



**BOARD OF TRUSTEES**  
**Regular Meeting**  
**August 28, 2024**  
**7:00 p.m.**

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. PRESENTATIONS
6. PUBLIC HEARINGS
7. PUBLIC COMMENT: Restricted to three minutes regarding items on this agenda  
*Note: This is an opportunity for comments only, questions to the Board will not be answered at this time. For specific answers to questions, please call Township Hall (989-772-4600)*
8. CLOSED SESSION
9. REPORTS/BOARD COMMENTS
  - A. Current List of Boards and Commissions – Appointments as needed
  - B. August Monthly Activity Report (under separate cover)
  - C. Planning Commission, EDA, and ZBA updates by Community and Economic Development Director
  - D. Board Member Reports
10. CONSENT AGENDA
  - A. Communications
  - B. Minutes – August 14, 2024 – Regular Meeting
  - C. Accounts Payable
  - D. Payroll
  - E. Meeting Pay
  - F. Fire Reports

11. NEW BUSINESS

- A. Discussion/Action: (Nanney) Second Reading and Adoption of Ordinance No 24-03 to Repeal Outdated and Unenforceable Township Ordinances.
- B. Discussion/Action: (Nanney) Adoption of the updated Sidewalk and Pathways Construction Policy Resolution
- C. Discussion/Action: (Stuhldreher) Declare vacancy on the Culture and Recreational Commission Board
- D. Discussion/Action: (Stuhldreher) Policy Governance 2.9 Collaboration with Other Entities
- E. Discussion/Action: (Board of Trustees) Policy Governance 4.2 Accountability of Township Manager
- F. Discussion (Board of Trustees) Individual performance review of the Township Manager

12. EXTENDED PUBLIC COMMENT: Restricted to 5 minutes regarding any issue

*Note: This is an opportunity for comments only, questions to the Board will not be answered at this time. For specific answers to questions, please call Township Hall (989-772-4600)*

13. MANAGER COMMENTS

14. FINAL BOARD MEMBER COMMENT

15. ADJOURNMENT

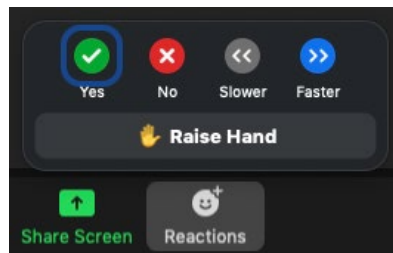
## Hybrid Meeting Instructions for the Charter Township of Union Board of Trustees Meeting

The public can view all Union Township meetings live by clicking on our [YouTube Channel](#). For those who would like to participate during public comment, you can do so via Zoom.

[Click here](#) to participate in the Zoom Meeting via computer or smart phone. (Meeting ID Enter “829 4309 7870” Password enter “300757”). Access to the electronic meeting will open at 6:50 p.m. and meeting will begin at 7:00 p.m.

Telephone conference call, dial (312-626-6799). Enter “829 4309 7870” and the “#” sign at the “Meeting ID” prompt, and then enter “300757” at the “Password” prompt. Lastly, re-enter the “#” sign again at the “Participant ID” prompt to join the meeting.

- All public comments for items on the agenda will be received during the Public Comment section of the Agenda and any issue not on the agenda will be received during the Extended Public Comment section of the Agenda.
- Computer/tablet/smartphone audience: To indicate you wish to make a public comment, please use the “Reactions” icon. **Next, click on the “Raise Hand” icon** near the bottom right corner of the screen.



- **To raise your hand for telephone dial-in participants, press \*9.** You will be called on by the last three digits of your phone number for comments, at which time you will be unmuted by the meeting moderator.
- Please state your name and address for the minutes and keep public comments concise.

You will be called upon once all in-person comments have been received, at which time you will be unmuted by the meeting moderator.

Persons with disabilities needing assistance should call the Township office at (989) 772-4600. Persons requiring speech or hearing assistance can contact the Township through the Michigan Relay Center at 711. A minimum of one (1) business day of advance notice will be necessary for accommodation.

## Board Expiration Dates

Planning Commission Board Members (9 Members) 3 year term			
#	F Name	L Name	Expiration Date
1-BOT Representative	James	Thering	11/20/2024
2-Chair	Phil	Squatrito	2/15/2026
3-Vice Chair	Ryan	Buckley	2/15/2025
4-Secretary	Vacant		2/15/2025
5 - Vice Secretary	Jessica	Lapp	2/15/2026
6	Stan	Shingles	2/15/2027
7	Paul	Gross	2/15/2025
8	Nivia	McDonald	2/15/2026
9	Thomas	Olver	2/15/2027
Zoning Board of Appeals Members (5 Members, 2 Alternates) 3 year term			
#	F Name	L Name	Expiration Date
1-Chair	Liz	Presnell	12/31/2025
2 -Vice Chair	Richard	Barz	12/31/2025
3- PC Rep	Ryan	Buckley	2/15/2025
4 -	Lori	Rogers	12/31/2026
5 -	Eric	Loose	12/31/2024
Alt. #1	David	Coyne	12/31/2024
Alt #2	Brian	Clark	12/31/2026
Board of Review (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Jeanette	Corbin	12/31/2024
2	Sarvjit	Chowdhary	12/31/2024
3	Bryan	Neyer	12/31/2024
Alt #1	Vacant		12/31/2024
Construction Board of Appeals (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Joseph	Schafer	12/31/2025
2	Andy	Theisen	12/31/2025
3	William	Gallaher	12/31/2025
Hannah's Bark Park Advisory Board (2 Members from Township) 2 year term			
1	Mark	Stuhldreher	12/31/2024
2	John	Dinse	12/31/2025
Chippewa River District Library Board 4 year term			
1	Ruth	Helwig	12/31/2027
2	Lynn	Laskowsky	12/31/2025



## Board Expiration Dates

EDA Board Members (9 Members) 4 year term			
#	F Name	L Name	Expiration Date
1-Chair	Thomas	Kequom	4/14/2027
2-VC/BOT Rep	Bryan	Mielke	11/20/2024
3	James	Zalud	4/14/2027
4	Richard	Barz	2/13/2025
5	Robert	Bacon	1/13/2027
6	Marty	Figg	6/22/2026
7	Sarvjit	Chowdhary	6/22/2027
8	Jeff	Sweet	2/13/2025
9	David	Coyne	3/26/2026
Mid Michigan Area Cable Consortium (2 Members)			
#	F Name	L Name	Expiration Date
1	Kim	Smith	12/31/2025
2	vacant seat		
Cultural and Recreational Commission (1 seat from Township) 3 year term			
#	F Name	L Name	Expiration Date
1	Robert	Sommerville	12/31/2025
Mt. Pleasant Airport Joint Operations and Mgmt Board (1 seat from Township) 3 year term			
#	F Name	L Name	Expiration Date
1 - Union Township	Rodney	Nanney	12/31/2026

APPOINTMENT TO BOARDS & COMMISSIONS  
OF CHARTER TOWNSHIP OF UNION  
APPLICATION



Name: Philip Browne Jr. Date: 08/22/2024

Address: 2995 E River Rd. Mount Pleasant MI, 48858

Phone (home) 9895650183 (cell) 9895650183 (work) \_\_\_\_\_

Email: asrrin29@gmail.com

Occupation: Senior Systems Administrator

Please select the board you are applying for:

\_\_\_\_\_ Zoning Board of Appeals      Must be a Union Township Resident

\_\_\_\_\_ Board of Review              Must be a Union Township Resident

**X** \_\_\_\_\_ Planning Commission      Must be a Union Township Resident

\_\_\_\_\_ EDA                              Must meet one of the following qualifications:

\_\_\_\_\_ Property owner in East or West DDA

\_\_\_\_\_ Resident in Union Township

\_\_\_\_\_ OTHER                      \*Specify Board: \_\_\_\_\_

Please state reason for interest in above board:

I have a growing interest in contributing to my local government and giving back  
to the Planning Commission and am motivated and eager to learn everything I can to be

Other information that you feel would be useful in your application review (i.e., past experience, past board membership, etc. A resume is encouraged with the application):

I have a strong formal background in science and technology, and am a quick stu

Please see my attached resume for a full llist of my prior work history and skills.

Signature:  Date: 08/22/2024

**Philip Michael Browne Jr.**  
2995 E. River Rd.  
Mount Pleasant, Michigan 48858  
989-565-0183  
[asrrin29@gmail.com](mailto:asrrin29@gmail.com)

## **Work Experience**

### **Dynasplint Systems, Inc.**

*Senior Network Administrator*

*Supervisor: Nic Natale*

**Severna Park, Maryland**

*June 2020 to Present*

- Integral in planning and installing a full SIEM (AlienVault) with a SOCaaS. Also responsible for daily monitoring and escalations from security events.
- Leading a major ongoing project to retire all of our legacy Windows servers and migrate the applications and roles to Server 2016.
- Created and edited documentation for IT procedures including Disaster Recovery, Backup Policy, Cyber Attack Mitigation, Incident Response Plan, and others.
- Setup, deployed, maintain SonicWall firewalls and VPN for 4 sites as well as our hosted data center.
- Setup Cisco Umbrella DNS protection, including deploying virtual appliances, mobile clients, and associated GPOs.
- Setup, deployed, and troubleshoot network equipment including Cisco switches with various production VLANs.
- Administration of AD including updates and cleanup of multiple GPOs.

### **Sage Sustainable Electronics**

*Senior Systems Engineer*

*Supervisor: John Oates*

**Jessup, Maryland**

*June 2019 to June 2020*

- Helped to migrate from VMWare ESXi to Microsoft Hyper-V in a clustered environment across multiple sites.
- Setup, deployed, maintained and troubleshoot various Windows Server 2019 servers for various applications including QuickBooks, TrendNet Anti-virus, Rapid 7, LANSweeper, and WSUS.
- Setup, deployed, and troubleshoot Unitrends Backup Appliance as well as performed recoveries with it.
- Extensive administration of Office 365 products.
- Administration of AD including updates and cleanup of multiple GPOs.
- Created and edited documentation for IT procedures including backup schedules, new employee setup, new server and workstation setups, and various other procedures.
- Integral in purchasing decisions for IT infrastructure including physical servers, workstations, laptops, and software licensing.

**Contracted to Whiting-Turner Contracting Company**  
*Network Engineer II*

**Baltimore, Maryland**  
*May 2017 to March 2019*

*Supervisor: Ray Moriconi*

- Setup, deployed, maintained Cisco Meraki, Watchguard Firebox, Cradlepoint, Unifi, Ruckus, Managed HP and Netgear switches and other networking equipment at hundreds of locations across the US.
- Setup, deployed, troubleshot Windows servers to hundreds of locations nationally.
- Maintained and recovered losses from multiple backup repositories including Arcserve Zetta and Dell Avamar.
- Extensive administration of Office 365 products at an enterprise level.
- Extensive administration of Mimecast mail filtering cloud services.
- Administration of AD including updates and cleanup of multiple GPOs.
- Administration and troubleshooting of VPN technologies including BOVPN, IPSec, and Cisco VPN.
- Extensive network troubleshooting including fixes of routes, VPN tunnels, DHCP, DNS, RADIUS authentication.
- Setup ESXi development environment, performing upgrades from 6.5 to 6.7.

**Ellicott Dredges, LLC.**

**Baltimore, Maryland**

*Systems Administrator*

*August 2015 to March 2017*

*Supervisor: Joe Wendel*

*(410)545-0267*

- Integral part of designing, purchasing, implementing, and maintaining new infrastructure and network hardware including rack-mounted Dell PowerEdge servers, Dell PowerVault SAN, Synology NAS, APC UPS units, server rack, HP ProCurve switches, gateways, and cabling.
- Designed, purchased, installed and maintained virtual servers in VMWare with Windows Server 2008, Windows Server 2012 R2, Exchange 2010, and Linux.
- Migrated VMWare virtual servers from a hosted environment to new local one.
- Extensive administration of Active Directory including GPOs and scripts.
- Integral part of designing, purchasing, implementing, and maintaining VEEAM backups for our virtual servers including on-site recovery and off-site backups.
- Designed, purchased, installed and maintained workstations for users across the company, including engineers with demanding system needs.
- Setup and administered cloud services including Sophos, Webroot, and Mimecast.

**System Source, Inc.**

**Hunt Valley, Maryland**

*Systems Engineer*

*July 2010 to August 2015*

*Supervisor: Rich Glenn*

*(410)771-5544*

- Troubleshot, repaired, and installed software and hardware on computers, servers, and printers for a wide variety of clients with differing network architecture.
- Administered Exchange 2007, 2010, and Office 365 implementations.
- Deployed and maintained VMWare virtual systems for multiple clients.
- Deployed and maintained multiple backup software solutions for various clients including VRanger Pro and Symantec Backup Exec.
- Worked on testing Amazon AWS for hosting several applications.
- Administered AD in a wide variety of domains with different functional levels.



Philip Michael Browne Jr.

**Central Michigan University College of Business**

*Computer Technician*

*Supervisor: Stan Pope*

- Troubleshoot, repaired, and installed software and hardware on computers, servers.

**Mount Pleasant, Michigan**

*November 2007 to May 2010*

*(989)774-1182*

**Central Michigan University**

*Physics Tutor*

*Supervisor: Annette Galvin*

- Tutored various students in 100 and 200 level physics courses on key physics concepts and problem-solving techniques in group and one-on-one atmospheres.

**Mount Pleasant, Michigan**

*October 2009 to May 2010*

*(989)774-3321*

**Central Michigan University**

*Undergraduate Research Assistant*

*Supervisor: Dr. Juan Peralta*

- Credited in a published paper in Chemical Physics Letters on this research.

**Mount Pleasant, Michigan**

*March 2009 to January 2010*

*(989)774-3375*

**Certifications**

- CompTIA A+, Network+, Server+
- Microsoft Certified Solutions Associate for Windows 7

**Additional Technology Skills**

- Full homelab work as a hobby. Hardware includes Dell, HP, Cisco switches, HP Proliant 380p and DL160 Gen 8, SUN FIRE X4270 M3, Ubiquiti Edge Router Lite, Synology Disk Station. Virtualization includes three ESXi hosts in a VCenter Cluster sharing two DIY SANs (Running FreeNAS) through a Brocade Fibre Channel switch. VMs include Windows Server 2016 AD Environment (PDC, DC, WSUS, MSOL, File Server), VEEAM Backups, PRTG and LibreNMS monitoring, OpenVPN, NGINX Reverse web proxy, and Linux.
- Knowledge of Windows Server 2008, Server 2008 R2, Server 2012, Server 2012 R2, Server 2016, Server 2019, Ubuntu, CentOS, Android.
- Knowledge of TCP/IP, UDP, VPN, firewalls, switches, DHCP, DNS, routing.
- Knowledge of Linux, Apache, MySQL, PHP.

**Education**

**Central Michigan University**

*Bachelor of Science*

- Major in Physics with Astronomy Concentration
- Minor in Mathematics

**Mount Pleasant, Michigan**

*Graduated May 2010*

**Montcalm Community College**

*Associates of Applied Science*

- Computer Repair

**Sidney, MI**

*Graduated May 2007*

**2024 CHARTER TOWNSHIP OF UNION**  
**Board of Trustees**  
**Regular Meeting Minutes**

A regular meeting of the Charter Township of Union Board of Trustees was held on August 14, 2024, at 7:00 p.m. at the Union Township Hall.

**Meeting was called to order at 7:00 p.m.**

**Roll Call**

Present:

Supervisor Mielke, Clerk Cody, Trustee Bills, Trustee Brown, Trustee Smith and Trustee Thering

Excused:

Treasurer Rice

**Approval of Agenda**

**Bills moved Cody supported to approve the agenda as presented. Vote: Ayes: 6 Nays: 0. Motion carried.**

**Presentation**

**Public Hearing**

**Public Comment**

Open: 7:00 p.m.

No comments were offered

Closed: 7:01 p.m.

**Reports/Board Comments**

**A. Current List of Boards and Commissions – Appointments as needed.**

**B. Board Member Reports**

Cody gave an update on the August 6<sup>th</sup> election.

Smith gave updates on the Isabella County Commissioners meeting.

**Consent Agenda**

- A. Communications
- B. Minutes – July 24, 2024 – Regular Meeting
- C. Accounts Payable
- D. Payroll
- E. Meeting Pay
- F. Fire Reports

**Cody moved Smith supported to approve the consent agenda as presented. Vote: Ayes: 6 Nays: 0. Motion carried.**

**New Business**

**A. Discussion/Action: (Nanney) Introduction and First Reading of a proposed ordinance to repeal outdated and unenforceable Township ordinances**

**Bills moved Cody supported to Introduce and conduct a First Reading for a proposed ordinance to repeal outdated and unenforceable Township ordinances. Roll Call Vote: Ayes: 6 Nays: 0. Motion carried.**

**B. Discussion/Action: (Smith) Stone Ridge and Meadowbrook Subdivision Paving Special Assessment District – Informal Petition**

**Bills** moved **Brown** supported to approve to prepare preliminary project cost estimates and develop the formal petition for the establishment of a Paving Special Assessment District for Stone Ridge and Meadowbrook Subdivisions. **Roll Call Vote: Ayes: Mielke, Cody, Bills, Brown, Smith, and Thering Nays: 0. Motion carried.**

C. **Discussion/Action: (Smith) DWSRF ARPA Grant Division A Type 1 Water Well Bid Approval – Peerless Midwest**

**Brown** moved **Bills** supported to approve the bid from Peerless Midwest for the EGLE Drinking Water State Revolving Fund (DWSRF) ARPA Grant Division A Water Supply Well Development Capital Improvement Project in the amount of \$126,982.00 and authorize the Township Manager to sign the contract. **Roll Call Vote: Ayes: Mielke, Cody, Bills, Brown, Smith, and Thering Nays: 0. Motion carried.**

D. **Discussion/Action: (Stuhldreher) Consider approval of a Participation Agreement with the City of Mt. Pleasant to formalize funding commitment for the Mid-Michigan/GKB Pathway North Connection Project**

**Bills** moved **Brown** supported to approve a Participation Agreement with the City of Mt. Pleasant to formalize the prior commitment to provide up to \$375,000 in funding for the Mid-Michigan/GKB Pathway North Connection Project. **Roll Call Vote: Ayes: Mielke, Cody, Bills, Brown, Smith, and Thering Nays: 0. Motion carried.**

**EXTENDED PUBLIC COMMENT: RESTRICTED TO 5 MINUTES REGARDING ANY ISSUE**

Open: 7:18 p.m.

No comments were offered.

Closed: 7:18 p.m.

**MANAGER COMMENTS**

- Commented on the August 6<sup>th</sup> election and thanked the Board for allowing the hall to be closed for staff to assist with the election.
- Mentioned that the Rental Inspector resigned and took a Building Inspector position in Midland County. The vacant position has been posted.
- Kim Smith will be Acting Manager for the September 11<sup>th</sup> board meeting while he participates in the Corporate Cup Challenge.

**FINAL BOARD MEMBER COMMENT**

**Bills** – Commented on McClaren being hacked and encouraged everyone to be careful opening phishing emails.

**Cody** – Thanked everyone for their hard work helping with elections

**Mielke** – Enjoy the rest of the summer. Reminded the Board to bring their completed manager's eval forms to the next board meeting.

**ADJOURNMENT**

**Bills moved Brown supported to adjourn the meeting at 7:22 p.m. Vote: Ayes: 6. Nays: 0. Motion carried.**

**APPROVED BY:**

\_\_\_\_\_  
**Lisa Cody, Clerk**

\_\_\_\_\_  
**Bryan Mielke, Supervisor**

*(Recorded by Tera Green)*

DRAFT

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 101 POOLED CHECKING						
08/19/2024	101	722 (E)	01186	COYNE PROPANE LLC	MOBIUX EP1 PAIL	429.62
08/19/2024	101	723 (E)	00527	PITNEY BOWES GLOBAL FINANCIAL LLC	POSTAGE METER LEASE-3RD Q 2024	454.38
08/20/2024	101	724 (E)	00146	CONSUMERS ENERGY	1876 S LINCOLN RD 2279 S MERIDIAN RD PUMP HOUSE	17.81 27.08
						44.89
08/28/2024	101	25685	01703	AMAZON CAPITAL SERVICES	HANDIMARK PRINTER AC ADAPTER	106.99
08/28/2024	101	25686	01518	LISA AUKER	ELECTION WORKER 8/6/2024	160.00
08/28/2024	101	25687	01678	MARY R. BENTLEY	ELECTION WORKER 8/6/2024	224.00
08/28/2024	101	25688	00066	BILL'S CUSTOM FAB, INC.	FABRICATE BELT GUARDS/SANDBLASTING/POWDE	3,397.65
08/28/2024	101	25689	01932	JENNIFER MAY BOYCE	ELECTION WORKER 8/6/2024	231.00
08/28/2024	101	25690	01802	MARK BRISTLEY	ELECTION WORKER 8/6/2024	224.00
08/28/2024	101	25691	01407	VICTORIA BUSHONG	ELECTION WORKER 8/6/2024	272.00
08/28/2024	101	25692	00095	C AND C ENTERPRISES INC	JANITORIAL SUPPLIES FOR TWP HALL JANITORIAL SUPPLIES - PARKS CLOTHING ALLOWANCE-BUILDING OFFICIAL UNIFORMS-MATT RABISH	208.25 120.30 12.00 98.91
						439.46
08/28/2024	101	25693	00129	CMS INTERNET, LLC	SET UP NEW HIRE/EXCHANGE ONLINE FOR SPVS MICROSOFT 365-ANNUAL LICENSE-RABISH	79.64 94.83
						174.47
08/28/2024	101	25694	01626	DANNY COFFELL	MILEAGE TO/FROM JAMESON HALL/HOME	15.28
08/28/2024	101	25695	00155	COYNE OIL CORPORATION	FUEL IN TOWNSHIP VEHICLES-JUL 2024	3,217.04
08/28/2024	101	25696	00188	DOUG'S SMALL ENGINE	LAWNMOWER ENGINE FIRE REPAIR LABOR FOR WATER/SEWER	3,786.98 12.00
						3,798.98
08/28/2024	101	25697	00195	EJ USA, INC	LEAD REPAIR HEADS	7,668.88
08/28/2024	101	25698	01408	JULIE A ENGLER	ELECTION WORKER 8/6/2024	234.50
08/28/2024	101	25699	01353	EVOQUA WATER TECHNOLOGIES LLC	BOIXIDE	13,220.12
08/28/2024	101	25700	00231	FOUR SEASON'S EXTERMINATING	TWP HALL INSP/TREATMENT-AUG 2024	40.00
08/28/2024	101	25701	01221	ANDREW FUSSMAN	MILEAGE TO SHOP/HOME ALARMS 8-7-24	14.74
08/28/2024	101	25702	00249	GILL-ROYS HARDWARE	CAR WASH SHAMPOO/COTTON TOWELS	39.27
08/28/2024	101	25703	01958	ANITA JEAN GLYNN	ELECTION WORKER 8/6/2024	231.00
08/28/2024	101	25704	01776	DIANE GOLDING	ELECTION WORKER 8/6/2024	748.00
08/28/2024	101	25705	01775	GARY GOLDING	ELECTION WORKER 8/6/2024	630.00
08/28/2024	101	25706	00257	GOURDIE FRASER INC	RIVER RD CONTROL BLDG-HIGH SERV PUMP INS	9,000.00
08/28/2024	101	25707	01541	HEINTZ LIFTING INC	TRACTOR LIFT	1,050.00
08/28/2024	101	25708	01670	RUTH HELWIG	ELECTION WORKER 8/6/2024	182.00
08/28/2024	101	25709	00281	MARGIE HENRY	ELECTION WORKER 8/6/2024	161.00
08/28/2024	101	25710	01590	JANICE HOWDYSHELL	ELECTION WORKER 8/6/2024	196.00
08/28/2024	101	25711	01721	HYDROCORP	LEAD SERVICE LINE IDENTIFICATION LEAD SERVICE LINE IDENTIFICATION	1,354.50 2,286.00
						3,640.50
08/28/2024	101	25712	01712	THOMAS H IDEMA JR	ELECTION WORKER 8/6/2024	192.50
08/28/2024	101	25713	01447	INTERSTATE BILLING SERVICE, INC	CENTRAL CLEANING SYSTEMS	400.90
08/28/2024	101	25714	00333	ISABELLA COUNTY ROAD COMMISSION	LINCOLN RD-BROOMFIELD TO BRIDGE-FNL PMT	8,292.40

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
					SOLAR STOP SIGN ISABELLA/BASELINE RD	6,666.66
						<u>14,959.06</u>
08/28/2024	101	25715	00337	ISABELLA COUNTY TREASURER	2010 WATER BOND PAYMENT	139,752.50
08/28/2024	101	25716	00362	KRAPOHL FORD & LINCOLN	2016 F150-OIL CHANGE/AIR FILTER	130.15
08/28/2024	101	25717	01959	TRACY MCCARTY	ELECTION WORKER 8/6/2024	248.50
08/28/2024	101	25718	00422	MICHIGAN PIPE & VALVE-MT. PLEASANT	CURB STOP MNP COMP/CBB BUSHING/SADDLE	2,564.00
08/28/2024	101	25719	00907	MID MICHIGAN CABLE CONSORTIUM	2024 VIDEO RECORDING CONTRACT-BOARD MEET	3,307.50
08/28/2024	101	25720	01984	MINUTEMAN PRESS: FENTON	SHUT OFF NOTICE DOOR HANGERS	171.36
08/28/2024	101	25721	00462	MT PLEASANT FENCE SASH AND DOOR	COMMERCIAL FENCE LABOR/GATE TRANSMITTER/	1,074.54
08/28/2024	101	25722	00494	NORTH CENTRAL LABORATORIES	ASPIRATOR BOTTLE/DESICCANT/FORCEPS/MILLI	1,559.99
08/28/2024	101	25723	01805	NUTRIGRO ENVIRONMENTAL SOLUTIONS	HAULING&LAND APP OF BIOSOLIDS	31,981.92
08/28/2024	101	25724	01713	NANCI OSBORN	ELECTION WORKER 8/6/2024	245.00
08/28/2024	101	25725	01438	PATTERSON PLUMBING SERVICE INC.	RE-BUILD BACKFLOW PREVENTER @WWTP	972.00
					BACKFLOW TESTING	885.00
						<u>1,857.00</u>
08/28/2024	101	25726	01983	AUDREY ROLOFF	UB refund for account: 02462	81.87
08/28/2024	101	25727	01595	ROMANOW BUILDING SERVICES	JANITORIAL SERVICES WTR PLANT-APR 2024	316.29
					JANITORIAL SERVICES WTR PLANT-MAY 2024	316.29
					JANITORIAL SERVICES WWTP-MAY 2024	316.29
					JANITORIAL SERVICES WWTP-APR 2024	316.29
					JANITORIAL SERVICES TWP HALL-MAY 2024	527.14
					JANITORIAL SERVICES TWP HALL-APR 2024	527.14
						<u>2,319.44</u>
08/28/2024	101	25728	01090	SIMPLY ENGRAVING	NEW MEMBER NAME PLATE-BOR	7.75
					MAGNETIC NAME BADGE-ASST ASSESSOR	7.50
						<u>15.25</u>
08/28/2024	101	25729	01979	SMART BUSINESS SOURCE	PAPER FOR WATER TREATMENT PLANT	134.97
08/28/2024	101	25730	01777	SPECTRUM PRINTERS INC.	FOLDED BALLOTS FOR AUG ELECTION	112.00
08/28/2024	101	25731	01542	STERICYCLE, INC.	PAPER SHREDDING-JUL 2024	88.75
08/28/2024	101	25732	01633	SUMMIT FIRE PROTECTION	FIRE EXTINGUISHER INSPECTION-SHOP	673.00
08/28/2024	101	25733	01654	TRACE ANALYTICAL LABORATORIES INC	3RD QRT LL HG	291.00
					MONTHLY SELENIUM SAMPLE 7/25/24	29.00
						<u>320.00</u>
08/28/2024	101	25734	00668	UNITED PARCEL SERVICE	SHIPPING FOR SAMPLE TESTING-WTR&WWTP	50.87
08/28/2024	101	25735	01013	USA BLUE BOOK	NITRILE DISPOSABLE GLOVES	76.40
					INDUSTRIAL DISCHARGE HOSE	438.78
					DRUM PUMP END/COVERED FIRE HOSE	1,544.90
					REPLCMNT SAMPLE CELLS-HACK COLORIMETER	2,562.50
					INSULATED STORM HIP BOOTS	212.34
					ALL WEATHER SAMPLER BOTTLE	9,657.90
						<u>14,492.82</u>
08/28/2024	101	25736	01336	CYNTHIA M VELDT DIETSCH	ELECTION WORKER 8/6/2024	760.00
08/28/2024	101	25737	00710	WEBB CHEMICAL SERVICE	FERRIC CHLORIDE SOLUTION	11,277.89
08/28/2024	101	25738	01428	NORMAN WOERLE	ELECTION WOKRER 8/6/2024	224.00
08/28/2024	101	25739	01372	JOSEPH W YODER	ELECTION WORKER 8/6/2024	188.00
08/28/2024	101	25740	01159	SUSAN K YODER	ELECTION WORKER 8/6/2024	492.00

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
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101 TOTALS:

Total of 59 Checks:

279,921.55

Less 0 Void Checks:

0.00

Total of 59 Disbursements:

279,921.55

<b>Charter Township of Union</b> <b>Payroll</b>
--

**Check Date: 08/15/24**  
**Pay Period End Date: 8/10/24**

**NOTE: PAYROLL TRANSFER NEEDED**

General Fund	\$	46,474.67
Fire Fund		
EDDA		
WDDA		
Sewer Fund		39,611.91
Water Fund		32,648.66
<b>Total To Transfer from Pooled Savings</b>	<b>\$</b>	<b>118,735.24</b>

**NOTE: CHECK TOTAL FOR TRANSFER**

BS&A Gross Payroll	\$	82,720.12
Employer Share Medicare		1,153.38
Employer Share SS		4,931.71
SUI		41.52
Pension-Employer Portion		6,685.16
Workers' Comp		487.84
Dental		1,290.60
Health Care		23,385.60
Vision		
Vision Contribution		
Health Care Contribution		(2,581.60)
Flex Administrators		585.35
Cobra/Flex Administration		35.56
PCORI Fee		
<b>Total Transfer to Payroll Checking</b>	<b>\$</b>	<b>118,735.24</b>





# Union Township Report

Date: Tuesday, August 13, 2024



Alarm Date between 2024-08-04 and 2024-08-10

District	NFIRS Number	Alarm Date	Incident Type Code	Incident Type	Apparatus Name	Personnel Count	Alarms
<b>Union Township</b>	<b>0000570</b>						
		8/5/2024 8:43:10 AM	113	Cooking fire, confined to container	ENG 33	2	2
		8/5/2024 8:43:10 AM	113	Cooking fire, confined to container	POV	10	2
		8/5/2024 8:43:10 AM	113	Cooking fire, confined to container	CHIEF	1	2
						<b>Total Responding 13</b>	
<b>Union Township</b>	<b>0000574</b>						
		8/6/2024 6:07:08 AM	735	Alarm system sounded due to malfunction	ENG 33	2	1
						<b>Total Responding 2</b>	
<b>Union Township</b>	<b>0000577</b>						

		8/6/2024 2:07:31 PM	622	No incident found on arrival at dispatch address	ENG 33	2	1
						<b>Total Responding 2</b>	
<b>Union Township</b>	<b>0000578</b>						
		8/6/2024 1:11:48 PM	711	Municipal alarm system, malicious false alarm	ENG 33	2	1
						<b>Total Responding 2</b>	
<b>Union Township</b>	<b>0000579</b>						
		8/6/2024 5:23:44 PM	510	Person in distress, other	ENG 33	2	1
						<b>Total Responding 2</b>	
<b>Union Township</b>	<b>0000580</b>						
		8/6/2024 10:10:55 PM	521	Water evacuation	ENG 33	2	1
						<b>Total Responding 2</b>	

<b>Union Township</b>	<b>0000584</b>						
		8/8/2024 5:40:30 PM	745	Alarm system activation, no fire - unintentional	ENG 33	2	1
						<b>Total Responding 2</b>	
	<b>Total Runs</b> 7					<b>Total Responding 25</b>	

**Note: Alarms**

1=Duty Crew

2=Paged Off Duty Full-time

3=Paged Paid-on-Call Firefighters

4=Paged All



# Union Township Report

Date: Thursday, August 22, 2024



Alarm Date between 2024-08-11 and 2024-08-17

District	NFIRS Number	Alarm Date	Incident Type Code	Incident Type	Apparatus Name	Personnel Count	Alarms
<b>Union Township</b>	<b>0000592</b>						
		8/12/2024 4:27:00 PM	143	Grass fire	ENG 33	2	4
		8/12/2024 4:27:00 PM	143	Grass fire	POV	10	4
		8/12/2024 4:27:00 PM	143	Grass fire	Brush 31	1	4
						<b>Total Responding 13</b>	
<b>Union Township</b>	<b>0000593</b>						
		8/12/2024 4:24:43 PM	322	Motor vehicle accident with injuries	ENG 33	2	1
						<b>Total Responding 2</b>	
<b>Union Township</b>	<b>0000596</b>						

		8/13/2024 5:54:00 PM	321	EMS call, excluding vehicle accident with injury	ENG 33	2	1
		8/13/2024 5:54:00 PM	321	EMS call, excluding vehicle accident with injury	C 31	1	1
						<b>Total Responding 3</b>	
<b>Union Township</b>	<b>0000597</b>						
		8/14/2024 1:33:33 PM	700	False alarm or false call, other	ENG 33	2	1
						<b>Total Responding 2</b>	
<b>Union Township</b>	<b>0000598</b>						
		8/14/2024 2:26:33 PM	700	False alarm or false call, other	ENG 33	2	1
		8/14/2024 2:26:33 PM	700	False alarm or false call, other	C 31	1	1
						<b>Total Responding 3</b>	
<b>Union Township</b>	<b>0000600</b>						
		8/14/2024 10:59:19 PM	745	Alarm system activation, no fire - unintentional	ENG 33	2	1

						<b>Total Responding 2</b>	
<b>Union Township</b>	<b>0000603</b>						
		8/15/2024 9:44:04 AM	321	EMS call, excluding vehicle accident with injury	ENG 33	2	1
						<b>Total Responding 2</b>	
<b>Union Township</b>	<b>0000604</b>						
		8/15/2024 1:04:51 PM	140	Natural vegetation fire, other	CHIEF	1	4
		8/15/2024 1:04:51 PM	140	Natural vegetation fire, other	ENG 33	1	4
		8/15/2024 1:04:51 PM	140	Natural vegetation fire, other	ENG 33	1	4
		8/15/2024 1:04:51 PM	140	Natural vegetation fire, other	ENG 33	1	4
		8/15/2024 1:04:51 PM	140	Natural vegetation fire, other	POV	9	4
		8/15/2024 1:04:51 PM	140	Natural vegetation fire, other	T 31	1	4
		8/15/2024 1:04:51 PM	140	Natural vegetation fire, other	Brush 31	1	4
						<b>Total</b>	

							<b>Responding 15</b>
<b>Union Township</b>	<b>0000607</b>						
		8/16/2024 10:36:55 PM	733	Smoke detector activation due to malfunction	ENG 33	2	1
						<b>Total Responding 2</b>	
	<b>Total Runs</b> 9					<b>Total Responding 44</b>	

**Note: Alarms**

**1=Duty Crew**

**2=Paged Off Duty Full-time**

**3=Paged Paid-on-Call Firefighters**

**4=Paged All**



# REQUEST FOR TOWNSHIP BOARD ACTION

<b>To:</b> Board of Trustees	<b>DATE:</b> August 19, 2024
<b>FROM:</b> Mark Stuhldreher, Township Manager	<b>DATE FOR BOARD CONSIDERATION:</b> 8/28/2024
<b>ACTION REQUESTED:</b> To conduct a Second Reading for and to adopt Ordinance No. 24-03 to repeal outdated and unenforceable Township ordinances.	

Current Action  Emergency   
 Funds Budgeted: If Yes  Account #  No  N/A

## BACKGROUND INFORMATION

Per the Board of Trustees’ direction, the Township Administration has evaluated many of the existing Township ordinances, and has prepared updates as needed to be consistent with the Board’s Global Ends. As part of that ongoing review and in consultation with the Township Attorney, the following four (4) existing ordinances were determined to be outdated and unenforceable due to conflicts with state laws and other Township ordinances. Accordingly, these ordinances are recommended to the Board of Trustees for repeal:

### **Junk Yard Ordinance of February 7, 1957.**

[This ordinance](#) established a requirement for payment of an annual licensing fee of \$25.00 by owners and operators of “junk yards and places for dismantling, wrecking and disposing of the junk and/or refuse material of automobiles.” The ordinance further set several standards for location and setbacks from roads and “any residence or house, church, school or any public building,” similar to zoning requirements.

For administrative purposes, the ordinance references in part “the commissioner of the department of public safety at East Lansing, Michigan.” The only enforcement mechanism in the ordinance for noncompliance is “revoking any license herein granted.” Nothing in the ordinance requires removal or clean-up of a site where a license has been revoked.

This ordinance has also been in conflict with the equivalent and more comprehensive “junk yard” provisions of the Township’s zoning ordinances as adopted in 1971, 1981, 1991, and 2020.

Several junk yards exist in the Township, including a “snowmobile and motorcycle graveyard” at 4101 E. River Road, Top of the Hill Recycling, LLC at 735 S Mission Road, and W Wing Auto Parts at 4517 Packard Road. A preliminary review found that this ordinance and annual licensing payment requirement has not been applied to any of these existing businesses.

For these reasons, the Township Administration recommends that this ordinance be repealed.

### **Ordinance No. 1983-1 Establishing Procedures and Standards re: License to Sell Beer and Wine or Spirits.**

[Ordinance No. 1983-1](#) purports to establish an additional, Township-based annual licensing requirement for beer, wine, and liquor sales in the Township. However, the Township Attorney has



confirmed that it is in conflict with current state law and should be considered unenforceable. Licensing for businesses that make, transport, or sell beer, wine, and liquor is primarily within the jurisdiction of the State of Michigan. Township jurisdiction is limited to making recommendations to the state Liquor Control Commission related to issuance of a requested license. For these reasons, the Township Administration recommends that this ordinance be repealed.

**Adult Entertainment Businesses Ordinance No. 1989-9.**

[Ordinance No. 1989-9](#) establishes zoning ordinance-like standards for a set of activities described as “special regulated uses,” such as adult bookstores, adult mini motion picture theaters, massage establishments, steam baths, health clubs, taxi dance halls, and establishments for the consumption of beer or intoxicating liquor on the premises which also have adult entertainment. The ordinance sets specific setback standards and requires an application to be submitted to the “Township Zoning Official” for Planning Commission approval.

The ordinance as written appears to inappropriately regulate massage therapists and health clubs as “adult entertainment” businesses. In addition, the standards and review process outlined in this ordinance are in direct conflict with equivalent provisions of the Township’s zoning ordinances as adopted in 1991 and 2020. For these reasons, the Township Administration recommends that this ordinance be repealed.

**Marihuana Dispensary and Growing Facilities Ordinance No. 2011-04.**

[Ordinance No. 2011-04](#) was adopted more than five years before the adoption of current state laws that established state and local licensing requirements for various medical and adult-use (recreational) marihuana provisioning centers, growing operations, and related marihuana establishments. Because this ordinance is not consistent with current state laws, it is unenforceable and cannot be used to authorize a local license for any marihuana establishment. It is also in conflict with more recent actions by the Board of Trustees related to prohibition of such establishments in the Township.

For these reasons, the Township Administration recommends that this ordinance be repealed.

**Public Notice, Public Meetings, and the Timing of the Second Reading**

The following is a summary of public notice and public meetings associated with this proposed ordinance:

Date	Event	Actions
August 14, 2024	Regular meeting of the Board of Trustees	Introduction and First Reading
August 16, 2024	Summary of the proposed ordinance and notice of the date, time, and place of the Second Reading, in accordance with the requirements of the Charter Township Act (Public Act 359 of 1947, as amended).	Posting of the summary, notice, and the proposed ordinance at the Township Hall and on the Township’s website
August 18, 2024		Publication of the summary and notice in The Morning Sun newspaper
August 28, 2024	Regular meeting of the Board of Trustees	Second Reading and consideration of the proposed ordinance for adoption

**SCOPE OF SERVICES**

Second Reading and adoption of the proposed Ordinance to repeal the outdated and unenforceable Junk Yard Ordinance of February 7, 1957, Ordinance No. 1983-1 Establishing Procedures and Standards re: License to Sell Beer and Wine or Spirits, the Adult Entertainment Businesses Ordinance No. 1989-9, and the Marihuana Dispensary and Growing Facilities Ordinance No. 2011-04.

**JUSTIFICATIONS**

Adoption of the proposed Ordinance is necessary to remove certain outdated and unenforceable ordinances from the Township’s Code of Ordinances.

**GOALS ADDRESSED**

Board of Trustees goals addressed by this Ordinance (From Policy 1.0: Global End):

**1. Community well-being and common good**

Adoption of the proposed Ordinance would help facilitate the effective use of resources (1.0) and ensure fair and nondiscriminatory code enforcement (1.1.1.2).

**COSTS**

NA

**TIMETABLE**

After a Second Reading and adoption by the Board of Trustees, the Ordinance would take effect on the day immediately following publication of the required notice of adoption.

**RESOLUTION**

To conduct a Second Reading for and to adopt Ordinance No. 24-03 to repeal outdated and unenforceable Township ordinances.

Resolved by \_\_\_\_\_ Seconded by \_\_\_\_\_

Yes:

No:

Absent:

**CHARTER TOWNSHIP OF UNION  
ISABELLA COUNTY, MICHIGAN**

**ORDINANCE NO. \_\_\_\_\_**

An ordinance adopted under the provisions of the Charter Township Act (Public Act 359 of 1947, as amended, being MCL 42.1 – MCL 42.34) and Public Act 246 of 1945, as amended (Township Ordinances, being MCL 41.181 – MCL41.187) to repeal the outdated and unenforceable Junk Yard Ordinance of February 7, 1957, Ordinance No. 1983-1 Establishing Procedures and Standards re: License to Sell Beer and Wine or Spirits, the Adult Entertainment Businesses Ordinance No. 1989-9, and the Marihuana Dispensary and Growing Facilities Ordinance No. 2011-04, all due to conflicts with state laws and other Township ordinances.

**CHARTER TOWNSHIP OF UNION, ISABELLA COUNTY, MICHIGAN HEREBY ORDAINS:**

**Section 1.0 Repeal the Junk Yard Ordinance of February 7, 1957.**

The Junk Yard Ordinance of February 7, 1957 is hereby repealed in its entirety.

**Section 2.0 Repeal Ordinance No. 1983-1 Establishing Procedures and Standards re: License to Sell Beer and Wine or Spirits.**

Ordinance No. 1983-1 Establishing Procedures and Standards re: License to Sell Beer and Wine or Spirits is hereby repealed in its entirety.

**Section 3.0 Repeal the Adult Entertainment Businesses Ordinance No. 1989-9.**

The Adult Entertainment Businesses Ordinance No. 1989-9 is hereby repealed in its entirety.

**Section 4.0 Repeal the Marihuana Dispensary and Growing Facilities Ordinance No. 2011-04.**

The Marihuana Dispensary and Growing Facilities Ordinance No. 2011-04 is hereby repealed in its entirety.

**Section 5.0 Publication.**

The Clerk for the Township shall cause this Ordinance to be published in the manner required by law.

**Section 6.0 Effective Date.**

This Ordinance was adopted by the Township Board on \_\_\_\_\_, 2024, after a first reading by the Township Board of Trustees on August 14, 2024, publication after such first reading as required by Public Act 359 of 1947, as amended, and a second reading held on \_\_\_\_\_, 2024. This Ordinance shall become effective immediately upon publication of a summary of the ordinance and notice of adoption in a newspaper of general circulation in the Township.

**CERTIFICATION OF ADOPTION AND PUBLICATION OF TOWNSHIP ORDINANCE**

I, Lisa Cody, the duly elected Clerk of The Charter Township of Union, Isabella County, Michigan, hereby certify that the foregoing Ordinance was adopted at a meeting of the Charter Township of Union Board of Trustees on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, at which the following members of the Board of Trustees were present and voted in person as follows:

<b><u>Board of Trustees</u></b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>	<b><u>Absent</u></b>	<b><u>Abstain</u></b>
Supervisor Bryan Mielke	_____	_____	_____	_____
Clerk Lisa Cody	_____	_____	_____	_____
Treasurer Kim Rice	_____	_____	_____	_____
Trustee Connie Bills	_____	_____	_____	_____
Trustee Jeff Brown	_____	_____	_____	_____
Trustee Brian Smith	_____	_____	_____	_____
Trustee James Thering	_____	_____	_____	_____

I further certify that a summary and notice of adoption of this Ordinance were published in The Morning Sun, a newspaper of general circulation in The Charter Township of Union on \_\_\_\_\_, 2024.

Certification Date: \_\_\_\_\_, 2024

\_\_\_\_\_  
Lisa Cody, Clerk

I, Bryan Mielke, the duly elected Supervisor of The Charter Township of Union, Isabella County, Michigan, hereby confirm the authenticity of this record and Ordinance.

\_\_\_\_\_  
Bryan Mielke, Supervisor

Date: \_\_\_\_\_, 2024

**To:** Board of Trustees **DATE:** August 21, 2024

**FROM:** Mark Stuhldreher, Township Manager **DATE FOR BOARD CONSIDERATION:** 8/28/2024

**ACTION REQUESTED:** To adopt the new Sidewalk and Pathway Construction Policy Resolution as recommended by the Planning Commission.

Current Action  Emergency

Funds Budgeted: If Yes  Account #  No  N/A

### BACKGROUND INFORMATION

In 2017 the Township re-established the Sidewalks and Pathways Prioritization Committee in accordance with Section 5.0 of the former Sidewalk and Pathway Ordinance No. 2009-03. A previous version of this committee established shortly after the adoption of Ord. No. 2009-03 had been disbanded and inactive for the previous five years. The 2017 Committee was charged with identifying on a map the “designated streets” where sidewalk implementation should be prioritized. They were additionally tasked with creating a policy to provide guidance for the Planning Commission to follow when considering requests for “provisional” or temporary relief from sidewalk construction under certain circumstances. By March of 2018 the Committee had completed both tasks. The Board of Trustees adopted the Sidewalk and Pathway Construction Policy in April of 2018.

#### **Policy Document as a Set of Guidelines for Implementation of the Sidewalk and Pathway Ordinance**

The original policy document adopted in 2018 established a set of guidelines to follow to assist with implementation of the Sidewalks and Pathways Ordinance in the most effective and equitable manner. Before the 2018 policy, there were many times when the discussion of sidewalks would dominate Planning Commission site plan reviews. The 1991 Zoning Ordinance and the former Sidewalk and Pathway Ordinance No. 2009-03 required sidewalks to be constructed, but the Planning Commission struggled with the timing of sidewalk construction on a project-by-project basis.

After the 2018 policy was approved it was generally used by the Planning Commission as a tool to guide them through the issue of sidewalks and site plan reviews. Township staff would inform future applicants about the policy and the criteria needed to request temporary relief from sidewalk construction. This significantly shortened site plan reviews and allowed the Planning Commission to be more consistent with addressing the sidewalk issue.

#### **Deficiencies in the Current Policy**

The 2018 Sidewalk and Pathway Construction policy has been the subject of Planning Commission discussion during various meetings over the years, usually in relation to specific site plan projects. The following is a summary of some of the concerns that were noted:

- Concern that the 2018 policy discouraged or appeared to prohibit any granting of provisional or temporary relief from sidewalk construction along designated streets, and an interest in potentially amending the list of designated streets.

- The 2018 policy does not address where a pathway would be preferred over a sidewalk.
- The 2018 policy does not address the necessity for securing easements where a sidewalk or pathway must be located outside of the road right-of-way.
- Granting relief and tracking relief granted is problematic for cases “*where no car-pedestrian injury or fatality, due to the need of the pedestrian to walk in the roadway, has occurred for a distance of 1 mile in either direction of the development.*” The Township has no effective mechanism to collect and track crash data for this. In addition, any crash data or accident report we might secure from the County Sheriff's Office or the State Police through a Freedom of Information Act request would not be expected to include any determination by the accident investigator about “*the need of the pedestrian to walk in the roadway.*”
- The blanket guideline to grant relief for development “*located on a property zoned industrial*” is counterproductive to the Township’s planning goals and the Board of Trustees’ adopted Global Ends policies related to establishing a regional sidewalk network and promoting economic development. Non-motorized transportation connections between homes and employment centers should actually be a high priority of this policy to be consistent with the adopted Global Ends policies and the Master Plan. The lack of sidewalks in industrial areas means that employees who live within reasonable walking distances are not able to safely walk or bike ride to work.
- The guideline for granting relief related to development on “an unimproved road” needs to be clarified, as the Township has no seasonal or “unimproved” roads in its jurisdiction. There would be benefit to tying relief consideration to rural private roads and to areas of the Township designated in the Master Plan as Rural Preservation or Rural Buffer areas.
- Generally, a sidewalk cannot end at an intersection where two roads meet without the construction of a landing area on the other side. The policy does not address this. In practice, developers are then required by law to construct a landing on property that does not pertain to their development or to which they have control or permission for the work.

The proposed Sidewalk and Pathway Construction Policy Resolution was developed to address these and other concerns identified by the Planning Commission, Board of Trustees, and members of the public during the review and adoption process for the new Sidewalk and Pathway Ordinance No. 24-02.

### **Planning Commission Recommendation**

The Planning Commission reviewed and discussed the proposed Sidewalk and Pathway Construction Policy Resolution during their June and July regular meetings. During these meetings, the Commission identified the need for revisions and additions. These changes were incorporated into a final draft document dated 8/12/2024 reviewed by the Planning Commission during their regular August 19, 2024 meeting. Following final deliberations, the Commission took action to adopt the following motion:

***Gross moved Olver supported to recommend to the Board of Trustees that the proposed Sidewalk and Pathway Construction Policy Resolution with a revision date of August 12, 2024 be adopted as presented. Roll Call Vote: Ayes: Buckley, Gross, Lapp, Olver, Squattrito, and Thering. Nays: 0. Motion carried.***

The only change to the final proposed Resolution document included in the agenda packet for Board consideration is the removal of the draft date.

## **Proposed Policy Resolution is Consistent with the new Sidewalk and Pathway Ordinance**

The proposed Sidewalk and Pathway Construction Policy Resolution as recommended by the Planning Commission is fully consistent with the enabling provisions found in Section 4.0, subsection "A." of the new Sidewalk and Pathway Ordinance No. 24-02, as adopted by the Board of Trustees on 7/10/2024 (see excerpt below).

### **Section 4.0 Construction-Related Policies, Orders, and Assessments.**

The Board of Trustees shall have the following authority pursuant to this Ordinance:

#### **A. Adoption of Sidewalk or Pathway Construction Policies.**

The Board of Trustees may from time to time adopt or amend by resolution a general policy governing the design, funding, and timing of sidewalk or pathway construction in designated areas of the Township, provided that:

1. This policy may include allowances for temporary relief from sidewalk construction under specific circumstances or in certain designated areas.
2. This policy may include guidelines for additional sidewalk or pathway width in designated areas of the Township based on existing or anticipated intensity of usage.
3. This policy may designate certain areas for pathway construction instead of sidewalks.
4. This policy may include cost sharing guidance to assist the Board of Trustees in decisions related to funding for construction of public sidewalks and pathways.
5. This policy shall not conflict with this Ordinance, other Township ordinances, or the Township's adopted Master Plan and other adopted planning documents.
6. Prior to adoption or amendment, the proposed policy resolution shall be provided to the Planning Commission with a request for review and recommendations for action.

### **SCOPE OF SERVICES**

To review and adopt a new Sidewalk and Pathway Construction Policy Resolution, which will serve as a guide for implementation of the new Sidewalk and Pathway Ordinance No. 24-02.

### **JUSTIFICATIONS**

Adoption of the proposed Ordinance is necessary to correct deficiencies noted in the current Ord. No. 2009-03, to update minimum width and location requirements consistent with adopted non-motorized transportation plan recommendations and current Township practices for sidewalks along certain Township road corridors, and to update minimum sidewalk and pathway design and construction standards to be fully consistent with current engineering practices for these types of projects.

### **GOALS ADDRESSED**

Board of Trustees goals addressed by this Ordinance (From Policy 1.0: Global End):

1. **Community well-being and common good**
3. **Safety and Health**
5. **Economic Development**

Adoption of the updated policy resolution would help facilitate the effective use of resources (1.0) and to help guide extension of a network of safe and accessible routes for pedestrians, bicyclists, and others (1.3.1). The updated sidewalk and pathway construction policies are consistent with commerce-friendly economic development policies (1.5).

**COSTS**

NA

**TIMETABLE**

Upon adoption by the Board of Trustees, the new Sidewalk and Pathway Construction Policy Resolution would supersede and replace the previous policy document adopted in 2018.

**RESOLUTION**

To adopt the new Sidewalk and Pathway Construction Policy Resolution as recommended by the Planning Commission.

Resolved by \_\_\_\_\_ Seconded by \_\_\_\_\_

Yes:

No:

Absent:



**CHARTER TOWNSHIP OF UNION  
ISABELLA COUNTY, MICHIGAN**

**RESOLUTION OF THE BOARD OF TRUSTEES TO ESTABLISH  
SIDEWALK AND PATHWAY CONSTRUCTION POLICIES**

At a regular meeting of the Board of Trustees for the Charter Township of Union, Isabella County, Michigan held on the \_\_\_\_\_ day of \_\_\_\_\_, 2024:

**WHEREAS**, on July 10, 2024, the Board of Trustees adopted a new Sidewalk and Pathway Ordinance No. 24-02 in accordance with the requirements of the Charter Township Act and after review and recommendation by the Planning Commission; and

**WHEREAS**, Section 4.0 (Construction-Related Policies, Orders, and Assessments) of the new Ordinance No. 24-02 states in part that, *“The Board of Trustees may from time to time adopt or amend by resolution a general policy governing the design, funding, and timing of sidewalk or pathway construction in designated areas of the Township;”* and

**WHEREAS**, the Planning Commission reviewed the current policy for granting provisional relief from sidewalk construction under certain circumstances, which was adopted in 2018, and determined that updates are warranted.

**NOW, THEREFORE, LET IT BE RESOLVED** that sidewalk and pathway construction policies are established to guide implementation of the Sidewalk and Pathway Ordinance No. 24-02, as follows:

**A. Identification of Designated Roads for Sidewalk or Pathway Construction.**

1. The following are the “Designated Roads” where located within the boundaries of the Township for purposes of implementing policies that apply specifically to designated road corridors:
  - a. E. Pickard Road from S. Summerton Road west to S. Lincoln Rd.
  - b. E. Broadway Road from S. Summerton Road west to S. Lincoln Road.
  - c. E. Remus Road/High Street from US-127 west to S. Lincoln Road.
  - d. E. Broomfield Road from S. Isabella Road west to the City of Mt. Pleasant boundary.
  - e. E. Broomfield Road from Crawford Road west to S. Lincoln Road.
  - f. E. Blue Grass Road from S. Isabella Road west to S. Mission Rd.
  - g. S. Isabella Road from E. River Road south to E. Blue Grass Road.
  - h. Crawford Road from E. Broomfield Road south to E. Deerfield Road.
  - i. S. Lincoln Road from E. Pickard Road south to the Chippewa River.
  - j. S. Lincoln Road from the Chippewa River south to E. Broomfield Road.
2. These Designated Roads were identified to complete the sidewalk and pathway network; to connect with City of Mt. Pleasant, Saginaw Chippewa Indian Tribe, and Central Michigan University property and facilities; and to connect residential areas to local and regional schools, parks, activity centers, employment centers, retail, business, health care facilities, religious institutions, civic buildings, and community services.

**B. Policy for Granting Temporary Relief from Sidewalk or Pathway Construction.**

Temporary relief of sidewalk or pathway construction may be granted under the following circumstances:

1. The land is designated in the Township's adopted Master Plan for Rural Preservation or Rural Buffer, provided that:
  - a. The land is also located in an AG (Agricultural) or R-1 (Rural Residential) zoning district; and
  - b. The land is not served by both municipal water and sanitary sewer and any associated development project on the land does not require such services.
2. Less than 50% of the surveyed section(s) of the Township along the road(s) fronting the proposed development has sidewalks. If on a corner lot, the mile will extend in both directions along the frontage roads. Once the threshold has been met the sidewalk or pathway shall be required to be constructed within 365 calendar days.
3. If the cost to construct the sidewalk or pathway is greater than 50% of the overall project construction cost, based on detailed cost estimates prepared by a civil engineer, architect, licensed builder, paving contractor, or similarly qualified professional. The estimates shall be subject to review and recommendation by the Township Engineer.
4. The requirements of the state or county road authority with jurisdiction would necessitate off-site construction of a sidewalk ramp or curb return on the opposite side of a public road to complete the sidewalk or pathway construction project.
  - a. In such cases, temporary relief may be limited to construction of the sidewalk ramps or curb returns within the public road right-of-way.
  - b. If full relief from construction is granted, the sidewalk or pathway should be required to be constructed within 365 calendar days following installation of the necessary sidewalk ramps or curb returns.
5. The development is located on a private road serving rural single-family dwellings in an AG (Agricultural) or R-1 (Rural Residential) zoning district and outside of the boundaries of any subdivision plat or condominium development.
6. For parcels of land identified with frontage on a Designated Road, such temporary relief may be granted based on any of the above circumstances, provided also that a paved shoulder or equivalent improvement of at least four (4) feet in width either:
  - a. Exists along 50% or more of the surveyed section(s) of the Township along the road(s) fronting the proposed development; or
  - b. Construction is planned by the road authority with jurisdiction to be completed before the end of the next construction season.
7. For projects where a site plan is subject to administrative review and approval by the Zoning Administrator (such as a minor site plan as authorized by the Zoning Ordinance. No. 20-06, as amended), the Zoning Administrator shall also have authority to grant or

reject any request for temporary relief from sidewalk or pathway construction. If rejected, the applicant may submit a written request to the Planning Commission for reconsideration of the request for temporary relief. In such cases, the Planning Commission's action is final.

**C. Easements for Sidewalk or Pathway Construction.**

In any case where temporary relief from sidewalk or pathway construction is granted for a project subject to site plan approval under the Township's Zoning Ordinance No. 20-06 as amended, such relief should be made contingent upon the landowner authorizing and recording any easements on the land at the County Register of Deeds Office needed to allow for future construction of the sidewalk or pathway as depicted on the site plan.

**D. Designated Areas for Pathway Construction.**

Where sidewalks and pathways are required to be constructed in the Township, a pathway design shall be the preferred wherever a road corridor or other area of the Township is designated on a Township planning document for planned future pathway construction. Such planning documents shall include but not be limited to the adopted Township Master Plan and any sub-area plans, the adopted Township Parks and Recreation Master Plan, any regional non-motorized transportation plans accepted by the Township, or any plans associated with an adopted intergovernmental agreement or Board of Trustees resolution addressing sidewalks or pathways.

**E. Funding Priorities for Sidewalk or Pathway Construction.**

It is the general policy of the Board of Trustees to prioritize the funding of sidewalk and pathway construction projects in the Township through cost-sharing methods, as follows:

1. Charter Township of Union General Fund and East/West DDA Funds as budgeted and appropriated for public sidewalk and pathway projects planned for and constructed by the Township consistent with the Board of Trustees' Global Ends, supplemented by grant funding where available and consistent with the Board of Trustees' governance policy 2.7 (Ends Focus of Grants).
2. Developer/property owner funding of new sidewalk and pathway construction to provide necessary barrier-free pedestrian accessibility to and within a lot subject to development or alteration in accordance with an approved site plan, subdivision plat, or equivalent development plan.
3. The lowest priorities for funding of public sidewalk and pathway projects would be through the following means as otherwise authorized by Public Act 246 of 1931, as amended: property owner cost-sharing, posting of a cash deposit in lieu of construction, payment to have public sidewalks or pathways constructed at their own expense, or reimbursement to the Township for construction costs over a five-year period.

The foregoing resolution was offered by \_\_\_\_\_ and supported by \_\_\_\_\_.

Upon roll call vote, the following voted:

<b><u>Board of Trustees</u></b>	<b><u>Aye</u></b>	<b><u>Nay</u></b>	<b><u>Absent</u></b>	<b><u>Abstain</u></b>
Supervisor Bryan Mielke	_____	_____	_____	_____
Clerk Lisa Cody	_____	_____	_____	_____
Treasurer Kim Rice	_____	_____	_____	_____
Trustee Connie Bills	_____	_____	_____	_____
Trustee Jeff Brown	_____	_____	_____	_____
Trustee Brian Smith	_____	_____	_____	_____
Trustee James Thering	_____	_____	_____	_____

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Bryan Mielke, Supervisor

\_\_\_\_\_  
Date

### CERTIFICATION

I, Lisa Cody, Clerk for the Charter Township of Union, do hereby certify that the foregoing is a true and complete copy of the action taken by the Board of Trustees at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_. I further certify that public notice was given and the meeting was conducted in full compliance with the Open Meetings Act (Public Act 267 of 1976, as amended).

\_\_\_\_\_  
Lisa Cody, Clerk

\_\_\_\_\_  
Certification Date



# REQUEST FOR TOWNSHIP BOARD ACTION

<b>To:</b> Board of Trustees	<b>DATE:</b> August 22, 2024
<b>FROM:</b> Mark Stuhldreher, Township Manager	<b>DATE FOR BOARD CONSIDERATION:</b> August 28, 2024
<b>ACTION REQUESTED:</b> Consider declaring Union Township’s seat on the Cultural and Recreation Commission (CRC) Board vacant due to resignation	

Current Action  Emergency

Funds Budgeted: If Yes  Account # \_\_\_\_\_ No  N/A

Finance Approval \_\_\_\_\_ *MDS*

### BACKGROUND INFORMATION

An Interlocal Agreement creating the Cultural and Recreational Commission was approved by the Boad of Trustees in April 1995. Other signatories included the City of Mt Pleasant, Mt Pleasant School District, Central Michigan University, Isabella County and Chippewa Township. The purpose of the Agreement was to address:

- “... a significant need to develop cultural, education and recreational facilities in Isabella County so that programs will be available to address the needs of the youth in our community”
- “...to increase cultural awareness and cultural sensitivity among the diverse peoples within the Isabella County”
- “...to bridge the gap among the cultures by educational, cultural and recreational activities that both foster and allow the cultures to interact successfully together”

As stated in the Agreement and though not exhaustive, operational responsibilities of the CRC include:

- The preparation, adoption and filing with the governing body of each signatory entity an annual budget of operations and maintenance of facilities,
- A cash flow report of revenues and expenses
- A long-term plan for replacement cost of existing facilities and equipment
- Submission of an annual audit report by a certified public accountant to the governing body of each signatory entity

As further background a copy of the Interlocal Agreement, the CRC by-laws and a brief history of the CRC is attached. (Highlighted to remind me to include the attachments)

Per the Agreement, the Township is allotted one position on the CRC’s Board.

The Township’s current seat on the CRC was filled via appointment by the Board on December 14, 2022, to a three-year term expiring on December 13, 2025. During the CRC’s July 2024 meeting the CRC Board Chair announced that Union Township’s representative had resigned their position on the CRC Board. Since then, the Community and Economic Development Director and the Township Manager have made numerous attempts to contact our appointee to secure a notice of resignation either verbally or in writing. To date, these attempts have been unsuccessful.

### **SCOPE OF SERVICES**

For the Township Board to make an appointment to fill the unexpired term of the current appointee, it is necessary that the Board declare the position vacant.

### **JUSTIFICATION**

By declaring the seat vacant, the Board of Trustees can begin recruiting interested citizens to fill the unexpired term ending December 31, 2025, which will ensure the Township's interests remain fully represented.

### **PROJECT IMPROVEMENTS**

Board of Trustees goals addressed by this action (From Policy 1.0: Global End)

- Community well-being and common good
- Prosperity through economic diversity, cultural diversity, and social diversity
- Health and Safety

### **COSTS**

Not applicable

### **PROJECT TIME TABLE**

If the position is declared vacated, the Township will begin efforts to recruit a replacement to the CRC Board.

### **RESOLUTION**

Resolved, that Union Township's seat on the CRC is declared vacated due to resignation and to begin recruitment efforts to fill the seat.

**INTERLOCAL AGREEMENT  
TO CREATE THE  
CULTURAL AND RECREATIONAL COMMISSION OF ISABELLA COUNTY**

---

This Interlocal Agreement (the "Agreement") is entered into this 10th day of April, 1995, by and between the County of Isabella, of 200 North Main Street, Mt. Pleasant, Michigan 48858 (the "County"), the City of Mt. Pleasant, of 401 North Main Street, Mt. Pleasant, Michigan 48858 (the "City"), the Mt. Pleasant School District, of 201 South University, Mt. Pleasant, Michigan 48858 (the "School District"), The Saginaw Chippewa Tribe, of 7070 East Broadway, Mt. Pleasant, Michigan (the "Tribe"), Board of Trustees of Central Michigan University, of Bovee University Center, Central Michigan University, Mt. Pleasant, Michigan 48859 (the "University"), Charter Township of Union, of 2010 South Lincoln Road, Mt. Pleasant, Michigan 48858 (the "Union Township"), and Chippewa Township, of 11050 E. Pickard Road, Mt. Pleasant, Michigan 48858 (the "Chippewa Township"), each a public agency operating in Isabella County, Michigan (collectively, the "Public Agencies" and individually, a "Public Agency"), or such of these Public Agencies as determine to enter into this Agreement.

**WITNESS THAT**

WHEREAS, the Public Agencies have determined that there is a significant need to develop cultural, educational and recreational facilities in Isabella County so that programs will be available to address the needs of the youth of our community, and

WHEREAS, the Public Agencies have determined to enter into an Interlocal Agreement pursuant to the Urban Cooperation Act of 1967, Act 7 of the Public Acts of Michigan of 1967, Extra Session, as amended (MCL 124.501, et seq.) (the "Act"), and

**FILED**

APR 25 1995

**COUNTY CLERK  
ISABELLA COUNTY  
MT. PLEASANT, MICH.**

WHEREAS, the Public Agencies believe that it is necessary to undertake a collaborative effort among the County, the City, the School District, the Tribe, the University, Union Township, and Chippewa Township, in order to increase cultural awareness and cultural sensitivity among the diverse peoples within Isabella County, and

WHEREAS, the Public Agencies recognize the significant need for cultural awareness and to make every effort to bridge the gap among the cultures by educational, cultural and recreational activities that both foster and allow the cultures to interact successfully together, and

WHEREAS, the Public Agencies are only willing to participate in this Agreement to the extent each is assured it will not have a legal obligation to contribute to the construction, maintenance and operation of any facilities unless that Public Agency hereafter agrees to do so.

NOW, THEREFORE, it is agreed as follows:

#### I. GENERAL

1. The County, the City, the School District, the Tribe, the University, Union Township, and Chippewa Township are each a "public agency" as defined in the Act.
2. The Public Agencies hereby intend to exercise jointly with each other the powers, privileges and authority which the Public Agencies share in common and which each Public Agency might exercise separately.
3. The Public Agencies hereby enter into this Interlocal Agreement pursuant to the Act.

#### II. CREATION OF CRC COMMISSION

1. The Public Agencies hereby create and establish a corporate public body known as the Cultural and Recreational Commission of Isabella County (herein, "CRC Commission").



2. The CRC Commission shall have the power to sue or be sued in any court of this state or in the federal court system.
3. All meetings, acts and activities of the CRC Commission shall comply with the Michigan Open Meetings Act, Act 267, Public Acts of Michigan of 1976, as amended (MCL 15.261, et seq.).
4. The fiscal year of the CRC Commission shall be January 1 to December 31 of each year.

### **III. CRC COMMISSION AUTHORITY**

The CRC Commission shall have the authority:

1. To construct, maintain and operate cultural, educational and recreational facilities in Isabella County (the "Facilities") for the benefit of all citizens of Isabella County and most particularly the youth of our community, without regard to cultural differences, with particular emphasis to:
  - i) Develop facilities and programs which will assist the youth of our community, as well as the educational needs of the students of the University;
  - ii) Develop facilities and programs to benefit the families of our community;
  - iii) Develop facilities and programs to benefit the senior citizens of our community;
  - iv) Develop facilities and programs which will promote harmony between native Americans and other members of our community.
2. To own real and personal property in its own name for the purpose of constructing, maintaining and operating cultural, educational and recreational facilities.
3. To make and enter into contracts; to hire and discharge employees, to acquire, construct, manage or operate buildings, works or improvements; to acquire, hold or dispose of

property; to incur debts, liabilities or obligations which, except as expressly authorized in writing by a Public Agency, will not constitute the debts, liabilities or obligations of that Public Agency to the Agreement; to cooperate with any public agency, an agency or instrumentality of that public agency or other legal or administrative entity created by that public agency.

4. To accept gifts, grants, assistance funds, or bequests to assist in the fulfillment of the CRC Commission's responsibilities.
5. To design, construct, own, operate and maintain cultural, educational and recreational Facilities and to purchase or lease real and personal property as is necessary.
6. To provide for the coordination of the planning, construction, operation and financing of such Facilities;
7. To set rates and charges for the use of the Facilities;
8. To determine capital cost obligations and operating and maintenance cost obligations of the Public Agencies with respect to the Facilities subject to approval in writing of each such Public Agency.
9. To receive federal and/or state aid to assist in the fulfillment of CRC Commission's responsibilities;
10. To contract with any other Public Agencies for the design, construction, purchase, lease, operation, maintenance and improvement of the Facilities.
11. To do all things incident to carrying out its purpose, and in particular, those powers set forth in Section 7 of the Act.

12. A Public Agency may contract directly with the CRC Commission for such services as such Public Agency and the CRC Commission deem appropriate. No Public Agency shall be liable for any contracts or obligations of any other Public Agency, nor shall any Public Agency be liable for any contracts or obligations of the CRC Commission, unless there has been an express assumption of such liability in writing by the Public Agency against whom such liability is asserted.
13. The CRC Commission shall create an Advisory Committee to assist in planning the construction and operation of the Facilities.

**IV. COMPOSITION**

1. The CRC Commission shall be a Board composed of seven Commissioners appointed as follows:

	<i>No. of Trustees</i>
i) the County	1
ii) the City	1
iii) the School District	1
iv) the Tribe	1
v) the University	1
vi) Union Township	1
vii) Chippewa Township	1

2. The Term of each Commissioner to the CRC Commission shall be for three years, except that the initial term of the Commissioner appointed by the City and School District shall be one year and the initial term of the Commissioner appointed by the Tribe and County shall

- be two years. In addition, a Commissioner appointed by a Public Agency may be removed by that appointing Public Agency, at will.
3. Upon the expiration of the term of a Commissioner, a successor Commissioner shall be appointed in the same manner. No Commissioner may serve more than two full consecutive terms.
  4. The Commissioner shall serve without compensation. A Commissioner may be reimbursed for out-of-pocket expenses in furtherance of the activities of the CRC Commission, undertaken at the request of the CRC Commission.
  5. A Commissioner shall not have any financial interest in any contract with the CRC Commission.

#### **V. MEETINGS**

1. An annual meeting of the CRC Commission shall be held once each year during the month of April, for an organizational meeting at a time and place to be fixed by the CRC Commission. At each organizational meeting, the CRC Commission shall elect a chairperson and a vice-chairperson, each of whom shall be members of the Commission. In addition, the CRC Commission shall elect a secretary and a treasurer who may, but need not be, members of the Commission. The offices of secretary and treasurer may be combined and held by one person. Such officers shall serve until the next annual organizational meeting of the CRC Commission and thereafter until their respective successors shall be elected and qualified. An officer may be removed by the Commission at any time.

2. The Commission shall adopt bylaws and rules governing its procedure which are not in conflict with the terms of the laws of the State of Michigan or of this Agreement.
3. Regular meetings of the CRC Commission shall be held at such time and place as shall be prescribed by resolution of the Commission or in the bylaws and rules of procedure of the Commission.
4. Special meetings of the Commission may be called by the chairperson or any three members of the Commission by serving written notice of the time, place and purpose thereof upon each member of the Commission, or by leaving the notice at his or her residence at least 24 hours prior to the time of such meeting.
5. Presence of a Commissioner at a meeting of the Commission shall be a waiver of any deficiency in the notice of such meeting, unless the deficiency of the notice is specifically raised by such Commissioner. Any member of the Commission may waive notice of any meeting either before or after the holding thereof, and written consent to any action taken by the Commission shall have the same effect as if the consenting member had been present and voted in favor of such action.
6. A quorum of the Commission shall consist of four Commissioners. If fewer than all seven Public Agencies enter into this Agreement, the Commission shall establish the quorum in its by-laws.
7. Failure to hold meetings or appoint or select Commissioners or officers as herein provided shall not render invalid any action taken by the CRC Commission.

## **VI. OPERATION**

1. Prior to the beginning of each fiscal year, the CRC Commission shall prepare, adopt and file with the governing body of each Public Agency, (i) an annual budget for the operation and maintenance of any and all Facilities under the control and jurisdiction of the CRC Commission; (ii) a summary showing projected income for the following fiscal year; (iii) a cash flow of revenues and expenses for the coming fiscal year, and (iv) a long-term plan for replacement costs of existing Facilities and equipment. Within sixty (60) days after the end of each fiscal year the CRC Commission shall submit to each Public Agency a summary of the activities of the CRC Commission.
2. Any and all money received by the CRC Commission shall be deposited in a bank or banks to be designated by the Commission. All checks or other forms of withdrawal from such accounts, shall be signed by two officers of the Commission designated by, and after approval of such expenditure by the Commission.
3. An annual audit shall be prepared of all the books, records and accounts of the CRC Commission by a certified public accountant. Copies of the audit shall be filed with the governing body of each Public Agency to this Agreement.
4. The CRC Commission shall operate as a "not for profit" entity. No part of its earnings shall inure to the benefit of a person other than the Public Agencies to this Agreement.
5. Except as otherwise agreed by a Public Agency in writing, a Public Agency shall have no obligation to contribute any funds toward the construction, maintenance or operation of any of the Facilities operated by the CRC Commission.

6. The CRC Commission shall not have the power to asses, levy or collect any type of tax within the boundaries of any of the Public Agencies participating in this Interlocal Agreement, or to issue any type of bond in its own name or to in any way create any indebtedness for any of the Public Agencies participating in this Interlocal Agreement, without the specific approval of that Public Agency.

#### **VII. WITHDRAWAL**

1. A Public Agency to this Agreement may not withdraw from participation in the CRC Commission unless and until any and all indebtedness of such Public Agency to the CRC Commission has been paid.
2. In the event that an indebtedness is incurred by the CRC Commission , a Public Agency which has agreed to assume liability of the Commission may not withdraw from participation in this Agreement unless and until all amounts payable by such Public Agency are satisfied.
3. Subject to the foregoing provisions, a Public Agency may withdraw from this Agreement upon resolution of its governing body. In the event that a Public Agency withdraws from this Agreement, such Public Agency shall have no right to any contribution of any of the CRC Commission's assets or bank accounts and no property of any kind contributed to the CRC by said Public Agency shall be returned to said Public Agency.
4. In the event that all the Public Agencies, or all the remaining Public Agencies to the Agreement decide to terminate the CRC Commission, subject to the initial two paragraphs, all assets of the CRC Commission shall be distributed proportionately, based

on the contribution by each such Public Agency to the CRC Commission, except as otherwise provided by law.

#### **VIII. TERM**

1. This Agreement shall last for a period of 20 years. This Agreement may be terminated at any time upon unanimous agreement of the Public Agencies. If at the end of 20 years two or more Public Agencies wish to extend this Agreement, those Public Agencies may do so. The remaining Public Agencies may withdraw from participation subject to the requirements of Article VII, Sections 1 and 2.
2. Upon termination of this Agreement, title to all property owned by the CRC Commission shall vest in the Public Agencies, based upon the relative contribution of each Public Agency to the CRC Commission, except as otherwise provided by law.
3. This Agreement may be modified at any time to include other governmental agencies, or in any other way permitted by law, but only with the consent of each of the Public Agencies hereto.
4. The CRC Board shall have exclusive control and responsibility for the Facilities.
5. A copy of this Agreement shall be filed with the County Clerk of the County of Isabella and with the Michigan Secretary of State.
6. The expiration of this Agreement shall not be effective until adequate provision has been made for the discharge of all obligations of the CRC Commission and for the distribution of all property and assets of the CRC Commission in the matter herein before provided.
7. To the extent authorized by law, the Public Agencies, all officers of the Commission, all Commissioners, and all employees of the CRC Commission are hereby made immune from



personal tort liability for any and all lawful actions taken in connection with the ownership or operation of any facility. The Public Agencies, the Commission, its officers, Commissioners and employees, shall enjoy governmental immunity from tort liability to the maximum extent provided by law. To the extent there is no immunity, the Commission shall indemnify all Commissioners, officers and employees from personal tort liability for any and all lawful actions taken in connection with the ownership or operation of any facility to the extent permitted by law, and shall purchase liability insurance to fulfill this obligation.

8. This Agreement shall become binding upon a Public Agency as soon as that Public Agency and two (2) other Public Agencies have executed this Agreement, subject to the provisions of the Act. In addition, the CRC Commission shall have authority to begin its activities as soon as three (3) Public Agencies have executed this Agreement, subject to the provisions of the Act.

THIS AGREEMENT SHALL BE BINDING upon these Public Agencies, their successes and assigns and inure to the benefit of these Public Agencies, their successes and assigns.

**COUNTY OF ISABELLA**

Date: 4-6-95

Glenn Starnes  
By: Glenn Starnes  
Its: Chairperson

Dated: 4/10/95

**CITY OF MT. PLEASANT**

Donald Sowle  
By: Donald Sowle  
Its: Mayor

Dated: \_\_\_\_\_

4/10/95

**MT. PLEASANT PUBLIC SCHOOLS**

By: Steven Pung  
Its: Secretary

*Steven Pung*

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

**THE SAGINAW CHIPPEWA TRIBE**

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

**BOARD OF TRUSTEES, Central Michigan University**

Dated: \_\_\_\_\_

4-12-95

**CHARTER TOWNSHIP OF UNION**

By: Robert J. Sullivan  
Its: Supervisor

*Robert J. Sullivan*

Dated: \_\_\_\_\_

4-19-95

**CHIPPEWA TOWNSHIP**

By: George Grim  
Its: Supervisor

*George Grim*

**MT. PLEASANT PUBLIC SCHOOLS**

Dated: 4/10/95

[Signature]  
By:  
Its:

**THE SAGINAW CHIPPEWA TRIBE**

Dated: \_\_\_\_\_

\_\_\_\_\_  
By:  
Its:

**BOARD OF TRUSTEES, Central Michigan University**

Dated: 7-11-95

[Signature]  
By:  
Its:

**CHARTER TOWNSHIP OF UNION**

Dated: 4-12-95

[Signature]  
By:  
Its:

**CHIPPEWA TOWNSHIP**

Dated: 4-19-95

[Signature]  
By:  
Its:

(45C32/HOCKEY/INTERLOCAL)

FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT  
TO CREATE THE CULTURAL AND RECREATIONAL  
COMMISSION OF ISABELLA COUNTY

This First Amendment to the Interlocal Agreement to Create the Cultural and Recreational Commission of Isabella County (the "First Amendment") is entered into this 2nd day of June, 1997, by and between THE COUNTY OF ISABELLA, of 200 North Main Street, Mt. Pleasant, Michigan 48858, THE CITY OF MT. PLEASANT, of 401 N. Main Street, Mt. Pleasant, Michigan 48858, THE MT. PLEASANT SCHOOL DISTRICT, of 201 South University, Mt. Pleasant, Michigan 48858, THE BOARD OF TRUSTEES OF CENTRAL MICHIGAN UNIVERSITY, of Bovee University Center, Central Michigan University, Mt. Pleasant, Michigan 48859, THE CHARTER TOWNSHIP OF UNION, of 2010 South Lincoln Road, Mt. Pleasant, Michigan 48858, and CHIPPEWA TOWNSHIP, of 11050 East Pickard Road, Mt. Pleasant, Michigan 48858, each a public agency operating in Isabella County, Michigan, collectively "Public Agencies", and individually "Public Agency".

WITNESS THAT:

WHEREAS, the Public Agencies previously entered into the Interlocal Agreement to Create the Cultural and Recreational Commission of Isabella County, and

WHEREAS, the Internal Revenue Service of the United States has identified certain amendments that need to be made to the Interlocal Agreement to Create the Cultural and Recreational Commission of Isabella County so that the Cultural and Recreational Commission of Isabella County can receive a tax exempt status,

**FILED**

JUL 16 1997

COUNTY CLERK  
ISABELLA COUNTY  
MT. PLEASANT, MICH.

NOW, THEREFORE, the Interlocal Agreement to Create the Cultural and Recreational Commission of Isabella County is hereby amended as follows:

1. The Public Agencies acknowledge that the Saginaw Chippewa Indian Tribe has not yet elected to participate in the Interlocal Agreement to Create the Cultural and Recreational Commission of Isabella County.

2. Article III is amended to include a new paragraph 14 which will provide as follows:

14. The Cultural and Recreational Commission of Isabella County is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Upon the dissolution of the CRC Commission, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the CRC Commission is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

3. Article VII, Section 4 is deleted in its entirety and replaced with the following:

4. In the event that all the Public Agencies, or all of the remaining Public Agencies to the Agreement decide to terminate the CRC Commission, subject to the initial two paragraphs, all assets of the CRC Commission shall be distributed to Public Agencies

proportionately, based on the contribution by each such Public Agency to the CRC Commission, for a public purpose.

4. In all other respects the Interlocal Agreement to Create the Cultural and Recreational Commission of Isabella County is hereby ratified and affirmed.

COUNTY OF ISABELLA

Date: 6-2-97

Harry Beltrick

CITY OF MT. PLEASANT

Date: May 21, 1997

[Signature]

MT. PLEASANT PUBLIC SCHOOLS

Date: 6-2-97

W. Monigold

BOARD OF TRUSTEES, Central Michigan University

Date: 5-30-97

George E. Plouffe

CHARTER TOWNSHIP OF UNION

Date: 5/30/97

[Signature]

CHIPPEWA TOWNSHIP

Date: 6/2/97

George E. Plouffe

**Bylaws**  
**Cultural and Recreational Commission of Isabella County**  
*known as the "CRC"*

**I. Name**

Established by an Interlocal Agreement in April of 1995 the Cultural Recreational Commission of Isabella County shall be known as the "CRC".

**II. The Board of Commissioners**

- a. The CRC Commission shall be a Board composed of six Commissioners. One commissioner shall be appointed by the county of Isabella, one commissioner by the City of Mount Pleasant, one commissioner by the Mt. Pleasant School District, one commissioner by Central Michigan University, one commissioner by the Charter Township of Union, and one commissioner by Chippewa Township.
- b. Commissioners shall serve without pay, but may be reimbursed out of pocket expenses incurred on behalf of the CRC.
- c. Terms are three years and no commissioner may serve more than two full consecutive terms. Commissioners may be removed by their appointing authority. Vacancies are filled by the appointing authority at the request of the CRC Chair. Requests to fill vacancies should be made immediately to the appropriate appointing authority.
- d. For any commissioner with more than three unexcused absences the CRC Chair commissioner be dismissed and a new commissioner appointed.
- e. A CRC Commissioner shall not have any financial interest in any contract with the CRC.

**III. Officers**

- a. The officers of the Commission shall consist of Chair, Vice Chair, Secretary and Treasurer. These last two offices may be combined if desired by the Commission and these two officers may be members of the commission but need not be.
- b. Elected officers may serve a term of one year and may be reelected.
- c. An officer may be removed by the Commission at any time
- d. (i) The Chair shall preside at all Commission meetings, appoint committee members and perform other duties associated with the office. (ii) The Vice-Chair shall assume the duties of the chair in case of the Chair's absence. (iii) The Secretary shall be responsible for the minutes of the board, keep all approved minutes in a minute book and send out copies to all Commissioners and the Appointing Governmental Authorities and assure that all meetings are posted according the open meetings ace. (iv) The Treasurer shall keep record of the organization's budget, prepare financial reports as needed, and assist the Chair in arranging for the annual audit and in meeting with the lessee's financial officers.

**IV. Committees**

Committees are appointed by the Chair. There shall be one standing committee called the Annual Meeting and Report Committee. This committee shall assure that the Annual meeting is planned and held during April of each year and that an Annual report be made to the Governmental entities that are signatories to the Interlocal Agreement. The Chair may appoint ad hoc committees as needed.

**V. Meetings**

- a. Regular meetings shall be held quarterly on the first Wednesday of the first month of each quarter. Meetings will be held at a time and place deemed appropriate and convenient by a majority of the commissioners.
- b. The Annual meeting is to be held in April and may be on the same day as the regular meeting or at another date convenient to the Interlocal Agreement Signatories.
- c. Special meetings may be called by the Chairperson or any three of the members of the Commission with 24-hour notice.
- d. Agendas shall be provided four days in advance of the meeting.
- e. All meetings and activities of the CRC Commission shall comply with the Michigan Open Meetings Act, Act 267 Public Acts of 1976, MCL (15.261, etseq.)

#### **VI. Voting**

- a. A majority of the Commission constitutes a quorum for meeting purposes (one more than half the membership of the body). In the absence of a quorum no formal action shall be taken except to adjourn the meeting to a subsequent date.
- b. Passage of motion requires a simple majority (one more than half of the members present).

#### **VII. Conflict of Interest**

- a. Annually each commissioner will sign a Conflict of Interest Statement.
- b. Any Commissioner who has a financial, personal, or official interest in (or appearance of a conflict) with a matter pending before the board, of such nature that it prevents or may prevent that member from acting on the matter in an impartial manner, will offer to the Commission to voluntarily excuse him/herself and will vacate his seat and refrain from discussion and voting on said item.

#### **VIII. Fiscal Policies**

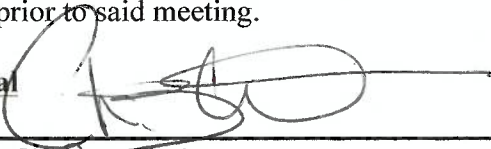
- a. The Fiscal Year of the CRC Commission shall be January 1<sup>st</sup> to December 31<sup>st</sup> of each year.
- b. Prior to the beginning of each fiscal year, the CRC Commission shall prepare, adopt and file with the governing body of each Public Agency
  - i. an annual budget for the operation and maintenance of any and all facilities under the control and jurisdiction of the CRC Commission.
  - ii. summary showing projected income for the following fiscal year,
  - iii. cash flow of revenues and expenses for the coming fiscal year,
  - iv. long-term plan for replacement costs of all existing facilities and equipment.
- c. Within 120 days after each fiscal year the CRC Commission shall submit to each public agency a summary of the activities of the CRC.
- d. All money received by the CRC Commission shall be deposited in a bank to be designated by the commission.
- e. All checks and other forms of withdrawal from CRC accounts shall be signed by two officers of the commission designated by the commission and after approval of the expenditure by the commission.
- f. An annual audit shall be prepared of all the books, records, and accounts of the CRC Commission, its lessee's by a CPA. Copies will be filed with the governing body of each Public Agency signing the Interlocal Agreement.
- g. The CRC Commission shall operate as a "not for profit" entity.



**IX. Amendments**

- a. These Bylaws have been prepared as required by the Interlocal Agreement and are intended to assist CTC Commissioners in conducting routine business. All questions about them or proposed changes should be reviewed against the Interlocal Agreement.
- b. Amendments to the by laws may be made by a two-thirds vote of board members present at any meeting provided a quorum is present and provided a copy of the proposed amendment(s) are provided to each CRC Commissioner at least one week prior to said meeting.

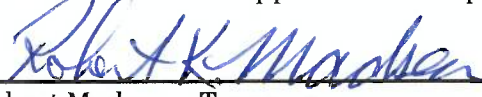
**X. Approval**

  
\_\_\_\_\_  
Christopher Walton, Chair  
Commissioner for Mt. Pleasant School District

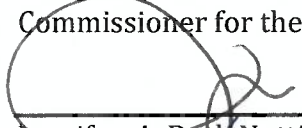
6/18/14  
Date

  
\_\_\_\_\_  
Gary Sperry - Vice Chair,  
Commissioner for Chippewa Township

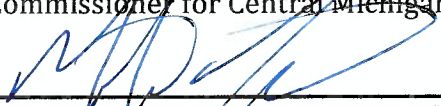
6/30/2014  
Date

  
\_\_\_\_\_  
Robert Madsen - Treasurer,  
Commissioner for the City of Mount Pleasant

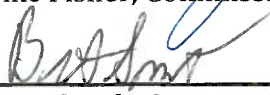
6/20/2014  
Date

  
\_\_\_\_\_  
Jennifer A. Beck Nottingham - Secretary,  
Commissioner for Central Michigan University

6/19/14  
Date

  
\_\_\_\_\_  
Mike Fisher, Commissioner for Isabella County

6/20/14  
Date

  
\_\_\_\_\_  
Brian Smith, Commissioner for Union Township

6-19-14  
Date

*Cultural and Recreational  
Commission  
of Isabella County*

# *Introduction*

This booklet contains information about the creation of the Cultural and Recreational Commission of Isabella County, the construction of the Ice Arena and Morey Courts, the financing of the construction of these buildings, some history of the management of the facilities, and information about the finances of the operations of the separate facilities. Most importantly, the first section describes the positive impact the CRC and its facilities have had on our community.

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	Impact of Morey Courts on the Community.....	D
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# *I. Impact of the Cultural and Recreational Commission of Isabella County*

The Ice Arena and Morey Courts have vastly increased the recreational opportunities of our community members.

- 1) **Ice Arena.** Since its opening in 1997, the Ice Arena's single sheet of ice has been available for ice skating about nine months each year, generally from early September to May. The rink has seating at the ice level for about 180. The ice area is unheated, so warm clothes are encouraged. There is some additional seating on the second floor in a heated area. The second floor also has three rooms which can be used for other recreational activities or for meeting space. There are also team locker rooms, a room for ice skate rentals, and a cafeteria. Attached as **Exhibit A** is a floor plan of the ice arena.

The Ice Arena staff has prepared an outline of the impacts of the Ice Arena on our community. It is attached as **Exhibit B**. Highlights include:

- a) The establishment and support for youth hockey programs, from players 6, and under, through 18.
  - b) The establishment and support for 4 adult hockey leagues.
  - c) A learn to skate programs for area school 2nd graders.
  - d) Regular open skate times.
  - e) The Ice Arena is the home ice for the Mt Pleasant High School boy's Hockey Team, two CMU Men's Club Teams and one CMU Women's Club Team.
  - f) Space for other activities, such as the Mt Pleasant Taekwondo Club.
  - g) Support for other community events, such as the Boo Bash and the World Wide Day of Play.
- 2) **Morey Courts.** Morey Courts opened in 2008. It contains eight basketball courts, two of which are generally reserved for tennis. It also has three racquetball courts, a large workout facility, other rooms which are used for special events, exercise classes or other intense training, locker rooms, and a cafeteria. The building is spacious, attractive in appearance, always remarkably clean, and very well sound proofed. It is comfortably heated in the winter and air conditioned in the summer. Attached as **Exhibit C** is a floor plan of Morey Courts.

The Morey Courts' staff has also prepared an outline of the impact of Morey Courts on our community during 2014. It is attached as **Exhibit D**. Highlights include:

- a) Though the number of Memberships varied over the year, during 2014 there was an average of 1,800, members averaged over 2700, and there were more than 121,000 membership check-ins.

- b) Tournaments are usually weekend events which regularly include out-of-town teams that often stay at hotels and eat in restaurants in the Mt. Pleasant area. These events provide Morey Courts with income from court rentals and tournament admissions.
- c) Morey Courts encourages all members of our community to use its facilities, not just members or those in structured events. Drop-ins, including walkers and after-school teens, use the facility constantly. (Walkers who are not members pay only \$1.00 per day, but this activity contributed over \$32,000 to Morey Courts in 2014. After-school teens also only pay \$1.00 per day.)
- d) Historically, Friday nights are the times when Morey Courts is least used. As a result, the Morey Courts staff has developed programs to encourage families to use the facility on that night. Every Friday night from November through March finds Morey Courts open for families to use for free. The numbers who come range from 75, or so, to 300. Other free family nights occur in September (a World Wide Day of Play) and October (a Boo Bash).

Please be sure to review all of the material prepared by the Ice Arena's staff and the Morey Courts' staff.

## II. *Creation of the Cultural and Recreational Commission of Isabella County*

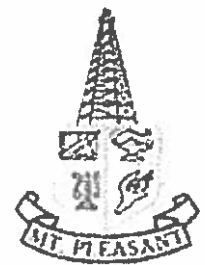
In 1992, a group of our community members, having tired of arising at 3:00 a.m. every morning to water down the outdoor ice arena located at Jamison Park in Union Township, decided to try to develop the community support necessary to build an indoor ice arena. Paul Preston, the then Mt. Pleasant City Manager, suggested that the Urban Cooperation Act of 1967 might permit the creation of a new governmental unit that would facilitate both the construction and operation of such a recreation facility. Paul pointed out that this statute authorizes two or more governmental units to join together to meet a community need, such as building and operating a recreation facility.

A few years later, in 1995, six local units of government, Isabella County, Chippewa and Union Townships, the City of Mt. Pleasant, the Mt. Pleasant School District, and Central Michigan University (Public Agencies), took advantage of this statute and entered into the Interlocal Agreement to Create the Cultural and Recreational Commission of Isabella County (Agreement). See Exhibit E. The Agreement created the Cultural and Recreational Commission of Isabella County (CRC) which, as a unit of government, is bound by such standards as the Freedom of Information Act and the Open Meetings Act.

The Agreement provides that the CRC is governed by a commission of six members, one appointed by each Public Agency. Quite appropriately, the Agreement grants the CRC the power to construct and operate cultural, educational, and recreational facilities. In order to accomplish these goals, the CRC has the authority to enter into contracts, incur debt, accept gifts and grants, and set rates and charges for the use of any facility. In addition and of key significance to each of the six Public Agencies, the Agreement specifically provides that the Public Agencies have no obligation to contribute to the cost of construction, maintenance, or operation of any facility developed or managed by the CRC.

Finally, the Agreement provides that its initial term of existence is for twenty years but that this term may be extended if agreed to by at least two of the Public Agencies.

The Agreement has been amended once, in 1997. This amendment included provisions required by the Internal Revenue Service so that the CRC could acquire a tax exempt status, a status it acquired in August, 1997.



### *III. Construction of the Facilities*

Even before the Agreement was signed, the community members involved in this effort were searching for the right property, one that also came with an affordable price. This goal was ultimately achieved when Bob and Sue Martin agreed to donate to the CRC 20 acres located in Union Township. This parcel provides a great location for a community athletic facility as it is part of the County's largest population center, near a major north-south roadway, and yet has safe access off a dead-end road with limited traffic.

With this gift in hand, the CRC developed plans for the ice arena (plans which also permitted future growth), arranged for funding, and then over the Fall and Winter of 1996-1997 started and ultimately completed the construction of the ice arena. Many of our local contractors provided the CRC with discounted prices and much of the finished painting and cleaning was performed by ice rink supporters. The funding and construction of the ice arena was truly a community effort.

Over the next few years the CRC focused its primary efforts on insuring that the ice arena was well run, met its financial commitments, and was viewed by the community and the Public Agencies as an asset. The CRC believes that the operation of the ice arena has met each of these goals.



As time went by, though, the CRC received requests that it expand its facility to meet additional recreation needs. In 2005, the CRC was approached by a group of local community members (the MC Eleven) who wanted to develop and operate on a non-profit basis a multi-court athletic facility, similar to one operated on a for-profit basis in Midland. It was estimated this facility might cost \$4,000,000 to \$6,000,000.

After much discussion, the CRC agreed that such a facility could be built next to the ice arena, but that the MC Eleven needed to raise the funds to build the facility and that the ice arena could not be used as collateral to secure any debt. And, as with the ice arena, this athletic facility had to be owned by the CRC and needed to be economically self-sufficient. At some point later the Morey Foundation generously agreed to provide a substantial portion of the funding. With that commitment during 2007-



2008 the MC Eleven arranged for the construction of this new 100,000 square foot athletic facility, Morey Courts. Over the past few years the CRC has focused again on ensuring its two facilities meet our community's needs.

In addition, if the right opportunity presents itself, the CRC remains in a position to expand the activities it presently supports. For example, this past summer the Mt. Pleasant Area Convention and Visitors Bureau asked the CRC to consider expanding the recreational activities the CRC supports. These discussions are continuing.

Finally, the CRC has long believed that our community would be benefited if we had a community pool and that such a pool would be a wonderful addition to its present campus, adjacent to the ice arena and Morey Courts. The CRC, however, does not believe that its present business model - one which requires the construction and operation of the each facility to be paid for out of gifts, grants and the revenues from its own operations - would be successful for an indoor pool. The CRC believes that a Feasibility Study prepared for the County and City in 2005 establishes that even if the funds for construction of a pool were donated, that substantial additional support would be needed on an ongoing basis to cover an expected operational shortfall. As a result, the CRC does not presently believe that it has the economic capacity to own or manage a community pool.



## *IV. Construction Finances*

- 1) The funds for the construction of the ice arena came from the following sources:
  - a) Gift of land from the Martin family, appraised at \$200,000.
  - b) Grant from the State of Michigan of \$250,000.
  - c) Grants from the Saginaw Chippewa Indian Tribe totaling \$800,000.
  - d) Funds loaned by community members to a non-profit company totaling \$469,000; these funds were used to buy assets for the ice arena.
  - e) Funds raised by a second set of community members which were loaned to a second non-profit company totaling \$570,000; these funds were also used to buy assets for the ice arena.
  - f) Numerous gifts of services and materials from contractors and community members during construction.

All of the financial obligations relating to the ice arena were either forgiven or paid for out of the operating revenue of the ice arena by the time Morey Courts was opened in 2008, except for non-interest bearing loans totaling approximately \$86,000, and these loans are only required to be paid from the ice arena's operational surpluses.

- 2) The funds (approximately \$6,200,000) for the construction of Morey Courts came from the following sources:
  - a) Isabella Bank and Firstbank loaned the CRC \$3,000,000. This loan was secured by a pledge by the Morey Foundation to make a gift to the CRC of \$3,000,000 over 7 years. This pledge has been fulfilled and so this note is now paid in full. The interest on this note was paid out of the operating revenue of Morey Courts.
  - b) Isabella Bank initially loaned the CRC approximately \$1,500,000. Over the past few years the amount of this loan has grown to \$1,800,000. The interest on this loan has also been paid out of the operating revenue of Morey Courts. This loan is secured by a first mortgage on Morey Courts and the personal guarantees of the MC Eleven. This loan was recently amended and now bears interest at 3.75% and requires monthly payments which amortize the debt over 15 years. All payments on this loan are being paid out of the operating revenue of Morey Courts.
  - c) The MC Eleven, collectively, loaned the CRC \$1,750,000. These promissory notes each bear interest at 6% and each is secured by a second mortgage on Morey Courts. No payments are due until the Isabella Bank debt is paid in full. \$250,000 of these loans has been forgiven, leaving a principal balance of \$1,500,000.

The CRC and the Public Agencies have no liability for these debts to Isabella Bank or the MC Eleven.

## V. *History of the Management of the Facilities*

For a variety of reasons the initial members of the CRC concluded that they wanted the day-to-day operations of the ice rink managed by a different group of community volunteers. As a result, a non-profit corporation was formed, Smooth Surfaces (SS). The CRC then leased the ice rink to SS. This lease required SS to run the rink effectively, pay all the operational costs, including the debts to the two groups of community members that provided financing, and then turn all the remaining profits, if any, over to the CRC. SS has a Board of Directors of 9 members (unpaid community volunteers) and that Board has hired the staff and supervised the operation of the ice rink and reports to the CRC on a periodic basis.

Before the construction of Morey Courts, the MC Eleven agreed to guarantee the Isabella Bank debt and provide their own loans on the condition that it could create a second non-profit corporation which would manage Morey Courts on the same terms as the lease for the operation of the ice arena. The MC Eleven wanted to keep the finances of the ice arena and Morey Courts separate. They also wanted the Board of this new entity to focus solely on the operation of Morey Courts to insure that it was well run and that its debts were paid. This was acceptable to the CRC and ultimately, the CRC leased Morey Courts to this new entity, Central Sports and Recreation (CSRC). The CSRC also has a Board of 9 members (also, unpaid community volunteers) and that Board has hired the Morey Courts staff, supervised its operations and periodically reported to the CRC.

In 2012, after five years of successful operation of Morey Courts, it was decided that it was appropriate to have the same nine individuals be appointed to both the Boards of SS and CSRC. The finances of both entities remain separately managed and each entity continues to hire and manage its own employees, except that in February, 2015, the Boards selected Ken Hisey, an employee of Morey Courts, to manage both facilities. The members of each Board are:

Eric Spindler	Herb Wybenga	Greg Schmidt
Tom Myers	Mary Ann O'Neil	Tim Maness
Anita Anderson	Bill Quakenbush	Bob Klimczak

In 2013, McLaren Central Michigan, our local hospital, and the CSRC agreed that the CSRC would take over the ownership and management of Wellness Central, an exercise facility operated by the hospital for many years, located in a building the hospital still owns in University Park. From the CSRC's perspective, this new opportunity not only ensures the continued operation of this well-used exercise facility, it permits the CSRC to generate additional revenue, after expenses, which is being used to help pay down the debt relating to Morey Courts.

## *VI. Operational Finances*

- 1) The fiscal year for Smooth Surfaces, the operator of the Ice Arena, ends June 30th when the ice rink activities are generally limited.

For the year ending June 30, 2014, Smooth Surfaces had revenues from operations of \$364,000 and expenses of \$343,000, leaving an operational surplus of \$21,000. Over time, this level of operational surplus will permit Smooth Surfaces to gradually replace its equipment.

In that regard, in 2012 Smooth Surfaces had to replace its condenser and related equipment, which cost about \$90,000. Firstbank provided Smooth Surfaces a loan for this new equipment and related repairs in the amount of \$127,000. As of December 31, 2014, this loan has been paid down to \$76,000 through gifts and the Ice Arena's operational surplus.

- 2) The fiscal year for Central Sports and Recreation, the operator of Morey Courts, ends December 31st.

The Financial Statements for Morey Courts for 2014 show that it had income of approximately \$1.1 million and operating expenses of approximately \$925,000. This left approximately \$175,000 for payment on the interest and principal payments due for the construction financing.

Now that the gift from the Morey Foundation has been fulfilled, this level of operational surplus will cover the principal and interest of approximately \$145,000 due on an annual basis to Isabella Bank.

- 3) Finally, community members have created a fund within the Mount Pleasant Community Foundation to support the activities of the CRC. It has a present balance of just below \$127,000 as of January 31, 2015. While this is a comparatively small sum, it is an indication that the community sees the CRC as an important long term asset.

# Charter Township of Union



To: Township Board of Trustees  
From: Mark Stuhldreher, Township Manager  
Subject: Policy Governance Review  
Date: August 22, 2024

Policy Review: 2.9 - Collaboration with Other Entities  
Type of Review: Internal  
Review Interval: Annual  
Review Month: August 2024

## **Policy Wording**

In order to maximize achievement of Ends, the Township Manager shall not fail to explore strategic partnerships and intergovernmental cooperation, and to optimize collaboration with other entities in the region where appropriate.

## **Manager Interpretation**

Township Manager interprets this policy to indicate that professional relationships will be developed and maintained with community partners (public, private and non-profit) and that as appropriate, engage said partners in the exploration of collaborative service delivery opportunities, area wide communication efforts and that appropriate focus will be placed on the region and not solely within the corporate boundaries of the Township.

## **Justification for reasonability**

The Township Manager has determined that the interpretation is reasonable based on the wording reflected in the policy itself.

## **Data**

- The Township EDA provides financial support to the Mt. Pleasant Area Convention & Visitors Bureau, the Middle Michigan Development Corporation, co-sponsors the annual Festival of Banners program coordinated by Art Reach of Mid-Michigan along with other co-sponsors including City of Mt. Pleasant, Isabella Bank, Mercantile Bank, and the Saginaw Chippewa Indian Tribe.
- The Township Manager continued to provide technical support to the Mid-Michigan Aquatic Recreation Authority and the Township collaborated with other entities in the County to support the mission of the Authority.

- The Township, along with the County and City jointly host the annual Leadership Luncheon which is attended by representatives of CMU, Saginaw Chippewa Indian Tribe, and other area elected officials.
- The Township Manager and Supervisor participate in quarterly meetings with elected and administrative representatives of the county, city, and tribe, known as the Inter-Government Liaison Committee, to discuss areas of mutual interest, explore collaboration opportunities, and where appropriate, coordinates communication opportunities.
- The Community and Economic Director is Chairperson of the Airport Joint Operations Board the goal of which is to explore opportunities to enhance the usage of and financial stability of the Mt Pleasant Municipal Airport. The Board consists of representatives of the Saginaw Chippewa Indian Tribe, Isabella County, and Middle Michigan Development Corporation.
- The Township Manager is a member of the Chamber of Commerce, is on the Executive Committee of the Middle Michigan Development Corporation, actively participates in the County Emergency Management Center planning efforts, is a member of the Hannah's Bark Park Advisory Board and is a member of the local Rotary Club.
- The Township Manager meets weekly with the Mt Pleasant City Manager and Isabella County Administrator via zoom to discuss areas of mutual interest, explore collaboration opportunities, and where appropriate, coordinate communication opportunities.
- The Public Services Director sits on and is the chair of the Mid Michigan Cable Consortium and attends monthly Road Commission meetings.
- The Township is funding partner with other local entities for the Epicenter e-publication. The aim of the publication is to chronicle the investment, innovation, and development of unique assets within the region to attract new talent and shape the region's future.
- The Township routinely partners with the Isabella County Road Commission (ICRC) to maximize road improvements in the Township.
- The Township Manager is a member of the County created Steering Committee which is exploring how best to implement recommendations made in the completed feasibility study of the Materials Recovery Facility
- The Township actively supports area baseball and softball leagues via providing facilities, field maintenance and tournament hosting.
- The Community and Economic Development Director meets monthly with the Mt. Pleasant City Planner to discuss land use planning and development-related issues of mutual concern.
- The Community and Economic Development Director attends the quarterly meetings of the Isabella County Cultural and Recreational Commission.
- The Building Official collaborates with the Mt. Pleasant Fire Department's Fire Lieutenant and the Isabella County Community Development Department's electrical, mechanical, and plumbing inspectors on the issuance of certificates of occupancy and the enforcement of applicable building and fire codes for construction projects in the Township.

### **Compliance**

In compliance with policy as indicated

**Policy Governance Executive Limitations Evaluation Form**

*A tool to be used by individual Board members as they evaluate the internal monitoring reports*

Policy being monitored: 2.9 Collaboration with Other Entities

- 1. Was this report submitted when due?  Yes  No
- 2. Did the report lay out the Manager’s interpretation or an operational definition of the policy?  Yes  No
- 3. Is the interpretation justified or is proof provided to explain why the interpretation is reasonable?  Yes  No
- 4. Was I convinced that the interpretation is justified and reasonable?  Yes  No
- 5. Did the interpretation address all aspects of the policy?  Yes  No
- 6. Does the data show compliance with the Manager’s interpretation of our policy?  Yes  No

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Comments regarding further policy development:

- 1. Is there any area regarding this policy that you worry about that is not clearly addressed in existing policy?

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- 2. What policy language would you like to see incorporated to address your concern?

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Signature and date of Board member \_\_\_\_\_



# REQUEST FOR TOWNSHIP BOARD ACTION

<b>To:</b> Board of Trustees	<b>DATE:</b> August 22, 2024
<b>FROM:</b> Mark Stuhldreher, Township Manager	<b>DATE FOR BOARD CONSIDERATION:</b> August 28, 2024
<b>ACTION REQUESTED:</b> Board of Trustees annual review of Board Governance Policy No. 4.2 – Accountability of the Township Manager	

Current Action  Emergency

Funds Budgeted: If Yes  Account # \_\_\_\_\_ No  N/A

Finance Approval MDS

### BACKGROUND INFORMATION

The Board Governance Policy was originally adopted in 2010 with subsequent amendments being made over the years and as recently as February 2024. The purpose of the Policy is to assist the Board of Trustees in the execution of their duties as a policy making body. Through the articulation of various policies within the totality of the document, the Board of Trustees is encouraged to focus on long-term organizational outputs and the discharge of its fiduciary responsibilities.

Certain policies, such as Policy 4.2 (Accountability of the Township Manager), are to be reviewed and monitored by the Board of Trustees for compliance on an annual basis.

### Board Policy 4.2 – Accountability of the Township Manager

The Policy states: “The Township Manager is the board’s primary link to operational achievement and conduct, so that authority and accountability of staff, as far as the board is concerned, is considered the authority and accountability of the Township Manager, except where staff supervised by elected officials have been explicitly directed by those elected officials to act in a manner inconsistent with township policy. In this case, the elected official would be held accountable.”

Due to the length, the entire policy is attached. Following the policy is an evaluation section that can be used for the review/discussion of Policy No. 4.2.

### SCOPE OF SERVICES

Not applicable

### JUSTIFICATION

An annual review of Board Policies allows for the Board of Trustees to monitor itself regarding adherence to policies that apply to the Board of Trustees.

### PROJECT IMPROVEMENTS

The following Board of Trustees goals are addressed in this review (From Policy 1.0: Global End)

- Community well-being and common good

- Prosperity through economic diversity, cultural diversity, and social diversity
- Health and Safety
- Natural environment
- Commerce

**COSTS**

Not applicable

**PROJECT TIME TABLE**

Not applicable

**RESOLUTION**

Not applicable



## Board Compliance Monitoring Tool

**Policy:** 4.2 – Accountability of the Township Manager  
**Type:** Direct Inspection  
**Occurrence:** Annual  
**Date:** August 2024

### Policy:

The Township Manager is the board’s primary link to operational achievement and conduct, so that authority and accountability of staff, as far as the board is concerned, is considered the authority and accountability of the Township Manager, except where staff supervised by elected officials have been explicitly directed by those elected officials to act in a manner inconsistent with township policy. In this case, the elected official would be held accountable.

Where township operations are, by law, delegated to elected officials:

In order to create an aligned approach to operational management, the elected positions of township clerk and township treasurer shall function as department heads, under the advisory supervision of the Township Manager, where the Township Manager may provide advice in the practice of operational authority.

Accordingly:

- 4.2.1 The board, as a group, or as individual board members will *never give* instructions to persons who report directly or indirectly to the Township Manager, except:
- A. Where elected officials, serving on an official committee or task force is assigned a staff liaison, in which case, directives regarding committee work may be given.
  - B. Where elected officials serving as department heads directly supervise staff.
- 4.2.2 The board as a group will not evaluate, either formally or informally, any staff other than the Township Manager.

Accordingly:

- 4.2.2.1 It is the Township Manager that provides overall direction and is responsible for the selection, supervision, training, evaluation, discipline, and termination of all Township employees, either directly or through department heads.
- 4.2.3 The board will view Township Manager performance as identical to organizational performance, so that organizational accomplishment of board stated Ends and avoidance of board proscribed means will be viewed as successful Township Manager performance.

**Use this evaluation form for discussion at the Board of Trustees Meeting on August 28, 2024.**

**Review all sections of the policy listed and evaluate Board compliance with policy.**

1. Indicate item by item if you believe the Board is in strict compliance with the policy as stated.
  
2. If you indicated that the Board is not in strict compliance with the policy as stated, please indicate what you notice that gives evidence that the Board is not in compliance?
  
3. How do you think the Board could improve the process to be in full compliance?
  
4. What does the Board need to learn or discuss in order to live by its' policies more completely?