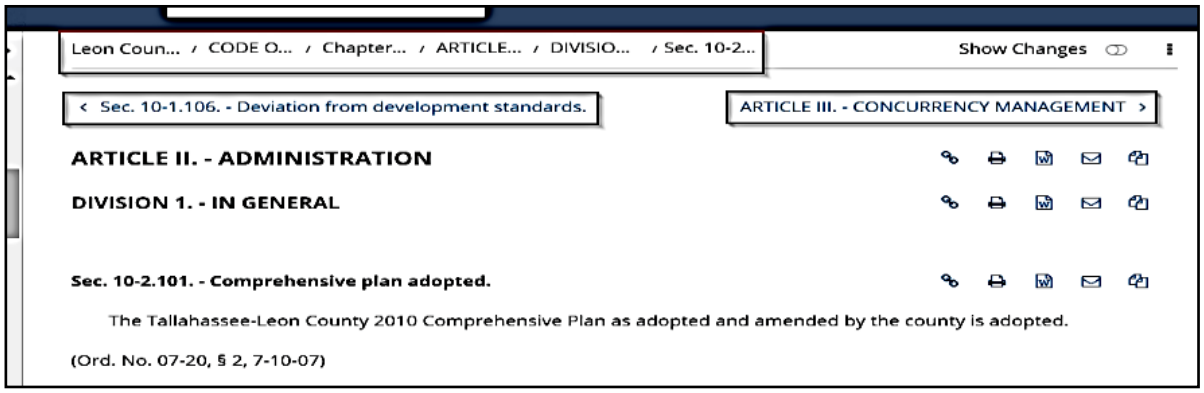
Municode Search Components:

- ★ **Advanced Searching** – You and your power users can conduct searches using Natural Language (think Google) or Boolean Logic.
- ★ **Multiple Publications** – If you have multiple publications (Code, zoning, etc.), they will all be searchable from one interface.
- ★ **Searchable ordinances** – With our OrdBank service, ordinances posted pre and post-codification are full-text searchable.
- ★ **Searching all content types** – If you use our OrdBank or MuniDocs service, you can search any combination of the Code, ordinances, and MuniDocs simultaneously. Search results are labeled for easy identification.
- ★ **Narrow Searching** – Your users could search selected chapters or titles in order to pinpoint their searches and find what they are looking for as quickly as possible!
- ★ **Stored Searching** – MunicodeNEXT allows all search result listings to be bookmarked under your browser's bookmark tabs. Users need only conduct a search and press Ctrl+D to add the search result listing to your browser's tabs.



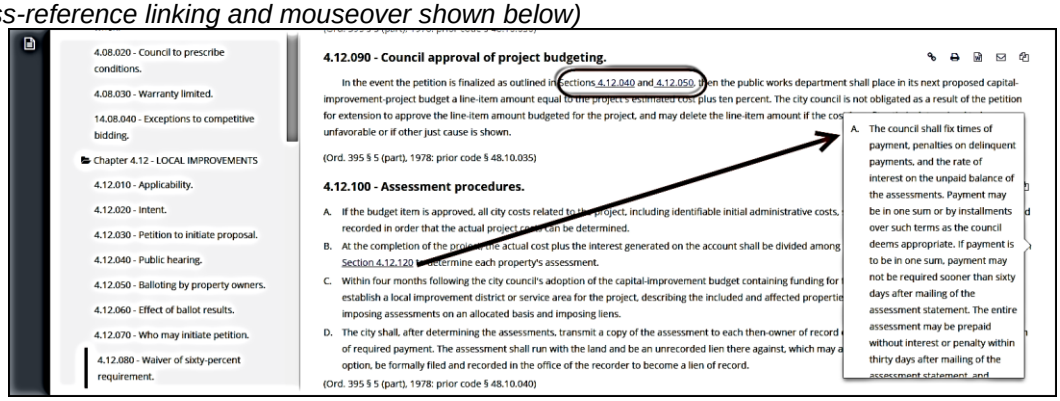
Search enhancements provided with our latest website upgrade include (see screenshot above):

Browsing – MunicodeNEXT provides a persistent breadcrumb trail when browsing or searching and a Previous/Next button at the top and bottom of any document you're viewing. The table of contents and content pane also stay in sync as you scroll to deliver the most intuitive reading experience possible.



- ★ **Internal Cross-Reference Linking** – Cross-references within your Code are linked to their respective destination Article, Chapter or Section.
- ★ **Collapsible TOC** – The table of contents collapses, providing additional real estate with which you may view your Code. Easily view your maps, graphs and charts by simply enlarging the item.
- ★ **Mouseover (cluetips)** – Navigate to your Code and any linked cross-reference will quickly display in the pop-up preview window.
- ★ **Google Translate** – includes the Google Translate plugin, allowing users to view and navigate our hosted Codes in over 100+ languages.

Cross-reference linking and mouseover shown below)



Translation – MunicodeNEXT includes the Google Translate plugin, allowing users to view and navigate our hosted Codes in over 100+ languages.

Social Media Sharing – You and your users are able to share Code sections via Facebook and Twitter. This will make it easier for you and your team to utilize social media in order to engage your citizenry and enhance your level of transparency.

Static Linking – Copy links of any section, chapter or title to share via email or social media.

Scrolling Tables and Charts – Headers stay fixed while you scroll through the table/chart.

GIS – We can provide a permalink to any Code section and assist staff to create a link from your GIS system to relevant Code sections.

In-line Images & PDFs – We take great care to ensure that your images match online and in print and are captured at the highest quality possible. Our online graphics can be enlarged by hiding the table of contents to maximize the image. Municode can also incorporate PDFs of certain portions of the Code that have very specific viewing and layout requirements.

Website Accessibility – Our current website complies with level A of the Web Content Accessibility Guidelines (WCAG) 2.0.

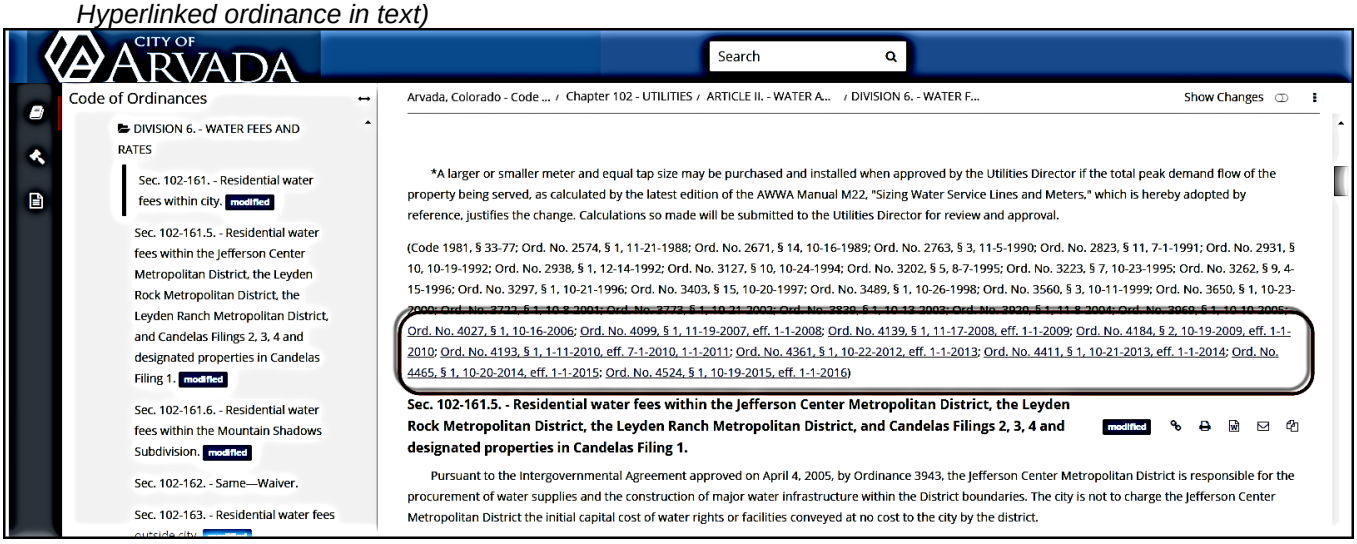
Support – Phone, email and web support for citizens and staff: 24-hour email response; phone support from 8:00 a.m. to 8:00 p.m. (Eastern). A variety of video tutorials are offered, and we are always available to host a personalized webinar for you and your staff to demonstrate our online features.

PREMIUM FEATURES OF MunicodeNEXT

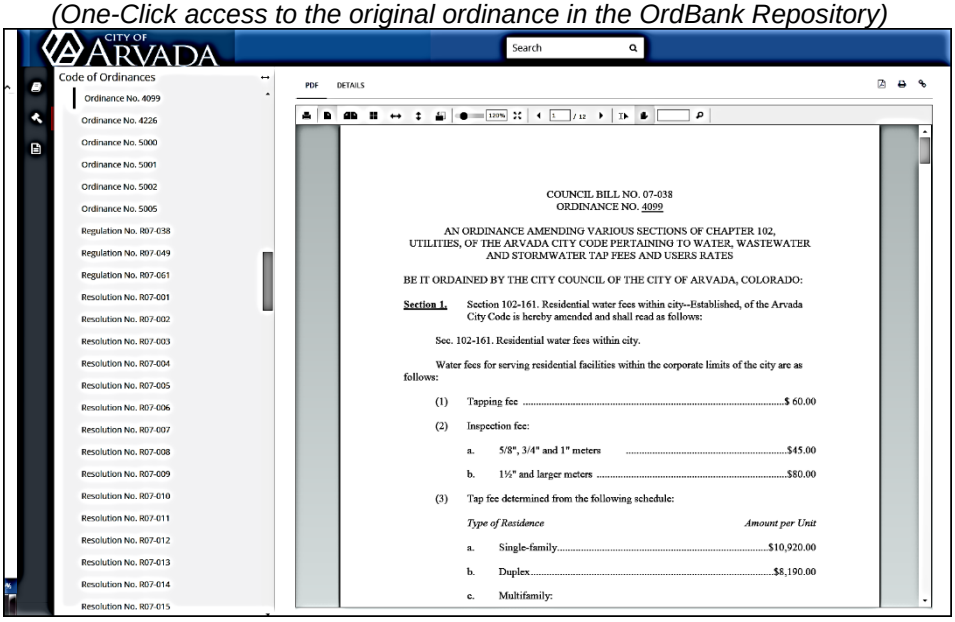
Custom Banner. We can customize the look and feel of your Code to more closely match your website. Please note the custom banners in each of the screenshots provided in this sample.

OrdBank. With our OrdBank solution, newly adopted legislation will be posted online in between supplements. Upon the completion of your supplement, the ordinances will be linked in your history notes and stored in your OrdBank Repository under the “OrdBank” tab.

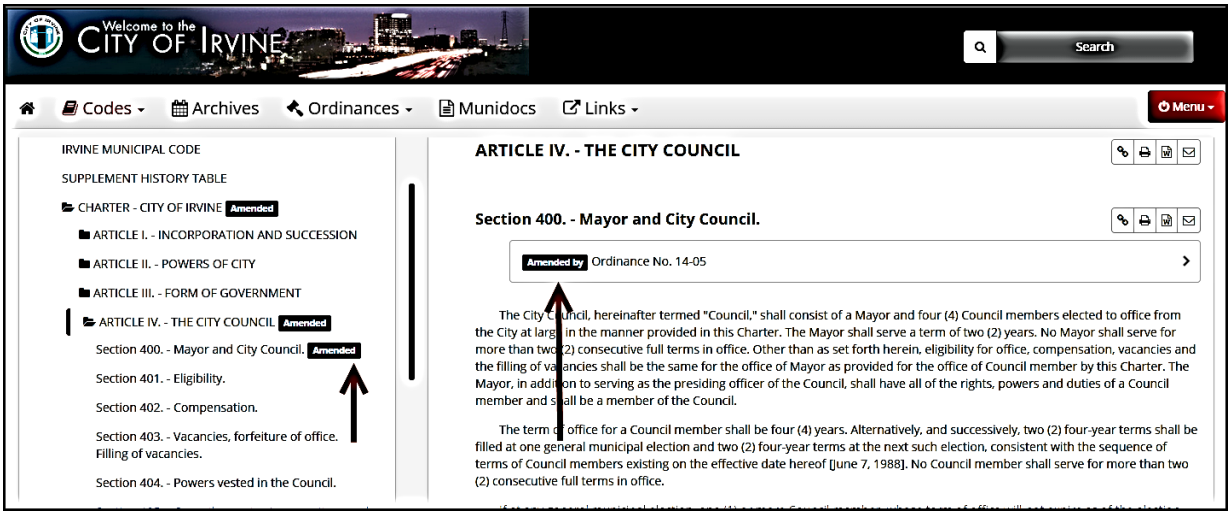
Hyperlinked ordinance in text)



(One-Click access to the original ordinance in the OrdBank Repository)

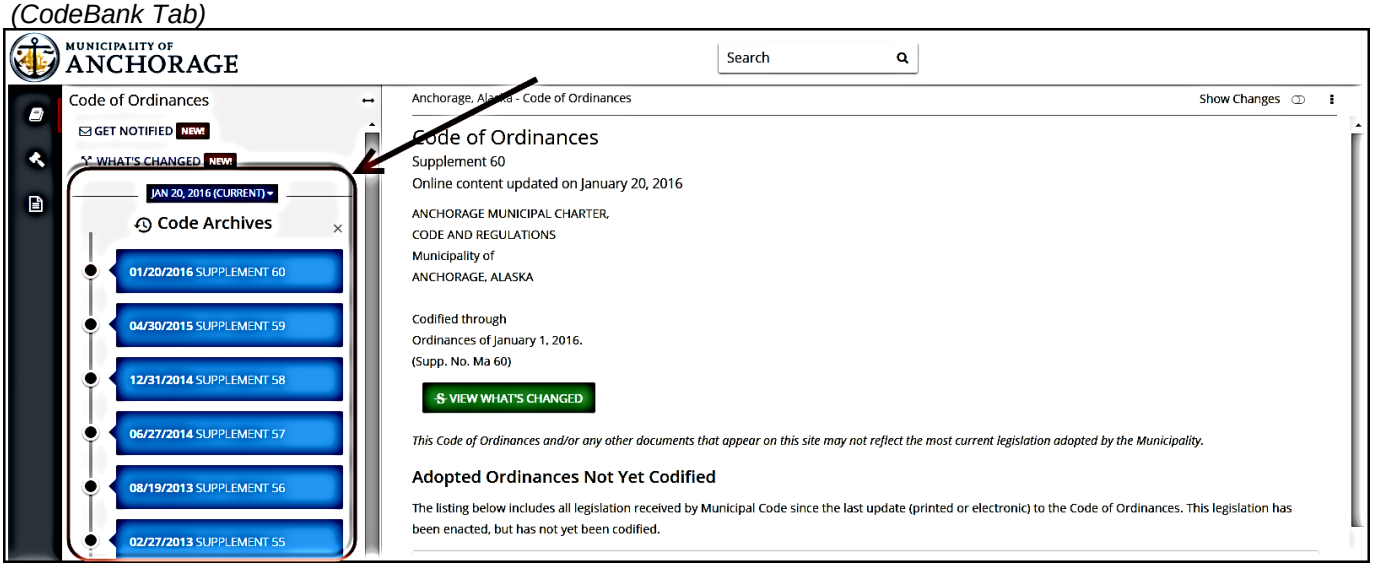


OrdLink + OrdBank. Prior to incorporating the ordinances into your Code via supplementation, the OrdLink feature can hyperlink newly adopted ordinances to the section being amended. Linked sections are highlighted in the table of contents and links are created from the amended sections to the new ordinances. Once the linked ordinances are incorporated into your Code, they are added to your OrdBank repository and hyperlinked to your history notes. This service lets everyone know that new ordinances have been adopted.



CodeBank. Our CodeBank feature provides an online archival platform for previous supplements of your Code. Empower your staff and citizens to access every previous version of your Code with one click.

(CodeBank Tab)

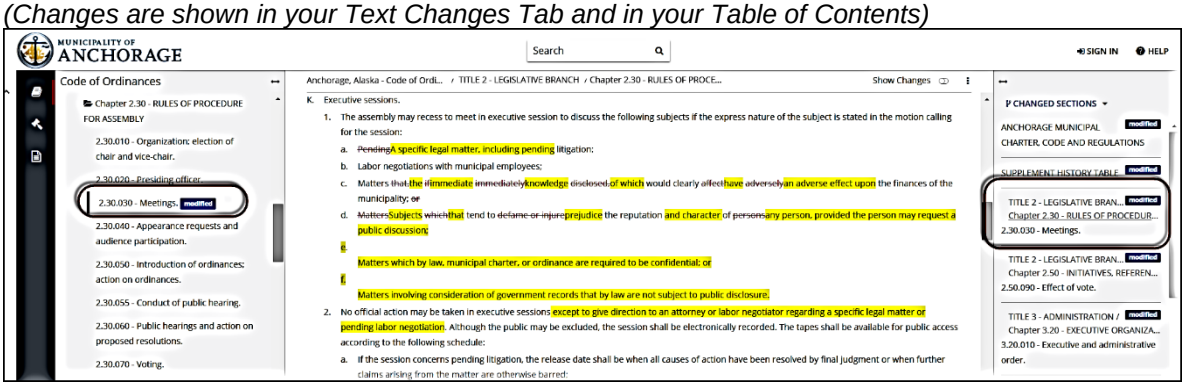


CodeBank Compare. Our CodeBank Compare service is a powerful feature that provides users the ability to select a past version of your online Code and compare it to any other version of your online Code. The differences will be shown via highlights (added material) or strikethrough (deleted material). The CodeBank feature is required in order to access CodeBank Compare. Users will be notified of the changes in the table of contents and within the text of the Code via “modified,” “new” or “removed” badges. Users can also select an option to view all of the changes in a single view, complete with strikethrough and highlights showing the specific textual changes that were made. The CodeBank Compare service will show all amendments to your Code that were implemented during the most recent update.

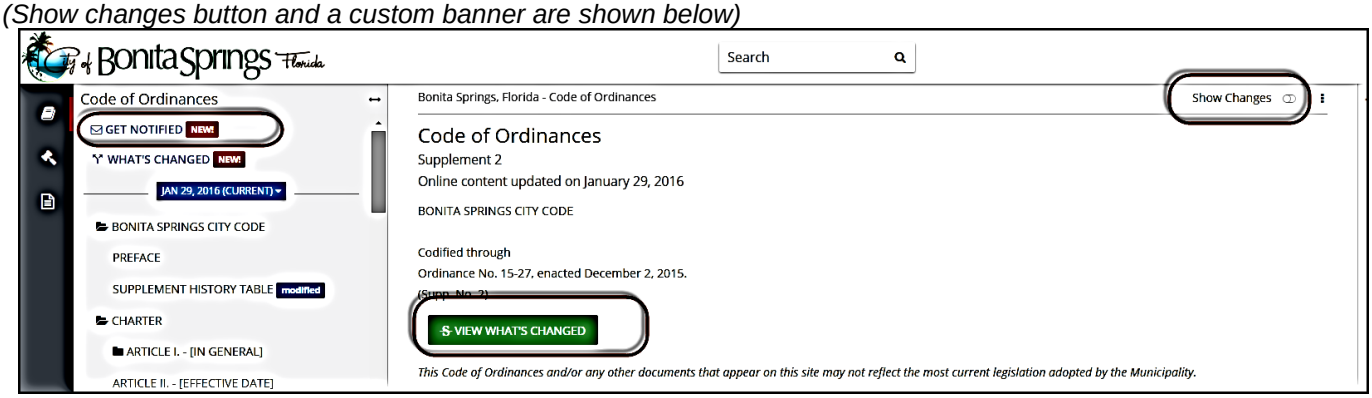
eNotify. Our eNotify service allows users to enroll online and receive email notifications each time your online Code is updated. This will empower your staff and citizens to receive instant notifications every time your online Code is updated. The CodeBank Compare feature is required in order to utilize the eNotify service.

Compare enhancements provided with our latest website upgrade include the ability to show changes in every version of the Code stored in CodeBank.

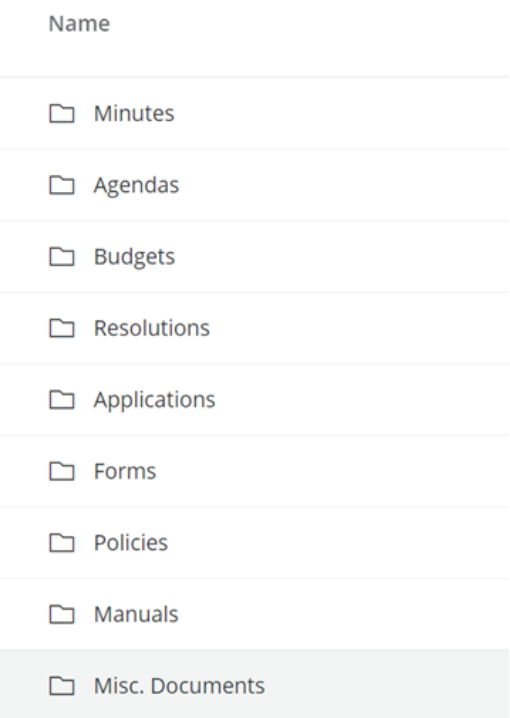
(Changes are shown in your Text Changes Tab and in your Table of Contents)



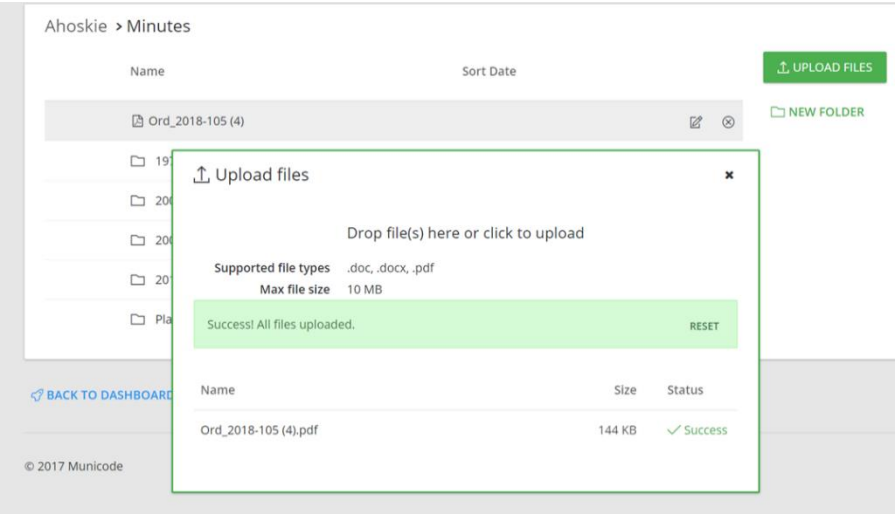
(Show changes button and a custom banner are shown below)



MuniDocs. MuniDocs Upload allows you to upload many types of documents to browse and search alongside your online code and is fully searchable and filterable. After users login, they are presented with a dashboard that allows them to upload new documents and manage previously uploaded documents. When uploaded, users are able to pick from a list of predefined document types



Uploading a document is as simple as dragging and dropping the document from your computer into the upload dialog box on the admin dashboard. Uploaded documents are immediately converted to PDF and indexed for search. Users may upload .rtf, .doc, .docx, and .pdf documents and organize these documents by nested folders. The public can then browse and search these documents immediately.



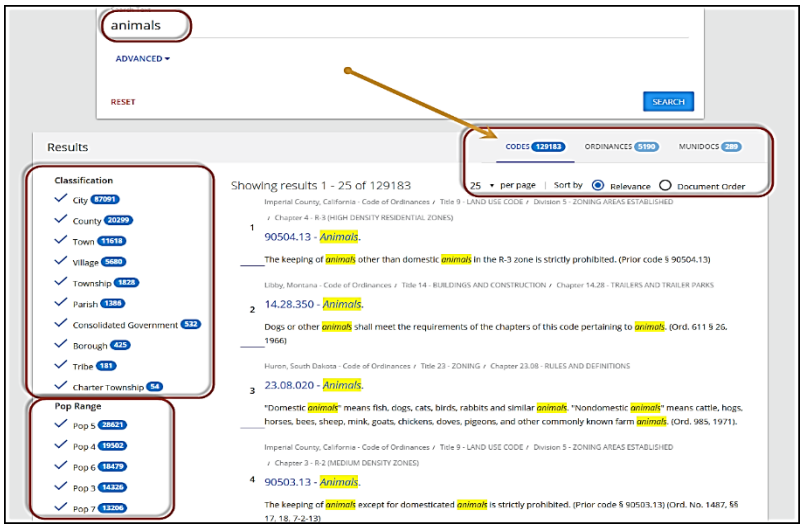
MuniPRO. MuniPRO Searching allows you to search the over 3,500 Codes we host (the entire country, a single state or individually selected Codes of your choosing). MuniPRO searches are ideal for researching local regulations of special interest or to find out how other communities are dealing with similar issues. If the IP based model is selected, only Multiple Code Searching is available. MuniPRO provides subscribers with the following tools:

- ★ **Multiple Code Search.** Search all Codes within one state, multiple Codes within one state, or search all Codes in the entire US hosted by Municode. Search results are sorted by relevancy and indicate the source publication, showing excerpts and keyword highlighting.

- ★ **MuniPRO Saved Searches.** Save frequently used or complex searches for easy retrieval from the MuniPRO Dashboard.

- ★ **MuniPRO Notes**. Create a note and attach it to any section in any publication. Note icons are present when viewing the section, alerting the user to a previously written note. A global listing of notes can be accessed and managed from the MuniPRO Dashboard.

- ★ **MuniPRO Drafts**. Begin a new ordinance draft to keep track of pending legislation. Drafts icons are present when viewing the section, alerting the user to a previously created draft. A global listing of drafts can also be accessed and managed from the MuniPRO Dashboard.



Office of the Whitewater Township Supervisor

Memo

To: Whitewater Township Board

From: Ron Popp, Supervisor

CC:

Date: 1-28-2020

Re: Board of Review Poverty Exemptions

Colleagues,

The Township Board is required to annually review and update their process for residents to claim a poverty exemption from property taxes. The following Proposed Resolution, Guideline, Application Form, and Poverty Exemption Affidavit are the result of input from the Board of Review Members on elemental changes and recommendation they are asking you to consider adopting.

Noteworthy, is a value difference in the income level recorded in the State of Michigan Department of Treasury Bulletin 14 of 2019 "Procedural Changes for 2020" and that value posted in the Federal Register. The Federal Register for this section of Health and Human Services is more than 300 pages of reading pleasure, for your convenience, only a few pages pertaining to the business at hand have been provided for your comparison. Please contact the Supervisor if you wish to have a full copy.

The Resolution provides a set of instructions and the authority from the Township Board to the Board of Review on how to conduct Poverty Exemption matters. The Resolution also imparts authority to the Board of Review leeway to vary from the rules if the Group identifies substantial and compelling reasons. A partial list of the types of unforeseen circumstances is provided in the Resolution.

State Tax Commission Bulletin 14 of 2019 requires the Township Board to adopt a qualifying income level NOT lower than what is posted and updated annually in the Federal Register. Additionally, the Governing Body is to set parameters of an asset test which will be applied equally to each applicant.

New recommendations from the Whitewater Township Board of Review Members for 2020 are:

1) Require applicant to supply an estimate of value for vehicles with or without license plates (recreational vehicles).

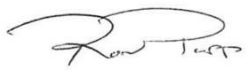
2) Provide for an annual discussion/increase of the Asset Eligibility requirements possibly tied to the projected rate of inflation which for 2020 is 2%.

Other documents supplied for your review include the State Tax Commission Bulletin 6 of 2017, Bulletin 14 of 2019, and sections of the Federal Register.

MOTION #1 - An appropriate motion could be: Motion to adopt Resolution #20-XX Whitewater Township Poverty Guideline Resolution as amended.

MOTION #2 - For the Application form the motion might be: Motion to adopt Whitewater Township Poverty Exemption Application dated January 28, 2020.

Respectfully,



Ron Popp
Supervisor, Whitewater Township

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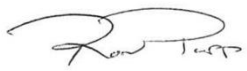


Ron Popp
Supervisor, Whitewater Township

RESOLUTION #20-~~XX~~ 02

WHITEWATER TOWNSHIP POVERTY GUIDELINE RESOLUTION

WHEREAS, the adoption of guidelines for poverty exemptions is within the purview of the township board; and

WHEREAS, the principal residence of persons who, in the judgment of the Supervisor and Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption, in whole or in part from taxation under Public Act 390, 1994 (MCL 211,7u) and

WHEREAS, pursuant to PA 390, 1994, Whitewater Township, Grand Traverse County adopts the following guidelines for the Supervisor and Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels or the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year.

To be eligible, a person shall do all the following on an annual basis:

1) Own and occupy as your principal residence, the property for which the exemption is requested.

2) File a claim with the supervisor/assessor or board of review, on a form provided by the local assessing unit, accompanied by federal and state income tax returns for all persons residing in the principal residence with all W-2's, 1099's, preceding twelve (12) months of bank statements, including any property tax credit returns (MI-1040CR), filed in the immediately preceding year or in the current year, or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.

3) File a claim reporting the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc. An estimate of value (Blue Book) must be supplied for all titled or registered vehicles.

4) Produce a valid driver's license or other form of identification if requested by the supervisor or board of review.

5) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if required by the supervisor or board of review.

6) Meet the federal poverty guidelines updated annually in the federal register by the United States Department of Health and Human Services, or alternative guidelines adopted by the governing body of the local assessing unit provided the alternative guidelines do not provide income eligibility requirements less than the federal guidelines.

7) The application for an exemption under this section shall be filed after January 1 but before the day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to Michigan Tax Tribunal.

NOTE: Appications may be reviewed by the Board of Review without applicant being present. However, the Board of Review may request that any or all applicants by physically present to respond to any questions they may have. This means that you could be called to appear on short notice. You may have to answer questions regarding your financial affairs, health, the status of people living in you home, etc. before the Board of Review, at a meeting which is open to and may be attended by the public. Teleconferencing for the purpose of asking questions of the applicant is allowable if the applicant is not able to attend.

8) Additional eligibility requirements as determined by the Whitewater Township Board:

a. The Board of Review shall follow the policy and guidelines established herein when granting or denying an exemption.

b. *As an alternate guideline and authorized above in paragraph 6, the Board of Review shall recognize the published 2020 Poverty Guidelines for the 48 contiguous states and the district of Columbia PLUS 125% when determining eligibility for principal resident poverty tax exemption applications in Whitewater Township.*

c. The Board of Review may deviate from the guidelines if it determines there are substantial and compelling reasons which are to be communicated, in writing, to the applicant. Compelling reasons include, but are not limited to, excessive medical expenses or excessive expenses necessary for the care of elderly or handicapped persons, etc.

d. Applicants may be subject to investigation of their entire financial and property records by the Township. This would be done to verify information given or statements made to the Board of Review or assessor in regards to the poverty tax claim.

e. All applicants will be evaluated based on data and statements given to the Board by the applicant. The Board can also use information gathered from any source.

f. Asset Eligibility: The value of property in excess of what is considered part of the original homestead shall be considered an asset. Assets include, but are not limited to: real estate other than the principal residence, motor vehicle, recreational vehicles and equipment, certificates of deposits, savings accounts, checking accounts, cash, stocks, bonds, life insurance, coin collections, boats, jewelry, retirement funds, etc. Assets, *(except the original homestead, essential household goods and the first $10,200 of the market value of a motor vehicle),* shall not exceed $4,080 for an individual applicant and/or $6,120 per household if more than one financial contributor. An estimate of value (Blue Book) must be supplied for all titled or registered vehicles.

g. The Board of Review will consider all assets of the owner, co-owner(s) and all qualifying financial members of the household. Any attempt to hide and/or shift assets to another person, business or corporation shall be grounds for denial.

Handicapped or infirmed applicants may call the Assessing Office to make necessary arrangements for assistance.

If the applicants fails to supply the required documents and/or fails to complete the application in its entirety, or if the information supplied is found to be fraudulent, the application shall be denied.

NOW, **THEREFORE, BE IT HEREBY RESOLVED** that the Board of Review shall follow the above stated policy and federal 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 policy and federal guidelines and these are communicated in writing to the claimant.

A motion to adopt the foregoing resolution was made by _____ and seconded by _____.

Upon roll call vote, the following voted:
Yes:
No:
Absent:
Resolution declared _____ (adopted/not adopted).

Certificate

I, Cheryl A. Goss, Clerk of Whitewater Township, Grand Traverse County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Whitewater
Township Board of said municipality at a regular meeting held on _____ (date), relative to the _____ (adoption/non-adoption) of Resolution #20-XX.

_____
Cheryl A. Goss

WHITEWATER TOWNSHIP POVERTY EXEMPTION APPLICATION

I, _____, Petitioner, being the owner and residing at the property that is listed below as my principal residence, apply for property tax relief under MCL 211.7u of the General Property Tax Act, Public Act 206 of 1893. The principal residence of persons who, in the judgment of the township supervisor or city assessor and 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 per MCL 211.7u(1).

In order to be considered complete, this application must: 1) be completed in its entirety, 2) include information regarding all members residing within the household, and 3) include all required documentation as listed within the application. Please write legibly and attach additional pages as necessary.

PERSONAL INFORMATION: Petitioner must list all required personal information.

Property Address of Principal Residence:	Daytime Phone Number:	
Age of Petitioner:	Marital Status:	Age of Spouse:
Number of Legal Dependents:	Age of Dependents:	
Applied for Homestead Property Tax Credit (yes or no):	Amount of Homestead Property Tax Credit:	

REAL ESTATE INFORMATION: List the real estate information related to your principal residence. Be prepared to provide a deed, land contract or other evidence of ownership of the property at the BOR meeting.

Property Parcel Code Number:	Name of Mortgage Company:	
Unpaid Balance Owed on Principal Residence:	Monthly Payment:	Length of Time at This Residence:
Property Description:		

ADDITIONAL PROPERTY INFORMATION: List information related to any other property you, or any household member owns.

Do you own, or are buying, other property (yes or no)? If yes, complete the information below.		Amount of Income Earned from Other Property:	
Property Address	Name of Owner(s)	Assessed Value	Amount & Date of Last Taxes Paid
		$	
		$	

EMPLOYMENT INFORMATION: List your current employment information.

Name of Employer:	Name of Contact Person:
Address of Employer:	Employer Phone Number:

List all income sources, including but not limited to: salaries, Social Security, rents, pensions, IRA's (individual retirement accounts), unemployment compensation, disability, government pensions, worker's compensation, dividends, claims and judgments from lawsuits, alimony, child support, friend or family contribution, reverse mortgage, or any other source of income.

Source of Income	Monthly or Annual Income (indicate which)

CHECKING, SAVINGS AND INVESTMENT INFORMATION: List any and all savings owned by all household members, including but not limited to: checking accounts, savings accounts, postal savings, credit union shares, certificates of deposit, cash, stocks, bonds, or similar investments.

Name of Financial Institution or Investments	Amount on Deposit	Current Interest Rate	Name on Account	Value of Investment

LIFE INSURANCE: List all policies held by all household members.

Name of Insured	Amount of Policy	Monthly Payment	Policy Paid in Full	Name of Beneficiary	Relationship to Insured

MOTOR VEHICLE INFORMATION: All motor vehicles (including motorcycles, motor homes, camper trailers, etc.) held or owned by any person residing within the household must be listed. *

Make	Year	Monthly Payment	Balance Owed

* Please provide an estimate of value (Blue Book) for all all titled or registered vehicles

LIST ALL PERSONS LIVING IN HOUSEHOLD: All persons residing in the residence must be listed.

First & Last Name	Age	Relationship to Applicant	Place of Employment	Amount of Monetary Contribution to Family Income

PERSONAL DEBT: All personal debt for all household members must be listed.

Creditor	Purpose of Debt	Date of Debt	Original Balance	Monthly Payment	Balance Owed

MONTHLY EXPENSE INFORMATION: The amount of monthly expenses related to the principal residence for each category must be listed. Indicate N/A as necessary.

Heating:	Electric:	Water:
Phone:	Cable:	Food:
Clothing:	Heath Insurance:	Garbage:
Daycare:	Car Expense (gas, repair, etc):	Other (list type):
Other (list type):	Other (list type):	Other (list type):
Other (list type):	Other (list type):	Other (list type):
Other (list type):	Other (list type):	Other (list type):

Notice: **Any willful misstatements or misrepresentations made on this form may constitute perjury, which, under the law, is a felony punishable by fine or imprisonment.**

Notice: **Per MCL 211.7u(2b), a copy of all household members federal income tax returns, state income tax returns (MI-1040) and Homestead Property Tax Credit claims (MI-1040CR 1, 2, 3 or 4) must be attached as proof of income. Documentation for all income sources including, but not limited to, credits, claims, Social Security income, child support, alimony income, and all other income sources must be provided at time of application.**

Petitioners: Do not sign this application until witnessed by the Supervisor, Assessor, Board of Review or Notary Public. (Must be signed by either the Supervisor, Assessor, Board of Review Member or Notary Public)

STATE OF MICHIGAN
COUNTY OF _____

I, the undersigned Petitioner, hereby declare that the foregoing information is complete and true and that neither I, nor any household member residing within the principal residency, have money, income or property other than mentioned herein.

_____ _____
Petitioner Signature Date

Subscribed and sworn this _____day of_____, 202___

Assessor Signature: _____ Printed Name: _____

BOR Member Signature: _____ Printed Name: _____

Notary Signature: _____ Printed Name: _____

My Commission Expires: _____

This application shall be filed after January 1, but before the day prior to the last day of March, July or December Board of Review to the address below.

Board of Review
C/O Supervisor/Assessor
Whitewater Township
P.O. Box 159
Williamsburg, MI. 49690

DECISIONS OF THE MARCH BOARD OF REVIEW MAY BE APPEALED IN WRITING TO THE MICHIGAN TAX TRIBUNAL BY JULY 31 OF THE CURRENT YEAR. JULY OR DECEMBER BOARD OF REVIEW DENIALS MAY BE APPEALED TO MICHIGAN TAX TRIBUNAL WITHIN 30 DAYS OF THE DENIAL. A COPY OF THE BOARD OF REVIEW DECISION MUST BE INCLUDED WITH THE FILING.

Michigan Tax Tribunal
P.O. Box 30232
Lansing, MI 48909
Phone: 517-335-9760
Email: taxtrib@michigan.gov
Visit WWW.michigan.gov/taxtrib
for an appeal form.

Michigan Department of Treasury
4988 (05-12)

Reset Form

Poverty Exemption Affidavit

This form is issued under authority of Public Act 206 of 1893; MCL 211.7u.

INSTRUCTIONS: When completed, this document must accompany a taxpayer's Application for Poverty Exemption filed with the supervisor or the board of review of the local unit where the property is located. MCL 211.7u provides for a whole or partial property tax exemption on the principal residence of an owner of the property by reason of poverty and the inability to contribute toward the public charges. MCL 211.7u(2)(b) requires proof of eligibility for the exemption be provided to the board of review by supplying copies of federal and state income tax returns for all persons residing in the principal residence, including property tax credit returns, or by filing an affidavit for all persons residing in the residence who were not required to file federal or state income tax returns for the current or preceding tax year.

I, _____, swear and affirm by my signature below that I reside in the principal residence that is the subject of this Application for Poverty Exemption and that for the current tax year and the preceding tax year, I was not required to file a federal or state income tax return.

Address of Principal Residence: _____

_____

_____ _____

Signature of Person Making Affidavit Date

5102 (Rev. 04-15)

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

RICK SNYDER
GOVERNOR

NICK A. KHOURI
STATE TREASURER

Bulletin 6 of 2017
June 6, 2017
Poverty Exemption

TO: Assessors and Equalization Directors

FROM: State Tax Commission

SUBJECT: Exemption of Principal Residence by Reason of Poverty

Bulletin 5 of 1995, Bulletin 7 of 2010 and Bulletin 5 of 2012 are rescinded.

MCL 211.7u provides for a property tax exemption, in whole or part, for the principal residence of persons who, by reason of poverty, are unable to contribute to the public charges. Principal residence is defined in MCL 211.7dd as a principal residence or qualified agricultural property. MCL 211.7u(1) states that this section does not apply to property of a corporation. Even if a corporation or a limited liability company meets the definition of a principal residence or a qualified agricultural property, it is not be eligible to receive a poverty exemption.

Local Unit Responsibilities:

MCL 211.7u requires local units to annually adopt a policy, including an asset test, used to approve or deny poverty exemptions.

First, local units must annually adopt guidelines which specify the total household income which will be used to approve or deny poverty exemptions. Statute requires that the income levels shall not be set lower than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services and published by the State Tax Commission in their annual Procedural Changes Bulletin.

According to the U.S Census Bureau, "income" includes, but is not limited to:

- Money, wages, salaries before deductions, regular contributions from persons not living in the residence
- Net receipts from non-farm or farm self-employment (receipts from a person's own business, professional enterprise, or partnership, after business expense deductions)
- Regular payments from social security, railroad retirement, unemployment, worker's compensation, veteran's payments, public assistance, supplemental security income (SSI)
- Alimony, child support, military family allotments
- Private and governmental retirement and disability pensions, regular insurance, annuity payments

- College or university scholarships, grants, fellowships, assistantships
- Dividends, interest, and net income from rentals, royalties, estates, trusts, gambling or lottery winnings

Second, the local unit policy must include an asset test. The purpose of an asset test is to determine the resources available: cash, fixed assets or other property that could be converted to cash and used to pay property taxes in the year the poverty exemption is filed. The local unit should require that claimants provide a list of all assets when applying for a poverty exemption. Following is a list of assets that may be included in the annual guidelines.

- A second home, land, vehicles
- Recreational vehicles such as campers, motor-homes, boats and ATV's
- Buildings other than the residence
- Jewelry, antiques, artworks
- Equipment, other personal property of value
- Bank accounts (over a specified amount), stocks
- Money received from the sale of property, such as, stocks, bonds, a house or car (unless a person is in the specific business of selling such property)
- Withdrawals of bank deposits and borrowed money
- Gifts, loans, lump-sum inheritances and one-time insurance payments
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches

The Michigan Tax Tribunal in *Robert Taylor v Sherman Twp., Docket No. 236230* ruled that the asset test does not include the value of the principal residence. Additionally, the Michigan Court of Appeals in *Ferrero v Township of Walton, No. 302221,* ruled that the homestead property tax credit is not to be considered income for poverty exemption purposes.

The local unit policy may provide for an applicant to own possessions in addition to the principal residence and still receive a poverty exemption. Examples may include, but are not limited to:

- Additional vehicles
- More land than a minimum "footprint" for the home
- Equipment or other personal property of value, including recreational vehicles (campers, motor homes, boats, ATV's etc.)
- Bank account(s) (a maximum amount should be specified)

Third, MCL 211.7u(1) allows for partial poverty exemptions to be granted. A partial poverty exemption is an exemption of a percentage of the taxable value of the principal residence rather than the entire taxable value. The local unit can limit poverty exemptions to partial exemptions or to minimum or maximum exemption of their choosing. The State Tax Commission recommends that local governing bodies include within their annual guidelines, language and criteria for granting partial exemptions and/or minimum or maximum exemptions.

Finally, the State Tax Commission recommends that local units develop an application to be used by claimants and a written policy that details the process. To assist local governing bodies, the State Tax Commission has developed a sample application and resolution. See attached.

Taxpayer Filing Requirements:

In order to receive a poverty exemption, a taxpayer must annually file a completed application form and all required additional documentation, with the supervisor, assessor, or the Board of Review where the property is located. The application form may be obtained from the local unit where the property is located and may be submitted on or after January 1 but before the day prior to the last day of the December Board of Review during the year in which the exemption is requested.

To ensure an application is received in time to be heard by a Board of Review, the State Tax Commission recommends the claimant contact the local governing unit directly to verify deadline dates for submission of an application.

In addition to annually filing the application, in order to be eligible for the poverty exemption, a taxpayer must do all of the following:

1. Own and occupy the principal residence.

2. Provide federal and state income tax returns for the current or immediately preceding year, including any property tax credits, for all persons **residing in the principal residence** (disclosure of the income of an owner who is not residing in the principal residence is not required). An alternative affidavit may be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current or immediately preceding year. (See Form 4988, *Poverty Exemption Affidavit*)

3. Produce a valid driver's license, or other form of identification, if requested by the supervisor, assessor or Board of Review.

4. Produce a deed, land contract, or other evidence of ownership of the property, if requested by the supervisor, assessor or Board of Review.

5. Meet the federal poverty income guidelines determined annually by the U.S. Department of Health and Human Services OR meet allowable alternative income guidelines adopted by the local governing body.

6. Meet the asset level test adopted by the local governing body.

7. Meet additional tests reasonably adopted by the local governing body.

Board of Review Responsibilities:

MCL 211.7u(1) indicates: The principal residence of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under this act.

The State Tax Commission has determined that the supervisor shall make a recommendation regarding the claimant's petition and the Board of Review shall consider, review and then approve or deny the exemption request.

Additionally, MCL 211.7u(5) states, in part: The Board of Review shall follow the policy and guidelines of the local assessing unit in granting or denying an exemption under this section.

When reviewing an application, the Board of Review should consider all information available to them at that time. They should consider all documentation originally submitted by the taxpayer and any additional relevant information that is available to the Board of Review.

The Board of Review can deviate from the adopted policy and guidelines of the local unit only when there are "substantial and compelling reasons why there should be a deviation from the policy and guidelines." If the Board of Review deviates from the adopted policy and guidelines, they are required by statute to communicate the substantial and compelling reasons for the deviation from the guidelines in writing to the taxpayer.

Appeal Rights:

A property owner or assessor may appeal a decision of the March Board of Review by completing and submitting a petition to the Michigan Tax Tribunal no later than July 31 of the same year. A property owner or assessor may appeal a decision of the July or December Board of Review by completing and submitting a petition to the Michigan Tax Tribunal within 35 days of the July or December Board of Review's denial of the poverty exemption.

An application for poverty exemption, for a specific principal residence, may only be acted upon by the Board of Review once a year. If an application is denied at the March Board of Review, it may not be reheard by the July or December Board of Review during the same calendar year. The taxpayer must file an appeal of the March Board of Review determination to the Michigan Tax Tribunal. Similarly, if an application is denied at the July Board of Review, the December Board cannot rehear that application, the taxpayer must file an appeal to the Michigan Tax Tribunal.

A person who files a claim for poverty exemption is not prohibited from also appealing the assessment on the same property in the same year.

SAMPLE GUIDELINE RESOLUTION FOR POVERTY EXEMPTION

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Council (Township Board); and

WHEREAS, the principal residence of persons, who the Supervisor/Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City/Township of _____, _____ County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
2) File a claim with the supervisor/assessor or Board of Review, accompanied by 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 or a signed State Tax Commission Form 4988, *Poverty Exemption Affidavit.*
3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
4) Produce a valid driver's license or other form of identification if requested.
5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the (insert year) federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

Federal Poverty Guidelines Used in the Determination of Poverty Exemptions

Size of Family Unit	2017 Poverty Guidelines
1	$ 11,880
2	$ 16,020
3	$ 20,160
4	$ 24,300
5	$ 28,440
6	$ 32,580
7	$ 36,730
8	$ 40,890
For each additional person	$ 4,160

NOW, THEREFORE, BE IT HEREBY RESOLVED that the supervisor/assessor and Board of Review shall follow the above stated policy and federal 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 policy and federal guidelines and these reasons are communicated in writing to the claimant.

The foregoing resolution offered by City Council Member/Township Board Member _____and supported by City Council Member/Township Board Member_____.

Upon roll call vote, the following voted:

"Aye": _____

"Nay": _____

The City/Township Clerk declared the resolution_____.

_____

XXX, Clerk Date

<u>SAMPLE</u> POVERTY EXEMPTION APPLICATION

I, _____, Petitioner, being the owner and residing at the property that is listed below as my principal residence, apply for property tax relief under MCL 211.7u of the General Property Tax Act, Public Act 206 of 1893. The principal residence of persons who, by reason of poverty are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation per MCL 211.7u(1).

In order to be considered complete, this application must: 1) be completed in its entirety, 2) include information regarding all members residing within the household, and 3) include all required documentation as listed within the application. Please write legibly and attach additional pages as necessary.

PERSONAL INFORMATION: Petitioner must list all required personal information.

Property Address of Principal Residence:	Daytime Phone Number:	
Age of Petitioner:	Marital Status:	Age of Spouse:
Number of Legal Dependents:	Age of Dependents:	
Applied for Homestead Property Tax Credit (yes or no):	Amount of Homestead Property Tax Credit:	

REAL ESTATE INFORMATION: List the real estate information related to your principal residence. Be prepared to provide a deed, land contract or other evidence of ownership of the property at the Board of Review meeting.

Property Parcel Code Number:	Name of Mortgage Company:	
Unpaid Balance Owed on Principal Residence:	Monthly Payment:	Length of Time at This Residence:
Property Description:		

ADDITIONAL PROPERTY INFORMATION: List information related to any other property you, or any member residing in the household owns.

Do you own, or are buying, other property (yes or no)? If yes, complete the information below.		Amount of Income Earned from Other Property:	
Property Address	Name of Owner(s)	Assessed Value	Amount & Date of Last Taxes Paid
		$	
		$	

EMPLOYMENT INFORMATION: List your current employment information.

Name of Employer:	Name of Contact Person:
Address of Employer:	Employer Phone Number:

List all income sources, including but not limited to: salaries, Social Security, rents, pensions, IRA's (individual retirement accounts), unemployment compensation, disability, government pensions, worker's compensation, dividends, claims and judgments from lawsuits, alimony, child support, friend or family contribution, reverse mortgage, or any other source of income, for all persons residing at the property.

Source of Income	Monthly or Annual Income (indicate which)

CHECKING, SAVINGS AND INVESTMENT INFORMATION: List any and all savings owned by all household members, including but not limited to: checking accounts, savings accounts, postal savings, credit union shares, certificates of deposit, cash, stocks, bonds, or similar investments, for all persons residing at the property.

Name of Financial Institution or Investments	Amount on Deposit	Current Interest Rate	Name on Account	Value of Investment

LIFE INSURANCE: List all policies held by all household members.

Name of Insured	Amount of Policy	Monthly Payment	Policy Paid in Full	Name of Beneficiary	Relationship to Insured

MOTOR VEHICLE INFORMATION: All motor vehicles (including motorcycles, motor homes, camper trailers, etc.) held or owned by any person residing within the household must be listed.

Make	Year	Monthly Payment	Balance Owed

LIST ALL PERSONS LIVING IN HOUSEHOLD: All persons residing in the residence must be listed.

First & Last Name	Age	Relationship to Applicant	Place of Employment	Amount of Monetary Contribution to Family Income

PERSONAL DEBT: All personal debt for all household members must be listed.

Creditor	Purpose of Debt	Date of Debt	Original Balance	Monthly Payment	Balance Owed

MONTHLY EXPENSE INFORMATION: The amount of monthly expenses related to the principal residence for each category must be listed. Indicate N/A as necessary.

Heating:	Electric:	Water:
Phone:	Cable:	Food:
Clothing:	Heath Insurance:	Garbage:
Daycare:	Car Expense (gas, repair, etc):	Other (list type):
Other (list type):	Other (list type):	Other (list type):
Other (list type):	Other (list type):	Other (list type):
Other (list type):	Other (list type):	Other (list type):

Notice: **Any willful misstatements or misrepresentations made on this form may constitute perjury, which, under the law, is a felony punishable by fine or imprisonment.**

Notice: **Per MCL 211.7u(2b), a copy of all household members federal income tax returns, state income tax returns (MI-1040) and Homestead Property Tax Credit claims (MI-1040CR 1, 2, 3 or 4) must be attached as proof of income or a signed Form 4988, *Poverty Exemption Affidavit*. Documentation for all income sources including, but not limited to, credits, claims, Social Security income, child support, alimony income, and all other income sources must be provided at time of application.**

Petitioners: Do not sign this application until witnessed by the Supervisor, Assessor, Board of Review or Notary Public. (Must be signed by either the Supervisor, Assessor, Board of Review Member or Notary Public)

STATE OF MICHIGAN
COUNTY OF _____

I, the undersigned Petitioner, hereby declare that the foregoing information is complete and true and that neither I, nor any household member residing within the principal residency, have money, income or property other than mentioned herein.

_____ _____
Petitioner Signature Date

Subscribed and sworn this _____day of_____, 2011

Assessor Signature: _____ Printed Name: _____

BOR Member Signature: _____ Printed Name: _____

Notary Signature: _____ Printed Name: _____

My Commission Expires: _____

This application shall be filed after January 1, but before the day prior to the last day of the December Board of Review to the address below.

Board of Review
c/o Supervisor or Assessor
Name of Local Unit
Street Address
City, State, ZIP

DECISIONS OF THE MARCH BOARD OF REVIEW MAY BE APPEALED BY PETITION TO THE MICHIGAN TAX TRIBUNAL BY JULY 31 OF THE CURRENT YEAR. JULY OR DECEMBER BOARD OF REVIEW DENIALS MAY BE APPEALED TO MICHIGAN TAX TRIBUNAL BY PETITION WITHIN 35 DAYS OF THE DENIAL. A COPY OF THE BOARD OF REVIEW DECISION MUST BE INCLUDED WITH THE PETITION.

Michigan Tax Tribunal
PO Box 30232
Lansing, MI 48909
Phone: 517-373-4400
E-mail: taxtrib@michigan.gov

5102 (Rev. 01-19)

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

GRETCHEN WHITMER
GOVERNOR

RACHAEL EUBANKS
STATE TREASURER

Bulletin 14 of 2019
October 14, 2019
Procedural Changes for 2020

TO: Assessing Officers and County Equalization Directors

FROM: State Tax Commission

SUBJECT: Procedural Changes for the 2020 Assessment Year

The purpose of this Bulletin to provide information on statutory changes, procedural changes and reminders for the 2020 assessment year.

A. Inflation Rate Used in the 2020 Capped Value Formula

The inflation rate, expressed as a multiplier, to be used in the 2020 Capped Value Formula is 1.019.

The 2020 Capped Value Formula is as follows:

2020 CAPPED VALUE = (2019 Taxable Value – LOSSES) X 1.019 + ADDITIONS

The formula above does not include 1.05 because the inflation rate multiplier of 1.019 is lower than 1.05.

B. Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2020

MCL 211.7u, which deals with poverty exemptions, was significantly altered by PA 390 of 1994 and was further amended by PA 620 of 2002.

Local governing bodies are required to adopt guidelines that set income levels for their poverty exemption guidelines and those income levels **shall not be set lower** by a city or township than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services. This means, for example, that the income level for a household of 3 persons **shall not** be set lower than $21,330 which is the amount shown on the following chart for a family of 3 persons. The income level for a family of 3 persons may be set higher than $21,330. Following are the federal poverty guidelines for use in setting poverty exemption guidelines for 2020 assessments:

Size of Family Unit	Poverty Guidelines
1	$12,490
2	$16,910
3	$21,330
4	$25,750
5	$30,170
6	$34,590
7	$39,010
8	$43,430
For each additional person	$4,420

Note: PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit shall also include an asset level test. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. The asset test should calculate a maximum amount permitted and all other assets above that amount should be considered as available. Please see STC Bulletin 6 of 2017 for more information on poverty exemptions.

Note: P.A. 135 of 2012 changed the requirements for filing documentation in support of a poverty exemption to allow an affidavit (Treasury Form 4988) to be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current year or in the immediately preceding year. This does include the owner of the property who is filing for the exemption.

C. Sales Studies

Equalization study dates are as follows for 2020 equalization:

Two Year Study: April 1, two years prior through March 31, current year
Single Year Study: October 1, preceding year through September 30, current year

For 2019 studies for 2020 equalization the dates are as follows:

Two Year Study: April 1, 2017 through March 31, 2019
Single Year Study: October 1, 2018 through September 30, 2019

Note that the time period revisions apply to all equalization studies, that is: sales ratio studies, land value studies and economic condition factor studies for appraisals. Also note that the revised time period for two year studies applies to all real property classifications.

Please be advised that the above sale study dates **are not** the same as the valuation date used in appeals before the Michigan Tax Tribunal. Evidence presented in a Tax Tribunal appeal should reflect the value of the property as of tax day (December 31). This means that sales occurring *after* March 31, 2019 and September 30, 2019 should still be considered and included when submitting evidence in a Tax Tribunal appeal involving the 2020 tax year.

D. Property Classification

The State Tax Commission reminds assessors that classification is to be determined annually and is based upon the use of the property and not highest and best use of the property. The

Commission is aware that some assessors are still classifying property according to highest and best use and/or are not classifying property on an annual basis. The Commission asks that all assessors take the necessary steps to ensure that all real and personal property is properly classified according to MCL 211.34c.

E. Public Act 660 of 2018, Property Assessing Reform

At their meeting on May 28, 2019 the State Tax Commission approved the Property Assessing Reform Proposal Frequently Asked Questions. The FAQ reflects changes to the General Property Tax Act as a result of PA 660 of 2018, and includes information about Property Assessing Reform, the designated assessor, boards of review and villages. A copy of the FAQ is available on the Commission's website at www.michigan.gov/statetaxcommission.

The State Tax Commission will be continuously updating its website with information regarding Property Assessing Reform, including bulletins, guidance and any required forms. Information on Property Assessing Reform is available on the State Tax Commission's website under the "What's New" section.

The Commission has also established a dedicated email for submitting questions related to Property Assessing Reform. Any questions concerning Property Assessing Reform should be directed to AssessingReformQuestions@michigan.gov.

F. Village Waiver

The State Tax Commission at their meeting on August 20, 2019 approved Form 5689 *Application for State Tax Commission Approval of Village Assessment.* MCL 211.10d(7) provides that a village that is located in more than 1 assessing district may, in a form and manner prescribed by the state tax commission, request state tax commission approval that the assessment of property within the village be combined with the assessment of property in 1 of those assessing districts.

The completed Form, with the required resolution and all other attachments, must be submitted to the State Tax Commission, PO Box 30471, Lansing, Michigan 48909.

Form 5689 and additional information for Villages is available on the State Tax Commission's website at www.michigan.gov/statetaxcommission under the Property Assessing Reform link.

G. Consolidating Boards of Review

PA 660 of 2018 allows Boards of Review across two or more contiguous local units to be combined. The governing bodies of each local unit may enter into an agreement to appoint a single board of review to serve as the board of review for each of the contiguous local units. PA 660 further states that the already existing requirements in MCL 211.28(1) – (5) should serve as a guide in determining the size, composition, and manner of appointment of a board of review. Those requirements are:

- At least 2/3 of the members must be property taxpayers of the township.
- Members appointed to the board of review shall serve for terms of 2 years beginning at noon on January 1 of each odd-numbered year.

- A member of the township board is not eligible to serve on the board or to fill any vacancy. A spouse, mother, father, sister, brother, son, or daughter, including an adopted child, of the assessor is not eligible to serve on the board or to fill any vacancy.
- At least 2 members of a 3-member board of review shall be present to conduct any business or hearings of the board of review.
- The township board may appoint 3, 6, or 9 electors of the township, who will constitute a board of review for the township. If 6 or 9 members are appointed as provided in this subsection, the membership of the board of review must be divided into board of review committees consisting of 3 members each.
- A township board may appoint not more than 2 alternate members for the same term as regular members of the board of review.
  The size, composition, and manner of appointment of the board of review of a city may be prescribed by the charter of a city.

Any questions concerning consolidating boards of review should be directed to AssessingReformQuestions@michigan.gov.

H. Tax Tribunal Small Claims Division Hearings

Assessors should carefully read all notices, orders and other correspondence sent by the Tax Tribunal. Assessors should pay special attention to the Notice of Hearing and ensure they are available at the date and time of the scheduled hearing. It is important to appear at the hearing and to timely file with the Tax Tribunal and serve a copy to the taxpayer of all evidence and documentation you wish to be considered at the hearing.

Assessors representing their local unit in Tax Tribunal hearings need to submit evidence to support the value of the property under appeal. If the assessor is relying on the property record card as evidence of value, the property record card must be for the year(s) being appealed. The complete property record card, including all calculations should be provided; do not submit a property record card that states “calculations too long” and then fail to include the additional calculations. Also, it is important to submit the studies prepared that support the economic condition factor and land value on the record card. Assessors should also be able to explain at the Tax Tribunal hearing how the value shown on the property record card was calculated. More information regarding the Michigan Tax Tribunal, including Tribunal Rules, forms and instructions is available at www.michigan.gov/taxtrib.

Assessors are also reminded that any change in contact information, including a change in email address, must be submitted to the Tax Tribunal to ensure that all case notifications are received.

I. Changes to Personal Property Tax

On December 27, 2018, Public Acts 505 and 541 of 2018 were signed into law. These Acts make changes related to filing and payment dates for the ESA. Although the August 15th deadline to certify and pay ESA and the September 15th deadline to amend a previously certified ESA statement remain, P.A. 541 and 505 change the date by which ESA liability and late payment penalty must be paid in full to April 15th of the year immediately following the assessment year. If full payment of ESA liability and late payment penalty is not received by April 15th of the year immediately following the assessment year, the Department of Treasury must rescind the Eligible Manufacturing Personal Property (EMPP) exemption no later than the first Monday in June of that year. The deadline for taxpayers to appeal an assessment, penalty,

or rescission to the Michigan Tax Tribunal December 31st of the tax year in which the assessment, penalty or rescission was issued.

In addition to the extended deadlines, the acts increase the late payment penalty of any ESA statement that is not paid in full by August 15th to 3% of unpaid liability per month or part of a month. Penalty is not to be prorated based on the day of the month that the late payment is received.

There are no changes to the February 20th deadline to claim the EMPP exemption by filing the Combined Document (Form 5278) with the assessor of the local governmental unit in which the personal property is located nor the ability to file the Combined Document (Form 5278) late, directly with the March Board of Review of the same local unit.

More information is available in the Assessors Guide to EMPP and ESA are available online at www.michigan.gov/propertytaxexemptions.

Further information and guidance on the Eligible Manufacturing Personal Property (EMPP) Exemption, Special Acts and the Essential Services Assessment (ESA) is available at www.michigan.gov/ESA. Additional questions should be sent via email to ESAQuestions@michigan.gov.

J. Principal Residence Exemption

Public Act 633 of 2018 was signed into law on December 28, 2018. This Act amends MCL 211.7cc regarding the principal residence exemption. This Act allows an owner of property who previously occupied and claimed the property as a principal residence, but has vacated the property due to damage or destruction by an accident, act of God, or act of another person without the owner's consent, to retain the principal residence exemption on that property for the tax year in which the damage or destruction occurred and the two immediately succeeding tax years. In order to retain the exemption, the owner must meet specific criteria regarding his/her intent to return to the property. The owner must satisfy all of the following conditions to demonstrate an intent to return to the property:

1. The owner continues to own the property while absent due to the damage or destruction;
2. The owner has not established a new principal residence;
3. The owner provides for reconstruction of the principal residence for purposes of occupying the reconstructed dwelling upon its completion; and
4. The property is not occupied, leased, or used for any business or commercial purpose.

Owners who have vacated the property due to damage or destruction and meet these four criteria regarding an intent to return may retain the principal residence exemption on the property.

More information can be found on the PRE website at www.michigan.gov/PRE. Treasury staff is available to assist and answer questions regarding this Act or other PRE-related questions. The following are key contacts:

- PRE Unit Phone Number: (517) 335-7487
- PRE Program E-mail Address: PRE@michigan.gov

K. Omitted or Incorrectly Reported Property (MCL 211.154)

Assessors are reminded that when submitting 154 petitions it is necessary to include complete copies of the property record cards for every year a change is being requested on the petition. For example, if a 154 petition requests a change for 2017 and 2018, the property record card for 2017 and the property record card for 2018 should be submitted. In addition, assessor must submit the calculations and documents needed to understand the reasons for the change and the amount of the requested change in the assessment and taxable values. Additionally, the 154 petition must contain an original signature. The Commission cannot accept electronic signatures or scanned signatures on petitions.

For 154 petitions involving removal of personal property, staff may request verification that the assessor inspected personal property location or otherwise confirmed that the personal property was disposed and was not located in the local unit on the applicable tax day. Additionally, staff may inquire as to the extent of the assessor's communication with the taxpayer in order to confirm that personal property was reported in the new location.

Questions can be directed to the staff at Treas-154petitions@michigan.gov. Additional information, including Bulletin 2 of 2018 and copies of the approved forms, are available online at www.michigan.gov/154petitions.

L. Authority of July and December Boards of Review

The State Tax Commission has become aware of a significant number of instances where Boards of Review are acting outside their statutory authorities. MCL 211.53b specifies: The board of review meeting in July and December shall meet only for the purpose described in subsection (1) (Qualified Errors) and to hear appeals provided for in sections 7u (Poverty Exemption), 7cc (Principal Residence Exemption), 7ee (Qualified Agricultural Exemption), 7jj (Qualified Forest Exemption), and 9o (Small Business Taxpayer Exemption). Assessors should carefully review the Board of Review FAQ on the Commission's website to ensure their Boards of Review are acting within their statutory authorities.

FEDERAL REGISTER

Vol. 85 Friday,

No. 12 January 17, 2020

Pages 2867–3228

OFFICE OF THE FEDERAL REGISTER

TOTAL ESTIMATED ANNUALIZED BURDEN—HOURS—Continued

Form name	Number of respondents	Number of responses per respondent	Total responses	Average burden per response (in hours)	Total burden hours
Program Implementation Semi-Structured Interview	28	1	28	1.00	28
Total	17,256		51,712		9,842

Maria G. Button,

Director, Executive Secretariat.

[FR Doc. 2020–00736 Filed 1–16–20; 8:45 am]

BILLING CODE 4165–15–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Annual Update of the HHS Poverty Guidelines

AGENCY: Department of Health and Human Services.

ACTION: Notice.

SUMMARY: This notice provides an update of the Department of Health and Human Services (HHS) poverty guidelines to account for last calendar year's increase in prices as measured by the Consumer Price Index.

DATES: *Applicable Date:* January 14, 2020 unless an office administering a program using the guidelines specifies a different effective date for that particular program.

ADDRESSES: Office of the Assistant Secretary for Planning and Evaluation, Room 404E, Humphrey Building, Department of Health and Human Services, Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: For information about how the guidelines are used or how income is defined in a particular program, contact the Federal, state, or local office that is responsible for that program. For information about poverty figures for immigration forms, the Hill-Burton Uncompensated Services Program, and the number of people in poverty, use the specific telephone numbers and addresses given below.

For general questions about the poverty guidelines themselves, contact Kendall Swenson, Office of the Assistant Secretary for Planning and Evaluation, Room 422F.5, Humphrey Building, Department of Health and Human Services, Washington, DC 20201—telephone: (202) 795–7309—or visit *http://aspe.hhs.gov/poverty/.*

For information about the percentage multiple of the poverty guidelines to be used on immigration forms such as USCIS Form I–864, Affidavit of Support, contact U.S. Citizenship and Immigration Services at 1–800–375–5283. You also may visit *https://www.uscis.gov/i-864.*

For information about the Hill-Burton Uncompensated Services Program (free or reduced-fee health care services at certain hospitals and other facilities for persons meeting eligibility criteria involving the poverty guidelines), contact the Health Resources and Services Administration Information Center at 1–800–638–0742. You also may visit *https://www.hrsa.gov/get-health-care/affordable/hill-burton/index.html.*

For information about the number of people in poverty, visit the Poverty section of the Census Bureau's website at *https://www.census.gov/topics/income-poverty/poverty.html* or contact the Census Bureau's Customer Service Center at 1–800–923–8282 (toll-free) or visit *https://ask.census.gov* for further information.

SUPPLEMENTARY INFORMATION:

Background

Section 673(2) of the Omnibus Budget Reconciliation Act (OBRA) of 1981 (42 U.S.C. 9902(2)) requires the Secretary of the Department of Health and Human Services to update the poverty guidelines at least annually, adjusting them on the basis of the Consumer Price Index for All Urban Consumers (CPI–U). The poverty guidelines are used as an eligibility criterion by Medicaid and a number of other Federal programs. The *poverty guidelines* issued here are a simplified version of the *poverty thresholds* that the Census Bureau uses to prepare its estimates of the number of individuals and families in poverty.

As required by law, this update is accomplished by increasing the latest published Census Bureau poverty thresholds by the relevant percentage change in the Consumer Price Index for All Urban Consumers (CPI–U). The guidelines in this 2020 notice reflect the 1.8 percent price increase between calendar years 2018 and 2019. After this inflation adjustment, the guidelines are rounded and adjusted to standardize the differences between family sizes. In rare circumstances, the rounding and standardizing adjustments in the formula result in small decreases in the poverty guidelines for some household sizes even when the inflation factor is not negative. In cases where the year-to-year change in inflation is not negative and the rounding and standardizing adjustments in the formula result in reductions to the guidelines from the previous year for some household sizes, the guidelines for the affected household sizes are fixed at the prior year's guidelines. As in prior years, these 2020 guidelines are roughly equal to the poverty thresholds for calendar year 2019 which the Census Bureau expects to publish in final form in September 2020.

The poverty guidelines continue to be derived from the Census Bureau's current official poverty thresholds; they are not derived from the Census Bureau's Supplemental Poverty Measure (SPM).

The following guideline figures represent annual income.

2020 POVERTY GUIDELINES FOR THE 48 CONTIGUOUS STATES AND THE DISTRICT OF COLUMBIA

Persons in family/household	Poverty guideline
1	$12,760
2	17,240
3	21,720
4	26,200
5	30,680
6	35,160
7	39,640
8	44,120

For families/households with more than 8 persons, add $4,480 for each additional person.

2020 POVERTY GUIDELINES FOR ALASKA

Persons in family/household	Poverty guideline
1	$15,950
2	21,550
3	27,150
4	32,750
5	38,350

2020 POVERTY GUIDELINES FOR ALASKA—Continued

Persons in family/household	Poverty guideline
6	43,950
7	49,550
8	55,150

For families/households with more than 8 persons, add $5,600 for each additional person.

2020 POVERTY GUIDELINES FOR HAWAII

Persons in family/household	Poverty guideline
1	$14,680
2	19,830
3	24,980
4	30,130
5	35,280
6	40,430
7	45,580
8	50,730

For families/households with more than 8 persons, add $5,150 for each additional person.

Separate poverty guideline figures for Alaska and Hawaii reflect Office of Economic Opportunity administrative practice beginning in the 1966–1970 period. (Note that the Census Bureau poverty thresholds—the version of the poverty measure used for statistical purposes—have never had separate figures for Alaska and Hawaii.) The poverty guidelines are not defined for Puerto Rico or other outlying jurisdictions. In cases in which a Federal program using the poverty guidelines serves any of those jurisdictions, the Federal office that administers the program is generally responsible for deciding whether to use the contiguous-states-and-DC guidelines for those jurisdictions or to follow some other procedure.

Due to confusing legislative language dating back to 1972, the poverty guidelines sometimes have been mistakenly referred to as the ''OMB'' (Office of Management and Budget) poverty guidelines or poverty line. In fact, OMB has never issued the guidelines; the guidelines are issued each year by the Department of Health and Human Services. The poverty guidelines may be formally referenced as ''the poverty guidelines updated periodically in the **Federal Register** by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).''

Some Federal programs use a percentage multiple of the guidelines (for example, 125 percent or 185 percent of the guidelines), as noted in relevant authorizing legislation or program regulations. Non-Federal organizations that use the poverty guidelines under their own authority in non-federally-funded activities also may choose to use a percentage multiple of the guidelines.

The poverty guidelines do not make a distinction between farm and non-farm families, or between aged and non-aged units. (Only the Census Bureau poverty thresholds have separate figures for aged and non-aged one-person and two-person units.)

This notice does not provide definitions of such terms as ''income'' or ''family'' as there is considerable variation of these terms among programs that use the poverty guidelines. The legislation or regulations governing each program define these terms and determine how the program applies the poverty guidelines. In cases where legislation or regulations do not establish these definitions, the entity that administers or funds the program is responsible to define such terms as ''income'' and ''family.'' Therefore questions such as net or gross income, counted or excluded income, or household size should be directed to the entity that administers or funds the program.

Dated: January 14, 2020.

Alex M. Azar II,

Secretary, Department of Health and Human Services.

[FR Doc. 2020–00858 Filed 1–15–20; 4:15 pm]

BILLING CODE 4150–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS–0990–0001]

Agency Information Collection Request; 30-Day Public Comment Request

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: In compliance with the requirement of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed collection for public comment.

DATES: Comments on the ICR must be received on or before February 18, 2020.

ADDRESSES: Submit your comments to *OIRA_submission@omb.eop.gov* or via facsimile to (202) 395–5806.

FOR FURTHER INFORMATION CONTACT: Sherrette Funn, *Sherrette.Funn@hhs.gov* or (202) 795–7714. When submitting comments or requesting information, please include the document identifier 0990–0001–30D and project title for reference.

SUPPLEMENTARY INFORMATION: Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Information Collection Request Title: Application for waiver of the two- year foreign residence requirement of the Exchange Visitor Program.

OMB No.: 0990–0001.

Abstract: The HHS program deals with both research and clinical care waivers. Applicant institutions apply to this Department to request a waiver on behalf of research scientists or foreign medical graduates to work as clinicians in HHS designated health shortage areas doing primary care in medical facilities. The instructions request a copy of Form G–28 from applicant institutions represented by legal counsel outside of the applying institution. United States Department of Justice Form G–28 ascertains that legal counsel represents both the applicant organization and the exchange visitor.

Need and Proposed Use of the Information: Required as part of the application process to collect basic information such as name, address, family status, sponsor and current visa information.

Likely Respondents: Research scientists and research facilities.

Office of the Whitewater Township Supervisor

Memo

To: Whitewater Township Board

From: Ron Popp

CC:

Date: 1-6-2020

Re: Planning Commission Reappointment

Colleagues,

After additional consideration, Mickey Dean has asked to be reappointed to the Whitewater Township Planning Commission, his written request follows.

I am recommending:

Mickey Dean, 4020 Farrell Road, Williamsburg, Michigan 49690 to a position on the Whitewater Township Planning Commission. This recommendation is in accordance with Public Act 33 of 2008, MCL 125.3815 Section 15 and Whitewater Township General Ordinance Number 42, Section 102. The term will end on December 31, 2022.

An appropriate motion might be:

A motion to confirm the recommendation of the supervisor appointing Mickey Dean to a 3 year position on the Whitewater Township Planning Commission. The term will end on December 31, 2022.

(Voice Vote)

Ron Popp.

Ron Popp

From: Mickey Dean <mickeydizdean@gmail.com>
Sent: Monday, January 6, 2020 1:53 PM
To: 'Ron Popp'; 'Mickey Dean'
Subject: RE: Planning Commission

Ron,

Conversation affirmed. Please proceed with my reappointment for consideration by the board.

v/r,

Mickey Dean

From: Ron Popp [mailto:supervisor@whitewatertownship.org]
Sent: Monday, January 06, 2020 1:16 PM
To: Mickey Dean <mickeydean@att.net>
Cc: supervisor@whitewatertownship.org
Subject: Planning Commission

Hi Mickey –

Thanks for the call today to discuss Planning Commission appointments. I appreciate the consideration you have put forth in your decision seeking reappointment to the group. If you would kindly affirm this understanding of the conversation, I will generate the appropriate reappointment documents for Township Board confirmation.

Thank you for your service.

Ron Popp
Whitewater Township Supervisor
5777 Vinton Road, P.O. Box 159
Williamsburg, Michigan 49690
231.267.5141 X 23
supervisor@whitewatertownship.org

MEMO

To: Whitewater Township Board

From: Cheryl A. Goss, Clerk

Date: 02/04/2020

Re: **Approval of Revised Zoning Board of Appeals Bylaws**

The Zoning Board of Appeals met on January 23, 2020, and, among other things, completed their annual review of bylaws. They have proposed one change under Section 2B regarding meeting notice, to-wit: The insertion of the phrase "which include a public hearing" . . . . The text revision as it would appear in the document is attached.

An appropriate motion would be: Motion to approve the proposed revision to Zoning Board of Appeals Bylaws:

# # #

Whitewater Township

Zoning Board of Appeals Bylaws

The following rules of procedure are hereby adopted by the Whitewater Township Zoning Board of Appeals to facilitate the performance of its duties as outlined in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, MCL 125.3101, *et seq*.

SECTION 1: Officers

A. Selection and Tenure—At the first regular meeting in January of each year, the Zoning Board of Appeals shall select from its membership a Chairperson, Vice Chairperson and Secretary. An elected Township Official shall not serve as Chairperson. All officers shall serve a term of one year, or until their successors are selected and assume office, except as noted in C below. All officers shall be eligible for re-election for consecutive terms for the same office.

B. Chairperson—The Chairperson shall preside at all meetings, appoint committees and perform such other duties as ordered by the Zoning Board of Appeals or Township Board.

C. Vice Chairperson—The Vice Chairperson shall act in the capacity of the Chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice Chairperson shall succeed to this office for the unexpired term and the Zoning Board of Appeals shall select a successor to the office of Vice Chairperson for the unexpired term.

D. Secretary – The Secretary shall act in the capacity of the Chairperson in the event that both the Chairperson and Vice Chairperson are absent. The Secretary shall also sign all minutes of the Zoning board of Appeals upon approval.

E. Planning Commission Representative

The Planning Commission representative to the Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Planning Commission and update the Zoning Board of Appeals on actions by the Planning Commission that relate to the functions and duties of the Zoning Board of Appeals.

F. Township Board Representative

The Township Board representative to the Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Township Board and update the Zoning Board of Appeals on actions by the Township Board that relate to the functions and duties of the Zoning Board of Appeals.

SECTION 2: Meetings

A. Meetings—Meetings of the Zoning Board of Appeals shall be held on the Fourth Thursday of each month, or as noted below. All meetings shall take place at Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690 at 7:00 P.M. The January meeting shall be mandatory in order to elect officers, review bylaws, and approve next fiscal year meeting dates.

B. Notice—Meetings which include a public hearing shall be noticed in the Township's newspaper of record not less than 15 days prior to the hearing. Notices shall also be mailed to property owners within 300' of the subject property. Meeting notices shall state the purpose, time and location of meetings and shall be posted in accordance with the Open Meetings Act.

As Adopted by the Whitewater Township Board on 02/14/2017

C. Public Records—All meetings, minutes, records, documents, correspondence and other materials of the Zoning Board of Appeals shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

D. Quorum—A majority of the membership of the Zoning Board of Appeals shall constitute a quorum for transacting business and taking official action for all matters. The Zoning Board of Appeals shall not conduct business unless a majority of the regular members are present.

E. Voting—To pass or deny any variance, appeal or other official action required by the Zoning Ordinance, an affirmative vote of at least a majority of the total membership of the Zoning Board of Appeals is required. Voting shall be by voice vote; a roll call vote shall be required if requested by any Zoning Board of Appeals member or directed by the Chairperson. All Zoning Board of Appeals members, including the Chairperson, shall vote on all matters, but the Chairperson shall vote last.

F. Agenda—The Chairperson and the Zoning Administrator shall be responsible for preparing an agenda for Zoning Board of Appeals meetings. The order of business for meetings shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Set/Adjust Agenda
5. Declaration of Conflict of Interest
6. Public Comment (unrelated to Public Hearing(s))
7. Approval of Minutes
8. Scheduled Public Hearings
9. Other Matters to be Reviewed by the Zoning Board of Appeals
    a. Correspondence Received
    b. Zoning Board of Appeals Members
10. Report of Planning Commission Representative
11. Report of Township Board Representative
12. Report of Zoning Administrator
13. Public Comment
14. Adjournment

G. Public Hearings—All public hearings held by the Zoning Board of Appeals must be held as part of a regular or special meeting of the Zoning Board of Appeals. The following rules of procedure shall apply to public hearings held by the Zoning Board of Appeals:

1. Chairperson opens public hearing and announces the subject.
2. Chairperson summarizes procedures/rules to be followed during the hearing.
3. Applicant presents request.
4. Township Zoning Administrator presents a summary or analysis of the request.
5. Persons wishing to comment on the request are recognized.
6. Chairperson closes public hearing and returns to the regular/special meeting.
7. Zoning Board of Appeals deliberates and decides.

To ensure that everyone has the opportunity to speak, the Zoning Board of Appeals may elect to limit the time permitted for each person to speak, except that the applicant may be permitted additional time as the Chairperson allows. The Chairperson may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the Chairperson, in his/her discretion, may permit additional comments.

All comments by the public and the Zoning Board of Appeals shall be directed to the chairperson.

H. Special Meetings—Applicants to the Zoning Board of Appeals may request a special meeting, of which all costs shall be paid by the applicant; if there is more than one applicant, the costs shall be shared equally between all applicants. The business the Zoning Board of Appeals may

perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. Special meetings shall also be noticed as required by the Michigan Zoning Enabling Act, as amended, the Open Meetings Act and these bylaws.

I. **Recording Secretary**—A recording secretary shall be provided to the Zoning Board of Appeals. The recording secretary shall execute documents in the name of the Zoning Board of Appeals, perform the duties hereinafter listed below and shall perform such other duties as the Zoning Board of Appeals may determine.
   1. **Minutes**—The recording secretary shall be responsible for a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records retained by the Township Clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.
   2. **Correspondence**—The recording secretary shall be responsible for presenting all communications to the Zoning Board of Appeals.
   3. **Attendance**—The recording secretary shall be responsible for maintaining an attendance record for each Zoning Board of Appeals member and report those records annually to the Zoning Board of Appeals for inclusion in the annual report to the Township Board.

SECTION 3: Duties of the Zoning Board of Appeals

The Zoning Board of Appeals shall perform the following duties:

A. Act on applications for variances, appeals, interpretations, or other matters as required by the zoning ordinance and Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, MCL 125.3101, *et seq*.

B. Prepare an annual budget and annual report for the Zoning Board of Appeal's activities and submit to the Township Board.

C. Attend training sessions, conferences, or meetings as needed to properly fulfill the duties of a Zoning Board of Appeals member, and for which appropriations of funds have been approved by the Township Board, as needed.

D. Perform other duties and responsibilities as requested by the Township Board or as may be specified in another Township Ordinance.

E. Conduct site visits as deemed necessary to evaluate an application and supporting material. Site visits shall be conducted individually.

SECTION 4: Duties of the Zoning Administrator

A. The Zoning Board of Appeals shall be assisted by the Zoning Administrator in performing the duties of the Zoning Board of Appeals, as noted in Section 3.

B. The Zoning Administrator shall be responsible for the professional and administrative work in coordinating the functions of the Zoning Board of Appeals.

C. The Zoning Administrator shall:
   1. Accept applications for matters to be reviewed by the Zoning Board of Appeals and ensure that such applications are complete.
   2. Forward application materials to the Zoning Board of Appeals at least one week prior to the meeting at which such matters will be considered.
   3. Inform the Zoning Board of Appeals of administrative and enforcement actions taken on behalf of the Township related to the Zoning Ordinance or other appropriate ordinance.
   4. Prepare written reviews and recommendations, if appropriate, for all requests and development proposals to be considered by the Zoning Board of Appeals.
   5. Perform other duties as may be directed by the Zoning Board of Appeals.

D. The Zoning Board of Appeals may be assisted by other professional or Township staff as needed, including the Township Attorney, Township Engineer or other person or agency.

SECTION 5: Absences, Removals, Resignations, Vacancies and Alternates

A. To be excused, Zoning Board of Appeals members shall notify the Zoning Administrator, Zoning Board of Appeals Chairperson or other Zoning Board of Appeals member when they intend to be absent from a meeting. Failure to make this notification prior to a meeting shall result in an unexcused absence.

B. Members of the Zoning Board of Appeals may be removed by the Township Board, after written charges have been prepared and a hearing conducted, for nonperformance of duty, misconduct in office or upon failure to declare a conflict of interest. For purposes of this section, nonperformance of duty shall mean two or more consecutive, unexcused absences. Alternates shall be notified to attend a meeting any time a regular member will be absent.

C. A member may resign from the Zoning Board of Appeals by sending a letter of resignation to the Township Supervisor, Township Board or Zoning Board of Appeals Chairperson.

D. Vacancies shall be filled by the Township Board within one month of resignation or removal of a member of the Zoning Board of Appeals. Successors shall serve out the unexpired term of the member being replaced, with the exception of the Planning Commission representative, whose term shall run consecutively with the term as Planning Commissioner.

E. The Township Board may appoint not more than two alternates to the Zoning Board of Appeals. The alternate member may be called to sit as a regular member as provided in the Zoning Ordinance and the Michigan Zoning Enabling Act.

SECTION 6: Conflict of Interest

A. Zoning Board of Appeals members shall declare a conflict of interest and abstain from participating in a hearing or deliberations on a request when:

1. A relative or other family member is involved in any request for which the zoning board of appeals is asked to make a decision;
2. The Zoning Board of Appeals member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant's company, agency or association;
3. The Zoning Board of Appeals member owns or has a financial interest in neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the Zoning Ordinance or other applicable ordinance, or
4. There is a reasonable appearance of a conflict of interest, as determined by the Zoning Board of Appeals member declaring such conflict.
5. The Zoning Board of Appeals member is also a member of the Planning Commission or the Township Board and voted on the same matter as a member of the Planning Commission or Township Board. However, the member may consider and vote on other unrelated matters involving the same property.

B. The Zoning Board of Appeals member declaring a conflict of interest should state the nature of the conflict and whether he or she believes he or she could impartially consider the request before the zoning board of appeals. He or she should individually decide to abstain from any discussion or votes relative to the matter that is the subject of the conflict. The member declaring a conflict may absent him/herself from the room in which the discussion takes place, unless doing so would violate his or her constitutionally protected rights to participate. He or she should not make any presentations to the Zoning Board of Appeals as a representative of the proposal.

SECTION 7: Amendments

These bylaws may be amended at any meeting by a vote of a majority of the membership of the zoning board of appeals.

Adopted by the Whitewater Township Board at their regular meeting on February 14, 2017.

Office of the Whitewater Township Supervisor

Memo

To: Whitewater Township Board

From: Ron Popp, Supervisor

CC:

Date: 1-29-2020

Re: Annual Marihuana Review–

Board Members,

In January of 2019 the Township Board reviewed its previous decisions prohibiting Medical Marihuana establishments within the boundaries of the Township. This review relied on results from a 2017 Township wide survey on Medical Marihuana (2/3's of the respondents were against allowing these businesses) and results from the November 2018 Proposal 1 Ballot question legalizing marihuana in the State. Whitewater Voters also turn downed the ballot initiative. May of 2019 Ordinance 55 banning all Marihuana Business, Medical and Recreational, in the Township was adopted.

This agenda item is the annual review of the marihuana issues requested by the Board in the January 2019 meeting.

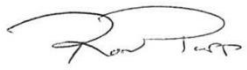
The State of Michigan Department of Licensing and Regulatory Affairs (LARA) in conjunction with the Marihuana Regulatory Agency (MRA) issued "Emergency Rules" governing Adult-Use Marihuana Establishment on July 3, 2019. These "Emergency Rules" were to expire in six (6) months but, that deadline was recently extending until July of 2020. The July 3. 2019 document does introduce some new licenses that were not talked about when the Whitewater Public was poled in 2017/2018 namely, Marihuana Event Organizer, Temporary Marihuana Event, Designated Marihuana Consumption Establishment, and Marihuana Microbusiness. Following this memo are a few bookmarked and highlighted rules describing the new licenses. The complete 60 plus page document produced in July 2019 can be found at:
https://www.michigan.gov/documents/lara/Adult_Use_Marihuana_Establishments_659804_7.pdf

Zoning Administrator Bob Hall, indicates he responds to several inquiries per month regarding Whitewater Township's position on the July 3, 2019 Rules and New Licenses offered

by LARA and the MRA. I have forwarded two inquiries about Microbusinesses Licenses to Mr. Hall this month alone. Hemp related rules the Township may have, are also of interest. Hemp Products are included in the current Farm Bill and receive certain protections under that Act and are outside of the Township's Authority.

The discussion at hand: In the Board's opinion, have enough things changed with the development of rules or public interest that requires additional Township Board attention at this time?

Thank you,



Ron Popp
Supervisor, Whitewater Township

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GRETCHEN WHITMER
GOVERNOR

GARLIN GILCHRIST II
LT. GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MARIJUANA REGULATORY AGENCY

ADULT-USE MARIHUANA ESTABLISHMENTS

EMERGENCY RULES

CERTIFICATE OF NEED FOR EXTENSION OF EMERGENCY

Pursuant to Section 48(1) of 1969 PA 306, as amended, MCL 24.248(1), I hereby certify that the preservation of the public health, safety, and welfare require that the Marijuana Regulatory Agency Adult-Use Marihuana Establishments Emergency Rules remain in effect. It is therefore necessary to extend the effectiveness of the Marijuana Regulatory Agency Adult-Use Marihuana Establishments Emergency Rules, which were filed with the Secretary of State on July 3, 2019, for an additional 6 months. The Adult-Use Marihuana Establishments Emergency Rules shall remain effective until July 3, 2020.

Gretchen Whitmer, Governor

12/18/19
Date

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

MARIJUANA REGULATORY AGENCY

ADULT-USE MARIHUANA ESTABLISHMENTS

EMERGENCY RULES

Filed with the Secretary of State on July 3, 2019

These rules take effect upon filing with the Secretary of State and shall remain in effect for 6 months.

(By authority conferred on the marijuana regulatory agency by sections 7 and 8 of the Michigan regulation and taxation of marihuana act, 2018 IL 1, MCL 333.27957 and 333.27958, and Executive Reorganization Order No. 2019-2, MCL 333.27001)

FINDING OF EMERGENCY

These rules are promulgated by the marijuana regulatory agency (agency) to establish emergency rules for the purpose of implementing the Michigan regulation and taxation of marihuana act (act), 2018 IL 1, MCL 333.27951 to 333.27967, and safeguarding the health, safety, and welfare of persons 21 years of age or older engaging in activities regulated by the act, which took effect December 6, 2018. The act provides for a state regulatory structure to license and regulate marihuana establishments and prescribe fines, sanctions, and remedies.

Section 9 of the act, MCL 333.27959, requires the agency to begin accepting applications for marihuana establishments within 12 months after the effective date of the act.

To date, no administrative rules have been promulgated under the authority granted to the agency. Specifically, there are no current administrative rules to provide for the lawful cultivation and sale of marihuana to persons 21 years of age or older or to ensure the safety, security, and integrity of the operation of marihuana establishments. There is a need for clarity in the implementation of this act.

Pursuant to sections 8 and 9 of the act, MCL 333.27958 and 333.27959, and Executive Reorganization No. 2019-2, MCL 333.27001, upon notification by the agency, persons may apply to the agency for state licenses in the categories of class A marihuana grower, class B marihuana grower, class C marihuana grower, marihuana processor, marihuana retailer, marihuana safety compliance facility, marihuana secure transporter, marihuana microbusiness, excess marihuana grower, marihuana event organizer, temporary marihuana event, and designated consumption establishment. The agency is required to review all applications for licensure, issue or deny licenses, and inform each applicant of

(j) The applicant will hold an ownership interest in more than 5 marihuana growers or in more than 1 marihuana microbusiness, in violation of section 9 of the act, MCL 333.27959.

(k) The applicant fails to meet other criteria established in these rules.

(3) In determining whether to grant a state license to an applicant, the agency may also consider all of the following:

(a) Whether the applicant or anyone who will have ownership in the marihuana establishment has a pattern of convictions involving dishonesty, theft, or fraud that indicate the proposed marihuana establishment is unlikely to be operated with honesty and integrity.

(b) Whether the applicant has been served with a complaint or other notice filed with any public body regarding payment of any tax required under federal, state, or local law that has been delinquent for 1 or more years.

(c) Whether the applicant has a history of noncompliance with any regulatory requirements, all legal judgments, lawsuits, legal proceedings, charges, or government investigations, whether initiated, pending, or concluded, against the applicant, that are related to business operations, including, but not limited to fraud, environmental, food safety, labor, employment, worker's compensation, discrimination, and tax laws and regulations, in this state or any other jurisdiction.

(d) Whether the applicant meets other standards in rules applicable to the state license category.

(4) The agency shall review all applications for state licenses and shall inform each applicant of the agency's decision.

(5) An applicant or licensee has a continuing duty to provide information requested by the agency and to cooperate in any investigation, inquiry, or hearing conducted by the agency.

Rule 10. Application; fees.

(1) At the beginning of each state fiscal year, the agency may increase the fees collected under this rule by ten percent (10%) in order to pay for implementation, administration, and enforcement of the act and these rules. An applicant for a state license shall submit an application that is accompanied by the nonrefundable application fee of $6,000.00 upon initial application, as required under these rules. Additional fees are listed in the table below.

State License Type	**Initial Licensure Fee**	**Renewal Fee**
Class A Marihuana Grower	$4,000	Bottom 33% - $3,000 Middle 33% - $4,000 Top 33% - $5,000
Class B Marihuana Grower	$8,000	Bottom 33% - $6,000 Middle 33% - $8,000 Top 33% - $10,000
Class C Marihuana Grower	$40,000	Bottom 33% - $30,000 Middle 33% - $40,000 Top 33% - $50,000
Excess Marihuana Grower	$40,000	Bottom 33% - $30,000 Middle 33% - $40,000 Top 33% - $50,000

Marihuana Microbusiness	$8,000	Bottom 33% - $6,000 Middle 33% - $8,000 Top 33% - $10,000
Marihuana Processor	$40,000	Bottom 33% - $30,000 Middle 33% - $40,000 Top 33% - $50,000
Marihuana Retailer	$25,000	Bottom 33% - $20,000 Middle 33% - $25,000 Top 33% - $30,000
Marihuana Secure Transporter	$25,000	Bottom 33% - $20,000 Middle 33% - $25,000 Top 33% - $30,000
Marihuana Safety Compliance Facility	$25,000	Bottom 33% - $20,000 Middle 33% - $25,000 Top 33% - $30,000
Marihuana Event Organizer	$1,000	$1,000
Temporary Marihuana Event	See Rule 63	N/A
Designated Consumption Establishment	$1,000	$1,000

(2) Additional fees will be considered for temporary marihuana events in accordance with Rule 63.

(3) The renewal fees for marihuana grower, excess marihuana grower, and marihuana processor licenses shall be determined by the gross weight transferred by the licensee. The agency shall determine whether the gross weight transferred by the licensee is in the top third, middle third, or bottom third for gross weight transferred in that fiscal year compared against all other licensees for the license held. The licensee shall then pay the corresponding fee outlined in subrule (1) of this rule.

(4) The renewal fees for marihuana retailers and marihuana microbusiness licenses shall be determined by the gross retail sales by the licensee. The agency shall determine whether the gross retail sales made by the licensee is in the top third, middle third, or bottom third for gross retail sales in that fiscal year compared against all other licensees for the license held. The licensee shall then pay the corresponding fee outlined in subrule (1) of this rule.

(5) The renewal fee for a marihuana secure transporter license shall be determined by the net weight transported by the licensee. The agency shall determine whether the net weight transported by the licensee is in the top third, middle third, or bottom third for net weight transported in that fiscal year compared against all other marihuana secure transporter licensees. The licensee shall then pay the corresponding fee outlined in subrule (1) of this rule.

(6) The renewal fee for marihuana safety compliance facilities shall be determined by the number of tests completed by the licensee. The agency shall determine whether the number of tests completed by the licensee is in the top third, middle third, or bottom third for number of tests completed in that fiscal year compared against all other marihuana safety compliance facilities. The licensee shall then pay the corresponding fee outlined in subrule (1) of this rule.

(7) If the costs of the investigation and processing the application exceed the nonrefundable application fee, the applicant shall pay the additional amount.

(b) The marihuana processor enters each transfer into the statewide monitoring system.

(3) A licensee who holds 2 or more marihuana processor licenses with common ownership at different establishments may transfer marihuana product inventory between the licensed marihuana processor establishments. The transferred marihuana product must be entered and tracked in the statewide monitoring system as required in these rules and any requirements published by the agency.

(4) A marihuana processor must enter all transactions, current inventory, and other information into the statewide monitoring system as required in these rules.

Rule 26. Marihuana retailer license.

(1) A marihuana retailer license authorizes the purchase or transfer of marihuana only from a marihuana grower or marihuana processor and sale or transfer to only an individual 21 years of age or older. Except as otherwise provided in Rule 42, Rule 53, this rule, and the act, all transfers of marihuana to a marihuana retailer from a separate marihuana establishment must be by means of a marihuana secure transporter. A transfer of marihuana to a marihuana retailer from a marihuana establishment that occupies the same location as the marihuana retailer does not require a marihuana secure transporter if the marihuana is transferred to the marihuana retailer using only private real property without accessing public roadways.

(2) A marihuana retailer license authorizes the marihuana retailer to transfer marihuana to or from a marihuana safety compliance facility for testing by means of a marihuana secure transporter or as provided in Rule 42.

(3) A marihuana retailer shall comply with all of the following:

(a) Sell or transfer marihuana to an individual 21 years of age or older only after it has been tested and bears the label required for retail sale.

(b) Enter all transactions, current inventory, and other information into the statewide monitoring system as required in these rules.

(c) Before selling or transferring marihuana to an individual 21 years of age or older, verify the individual appeared to be 21 years of age or older by means of government-issued photographic identification containing a date of birth and that the sale or transfer will not exceed the single transaction limit in these rules.

(4) A licensee who holds 2 or more marihuana retailer licenses with common ownership at different establishments may transfer marihuana product inventory between the licensed marihuana retailer establishments. The transferred marihuana product must be entered and tracked in the statewide monitoring system as required in these rules and any requirements published by the agency.

Rule 27. Marihuana microbusiness license.

(1) A marihuana microbusiness license authorizes the following:

(a) The cultivation of not more than 150 plants.

(b) The processing and packaging of marihuana.

(c) The retail sale or transfer of marihuana to only an individual 21 years of age or older, but not to other marihuana establishments.

(d) The transfer of marihuana to a marihuana safety compliance facility for testing.

(2) Except as otherwise provided in Rule 42, this rule, and the act, a marihuana microbusiness license authorizes a marihuana microbusiness to transfer marihuana from the marihuana grower area to the marihuana processor and marihuana retailer areas of the marihuana microbusiness and from the marihuana processor area to marihuana grower and marihuana retailer areas of the marihuana microbusiness without using a marihuana secure transporter if all areas of the marihuana microbusiness enter each transfer between different areas of the marihuana microbusiness into the statewide monitoring system.

(3) A marihuana microbusiness shall not operate at multiple locations.

(4) A marihuana microbusiness must enter all transactions, current inventory, and other information into the statewide monitoring system as required in these rules.

(5) A marihuana microbusiness may accept the transfer of marihuana seeds, tissue cultures, and clones that do not meet the definition of marihuana plant in these rules at any time from another grower licensed under the act, these rules, the MMFLA, and its associated rules, or both. A marihuana microbusiness shall not sell or transfer marihuana seeds, tissue cultures, or clones received under this subrule.

(6) A marihuana microbusiness may accept the transfer of marihuana plants only once upon licensure from a registered primary caregiver so long as that registered primary caregiver was an applicant for that marihuana microbusiness license.

(7) A marihuana microbusiness license is subject to all applicable provisions in the act and these rules related to a marihuana grower, marihuana retailer, and marihuana processor license.

Rule 28. Marihuana secure transporter license.

(1) A marihuana secure transporter license authorizes the licensee to store and transport marihuana and money associated with the purchase or sale of marihuana between marihuana establishments for a fee upon request of a person with legal custody of that marihuana or money. It does not authorize transport to a registered qualifying patient or registered primary caregiver. If a marihuana secure transporter has its primary place of business in a municipality that has not adopted an ordinance under section 6 of the act, MCL 333.27956, prohibiting marihuana establishments, the marihuana secure transporter may travel through any municipality.

(2) A marihuana secure transporter shall enter all transactions, current inventory, and other information into the statewide monitoring system as required in these rules.

(3) A marihuana secure transporter shall comply with all of the following:

(a) Each driver transporting marihuana must have a chauffeur's license issued by this state.

(b) Each vehicle must be operated with a 2-person crew with at least 1 individual remaining with the vehicle at all times during the transportation of marihuana.

(c) A route plan and manifest must be entered into the statewide monitoring system, and a copy must be carried in the transporting vehicle and presented to a law enforcement officer upon request.

(d) The marihuana must be transported in 1 or more sealed containers and not be accessible while in transit.

(e) A secure transporting vehicle must not bear markings or other indication that it is carrying marihuana or a marihuana-infused product.

(d) Product quantity.
(e) Other product descriptors.

Rule 51. Purchasing limits; single transaction; marihuana retailer.

A marihuana retailer is prohibited from making a sale or transferring marihuana to an adult 21 years of age or older in a single transaction that exceeds 2.5 ounces, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate.

Rule 52. Marketing and advertising restrictions.

(1) A marihuana establishment shall comply with all municipal ordinances, state law, and these rules that regulate signs and advertising.

(2) A licensee shall not engage in advertising that is deceptive, false, or misleading. A licensee shall not make any deceptive, false, or misleading assertions or statements on any marihuana product, any sign, or any document provided.

(3) A licensee shall not advertise or market a marihuana product to members of the public unless the licensee has reliable evidence that no more than 30 percent of the audience or readership for the television program, radio program, internet web site, or print publication, is reasonably expected to be under 21 years of age. Any marihuana product advertised or marketed under this rule shall include the warnings listed in Rule 49(1)(k).

(4) A marihuana product must be marketed or advertised as "marihuana" for use only by individuals 21 years of age or older.

(5) A marihuana product must not be marketed or advertised to individuals under 21 years of age. Sponsorships targeted to members under 21 years of age are prohibited.

Rule 53. Trade samples.

(1) The following licensees may provide trade samples:

(a) A marihuana grower may provide samples of marihuana or marihuana products to a marihuana processor or a marihuana retailer.

(b) A marihuana processor may provide a sample of marihuana or marihuana products to a marihuana processor or marihuana retailer.

(2) The transfer of trade samples does not require the use of a marihuana secure transporter provided the amount of trade samples does not exceed either:

(a) 15 ounces of marihuana.

(b) 60 grams of marihuana concentrate.

(3) Except for a licensed designated consumption establishment, the samples may not be consumed or used on the premises of a licensed marihuana establishment.

(4) Trade samples may not be sold to another licensee or consumer.

(5) Any sample provided to another licensee or received by a licensee must be recorded in the statewide monitoring system.

(6) Any trade samples provided under this rule must be tested in accordance with these rules prior to being transferred to another licensee.

(7) A licensee is limited to providing the following aggregate amounts of trade samples to another licensee in a 30-day period:

(a) 2.5 ounces or less of marihuana.

(b) 15 grams of marihuana concentrate.

shall not store a marihuana product in a vehicle used for deliveries other than in a secured compartment. Marihuana product for delivery must be packaged separately per delivery order, not comingled during the delivery, stored within a secured compartment that is clearly marked, and latched or locked in a manner to keep all contents secured within.

(9) The process of delivery begins when the delivery employee leaves the marihuana retailer's marihuana establishment with the marihuana product for delivery. The process of delivery ends when the delivery employee returns to the marihuana retailer's licensed marihuana establishment after delivering the marihuana product to the customer.

(10) A marihuana retailer shall maintain a record of each delivery of a marihuana product in a delivery log, which may be a hard copy or electronic format, and make the delivery log available to the agency upon request. For each delivery, the delivery log must record all of the following:

(a) The date and time that the delivery began and ended.

(b) The name of the delivery employee.

(c) The amount of marihuana product allowed to be possessed for delivery.

(d) The lot number of the marihuana product and the name of the strain of that marihuana product.

(e) The signature of the customer who accepted delivery.

(f) The deviations made under subrule 7(d).

(11) A marihuana retailer shall notify the agency, state police, or local law enforcement of any theft, loss of marihuana product, or criminal activity as provided in Rule 16. A marihuana retailer shall report to the agency and law enforcement, if applicable, any other event occurring during delivery that violates the delivery procedure as provided in this rule, including diversion of marihuana product.

(12) This rule does not affect the application of any applicable local, state, or federal laws or regulations.

PART 9. SPECIAL LICENSES

Rule 58. Special licenses; eligibility.

(1) A person may apply to the agency for a special license as described under section 8 of the act and issued pursuant to section 9 of the act, MCL 333.27958 and 333.27959, and these rules. The agency may allow certain license types to submit applications and process them sooner than the date specified in the act to ensure there is adequate marihuana product available for customers and a functioning licensing and regulatory framework in place as soon as possible. A person may apply to the agency for a special license in the following categories:

(a) Designated consumption establishment license. A designated consumption establishment license is valid for 1 year.

(b) Excess marihuana grower license. An excess marihuana grower license is valid for 1 year.

(c) Marihuana event organizer license. A marihuana event organizer license is valid for 1 year.

(d) Temporary marihuana event license. A temporary marihuana event license is valid for a minimum of 1 day and ends on the date specified on the state license.

(2) An applicant shall meet the requirements of the act and these rules to be eligible for a special license.

(3) A person that allows consumption of marihuana products on the premises of a non-residential location and charges a fee for entry, sells goods or services while individuals are consuming on the premises, or requires membership for entry shall acquire a designated consumption establishment or temporary marihuana event license.

Rule 59. Designated consumption establishment license.

(1) An applicant for a designated consumption establishment license is subject to and shall meet the requirements of the act and these rules.

(2) A person may apply for a designated consumption establishment license on the form created by the agency accompanied by the nonrefundable application fee as prescribed in these rules. An application for a designated consumption establishment license shall be made under oath on a form provided by the agency. A complete application for a designated consumption establishment license shall contain the information required in Rule 7 of these rules and the following, including, but not limited to:

(a) A designated consumption establishment plan for the proposed consumption establishment. Upon the request of the agency, an applicant or licensee may be required to submit a revised designated consumption establishment plan. The plan must include, a diagram of the designated consumption establishment including, but not limited to, all of the following:

(i) The proposed establishment's size and dimensions.

(ii) Specifications of the designated consumption establishment.

(iii) Physical address.

(iv) Location of common entryways, doorways, or passageways.

(v) Means of public entry or exit.

(vi) An indication of the distinct areas or structures for separate marihuana establishments at the same location as provided in Rule 31.

(b) A detailed floor plan and layout that includes all of the following:

(i) Dimensions of the consumption establishment including interior and exterior rooms.

(ii) Number of rooms.

(iii) Dividing structures.

(iv) Fire walls.

(v) Entrances and exits.

(vi) Locations of hazardous material storage, if applicable.

(vii) Means of egress.

(c) Construction details for structures and fire-rated construction for required walls.

(d) Building structure information, including but not limited to, new, pre-existing, freestanding, or fixed.

(e) Building type information, including but not limited to, commercial, warehouse, industrial, retail, converted property, house, building, mercantile building, pole barn, greenhouse, laboratory, or center.

(f) Zoning classification and zoning information.

(g) If the proposed designated consumption establishment is in a location that contains multiple tenants and any applicable occupancy restrictions.

(h) Any other information required by the agency if not inconsistent with the act and these rules.

(i) A business plan, which includes a description of the proposed hours of operation.

(j) Proof of possession of the premises where the proposed designated consumption establishment will be located that encompasses all dates of the consumption establishment's operations and, if the premises are leased, written permission from the owner of the premises approving the applicant's use of designated consumption establishment for marihuana consumption.

(k) A responsible operations plan which shall include a detailed explanation of how employees will monitor and prevent over-intoxication, underage access to the designated consumption establishment, the illegal sale or distribution of marihuana or marihuana products within the consumption establishment, and any other potential criminal activity on the premises.

(l) A documented employee training that addresses all components of the responsible operations plan.

(m) A marihuana product destruction and waste management plan that meets the requirements of Rule 37, as applicable, for destroying and disposing of waste left at the marihuana establishment.

(3) The agency may provide a copy of the marihuana establishment plan to the BFS, local fire department, and local law enforcement for use in pre-incident review and planning.

(4) An applicant shall pay the fees required under Rule 10 of these rules.

(5) An applicant is subject to the prelicensure investigation and proposed establishment inspection required under Rule 12 of these rules.

(6) An applicant is subject to the proof of financial responsibility and insurance requirements under Rule 13 of these rules.

(7) A designated consumption establishment shall have the following characteristics:

(a) A smoke-free area for employees to monitor the marihuana consumption area.

(b) A ventilation system that directs air from the marihuana consumption area to the outside of the building through a filtration system sufficient to remove visible smoke, consistent with all applicable building codes and ordinances, and adequate to eliminate odor at the property line, if consumption by inhalation is permitted.

(c) A location physically separated from areas where smoking is prohibited and where smoke does not infiltrate into nonsmoking areas or buildings.

(8) The agency may determine an applicant is ineligible or deny an application for the reasons specified in these rules, as applicable.

Rule 60. Excess marihuana grower license.

(1) An applicant for an excess marihuana grower license is subject to and shall meet the requirements of the act and these rules.

(2) An excess marihuana grower license authorizes sale of marihuana, other than seeds, seedlings, tissue cultures, immature plants, and cuttings, to a marihuana processor or marihuana retailer.

(3) An excess marihuana grower license shall only be issued to a person who holds 5 stacked class C marihuana grower licenses issued by the agency under the act and at least 2 grower class C licenses issued by the agency under the MMFLA.

(4) A person may apply for an excess marihuana grower license on the form created by the agency accompanied by the nonrefundable application fee as prescribed in these rules. An application for an excess marihuana grower license shall be made under oath on a form provided by the agency and shall contain information as prescribed by the agency.

(5) An applicant for an excess marihuana grower license is subject to and shall meet the requirements in Rules 5 to 9 of these rules.

(6) An applicant for an excess marihuana grower license shall pay applicable fees required under Rule 10 of these rules.

(7) The agency may determine an applicant is ineligible or deny an application for the reasons specified in these rules, as applicable.

(8) The agency shall set the total marihuana plant count for an excess marihuana grower license in increments of 2,000 marihuana plants not in excess of the total marihuana plants permitted under grower class C licenses held under the MMFLA.

(9) Payment of an initial licensure fee shall be assessed prior to issuance of the state license. In determining the initial licensure fee for an excess marihuana grower license, the initial licensure fee of a class C marihuana grower license is assessed on the excess marihuana grower license at every 2,000 marihuana plant increment authorized by the state license.

(10) An excess marihuana grower licensee is subject to all requirements for a marihuana grower as provided for in the act and these rules, as applicable.

(11) An applicant shall pay the initial licensure fee within 30 days of issuance of excess marihuana grower license.

(12) A marihuana grower's application for an excess grower license is exempt from the application fee of $6,000 under Rule 10.

Rule 61. Marihuana event organizer license.

(1) A marihuana event organizer is not authorized to engage in the operations of a marihuana establishment licensee without first obtaining the appropriate licenses.

(2) A person may apply for a marihuana event organizer license on the form created by the agency accompanied by the application as prescribed in these rules. An application for a marihuana event organizer license shall be made under oath on a form provided by the agency and shall contain information as prescribed by the agency.

(3) An applicant for a marihuana event organizer license is subject to and shall meet the requirements in Rules 5 through 9 of these rules, as applicable.

(4) An applicant for a marihuana event organizer license shall pay the nonrefundable application fee and any other fees required under Rule 10 of these rules.

(5) The agency may determine an applicant is ineligible or deny an application for the reasons specified in these rules, as applicable.

Rule 62. Temporary marihuana event license; application; operations.

(1) A temporary marihuana event license shall only be issued to a person who holds a marihuana event organizer license issued by the agency.

(2) Violations of the requirements applicable to temporary marihuana events may result in disciplinary action against the marihuana event organizer license or any other licenses held by a licensee participating in the temporary marihuana event and responsible for a violation of the act or these rules.

(3) A temporary marihuana event license shall only be issued for a single day or up to 7 consecutive days. No temporary marihuana event license will be issued for more than 7 days.

(4) An application for a temporary marihuana event license shall be submitted to the agency no less than 90 calendar days before the first day of the temporary marihuana event.

(5) A temporary marihuana event may only be held at a venue expressly approved by a municipality for the purpose of holding a temporary marihuana event.

(6) An application for a temporary marihuana event license shall be made under oath on a form provided by the agency and shall contain information as prescribed by the agency, including, but not limited to:

(a) The name of the applicant. For applicants who are individuals, the applicant shall provide both the first and last name of the individual. For applicants who are business entities, the applicant shall provide the legal business name of the applicant.

(b) The marihuana event organizer license number and each marihuana establishment license held by the applicant.

(c) The address of the location where the temporary marihuana event will be held.

(d) The name of the temporary marihuana event.

(e) A diagram of the physical layout of the temporary marihuana event. The diagram shall clearly indicate all of the following:

(i) Where the temporary marihuana event will be taking place on the location grounds.

(ii) All entrances and exits that will be used by participants during the event.

(iii) All marihuana consumption areas.

(iv) All marihuana retail areas where marihuana products will be sold.

(v) Where marihuana waste will be stored.

(vi) All areas where marihuana products will be stored.

(vii) The specific location of each marihuana retailer or marihuana microbusiness licensee who will be participating in the event. Each marihuana retailer or marihuana microbusiness licensee participating in the event shall be identified with an assigned temporary marihuana event location number.

(f) The dates and hours of operation for which the temporary marihuana event license is being sought. A temporary marihuana event license is required for any date in which the applicant engages in onsite marihuana product sales or allows onsite marihuana product consumption.

(g) Contact information for the applicant’s designated primary contact person regarding the temporary marihuana event license, including the name, title, address, phone number, and email address of the individual.

(h) Contact information for a designated contact person(s) who shall be onsite at the event and reachable by telephone at all times that the event is occurring.

(i) Written attestation on a form provided by the agency from the municipality authorizing the applicant to engage in onsite marihuana sales to, and onsite consumption by, persons 21 years of age or older at the temporary marihuana event at the proposed location.

(j) A list of all licensees and employees that will be providing onsite sales of marihuana products at the temporary marihuana event. If the list of licensees and employees participating in the temporary marihuana event changes after the application is submitted or after the temporary marihuana event license is issued, the applicant shall submit an

updated list and an updated diagram to the agency not less than 72 hours before the event. Licensees not on the list submitted to the agency shall not participate in the temporary marihuana event.

(7) An applicant for a temporary marihuana event shall pay all required fees before the agency issues a temporary marihuana event license.

(8) The licensed marihuana event organizer shall hire or contract for licensed security personnel to provide security services at the licensed temporary marihuana event. All security personnel hired or contracted for by the licensee shall be at least 21 years of age and present on the licensed event premises at all times marihuana products are available for sale or marihuana consumption is allowed on the licensed event premises. The security personnel shall not engage in the consumption of marihuana products before or during the event.

(9) A licensed marihuana event organizer shall maintain a clearly legible sign, not less than 7" x 11" in size reading, "No Persons Under 21 Allowed" at or near each public entrance to any area where the sale or consumption of marihuana products is allowed. The lettering of the sign shall be no less than 1 inch in height.

(10) The marihuana event organizer licensee shall ensure that access to event is restricted to persons 21 years of age or older and ensure that marihuana sales or consumption is not visible from any public place or non-age-restricted area.

(11) The marihuana event organizer licensee, who holds the temporary marihuana event license, shall be responsible for ensuring that all rules and requirements for the onsite consumption of marihuana products are followed.

(12) The marihuana event organizer licensee shall ensure that all marihuana waste generated at a temporary marihuana event shall be collected and disposed of in accordance with the requirements of Rule 37 of these rules, as applicable.

(13) A licensed marihuana event organizer and all other licensees participating in a temporary marihuana event are required to comply with all other applicable requirements in the act and these rules and any municipal ordinances.

(14) The agency may require the marihuana event organizer and all participants to cease operations without delay if in the opinion of the agency or law enforcement it is necessary to protect the immediate public health and safety of the people of the state. Upon notification from the agency that the event is to cease operations, the marihuana event organizer shall immediately stop the event and all participants shall be removed from the premises within the timeframe provided by the agency.

(15) Upon notification from the agency, the marihuana event organizer shall immediately expel from the event any person selling marihuana products without a state license issued by the agency. The marihuana event organizer or their representative shall remain with the person being expelled from the premises at all times until he or she vacates the premises. If the person does not vacate the premises, the agency may inform the marihuana event organizer that the event must cease operations. Upon notification from the agency that the event is to cease operations, the marihuana event organizer shall immediately stop the event and all participants shall be removed from the premises within the time frame provided by the agency.

Rule 63. Temporary marihuana event fee.

(1) Each marihuana event organizer licensed to hold a temporary marihuana event in this state shall pay an initial licensure fee that consists of the following:

(a) For temporary marihuana events that do not include the sale of marihuana products, a $500.00 fee for each day of the scheduled event to cover the agency's enforcement and compliance costs.

(b) For temporary marihuana events that include the sale of marihuana products:

(i) A $500.00 fee for each licensee authorized to sell marihuana product at the event to cover the agency's enforcement and compliance costs.

(ii) A $500.00 fee for each day of the temporary marihuana event to cover the agency's enforcement and compliance costs.

(2) If a licensee scheduled to attend an event withdraws from the event prior to the first day of the event, the marihuana event organizer may request a refund for that portion of the fees paid to the agency to cover the enforcement and compliance costs for that licensee.

(3) A marihuana event organizer's application for a temporary marihuana event license is exempt from the application fee of $6,000 under Rule 10.

Rule 64. Temporary marihuana event sales.

(1) A marihuana event organizer licensee shall ensure that access to the area where marihuana sales are allowed shall be restricted to persons 21 years of age or older.

(2) Only persons age 21 or older may purchase and consume marihuana products at a temporary marihuana event. Prior to selling marihuana products to a customer, the licensee making the sale shall confirm, using valid identification as specified in the act and these rules, the age and identity of the customer.

(3) All sales of marihuana products at a temporary marihuana event must occur in a retail area as designated in the premises diagram required in Rule 62.

(4) Each sale at a temporary marihuana event shall be performed by a licensed marihuana retailer or marihuana microbusiness that is authorized to sell marihuana products to customers. The marihuana event organizer may also sell marihuana products at the temporary marihuana event if the marihuana event organizer separately holds a state license as a marihuana retailer or marihuana microbusiness.

(5) Licensed marihuana retailers or licensed marihuana microbusinesses shall only conduct sales activities within their specifically assigned area, identified in the diagram of the physical layout of the temporary marihuana event.

(6) Mobile sales activities via wagon, cart, or similar means are prohibited at the temporary marihuana event site.

(7) Licensed marihuana retailers or marihuana microbusinesses must prominently display their temporary marihuana event location number and state license within plain sight of the public.

(8) All sales at a temporary marihuana event shall occur on the dates stated on the state license and shall occur at the location stated on the state license. All onsite sales of marihuana products must comply with the hours of operation requirements in Rule 62.

(9) The marihuana products sold onsite at a temporary marihuana event shall be transported to the site of the temporary marihuana event by a licensed securer transporter in compliance with the act and these rules. A licensed transporter is not required if less than 15 ounces of marihuana or 60 grams of concentrate is being transported at one time.