



**GRAND HAVEN CHARTER TOWNSHIP
BOARD AGENDA
Monday, July 26, 2021**

WORK SESSION – 6:00 P.M. – CANCELLED

REGULAR MEETING – 7:00 P.M.

Persons wishing to speak at public hearings, on agenda items, or extended comments, must fill out a "Speakers Form" located on the counter. Completed forms must be submitted to Township Staff prior to the meeting.

- I. CALL TO ORDER
- II. PLEDGE TO THE FLAG
- III. ROLL CALL
- IV. APPROVAL OF MEETING AGENDA
- V. CONSENT AGENDA
 1. Approve July 12, 2021 Regular Board Minutes
 2. Approve Payment of Invoices in the amount of \$480,703.68 (*A/P checks of \$349,275.87 and payroll of \$131,427.81*)
 3. Approve Re-Appointment of Mary Jane Belter and Jacquelyn Thoroughman to the Parks & Recreation Board for a Term Ending on 8/31/24
 4. Approve Part-Time Firefighter Hire – Sloan McLean (*pursuant to requirement of State Law*)
 5. Approve Part-Time Firefighter Hire – Kurtis Dilley (*pursuant to requirement of State Law*)
- VI. PUBLIC HEARING – EXPANSION OF DDA BOUNDARIES
- VII. OLD BUSINESS
 1. Approve Second Reading – Conditional Rezoning – Stillwater – AG to RR
 2. Approve Resolution 21-07-01 – Six Month Budget Amendments
- VIII. NEW BUSINESS
 1. Approve Resolution 21-07-02 – Adopt Model "Federal Procurement Conflict of Interest Policy" as a Condition of Receiving the American Rescue Plan Act (ARPA) Monies (*i.e., about \$1.83 million*)
 2. Approve Ninth Amendment to the Sewer Authority Contract – Expand to Include a Portion of Crockery Township
- IX. REPORTS AND CORRESPONDENCE
 1. Committee Reports
 2. Manager's Report
 - a. May Legal Review
 - b. Review – Community Foundation Grant Options
 3. Others
- X. EXTENDED PUBLIC COMMENTS/QUESTIONS ON NON-AGENDA ITEMS ONLY (*LIMITED TO THREE MINUTES, PLEASE.*)
- XI. ADJOURNMENT

NOTE: The public will be given an opportunity to comment on any agenda item when the item is brought up for discussion. Please complete Speaker Information Sheet. The supervisor will initiate comment time.

**GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, JULY 12, 2021**

WORK SESSION: - 6:30 p.m. – Board Room

1. Manager Cargo reviewed the STR proposals that were placed on hold since February of 2020 due to the COVID-19 pandemic.

A majority of the Board noted that it still supported an Overlay Zone approach to determine where STRs can be located – noting that this approach is very restrictive but protects the integrity of neighborhoods and limits commercial activities into residential areas.

However, because the Michigan Legislature is considering proposals that would preempt local control of STRs, the Board instructed staff to postpone any action for a minimum of 30 days while the State of Michigan considers legislation regarding STRs.

Manager Cargo noted that he would have the STRs placed on the August 23rd Board meeting agenda for further discussion and consideration.

REGULAR MEETING

I. CALL TO ORDER

Supervisor Reenders called the regular meeting of the Grand Haven Charter Township Board to order at 7:01 p.m.

II. PLEDGE TO THE FLAG

III. ROLL CALL

Board members present: Behm, Wagenmaker, Larsen, Kieft, Reenders, Meeusen
Board members absent: Redick

Also, present were Manager Cargo and Community Development Director Fedewa.

IV. APPROVAL OF MEETING AGENDA

Motion by Clerk Larsen and seconded by Trustee Wagenmaker to approve the meeting agenda. **Which motion carried.**

V. APPROVAL OF CONSENT AGENDA

1. Approve June 14, 2021 Regular Board Minutes
2. Approve Payment of Invoices in the amount of \$572,464.32 (A/P checks of \$370,411.07 and payroll of \$202,053.25)
3. Approve Re-Appointment of John Helder and Jim Loftis to the Downtown Development Authority Board for a Term Ending on 8/31/24
4. Approve Appointment of William Cargo to the Sewer Authority Board and the North Ottawa Water System Committee (*and Alando Chappell as the alternate for both*) for a term ending on December 31, 2024.
5. Approve Professional Services Agreement with Prein & Newhof for Phase I of Schmidt Heritage Park (\$335,000)

Motion by Treasurer Kieft and seconded by Trustee Behm to approve the items listed on the Consent Agenda. **Which motion carried.**

VI. OLD BUSINESS

None

VII. NEW BUSINESS

1. **Motion** by Treasurer Kieft supported by Trustee Meeusen to present and postpone the Conditional Zoning Agreement and Zoning Map Amendment Ordinance concerning the rezoning of Parcel 70-07-27-300-003 from Agriculture (AG) to Rural Residential (RR). Further action will be postponed until July 26th when the ordinance will be considered for adoption. This is a first reading. **Which motion carried.**

VIII. REPORTS AND CORESPONDENCE

1. Committee Reports – There will be a Personnel Committee meeting on Thursday, July 15th at 7:00 a.m.
2. Manager’s Report
 - a. Chamber of Commerce Q2 2021 Economic Activity Report
 - b. June Building Report
 - c. June Ordinance Enforcement Report
 - d. June Department of Public Services Report
3. Others
 - a. Trustee Wagenmaker asked for clarification on the Township’s growth philosophy. Manager Cargo referenced the Master Plan.
 - b. Clerk Larsen requested an explanation of the “Grand Haven Memorial Airpark Compact creation”, which Manager Cargo will forward in an email to the elected officials after asking the Chamber.

IX. PUBLIC COMMENTS

None.

X. ADJOURNMENT

Motion by Clerk Larsen and seconded by Trustee Behm to adjourn the meeting at 7:17 p.m. **Which motion carried.**

Respectfully Submitted,



Laurie Larsen

Grand Haven Charter Township Clerk



Mark Reenders

Grand Haven Charter Township Supervisor

SUPERINTENDENT'S MEMO

DATE: July 20, 2021

TO: Township Board

FROM: Cargo

SUBJECT: Re-Appointment of Mary Jane Belter and Jacquelyn Thoroughman to the Parks and Recreation Committee

As you are aware, pursuant to Section 2.11 of the Township's Administrative Policies and Procedures Manual, the Township Supervisor – without Board approval but with Board input – appoints all members to both the Parks and Recreation Committee.

Per the direction of Supervisor Reenders, both Mary Jane Belter and Jacquelyn Thoroughman are recommended for reappointment to the Township Parks and Recreation Committee.

Mary Jane Belter has served on the Parks and Recreation Committee for at least thirty years and brings a wealth of experience and history to the Committee. Belter is also a member of NORA.

Jacquelyn Thoroughman served on the Parks and Recreation Committee since 2012. She is retired from Waubense Community College (*in Sugar Grove Illinois*), has a Bachelor degree in Physical Education and Recreation, and wants to continue to assist with the Township's recreation planning.

If the Board agrees, the following motions can be offered:

Motion to support the Supervisor's proposed reappointment of Mary Jane Belter and Jacquelyn Thoroughman to the Parks and Recreation Committee for terms August 31, 2024.

If you have any questions or comments, please contact Supervisor Reenders prior to the Board meeting.



TO: Township Board
FROM: Chief Sipe and Andrea Dumbrell
DATE: July 20, 2021
RE: Part-Time Firefighter Hire – McLean

Since July 2020, the Township has received approximately 19 applications for part-time firefighter positions. By June 2021, two positions became available, and two candidates were offered interviews and the opportunity to complete the agility test.

On June 14, 2021, Chief Sipe and Lieutenant Marshall reinterviewed Sloan McLean for a part-time firefighter position. Ms. Mclean had been previously interviewed, in 2020, and would have been hired for a position then if she were not up against multiple candidates with current fire/rescue experience. At that time, Ms. McLean was informed the Township would reach back out to her for consideration the next time a part-time position opened in the department.

After meeting with Ms. McLean, in June 2021, and confirming her continued desire to work for the Township's Fire/Rescue Department, there was consensus to offer a part-time firefighter position to her. Ms. McLean currently lives in Robinson Township and has worked for Life EMS since 2019 as an EMT. Ms. McLean is expected to achieve her paramedic license in April 2022 and will need to enroll in the upcoming Fire Academy.

The Administration and Fire/Rescue Departments, at Grand Haven Charter Township, look forward to working with and training Sloan, and we believe her knowledge, skills, and experience will be valuable assets to our Township.

Under State law, all Fire/Rescue positions, full-time and part-time, must be approved by the Board. If the Board concurs with the Personnel Committee's recommendation to hire Ms. McLean, the following motion could be offered for consideration:

Move to approve the hire of Sloan McLean as a Part-Time Firefighter, effective immediately.

Enclosed is the job description, candidate's application, and contingent offer letter. If you have any questions, please do not hesitate to contact Chief Sipe or Andrea Dumbrell.



TO: Township Board
FROM: Chief Sipe and Andrea Dumbrell
DATE: July 20, 2021
RE: Part-Time Firefighter Hire – Dilley

Since July 2020, the Township has received approximately 19 applications for part-time firefighter positions. By June 2021, two positions became available, and two candidates were offered interviews and the opportunity to complete the agility test.

On June 21, 2021, Chief Sipe, Lieutenant Marshall, and Firefighter/Paramedic Peterson met with Kurt Dilley. Specific knowledge, skills, experience, and residency the Township's selection committees look for, when evaluating fire/rescue candidates, are:

- High School Diploma; CPR certification, firefighting training & paramedic license
- Live south of Grand Haven's drawbridge and within 7 miles of the Grand Haven Charter Township's Fire Station
- Ability to work under pressure situations and make decisions in emergency situations, while being exposed to extreme temperatures; heavy smoke conditions; chemical, physical, and mechanical hazards; heights and confined spaces
- Flexibility to fill 12 and 24-hour shifts, at the Township's Fire Station, when needed

After meeting with Mr. Dilley, there was consensus to offer a Part-Time Firefighter position to him. Mr. Dilley currently lives in Grand Haven and has worked as a Public Safety Officer, for the City of Grand Haven, since 2018 and as a Firefighter, for Spring Lake Township, since 2010. He has his paramedic license and Firefighter I and II certifications.

The Administration and Fire/Rescue Departments, at Grand Haven Charter Township, look forward to working with and training Kurt, and we believe his knowledge, skills, and experience will be valuable assets to our Township.

Under State law, all Fire/Rescue positions, full-time and part-time, must be approved by the Board. If the Board concurs with the Personnel Committee's recommendation to hire Mr. Dilley, the following motion could be offered for consideration:

Move to approve the hire of Kurtis Dilley, as a Part-Time Firefighter, effective immediately.

Enclosed is the job description, candidate's application, and contingent offer letter. If you have any questions, please do not hesitate to contact Chief Sipe or Andrea Dumbrell.

MANAGER'S MEMO

DATE: July 21, 2021

TO: Township Board

FROM: Bill Cargo

SUBJECT: Public Hearing to Amend the Boundaries of the DDA Downtown District

OVERVIEW:

The Grand Haven Charter Township Downtown Development Authority (DDA) was created in 1999 and was expected to remain in effect for about 25-years. Further, most of the projects contained within the original development plan and tax increment financing (TIF) plan are completed (*or no longer feasible*).

Last September, prior to making any decision on the dissolution of the DDA, the DDA Board requested input from the Planning Commission. The Planning Commission completed this review and made a series of recommendations regarding both expanding the Downtown district and adding projects to the Development and TIF plan.

This past June, the Township Board both reviewed and agreed with the Planning Commission's report and adopted a Resolution of Intent to (1) incorporate new property into the DDA Downtown District (*i.e., expanding the DDA Downtown District, which is the term for the boundaries of the DDA*) (2) expand the development area (*i.e., which is the boundary of the area to which the development plan and tax increment financing plan apply*); and, (3) amend the DDA development and tax increment financing plans.

The next step of the process is to hold a public hearing on the expanded district boundaries for the DDA. This public hearing will occur on Monday, July 26th at the regular meeting of the Township Board.

After receiving comments from the public, the Township will not take any action for 60 days. The next action will occur on **September 27th** with the first reading of an amended DDA ordinance designating the expanded boundaries of the DDA district.

The timeline for the process to amend the DDA district boundaries and to amend the Development and Tax Increment Finance Plan follows:

<u>Tentative Dates</u>	<u>Description</u>
	<u>AMENDING THE AUTHORITY DOWNTOWN DISTRICT BOUNDARIES</u>
May 13, 2021	Step 1. — <u>Consideration by DDA Board</u> — The DDA Board will consider the addition of new area to the DDA Downtown District.
June 14, 2021	Step 2. — <u>Resolution of Intent</u> — The Township Board adopts a resolution of intent to amend the boundaries of the DDA Downtown District and setting date of public hearing on amendment.
Schedule Public Hearing for July 26, 2021	Step 3. — <u>Notice of Public Hearing</u> — Notice of the public hearing must be given and must include the date, time and place of the hearing and shall describe the amended boundaries of proposed downtown district. The notice must be given as follows:
<u>First publication: June 30th</u> <u>Second publication: July 1st</u>	(a) — The notice must be published twice in a newspaper of general circulation not less than 20 nor more than 40 days before the hearing date.
June 30th	(b) — The notice must also be mailed to all property taxpayers in proposed downtown district at least 20 days prior to the hearing date.
June 30th	(c) — The notice must be posted in at least 20 conspicuous and public places in the district at least 20 days before the meeting.
June 30th	(d) — The notice must be mailed to the governing body of each taxing jurisdiction levying taxes that would be subject to capture at least 20 days prior to the hearing date <u>by certified mail.</u>

<p style="text-align: center;">July 26, 2021</p>	<p>Step 4. Hearing — At the hearing, a resident, taxpayer, property owner or official from a taxing jurisdiction with millage that would be subject to capture has the right to be heard regarding the amendment to the boundaries of the district. While the Township Board may not incorporate land into a district that was not included in the description contained in the notice of public hearing, it may eliminate lands described in the notice in the final determination of the boundaries.</p>
<p style="text-align: center;">September 24, 2021</p>	<p>Step 5. <u>Opt Out</u> – Not more than 60 days after the public hearing, the governing body of a taxing jurisdiction with millage that would otherwise be subject to capture may, with respect to the lands to be added to the district, exempt its taxes from capture by adopting a resolution to that effect and filing a copy with the Township Clerk.</p>
<p>September 27, 2021 is the next regular meeting following expiration of the 60 days</p>	<p>Step 6. <u>Establishing Ordinance</u> – The DDA downtown district is amended by the adoption of an ordinance adopted by a majority of members of the governing body of municipality, designating amended boundaries of downtown district. The ordinance cannot be adopted until 60 days after the public hearing. The first date the ordinance can be adopted is October 11th with a second reading.</p>
<p style="text-align: center;">October 18, 2021</p>	<p>(a) The ordinance must be filed promptly with secretary of state after its adoption.</p>
<p style="text-align: center;">October 20, 2021</p>	<p>(b) The ordinance must be published at least once in newspaper of general circulation after its adoption.</p>
	<p style="text-align: center;"><u>AMENDING DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN</u></p>
	<p>In order to implement projects in the new area of the DDA, it will have to be included in the development area governed by a Development Plan and Tax Increment Financing Plan. The development area of the DDA Downtown District can be amended by adopting an amendment to the Plan for this area which changes the legal description of the development area. At this time, the Board will also want to add projects to the plan that cover the new area. These projects should also be included in the amendment so that all of the changes can be handled at one time. The steps for adopting the amendment to the Plan are as follows:</p>

<p style="text-align: center;">October 25, 2021</p>	<p>Step 1. <u>Development Area Citizens Council</u>– If the Development Area of the DDA has more than 100 residents, a Development Area Citizens Council must be formed at least 90 days before the public hearing on the plan amendment.</p>
<p style="text-align: center;">November 18, 2021</p>	<p>Step 2. <u>Plan Developed</u> – The DDA Board meets to review the proposed plan amendment and give its input.</p>
<p style="text-align: center;">November 18, 2021</p>	<p>Step 3. <u>Plan Approved by DDA</u> – The DDA Board approves the plan amendment by resolution and recommends it to the Township Board.</p>
<p style="text-align: center;">December 2, 2021</p>	<p>Step 4. <u>Development Area Citizens Council Meeting</u> -- the Development Area Citizens Council meets to review and provide advice on the plan amendment.</p>
<p style="text-align: center;">December 13, 2021 sets hearing for January 24, 2022</p>	<p>Step 5. <u>Public Hearing Set</u> – The Township Supervisor sets a public hearing at a Township Board meeting to consider the plan amendment.</p>
	<p>Step 6. <u>Notice of Public Hearing</u> – Notice of the public hearing must be given and must include the date, time and place of the hearing, describe the proposed development area in relation to highways, streets, streams or otherwise, and must state that maps, plats and a description of the development plan, including the method of relocating families and individuals who may be displaced from the area are available for public inspection at a place designated in the notice and that all aspects of the development plan will be open for discussion at the public hearing. The notice must be given as follows:</p>
<p><u>First Publication:</u> December 17th <u>Second Publication:</u> December 29th</p>	<p>(a) The notice must be given by publication twice in a newspaper of general circulation designated by the Township, the first of which shall not be less than 20 days before the date set for the hearing.</p>
<p>No later than December 22nd</p>	<p>(b) The notice must be posted in at least 20 conspicuous and public places in the downtown district at least 20 days before the hearing.</p>
<p>No later than December 22nd</p>	<p>(c) The Notice must be mailed to all property taxpayers of record at least 20 days before the hearing.</p>

<p>No later than December 22nd</p>	<p>(d) Before the public hearing the Township must provide a reasonable opportunity for the taxing jurisdictions levying taxes subject to capture to express their views and recommendations regarding the plan. The taxing jurisdictions must be fully informed of the fiscal and economic implications of the proposed plan. Send a copy of the plan and the notice of hearing to the taxing jurisdictions by <u>certified mail</u>.</p>
<p>January 24, 2022</p>	<p>Step 7. <u>Public Hearing</u> – At the hearing interested persons and representatives from the taxing jurisdictions have the opportunity to be heard, to submit written communications and documentary evidence.</p>
<p>First Reading: January 24, 2022 Second Reading: February 14, 2022</p>	<p>Step 8. <u>Adopting Ordinance</u> – After a public hearing is held, the Township Board makes certain determinations required by statute and approves the plan amendment by ordinance.</p>

Please contact me if there are any questions or comments.



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: July 22, 2021
 TO: Township Board
 FROM: Stacey Fedewa, AICP – Community Development Director
 RE: Conditional Rezoning – Stillwater Development – AG to RR

PROPERTY INFORMATION			
Property Address	Parcel Number	Parcel Size	Application Type
Winans	70-07-27-300-003	40-acres	Rezoning
Existing Zoning	Existing Land Use	Existing Infrastructure	Existing Site Improvements
AG	Vacant	Paved Road (Winans) Unpaved Road (Pierce)	None
Master-Planned Zoning	Surrounding Zoning & Land Uses		
	Direction	Zoning	Land Use
Rural Residential	N	RR	Single Family
	S	AG	Blueberry Farm
	E	RP	Vacant & Single Family
	W	RR, RP, AG	Single Family

BACKGROUND

In May, staff received an application for the rezoning of a 40-acre parcel fronting on Winans and Pierce. The request is to rezone from AG (20-acre minimum) to RR (45,000-sf or 1.03-acres). This raised concerns for staff because the area is exceptionally rural does not seem ripe for an RR zone.

The applicant did provide a tentative land division layout, which appears reasonable based on surrounding uses and lot sizes. However, once the property is rezoned the applicant is free to develop in any way allowed by the zoning ordinance. The Township cannot add conditions or restrictions to property being rezoned (*only available in conditional rezonings*).

Subsequently, the applicant submitted a **written request for a conditional rezoning agreement**. The proposed conditions are outlined below and address all of the concerns raised by the Planning Commission.

Summary of Conditions

- ✓ Maximum of 6 lots
 - 2 on Winans Street
 - 4 on Pierce Street
- ✓ Minimum lot area = 2-acres
- ✓ Minimum lot width = 150-feet
- ✓ Remainder Parcel specifics:
 - Vehicular access across Little Pigeon Creek is prohibited
 - 20-foot wide driveway easement between Lots B and C

SAMPLE MOTIONS

If the Board finds the rezoning application meets the standards, the following motion can be offered:

Motion to approve the Conditional Zoning Agreement and Zoning Map Amendment Ordinance concerning the rezoning of Parcel No. 70-07-27-300-003 from Agricultural (AG) to Rural Residential (RR). **This is the second reading.**

If the Board finds the rezoning application does not meet the standards, the following motion can be offered:

Motion to deny the Stillwater Development rezoning application and **not accept** the conditional rezoning proposal of Parcel No. 70-07-27-300-003 from Agricultural (AG) to Rural Residential (RR) because the application does not meet the rezoning standards of the Zoning Ordinance and Master Plan.

If the Board finds the rezoning application is premature or needs revisions, the following motion can be offered:

Motion to table of the Stillwater Development rezoning application, and direct the applicant to address the following items:

1. *List the items...*

Please contact me prior to the meeting if you have questions.

CONDITIONAL ZONING AGREEMENT

This Agreement is between Grand Haven Charter Township, a Michigan charter township, at 13300 – 168th Avenue, Grand Haven, Michigan 49417 (the “Township”) and Stillwater Development, a Michigan Domestic Limited Liability Company, at 6719 Pine Ridge Ct., Jenison, Michigan 49428 (the “Developer”).

This Agreement is based upon the following facts.

A. The Township has adopted the Grand Haven Charter Township Zoning Ordinance (the “Zoning Ordinance”), which includes the Grand Haven Charter Township Zoning Map (the “Zoning Map”), and which is based in part on the Future Land Use Map.

B. The Developer has an option to purchase certain property in the Township, which property is located on Winans Street and Pierce Street (the “Property”), the parcel number and legal description of which are attached as Exhibit A.

C. The Property is included in the Agricultural District of the Zoning Map.

D. The Township is reluctant to rezone the Property to the Rural Residential District, even though the Future Land Use Map calls for that, because the Property is not ripe for full development in the Rural Residential District.

E. The Developer is willing to limit the development of the Property according to an offer made by letter dated July 7, 2021, with an attached sketch showing the land divisions to be established for the Property, which letter and sketch are attached as Exhibit B, pages 6 and 7.

F. Under Section 405 of Public Act 110 of the Public Acts of 2006, as amended, a landowner may voluntarily offer in writing, and a township may approve, certain conditions which attach to a rezoning of property in that township.

THEREFORE, the parties agree as follows.

Section 1. Rezoning of the Property. The Township has adopted a Zoning Map Amendment Ordinance (the “Amendment Ordinance”), rezoning the Property to the Rural

Residential District, contingent on this Agreement taking effect. This Agreement is contingent upon the Amendment Ordinance taking effect and remaining valid.

Section 2. Condition of Rezoning. Rezoning the Property to the Rural Residential District shall be conditioned upon the Developer, and any subsequent owners of the Property or portions of the Property, complying with the condition that the Property shall be prohibited from future land divisions beyond what is shown on Exhibit B, and complying with all other conditions included in Exhibit B.

This rezoning of the Property is further conditioned upon the Developer closing on the purchase of the Property and becoming the owner of the Property.

Section 3. Township Findings. The Township finds that the Property should be rezoned to the Rural Residential District. That rezoning subject to this Agreement would be compatible with surrounding area, would fit the purpose of the Rural Residential District as stated in Section 2.03 of the Zoning Ordinance, and would be consistent with the Future Land Use Map.

Section 4. Compliance. The development of the Property pursuant to this Agreement shall be subject to compliance with all Federal, State, County, and Township laws and ordinances.

Section 5. Binding Nature of This Agreement. The Developer acknowledges that this Agreement will run with the Property and will be binding upon successor owners of the Property or portions of the Property.

Section 6. Recording of This Agreement. The Township and the Developer acknowledge that this Agreement shall be recorded by the Township with the Ottawa County Register of Deeds.

Section 7. Violation of This Agreement by the Developer. If the Developer violates any provision of this Agreement, that violation shall constitute a violation of the Zoning Ordinance and shall be subject to legal enforcement action and judicial abatement action as provided by law.

Section 8. Acknowledgment by the Developer. The Developer acknowledges that no permit or approval shall be granted under the Zoning Ordinance for any use or development that is contrary to this Agreement.

Section 9. Time Period. The obligation of the Developer to comply with the requirements of this Agreement shall be effective immediately and shall remain in effect throughout the term of this Agreement, as long as the Property is maintained in the Rural Residential District pursuant to this Agreement.

Section 10. Reversion of Zoning. If the condition in Section 2 is not satisfied or is violated during the term of this Agreement, then the Property shall be reconsidered for rezoning back to the Agricultural District. The reconsideration of this conditional rezoning shall be initiated by the Township Board, which shall request that the Planning Commission hold a public hearing on the rezoning of the Property and make a recommendation to the Township Board. The

procedure for considering and accomplishing this rezoning shall be the same as applies to all other rezoning requests.

Section 11. Subsequent Rezoning of the Property. If the Property is subsequently rezoned to a different zoning classification or to the Rural Residential District but subject to the terms of a different agreement or no agreement at all, the terms of this Agreement shall cease to be in effect. Upon the request of the owners of the Property at the time, the Township shall record with the Ottawa County Register of Deeds a notice that this Agreement is no longer in effect.

Section 12. Amendment of this Agreement. This Agreement may be amended in the same manner that the Property was rezoned to the Rural Residential District pursuant to the terms of this Agreement.

Section 13. Township's Right to Rezone. Nothing in this Agreement shall prohibit the Township from rezoning all or any portion of the Property to another zoning classification. Any such rezoning shall be conducted in compliance with the Zoning Ordinance and applicable law.

Section 14. Miscellaneous. This Agreement shall inure to the benefit of and be binding upon the parties and their respective heirs, personal representatives, members, assigns, and successors. All notices and other documents to be served or transmitted shall be in writing and addressed to the respective parties at the addresses stated on Page 1 of this Agreement or such other address or addresses as shall be specified by the parties from time to time, and may be served or transmitted in person or by ordinary or certified mail properly addressed with sufficient postage. This Agreement has been executed in the State of Michigan and shall be governed by Michigan law. The waiver by any party of a breach or violation of any provision of this Agreement shall not be a waiver of any subsequent breach or violation of the same or any other provision of this Agreement. If any section or provision of this Agreement is unenforceable for any reason, the unenforceability shall not impair the remainder of this Agreement, which shall remain in full force and effect. This Agreement represents the entire understanding and agreement between parties, and all prior understandings and agreements are specifically merged in this Agreement. The captions in this Agreement are for convenience only and shall not be considered as part of this Agreement or in any way amplifying or modifying its terms and provisions.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

WITNESSES:

STILLWATER DEVELOPMENT,
a Michigan Domestic Limited Liability Company

By: _____
Name: _____
Its: _____

GRAND HAVEN CHARTER TOWNSHIP

Stacey Fedewa

By: _____
Mark Reenders, Supervisor

William D. Cargo

By: _____
Laurie Larsen, Clerk

STATE OF MICHIGAN)
)ss.
COUNTY OF OTTAWA)

The foregoing Agreement was acknowledged before me this _____ day of _____, 2021, by _____, who, being duly sworn says that (s)he is the _____ of Stillwater Development, a Michigan Domestic Limited Liability Company, and that (s)he has executed the Agreement on its behalf.

Printed Name: _____
Notary Public, Ottawa County, Michigan
My Commission Expires: _____
Acting in Ottawa County, Michigan

STATE OF MICHIGAN)
)ss.
COUNTY OF OTTAWA)

The foregoing Agreement was acknowledged before me this _____ day of _____, 2021, by Mark Reenders and Laurie Larsen, respectively the Supervisor and the Clerk of Grand Haven Charter Township, a Michigan charter township, on behalf of the Township.

Printed Name: _____
Notary Public, Ottawa County, Michigan
My Commission Expires: _____
Acting in Ottawa County, Michigan

Prepared by:
Ronald A. Bultje
Dickinson Wright PLLC
200 Ottawa Avenue N.W., Suite 1000
Grand Rapids, Michigan 49503
Telephone: (616) 336-1007

EXHIBIT A

LEGAL DESCRIPTION AND PARCEL NUMBER

“0” Winans Street

E 1/2 OF W 1/2 OF SW 1/4 SEC 27 T7N R16W 40 A

PPN: 70-07-27-300-003

EXHIBIT B



July 7, 2021

Ms. Stacey Fedewa
Community Development Director
Grand Haven Township
13300 168th Avenue
Grand Haven, MI 49417

Dear Ms. Fedewa:

Included in this letter is a *revised* proposal for a contract rezoning for "0" Winans Street (east of 168th Avenue, situated between, and with frontage on both Winans Street and Pierce Street, PPN: 70-07-27-300-003).

Stillwater Development, proposes a rezone to the Rural Residential (RR) zoning district, subject to the included proposed land division layout, and with the following conditions:

1. The parcel will be limited to six (6) resulting land divisions per the included sketch.
2. Four (4) resulting land divisions will front Pierce Street and two (2) land divisions will front Winans Street.
3. The minimum lot area and lot width for the resulting land divisions will be two (2) acres and 150 feet in width.
4. Due to the remainder parcel being bisected by the Little Pigeon Creek, the resulting land division remainder will maintain access to upland areas directly from its legal frontage along Winans Street, and through easement access from Pierce Street. Vehicular access across Little Pigeon Creek will be prohibited.
5. Easement access to the remainder parcel from Pierce Street will be limited to a 20-foot-wide easement equally distributed along the proposed property line between lots B and C to be utilized for a single-family residential driveway only.

The above proposed contract rezoning conditions for "0" Winans Street (PPN: 70-07-27-300-003) have been revised per discussion and statements made myself, the applicant, at the Planning Commission meeting on July 6, 2021. Reference to paving of any vehicular access in item number four was eliminated in order to guarantee that any type of vehicular access will be prohibited and specification was provided in item number five that the future driveway easement for the remainder parcel would be located equally along the shared lot line of proposed land divisions B and C. Should you have any questions or need additional information, please do not hesitate to contact me at (616) 485-5321.

Sincerely,

Kelly Kuiper



ORDINANCE NO. ____

ZONING MAP AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND CERTAIN PORTIONS OF THE ZONING MAP OF THE ZONING ORDINANCE FOR GRAND HAVEN CHARTER TOWNSHIP, OTTAWA COUNTY, MICHIGAN, FOR THE PURPOSE OF REZONING CERTAIN PROPERTY FROM THE AGRICULTURAL DISTRICT TO THE RURAL RESIDENTIAL ZONING DISTRICT.

THE CHARTER TOWNSHIP OF GRAND HAVEN, COUNTY OF OTTAWA, AND STATE OF MICHIGAN ORDAINS:

Section 1. Zoning Map Amendment. The Zoning Ordinance and Map of the Charter Township of Grand Haven, Ottawa County, Michigan, incorporated by reference in the Zoning Ordinance for the Charter Township of Grand Haven, is amended so that the land described below shall be zoned as and included in the Rural Residential Zoning District on the Zoning Map. The land is described as being in the Township of Grand Haven, Ottawa County, Michigan, on Green Street. The legal description and parcel number of the property are as follows:

Property located in Grand Haven Charter Township, Ottawa County, Michigan, legally described as:

Property Address: Winans Street and Pierce Street
Grand Haven, Michigan 49417

Tax Parcel No.: 70-07-27-300-003

E 1/2 OF W 1/2 OF SW 1/4 SEC 27 T7N R16W 40 A

The rezoning of this parcel is contingent upon a Conditional Zoning Agreement being and remaining in effect between the Township and the owner of the parcel listed above, and its successors.

Section 2. Effective Date. The foregoing amendment to the Grand Haven Charter Township Zoning Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan on _____, 2021, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended, and after a first reading of the amendment by the Township Board on July 12, 2021. This Ordinance shall be effective on _____, 2021, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Mark Reenders, Township Supervisor

Laurie Larsen, Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Zoning Map Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2021. The following members of the Township Board were present at that meeting: _____. The following members of the Township Board were absent: _____. The Ordinance was adopted by the Township Board with members of the Board: _____ voting in favor, and members of the Board: _____ voting in opposition. The Ordinance was published in the *Grand Haven Tribune* _____, 2021.

Laurie Larsen, Clerk
Grand Haven Charter Township

SUPERINTENDENT'S MEMO

DATE: July 22, 2021

TO: Township Board

FROM: Cargo and Sandoval

SUBJECT: Budget Amendments – Second Quarter

Attached, please find the proposed budget amendments for the second quarter of FY2021.

These amendments are both more substantive than typical (*e.g., reflecting bond revenues and increased costs associated with the Pottawattomie Park project*) and have greater uncertainty with regard to certain future revenues (*e.g., State Shared Revenues as related to the delayed Census numbers and the distribution and use of the American Rescue Plan Act monies*).

That said, the financial position of the Township remains strong and most of the uncertainty with regard to revenues will be resolved during the second quarter of this fiscal year. However, uncertainty with regard to inflation and future capital project costs will remain bothersome for many months.

- 1) The General Fund revenues are increased↑ by about **\$163k**, which mainly reflects higher than anticipated construction activities (*i.e., +\$128k*); a surge in cemetery lot sales in the new section of the Historic Cemetery (*i.e., \$20k*); and, reflect monies from Harbor Transit for the continued service of Human Resources Director Dumbrell through December (*i.e., \$15k*).

At the same time General Fund Expenditures are increased↑ by about **\$350k** with the following being substantive changes:

- a. Administrative expenditures are increased↑ by over \$20k – to cover the additional hours that Human Resources Director Dumbrell is providing to Harbor Transit;
- b. Parks expenditures are increased↑ by almost \$320k the Pottawattomie Park project and final repairs to the Hofma Preserve floating bridge.

The designated fund balance of the General Fund will remain at **\$750,000**. These monies are set aside for future park improvement projects.

The undesignated fund balance of the General Fund is estimated **\$1.89 million** at the end of FY2021. This **exceeds**↑ the Board stated goal of \$1.6 million for the General Fund undesignated fund balance.

- 2) The Road Fund revenues are decreased↓ by **\$5k** due to the impact of Board of Review decisions on property tax revenues.

The Road Fund expenditures are increased↑ by less than **\$7k** – mostly related to professional fees associated with the Buchanan Street road end.

The fund balance of the Road Fund will be an estimated **\$34k** at the end of FY2021.

- 3) The Fire/Rescue Fund revenues are increased↑ by about **\$13k** mostly due to federal grants related to the COVID-19 pandemic.

The fund balance of the Fire/Rescue Fund will be an estimated **\$535k** at the end of FY2021.

- 4) The Police Services Fund revenues are decreased↓ by **\$2k** due to the impact of Board of Review decisions on special assessment revenues.

The Police Services Fund expenditures are increased↑ by less than **\$26k** – mostly related to reimbursement of some COVID-19 grant monies that were paid to the Township through Ottawa County and then reduced by the State.

The fund balance of the Police Services Fund will be an estimated **\$296k** at the end of FY2021.

- 5) The DDA Fund revenues are decreased↓ by about **\$127k** due to decision last year to not collect TIF monies while the DDA Board and Township Board determine the “future” of the DDA.

- 6) The DDA Fund revenues are decreased↓ by over **\$834k** due to an inability of the Township to secure easements for a proposed sanitary sewer project. *(Assuming the DDA boundaries expansion and amendments to the DDA Development/TIF plan are approved later this year, these monies will be used to “jump start” some of the new projects within the expanded district.)*

The fund balance of the DDA Fund will be an estimated **\$1.41 million** at the end of FY2021.

- 7) The Pathway Fund revenues are increased↑ by **\$33k** due to insurance reimbursement for the repair of the Ferris Street boardwalk that was damaged through a traffic accident.

The Pathway Fund expenditures are increased↑ by less than **\$50k** – mostly related to rapir of the same.

The fund balance of the Pathway Fund will be an over **\$40k** at the end of FY2021.

- 8) The Parks Construction Fund is created to recognize the Parks bond revenues and expenditures.

The Parks Construction revenues start with about **\$6.14 million** to reflect the bond monies and expenditures will start at a **\$310k** level to recognize the professional fees associated with the various parks' projects – including the Schmidt Heritage Park.

The fund balance of the Parks Construction Fund will be an estimated **\$5.83 million** at the end of FY2021.

- 9) The Sewer Fund revenues are increased↑ by **\$6k** due to more connections and greater late fees related to the end of the COVID-19 moratorium on utility shut-offs.

The Sewer Fund expenditures are decreased↓ by less than **\$67k** – mostly related to the Hofma Park sewer relocation project being awarded at less than budgeted estimates.

The fund balance of the Sewer Fund will be an estimated **\$869k** at the end of FY2021.

- 10) The Water Fund expenditures are increased↑ by less than **\$5k** due to advertising costs associated with the search for a new Public Services Director.

The fund balance of the Water Fund will be an estimated **\$2.94 million** at the end of FY2021. This is a healthy reserve for this enterprise fund and will be used for upcoming capital projects.

If the Board supports the proposed budget amendments, the following motion may be offered:

Move to adopt Resolution 21-07-01 that adopts the Second Quarter budget amendments for fiscal year 2021.

If you have any questions or comments, please contact either Cargo or Sandoval at your convenience.

GRAND HAVEN CHARTER TOWNSHIP
BUDGET AMENDMENTS & LINE ITEM TRANSFERS
GENERAL FUND
July 26, 2021

		From	To	+ or (-)
General Fund Revenues				
403.000	Property Taxes	907,430	901,430	(6,000)
477.000	Building Permit Fees	200,000	300,000	100,000
478.000	Electrical Permit Fees	40,000	50,000	10,000
479.000	Plumbing Permit Fees	20,000	28,000	8,000
480.000	Mechanical Permit Fees	50,000	60,000	10,000
481.000	Zoning Permit Fees	4,900	8,400	3,500
610.000	Various Fees (Harbor Transit extended thru December)	68,900	83,900	15,000
643.000	Cemetery Lot Sales/Transfers	20,000	40,000	20,000
667.000	Parks Rentals	9,000	11,500	2,500
TOTAL GENERAL FUND REVENUE		4,044,010	4,207,010	163,000
Dept. Group 172 - Administration				
702.000	Salaries (Harbor Transit agreement extended thru Dec)	140,940	155,940	15,000
715.000	FICA	20,230	21,380	1,150
718.000	Pension	31,250	32,750	1,500
900.000	Printng & Publishing (Advertising for Harbor Transit)	0	2,000	2,000
956.000	Miscellaneous	300	750	450
	Total	390,280	410,380	20,100
Dept. Group 262 - Elections				
900.000	Printing & Publishing (Reimburse to Ottawa Cty)	200	3,100	2,900
	Total	56,510	59,410	2,900
Dept. Group 265 - Building & Grounds				
863.000	Fuel	1,000	2,000	1,000
910.100	Workers Comp Account	370	1,070	700
	Total	335,670	337,370	1,700
Dept. Group 721 Planning Commission				
801.000	Legal & Professional Fees	5,000	10,000	5,000
802.000	Conferences & Dues	1,500	2,000	500
	Total	16,030	21,530	5,500
Dept. Group 751 - Parks				
741.000	Uniform Expense	2,400	2,900	500
900.000	Printing & Publishing	200	500	300
910.100	Worker's Comp Account	680	2,680	2,000
970.000	Capital Outlay (Pott park wtrfront & Hofma fltg bridge)	309,500	602,600	293,100
970.250	Capital Outlay - Professional Fees	41,000	65,000	24,000
	Total	735,640	1,055,540	319,900

**GRAND HAVEN CHARTER TOWNSHIP
BUDGET AMENDMENTS & LINE ITEM TRANSFERS
GENERAL FUND
July 26, 2021**

	From	To	+ or (-)
TOTAL GENERAL FUND EXPENDITURES	4,102,300	4,452,400	350,100
GENERAL FUND - FUND BALANCE:			
Fund Balance (From 2020 Financial Audit)			2,884,853
2021 Revenue			4,044,010
Total Revenue budget amendments			163,000
2021 Amended Revenue			4,207,010
2021 Expenditures			4,102,300
Total Expense budget amendments			350,100
2021 Amended Expenditures			4,452,400
Net Budget Amendments			(187,100)
Projected Total Fund Balance - 12/31/21			2,639,463
Projected Undesignated Fund Balance - 12/31/21			1,889,463
Projected Designated Fund Balance - 12/31/21			750,000

**GRAND HAVEN CHARTER TOWNSHIP
BUDGET AMENDMENTS & LINE ITEM TRANSFERS
ROAD FUND
July 26, 2021**

	From	To	+ or (-)
Road Fund Revenues			
403.000 Property Taxes	795,540	790,540	(5,000)
TOTAL FIRE/RESCUE FUND REVENUE	1,363,030	1,358,030	(5,000)

Dept. Group 446 - Road Construction			
801.000 Legal & Professional Fees (Buchanan Rd End)	300	7,000	6,700
TOTAL FIRE DEPT. EXPENDITURES	1,361,280	1,367,980	6,700

FIRE DEPARTMENT FUND BALANCE:

Fund Balance (From 2020 Financial Audit)	44,136
2021 Revenue	1,363,030
Total revenue budget amendments	(5,000)
2021 Amended Revenue	1,358,030
2021 Expenditures	1,361,280
Total expense budget amendments	6,700
2021 Amended Expenditures	1,367,980
Net Budget Amendments	(11,700)
Projected Total Fund Balance - 12/31/21	34,186

**GRAND HAVEN CHARTER TOWNSHIP
BUDGET AMENDMENTS & LINE ITEM TRANSFERS
FIRE/RESCUE FUND
July 26, 2021**

	From	To	+ or (-)
Fire Fund Revenues			
403.000 Property Taxes	1,591,340	1,580,340	(11,000)
528.000 Other Federal Grants (PSPHPRR)	0	22,340	22,340
633.000 Charges for Services	2,000	4,000	2,000
TOTAL FIRE/RESCUE FUND REVENUE	1,642,760	1,656,100	13,340

Dept. Group 336 - Fire/Rescue Department (No Changes)

TOTAL FIRE DEPT. EXPENDITURES	1,464,760	1,464,760	0
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FIRE DEPARTMENT FUND BALANCE:

Fund Balance (From 2020 Financial Audit)	344,174
2021 Revenue	1,642,760
Total revenue budget amendments	13,340
2021 Amended Revenue	1,656,100
2021 Expenditures	1,464,760
Total expense budget amendments	0
2021 Amended Expenditures	1,464,760
Net Budget Amendments	13,340
Projected Total Fund Balance - 12/31/21	535,514

**GRAND HAVEN CHARTER TOWNSHIP
BUDGET AMENDMENTS & LINE ITEM TRANSFERS
POLICE SERVICES
July 26, 2021**

	From	To	+ or (-)
Police Services Revenues			
403.500 Special Assessment Levy	465,250	463,250	(2,000)
TOTAL FUND REVENUE	506,310	504,310	(2,000)

Dept. Group 301 - Police/Sheriff Expenditures			
803.000 Contracted Srvcs (Reimb County PSPHPRR)	469,700	495,700	26,000
TOTAL EXPENDITURES	523,460	549,460	26,000

POLICE SERVICES FUND BALANCE:

Fund Balance (From 2020 Financial Audit)	341,395
2021 Revenue	506,310
Total revenue budget amendments	(2,000)
2021 Amended Revenue	504,310
2021 Expenditures	523,460
Total expense budget amendments	26,000
2021 Amended Expenditures	549,460
Net Budget Amendments	(28,000)
Projected Total Fund Balance - 12/31/21	296,245

**GRAND HAVEN CHARTER TOWNSHIP
BUDGET AMENDMENTS & LINE ITEM TRANSFERS
DOWNTOWN DEVELOPMENT AUTHORITY
July 26, 2021**

	From	To	+ or (-)
DDA Revenues			
677.000 Reimbursements (PPT Loss - no capture in 2020)	158,100	30,800	(127,300)
TOTAL FUND REVENUE	167,460	40,160	(127,300)

Dept. Group 000 - DDA Department			
970.000 Capital Outlay (Postpone Hayes St Sanitary Swr)	910,100	240,920	(669,180)
970.250 Capital Outlay - Professional Fees	225,400	60,400	(165,000)
TOTAL EXPENDITURES	1,207,780	373,600	(834,180)

DDA FUND BALANCE:

Fund Balance (From 2020 Financial Audit)	1,742,993
2021 Revenue	167,460
Total revenue budget amendments	(127,300)
2021 Amended Revenue	40,160
2021 Expenditures	1,207,780
Total expense budget amendments	(834,180)
2021 Amended Expenditures	373,600
Net Budget Amendments	706,880
Projected Total Fund Balance - 12/31/21	1,409,553

**GRAND HAVEN CHARTER TOWNSHIP
BUDGET AMENDMENTS & LINE ITEM TRANSFERS
PATHWAY FUND
July 26, 2021**

	From	To	+ or (-)
Pathway Revenues			
677.000 Reimbursements (Ferris St Boardwalk)	5,000	38,000	33,000
TOTAL FUND REVENUE	391,390	424,390	33,000
Dept. Group 000 - Pathway Department			
801.000 Legal & Professional Fees	1,000	2,000	1,000
910.100 Worker's Comp Account	590	1,150	560
930.000 Maintenance & Repairs (Ferris St Brdwlk)	26,000	74,000	48,000
TOTAL EXPENDITURES	1,032,520	1,082,080	49,560

PATHWAY FUND BALANCE:

Fund Balance (From 2020 Financial Audit)	698,390
2021 Revenue	391,390
Total revenue budget amendments	33,000
2021 Amended Revenue	424,390
2021 Expenditures	1,032,520
Total expense budget amendments	49,560
2021 Amended Expenditures	1,082,080
Net Budget Amendments	(16,560)
Projected Total Fund Balance - 12/31/21	40,700

**GRAND HAVEN CHARTER TOWNSHIP
BUDGET AMENDMENTS & LINE ITEM TRANSFERS
PARKS CONSTRUCTION FUND
July 26, 2021**

	From	To	+ or (-)
Parks Construction Revenues			
569.100 Bond Revenues	0	6,138,240	6,138,240
TOTAL FUND REVENUE	0	6,138,240	6,138,240
 Dept. Group 751 - Parks Department			
970.250 Capital Outlay-Prof Fees (SHP & Hofma Preserve Impr)	0	310,200	310,200
TOTAL EXPENDITURES	0	310,200	310,200
 PATHWAY FUND BALANCE:			
Fund Balance (From 2020 Financial Audit)			0
2021 Revenue			0
Total revenue budget amendments			6,138,240
2021 Amended Revenue			6,138,240
2021 Expenditures			0
Total expense budget amendments			310,200
2021 Amended Expenditures			310,200
Net Budget Amendments			5,828,040
Projected Total Fund Balance - 12/31/21			5,828,040

**GRAND HAVEN CHARTER TOWNSHIP
BUDGET AMENDMENTS & LINE ITEM TRANSFERS
SEWER FUND
July 26, 2021**

	From	To	+ or (-)
Sewer Fund Revenues			
629.000 Lateral Charges/Inspection Fees	1,050	3,550	2,500
631.000 Late Charges	5,000	8,500	3,500
TOTAL SEWER FUND REVENUE	872,080	878,080	6,000
Dept. Group 590.537 - Sewer Fund			
970.000 Capital Outlay (Hofma Park Pump St Relocate)	1,234,000	1,166,500	(67,500)
TOTAL SEWER FUND EXPENDITURES	2,184,160	2,116,660	(67,500)

SEWER FUND CASH RESERVES:

Audited Cash Reserves - 12/31/20	2,107,364
2021 Revenue	872,080
Total Revenue budget amendments	6,000
2021 Amended Revenue	878,080
2021 Expenditures	2,184,160
Total Expense budget amendments	(67,500)
2021 Amended Expenditures	2,116,660
Net Budget Amendments	73,500
Projected Unassigned Cash Reserves - 12/31/21	868,784

**GRAND HAVEN CHARTER TOWNSHIP
BUDGET AMENDMENTS & LINE ITEM TRANSFERS
WATER FUND
July 26, 2021**

	From	To	+ or (-)
Water Fund Revenues (No Changes)			
TOTAL WATER FUND REVENUE	2,872,290	2,872,290	0
Dept. Group 591.536 - Water Department			
900.000 Printing & Publishing (DPW Director advertising)	250	5,000	4,750
TOTAL WATER FUND EXPENDITURES	2,958,105	2,962,855	4,750
WATER FUND CASH RESERVES:			
Audited Cash Reserves - 12/31/20			3,031,248
2021 Revenue			2,872,290
Total Revenue budget amendments			0
2021 Amended Revenue			2,872,290
2021 Expenditures			2,958,105
Total Expense budget amendments			4,750
2021 Amended Expenditures			2,962,855
Net Budget Amendments			(4,750)
Projected Unassigned Cash Reserves - 12/31/21			2,940,683



Manager's Memo

DATE: July 20, 2021
TO: Township Board
FROM: Cargo
RE: Adopting a Federal Procurement Conflict of Interest Policy

Attached, please find Resolution 21-07-02 – which adopts a new section 5.17 for the Administrative Policies and Procedures Manual. More specifically, the resolution approves a Federal Procurement Conflict of Interest Policy as a condition of receiving American Rescue Plan Act (ARPA) monies – which are estimated at \$1.83 million for the Township.

The policy – which is based on Michigan Townships Association (MTA) model language – will not create any new burdens on the Township inasmuch as the policy reflects current practice of the Township.

Because townships that request their allocation of ARPA funds must have a Federal Procurement Conflict of Interest Policy in place, staff recommends approval of the following motion:

Move to approve Resolution 21-07-02 that adopts a Federal Procurement Conflict of Interest Policy as a condition of receiving American Rescue Plan Act (ARPA) monies.

If there are any questions or comments, please contact me at your convenience.



At a regular meeting of the Township Board of the Charter Township of Grand Haven, Ottawa County, Michigan, held at the Township Hall at 13300 – 168th Avenue, Grand Haven Charter Township, Ottawa County, Michigan, on the 26th day of July 2021, at 7:00 p.m., local time.

After certain matters of business had been completed, Supervisor Reenders announced that the next order of business was the consideration of resolution adopting a Federal Procurement Conflict of Interest Policy as a condition of receiving ARPA monies – which are estimated at \$1.83 million for the Township.

The policy was discussed by the members of the Board, and after discussion was completed the following resolution was offered by _____ and seconded by _____ :

**GRAND HAVEN CHARTER TOWNSHIP
RESOLUTION 21-07-02**

ADOPTING A FEDERAL PROCUREMENT CONFLICT OF INTEREST POLICY

WHEREAS, Grand Haven Charter Township has requested its allocation of about \$1.83 million of the American Rescue Plan Act (ARPA) monies, and

WHEREAS, the policy applies when procuring goods (*e.g. apparatus, supplies, materials and equipment*), services, and construction or repair projects funded in part or whole with federal financial assistance (*direct or reimbursed*), and also prohibits the receiving of gifts from suppliers, contactors, etc. for such purchases or projects.

NOW, THEREFORE, BE IT RESOLVED, that the Township Board of Grand Haven Charter Township adopt the following language as a new Section 5.17 of the Administrative Policies and Procedures Manual entitled “Federal Procurement Conflict Of Interest Policy” which reads in its entirety as follows:

“5.17 FEDERAL PROCUREMENT CONFLICT OF INTEREST POLICY

A. Purpose

The purpose of this policy is to establish conflicts of interest guidelines that meet or exceed the requirements under state law and local policy when procuring goods (*e.g. apparatus, supplies, materials and equipment*), services, and construction or repair projects paid for in part or whole by federal funds and required under 2 C.F.R. § 200.318(c)(1).

B. Policy

This policy applies when procuring goods (*e.g. apparatus, supplies, materials and equipment*), services, and construction or repair projects funded in part or whole with federal financial assistance (*direct or reimbursed*). This policy also applies to any subrecipient of the funds.

The employee responsible for managing the federal financial assistance award shall review the notice of award to identify any additional conflicts of interest prohibitions or requirements associated with the award, and shall notify all employees, officers, and agents, including subrecipients, of the requirements of this policy and any additional prohibitions or requirements.

C. Conflicts of Interest

In addition to the prohibition against self-benefiting from a public contract under Public Act 317 of 1968 and other applicable state law, no officer, employee, or agent of Grand Haven Charter Township may participate directly or indirectly in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. A real or apparent conflict exists when any of the following parties has a financial or other interest in or receives a tangible personal benefit from a firm considered for award of a contract:

1. the employee, officer, or agent involved in the selection, award, or administration of a contract;
2. any member of his or her immediate family;
3. his or her partner; or
4. an organization which employs or is about to employ any of these parties.

Any officer, employee, or agent with an actual, apparent, or potential conflict of interest as defined in this policy shall report the conflict to his or her immediate supervisor. Any such conflict shall be disclosed in writing to the federal award agency or pass-through entity in accordance with applicable Federal awarding agency policy.

D. Gifts

In addition to the prohibition against accepting gifts and favors from vendors and contractors under state law, officers, employees, and agents of Grand Haven Charter Township are prohibited from accepting or soliciting gifts, gratuities, favors, or anything of monetary value from contractors, suppliers, or parties to subcontracts. Items of nominal value valued at less than \$20, which fall into one of the following categories may be accepted:

1. promotional items;
2. honorariums for participation in meetings; or
3. meals furnished at banquets.

Any officer, employee or agent who knowingly accepts an item of nominal value allowed under this policy shall report the item to his or her immediate supervisor.

D. Violation

Employees violating this policy will be subject to discipline up to and including termination. Contractors violating this policy will result in termination of the contract and may not be eligible for future contract awards.”

AYES:

NAYS:

ABSENT:

RESOLUTION DECLARED: ADOPTED on July 26, 2021

Laurie Larsen
Grand Haven Charter Township Clerk

CERTIFICATE

I, the undersigned, the duly qualified and Township Clerk of the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing is a true and complete copy of the resolution adopted by the Township Board at a regular meeting of the Township Board held on the 26th day of July 2021. I further certify that public notice of the meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of the meeting were kept and will be or have been made available as required by the Act.

Laurie Larsen
Grand Haven Charter Township Clerk



Manager's Memo

DATE: July 22, 2021
TO: Township Board
FROM: Cargo
RE: Ninth Amendment – Grand Haven-Spring Lake Sewer Authority Contract

Attached, please the Ninth Amendment to the Restated Grand Haven-Spring Lake Sewer Authority Contract.

This amendment will not have an impact on the communities south of the Grand River – *i.e., Grand Haven City or Grand Haven Township ...* and will not trigger any need to expand the sewage treatment plant nor impact the long-range plans for the same.

Rather, the amendment will allow a residential development in Crockery Township – *i.e., Hathaway Lakes constructed in 2005* – to be included within the Sewer Authority district. This is being done solely to provide sewer treatment for a failing wastewater plant that is currently providing sewer service to Hathaway Lakes.

That said, Crockery Township will not have representation on the Authority Board and no other areas within Crockery Township will be provided sewer service.

The Sewer Authority Board has unanimously approved this Ninth Amendment to the contract – but the member units of the Sewer Authority must do the same.

To approve the proposed Sewer Authority contract amendment, the following motion can be offered:

Move to approve the Ninth Amendment to the Restated Grand Haven-Spring Lake Sewer Authority Contract that will allow a portion of Crockery Township to be included within the Sewer Authority district.

If there are any questions or comments, please contact me at your convenience.

NINTH AMENDMENT TO
RESTATED CONTRACT

THIS NINTH AMENDMENT TO RESTATED CONTRACT, dated for reference purposes as of June 1, 2021, is among the GRAND HAVEN-SPRING LAKE SEWER AUTHORITY, a Michigan public body corporate, of 1525 Washington Avenue, Grand Haven, Michigan (the “Authority”), the CITY OF GRAND HAVEN, a Michigan public body corporate, of 519 Washington Avenue, Grand Haven, Michigan (the “City”), the VILLAGE OF SPRING LAKE, a Michigan public body corporate, of 102 West Savidge Street, Spring Lake, Michigan (the “Village”), the TOWNSHIP OF SPRING LAKE, a Michigan public body corporate, of 101 South Buchanan Street, Spring Lake, Michigan (“S. L. Township”), the CITY OF FERRYSBURG, a Michigan public body corporate, of 17520 Ridge Avenue, Ferrysburg, Michigan (“Ferrysburg”), the CHARTER TOWNSHIP OF GRAND HAVEN, a Michigan public body corporate, of 13300 168th Avenue, Grand Haven, Michigan (“G. H. Township”), and the COUNTY OF OTTAWA, a body corporate created under the provisions of the Michigan Constitution, acting by and through its Board of County Road Commissioners, whose address is 14110 Lakeshore Drive, Grand Haven, Michigan (the “County”). This Ninth Amendment is made with reference to the following facts and circumstances.

A. The parties have previously entered into a Restated Contract dated May 27, 1986 (the “Restated Contract”).

B. The Parties have also previously entered into eight amendments to the Restated Contract.

C. The Sewer Authority has received requests to provide sewer service to lands adjacent to but outside of the boundaries of its constituent municipalities.

D. The Restated Contract permits the constituent municipalities (i.e. the City, the Village, S. L. Township, Ferrysburg, and G. H. Township) and/or the Authority to provide sewer service to lands outside of their respective geographical boundaries under limited circumstances.

E. The parties desire to amend the Restated Contract to allow the Authority to provide sewer service to facilities outside the geographical boundaries of the constituent municipalities under certain expanded conditions.

In consideration of the mutual covenants and agreements contained in this Ninth Amendment to the Restated Contract, the parties agree as follows:

1. The following language shall be added to paragraph 2, after the current language in paragraph 2:

The Authority, the City, the Village, S. L. Township, Ferrysburg, G. H. Township, and the County all recognize and understand that the Township of Crockery (“Crockery”) is not a party to the Restated Contract. However, all of the parties further recognize and understand that Crockery has purchased a portion of the capacity allocated to S. L. Township; pursuant to the Crockery – Spring Lake

Township Wastewater Transportation and Treatment Agreement, dated as of the 1st day of June, 2021, and as it may be amended in the future. Prior to discharging wastewater to the Plant, Crockery shall make a payment to the Authority or to the County on the Authority's behalf for Crockery's access to capacity in the Plant (the "Crockery Capacity Payment"). The Crockery Capacity Payment shall be in an amount determined by agreement between Crockery and the Authority and shall be deposited in the Plant Modification Fund and used in accord with the use of other deposits made to that fund.

2. Paragraph 16 shall be restated in the Restated Contract, and shall read in its entirety as follows:

16. Term. This Restated Contract shall be in force and effect and continue in effect until the date forty (40) years from June 1, 2021, and may be renewed and extended thereafter upon mutual agreement of all of the parties hereto.

3. Subparagraph B of paragraph 23 shall be amended in the Restated Contract by adding the following sentence at the end of that subparagraph:

Provided, with regard to sewer service to Crockery Township, the limitations set forth above in this Subparagraph B shall be superseded by the June 1, 2021 Wastewater Treatment Agreement.

4. Subparagraph D of paragraph 23 shall be restated in the Restated Contract, and shall read in its entirety as follows, to allow the Authority to provide sewer service outside of the geographical boundaries of the Authority if, among the other factors:

D. No sewer service is reasonably and affordably available to the lands at issue from the local unit of government in which the lands are located.

5. Except as expressly amended and revised by this Ninth Amendment, the parties ratify and confirm the Restated Contract, as previously amended, in all respects.

6. This Ninth Amendment shall be effective as of June 1, 2021.

IN WITNESS WHEREOF, the parties hereto have executed this Ninth Amendment to Restated Contract.

Signed in presence of:

GRAND HAVEN-SPRING LAKE SEWER AUTHORITY

By _____

Its Chairman _____

By _____

Its Secretary-Treasurer _____

Dated: _____, 2021

Signed in presence of:

CITY OF GRAND HAVEN

By _____

Its Mayor _____

By _____

Its City Clerk _____

Dated: _____, 2021

Signed in presence of:

VILLAGE OF SPRING LAKE

By _____

Its Village President _____

By _____

Its Village Clerk _____

Dated: _____, 2021

Signed in presence of:

TOWNSHIP OF SPRING LAKE

By _____

Its Supervisor _____

By _____

Its Clerk _____

Dated: _____, 2021

Signed in presence of:

CITY OF FERRYSBURG

By _____

Its Mayor _____

By _____

Its City Clerk _____

Dated: _____, 2021

Signed in presence of:

CHARTER TOWNSHIP OF GRAND HAVEN

By _____

Its Supervisor _____

By _____

Its Clerk _____

Dated: _____, 2021

Signed in presence of:

COUNTY OF OTTAWA, acting by and through its Board of
County Road Commissioners

By _____

Its Chairman _____

By _____

Its Clerk _____

Dated: _____, 2021

**Grand Haven Area Community Foundation
Grant Application Narrative
Project Description – Water Fountain & Bench**

Grand Haven Township is a proud participant in the regional non-motorized pathway system with over 38 miles of pathway spanning throughout the Township. The Township is proposing to install a bench and water fountain along the pathway on Township owned property. This property, located at the corner of 152nd Avenue and Lincoln Street (15175 Lincoln Street), houses the Township's water tower - a prime location for a bench and water fountain to be installed.

Placement of the bench and fountain are proposed to serve those using the pathway. The bench would be a standard 8' long bench - a perfect place to rest during a long walk or bike ride. The water fountain features multiple two fountains at different heights for accessibility and also features a bottle filler station. Additionally, a pet fountain is located at the base of the fountain for the many users that enjoy walking their dogs along the pathway. This project would be expected to be used frequently by both residents and visitors traveling through the area.

The estimated cost of the water fountain with installation is \$6,725. The bench is estimated to cost an additional \$9,300 including installation costs. The total estimated price is \$16,025 for the project, with the GHACF grant contributing \$7,142 and the Township covering the remaining balance of \$8,883.





Grand Haven Area Community Foundation Grant Application Narrative Project Description – Concrete Yard Games

Grand Haven Township is fortunate to have over 600 acres of publicly accessible land, including many parks. This proposal would place concrete yard games at one of the Township parks, likely Pottawattomie Park or Hofma Park.

A set of concrete cornhole boards would be printed with the Township logo. In this game players take turns throwing a small bag at the board, aiming for the hole. A bag on the board earns one point and a bag in the hole earns three points, 21 points are needed for a player to win.

A ladder ball game is also proposed. Players take turns throwing rubber bolas onto the ladder. Each rung of the ladder is worth points - the top rung is worth one point, the middle rung is two points, and the bottom rung is three points. A player must score 21 points to win the game. This game comes with a set of ladder ball toss games and requires a set of rubber bolas to play.

A concrete table for table tennis is also included in this proposal. The Township's logo would be incorporated into the design of the net. Players must hit the ball back and forth to score a point. Points are won when the ball hits the net, hits the table too many times, or is missed by the opponent. A player must score 11 points to win the game.

The estimated cost of the set of cornhole boards, ladder ball games, and tennis table is \$10,458. The GHACF grant would make up \$7,142 of the total cost with the Township covering the remaining balance of \$3,316. The Township Department of Public Works would be responsible for installing the games at the chosen park.

