



BOARD OF TRUSTEES
Regular Meeting
June 12, 2024
7:00 p.m.

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. PRESENTATIONS
 - a. Audit presentation by Yeo & Yeo
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. Board Member Reports
10. CONSENT AGENDA
 - A. Communications
 - B. Minutes – May 22, 2024 – Regular Meeting
 - C. Accounts Payable
 - D. Payroll
 - E. Meeting Pay
 - F. Fire Reports
11. NEW BUSINESS
 - A. Discussion/Action: (Nanney) Consider adoption of new Private Road Ordinance as Ordinance Number 24-01
 - B. Discussion/Action: (Smith) Fox Meadow Estates & Fox Meadows Estates II Paving Special Assessment District Resolution #4
 - C. Discussion/Action: (Smith) Lincoln Road Participation Agreement with the Isabella County Road Commission

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

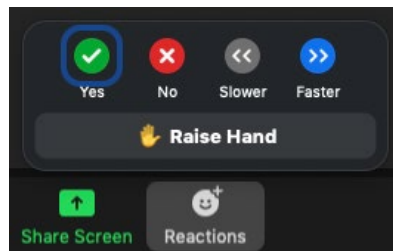
Hybrid Meeting Instructions for the Charter Township of Union Board of Trustees Meeting

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 “861 1599 5624” Password enter “926394”). 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 “861 1599 5624” and the “#” sign at the “Meeting ID” prompt, and then enter “926394” 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	Vacant		12/31/2024
2	Sarvjit	Chowdhary	12/31/2024
3	Bryan	Neyer	12/31/2024
Alt #1	Randy	Golden	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
Mid Michigan Aquatic Recreational Authority (2 seat from Township) 3 year term			
#	F Name	L Name	Expiration Date
1-City of Mt. Pleasant	John	Zang	12/31/2023
2-City of Mt. Pleasant	Judith	Wagley	12/31/2025
1-Union Township	Stan	Shingles	12/31/2026
2-Union Township	Allison	Chiodini	12/31/2025
1-Mt. Pleasant Schools	Lisa	Diaz	12/31/2024
1-Member at Large	Mark	Stansberry	2/14/2025
2- Member at Large	Michael	Huenemann	2/14/2025

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 May 22, 2024, at 7:00 p.m. at the Union Township Hall.

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

Bills moved Brown supported to appoint Treasurer Rice as temporary Supervisor. Vote: Ayes: 5 Nays: 0. Motion carried.

Bills moved Smith supported to appoint Trustee Thering as temporary Clerk. Vote: Ayes: 5 Nays: 0. Motion carried.

Roll Call

Present:

Treasurer Rice, Trustee Bills, Trustee Brown, Trustee Smith and Trustee Thering

Excused:

Supervisor Mielke and Clerk Cody (arrived at 7:15 p.m.)

Approval of Agenda

Smith moved Brown supported to approve the agenda as presented. Vote: Ayes: 5 Nays: 0. Motion carried.

Presentation

- a. Frank Engler, Isabella County Commissioner, gave updates for the County

Public Hearing

Public Comment

Open: 7:06 p.m.

John Zang, 623 Hopkins, Mt Pleasant, spoke on behalf of Mid-Michigan Aquatic Recreation Authority, thanked the Board for their support during this endeavor.

Closed: 7:07 p.m.

Reports/Board Comments

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

B. Board Member Reports

Bills – Gave an update on the May 22nd Intergovernmental meeting

*7:15 p.m. Clerk Cody arrived

Smith – gave an update on the May 21st Isabella County Board of Commissioners Work Session meeting.

Rice – gave an update on the Summer Tax production

Consent Agenda

- A. Communications
- B. Minutes – May 8, 2024 – Regular Meeting
- C. Accounts Payable
- D. Payroll
- E. Meeting Pay
- F. Fire Reports

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

New Business

A. **Discussion/Action: (Stuhldreher) Consideration of a request to dissolve the Mid-Michigan Aquatic Recreation Authority (MMARA)**

Bills moved **Smith** supported the dissolution of the Mid-Michigan Aquatic Recreational Authority. **Roll Call Vote: Ayes: Cody, Rice, Bills, Brown, Smith, and Thering Nays: 0. Motion carried.**

B. **Discussion/Action: (Stuhldreher) Policy Governance 2.3 Compensation and Benefits**

Discussion by the Board

C. **Discussion/Action: (Board of Trustees) Policy Governance 3.10 Cost of Governance**

Discussion by the Board

EXTENDED PUBLIC COMMENT: RESTRICTED TO 5 MINUTES REGARDING ANY ISSUE

Open: 7:47 p.m.

No comments were offered.

Closed: 7:47 p.m.

MANAGER COMMENTS

- Renewed the Township’s MTA Premium Subscription that is available to the staff and Board members.
- Union Township is invited to the Spring 2024 2% Meeting on May 29th.
- Manager will be out of the office a few days next week
- Encouraged the Board to attend the Honoring Healing and Remembering held at the Mt. Pleasant Indian Industrial Boarding School on June 6th.

FINAL BOARD MEMBER COMMENTS

Brown – Wished everyone a safe holiday

Bills – Commented on an email and resignation letter that the Board received from Doug LaBelle and wished everyone a great Memorial Day Weekend.

Smith – Thanked the manager for an email correspondence regarding Baseline Road

Thering – Inquired on the requirements for backflow inspections being performed by Cross Connection

Cody – Submitted a reimbursement for election cost to the State of Michigan

Rice – Wished everyone a wonderful and safe holiday weekend

ADJOURNMENT

Smith moved **Thering** supported to adjourn the meeting at 7:55 p.m. **Vote: Ayes: 6. Nays: 0. Motion carried.**

APPROVED BY:

Lisa Cody, Clerk

Bryan Mielke, Supervisor

(Recorded by Tera Green)

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 101 POOLED CHECKING						
05/30/2024	101	699 (E)	00146	CONSUMERS ENERGY	2279 S MERIDIAN RD PUMP HOUSE	79.06
					800 CRAIG HILL RD	49.54
					4520 E RIVER RD	211.79
					5076 S MISSION RD	1,255.00
					900 MULBERRY LN	69.43
					5240 E BROOMFIELD RD	1,100.48
					2270 NORTHWAY DR	34.63
					5525 E REMUS RD	69.76
					5537 E BROADWAY RD	53.58
					1933 S ISABELLA RD	617.62
					1660 BELMONT DR	139.69
					2188 E PICKARD RD	89.79
					1876 E PICKARD RD	200.39
					2495 E DEERFIELD RD	224.98
					2424 W MAY ST	633.00
					1633 S LINCOLN RD	225.96
					2279 S MERIDIAN RD	1,674.09
					5319 E AIRPORT RD	66.22
					4795 S MISSION ST	2,605.13
					4797 S MISSION ST BARN	420.27
					1046 S MISSION ST	111.94
					5228 S ISABELLA RD	6,630.22
					4822 ENCORE BLVD	116.27
					3998 E DEERFIELD RD	83.17
					5369 S CRAWFORD RD	65.73
					3248 S CONCOURSE DR	188.99
					4244 E BLUE GRASS RD	169.28
					1605 SCULLY RD	57.56
					5144 BUDD ST	60.82
					5142 BUDD ST	124.81
					1776 E PICKARD	111.94
					2180 S LINCOLN RD	74.22
					2010 S LINCOLN	650.28
					4511 E RIVER RD	13,765.21
						<u>32,030.85</u>
05/30/2024	101	700 (E)	00146	VOID		
				VOID Reason: Created From Check Run Process		
05/30/2024	101	701 (E)	00146	VOID		
				VOID Reason: Created From Check Run Process		
06/05/2024	101	702 (E)	01105	MASTERCARD	MASTERCARD CRAWFORD	33.09
					MASTERCARD BEBOW	64.26
					MASTERCARD WALDRON	100.13
					MASTERCARD DEARING	345.45
					MASTERCARD MCBRIDE	3,603.07
					MASTERCARD FUSSMAN	142.05
					MASTERCARD STUHLREHER	225.24
					MASTERCARD HOHLBIEN	281.33
					MASTERCARD OCKERT	775.21
					MASTERCARD NANNEY	15.00
					MASTERCARD SOMMER	426.79
					MASTERCARD TEALL	2,326.31
					MASTERCARD COFFELL	461.64
					MASTERCARD SMITH	008409.17

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
					MASTERCARD GALLINAT	1,429.54
					MASTERCARD PETERS	8.00
						<u>10,646.28</u>
06/05/2024	101	703 (E)	01105	VOID		V
				Void Reason: Created From Check Run Process		
06/06/2024	101	25497	01954	LADDS	NEW INFIELD GROOMER	6,897.00 V
				Void Reason: CHK PRINTED WRONG		
06/06/2024	101	25498	01954	LADDS	NEW INFIELD GROOMER	6,897.00
06/12/2024	101	25499	00020	JAMES ALWOOD	PROPERTY LEASE ROYALTIES	406.36
06/12/2024	101	25500	01703	AMAZON CAPITAL SERVICES	FILE BOX	90.04
					PHONE CASE FOR BUILDING OFFICIAL	36.43
						<u>126.47</u>
06/12/2024	101	25501	00039	AQUA AEROBIC SYSTEMS, INC.	RETAINERS	397.88
06/12/2024	101	25502	01962	ROBERT & KELLI ARTIBEE	REFUND DEPOSIT JAMESON HALL RENTAL	250.00
06/12/2024	101	25503	01600	BE GREEN LAWN SERVICES CO, INC.	WEED & FEED @ JAMESON PARK	785.00
					WEED & FEED @ MCDONALD PARK	4,789.00
						<u>5,574.00</u>
06/12/2024	101	25504	01240	BRAUN KENDRICK FINKBEINER PLC	MTT-MT PLEASANT APARTMENTS WEST-APR 2024	799.50
					MTT-JAMESTOWN APARTMENTS-APR 2023	2,398.50
						<u>3,198.00</u>
06/12/2024	101	25505	00095	C & C ENTERPRISES, INC.	UNIFORMS	714.75
					CAN LINERS	76.50
						<u>791.25</u>
06/12/2024	101	25506	00116	CENTRAL PLUMBING	FAUCET FOR PARKS BATHROOM	219.71
06/12/2024	101	25507	01626	DANNY COFFELL	MILEAGE TO/FROM JAMESON HALL/HOME	15.28
06/12/2024	101	25508	00155	COYNE OIL CORPORATION	FUEL FOR TOWNSHIP VEHICLES-MAR 2024	2,141.28
06/12/2024	101	25509	01171	DBI BUSINESS INTERIORS	PRINTER PAPER	121.89
06/12/2024	101	25510	00201	ELHORN ENGINEERING COMPANY	BULK EL-CHLOR	3,833.00
06/12/2024	101	25511	01426	ENVIRONMENTAL RESOURCE ASSOCIATES	TESTING SUPPLIES	909.25
06/12/2024	101	25512	01353	EVOQUA WATER TECHNOLOGIES LLC	BIOXIDE	13,286.43
06/12/2024	101	25513	01958	ANITA JEAN GLYNN	ELECTION INSPECTOR TRAINING 5-10-24	28.00
06/12/2024	101	25514	01583	GOUDREAU & ASSOCIATES INC.	TWP HALL FEASIBILITY STUDY-PRG PMT #6	4,640.00
06/12/2024	101	25515	00261	GRAINGER	DRAIN VALVE AUTO FLOAT	181.90
					CONTROL BREAKER FOR LIFT STN #6	199.41
						<u>381.31</u>
06/12/2024	101	25516	01746	TERA GREEN	MILEAGE TO/FROM BANK/TWP HALL	57.89
06/12/2024	101	25517	01957	JORDAN HEINRICH	REFUND RENTAL DEPOSIT JAMESON HALL	250.00
06/12/2024	101	25518	00281	MARGIE HENRY	ELECTION INSPECTOR TRAINING 5-10-2024	28.00
06/12/2024	101	25519	01590	JANICE HOWDYSHELL	ELECTION INSPECTOR TRAINING 5-10-2024	32.00
06/12/2024	101	25520	01721	HYDROCORP	LEAD SERVICE LINE IDENTIFICATION & CROSS	1,354.50
					LEAD SERVICE LINE IDENTIFICATION & CROSS	2,286.00
						<u>3,640.50</u>
06/12/2024	101	25521	01963	THOMAS & JUDY THOMAS	REFUND RENTAL DEPOSIT JAMESON HALL	250.00
06/12/2024	101	25522	01712	THOMAS H IDEMMA JR	ELECTION INSPECTOR TRAINING 5-10-2024	28.00
06/12/2024	101	25523	01964	INDEXX	DRINKING WATER LAB	1,096.78

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
06/12/2024	101	25524	00324	ISABELLA CORPORATION	WTR SERVICE INSTALL ON CRAWFORD-FINAL PM PEASTONE FOR LSI	2,250.00 840.00 <u>3,090.00</u>
06/12/2024	101	25525	00883	KENNY MACHINING	TERTIARY FILTER #2 WWTP	626.00
06/12/2024	101	25526	01065	MRWA	ANNUAL DUES	825.00
06/12/2024	101	25527	00001	M T A	M T A ANNUAL DUES AND LEGAL DEFENSE FUND	7,537.54
06/12/2024	101	25528	01959	TRACY MCCARTY	ELECTION INSPECTOR TRAINING 5-10-2024	28.00
06/12/2024	101	25529	00907	MID MICHIGAN CABLE CONSORTIUM	1ST QTR FRANCHISE FEE JAN-MARCH 2024	9,106.83
06/12/2024	101	25530	00462	MT. PLEASANT FENCE, SASH & DOOR	INSTALLED GARAGE DOOR @ WTR PLANT	5,823.32
06/12/2024	101	25531	00463	MT. PLEASANT HEATING & AIR COND	AIR FILTERS TOWNSHIP HALL	131.00
06/12/2024	101	25532	00128	CITY OF MT. PLEASANT	FIRE CONTRACT PAYMENT-3RD Q 2024	209,600.25
06/12/2024	101	25533	01663	RODNEY NANNEY	MILEAGE REIMBURSEMENT	485.75
06/12/2024	101	25534	00494	NORTH CENTRAL LABORATORIES	LAB SUPPLIES	756.63
06/12/2024	101	25535	01713	NANCI OSBORN	ELECTION TRAINING 5-10-2024	28.00
06/12/2024	101	25536	00131	PERCEPTIVE CONTROLS, INC	CHANGE FOR NETWORK, SCAD RIVER RD., SMS PROJECT MANAGEMENT MEETINGS AND EXPENSES	4,588.00 2,284.00 <u>6,872.00</u>
06/12/2024	101	25537	00539	PRINTING SYSTEMS, INC	ELECTION FORMS AND SUPPLIES ELECTION FORMS AND SUPPLIES ELECTION ENVELOPES AV BALLOT ENVELOPES	252.92 337.41 315.01 769.75 <u>1,675.09</u>
06/12/2024	101	25538	01007	RITE-WAY ASPHALT PAVING	ASPHALT REPAIR MCDONALD PARK	3,267.00
06/12/2024	101	25539	01897	ROBERT HALF	TEMP WORKING ACCT SPECIALIST ROLE	2,153.44
06/12/2024	101	25540	01960	RANDY L SCHULDT	ELECTION INSPECTOR TRAINING 5-10-2024	28.00
06/12/2024	101	25541	01566	STRATEGIC VALUE MEDIA	2024 HOME BUILDERS ASSOCIATION OF MICHIG	1,350.00
06/12/2024	101	25542	01654	TRACE ANALYTICAL LABORATORIES, INC	MONTHLY SELENIUM SAMPLE MAY 2024	29.00
06/12/2024	101	25543	00668	UNITED PARCEL SERVICE	SHIPPING CHARGES SHIPPING AND POSTAGE MAIL/SHIPPING MAIL/POSTAGE SHIPPING	69.97 39.16 46.72 20.55 <u>176.40</u>
06/12/2024	101	25544	01336	CYNTHIA M VELDT-DIETSCH	ELECTION INSPECTOR TRAINING 5-14-2024	32.00
06/12/2024	101	25545	01314	VERIZON WIRELESS	CELL PHONES 4-16-24 TO 5-15-24	648.76
06/12/2024	101	25546	00703	WASTE MANAGEMENT OF MICHIGAN, INC	DUMPSTER SERVICE JAMESON HALL - (05-2024 DUMPSTER SERVICE WTR PLANT - 05-2024 DUMPSTER SERVICE WWTP - 05-2024 DUMPSTER SERVICE TWP HALL -05-2024 DUMPSTER SERVICE SHOP - 05-2024 DUMPSTER SERVICE MCDONALD PARK - 05-2024	121.61 50.21 263.27 68.51 49.71 150.61 <u>703.92</u>
06/12/2024	101	25547	01210	WEBER BROS SAWMILL, INC	4 YARDS OF BARK	40.00
06/12/2024	101	25548	01428	NORMAN WOERLE	ELECTION INSPECTOR TRAINING 5-10-2024	28.00

101 TOTALS:

Total of 57 Checks:
 Less 4 Void Checks:

353,216.34
 6,897.00

Total of 53 Disbursements:

346,319.34

Charter Township of Union Payroll
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CHECK DATE: MAY 18, 2024
Pay Period End Date: 05/18/24

NOTE: PAYROLL TRANSFER NEEDED

General Fund	\$	43,096.44
Fire Fund		224.51
EDDA		
WDDA		
Sewer Fund		30,861.73
Water Fund		34,311.50
Total To Transfer from Pooled Savings	\$	108,494.18

NOTE: CHECK TOTAL FOR TRANSFER

BS&A Gross Payroll	\$	73,083.16
Employer Share Medicare		1,012.97
Employer Share SS		4,331.28
SUI		21.83
Pension-Employer Portion		6,072.25
Workers' Comp		448.40
Life/LTD		
Dental		1,220.59
Health Care		23,385.60
Vision		
Vision Contribution		
Health Care Contribution		(2,581.60)
Flex Administrators		40.00
Cobra/Flex Administration		1,459.70
PCORI Fee		
Total Transfer to Payroll Checking	\$	108,494.18

Charter Township of Union Payroll
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CHECK DATE: June 6, 2024
Pay Period End Date: 06/01/24

NOTE: PAYROLL TRANSFER NEEDED

General Fund	\$	43,043.69
Fire Fund		
EDDA		
WDDA		
Sewer Fund		31,716.58
Water Fund		33,300.12
Total To Transfer from Pooled Savings	\$	108,060.39

NOTE: CHECK TOTAL FOR TRANSFER

BS&A Gross Payroll	\$	73,311.33
Employer Share Medicare		1,013.53
Employer Share SS		4,333.76
SUI		19.97
Pension-Employer Portion		6,098.97
Workers' Comp		438.59
Life/LTD		
Dental		1,220.59
Health Care		23,385.60
Vision		375.27
Vision Contribution		(187.63)
Health Care Contribution		(2,581.60)
Flex Administrators		
Cobra/Flex Administration		632.01
PCORI Fee		
Total Transfer to Payroll Checking	\$	108,060.39

**CHARTER TOWNSHIP OF UNION
MEETING PAY REQUEST FORM**

(See Governance Policy 3.10 for additional details)

BOARD MEMBER:

Brian Smith

MONTH, YEAR:

April / May 2024

Date MM/DD	Meeting	Time Attended		Total
		1hr or less	More than 1hr	
4/2	BOC Work Session		✓	\$ 75
4/16	BOC Work Session		✓	\$ 75
5/7	BOC Work Session	✓		\$ 50
5/21	BOC Work Session		✓	\$ 75

Signature: 

Date: 5-22-24

1. This form is to be filled out by the board member at the conclusion of each calendar month. Request forms should be sent to the Finance Department. Following approval by the Board of Trustees, the meetings will be paid in the next payroll run.
2. Only list those meetings that you have attended. For extra meetings that a member of the Board of Trustees attends and are eligible for "meeting pay", \$50 will be paid for meetings that are 1 hour or less and \$75 for meetings over 1 hour. The meeting pay request form must be filled out with the date of the meeting, the name of the meeting attended, the length of the meeting and the pay requested for each meeting.
3. The Township Supervisor, Clerk, and Treasurer shall not receive any meeting pay for attending meetings during regular township business hours of Monday through Friday 8:30 am to 4:30 pm.



Union Township Report

Date: Tuesday, May 28, 2024



Alarm Date between 2024-05-12 and 2024-05-18

District	NFIRS Number	Alarm Date	Incident Type Code	Incident Type	Apparatus Name	Personnel Count	Alarms
Union Township	0000332						
		5/12/2024 9:25:03 AM	735	Alarm system sounded due to malfunction	ENG 33	2	1
						Total Responding 2	
Union Township	0000340						
		5/14/2024 6:53:07 PM	322	Motor vehicle accident with injuries	ENG 33	2	1
		5/14/2024 6:53:07 PM	322	Motor vehicle accident with injuries	C 31	1	1
						Total Responding 3	
Union Township	0000343						
		5/16/2024 1:13:12 PM	444	Power line down	ENG 33	2	1

							Total Responding 2
Union Township	0000344						
		5/16/2024 9:02:54 PM	561	Unauthorized burning	ENG 33	2	3
		5/16/2024 9:02:54 PM	561	Unauthorized burning	POV	8	3
						Total Responding 10	
Union Township	0000346						
		5/17/2024 5:17:42 PM	550	Public service assistance, other	ENG 33	3	1
						Total Responding 3	
	Total Runs 5					Total Responding 20	

Note: Alarms
1=Duty Crew
2=Paged Off Duty Full-time
3=Paged Paid-on-Call Firefighters
4=Paged All



Union Township Report

Date: Tuesday, May 28, 2024



Alarm Date between 2024-05-19 and 2024-05-25

District	NFIRS Number	Alarm Date	Incident Type Code	Incident Type	Apparatus Name	Personnel Count	Alarms
Union Township	0000350						
		5/19/2024 9:42:28 PM	442	Overheated motor	ENG 33	3	1
						Total Responding 3	
Union Township	0000353						
		5/21/2024 2:00:39 PM	743	Smoke detector activation, no fire - unintentional	ENG 33	2	1
						Total Responding 2	
Union Township	0000355						
		5/22/2024 1:31:58 AM	745	Alarm system activation, no fire - unintentional	ENG 33	2	1
						Total Responding 2	

Union Township	0000358						
		5/23/2024 1:14:38 AM	311	Medical assist, assist EMS crew	ENG 33	3	1
						Total Responding 3	
Union Township	0000359						
		5/23/2024 4:51:23 AM	311	Medical assist, assist EMS crew	ENG 33	3	1
						Total Responding 3	
Union Township	0000362						
		5/23/2024 3:07:09 PM	551	Assist police or other governmental agency	ENG 33	2	3
		5/23/2024 3:07:09 PM	551	Assist police or other governmental agency	POV	8	3
						Total Responding 10	
Union Township	0000364						

		5/24/2024 5:39:04 PM	522	Water or steam leak	ENG 33	2	1
						Total Responding 2	
	Total Runs 7					Total Responding 25	

Note: Alarms

1=Duty Crew

2=Paged Off Duty Full-time

3=Paged Paid-on-Call Firefighters

4=Paged All



Union Township Report

Date: Tuesday, June 4, 2024



Alarm Date between 2024-05-26 and 2024-06-01

District	NFIRS Number	Alarm Date	Incident Type Code	Incident Type	Apparatus Name	Personnel Count	Alarms
Union Township	0000370						
		5/27/2024 6:00:59 PM	445	Arcing, shorted electrical equipment	ENG 33	2	1
		5/27/2024 6:00:59 PM	445	Arcing, shorted electrical equipment	C 31	1	1
						Total Responding 3	
Union Township	0000373						
		5/28/2024 8:11:49 PM	445	Arcing, shorted electrical equipment	ENG 33	3	1
						Total Responding 3	
	Total Runs 2					Total Responding 6	

Note: Alarms
1=Duty Crew

2=Paged Off Duty Full-time
3=Paged Paid-on-Call Firefighters
4=Paged All

To: Board of Trustees	DATE: June 5, 2024
FROM: Mark Stuhldreher, Township Manager	DATE FOR BOARD CONSIDERATION: 6/12/2024
ACTION REQUESTED: To adopt the new Private Road Ordinance as Ordinance Number 24-01.	

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

BACKGROUND INFORMATION

A private road is any road or street that is privately developed, owned, and maintained within a right-of-way or easement to provide vehicle access to more than one lot, dwelling, or business. Private roads are not under the jurisdiction of a county or state road authority, but are recognized as roads by the Township and County for addressing, mapping, and other purposes. The Township’s current Private Road Ord. No. 2000-09 has some significant limitations that have effected administration and enforcement. The proposed ordinance was developed in consultation with the Township Attorney, Public Services Director, Planning Commission, and interested citizens, and includes the following key elements:

1. **A clear private road permit approval process** for new roads or alterations to existing roads in the proposed ordinance has been set up to be similar to the final site plan review process in the Zoning Ordinance (Sections 9.0 – 13.0). The current ordinance does not identify what administrative official or body would be responsible for such approvals or how the private road project should be approved.
2. **Public safety-related minimum standards for road maintenance** for existing private roads and shared driveways, which are intended to ensure that emergency vehicles can safely access all lots and dwellings in the event of an emergency (see Section 4.0).
3. **Standards and an approval process for road names**, along with provisions for renaming or addressing of an existing private road if determined necessary to address a public safety deficiency (see Section 5.0). The current ordinance does not address how private road names are determined, provide for any approval process for naming or renaming a private road, or require any continuity between new road names and existing roads.
4. **Updated road design standards.** Larger private roads (serving nine or more lots) are required to conform to county Road Commission standards for local streets. Smaller private roads (serving up to eight lots) are subject to a somewhat reduced set of design standards that remain sufficient for public safety purposes under this more limited scope of use (see Section 14.0). These standards have been updated from equivalent provisions in the current ordinance to be consistent with current road engineering practices and materials.
5. **Confirmation of landowner(s) option to petition to establish a special assessment district** consistent with state law and the Township’s special assessment policies, with the understanding that the landowner(s) are responsible for arranging for and completing all necessary private road construction, maintenance, or improvements performed with funds from a special assessment (see Section 7.0).

6. **Fees, escrow deposits, and performance guarantee provisions** in the proposed ordinance are consistent with equivalent development-related requirements in the Zoning Ordinance (see Sections 17.0 and 18.0).
7. **Violations and penalties provisions** in the proposed ordinance are also consistent with equivalent provisions in other Township ordinances (see Section 19.0). As is the case with other ordinances, the goal of any Township ordinance enforcement process is to help the violator understand the ordinance and how to bring things back into compliance.

Revisions Included in the Updated Draft of the Proposed Ordinance

The following changes were identified during the review process and have been incorporated into the current draft of the proposed ordinance:

- **Re-application after denial** – Revision to Section 10.0 to eliminate the 365-day waiting period for reapplication after a denial to be consistent with how the Zoning Ordinance addresses a final site plan denial.
- **Inspection escrow provisions** – Clarification of the inspection escrow provision in Section 15.0 for consistency with the rest of the ordinance, and of the provision for the letter of completion to come from staff to be more consistent with final site plan inspection procedures under the Zoning Ordinance.
- **Defined terms** – Clarification of the “*private road*” and “*road or street*” definitions in Section 20.0, along with the addition of a definition for “*obscene material*,” and an edit to the defined term “*shared driveway*.”

On April 2, 2024, the Community and Economic Development Director met with J. David Kerr, a longtime Township resident and local attorney who shared written comments in response to the Board of Trustees’ First Reading of the proposed ordinance. The following additional updates have been incorporated into the proposed ordinance in direct response to Mr. Kerr’s comments:

- **Road names** – Revision to replace the subjective term “*inappropriate*” in Section 5.0, subsection “3.” with “*obscene material*,” which is defined in state law. This change minimizes any potential for a future Planning Commission to reject a road name simply because of a personal dislike or animus.
- **Land subject to this Ordinance** – Clarifications to Section 3.0 (Scope) and throughout the ordinance to ensure consistency in references to the “*land that abuts and has access to the private road*” which is subject to the requirements of this Ordinance. Previous drafts used several different terms (such as “*served for ingress and egress purposes*” or “*land abutting to or accessing the private road*”), which Mr. Kerr correctly identified as potential sources of confusion or (unintended) over-regulation. The updated reference removes this concern.

The Director would again like to note here for the record his deep appreciation for the time Mr. Kerr spent preparing and sharing his analysis and recommendations related to regulation of private roads in the Township. His perspective as a Township resident and landowner, and as an experienced professional in estate planning and related matters for rural landowners in the Township and surrounding region, has been valuable for the refinement of this proposed Ordinance.

Responses to Other Questions Raised during the Review Process

During the review process, several more questions were raised about elements of the proposed ordinance. The following is a summary of responses to these additional questions:

1. **An appeal process?** An appeal process is not warranted for the following reasons: Upon determination that the application satisfies all applicable ordinance requirements, *“The Private Road Permit shall be approved by the Planning Commission”* (Section 10.0). The technical/engineering standards of the ordinance are not subjective. If an application is denied for failure to meet the ordinance standards, the applicant can submit a new application at any time.
2. **Use of escrow deposits and performance guarantees?** The escrow deposit and performance guarantee provisions in the proposed ordinance mirror equivalent provisions in the Zoning Ordinance. Escrow deposits are required to ensure that the Township has funds available to pay for necessary variable costs (as defined in the ordinance) during the application review process. Performance guarantees can be required as needed to ensure completion of improvements per an approved plan, and are most often used to address seasonal limitations on construction.
3. **Questions about costs for the applicant and landowner(s).** Consistent with the Board of Trustees’ “Global Ends” policies, staff has sought through the development of the proposed ordinance to streamline the application review process as much as possible and to ensure that required private road plan information is sufficient for review but not excessive or duplicative.

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
March 13, 2024	Regular meeting of the Board of Trustees	Introduction and First Reading
March 21, 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
March 20, 2024		Publication of the summary and notice in The Morning Sun newspaper
March 27, 2024	Regular meeting of the Board of Trustees	Second Reading
March 19, April 16, and May 21, 2024	Regular meetings of the Planning Commission	Review and discussion in March and April. Recommended for adoption on 5/21/2024
June 12, 2024	Regular meeting of the Board of Trustees	Consideration of the proposed ordinance for adoption

The Planning Commission reviewed and discussed the proposed ordinance during their regular meetings in March, April, and May. After final deliberation during their regular May meeting, the Planning Commission adopted the following motion to recommend adoption of the proposed ordinance:

Lapp moved McDonald supported to recommend to the Board of Trustees that the proposed Private Road Ordinance with a draft date of April 8, 2024 be adopted as presented. Roll Call Vote: Ayes: Buckley, Lapp, McDonald, Shingles, Squatrito, and Thering. Nays: Gross and Olver. Motion carried.

SCOPE OF SERVICES

Final consideration and adoption of the proposed Private Road Ordinance.

JUSTIFICATIONS

Ordinance changes are necessary to resolve limitations that have effected administration and enforcement of the current Ord. No. 2000-09; and to establish maintenance requirements for existing private roads, standards for road names, and provisions for review and approval of Private Road permits.

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**
- 4. Natural environment**
- 5. Economic Development**

Adoption of the proposed Ordinance would help facilitate the effective use of resources (1.0). Consistency in provisions for ordinance administration and enforcement will help to ensures fair and nondiscriminatory code enforcement (1.1.1.2). Proposed design and maintenance requirements for new and existing private roads will help to provide safe and accessible routes for pedestrians, bicyclist, and motorized vehicles (1.3.1), and will help protect the natural resources of the Township (1.4). The approval process and application requirements are consistent with commerce-friendly economic development policies and MEDC Redevelopment Ready Communities program best practices (1.5).

COSTS

NA

TIMETABLE

After 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 adopt the new Private Road Ordinance as Ordinance Number 24-01.

Resolved by _____ Seconded by _____

Yes:

No:

Absent:

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

PRIVATE ROAD 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) to regulate the construction, maintenance, and use of private roads within the Township; to establish minimum maintenance standards for existing private roads and shared driveways; to provide for the administration and enforcement thereof, and for the establishment of fees, escrow deposits, and performance guarantees to defray the administrative and enforcement costs incident thereto, and to ensure that all required improvements are completed in accordance with approved plans; to ensure that residences and buildings within the Township may be accessible to police and fire protection, ambulance service, and other public services; and for other purposes.

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

Section 1.0 Title.

This ordinance shall be known and cited as the Private Road Ordinance and herein as “this Ordinance.”

Section 2.0 Purpose and Intent.

Unobstructed, safe, and continuous access to lots is necessary to promote and protect the health, safety, and welfare of the public through police and fire protection, and ambulance service. Such access is necessary to ensure that such services can safely and quickly enter and exit private property at all times. Access to the interior of certain sections within the Township should meet minimum standards and specifications to permit the subsequent upgrading and dedication of such access rights of way to the Road Commission or other road agency with jurisdiction when public dedication is desirable or required.

Section 3.0 Scope.

Every lot in the Township that is improved with a building shall abut a road dedicated to the public or a private road which meets the requirements of this Ordinance and provides access for ingress and egress for all vehicular traffic. No person shall construct, alter, or extend a private road without compliance with this Ordinance. This Ordinance shall also apply to all existing private roads and shared driveways.

The procedures, standards, and specifications of this Ordinance are determined to be the minimum necessary to meet the purpose and intent of this Ordinance.

Prior to the creation of any new private road, extension of an existing road as a private road, or creation of any new lots or any increase in the number of lots or number of dwellings that would abut and have access to a private road or shared driveway as defined in this Ordinance, approval of a new Private Road Permit and completion of associated improvements shall be required pursuant to this Ordinance.

Section 4.0 Requirements for Existing Private Roads and Shared Driveways.

Existing shared driveways and existing private roads without a recorded maintenance agreement or that were developed prior to the establishment of this Ordinance shall be maintained by the owners of record for land that abuts and has access to the private road in accordance with the following minimum requirements:

1. Existing private roads without a recorded maintenance agreement or developed prior to the establishment of this Ordinance shall be maintained by the owners of record for land that abuts and has access to the private road in accordance with approved development plans and in a manner that ensures that the road remains passable by automobiles and emergency vehicles. Where no approved development plan exists, at a minimum such maintenance shall include proper and adequate drainage, a minimum 15.0-foot-high clear vertical zone over the roadway, and a minimum gravel roadway surface width of 20.0 feet. Existing conditions that exceed these minimum requirements shall not be reduced.
2. Existing shared driveways shall be maintained by the owners of record for land that abuts and has access to the shared driveway in a manner that ensures that the shared driveway remains passable by automobiles and emergency vehicles. At a minimum such maintenance shall include proper and adequate drainage, a minimum 15.0-foot-high clear vertical zone over the driveway, and a minimum gravel roadway surface width of 12.0 feet. Existing conditions that exceed these minimum requirements shall not be reduced.
3. Any existing private road or shared driveway found by the Fire Department or Township to be in violation of these minimum standards or in a condition that would impair emergency vehicle access shall be in violation of this Ordinance. All owners of record for land that abuts and has access to a private road or shared driveway shall be jointly and severally responsible for maintenance and for any violations of this Ordinance.

Section 5.0 Road Names.

The following minimum requirements shall apply to the naming of any new private road or the re-naming or re-addressing of an existing private road:

1. Roads shall have names and not simply numbers or letters.
2. No road should change direction by more than 90 degrees without a name change.
3. A road name shall be prohibited if it is determined by the Planning Commission or County Road Commission to contain display of obscene material as defined in this Ordinance or to be duplicative, confusing, a public safety concern, or easily mistaken with an existing road or street in Isabella County.
4. The landowner and applicant shall be jointly and severally responsible for comparing a proposed road name against the master listing of road names maintained by the County Road Commission.
5. The applicant shall be responsible for securing written documentation that the County Road Commission has no objection to the proposed road name.
6. Changing the name or addressing of an existing private road is discouraged due to the potential to adversely impact landowners, visitors, emergency response personnel, and other agencies with jurisdiction. Private road names or addressing changes shall conform to the following:
 - a. The Township may initiate a private road name or addressing change upon determination that the existing name or addressing scheme is deficient from a public safety perspective, or if the Township receives notice from the Mt. Pleasant Fire Department or the Isabella County Sheriff's Office or Emergency Management Department of a public safety deficiency related to the existing road name or addressing. A Township-initiated road name or addressing change shall be subject to Planning Commission review and action, following a public hearing. Notice of the public hearing shall conform to the following requirements:

- (1) Notice shall be posted at the Township Hall, published in a newspaper of general circulation, and sent to all owners of record for and all occupants of land that abuts and has access to the existing or proposed private road not less than thirty (30) days before the date the application will be considered for approval. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notice shall be deemed to be sent by its deposit in the United States mail.
 - (2) The Township shall prepare and retain a list of the owners of record and the occupants to whom notice was mailed or delivered.
 - (3) The notice shall describe the nature of the request; indicate the lots affected by the request, include a listing of existing street addresses; and state when and where the public hearing will occur and where written comments may be submitted concerning the request.
- b. An application for a private road name change by a private party shall follow the same procedures and application information requirements as for a new private road, except that it shall also be required to be accompanied by signed and notarized letters of support from all owners of record for land that abuts and has access to the private road. Failure to provide all required documentation shall be grounds for rejection of any name change.

Section 6.0 Maintenance Agreement.

For any new private road subject to the requirements of this Section, or the new extension portion of an existing road, there shall be a recorded private maintenance agreement or restrictive covenant agreement that runs with the land and ensures that the road will be regularly maintained in accordance with the requirements of this Ordinance, an approved Private Road Permit and associated development plans, and any conditions of approval.

1. All owners of record for land that abuts and has access to the new private road or new extension portion of an existing road shall be signatory parties to the agreement, which shall be a continuing obligation on the land and any future landowners.
2. At a minimum, the agreement shall specify who will be responsible for road maintenance and improvements, reference the applicable standards, approved plans, and any conditions of private road approval, and describe how the funds for such work will be collected and administered.
3. All owners of record for land that abuts and has access to a new private road or an extension portion of an existing road shall agree to indemnify and hold harmless the Township and its representatives from any and all claims for personal injury and property damage arising out of the use of the private road.
4. A disclosure statement shall be placed in the agreement informing the purchaser that the road abutting or servicing the parcel is private and is not required to be maintained by any government agency.

Section 7.0 Special Assessment District.

The owner(s) of record for land that abuts and has access to a private road subject to the requirements of this Ordinance may file petition(s) with the Township in accordance with established procedures and requirements to request establishment of a special assessment district for maintenance of the private

road in accordance with applicable state statutes. This may be done concurrently with an application for Private Road Permit approval under this Ordinance and shall be further subject to the following:

1. The owner(s) of record for land that abuts and has access to shall be responsible for arranging for and completing all necessary construction, maintenance, improvement, or alteration of the road that may be performed with funds collected through a special assessment district.
2. The Township and any state or county road authority with jurisdiction are not responsible for damages resulting from the construction, maintenance, improvement, or alteration of private roads that may be performed with special assessment district funds.
3. The Township is not responsible for construction, maintenance, improvement, or alteration of private roads that may be performed with special assessment district funds.

Section 8.0 Optional Pre-Application Meeting(s).

An applicant may request a pre-application meeting with Township staff or the Planning Commission for the purpose of discussing conceptual plans, submittal requirements, review procedures, and approval standards. Any required fee for this meeting shall be paid to the Township at the time of the meeting. Conceptual plan comments shall be advisory only.

Section 9.0 Required Application Information.

At a minimum, the application for a Private Road Permit shall include the following:

1. Name, address, telephone number, and email address for the applicant and owners of record, along with proof of ownership.
2. The applicant's interest in the property, and if the applicant is not the owner of record, a signed authorization of the owner(s) for the application.
3. Survey drawings and development plans prepared and sealed by a land surveyor or civil engineer registered in the State of Michigan and drawn to a standard engineer's scale of 1:10, 1:20, 1:30, 1:40, 1:50, or 1:100 as appropriate for the scope of the project and legibility at the submitted sheet size, which shall include the following details:
 - a. Legal description(s), address(es), and tax parcel number(s), legal descriptions of the private road right-of-way and of each lot that abuts and has access to the road, and the names and addresses of all persons or parties owning an interest in the title to the lots and right-of-way area.
 - b. A detailed description of the scope and extent of the project.
 - c. Outline of existing and proposed road rights-of-way, and dimensions and bearings thereof.
 - d. Existing and proposed topographic contours at two (2) foot intervals.
 - e. Locations, layout, dimensions, and gross and net land area for existing and proposed lots.
 - f. Soil characteristics and wet areas; trees; streams and all bodies of water.
 - g. Location of existing drainage patterns, drain tiles, pipelines, culverts, and utilities, with notes regarding their preservation or alteration.
 - h. Details of existing natural features on the site, including water courses, regulated wetlands, floodplains, woodlands, and any additional features uniquely affecting the site;

with indications of features to be preserved, removed, or altered; and with mitigation measures as required per state law or Township ordinances.

- i. Location and outline of existing buildings and driveways.
 - j. A standard cross-section detail of the proposed private road.
 - k. Plan and profile drawings and of the proposed improvements clearly showing materials, grades, dimensions, and cut and fill areas.
 - l. For alteration or extension of an existing private road, also include the location, extent, and dimensions of the existing road right-of-way and driving surface, drainage improvements, and a cross-section detail of the existing road.
4. A complete statement of all existing and proposed private road terms and conditions, including but not limited to copies of all agreements or intended agreements regarding responsibilities and funding for future maintenance and improvements of the right of way and roadway.
 5. The proposed road name, along with documentation from the County Road Commission that it has no objection to the proposed name.
 6. Special assessment district information, if proposed.
 7. For lots and dwellings located outside of the service area for publicly-owned and operated water supply and sanitary sewerage systems, documentation shall be provided from the Central Michigan District Health Department that all lots and dwellings can be adequately served by individual private well and septic systems.
 8. Other information as requested by the Planning Commission to verify compliance with the requirements of this Ordinance and other applicable Township ordinances or state statutes.

Section 10.0 Private Road Permit Review Procedures.

Applications for Private Road Permit approval shall be subject to Planning Commission review and approval in accordance with the following procedures:

1. **Applicant eligibility.** The application shall be submitted by the owner of an interest in the land for which the Private Road Permit approval is sought, or by the owner's designated agent. If the applicant is not the owner of the property, the applicant shall submit a notarized statement signed by the owner(s) consenting to the application.
2. **Application filing and eligibility.** Application shall be made by filing with the Township at least eight (8) paper copies and two (2) digital copies (in a format compatible with Township systems) of a complete and accurate application, along with the required review fee and escrow deposit. Applications submitted without the required fee or escrow deposit, or found by the Township Engineer, Township Planner, or Planning Commission to be incomplete or inaccurate shall be returned to the applicant without further consideration.
3. **Coordination of development review.** Where an application under this Ordinance is associated with an application for subdivision plat approval, condominium subdivision plan approval or site plan approval under another Township ordinance, the reviews may take place concurrently provided that all applicable Township ordinance procedures and requirements are fully satisfied.
4. **Technical review.** Prior to Planning Commission consideration, the application materials shall be distributed to the Township Engineer, Township Planner, and Zoning Administrator for review and

comment. The Planning Commission may also request comments from the Township Attorney, other Township consultants, or outside agencies with jurisdiction.

5. **Planning Commission consideration and action.** Subsequent to the technical review, the Planning Commission shall review the application and plans, together with any reports and recommendations. The Planning Commission is authorized to approve, approve subject to conditions, postpone action on, or deny the Private Road Permit as follows:
 - a. **Approval.** The Private Road Permit shall be approved by the Planning Commission upon determination that the application is administratively complete, that all necessary information has been provided, and that the application satisfies all applicable Township ordinance requirements necessary for Permit approval.
 - b. **Approval subject to conditions.** The Planning Commission may approve a Private Road Permit subject to reasonable conditions as it deems necessary to ensure the standards of this Ordinance and other applicable Township ordinances are satisfied.
 - c. **Postponement.** Upon determination by the Planning Commission that a Private Road Permit application is not sufficiently complete for approval or denial, failure of the applicant to attend the meeting, or upon request by the applicant, the Planning Commission may postpone consideration until a later meeting.
 - d. **Denial.** Upon determination that a Private Road Permit application is not in compliance with the requirements or standards of this Ordinance or would require extensive modifications to comply with these standards, the Private Road Permit shall be denied. If a Private Road Permit is denied, a written record shall be provided to the applicant listing the findings of fact and conclusions or reasons for such denial. Failure of the applicant to attend two (2) or more meetings shall be grounds for the Planning Commission to deny the Private Road Permit.
6. **Recording of Planning Commission action.** Planning Commission action on the Private Road Permit shall be recorded in the Planning Commission meeting minutes, including the name, description, and location of the project; the findings of fact and conclusions or grounds for the Planning Commission's action; and any conditions of approval.
7. **Reapplication.** If an application is denied, the applicant may submit a new Private Road Permit application for the same premises at any time, provided that documentation of new information or material changes in the application, road plans, site conditions or other factors relevant to the reasons for the previous denial are submitted with the new application for consideration.
8. **False statements.** Statements in an application or supporting documentation that are based on deceit or falsity shall render any such application void. Any permits issued on the basis of such false statements shall be revoked.

Section 11.0 Expiration and Extension.

An approved Private Road Permit under this Ordinance shall expire and be of no effect unless:

1. Within 545 calendar days following the date of approval, construction has begun in accordance with the approved Permit; and
2. Within 910 calendar days following the date of approval, all required improvements have been completed in full conformance with the approved Permit and any conditions of approval.

3. The Planning Commission may, at its discretion and upon written request and showing of good cause by the applicant, grant an extension of Permit approval for up to an additional 365 calendar days, provided that site conditions have not changed in a way that would affect the character, design or use of the site, and that the approved Permit plans remain in conformance with applicable provisions of this Ordinance.

Section 12.0 Outside Agency Permits and Approvals.

The applicant for Private Road Permit approval shall be responsible for obtaining all necessary permits or approvals from applicable outside agencies, including but not limited to the Fire Department, state or county road authority with jurisdiction, Isabella County Transportation Commission, Isabella County Soil Erosion and Sedimentation Control, Township Engineer for Stormwater Management Permit approval, and Township Public Services Department for water and sewer utility approval where applicable. The applicant or landowner shall be responsible for submitting copies of all required outside agency permits and approvals to the Township Planner prior to the start of construction.

The Township Planner shall have authority to accept Permit incidental Private Road Permit plan changes to conform to outside agency requirements or determined necessary during construction due to unanticipated site constraints. Changes determined by the Township Planner to be more than incidental shall be subject to Planning Commission review and approval of an amended Private Road Permit following the same procedure and requirements as applied to the original application.

Section 13.0 Recording of Rights-of-Way and Maintenance Agreements.

The applicant for Private Road approval and owner(s) of record for land that abuts and has access to the private road shall be jointly and severally responsible for recording all private road rights-of-way and maintenance agreements with the County Register of Deeds, and for furnishing paper and digital copies (in a format compatible with Township systems) of the recorded documents to the Township Planner prior to the issuance of the certificate of completion per Section 15.0 (Inspections).

Section 14.0 Private Road Standards and Specifications.

The following standards and specifications shall apply to private roads in the Township:

1. Minimum specifications by type of private road.

Specifications	Minimum Specifications for Private Roads	
	Serving up to Eight (8) Lots	Serving Nine (9) or More Lots
Minimum road right-of-way width	66.0 feet	
Minimum sub-base	6.0 inches in depth of compacted sand spread to a sufficient width to extend to the front slope of the roadside ditch	
Minimum base for gravel surface	Crushed limestone or processed road gravel (MDOT 22A or 21AA or equal as accepted by the Township Engineer):	
	6.0 inches in depth in two (2) equal courses, each compacted to 24.0 feet wide	
Minimum base for paved surface	Same materials as for a gravel surface: 8.0 inches in depth in two (2) equal courses, each compacted to 24.0 feet wide	
Roadway pavement	Not required. If proposed, then 3.0 inches in depth in two (2) equal lifts of bituminous aggregate MDOT 1100 or E mixes-20AA at least 20.0 feet wide	
Minimum turnaround area and the terminus of the private road	75.0-foot radius right-of-way with a 55.0-foot outside radius roadway surface	
Roadside ditches:	Ditches shall be of width, depth, and grades to provide for adequate and positive drainage, subject to the following standards:	
Minimum grade	0.5%	
0.5% to 4.0% grade	sod or otherwise stabilize	
4.1% and steeper grade	rip-rap	
Front and back slopes	1 on 4 or flatter	
Roadway Grade	Minimum	0.5%
	Maximum	6.0%
Minimum Roadway curves	Horizontal	230.0-foot centerline radius
	Vertical	100.0 foot long for changes in gradient of 2% or more

The private road shall fully conform to the Isabella County Road Commission's residential road standards

2. **Additional specifications for all private roads.** The following additional specifications shall apply to all private roads:
 - a. The roadway surface and turnaround area shall be centered in the right-of-way.
 - b. Underground crossroad drainage shall be provided where the right-of-way crosses a stream or other drainage course, subject to Township Engineer acceptance.
 - c. The right-of-way and roadway shall be adequately drained so as to prevent flooding or erosion of the roadway. Where required, ditches shall be located within the right-of-way. Roadway drainage shall be constructed so that the runoff water shall be conveyed to existing watercourses or water bodies. The discharged water shall not be cast upon the land of another property owner unless the water is following an established watercourse. Connection to county drains shall be approved by the Isabella County Drain Commissioner's Office. Connection to public road ditches shall be approved by the state or county road authority with jurisdiction.
 - d. The private road's name assignment and installation and maintenance of road signs shall conform to the Michigan Manual of Uniform Traffic Control Devices and the standards and assignment procedures of the state or county road authority with jurisdiction.
 - e. The right-of-way shall provide for ingress, egress, drainage, and installation and maintenance of public and private utilities.
3. **Additional specifications for private roads serving nine (9) or more lots.** To establish an integrated road network in the Township, the following additional specifications shall apply to all new private roads and extensions of existing private roads serving nine (9) or more lots:
 - a. They shall be connected to adjacent public and private roads, and stub road ends and road rights-of-way shall be provided to the lot boundaries of adjacent land at suitable locations for future road connections, subject to Planning Commission approval. Road ends shall be marked and barricaded per County Road Commission standards for local public streets, with details shown on the Private Road Permit plan.
 - b. They shall provide for at least two (2) means of vehicular ingress and egress to each lot served by the private road. This requirement can be satisfied through a boulevard-style divided roadway connection to the public road, subject to approval from the state or county road authority with jurisdiction and acceptance of the design and proposed boulevard length by the Fire Department and Planning Commission.

Section 15.0 Inspections.

All required improvements shall be subject to inspection by the Township Engineer during construction, and subject to a final inspection upon completion of construction. The Township Engineer shall report the results of each inspection to the Township Planner in writing. The applicant's engineer shall certify to the Township Engineer before the final inspection that the required improvements were made in accordance with this Ordinance and all approved plans and conditions of Permit approval.

1. Upon notification from the Township Engineer of a successful final inspection, and receipt of all required documentation per Section 13.0 (Recording of Rights-of-Way and Maintenance Agreements), the Township Planner shall promptly provide a letter of completion to the applicant.
2. Inspection costs, including compensation for the Township Engineer, shall be paid from the applicant's escrow deposit per Section 17.0 (Fees and Escrow Deposits).

Section 16.0 Building Permits.

Except as follows, a building permit shall not be issued for any building on a lot subject to the provisions of this Ordinance unless a letter of completion for the private road shall have been received by the Township Planner, as provided for in Section 15.0 (Inspections) of this Ordinance. A building permit may be issued prior to the issuance of a certificate of completion upon recommendation by the Township Engineer and upon deposit with the Township of a performance guarantee in an amount sufficient to guarantee completion of the remaining required improvements pursuant to a Private Road Permit and associated development plan approved in accordance with the requirements of this Ordinance.

Section 17.0 Fees and Escrow Deposits.

The Township Board shall have the authority to set all fees for permits, applications, and requests for action pursuant to the regulations set forth in this Ordinance. The Township may also require an applicant to deposit funds in escrow with the Township to defray anticipated variable costs and expenses incurred by the Township for application reviews and inspections. No action shall be taken on any application or appeal until all applicable fees and escrow deposits have been accepted by the Township. Escrow deposit funds shall be managed by the Township consistent with the following:

1. The funds will not be deposited in an interest-bearing account.
2. The escrow deposit shall be held in the applicant's name and shall be used solely to defray applicable variable costs and expenses.
3. Upon request by the applicant, the Township shall provide copies of any written reports and statements of variable costs and expenses.
4. The Township shall provide a written request to the applicant for an additional escrow deposit if at any time the sum on deposit appears insufficient to cover anticipated costs and expenses.
5. The applicant shall promptly deposit additional funds in accordance with the written request from the Township. If additional funds are not promptly deposited, the Township may issue a stop work order, postpone action on the application, or cease to process the project.
6. Sums remaining after final action on the application and inspections, and after all of the Township's variable costs and expenses have been deducted, shall be returned to the applicant.

Section 18.0 Performance Guarantees.

To ensure compliance with the provisions of this Ordinance and any conditions imposed thereunder, the Planning Commission or Township Planner may require that a performance guarantee be deposited with the Township to insure faithful completion of required improvements consistent with an approved Private Road Permit plan. The performance guarantee shall meet the following requirements:

1. The performance guarantee shall be in the form of an insurance bond, an irrevocable bank letter of credit, or cash escrow. The performance guarantee shall not have an expiration date and shall include a provision that calls for notification of the Township at least ninety (90) calendar days prior to any cancellation. If the applicant posts a letter of credit, the credit shall require only that the Township present the credit with a sight draft and an affidavit signed by the Township Manager attesting to the Township's right to draw funds under the credit. If the applicant posts a cash escrow, the escrow instructions shall provide that the escrow agent shall have a legal duty to deliver the funds to the Township whenever the Township Manager presents an affidavit to

the agent attesting to the Township's right to receive funds, whether or not the applicant protests that right.

2. The performance guarantee shall be submitted at the time of issuance of the Private Road Permit or prior to the start of construction, except in cases where the guarantee is intended to insure completion of limited number of remaining details by a specific deadline date that the Township Planner has determined to not impede allowing the road to open for use prior to full completion of construction. If appropriate based on the type of performance guarantee submitted, the Township shall deposit the funds in an account in a financial institution with which the Township regularly conducts business.
3. The amount of the performance guarantee shall be sufficient to cover the estimated cost of the improvements for which the performance guarantee is required. The applicant may provide an itemized schedule of estimated costs to complete all such improvements. The exact amount of the performance guarantee shall be determined by the Township Planner.
4. The performance guarantee shall not be returned to the applicant unless a letter of completion for the private road shall have been received by the Township Planner, as provided for in Section 15.0 (Inspections.) of this Ordinance.

Whenever required improvements are not installed or maintained within the time stipulated or in accordance with the standards set forth in this Ordinance, the Township may complete the necessary improvements itself or by contract to an independent developer, and assess all costs of completing said improvements against the performance guarantee. Prior to completing said improvements, the Township shall notify the owner and applicant responsible for completion of the required improvements.

Section 19.0 Violations and Penalties.

The standards and requirements of this Ordinance reflect obligations to the community at large. It shall be the duty of the property owner and all persons having responsibility for the construction, alteration, or extension of a private road to verify that such work is not in violation of this Ordinance. Persons having responsibility for work in violation of this Ordinance shall be deemed responsible for such violations to the same extent as the property owner.

1. **Violations.** Any person, firm, corporation, or agent, or any employee, contractor, or subcontractor of same, who fails to comply with any of the provisions of this Ordinance or any approved Private Road Permit plan or conditions of approval, or who impedes or interferes with the enforcement of this Ordinance by a Township ordinance enforcement official, shall be deemed to be in violation of this Ordinance subject to issuance of a municipal civil infraction and other measures allowed by law. The imposition of any fine or other penalty shall not exempt the violator from compliance with this Ordinance.
2. **Correction periods and stop work orders.** All violations shall be corrected within thirty (30) days following the receipt of an order to correct from a Township ordinance enforcement official. The ordinance enforcement official may do one or more of the following:
 - a. Grant an extension of up to 180 days upon determining that the additional time is necessary for correction.
 - b. Require the immediate correction of a violation upon determining that the violation presents an imminent peril to life or property.
 - c. Issue a stop work order to halt all construction activities or usage pending the resolution of the alleged violation.

3. **Penalties and remedies.** The violator shall be subject to any or all of the following penalties and remedies:
 - a. **Civil infraction notice.** Civil infraction notices shall be administered and fines imposed per the Township’s Municipal Ordinance Violations Bureau Ordinance. The violator shall be responsible for a municipal civil infraction for which the Township shall impose a fine per the established Township fee schedule for each violation.
 - b. **Civil infraction citation.** Civil infraction citations shall be administered and fines imposed per the Township’s Municipal Ordinance Violations Bureau Ordinance. The violator shall be responsible for a municipal civil infraction for which the court may impose a civil fine of not less than \$100.00 nor no more than \$10,000.00 per day of violation plus all costs, direct or indirect, which the Township has incurred in connection with the violation, including the Township’s attorney fees.
 - c. **Injunctive relief.** The Township may commence civil suit seeking injunction, specific performance, mandamus, abatement or other appropriate proceedings to prevent, enjoin, abate or remove any violations of this Ordinance. In the event the Township commences civil suit pursuant to this Section and it is determined that a violation has occurred, in addition to any other remedies to which the Township shall be entitled, it shall also be entitled to recover from the violator its actual attorney fees and costs incurred in enforcing provisions of this Ordinance. A petition for injunctive relief shall in no way relieve the violator of any and all criminal or civil liability associated with the violation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, any other actions by the Township against the violator.
4. **Public nuisance per se.** Any construction, expansion, alteration, or maintenance of or site preparation for a private road in violation of this Ordinance is hereby declared to be a nuisance per se, and may be abated by order of any court of competent jurisdiction.
5. **Rights and remedies preserved.** Any failure or omission to enforce the provisions of this Ordinance, and failure or omission to prosecute any violations of this Ordinance, shall not constitute a waiver of any rights and remedies provided by this Ordinance or by law, and shall not constitute a waiver nor prevent any further prosecution of violations of this Ordinance.

Section 20.0 Definitions.

Whenever used in this Ordinance, the following words and phrases shall have the meaning ascribed to them in this Section:

Building. Any structure, either temporary or permanent, having a roof or other covering and used or built for the shelter or enclosure of persons, animals, or property or materials of any kind. A building shall not include such structures as signs, fences, or smokestacks, but shall include structures such as storage tanks, grain elevators, coal bunkers, or similar structures.

Building Permit. A document issued by the authorized agent for the Township in accordance with the State Construction Code adopted and enforced by the Township, which authorizes the holder to construct, enlarge, or alter a building on a particular lot.

Driveway. A private lane, designed primarily for use by vehicles, which connects a dwelling, lot, parcel, or building as defined in this Section with a road.

Enforcement Official. The person or persons designated by the Township as being responsible for enforcing and administering requirements of this Ordinance.

Fixed Costs and Expenses. Monetary charges incurred by the Township that are generally shared by all functions performed under the authority of this Ordinance, including costs for telephone, copy services, supplies, equipment, utilities, per diem-hourly-salary expenses, and facility construction, maintenance and repair.

Fire Department. The Mt. Pleasant Fire Department.

Lot. A tract of land that (1) is of sufficient land area to satisfy the requirements of this Ordinance for maximum lot coverage and minimum lot area; (2) is of sufficient land area to provide the minimum buildable area, yard setbacks, and any other open space as required by this Ordinance for a principal building or a group of such buildings and accessory buildings, or utilized for the principal use and uses accessory thereto, as allowed in the zoning district; and (3) has direct frontage on and access to a public or private road right-of-way. A condominium unit established under the Condominium Act, parcel created under the Land Division Act, and any other lot of record shall be a “lot” for purposes of this Ordinance only if the physical characteristics of the unit, parcel or lot of record include all three elements of this definition.

Obscene Material. Any “material” that is found to be “obscene” as these two terms are defined in Michigan Public Act 343 of 1984, as amended (MCL752.362).

Pavement or Hard Surface. Plant-mixed bituminous material, concrete, or similar durable materials approved by the Township.

Performance Guarantee. A financial guarantee to ensure that all improvements, facilities, or work required by this Ordinance will be completed in compliance with the Ordinance, regulations, and approved plans and specifications.

Planning Commission. The Planning Commission for the Charter Township of Union, Isabella County, Michigan, as established under the Michigan Planning Enabling Act and the Michigan Zoning Enabling Act.

Private Road. Any road or street that is privately maintained and has not been accepted for maintenance by the Isabella County Road Commission, the State of Michigan or the federal government, but is subject to approval by the Township. This term also includes any road or street designated or described as a private road, private street, or similar designation in a legal description, easement, or right-of-way, or on a certified survey, subdivision plat, condominium master deed, or final site plan or other private road development plan as approved by the Township under the ordinances in effect at the time of approval.

Private Road Permit. A right of way authorization issued pursuant to this Ordinance for construction, alteration, or extension of a private road.

Road or Street. Any public or private thoroughfare or right-of-way, other than a public or private alley, dedicated to or designed for travel and access to any land, lot or parcel whether designated as a thoroughfare, road, avenue, highway, boulevard, drive, lane, place, court, or any similar designation. This term does not include a farm track or similar vehicle accessway to an agricultural operation, a driveway as defined in this Section, a cross-access connecting adjacent commercial premises, or a vehicle accessway for utility, railroad, institutional or similar purposes.

Road Commission. The Isabella County Road Commission.

Shared Driveway. A private way, lawfully established, which affords principal means of access to more than one (1) dwelling, lot or parcel, but that was not approved as a private road under Township ordinances.

Township. Charter Township of Union, Isabella County, Michigan.

Township Board. The Supervisor, Clerk, Treasurer, and Trustees of the Charter Township of Union, Isabella County, Michigan.

Township Engineer. The person(s) or firm designated by the Township to advise on drainage, grading, paving, stormwater management and control utilities, and other related site engineering and civil engineering issues. The Township Engineer may be a consultant or Township employee.

Township Planner. The Director of the Township’s Community and Economic Development Department or the Director’s designee with responsibility to advise the Township administration, Township Board, Planning Commission, and Zoning Board of Appeals on planning, zoning, land use, housing and other related planning and development issues.

Variable Costs and Expenses. Monetary charges incurred by the Township that do not meet the definition of fixed costs and expenses, including items which vary depending upon the scope of the project, such as advisory services from the Township Engineer, Township Attorney, or other Township consultants, attorney fees, inspection costs, recording fees, and testing or laboratory costs.

Zoning Administrator. The Director of the Township’s Community and Economic Development Department and any person, persons or firm as delegated by the Director to have responsibility for administration and/or enforcement of the provisions of this Ordinance.

Section 21.0 Severability.

All sections, terms, provisions or clauses of this Ordinance shall be deemed independent and severable. Should a court of competent jurisdiction hold any section, term, provision or clause void or invalid, all remaining sections, terms, provisions and clauses not held void or invalid shall continue in full force and effect.

Section 22.0 Repeal.

All Ordinances or parts of Ordinances in conflict with this Ordinance, including Private Road Ordinance No. 2000-09, are hereby repealed, except that this Ordinance shall not be construed to repeal any provision of the Township’s Zoning Ordinance.

Section 23.0 Publication.

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

Section 24.0 Effective Date.

This Ordinance was adopted by the Township Board on _____, 2024, after a first reading by the Township Board of Trustees on March 13, 2024, publication after such first reading as required by Public Act 359 of 1947, as amended, and a second reading held on March 27, 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:

<u>Board of Trustees</u>	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
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



REQUEST FOR TOWNSHIP BOARD ACTION

To: Mark Stuhldreher, Township Manager	DATE: June 4, 2024
FROM: Kim Smith, Public Service Director	DATE FOR BOARD CONSIDERATION: June 12, 2024
ACTION REQUESTED: Adoption of Fox Meadows Estates and Fox Meadows Estates II Subdivisions Paving Special Assessment District Resolution #4 which sets the Second Public Hearing date and time for June 26, 2024, at 7:00 p.m. for the establishment of a Paving Special Assessment District.	

Current Action Emergency

Funds Budgeted: If yes Account # 245-000-973.110 No N/A

Finance Approval _____

BACKGROUND INFORMATION

Michigan state statute authorizes townships to make public improvements and provide services to their residents and taxpayers. The special assessment process is one way a township can expend public money for improvements. Act 188 of 1954, as amended, establishes and authorizes townships to utilize special assessment procedures to fund the costs of certain types of improvements. One of the improvements authorized by the act is the construction, improvement, and maintenance of public roads. While the statute allows for townships to initiate a special assessment district, it is typically done by petition of the property owners in a designated area who wish to make an authorized improvement. The township acts in an administrative capacity to establish the district, gather cost estimates, plan the improvement, provide financing, levy and collect special assessment funds to pay off the debt.

The residents of Fox Meadows Estates and Fox Meadows Estates II Subdivisions have met the first and second requirement of the special assessment process by submitting an informal and formal petition. The informal and formal petitions were reviewed for sufficiency, the Certificate of Validity was certified by the Township Supervisor, and Resolution #1 was presented and approved by the Township Board of Trustees at their March 27, 2024 regular meeting.

After approval of Resolution #1 the next step in the special assessment process was that a cost estimate and description of the project be requested from the Isabella County Road Commission. Upon receipt of the cost estimate and project description Resolution #2 was presented and approved by the Township Board of Trustees on April 24, 2024.

The purpose of Resolution #2 was as follows:

- Tentatively approving the Board of Trustees intention to make the improvement.
- Tentatively designating the special assessment district.
- Setting a date and time of May 8, 2024, at 7:00 p.m. for the first of two public hearings.
- Direct that the completed cost estimate be given to the Township Clerk and made available for public inspection prior to the first public hearing

The first of two public hearings was held on May 8, 2024 to hear input from residents on the establishment of the special assessment district. Two residents from the district spoke in favor of the special assessment district at the first public hearing.

Resolution #3 was presented and adopted by the Township Board of Trustees on May 8, 2024. The purpose of Resolution #3 was as follows:

- Describing the improvement and determining to complete the improvements
- Approving the plans and cost estimates as presented
- Designating the boundaries of the district
- Confirming the petition for sufficiency
- Specifying the amount of the improvement costs to be paid by the Township, if any
- Designating the term of the special assessment district's existence
- Directing the Supervisor (Assessor) to prepare the special assessment roll

The final construction cost estimate was completed by the Isabella County Road Commission on May 21, 2024, and the Special Assessment Roll was completed by the Township Assessor on June 4, 2024.

The next step in the special assessment process is the consideration and adoption of Resolution #4 by the Township Board of Trustees.

The purpose of Resolution #4 is as follows:

- Confirm that the completed Special Assessment Roll be given to the Township Clerk and made available for public inspection prior to the second public hearing
- Set the date and time for the Second Public Hearing
- Directs the Township Clerk to give proper notice of such hearing by mailing and publication

SCOPE OF SERVICES

Establishment of a Paving Special Assessment District for Fox Meadows Estates and Fox Meadows Estates II Subdivisions for the completion of a mill and Ultra-thin (1") overlay on Hunters Trail, Brittany Drive, Stoney Creek Lane, and Meadow Drive.

JUSTIFICATION

It is recommended that the Township Board of Trustees adopt Fox Meadows Estates and Fox Meadows Estates II Subdivisions Paving Special Assessment District Resolution #4, and set the second public hearing date and time for June 26, 2024, at 7:00 p.m.

Upon approval of Resolution #4 the next step in the process can be initiated. The next step in the process is to mail Notice of the Second Public Hearing to each of the record land owners, or the party of interest and be published twice in a newspaper circulating in the township. The Notice of the Second Public Hearing must be mailed and published at least ten days before the date of the Second Public Hearing.

PROJECT IMPROVEMENTS

The following Board of Trustees goals are addressed with these appointments (From Policy 1.0: Global End)

- Community well-being and common good
- Safety

COSTS

Tentative Cost Estimate \$121,130.00

PROJECT TIME TABLE

Resolution #4 – June 12, 2024 - set date/time for Public Hearing #2

Public Hearing #2 – June 26, 2024 set by Resolution #4

Resolution #5 – June 26, 2024 - confirm special assessment roll, determine number of annual installments, and interest rate

Notice of Assessment – mailed to all property owners within 20 days after confirmation of special assessment roll

Construction – 2024 Construction Season

Adoption of Fox Meadows Estates and Fox Meadows Estates II Subdivisions Paving Special Assessment District Resolution #4 which sets the Second Public Hearing date and time for June 26, 2024, at 7:00 p.m. for the establishment of a Paving Special Assessment District.

Moved by _____ Seconded by _____

Yes:

No:

Absent:

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

**Fox Meadows Estates and Fox Meadows Estates II Subdivisions Paving
Special Assessment District Resolution #4**

At a regular meeting of the Charter Township of Union Board of Trustees (“Township Board”) held on the 12 day of June 2024, the following Resolution was adopted.

The following preamble and resolution were offered by _____ and supported by _____.

WHEREAS, the Township Board of the Charter Township of Union, County of Isabella, State of Michigan (“Township Board”), pursuant to Act 188, Public Acts of Michigan, 1954, as amended, received a Petition for Public Improvement by Special Assessment dated February 12, 2024;

WHEREAS, at a meeting of the Township Board on March 27, 2024 the Township Board resolved that plans and cost estimates related to the proposed special assessment district be prepared;

WHEREAS, at a meeting of the Township Board on April 24, 2024, the Township Board tentatively approved, by resolution, its intent to make the proposed improvement and designate the special assessment district;

WHEREAS, at the same meeting, the Township Board set a public hearing regarding the proposed special assessment district and directed that the completed plans and cost estimates be given to the Township Clerk to be made available for public inspection;

WHEREAS, in accordance with appropriate notice, a public hearing regarding the proposed special assessment district was scheduled and held on May 8, 2024 commencing at 7:00 o’clock p.m. and all persons were given the opportunity to be heard in the matter;

WHEREAS, at a meeting of the Township Board on May 8, 2024, the Township Board, by resolution, approved the proposed special assessment district, established its term of existence, approved plans and cost estimates for the improvements, certified the sufficiency of the petition to establish the special assessment district, directed the Township Supervisor to prepare the special assessment roll, and directed Township staff to obtain a final bid/cost estimate for the improvements; and

WHEREAS, as a result of the foregoing, the Township Board believes the project to be in the best interest of the Township and of the special assessment district proposed to be established.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the Township Supervisor has prepared a special assessment roll (“Fox Meadows Estates & Fox Meadows Estates II Subdivisions Paving Special Assessment District Roll” or the “Special Assessment Roll”) for the purpose of specifically assessing that portion of the costs of the public improvement more particularly described hereinafter to the properties specially benefited by said improvement.
2. That the Township Supervisor has presented the Special Assessment Roll, attached hereto as **Exhibit A**, to the Township Board.
3. That the Special Assessment Roll is accepted and approved.
4. That a cost estimate in the amount of \$ 121,130.00 for the improvements, attached hereto as **Exhibit B**, is approved.
5. That the Township Board shall hold a public hearing at the Union Township Hall at 7:00 Eastern Time on June 26, 2024 for the purpose of hearing all persons interested in the Special Assessment Roll and reviewing the same, and at said public hearing all interested persons shall be afforded an opportunity to be heard.
6. That the Township Clerk is instructed to give the proper notice of such hearing by mailing and publication in accordance with MCL § 41.724a.
7. That the final cost estimate and Special Assessment Roll are to be filed with the Township Clerk.
8. That the Township Clerk is directed to make the cost estimate, Special Assessment Roll and all other materials related to the Fox Meadows Estates and Fox Meadows Estates II Subdivisions Paving Special Assessment District available for public examination.
9. That all resolutions and part of resolutions insofar as they conflict with the provisions of the within resolutions be and the same are hereby rescinded.

Upon roll call vote, the following voted;

Ayes:

Nays:

Abstentions:

Resolution declared adopted.

Date: _____

Bryan Mielke, Supervisor

Date: _____

Lisa Cody, Clerk

I, Lisa Cody, the duly elected Clerk of the Charter Township of Union, hereby certify that this is a true and correct copy of the Resolution adopted by the Board of Trustees of the Charter Township of Union, Isabella County, Michigan, on the _____ day of _____ 2024.

Date: _____

Lisa Cody, Clerk

Exhibit A

Charter Township Of Union

2024 Fox Meadows I & II Paving Special Assessment Roll

6/4/2024

Parcel Id	Owner of Record	Property Address	Total Cost Per Parcel
14-010-10-002-01	FORSYTHE DAVID A & MIRIAM G	3170 HUNTERS TRAIL	\$2,884
14-010-10-002-06	FOX MEADOWS ESTATES HOMEOWNERS ASSN	STONEY CREEK LN	\$2,884
14-010-10-002-07	WRIGHT JOHN P & MARTIN SUE ANN	1025 STONEY CREEK LN	\$2,884
14-010-10-002-08	DEJONG BRIAN & EMILY	1059 STONEY CREEK LN	\$2,884
14-010-10-002-09	WILSON RONNIE & CHRISTINA	3150 HUNTERS TRAIL	\$2,884
14-010-10-002-10	BACKUS ROBERT M & KATHLEEN A	3160 HUNTERS TRAIL	\$2,884
14-070-00-002-00	CARRIER GLENN W & JENNIFER M	1032 STONEY CREEK LN	\$2,884
14-070-00-004-00	MOORE THOMAS J & GAIL A	1083 STONEY CREEK LN	\$2,884
14-070-00-005-00	KAUFMAN JASON & GINGER	1111 STONEY CREEK LN	\$2,884
14-070-00-006-00	SUPKA DEBORAH LIVING TRUST	1139 STONEY CREEK LN	\$2,884
14-070-00-007-00	HYAMES JEFFRY E & JENNIFER A TRUST	1173 STONEY CREEK LN	\$2,884
14-070-00-008-00	TOMASIK ADAM C & JANICE M	1181 STONEY CREEK LN	\$2,884
14-070-00-011-00	SHANER TOMMY R & JOYCE V TRUST	1178 STONEY CREEK LN	\$2,884
14-070-00-012-00	SCHISA JENNIFER & DEMATTEI CORDELL	3145 HUNTERS TRAIL	\$2,884
14-070-00-013-00	WINTER NANCY L TRUSTEE OF TRUST	3121 HUNTERS TRAIL	\$2,884
14-070-00-014-00	HORTON JAMES H II & SANDRA L	3089 HUNTERS TRAIL	\$2,884
14-070-00-015-00	SHAIKH ZUBAIR AHMED	3106 HUNTERS TRAIL	\$2,884
14-070-00-016-00	POWELL ROBERT & EMMA	3070 HUNTERS TRAIL	\$2,884
14-070-00-017-00	TARBELL ERIK & ROBISON COREY	1068 STONEY CREEK LN	\$2,884
14-070-00-018-00	HINE GENE F & KELLIE ANN	1096 STONEY CREEK LN	\$2,884
14-070-00-019-00	DUCHARME JEFFREY J & LISA D	1114 STONEY CREEK LN	\$2,884

Parcel Id	Owner of Record	Property Address	Total Cost Per Parcel
14-070-00-020-00	IKEKHUAH CHRISTIAN EHIMEN	1148 STONEY CREEK LN	\$2,884
14-070-00-021-00	MELTON JAMES H JR & TAMARA L	1151 MEADOW DR	\$2,884
14-070-00-022-00	LANNEN TIMOTHY F & JUDY M	1129 MEADOW DR	\$2,884
14-070-00-023-00	WEIS KRISTOPHER N & KRISTINE A	1105 MEADOW DR	\$2,884
14-070-00-024-00	BARZ MARY CATHERINE REV TRUST	1110 MEADOW DR	\$2,884
14-070-00-025-00	DICKINSON RANDY J & CHERIE L	1140 MEADOW DR	\$2,884
14-070-00-026-00	SOHNS WES & MAKENZIE	1168 MEADOW DR	\$2,884
14-070-00-027-00	REETZ DAVID J & MARY C	1188 MEADOW DR	\$2,884
14-070-00-032-00	WALLACE THOMAS J & LEIGH M	3026 BRITTANY DR	\$2,884
14-070-00-033-00	BISHOP, DANNY	3021 BRITTANY DR	\$2,884
14-070-00-034-00	GRANT MICHAEL R & CECILIA M	3047 BRITTANY DR	\$2,884
14-070-00-035-00	OUELLETTE DOUGLAS J & AMY	3071 BRITTANY DR	\$2,884
14-070-00-036-00	SMITH MICHAEL R & CARRIE E	3095 BRITTANY DR	\$2,884
14-070-00-037-00	NOVAK TROY & SHANNON	BRITTANY DR	\$2,884
14-070-00-038-00	CUDJOE ERNEST A & GIFTY A	3139 BRITTANY DR	\$2,884
14-070-00-039-00	HEINTZ MICHAEL B	3157 BRITTANY DR	\$2,884
14-070-00-040-00	FEIGHT KURT TRUST & JULIE TRUST	BRITTANY DR	\$2,884
14-070-00-041-00	FEIGHT KURT TRUST & JULIE TRUST	3213 BRITTANY DR	\$2,884
14-070-00-042-00	SCHERR KYLE & AMANDA TRUST	3184 BRITTANY DR	\$2,884
14-070-00-043-00	MAHOKEY JASON & JOERIN O'LEARY	3166 BRITTANY DR	\$2,884
14-070-00-044-00	VEILLEUX JOHN M	3124 BRITTANY DR	\$2,884
Total of Road Paving Assessment			\$121,128

Cost Estimate

Exhibit B

Fox Meadow Estates & Fox Meadow Estates II Subdivisions

May 21, 2024

TYPE OF WORK: Cold Milling and Ultra Thin Overlay (1 inch)

STREETS IMPROVED: Brittany Dr Meadow Dr Hunters Trail Stoney Creek Ln
 TOTAL LENGTH: 1066 Ft 578 Ft 709 Ft 1062 Ft

NUMBER OF LOTS:

SUBDIVISION NAME	NO. LOTS
Fox Meadow Estates	22
Fox Meadow Estates No 2	20
42 Total Lots	

PROJECT COST*:

ITEM	AMOUNT
Engineering	\$0
Construction	Cold Milling and Ultra Thin Overlay (1 inch) \$115,362
Administration	\$0
Bonding, Legal	\$5,768
TOTAL PROJECT COST	\$121,130
Less Road Comm Share	\$0
Less Union Twp Share	\$0
TOTAL ASSESSMENT*	\$121,130

COST PER LOT:

Full assessment to front lots

LOT TYPE	LUMP SUM
Front Lot	\$2,884

*Notes:

Costs are approximate, actual costs may be more or less based upon 2024 bid unit price Publishing, and legal cost estimate - 5% of estimated construction cost



Charter Township of Union Paving Special Assessment District: Fox Meadows I & II Subdivision

PID	PropertyAddress	Owner
14-010-10-002-01	3170 HUNTERS TRAIL	FORSYTHE DAVID A & MIRIAM G
14-010-10-002-10	3160 HUNTERS TRAIL	BACKUS ROBERT M & KATHLEEN A
14-010-10-002-06	STONEY CREEK LN	FOX MEADOWS ESTATES HOMEOWNERS ASSN
14-010-10-002-07	1025 STONEY CREEK LN	WRIGHT JOHN P & MARTIN SUE ANN
14-010-10-002-08	1059 STONEY CREEK LN	DEJONG BRIAN & EMILY
14-070-00-002-00	1032 STONEY CREEK LN	CARRIER GLENN W & JENNIFER M
14-070-00-004-00	1083 STONEY CREEK LN	MOORE THOMAS J & GAIL A
14-070-00-005-00	1111 STONEY CREEK LN	KAUFMAN JASON & GINGER
14-070-00-006-00	1139 STONEY CREEK LN	SUPKA DEBORAH LIVING TRUST
14-070-00-007-00	1173 STONEY CREEK LN	HYAMES JEFFREY E & JENNIFER A TRUST
14-070-00-008-00	1181 STONEY CREEK LN	TOMASIK ADAM C & JANICE M
14-070-00-011-00	1178 STONEY CREEK LN	SHANER JAMES M & TOMMY
14-070-00-012-00	3145 HUNTERS TRAIL	SCHISA JENNIFER & DEMATTEI CORDELL
14-070-00-013-00	3121 HUNTERS TRAIL	WINTER NANCY L TRUSTEE OF TRUST
14-070-00-014-00	3089 HUNTERS TRAIL	HORTON JAMES H II & SANDRA L
14-070-00-015-00	3106 HUNTERS TRAIL	SHAIKH ZUBAIR AHMED
14-070-00-016-00	3070 HUNTERS TRAIL	POWELL ROBERT & EMMA
14-070-00-017-00	1068 STONEY CREEK LN	TARBELL ERIK & ROBISON COREY
14-070-00-018-00	1096 STONEY CREEK LN	HINE GENE F & KELLIE ANN
14-070-00-019-00	1114 STONEY CREEK LN	DUCHARME JEFFREY J & LISA D
14-070-00-020-00	1148 STONEY CREEK LN	IKEKHUAH CHRISTIAN EHIMEN
14-070-00-021-00	1151 MEADOW DR	MELTON JAMES H JR & TAMARA L
14-070-00-022-00	1129 MEADOW DR	LANNEN TIMOTHY F & JUDY M
14-070-00-023-00	1105 MEADOW DR	WEIS KRISTOPHER N & KRISTINE A
14-070-00-024-00	1110 MEADOW DR	BARZ MARY CATHERINE REV TRUST
14-070-00-025-00	1140 MEADOW DR	DICKINSON RANDY J & CHERIE L
14-070-00-026-00	1168 MEADOW DR	SOHNS WES & MAKENZIE
14-070-00-027-00	1188 MEADOW DR	REETZ DAVID J & MARY C
14-070-00-032-00	3026 BRITTANY DR	WALLACE THOMAS J & LEIGH M
14-070-00-033-00	3021 BRITTANY DR	BISHOP DANNY & RAYNER CHERI
14-070-00-034-00	3047 BRITTANY DR	GRANT MICHAEL R & CECILIA M
14-070-00-035-00	3071 BRITTANY DR	OUELLETTE DOUGLAS J & AMY
14-070-00-036-00	3095 BRITTANY DR	SMITH MICHAEL R & CARRIE E
14-070-00-037-00	BRITTANY DR	NOVAK TROY & SHANNON
14-070-00-038-00	3139 BRITTANY DR	CUDJOE ERNEST A & GIFTY A
14-070-00-039-00	3157 BRITTANY DR	HEINTZ MICHAEL B
14-070-00-040-00	BRITTANY DR	FEIGHT KURT TRUST & JULIE TRUST
14-070-00-041-00	3213 BRITTANY DR	FEIGHT KURT TRUST & JULIE TRUST
14-070-00-042-00	3184 BRITTANY DR	SCHERR KYLE & AMANDA TRUST
14-070-00-043-00	3166 BRITTANY DR	MAHOKEY JASON & JOERIN O'LEARY
14-070-00-044-00	3124 BRITTANY DR	VEILLEUX JOHN M
14-010-10-002-09	3150 HUNTERS TRAIL	WILSON RONNIE & CHRISTINA

Map Date: December 13, 2023

REQUEST FOR TOWNSHIP BOARD ACTION**To:** Mark Stuhldreher, Township Manager**DATE:** June 3, 2024**FROM:** Kim Smith, Public Service Director**DATE FOR BOARD CONSIDERATION:** June 12, 2024**ACTION REQUESTED:** Consideration to approve the Participation Contract for Lincoln Road from Deerfield Road to Broomfield Road with the Isabella County Road Commission (ICRC) for the grind, four-inch pave, and curb and gutter installation at the Lincoln and Deerfield Road intersection in the amount of \$372,492.27 and authorize the Township Manager to sign said contract.Current Action Emergency Funds Budgeted: If Yes Account # 101-441-959.500 No

Finance Approval _____

BACKGROUND INFORMATION

Union Township, in partnership with the Isabella County Road Commission applied for and was awarded two-percent funding to pulverize and repave Lincoln Road between Deerfield Road and the Broomfield Road intersection.

Lincoln Road is a local county road located in Union Township with Paser ratings of one and two. This segment of road has a traffic volume of 711 vehicles within a 24-hour period. This area includes the City of Mt Pleasant Water Treatment Plant, twelve residential homes, and the Sacred Heart School Baseball and Softball fields.

SCOPE OF SERVICES

The proposed project is to pulverize and repave Lincoln Road between Deerfield Road and the Broomfield Road intersection. Work to include grinding and shaping, four-inch pave, paved shoulders, and curb and gutter installation at the Lincoln and Deerfield Road intersection.

JUSTIFICATION

The approval of these contracts will continue to improve the conditions of roads throughout the Township.

PROJECT IMPROVEMENTS

The following Board of Trustees goals are addressed with these appointments (From Policy 1.0: Global End)

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

COSTS

Funding Source	Amount
Charter Township of Union ARPA funding	\$247,240.50
Spring 2024 2% funding	\$125,251.77
Isabella County Road Commission (ICRC)	\$125,251.77
Total Project Cost	\$497,744.04

A budget amendment recognizing the 2% grant award and associated transfer to the General Fund will be included in the mid-year budget amendment.

PROJECT TIME TABLE

The road improvements will occur during the 2024 construction season.

RESOLUTION

It is Resolved to approve the Participation Contract for Lincoln Road from Deerfield Road to Broomfield Road with the Isabella County Road Commission (ICRC) for the grind, four-inch pave, and curb and gutter installation at the Lincoln and Deerfield Road intersection in the amount of \$372,492.27 and authorize the Township Manager to sign said contract.

Moved by _____ Seconded by _____

Yes:
No:
Absent:

TOWNSHIP PARTICIPATION CONTRACT

This Agreement is made and entered into by and between the Board of County Road Commissioners for the County of Isabella, hereinafter referred to as the “**Road Commission**” and **UnionTownship**, hereinafter referred to as the “**Township**”, for the following improvements:

Project No. 489–14–421425 Lincoln Road (Deerfield to Broomfield) Grind and Pave 4’, Paved Shoulders, and Curb and Gutter Intersections

Estimated Cost before Contingency	\$452,494.58
Plus Contingency	<u>45,249.46</u>
Estimated Contract Cost plus Contingency	\$497,744.04

UnionTownship Share	\$ 247,240.50
UnionTownship 2% Share	<u>\$ 125,251.77</u>
Total Cost Payable from UnionTownship	\$ 372,492.27

Remainder Balance Paid by ICRC	\$125,251.77
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Payment as stated above will be due upon receipt of invoice. The Road Commission is hereby authorized to add to the unpaid balance a service charge of one percent (1%) per month on the unpaid balance of any and all of said sums remaining unpaid after thirty (30) days. Projects which carryover between fiscal years may be billed as the ratio of costs incurred to date. Carryover projects are those which require extensive work to be deemed complete.

The undersigned Township officials, by executing this agreement, certify they are authorized to enter into this agreement on behalf of the Township.

UNIONTOWNSHIP

ISABELLA COUNTY ROAD COMMISSION

By: _____
Manager

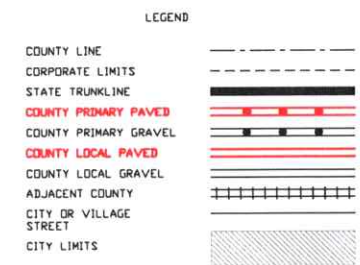
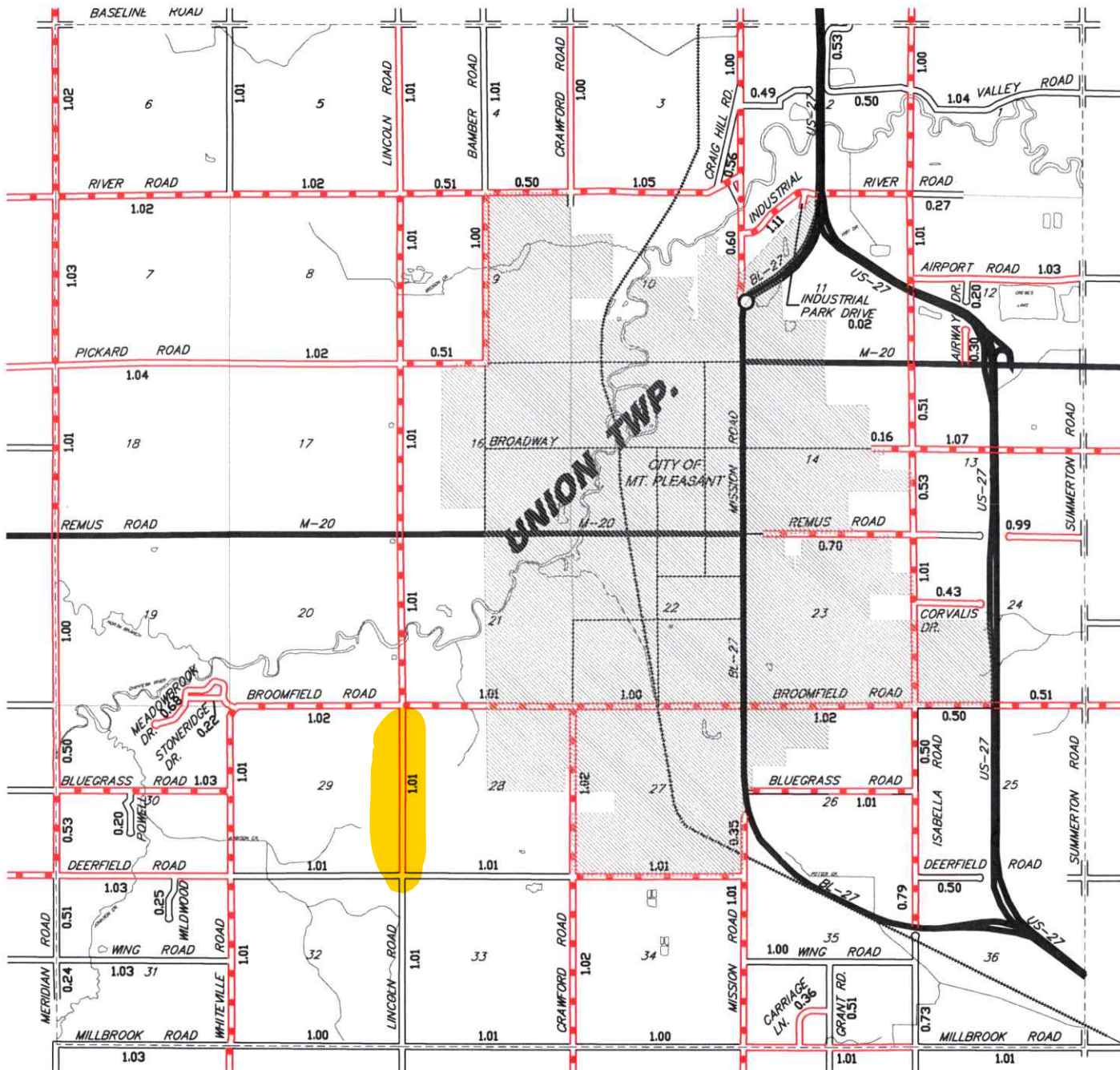
By: _____
Manager

By: _____
Clerk

By: _____
Board Secretary

Board Approval on: _____

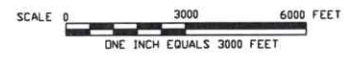
Board Approval on: _____



PRIMARY ROAD SYSTEM IS **35.75** MILES
 LOCAL ROAD SYSTEM IS **31.31** MILES

I HEREBY CERTIFY THAT THE ROADS SHOWN HEREBY BY SYMBOL OR IN GREEN AS LOCAL ROADS ARE IN USE AND ARE UNDER THE JURISDICTION OF THE COUNTY ROAD COMMISSION.

 CHAIRMAN
 12-31-2023
 DATE



TOWNSHIP UNION T14N - R4W
 SECTION SECTIONS 1 - 36
 COUNTY ISABELLA

MAP 7
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