

CHARTER TOWNSHIP OF GARFIELD TOWN BOARD MEETING

Tuesday, October 28, 2014 at 6:00pm
Garfield Township Hall
3848 Veterans Drive
Traverse City, MI 49684
Ph: (231) 941-1620

A G E N D A

ORDER OF BUSINESS

Call meeting to order

Pledge of Allegiance

Roll call of Board Members

1. Public Comment

Public Comment Guidelines:

Any person shall be permitted to address a meeting of The Township Board, which is required to be open to the public under the provision of the Michigan Open Meetings Act, as amended. (MCLA 15.261, et.seq.) Public Comment shall be carried out in accordance with the following Board Rules and Procedures: a.) any person wishing to address the Board is requested to state his or her name and address. b.) No person shall be allowed to speak more than once on the same matter, excluding time needed to answer Township Board Member's questions. Where constrained by available time the Chairperson may limit the amount of time each person will be allowed to speak to (3) minutes. 1.) The Chairperson may at his or her own discretion, extend the amount of time any person is allowed to speak. 2.) Whenever a Group wishes to address a Committee, the Chairperson may require that the Group designate a spokesperson; the Chairperson shall control the amount of time the spokesperson shall be allowed to speak when constrained by available time.

2. Review and approval of the Agenda - Conflict of Interest

3. Consent Calendar

The purpose of the Consent calendar is to expedite business by grouping non-controversial items together to be dealt with in one Board motion without discussion. Any member of the Board, staff or the public may ask that any item on the Consent Calendar be removed there from and placed elsewhere on the Agenda for full discussion. Such requests will be automatically respected. If any item is not removed from the Consent Calendar, the action noted in parentheses on the Agenda is approved by a single Board action adopting the Consent Calendar.

a. Minutes

October 14, 2014 Regular Session (Recommend Approval)

b. Bills -

General Fund (Recommend Approval)	\$ 15,514.41
--------------------------------------	--------------

4. **Correspondence**

5. **Reports**

- a. GT Metro Fire Department Report
- b. County Commissioner's Report
- c. Building Committee Report
- d. Treasurer's Report
- e. Clerk's Report
- f. Supervisor's Report

6. **Unfinished Business**

- a. Public Hearing – PD 2014-68 – Amendment #1 to Ordinance 65, Medical Marihuana Ordinance
- b. Public Hearing – Consideration of 2015 Charter Township of Garfield operating Millage Rate

7. **New Business**

- a. Presentation by Jason Torrey on 911 Surcharge millage request
- b. Consideration of Resolution 2014-13-T, a resolution to approve the financial institutions that the Township Treasurer will do business with in 2015
- c. Consideration of awarding of snow plow bids for 2014-2015
- d. Consideration of Resolution 2014-14-T, a resolution amending Resolution 2013-03-T, clarifying the duration of the service charges

8. **Public Comment**

9. **Other Business**

10. **Adjournment**

Kay Schumacher, Clerk

The Garfield Township Board will provide necessary reasonable auxiliary aids and services, such as signers for hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities upon the provision of reasonable advance notice to the Garfield Township Board. Individuals with disabilities requiring auxiliary aids or services should contact the Garfield Township Board by writing or calling Kay Schumacher, Clerk, Ph: (231) 941-1620, or TDD #922-4412.

CHARTER TOWNSHIP OF GARFIELD
TOWN BOARD MEETING
October 14, 2014

Chuck Korn, Township Supervisor, called the Town Board Meeting to order on October 14, 2014 at 6:00 p.m. at the Garfield Township Hall, 3848 Veterans Drive, Traverse City, Michigan.

Pledge of Allegiance

Roll call of Board Members

Present: Bob Featherstone, Kit Wilson, Molly Agostinelli, Denise Schmuckal, Jeane Blood Law, Kay Schumacher and Chuck Korn

Staff Present: Rob Larrea

1. Public Comment (6:01)

Tom Mair announced his candidacy for the County Commissioner seat currently held by Christine Maxbauer.

2. Review and Approval of the Agenda - Conflict of Interest (6:02)

Featherstone moved and Wilson seconded to approve the agenda as presented.

*Yeas: Featherstone, Wilson, Schmuckal, Agostinelli, Blood Law, Schumacher, Korn
 Nays: None*

3. Consent Calendar (6:03)

a. Minutes

September 23, 2014 Regular Meeting (Recommend Approval)
 September 23, 2014 Study Session (Recommend Approval)

b. Bills

General Fund (Recommend Approval)	\$336,430.66
Gourdie-Fraser	
Developer's Escrow Fund	\$ 892.50
Utility Receiving Fund	<u>18,126.50</u>
	\$ 19,019.00

- c. Application for Progress Payment to Team Elmers for Zimmerman Road Water Main Extension in the amount of \$92,920.50**
 (Recommend Approval)

d. MTT Update (Receive and file)

e. PD Report 2014-66 – Amendment #1 to Ordinance 65 – Introduce and Schedule for Public Hearing on October 28, 2014 (Recommend Approval)

Agostinelli moved and Schmuckal seconded to adopt the corrected September 23rd Study Session Minutes noting that Wilson and Blood Law were not absent.

*Yeas: Agostinelli, Schmuckal, Wilson, Blood Law, Schumacher, Featherstone, Korn
Nays: None*

Korn amended the Consent Calendar by adding item e. PD 2014- 66, an amendment to Ordinance 65 - Introduce and Schedule for schedule for Public Hearing on October 28, 2014.

Agostinelli moved and Wilson seconded to adopt the consent calendar as amended.

*Yeas: Agostinelli, Wilson, Blood Law, Featherstone, Schmuckal, Schumacher, Korn
Nays: None*

4. Correspondence (6:07)

a. Grand Traverse Conservation District Report – September Activity Report

5. Reports

a. Construction Report (Gourdie-Fraser) (6:08)

Jennifer Hodges from Gourdie-Fraser said that the water main on Zimmerman Road has been installed and construction on the Brookside development will begin soon.

b. Sheriff's Report (6:10)

Deputy Chris Barshaw reported that there were a total of 1,700 calls for service in the township in the month of September 2014. The police department recently held a biohazard drill and held a car seat safety event. Barshaw also reviewed an event that occurred at the Grand Traverse Mall.

c. County Commissioner's Report (6:18)

Commissioner Christine Maxbauer reported that the 2015 budget has been preliminarily reviewed. Christine Erickson is the new parks director and dump sites in the county are slowly being picked up via social media. Commissioner Herb Lemcool said that an intergovernmental agreement for a medical examiner will be considered. Budget discussions are ongoing and the Conservation District will hold an open house on October 22nd.

d. Clerk's Report (6:31)

Schumacher said that the MTA conference is in January in Grand Rapids and reservations need to be made. If anyone is interested, please let her know.

Another budget meeting will be held on Tuesday, October 21st at 4:15pm. Out of 1,900 absentee ballots sent out, just over 600 have been returned.

e. Supervisor's Report (6:33)

Korn said that all agreements with the County and the Road Commission for LaFranier and Zimmerman have been signed.

6. Unfinished Business

a. Consideration of Authorization to Proceed with the design, permitting and construction services for a new temporary Water Booster Station to service the existing Crown Development (6:35)

The Township is obligated to bring the water pressure up to standards and a temporary water booster station needs to be installed until a more permanent solution to the problem can be put into place. The Township would be responsible for the \$166,575.00 for the temporary booster station.

Wilson moved to authorize Gourdie-Fraser to install the temporary booster station at a cost of \$166,575 to the township to be paid out of the Receiving Fund. Schmuckal seconded the motion.

*Yeas: Wilson, Schmuckal, Blood Law, Featherstone, Agostinelli, Schumacher, Korn
Nays: None*

b. Consideration of authorization to proceed with survey services for the NW Infrastructure Improvements Project (6:41)

Gourdie-Fraser would like the township's permission to move forward with surveying in advance of the NW Infrastructure Improvements Project to be completed in December of 2015.

Agostinelli moved and Featherstone seconded to allow Gourdie-Fraser Associates to proceed with surveying for the NW Infrastructure Improvements Project at a cost of \$31,500 to be taken from the Receiving Fund.

*Yeas: Agostinelli, Featherstone, Schmuckal, Schumacher, Wilson, Blood Law, Korn
Nays: None*

Larrea spoke to the Board regarding ongoing projects in the Township. He gave updates on Brookside, Sheffer Farms, Buffalo Ridge, Premier Manor, and Chelsea Park and added that he is also working on the new Township Zoning Ordinance, the Commons Zoning Ordinance, and the Township Master Plan.

7. New Business

a. Proposed Naming of Private Easement – Confirming the Name of Solace Drive for an approved land division in Section 27, T27N-R11W (6:44)

Since the development proposed with this proposed street has not been

approved yet, the Board reached a consensus to take no action on this item.

8. **Public Comment: (7:00)**

None

9. **Other Business (7:01)**

Weekly rental complaints were discussed.

Korn talked to BATA about snow removal around bus stops.

Work should begin on the Township Hall parking lot issues very soon.

10. **Adjournment**

Schmuckal moved to adjourn the meeting at 7:07pm.

Chuck Korn, Supervisor
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49686

Kay Schumacher, Clerk
Charter Township of Garfield
3848 Veterans Drive
Traverse City, MI 49686

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank GEN General						
10/09/2014	GEN	33238	0209	STATE OF MICHIGAN (P)	PAYROLL TAXES	2,349.07
10/15/2014	GEN	33239	MISC	HONIGAN MILLER SCHWARTZ & COHN LLP &	TAX INTEREST REFUND	65.68
10/15/2014	GEN	33240	MISC	STEINHARDT PESICK & COHEN, P.C. &	TAX INTEREST REFUND	158.85
10/16/2014	GEN	33243	0053	AFLAC	INSURANCE - BQZ32	295.77
10/16/2014	GEN	33244	0201	AMY DEHAAN	MILEAGE/EDUCATION	153.41
10/16/2014	GEN	33245	0130	ANNE WENDLING	SERVICES	295.00
10/16/2014	GEN	33246	0064	CITY OF TRAVERSE CITY	SERVICES	6.52
10/16/2014	GEN	33247	MISC	ELECTIONSOURCE	SERVICES	181.25
10/16/2014	GEN	33248	0001	GARFIELD CHARTER TOWNSHIP	HSA	505.78
10/16/2014	GEN	33249	0313	GRAND TRAVERSE CONSERVATION DI	SERVICES	2,112.58
10/16/2014	GEN	33250	MISC	GRAND TRAVERSE COUNTY PLANNING &	REBECCA & DENNIS BIGELOW DINNER	60.00
10/16/2014	GEN	33251	0086	ING	ADJUSTMENTS JULY - SEPT 2014	1,055.25
10/16/2014	GEN	33252	0006	INTEGRITY BUSINESS SOLUTIONS	DEFERRED COMP	1,752.00
10/16/2014	GEN	33253	0050	MAPLE RIVER DIRECT MAIL	SUPPLIES	41.01
10/16/2014	GEN	33254	0557	OLSON, BZDOK, & HOWARD	POSTAGE	11.46
10/16/2014	GEN	33255	0181	UNITED WAY	LEGAL	6,111.05
10/16/2014	GEN	33256	0202	VERIZON	UNITED WAY	100.00
10/16/2014	GEN	33257	0142	VERIZON	CELL PHONES	259.73
GEN TOTALS:						
Total of 18 Checks:						15,514.41
Less 0 Void Checks:						0.00
Total of 18 Disbursements:						15,514.41



GRAND TRAVERSE METRO FIRE DEPARTMENT

From the Desk of ASSISTANT CHIEF TERRY FLYNN

5. a.

FIRE OFFICE 897 Parsons Road ~ Traverse City, MI 49686
Phone: (231) 947-3000 Fax: (231) 947-8728 ~ Website: www.gtfire.org Email: info@gtfire.org

GTMESA 2014 October Report

Incidents of Interest for the last 28 days-

1. Vehicle accident w/injuries 3 mile /Parsons (East Bay Twp.)
2. Vehicle accident w/injuries 897 Parsons Rd (East Bay Twp.)
3. Vehicle accident w/injuries Silver Lake/South Airport (Garfield Twp.)
4. Vehicle accident w/injuries South Airport/Veterans (Garfield Twp.)
5. Vehicle accident w/injuries Plum Dr /US 31 N (Acme Twp.)
6. Building Fire (minor)5825 Yuba Rd (Acme Twp.)
7. Vehicle accident w/injuries 1750 Townline Rd (East Bay Twp.)
8. Cooking Fire 3606 US 31 S (Garfield Twp.)
9. Building Fire (minor) 3619 Forest Lakes Dr (East Bay Twp.)
10. Building Fire 630 Cottage View Dr (Traverse City)
11. Cooking Fire 1801 St. Joseph (East Bay Twp.)
12. Vehicle accident w/injuries Blue Star/Meadowview (Garfield Twp.)
13. Building Fire 8859 Birchview Dr (Acme Twp.)
14. Vehicle accident w/injuries Rasho/Supply (East Bay Twp.)

Mutual Aid/ Automatic Aid Given (YTD) 35 Aid Received (YTD) 6

Traverse City	3	Blair	1
GT Rural	21	Traverse City	1
Paradise	3	GT Rural	2
Whitewater	18	Elk Rapids	2
Peninsula	2		
Blair	9		

Total Calls 2014 YTD- 3688

Sta 11 -1413 Sta 1 -823 Sta 8- 595 Sta 9- 119 Sta 12- 736

2013 YTD- 3421

Sta 11- 1287 Sta 1- 805 Sta 8 – 551 Sta 9- 77 Sta 12- 701

Treasurer Report

July 1st - September 30th, 2014

5. d.

Acct.	Unrestricted Funds	General Fund	Previous Report June 2014	Current Month September 2014	Difference	Maturity Date	Rate
7118	General Fund	Checking	2,239,960	1,581,832	(658,128)	N/A	
5605	General Chase High Yield	Savings	168,354	168,366	12	N/A	
4670	General Fund Managed	<i>Investments</i>	1,217,629	1,229,661	12,032	N/A	
220	Bank of Northern Michigan	CD	251,876	251,876	-	2/4/2016	0.75%
740	Huntington	CD	79,364	79,364	-	10/20/2014	0.61%
740	Huntington	CD	104,430	104,430	-	5/7/2015	0.61%
236	Mbank	CD	96,311	96,311	-	3/14/2015	1.74%
237	Mbank	CD	96,311	96,311	-	3/14/2015	1.74%
238	Mbank	CD	60,828	60,828	-	3/14/2015	1.74%
S101	Members Credit Union	CD	202,983	203,458	475	7/8/2014	1.51%
725	Northwestern Bank	CD	63,093	63,093	-	8/11/2015	0.65%
25	Northwestern Bank	CD	188,315	188,315	(0)	6/4/2017	0.50%
300	NW Consumers CU	CD	162,295	162,622	327	2/23/2017	0.80%
332	NW Consumers CU	CD	57,781	57,926	145	9/27/2015	1.00%
662	Traverse City State Bank	CD	256,337	258,168	1,831	3/12/2015	1.43%
55	1st Community Bank	CD	206,903	209,369	2,466	8/2/2014	0.75%
72	Citizens Bank	CD	250,000	250,000	-	2/21/2016	1.05%
Total Unrestricted Funds - Available for Spending			5,702,770	5,061,929	(640,841)		

Restricted Funds			Previous Report June 2014	Current Month September 2014	Difference	Maturity Date	
7118	Park Fund	Checking	803,011	736,713	(66,298)	N/A	
7118	Roads	Checking	362,733	1,062,947	700,214	N/A	
8728	Fire Fund	Checking	128,294	128,295	1	N/A	
4654	Fire Fund Managed	<i>Investments</i>	742,026	748,148	6,122	N/A	
7134	Receiving Fund	Checking	3,890,232	5,236,590	1,346,358	N/A	* See Below
4662	Receiving Fund Managed	<i>Investments</i>	4,908,873	4,954,866	45,993	N/A	
7940	DPW	<i>Investments</i>	101,022	100,991	(31)	N/A	
7126	Tax Fund	Checking	22,154	160,987	138,833	N/A	
4750	General Employee Flex	Checking	51,836	4,036	(47,801)	N/A	
3734	Retirement Rec Fund	Checking	97,301	102,233	4,932	N/A	
2343	Insurance Funding	Checking	412,791	405,748	(7,043)	N/A	
923	Prescription Reimbnt	Checking	2,012	443	(1,569)	N/A	
8681	Trust & Agency	Checking	51,685	59,660	7,975	N/A	
1111	Special Lights	Checking	26,209	6,275	(19,934)	N/A	
3801	Special Mill/foil/Water/Sewer/Roads	Checking	74,337	47,132	(27,205)	N/A	
Total Restricted Funds - Restricted Use			11,674,517	13,755,064	2,080,547		


TOTAL	\$ 17,377,286	\$ 18,816,993	\$ 1,439,707
--------------	----------------------	----------------------	---------------------

* Road Fund Increased \$700,000.00 due to transferring fund balance to roads.* General Flex Decreased \$44,000.00 due to NEW (Employee Contribution) Account for employees. * Specials Decreased do to Transferring last years specials out in July.

Respectfully Submitted:



Jeane Blood Law, Treasurer

 Charter Township of Garfield	General:	<input checked="" type="checkbox"/>
	Budget Related:	<input type="checkbox"/>
	In Camera:	<input type="checkbox"/>
Department:	Planning	Report No. PD 2014-68
Prepared:	October 20, 2014	Pages: 1 of 1
Meeting:	October 28, 2014 Township Board	Attachments: <input checked="" type="checkbox"/>
Subject:	Medical Marihuana Ordinance	

STAFF COMMENT:

Following the recommendation of Township legal counsel, certain amendments to the Township's Medical Marihuana Ordinance are proposed. These amendments are intended to clarify the Township's original intent in describing exactly where and how the use and transfer of Medical Marihuana may take place while remaining in conformance with the Michigan Medical Marihuana Act.

The proposed amendment was introduced on October 14th and scheduled for a public hearing before the Board on October 28, 2014. The amendment affects **Section IV.D. Medicial Marihuana Collective**, and **Section V: Ingestion of Medical Marihuana and Primary Caregiver to Patient Transfers**.

The proposed amendment is attached to this report in clean version, titled "Ordinance #65, Draft Amendment #1 - (Excerpt)" and also in a redline version titled "Medical Marihuana Ordinance - **Draft Amendment #1**." The proposed changes are indicated on pages 2 and 3 of the latter document.

ACTION REQUESTED:

Following an opportunity for public comment, the Township Board may adopt the ordinance amendment if it is prepared to do so. The following motion is recommended to that effect:

(Motion) THAT Amendment #1 to Charter Township of Garfield Ordinance #65, Medical Marihuana Ordinance, as attached to PD Report #2014-68 and incorporated by reference, BE ADOPTED.

If the Board is not yet prepared to adopt the amendment then the following motion would be premature, and the application should be tabled with appropriate direction given to Staff.

Attachments:

- Proposed Amendment #1 to Charter Township of Garfield Ordinance #65 (Clean excerpt)
- Proposed Amendment #1 to Charter Township of Garfield Ordinance #65 (**Redlined**)

- D. ***Medical Marihuana Collective*** means (a) any commercial use of property for the purpose of sale of medical marihuana for money or other consideration to registered qualifying patients or registered primary caregivers, or (b) any commercial business, commercial establishment or commercial structure that provides or rents space to multiple caregivers for storage and/or sale of Medical Marihuana. *Medical Marihuana Collective* includes uses commonly referred to as Medical Marihuana Dispensaries, Compassion Centers, Provisioning Centers and Medical Marihuana Cooperatives. The sale of *Medical Marihuana* where any other commodity, product or service is also available shall be considered a *Medical Marihuana Collective*.

Section V: Ingestion of Medical Marihuana and Primary Caregiver to Patient Transfers

The ingestion by any means of medical marihuana is neither addressed nor regulated by the provisions and standards of this ordinance. The transfer of medical marihuana from a primary caregiver to a qualifying patient is not regulated by the ordinance except at *Medical Marihuana Cultivation Facilities* and commercial establishments defined as *Medical Marihuana Collectives*.

THE CHARTER TOWNSHIP OF GARFIELD
ORDINANCE NO. 65

Medical Marihuana Ordinance - Draft Amendment #1

An ordinance establishing registration requirements and regulations for the cultivation and transfer of medical marihuana in accordance with the Michigan Medical Marihuana Act, Initiated Law 1 of 2008, MCL 333.26421 *et seq.*

WHEREAS the Michigan Medical Marihuana Act was enacted by the People of the State of Michigan and took effect on December 4, 2008; and

WHEREAS the Michigan Medical Marihuana Act provides limited protection against prosecution for the use, cultivation and transfer of medical marihuana in accordance with specific and narrow standards and regulations set out in the Act; and

WHEREAS marihuana, including medical marihuana, remains a Schedule 1 controlled substance under the Public Health Code, meaning it has a high potential for abuse; and

WHEREAS medical marihuana related activities require special supervision from the public safety agencies of the Township in order to protect and preserve the health, safety and welfare of medical marihuana patients and caregivers, as well as the citizens of the Township; and

WHEREAS the Township finds that medical marihuana related activities, as a category of uses, have a significant potential for abuse and illegal conduct that can threaten the health, safety and welfare of Township residents absent careful monitoring and regulation; and

WHEREAS the Township finds that medical marihuana related activities, as a category of uses, have a significant potential for deleterious secondary effects, including the sale and use of other controlled substances, robberies, assaults, break-ins, vagrancy and depressed property values; and

WHEREAS the Township recognizes its constitutional duty to interpret, construe and amend its laws to comply with State of Michigan requirements as they are announced; and

WHEREAS the Township desires to provide for those medical marihuana related activities that are directly provided for by the Michigan Medical Marihuana Act;

NOW THEREFORE THE CHARTER TOWNSHIP OF GARFIELD ORDAINS:

Section I: Title

This ordinance shall be known and cited as the Garfield Township Medical Marihuana Ordinance.

Section II: Purpose

The purpose of this ordinance is to regulate the conduct of activity pursuant to the Michigan Medical Marihuana Act, MCL 333.26421 *et seq.* in order to:

- a) Protect the health, safety and welfare of the general public;
- b) Establish a set of rules and regulations which are fair and equitable for those interested in establishing medical marihuana related activities in compliance with the Michigan Medical Marihuana Act;
- c) Provide reasonable regulation pursuant to the Township's general police power granted to townships by the Michigan Constitution of 1963 and the Charter Township Act, MCL 42.1 *et seq.*

The Township does not intend that registration and regulation under this ordinance be construed as a finding that such businesses and activities are legal under state or federal law. Although some specific uses of marihuana are purported to be exempt from prosecution by the Michigan Medical Marihuana Act, marihuana continues to be classified as a Schedule 1 controlled substance under federal law making it unlawful under federal law to use, manufacture, distribute or dispense marihuana, or to possess it with intent to manufacture, distribute, or dispense. By requiring registration and compliance with requirements as provided in this ordinance, the township intends to protect to the extent possible the public health, safety and welfare of the residents of and visitors to the Township, including but not limited to registered qualifying patients, from harm that may result from the activities of persons who unilaterally or on the advice of their own attorney determine that they may legally operate a business involved in the possession, use, manufacture, distribution or dispensing of medical marihuana.

Nothing in this ordinance is intended to grant, nor shall it be construed as granting, immunity from criminal prosecution for possession, use, manufacture, distribution or dispensing of marihuana not in strict compliance with the Michigan Medical Marihuana Act. Also, since Federal law is not affected by the Michigan Medical Marihuana Act, nothing in this ordinance, or in any companion regulatory provision adopted in any other provision of a Township ordinance, is intended to grant, nor shall they be construed as granting, immunity from criminal prosecution under Federal law. The Michigan Medical Marihuana Act does not protect users, caregivers or the owners of properties on which the medical use of marihuana is occurring from Federal prosecution, or from having their property seized by Federal authorities under the Federal Controlled Substances Act.

Section III: Legal Basis

This ordinance is enacted pursuant to the statutory authority granted by the Charter Township Act, being Act 359 of 1947, MCL 42.1 *et seq.*, authorizing the Township Board to adopt ordinances and regulations to secure the public health, safety and general welfare.

Section IV: Definitions

For purposes of this ordinance, terms and words defined by the Michigan Medical Marihuana Act shall have the same meaning as provided in the Michigan Medical Marihuana Act.

Additionally, certain terms and words used herein shall have the following meaning:

- A. ***Dwelling Unit*** shall have the same meaning as defined in the Garfield Township Zoning Ordinance.
- B. ***Lot*** shall have the same meaning as defined in the Garfield Township Zoning Ordinance.
- C. ***Medical Marihuana*** means marihuana as defined by the Michigan Medical Marihuana Act, MCL 333.26421 *et seq.* grown, used, or transferred for "medical use" as defined by the Michigan Medical Marihuana Act, MCL 333.26421 *et seq.*

D. Medical Marihuana Collective means (a) any commercial use of property for the purpose of sale of medical marihuana for money or other consideration to registered qualifying patients or registered primary caregivers, or (b) any commercial business, commercial establishment or commercial structure that provides or rents space to multiple caregivers for storage and/or sale of Medical Marihuana. *Medical Marihuana Collective* includes uses commonly referred to as Medical Marihuana Dispensaries, Compassion Centers, Provisioning Centers and Medical Marihuana Cooperatives. The sale of *Medical Marihuana* where any other commodity, product or service is also available shall be considered a *Medical Marihuana Collective*.

~~***D. Medical Marihuana Collective*** means a use where *Medical Marihuana* is transferred pursuant to the Michigan Medical Marihuana Act, MCL 333.26421 *et seq.* and includes uses commonly referred to as Medical Marihuana Dispensaries and Medical Marihuana Cooperatives. The transfer or distribution of *Medical Marihuana* in connection with any use where any other commodity, product or service is also available shall be considered a *Medical Marihuana Collective*.~~

- E. **Medical Marihuana Cultivation** means a use where *Medical Marihuana* is grown by a primary caregiver or a qualifying patient as permitted by the Michigan Medical Marihuana Act, MCL 333.26421 et seq.
- F. **Medical Marihuana Cultivation Facility** means a use where *Medical Marihuana Cultivation*, as defined by this ordinance, is being conducted on a lot, but shall not include a Medical Marihuana Collective.
- G. **Medical Marihuana Residential Cultivation** means *Medical Marihuana Cultivation* undertaken by a primary caregiver, or a qualifying patient that has not specified a primary caregiver to cultivate marihuana for the qualifying patient, at the primary caregiver's or qualifying patient's primary place of residence.

Section V: Ingestion of Medical Marihuana and Primary Caregiver to Patient Transfers

The ingestion by any means of medical marihuana is neither addressed nor regulated by the provisions and standards of this ordinance. The transfer of medical marihuana from a primary caregiver to a qualifying patient is not regulated by the ordinance except at *Medical Marihuana Cultivation Facilities* and commercial establishments defined as *Medical Marihuana Collectives*.

~~Section V: Ingestion of Medical Marihuana Not Addressed or Regulated~~

~~The ingestion by any means of medical marihuana is neither addressed nor regulated by the provisions and standards of this ordinance.~~

Section VI: Medical Marihuana Residential Cultivation

Medical Marihuana Residential Cultivation shall be considered and permitted as an accessory use to a dwelling unit provided that it shall comply at all times with the provisions of the Garfield Township Zoning Ordinance No. 10, as amended from time to time.

Section VII: Medical Marihuana Cultivation Facility

Medical Marihuana Cultivation Facilities shall be permitted only where "Medical Marihuana Cultivation Facility" is specifically listed and permitted by the Garfield Township Zoning Ordinance, provided further that such shall comply at all times with the following:

- a) All *Medical Marihuana Cultivation* shall comply at all times with the Michigan Medical Marihuana Act and the General Rules of the Michigan Department of Community Health, as they may be amended from time to time;
- b) Not more than one (1) primary caregiver or qualifying patient shall be permitted to cultivate Medical Marihuana on any one (1) lot;
- c) Each *Medical Marihuana Cultivation Facility* shall obtain and continue to hold a Certificate of Registration issued by the Township in accordance with this ordinance;
- d) No transfer of *Medical Marijuana* by the primary caregiver or qualifying patient cultivating the *Medical Marihuana* to any other person(s) shall take place at a *Medical Marijuana Cultivation Facility*.

Section VIII: Medical Marihuana Collectives

Medical Marihuana Collectives are not permitted within the Charter Township of Garfield.

Section IX: Medical Marihuana Cultivation Facility – Registration Required

- 1) No person shall operate a *Medical Marihuana Cultivation Facility* at a location for which an annual Certificate of Registration as provided for in this ordinance has not been issued and/or renewed as required by this ordinance.
- 2) The registration requirement in this ordinance applies to all *Medical Marijuana Cultivation Facilities* that exist on the effective date of this ordinance or are established after the effective date of this ordinance.
- 3) The registration requirement set forth in this ordinance shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other state or local law.
- 4) A Certificate of Registration issued under this ordinance shall expire one year after the date of issuance.

- 5) No Certificate of Registration issued under this ordinance may be transferred or assigned, and no Certificate of Registration is valid for any location other than the location specified in the Certificate of Registration.

Section X: Application Requirements for a New Annual Certificate of Registration or Renewal of Existing Certificate of Registration

- 1) No applications for a *Medical Marijuana Cultivation Facility* will be accepted by the Township until thirty (30) days after the effective date of this chapter.
- 2) New Annual Certificate of Registration Application: An application for a new annual Certificate of Registration for a *Medical Marijuana Cultivation Facility* shall be submitted to the Township Clerk on a form provided by the Township for preliminary review by Township staff to confirm that the applicant has submitted a complete application, which shall fulfill all of the requirements indicated on the form, including but not limited to:
 - a) The name and address of the *Medical Marijuana Cultivation Facility* and any other contact information requested on the application form.
 - b) The name and address of all owners of the real property where the *Medical Marijuana Cultivation Facility* is located.
 - c) Name, street address, and other contact information of all owners of the *Medical Marijuana Cultivation Facility* and, if the owner is a corporation, limited liability company, partnership, or sole proprietor with an assumed name, of all directors, officers, members, partners, and individuals, all of whom are considered collectively to be the registrant.
 - d) Proof of applicant's ownership or legal possession of the premises and, if the applicant does not own the premises, the signatures of all owners on the application indicating that the owners support issuance of a Certificate of Registration for the property.
 - e) A zoning compliance permit that shows the proposed *Medical Marijuana Cultivation Facility* is located in a zoning district that would permit its operation.
 - f) A building compliance verification or a certificate of occupancy that shows the structure for the proposed *Medical Marijuana Cultivation Facility* meets the requirements of the applicable use group under the Michigan Building Code.
 - g) Payment of a non-refundable registration fee, which shall be determined by resolution of the Township Board. Fees for zoning compliance permits, building compliance verification, and certificates of occupancy shall be separate from the registration fee.
- 3) Renewal or Amendment of Existing Certificate of Registration: The same procedures for application for and issuance of a new Certificate of Registration shall apply to renewal or the amendment of an existing Certificate of Registration, subject also to the following:
 - a) To renew an existing Certificate of Registration, the registrant shall submit an application in the same manner as is required to apply for a new Certificate of Registration no sooner than ninety (90) days before the expiration date and no later than sixty (60) days before the expiration date.
 - b) An amended application shall be submitted when there is a change in any information the applicant was required to provide in the most recent application on file with the Township.
 - c) An application to change the location of an existing Certificate of Registration shall require a new application and shall be processed in the same manner as provided for the issuance of a new Certificate of Registration.

Section XI: Certificate Of Registration

If the applicant has successfully demonstrated compliance with all requirements for issuance of a Certificate of Registration, the Township Clerk or designee shall issue a Certificate of Registration for a *Medical Marijuana Cultivation Facility* to the applicant. An applicant who fails to demonstrate compliance with all requirements of this ordinance or who is found to have submitted an application that contains any false or incomplete information is not eligible for issuance of a Certificate of Registration.

Section XII: Certificate of Registration Revocation

A Certificate of Registration issued under this ordinance may be suspended or revoked for any of the following violations:

- 1) Any person required to be named on the application for the Certificate of Registration is convicted of or found responsible for violating any provision of this ordinance;
- 2) The application contains any misrepresentation or omission of any material fact, or false or misleading information, or the applicant has provided the Township with any other false or misleading information related to the *Medical Marihuana Cultivation Facility*;
- 3) Marihuana is transferred or otherwise dispensed on the business premises in violation of this ordinance or any other applicable state or local law, rule or regulation;
- 4) The *Medical Marihuana Cultivation Facility* is operated or is operating in violation of the specifications of the Certificate of Registration application, any conditions of approval by the Township or any other applicable state or local law, rule or regulation.
- 5) The Township, or the County or the department or any other governmental entity with jurisdiction, has closed the business temporarily or permanently or issued any sanction for failure to comply with health and safety provisions of this ordinance or otherwise applicable to the business or any other applicable state or local law.
- 6) The *Medical Marihuana Cultivation Facility* is determined by the Township to have become a public nuisance.

Section XIII: Revocation Not Exclusive Penalty.

Nothing in this ordinance shall be deemed to prohibit the Township from imposing other penalties authorized by this code or other ordinance of the Township, including filing a public nuisance action or any other legal action in a court of competent jurisdiction.

Section XIV: Civil Infraction

Any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute which shall be punishable by a civil fine for each violation in accordance with the schedule set forth herein, along with costs which may include all expenses, direct and indirect, to which the Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$10.00 nor more than \$500.00 be ordered. A violator of this Ordinance shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan Law. Each day that a violation continues to exist shall constitute a separate violation of this Ordinance. The provisions of this ordinance may also be enforced by suit for injunctive relief.

Civil Fines for Municipal Infractions

Civil Fines for municipal civil infractions shall be assessed in accordance with the following schedule.

	<u>Fine</u>
1 st violation within 3-year period*	\$200.00
2 nd violation within 3-year period*	\$350.00
3 rd violation within 3-year period*	\$500.00

Section XV: Severability

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than said part or portion thereof.

Section XVI: Effective Date

This ordinance shall take immediate effect upon publication following its adoption.

The following voted:

YEAS: Agostinelli, Featherstone, Wilson, Blood, Schumacher, Korn
NAYS: None
ABSTAIN: None
ABSENT: Schmuckal

I hereby certify that the foregoing was duly adopted by the Township Board of the Garfield Charter Township, Grand Traverse County, Michigan, at its regular meeting on the 25th day of October, 2011 and that (6) six members of the Township Board were in attendance and (6) six voted for the adoption of the Ordinance.

Kay Schumacher, Clerk

The Charter Township of Garfield
3848 Veterans Drive
Traverse City, Michigan 49684

INTRODUCED: September 27, 2011
ADOPTED: October 25, 2011
PUBLISHED: November 5, 2011
EFFECTIVE: November 5, 2011

CHARTER TOWNSHIP OF GARFIELD

RESOLUTION 2014-13-T

**APPROVAL OF FINANCIAL INSTITUTIONS THAT THE TOWNSHIP TREASURER
WILL DO BUSINESS WITH IN 2015**

BE IT RESOLVED, that the Board of Trustees of the Charter Township of Garfield approves of the Township Treasurer doing business with the following financial institutions in the year 2015.

- | | |
|---------------------------|---|
| Bank One/Chase | Huntington Bank |
| Members Credit Union | Northwestern Bank/Chemical Bank |
| 5/3 Bank | Northwestern Consumers Credit Union |
| Bank of Northern Michigan | East Traverse Catholic Federal Credit Union |
| Traverse City State Bank | M-Bank |
| 1 st Community | Citizens |
| TBA Credit Union | Credit Union One |
| Honor State Bank | PNC Bank |

Moved: Supported:

Yeas:

Nays:

Absent/Excused:

The Chairman declared Resolution 2014-13-T duly adopted this 28nd day of October, 2014.

Kay Schumacher, Township Clerk

CERTIFICATION

I, Kay Schumacher, Clerk of the Charter Township of Garfield do hereby certify that the above is a true and correct copy of a Resolution which was adopted by the Board of Trustees for the Charter Township of Garfield on the 28nd day of October, 2014.

Kay Schumacher, Township Clerk

Snow Removal Bids Plowing

Township facility Veterans Drive

Bidder	2" to 8"	more than 8"	Salt and Sand	Loader	Truck
Johnson Outdoors	\$40.00	\$40.00	\$85.00	\$150.00	\$150.00
Svec	\$70.00	\$105.00	\$60.00	\$130.00	\$110.00
Modall LLC	\$71.00	\$142.00	\$48.00	\$120.00	\$95.00
Landgreen	\$75.00	\$100.00	\$85.00	\$150.00	\$150.00
Alpers	\$95.00	\$95.00	\$75.00	\$150.00	\$115.00
Elmers	\$160.00	\$320.00	\$130.00	\$150.00	\$115.00

Silver Lake Park

Bidder	4" to 8"	more than 8"	Salt and Sand
Johnson Outdoors	\$75.00	\$75.00	\$75.00
Alpers Exc	\$105.00	\$105.00	\$88.00
Landgreen	\$115.00	\$145.00	\$115.00
Svec	\$140.00	\$210.00	\$100.00
Modall LLC	\$180.00	\$360.00	\$85.00
Elmers	\$300.00	\$600.00	\$279.00

Snow removal bids snow blowing

Silver Lake Park Paved Walking Path

Bidder	4" to 8"	more than 8"
Johnson Outdoors	\$75.00	\$75.00
Landgreen	\$135.00	\$175.00
Double R	\$168.00	\$248.00
Elmers	\$300.00	\$500.00


Historic Barns Trail

Bidder	2" to 8"	more than 8"	Salt and Sand
Johnson Outdoors	\$105.00	\$105.00	\$75.00
Double R	\$147.00	\$187.00	\$135.00
Elmers	\$450.00	\$700.00	\$375.00

Snow Removal Services

Biding Contractors Contact Information

Contractor: Alpers Excavating, Inc.
Address: 16 S West Silver Lake Road
Address: Traverse City, Michigan 49685
Phone: 231-943-4710
email: pjalpers@charter.net

Authorized Signature: 
Print Name Signature: Christopher J. Alpers
Title: Vice President / Estimator
Date: 9/23/2014

Snow Removal Scope of Work

Charter Township of Garfield parking lot at 3848 Veterans Drive.

Snow Plowing Criteria

- 1 Monday thru Thursday the parking lot is to be plowed upon an accumulation of two (2") inches. Friday, Saturday and Sunday the parking lot is to be plowed upon an accumulation of four (4") inches. Under any circumstance or accumulation the parking lot is to be clear of snow each Monday at 7:00 am.
- 2 The Parking lot shall be completely plowed by 7:00 AM.
- 3 Provide pricing, per application for salt and sand applications at owners direction.
- 4 At owners direction plowing services shall be available for evening or weekend events that may be scheduled at the Township Hall.
- 5 At owners direction additional plowing shall be provided if heavy accumulations occur during business hours.
- 6 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 7 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 8 Contractor will provide pricing for removal of snow from the site should accumulations of stockpiles restrict parking on site. Removal of snow from the site will be at the direction of Garfield Township officials.
- 9 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 10 Snow fall depth ~~will be as reported at Cherry Capital Airport~~ @ 2" or more at site location
- 11 Contractor shall provide to Garfield Township 3 bags of ice melt at the start of the season.

2" or more - Snow Plowing XX XX	\$	<u>95.00</u>	Per Occurrence
Snow Plowing in excess of 8"	\$	<u>95.00</u>	Per Occurrence
Salt and Sand	\$	<u>75.00</u>	Per Occurrence
Hourly Rate For Loader	\$	<u>150.00 - 5 yard loader</u>	
Hourly Rate For Dump Truck	\$	<u>115.00 - 40 yard Dump Trailer</u>	
50 lb bag of salt	\$	10.00 each	

Contractor Name: Alpers Excavating, Inc.

Authorized Signature: 

* Prices do not include any shoveling

Charter Township of Garfield

3848 Veterans Drive
Traverse City Michigan 49684
(231) 941-1620

Request For Bid

Snow Removal Services

Issue Date: Sept 16th 2014

Acceptance date: Sept 30th 2014

Acceptance Time: 2:00 PM

Acceptance Location: Garfield Township Hall

Garfield Township is requesting bids for snow removal at four specified locations. The plowing and snow blowing may be bid separately or as a package.

Project Documents

Request For Bid Form.

Charter Township of Garfield minimum insurance requirements.

Request for Bid notification will be posted on the Charter Township of Garfield website, www.garfield-twp.com as well as the Builders Exchange. Printed documents may be obtained at the Charter Township of Garfield offices located at 3848 Veterans Drive Traverse City Michigan 49684, during regular township hours.

Contract period is for the 2014,2015 winter season.

Bids will remain open to acceptance for a period of 30 days.

Contractors are responsible for any permits or licenses that may be required.

The low responsive, responsible bidder will be recommended for contract award. Owner reserves the right to reject bids, to waive irregularities and to accept a bid that is in the best interest of the Owner.

Inquiries or questions should be directed to Bill Mouser at (213) 941-1620 or cell (517) 420-2386.

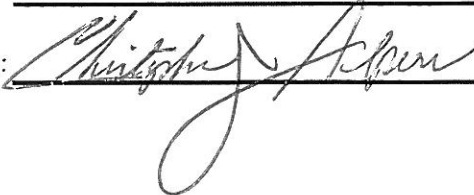
Silver Lake Recreation Area

Road and Parking Lot Snow Plowing Criteria

- 1 The access road and parking lot is to be plowed upon an accumulation of ~~4 inches~~ 2" or more
- 2 The access road and parking lot adjacent to the restroom building shall be completely plowed by 9 am.
- 3 The sidewalk from the parking lot to the Restroom building shall be cleared of snow when the parking lot is plowed. Salt and sand each occurrence. * Prices do not include shoveling
- 4 Provide pricing for salt and sand applications of parking lot only, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 7 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 8 Snow fall depth will be as reported at Cherry Capital Airport. @ 2" at site location
- 9 Contractor is to provide Garfield Township 2 bags of ice melt at the start of the season.

2" or more - Snow Plowing XXXXX	\$	<u>105.00</u>	Per Occurrence
Snow Plowing in excess of 8"	\$	<u>105.00</u>	Per Occurrence
 Salt and Sand	\$	<u>88.00</u>	Per Occurrence

Contractor Name: Alpers Excavating, Inc.

Authorized Signature: 

* 50 lb bag of salt - \$10.00 each

Silver Lake Recreation Area

Paved Walking Path Snow Blowing Criteria

- 1 The paved walking path is to be cleared upon an accumulation of four (4").
- 2 The paved walking path is to be cleared by 9 am.

Snow Blowing the walking path 4" to 8"	\$ _____	Per Occurrence
Snow Blowing more than 8"	\$ _____	Per Occurrence

Contractor Name: _____

Authorized Signature: _____

Tart Historic Barns Trail from Silver Drive to Wyatt Road

Snow Blowing Criteria

- 1 The Trail shall be cleared Monday thru Friday before 7:00 AM.
- 2 The Trail is to be plowed upon an accumulation of 2 inches.
- 3 Provide pricing for salt and sand applications, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor to repair damaged turf as soon as possible in the spring. Final payment will not be released

Cost to snow blow the walking path	\$ _____	Per Occurrence
Snow Blowing more than 8"	\$ _____	Per Occurrence
Salt and Sand	\$ _____	Per Occurrence

Contractor Name: _____

Authorized Signature: _____

Charter Township of Garfield

3848 Veterans Drive
Traverse City Michigan 49684
(231) 941-1620

Request For Bid

Snow Removal Services

Issue Date: Sept 16th 2014

Acceptance date: Sept 30th 2014

Acceptance Time: 2:00 PM

Acceptance Location: Garfield Township Hall

Garfield Township is requesting bids for snow removal at four specified locations. The plowing and snow blowing may be bid separately or as a package.

Project Documents

Request For Bid Form.

Charter Township of Garfield minimum insurance requirements.

Request for Bid notification will be posted on the Charter Township of Garfield website, www.garfield-twp.com as well as the Builders Exchange. Printed documents may be obtained at the Charter Township of Garfield offices located at 3848 Veterans Drive Traverse City Michigan 49684, during regular township hours.

Contract period is for the 2014,2015 winter season.

Bids will remain open to acceptance for a period of 30 days.

Contractors are responsible for any permits or licenses that may be required.


The low responsive, responsible bidder will be recommended for contract award. Owner reserves the right to reject bids, to waive irregularities and to accept a bid that is in the best interest of the Owner.

Inquiries or questions should be directed to Bill Mouser at (213) 941-1620 or cell (517) 420-2386.

Snow Removal Services

Bidding Contractors Contact Information

Contractor: Elmers crane & Dozer
Address: 3000 Revere school Rd
Address: Traverse city mich
Phone: 943-3443
email: S Folkersma @ helmelmers.com

Authorized Signature: 
Print Name Signature: Steve Folkersma
Title: Estimator
Date: 9/26/14

Snow Removal Scope of Work


Charter Township of Garfield parking lot at 3848 Veterans Drive.

Snow Plowing Criteria

- 1 Monday thru Thursday the parking lot is to be plowed upon an accumulation of two (2") inches. Friday, Saturday and Sunday the parking lot is to be plowed upon an accumulation of four (4") inches. Under any circumstance or accumulation the parking lot is to be clear of snow each Monday at 7:00 am.
- 2 The Parking lot shall be completely plowed by 7:00 AM.
- 3 Provide pricing, per application for salt and sand applications at owners direction.
- 4 At owners direction plowing services shall be available for evening or weekend events that may be scheduled at the Township Hall.
- 5 At owners direction additional plowing shall be provided if heavy accumulations occur during business hours.
- 6 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 7 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 8 Contractor will provide pricing for removal of snow from the site should accumulations of stockpiles restrict parking on site. Removal of snow from the site will be at the direction of Garfield Township officials.
- 9 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 10 Snow fall depth will be as reported at Cherry Capital Airport.
- 11 Contractor shall provide to Garfield Township 3 bags of ice melt at the start of the season.

Snow Plowing 2" to 8"	\$	<u>140⁻</u>	Per Occurrence
Snow Plowing in excess of 8"	\$	<u>320⁻</u>	Per Occurrence
Salt and Sand	\$	<u>130⁻</u>	Per Occurrence
Hourly Rate For Loader	\$	<u>150⁻</u>	
Hourly Rate For Dump Truck	\$	<u>120⁻ 20cyd</u>	

Contractor Name: Elmers

Authorized Signature: 

Silver Lake Recreation Area

Road and Parking Lot Snow Plowing Criteria

- 1 The access road and parking lot is to be plowed upon an accumulation of 4 inches.
- 2 The access road and parking lot adjacent to the restroom building shall be completely plowed by 9 am.
- 3 The sidewalk from the parking lot to the Restroom building shall be cleared of snow when the parking lot is plowed. Salt and sand each occurrence.
- 4 Provide pricing for salt and sand applications of parking lot only, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 7 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 8 Snow fall depth will be as reported at Cherry Capital Airport.
- 9 Contractor is to provide Garfield Township 2 bags of ice melt at the start of the season.

Snow Plowing 4" to 8"	\$	<u>300 -</u>	Per Occurrence
Snow Plowing in excess of 8"	\$	<u>600 -</u>	Per Occurrence
Salt and Sand	\$	<u>279 -</u>	Per Occurrence

Contractor Name: Elmers

Authorized Signature: 

Silver Lake Recreation Area

Paved Walking Path Snow Blowing Criteria

- 1 The paved walking path is to be cleared upon an accumulation of four (4").
- 2 The paved walking path is to be cleared by 9 am.

Snow Blowing the walking path 4" to 8"	\$	<u>300 -</u>	Per Occurrence
Snow Blowing more than 8"	\$	<u>500 -</u>	Per Occurrence

Contractor Name: Elmers

Authorized Signature: [Signature]

Tart Historic Barns Trail from Silver Drive to Wyatt Road

Snow Blowing Criteria

- 1 The Trail shall be cleared Monday thru Friday before 7:00 AM.
- 2 The Trail is to be plowed upon an accumulation of 2 inches.
- 3 Provide pricing for salt and sand applications, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor to repair damaged turf as soon as possible in the spring. Final payment will not be released


Cost to snow blow the walking path	\$	<u>450 -</u>	Per Occurrence
Snow Blowing more than 8"	\$	<u>700 -</u>	Per Occurrence
Salt and Sand	\$	<u>375 -</u>	Per Occurrence

Contractor Name: Elmers

Authorized Signature: [Signature]

Snow Removal Services

Bidding Contractors Contact Information

Contractor: MODA/LLC
Address: 2475 Dairy Square
Address: TC MI 49684
Phone: 231-709-0325
email: riley@moda/LLC
Authorized Signature: 
Print Name Signature: Riley Ranzo
Title: Principal
Date: 9/29/14

Charter Township of Garfield

3848 Veterans Drive
Traverse City Michigan 49684
(231) 941-1620

Request For Bid

Snow Removal Services

Issue Date: Sept 16th 2014

Acceptance date: Sept 30th 2014

Acceptance Time: 2:00 PM

Acceptance Location: Garfield Township Hall

Garfield Township is requesting bids for snow removal at four specified locations. The plowing and snow blowing may be bid separately or as a package.

Project Documents

Request For Bid Form.

Charter Township of Garfield minimum insurance requirements.

Request for Bid notification will be posted on the Charter Township of Garfield website, www.garfield-twp.com as well as the Builders Exchange. Printed documents may be obtained at the Charter Township of Garfield offices located at 3848 Veterans Drive Traverse City Michigan 49684, during regular township hours.

Contract period is for the 2014,2015 winter season.

Bids will remain open to acceptance for a period of 30 days.

Contractors are responsible for any permits or licenses that may be required.

The low responsive, responsible bidder will be recommended for contract award. Owner reserves the right to reject bids, to waive irregularities and to accept a bid that is in the best interest of the Owner.

Inquiries or questions should be directed to Bill Mouser at (213) 941-1620 or cell (517) 420-2386.

Snow Removal Scope of Work

Charter Township of Garfield parking lot at 3848 Veterans Drive.

Snow Plowing Criteria

- 1 Monday thru Thursday the parking lot is to be plowed upon an accumulation of two (2") inches. Friday, Saturday and Sunday the parking lot is to be plowed upon an accumulation of four (4") inches. Under any circumstance or accumulation the parking lot is to be clear of snow each Monday at 7:00 am.
- 2 The Parking lot shall be completely plowed by 7:00 AM.
- 3 Provide pricing, per application for salt and sand applications at owners direction.
- 4 At owners direction plowing services shall be available for evening or weekend events that may be scheduled at the Township Hall.
- 5 At owners direction additional plowing shall be provided if heavy accumulations occur during business hours.
- 6 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 7 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 8 Contractor will provide pricing for removal of snow from the site should accumulations of stockpiles restrict parking on site. Removal of snow from the site will be at the direction of Garfield Township officials.
- 9 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 10 Snow fall depth will be as reported at Cherry Capital Airport.
- 11 Contractor shall provide to Garfield Township 3 bags of ice melt at the start of the season.

Snow Plowing 2" to 8"	\$ 71.00	Per Occurrence
Snow Plowing in excess of 8"	\$ 142.00	Per Occurrence
Salt and Sand	\$ 48.00	Per Occurrence
Hourly Rate For Loader	\$ 120.00	
Hourly Rate For Dump Truck	\$ 95.00	

Contractor Name:

Modal LLC

Authorized Signature:

[Signature]

Silver Lake Recreation Area

Road and Parking Lot Snow Plowing Criteria

- 1 The access road and parking lot is to be plowed upon an accumulation of 4 inches.
- 2 The access road and parking lot adjacent to the restroom building shall be completely plowed by 9 am.
- 3 The sidewalk from the parking lot to the Restroom building shall be cleared of snow when the parking lot is plowed. Salt and sand each occurrence.
- 4 Provide pricing for salt and sand applications of parking lot only, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 7 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 8 Snow fall depth will be as reported at Cherry Capital Airport.
- 9 Contractor is to provide Garfield Township 2 bags of ice melt at the start of the season.

Snow Plowing 4" to 8"	\$ <u>180.⁰⁰</u>	Per Occurrence
Snow Plowing in excess of 8"	\$ <u>360.⁰⁰</u>	Per Occurrence

Salt and Sand	\$ <u>85.⁰⁰</u>	Per Occurrence
---------------	----------------------------	----------------

Contractor Name: Modal LLC

Authorized Signature: 

Silver Lake Recreation Area

Paved Walking Path Snow Blowing Criteria

- 1 The paved walking path is to be cleared upon an accumulation of four (4").
- 2 The paved walking path is to be cleared by 9 am.

Snow Blowing the walking path 4" to 8"	\$	<u>No Bid</u>	Per Occurrence
Snow Blowing more than 8"	\$	<u>—</u>	Per Occurrence

Contractor Name: —

Authorized Signature: —

Tart Historic Barns Trail from Silver Drive to Wyatt Road

Snow Blowing Criteria

- 1 The Trail shall be cleared Monday thru Friday before 7:00 AM.
- 2 The Trail is to be plowed upon an accumulation of 2 inches.
- 3 Provide pricing for salt and sand applications, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor to repair damaged turf as soon as possible in the spring. Final payment will not be released

Cost to snow blow the walking path	\$	<u>No Bid</u>	Per Occurrence
Snow Blowing more than 8"	\$	<u>—</u>	Per Occurrence
Salt and Sand	\$	<u>—</u>	Per Occurrence


Contractor Name: —

Authorized Signature: —

Snow Removal Services

Bidding Contractors Contact Information

Contractor: Johnson Outdoors
Address: P.O. Box 477
Address: Interlochen MI, 49643
Phone: 231-218-3254
email: Johnson.Outdoors@Interlochen.org

Authorized Signature: 
Print Name Signature: Joe Johnson
Title: Owner
Date: 9/28/2014

Charter Township of Garfield

3848 Veterans Drive
Traverse City Michigan 49684
(231) 941-1620

Request For Bid

Snow Removal Services

Issue Date: Sept 16th 2014

Acceptance date: Sept 30th 2014

Acceptance Time: 2:00 PM

Acceptance Location: Garfield Township Hall

Garfield Township is requesting bids for snow removal at four specified locations. The plowing and snow blowing may be bid separately or as a package.

Project Documents

Request For Bid Form.

Charter Township of Garfield minimum insurance requirements.

Request for Bid notification will be posted on the Charter Township of Garfield website, www.garfield-twp.com as well as the Builders Exchange. Printed documents may be obtained at the Charter Township of Garfield offices located at 3848 Veterans Drive Traverse City Michigan 49684, during regular township hours.

Contract period is for the 2014,2015 winter season.

Bids will remain open to acceptance for a period of 30 days.

Contractors are responsible for any permits or licenses that may be required.

The low responsive, responsible bidder will be recommended for contract award. Owner reserves the right to reject bids, to waive irregularities and to accept a bid that is in the best interest of the Owner.

Inquiries or questions should be directed to Bill Mouser at (213) 941-1620 or cell (517) 420-2386.

Snow Removal Scope of Work

Charter Township of Garfield parking lot at 3848 Veterans Drive.

Snow Plowing Criteria

- 1 Monday thru Thursday the parking lot is to be plowed upon an accumulation of two (2") inches. Friday, Saturday and Sunday the parking lot is to be plowed upon an accumulation of four (4") inches. Under any circumstance or accumulation the parking lot is to be clear of snow each Monday at 7:00 am.
- 2 The Parking lot shall be completely plowed by 7:00 AM.
- 3 Provide pricing, per application for salt and sand applications at owners direction.
- 4 At owners direction plowing services shall be available for evening or weekend events that may be scheduled at the Township Hall.
- 5 At owners direction additional plowing shall be provided if heavy accumulations occur during business hours.
- 6 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 7 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 8 Contractor will provide pricing for removal of snow from the site should accumulations of stockpiles restrict parking on site. Removal of snow from the site will be at the direction of Garfield Township officials.
- 9 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 10 Snow fall depth will be as reported at Cherry Capital Airport.
- 11 Contractor shall provide to Garfield Township 3 bags of ice melt at the start of the season.

Snow Plowing 2" to 8"	\$ 40 —	Per Occurrence
Snow Plowing in excess of 8"	\$ 40 —	Per Occurrence
Salt and Sand	\$ 40 —	Per Occurrence
Hourly Rate For Loader	\$ 85 —	
Hourly Rate For Dump Truck	\$ 80 —	

Contractor Name: Johnson Outdoors

Authorized Signature: 

Silver Lake Recreation Area

Road and Parking Lot Snow Plowing Criteria

- 1 The access road and parking lot is to be plowed upon an accumulation of 4 inches.
- 2 The access road and parking lot adjacent to the restroom building shall be completely plowed by 9 am.
- 3 The sidewalk from the parking lot to the Restroom building shall be cleared of snow when the parking lot is plowed. Salt and sand each occurrence.
- 4 Provide pricing for salt and sand applications of parking lot only, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 7 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 8 Snow fall depth will be as reported at Cherry Capital Airport.
- 9 Contractor is to provide Garfield Township 2 bags of ice melt at the start of the season.

Snow Plowing 4" to 8"	\$ <u>75</u>	Per Occurrence
Snow Plowing in excess of 8"	\$ <u>75</u>	Per Occurrence
Salt and Sand	\$ <u>75</u>	Per Occurrence

Contractor Name: Johnson Outdoors

Authorized Signature: 

Silver Lake Recreation Area

Paved Walking Path Snow Blowing Criteria

- 1 The paved walking path is to be cleared upon an accumulation of four (4").
- 2 The paved walking path is to be cleared by 9 am.

Snow Blowing the walking path 4" to 8"	\$ <u>75</u>	Per Occurrence
Snow Blowing more than 8"	\$ <u>75</u>	Per Occurrence

Contractor Name: Johnson Outdoors

Authorized Signature: 

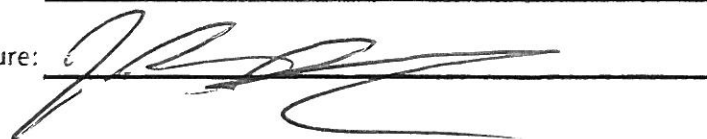
Tart Historic Barns Trail from Silver Drive to Wyatt Road

Snow Blowing Criteria

- 1 The Trail shall be cleared Monday thru Friday before 7:00 AM.
- 2 The Trail is to be plowed upon an accumulation of 2 inches.
- 3 Provide pricing for salt and sand applications, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor to repair damaged turf as soon as possible in the spring. Final payment will not be released

Cost to snow blow the walking path	\$ <u>105</u>	Per Occurrence
Snow Blowing more than 8"	\$ <u>105</u>	Per Occurrence
Salt and Sand	\$ <u>75</u>	Per Occurrence

Contractor Name: Johnson Outdoors

Authorized Signature: 

Snow Removal Services

Bidding Contractors Contact Information

Contractor: DOUBLE R Co.
Address: 1132 S GARFIELD AVE
Address: TAUBSAE CITY MI 49686
Phone: 231-929-0002
email: DOUBLERRESALE@ATT.NET
Authorized Signature: Ron Ranoni
Print Name Signature: RON RANONIE
Title: OWNER
Date: 9-30-14

Charter Township of Garfield

3848 Veterans Drive
Traverse City Michigan 49684
(231) 941-1620

Request For Bid

Snow Removal Services

Issue Date: Sept 16th 2014

Acceptance date: Sept 30th 2014

Acceptance Time: 2:00 PM

Acceptance Location: Garfield Township Hall

Garfield Township is requesting bids for snow removal at four specified locations. The plowing and snow blowing may be bid separately or as a package.

Project Documents

Request For Bid Form.

Charter Township of Garfield minimum insurance requirements.

Request for Bid notification will be posted on the Charter Township of Garfield website, www.garfield-twp.com as well as the Builders Exchange. Printed documents may be obtained at the Charter Township of Garfield offices located at 3848 Veterans Drive Traverse City Michigan 49684, during regular township hours.

Contract period is for the 2014,2015 winter season.

Bids will remain open to acceptance for a period of 30 days.

Contractors are responsible for any permits or licenses that may be required.

The low responsive, responsible bidder will be recommended for contract award. Owner reserves the right to reject bids, to waive irregularities and to accept a bid that is in the best interest of the Owner.

Inquiries or questions should be directed to Bill Mouser at (213) 941-1620 or cell (517) 420-2386.

Snow Removal Scope of Work

Charter Township of Garfield parking lot at 3848 Veterans Drive.

Snow Plowing Criteria

- 1 Monday thru Thursday the parking lot is to be plowed upon an accumulation of two (2") inches. Friday, Saturday and Sunday the parking lot is to be plowed upon an accumulation of four (4") inches. Under any circumstance or accumulation the parking lot is to be clear of snow each Monday at 7:00 am.
- 2 The Parking lot shall be completely plowed by 7:00 AM.
- 3 Provide pricing, per application for salt and sand applications at owners direction.
- 4 At owners direction plowing services shall be available for evening or weekend events that may be scheduled at the Township Hall.
- 5 At owners direction additional plowing shall be provided if heavy accumulations occur during business hours.
- 6 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 7 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 8 Contractor will provide pricing for removal of snow from the site should accumulations of stockpiles restrict parking on site. Removal of snow from the site will be at the direction of Garfield Township officials.
- 9 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 10 Snow fall depth will be as reported at Cherry Capital Airport.
- 11 Contractor shall provide to Garfield Township 3 bags of ice melt at the start of the season.

Snow Plowing 2" to 8"	\$ _____	Per Occurrence
Snow Plowing in excess of 8"	\$ _____	Per Occurrence
Salt and Sand	\$ _____	Per Occurrence
Hourly Rate For Loader	\$ _____	
Hourly Rate For Dump Truck	\$ _____	

Contractor Name: _____

Authorized Signature: _____

Silver Lake Recreation Area

Road and Parking Lot Snow Plowing Criteria

- 1 The access road and parking lot is to be plowed upon an accumulation of 4 inches.
- 2 The access road and parking lot adjacent to the restroom building shall be completely plowed by 9 am.
- 3 The sidewalk from the parking lot to the Restroom building shall be cleared of snow when the parking lot is plowed. Salt and sand each occurrence.
- 4 Provide pricing for salt and sand applications of parking lot only, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 7 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 8 Snow fall depth will be as reported at Cherry Capital Airport.
- 9 Contractor is to provide Garfield Township 2 bags of ice melt at the start of the season.

Snow Plowing 4" to 8"	\$ _____	Per Occurrence
Snow Plowing in excess of 8"	\$ _____	Per Occurrence
Salt and Sand	\$ _____	Per Occurrence

Contractor Name: _____

Authorized Signature: _____

EQUIPMENT 43 HP. KUBOTA
W/ Front Blower + Box SCRAPER

Silver Lake Recreation Area

Paved Walking Path Snow Blowing Criteria

- 1 The paved walking path is to be cleared upon an accumulation of four (4").
- 2 The paved walking path is to be cleared by 9 am.

1) BLOWER WIDTH 76" \$ 128⁰⁰/₁
Snow Blowing the walking path 4" to 8" \$ 168⁰⁰/₁ Per Occurrence
Snow Blowing more than 8" \$ 248⁰⁰/₁ Per Occurrence

Contractor Name: DOUBLE R Co.

Authorized Signature: Ron Ramoie

Tart Historic Barns Trail from Silver Drive to Wyatt Road

Snow Blowing Criteria

- 1 The Trail shall be cleared Monday thru Friday before 7:00 AM.
- 2 The Trail is to be plowed upon an accumulation of 2 inches.
- 3 Provide pricing for salt and sand applications, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor to repair damaged turf as soon as possible in the spring. Final payment will not be released

1) BLOWER WIDTH 76" \$ 112⁰⁰/₁
Cost to snow blow the walking path \$ 147⁰⁰/₁ Per Occurrence
Snow Blowing more than 8" \$ 187⁰⁰/₁ Per Occurrence
Salt and Sand \$ 135⁰⁰/₁ Per Occurrence

Contractor Name: DOUBLE R Co.

Authorized Signature: Ron Ramoie

Double R Company
Lawn & Snow
Management

Ron Ramoie
doublerco@aol.net


1132 S Garfield Ave
Traverse City, MI, 49686

231.929.0002

Snow Removal Services

Bidding Contractors Contact Information

Contractor: Landgreen Lawn Care
Address: 5361 Heritage Way
Address: Traverse City, MI 49685
Phone: 231-357-9968
email: Chris@landgreenlawncare.com

Authorized Signature: 
Print Name Signature: Chris Kraupa
Title: Owner
Date: 9-30-14

Silver Lake Recreation Area

Road and Parking Lot Snow Plowing Criteria

- 1 The access road and parking lot is to be plowed upon an accumulation of 4 inches.
- 2 The access road and parking lot adjacent to the restroom building shall be completely plowed by 9 am.
- 3 The sidewalk from the parking lot to the Restroom building shall be cleared of snow when the parking lot is plowed. Salt and sand each occurrence.
- 4 Provide pricing for salt and sand applications of parking lot only, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 7 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 8 Snow fall depth will be as reported at Cherry Capital Airport.
- 9 Contractor is to provide Garfield Township 2 bags of ice melt at the start of the season.

Snow Plowing 4" to 8"	\$ <u>115</u>	Per Occurrence
Snow Plowing in excess of 8"	\$ <u>145</u>	Per Occurrence
Salt and Sand	\$ <u>115</u>	Per Occurrence

Contractor Name: Landgreen Lawn Care

Authorized Signature: CL Krause

Silver Lake Recreation Area

Paved Walking Path Snow Blowing Criteria

- 1 The paved walking path is to be cleared upon an accumulation of four (4").
- 2 The paved walking path is to be cleared by 9 am.

Snow Blowing the walking path 4" to 8" \$ 135 Per Occurrence
Snow Blowing more than 8" \$ 175 Per Occurrence

Contractor Name: Landsgreen Lawncare

Authorized Signature: [Signature]

Tart Historic Barns Trail from Silver Drive to Wyatt Road

Snow Blowing Criteria

- 1 The Trail shall be cleared Monday thru Friday before 7:00 AM.
- 2 The Trail is to be plowed upon an accumulation of 2 inches.
- 3 Provide pricing for salt and sand applications, at owners direction.
- 5 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 6 Contractor to repair damaged turf as soon as possible in the spring. Final payment will not be released

Cost to snow blow the walking path \$ _____ Per Occurrence
Snow Blowing more than 8" \$ _____ Per Occurrence
Salt and Sand \$ _____ Per Occurrence

Contractor Name: _____

Authorized Signature: _____

Snow Removal Scope of Work

Charter Township of Garfield parking lot at 3848 Veterans Drive.

Snow Plowing Criteria

- 1 Monday thru Thursday the parking lot is to be plowed upon an accumulation of two (2") inches. Friday, Saturday and Sunday the parking lot is to be plowed upon an accumulation of four (4") inches. Under any circumstance or accumulation the parking lot is to be clear of snow each Monday at 7:00 am.
- 2 The Parking lot shall be completely plowed by 7:00 AM.
- 3 Provide pricing, per application for salt and sand applications at owners direction.
- 4 At owners direction plowing services shall be available for evening or weekend events that may be scheduled at the Township Hall.
- 5 At owners direction additional plowing shall be provided if heavy accumulations occur during business hours.
- 6 Contractor is responsible for placing, maintaining and removing edge of pavement markers.
- 7 Contractor and Township officials will have a preseason meeting to review where snow will be stockpiled on site.
- 8 Contractor will provide pricing for removal of snow from the site should accumulations of stockpiles restrict parking on site. Removal of snow from the site will be at the direction of Garfield Township officials.
- 9 Contractor to repair damaged turf and sprinkler heads as soon as possible in the spring. Final payment will not be released until such repairs have been completed.
- 10 Snow fall depth will be as reported at Cherry Capital Airport.
- 11 Contractor shall provide to Garfield Township 3 bags of ice melt at the start of the season.

Snow Plowing 2" to 8"	\$ <u>75</u>	Per Occurrence
Snow Plowing in excess of 8"	\$ <u>100</u>	Per Occurrence
Salt and Sand	\$ <u>85</u>	Per Occurrence
Hourly Rate For Loader	\$ <u>150</u>	
Hourly Rate For Dump Truck	\$ <u>150</u>	

Contractor Name: Landgreen Lawn Care

Authorized Signature: Ch Kropp

CHARTER TOWNSHIP OF GARFIELD

RESOLUTION 2014-14-T

**REGARDING TAX ABATEMENT AND PAYMENT
TO BE MADE IN LIEU OF TAXES**

Board Member _____ moved, and was supported by _____,
Board Member, to adopt the following Amended Resolution:

RESOLUTION DESIGNATING THE NEW CONSTRUCTION OF A 36-UNIT 100% PERMANENT SUPPORTIVE HOUSING PROJECT COMMONLY KNOWN AS CARSON SQUARE, LOCATED AT THE INTERSECTION OF LINDEN STREET AND CARSON STREET, TRAVERSE CITY, MI 49685, GARFIELD TOWNSHIP, MICHIGAN, (LOTS 7, 9, 11, AND 13 OF WEDGEWOOD SUBDIVISION, TAX PARCEL 05-335-013-00) AS A “QUALIFIED PROJECT” UNDER THE CHARTER TOWNSHIP OF GARFIELD’S ORDINANCE NO. 18, AS AMENDED.

WHEREAS, the Township Board, pursuant to MCL 125.1401 *et seq.*, has received a request from the Developers of Carson Square, a new 36-unit, 100% permanent supportive housing project (the “Development”) to be recognized as a “Qualified Project” exempt from payment of *ad valorem* property taxes and subject to the requirement that a service charge be paid to the Charter Township of Garfield in lieu of *ad valorem* property taxes in accordance with MCL 125.1415; and

WHEREAS, the Township Board has determined that the Development is a “Qualified Project” as defined by Charter Township of Garfield’s Ordinance No. 18 as amended, based on the Developer’s representation in correspondence dated January 25, 2013, eligible for payment of a service charge in lieu of *ad valorem* property taxes in accordance with such Ordinance 18 and as otherwise provided by MCL 125.1415 *et seq.*;

WHEREAS, the Township Board previously adopted Resolution 2013-03-T dated February 14, 2013 providing for a payment in lieu of taxes for the above Development.

WHEREAS, the Township Board is amending the Resolution to further clarify the duration of the service charges as it pertains to the Development.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Development is determined to be a “Qualified Project” as defined by Charter Township of Garfield Amended and Restated Ordinance No. 18, and shall pay to the Charter Township of Garfield a service charge in lieu of *ad valorem* property taxes in an amount equal to four percent (4%) of Annual Shelter Rents, all as provided by said Amended and Restated Ordinance No. 18 for the duration provided in Section 7 of said Amended and Restated Ordinance No. 18.

BE IT FURTHER RESOLVED THAT:

By virtue of the adoption of this Amended Resolution, subject to the conditions and limitations imposed under Ordinance No 18, as amended, a contract is deemed to exist between the Charter Township of Garfield and the Developers of the Development, with the Authority as third party beneficiary under such contract.

Upon roll call vote, the following voted:

Yeas:

Nays:

Abstain:

Absent and Excused:

The Chairman declared the motion carried, and Amended Resolution 2013-03-T duly adopted.

Kay Schumacher, Township Clerk

CERTIFICATE

I, Kay Schumacher, the duly appointed Township Clerk, hereby certify that the foregoing constitutes a true copy of a Resolution of the Township Board for the Charter Township of Garfield, adopted during a meeting of the Charter Township of Garfield Township Board, Grand Traverse County, Michigan, held on _____, 2014, at which meeting seven (7) members were present as indicated in said Minutes and voted as therein set forth and that all signatures affixed thereto are the genuine signatures of those so indicated, and that each signatory was duly authorized to affix his or her signature, that said meeting was held in accordance with the Open Meetings Act of the State of Michigan, and that due and proper notice of the meeting as required by law was given to the members of the Township Board, and that the Minutes of said Meeting were kept and will be and have been available as required by said Act.

Date: _____

Kay Schumacher, Township Clerk

CHARTER TOWNSHIP OF GARFIELD

RESOLUTION 2013-03-T

**REGARDING TAX ABATEMENT AND PAYMENT
TO BE MADE IN LIEU OF TAXES**

Board member Molly Agostinelli moved, and was supported by Denise Schmuckal, Board member, to adopt the following Resolution:

RESOLUTION DESIGNATING THE NEW CONSTRUCTION OF A 36-UNIT 100% PERMANENT SUPPORTIVE HOUSING PROJECT COMMONLY KNOWN AS CARSON SQUARE, LOCATED AT THE INTERSECTION OF LINDEN STREET AND CARSON STREET, TRAVERSE CITY, MI 49685, GARFIELD TOWNSHIP, MICHIGAN, (LOTS 7, 9, 11, AND 13 OF WEDGEWOOD SUBDIVISION) AS A “QUALIFIED PROJECT” UNDER THE CHARTER TOWNSHIP OF GARFIELD’S ORDINANCE NO. 18, AS AMENDED.

WHEREAS, the Township Board, pursuant to MCL 125.1401 *et seq.*, has received a request from the Developers of Carson Square, a new 36-unit, 100% permanent supportive housing project (the “Development”) to be recognized as a “Qualified Project” exempt from payment of *ad valorem* property taxes and subject to the requirement that a service charge be paid to the Charter Township of Garfield in lieu of *ad valorem* property taxes in accordance with MCL 125.1415; and

WHEREAS, the Township Board has determined that the Development is a “Qualified Project” as defined by Charter Township of Garfield’s Ordinance No. 18 as amended, based on the Developer’s representation in correspondence dated January 25, 2013, eligible for payment of a service charge in lieu of *ad valorem* property taxes in accordance with such Ordinance No. 18 and as otherwise provided by MCL 125.1415 *et seq.*;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Development is determined to be a “Qualified Project” as defined by Charter Township of Garfield Amended and Restated Ordinance No. 18, and shall pay to the Charter Township of Garfield a service charge in lieu of *ad valorem* property taxes in an amount equal to four percent (4%) of Annual Shelter Rents, all as provided by said Amended and Restated Ordinance No. 18 for a term of sixteen (16) years.

BE IT FURTHER RESOLVED THAT:

By virtue of the adoption of this Resolution, subject to the conditions and limitations imposed under Ordinance No. 18, as amended, a contract is deemed to exist between the Charter Township of Garfield and the Developers of the Development, with the Authority as third party beneficiary under such contract.

Upon roll call vote, the following voted:

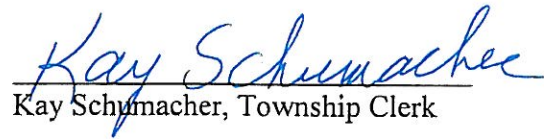
Yeas: Agostinelli, Schmuckal, Blood, Wilson, Featherstone, Schumacher, Korn

Nays: None

Abstain: None

Absent and Excused: None

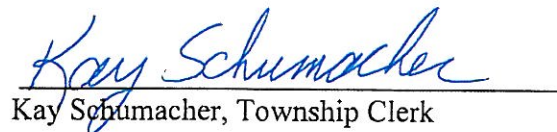
The Chairman declared the motion carried, and Resolution 2013-03-T duly adopted.


Kay Schumacher, Township Clerk

CERTIFICATE

I, Kay Schumacher, the duly appointed Township Clerk, hereby certify that the foregoing constitutes a true copy of a Resolution of the Township Board for the Charter Township of Garfield, adopted during a meeting of the Charter Township of Garfield Township Board, Grand Traverse County, Michigan, held on February 12, 2013, at which meeting (7) seven members were present as indicated in said Minutes and voted as therein set forth and that all signatures affixed thereto are the genuine signatures of those so indicated, and that each signatory was duly authorized to affix his or her signature, that said meeting was held in accordance with the Open Meetings Act of the State of Michigan, and that due and proper notice of the meeting as required by law was given to the members of the Township Board, and that the Minutes of said Meeting were kept and will be and have been available as required by said Act.

Date: 2/14/13


Kay Schumacher, Township Clerk

CHARTER TOWNSHIP OF GARFIELD

AMENDED AND RESTATED ORDINANCE NO. 18

(PAYMENT IN LIEU OF TAXES)

An Ordinance to provide that the tax exemption and attendant provision for the payment of a service charge in lieu of taxes established in Section 15a(1) of the State Housing Development Authority Act, being Act No. 346 of the Public Acts of 1966, shall apply only to those classes of housing projects within the boundaries of the Charter Township of Garfield to which Section 15a(1) applies and as more particularly defined within this Ordinance No. 18, and to provide that this Ordinance shall be effective thirty (30) days following legal publication.

THE CHARTER TOWNSHIP OF GARFIELD ORDAINS:

Section 1. Title.

This Ordinance shall be known as the Charter Township of Garfield Tax Exemption and Payment in Lieu of Taxes Ordinance.

Section 2. Public Purpose.

It is within the public purposes of the State of Michigan and its political subdivisions to facilitate the provision of adequate housing for its citizens of low income through the provision of an exemption from the payment of ad valorem property taxes with an attendant and consequent payment of service charges in lieu thereof in accordance with the provisions of the State Housing Development Authority Act of 1966 (1966 PA 346, as amended) (the "Act"). The Charter Township of Garfield is authorized by the Act to establish or change the service charge to be paid in lieu of taxes by specific classes of housing exempt from the payment of ad valorem property taxes in amount which is not in excess of the amount of taxes that would otherwise be paid in the absence of such an exemption.

Section 3. Eligible Housing Projects.

The tax exemption established in Subsection (1) of Section 15(a) of Act 346 of 1966 as amended (hereinafter referred to as the "Act"), Section 125.1415(a) shall apply to housing projects within the boundaries of the Charter Township of Garfield which meet all of the following criteria, upon approval of a resolution by the Township Board pursuant to Section 3, below:

- (1) Projects which are financed with a Federally-aided or State-aided mortgage on a housing project to which the State Housing Development Authority allocates low income housing tax credits under section 22b.
- (2) Projects which serve lower-income families, elderly, and/or handicapped.

Section 4. Resolution of Approval.

Prior to being eligible for tax exemption under this Ordinance, each housing development shall be presented to the Township Board, which shall make a determination by resolution as to whether the housing development qualifies for exemption and, if so, shall set forth the payment in lieu of taxes to be made for that housing development. Further, documentary evidence must be presented to the Township to establish that the project so qualifies, whether by making available to tenants a program of rent supplements or housing assistance payments, as established and allocated under the rules and regulations of either HUD or the Authority, or both, or otherwise qualifies by law.

CHARTER TOWNSHIP OF GARFIELD

AMENDED AND RESTATED ORDINANCE NO. 18

(PAYMENT IN LIEU OF TAXES)

Section 5. Property Tax Exemption.

Housing projects which qualify under Section 2 above shall have the tax exemption provided in the above-mentioned subsection (1) of Section 15(a), provided the owner of a housing project has complied with the Act, is current with all taxes and assessments on the subject property, and has annually filed before August 1st an audited financial statement for each previous calendar year, as requested, with the Township Assessor.

Section 6. Service Charge in Lieu of Taxes.

The service charge in lieu of property taxes shall be paid by the housing project owner as follows:

- (1) Housing projects approved for tax exemption under this ordinance shall pay a service charge in the amount equal to ten (10) percent of annual shelter rent, except as provided in Subparagraph 2, below. Annual shelter rent is defined as the total collections from all occupants of a housing project exclusive of any charges for gas, electricity, heat, or other utilities furnished to the occupants.
- (2) Housing projects approved for tax exemption under this ordinance may request a lower service charge, which the Township may set as part of its Resolution of Approval provided for in Section 3. Projects previously approved under this Ordinance may also request a requalification of the service charge. The granting of requalification requests shall require the approval of the Township Board and would be effective the subsequent tax year.
- (3) Housing projects provided with rent assistance under the Section 8 Program of the United States Housing Act of 1937, as amended by the Housing and Community Development Act of 1974 as amended, shall pay a service charge in the amount equal to four (4) percent of the contract rents of the preceding calendar year, exclusive of any charges for gas, electricity, heat, or other utilities furnished to the occupants.

Section 7. Duration of Exemptions and Service Charges in Lieu of Taxes.

The exemption from real property taxes and attendant payment service charges in lieu thereof as provided by Section 15a of the Act and this Ordinance 18 shall remain in effect for (i) the original term of the Mortgage loan, (ii) for such period of time as the Authority extends the Qualified Project period pursuant to a Low Income Housing Tax Credit award, or (iii) fifty years, whichever is less.

Section 8. Contractual Effect of Ordinance.

Notwithstanding the provisions of Section 4 of the Act, to the contrary, a contract shall be deemed effective between the Township and the Developer, with the Authority as third party beneficiary hereunder, to provide tax exemption and accept payments in lieu of taxes as previously described by the enactment of this Ordinance and adoption of a project specific resolution.

Section 9. Severability.

The various sections and provisions of this Ordinance shall be deemed to be severable, and should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of the Ordinance as a whole or any section

CHARTER TOWNSHIP OF GARFIELD

AMENDED AND RESTATED ORDINANCE NO. 18

(PAYMENT IN LIEU OF TAXES)

or provision of this Ordinance other than the section or provision so declared to be unconstitutional or invalid.

Section 10. Effective Date.

This Ordinance shall become effective thirty (30) days after publication. All existing ordinances in conflict with the content of this Ordinance 18 shall be and the same are hereby repealed to the extent necessary to eliminate such conflict.

The following voted:

Yeas: Agostinelli, Schumacher, Featherstone, Blood, Wilson, Schmuckal, Korn

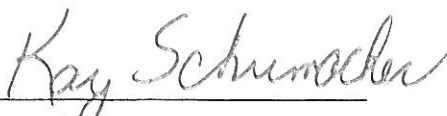
Nays: None

Abstain: None

Absent: None

CERTIFICATION

I hereby certify that the foregoing was duly adopted by the Township Board of the Garfield Charter Township, Grand Traverse County, Michigan, at its regular meeting on the 13th day of August, 2013 and that (7) seven members of the Township Board were present and (7) seven voted for the adoption of the Ordinance.



Kay Schumacher, Township Clerk
Charter Township of Garfield

Introduced: July 23, 2013

Adopted: August 13, 2013

Published: August 23, 2013

Effective: September 23, 2013