WORK SESSION – 6:00 P.M.
1. Discussion of Legal Representation
2. “See, Click, Fix” – Recommendation by Trustee Behm
3. Distribute Superintendent’s Evaluation form for September 11th Work Session (Closed)

REGULAR MEETING – 7:00 P.M.

I. CALL TO ORDER

II. PLEDGE TO THE FLAG

III. ROLL CALL

IV. APPROVAL OF MEETING AGENDA

V. CONSENT AGENDA
   1. Approve August 14, 2017 Board Minutes
   2. Approve Payment of Invoices in the amount of $290,736.65 (A/P checks of $197,820.44 and payroll of $92,916.21)
   3. Approve Reappointment of Lyle Rycenga to the Downtown Development Authority with a term ending August 31, 2020
   4. Approve Reappointment of Brock Hesselsweet and Chrysteen Moelter-Gray to the Parks and Recreation Committee with a term ending August 31, 2019

VI. PUBLIC HEARING
   1. PUD – Regency at Grand Haven – Skilled Nursing Care Facility

VII. OLD BUSINESS
   1. First Reading – PUD & Rezoning – Regency at Grand Haven

VIII. NEW BUSINESS
   1. Approve Resolution 17-08-03 – Schedule Truth-in-Taxation Hearing for September 11th

IX. REPORTS AND CORRESPONDENCE
   1. Correspondence
   2. Committee Reports
   3. Manager’s Report
      a. July Legal Review
   4. 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. The supervisor will initiate comment time.
GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, AUGUST 14, 2017

WORKSESSION – 6:00 p.m.
1. Motion by Clerk Larsen and seconded by Trustee Meeusen to enter closed session at 6:00 p.m. for the purpose of considering a real estate purchase and/or lease agreement for land to be developed for recreational purposes. Which motion carried, as indicated by the following roll call vote:
   Ayes: Larsen, Reenders, Meeusen, Kieft, Behm, Gignac
   Nays: 
   Absent: Redick

Motion by Clerk Larsen and seconded by Trustee Meeusen to exit the closed session at 6:44 p.m. Which motion carried.

REGULAR MEETING

I. CALL TO ORDER
Supervisor Reenders called the regular meeting of the Grand Haven Charter Township Board to order at 7:00 p.m.

II. PLEDGE TO THE FLAG

III. ROLL CALL
   Board members present: Reenders, Meeusen, Behm, Gignac, Larsen and Kieft.
   Board members absent: Redick

   Also present was Manager Cargo, and Human Resources Supervisor Dumbrell.

IV. APPROVAL OF MEETING AGENDA

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

V. APPROVAL OF CONSENT AGENDA
1. Approve July 24, 2017 Board Minutes
2. Approve Payment of Invoices in the amount of $619,520.93 (A/P checks of $504,371.29 and payroll of $115,149.64)
3. Approve Reappointment of Lyle Rycenga to Zoning Board of Appeals Alternate with a term ending August 31, 2020
4. Approve appointment of Brock Hesselsweet to Zoning Board of Appeals and to the Planning Commission both with terms ending August 31, 2020
5. Approve Agreement with Grand Haven Area Public Schools on New School Zone Signs (Peach Plains Elementary and Rosy Mound Elementary)
6. Approve Engineering Agreement for 2018 Pathway Extension Project ($281,900)
Motion by Treasurer Kieft and seconded by Trustee Behm to approve the items listed on the Consent Agenda. **Which motion carried.**

VI. OLD BUSINESS

1. **Motion** by Treasurer Kieft supported by Clerk Larsen to approve the Zoning Map Amendment Ordinance concern the rezoning of 14608 Lakeshore Drive (Parcel No. 70-03-33-300-059) from Multiple Family (R-4) to Single Family (R-1). This is a second reading. **Which motion carried** pursuant to the following roll call vote:
   - Ayes: Gignac, Behm, Kieft, Meeusen, Reenders, Larsen
   - Nays: 
   - Absent: Redick

2. **Motion** by Trustee Meeusen supported by Trustee Behm to approve the Zoning Map Amendment Ordinance concerning the rezoning of Parcel No. 70-07-14-200-039 from Rural Residential (RR) to Agricultural (AG). This is a second reading. **Which motion carried** pursuant to the following roll call vote:
   - Ayes: Larsen, Meeusen, Behm, Reenders, Kieft, Gignac
   - Nays: 
   - Absent: Redick

VII. NEW BUSINESS

1. **Motion** by Trustee Gignac supported by Clerk Larsen to adopt the “Disney Way” Grand Haven Charter Township Story, Values and Codes of Conduct as submitted. **Which motion carried.**

2. **Motion** by Treasurer Kieft supported by Trustee Gignac to approve and adopt Resolution 17-08-01, authorizing the funding and revisions of the Employee Educational Expenses Policy (i.e., Section 12.12 of the Personnel Policies and Procedures Manual) as submitted. **Which motion carried** pursuant to the following roll call vote:
   - Ayes: Reenders, Kieft, Gignac, Behm, Larsen, Meeusen
   - Nays: 
   - Absent: Redick

3. **Motion** by Trustee Gignac supported by Trustee Meeusen to approve and adopt Resolution 17-08-02, authorizing the operation of street lights and said operational costs billed to the property owner and authorize the Supervisor to sign the Special Assessment Lighting District agreement for Lincoln Pines Subdivision No. 1. **Which motion carried** pursuant to the following roll call vote:
   - Ayes: Meeusen, Larsen, Behm, Reenders, Kieft, Gignac
   - Nays: 
   - Absent: Redick

VIII. REPORTS AND CORESPONDENCE

a. Correspondence was reviewed
b. Committee Reports – The Personnel Committee will meet on September 5th at 7:30 a.m.
c. Manager’s Report, which included:
   i. July Building Report
   ii. July Ordinance Enforcement Report
   iii. July DPW Report
   iv. June Legal Review

d. Others

X. PUBLIC COMMENTS
None

XI. ADJOURNMENT
Motion by Clerk Larsen and seconded by Trustee Gignac to adjourn the meeting at 7:18 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: August 22, 2017

TO: Township Board

FROM: Cargo

SUBJECT: Law Firm Selection

As you are aware, both Attorney Ron Bultje and Attorney Crystal Bultje from Scholten Fant (www.scholtenfant.com) have transferred their municipal practice to Dickinson Wright (http://www.dickinson-wright.com/our-firm/locations/grand-rapids-office-united-states-of-america) effective Thursday, August 24th.

Further, Cargo has informed Scholten Fant that Grand Haven Charter Township will continue to utilize Attorney Ron Bultje for one special project and community development services. Other legal queries will go through Cargo, who will make a determination as to which law firm will be utilized.

State law (MCL 41.187) authorizes the Township Board to employ an attorney or contract with a legal firm to represent the Township. In order to adequately represent the Township, any attorney needs to be apprised of all Township activities and should be consulted before any major action is initiated. Therefore, the selection of a legal representation is one of the most important decisions for any Township Board.

In brief, I believe there are four (4) options that the Board can consider, which include the following:

1. Remain with the law firm Scholten Fant and utilize the remaining attorneys that have municipal experience (e.g., Attorney Robert Sullivan and Attorney Brad Fisher).

   (Because it appears that Scholten and Fant is moving away from municipal law and focusing on business and property law, Cargo does not recommend this option.)

2. Divide the Township’s legal work between Scholten and Fant and Dickinson Wright based upon the current attorney workload. The breakdown would be substantially similar to the following:
   a. Attorney Ron Bultje – general municipal work, human resources, zoning, collective bargaining, etc.
b. Attorney Robert Sullivan – some general municipal work (*i.e.*, back-up)
c. Attorney Brad Fisher – ordinance enforcement and tax tribunal work

*(Because of the complexities involved in a small municipality using two different legal firms; because this would mean “splitting” the Township’s legal files; and, because it appears that Scholten and Fant is moving away from municipal law, Cargo does not recommend this option.)*

3. Retain Attorney Bultje as the primary Township Attorney with Dickinson Wright providing the necessary legal support. Attorney Bultje will extend his current fee of $125 per hour; in comparison, Dickinson Wright charges the City of Grand Haven $190 per hour.

It should be noted that because the City of Grand Haven utilizes Dickinson Wright, in the event there is a dispute between the Township and the City that needs a judicial resolution, it would seem reasonable that the communities both agree that neither would use Dickinson Wright.

*(Because Attorney Bultje will retain his current hourly fee; because Attorney Bultje is familiar with Grand Haven Township and retains a fair amount of institutional knowledge; and, because Dickinson Wright can provide the necessary legal support to Bultje; Cargo recommends this option for 12 months and completing an evaluation regarding the level of legal service provided in September 2018.)*

4. Prepare a “Request for Proposal” (RFP) for legal services and seek bids from a number of West Michigan law firms (*e.g.*, Dickinson Wright, Foster Swift, Parmentor O’Toole, etc.). I did not include Mika Meyers in a potential bid list because of the conflict this would create for Trustee Redick.

It is likely that if this option were utilized, the Township’s hourly rate for legal services would increase sharply.

*(Cargo would support this option if an evaluation regarding the level of legal service provided in September 2018 indicated that Option #3 was not working well.)*

If there are any specific questions or comments, please contact me at your convenience.
SUPERINTENDENT'S MEMO

DATE: August 23, 2017

TO: Township Board

FROM: Bill

SUBJECT: SeeClickFix App

Trustee Behm has suggested that the Township consider purchasing the SeeClickFix app to allow citizens to report issues or service requests.

I would recommend that you view the attached YouTube link and examine the attached documentation.

youtube.com/watch?v=RC2iHG83qWI&t=1s

The cost for this type of service will be about **$2,000 for the initial set-up and an annual license fee of about $6,000** for a community the size of Grand Haven Charter Township. Currently, about 25 communities in Michigan use SeeClickFix … and, I would note that the Ottawa County Road Commission is considering this program.

At this stage, I am not looking for any final decision; but, rather want to initiate some discussion on this idea and whether this should be pursued further.
Better Communication, Stronger Communities
SeeClickFix Turns Citizen Complaints into Productive Workflow

Citizens use SeeClickFix to connect with local governments
Citizens use mobile apps and website tools to submit service requests, find information and receive targeted notifications in real-time.

Officials route requests, assign work and engage with citizens
Officials use SeeClickFix hosted tools to set up automatic routing, manage workflow and seamlessly engage with citizens. SeeClickFix also integrates with your current work order systems, allowing for automatic and synchronized communication between city officials and residents.
Fractured communication damages service quality and increases cost

For citizens, reporting neighborhood problems is inconvenient, confusing and opaque. For governments, misinformation is costly and closing the loop is infeasible.

Citizen Problem

For many citizens, reporting neighborhood problems is difficult, confusing and opaque. Connecting with the correct agency is tedious and once you have, receiving updates on your concern is even more difficult. Plus, for professionals, city hall hours are inconvenient. For many, this process is difficult enough they simply give up. This means that there are entire groups of people whose concerns are not reaching local government. For those who are young, low-income, or busy, city hall is out of reach.

Government Problem

For governments, routing problems to the right place, with the right information is tedious. Typically this process involves a handful of departments, phone calls, sticky notes, and excel spreadsheets. Inevitably, problems fall through the cracks. If the problem gets to the right place, it is even more difficult to update the citizen on progress, and thus, frustrated citizens often escalate concerns to elected officials who put further pressure on officials to improve service.

Request management tools improve service and reduces cost

SeeClickFix is a central communication hub that connects citizens directly with public services. This allows cities to seamlessly update citizens on work status based on workflow automation.

Self Service

Mobile and web tools allow citizens to self serve information and services – reducing call volume and increasing access for citizens.

Data Quality

The SeeClickFix mobile app and website widgets make reporting easy and accurate for citizens – improving the quality of data and reducing costly errors.

Automated Communication

SeeClickFix reduces the cost of communication by connecting city workflow with automated citizen updates and asynchronous communication.

SeeClickFix is the largest citizen services network in the world

SeeClickFix works with hundreds of agencies, connecting hundreds of thousands of citizens, to resolve millions of issues in communities throughout the United States.

SeeClickFix Government Partnerships
gov.seeclickfix.com

203.752.0777
sales@seeclickfix.com
SUPERINTENDENT'S MEMO

DATE: August 22, 2017

TO: Township Board

FROM: Cargo

SUBJECT: Supervisor Reenders’ Appointment - DDA/BRA

Grand Haven Charter Township established a Downtown Development Authority (DDA) in 1999 to take advantage of Tax Increment Financing and improve the infrastructure within a commercial area of the Township. The DDA also acts as the Township’s Brownfield Redevelopment Authority (BRA), pursuant to a provision in state law. The BRA can take advantage of certain state provisions should a contaminated site in the Township be made available for redevelopment.

The DDA currently collects about $540k annually that is used for capital projects to improve this commercial area of the Township.

The three-year terms of the nine (9) members of the DDA are staggered so that the members’ terms of office do not all expire at the same time. For 2017, only one member’s term is expiring – Lyle Rycenga, owner of Rycenga Electric located immediately north of the Township facility on 168th Avenue. (There remains one vacancy on the DDA Board.)

Supervisor Reenders is recommending the reappointment of Rycenga to the DDA. If the Board agrees, the following motion can be offered:

Move to appoint Lyle Rycenga to the DDA/BRA Board for a term ending August 31, 2020.

If you have any questions or comments prior to the meeting, please contact Supervisor Reenders.
DATE: August 23, 2017

TO: Township Board

FROM: Cargo

SUBJECT: Supervisor Reenders’ Committee Re-Appointments

Pursuant to Section 2.11 of the Administrative Policies and Procedures Manual, Supervisor Reenders is recommending the re-appointment of Brock Hesselsweet and Chrysteen Moelter-Gray to the Parks and Recreation Committee through August 31 of 2020.

If the Board supports the appointments as proposed, the following motion can be offered:

**Move to approve the re-appointments by Supervisor Reenders of Brock Hesselsweet and Chrysteen Moelter-Gray to the Parks and Recreation Committee through August 31 of 2020.**

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

DATE: August 24, 2017

TO: Township Board

FROM: Stacey Fedewa, Community Development Director

RE: PUD – Housing for the Elderly – Regency at Grand Haven

| PROPERTY DETAILS |
|------------------|-----------------|-----------------|-----------------|
| Property Address | Parcel Number   | Parcel Size     | Application Type|
| 17049 Comstock   | 70-03-33-200-085* | 10.44 Acres*    | Residential PUD |

**Existing Zoning**

<table>
<thead>
<tr>
<th>Existing Land Use</th>
<th>Existing/Proposed Infrastructure</th>
<th>Existing Site Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vacant Land</td>
<td>Paved Roadway</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>Municipal Water</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sanitary Sewer</td>
<td>N/A Barns demolished in 2016</td>
</tr>
</tbody>
</table>

**Master-Planned Zoning**

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>N</td>
<td>RR</td>
<td>Single Family</td>
</tr>
<tr>
<td>S</td>
<td>I-1</td>
<td>Industrial</td>
</tr>
<tr>
<td>E</td>
<td>R-PUD</td>
<td>Multi-Family Apartments</td>
</tr>
<tr>
<td>W</td>
<td>RR</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Single Family (to be demolished)</td>
</tr>
</tbody>
</table>

*Currently, parcel -085 is 8.5-acres yet 10.44-acres is shown above. A land division was approved prior to the developer ensuring there was enough land available for the designated open space. The site plans provided in this packet contain the revised parcel lines. In the coming months, the lot lines will be adjusted again giving the subject parcel a total of 10-44-acres, which will also result in a new parcel number.

**PUD PROPOSAL – HOUSING FOR THE ELDERLY**

The development falls under the “Housing for the Elderly” category of the PUD Chapter. Although the Zoning Ordinance does not specifically address this land use, it is a skilled nursing care facility, which places it into the Nursing or Convalescent Homes land use category.

The development would consist of a 73,796 sqft one-story building that would accommodate 120 beds:
• 38 private rooms
• 6 private bariatric rooms
• 38 semi-private rooms (76 beds)

In addition, the development is proposing a future wing that would add another 20 beds bringing the total to 140.

According to the developer, it is estimated that approximately 70% would be rehabilitation patients that stay 30-days or less; with the remaining 30% comprised of long-term patients in need of skilled nursing care.

**Typical Rooms**

The minimum room size for this type of facility is 200 sqft, which the developer exceeds.

- Private Room  246 sqft
- Private Bariatric  382 sqft
- Semi-Private Room  382 sqft

**Open Space**

The PUD Ordinance requires a minimum 20% open space, and the developer is proposing 3.09 acres, or 24%. Of this land, the majority is regulated wetland, which is compliant with the PUD goal of preserving significant natural areas.
Parking

The parking schedule for a Convalescent or Nursing Home = 1 space for every 2 beds; or 60 spaces. Typically, this land use assumes the patients will all be long-term care, which means staff and visitors would be the only vehicles that need to be parked.

However, based on the developers experience a facility with a large number of short-term rehabilitation patients results in significantly more traffic because family and friends visit the patient frequently.

Thus, the developer is requesting a departure from the parking schedule to allow a total of 128 spaces, or 53% more parking than the ordinance allows. Now, if the parking schedule is adjusted to separate the short-term and long-term patients:

<table>
<thead>
<tr>
<th>Use</th>
<th>Schedule</th>
<th>Short-Term (70% or 84 beds) vs Long-Term (30% or 36 beds)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nursing Home</td>
<td>1 per 2 beds</td>
<td>18 spaces</td>
</tr>
<tr>
<td>Hospital</td>
<td>2 per 1 bed</td>
<td>168 spaces</td>
</tr>
</tbody>
</table>

The Planning Commission recommends the Board approve the requested departure for 128 spaces.

Driveways

Section 17.05.4.A provides for the access provisions, which indicates that only 1 driveway is permitted per street opening. However, it also indicates that additional driveways may be permitted provided that it is permitted to share access within other uses on adjacent properties.

The developer is proposing 2 driveways along Comstock with the eastern driveway having an internal connection with Piper Lakes apartments. The Planning Commission recommends the Board permit the second driveway opening.
Consumers Energy Easements

It should be noted this property is significantly encumbered by Consumers Energy easements. The developer has been diligent in contacting their company to either revise, or release, their easement. Unfortunately, it has been very difficult to resolve this with Consumers and the best correspondence that has been received so far was the need to relocate the detention basin east of the existing overhead utility line.

The developer complied and eliminated a row of parking in order to accommodate Consumers request. Since the plans have been revised, there has not been limited response from Consumers as to how the easement will be handled.

Staff has not had an opportunity to review the language of the easement over the proposed building. However, the developer has indicated they are not concerned with the easement impacting their ability to construct the building.

Certificate of Need (CON)

The developer secured a Certificate of Need (CON) in September 2014, and is currently approved for a 133-bed nursing home (although only 120-beds are proposed at this time). Extensions have been granted, and the developer must provide proof of the progress before September 12th in order to receive another extension. That timeline should work well because a second reading is tentatively scheduled for September 11th.

Elevation Drawings & Amenities

According to the Certificate of Need and the proposed floor plan this facility will include physical and occupational therapy areas, meditation room, salon and spa, library, multipurpose room, dining room, and other support space.
**Signage**

The developer is proposing one ground sign that complies with basic zoning regulations and will consist of stone veneer and limestone accents. It would be single faced, and lit from above.

**Landscaping**

The developer is providing ample landscaping, and has proposed good visual screening with evergreen trees along the east boundary line adjacent to the new apartment buildings. In addition, a solid perimeter screening is provided along Comstock to reduce the visual mass of the parking lot. Lastly, the detention basins will be planted with appropriate seed mixes for each section of the basins—upland zone, basin slope, and basin bottom. This will assist with filtering the stormwater runoff, providing a natural appearance, and follows the best management practices the US-31 Overlay Zone established.
The last remaining homestead property owner expressed concerns with stormwater because she had a negative experience with the initial development of the Timber View apartments. In response, the developer provided the following narrative:

The Ottawa County Water Resources Commissioner (OCWRC) has drafted a very stringent and progressive storm water management program that is scheduled to replace the current guidelines.

Although it is not mandatory for developers to follow the program yet, Ciena offered to incorporate the design requirements on their site. The progressive component of the guidelines shift the design focus from rarely occurring 100-year flooding conditions to more frequent 2-year intense rainfall scenarios. The importance of this shift is driven by the MDEQ, and other state and national water resource agencies.

The on-site storm water management system consists of two interconnected "extended detention" basins with permanent pools and a storm water pipe conveyance system. All surface runoff from the proposed developed areas will flow through the conveyance system to the detention basins. A sediment forebay provides primary water quality treatment while the permanent standing water at the bottom of the ponds provide secondary water quality treatment processes.

This ensures that sediment and potential pollutants drop out of suspension and do not enter the public storm sewer system on Comstock or the adjacent county drain.

As you may recall the OCWRC has been drafting new stormwater regulations. In general, these regulations will require new construction to dispose of their stormwater on site and not pipe it to a drain. Infiltration is the name of the new game, and this developer voluntarily complied with the draft version of the new stormwater regulations.

**Construction Schedule**

<table>
<thead>
<tr>
<th>SEQUENCE OF CONSTRUCTION</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>START MONTH &amp; YEAR</strong></td>
</tr>
<tr>
<td>AUG. 2017</td>
</tr>
<tr>
<td>INSTALL TEMPORARY STONE ACCESS DRIVE AT SITE ACCESS POINT.</td>
</tr>
<tr>
<td>AUG. 2017</td>
</tr>
<tr>
<td>INSTALL TEMPORARY SOIL EROSION CONTROL MEASURES, SILT FENCES, SILT BAGS, ETC. AS NECESSARY.</td>
</tr>
<tr>
<td>AUG. 2017</td>
</tr>
<tr>
<td>REMOVE ALL VEGETATION, TREES AND BRUSH FROM THE PROPOSED CONSTRUCTION AREA, UNTIL MARKED TO REMAIN. STRIP AND STOPLINE TOPSOIL. STOPLINE SHALL BE GRADED AND SEEDED.</td>
</tr>
<tr>
<td>AUG. 2017</td>
</tr>
<tr>
<td>REMOVE ALL PAVEMENT, SIDEWALK, UTILITIES, SIGNS, ETC. AS REQUIRED TO INSTALL THE PROPOSED WORK AS SHOWN ON THE HOMESTEAD PLAN.</td>
</tr>
<tr>
<td>AUG. 2017</td>
</tr>
<tr>
<td>DISPOSE OF ALL EXCESS/UNSUITABLE MATERIALS OFF SITE IN A LEGAL MANNER, NO ON-SITE BURN OR BURY PITS ALLOWED.</td>
</tr>
<tr>
<td>SEPT. 2017</td>
</tr>
<tr>
<td>ROUGH GRADE SITE, SEED AND MULCH BLANKETS MUST INSTALLED AS SHOWN WITHIN 5 DAYS OF FINAL GRADE. REPAIR ANY TEMPORARY SOIL EROSION CONTROL MEASURES THAT WERE DAMAGED DURING GRAVING OPERATIONS.</td>
</tr>
<tr>
<td>SEPT. 2017</td>
</tr>
<tr>
<td>INSTALL SITE UTILITIES (STORM SEWER, SANITARY SEWER, WATER MAIN ETC.). INSTALL SILT BAGS AT CATCH BASINS AND YARD DRAINS AS SHOWN.</td>
</tr>
<tr>
<td>SEPT. 2017</td>
</tr>
<tr>
<td>BEGIN CONSTRUCTION OF BUILDING.</td>
</tr>
<tr>
<td>SEPT. 2017</td>
</tr>
<tr>
<td>FINE GRADE SITE AND PREPARE FOR SITE PAYING OPERATIONS.</td>
</tr>
<tr>
<td>MARCH 2018</td>
</tr>
<tr>
<td>INSTALL ALL PAVEMENT, SIDEWALKS, CURBING AS PROPOSED. REPAIR SILT BAGS, SILT FENCES, AND ANY OTHER DAMAGED SOIL EROSION CONTROL MEASURES AS NECESSARY.</td>
</tr>
<tr>
<td>JUNE 2018</td>
</tr>
<tr>
<td>FINAL GRADE, REDISTRIBUTE STOCKPILED TOPSOIL, ESTABLISH VEGETATION AND INSTALL ALL PERMANENT LANDSCAPING IN ALL DISTURBED AREAS NOT CULT.</td>
</tr>
<tr>
<td>JUNE 2018</td>
</tr>
<tr>
<td>CLEAN PAVING AND REMOVE ALL TEMPORARY SOIL EROSION CONTROL MEASURES. RE-ESTABLISH VEGETATION AS REQUIRED.</td>
</tr>
<tr>
<td>AUGUST 2018</td>
</tr>
</tbody>
</table>
| REMOVE SEDIMENTATION CONTROLS ONCE ENTIRE SITE HAS BEEN PERMANENTLY STABILIZED.
DEVELOPER INFORMATION

The developer has provided additional information and photographs of similar developments, which is outlined below and provided in the packets.

Ciena Health Care Background

Ciena Healthcare and its affiliated companies (collectively “Ciena”) provide and manage healthcare services (skilled and short-term rehabilitation, home health and hospice), supply durable medical equipment and develop healthcare and specialty living environments.

There are 36 Ciena skilled nursing facilities in Michigan with over 5,800 employees. Ciena is in the process of constructing six new skilled nursing facilities in Michigan. The Regency at Grand Haven facility will be developed and managed by Ciena Healthcare.

Ciena is a privately held, for-profit company.

Frequently Asked Questions (FAQ)

Who will receive services/stay at the facility?

Persons eligible for skilled nursing care must have a physician order for skilled care and be 18 years old, although the facility will primarily provide services to patients and residents over the age of 60. The facility will provide short-term rehabilitation and long-term care.

See terminology attached.

How long do guests typically stay in the facility?

Short term rehabilitation (care that typically includes therapy for patients recovering from medical procedures such as knee and hip replacement, general surgery, etc.) averages a stay of about 1 to 3 weeks. Longer term residents that require assistance with daily living and 24-hour care reside at the facility for an average of 18 months.

Is assisted living provided?

No. All residents and patients require a physician order for skilled nursing services.

Is memory care provided?

Yes, however, there are no current plans to create a dedicated memory unit, yet this may change based on community need.
New Jobs Created

Describe the jobs to be created by this project.

The facility will employ approximately 120-140 employees when the facility is fully operational and resident/patient census has stabilized. Employees will work in 3 shifts.

Sample Photographs of Similar Projects

The developer indicated this facility would closely resemble their 2015 Lansing West center. A selection of photographs has been provided below, and more information can be found at this website: http://www.cienahealthcare.com/michigan-facilities/regency-at-lansing-west/.
## REQUESTED DEPARTURES

Below is a list of all the departures being requested from the developer along with staff comments. Each of these will need to be considered and a finding made for each request.

<table>
<thead>
<tr>
<th>No.</th>
<th>Section &amp; PC Recommendation</th>
<th>Request</th>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>19.07.28.E PC - Approve</td>
<td>Allow a 41’ front yard setback</td>
<td>This SLU provision requires a 75’ setback for all buildings. Due to regulated wetlands near the rear lot line the applicant is requesting to move the building closer to the street to reduce the wetland impact.</td>
</tr>
<tr>
<td>2</td>
<td>19.07.28.H PC - Approve</td>
<td>Allow off-street parking within the front yard</td>
<td>This SLU provision prohibits parking in the front yard. Again, due to the regulated wetland in the rear yard it may be beneficial to locate spaces in the front yard to reduce the wetland impact.</td>
</tr>
<tr>
<td>3</td>
<td>24.02.2 PC - Approve</td>
<td>Allow parking within the required side yard</td>
<td>Departure request #1 establishes a 75’ setback. The building has been situated to reduce its impact on the regulated wetland areas, which results in off-street parking lots within the required side yards. Allowing the parking in these areas may be beneficial to reduce the wetland impact.</td>
</tr>
</tbody>
</table>
If the Board finds the Regency at Grand Haven application meets the applicable standards, the following motion can be offered:

**Motion** to postpone further action until September 11\(^{th}\) on the proposed Regency at Grand haven PUD application and rezoning of parcel 70-03-33-200-085 and part of 70-03-33-200-084 from Agricultural (AG) & Rural Residential (RR) to Planned Unit Development (PUD). **This is the first reading.**

If the Board finds the Regency at Grand Haven PUD application does not meet the applicable standards, the following motion can be offered:

**Motion** to direct staff to draft a formal motion and report, which will **deny** the Regency at Grand Haven PUD application, with those discussion points which will be reflected in the meeting minutes. This will be reviewed and considered for adoption at the next meeting.

If the Board finds the applicant must make revisions to the PUD application, the following motion can be offered:

**Motion** to **table** the Regency at Grand Haven PUD application, and direct the applicant to make the following revisions:

1. *List the revisions.*

Please contact me if this information raises questions.
PLANNED UNIT DEVELOPMENT (PUD) APPLICATION

<table>
<thead>
<tr>
<th>Application Type</th>
<th>Fee</th>
<th>Escrow*</th>
<th>Sewer Escrow**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overlay Zone</td>
<td>$310</td>
<td>$2,500</td>
<td>Main Extension</td>
</tr>
<tr>
<td>Non-Overlay Zone</td>
<td>$300</td>
<td>$1,500</td>
<td>Lift Station</td>
</tr>
</tbody>
</table>

Applicant Information
Name: Grand Haven Senior Leasing, LLC
Phone (248) 262-2357
Address: 4000 Town Center, Suite 700, Southfield, MI, 48075
Email Address: thunt3@cienahmi.com

Owner Information (If different from applicant)
Name
Phone
Address
Fax

Property Information
Address/Location: N. side of Comstock, E. of 172nd Ave.
Parcel Number: 70 - 03 - 33 - 200 -28&29
Current Zoning: AG
Adjacent Zoning: North: RR  South: I-1
Master-Planned Zoning
Size (acres): 15.2
Zoning Requested: PUD
Consistent with Master Plan?

Other Information
Does Property Abut Township Border? Yes. East property line.
Present Use of the Subject Property? Vacant land.
Number & Type of Existing Structures? None.
Subject Property Located on a Paved Road? Yes
Municipal Water within 2,700 Feet of Subject Property? Yes.
Municipal Sewer within 2,700 Feet of Subject Property? Yes.

NOTE: The architect, engineer, planner, or designer shall be responsible for utilizing the Township Ordinance Books and following the procedures and requirements as specified in Chapters 17 and 23 (and Chapter 15A if located in the Overlay Zone), and any other applicable ordinances. Initially, submit five copies of the required information for staff review. Once staff has granted tentative approval, additional copies will be required as requested by staff.

I hereby attest the information on this application is, to the best of my knowledge, true and accurate.
Signature of applicant
Date: 2/7/2017

Last Revised 2/8/2016
* To cover cost of legal and consulting fees, may be increased as necessary

** If approval of this application requires/includes the extension of a municipal sanitary sewer main, an additional $5,000.00 escrow fee shall be required, and an additional $2,000.00 escrow fee shall be required for the installation of a lift station.

**Notice**

If I plan to split the parcel(s) after the zoning approvals are granted, I realize that I must apply for a land division with the assessing department. All land division requirements must be confirmed to before proceeding with further development.

Signature of applicant  
Date  

For Office Use Only

Date Received 2/9/2017  
Fee Paid? Yes  
Materials Received:  
Site Plans  
Survey  
Location Map  
Legal Description  

Dated copy of approved minutes sent to applicant?  
Date Sent  

Planning Commission Use Only

Approval  
Tabled  
Denied  
Conditional Approval  

The following conditions shall be met for approval:


Signature of Planning Commission Chair  
Date  

Last Revised 2/8/2016
CIENA HEALTHCARE

Background

Ciena Healthcare and its affiliated companies (collectively “Ciena”) provide and manage healthcare services (skilled and short-term rehabilitation, home health and hospice), supply durable medical equipment and develop healthcare and specialty living environments.

There are 36 Ciena skilled nursing facilities in Michigan with over 5,800 employees. Ciena is in the process of constructing six new skilled nursing facilities in Michigan. The Regency at Grand Haven facility will be developed and managed by Ciena Healthcare.

Ciena is a privately held, for-profit company.

Questions and Answers:

Who will receive services/stay at the facility?

Persons eligible for skilled nursing care must have a physician order for skilled care and be 18 years old; although the facility will primarily provide services to patients and residents over the age of 60. The facility will provide short-term rehabilitation and long-term care.

See terminology attached.

How long do guests typically stay in the facility?

Short term rehabilitation (care that typically includes therapy for patients recovering from medical procedures such as knee and hip replacement, general surgery, etc.) averages a stay of about 1 to 3 weeks. Longer term residents that require assistance with daily living and 24-hour care reside at the facility for an average of 18 months.

Is assisted living provided?

No. All residents and patients require a physician order for skilled nursing services.

Is memory care provided?

Yes, however, there are no current plans to create a dedicated memory unit, yet this may change based on community need.
Is the facility state licensed?

Yes, the facility will be licensed as a skilled nursing facility by the Michigan Dept. of Licensing and Regulatory Affairs (LARA) with 113 beds and subject to the federal and state regulations applicable to nursing facilities, and Medicare and Medicaid providers.

Is a certificate of need required?

Yes. The project has an approved Certificate of Need (CON) for the skilled nursing beds issued by the State of Michigan.

Are there services provided to patients not staying in the facility?

No.

Describe the jobs to be created by this project.

The facility will employ approximately 120-140 employees when the facility is fully operational and resident/patient census has stabilized. Employees will work in 3 shifts.
**Terminology**

**Assisted living**

Housing for elderly or disabled people that provides 24-hour supervision, housekeeping and meals. Additional medical services such as nursing care may be available for purchase. Medicare and Medicaid generally do not cover the costs of assisted living care. Assisted living facilities can be licensed or unlicensed by the state. Assisted living facilities are not certified by Medicare or Medicaid.

**Skilled nursing care**

Provides organized nursing and medical treatments and 24-hour care to residents in addition to assistance with daily living activities, meals and housekeeping. Admission requires a physician’s order following a hospital stay and required physician’s involvement in directing the care provided by the licensed nursing staff. Skilled nursing facilities are required to be licensed by Michigan law. The costs of skilled nursing are covered by Medicare (for a period of time) and Medicaid eligible residents, if the facility is certified by the Centers for Medicare and Medicaid (CMS). Skilled nursing facilities are surveyed on an annual basis to determine if they are in compliance with a wide-scope of regulations that cover nearly every aspect of the services, environments and staff of a facility.

**Short Term Rehabilitation**

A short term stay at a skilled nursing facility that includes therapy services or other medical treatment with the goal of discharging the patient back to the previous living arrangement. Typical lengths of stay are between 10-15 days but can be several months.

**Memory Care**

A distinct form of assisted living or long-term skilled nursing that specifically caters to patients with Alzheimer's disease, dementia and other types of memory problems. Improvement within 2 to 3 months after initial treatment.

**Independent Living**

A living arrangement for residents (tenants) with ability to be independent that offers certain services such as meals, housekeeping and activities. This is not a licensed product.
March 17, 2017

Mr. Anis Khan  
Ciena Healthcare Management  
4000 Town Center, Suite 700  
Southfield, MI 48075

Re: Second Amendment to Certificate of Need for  
Regency at Grand Haven, LLC  
CON No. 14-0026  
Facility No. 70-4003  
Grand Haven (Ottawa County)

Dear Mr. Khan:

This is to inform you that the request to amend the above-approved Certificate of Need (CON) project to begin operation of a nursing home with 133 beds in a newly constructed leased building within Planning Area 70-Ottawa and make a covered capital expenditure has been reviewed and is approved with the following stipulations.

AMENDMENT BACKGROUND

The Department has received a second request to extend the period of time allowed to begin construction for the above referenced CON.

Per Administrative Rule 325.9417(2), the applicant is requesting to amend the period of time allowed to begin construction of the proposed project. The applicant has requested an additional six (6) months beyond the six (6) months already granted to the period of time allowed to start construction beyond the 24-month requirement.

The Department is granting the request for an additional six (6) months to allow the applicant time to complete architectural plans for submission to Health Facilities Engineering Section (HFES) and plan review comments with the State to obtain a permit for construction. Although the architectural plans are yet to be submitted to HFES, the applicant paid the plan review fee of $60,000 to HFES on March 1, 2017.

The applicant must start construction by September 12, 2017. The Department previously approved a 6-month extension to secure financing and to submit architectural plans to HFES to obtain a Permit for Construction which expired on March 16, 2017. A Permit for Construction has not been issued by HFES.
AMENDMENT BACKGROUND – continued

If conditions require that the construction start date be extended beyond September 12, 2017, please notify Gaye Tuttle, Department Analyst, by August 11, 2017, if an amendment with supporting documents showing proof of progress will be submitted to extend the construction start date.

This amendment does not change the Proposed Project Description, Project Costs or Sources of Funds at this time.

AMENDMENT PROJECT DESCRIPTION

CON No. 14-0026 is proposed by Regency at Grand Haven, LLC, a Michigan domestic limited liability company (CID No. E2231H), located at 4000 Town Center, Suite 700, Southfield, MI 48075. The authorized agent for this application is Anis Khan, Chief Financial Officer, Ciena Healthcare Management, Inc., located at the same address.

The applicant, Regency at Grand Haven, LLC, proposes to begin operation of a health facility at a site that is not currently licensed for that type of health facility; make a change in bed capacity of a health facility; and make a covered capital expenditure.

Specifically, the applicant proposes to begin operation of a new 133-bed nursing home in leased space to be constructed on vacant land at Regency at Grand Haven, LLC, located at the intersection of Comstock Street and 172nd Avenue (postal address not yet assigned), Grand Haven, MI 49417 (Ottawa County). The applicant provided legal description of the parcel of land for the proposed site.

The applicant, Regency at Grand Haven, LLC (licensee), will lease for a 15-year period 79,705 square feet (sf) of new space to be constructed in a single-story building by the landlord, GH Senior Leasing, LLC.

The 133 new beds will be housed in 41 private rooms that include four (4) private bariatric rooms with beds and 46 semi-private rooms (92 beds) that will be used for short-term rehabilitation and skilled nursing. All rooms will have an adjoining sink, toilet and shower. The facility also will house physical and occupational therapy areas, meditation room, salon and spa, library, multipurpose room, dining room, and other support space.

Upon completion of the proposed project, the applicant will operate a 133-bed nursing home with no beds from the Pool of Beds for Special Population Groups. At no time will the applicant operate more than 133 beds at this nursing home without prior CON approval. According to the applicant, the project will need 135 new FTEs.

AMENDMENT STIPULATIONS

1. The applicant must submit architectural plans to the HFES within the Michigan Department of Licensing and Regulatory Affairs (MDLARA) by July 14, 2017, and notify the Department of this submission.
AMENDMENT STIPULATIONS - continued

2. Start of construction prior to the issuance of a construction permit will be considered a violation of the terms and conditions of this CON approval and subject to enforcement action in accordance with MCL 333.22247. Construction cannot start until a construction permit is issued by the HFES within the DLARA.

3. If the applicant is unable to meet any of the above stipulations within the indicated dates, the applicant must contact the Department 30 days prior to the stipulation due dates.

4. The applicant or its authorized agent must sign and return the agreement to accept the stipulations within 10 working days from receipt of the amendment decision signed by the Manager of the CON Evaluation Section.

5. The Certificate of Need amendment will become effective the date the applicant and/or its authorized agent accepts these stipulations.

COMMENTS

Please be advised that the issuance of this amendment does not extend the effective date of the CON, which is September 17, 2014, nor does it change any other terms and conditions of the original approval not explicitly stated in this amendment.

If we can be of further assistance, please contact our office at 517-241-3344.

Sincerely,

[Signature]

Tulika Bhattacharya, Manager
CON Evaluation Section, MDHHS

cc: Abby Burnell, CON, MDHHS
    Gaye Tuttle, CON, MDHHS
    Jim Scott, HFES, BCHS, MDLARA

Stipulations Accepted By:

[Signature]

Mr. Anis Khan, Authorized Agent

Date

4/4/2017
CIENA REGENCY AT GRAND HAVEN
PART OF THE SW 1/4 OF THE NE 1/4 SECTION 33, T8N, R16W
GRAND HAVEN TOWNSHIP, OTTAWA COUNTY, MICHIGAN

INDEX OF DRAWINGS

C-10 OVERALL Topographic SURVEY
C-101 TOPOGRAPHIC SURVEY
C-20 GENERAL SITE PLAN
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C-40 GRADING PLAN
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C-300 SITE SURVEY
C-1 SITE LIGHTING PHOTOMETRICS AND DETAILS
NATIVE PLANT CLASS BY REGIONS/FLAL AND LANDSCAPE

NOT FOR CONSTRUCTION
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

CAUTION!!

THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.

SP DN. SP SUR. KTR P.M. RLS

REGENCY AT GRAND HAVEN TWP.

2430 Rochester Ct, Ste 100
Troy, MI  48083-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

PEA, Inc.

FEBRUARY 7, 2017

NOT  FOR  CONSTRUCTION

NSA

23761 RESEARCH DRIVE
FARMINGTON HILLS, MI  48335

SECTION                              33

REVISED SITE PLAN SUBMITTAL 4-12-17
1 SP
REVISED PER CONSUMERS 5-10-17
2 RLS
HFES PRELIMINARY 6-29-17
3 RLS
REV. PARCELS & OPEN SPACE
4 SAP
REV. PER TWP. PC MEETING
5 SAP 7-31-17

C-1.1

TOPOGRAPHIC SURVEY
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

DESCRIPTION

SP DN. SP SUR. KTR P.M. RLS

REGENCY AT GRAND HAVEN TWP.

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NOT FOR CONSTRUCTION
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

DESCRIPTION

SP DN. SP SUR. KTR P.M. RLS

REGENCY AT GRAND HAVEN TWP.
2430 Rochester Ct, Ste 100
Troy, MI 48083-1872
t: 248.689.9090
f: 248.689.1044
www.peainc.com

PEA, Inc.

C-4.0
GRADING PLAN

NOT FOR CONSTRUCTION
NOT  FOR  CONSTRUCTION

PEA, Inc.
23761 RESEARCH DRIVE
FARMINGTON HILLS, MI  48335

REVISED SITE PLAN SUBMITTAL 4-12-17
1

REVISED PER CONSUMERS 5-10-17
2

HFES PRELIMINARY 6-29-17
3

REV. PARCELS & OPEN SPACE
4

REV. PER TWP. PC MEETING 7-31-17
5

C-4.1

GRADING DETAIL
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

NOT FOR CONSTRUCTION
REVISED SITE PLAN SUBMITTAL 4-12-17

HFES PRELIMINARY 6-29-17

REVISED PER CONSUMERS 5-10-17

REV. PARCELS & OPEN SPACE 4 SAP

REV. PER TWP. PC MEETING 5 SAP 7-31-17

C-6.0

UTILITY PLAN
CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE DESIGN PROFESSIONAL.

THE LOCATIONS AND ELEVATIONS OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS AND ELEVATIONS PRIOR TO THE START OF CONSTRUCTION.
3. Landscape work may be the requested for occupancy in per
section of the Project. The Contractor is responsible for the
Labor and Materials at this occasion. The landscape
reconstruction will be the responsibility of the
Landscape Architect or his representative.
4. For work to be performed for period of time, the
Landowner must be notified in advance of the
work scheduled to be performed. The work is
consistent with the contract.
5. The Project is subject to the approval of the
Landscape Architect by the Landowner or his
representative. The Landscape Architect or his
agent shall be notified of the work to be
performed and the time period in which it will be
completed. The work will be performed in
accordance with the approved plans.
6. Maintenance and repair of the Project
will be the responsibility of the Landowner or
his representative. The Landowner or his
representative shall be notified of any
maintenance or repair
required.

1. Maintenance of the Project will be
performed by the
Landowner or his
representative. The
Landowner or his
representative shall be
notified of any
maintenance or repair
required.

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Landowner or his
representative shall be
notified of any
maintenance or repair
required.
Deputy Treasurer

DATE: August 14, 2017

TO: Township Board

FROM: Denise Chalifoux

RE: Adoption of the Resolution to schedule the “Truth in Taxation” Public Hearing

Grand Haven Charter Township provides many services to our residents those which have been approved by our voters and those which are statutory. Many of these extra services have had voter approval, however the Township must still hold a yearly public hearing and an adopt resolution establishing the millage rate to support these services.

In this process, each taxing jurisdiction must determine if their taxable value has increased which will cause them to potentially levy more tax dollars than last year, except for new construction and the rate of inflation. This will determine if their operating and voted millages will be subjected to any millage reduction fractions, such as “Headlee Amendment” and “Truth in Taxation”.

“Headlee”

The first potential millage reduction may be from the Michigan Compiled Laws, Section 211.34d, “Headlee” reduction.

“Headlee Amendment” – Is a 1978 Amendment to Michigan State Constitution limiting property tax rate increases without voter approval. Headlee requires that tax rates be "rolled back" if the increase in a taxing unit’s taxable valuation (excluding changes from new construction, improvements and losses) is greater than the rate of inflation. Headlee also requires the State to appropriate necessary funds to local units for any new state-required services and prohibits the State from reducing State share of existing required services.

So, to determine if Grand Haven Charter Township will need to apply a “Headlee” reduction to 2017 millage rates. We need to do the calculation below:

\[
\frac{719,904,933 - 13,131,259}{748,215,973 - 24,768,128} \times 1.009 \times 0.9857 = 713,134,637
\]

\[
(2016 \text{ Total Taxable Value}-2017 \text{ Taxable Losses}) \times \text{ Inflation Rate} = 723,447,845
\]

\[
(2017 \text{ Total Taxable Value}-2017 \text{ Taxable Additions})
\]
Since the millage reduction fraction is under 1.0000, the fraction of .9857 must to be applied to last year’s millages, with the execution of any new or renewed millages.

The table listed below shows how we applied the “Headlee” Reduction Fraction to our 2016 millages.

<table>
<thead>
<tr>
<th>Purpose of Millage</th>
<th>2016 Millage Rate</th>
<th>“Headlee” Reduction Fraction</th>
<th>2017 Millage Rate Allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Township Operating</td>
<td>0.9075</td>
<td>0.9857</td>
<td>0.8945</td>
</tr>
<tr>
<td>Fire Department</td>
<td>1.8802</td>
<td>0.9857</td>
<td>1.8533</td>
</tr>
<tr>
<td>Transportation</td>
<td>0.9401</td>
<td>0.9857</td>
<td>0.9266</td>
</tr>
<tr>
<td>Bike Path</td>
<td>0.4500</td>
<td>0.9857</td>
<td>0.4435</td>
</tr>
<tr>
<td>Museum</td>
<td>0.2474</td>
<td>0.9857</td>
<td>0.2438</td>
</tr>
<tr>
<td>Four Pointes (NOCA)</td>
<td>0.2474</td>
<td>1.0000</td>
<td>0.2500**</td>
</tr>
<tr>
<td>Total</td>
<td>4.2226</td>
<td></td>
<td>4.6117</td>
</tr>
</tbody>
</table>

** Renewed millage not subject to “Headlee” this year, (newly voted millage)

“Truth in Taxation”

The second potential millage reduction comes under the requirements of MCL Section 211.24e, a taxing unit may not generate more revenue than it generated in the prior year unless it holds a “Truth in Taxation” public hearing.

To determine if the current levy of the sum of all operating millages for the Township produces more tax dollars than last year’s actual levy for a “Truth in Taxation” hearing to be required, the BTRF (Base Tax Rate Fraction) and BTR (Base Tax Rate) must be computed using Grand Haven Charter Township’s 2016 and 2017 Taxable values and 2017 taxable value losses and additions.

The 2017 Base Tax Rate Fraction (BTRF) is calculated as shown below:

\[
\frac{\text{2016 Total Taxable Value} - \text{2017 Taxable Losses}}{\text{2017 Total Taxable Value} - \text{2017 Taxable Additions}} = \frac{719,904,933 - 13,131,259}{748,215,973 - 24,768,128} = \frac{706,773,674}{723,447,845} = 0.9770 \quad \text{(BTRF)}
\]

The (BTRF) Base Tax Rate Fraction (0.9770) when multiplied with the 2017 total operating millage (i.e., 4.6117 not including debt millages) results in a maximum levy of 4.5056 allowed without a public hearing.
(2017 Base Tax Rate (BTR) = 2016 operating levy rate (4.6117) x BTRF (0.9770) = 4.5056)

Since this “base tax rate” is under 1.0000, it is then necessary to schedule a public hearing and direct the publishing of the “Notice of Public Hearing on Increasing Property Taxes” not less than six (6) days prior to the public hearing in compliance with the requirements of Section 6 of the Truth in Taxation law. If approved the following motion can be offered.

Move to adopt Resolution No. 17-08-03 which schedules the “Truth in Taxation” Public hearing for September 11, 2017 and proposes the additional allowable millage rate of .1061 mills for a proposed total of 4.6117 mills.

After the public hearing on September 11, 2017, the Board will have a resolution to adopt which will establish the actual millage rate to be levied by the Township and authorizes the Supervisor and Clerk to sign the L-4029 2017 Tax Rate Request, for levy on the 2017 winter tax bills.

If there are any questions or comments regarding the above, please feel free to contact myself.

If the Board approves the proposed millages listed below, the proposed tax dollars will be generated for the 2018 fiscal year.

<table>
<thead>
<tr>
<th>Millage Levy</th>
<th>2016 Millage</th>
<th>2017 Proposed Millage with Headlee reduction applied</th>
<th>2016 Tax Dollars Generated</th>
<th>2017 Tax Dollars proposed to be generated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Township Operating</td>
<td>0.9075</td>
<td>0.8945</td>
<td>$653,314</td>
<td>$669,294</td>
</tr>
<tr>
<td>Fire Department</td>
<td>1.8802</td>
<td>1.8533</td>
<td>$1,353,565</td>
<td>$1,389,676</td>
</tr>
<tr>
<td>Transportation</td>
<td>0.9401</td>
<td>0.9266</td>
<td>$676,783</td>
<td>$693,297</td>
</tr>
<tr>
<td>Bike Path</td>
<td>0.4500</td>
<td>0.4435</td>
<td>$323,957</td>
<td>$331,886</td>
</tr>
<tr>
<td>Museum</td>
<td>0.2474</td>
<td>0.2438</td>
<td>$178,104</td>
<td>$182,415</td>
</tr>
<tr>
<td>(NOCA)Four Pointes</td>
<td>0.2474</td>
<td>0.2438</td>
<td>$178,104</td>
<td>$182,415</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>4.6726</td>
<td>4.6117</td>
<td>$3,336,828</td>
<td>$3,450,622</td>
</tr>
<tr>
<td>Water Debt**</td>
<td>0.2200</td>
<td>0</td>
<td>$158,470</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>4.8926</td>
<td>4.6117</td>
<td>$3,522,298</td>
<td>$3,450,622</td>
</tr>
</tbody>
</table>

** Water Debt paid off in 2017
EXEMPLARY OF MINUTES

A regular meeting of the Township Board of Trustees of the Charter Township of Grand Haven, Ottawa County, Michigan, was held on Monday, August 28, 2017 at 7:00 p.m. The meeting
was held at the Township Hall at 13300 - 168th Avenue, Grand Haven, Charter Township, Ottawa County, Michigan.

PRESENT:

ABSENT:

After certain matters of business had been discussed, Supervisor Reenders announced that the
next item of business was the "Truth in Taxation" law, MCLA 211.24e. Following discussion of this
matter, the following resolution was offered by __________ and supported by __________.

RESOLUTION # 17-08-03

WHEREAS, Grand Haven Charter Township is prohibited by Public Act #5 of 1982 from
levying ad valorem property taxes for operation purposes for the Township's 2017 fiscal year which
yields an amount more than the sum of taxes levied at the base tax rate on additions within the
Township, plus the taxes levied on existing property for operating purposes during the 2018 fiscal
year unless the Township holds a public hearing pursuant to public notice of the hearing, as defined
and required by the Truth in Taxation Law; and

WHEREAS, it appears that the "additional millage rate", as defined by the Truth in Taxation
Law, would be 0.1061 mills; and

WHEREAS, it appears it would be in the best interest of the Township to levy the "additional
millage rate".

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. That the Township will hold a public hearing on Monday, September 11, 2017 at 7:00
p.m. local time at the Grand Haven Township Hall, 13300 -168th Avenue, Grand Haven, Michigan,
for the purpose of receiving testimony and discussing the levy of an additional millage rate of 0.1061
mills for the Township's 2018 fiscal year.

2. That the Township Clerk is directed to publish a notice of this public hearing in the Grand
Haven Tribune, not less than six (6) days prior to the public hearing, and to notify in writing all
newspapers of general circulation in the Township. The notice shall comply with the requirements
of Section 6 of the Truth in Taxation Law.

3. The Township hereby establishes the "proposed allowable additional millage rate" at
0.1061 mills.
AYES:

NAYS:

ABSENT AND NOT VOTING:

RESOLUTION DECLARED ADOPTED.

Dated:

__________________________
Laurie Larsen, Township Clerk

I, the undersigned, duly qualified and acting Township Clerk of the Charter Township of Grand Haven, Ottawa County, Michigan, do hereby 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 28th day of August, 2017. I do further hereby certify that public notice of said meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available by said act.

Dated: ________________________
Laurie Larsen, Township Clerk