

**CHARTER TOWNSHIP OF VAN BUREN BOARD OF TRUSTEES  
JUNE 6, 2017 BOARD MEETING 7:00 P.M.**

**(Note: Location Change to the Belleville Area Museum 405 Main St., Belleville, MI 48111)**

**TENTATIVE AGENDA**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

Supervisor McNamara \_\_\_\_\_  
Clerk Wright \_\_\_\_\_  
Treasurer Budd \_\_\_\_\_  
Trustee Frazier \_\_\_\_\_  
Trustee Martin \_\_\_\_\_

Trustee Miller \_\_\_\_\_  
Trustee White \_\_\_\_\_  
Engineer Nummer \_\_\_\_\_  
Attorney McCauley \_\_\_\_\_  
Secretary Montgomery \_\_\_\_\_

**APPROVAL OF AGENDA:**

**CONSENT AGENDA:**

1. Work Study Session minutes of May 15, 2017.
2. Closed Session minutes of May 15, 2017.
3. Board Meeting minutes of May 16, 2017.
4. Prepaid List of May 19, 2017.
5. Prepaid List of May 25, 2017.
6. Voucher List of June 6, 2017.

**PUBLIC HEARING:**

**CORRESPONDENCE:**

**PUBLIC COMMENT:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

1. To consider approval of the Special Land Use request for parcel V-125-83-088-99-0005-000 (83 E. Huron River Dr.) so the applicant may construct a detached accessory building.
2. To consider approval of the second (final) reading of Ordinance 05-16-17 an amendment to the General Code of Ordinances Chapter 90 (Waterways) Sec. 90-1 to 90-97.
3. To consider approval of the first reading of Ordinance 06-06-17 to re-zone parcel V125-83-021-01-0009-304 (49412 Michigan Ave.) from C (Local Business) & C-2 (Extensive Highway Business) to C-1 (General Commercial).
4. To consider approval of the Professional Services Contract between the Township and Fishbeck, Thompson, Carr and Huber, Inc. for General Engineering Services.
5. To consider approval of the Professional Services Contract between the Township and McKenna & Associates to provide General Planning Services.
6. To consider approval of Resolution 2017-11 an agreement between the Township and Van Buren Public Schools regarding the paving of McBride Road.
7. To consider approval of Resolution 2017-12 to declare the Township's intent to establish a Special Assessment District (SAD) for the McBride Road Improvement District and schedule the necessary public hearings

**REPORTS:**

**ANNOUNCEMENTS:**

**NON-AGENDA ITEMS:**

**ADJOURNMENT:**

**PUBLIC NOTICE**  
**BOARD OF TRUSTEES MEETING LOCATION CHANGE**

**THE VAN BUREN CHARTER TOWNSHIP**  
**BOARD OF TRUSTEES MEETING**  
**SCHEDULED ON JUNE 6, 2017**  
**HAS BEEN MOVED TO**  
**THE BELLEVILLE AREA MUSEUM**  
**405 MAIN ST.**  
**BELLEVILLE, MI 48111**

In compliance with the Americans with Disabilities Act, reasonable accommodations will be made available with advance notice.

For more information, please call the Clerk's Office at 734.699.8909.

Posted: 5-31-17

**CHARTER TOWNSHIP OF VAN BUREN**  
**WORK STUDY MEETING MINUTES**  
**MAY 15, 2017**

Supervisor McNamara called the meeting to order at 4:00 p.m. in the Sheldon Room. Present: Supervisor McNamara, Clerk Wright, Treasurer Budd, Trustee White, Trustee Frazier, Trustee Martin and Trustee Miller. Others in attendance: Secretary Montgomery, Developmental Services Director Akers, Recreation Director Wright and Deputy Director Zaenglein, H.R. Director Sumpter, DDA Director Ireland and Deputy Director Lothringer Public Safety Deputy Director (Fire) Wright, Lt. Bazy, Attorney Mannarino and an audience of four (4).

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

Discussion on the Summer Youth Employment Program the REAL (Revealing Exceptionally Amazing Leaders). The Township has been awarded a grant in the amount of \$47,497 to fund a summer youth job program. Interviews were held on April 27, 2017. The program will offer youth employment opportunities as Community Ambassadors and Junior Administrative Assistants who will be supervised by Township Departmental Directors.

Discussion on the agreement with Zambelli Fireworks Company for the 2017 Fireworks Show. Bids were received and Zambelli Fireworks Company is able to provide the best variety of fireworks for the \$10,000 budgeted for the display at Beck Ball Fields on June 24, 2017 (rain date June 25, 2017). Donations are being secured to cover the cost of Public Safety services during the Fireworks show.

Discussion on the Memorandum of Understanding and Agreement between the Township and the Michigan Department of Natural Resources for the Iron Belle Trail. The Iron Belle Trail is the longest designated state hiking and biking trail in the nation between Belle Isle Park (Detroit) and Ironwood (Upper Peninsula). The Memorandum of Understanding allows the Township to begin a logistical assessment for the first segment of the 2.5 mile trail, in Van Buren Township, from the Huron Clinton Metro Park on Haggerty Rd. running along Huron River Dr. to Edgemont Rd. in the City of Belleville.

Discussion on the proposal for engineering and landscape architectural services between the Township and PEA Inc. for a segment of the Iron Belle Trail and authorize the Supervisor and Clerk to execute the agreement. PEA Inc. has been the sole source provider for engineering and landscape architectural services for the Iron Belle Trail. Preliminary planning suggests that approximately five easements over private properties will be necessary to complete the project. PEA Inc. will assist the Township in developing preliminary plans and easement documentation services. Their services will be funded by a grant in the amount of \$30,000 received by the Township from the State of Michigan Department of Natural Resources.

Discussion on the first reading of Ordinance 05-16-17 to discuss an amendment to the General Code of Ordinances Chapter 90 (Waterways) Sec. 90-1 to 90-97. This amendment to Chapter 90 adopts state law the Township had not previously adopted and allows for adjudication at the District Court level.

Discussion on an extension of Resolution 2017-09 an extension of Resolution 2016-21 to defer the review of applications pertaining to medical marijuana cultivation facilities from May 20, 2017 to December 20, 2017. The extended moratorium allows the Township to review recent changes to the Medical Marijuana Licensing Act pertaining to medical marijuana cultivation facilities.

Discussion on Public Safety Towing Services. A draft Towing Services Agreement was presented to the Board for review however a fee structure is still being compiled. This item will be presented at a future work study session when a final draft agreement is to be considered.

Discussion of the Township Travel Policy. A Travel Policy that was a compilation of the State of Michigan policy and other municipalities was presented to the Board for discussion. Board members expressed a desire to revisit discussion on a travel policy in conjunction with future discussions on revisions to the Township purchasing policy.

Discussion on Resolution 2017-10 amendments to the Township Purchasing Policy. Current employee travel guidelines are incorporated within the Purchasing Policy. Revisions were made to address concerns previously identified by Board members regarding travel. This item was briefly discussed during the previous discussion on a Travel Policy and will be removed from the Board of Trustees meeting of May 16, 2017 for further discussion.

**PUBLIC COMMENT:** Public comments included: Liability concerns associated with the summer youth job program, incorporating heavy equipment towing into a towing services agreement, utilization of a bid process for towing services, request for public input regarding medical marijuana cultivation facilities and maintenance associated with the Iron Belle trail.

**ADJOURNMENT:** Motion by Miller, seconded by White to adjourn the Work Study Session for the purpose of closed session at 5:52 p.m. Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin, Miller and White. Nays: None. Motion Carried.

**CLOSED SESSION:** The Township Board will go into closed session, pursuant to MCL 15.268(h) and MCL 15.243 (1) (g) to discuss attorney client privileged written opinion letter regarding Township property.

Miller moved, Budd seconded to reconvene the Work Study Session at 6:32 p.m. Motion Carried.

**ADJOURNMENT:** There being no further discussion Miller moved, Budd seconded to adjourn the Work Study Session at 6:22 p.m. Motion Carried.

\_\_\_\_\_  
Leon Wright, Township Clerk

Date: \_\_\_\_\_.

\_\_\_\_\_  
Kevin McNamara, Supervisor

Date: \_\_\_\_\_.

**CHARTER TOWNSHIP OF VAN BUREN  
BOARD MEETING MINUTES  
MAY 16, 2017**

Supervisor McNamara called the meeting to order at 7:00 p.m. in the Board Room. Present: Supervisor McNamara, Treasurer Budd, Clerk Wright, Trustee Frazier, Trustee Martin, Trustee Miller and Trustee White. Others in attendance: Secretary Montgomery, Developmental Services Director Akers, Recreation Director Wright and Deputy Director Zaenglein, H.R. Director Sumpster, Public Safety Deputy Director (Police) Wright, Lt. Bazy, Senior Coordinator McBride, Attorney Mannarino, Consultant Sloan and an audience of nine (9).

**APPROVAL OF AGENDA:** Frazier moved, White seconded to approve the revised agenda. Motion Carried.

**APPROVAL OF CONSENT AGENDA:** Budd moved, Miller seconded to approve the revised Consent Agenda. [Work Study Session minutes of May 1, 2017, Board Meeting minutes of May 2, 2017, Prepaid List of May 5, 2017, prepaid list of May 11, 2017 and the Voucher List of May 16, 2017]. Motion Carried.

**PUBLIC HEARING:** None.

**CORRESPONDENCE:** None.

**PUBLIC COMMENT:** None.

**UNFINISHED BUSINESS:** Miller moved, Wright seconded to approve the grant award between the Detroit Wayne Mental Health Authority (DWMHA) and the Township, authorize the Supervisor to execute the agreement and create line items for expenses and reimbursements. Motion Carried. The Township has been awarded a grant in the amount of \$47,497 to fund a summer youth jobs program. Interviews were held on April 27, 2017. The program will offer youth employment opportunities as Community Ambassadors, Junior Administrative Assistants and Camp Counselors in Training who will be supervised by Township Departmental Directors.

**NEW BUSINESS:**

Budd moved, Martin seconded to approve the second (final) reading of Ordinance 5-2-17 (1) the Charter Township of Van Buren Zoning Ordinance. Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin, Miller and White. Nays: None. Motion Carried. A comprehensive update to the Township Zoning Ordinance was developed over the past two years and has been recommended for adoption by the subcommittee and Planning Commission. It provides a more user friendly format with hyperlinks, definitions and land use tables. Treasurer Budd thanked the Developmental Services Department Directors, Planning Commission, Planning Commission Ordinance Committee and the Township consultants for their efforts on the project.

Frazier moved, Miller seconded to approve the second (final) reading of Ordinance 5-2-17 (2) to rezone parcel V125-83-093-01-0021-001 (40631 Alden Dr.) from C-1 (General Commercial) to R-1C (Single Family Residential). Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin, Miller and White. Nays: None. Motion Carried. The intent of the applicant is to eliminate the legal non-conforming use status of the property so they can construct an addition onto their home.

White moved, Miller seconded to approve Resolution 2017-09 an extension of Resolution 2016-21 to defer the review of applications pertaining to medical marijuana cultivation facilities from May 20, 2017 to December 20, 2017. Motion Carried. The extended moratorium allows the Township to review recent changes to the Medical Marijuana Licensing Act pertaining to medical marijuana cultivation facilities.

Martin moved, Budd seconded to approve the first reading of Ordinance 05-16-17 to discuss an amendment to the General Code of Ordinances Chapter 90 (Waterways) Sec. 90-1 to 90-97. Motion Carried. This amendment to Chapter 90 adopts state law the Township had not previously adopted and allows for adjudication at the District Court level.

Budd moved, White seconded to approve the Memorandum of Understanding and Agreement between the Township and the Michigan Department of Natural Resources for the Iron Belle Trail and authorize the Supervisor and Clerk to execute the agreement. Roll Call Vote. Yeas: McNamara, Budd, Wright, Martin, Miller and White. Nays: Frazier. Motion Carried. The Iron Belle Trail is the longest designated state hiking and biking trail in the nation between Belle Isle Park (Detroit) and Ironwood (Upper Peninsula). The Memorandum of Understanding allows the Township to begin a logistical assessment for the first segment of the 2.5 mile trail, in Van Buren Township, from the Huron Clinton Metro Park on Haggerty Rd. running along Huron River Dr. to Edgemont Rd. in the City of Belleville. Trustee Frazier expressed concern over funding for completion and long term maintenance costs.

Wright moved, Miller seconded to approve the Proposal for Engineering and Landscape Architectural Services agreement between the Township and PEA Inc. for a segment of the Iron Belle Trail and authorize the Supervisor and Clerk to execute the agreement. Roll Call Vote. Yeas: McNamara, Budd, Wright, Martin, Miller and White. Nays: Frazier. Motion Carried. PEA Inc. has been the sole source provider for engineering and landscape architectural services for the Iron Belle Trail. Preliminary planning suggests that approximately five easements over private properties will be necessary to complete the project. PEA Inc. will assist the Township in developing preliminary plans and easement documentation services. Their services will be funded by a grant in the amount of \$30,000 received by the Township from the State of Michigan Department of Natural Resources.

Frazier moved, Wright seconded to approve the agreement with Zambelli Fireworks Company for the 2017 Fireworks Show. Motion Carried. Bids were received and Zambelli Fireworks Company is able to provide the best variety of fireworks for the \$10,000 budgeted for the display at Beck Ball Fields on June 24, 2017 (rain date June 25, 2017). Donations are being secured to cover the cost of Public Safety services during the Fireworks show.

**REPORTS:** The March 2017 Budgetary Report was received. A copy of the report is available at the Clerk's Office for review.

**ANNOUNCEMENTS:** Announcements included: Free tire disposal day at the Township Hall is June 3, 2017 from 10 a.m. until 1:00 p.m., Belleville high school Junior and Senior students interested in becoming a firefighter are encouraged to apply for the dual enrollment program. Those accepted into the program will train at a Van Buren Township fire station, earn 20 college credits through Schoolcraft College and the firefighter one and two certifications upon successful completion. The Township Administrative Offices will be closed Monday May 29, 2017 in observance of Memorial Day, on May 9, 2017 the Clerk's Office hosted the Belleville High School Student Council Election. This event has been a collaboration with the Van Buren Public School District and the Township since 2013. Approximately 60% of the students

participated and a total of 755 ballots were cast. Thirty new voters were registered and twenty Election Inspector applications were received. This year students were surveyed upon exiting the polls on their likelihood of voting in the future. An analysis of the results indicated that over 71% of the participants were highly likely or likely to vote in the future. This project is made possible by the generous donation of ballots, coding and equipment from Election Source. Election Source was also recently selected as the support team for our new voting equipment arriving this fall. Clerk Wright thanked Trustee Martin, City of Belleville Clerk Sherri Scharf, BHS Teachers Connie Testorelli and Felicia Lasenby and the Senior Student Council election workers for another successful event.

**NON-AGENDA:** None.

**ADJOURNMENT:** Budd moved, Miller seconded to adjourn at 7:56 p.m. Motion Carried.

\_\_\_\_\_  
Leon Wright, Township Clerk

Date: \_\_\_\_\_.

\_\_\_\_\_  
Kevin McNamara, Supervisor

Date: \_\_\_\_\_.

INVOICE REGISTER REPORT FOR VAN BUREN TOWNSHIP  
 POST DATES 05/19/2017 - 05/19/2017  
 UNJOURNALIZED  
 OPEN  
 5/19/2017 PREPAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
10558-10565 79360	AmeraPlan Reimbursable EMPLOYEE HRA	05/14/2017 CTowles	05/19/2017	475.99	475.99	Open	N 05/19/2017
	101-301-719-000	EMPLOYEE HRA		180.00			
	592-536-719-000	EMPLOYEE HRA		295.99			
33898-33961 79361	AmeraPlan Reimbursable EMPLOYEE HRA	05/15/2017 CTowles	05/19/2017	4,077.94	4,077.94	Open	N 05/19/2017
	101-171-719-000	EMPLOYEE HRA		132.19			
	101-253-719-000	EMPLOYEE HRA		436.85			
	101-265-719-000	EMPLOYEE HRA		713.87			
	101-301-719-000	EMPLOYEE HRA		1,920.58			
	101-325-719-000	EMPLOYEE HRA		46.78			
	101-336-719-000	EMPLOYEE HRA		311.39			
	101-370-719-000	EMPLOYEE HRA		157.78			
	101-691-719-000	EMPLOYEE HRA		151.62			
	592-536-719-000	EMPLOYEE HRA		206.88			
7343262982 79350	AT&T 5.7-6.6 326-2982	05/07/2017 CTowles	05/19/2017	173.54	173.54	Open	N 05/19/2017
	101-265-850-000	5.7-6.6 326-2982		173.54			
1717997112 79351	AT&T MAY 171-799-7112	05/05/2017 CTowles	05/19/2017	1,403.88	1,403.88	Open	N 05/19/2017
	101-265-850-000	MAY 171-799-7112		1,403.88			
154934885 79352	AT&T 4.2-5.1 MUSEUM ARCHIVE INTERNET SV	05/01/2017 CTowles	05/19/2017	80.00	80.00	Open	N 05/19/2017
	250-000-850-000	4.2-5.1 MUSEUM ARCHIVE INTERNET SVS		80.00			
7002712710 79349	BLUE CROSS BLUE SHIELD OF MI JUNE HEALTH INS	05/07/2017 CTowles	05/19/2017	96,540.47	96,540.47	Open	N 05/19/2017
	101-101-719-000	JUNE HEALTH INS		1,957.35			
	101-171-719-000	JUNE HEALTH INS		823.58			
	101-215-719-000	JUNE HEALTH INS		2,494.83			
	101-228-719-000	JUNE HEALTH INS		1,647.16			
	101-247-719-000	JUNE HEALTH INS		4,989.66			
	101-253-719-000	JUNE HEALTH INS		823.58			
	101-265-719-000	JUNE HEALTH INS		3,318.41			
	101-301-719-000	JUNE HEALTH INS		31,643.93			
	101-325-719-000	JUNE HEALTH INS		2,470.74			

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 OPEN  
 5/19/2017 PREPAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	101-329-719-000	JUNE HEALTH INS		2,494.83			
	101-370-719-000	JUNE HEALTH INS		7,233.11			
	101-692-719-000	JUNE HEALTH INS		1,957.35			
	101-900-719-000	JUNE HEALTH INS		18,858.66			
	247-000-719-000	JUNE HEALTH INS		1,647.16			
	250-000-719-000	JUNE HEALTH INS		823.58			
	592-536-719-000	JUNE HEALTH INS		13,356.54			
FPD9944 79354	CDW Government PLANTRONICS BATTERIES/ADAPTER	10/06/2016 CTowles	05/19/2017	2,978.99	2,978.99	Open	N 05/19/2017
	101-301-958-000	PLANTRONICS BATTERIES/ADAPTER		2,978.99			
GHD2375 79355	CDW Government PLANTRONIS EAR CUSHIONS	12/14/2016 CTowles	05/19/2017	19.50	19.50	Open	N 05/19/2017
	101-301-958-000	PLANTRONIS EAR CUSHIONS		19.50			
GTL0838 79356	CDW Government PLANTRONICS EAR CUSHIONS	02/07/2017 CTowles	05/19/2017	78.00	78.00	Open	N 05/19/2017
	101-301-958-000	PLANTRONICS EAR CUSHIONS		78.00			
10623 79353	COMCAST 5.19-6.18 CABLE BOX/DVR SVS	05/06/2017 CTowles	05/19/2017	78.22	78.22	Open	N 05/19/2017
	101-171-956-000	5.19-6.18 CABLE BOX/DVR SVS		6.42			
	101-215-956-000	5.19-6.18 CABLE BOX/DVR SVS		6.42			
	101-253-956-000	5.19-6.18 CABLE BOX/DVR SVS		6.42			
	101-301-956-000	5.19-6.18 CABLE BOX/DVR SVS		38.52			
	101-715-740-000	5.19-6.18 CABLE BOX/DVR SVS		20.44			
49834785 79346	WEX BANK FUEL	05/15/2017 CTowles	05/19/2017	100.43	100.43	Open	N 05/19/2017
	101-301-860-001	FUEL		100.43			
REISSUE 79358	MARGARET SCHULTZ REISSUE LOST CHECK #116428	03/03/2017 CTowles	05/19/2017	220.00	220.00	Open	N 05/19/2017
	592-000-284-000	REISSUE LOST CHECK #116428		220.00			
594957.001 2 79348	UNUM Life Ins Co of America JUNE S&A/LIFE INS	05/15/2017 CTowles	05/19/2017	11,225.62	11,225.62	Open	N 05/19/2017
	101-101-719-000	JUNE LIFE INS		19.20			
	101-171-719-000	JUNE S&A/LIFE INS		222.96			

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Inv Num Inv Ref#	Vendor Description	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	GL Distribution						
	101-191-719-000	JUNE S&A/LIFE INS		69.67			
	101-215-719-000	JUNE S&A/LIFE INS		570.53			
	101-228-719-000	JUNE S&A/LIFE INS		333.02			
	101-247-719-000	JUNE S&A/LIFE INS		180.12			
	101-253-719-000	JUNE S&A/LIFE INS		405.68			
	101-265-719-000	JUNE S&A/LIFE INS		716.23			
	101-301-719-000	JUNE S&A/LIFE INS		4,807.14			
	101-325-719-000	JUNE S&A/LIFE INS		816.49			
	101-329-719-000	JUNE S&A/LIFE INS		175.66			
	101-336-719-000	JUNE S&A/LIFE INS		182.95			
	101-370-719-000	JUNE S&A/LIFE INS		513.92			
	101-691-719-000	JUNE S&A/LIFE INS		389.08			
	101-692-719-000	JUNE S&A/LIFE INS		172.88			
	101-715-719-000	JUNE S&A/LIFE INS		94.28			
	101-900-719-000	JUNE LIFE INS		8.00			
	247-000-719-000	JUNE S&A/LIFE INS		218.71			
	250-000-719-000	JUNE S&A/LIFE INS		78.10			
	592-536-719-000	JUNE S&A/LIFE INS		1,251.00			
J WRIGHT 79337	Chase Card Services MAY STMT	05/08/2017 CTowles	05/19/2017	1,178.84	1,178.84	Open	N 05/19/2017
	101-691-742-000	MOM DAUGHTER TEA PARTY SUPPLIES		25.00			
	101-691-742-000	MOM DAUGHTER TEA PARTY SUPPLIES		182.23			
	101-691-742-000	MOM DAUGHTER TEA PARTY CRAFTS		100.18			
	101-691-742-000	MOM DAUGHTER TEA PARTY SUPPLIES		181.05			
	101-691-742-000	MOM DAUGHTER TEA PARTY SUPPLIES		430.94			
	101-691-742-000	OPEN SCRAPBOOKING PIZZA		22.33			
	101-718-740-000	KNIFE/WASTE BASKET		34.50			
	101-691-742-000	TEEN FLASHLIGHT EGG HUNT SUPPLIES		202.61			
RANKIN 79338	Chase Card Services MAY STMT	05/08/2017 CTowles	05/19/2017	57.00	57.00	Open	N 05/19/2017
	101-228-817-000	TWP PHONE APP MONTHLY FEE		57.00			
JORDAN 79339	Chase Card Services MAY STMT	05/08/2017 CTowles	05/19/2017	879.92	879.92	Open	N 05/19/2017
	101-692-742-000	SUNDAE CUPS		18.45			
	101-692-742-000	DINING RM & OFFICE CLOCKS		66.76			
	101-692-743-000	5/4 TURKEYVILLE TRIP		655.00			
	101-692-742-000	EVENT PHOTO PRINTS		12.08			
	101-692-742-000	VOLUNTEER LUNCHEON SALT & PEPPER		32.23			
	101-692-742-000	MAT & FRAME CLASS MATERIALS		61.42			
	101-692-742-000	VOLUNTEERS/MIKAYLA CAKE/ICE CRM		33.98			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
<b>MCCRACKEN</b>							
79340	Chase Card Services MAY STMT 101-715-810-000 101-715-740-000	05/08/2017 CTowles	05/19/2017	25.00	25.00	Open	N 05/19/2017
				5.00			
				20.00			
<b>BESSON</b>							
79341	Chase Card Services MAY STMT 101-336-740-000 101-336-861-000	05/08/2017 CTowles	05/19/2017	149.93	149.93	Open	N 05/19/2017
				109.93			
				40.00			
<b>L WRIGHT</b>							
79342	Chase Card Services MAY STMT 101-215-861-000 101-215-861-000 101-215-861-000 101-101-956-000 101-101-956-000 101-215-956-000	05/08/2017 CTowles	05/19/2017	709.81	709.81	Open	N 05/19/2017
				26.60			
				96.90			
				96.90			
				414.09			
				68.96			
				6.36			
<b>LAURAIN</b>							
79343	Chase Card Services MAY STMT 101-301-743-000 101-329-740-000 101-301-861-000 101-301-956-000 101-301-741-000 101-301-865-000 101-301-865-000 101-301-865-000	05/08/2017 CTowles	05/19/2017	1,951.73	1,951.73	Open	N 05/19/2017
				360.39			
				190.00			
				25.00			
				36.02			
				159.07			
				393.75			
				393.75			
				393.75			
<b>DALLOS</b>							
79344	Chase Card Services MAY STMT 250-000-881-000 250-000-956-000	05/08/2017 CTowles	05/19/2017	49.00	49.00	Open	N 05/19/2017
				10.00			
				39.00			
<b>MCNAMARA</b>							
79345	Chase Card Services MAY STMT 101-101-956-000 101-101-956-000 101-171-956-000	05/08/2017 CTowles	05/19/2017	520.40	520.40	Open	N 05/19/2017
				153.70			
				297.46			
				69.24			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
127004050001 79347	Vision Service Plan MAY VISION INS	04/18/2017 CTowles	05/19/2017	2,360.40	2,360.40	Open	N 05/19/2017
	101-101-719-000	MAY VISION INS		59.36			
	101-171-719-000	MAY VISION INS		62.32			
	101-191-719-000	MAY VISION INS		25.52			
	101-215-719-000	MAY VISION INS		102.08			
	101-228-719-000	MAY VISION INS		48.08			
	101-247-719-000	MAY VISION INS		51.04			
	101-253-719-000	MAY VISION INS		87.84			
	101-265-719-000	MAY VISION INS		135.92			
	101-301-719-000	MAY VISION INS		924.08			
	101-325-719-000	MAY VISION INS		184.00			
	101-329-719-000	MAY VISION INS		51.04			
	101-336-719-000	MAY VISION INS		25.52			
	101-370-719-000	MAY VISION INS		113.36			
	101-691-719-000	MAY VISION INS		102.08			
	101-692-719-000	MAY VISION INS		36.80			
	101-715-719-000	MAY VISION INS		25.52			
	247-000-719-000	MAY VISION INS		36.80			
	250-000-719-000	MAY VISION INS		11.28			
	592-536-719-000	MAY VISION INS		277.76			
TRAVEL 79359	Leon Wright 5.2-5.20 MMRMA/MAMC MILEAGE	05/16/2017 CTowles	05/19/2017	161.76	161.76	Open	N 05/19/2017
	101-215-860-000	5.2-5.20 MMRMA/MAMC MILEAGE		161.76			
5500400000501 79357	Ypsilanti Community Util Autho APRIL YCUA SEWAGE	04/30/2017 CTowles	05/19/2017	1,087.72	1,087.72	Open	N 05/19/2017
	592-537-924-000	APRIL YCUA SEWAGE		1,087.72			
# of Invoices:	25	# Due:	25	Totals:	126,584.09	126,584.09	
# of Credit Memos:	0	# Due:	0	Totals:	0.00	0.00	
Net of Invoices and Credit Memos:					126,584.09	126,584.09	

User: VMorse

POST DATES 05/19/2017 - 05/19/2017

DB: Van Buren Twp

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
--- TOTALS BY FUND ---							
	101 - General Fund			106,943.57	106,943.57		
	247 - DDA Fund			1,902.67	1,902.67		
	250 - Museum Fund			1,041.96	1,041.96		
	592 - Water/Sewer Fund			16,695.89	16,695.89		
--- TOTALS BY DEPT/ACTIVITY ---							
	000 -			3,164.63	3,164.63		
	101 - Township Board			2,970.12	2,970.12		
	171 - Supervisor Department			1,316.71	1,316.71		
	191 - Election Department			95.19	95.19		
	215 - Clerk Department			3,562.38	3,562.38		
	228 - IT Department			2,085.26	2,085.26		
	247 - Assessing Department			5,220.82	5,220.82		
	253 - Treasurer Department			1,760.37	1,760.37		
	265 - Building & Grounds			6,461.85	6,461.85		
	301 - Police Department			44,452.90	44,452.90		
	325 - Dispatch			3,518.01	3,518.01		
	329 - Ordinance Enforcement			2,911.53	2,911.53		
	336 - Fire Department			669.79	669.79		
	370 - Building/Planning Dept.			8,018.17	8,018.17		
	536 - Water Department			15,388.17	15,388.17		
	537 - Sewer Department			1,087.72	1,087.72		
	691 - Recreation Dept			1,787.12	1,787.12		
	692 - Seniors Dept			3,046.95	3,046.95		
	715 - Cable Dept			165.24	165.24		
	718 - Park & Lake Dept			34.50	34.50		
	900 - Insurance			18,866.66	18,866.66		

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
BOND							
79532	18th District Court BOND RAPHAEL LADELL WHITE 760-000-299-000	05/18/2017 CTowles	05/25/2017	600.00	600.00	Open	N 05/25/2017
	BOND RAPHAEL LADELL WHITE			600.00			
33962-33976							
79523	AmeraPlan Reimbursable EMPLOYEE HRA 101-215-719-000 101-253-719-000 101-301-719-000 101-325-719-000 101-691-719-000 592-536-719-000	05/22/2017 CTowles	05/25/2017	666.99	666.99	Open	N 05/25/2017
	EMPLOYEE HRA			20.00			
	EMPLOYEE HRA			23.05			
	EMPLOYEE HRA			116.32			
	EMPLOYEE HRA			368.98			
	EMPLOYEE HRA			118.64			
	EMPLOYEE HRA			20.00			
218-219							
79524	AmeraPlan Reimbursable RETIREE HRA 101-900-719-000	05/22/2017 CTowles	05/25/2017	181.66	181.66	Open	N 05/25/2017
	RETIREE HRA			181.66			
7344843666							
79530	AT&T 5.13-6.12 484-3666 101-718-850-000	05/13/2017 CTowles	05/25/2017	130.32	130.32	Open	N 05/25/2017
	5.13-6.12 484-3666			130.32			
7346974105							
79535	AT&T 4.16-5.15 697-4105 250-000-850-000	05/16/2017 CTowles	05/25/2017	68.35	68.35	Open	N 05/25/2017
	4.16-5.15 697-4105			68.35			
7346974653							
79536	AT&T 5.16-6.15 697-4653 101-265-850-000	05/16/2017 CTowles	05/25/2017	536.30	536.30	Open	N 05/25/2017
	5.16-6.15 697-4653			536.30			
7346977835							
79537	AT&T 5.16-6.15 697-7835 250-000-850-000	05/16/2017 CTowles	05/25/2017	69.73	69.73	Open	N 05/25/2017
	5.16-6.15 697-7835			69.73			
7346995213							
79538	AT&T 5.16-6.15 699-5213 101-265-850-000	05/16/2017 CTowles	05/25/2017	88.88	88.88	Open	N 05/25/2017
	5.16-6.15 699-5213			88.88			
7346996323							
79539	AT&T 5.16-6.15 699-6323 101-265-850-000	05/16/2017 CTowles	05/25/2017	266.64	266.64	Open	N 05/25/2017
	5.16-6.15 699-6323			266.64			
1717974154							
79529	AT&T MAY FIBER OPTIC INTERNET LINE 101-228-817-000	05/11/2017 CTowles	05/25/2017	1,653.85	1,653.85	Open	N 05/25/2017
	MAY FIBER OPTIC INTERNET LINE			1,653.85			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
152636557							
79534	AT&T 4.14-5.13 MUSEUM INTERNET & PHONE 250-000-850-000	05/13/2017 CTowles	05/25/2017	131.82 131.82	131.82	Open	N 05/25/2017
171320003821							
79521	BLUE CARE NETWORK JUNE HEALTH INS 101-171-719-000 101-191-719-000 101-215-719-000 101-228-719-000 101-253-719-000 101-265-719-000 101-301-719-000 101-325-719-000 101-329-719-000 101-336-719-000 101-370-719-000 101-691-719-000 101-692-719-000 101-900-719-000 592-536-719-000 592-536-719-001	05/12/2017 CTowles	05/25/2017	81,109.45 1,518.04 1,518.04 1,518.04 1,518.04 4,211.64 4,865.10 32,345.31 4,529.99 1,518.04 1,518.04 1,518.04 5,729.68 497.97 9,178.86 7,745.69 1,378.93	81,109.45	Open	N 05/25/2017
80558							
79531	COMCAST 5.26-6.25 CABLE BOX FEE 101-336-920-000	05/17/2017 CTowles	05/25/2017	19.06 19.06	19.06	Open	N 05/25/2017
65387							
79533	COMCAST 6.2-7.1 VIDEO ARRAIGNMENT LINE 101-301-850-000	05/19/2017 CTowles	05/25/2017	144.85 144.85	144.85	Open	N 05/25/2017
910013925714							
79506	DTE ENERGY 4.6-5.5 981 BELLEVILLE 101-336-920-000	05/25/2017 CTowles	05/25/2017	2,035.35 2,035.35	2,035.35	Open	N 05/25/2017
910013927223							
79507	DTE ENERGY 4.7-5.8 10151 BELLEVILLE 247-000-920-000	05/25/2017 CTowles	05/25/2017	57.94 57.94	57.94	Open	N 05/25/2017
910022836811							
79508	DTE ENERGY 4.13-5.11 48791 DENTON 592-536-920-000	05/25/2017 CTowles	05/25/2017	32.27 32.27	32.27	Open	N 05/25/2017
910016815052							
79509	DTE ENERGY 4.12-5.11 48791 DENTON	05/25/2017 CTowles	05/25/2017	251.80	251.80	Open	N 05/25/2017

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	592-536-920-000	4.12-5.11 48791 DENTON		251.80			
910015586795 79510	DTE ENERGY 4.12-5.11 45581 ECORSE 101-265-920-000	05/25/2017 CTowles 4.12-5.11 45581 ECORSE	05/25/2017	48.47 48.47	48.47	Open	N 05/25/2017
910016815763 79511	DTE ENERGY 4.11-5.10 45581 ECORSE 101-265-920-000	05/25/2017 CTowles 4.11-5.10 45581 ECORSE	05/25/2017	65.26 65.26	65.26	Open	N 05/25/2017
910013925979 79512	DTE ENERGY 4.13-5.12 7563 HAGGERTY 592-536-920-000	05/25/2017 CTowles 4.13-5.12 7563 HAGGERTY	05/25/2017	218.91 218.91	218.91	Open	N 05/25/2017
910013926803 79513	DTE ENERGY 4.6-5.5 9260 HAGGERTY 592-536-920-000	05/25/2017 CTowles 4.6-5.5 9260 HAGGERTY	05/25/2017	317.60 317.60	317.60	Open	N 05/25/2017
910013926951 79514	DTE ENERGY 4.18-5.16 17395 HAGGERTY 592-536-920-000	05/25/2017 CTowles 4.18-5.16 17395 HAGGERTY	05/25/2017	153.40 153.40	153.40	Open	N 05/25/2017
910013926647 79515	DTE ENERGY 4.8-5.9 11940 HANNAN 592-536-920-000	05/25/2017 CTowles 4.8-5.9 11940 HANNAN	05/25/2017	132.49 132.49	132.49	Open	N 05/25/2017
910016829905 79516	DTE ENERGY 4.19-5.17 8145 JEREMY 592-536-920-000	05/25/2017 CTowles 4.19-5.17 8145 JEREMY	05/25/2017	206.59 206.59	206.59	Open	N 05/25/2017
910022836944 79517	DTE ENERGY 4.19-5.17 9297 PARKWOOD 592-536-920-000	05/25/2017 CTowles 4.19-5.17 9297 PARKWOOD	05/25/2017	147.03 147.03	147.03	Open	N 05/25/2017
910013925011 79518	DTE ENERGY 4.7-5.6 39600 TYLER 101-265-920-000	05/25/2017 CTowles 4.7-5.6 39600 TYLER	05/25/2017	100.96 100.96	100.96	Open	N 05/25/2017
910016815318 79519	DTE ENERGY 4.6-5.5 39600 TYLER 101-265-920-000	05/25/2017 CTowles 4.6-5.5 39600 TYLER	05/25/2017	167.04 167.04	167.04	Open	N 05/25/2017
910016828634 79520	DTE ENERGY 4.4-5.3 13085 VENTURA	05/25/2017 CTowles	05/25/2017	154.95	154.95	Open	N 05/25/2017

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date	
5-808-01097 79527	Fed Ex MAY STMT 101-336-956-000 592-536-956-000	05/19/2017 CTowles DELIVER TO APPOLO DELIVER TO ENVIRONMENT ONE	05/25/2017	110.30 34.84 75.46	110.30	Open	N 05/25/2017	
5473785177002139 79528	Fifth Third Bank MAY STMT 247-000-822-000	05/14/2017 CTowles PUBLIC SAFETY DAY TENT DEPOSIT	05/25/2017	100.00 100.00	100.00	Open	N 05/25/2017	
6035322003346768 79526	HOME DEPOT CREDIT SERVICES MAY STMT 592-536-740-000 101-336-861-000	05/12/2017 CTowles LUMBER/STAKES/SCREWS TRENCH RESCUE CLASS MATERIALS	05/25/2017	352.32 131.06 221.26	352.32	Open	N 05/25/2017	
D17041005 79525	MI Municipal Risk Management Author ELE APRIL 46425 TYLER 101-265-920-000	05/15/2017 CTowles ELE APRIL 46425 TYLER	05/25/2017	3,969.07 3,969.07	3,969.07	Open	N 05/25/2017	
127004050001 79522	Vision Service Plan JUNE VISION INS 101-101-719-000 101-171-719-000 101-191-719-000 101-215-719-000 101-228-719-000 101-247-719-000 101-253-719-000 101-265-719-000 101-301-719-000 101-325-719-000 101-329-719-000 101-336-719-000 101-370-719-000 101-691-719-000 101-692-719-000 101-715-719-000 247-000-719-000 250-000-719-000 592-536-719-000	05/17/2017 CTowles JUNE VISION INS JUNE VISION INS	05/25/2017	2,408.48 59.36 62.32 25.52 102.08 48.08 51.04 87.84 135.92 972.16 184.00 51.04 25.52 113.36 102.08 36.80 25.52 36.80 11.28 277.76	2,408.48	2,408.48	Open	N 05/25/2017
# of Invoices:	34	# Due:	34	Totals:	96,698.13	96,698.13		
# of Credit Memos:	0	# Due:	0	Totals:	0.00	0.00		
Net of Invoices and Credit Memos:					96,698.13	96,698.13		

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
GL Distribution							
--- TOTALS BY FUND ---							
	101 - General Fund			84,378.27	84,378.27		
	247 - DDA Fund			194.74	194.74		
	250 - Museum Fund			281.18	281.18		
	592 - Water/Sewer Fund			11,243.94	11,243.94		
	760 - Court Fund			600.00	600.00		
--- TOTALS BY DEPT/ACTIVITY ---							
	000 -			1,075.92	1,075.92		
	101 - Township Board			59.36	59.36		
	171 - Supervisor Department			1,580.36	1,580.36		
	191 - Election Department			1,543.56	1,543.56		
	215 - Clerk Department			1,640.12	1,640.12		
	228 - IT Department			3,219.97	3,219.97		
	247 - Assessing Department			51.04	51.04		
	253 - Treasurer Department			4,322.53	4,322.53		
	265 - Building & Grounds			10,243.64	10,243.64		
	301 - Police Department			33,578.64	33,578.64		
	325 - Dispatch			5,082.97	5,082.97		
	329 - Ordinance Enforcement			1,569.08	1,569.08		
	336 - Fire Department			3,854.07	3,854.07		
	370 - Building/Planning Dept.			1,631.40	1,631.40		
	536 - Water Department			11,243.94	11,243.94		
	691 - Recreation Dept			5,950.40	5,950.40		
	692 - Seniors Dept			534.77	534.77		
	715 - Cable Dept			25.52	25.52		
	718 - Park & Lake Dept			130.32	130.32		
	900 - Insurance			9,360.52	9,360.52		

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
BOND 79541	14-A1 District Court BOND DENNIS JEROME MOORE 760-000-299-000	05/23/2017 CTowles BOND DENNIS JEROME MOORE	06/06/2017	1,000.00 1,000.00	1,000.00	Open	N 06/06/2017
BOND 79542	44th District Court BOND DENNIS JEROME MOORE 760-000-299-000	05/23/2017 CTowles BOND DENNIS JEROME MOORE	06/06/2017	500.00 500.00	500.00	Open	N 06/06/2017
374 79544	Absolute Heating & Cooling PERFORM P.M. SERVICE ON ALL RTU'S 101-265-931-000	05/10/2017 CTowles PERFORM P.M. SERVICE ON ALL RTU'S	06/06/2017	2,520.00 2,520.00	2,520.00	Open	N 06/06/2017
373 79545	Absolute Heating & Cooling FIRE STA 1 REPIPE/REPAIR HOT WATER 101-265-931-000	05/10/2017 CTowles FIRE STA 1 REPIPE/REPAIR HOT WATER TANK	06/06/2017	726.00 726.00	726.00	Open	N 06/06/2017
INSTRUCTOR 79543	Laura Abney WINTER GYMNASTICS INSTRUCTOR 101-691-742-000	05/20/2017 CTowles WINTER GYMNASTICS INSTRUCTOR	06/06/2017	4,108.00 4,108.00	4,108.00	Open	N 06/06/2017
MSOABS001801 79375	ITU ABSORB TECH INC FIRST AID SUPPLIES-MAIL RM 101-265-740-000	05/03/2017 CTowles FIRST AID SUPPLIES-MAIL RM	06/06/2017	37.15 37.15	37.15	Open	N 06/06/2017
MSOABS001802 79376	ITU ABSORB TECH INC FIRST AID SUPPLIES-COM SVS 101-265-740-000	05/03/2017 CTowles FIRST AID SUPPLIES-COM SVS	06/06/2017	25.35 25.35	25.35	Open	N 06/06/2017
MSOABS001803 79377	ITU ABSORB TECH INC FIRST AID SUPPLIES-PUB SAFETY 101-265-740-000	05/03/2017 CTowles FIRST AID SUPPLIES-PUB SAFETY	06/06/2017	88.10 88.10	88.10	Open	N 06/06/2017
MSOABS001804 79378	ITU ABSORB TECH INC FIRST AID SUPPLIES-WS GARAGE 592-536-740-000	05/03/2017 CTowles FIRST AID SUPPLIES-WS GARAGE	06/06/2017	18.35 18.35	18.35	Open	N 06/06/2017
B000025848 79379	ITU ABSORB TECH INC POISON IVY WIPES FOR FIELD WORKERS CTowles	05/05/2017 CTowles	06/06/2017	379.36	379.36	Open	N 06/06/2017

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Inv Num Inv Ref#	Vendor Description	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	GL Distribution						
	592-536-740-000	PRE CONTACT LIQUID		79.89			
	592-536-740-000	PRE CONTACT TOWLETTE 300 CT		145.99			
	592-536-740-000	CLEANSER TOWELETTES 300 CT		120.99			
	592-536-740-000	FREIGHT		32.49			
219497							
79367	Advanced Marketing Partners, Inc	05/05/2017	06/06/2017	1,207.50	1,207.50	Open	N
	WATER BILL FORMS	CTowles					06/06/2017
	592-536-900-000	WATER BILL FORMS THIS INCLUDES FREIGHT		1,207.50			
12465							
79580	Advanced Underground Inspection, LL	05/22/2017	06/06/2017	337.00	337.00	Open	N
	TV UNIT/CAMERA MICH AVE/DENTON	VMorse					06/06/2017
	592-536-819-000	TV UNIT/CAMERA MICH AVE/DENTON		337.00			
1023355							
79368	Ahearn Signs	05/05/2017	06/06/2017	250.00	250.00	Open	N
	NO PARKING SIGNS	CTowles					06/06/2017
	101-265-740-000	NO PARKING SIGNS GUN RANGE		250.00			
1023450							
79369	Ahearn Signs	05/12/2017	06/06/2017	240.00	240.00	Open	N
	15 THE REAL YARD SIGNS	CTowles					06/06/2017
	101-101-956-001	15 THE REAL YARD SIGNS		240.00			
209006							
79366	ALLSTAR ALARM LLC	05/15/2017	06/06/2017	246.00	246.00	Open	N
	6.1-8.31 ALARM MONITORING	CTowles					06/06/2017
	101-265-931-000	6.1-8.31 ALARM MONITORING		246.00			
65618							
79380	Allie Brothers	05/11/2017	06/06/2017	125.00	125.00	Open	N
	LAURAIN UNIFORM DRESS CAP	CTowles					06/06/2017
	101-301-741-000	LAURAIN UNIFORM DRESS CAP		125.00			
65630							
79381	Allie Brothers	05/11/2017	06/06/2017	99.98	99.98	Open	N
	2017 SUMMER UNIFORM ORDER-MCCORMIC	CTowles					06/06/2017
	101-301-741-000	UNIFORM PANTS		99.98			
65628							
79382	Allie Brothers	05/11/2017	06/06/2017	221.95	221.95	Open	N
	2017 SUMMER UNIFORM-HILLEN	CTowles					06/06/2017
	101-301-741-000	UNIFORM PANTS		99.98			
	101-301-741-000	UNIFORM SHORT SLEEVE SHIRTS		93.98			
	101-301-741-000	INNER B/W BELT (HILLEN)		27.99			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
65513 79383	Allie Brothers BROW UNIFORMS 101-336-741-000 101-336-741-000	04/28/2017 CTowles	06/06/2017	1,457.81 299.99 1,157.82	1,457.81	Open	N 06/06/2017
5.12.17 79370	Alpha Psychological Services, PC PSYCHOLOGICAL ASSESSMENT-3 OFFICER 101-301-956-000	05/12/2017 CTowles	06/06/2017	2,085.00 2,085.00	2,085.00	Open	N 06/06/2017
174412 79362	All Seasons Landscaping Co. SNOW BLOWER PARTS 101-336-933-000	05/10/2017 CTowles	06/06/2017	76.99 76.99	76.99	Open	N 06/06/2017
174574 79363	All Seasons Landscaping Co. RPR TIRE-UTILITY WAGON 101-336-933-000	05/15/2017 CTowles	06/06/2017	82.40 82.40	82.40	Open	N 06/06/2017
1000724827 79443	Mlive Media Group PUBLIC NOTICE & JOB POSTING 101-370-956-000 101-370-956-000	03/31/2017 CTowles	06/06/2017	387.41 167.41 220.00	387.41	Open	N 06/06/2017
43344 79365	ASSOCIATED NEWSPAPERS OF MI DEV SVS ACCOUNT CLERK JOB POSTING 101-370-956-000	03/30/2017 CTowles	06/06/2017	54.00 54.00	54.00	Open	N 06/06/2017
43472 79546	ASSOCIATED NEWSPAPERS OF MI STRAWBERRY FESTIVAL AD 101-101-956-000 247-000-900-000	05/16/2017 CTowles	06/06/2017	500.00 250.00 250.00	500.00	Open	N 06/06/2017
186419 79373	Atchinson Ford Sales, Inc 161 RPL TURBO WASTE GATE CONNECTOR 101-301-860-000	05/11/2017 CTowles	06/06/2017	154.30 154.30	154.30	Open	N 06/06/2017
184591 79374	Atchinson Ford Sales, Inc #525 ELECTRICAL REPAIR - INS CLAIM 101-265-860-000	05/04/2017 CTowles	06/06/2017	2,525.55 2,525.55	2,525.55	Open	N 06/06/2017

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MI687821 79364	AT&T JUNE TELEPHONE SYSTEM MAINT 101-265-933-000	05/17/2017 CTowles	06/06/2017	866.24 866.24	866.24	Open	N 06/06/2017
12-0339 79372	AXIOM CONSTRUCTION SERVICES GROUP PRECONSTRUCTION SVS-PLACEMAKING PR 247-000-977-005	05/17/2017 CTowles	06/06/2017	28,000.00 28,000.00	28,000.00	Open	N 06/06/2017
X11483171 79371	AXON ENTERPRISE, INC 3 BLACKHAWK HOLSTERS FOR NEW HIRES 101-301-741-000	05/17/2017 CTowles	06/06/2017	184.08 184.08	184.08	Open	N 06/06/2017
10-123354 79547	BASIC ACA FILING & EMPLOYEE MAILINGS 101-101-956-000	03/21/2017 CTowles	06/06/2017	1,245.55 1,245.55	1,245.55	Open	N 06/06/2017
45594 79388	Belleville Area Independent 5/2 BRD MTG MIN 101-248-900-000	05/10/2017 CTowles	06/06/2017	115.00 115.00	115.00	Open	N 06/06/2017
45332 79389	Belleville Area Independent DEV SVS JOB POSTING 101-370-956-000	03/29/2017 CTowles	06/06/2017	300.00 300.00	300.00	Open	N 06/06/2017
UTILITY 79385	City Of Belleville W/S 4.11-5.10 405 MAIN 250-000-920-000	05/10/2017 CTowles	06/06/2017	16.42 16.42	16.42	Open	N 06/06/2017
MILEAGE 79578	Sean Bellingham 5/25 ASSESSMENT CLASS MILEAGE/MEAL 101-253-860-000 101-253-861-000	05/30/2017 VMorse	06/06/2017	118.53 98.98 19.55	118.53	Open	N 06/06/2017
12330 79387	Bloom Roofing Systems RPR ROOF LEAK-IT ROOM 101-265-931-000	04/26/2017 CTowles	06/06/2017	294.50 294.50	294.50	Open	N 06/06/2017

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41191337 79384	BLUE BEACON INTERNATIONAL VACTOR TRUCK WASH 592-536-932-000	05/19/2017 CTowles VACTOR TRUCK WASH	06/06/2017	106.00 106.00	106.00	Open	N 06/06/2017
2017-0000032 79550	Township of Canton IS THE CALLER THE KILLER TRAINING 101-325-861-000	05/16/2017 CTowles IS THE CALLER THE KILLER TRAINING	06/06/2017	400.00 400.00	400.00	Open	N 06/06/2017
HVD8868 79551	CDW Government TABLET COVERS AND ADAPTERS 101-336-741-000 101-336-741-000	05/16/2017 CTowles GRIFFIN SURVIVOR SURFACE PRO CASE 102W POWER ADAPTER	06/06/2017	316.46 136.44 180.02	316.46	Open	N 06/06/2017
143247 79391	Chapp & Bushey Oil Co. FUEL 101-301-860-001 101-336-860-001 592-536-751-000 101-265-860-000 101-692-860-000 101-370-860-000 101-718-860-000 101-171-860-000	05/10/2017 CTowles FUEL FUEL FUEL FUEL FUEL FUEL FUEL FUEL	06/06/2017	4,259.44 2,841.06 191.67 570.76 132.04 268.34 72.41 149.08 34.08	4,259.44	Open	N 06/06/2017
149543 79392	Chapp & Bushey Oil Co. DIESEL FUEL 101-301-860-001 101-336-860-001 592-536-751-000	05/10/2017 CTowles DIESEL FUEL DIESEL FUEL DIESEL FUEL	06/06/2017	1,227.63 30.69 902.31 294.63	1,227.63	Open	N 06/06/2017
159852 79393	Chapp & Bushey Oil Co. FUEL 101-301-860-001 101-336-860-001 592-536-751-000 101-265-860-000 101-692-860-000 101-370-860-000 101-171-860-000	05/16/2017 CTowles FUEL FUEL FUEL FUEL FUEL FUEL FUEL	06/06/2017	4,086.57 2,513.24 286.06 633.42 171.64 326.93 102.16 53.12	4,086.57	Open	N 06/06/2017

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119989 79394	CHIEF SUPPLY BESSON RETIREMENT BADGE 101-336-741-000	05/08/2017 CTowles BESSON RETIREMENT BADGE	06/06/2017	66.95 66.95	66.95	Open	N 06/06/2017
708709 79390	CLARK HILL PLC APRIL LEGAL SVS 251-000-802-000	05/09/2017 CTowles APRIL LEGAL SVS	06/06/2017	207.00 207.00	207.00	Open	N 06/06/2017
59652 79574	Communication Associates, Inc. SUMMER YOUTH JOB INITIATIVE FLYER 101-101-956-001	04/25/2017 VMorse SUMMER YOUTH JOB INITIATIVE FLYER	06/06/2017	90.93 90.93	90.93	Open	N 06/06/2017
104354 79395	Delta Supply Co WIRE/ZINC 101-301-743-000	05/05/2017 CTowles WIRE/ZINC	06/06/2017	45.91 45.91	45.91	Open	N 06/06/2017
104385 79396	Delta Supply Co WIRE 101-301-743-000	05/09/2017 CTowles WIRE	06/06/2017	60.36 60.36	60.36	Open	N 06/06/2017
W78893 79552	Jack Doheny Companies, Inc. 511 REPAIR FRONT REEL 592-536-932-000	05/19/2017 CTowles Vehicle Maintenance	06/06/2017	961.72 961.72	961.72	Open	N 06/06/2017
ASSISTANT 79553	Ryan Eberhart ARCHIVAL ASSISTANT 250-000-821-000	06/01/2017 CTowles ARCHIVAL ASSISTANT	06/06/2017	240.00 240.00	240.00	Open	N 06/06/2017
110170033341 79399	EJ USA, Inc. 6BR35 HYDRANT CONV KIT, DBOX EXT 592-536-740-000 592-536-740-000	05/11/2017 CTowles 6BR35 HYDRANT CONV KIT D BOX EXTENTION	06/06/2017	1,682.91 1,528.95 153.96	1,682.91	Open	N 06/06/2017
20090208 79581	EJ USA, Inc. 6",8",12" SEAL PLATE KITS WITH NUT 592-536-740-000 592-536-740-000 592-536-740-000	05/22/2017 VMorse 6" SEAL PLATE KIT 8" SEAL PLATE KIT 12" SEAL PLATE KIT	06/06/2017	4,233.50 1,193.60 1,259.80 1,580.00	4,233.50	Open	N 06/06/2017

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	592-536-740-000	FREIGHT		200.10			
36568 79397	ELECTION SOURCE BHS STUDENT COUNCIL ELECTION BALLO 101-191-727-000	05/03/2017 CTowles	06/06/2017	91.00	91.00	Open	N 06/06/2017
		BHS STUDENT COUNCIL ELECTION BALLOTS		91.00			
57910 79400	ENVIRONMENTAL TESTING & CONSULTING ASBESTOS SURVEY-1053 SAVAGE 279-370-941-012	05/09/2017 CTowles	06/06/2017	750.00	750.00	Open	N 06/06/2017
		ASBESTOS SURVEY-1053 SAVAGE		750.00			
57747 79401	ENVIRONMENTAL TESTING & CONSULTING ASBESTOS SURVEY/ANALYSIS-50953 S I 279-370-941-011	05/02/2017 CTowles	06/06/2017	1,602.00	1,602.00	Open	N 06/06/2017
		ASBESTOS SURVEY/ANALYSIS-50953 S I-94 S		1,602.00			
S102182779.001 79398	ETNA SUPPLY COMPANY 1" ANGLE VALVES AND TAIL PIECES 592-536-970-000 592-536-970-000	05/04/2017 CTowles	06/06/2017	3,221.50	3,221.50	Open	N 06/06/2017
		H-14255 1" ANGLE VALVE		2,514.00			
		H-10890 1" TAIL PIECE		707.50			
18064 79403	FERGUSON WATERWORKS 5/8"X3/4" MTR, 1" METERS 592-536-970-000 592-536-970-000	05/04/2017 CTowles	06/06/2017	10,700.00	10,700.00	Open	N 06/06/2017
		5/8"X3/4" WATER METERS GALLONS		2,140.00			
		1" T10 WATER METERS, GALLON REG		8,560.00			
BACKGROUND CHECK 79577	Fifer Investigations, LLC MCGOVERN/MURPHY PRO BACKGROUND CHE 101-101-956-000	05/25/2017 VMorse	06/06/2017	300.00	300.00	Open	N 06/06/2017
		MCGOVERN/MURPHY PRO BACKGROUND CHECK		300.00			
TRAVEL 79404	Kenneth Floro 5.1-3 COURT PKING/MEALS 101-301-956-000	05/11/2017 CTowles	06/06/2017	63.00	63.00	Open	N 06/06/2017
		5.1-3 COURT PKING/MEALS		63.00			
TUITION 79405	Kenneth Floro SCHOOL TUITION-2017 WINTER TERM 101-301-861-000	05/10/2017 CTowles	06/06/2017	2,200.00	2,200.00	Open	N 06/06/2017
		SCHOOL TUITION-2017 WINTER TERM		2,200.00			
ASSESSOR 79402	FRISCHMAN APPRAISAL & CONSULTING INDEPENDENT CONTRACTOR-ASSESSING 101-247-819-000	05/19/2017 CTowles	06/06/2017	3,333.00	3,333.00	Open	N 06/06/2017
		INDEPENDENT CONTRACTOR-ASSESSING		3,333.00			

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683530497-01 79554	Fun Express, LLC REORDER OF SUPPLIES FOR GIFT CANDY	04/28/2017 CTowles	06/06/2017	284.32	284.32	Open	N 06/06/2017
	250-000-742-000	JUMP ROPES		7.98			
	250-000-742-000	BLUE SALT WATER TAFFY		7.99			
	250-000-742-000	METAL MOOD RINGS		13.59			
	250-000-742-000	FOAM WWII GLIDERS		11.19			
	250-000-742-000	RUBBER WHOOPEE CUSHIONS		16.77			
	250-000-742-000	PLASTIC HAMBURGER YO-YOS		9.58			
	250-000-742-000	WHITE SALTWATER TAFFY		7.99			
	250-000-742-000	PINK SALTWATER TAFFY		7.99			
	250-000-742-000	WOOD CHIP FINGER TRAPS		7.99			
	250-000-742-000	1000 PIECE BULK CANDY ASSORTMENT		34.98			
	250-000-742-000	HERSHEYS KISSES		9.58			
	250-000-742-000	DUBBLE BUBBLE ASSORTMENT		23.98			
	250-000-742-000	MACHINE SIZED GUMBALLS		9.96			
	250-000-742-000	SWEETHEARTS CANDY		13.59			
	250-000-742-000	HERSHEYS MINIATURES ASSORTMENT		32.30			
	250-000-742-000	HERSHEYS PASTEL KISSES		3.98			
	250-000-742-000	OLD FASHIONED CANDY STICKS		23.98			
	250-000-742-000	TWIZZLERS LICORICE		19.96			
	250-000-742-000	TOOTSIE ROLLS		20.94			
6306 79417	Gasiorek, Morgan, Greco & McCauley, APRIL LEGAL SVS	05/03/2017 CTowles	06/06/2017	868.30	868.30	Open	N 06/06/2017
	101-210-801-000	APRIL LEGAL SVS		616.49			
	592-536-801-002	APRIL LEGAL SVS		251.81			
6307 79418	Gasiorek, Morgan, Greco & McCauley, APRIL LEGAL SVS	05/03/2017 CTowles	06/06/2017	15.60	15.60	Open	N 06/06/2017
	101-210-801-000	APRIL LEGAL SVS		11.08			
	592-536-801-002	APRIL LEGAL SVS		4.52			
6308 79419	Gasiorek, Morgan, Greco & McCauley, APRIL LEGAL SVS	05/03/2017 CTowles	06/06/2017	693.60	693.60	Open	N 06/06/2017
	101-210-801-000	APRIL LEGAL SVS		492.46			
	592-536-801-002	APRIL LEGAL SVS		201.14			
6309 79420	Gasiorek, Morgan, Greco & McCauley, APRIL LEGAL SVS	05/03/2017 CTowles	06/06/2017	7,205.42	7,205.42	Open	N 06/06/2017
	101-210-801-000	APRIL LEGAL SVS		5,115.85			

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	592-536-801-002	APRIL LEGAL SVS		2,089.57			
6310 79421	Gasiorek, Morgan, Greco & McCauley, APRIL LEGAL SVS 101-210-801-000 592-536-801-002	05/03/2017 CTowles APRIL LEGAL SVS APRIL LEGAL SVS	06/06/2017	5,564.27 3,950.63 1,613.64	5,564.27	Open	N 06/06/2017
6311 79422	Gasiorek, Morgan, Greco & McCauley, APRIL LEGAL SVS 101-210-801-000 592-536-801-002	05/03/2017 CTowles APRIL LEGAL SVS APRIL LEGAL SVS	06/06/2017	3,282.73 2,330.74 951.99	3,282.73	Open	N 06/06/2017
95415 79409	Gen Power Products FIRE STA 2 GENERATOR REPAIRS 101-265-933-000	05/09/2017 CTowles FIRE STA 2 GENERATOR REPAIRS	06/06/2017	516.50 516.50	516.50	Open	N 06/06/2017
100-1511-W 79408	GREAT LAKES WATER AUTHORITY MARCH WATER PURCHASES 592-536-927-000	04/25/2017 CTowles MARCH WATER PURCHASES	06/06/2017	209,530.07 209,530.07	209,530.07	Open	N 06/06/2017
28801 79410	Governor Business Solutions P36IJC - 36LB. INK JET BOND 36" X 592-536-937-000 592-536-937-000	05/08/2017 CTowles P36IJC - 36LB. INK JET BOND 36" X 100 Y SHIPPING	06/06/2017	88.50 74.50 14.00	88.50	Open	N 06/06/2017
165002 79407	Government Finance Officers BUDD MEMBERSHIP DUES 101-253-810-000	04/24/2017 CTowles BUDD MEMBERSHIP DUES	06/06/2017	225.00 225.00	225.00	Open	N 06/06/2017
4221 79555	Gonczy's Property Maintenance WEED & CLEAN UP FIRE STATION BEDS 101-265-819-000	04/22/2017 CTowles WEED & CLEAN UP FIRE STATION BEDS	06/06/2017	2,195.00 2,195.00	2,195.00	Open	N 06/06/2017
9437074272 79411	GRAINGER SAFETY GLASSES/HV VESTS/BATTERIES 592-536-740-000	05/08/2017 CTowles SAFETY GLASSES/HV VESTS/BATTERIES	06/06/2017	156.35 156.35	156.35	Open	N 06/06/2017
9438987852 79412	GRAINGER GOGGLES	05/09/2017 CTowles	06/06/2017	101.40	101.40	Open	N 06/06/2017

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	592-536-740-000	GOGGLES		101.40			
9436976501 79413	GRAINGER STORAGE TOTES 101-336-740-000	05/05/2017 CTowles STORAGE TOTES	06/06/2017	107.94	107.94	Open	N 06/06/2017
9436371208 79414	GRAINGER SHELVING 101-336-740-000	05/05/2017 CTowles SHELVING	06/06/2017	438.00	438.00	Open	N 06/06/2017
9435411237 79415	GRAINGER SHELVING/CONTAINERS 101-336-740-000	05/04/2017 CTowles SHELVING/CONTAINERS	06/06/2017	358.56	358.56	Open	N 06/06/2017
9436680293 79416	GRAINGER RETD CONTAINERS 101-336-740-000	05/05/2017 CTowles RETD CONTAINERS	06/06/2017	(139.56)	(139.56)	Open	N 06/06/2017
9443967584 79556	GRAINGER DESK RECYCLING CONTAINER 101-336-740-000	05/12/2017 CTowles DESK RECYCLING CONTAINER	06/06/2017	51.72	51.72	Open	N 06/06/2017
45013 79406	Gulf Auto Lube 404 OIL CHNG/FLUSH STEERING 101-336-860-000	05/16/2017 CTowles 404 OIL CHNG/FLUSH STEERING	06/06/2017	149.88	149.88	Open	N 06/06/2017
42724-IN 79423	HydroCorp, Inc 1 OF 36 CROSS CONNECT CONTROL PROG 592-536-819-000	04/27/2017 CTowles 1 OF 36 CROSS CONNECT CONTROL PROGRAM	06/06/2017	1,190.00	1,190.00	Open	N 06/06/2017
29731 79424	Int'l Inst of Municipal Clerks MONTGOMERY MEMBERSHIP DUES 101-215-810-000	05/08/2017 CTowles MONTGOMERY MEMBERSHIP DUES	06/06/2017	100.00	100.00	Open	N 06/06/2017
449519 79425	ITRON JUNE SOFTWARE MAINTENANCE 592-536-819-000	05/12/2017 CTowles JUNE SOFTWARE MAINTENANCE	06/06/2017	2,125.16	2,125.16	Open	N 06/06/2017

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92184 79426	Johnston Lithograph, Inc. VBT STICKER 247-000-900-000 101-370-956-000	05/11/2017 CTowles VBT STICKER VBT STICKER	06/06/2017	638.00 319.00 319.00	638.00	Open	N 06/06/2017
92192 79558	Johnston Lithograph, Inc. DOOR CARDS METER CHANGE 592-536-900-000	05/11/2017 CTowles DOOR CARDS METER CHANGE, 1000	06/06/2017	200.00 200.00	200.00	Open	N 06/06/2017
576737-867 79428	Kennedy Industries Inc. BECKLEY REBUILD PUMP/REPLACE VALVE 592-536-970-000	04/27/2017 CTowles BECKLEY REBUILD PUMP/REPLACE VALVES	06/06/2017	11,960.00 11,960.00	11,960.00	Open	N 06/06/2017
17-219 79559	Kilanski Excavating SCREENED TOP SOIL 592-536-740-000	05/18/2017 CTowles SCREENED TOP SOIL	06/06/2017	480.00 480.00	480.00	Open	N 06/06/2017
410985 79430	LOWER HURON SUPPLY LINERS 101-265-740-000	05/09/2017 CTowles LINERS	06/06/2017	499.90 499.90	499.90	Open	N 06/06/2017
411089 79431	LOWER HURON SUPPLY M TOWELS 101-265-740-000	05/10/2017 CTowles M TOWELS	06/06/2017	470.00 470.00	470.00	Open	N 06/06/2017
411094 79432	LOWER HURON SUPPLY CLEANING SUPPLIES 101-265-740-000	05/12/2017 CTowles VARIOUS CLEANING SUPPLIES	06/06/2017	981.56 981.56	981.56	Open	N 06/06/2017
411301 79433	LOWER HURON SUPPLY STRIPPER/FLOOR PADS 101-265-740-000	05/18/2017 CTowles STRIPPER/FLOOR PADS	06/06/2017	320.79 320.79	320.79	Open	N 06/06/2017
VBTEMP0517 79429	Michael Long 7 EMPLOYEE CPR CERT CARDS 101-691-742-000	05/16/2017 CTowles 7 EMPLOYEE CPR CERT CARDS	06/06/2017	98.00 98.00	98.00	Open	N 06/06/2017

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05.22.17 79435	Maps By Wagner 3 22X22 VBP WALL MAPS 101-336-740-000	05/22/2017 CTowles 3 22X22 VBP WALL MAPS	06/06/2017	84.00 84.00	84.00	Open	N 06/06/2017
STIPEND 79579	JAPHET MANUSCHEWSKI MAY STIPEND 101-692-956-000	05/30/2017 VMorse MAY STIPEND	06/06/2017	272.73 272.73	272.73	Open	N 06/06/2017
214655-5.4.17 79444	McKenna Associates APRIL CDBG ADMIN SVS 101-370-821-000	05/09/2017 CTowles APRIL CDBG ADMIN SVS	06/06/2017	840.21 840.21	840.21	Open	N 06/06/2017
21511-5.4.17 79445	McKenna Associates APRIL INTERIM PLNG SVS 101-370-819-000	05/09/2017 CTowles APRIL INTERIM PLNG SVS	06/06/2017	3,341.66 3,341.66	3,341.66	Open	N 06/06/2017
21429-5.4.17 79446	McKenna Associates APRIL ZONING ORDINANCE PLNG SVS 101-370-823-000	05/09/2017 CTowles APRIL ZONING ORDINANCE PLNG SVS	06/06/2017	546.96 546.96	546.96	Open	N 06/06/2017
98020D-1.4.17 79447	McKenna Associates COORDINATE UTILITY SHUT OFFS-DDA P 247-000-977-005	05/12/2017 CTowles COORDINATE UTILITY SHUT OFFS-DDA PROPER	06/06/2017	156.02 156.02	156.02	Open	N 06/06/2017
98020-5.4.17 79448	McKenna Associates APRIL PLANNING SVS 101-370-821-000 101-000-286-000	05/12/2017 CTowles APRIL PLANNING SVS APRIL PLANNING SVS	06/06/2017	934.67 130.01 804.66	934.67	Open	N 06/06/2017
SD7496610 79441	MICHIGAN CAT 420 BACKHOE REPLACE HOSE 592-536-933-000	05/10/2017 CTowles 420 BACKHOE REPLACE HOSE	06/06/2017	1,884.44 1,884.44	1,884.44	Open	N 06/06/2017
CLICK FEES 79560	State of Michigan 2013-2015 RADIO CLICK FEES 101-301-958-000	05/25/2017 CTowles 2013-2015 RADIO CLICK FEES	06/06/2017	795.00 795.00	795.00	Open	N 06/06/2017

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15365 79442	Michigan Municipal League DEV SVS ACCOUNT CLERK JOB POSTING 101-370-956-000	04/11/2017 CTowles	06/06/2017	87.40 87.40	87.40	Open	N 06/06/2017
REFUND 79386	VIRGINIA & TEL BELINSKI REFUND GROW DETROIT TRIP #91557 101-000-692-000	05/15/2017 CTowles	06/06/2017	65.00 65.00	65.00	Open	N 06/06/2017
REFUND 79427	SHELENE KLAZER REFUND SUMMER CAMP #91768 101-000-691-002	05/16/2017 CTowles	06/06/2017	465.00 465.00	465.00	Open	N 06/06/2017
REFUND 79453	JAMES PATTON REFUND OVERPD WATER ACCT 592-000-284-000	05/12/2017 CTowles	06/06/2017	96.59 96.59	96.59	Open	N 06/06/2017
REFUND 79548	ROBERT CLAYTON REFUND PAVILION RENTAL #88666 101-000-651-000	05/24/2017 CTowles	06/06/2017	120.00 120.00	120.00	Open	N 06/06/2017
REIMBURSE 79549	SANG LAK CHOI CHANGE OF USE INSPECTION-41007 EHR 101-000-477-000	05/24/2017 CTowles	06/06/2017	340.00 340.00	340.00	Open	N 06/06/2017
REFUND 79557	DEMETRIA HOLMES REFUND PAVILION RENTAL #91811 101-000-651-000	05/24/2017 CTowles	06/06/2017	100.00 100.00	100.00	Open	N 06/06/2017
E9782 79434	MPARKS SUMMER CAMP COUNSELOR WORKSHOP 101-691-861-000	05/16/2017 CTowles	06/06/2017	136.00 136.00	136.00	Open	N 06/06/2017
O-2601 79436	MICHIGAN TOWNSHIP ASSOCIATION TWP ANNUAL DUES 101-101-810-000	05/15/2017 CTowles	06/06/2017	5,842.16 5,842.16	5,842.16	Open	N 06/06/2017
286012 79439	Municipal Code Corporation ANNUAL WEB HOSTING	05/16/2017 CTowles	06/06/2017	950.00	950.00	Open	N 06/06/2017

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	101-248-819-000	ANNUAL WEB HOSTING		950.00			
13251 79437	MWEA CAINCROSS MEMBERSHIP DUES 592-536-810-000	05/23/2017 CTowles CAINCROSS MEMBERSHIP DUES	06/06/2017	70.00 70.00	70.00	Open	N 06/06/2017
13269 79438	MWEA PINARD MEMBERSHIP DUES 592-536-810-000	05/23/2017 CTowles PINARD MEMBERSHIP DUES	06/06/2017	70.00 70.00	70.00	Open	N 06/06/2017
13246 79440	MWEA BEST MEMBERSHIP DUES 101-370-810-000	05/17/2017 CTowles BEST MEMBERSHIP DUES	06/06/2017	70.00 70.00	70.00	Open	N 06/06/2017
123840 79449	National Time & Signal REPAIR TOWER CLOCK ON FRONT OF STA 101-336-931-000	05/12/2017 CTowles REPAIR AND REPLACE CLOCK PARTS	06/06/2017	1,225.00 1,225.00	1,225.00	Open	N 06/06/2017
156424774 79450	Orkin MAY PEST SVS-FIRE STA 1 101-265-931-000	05/17/2017 CTowles MAY PEST SVS-FIRE STA 1	06/06/2017	64.59 64.59	64.59	Open	N 06/06/2017
79391 79457	Paper Express Inc 40 CTNS 8.5X11 COPY PAPER 101-248-727-000	05/18/2017 CTowles 40 CARTONS 8.5X11 COPY PAPER	06/06/2017	1,238.00 1,238.00	1,238.00	Open	N 06/06/2017
POSTAGE 79451	PITNEY BOWES RESERVE ACCOUNT POSTAGE PACKAGE FUNDS 101-248-728-000	05/19/2017 CTowles POSTAGE PACKAGE FUNDS	06/06/2017	1,000.00 1,000.00	1,000.00	Open	N 06/06/2017
3303484694 79454	Pitney Bowes 3.1-5.29 POSTAGE MACHINE RENTAL 101-248-940-000	05/02/2017 CTowles 3.1-5.29 POSTAGE MACHINE RENTAL	06/06/2017	1,043.13 1,043.13	1,043.13	Open	N 06/06/2017
1434413 79458	Plante & Moran, PLLC 2016 YEAR END AUDIT 101-202-801-000 592-536-801-001 101-202-801-000	05/03/2017 CTowles 2016 YEAR END AUDIT 2016 YEAR END AUDIT 2016 YEAR END AUDIT-FEDERAL PROGRAMS	06/06/2017	37,190.00 22,800.00 6,890.00 7,500.00	37,190.00	Open	N 06/06/2017

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
1434412 79459	Plante & Moran, PLLC 2016 YEAR END AUDIT-LDFA 251-000-801-000	05/03/2017 CTowles 2016 YEAR END AUDIT-LDFA	06/06/2017	4,045.00 4,045.00	4,045.00	Open	N 06/06/2017
1434411 79460	Plante & Moran, PLLC 2016 YEAR END AUDIT-DDA 247-000-801-000	05/03/2017 CTowles 2016 YEAR END AUDIT-DDA	06/06/2017	4,045.00 4,045.00	4,045.00	Open	N 06/06/2017
34288 79456	Poco Sales MESSAGE BOARD @ BHS-WIND STORM 101-265-819-000	05/10/2017 CTowles MESSAGE BOARD @ BHS-WIND STORM	06/06/2017	500.00 500.00	500.00	Open	N 06/06/2017
0175 79455	The Preparedness Network CLASS TO TEACH STATE REQUIRED PRAC 101-336-861-000	05/08/2017 CTowles REQUIRED PRACTICAL CREDITS FOR MED LICE	06/06/2017	800.00 800.00	800.00	Open	N 06/06/2017
70029363 79461	PRIORITY ONE EMERGENCY MOWBRAY SHIRT/PANT 101-301-741-000	05/11/2017 CTowles MOWBRAY SHIRT/PANT	06/06/2017	128.98 128.98	128.98	Open	N 06/06/2017
70029389 79462	PRIORITY ONE EMERGENCY GRIGGS 1 MOTOR PANT 101-301-741-000	05/11/2017 CTowles GRIGGS 1 MOTOR PANT	06/06/2017	149.99 149.99	149.99	Open	N 06/06/2017
70029564 79463	PRIORITY ONE EMERGENCY 3 NEW HIRE BELTS/HOLDERS 101-301-741-000	05/15/2017 CTowles 3 NEW HIRE BELTS/HOLDERS	06/06/2017	268.90 268.90	268.90	Open	N 06/06/2017
70029575 79464	PRIORITY ONE EMERGENCY POLO SHIRTS 101-301-741-000 101-301-741-000	05/15/2017 CTowles STANTON POLO SHIRT MCCARTHY POLO SHIRT	06/06/2017	103.98 51.99 51.99	103.98	Open	N 06/06/2017
70029656 79465	PRIORITY ONE EMERGENCY MOWBRAY BELT 101-301-741-000	05/17/2017 CTowles MOWBRAY BELT	06/06/2017	49.99 49.99	49.99	Open	N 06/06/2017

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
VBTEMP0517 79452	LAURA PRUSAITIS CPR INSTRUCTOR FOR TWP STAFF 101-691-742-000	05/17/2017 CTowles CPR INSTRUCTOR FOR TWP STAFF	06/06/2017	125.00 125.00	125.00	Open	N 06/06/2017
6484223 79466	Quill Corporation CERTIFICATE PAPER AND FOIL SEALS 101-248-727-000	05/03/2017 CTowles 100 SHEETS PARCHMENT CERTIFICATE PAPER	06/06/2017	22.12 22.12	22.12	Open	N 06/06/2017
6559187 79467	Quill Corporation CERTIFICATE PAPER AND FOIL SEALS 101-248-727-000	05/05/2017 CTowles PACK OF 100 FOIL SEALS	06/06/2017	11.47 11.47	11.47	Open	N 06/06/2017
6598052 79468	Quill Corporation OFFICE SUPPLIES 247-000-727-000	05/08/2017 CTowles WHITE TWO POCKET FOLDERS	06/06/2017	81.90 81.90	81.90	Open	N 06/06/2017
6781413 79469	Quill Corporation OFFICE SUPPLIES 101-253-956-000 101-253-956-000 101-253-956-000 101-253-956-000 101-253-956-000 101-253-956-000 101-253-956-000 101-253-956-000 101-253-956-000 101-253-956-000	05/15/2017 CTowles 901-1005409 TN660 HIGH YIELD TONER 901-74100 SHEET PROTECTORS 901-862856 HAND SANTIZER 901-79766 QUILL BRAND HP 05A 901-10134 SORTWIK FINGER TIP MOISTENER 901-CN048AN HP 951XL YELLOW 901-CN047AN HP951XL MAGENTA 901-R330YW POST NOTES 901-813194 BLUE PASTEL PAPER (TAX BILLS)	06/06/2017	241.05 45.04 17.05 14.98 69.69 9.33 26.34 26.34 19.99 12.29	241.05	Open	N 06/06/2017
6781412 79470	Quill Corporation OFFICE SUPPLIES 101-691-740-000 101-691-740-000 101-691-740-000 101-691-740-000 101-691-740-000	05/15/2017 CTowles AVERY EASY PEEL CIRCLE 2" LABELS WESTCOTT 2PACK 8" SCISSORS QUILL DUSTER 10 OZ 4PACK LC79Y BROTHER YELLOW INK LC79BK BROTHER BLACK INK HIGH YIELD	06/06/2017	171.01 29.02 23.76 34.96 47.58 35.69	171.01	Open	N 06/06/2017
6806077 79471	Quill Corporation OFFICE SUPPLIES 101-691-740-000	05/16/2017 CTowles ELMERS FOAM BOARD 20X30 10PACK	06/06/2017	30.25 30.25	30.25	Open	N 06/06/2017



Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
6422344 79477	Quill Corporation GENERAL OFFICE SUPPLIES 101-248-727-000	05/01/2017 CTowles	06/06/2017	24.55 24.55	24.55	Open	N 06/06/2017
2017-11 79561	CHEF JOHN RASMUSSEN FOOD FOR LIFE CLASSES 101-692-742-000	04/26/2017 CTowles	06/06/2017	85.00 85.00	85.00	Open	N 06/06/2017
5048454665 79478	Ricoh USA, Inc. 2.11-5.10 COPIER MAINT-WS 592-536-937-000	05/09/2017 CTowles	06/06/2017	67.46 67.46	67.46	Open	N 06/06/2017
1069362781 79575	Ricoh USA, Inc. REPLACEMENT COPIER/PRINTER SCANNER 101-336-970-000	04/11/2017 VMorse	06/06/2017	2,806.00 2,806.00	2,806.00	Open	N 06/06/2017
1069262779 79576	Ricoh USA, Inc. REPLACEMENT COPIER/PRINTER SCANNER 101-336-970-000	04/11/2017 VMorse	06/06/2017	2,806.00 2,806.00	2,806.00	Open	N 06/06/2017
14526 79480	Richard's Plumbing & Heating DEWINTERIZE FR LANDING RESTRMS 101-265-931-000	05/05/2017 CTowles	06/06/2017	470.00 470.00	470.00	Open	N 06/06/2017
2996 79479	CITY OF ROMULUS MAY ANIMAL CONTROL SVS 101-329-819-000	05/31/2017 CTowles	06/06/2017	650.00 650.00	650.00	Open	N 06/06/2017
PMT #4 79481	ROLAR PROPERTY SERVICES, INC PMT 4 2016 BECK BALL FIELD PAVILIO 279-370-970-000	05/15/2017 CTowles	06/06/2017	14,389.99 14,389.99	14,389.99	Open	N 06/06/2017
TUITION 79483	Alexander Schulz 2016-17 WINTER TUITION 101-301-861-000	05/17/2017 CTowles	06/06/2017	2,200.00 2,200.00	2,200.00	Open	N 06/06/2017
INSTRUCTOR 79562	ROSA SCHOFIELD ZUMBA INSTRUCTOR	05/25/2017 CTowles	06/06/2017	333.00	333.00	Open	N 06/06/2017

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	101-691-742-000	ZUMBA INSTRUCTOR		333.00			
62422 79484	SEER Corporation MOTORCYCLE HALF HELMENTS WITH RADI 101-301-741-000 101-301-741-000 101-301-741-000 101-301-741-000 101-301-741-000 101-301-741-000 101-301-741-000	CTowles VEHICULAR MOTORCYCLE HELMETS HELMET HARNESS WITH PULL-THE-DOT SNAPS NEW COMFORT MAX INTERIOR (COMFORT LINER QUICK RELEASE BUCKLE -MICRO-METRIC SLID 3M WHITE REFLECTIVE TAPE SETCOM HELMET KIT SHIPPING & HANDLING	05/11/2017 06/06/2017	1,747.80 1,170.00 114.00 72.00 45.00 54.00 245.00 47.80	1,747.80	Open	N 06/06/2017
3200 79482	South Huron Valley Utility Ath JUNE SHV SEWAGE 592-537-924-000	CTowles JUNE SHV SEWAGE	05/15/2017 06/06/2017	89,862.00 89,862.00	89,862.00	Open	N 06/06/2017
05.07.17 79485	START RESCUE LLC FIRE DEPT AWARENESS LEVEL TRENCH R 101-336-861-000 101-336-861-000	CTowles INSTRUCTOR, PARTICIPANT GUIDES, AND FEES PER PARTICIPANT PRICE (DEPT TRAINING)	05/07/2017 06/06/2017	890.00 700.00 190.00	890.00	Open	N 06/06/2017
5.9, 5.15, 5.23 79563	SURE-FIT LAUNDRY CLEAN PRISONER BLANKETS 101-301-862-000	CTowles CLEAN PRISONER BLANKETS	05/23/2017 06/06/2017	175.50 175.50	175.50	Open	N 06/06/2017
17-9030 79564	TEK ENVIRONMENTAL & CONSULTING SVS ADDL PRE DEMO ASBESTOS TESTING 247-000-977-005	CTowles ADDL PRE DEMO ASBESTOS TESTING	05/24/2017 06/06/2017	1,724.00 1,724.00	1,724.00	Open	N 06/06/2017
530350911 79565	UIS SCADA N SHORE RPR CORRUPTED PROGRAM 592-537-970-000	CTowles N SHORE RPR CORRUPTED PROGRAM	05/18/2017 06/06/2017	640.00 640.00	640.00	Open	N 06/06/2017
1869564 79486	UniFirst Corp BLACK NITRILE 5 MIL LATEX GLOVES 592-536-740-000	CTowles BLACK NITRILE 5 MIL LATEX GLOVES	05/22/2017 06/06/2017	165.60 165.60	165.60	Open	N 06/06/2017
248170 79487	USA BLUE BOOK EQ BASIN FUSE 592-537-931-001	CTowles EQ BASIN FUSE	05/02/2017 06/06/2017	98.28 98.28	98.28	Open	N 06/06/2017

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243271 79488	USA BLUE BOOK REAL WORKERS VESTS/SAFETY GLASSES 101-101-956-001	04/26/2017 CTowles REAL WORKERS VESTS/SAFETY GLASSES	06/06/2017	297.69 297.69	297.69	Open	N 06/06/2017
251779 79489	USA BLUE BOOK REAL WORKERS VESTS 101-101-956-001	05/05/2017 CTowles REAL WORKERS VESTS	06/06/2017	25.68 25.68	25.68	Open	N 06/06/2017
21543N 79490	VAN BUREN STEEL 3/16X6X96 BENT 592-536-740-000	05/11/2017 CTowles 3/16X6X96 BENT	06/06/2017	45.00 45.00	45.00	Open	N 06/06/2017
9785452765 79491	Verizon Wireless 4.11-5.10 PS CELL PHONE SVS 101-336-850-000 101-301-850-000	05/10/2017 CTowles 4.11-5.10 PS CELL PHONE SVS 4.11-5.10 PS CELL PHONE SVS	06/06/2017	1,009.70 86.88 922.82	1,009.70	Open	N 06/06/2017
9785452765. 79492	Verizon Wireless FLORO ANDROID PHONE SAMSUNG GALAXY 101-301-850-000	05/10/2017 CTowles ANDROID PHONE LT. FLORO	06/06/2017	249.99 249.99	249.99	Open	N 06/06/2017
9785806857 79540	Verizon Wireless 4.16-5.15 BROADBAND ACCESS 101-101-956-000 101-228-956-000 592-536-740-000	05/15/2017 CTowles 4.16-5.15 BROADBAND ACCESS 4.16-5.15 BROADBAND ACCESS 4.16-5.15 BROADBAND ACCESS	06/06/2017	338.96 150.18 10.02 178.76	338.96	Open	N 06/06/2017
2008010 79497	WADE-TRIM ASSOCIATES BECK BALL FIELDS PAVILLION 279-370-970-000	04/19/2017 CTowles BECK BALL FIELDS PAVILLION	06/06/2017	310.00 310.00	310.00	Open	N 06/06/2017
2008009 79498	WADE-TRIM ASSOCIATES GENERAL SERVICES-PLANNING DEPT 101-370-820-000	04/19/2017 CTowles GENERAL SERVICES-PLANNING DEPT	06/06/2017	2,485.00 2,485.00	2,485.00	Open	N 06/06/2017
2008015 79499	WADE-TRIM ASSOCIATES ALDI FOOD MARKET #63 592-000-286-000	04/19/2017 CTowles ALDI FOOD MARKET #63	06/06/2017	2,944.65 2,944.65	2,944.65	Open	N 06/06/2017

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2008017 79500	WADE-TRIM ASSOCIATES CONTINENTAL CANTEEN 592-000-286-000	04/19/2017 CTowles CONTINENTAL CANTEEN	06/06/2017	160.00 160.00	160.00	Open	N 06/06/2017
2008016 79501	WADE-TRIM ASSOCIATES MAYSER POLYMER USA 592-000-286-000	04/19/2017 CTowles MAYSER POLYMER USA	06/06/2017	13,788.50 13,788.50	13,788.50	Open	N 06/06/2017
2008012 79502	WADE-TRIM ASSOCIATES WILLOW CREEK 592-000-286-000	04/19/2017 CTowles WILLOW CREEK	06/06/2017	2,547.50 2,547.50	2,547.50	Open	N 06/06/2017
2008011 79503	WADE-TRIM ASSOCIATES GENERAL SERVICES-DPS 592-536-820-000	04/19/2017 CTowles GENERAL SERVICES-DPS	06/06/2017	1,990.00 1,990.00	1,990.00	Open	N 06/06/2017
2008013 79504	WADE-TRIM ASSOCIATES HARBOR CLUB PUMP STATION CONSTRUCT 592-537-970-004	04/19/2017 CTowles HARBOR CLUB PUMP STATION CONSTRUCT	06/06/2017	10,359.00 10,359.00	10,359.00	Open	N 06/06/2017
2008014 79505	WADE-TRIM ASSOCIATES HARBOR CLUB PUMP STATION INSPECTIO 592-537-970-004	04/19/2017 CTowles HARBOR CLUB PUMP STATION INSPECTION	06/06/2017	14,217.00 14,217.00	14,217.00	Open	N 06/06/2017
289963 79495	Wayne County Dept. Environment MAY DR EXCSS FLOW 592-537-925-000	05/01/2017 CTowles MAY DR EXCSS FLOW	06/06/2017	9,166.00 9,166.00	9,166.00	Open	N 06/06/2017
289976 79496	Wayne County Department of Public S APRIL RV FIXED CHARGES 592-537-924-000	05/01/2017 CTowles APRIL RV FIXED CHARGES	06/06/2017	67,639.85 67,639.85	67,639.85	Open	N 06/06/2017
10646 79567	Wiese's Lawn Care MOW ORDINANCE VIOLATED PROPERTIES 101-329-819-000	05/22/2017 CTowles MOW ORDINANCE VIOLATED PROPERTIES	06/06/2017	206.00 206.00	206.00	Open	N 06/06/2017
10651 79568	Wiese's Lawn Care MOW ORDINANCE VIOLATED PROPERTIES	05/22/2017 CTowles	06/06/2017	83.00	83.00	Open	N 06/06/2017

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	101-329-819-000	MOW ORDINANCE VIOLATED PROPERTIES		83.00			
10647 79569	Wiese's Lawn Care MOW ORDINANCE VIOLATED PROPERTIES 101-329-819-000	05/22/2017 CTowles	06/06/2017	415.00	415.00	Open	N 06/06/2017
	101-329-819-000	MOW ORDINANCE VIOLATED PROPERTIES		415.00			
10648 79570	Wiese's Lawn Care MOW ORDINANCE VIOLATED PROPERTIES 101-329-819-000	05/22/2017 CTowles	06/06/2017	92.00	92.00	Open	N 06/06/2017
	101-329-819-000	MOW ORDINANCE VIOLATED PROPERTIES		92.00			
10650 79571	Wiese's Lawn Care MOW ORDINANCE VIOLATED PROPERTIES 101-329-819-000	05/22/2017 CTowles	06/06/2017	80.00	80.00	Open	N 06/06/2017
	101-329-819-000	MOW ORDINANCE VIOLATED PROPERTIES		80.00			
238712 79566	Wilcox Brothers IRRIGATION START UP ALL TWP PROPER 101-265-933-000 247-000-979-001	05/10/2017 CTowles	06/06/2017	2,330.00	2,330.00	Open	N 06/06/2017
	101-265-933-000	IRRIGATION START UP		2,125.00			
	247-000-979-001	IRRIGATION START UP-DDA		205.00			
20171198 79493	WINDER POLICE EQUIPMENT NEW CAR REMOUNTS 101-301-860-000	05/15/2017 CTowles	06/06/2017	74.80	74.80	Open	N 06/06/2017
	101-301-860-000	NEW CAR REMOUNTS		74.80			
20171219 79494	WINDER POLICE EQUIPMENT NEW CAR CHARGE CORDS 101-301-860-000	05/16/2017 CTowles	06/06/2017	43.40	43.40	Open	N 06/06/2017
	101-301-860-000	NEW CAR CHARGE CORDS		43.40			
344260 79572	YAHOO ACCOUNTS RECEIVABLE E-MAIL INFO ON SUSPECT 101-301-956-000	05/19/2017 CTowles	06/06/2017	40.00	40.00	Open	N 06/06/2017
	101-301-956-000	E-MAIL INFO ON SUSPECT		40.00			
FIREWORKS 79573	Zambelli Fireworks Company 2017 FIREWORKS DISPLAY 101-718-819-000	05/22/2017 CTowles	06/06/2017	10,000.00	10,000.00	Open	N 06/06/2017
	101-718-819-000	2017 FIREWORKS DISPLAY		10,000.00			
# of Invoices:	185	# Due:	185	Totals:	672,218.31	672,218.31	
# of Credit Memos:	1	# Due:	1	Totals:	(139.56)	(139.56)	
Net of Invoices and Credit Memos:					672,078.75	672,078.75	

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Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
--- TOTALS BY FUND ---							
	101 - General Fund			135,781.67	135,781.67		
	247 - DDA Fund			34,780.92	34,780.92		
	250 - Museum Fund			540.74	540.74		
	251 - LDFA Fund			4,252.00	4,252.00		
	279 - CDBG Fund			17,051.99	17,051.99		
	592 - Water/Sewer Fund			478,171.43	478,171.43		
	760 - Court Fund			1,500.00	1,500.00		
--- TOTALS BY DEPT/ACTIVITY ---							
	000 -			62,505.56	62,505.56		
	101 - Township Board			8,442.19	8,442.19		
	171 - Supervisor Department			87.20	87.20		
	191 - Election Department			91.00	91.00		
	202 - Independent Accounting/audi			30,300.00	30,300.00		
	210 - Attorney Fees			12,517.25	12,517.25		
	215 - Clerk Department			100.00	100.00		
	228 - IT Department			10.02	10.02		
	247 - Assessing Department			3,333.00	3,333.00		
	248 - General Office			4,906.62	4,906.62		
	253 - Treasurer Department			584.58	584.58		
	265 - Building & Grounds			16,025.91	16,025.91		
	301 - Police Department			17,575.72	17,575.72		
	325 - Dispatch			400.00	400.00		
	329 - Ordinance Enforcement			1,526.00	1,526.00		
	336 - Fire Department			13,045.07	13,045.07		
	370 - Building/Planning Dept.			25,788.21	25,788.21		
	536 - Water Department			266,652.06	266,652.06		
	537 - Sewer Department			191,982.13	191,982.13		
	691 - Recreation Dept			5,104.15	5,104.15		
	692 - Seniors Dept			953.00	953.00		
	718 - Park & Lake Dept			10,149.08	10,149.08		

# Charter Township of Van Buren

Agenda Item: \_\_\_\_\_

## REQUEST FOR BOARD ACTION

**WORK STUDY MEETING: 06/05/17**

**BOARD MEETING DATE: 06/06/17**

Consent Agenda \_\_\_\_\_ **New Business X** \_\_\_\_\_ Unfinished Business \_\_\_\_\_ Public Hearing \_\_\_\_\_

<b>ITEM (SUBJECT)</b>	To consider approval of the special land use request for parcel V-125-83-088-99-0005-000 also known as 831 E. Huron River Drive so the applicant may construct a detached accessory building.
<b>DEPARTMENT</b>	Planning & Economic Development
<b>PRESENTER</b>	Ronald A. Akers
<b>PHONE NUMBER</b>	734-699-8913
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	N/A

### Agenda topic

<b>ACTION REQUESTED</b>	
To consider approval of the special land use request for parcel V-125-83-088-99-0005-000 also known as 831 E. Huron River Drive so the applicant may construct a detached accessory building.	
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	
<p>The applicant proposes to construct a detached accessory building at the existing Belleville Yacht Club which is located at 831 E. Huron River Drive. The intended use of the accessory building is for a "tiki bar" which includes a lounge area, bar area, a kitchen, and restrooms. The property is zoned R1-C (Single Family Residential) and is approximately four (4) acres in area. The current use of the property is consistent with the country club use in the R1-C zoning district. Please see attached Special Land Use Review dated May 18, 2017 for further analysis regarding the standards of approval in the Zoning Ordinance.</p> <p>This request was before the Planning Commission at their May 24, 2017 meeting where a public hearing was held on the Special Land Use request. No members from the public came forward for discussion. At this meeting the Planning Commission recommended that the Township Board approve the Special Land Use request, conditioned upon the applicant obtaining final site plan approval.</p>	
<b>BUDGET IMPLICATION</b>	
<b>IMPLEMENTATION NEXT STEP</b>	Issuance of a letter acknowledging the special land use approval.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	Approval
<b>ATTORNEY RECOMMENDATION</b>	N/A
(May be subject to Attorney/Client Privilege and not available under FOIA)	
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	



# Memo

**DATE:** May 18, 2017  
**TO:** Planning Commission  
**FROM:** Ron Akers, AICP – Director of Planning & Economic Development  
**RE:** 17-016 Special Land Use Review of the Belleville Yacht Club Accessory Building

---

The applicant proposes to construct a detached accessory building at the existing Belleville Yacht Club which is located at 831 E. Huron River Drive. The intended use of the accessory building is for a “tiki bar” which includes a lounge area, bar area, a kitchen, and restrooms. The property is zoned R1-C (Single Family Residential) and is approximately four (4) acres in area. The current use of the property is consistent with the country club use in the R1-C zoning district. As the construction of the accessory building is an expansion of this use the applicant will be required to follow the guidelines of the Zoning Ordinance for that use. The country club use requires special use approval in the R1-C district.

## **Comments:**

Special land uses are required to meet the standards for granting special approval in section 12.306 of the Zoning Ordinance. The following comments are based upon the standards of the Zoning Ordinance, observation of the site and surroundings, and accepted principles of good planning and design.

### **Section 12.306: Standards for Granting Special Approval**

- 1. Will promote the use of land in a socially and economically desirable manner for those persons who will use the proposed land use or activity; for those landowners and residents who are adjacent; and for the Township as a whole.**

The Country Club use is already existing on the property and this action will be an expansion of the use. In single family residential districts it is not uncommon to allow for uses which utilize public gatherings such as churches, country clubs, golf courses, etc. especially when that property has frontage on a primary road. With these type of uses special care should be taken to ensure that any potential negative impact on neighboring residential properties be addressed. In this circumstance there is an existing well-established evergreen buffer between the area where the accessory building will be constructed and the adjacent property to the east where there is a single family residential home. The property to the south is a church use and to the west is a public boat launch. Directly to the north of the property is Belleville Lake, which provides recreational opportunities to Township residents. Based on this the expansion of the country club use is economically and socially desirable in this current location.

- 2. Is necessary for the public convenience at that location.**

The property is located along E. Huron River Drive which is a main road within the Township. There are several subdivisions as well as non-single family residential uses along this road. This makes the sites location potentially convenient for the members of the club and the public.

**3. Is compatible with adjacent uses of land.**

On the north side the property is adjacent to Belleville Lake, on the west side the property is adjacent to a public boat launch, on the south side the property is adjacent to a church, and on the east side the property is adjacent to a single family residential home. There is an existing well established evergreen buffer between the single family residential home and the country club property. This buffer should mitigate any potential incompatibilities between the properties.

**4. Is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.**

The building is designed to be accessory to the principal building on the site. Its design is compliant with all required setbacks and height/bulk requirements of the Zoning Ordinance. The public health, safety, and welfare will be protected based on the current site design.

**5. Can be adequately served by public services and facilities without diminishing or adversely effecting public services and facilities to existing land uses in the area.**

The addition of the accessory building will not increase the level of public services required to service the site.

**6. Will not cause injury to other property in the neighborhood in which it is to be located.**

The proposed detached accessory building is not anticipated to have any negative impact on the adjacent properties. The use is compatible with the uses to the west and south (boat launch and church) and the established evergreen buffer should mitigate any potential negative impacts on the adjacent property.

**7. Will consider the natural environment and help conserve natural resources and energy.**

There are no anticipated adverse effects to the natural environment of the Township. This construction is consistent with the other construction activities which occur around Belleville Lake.

**8. Is within the provisions of uses requiring special approval as set forth in the various zoning districts herein, is in harmony with the purposes and conforms to the applicable regulations of the zoning district in which it is to be located and meets applicable site design standard for special approval uses.**

There will need to be some minor items addressed on the submitted site plan, but those items will be addressed during site plan review. Staff will recommend that any approvals be conditioned upon the applicant obtaining final site plan approval, but overall it appears that the accessory building dimensional standards are consistent with the Zoning Ordinance. There are no specific site design standards to Country Club uses which do not involve outdoor recreation activities.

**9. Is related to the valid exercise of the Township's police power and purposes which are affected by the proposed use or activity.**

The Township has the authority to grant special land use approval for a Country Club in a single family residential district. Based on this this standard is met.

**Recommendation:**

Based on the above mentioned comments, staff finds that the proposed construction of the detached accessory building meets the standards for special use approval. Staff recommends that the Planning Commission recommend special use approval for the construction of the accessory building to the Township Board, subject to the condition that the applicant obtain final site plan approval.

# PLANNING & ZONING APPLICATION

Case number 17-016

Date Submitted 4-27-2017

## APPLICANT INFORMATION

Applicant BYC Phone 313-215-3013  
Address 831 E HURON BLVD OL Fax \_\_\_\_\_  
City, State BELLEVEILLE MO Zip 63111  
E-mail Scott.j@LW-grp.com Cell Phone Number 313-215-3013  
Property Owner \_\_\_\_\_ Phone \_\_\_\_\_  
(if different than applicant)  
Address \_\_\_\_\_ Fax \_\_\_\_\_  
City, State \_\_\_\_\_ Zip \_\_\_\_\_  
Billing Contact \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ Fax \_\_\_\_\_  
City, State \_\_\_\_\_ Zip \_\_\_\_\_

## SITE/PROJECT INFORMATION

Name of Project TIKE BUILDING  
Parcel Id No. V125-83- Project Address 831 E HURON BLVD OL  
Attach Legal Description of Property  
Property Location: On the NORTH Side of HURON BLVD OL Road; Between MARTINSVILLE Road  
and EDGE MENT Road. Size of Lot Width \_\_\_\_\_ Depth \_\_\_\_\_  
Acreage of Site 4.1 Total Acres of Site to Review \_\_\_\_\_ Current Zoning of Site \_\_\_\_\_  
Project Description: ACCESSORY BUILDING CONSTRUCTION.

Is a re-zoning of this parcel being requested? NO YES (if yes complete next line) NO  
Current Zoning of Site R1-C Requested Zoning N/A

## SPECIAL PERMIT INFORMATION

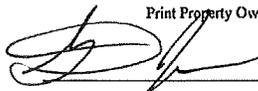
Does the Proposed Use Require Special Approval? YES (if yes complete next line) NO  
Section of Zoning Ordinance for which you are applying \_\_\_\_\_  
Is there an official Woodland within parcel? NO Woodland acreage \_\_\_\_\_  
List total number of regulated trees outside the Woodland area? \_\_\_\_\_ Total number of trees \_\_\_\_\_  
Detailed description for cutting trees \_\_\_\_\_

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

## OWNER'S AFFIDAVIT

BYC Commodore Scott Jones

Print Property Owners Name



Signature of Property Owner

4-27-2017

Date

STATE OF MICHIGAN  
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

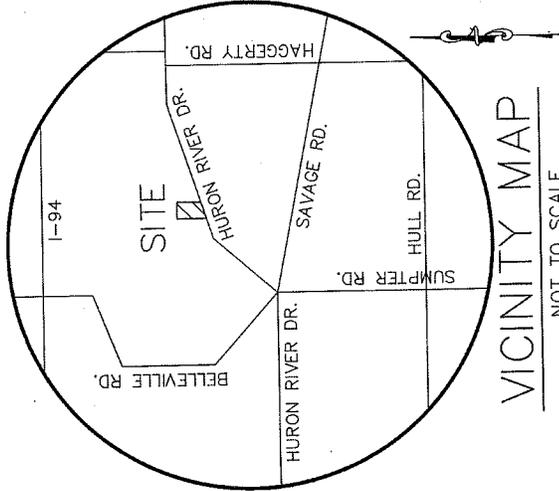
Notary Public, \_\_\_\_\_ County, Michigan My Commission expires \_\_\_\_\_, 20\_\_\_\_  
Rev 1/12/06

**USE STATEMENT:**  
 THE PROPOSED CABANA BUILDING (CIR BAR), IS TO BE USED AS AN  
 EXTENSION OF THE EXISTING ADJACENT MEN'S AND WOMEN'S REST ROOMS,  
 BAR AND LOUNGE AREA AND ADJOINING EXTERIOR DECK. THE BUILDING IS  
 AN ACCESSORY STRUCTURE TO THE MAIN BUILDING, AND WILL BE PRIMARILY  
 USED WHEN THE MAIN BUILDING IS OCCUPIED FOR A FORMAL FUNCTION  
 AND IS NOT ACCESSIBLE FOR THE MEMBERS (E.G., WEDDINGS, SHOWERS AND  
 FORMAL EVENTS). THAT THE KITCHEN AREA WILL REQUIRE FURTHER REVIEW  
 BY THE WAYNE COUNTY HEALTH DEPARTMENT.



**REVISIONS**  
 5-24-17

**SHEET INDEX**  
 0 1  
 TITLE SHEET  
 TOPOGRAPHIC SURVEY PLAN



**VICINITY MAP**  
 NOT TO SCALE

**BYC**  
**831 HURON RIVER DRIVE**  
**VAN BUREN TOWNSHIP,**  
**WAYNE COUNTY, MICHIGAN**

**PROPERTY DEVELOPER**  
**DAVENPORT BROTHERS**

301 INDUSTRIAL PARK DRIVE  
 BELLEVILLE, MI 48188  
 (734) 697-2994

**LEGAL DESCRIPTION**  
 PART OF THE EAST 1/4 OF SECTION 22, BEGINNING AT A POINT ON  
 THE CORNER OF HURON RIVER DRIVE, S.83°00'W, 401.04 FEET  
 TO THE INTERSECTION OF LINE AND EAST LINE OF THE WEST 1/2 OF  
 THE SOUTHEAST 1/4 OF SECTION 22, THENCE NORTH 139.3 FEET;  
 THENCE WESTERLY ALONG CONTOUR AT ELEVATION 655 FEET (USGS  
 DATUM) APPROXIMATELY 140 FEET; THENCE SOUTH 1235.0 FEET;  
 THENCE N.87°48'15"E, 56.2 FEET; THENCE SOUTH 152 FEET;  
 N.83°00'E, 74 FEET TO POINT OF BEGINNING. SAID PARCEL  
 CONTAINING 4.04 ACRES

TAX ID#83-088-99-0005-000.  
 BOUNDARY LINES AS SHOWN ARE PER LEGAL DESCRIPTION PROVIDED  
 BY THE CLIENT. THE EXISTING 655 CONTOUR LINES NOT  
 APPROXIMATE THE LOCATION DEPICTED WITHIN THE LEGAL  
 DESCRIPTION.

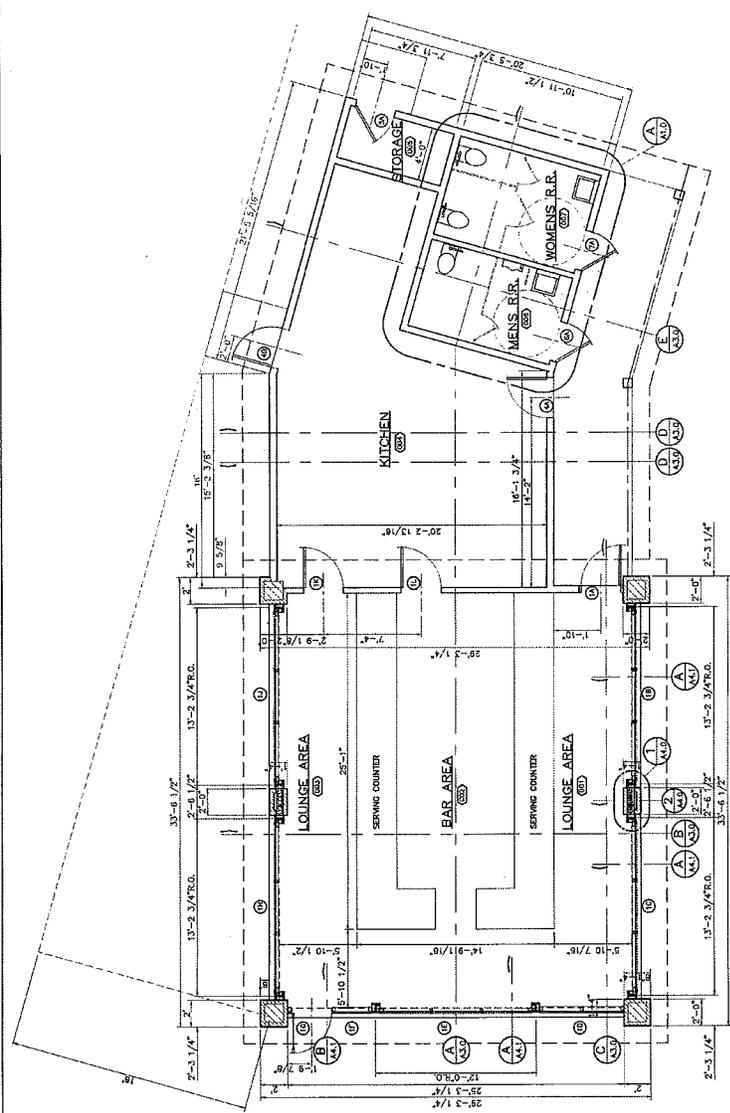


L. WARDEN, DESIGNER  
 LANCE WARDEN, BUILDING SPECIALIST L.L.C.  
 1300 W. 10TH ST. SUITE 100  
 DENVER, CO 80202  
 (303) 733-8822

NO.	DATE	REVISIONS
1		ISSUE FOR PERMIT
2		ISSUE FOR CONSTRUCTION RECORDS

CABANA  
 BYC  
 BELLEVILLE, MICHIGAN  
 FLOOR PLAN

PROJECT NO. 130000  
 SHEET NO. A1.0  
 DATE 11/11/11



FLOOR PLAN  
 SCALE 1/4" = 1'-0"

WALL TYPE DESCRIPTIONS

SOIL  
 No. DESCRIPTION

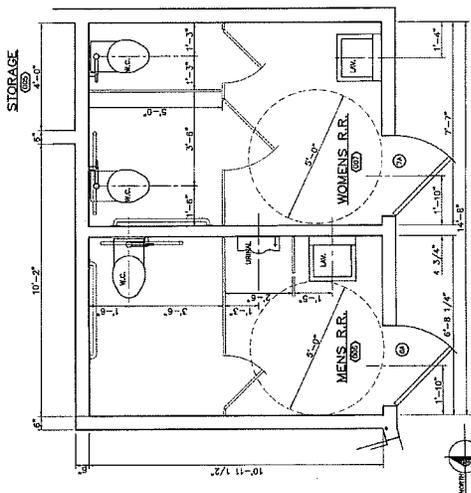
- 1. 4.5" WALL: 2x4 WOOD STUDS @ 16" O.C. w/ 5/8" INTERLACED WIRE MESH. FINISH WITH 1/2" GYPSUM BOARD. WOOD STUDS TO BE CONCEALED UNDER INSULATION BATT. WALLS ARE TO BE CONSIDERED PART AGAINST THE BOTTOM OF THE ROOF FRAMING ABOVE.
- 2. 6" WALL: 2x4 WOOD STUDS @ 16" O.C. w/ (3) WYRES OF 1/4" GALV. STEEL WIRE MESH. FINISH WITH 1/2" GYPSUM BOARD. WOOD STUDS TO BE CONCEALED UNDER INSULATION BATT. WALLS ARE TO BE CONSIDERED PART AGAINST THE BOTTOM OF THE ROOF FRAMING ABOVE.
- 3. 6" WALL: 2x4 WOOD STUDS @ 16" O.C. w/ 5/8" INTERLACED WIRE MESH. FINISH WITH 1/2" GYPSUM BOARD. WOOD STUDS TO BE CONCEALED UNDER INSULATION BATT. WALLS ARE TO BE CONSIDERED PART AGAINST THE BOTTOM OF THE ROOF FRAMING ABOVE.

PLAN LEGEND

- 1. ROOM NAME AND NUMBER
- 2. ROOM NUMBER, BOTH NEW AND EXISTING, TO BE SHOWN ON SHEET AND SCHEDULE ON SEIT PLAN.
- 3. WALL PARTITION TYPE
- 4. SEE THE WALL TYPE SYMBOL FOR WALL TYPE AND SCHEDULE ON SEIT PLAN.

GENERAL NOTES

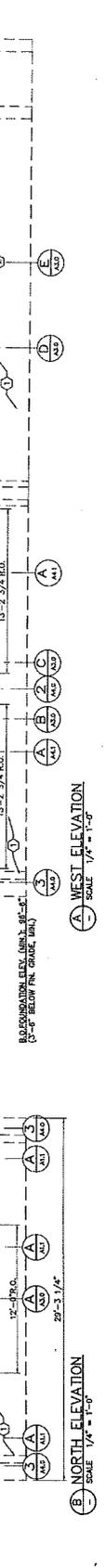
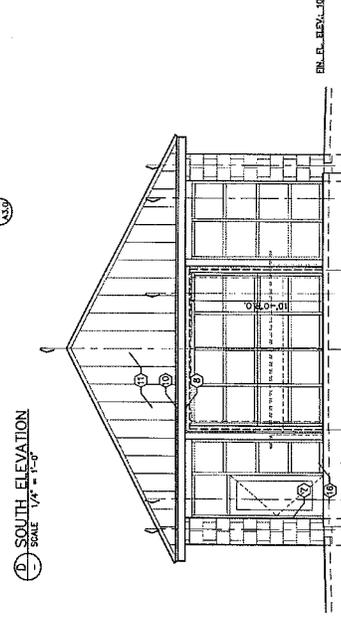
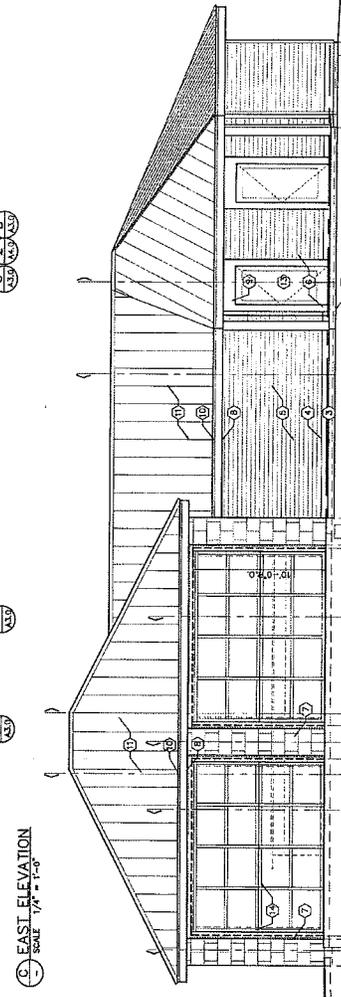
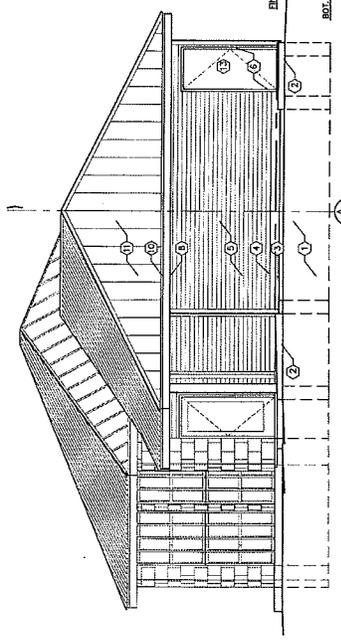
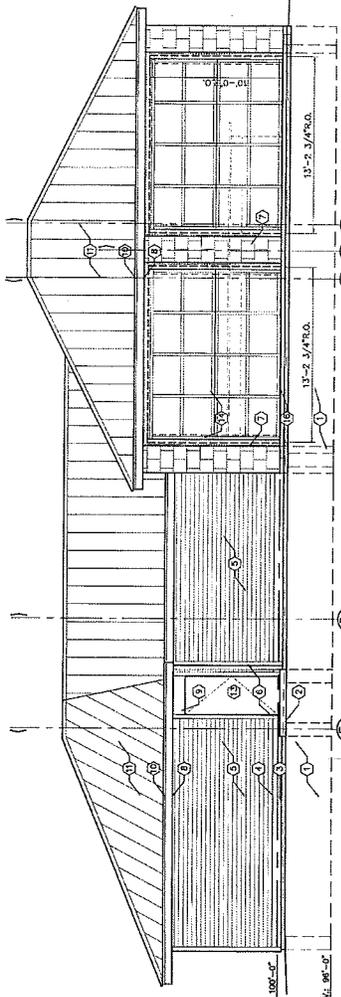
1. REFER TO ALL DIMENSIONS ON THIS SHEET FOR ALL DIMENSIONS UNLESS OTHERWISE NOTED.
2. REFER TO ALL DIMENSIONS ON THIS SHEET FOR ALL DIMENSIONS UNLESS OTHERWISE NOTED.
3. MAKE THE MATERIALS LIST SMALLER THAN THE MATERIALS LIST. THE LABEL SHALL BE AS SHOWN AT FINAL APPROVAL.
4. STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, AND OTHER TRADES SHALL BE RESPONSIBLE FOR THE PROVISION OF ALL SERVICES AND EQUIPMENT. CONTRACTOR SHALL VERIFY AND GUARANTEE THE ACCURACY OF ALL DIMENSIONS AND PENETRATION OF THE PARTITION.



REST ROOMS  
 FLOOR PLAN  
 SCALE 1/2" = 1'-0"

**MATERIALS AND NOTES**

NO.	SYMBOL	DESCRIPTION	DESCRIPTION
1	CONCRETE	REINFORCED CONCRETE FOUNDATION SYSTEM.	12 FINED GLAZED OPENING: 1" INSUL. TEMPERED TINTED GLASS IN THERMAL BROKEN ANODIZED ALUMINUM FRAMING. FINISH AND INSTALL 400 SERIES TRIMMING BY FARNER.
2	CONCRETE	REINFORCED CONCRETE EXTERIOR SLAB ON FROST-FREE FOUNDATION.	13 3/4" x 7/8" x 1 3/4" INSUL. METAL DOORS AND FRAME PAINT.
3	WOOD	5/4" x 8 SHERT BOARD, AZEK OR EQUIV.	14 ANOD. ALUM. EXTERIOR FRONT FRAMING SYSTEM W/ 1" INSUL. TEMPERED TINTED GLASS.
4	WOOD	1" x 4" x 4" CONT. GALLY. 2" FLASHING W/ 1/2" HOMED DREP EDGE.	15 WOOD FRAMING OF DOOR. SEE DETAILS IN THE CONSTRUCTION DOCUMENTS.
5	WOOD	1x 8x CONT. TIMBERED LAP FIBER CEMENT SIDING; HARD-PAINT. OR EQUIV.. FASTEN W/ 1/8" GALLY. RING SHANK SINGING NAILS.	16 WOOD FRAMING OF DOOR. SEE DETAILS IN THE CONSTRUCTION DOCUMENTS.
6	WOOD	5/4" x 4 TRIM BOARD; "HARDTRENK" OR EQUIV.. FASTEN W/ 1/8" GALLY. RINGED SHANK NAILS.	
7	MASSONRY	MASSONRY VENEER; SMOOTH FACED PRE-CAST CONCRETE BLOCK. UNITS ARE TO BE 12" x 12" x 8" AND 12" x 8" x 8" NOMINAL. MORTAR IS TO BE PORTLAND WITH LIMEBLOCK ADDITIVE.	
8	WOOD	2x 8x CONT. FASCHA BOARD; COVER W/ FACTORY-FINISHED METAL FASCHA. SEE SHEET A4.0 AND A4.1.	
9	WOOD	1x 4 TRIM BOARD; "HARDTRENK" OR EQUIV.. FASTEN W/ 1/8" GALLY. RINGED SHANK NAILS.	
10	WOOD	1/2" x 4" x 4" CONT. GALLY. 2" FLASHING W/ 1/2" HOMED DREP EDGE.	
11	WOOD	STANDING SEAM METAL ROOFING; INSTALL W/ HIDDEN CLIPS. AND FLASH AT HIPS, VALLEYS AND RIDGES. SEE DETAIL A4.0 FOR FLASHING. COLOR IS TO BE CHOSEN BY BVC CLUB REPRESENTATIVE.	



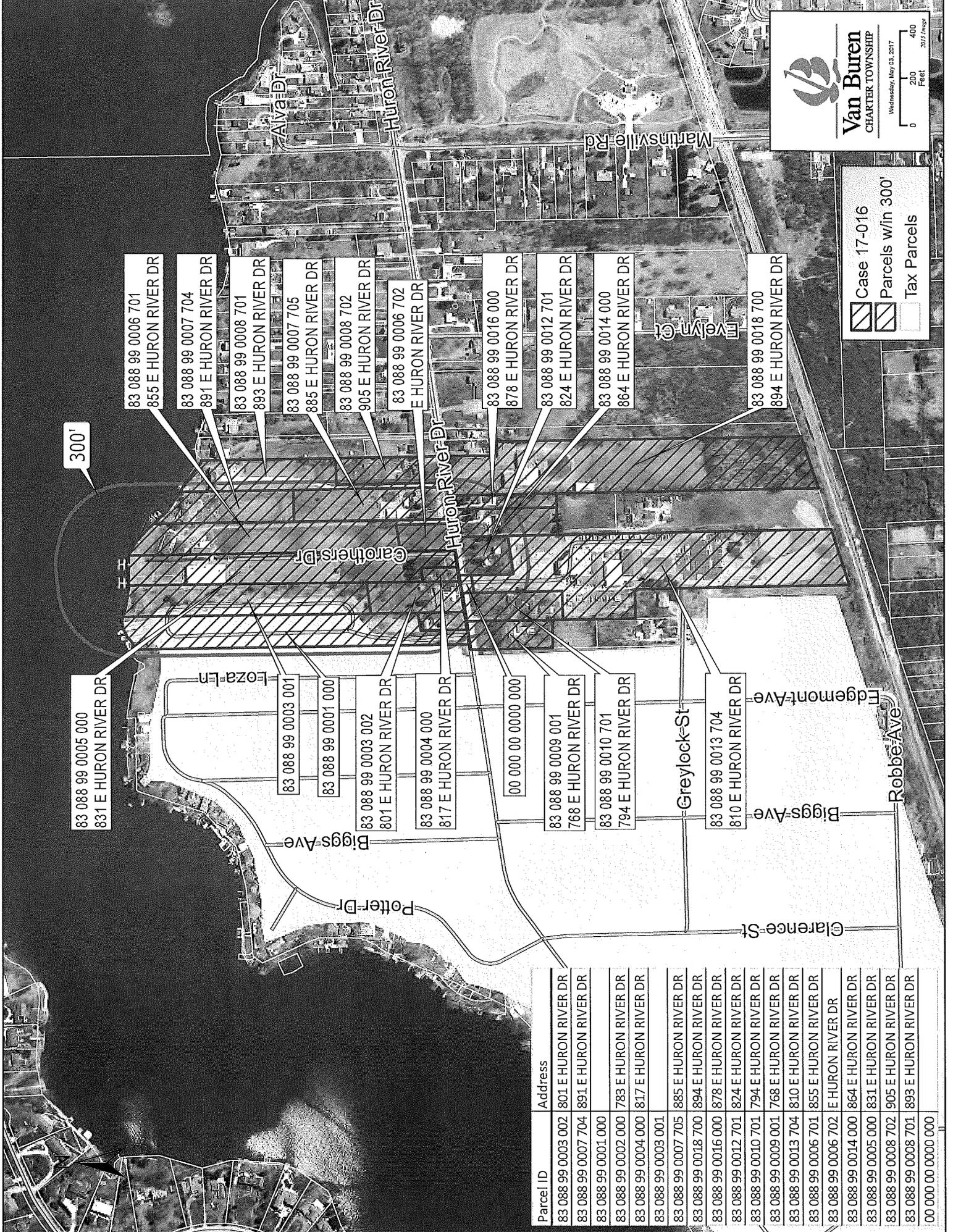
**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
PUBLIC HEARING**

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold public hearings on **Wednesday, May 24, 2017 at 7:30 p.m.**, in the Board of Trustees Room, 46425 Tyler Road, Charter Township of Van Buren, Wayne County, Michigan to consider the following requests.

1. **Case 17-016:** A request by the Belleville Yacht Club, for a special use approval to expand their club use by constructing an accessory building at their facility located at 831 E. Huron River Drive, Van Buren Township, MI 48111 (Parcel ID# V-125-83-088-99-0005-000).

Please address any written comments to the Van Buren Township Planning Commission at, 46425 Tyler Road, Van Buren Township, MI 48111 or by e-mail at [rakers@vanburen-mi.org](mailto:rakers@vanburen-mi.org). Written comments will be accepted until 4:00 p.m. on the hearing date and all materials relating to this request are available for public inspection at the Van Buren Township Hall prior to the hearing.

Van Buren Township will provide necessary reasonable auxiliary aides and services to individuals with disabilities who are planning to attend. Please contact the Van Buren Township Planning & Economic Development department at 734-699-8913 at least seven (7) days in advance of the meeting if you require assistance.



Case 17-016  
 Parcels w/in 300  
 Tax Parcels

Parcel ID	Address
83 088 99 0003 002	801 E HURON RIVER DR
83 088 99 0007 704	891 E HURON RIVER DR
83 088 99 0001 000	
83 088 99 0002 000	783 E HURON RIVER DR
83 088 99 0004 000	817 E HURON RIVER DR
83 088 99 0003 001	
83 088 99 0007 705	885 E HURON RIVER DR
83 088 99 0018 700	894 E HURON RIVER DR
83 088 99 0016 000	878 E HURON RIVER DR
83 088 99 0012 701	824 E HURON RIVER DR
83 088 99 0010 701	794 E HURON RIVER DR
83 088 99 0010 701	794 E HURON RIVER DR
83 088 99 0009 001	768 E HURON RIVER DR
83 088 99 0013 704	810 E HURON RIVER DR
83 088 99 0006 701	855 E HURON RIVER DR
83 088 99 0006 702	E HURON RIVER DR
83 088 99 0014 000	864 E HURON RIVER DR
83 088 99 0005 000	831 E HURON RIVER DR
83 088 99 0008 702	905 E HURON RIVER DR
83 088 99 0008 701	893 E HURON RIVER DR
00 000 00 0000 000	

83 088 99 0005 000  
831 E HURON RIVER DR

83 088 99 0006 701  
855 E HURON RIVER DR

83 088 99 0007 704  
891 E HURON RIVER DR

83 088 99 0008 701  
893 E HURON RIVER DR

83 088 99 0007 705  
885 E HURON RIVER DR

83 088 99 0008 702  
905 E HURON RIVER DR

83 088 99 0006 702  
E HURON RIVER DR

83 088 99 0016 000  
878 E HURON RIVER DR

83 088 99 0012 701  
824 E HURON RIVER DR

83 088 99 0014 000  
864 E HURON RIVER DR

83 088 99 0018 700  
894 E HURON RIVER DR

83 088 99 0003 001  
83 088 99 0001 000

83 088 99 0003 002  
801 E HURON RIVER DR

83 088 99 0004 000  
817 E HURON RIVER DR

00 000 00 0000 000

83 088 99 0009 001  
768 E HURON RIVER DR

83 088 99 0010 701  
794 E HURON RIVER DR

83 088 99 0010 701  
794 E HURON RIVER DR

83 088 99 0013 704  
810 E HURON RIVER DR

Biggs-Ave

83 088 99 0006 701  
855 E HURON RIVER DR

83 088 99 0006 702  
E HURON RIVER DR

83 088 99 0014 000  
864 E HURON RIVER DR

83 088 99 0005 000  
831 E HURON RIVER DR

83 088 99 0008 702  
905 E HURON RIVER DR

83 088 99 0008 701  
893 E HURON RIVER DR

300'

Leza Ln

Biggs-Ave

Potter Dr

Carothers Dr

Huron River Dr

Greylock St

Clarence St

Biggs-Ave

Edgement-Ave

Robbe Ave

Evelyln Ct

Martinsville Rd

Aiva Dr

Huron River Dr

## MOTION EXTRACT

Motion Boynton, Budd second to recommend to the Township Board of Trustees approval of a special land use permit for the Belleville Yacht Club to expand their club use by constructing an accessory building at their facility located at 831 E. Huron River Drive, parcel number V125-83-088-99-0005-000, on approximately 3.980 acres zoned R1-C, Single Family Residential, located on the north side of Huron River Drive between Edgemont and Martinsville Roads, subject to the recommendations in Director Akers staff memo dated 5-18-17 with the condition the applicant obtain final site plan approval.

**Roll Call:**

Yeas: Atchinson, Budd, Boynton, Franzoi and Thompson.

Nays: None.

Absent: Kelley.

Motion Carried.

I hereby certify the foregoing is a true and correct copy of a motion adopted by the Planning Commission of the Charter Township of Van Buren at the regularly scheduled meeting of May 24, 2017.



Christina Harman  
Recording Secretary

# Charter Township of Van Buren

Agenda Item: \_\_\_\_\_

## REQUEST FOR BOARD ACTION

**WORK STUDY: MAY 15, 2017**  
**1<sup>ST</sup> READING DATE: MAY 16, 2017**  
**2<sup>ND</sup> READING DATE: JUNE 6, 2017**

Consent Agenda	New Business X	Unfinished Business	Public Hearing
<b>ITEM (SUBJECT)</b>	First reading of Ordinance 05-16-17 to discuss an approval of the amendment of Chapter 90 (Waterways) to amend Sec. 90-1 to 90-97.		
<b>DEPARTMENT</b>	Police Department		
<b>PRESENTER</b>	Lt. Charles Bazy		
<b>PHONE NUMBER</b>	(734) 699-8930		
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>			

### Agenda topic

<b>ACTION REQUESTED</b>	
First reading of Ordinance 05-16-17 to discuss an approval of the amendment of Chapter 90 (Waterways) to amend Sec. 90-1 to 90-97.	
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	
The amendment to Chapter 90 adopts state law that the Township had not previously adopted.	

<b>BUDGET IMPLICATION</b>	None anticipated
<b>IMPLEMENTATION NEXT STEP</b>	If approved, after the 1 <sup>st</sup> and 2 <sup>nd</sup> reading, a notice of adoption will be placed in the newspaper and the Ordinance will go into effect.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	
<b>ATTORNEY RECOMMENDATION</b>	Approval
(May be subject to Attorney/Client Privilege and not available under FOIA)	
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	_____

**CHARTER TOWNSHIP OF VAN BUREN**

**COUNTY OF WAYNE**

**STATE OF MICHIGAN**

**ORDINANCE # 05-16-17**

At a regular meeting of the Township Board of the Charter Township of Van Buren, Wayne County, Michigan, held in the Van Buren Township Hall within the Township, on the \_\_\_\_\_ day of \_\_\_\_\_, 2017 at 7:00 p.m.

PRESENT: Trustees: \_\_\_\_\_

ABSENT: Trustee: \_\_\_\_\_

It was moved by Trustee \_\_\_\_\_ and supported by Trustee \_\_\_\_\_ the following Ordinance be adopted to amend Chapter 90 (Waterways) to read as follows:

THE CHARTER TOWNSHIP OF VAN BUREN ("Township"), COUNTY OF WAYNE, MICHIGAN ORDAINS:

Chapter 90 - WATERWAYS<sup>[1]</sup>

Footnotes:

--- (1) ---

**Cross reference**— Excavation of ponds, § 42-211 et seq.; offenses and miscellaneous provisions, ch. 58.

**State Law reference**— Marine safety, MCL 324.80101 et seq., MSA 13A.80101 et seq.

ARTICLE I. - IN GENERAL

Sec. 90-1. – Definitions A-C

As used in this part:

(a) "Airboat" means a motorboat that is propelled, wholly or in part, by a propeller projecting above the water surface.

(b) "Alcoholic liquor" means that term as defined in section 1d of the Michigan vehicle code, 1949 PA 300, MCL 257.1d.

(c) "Anchored rafts" means all types of non-powered rafts used for recreational purposes that are anchored seasonally on waters of this state.

(d) "Associated equipment" means any of the following that are not radio equipment:

(i) An original system, part, or component of a boat at the time that boat was manufactured, or a similar part or component manufactured or sold for replacement.

(ii) Repair or improvement of an original or replacement system, part, or component.

(iii) An accessory or equipment for, or appurtenance to, a boat.

(iv) A marine safety article, accessory, or equipment intended for use by a person on board a boat.

(e) "Boat" means a vessel.

(f) "Boat livery" means a business that holds a vessel for renting, leasing, or chartering.

(g) "Boating safety certificate" means any of the following:

(i) The document issued by the department under part 802 that certifies that the individual named in the document has successfully completed a boating safety course and passed an examination approved and administered as required under MCL 324.80212.

(ii) A document issued by the United States coast guard auxiliary or United States power squadron that certifies that the individual named in the document has successfully completed a United States coast guard auxiliary course concerning boating safety.

(iii) A written rental agreement provided to an individual named in the rental agreement entered into under section 44522 only on the date or dates indicated on the rental agreement while the named individual is operating a personal watercraft leased, hired, or rented from a boat livery.

(h) "Boating safety course" means a course that meets both of the following requirements:

(i) Provides instruction on the safe operation of a personal watercraft that meets or exceeds the minimum course content for boating or personal watercraft education established by the national association of state boating law administrators education

committee (October 1996), a province of the commonwealth of Canada, or another country.

(ii) Is approved by the department.

(i) "Controlled substance" means that term as defined in section 7104 of the public health code, 1978 PA 368, MCL 333.7104.

(j) "Conviction" means a final conviction, the payment of a fine, a plea of guilty or nolo contendere if accepted by the court, a finding of guilt, or a probate court or family division disposition on a violation of this part, regardless of whether the penalty is rebated or suspended.

**State Law reference**— Similar provisions MCL 324.80101

Sec. 90-2. – Definitions D to L.

As used in this part:

(a) "Dealer" means a person and an authorized representative of that person who annually purchases from a manufacturer, or who is engaged in selling or manufacturing, 6 or more vessels that require certificates of number under this part.

(b) "Identification document" means any of the following:

(i) A valid Michigan operator's or chauffeur's license.

(ii) A valid driver's or chauffeur's license issued by an agency, department, or bureau of the United States or another state.

(iii) An official identification card issued by an agency, department, or bureau of the United States, this state, or another state.

(iv) An official identification card issued by a political subdivision of this state or another state.

(c) "Issuing authority" means the United States coast guard or a state that has a numbering system approved by the United States coast guard.

(d) "Law of another state" means a law or ordinance enacted by any of the following:

(i) Another state.

(ii) A local unit of government in another state.

(iii) Canada or a province or territory of Canada.

- (iv) A local unit of government in a province or territory of Canada.
- (e) "Lifeboat" means a small boat designated and used solely for lifesaving purposes, and does not include a dinghy, tender, speedboat, or other type of craft that is not carried aboard a vessel for lifesaving purposes.
- (f) "Long-term incapacitating injury" means an injury that causes serious impairment of a body function.

**State Law reference**— Similar provisions MCL 324.80102

Sec. 90-3. – Definitions M to O.

As used in this part:

- (a) "Manufacturer" means a person engaged in any of the following:
  - (i) The manufacture, construction, or assembly of boats or associated equipment.
  - (ii) The manufacture or construction of components for boats and associated equipment to be sold for subsequent assembly.
  - (iii) The importation of a boat or associated equipment into the state for sale.
- (b) "Marine law" means this part, a local ordinance adopted in conformity with this part, or a rule promulgated under this part.
- (c) "Marine safety act" means former Act No. 303 of the Public Acts of 1967.
- (d) "Marine safety program" means marine law enforcement, search and rescue operations, water safety education, recovery of drowned bodies, and boat livery inspections.
- (e) "Michigan vehicle code" means Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.
- (f) "Motorboat" means a vessel propelled wholly or in part by machinery.
- (g) "Operate" means to be in control of a vessel while the vessel is under way and is not secured in some manner such as being docked or at anchor.
- (h) "Operator" means the person who is in control or in charge of a vessel while that vessel is underway.
- (i) "Owner" means a person who claims or is entitled to lawful possession of a vessel by virtue of that person's legal title or equitable interest in a vessel.

**State Law reference**— Similar provisions MCL 324.80103

Sec. 90-4. – Definitions P to W.

As used in this part:

(a) "Highly restricted personal information" means an individual's photograph or image, social security number, digitized signature, and medical and disability information.

(b) "Passenger" means a person carried on board, attached to, or towed by a vessel, other than the operator.

(c) "Peace officer" means any of the following:

(i) A sheriff.

(ii) A sheriff's deputy.

(iii) A deputy who is authorized by a sheriff to enforce this part and who has satisfactorily completed at least 40 hours of law enforcement training, including training specific to this part.

(iv) A village or township marshal.

(v) An officer of the police department of any municipality.

(vi) An officer of the Michigan state police.

(vii) The director and conservation officers employed by the department.

(d) "Personal information" means information that identifies an individual, including an individual's driver identification number, name, address not including zip code, and telephone number, but does not include information on watercraft operation and equipment-related violations or civil infractions, operator or vehicle registration status, accidents, or other behaviorally-related information.

(e) "Personal watercraft" means that term as defined in 40 CFR 1045.801.

(f) "Political subdivision" means any county, metropolitan authority, municipality, or combination of those entities in this state. If a body of water is located in more than 1 political subdivision, all of the subdivisions shall act individually in order to comply with this part, except that if the problem is confined to a specific area of the body of water, only the political subdivision in which the problem waters lie shall act.

(g) "Port" means left, and reference is to the port side of a vessel or to the left side of the vessel.

(h) "Prior conviction" means a conviction for any of the following, whether under a law of this state, a local ordinance substantially corresponding to a law of this state, a law of the United States substantially corresponding to a law of this state, or a law of another state substantially corresponding to a law of this state:

(i) A violation or an attempted violation of MCL 324.80176(1), (3), (4), (5), (6), or (7), except that only 1 violation or attempted violation of MCL 324.80176(6), a local ordinance substantially corresponding to MCL 324.80176(6), or a law of another state substantially corresponding to MCL 324.80176(6), or a law of the United States substantially corresponding to MCL 324.80176(6) may be used as a prior conviction other than for enhancement purposes as provided in MCL 324.80178a(1)(b).

(ii) Negligent homicide, manslaughter, or murder resulting from the operation of a vessel or an attempt to commit any of those crimes.

(iii) Former section 73, 73b, or 171(1) of the marine safety act.

(i) "Probate court or family division disposition" means the entry of a probate court order of disposition or family division order of disposition for a child found to be within the provisions of chapter XIA of the probate code of 1939, 1939 PA 288, MCL 712A.1 to 712A.32.

(j) "Prosecuting attorney", except as the context requires otherwise, means the attorney general, the prosecuting attorney of a county, or the attorney representing a political subdivision of government.

(k) "Regatta", "boat race", "marine parade", "tournament", or "exhibition" means an organized water event of limited duration that is conducted according to a prearranged schedule.

(l) "Slow—no wake speed" means a very slow speed whereby the wake or wash created by the vessel would be minimal.

(m) "Starboard" means right, and reference is to the starboard side of a vessel or to the right side of the vessel.

(n) "State aid" means payment made by the state to a county for the conduct of a marine safety program.

(o) "Undocumented vessel" means a vessel that does not have, and is not required to have, a valid marine document issued by the United States coast guard or federal agency successor to the United States coast guard.

(p) "Uniform inspection decal" means an adhesive-backed sticker created by the department that is color-coded to indicate the year that it expires and is attached to a vessel in the manner prescribed for decals in MCL 324.80122 when a peace officer inspects and determines that the vessel complies with this part.

(q) "Use" means operate, navigate, or employ.

(r) "Vessel" means every description of watercraft used or capable of being used as a means of transportation on water.

(s) "Waters of this state" means any waters within the territorial limits of this state, and includes those waters of the Great Lakes that are under the jurisdiction of this state.

(t) "Waterways account" means the waterways account established in section 2035.

**State Law reference**— Similar provisions MCL 324.80104

Sec. 90-15. - Arrest without warrant; cases in which arrested person arraigned by magistrate or judge.

If a person is arrested without a warrant for any of the following, the arrested person shall, without unreasonable delay, be arraigned by a magistrate or judge who is within the county in which the offense charged is alleged to have been committed, who has jurisdiction of the offense, and who is nearest or most accessible with reference to the place where the arrest is made:

(a) The person is arrested upon a charge of negligent homicide.

(b) The person is arrested under MCL 324.80176(1), (3), (4), or (5), or a local ordinance substantially corresponding to MCL 324.80176(1) or (3).

(c) The person is arrested under MCL 324.80147 or a local ordinance substantially corresponding to MCL 324.80147. If in the existing circumstances it does not appear that releasing the person pending the issuance of a warrant will constitute a public menace, the arresting officer may proceed as provided by MCL 324.80168.

**State Law reference**— Similar provisions MCL 324.80167.

Sec. 90-16. - Arrest without warrant; notice to appear in court; time; place; appearance; acceptance of pleas.

(a) When a person is arrested without a warrant for a violation of this part punishable as a misdemeanor, or of a provision of any local ordinance or rule established in conformity with this part, under conditions not referred to in MCL 324.80167, the arresting officer shall prepare in duplicate a written notice to appear in court containing the name and

address of the person, the offense charged, and the time and place when and where the person shall appear in court. If the arrested person so demands, he or she shall be arraigned by a magistrate or a district court judge as provided in MCL 324.80167 in lieu of being given the notice.

(b) The time specified in the notice to appear shall be within a reasonable time after the arrest unless the person arrested demands an earlier hearing.

(c) The place specified in the notice to appear shall be before a magistrate or a district court judge who is within the township or county in which the offense charged is alleged to have been committed and who has jurisdiction of the offense.

(d) Appearance may be made in person, by representation, or by mail. When appearance is made by representation or mail, the magistrate or the district court judge may accept the plea of guilty or not guilty for purposes of arraignment, with the same effect as though the person personally appeared before him or her. The magistrate or the district court judge, by giving notice 5 days prior to the date of appearance, may require appearance in person at the time and place designated in the notice.

**State Law reference**— Similar provisions MCL 324.80168.

Sec. 90-17. - Arrest without warrant; nonresidents; recognizance; receipt and summons; failure to appear; deposit of money; report; embezzlement.

(a) If a person not a resident of this state is arrested without a warrant for a violation of this part under conditions not referred to under MCL 324.80167, the officer making the arrest, upon demand of the arrested person, shall immediately take the person for arraignment by a magistrate or a district court judge in the vicinity to answer to the complaint made against him or her. If a magistrate or a district court judge is not available or an immediate trial cannot be had, the person arrested may recognize to the officer for his or her appearance by leaving with him or her not more than \$200.00.

(b) The officer making the arrest shall give a receipt to the person arrested for the money deposited with him or her under subsection (a), together with a written summons as provided in MCL 324.80168.

(c) If the offender fails to appear as required, the deposit shall be forfeited as in other cases of default in bail, in addition to any other penalty provided in this part.

(d) Not more than 48 hours after taking a deposit under this section, the officer shall deposit the money with the magistrate or the district court judge named in the notice to appear, together with a report stating the facts relating to the arrest. Failure to make the report and deposit the money is embezzlement of public money.

**State Law reference**— Similar provisions MCL 324.80169.

Sec. 90.18. - Violation by officer, magistrate, or district court judge as misconduct in office; removal from office; applicability and construction of MCL 324.80168 and 324.80169.

(a) Any officer, magistrate, or district court judge violating MCL 324.80168 or MCL 324.80169 is guilty of misconduct in office and is subject to removal from office.

(b) MCL 324.80168 and MCL 324.80169 govern all peace officers in making arrests without a warrant for violations of this part and do not prevent the execution of a warrant for the arrest of the person as in other cases of misdemeanors when it may be necessary.

**State Law reference**— Similar provisions MCL 324.80170.

Sec. 90-18. - Violation of Chapter or rules; penalties. Unless otherwise specified under this Chapter, a violation of this part or rules promulgated under this Chapter is a misdemeanor. A political subdivision having adopted a local ordinance in conformity with this Chapter may provide that any violation of the ordinance is a misdemeanor. Any person convicted of reckless operation of a vessel as defined in MCL 324.80147, or of operating a motorboat while under the influence of alcoholic liquor or narcotic drugs, or with any amount of a controlled substance listed in schedule 1 under section 7212 of the public health code, 1978 PA 368, MCL 333.7212, or a rule promulgated under that section, or of a controlled substance described in section 7214(a)(iv) of the public health code, 1978 PA 368, MCL 333.7214, in his or her body, in addition to any other penalty, may be refused by the court having jurisdiction of the violation the right of operating any motorboat on any of the waters of this state for a period of not more than 2 years.

Secs. 90-19—90-25. - Reserved.

## ARTICLE II. - BOAT AND WATER SAFETY<sup>[2]</sup>

Footnotes:

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**State Law reference**— Marine safety, MCL 324.80101 et seq., MSA 13A.80101 et seq.

### DIVISION 1. - GENERALLY

Sec. 90-26. - Inspection by a peace officer.

- (a) Upon the direction of a peace officer, the operator of a vessel moving on the waters of this township shall immediately bring the vessel to a stop or maneuver it in a manner that permits the peace officer to come beside the vessel. The operator of the vessel and any person on the vessel shall do the following upon the request of the peace officer:
  - (1) Provide his correct name and address.
  - (2) Exhibit the certificate of number awarded for the vessel.
  - (3) If the vessel does not bear a decal described in MCL 324.80166(a) submit to a reasonable inspection of the vessel and to a reasonable inspection and test of the equipment of the vessel.
- (b) A peace officer shall not stop and inspect a vessel bearing the decal described in MCL 324.80166a or an equivalent decal issued by or on behalf of another state during the period the decal remains in effect unless that peace officer has a reasonable suspicion that the vessel or the vessel's operator is in violation of a marine law or is otherwise engaged in criminal activity.
- (c) A person who is detained for a violation of this part or of a local ordinance substantially corresponding to a provision of this part and who furnishes a peace officer false, forged, fictitious, or misleading verbal or written information identifying the person as another person is guilty of a misdemeanor.
- (d) A peace officer who observes a marine law violation or the commission of a crime may immediately arrest the person without a warrant or issue to the person a written or verbal warning.

**State Law reference**— Similar provisions, MCL 324.80166, MSA 13A.80166.

Secs. 90-27—90-50. - Reserved.

## DIVISION 2. - DISPLAY REQUIREMENTS

Sec. 90-51. – Conditions to operation of vessels; violation; fine.

- (1) Except as otherwise provided in this part, a person shall not operate or give permission for the operation of a vessel of any length on the waters of this state unless the fees prescribed in MCL 324.80124 for the vessel are paid, the certificate of number assigned to the vessel is on board and is in full force and effect, and, except for the following, the identifying number and decal are displayed on each side of the forward half of the vessel in accordance with this part and the rules promulgated by the department under this part:

- (a) A decal and identifying numbers for a wooden hull and historic vessel as that term is defined in section 80124 may be displayed in the manner described in MCL 324.80126(2).
- (b) A decal for an inflatable boat may be displayed on the transom of the boat.
- (2) If a vessel is actually numbered in another state of principal use in accordance with a federally approved numbering system, it is in compliance with the numbering requirements of this state while it is temporarily being used in this state. This subsection applies to a vessel for which a valid temporary certificate is issued to the vessel's owner by the issuing authority of the state in which the vessel is principally used.
- (3) If a vessel is removed to this state as the new state of principal use, a number awarded by any other issuing authority is valid for not more than 60 days before numbering is required by this state.
- (4) A person who violates this section is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

**State Law reference**— Similar provisions, MCL 324.80122 et seq., MSA 13A.80122 et seq.

Sec. 90-52. - Exemption.

(1) The owner of a vessel is not required to pay a fee and a vessel is not required to be numbered and to display a decal under this part if the vessel is 1 or more of the following:

- (a) Used temporarily on the waters of this state and the owner and the vessel are from a country other than the United States.
- (b) A vessel that is owned by the United States, used in the public service for purposes other than recreation, and clearly identifiable as such a vessel.
- (c) A vessel's lifeboat.
- (d) An all-terrain vehicle not used as a vessel.
- (e) A raft, sailboard, surfboard, or swim float.
- (f) A vessel 16 feet or less, propelled by hand either with oars or paddles, and not used for rental or other commercial purposes.
- (g) A nonmotorized canoe or kayak not used for rental or other commercial purposes.

(2) The owner of a vessel documented by the United States coast guard or a federal agency that is the successor to the United States coast guard shall comply with this part, including the payment of fees as provided in this part. However, the vessel shall not be required to display numbers under this part.

(3) This part does not prohibit the numbering of an undocumented vessel pursuant to this part upon request by the owner, even though the vessel is exempt from the numbering requirements of this part.

**State Law reference**— Similar provisions, MCL 324.80123.

Sec. 90-53. - Application for certificate of number; certificate of title; 15-day permit; fee; "the length of vessel" defined; tax exemption; issuance; delinquent fee or tax; penalty; retention of certificate of number on shore; contents of lease or rental agreement; painting or attaching number; assigning block of numbers; federally documented vessel; decal; issuance of original certificate of number, numbering renewal decal, or other renewal device; numbering system; registration; issuance of certificate of number; historic vessel; refund to owner of non-motorized canoe or kayak; refund and computation of fee.

(a) Except as otherwise provided in this section, the owner of a vessel required, pursuant to MCL 324.80122 and MCL 324.80123, to be numbered and to display a decal shall file an application for a certificate of number with the secretary of state. The secretary of state shall prescribe and furnish certificate of title application forms. If a vessel requiring a certificate of title under part 803 is sold by a dealer, that dealer shall combine the application for a certificate of number that is signed by the vessel owner with the application for a certificate of title. The dealer shall obtain the certificate of number in the name of the owner. The application for a certificate of number shall include a certification. The owner of the vessel shall sign the application or, if the application is filed electronically, provide information requested by the secretary of state to verify the owner's identity. A person shall not file an application for a certificate of number that contains false information. A dealer who fails to submit an application as required by this section is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$100.00, or both.

(b) A dealer who submits an application for a certificate of number as provided in subsection (1) may issue to the owner of the vessel a 15-day permit, on forms prescribed by the secretary of state, for the use of the vessel while the certificate of number is being issued.

(c) A dealer may issue a 15-day permit, on a form prescribed by the secretary of state, for the use of a vessel purchased in this state and delivered to the purchaser for removal to a place outside of this state, if the purchaser certifies by his or her signature that the vessel will be registered and primarily used and stored outside of this state and will not be returned to this state by the purchaser for use or storage. A certificate of number shall not be issued for a vessel holding a permit under this subsection.

(d) A 15-day permit issued under subsection (b) or (c) shall not be renewed or extended.

(e) A person shall operate or permit the operation of a vessel for which a 15-day permit has been issued under this section only if the permit is valid and displayed on the vessel as prescribed by rule promulgated by the department under this part.

(f) Except as otherwise provided in this section, an applicant shall pay the following fee at the time of application:

- (1) A 15-day permit issued under subsection (3).. \$ 10.00
- (2) Non-powered vessels, other than non-motorized canoes or kayaks..... 9.00
- (3) Non-motorized canoes or kayaks..... 5.00
- (4) Motorboats less than 12 feet in length..... 14.00
- (5) Motorboats 12 feet or over but less than 16 feet in length..... 17.00
- (6) Motorboats 16 feet or over but less than 21 feet in length..... 42.00
- (7) Motorboats 21 feet or over but less than 28 feet in length..... 115.00
- (8) Motorboats 28 feet or over but less than 35 feet in length..... 168.00
- (9) Motorboats 35 feet or over but less than 42 feet in length..... 244.00
- (10) Motorboats 42 feet or over but less than 50 feet in length..... 280.00
- (11) Motorboats 50 feet in length or over..... 448.00
- (12) Pontoon vessels regardless of size..... 23.00
- (13) Motorized canoes regardless of size..... 14.00
- (14) Vessels licensed under part 473..... 15.00
- (15) Vessels carrying passengers for hire that are in compliance with part 445, or under federal law; and vessels carrying passengers and freight or freight only and owned within this state or hailing from a port within this state..... 45.00

(g) As used in this section, "the length of a vessel" means the distance from end to end over the deck, excluding the longitudinal upward or downward curve of the deck, fore

and aft. For a pontoon boat, length of a vessel means the length of its deck, fore and aft.

(h) Payment of the fee specified in this section exempts the vessel from the tax imposed under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(i) Upon receipt of an initial application for a certificate of number in approved form and payment of the required fee, the secretary of state shall enter the information upon the official records and issue to the applicant a certificate of number containing the number awarded to the vessel, the name and address of the owner, and other information that the secretary of state determines necessary. The secretary of state shall issue a certificate of number that is pocket size and legible. Except as provided in subsection (m), a person operating a vessel shall present that vessel's certificate of number to a peace officer upon the peace officer's request.

(j) If a check or draft payable to the secretary of state under this part is not paid on its first presentation, the fee or tax is delinquent as of the date the draft or check was tendered. The person tendering the check or draft remains liable for the payment of the fee or tax and a penalty.

(k) Upon determining that a fee or tax required by this part has not been paid and remains unpaid after reasonable notice and demand, the secretary of state may suspend a certificate of number.

(l) If a person who tenders a check or draft described in subsection (j) fails to pay the fee or tax for which the check or draft was tendered within 15 days after the secretary of state gives him or her notice that the check or draft described in subsection (j) was not paid on its first presentation, the secretary of state shall assess and collect a penalty of \$5.00 or 20% of the check or draft, whichever is larger, in addition to the fee or tax.

(m) The owner or authorized agent of the owner of a vessel less than 26 feet in length that is leased or rented to a person for noncommercial use for not more than 24 hours may retain, at the place from which the vessel departs or returns to the possession of the owner or the owner's representative, the certificate of number for that vessel if a copy of the lease or rental agreement is on the vessel. Upon the demand of a peace officer, the operator shall produce for inspection either the certificate of number or a copy of the lease or rental agreement for that vessel. The lease or rental agreement shall contain each of the following:

- (1) The vessel number that appears on the certificate of number.
- (2) The period of time for which the vessel is leased or rented.
- (3) The signature of the vessel's owner or that person's authorized agent.
- (4) The signature of the person leasing or renting the vessel.

(n) Upon receipt of a certificate of number for a vessel, the owner of that vessel shall paint on or attach in a permanent manner to each side of the forward half of the vessel the number identified in the certificate of number, in the manner prescribed by rules promulgated by the department. The secretary of state shall assign to the owner of vessels for rent or lease a block of numbers sufficient to number consecutively all of that owner's rental or lease vessels. The owner shall maintain the numbers in a legible condition. A vessel documented by the United States coast guard or a federal agency that is the successor to the United States coast guard is not required to display numbers under this part but shall display a decal indicating payment of the fee prescribed in subsection (f), and shall otherwise be in compliance with this part. This subsection does not apply to a non-powered vessel 12 feet or less in length.

(o) Upon receipt of an application for a certificate of number in an approved form and payment of the fee required by this part, the secretary of state shall issue a decal that indicates that the vessel is numbered in compliance with this part. The decal shall be color-coded and dated to identify the year of its expiration. The department shall promulgate a rule or rules to establish the manner in which the decal is to be displayed. A person who operates a vessel in violation of a rule promulgated to implement this subsection is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

(p) A decal is valid for a 3-year period that begins on April 1 and expires on March 31 of the third year. An original certificate of number may be issued up to 90 days before April 1. A numbering renewal decal or other renewal device may be issued up to 90 days before the expiration of a certificate.

(q) Upon receipt of a request for renewal of a decal and payment of the fee prescribed in subsection (f), the secretary of state shall issue to the applicant a decal as provided in subsection (o). A person who operates a vessel for which no decal was issued as required under this section or for which a decal has expired is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

(r) The numbering system adopted under this part shall be in accordance with the standard system of numbering established by the secretary of the department in which the United States coast guard operates.

(s) An agency of this state, a political subdivision of this state, or a state supported college or university of this state that owns a vessel that is required to be numbered under this part shall register that vessel and upon payment of either of the following shall receive from the secretary of state a certificate of number for that vessel:

(1) A fee of \$3.00 for a vessel that is not used for recreational, commercial, or rental purposes.

(2) The fee required under subsection (f) for a vessel that is used for recreational, commercial, or rental purposes.

(t) The secretary of state shall, upon receipt of payment of the fee required under subsection (s), issue a certificate of number for each vessel subject to subsection (s).

(u) A vessel that is 30 years of age or older and not used other than in club activities, exhibitions, tours, parades, and other similar activities is a historic vessel. The secretary of state shall make available to the public application forms for certificates of number for historic vessels and, upon receipt of a completed application form and fee, shall number a historic vessel as a historic vessel. The fee for the numbering of a historic vessel is 1/3 of the otherwise applicable fee specified in subsection (f).

(v) The secretary of state shall refund to the owner of a vessel registered under this part all of the registration fee paid for that vessel under this section if all of the following conditions are met during the period for which the registration fee was paid:

(1) The owner transfers or assigns title or interest in the registered vessel before placing the decal issued under subsection (o) on the vessel.

(2) The owner surrenders the unused decal to the secretary of state within 30 days after the date of transfer or assignment.

(w) The secretary of state shall refund to the surviving spouse of a deceased vessel owner the registration fee paid under this part, prorated on a monthly basis, upon receipt of the decal issued under subsection (o) or evidence satisfactory to the secretary of state that the decal issued under subsection (o) has been destroyed or voided.

(x) If the secretary of state computes a fee under this part that results in a figure other than a whole dollar amount, the secretary of state shall round the figure to the nearest whole dollar.

**State Law reference**— Similar provisions, MCL 324.80124.

Sec. 90-54. - Dealer certificates of number and dealer decals.

(a) A dealer shall apply for and obtain from the secretary of state dealer certificates of number and dealer decals for each vessel of the dealer that is tested, demonstrated, or otherwise operated. Upon receipt of an application in a form approved by the secretary of state and payment of \$30.00 for each set of dealer certificates of number and dealer decals, the secretary of state shall issue to the applicant the dealer certificates of number and dealer decals. A single dealer certificate of number and dealer decal issued pursuant to this section may be used on only 1 vessel at a time.

(b) The operator of a vessel governed by this section shall do each of the following:

(1) Maintain the dealer certificate of number on board the vessel.

(2) Upon demand of a peace officer, display the dealer certificate of number.

(3) Permanently or temporarily display the identifying number and dealer decal on the vessel in accordance with rules promulgated by the department under this part.

(c) A person shall not operate a vessel numbered under this section unless the dealer is on board the vessel or the operator has the written authorization of the dealer to operate the vessel. A person shall not use a vessel numbered under this section for commercial purposes that include the rental of the vessel or the carrying of passengers for hire on the vessel.

**State Law reference**— Similar provisions, MCL 324.80126.

Secs. 90-55—90-65. - Reserved.

### DIVISION 3. - OPERATING REQUIREMENTS

Sec. 90-66. - Operation—Generally.

A person operating or propelling a vessel upon the waters of this township shall operate it in a careful and prudent manner and at such a rate of speed so as not to endanger unreasonably the life or property of any person. A person shall not operate any vessel at a rate of speed greater than will permit him, in the exercise of reasonable care, to bring the vessel to a stop within the ensured clear distance ahead. A person shall not operate a vessel in a manner so as to interfere unreasonably with the lawful use by others of any waters. A person who violates this section is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not more than \$500.00

**State Law reference**— Similar provisions, MCL 324.80145, MSA 13A.80145.

Sec. 90-67. - Same—Motorboats by children.

- (a) Except as otherwise provided in this section, a person less than 12 years of age shall not operate a motorboat on the waters of this township unless all of the following conditions are met:
- (1) He or she has been issued and is in possession of a boating safety certificate.
  - (2) He or she is under the direct supervision of a person on board the motorboat who is 16 years of age or older.
  - (3) The motorboat he or she operates is powered by a motor totaling no more than 35 horsepower.
- (b) Except as otherwise provided in this section, a person 12 through 15 years of age may operate a motorboat on the waters of this township only if that person complies with either of the following:

- (1) He or she is accompanied by at least one person 16 years of age or older.
- (2) He or she is in possession of a boating safety certificate issued after he or she has satisfactorily completed a department approved course in boating safety.
- (c) A person operating a motorboat as described in this section shall present the boating safety certificate issued to him or her upon the demand of any peace officer.
- (d) This section does not apply to the operation of a motorboat that is powered by a motor totaling no more than six horsepower.
- (e) Beginning July 1, 2012, a person who is born on or after July 1, 1996 shall not operate a motorboat on the waters of this township unless the person has been issued and is in possession of a boating safety certificate.

**State Law reference**— Similar provisions, MCL 324.80141, MSA 13A.80141.

Sec. 90-68. - Operation of vessels; rules; violation; fine..

- (a) When vessels are being operated in such a manner as to make collision imminent or likely, the following apply:
  - (1) When 2 vessels are approaching each other head-on, or nearly so, the operator of each shall cause his or her vessel to pass on the port side of the other.
  - (2) When overtaking a vessel proceeding in the same direction, the operator of the overtaking vessel, unless it is not feasible to do so, shall pass on the port side of the vessel ahead.
  - (3) When 2 vessels are approaching each other at right angles or obliquely so as to involve risk of collision, other than when 1 vessel is overtaking another, the operator of the vessel that has the other on his or her own port side shall hold his or her course and speed, and the operator of the vessel that has the other on his or her own starboard side shall give way to the other by directing his or her course to starboard so as to cross the stern of the other vessel or, if necessary to do so, shall slacken his or her speed, stop, or reverse.
  - (4) When a motorboat and a vessel under sail are proceeding in a manner that involves a risk of collision, the operator of the motorboat shall give way to the vessel under sail.
  - (5) When a motorboat and a vessel not propelled by sail or mechanical means are proceeding in a manner that involves risk of collision, the operator of the motorboat shall give way to the other vessel.
  - (6) When, by any of the rules provided in this section, the operator of a vessel is required to give way to the other, the operator of the other vessel shall maintain his or her direction and speed.
- (b) This section does not relieve the operator of a vessel otherwise privileged by this section from the duty to operate with due regard for the safety of all persons using the waters of this state.

- (c) A person who violates this section is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

**State Law reference**— Similar provisions, MCL 324.80144.

Sec. 90-69. - Reckless operation by operator or person being towed.

- (a) If a person carelessly and heedlessly operates a vessel upon the waters of this township in disregard of the rights or safety of others, or without due caution and circumspection, or at a rate of speed or in a manner that endangers or is likely to endanger a person or property, that person is guilty of reckless operation of a vessel and is subject to the penalties described in subsection (c) of this section.
- (b) If a person who, while being towed on water skis, water sled, surfboard, or a similar contrivance upon the waters of this township, carelessly and heedlessly navigates, steers, or controls himself in disregard of the rights or safety of others, or without due caution and circumspection and in a manner that endangers or is likely to endanger a person or property, that person is guilty of reckless operation of the contrivance that he or she controls, and is subject to the penalties described in subsection (c) of this section.
- (c) Upon a person's conviction under this section, the court may issue an order prohibiting that person from operating a vessel on the waters of this township for a period of not more than two years. Upon a person's subsequent conviction under this section, the court shall order that person to participate in and complete a marine safety educational program approved by the department of natural resources. An order issued pursuant to this subsection is in addition to any other penalty authorized under this article.

**State Law reference**— Similar provisions, MCL 324.80147, MSA 13A.80147.

Sec. 90-70. - Operating motorboat at more than slow—no wake speed; prohibitions; exceptions.

- (a) Subject to the exceptions described in subsection (b) of this section, a person shall not operate a motorboat at more than slow-no wake speed if any of the following circumstances exist:
- (1) A person is located on or in the bow of the motorboat, and that motorboat is not manufactured to provide bow seating.
  - (2) A person or portion of a person's body extends beyond the exterior port or starboard wall of the hull of the motorboat.
- (b) This section does not apply to either of the following:
- (1) A person engaged in the operation of a sailboat that is not being powered by a motor.

- (2) A person on board a vessel who is attempting to anchor, moor, dock, or otherwise secure the vessel.

**State Law reference**— Similar provisions, MCL 324.80148, MSA 13A.80148.

Sec. 90-71. - Counterclockwise operation.

Persons operating vessels on the waters of this township in areas not marked by well-defined channels, canals, rivers or stream courses shall operate in a counterclockwise fashion insofar as it is reasonably possible. Such persons and persons being towed on water skis, water sleds, kites, surfboards or similar contrivances shall maintain a distance of 100 feet from any dock, raft, buoyed or occupied bathing area, or vessel moored or at anchor, except when the vessel is proceeding at a slow-no wake speed or when water skiers are being picked up or dropped off, if such operation is otherwise conducted with due regard to the safety of persons and property and in accordance with the laws of this state.

**State Law reference**— Similar provisions, MCL 324.80149, MSA 13A.80149.

Sec. 90-72. - Restricted areas.

A person shall not operate a vessel on any of the waters of this township within a lawfully authorized restricted area clearly marked by buoys, beacons or other distinguishing devices as being prohibited to vessels.

**State Law reference**— Similar provisions, MCL 324.80150, MSA 13A.80150.

Sec. 90-73. - Divers and diver's flag.

Any person diving or submerging in any of the waters of this township with the aid of a diving suit or other mechanical diving device shall place a buoy or boat in the water at or near the point of submergence. The buoy or boat shall bear a red flag not less than 14 inches by 16 inches with a 3½-inch white stripe running from one upper corner to a diagonal lower corner. The flag shall be in place only while actual diving operations are in progress. A vessel shall not be operated within 200 feet of a buoyed diver's flag unless it is involved in tendering the diving operation. A person diving shall stay within a surface area of 100 feet of the diver's flag.

**State Law reference**— Similar provisions, MCL 324.80155, MSA 13A.80155.

Sec. 90-74. - Towing—During prohibited hours.

- (a) An operator of any vessel shall not have in tow or otherwise be assisting in the propulsion of a person on water skis, water sled, surfboard or other similar contrivance during the period of one hour after sunset to one hour prior to sunrise.

- (b) A person shall not permit himself or herself to be towed on water skis or on a water sled, surfboard, or similar contrivance in violation of this part.
- (c) A person who violates this section is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

**State Law reference**— Similar provisions, MCL 324.80151, MSA 13A.80151.

Sec. 90-75. - Same—Persons.

- (a) Except as otherwise provided in this section, a person shall not operate a vessel on the waters of this state while towing or otherwise assisting a person being towed unless both of the following conditions are met:
  - (1) A person capable of communicating to the vessel operator the condition and needs of the person being towed or assisted is on board the vessel and positioned to observe the person being towed or assisted.
  - (2) The person being towed is wearing the proper type I, type II, or type III personal flotation device, as applicable. The wearing of an inflatable personal flotation device does not satisfy this requirement.
- (b) A person who violates subsection (a) is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$100.00.
- (c) A person shall not permit himself or herself to be towed or otherwise assisted by a vessel on the waters of this state unless he or she complies with the conditions listed in subsection (a).
- (d) A person who violates subsection (c) who is 16 years of age or older is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$100.00.
- (e) Subsections (a) and (c) do not apply to any of the following:
  - (1) A person who operates or who is towed by a vessel used by a ski school in the giving of instructions or a vessel used in sanctioned ski tournaments, competitions, expositions, or trials if the vessel is equipped with a 170-degree wide-angle rearview mirror affixed in a manner that will permit the operator to observe the progress of the person being towed.
  - (2) A person being towed by a motorboat less than 16 feet in length that is actually operated by the person being towed if the vessel is constructed to be incapable of carrying the operator in or on the motorboat.
  - (3) A vessel operator or the person being towed if the vessel operator is towing a person preparing for a specific water ski tournament and if all of the following conditions are met:
    - (i) The vessel operator is certified as provided in subsection (f).
    - (ii) The person being towed is certified as provided in subsection (g).

- (iii) Towing is conducted so that, on average, not more than 1 vessel approaches within 300 feet of the towing vessel during any 5-minute period.
- (iv) The vessel is equipped with all of the following:
  - (A) A center-mounted tow pylon.
  - (B) A large clear rearview mirror capable of allowing the vessel operator to distinguish hand signals at a distance of 75 feet.
  - (C) Markings that identify the vessel as a vessel that is being operated in conformance with this subdivision.
- (f) The department shall adopt standards for water ski tournament boat operation established by U.S.A. water ski in "Trained Boat Driver Program", April 1997, and by the American water ski association in "Drivers' Policy Manual". However, the department may promulgate rules providing for alternative standards under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. The department shall certify each individual who satisfies the standards described in this subsection as a tournament water ski vessel operator and issue proof of that certification to the individual.
- (g) The department shall adopt standards for tournament water skiers established by the Michigan water ski association in "Guidelines for Training Permit Eligibility", proposed revision 125 of 1996. However, the department may promulgate rules providing for alternative standards under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. The department shall certify each individual who satisfies the standards described in this subsection as a tournament water skier and issue proof of that certification to the individual.
- (h) The Michigan water ski association shall provide annually to the department and the Michigan sheriffs association both of the following:
  - (1) A list of the individuals whom the organization considers qualified for tournament water skiing.
  - (2) The names of not more than 3 bodies of water on which each of those individuals may be authorized to practice for tournament water skiing.
- (i) The department shall specify the body or bodies of water upon which a water skier may practice upon each certificate issued under subsection (g).

**State Law reference**— Similar provisions, MCL 324.80152, MSA 13A.80152.

Sec. 90-76. - Sitting, standing and walking on vessels.

Any occupant or operator of any vessel underway on the waters of this township shall not sit, stand or walk upon any portion of the vessel not specially designed for such purpose, except when immediately necessary for the safe and reasonable navigation or operation of the vessel.

**State Law reference**— Similar provisions, MCL 324.80153, MSA 13A.80153.

Sec. 90-77. - Speed limits.

- (a) On waters of this township for which a motorboat speed limit is not established under subsection (1) of section 80146 of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80146, MSA 13A.80146), or on any waters for which the department has not established an unlimited motorboat speed limit, or on any waters for which stricter speed restrictions are not established pursuant to an act, a maximum speed limit of 55 miles per hour is established, except in an emergency and except for authorized peace and conservation officers when engaged in official duties. The maximum speed limit of 55 miles per hour shall not apply to the Great Lakes and Lake St. Clair, except for an area within one mile of the shoreline, measured at a right angle from the shoreline.
- (b) A person shall not operate a motorboat on the waters of this township at a speed greater than slow-no wake speed or the minimum speed necessary for the motorboat to maintain forward movement when within 100 feet of the shoreline where the water depth is less than three feet, as determined by vertical measurement, except in navigable channels not otherwise posted.
- (c) A person operating a motorboat in violation of this section is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not more than \$500.00, unless 1 of the following conditions exists:
  - (1) The requirements of this section have been waived as described under subsection (d)
  - (2) The person violates this section in a manner that constitutes reckless operation of a motorboat as described in Sec. 90-69.
- (d) The department may waive this section and MCL 324.80156 for marine events authorized by the department under section 80164 of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80146, MSA 13A.80164).

**State Law reference**— Similar provisions, MCL 324.80146, MSA 13A.80146.

Sec. 90-78. - Operation of a vessel while under the influence of intoxicating liquors and/or controlled substances.

- (a) A person shall not operate a vessel on the waters of this township if any of the following applies:
  - (1) The person is under the influence of intoxicating liquor or a controlled substance, or both.
  - (2) The person has a blood alcohol content of 0.08 percent or more by weight of alcohol.
  - (3) The person has in his or her body any amount of a controlled substance listed in schedule 1 under section 7212 of the public health code, 1978 PA 368, MCL

333.7212, or a rule promulgated under that section, or of a controlled substance described in section 7214(a)(iv) of the public health code, 1978 PA 368, MCL 333.7214.

- (b) The owner of a vessel or a person in charge or in control of a vessel shall not authorize or knowingly permit the vessel to be operated on the waters of this township by a person who is under the influence of intoxicating liquor or a controlled substance, or both, or who has a blood alcohol content of 0.08 percent or more by weight of alcohol.
- (c) A person shall not operate a vessel on the waters of this township when, due to the consumption of an intoxicating liquor or a controlled substance, or both, the person's ability to operate the vessel is visibly impaired. If a person is charged with violating subsection (a) of this section, a finding of guilty under this subsection may be rendered.

(Ord. No. 2-16-16(7), eff. 3-24-16)

**State Law reference**— Similar provisions, MCL 324.80176, MSA 13A.80176.

Sec. 90-79. - Penalties for violation of section 90-78(a) or (b).

- (a) If a person is convicted of violating subsection (a) of section 90-78, the following apply:
  - (1) Except as otherwise provided in subsection (a)(2) of this section, the person is guilty of a misdemeanor and shall be punished by one or more of the following:
    - a. Community service for not more than 45 days.
    - b. Imprisonment for not more than 90 days.
    - c. A fine of not less than \$100.00 or more than \$500.00.
  - (2) If the violation occurs within seven years of a prior conviction, the person shall be sentenced to both a fine of not less than \$200.00 or more than \$500.00 and either of the following:
    - a. Community service for not less than ten days or more than 90 days, and may be imprisoned for not more than 90 days.
    - b. Imprisonment for not less than 48 consecutive hours or more than 90 days, and may be sentenced to community service for not more than 90 days.
- (b) A term of imprisonment imposed under subsection (a)(2)b of this section shall not be suspended. A person sentenced to perform service to the community under this section shall not receive compensation and shall reimburse the township for the cost of supervision incurred by the township as a result of the person's activities in that service.
- (c) In addition to the sanctions prescribed under subsection (a) of this section, the court may, pursuant to the code of criminal procedure, Act No. 175 of the Public Acts of

Michigan of 1927 (MCL 760.1 et seq., MSA 28.841 et seq.), order the person to pay the costs of the prosecution. The court shall also impose sanctions under sections 80185 and 80186 of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80185 et seq., MSA 13A.80185 et seq.).

- (d) A person who is convicted of violating subsection (b) of section 90-79 is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not less than \$100.00 or more than \$500.00, or both.
- (e) As used in this section, the term "prior conviction" means a conviction for a violation of section 80176(1), (4), or (5) of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80176(1), (4), (5), MSA 13A.80176(1), (4), (5), former section 171(1), (4), or (5) of Act No. 301 of the Public Acts of Michigan of 1992 (MCL 281.1171(1), (4) or (5), MSA 18.1287(171), (1), (4) or (5)) or former section 73 of Act No. 303 of the Public Acts of Michigan of 1967 (MCL 281.1073, MSA 18.1287(73)), a local ordinance substantially corresponding to section 80176(1) of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80176(1), MSA 13A.80176(1)) or former section 73, or a law of another state substantially corresponding to section 80176(1) of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80176(1), MSA 13A.80176(1)) or former section 73.

**State Law reference**— Similar provisions, MCL 324.80177, MSA 13A.80177.

Sec. 90-80. - Penalties for violation of section 90-78(c).

- (a) If a person is convicted of violating subsection (c) of section 90-78, the following apply:
  - (1) Except as otherwise provided in subsections (a)(2) and (a)(3) of this section, the person is guilty of a misdemeanor, punishable by one or more of the following:
    - a. Community service for not more than 45 days.
    - b. Imprisonment for not more than 90 days.
    - c. A fine of not more than \$300.00.
  - (2) If the violation occurs within seven years of one prior conviction, the person shall be sentenced to both a fine of not less than \$200.00 or more than \$500.00, and either of the following:
    - a. Community service for a period of not less than ten days or more than 90 days, and may be sentenced to imprisonment for not more than 90 days.
    - b. Imprisonment for not more than 90 days, and may be sentenced to community service for not more than 90 days.
  - (3) If the violation occurs within ten years of two or more prior convictions, the person shall be sentenced to both a fine of not less than \$200.00 or more than \$500.00, and either of the following:

- a. Community service for a period of not less than ten days or more than 90 days, and may be sentenced to imprisonment for not more than 90 days.
  - b. Imprisonment for not more than 90 days, and may be sentenced to community service for not more than 90 days.
- (b) In addition to the sanctions prescribed in subsection (a) of this section, the court may, pursuant to the code of criminal procedure, Act No. 175 of the Public Acts of Michigan of 1927 (MCL 760.1 et seq., MSA 28.841 et seq.), order the person to pay the costs of the prosecution. The court shall also impose sanctions under sections 80185 and 80186 of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80185 et seq., MSA 13A.80185 et seq.).
- (c) A person sentenced to perform service to the community under this section shall not receive compensation, and shall reimburse the township for the cost of supervision incurred by the township as a result of the person's activities in that service.
- (d) As used in this section, the term "prior conviction" means a conviction for a violation of section 80176(1), (3), (4), or (5) of Act No. 58 of the Public Acts of Michigan of 1995, former section 171(1), (3), (4), or (5) of Act No. 301 of the Public Acts of Michigan of 1992 (MCL 281.1171(1), (4) or (5), MSA 18.1287(171), (1), (4) or (5)), former section 73 of Act No. 303 of the Public Acts of Michigan of 1967 (MCL 281.1073, MSA 18.1287(73)), former section 73b of Act No. 231 of the Public Acts of Michigan of 1982 (MCL 281.1073b, MSA 18.1287(73b)), a local ordinance substantially corresponding to section 80176(1) of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80176(1), MSA 13A.80176(1)), former section 73, or former section 73b, or a law of another state substantially corresponding to section 80176(1), (3), (4), or (5), former section 73, or former section 73b.

**State Law reference**— Similar provisions, MCL 324.80178, MSA 13A.80178.

Secs. 90-82—90-95. - Reserved.

### ARTICLE III. - REGULATIONS FOR SPECIFIC LAKES

Sec. 90-96. - Speed limits for certain areas of Belleville Lake.

- (a) *Definitions.* All words and phrases used in this section shall be construed and have the same meanings as those words and phrases defined in Act No. 303 of the Public Acts of Michigan of 1967 (MCL 281.1008, MSA 18.1287(8)), as amended.
- (b) *Operation of vessels; speed limit.* On the waters of Belleville Lake, section 24, T3S, R7E, and sections 14, 19, 20, 21, 22, 23, 24, 28, 29, and 30, T3S, R7E in the township, it is unlawful, at any time, to operate a vessel at a speed in excess of 40 miles per hour (64 kilometers per hour).
- (c) *Penalty for violation of section.* Violations of this section are a misdemeanor and may be punished by a fine not to exceed \$100.00, together with costs of

prosecution or imprisonment in the county jail or such other place of detention as the court may prescribe, for a period not to exceed 90 days, or such fine, costs of prosecution and imprisonment, at the discretion of the court.

(Ord. No. 8-27-85, §§ 1, 2, 4, eff. 10-4-85)

**State Law reference**— Similar provisions, MCL 324.80146, MSA 13A.80146.

Sec. 90-97. - Denton Road Bridge and Belleville Road Bridge; speed limits; penalty for violation of section.

- (a) On the waters of that portion of Belleville Lake in the township, within 100 feet of the Denton Road Bridge, no operator of any motorboat shall exceed a slow-no wake speed.
- (b) On the waters of that portion of Belleville Lake in the township, within 100 feet of the Belleville Road Bridge, no operator of any motorboat shall exceed a slow-no wake speed.
- (c) Violations of the provisions of this section shall be punishable by a fine of not more than \$100.00 for such offense or imprisonment in the county jail for a period not to exceed 90 days, or both such fine and imprisonment.

(Ord. No. 7-25-67, §§ 1—3, eff. 9-8-67)

**State Law reference**— Similar provisions, MCL 324.80146, MSA 13A.80146.

**Effective Date**

This amendment shall become effective upon publication in a newspaper of general circulation within the Charter Township of Van Buren.

THIS ORDINANCE IS HEREBY DECLARED TO HAVE BEEN ADOPTED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF VAN BUREN, COUNTY OF WAYNE, STATE OF MICHIGAN, AT A REGULAR MEETING, CALLED AND HELD ON THE \_\_\_\_\_ day of \_\_\_\_\_, 2017.

YEAS (in favor of amendment): \_\_\_\_\_

NAYS (opposed to amendment): \_\_\_\_\_

ABSENT: \_\_\_\_\_

I hereby approve the foregoing Ordinance.

\_\_\_\_\_  
Kevin McNamara,

Supervisor, Charter Township of Van Buren

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Leon Wright,  
Clerk, Charter Township of Van Buren

Adopted: \_\_\_\_\_  
Published: \_\_\_\_\_  
Effective: \_\_\_\_\_

Chapter 90 - WATERWAYS<sup>(1)</sup>

Footnotes:

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**Cross reference**— Excavation of ponds, § 42-211 et seq.; offenses and miscellaneous provisions, ch. 58.

**State Law reference**— Marine safety, MCL 324.80101 et seq., MSA 13A.80101 et seq.

ARTICLE I. - IN GENERAL

Sec. 90-1. – Definitions A-C

As used in this part:

(a) "Airboat" means a motorboat that is propelled, wholly or in part, by a propeller projecting above the water surface.

(b) "Alcoholic liquor" means that term as defined in section 1d of the Michigan vehicle code, 1949 PA 300, MCL 257.1d.

(c) "Anchored rafts" means all types of nonpowered rafts used for recreational purposes that are anchored seasonally on waters of this state.

(d) "Associated equipment" means any of the following that are not radio equipment:

(i) An original system, part, or component of a boat at the time that boat was manufactured, or a similar part or component manufactured or sold for replacement.

(ii) Repair or improvement of an original or replacement system, part, or component.

(iii) An accessory or equipment for, or appurtenance to, a boat.

(iv) A marine safety article, accessory, or equipment intended for use by a person on board a boat.

(e) "Boat" means a vessel.

(f) "Boat livery" means a business that holds a vessel for renting, leasing, or chartering.

(g) "Boating safety certificate" means any of the following:

(i) The document issued by the department under part 802 that certifies that the individual named in the document has successfully completed a boating safety course and passed an examination approved and administered as required under section 80212.

(ii) A document issued by the United States coast guard auxiliary or United States power squadron that certifies that the individual named in the document has successfully completed a United States coast guard auxiliary course concerning boating safety.

(iii) A written rental agreement provided to an individual named in the rental agreement entered into under section 44522 only on the date or dates indicated on the rental agreement while the named individual is operating a personal watercraft leased, hired, or rented from a boat livery.

(h) "Boating safety course" means a course that meets both of the following requirements:

(i) Provides instruction on the safe operation of a personal watercraft that meets or exceeds the minimum course content for boating or personal watercraft education established by the national association of state boating law administrators education committee (October 1996), a province of the commonwealth of Canada, or another country.

(ii) Is approved by the department.

(i) "Controlled substance" means that term as defined in section 7104 of the public health code, 1978 PA 368, MCL 333.7104.

(j) "Conviction" means a final conviction, the payment of a fine, a plea of guilty or nolo contendere if accepted by the court, a finding of guilt, or a probate court or family division disposition on a violation of this part, regardless of whether the penalty is rebated or suspended.

State Law reference— Similar provisions MCL 324.80101

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Sec. 90-2. – Definitions D to L.

As used in this part:

(a) "Dealer" means a person and an authorized representative of that person who annually purchases from a manufacturer, or who is engaged in selling or manufacturing, 6 or more vessels that require certificates of number under this part.

(b) "Identification document" means any of the following:

(i) A valid Michigan operator's or chauffeur's license.

(ii) A valid driver's or chauffeur's license issued by an agency, department, or bureau of the United States or another state.

(iii) An official identification card issued by an agency, department, or bureau of the United States, this state, or another state.

(iv) An official identification card issued by a political subdivision of this state or another state.

(c) "Issuing authority" means the United States coast guard or a state that has a numbering system approved by the United States coast guard.

(d) "Law of another state" means a law or ordinance enacted by any of the following:

(i) Another state.

(ii) A local unit of government in another state.

(iii) Canada or a province or territory of Canada.

(iv) A local unit of government in a province or territory of Canada.

(e) "Lifeboat" means a small boat designated and used solely for lifesaving purposes, and does not include a dinghy, tender, speedboat, or other type of craft that is not carried aboard a vessel for lifesaving purposes.

(f) "Long-term incapacitating injury" means an injury that causes serious impairment of a body function.

State Law reference— Similar provisions MCL 324.80102

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Sec. 90-3. – Definitions M to O.

As used in this part:

(a) "Manufacturer" means a person engaged in any of the following:

(i) The manufacture, construction, or assembly of boats or associated equipment.

(ii) The manufacture or construction of components for boats and associated equipment to be sold for subsequent assembly.

(iii) The importation of a boat or associated equipment into the state for sale.

(b) "Marine law" means this part, a local ordinance adopted in conformity with this part, or a rule promulgated under this part.

(c) "Marine safety act" means former Act No. 303 of the Public Acts of 1967.

(d) "Marine safety program" means marine law enforcement, search and rescue operations, water safety education, recovery of drowned bodies, and boat livery inspections.

(e) "Michigan vehicle code" means Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws.

(f) "Motorboat" means a vessel propelled wholly or in part by machinery.

(g) "Operate" means to be in control of a vessel while the vessel is under way and is not secured in some manner such as being docked or at anchor.

(h) "Operator" means the person who is in control or in charge of a vessel while that vessel is underway.

(i) "Owner" means a person who claims or is entitled to lawful possession of a vessel by virtue of that person's legal title or equitable interest in a vessel.

State Law reference— Similar provisions MCL 324.80103

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Sec. 90-4. – Definitions P to W.

As used in this part:

(a) "Highly restricted personal information" means an individual's photograph or image, social security number, digitized signature, and medical and disability information.

(b) "Passenger" means a person carried on board, attached to, or towed by a vessel, other than the operator.

(c) "Peace officer" means any of the following:

(i) A sheriff.

(ii) A sheriff's deputy.

(iii) A deputy who is authorized by a sheriff to enforce this part and who has satisfactorily completed at least 40 hours of law enforcement training, including training specific to this part.

(iv) A village or township marshal.

(v) An officer of the police department of any municipality.

(vi) An officer of the Michigan state police.

(vii) The director and conservation officers employed by the department.

(d) "Personal information" means information that identifies an individual, including an individual's driver identification number, name, address not including zip code, and telephone number, but does not include information on watercraft operation and equipment-related violations or civil infractions, operator or vehicle registration status, accidents, or other behaviorally-related information.

(e) "Personal watercraft" means that term as defined in 40 CFR 1045.801.

(f) "Political subdivision" means any county, metropolitan authority, municipality, or combination of those entities in this state. If a body of water is located in more than 1 political subdivision, all of the subdivisions shall act individually in order to comply with this part, except that if the problem is confined

to a specific area of the body of water, only the political subdivision in which the problem waters lie shall act.

(g) "Port" means left, and reference is to the port side of a vessel or to the left side of the vessel.

(h) "Prior conviction" means a conviction for any of the following, whether under a law of this state, a local ordinance substantially corresponding to a law of this state, a law of the United States substantially corresponding to a law of this state, or a law of another state substantially corresponding to a law of this state:

(i) A violation or an attempted violation of section 80176(1), (3), (4), (5), (6), or (7), except that only 1 violation or attempted violation of section 80176(6), a local ordinance substantially corresponding to section 80176(6), or a law of another state substantially corresponding to section 80176(6), or a law of the United States substantially corresponding to section 80176(6) may be used as a prior conviction other than for enhancement purposes as provided in section 80178a(1)(b).

(ii) Negligent homicide, manslaughter, or murder resulting from the operation of a vessel or an attempt to commit any of those crimes.

(iii) Former section 73, 73b, or 171(1) of the marine safety act.

(i) "Probate court or family division disposition" means the entry of a probate court order of disposition or family division order of disposition for a child found to be within the provisions of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.1 to 712A.32.

(j) "Prosecuting attorney", except as the context requires otherwise, means the attorney general, the prosecuting attorney of a county, or the attorney representing a political subdivision of government.

(k) "Regatta", "boat race", "marine parade", "tournament", or "exhibition" means an organized water event of limited duration that is conducted according to a prearranged schedule.

(l) "Slow—no wake speed" means a very slow speed whereby the wake or wash created by the vessel would be minimal.

(m) "Starboard" means right, and reference is to the starboard side of a vessel or to the right side of the vessel.

(n) "State aid" means payment made by the state to a county for the conduct of a marine safety program.

(o) "Undocumented vessel" means a vessel that does not have, and is not required to have, a valid marine document issued by the United States coast guard or federal agency successor to the United States coast guard.

(p) "Uniform inspection decal" means an adhesive-backed sticker created by the department that is color-coded to indicate the year that it expires and is attached to a vessel in the manner prescribed for

decals in section 80122 when a peace officer inspects and determines that the vessel complies with this part.

(q) "Use" means operate, navigate, or employ.

(r) "Vessel" means every description of watercraft used or capable of being used as a means of transportation on water.

(s) "Waters of this state" means any waters within the territorial limits of this state, and includes those waters of the Great Lakes that are under the jurisdiction of this state.

(t) "Waterways account" means the waterways account established in section 2035.

State Law reference— Similar provisions MCL 324.80104

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Sec. 90-15. - Arrest without warrant; cases in which arrested person arraigned by magistrate or judge.

If a person is arrested without a warrant for any of the following, the arrested person shall, without unreasonable delay, be arraigned by a magistrate or judge who is within the county in which the offense charged is alleged to have been committed, who has jurisdiction of the offense, and who is nearest or most accessible with reference to the place where the arrest is made:

(a) The person is arrested upon a charge of negligent homicide.

(b) The person is arrested under MCL 324.80176(1), (3), (4), or (5), or a local ordinance substantially corresponding to MCL 324.80176(1) or (3).

(c) The person is arrested under MCL 324.80147 or a local ordinance substantially corresponding to MCL 324.80147. If in the existing circumstances it does not appear that releasing the person pending the issuance of a warrant will constitute a public menace, the arresting officer may proceed as provided by MCL 324.80168.

State Law reference— Similar provisions MCL 324.80167.

Sec. 90-16. - Arrest without warrant; notice to appear in court; time; place; appearance; acceptance of pleas.

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(a) When a person is arrested without a warrant for a violation of this part punishable as a misdemeanor, or of a provision of any local ordinance or rule established in conformity with this part, under conditions not referred to in MCL 324.80167, the arresting officer shall prepare in duplicate a written notice to appear in court containing the name and address of the person, the offense charged, and the time and place when and where the person shall appear in court. If the arrested person so demands, he or she shall be arraigned by a magistrate or a district court judge as provided in MCL 324.80167 in lieu of being given the notice.

(b) The time specified in the notice to appear shall be within a reasonable time after the arrest unless the person arrested demands an earlier hearing.

(c) The place specified in the notice to appear shall be before a magistrate or a district court judge who is within the township or county in which the offense charged is alleged to have been committed and who has jurisdiction of the offense.

(d) Appearance may be made in person, by representation, or by mail. When appearance is made by representation or mail, the magistrate or the district court judge may accept the plea of guilty or not guilty for purposes of arraignment, with the same effect as though the person personally appeared before him or her. The magistrate or the district court judge, by giving notice 5 days prior to the date of appearance, may require appearance in person at the time and place designated in the notice.

**State Law reference**— Similar provisions MCL 324.80168.

Sec. 90-17. - Arrest without warrant; nonresidents; recognizance; receipt and summons; failure to appear; deposit of money; report; embezzlement.

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(a) If a person not a resident of this state is arrested without a warrant for a violation of this part under conditions not referred to under MCL 324.80167, the officer making the arrest, upon demand of the arrested person, shall immediately take the person for arraignment by a magistrate or a district court judge in the vicinity to answer to the complaint made against him or her. If a magistrate or a district court judge is not available or an immediate trial cannot be had, the person arrested may recognize to the officer for his or her appearance by leaving with him or her not more than \$200.00.

(b) The officer making the arrest shall give a receipt to the person arrested for the money deposited with him or her under subsection (a), together with a written summons as provided in MCL 324.80168.

(c) If the offender fails to appear as required, the deposit shall be forfeited as in other cases of default in bail, in addition to any other penalty provided in this part.

(d) Not more than 48 hours after taking a deposit under this section, the officer shall deposit the money with the magistrate or the district court judge named in the notice to appear, together with a report stating the facts relating to the arrest. Failure to make the report and deposit the money is embezzlement of public money.

**State Law reference**— Similar provisions MCL 324.80169.

Sec. 90.18. - Violation by officer, magistrate, or district court judge as misconduct in office; removal from office; applicability and construction of MCL 324.80168 and 324.80169.

(a) Any officer, magistrate, or district court judge violating MCL 324.80168 or MCL 324.80169 is guilty of misconduct in office and is subject to removal from office.

(b) MCL 324.80168 and MCL 324.80169 govern all peace officers in making arrests without a warrant for violations of this part and do not prevent the execution of a warrant for the arrest of the person as in other cases of misdemeanors when it may be necessary.

State Law reference— Similar provisions MCL 324.80170.

Sec. 90-18. - Violation of Chapter or rules; penalties.

Unless otherwise specified under this Chapter, a violation of this part or rules promulgated under this Chapter is a misdemeanor. A political subdivision having adopted a local ordinance in conformity with this Chapter may provide that any violation of the ordinance is a misdemeanor. Any person convicted of reckless operation of a vessel as defined in MCL 324.80147, or of operating a motorboat while under the influence of alcoholic liquor or narcotic drugs, or with any amount of a controlled substance listed in schedule 1 under section 7212 of the public health code, 1978 PA 368, MCL 333.7212, or a rule promulgated under that section, or of a controlled substance described in section 7214(a)(iv) of the public health code, 1978 PA 368, MCL 333.7214, in his or her body, in addition to any other penalty, may be refused by the court having jurisdiction of the violation the right of operating any motorboat on any of the waters of this state for a period of not more than 2 years.

Secs. 90-~~19~~—90-25. - Reserved.

## ARTICLE II. - BOAT AND WATER SAFETY<sup>[2]</sup>

Footnotes:

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State Law reference— Marine safety, MCL 324.80101 et seq., MSA 13A.80101 et seq.

### DIVISION 1. - GENERALLY

Sec. 90-26. - Inspection by a peace officer.

(a) Upon the direction of a peace officer, the operator of a vessel moving on the waters of this township shall immediately bring the vessel to a stop or maneuver it in a manner that permits the peace officer to come beside the vessel. The operator of the vessel and any person on the vessel shall do the following upon the request of the peace officer:

- (1) Provide his correct name and address.
- (2) Exhibit the certificate of number awarded for the vessel.
- (3) If the vessel does not bear a decal described in subsection (3) of section 80166 of the Public Acts of Michigan of 1995 (MCL 324.80166(a)(3), MSA 13A.80166(3)), submit to a reasonable

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inspection of the vessel and to a reasonable inspection and test of the equipment of the vessel.

- (b) A peace officer shall not stop and inspect a vessel bearing the decal described in MCL 324.80166a or an equivalent decal issued by or on behalf of another state during the period the decal remains in effect unless that peace officer has a reasonable suspicion that the vessel or the vessel's operator is in violation of a marine law or is otherwise engaged in criminal activity.
- (c) A person who is detained for a violation of this part or of a local ordinance substantially corresponding to a provision of this part and who furnishes a peace officer false, forged, fictitious, or misleading verbal or written information identifying the person as another person is guilty of a misdemeanor.
- (d) A peace officer who observes a marine law violation or the commission of a crime may immediately arrest the person without a warrant or issue to the person a written or verbal warning.

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**State Law reference**— Similar provisions, MCL 324.80166, MSA 13A.80166.

Secs. 90-27—90-50. - Reserved.

#### DIVISION 2. - DISPLAY REQUIREMENTS

**Sec. 90-51.** — Numbering Conditions to operation of vessels; violation; fine.

- (1) Except as otherwise provided in this part, a person shall not operate or give permission for the operation of a vessel of any length on the waters of this state unless the fees prescribed in section 80124 for the vessel are paid, the certificate of number assigned to the vessel is on board and is in full force and effect, and, except for the following, the identifying number and decal are displayed on each side of the forward half of the vessel in accordance with this part and the rules promulgated by the department under this part:
  - (a) A decal and identifying numbers for a wooden hull and historic vessel as that term is defined in section 80124 may be displayed in the manner described in section 80126(2).
  - (b) A decal for an inflatable boat may be displayed on the transom of the boat.
- (2) If a vessel is actually numbered in another state of principal use in accordance with a federally approved numbering system, it is in compliance with the numbering requirements of this state while it is temporarily being used in this state. This subsection applies to a vessel for which a valid temporary certificate is issued to the vessel's owner by the issuing authority of the state in which the vessel is principally used.
- (3) If a vessel is removed to this state as the new state of principal use, a number awarded by any other issuing authority is valid for not more than 60 days before numbering is required by this state.
- (4) A person who violates this section is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

- ~~(a) Each number required by sections 80122 and 80124 of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80122, 324.80124, MSA 13A.80122, 13A.80124) shall meet all of the following requirements:~~
- ~~(1) Be painted on or permanently attached to each side of the forward half of the vessel or motorboat, except as allowed by subsections (b) or (c) of this section.~~
  - ~~(2) Be in plain vertical block characters of not less than three inches in height.~~
  - ~~(3) Contrast with the color of the background and be distinctly visible and legible.~~
  - ~~(4) Have spaces or hyphens that are equal to the width of the letter "M" between the letter and number groupings (example: MC 0000 AA or MC—0000—AA).~~
  - ~~(5) Read from left to right.~~
  - ~~(6) Be as high above the water line as practical.~~
- ~~(b) When a vessel or motorboat is used by a manufacturer or dealer for testing or demonstrating, the number may be painted on or attached to removable plates that are temporarily but firmly attached to each side of the forward half of the vessel or motorboat.~~
- ~~(c) On vessels or motorboats so configured that a number on the hull or superstructure would not be easily visible, the number must be painted on or attached to a backing plate that is attached to the forward half of the vessel or motorboat so that the number is visible from each side of the vessel or motorboat.~~

**State Law reference—** Similar provisions, MCL 324.80122 et seq., MSA 13A.80122 et seq.

**Sec. 90-52. —Validation decals Exemption.**

- ~~(a) The validation decal required by section 80124 of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80124, MSA 13A.80124) shall meet the following requirements:~~
- ~~(1) Be permanently attached to each side of the forward half of the motorboat or vessel.~~
  - ~~(2) Be approximately three inches square.~~
  - ~~(3) Indicate the year in which the decal expires by the colors, blue, international orange, green, and red, in rotation beginning with blue for decals that expire in 1973 (examples: decal expires December 31, 1973—blue; expires December 31, 1974—international orange; expires December 31, 1975—green; expires December 31, 1976—red; expires December 31, 1977—blue, etc.).~~
  - ~~(4) Be displayed on each side of the motorboat or vessel three inches beyond the last letter of the assigned number and on the same stroke or level as the number.~~
- ~~(b) When a validation decal is lost, destroyed, or defaced, the owner of the motorboat or vessel shall apply to the secretary of state for a duplicate.~~

**State Law reference—** Similar provisions, MCL 324.80122, MSA 13A.80122.

(1) The owner of a vessel is not required to pay a fee and a vessel is not required to be numbered and to display a decal under this part if the vessel is 1 or more of the following:

(a) Used temporarily on the waters of this state and the owner and the vessel are from a country other than the United States.

(b) A vessel that is owned by the United States, used in the public service for purposes other than recreation, and clearly identifiable as such a vessel.

(c) A vessel's lifeboat.

(d) An all-terrain vehicle not used as a vessel.

(e) A raft, sailboard, surfboard, or swim float.

(f) A vessel 16 feet or less, propelled by hand either with oars or paddles, and not used for rental or other commercial purposes.

(g) A nonmotorized canoe or kayak not used for rental or other commercial purposes.

(2) The owner of a vessel documented by the United States coast guard or a federal agency that is the successor to the United States coast guard shall comply with this part, including the payment of fees as provided in this part. However, the vessel shall not be required to display numbers under this part.

(3) This part does not prohibit the numbering of an undocumented vessel pursuant to this part upon request by the owner, even though the vessel is exempt from the numbering requirements of this part.

**State Law reference—** Similar provisions, MCL 324.80123.

Sec. 90-53. - Application for certificate of number; certificate of title; 15-day permit; fee; "the length of vessel" defined; tax exemption; issuance; delinquent fee or tax; penalty; retention of certificate of number on shore; contents of lease or rental agreement; painting or attaching number; assigning block of numbers; federally documented vessel; decal; issuance of original certificate of number, numbering renewal decal, or other renewal device; numbering system; registration; issuance of certificate of number; historic vessel; refund to owner of nonmotorized canoe or kayak; refund and computation of fee.

(a) Except as otherwise provided in this section, the owner of a vessel required, pursuant to sections 80122 and 80123, to be numbered and to display a decal shall file an application for a certificate of number with the secretary of state. The secretary of state shall prescribe and furnish certificate of title application forms. If a vessel requiring a certificate of title under part 803 is sold by a dealer, that dealer shall combine the application for a certificate of number that is signed by the vessel owner with the application for a certificate of title. The dealer shall obtain the certificate of number in the name of the owner. The application for a certificate of number shall include a certification. The owner of the vessel shall sign the application or, if the application is filed electronically, provide information requested by the secretary of state to verify the owner's identity. A person shall not file an application for a certificate of number that contains false information. A dealer who fails to submit an application as required by this section is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$100.00, or both.

(b) A dealer who submits an application for a certificate of number as provided in subsection (1) may issue to the owner of the vessel a 15-day permit, on forms prescribed by the secretary of state, for the use of the vessel while the certificate of number is being issued.

(c) A dealer may issue a 15-day permit, on a form prescribed by the secretary of state, for the use of a vessel purchased in this state and delivered to the purchaser for removal to a place outside of this state, if the purchaser certifies by his or her signature that the vessel will be registered and primarily used and stored outside of this state and will not be returned to this state by the purchaser for use or storage. A certificate of number shall not be issued for a vessel holding a permit under this subsection.

(d) A 15-day permit issued under subsection (b) or (c) shall not be renewed or extended.

(e) A person shall operate or permit the operation of a vessel for which a 15-day permit has been issued under this section only if the permit is valid and displayed on the vessel as prescribed by rule promulgated by the department under this part.

(f) Except as otherwise provided in this section, an applicant shall pay the following fee at the time of application:

(1) A 15-day permit issued under subsection (3).. \$ 10.00

(2) Nonpowered vessels, other than nonmotorized canoes or kayaks..... 9.00

(3) Nonmotorized canoes or kayaks..... 5.00

(4) Motorboats less than 12 feet in length..... 14.00

(5) Motorboats 12 feet or over but less than 16 feet in length..... 17.00

(6) Motorboats 16 feet or over but less than 21 feet in length..... 42.00

(7) Motorboats 21 feet or over but less than 28 feet in length..... 115.00

(8) Motorboats 28 feet or over but less than 35 feet in length..... 168.00

(9) Motorboats 35 feet or over but less than 42 feet in length..... 244.00

(10) Motorboats 42 feet or over but less than 50 feet in length..... 280.00

(11) Motorboats 50 feet in length or over..... 448.00

(12) Pontoon vessels regardless of size..... 23.00

(13) Motorized canoes regardless of size..... 14.00

(14) Vessels licensed under part 473..... 15.00

(15) Vessels carrying passengers for hire that are in compliance with part 445, or under federal law;

and vessels carrying passengers and freight or freight only and owned within this state or hailing from a port within this state..... 45.00

(g) As used in this section, "the length of a vessel" means the distance from end to end over the deck, excluding the longitudinal upward or downward curve of the deck, fore and aft. For a pontoon boat, length of a vessel means the length of its deck, fore and aft.

(h) Payment of the fee specified in this section exempts the vessel from the tax imposed under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(i) Upon receipt of an initial application for a certificate of number in approved form and payment of the required fee, the secretary of state shall enter the information upon the official records and issue to the applicant a certificate of number containing the number awarded to the vessel, the name and address of the owner, and other information that the secretary of state determines necessary. The secretary of state shall issue a certificate of number that is pocket size and legible. Except as provided in subsection (m), a person operating a vessel shall present that vessel's certificate of number to a peace officer upon the peace officer's request.

(j) If a check or draft payable to the secretary of state under this part is not paid on its first presentation, the fee or tax is delinquent as of the date the draft or check was tendered. The person tendering the check or draft remains liable for the payment of the fee or tax and a penalty.

(k) Upon determining that a fee or tax required by this part has not been paid and remains unpaid after reasonable notice and demand, the secretary of state may suspend a certificate of number.

(l) If a person who tenders a check or draft described in subsection (10) fails to pay the fee or tax for which the check or draft was tendered within 15 days after the secretary of state gives him or her notice that the check or draft described in subsection (10) was not paid on its first presentation, the secretary of state shall assess and collect a penalty of \$5.00 or 20% of the check or draft, whichever is larger, in addition to the fee or tax.

(m) The owner or authorized agent of the owner of a vessel less than 26 feet in length that is leased or rented to a person for noncommercial use for not more than 24 hours may retain, at the place from which the vessel departs or returns to the possession of the owner or the owner's representative, the certificate of number for that vessel if a copy of the lease or rental agreement is on the vessel. Upon the demand of a peace officer, the operator shall produce for inspection either the certificate of number or a copy of the lease or rental agreement for that vessel. The lease or rental agreement shall contain each of the following:

- (1) The vessel number that appears on the certificate of number.
- (2) The period of time for which the vessel is leased or rented.
- (3) The signature of the vessel's owner or that person's authorized agent.

(4) The signature of the person leasing or renting the vessel.

(n) Upon receipt of a certificate of number for a vessel, the owner of that vessel shall paint on or attach in a permanent manner to each side of the forward half of the vessel the number identified in the certificate of number, in the manner prescribed by rules promulgated by the department. The secretary of state shall assign to the owner of vessels for rent or lease a block of numbers sufficient to number consecutively all of that owner's rental or lease vessels. The owner shall maintain the numbers in a legible condition. A vessel documented by the United States coast guard or a federal agency that is the successor to the United States coast guard is not required to display numbers under this part but shall display a decal indicating payment of the fee prescribed in subsection (f), and shall otherwise be in compliance with this part. This subsection does not apply to a nonpowered vessel 12 feet or less in length.

(o) Upon receipt of an application for a certificate of number in an approved form and payment of the fee required by this part, the secretary of state shall issue a decal that indicates that the vessel is numbered in compliance with this part. The decal shall be color-coded and dated to identify the year of its expiration. The department shall promulgate a rule or rules to establish the manner in which the decal is to be displayed. A person who operates a vessel in violation of a rule promulgated to implement this subsection is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

(p) A decal is valid for a 3-year period that begins on April 1 and expires on March 31 of the third year. An original certificate of number may be issued up to 90 days before April 1. A numbering renewal decal or other renewal device may be issued up to 90 days before the expiration of a certificate.

(q) Upon receipt of a request for renewal of a decal and payment of the fee prescribed in subsection (f), the secretary of state shall issue to the applicant a decal as provided in subsection (o). A person who operates a vessel for which no decal was issued as required under this section or for which a decal has expired is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

(r) The numbering system adopted under this part shall be in accordance with the standard system of numbering established by the secretary of the department in which the United States coast guard operates.

(s) An agency of this state, a political subdivision of this state, or a state supported college or university of this state that owns a vessel that is required to be numbered under this part shall register that vessel and upon payment of either of the following shall receive from the secretary of state a certificate of number for that vessel:

(1) A fee of \$3.00 for a vessel that is not used for recreational, commercial, or rental purposes.

(2) The fee required under subsection (6) for a vessel that is used for recreational, commercial, or rental purposes.

(t) The secretary of state shall, upon receipt of payment of the fee required under subsection (s), issue a certificate of number for each vessel subject to subsection (s).

(u) A vessel that is 30 years of age or older and not used other than in club activities, exhibitions, tours, parades, and other similar activities is a historic vessel. The secretary of state shall make available to the public application forms for certificates of number for historic vessels and, upon receipt of a completed application form and fee, shall number a historic vessel as a historic vessel. The fee for the numbering of a historic vessel is 1/3 of the otherwise applicable fee specified in subsection (f).

(v) The secretary of state shall refund to the owner of a vessel registered under this part all of the registration fee paid for that vessel under this section if all of the following conditions are met during the period for which the registration fee was paid:

(1) The owner transfers or assigns title or interest in the registered vessel before placing the decal issued under subsection (o) on the vessel.

(2) The owner surrenders the unused decal to the secretary of state within 30 days after the date of transfer or assignment.

(w) The secretary of state shall refund to the surviving spouse of a deceased vessel owner the registration fee paid under this part, prorated on a monthly basis, upon receipt of the decal issued under subsection (o) or evidence satisfactory to the secretary of state that the decal issued under subsection (o) has been destroyed or voided.

(x) If the secretary of state computes a fee under this part that results in a figure other than a whole dollar amount, the secretary of state shall round the figure to the nearest whole dollar.

**State Law reference—** Similar provisions, MCL 324.80124.

**Sec. 90-54. - Dealer certificates of number and dealer decals.**

(a) A dealer shall apply for and obtain from the secretary of state dealer certificates of number and dealer decals for each vessel of the dealer that is tested, demonstrated, or otherwise operated. Upon receipt of an application in a form approved by the secretary of state and payment of \$30.00 for each set of dealer certificates of number and dealer decals, the secretary of state shall issue to the applicant the dealer certificates of number and dealer decals. A single dealer certificate of number and dealer decal issued pursuant to this section may be used on only 1 vessel at a time.

(b) The operator of a vessel governed by this section shall do each of the following:

(1) Maintain the dealer certificate of number on board the vessel.

(2) Upon demand of a peace officer, display the dealer certificate of number.

(3) Permanently or temporarily display the identifying number and dealer decal on the vessel in accordance with rules promulgated by the department under this part.

(c) A person shall not operate a vessel numbered under this section unless the dealer is on board the vessel or the operator has the written authorization of the dealer to operate the vessel. A person shall

not use a vessel numbered under this section for commercial purposes that include the rental of the vessel or the carrying of passengers for hire on the vessel.

State Law reference— Similar provisions, MCL 324.80126.

Secs. 90-~~5355~~—90-65. - Reserved.

### DIVISION 3. - OPERATING REQUIREMENTS

Sec. 90-66. - Operation—Generally.

A person operating or propelling a vessel upon the waters of this township shall operate it in a careful and prudent manner and at such a rate of speed so as not to endanger unreasonably the life or property of any person. A person shall not operate any vessel at a rate of speed greater than will permit him, in the exercise of reasonable care, to bring the vessel to a stop within the ensured clear distance ahead. A person shall not operate a vessel in a manner so as to interfere unreasonably with the lawful use by others of any waters. A person who violates this section is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not more than \$500.00

State Law reference— Similar provisions, MCL 324.80145, MSA 13A.80145.

Sec. 90-67. - Same—Motorboats by children.

- (a) Except as otherwise provided in sub this section (d) of this section, a person less than 12 years of age shall not operate a motorboat on the waters of this township unless ~~each~~ all of the following conditions ~~is~~ are met:
  - (1) He or she has been issued and is in possession of a boating safety certificate.
  - (~~1~~2) He or she is under the direct supervision of a person on board the motorboat who is 16 years of age or older.
  - (~~2~~3) The motorboat he or she operates is powered by a motor totaling no more than 35 horsepower.
- (b) Except as otherwise provided in subsection (d) of this section, a person 12 through 15 years of age may operate a motorboat on the waters of this township only if that person complies with either of the following:
  - (1) He or she is accompanied by at least one person 16 years of age or older.
  - (2) He or she is in possession of a boating safety certificate issued after he or she has satisfactorily completed a department of natural resources approved course in boating safety.
- (c) A person 12 through 15 years of age operating a motorboat pursuant to subsection (b)(2) of as described in this section shall present the boating safety certificate issued to him or her upon the demand of any peace officer.
- (d) This section does not apply to the operation of a motorboat that is powered by a motor totaling no more than six horsepower.

(e) Beginning July 1, 2012, a person who is born on or after July 1, 1996 shall not operate a motorboat on the waters of this township unless the person has been issued and is in possession of a boating safety certificate.

**State Law reference—** Similar provisions, MCL 324.80141, MSA 13A.80141.

**Sec. 90-68. - Operation of vessels; rules; violation; fine.** ~~Wearing of personal flotation device by child.~~

(a) When vessels are being operated in such a manner as to make collision imminent or likely, the following apply:

(1) When 2 vessels are approaching each other head-on, or nearly so, the operator of each shall cause his or her vessel to pass on the port side of the other.

(2) When overtaking a vessel proceeding in the same direction, the operator of the overtaking vessel, unless it is not feasible to do so, shall pass on the port side of the vessel ahead.

(3) When 2 vessels are approaching each other at right angles or obliquely so as to involve risk of collision, other than when 1 vessel is overtaking another, the operator of the vessel that has the other on his or her own port side shall hold his or her course and speed, and the operator of the vessel that has the other on his or her own starboard side shall give way to the other by directing his or her course to starboard so as to cross the stern of the other vessel or, if necessary to do so, shall slacken his or her speed, stop, or reverse.

(4) When a motorboat and a vessel under sail are proceeding in a manner that involves a risk of collision, the operator of the motorboat shall give way to the vessel under sail.

(5) When a motorboat and a vessel not propelled by sail or mechanical means are proceeding in a manner that involves risk of collision, the operator of the motorboat shall give way to the other vessel.

(6) When, by any of the rules provided in this section, the operator of a vessel is required to give way to the other, the operator of the other vessel shall maintain his or her direction and speed.

(b) This section does not relieve the operator of a vessel otherwise privileged by this section from the duty to operate with due regard for the safety of all persons using the waters of this state.

(c) A person who violates this section is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

~~(a) *Required.* A person shall not operate a vessel on the waters of this township unless each person in an open deck area on board the vessel who is less than six years of age is wearing a type I or type II personal flotation device, as described in R 281.1234 of the Michigan Administrative Code.~~

~~(b) *Responsibility of parent or guardian.* A parent or guardian of a child less than six years of age who accompanies that child on board a vessel shall ensure that the child is wearing a personal flotation device that complies with this section.~~

~~(c) *Civil fine.* A person who violates this section is subject to a civil fine of not more than \$100.00.~~

**State Law reference—** Similar provisions, MCL 324.80142, MSA 13A.80142.

**Sec. 90-69. - Reckless operation by operator or person being towed.**

- (a) If a person carelessly and heedlessly operates a vessel upon the waters of this township in disregard of the rights or safety of others, or without due caution and circumspection, or at a rate of speed or in a manner that endangers or is likely to endanger a person or property, that person is guilty of reckless operation of a vessel and is subject to the penalties described in subsection (c) of this section.
- (b) If a person who, while being towed on water skis, water sled, surfboard, or a similar contrivance upon the waters of this township, carelessly and heedlessly navigates, steers, or controls himself in disregard of the rights or safety of others, or without due caution and circumspection and in a manner that endangers or is likely to endanger a person or property, that person is guilty of reckless operation of the contrivance that he or she controls, and is subject to the penalties described in subsection (c) of this section.
- (c) Upon a person's conviction under this section, the court may issue an order prohibiting that person from operating a vessel on the waters of this township for a period of not more than two years. Upon a person's subsequent conviction under this section, the court shall order that person to participate in and complete a marine safety educational program approved by the department of natural resources. An order issued pursuant to this subsection is in addition to any other penalty authorized under this article.

**State Law reference**— Similar provisions, MCL 324.80147, MSA 13A.80147.

Sec. 90-70. - Operating motorboat at more than slow—no wake speed; prohibitions; exceptionsBow riding.

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- (a) Subject to the exceptions described in subsection (b) of this section, a person shall not operate a motorboat at more than slow-no wake speed if any of the following circumstances exist:
  - (1) A person is located on or in the bow of the motorboat, and that motorboat is not manufactured to provide bow seating.
  - (2) A person or portion of a person's body extends beyond the exterior port or starboard wall of the hull of the motorboat.
- (b) This section does not apply to either of the following:
  - (1) A person engaged in the operation of a sailboat that is not being powered by a motor.
  - (2) A person on board a vessel who is attempting to anchor, moor, dock, or otherwise secure the vessel.

**State Law reference**— Similar provisions, MCL 324.80148, MSA 13A.80148.

Sec. 90-71. - Counterclockwise operation.

Persons operating vessels on the waters of this township in areas not marked by well-defined channels, canals, rivers or stream courses shall operate in a counterclockwise fashion insofar as it is reasonably possible. Such persons and persons being towed on water skis, water sleds, kites, surfboards or similar contrivances shall maintain a distance of 100 feet from any dock, raft, buoyed or occupied bathing area, or vessel moored or at anchor, except when the vessel is proceeding at a slow-no wake

speed or when water skiers are being picked up or dropped off, if such operation is otherwise conducted with due regard to the safety of persons and property and in accordance with the laws of this state.

**State Law reference**— Similar provisions, MCL 324.80149, MSA 13A.80149.

Sec. 90-72. - Restricted areas.

A person shall not operate a vessel on any of the waters of this township within a lawfully authorized restricted area clearly marked by buoys, beacons or other distinguishing devices as being prohibited to vessels.

**State Law reference**— Similar provisions, MCL 324.80150, MSA 13A.80150.

Sec. 90-73. - Divers and diver's flag.

Any person diving or submerging in any of the waters of this township with the aid of a diving suit or other mechanical diving device shall place a buoy or boat in the water at or near the point of submergence. The buoy or boat shall bear a red flag not less than 14 inches by 16 inches with a 3½-inch white stripe running from one upper corner to a diagonal lower corner. The flag shall be in place only while actual diving operations are in progress. A vessel shall not be operated within 200 feet of a buoyed diver's flag unless it is involved in tendering the diving operation. A person diving shall stay within a surface area of 100 feet of the diver's flag.

**State Law reference**— Similar provisions, MCL 324.80155, MSA 13A.80155.

Sec. 90-74. - Towing—During prohibited hours.

- (a) An operator of any vessel shall not have in tow or otherwise be assisting in the propulsion of a person on water skis, water sled, surfboard or other similar contrivance during the period of one hour after sunset to one hour prior to sunrise.
- (b) A person shall not permit himself or herself to be towed on water skis or on a water sled, surfboard, or similar contrivance in violation of this part. Any person permitting himself to be towed on water skis, water sled, surfboard or similar contrivance in violation of any of the provisions of this article is guilty of a misdemeanor.
- (c) A person who violates this section is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not more than \$500.00.

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**State Law reference**— Similar provisions, MCL 324.80151, MSA 13A.80151.

Sec. 90-75. - Same—Persons.

- (a) Except as otherwise provided in this section, a person shall not operate a vessel on the waters of this state while towing or otherwise assisting a person being towed unless both of the following conditions are met:

- (1) A person capable of communicating to the vessel operator the condition and needs of the person being towed or assisted is on board the vessel and positioned to observe the person being towed or assisted.
- (2) The person being towed is wearing the proper type I, type II, or type III personal flotation device, as applicable. The wearing of an inflatable personal flotation device does not satisfy this requirement.
- (b) A person who violates subsection (1) is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$100.00.
- (c) A person shall not permit himself or herself to be towed or otherwise assisted by a vessel on the waters of this state unless he or she complies with the conditions listed in subsection (1).
- (d) A person who violates subsection (3) who is 16 years of age or older is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$100.00.
- (e) Subsections (a) and (c) do not apply to any of the following:
- (1) A person who operates or who is towed by a vessel used by a ski school in the giving of instructions or a vessel used in sanctioned ski tournaments, competitions, expositions, or trials if the vessel is equipped with a 170-degree wide-angle rearview mirror affixed in a manner that will permit the operator to observe the progress of the person being towed.
- (2) A person being towed by a motorboat less than 16 feet in length that is actually operated by the person being towed if the vessel is constructed to be incapable of carrying the operator in or on the motorboat.
- (3) A vessel operator or the person being towed if the vessel operator is towing a person preparing for a specific water ski tournament and if all of the following conditions are met:
- (i) The vessel operator is certified as provided in subsection (6).
- (ii) The person being towed is certified as provided in subsection (7).
- (iii) Towing is conducted so that, on average, not more than 1 vessel approaches within 300 feet of the towing vessel during any 5-minute period.
- (iv) The vessel is equipped with all of the following:
- (A) A center-mounted tow pylon.
- (B) A large clear rearview mirror capable of allowing the vessel operator to distinguish hand signals at a distance of 75 feet.
- (C) Markings that identify the vessel as a vessel that is being operated in conformance with this subdivision.
- (f) The department shall adopt standards for water ski tournament boat operation established by U.S.A. water ski in "Trained Boat Driver Program", April 1997, and by the American water ski association in "Drivers' Policy Manual". However, the department may promulgate rules providing for alternative standards under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. The department shall certify each individual who satisfies the standards described in this subsection as a tournament water ski vessel operator and issue proof of that certification to the individual.

(g) The department shall adopt standards for tournament water skiers established by the Michigan water ski association in "Guidelines for Training Permit Eligibility", proposed revision 125 of 1996. However, the department may promulgate rules providing for alternative standards under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328. The department shall certify each individual who satisfies the standards described in this subsection as a tournament water skier and issue proof of that certification to the individual.

(h) The Michigan water ski association shall provide annually to the department and the Michigan sheriffs association both of the following:

(1) A list of the individuals whom the organization considers qualified for tournament water skiing.

(2) The names of not more than 3 bodies of water on which each of those individuals may be authorized to practice for tournament water skiing.

(i) The department shall specify the body or bodies of water upon which a water skier may practice upon each certificate issued under subsection (7).

~~(a) A person shall not operate a vessel on the waters of this township if he is towing or otherwise assisting a person on water skis or on a water sled, aquaplane, surfboard or other similar contrivance, unless a person, capable of communicating to the vessel operator the condition and needs of the person being towed or assisted, is on board the vessel and positioned to observe the person being towed.~~

~~(b) Subsection (a) of this section does not apply to vessels used by duly constituted ski schools in the giving of instructions, or to vessels used in sanctioned ski tournaments, competitions, expositions or trials. Vessels described in this subsection shall be equipped with a 170-degree wide-angle rearview mirror affixed in a manner that will permit the operator to observe the progress of the person being towed.~~

~~(c) This section does not apply to motorboats less than 16 feet in length actually operated by the person being towed and so constructed as to be incapable of carrying the operator in or on the motorboat.~~

**State Law reference—** Similar provisions, MCL 324.80152, MSA 13A.80152.

**Sec. 90-76. -** Sitting, standing and walking on vessels.

Any occupant or operator of any vessel underway on the waters of this township shall not sit, stand or walk upon any portion of the vessel not specially designed for such purpose, except when immediately necessary for the safe and reasonable navigation or operation of the vessel.

**State Law reference—** Similar provisions, MCL 324.80153, MSA 13A.80153.

~~Sec. 90-77. -~~ Operation of personal watercraft.

~~(a) *Personal flotation devices.* A person shall not operate a personal watercraft on the waters of the township unless each person riding on or being towed behind the vessel is wearing a type I, II, or type III personal flotation device, as described in R 281.1234 of the Michigan Administrative Code.~~

- ~~(b) *Vessels with lanyard-type engine cutoff switch.* While operating a personal watercraft equipped by the manufacturer with a lanyard-type engine cutoff switch on the waters of the township, a person shall have the lanyard attached to his person, clothing, or personal flotation device as is appropriate for the specific vessel.~~
- ~~(c) *Prohibited hours.* A person shall not operate a personal watercraft on the waters of the state between the hours from sunset to sunrise.~~
- ~~(d) *Maneuvering.* A personal watercraft shall at all times be operated in a reasonable and prudent manner. Maneuvers that unreasonably or unnecessarily endanger life, limb, or property including, but not limited to, weaving through congested vessel traffic, jumping the wake of another vessel unreasonably or unnecessarily close to the other vessel or when visibility around the other vessel is obstructed, and swerving at the last possible moment to avoid a collision, constitute reckless operation of a vessel, as provided in section 90-69.~~
- ~~(e) *Carrying of persons.* A person shall not operate a personal watercraft on the waters of the state carrying more persons than the vessel is designed to carry. Carrying more persons than the vessel is designed to carry is prima facie evidence of reckless operation of a watercraft under section 90-69.~~
- ~~(f) *Keeping safe distances.* A person operating a personal watercraft on the waters of the township shall maintain a distance of 100 feet from any dock, raft, buoyed or occupied bathing area, or shall not cross within 150 feet behind another vessel, other than a personal watercraft, that is traveling at a speed greater than slow-no wake speed.~~
- ~~(g) *Age of operators.* A person under the age of 12 shall not operate a personal watercraft on the waters of the state. A person 12 through 15 years of age may operate a personal watercraft on the waters of the state only when accompanied by a person 16 years of age or older or without adult supervision when in possession of a boating safety certificate in compliance with section 90-67.~~
- ~~(h) *Owner not to allow violation of subsection (g).* The owner of a personal watercraft or a person having charge over or control of a personal watercraft shall not authorize or knowingly permit the personal watercraft to be operated in violation of subsection (g) of this section.~~
- ~~(i) *Professional exhibitions, regattas and races.* This section does not apply to a performer engaged in a professional exhibition or a person preparing to participate or participating in a regatta, race, marine parade, tournament, or exhibition held in compliance with this article.~~

~~State Law reference—~~ Similar provisions, MCL 324.80143, MSA 13A.80143.

Sec. 90-7877. - Speed limits.

- (a) On waters of this township for which a motorboat speed limit is not established under subsection (1) of section 80146 of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80146, MSA 13A.80146), or on any waters for which the department of natural resources has not established an unlimited motorboat speed limit, or on any waters for which stricter speed restrictions are not established pursuant to an act, a maximum speed limit of 55 miles per hour is established, except in an emergency and except for authorized peace and conservation officers when engaged in official duties. The maximum speed limit of 55 miles per hour shall not apply to the Great Lakes and Lake St. Clair, except for an area within one mile of the shoreline, measured at a right angle from the shoreline.

(b) A person shall not operate a motorboat on the waters of this township at a speed greater than slow-no wake speed or the minimum speed necessary for the motorboat to maintain forward movement when within 100 feet of the shoreline where the water depth is less than three feet, as determined by vertical measurement, except in navigable channels not otherwise posted.

(c) A person operating a motorboat in violation of this section is ~~guilty responsible of for reckless operation of a motorboat, punishable as provided in section 30171 of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80171, MSA 13A.80171)~~ a municipal civil infraction and may be ordered to pay a civil fine of not more than \$500.00, unless 1 of the following conditions exists:

(1) The requirements of this section have been waived as described under subsection (d)

(2) ~~The person violates this section in a manner that constitutes reckless operation of a motorboat as described in Sec. 90-69.~~

(d) ~~The department of natural resources may waive this section and MCL 324.80156 for marine events authorized by the department of natural resources under section 80164 of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80146, MSA 13A.80164).~~

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**State Law reference**— Similar provisions, MCL 324.80164~~80146~~, MSA 13A.80146.

Sec. 90-~~79~~78. - Operation of a vessel while under the influence of intoxicating liquors and/or controlled substances.

(a) A person shall not operate a vessel on the waters of this township if any of the following applies:

(1) The person is under the influence of intoxicating liquor or a controlled substance, or both.

(2) The person has a blood alcohol content of 0.08 percent or more by weight of alcohol.

(3) The person has in his or her body any amount of a controlled substance listed in schedule 1 under section 7212 of the public health code, 1978 PA 368, MCL 333.7212, or a rule promulgated under that section, or of a controlled substance described in section 7214(a)(iv) of the public health code, 1978 PA 368, MCL 333.7214.

(b) The owner of a vessel or a person in charge or in control of a vessel shall not authorize or knowingly permit the vessel to be operated on the waters of this township by a person who is under the influence of intoxicating liquor or a controlled substance, or both, or who has a blood alcohol content of 0.08 percent or more by weight of alcohol.

(c) A person shall not operate a vessel on the waters of this township when, due to the consumption of an intoxicating liquor or a controlled substance, or both, the person's ability to operate the vessel is visibly impaired. If a person is charged with violating subsection (a) of this section, a finding of guilty under this subsection may be rendered.

(Ord. No. 2-16-16(7), eff. 3-24-16)

**State Law reference**— Similar provisions, MCL 324.80176, MSA 13A.80176.

Sec. 90-~~80~~79. - Penalties for violation of section 90-~~79~~78(a) or (b).

(a) If a person is convicted of violating subsection (a) of section 90-79, the following apply:

- (1) Except as otherwise provided in subsection (a)(2) of this section, the person is guilty of a misdemeanor and shall be punished by one or more of the following:
  - a. Community service for not more than 45 days.
  - b. Imprisonment for not more than 90 days.
  - c. A fine of not less than \$100.00 or more than \$500.00.
- (2) If the violation occurs within seven years of a prior conviction, the person shall be sentenced to both a fine of not less than \$200.00 or more than \$500.00 and either of the following:
  - a. Community service for not less than ten days or more than 90 days, and may be imprisoned for not more than 90 days.
  - b. Imprisonment for not less than 48 consecutive hours or more than 90 days, and may be sentenced to community service for not more than 90 days.
- (b) A term of imprisonment imposed under subsection (a)(2)b of this section shall not be suspended. A person sentenced to perform service to the community under this section shall not receive compensation and shall reimburse the township for the cost of supervision incurred by the township as a result of the person's activities in that service.
- (c) In addition to the sanctions prescribed under subsection (a) of this section, the court may, pursuant to the code of criminal procedure, Act No. 175 of the Public Acts of Michigan of 1927 (MCL 760.1 et seq., MSA 28.841 et seq.), order the person to pay the costs of the prosecution. The court shall also impose sanctions under sections 80185 and 80186 of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80185 et seq., MSA 13A.80185 et seq.).
- (d) A person who is convicted of violating subsection (b) of section 90-79 is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not less than \$100.00 or more than \$500.00, or both.
- (e) As used in this section, the term "prior conviction" means a conviction for a violation of section 80176(1), (4), or (5) of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80176(1), (4), (5), MSA 13A.80176(1), (4), (5), former section 171(1), (4), or (5) of Act No. 301 of the Public Acts of Michigan of 1992 (MCL 281.1171(1), (4) or (5), MSA 18.1287(171), (1), (4) or (5)) or former section 73 of Act No. 303 of the Public Acts of Michigan of 1967 (MCL 281.1073, MSA 18.1287(73)), a local ordinance substantially corresponding to section 80176(1) of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80176(1), MSA 13A.80176(1)) or former section 73, or a law of another state substantially corresponding to section 80176(1) of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80176(1), MSA 13A.80176(1)) or former section 73.

**State Law reference—** Similar provisions, MCL 324.80177, MSA 13A.80177.

Sec. 90-~~81~~80. - Penalties for violation of section 90-~~79~~78(c).

- (a) If a person is convicted of violating subsection (c) of section 90-79, the following apply:
  - (1) Except as otherwise provided in subsections (a)(2) and (a)(3) of this section, the person is guilty of a misdemeanor, punishable by one or more of the following:
    - a. Community service for not more than 45 days.
    - b. Imprisonment for not more than 90 days.

- c. A fine of not more than \$300.00.
- (2) If the violation occurs within seven years of one prior conviction, the person shall be sentenced to both a fine of not less than \$200.00 or more than \$500.00, and either of the following:
  - a. Community service for a period of not less than ten days or more than 90 days, and may be sentenced to imprisonment for not more than 90 days.
  - b. Imprisonment for not more than 90 days, and may be sentenced to community service for not more than 90 days.
- (3) If the violation occurs within ten years of two or more prior convictions, the person shall be sentenced to both a fine of not less than \$200.00 or more than \$500.00, and either of the following:
  - a. Community service for a period of not less than ten days or more than 90 days, and may be sentenced to imprisonment for not more than 90 days.
  - b. Imprisonment for not more than 90 days, and may be sentenced to community service for not more than 90 days.
- (b) In addition to the sanctions prescribed in subsection (a) of this section, the court may, pursuant to the code of criminal procedure, Act No. 175 of the Public Acts of Michigan of 1927 (MCL 760.1 et seq., MSA 28.841 et seq.), order the person to pay the costs of the prosecution. The court shall also impose sanctions under sections 80185 and 80186 of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80185 et seq., MSA 13A.80185 et seq.).
- (c) A person sentenced to perform service to the community under this section shall not receive compensation, and shall reimburse the township for the cost of supervision incurred by the township as a result of the person's activities in that service.
- (d) As used in this section, the term "prior conviction" means a conviction for a violation of section 80176(1), (3), (4), or (5) of Act No. 58 of the Public Acts of Michigan of 1995, former section 171(1), (3), (4), or (5) of Act No. 301 of the Public Acts of Michigan of 1992 (MCL 281.1171(1), (4) or (5), MSA 18.1287(171), (1), (4) or (5)), former section 73 of Act No. 303 of the Public Acts of Michigan of 1967 (MCL 281.1073, MSA 18.1287(73)), former section 73b of Act No. 231 of the Public Acts of Michigan of 1982 (MCL 281.1073b, MSA 18.1287(73b)), a local ordinance substantially corresponding to section 80176(1) of Act No. 58 of the Public Acts of Michigan of 1995 (MCL 324.80176(1), MSA 13A.80176(1)), former section 73, or former section 73b, or a law of another state substantially corresponding to section 80176(1), (3), (4), or (5), former section 73, or former section 73b.

**State Law reference—** Similar provisions, MCL 324.80178, MSA 13A.80178.

Secs. 90-82—90-95. - Reserved.

ARTICLE III. - REGULATIONS FOR SPECIFIC LAKES

Sec. 90-96. - Speed limits for certain areas of Belleville Lake.

- (a) *Definitions.* All words and phrases used in this section shall be construed and have the same meanings as those words and phrases defined in Act No. 303 of the Public Acts of Michigan of 1967 (MCL 281.1008, MSA 18.1287(8)), as amended.
- (b) *Operation of vessels; speed limit.* On the waters of Belleville Lake, section 24, T3S, R7E, and sections 14, 19, 20, 21, 22, 23, 24, 28, 29, and 30, T3S, R7E in the township, it is unlawful, at any time, to operate a vessel at a speed in excess of 40 miles per hour (64 kilometers per hour).
- (c) *Penalty for violation of section.* Violations of this section are a misdemeanor and may be punished by a fine not to exceed \$100.00, together with costs of prosecution or imprisonment in the county jail or such other place of detention as the court may prescribe, for a period not to exceed 90 days, or such fine, costs of prosecution and imprisonment, at the discretion of the court.

(Ord. No. 8-27-85, §§ 1, 2, 4, eff. 10-4-85)

**State Law reference—** Similar provisions, MCL 324.80146, MSA 13A.80146.

Sec. 90-97. - Denton Road Bridge and Belleville Road Bridge; speed limits; penalty for violation of section.

- (a) On the waters of that portion of Belleville Lake in the township, within 100 feet of the Denton Road Bridge, no operator of any motorboat shall exceed a slow-no wake speed.
- (b) On the waters of that portion of Belleville Lake in the township, within 100 feet of the Belleville Road Bridge, no operator of any motorboat shall exceed a slow-no wake speed.
- (c) Violations of the provisions of this section shall be punishable by a fine of not more than \$100.00 for such offense or imprisonment in the county jail for a period not to exceed 90 days, or both such fine and imprisonment.

(Ord. No. 7-25-67, §§ 1—3, eff. 9-8-67)

**State Law reference—** Similar provisions, MCL 324.80146, MSA 13A.80146.

# Charter Township of Van Buren

Agenda Item: \_\_\_\_\_

## REQUEST FOR BOARD ACTION

**WORK STUDY MEETING DATE: 06/05/17**

**1<sup>ST</sup> READING: 06/06/17**

**2<sup>ND</sup> READING: 06/20/17**

Consent Agenda \_\_\_\_\_ **New Business**  Unfinished Business \_\_\_\_\_ Public Hearing \_\_\_\_\_

<b>ITEM (SUBJECT)</b>	To consider approval of the 1 <sup>st</sup> & 2 <sup>nd</sup> reading of Ordinance #06-06-17 to rezone parcel V125-83-021-01-0009-304, otherwise known as 49412 Michigan Avenue, from C (Local Business) & C-2 (Extensive Highway Business) to C-1 (General Commercial).
<b>DEPARTMENT</b>	Planning & Economic Development
<b>PRESENTER</b>	Ron Akers, AICP, Director of Planning & Economic Development
<b>PHONE NUMBER</b>	734-699-8913
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	N/A

### Agenda topic

<b>ACTION REQUESTED</b>	To consider approval of the 1 <sup>st</sup> & 2 <sup>nd</sup> reading of Ordinance #06-06-17 to rezone parcel V125-83-021-01-0009-304, otherwise known as 49412 Michigan Avenue, from C (Local Business) & C-2 (Extensive Highway Business) to C-1 (General Commercial).
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	<p>The Planning Commission has received an application to rezone the property located at 49412 Michigan Avenue from C (Local Business) &amp; C-2 (Extensive Highway Business) to C-1 (General Commercial). I have prepared an analysis of this request in my staff report dated May 18, 2017.</p> <p>The Planning Commission held a public hearing on this rezoning request on May 24, 2017 and at that meeting the Planning Commission recommended that the Township Board approve the rezoning request. I have attached the rezoning application, the public hearing mailing, motion extract of the May 24, 2017 Planning Commission meeting, an area map, and the staff report prepared for the rezoning request for your review. I look forward to the Township Board's discussion on the matter.</p>
<b>BUDGET IMPLICATION</b>	None
<b>IMPLEMENTATION NEXT STEP</b>	If the 1 <sup>st</sup> reading is approved the Township Board will have to conduct a 2 <sup>nd</sup> reading of the Zoning Ordinance amendment.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	Approval
<b>ATTORNEY RECOMMENDATION</b>	N/A (May be subject to Attorney/Client Privilege and not available under FOIA)
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	

**CHARTER TOWNSHIP OF VAN BUREN  
WAYNE COUNTY, MICHIGAN  
ORDINANCE 06-06-17**

AN ORDINANCE TO AMEND THE CHARTER TOWNSHIP OF VAN BUREN ZONING ORDINANCE 05-02-17(2), AS AMENDED, BY AMENDING THE ZONING MAP IN CONNECTION THEREWITH.

**The Charter Township of Van Buren Ordains:**

**SECTION 1. ORDINANCE AMENDMENT.**

The Zoning Map in connection with the Charter Township of Van Buren Zoning Ordinance shall be amended as follows:

**Ordinance No. 06-06-17**

A request to amend the Charter Township of Van Buren Zoning Ordinance 05-02-17(2), as amended, to amend the zoning map by rezoning parcel V125-83-021-01-0009-304, otherwise known as 49412 Michigan Avenue, from C (Local Business) & C-2 (Extensive Highway Business) to C-1 (General Commercial).

This property is located on the northwest corner of the intersection of Michigan Avenue and Denton Road.

**SECTION 2. SEVERABILITY**

In the event any article, section, paragraph, sentence, clause, or word of this ordinance is deemed invalid or unconstitutional by any court of competent jurisdiction, such portion deemed severable and shall not affect the validity of the remaining portions of this ordinance.

**SECTION 3. REPEALER.**

Any and all ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

**SECTION 4. EFFECTIVE DATE.**

The provisions of this Ordinance are hereby ordered to take effect seven (7) days after publication of the notice of adoption in a newspaper of general circulation within the Township. This Ordinance shall be immediately recorded by the Township Clerk in the Township Ordinance Book as soon as it is adopted, which record shall be authenticated by the signatures of the Supervisor and Clerk and shall be published in a newspaper of general circulation in the Township within fifteen (15) days of passage. A copy of this Ordinance may be purchased or inspected at the Clerk's Office, 46425 Tyler Road, Van Buren Township, MI 48111 during normal business hours.

This Ordinance is hereby declared to have been adopted by the Board of Trustees of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a Regular Meeting, called and held on the 20th day of June, 2017.

YEAS:

NAYS:

ABSENT:

ABSTAINED:

I hereby approve the foregoing Ordinance,

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Leon Wright, Clerk

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Kevin McNamara, Supervisor

Adopted: June 20, 2017 (Proposed)  
Published: June 29, 2017  
Effective: July 07, 2017

# PLANNING & ZONING APPLICATION

Case number 17-014

Date Submitted 4-21-17

## APPLICANT INFORMATION

Applicant SCH, INC. Phone 313-443-5733  
Address 22439 Pardee CT Fax 313 292-5523  
City, State DEARBORN Heights, MI Zip 48125  
E:mail sa.salamey@yahoo.com Cell Phone Number \_\_\_\_\_

Property Owner \_\_\_\_\_ Phone \_\_\_\_\_  
(if different than applicant)  
Address \_\_\_\_\_ Fax \_\_\_\_\_  
City, State \_\_\_\_\_ Zip \_\_\_\_\_

Billing Contact SAM SALAMEY Phone (313) 443-5733  
Address 22439 Pardee CT Fax (313) 292-5523  
City, State DEARBORN Heights, MI Zip 48125

## SITE/ PROJECT INFORMATION

Name of Project \_\_\_\_\_  
Parcel Id No. V125-83-021-01-0009-304 Project Address 49412 Mich. Ave

Attach Legal Description of Property - ATTACHED  
Property Location: On the NW Side of Michigan Avenue @ Denton  
and \_\_\_\_\_ Road. Size of Lot Width 270 Depth 335

Acreage of Site 2.25 Total Acres of Site to Review 2.25 Current Zoning of Site C

Project Description: FUELING STATION, Convenience Food Mart & DRIVE THRU FOOD/SNACK SERVICE

Is a re-zoning of this parcel being requested?  Yes YES (if yes complete next line) NO  
Current Zoning of Site Commercial C Local Busi. Requested Zoning C-1

## SPECIAL PERMIT INFORMATION

Does the Proposed Use Require Special Approval? NO YES (if yes complete next line) NO  
Section of Zoning Ordinance for which you are applying \_\_\_\_\_

Is there an official Woodland within parcel? \_\_\_\_\_ Woodland acreage \_\_\_\_\_

List total number of regulated trees outside the Woodland area? \_\_\_\_\_ Total number of trees \_\_\_\_\_

Detailed description for cutting trees \_\_\_\_\_

If applicable application **MUST** be accompanied with a Tree Survey or statement of no trees, which incorporates all the requirements listed in Section 4.45 of Zoning Ordinance 6-2-92, as amended.

## OWNER'S AFFIDAVIT

SCH, INC.

Print Property Owners Name

[Signature]

Signature of Property Owner

CHARLES ZAIN  
Its PRESIDENT

04-17-2017

Date

STATE OF MICHIGAN  
COUNTY OF WAYNE

The undersigned, being duly sworn, deposes and says that the foregoing statements and answers herein contained and accompanied information and date are in all respects true and correct.

Subscribed and sworn before me this 17th day of April, 2017

[Signature] Notary Public, Wayne County, Michigan My Commission expires Oct. 21, 2021

**Notary Public - State of Michigan**  
**Wayne County**  
**My Commission Expires Oct 21, 2021**  
**Acting in the County of WAYNE**

Rev 1/12/06

THE FOLLOWING DESCRIBED PREMISES situated in the Township of Van Buren, County of Wayne, Michigan, described as follows:

PARCEL "B2"

Part of Lot 9, Supervisor's Van Buren Plat No. 1, as recorded in Liber 67 of Plats, Page 50, Wayne County Records, Wayne County, Michigan, more fully described as commencing at the Northwest corner of said Lot 9; thence N. 88°25'10" E. 889.90 feet along the North line of said Lot 9 and the South right-of-way of Mott Road, 66 feet wide, to the point of beginning; thence S 01°23'50" E 424.13 feet; thence N 69°11'50" E 251.32 feet along the South line of said Lot 9 and the North right-of-way line of Michigan Avenue, 204 feet wide; thence N 69°36'00" E 18.68 feet along the South line of said Lot 9 and the North right-of-way line of Michigan Avenue; thence N 01°23'50" W 335.36 feet along the East line of said Lot 9 and the West right-of-way line of Denton Road, 66 feet wide; thence S 88°25'10" W 254.71 feet along said North line of Lot 9 and said South right-of-way line of Mott Road to the point of beginning. Subject to easements and restrictions of record, if any. Containing 2.220 Acres.

Tax I.D. No. Part of 83-021-01-0009-301

83-021-01-0009-304



Mott Rd

Denton Rd

Michigan Ave

**Existing Site**

2.22 Acres

4412 Michigan Ave

26975



Yalido  
25000  
16000  
10000  
5000  
2500  
1250  
625  
312.5  
156.25  
78.125  
39.0625  
19.53125  
9.765625  
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# Memo

**DATE:** May 18, 2017  
**TO:** Planning Commission  
**FROM:** Ron Akers, AICP – Director of Planning & Economic Development  
**RE:** 17-014 Rezoning Request of 49412 Michigan Avenue

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## Staff Report

**File Number:** 17-014

**Site Address:** 49412 Michigan Avenue

**Parcel Number:** 125-83-021-01-0009-304

**Parcel Size:** 2.145 Acres

**Location:** Michigan Avenue, at the northwest corner of Michigan Avenue and Denton Road

**Applicant:** SCH, INC, 22439 Pardee Ct, Dearborn Heights, MI 48125

**Property Owner:** Same as applicant.

**Request:** Applicant is requesting to rezone their existing property located at on Michigan Ave. from C, Local Business & C-2 Extensive Highway Business to C-1, General Commercial.

**Zoning and Existing Use:** C, Local Business & C-2 Extensive Highway Business, Vacant

### **Adjacent Zoning and Existing Uses:**

**North:** R-1 (Single Family Residential (Canton Township)) & Vacant

**East:** C-1 (General Commercial) & Gasoline Filling Station & Drive Thru (under construction)

**South:** R1-C (Single Family Residential) & Church

**West:** C-2 (Extensive Highway Business) & Vacant

**Other:** Public hearing notices were published in the Belleville Area Independent on May 4, 2017 and notices were sent to all property within 300' of the subject property in accordance with the Michigan Zoning Enabling Act.

**Summary:**

The applicant has requested to rezone the above specified property from C, Local Business & C-2, Extensive Highway Business to C-1, General Commercial. The primary intent of the applicant is to rezone the property to allow the property owner the ability to construct a gasoline filling station at this property. Staff has reviewed this request based on the Township's Master Plan and Zoning Ordinance. Please consider the following:

**Master Plan:**

The Township's Future Land Use Map depicts this property as General Commercial. The General Commercial designation directly corresponds to the C-1, General Commercial Zoning District. While the Master Plan does not specifically describe General Commercial it does offer a description of commercial land uses. This description is as follows:

*“Commercial: This classification includes a cross section of wholesale, retail and services uses offering those items satisfying the day-to-day neighborhood type convenience needs of customers such as: food, meat, drugs, bakery goods, and local services as well as community-wide, thoroughfare-oriented commercial uses offering those items purchase less frequently such as: apparel stores, appliance stores, gas stations, motels, and automotive facilities.”*

Based on this designation the requested rezoning of this parcel to C-1. General Commercial is consistent with the Township's Future Land Use Map as well as the Township's Master Plan.

**Zoning:**

The property which is the subject of the request has split zoning on it. The portion of the property at the corner of Denton and Michigan Avenue is zoned C, Local Business while the western portion of the property is zoned C-2, Extensive Highway Business. The proposed rezoning would bring the property under one zoning designation.

Existing C, Local Business: The Local Business District intended to permit retail business and service uses which are needed to serve nearby residential areas. In order to promote such business development, uses are permitted which would not create hazards, offensive and loud noises, vibration, smoke, glare or excessive truck traffic. The intent of this district is also to encourage the concentration of local business in appropriate locations for the mutual benefit of businesses and patrons. It is intended that marginal strip business development along major streets be discouraged.

Existing C-2, Extensive Highway Business: The Extensive Highway Business District, as established in this Section, is intended to permit extensive business uses along heavily traveled highways. The permitted uses require large parcels of property and are intended to serve the general needs of all Township residents. The purpose of this zone is to provide a development pattern along designated major thoroughfares which will avoid unsafe conditions by eliminating

The proposed zoning district will be consistent with the zoning district to the west and east on the same side of Michigan Avenue. There is currently a filling station being constructed on the opposite side of Denton Road where the Planning Commission rezoned the property to C-1, General Commercial.

Proposed C-1, General Commercial: The General Business District, as established in this Article is intended to permit a wider range of business and entertainment activities than those permitted in the Local Business District. The permitted uses are intended to provide business and services usually found in major shopping centers and central business districts at the junction of major streets. These uses generated large volumes of vehicular traffic, require substantial access for off-street parking and loading and require detailed planning, particularly as to relationships with adjacent residential areas.

Based on this the proposed C-1, General Commercial zoning designation is consistent with the zoning of adjacent properties and I anticipate no inconsistencies to arise from the proposed rezoning.

**Other Considerations:**

The property is located on the northwest corner of Michigan Avenue and Denton Road. Michigan Avenue is a major thoroughfare and will be able to handle the traffic a commercial use would generate. Staff does not anticipate any additional impact on current traffic or infrastructure. At the time of site plan review, special care should be taken to insure that safe access management is encouraged and to ensure that the majority of truck traffic utilizes Michigan Avenue as their primary route rather than Denton Road. The request should not hinder community need for commercial property as rezoning is simply adding to the allowable land uses.

**Recommendation:**

Staff recommends that the Planning Commissions recommend approval of the request to amend the Township's Zoning Map by rezoning the property located at 49412 Michigan Avenue parcel #125-83-021-01-0009-304 from C, Local Business & C-2, Extensive Highway Business to C-1, General Commercial, based upon the following reasons:

- A. The C-1, General Commercial would be consistent with the zoning of adjacent properties.
- B. The proposed rezoning would be consistent with the Township's Future Land Use Map which designates this property as "General Commercial."
- C. The frontage on Michigan Avenue and Denton Road allow for sufficient vehicular access to handle a more intense commercial use on the property.
- D. The proposed rezoning does not create any shortages of available vacant commercially zoned property in the Township.

**CHARTER TOWNSHIP OF VAN BUREN  
PLANNING COMMISSION  
PUBLIC HEARING**

Notice is hereby given that the Charter Township of Van Buren Planning Commission will hold public hearings on **Wednesday, May 24, 2017 at 7:30 p.m.**, in the Board of Trustees Room, 46425 Tyler Road, Charter Township of Van Buren, Wayne County, Michigan to consider the following requests.

1. **Case 17-014:** A request by SCH, Inc, to rezone the property located at 49412 Michigan Avenue, Van Buren Township, MI 48111 (Parcel ID# V-125-83-021-01-0009-304) from C (Local Business) & C-2 (Extensive Highway Business) to C-1 (General Business).

Please address any written comments to the Van Buren Township Planning Commission at, 46425 Tyler Road, Van Buren Township, MI 48111 or by e-mail at [rakers@vanburen-mi.org](mailto:rakers@vanburen-mi.org). Written comments will be accepted until 4:00 p.m. on the hearing date and all materials relating to this request are available for public inspection at the Van Buren Township Hall prior to the hearing.

Van Buren Township will provide necessary reasonable auxiliary aides and services to individuals with disabilities who are planning to attend. Please contact the Van Buren Township Planning & Economic Development department at 734-699-8913 at least seven (7) days in advance of the meeting if you require assistance.



Denton Rd

Mott Rd

Hancock Ave

Michigan Ave

Denton Rd

Michigan Ave

Alley

83 018 02 0134 301  
49230 MICHIGAN AVE

83 018 02 0134 005  
49250 MICHIGAN AVE

83 018 02 0133 000  
49255 MICHIGAN AVE

83 021 01 0009 304  
49412 MICHIGAN AVE

83 021 02 0107 303  
6020 DENTON RD

300'

83 021 01 0009 303  
MICHIGAN AVE

Parcel ID	Address
83 021 01 0009 303	MICHIGAN AVE
83 018 02 0134 005	49250 MICHIGAN AVE
83 018 02 0133 000	49255 MICHIGAN AVE
83 018 02 0134 301	49230 MICHIGAN AVE
83 021 01 0009 304	49412 MICHIGAN AVE
83 021 02 0107 303	6020 DENTON RD

Case 17-014  
Parcels w/in 300'  
Tax Parcels  
Township

**Van Buren**  
CHARTER TOWNSHIP

Wednesday, May 03, 2017

0 200 Feet 3017 Image

## MOTION EXTRACT

Motion Budd, Atchinson second to recommend to the Township Board of Trustees approval of the request to amend the Township's Zoning Map by rezoning the property located at 49412 Michigan Avenue, parcel number V125-83-021-01-0009-304 from C, Local Business and C-2, Extensive Highway Business to C-1, General Commercial, based upon the reasons in Director Akers staff memo dated 5-18-17:

- A. The C-1, General Commercial would be consistent with the zoning of adjacent properties.
- B. The proposed rezoning would be consistent with the Township's Future Land Use Map which designates this property as "General Commercial".
- C. The frontage on Michigan Avenue and Denton Road allow for sufficient vehicular access to handle a more intense commercial use on the property.
- D. The proposed rezoning does not create any shortages of available vacant commercially zoned property in the Township.

### Roll Call:

Yeas: Budd, Atchinson, Boynton, Franzoi and Thompson.

Nays: None.

Absent: Kelley.

Motion Carried.

I hereby certify the foregoing is a true and correct copy of a motion adopted by the Planning Commission of the Charter Township of Van Buren at the regularly scheduled meeting of May 24, 2017.



Christina Harman  
Recording Secretary

# Charter Township of Van Buren

Agenda Item: \_\_\_\_\_

## REQUEST FOR BOARD ACTION

**Work Study Date:** 06/05/17  
**Board Meeting:** 06/06/17

Consent Agenda \_\_\_\_\_ **New Business** X \_\_\_\_\_ Unfinished Business: \_\_\_\_\_ Public Hearing \_\_\_\_\_

<b>ITEM (SUBJECT)</b>	To consider approval of the professional services agreement for General Engineering Services with Fishbeck, Thompson, Carr and Huber, Inc.
<b>DEPARTMENT</b>	Planning & Economic Development
<b>PRESENTER(S)</b>	Matthew R. Best, Deputy Director of Planning and Economic Development
<b>PHONE NUMBER</b>	(734) 699-8913
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	James Taylor, Director of Public Services

### Agenda topic

<b>ACTION REQUESTED</b>	
To consider approval of the professional services agreement for general engineering services with Fishbeck, Thompson, Carr & Huber, Inc. (FTCH)	
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	
The QBS process has been followed in the selection of this firm. The Supervisor’s Office has negotiated the Contract and presents it for approval by the Township Board. See attachments.	
<b>BUDGET IMPLICATION</b>	Funds for Engineering Services have been allocated in the budget.
<b>IMPLEMENTATION NEXT STEP</b>	If approved, the Supervisor will execute the agreement.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/ COMMISSION RECOMMENDATION</b>	
<b>ATTORNEY RECOMMENDATION</b>	The Township Attorney has reviewed the agreement. (May be subject to Attorney/Client Privilege and not available under FOIA)
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	



# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Kevin McNamara

CLERK  
Leon Wright

TREASURER  
Sharry A. Budd

TRUSTEE  
Sherry A. Frazier

TRUSTEE  
Kevin Martin

TRUSTEE  
Reggie Miller

TRUSTEE  
Paul D. White

May 30, 2017

Township Board of Trustees  
46425 Tyler Road  
Van Buren Township, MI 48111

RE: Proposed General Engineering Services Contract with Fishbeck, Thompson, Carr and Huber, Inc.

Honorable Trustees,

During the early portion of 2017 the Township Board of Trustees created a subcommittee to use a qualification based selection to solicit companies who were interested in being the Township's primary engineering consultant. After a comprehensive search the committee recommended to the Township Board that Fishbeck, Thompson, Carr and Huber, Inc. to serve as the Township's engineers. Before you is the proposed contract between the Township and Fishbeck, Thompson, Carr and Huber, Inc. for these services. The following are the key points in the contract:

- Hourly rates and fees are estimated to give a reduction in costs from the previous engineering services contract.
- We have included language which establishes a minimum amount of liability insurance coverage.
- We have included language that limits the liability of the Township in regards to general engineering services.

As always Township staff is mindful of the costs of using consultants and will continue our practice of only utilizing them when it is necessary. If you have any questions or would like to discuss this matter further, please contact me.

Sincerely,

Matthew R. Best, M.S.  
Deputy Director of Building and Planning  
Van Buren Township



# PROFESSIONAL SERVICES AGREEMENT

**PROJECT NAME**      General Township Engineering Services  
**FTCH CONTACT**      Stephen C. Nichols, PE  
**CLIENT**                Charter Township of Van Buren  
**CLIENT CONTACT**    Mr. Kevin McNamara, Township Supervisor  
**ADDRESS**             46425 Tyler Road , Charter Township of Van Buren, MI 48111

Hereby requests and authorizes Fishbeck, Thompson, Carr & Huber, Inc. (FTCH) to perform the following:

**SCOPE OF SERVICES:**

General Township Engineering Services and activities as outlined in the Charter Township of Van Buren Request for Qualifications dated February 9, 2017, and FTCH Qualifications Statement dated March 2, 2017.

**AGREEMENT.** The Agreement consists of this page and the documents that are checked:

- Terms and Conditions for Professional Services, attached.**
- Proposal dated**
- Other:** 2017 FTCH – Exhibit A: Terms and Conditions, Exhibit B Hourly Rate Schedule, and Exhibit C Equipment Schedule are all attached.

**METHOD OF COMPENSATION:**

- Lump Sum for Defined Scope of Services**
- Hourly Billing Rates plus Reimbursable Expenses**
- Other:**

**Budget for above Scope of Services:**

Hourly not-to-exceed.

**ADDITIONAL PROVISIONS (IF ANY):**

Contract Period shall be an annual contract with the Hourly Rate Schedule and Equipment Schedule, to be adjusted by FTCH annually in July, commencing July 2018.

**APPROVED FOR:**

**BY:** \_\_\_\_\_  
**TITLE:** \_\_\_\_\_  
**DATE:** \_\_\_\_\_

**ACCEPTED FOR:**

Fishbeck, Thompson, Carr & Huber, Inc.  
**BY:**  \_\_\_\_\_  
**TITLE:** Senior Vice President  
**DATE:** May 24, 2017

# Exhibit A

## Terms and Conditions for Professional Services

1. **METHOD OF AUTHORIZATION.** CLIENT may authorize FTCH to proceed with work either by signing a Professional Services Agreement or by issuance of an acknowledgment, confirmation, purchase order, or other communication. Regardless of the method used, these Terms and Conditions shall prevail as the basis of CLIENT's authorization to FTCH. Any CLIENT document or communication in addition to or in conflict with these Terms and Conditions is rejected.
2. **CLIENT RESPONSIBILITIES.** CLIENT shall provide all criteria and full information as to requirements for the Project and designate in writing a person with authority to act on CLIENT's behalf on all matters concerning the Project. If FTCH's services under this Agreement do not include full-time construction observation or review of Contractor's performance, CLIENT shall assume responsibility for interpretation of contract documents and for construction observation, and shall waive all claims against FTCH that may be in any way connected thereto.
3. **HOURLY BILLING RATES.** Unless stipulated otherwise, CLIENT shall compensate FTCH at hourly billing rates in effect when services are provided by FTCH employees of various classifications.
4. **REIMBURSABLE EXPENSES.** Those costs incurred on or directly for CLIENT's Project. Reimbursement shall be at FTCH's current rate for mileage for service vehicles and automobiles, special equipment, and copying, printing, and binding. Reimbursement for commercial transportation, meals, lodging, special fees, licenses, permits, insurances, etc., and outside technical or professional services shall be on the basis of actual charges plus 10 percent.
5. **OPINIONS OF COST.** Any opinions of probable construction cost and/or total project cost provided by FTCH will be on a basis of experience and judgment, but since it has no control over market conditions or bidding procedures, FTCH cannot warrant that bids or ultimate construction or total project costs will not vary from such estimates.
6. **PROFESSIONAL STANDARDS; WARRANTY.** The standard of care for services performed or furnished by FTCH will be the care and skill ordinarily used by members of FTCH's profession practicing under similar circumstances at the same time and in the same locality. FTCH makes no warranties, express or implied, under this Agreement or otherwise, in connection with FTCH's services.
7. **TERMINATION.** Either CLIENT or FTCH may terminate this Agreement by giving ten days' written notice to the other party. In such event, CLIENT shall pay FTCH in full for all work previously authorized and performed prior to the effective date of termination, plus (at the discretion of FTCH) a termination charge to cover finalization work necessary to bring ongoing work to a logical conclusion. Such charge shall not exceed 30 percent of all charges previously incurred. Upon receipt of such payment, FTCH will return to CLIENT all documents and information which are the property of CLIENT.
8. **SUBCONTRACTORS.** FTCH may engage subcontractors on behalf of CLIENT to perform any portion of the services to be provided by FTCH hereunder.
9. **PAYMENT TO FTCH.** Invoices will be issued every four weeks, payable upon receipt, unless otherwise agreed. Interest of 1 percent per four-week period will be payable on all amounts not paid within 28 days from date of invoice, payment thereafter to be applied first to accrued interest and then to the principal unpaid amount. Any attorney's fees or other costs incurred in collecting any delinquent amount shall be paid by CLIENT.  
  
CLIENT agrees to pay on a current basis, in addition to any proposal or contract fee understandings, all taxes including, but not limited to, sales taxes on services or related expenses which may be imposed on FTCH by any governmental entity.  
  
If CLIENT directs FTCH to invoice another, FTCH will do so, but CLIENT agrees to be ultimately responsible for FTCH's compensation until CLIENT provides FTCH with that third party's written acceptance of all terms of this Agreement and until FTCH agrees to the substitution.  
  
In addition to any other remedies FTCH may have, FTCH shall have the absolute right to cease performing any basic or additional services in the event payment has not been made on a current basis.
10. **HAZARDOUS WASTE.** FTCH has neither created nor contributed to the creation or existence of any hazardous, radioactive, toxic, irritant, pollutant, or otherwise dangerous substance or condition at any site, and its compensation hereunder is in no way commensurate with the potential risk of injury or loss that may be caused by exposure to such substances or conditions. FTCH shall not be responsible for any alleged contamination, whether such contamination occurred in the past, is occurring presently, or will occur in the future, and the performance of services hereunder does not imply risk-sharing on the part of FTCH.
11. **LIMITATION OF LIABILITY.** To the fullest extent permitted by law, FTCH's total liability to CLIENT for any cause or combination of causes, which arise out of claims based upon professional liability errors or omissions, whether based upon contract, warranty, negligence, strict liability, or otherwise is, in the aggregate, limited to the greater of \$250,000 or the amount of the fee earned under this Agreement.

## Terms and Conditions for Professional Services (continued)

To the fullest extent permitted by law, FTCH's total liability to CLIENT for any cause or combination of causes, which arise out of claims for which FTCH is covered by insurance other than professional liability errors and omissions, whether based upon contract, warranty, negligence, strict liability, or otherwise is, in the aggregate, limited to the total insurance proceeds paid on behalf of or to FTCH by FTCH's insurers in settlement or satisfaction of CLIENT's claims under the terms and conditions of FTCH's insurance policies applicable thereto.

Higher limits of liability may be considered upon CLIENT's written request, prior to commencement of services, and agreement to pay an additional fee.

12. **DELEGATED DESIGN.** CLIENT recognizes and holds FTCH harmless for the performance of certain components of the Project which are traditionally specified to be designed by the Contractor.
13. **INSURANCE.** CLIENT shall cause FTCH and FTCH's consultants, employees, and agents to be listed as additional insureds on all commercial general liability and property insurance policies carried by CLIENT which are applicable to the Project. CLIENT shall also provide workers' compensation insurance for CLIENT's employees. CLIENT agrees to have their insurers endorse these insurance policies to reflect that, in the event of payment of any loss or damages, subrogation rights under this Agreement are hereby waived by the insurer with respect to claims against FTCH.

Upon request, CLIENT and FTCH shall each deliver to the other certificates of insurance evidencing their coverages.

CLIENT shall require Contractor to purchase and maintain commercial general liability and other insurance as specified in the contract documents and to cause FTCH and FTCH's consultants, employees, and agents to be listed as additional insureds with respect to such liability and other insurance purchased and maintained by Contractor for the Project. Contractor must agree to have their insurers endorse these insurance policies to reflect that, in the event of payment of any loss or damages, subrogation rights under this Agreement are hereby waived by the insurer with respect to claims against FTCH.

14. **INDEMNIFICATION.** FTCH will defend, indemnify, and hold CLIENT harmless from any claim, liability, or defense cost for injury or loss sustained by any party from exposures to the extent caused by FTCH's negligence or willful misconduct. CLIENT agrees to defend, indemnify, and hold FTCH harmless from any claim, liability, or defense cost for injury or loss sustained by any party from exposures allegedly caused by FTCH's performance of services hereunder, except for injury or loss to the extent caused by the negligence or willful misconduct of FTCH. These indemnities are subject to specific limitations provided for in this Agreement.
15. **CONSEQUENTIAL DAMAGES.** CLIENT and FTCH waive consequential damages for claims, disputes, or other matters in question relating to this Agreement including, but not limited to, loss of business.
16. **LEGAL EXPENSES.** If either CLIENT or FTCH makes a claim against the other as to issues arising out of the performance of this Agreement, the prevailing party will be entitled to recover its reasonable expenses of litigation, including reasonable attorney's fees. If FTCH brings a lawsuit against CLIENT to collect invoiced fees and expenses, CLIENT agrees to pay FTCH's reasonable collection expenses including attorney fees.
17. **OWNERSHIP OF WORK PRODUCT.** FTCH shall remain the owner of all drawings, reports, and other material provided to CLIENT, whether in hard copy or electronic media form. CLIENT shall be authorized to use the copies provided by FTCH only in connection with the Project. Any other use or reuse by CLIENT or others for any purpose whatsoever shall be at CLIENT's risk and full legal responsibility, without liability to FTCH. CLIENT shall defend, indemnify, and hold harmless FTCH from all claims, damages, losses, and expenses, including attorney's fees arising out of or resulting therefrom.
18. **ELECTRONIC MEDIA.** Data, reports, drawings, specifications, and other material and deliverables may be transmitted to CLIENT in either hard copy, digital, or both formats. If transmitted electronically, and a discrepancy or conflict with the electronically transmitted version occurs, the hard copy in FTCH's files used to create the digital version shall govern. If a hard copy does not exist, the version of the material or document residing on FTCH's computer network shall govern. FTCH cannot guarantee the longevity of any material transmitted electronically nor can FTCH guarantee the ability of the CLIENT to open and use the digital versions of the documents in the future.
19. **GENERAL CONSIDERATIONS.** CLIENT and FTCH each are hereby bound and the partners, successors, executors, administrators, and legal representatives of CLIENT and FTCH are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements, and obligations of this Agreement.

Neither CLIENT nor FTCH shall assign this Agreement without the written consent of the other.

Neither CLIENT nor FTCH will have any liability for nonperformance caused in whole or in part by causes beyond FTCH's reasonable control. Such causes include, but are not limited to, Acts of God, civil unrest and war, labor unrest and strikes, acts of authorities, and events that could not be reasonably anticipated.

This Agreement shall be governed by the law of the principal place of business of FTCH.

This Agreement constitutes the entire agreement between CLIENT and FTCH and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

## End of Terms and Conditions for Professional Services



# Professional Services Agreement Amendment 1

Between FTCH and Van Buren Township  
Dated May 24, 2017  
For General Township Engineering Services

The Terms and Conditions for this project are modified as follows:

**Section 7 – Replace Section 7 with the following:**

**TERMINATION.** Either CLIENT or FTCH may terminate this Agreement by giving ten days' written notice to the other party. In such event, CLIENT shall pay FTCH in full for all work previously authorized and performed prior to the effective date of termination, plus charges to cover finalization work necessary to bring ongoing work to a logical conclusion at the agreed upon rates in this PSA.

**Section 8 – Replace Section 8 with the following:**

**SUBCONTRACTORS.** Upon obtaining CLIENT'S prior approval, FTCH may engage subcontractors on behalf of to perform any portion of the services to be provided by FTCH hereunder.

**Section 9 – Replace Section 9 with the following:**

**PAYMENT TO FTCH.** Invoices will be issued every four weeks, payable upon receipt, unless otherwise agreed. Interest of 1 percent per four week period will be payable on all amounts not paid within 56 days from date of invoice, payment thereafter to be applied first to accrued interest and then to the principal unpaid amount. Any attorney's fees or other costs incurred in collecting any delinquent amount shall be paid by CLIENT.

CLIENT agrees to pay on a current basis, in addition to any proposal or contract fee understandings, all taxes including, but not limited to, sales taxes on services or related expenses which may be imposed on FTCH by any governmental entity. If CLIENT directs FTCH to invoice another, FTCH will do so, but CLIENT agrees to be ultimately responsible for FTCH's compensation until CLIENT provides FTCH with that third party's written acceptance of all terms of this Agreement and until FTCH agrees to the substitution.

In addition to any other remedies FTCH may have, FTCH shall have the absolute right to cease performing any basic or additional services in the event payment has not been made on a current basis.

**Section 11 – Replace Section 11 with the following:**

**LIMITATION OF LIABILITY.** To the fullest extent permitted by law, FTCH's total liability to CLIENT for any cause or combination of causes, which arise out of claims based upon professional liability errors or omissions, whether based upon contract, warranty, negligence, strict liability, or otherwise is, in the aggregate, limited to the Per Claim Limit of Professional Liability as listed on the FTCH Certificate of Liability Insurance

FTCH shall maintain at all times during the term of this Agreement, Commercial General Liability Insurance, Personal Injury, Bodily Injury and Property Damage to cover any claims or damages arising out of the services performed by FTCH pursuant to this Agreement in the amount of \$1,000,000/\$2,000,000 in accordance with occurrence/aggregate and Professional Liability Insurance coverage in the amount of \$1,000,000/\$2,000,000 per occurrence/aggregate.

To the fullest extent permitted by law, FTCH's total liability to CLIENT for any cause or combination of causes, which arise out of claims for which FTCH is covered by insurance other than professional liability errors and omissions, whether based upon contract, warranty, negligence, strict liability, or otherwise is, in the aggregate, limited to the total insurance proceeds paid on behalf of or to FTCH by FTCH's insurers in settlement or satisfaction of CLIENT's claims under the terms and conditions of FTCH's insurance policies applicable thereto.

Higher limits of liability may be considered upon CLIENT's written request, prior to commencement of services, and agreement to pay an additional fee.



**Section 14**

**INDEMNIFICATION.** FTCH will defend, indemnify, and hold CLIENT harmless from any claim, liability, or defense cost for injury or loss sustained by any party to the extent caused by FTCH's negligence or willful misconduct.

**Section 19**

**GENERAL CONSIDERATIONS.** CLIENT and FTCH each are hereby bound and the partners, successors, executors, administrators, and legal representatives of CLIENT and FTCH are hereby bound to the other party to this Agreement and to the partners, successors, executors, administrators, and legal representatives (and said assigns) of such other party, in respect of all covenants, agreements; and obligations of this Agreement.

Neither CLIENT nor FTCH shall assign this Agreement without the written consent of the other.

Neither CLIENT nor FTCH will have any liability for nonperformance caused in whole or in part by causes beyond FTCH's reasonable control. Such causes include, but are not limited to, Acts of God, civil unrest and war, labor unrest and strikes, acts of authorities, and events that could not be reasonably anticipated.

This Agreement shall be governed by the law of the State of Michigan.

This Agreement constitutes the entire agreement between CLIENT and FTCH and supersedes all prior written or oral understandings. This Agreement may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

**All other Terms and Conditions shall remain unchanged.**

**APPROVED FOR:**

Van Buren Township

BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_  
DATE: \_\_\_\_\_

**ACCEPTED FOR:**

Fishbeck, Thompson, Carr & Huber, Inc.

BY: Stephen E. Nichols  
TITLE: Senior Vice President  
DATE: May 24, 2017

# Exhibit B

## Van Buren Charter Township – Professional Consulting Services 2017 Individual Hourly Rates\*

### Direct Expenses

Category	Rate
Photocopies	\$0.10/copy
Mileage/Passenger Vehicles	\$0.70/mile
Field and Services Vehicles	\$0.95/mile (\$37/day minimum)
Global Positioning Unit	\$50/hour
Survey Robot	\$35/hour
Flow Monitor	\$650/month
Equipment Schedule	Separate Schedule
Expenses and Outside Services	Cost plus 10%

# Exhibit C

# EQUIPMENT SCHEDULE



## Sampling/Monitoring Equipment

<u>Equipment Description</u>	<u>Rate</u>	<u>Unit</u>	<u>Rate</u>	<u>Unit</u>
Bailer, Disposable	\$12	Each		
Bladder/grab plate for bladder pump	\$15	Each		
Colorimeter, Hach	\$40	Day		
Composite Water Sampler, Isco	\$40	Day		
Filter, FF8100, Disposable	\$9	Each		
Filter, FF8200, Disposable	\$20	Each		
Filter, In Line (10 µm) Disposable	\$10	Unit		
Gloves, Disposable	\$1	Pair		
Hach Kit	\$25	Day		
Hand Auger	\$40	Day		
Hermit Data Logger	\$100	Day	\$400	Week
Kemmerer	\$40	Day		
Meter, Dissolved Oxygen	\$40	Day		
Meter, Flowcell (T/SC/PH/EH)	\$110	Day		
Meter, In-Situ MP 9000	\$110	Day	\$350	Week
Meter, Interface with 100 ft reel	\$50	Day		
Meter, LDO Hach HQ40d	\$100	Day		
Meter, Eh/pH	\$45	Day		
Meter, Conductivity	\$45	Day		
Meter, Water Level	\$25	Day		
Methanol VOC Sample Preservation Kits	\$10	Each		
MiniTROLL/Level-TROLL	\$75	Day	\$300	Week
FID	\$100	Day		
PID	\$100	Day		
Ponar Dredge/Sludge Judge	\$40	Day		
Pump, Bladder	\$100	Day		
Pump, Gear Large	\$125	Day	\$500	Week
Pump, Grundfos	\$110	Day		
Pump, Peristaltic	\$50	Day		
Pump, Peristaltic B/T Large	\$80	Day	\$300	Week
Pump, Redi Flo 3	\$120	Day		
Pump, Whale/Typhoon	\$40	Day		
Pygmy Meter	\$50	Day		
Tubing, Bladder Pump	\$1	Foot		
Tubing, Peristaltic Pump	\$0.25	Foot		
Turbidimeter	\$40	Day		

# EQUIPMENT SCHEDULE



## General Equipment

<u>Equipment Description</u>	<u>Rate</u>	<u>Unit</u>
Air Compressor	\$55	Day
Boat	\$50	Day
Concrete Testing Equipment	\$50	Day
Confined Space Equipment	\$200	Day
Escape Pack	\$50	Day
Flow Monitor	\$650	Month
Gas Monitor/434 Meter	\$100	Day
Gas Multi Meter (O3, O2, LEL, H2S, CO)	\$100	Day
Generator	\$60	Day
GPS Trimble	\$30	Day
GPS, L1/L2	\$50	Hour
Hammer Drill, HILTI	\$50	Day
Injection Manifold 1" (3 pt)	\$100	Day
Injection Manifold ½" (10 pt)	\$150	Day
Injection Trailer	\$4,500	Week
J Plug 2"	\$18	Each
J Plug 4"	\$23	Each
Journal, Bound	\$30	Each
Lock, Standard	\$10	Each
Lock, 2 inch	\$15	Each
Metal Detector	\$50	Day
Microscope	\$25	Day
ORV, Kubota/Kawasaki Mule	\$150	Day
Permeameter, Guelph	\$100	Day
PPE, Level D	\$15	Unit
Pressure transducer/recorder	\$50	Day
Pump, Trash	\$50	Day
Rain Gauge	\$275	Month
Respirator, Disposable	\$15	Unit
Respirator-Full Face	\$50	Each
Trailer	\$40	Day
Tyvek suit	\$20	Each

# EQUIPMENT SCHEDULE



## Industrial Hygiene Equipment

<u>Equipment Description</u>	<u>Rate</u>	<u>Unit</u>	<u>Rate</u>	<u>Unit</u>
Agar Plate	\$2	Each		
Air Sampling-Cassette PCM/TEM	\$2	Each		
Air Sampling-Cassette, Air-O-Cell	\$5	Each		
Anemometer	\$35	Day	\$140	Week
Asbestos Cutting Sleeve	\$3	Each		
Boroscope	\$50	Day		
Burkard	\$25	Day	\$100	Week
Cooler, styrofoam sample	\$5	Each		
Cyclone sampler	\$12	Day	\$48	Week
Fit Test Kit	\$25	Each		
Geiger Counter	\$30	Day		
Greased Slide/Holder	\$5	Each		
IAQ Meter	\$57	Day	\$180	Week
Impinger	\$25	Each		
Laser Particle Counter	\$100	Day	\$360	Week
Lead Check Stick	\$3	Each		
Level I Instrument	\$45	Day	\$180	Week
Manometer, Data Logging	\$45	Day	\$135	Week
Microscope, Phase Contrast	\$25	Day		
Moisture Meter	\$17	Day	\$60	Week
Noise Dosimeter	\$45	Day	\$145	Week
Octave Band Filter	\$80	Day	\$200	Week
Pump, High Volume Air	\$25	Day	\$75	Week
Pump, Low Volume Air	\$25	Day	\$75	Week
Sample Tube Holder	\$5	Day		
Sieve Sampler, Andersen	\$30	Day	\$100	Week
Smoke Tubes	\$5	Each		
Sound Level Meter, Type I	\$80	Day	\$240	Week
TSI Q-Trak	\$65	Day	\$220	Week
TSI Sidepack	\$75	Day	\$260	Week
VLF Survey Meter	\$55	Day	\$200	Week
Wall Cavity Sampler	\$2	Each		

# Exhibit B 2017 Individual Hourly Rates

## Van Buren Charter Township – Professional Consulting Services 2017 Individual Hourly Rates\*

The following hourly rates are for FTCH professionals involved in providing professional consulting services to Van Buren Charter Township.

Category	Role	2017 Rate*
<b>Project Management</b>	Project Manager	\$181
<b>Engineering</b>	Senior Engineer	\$157
	Engineer	\$124
	Staff Engineer	\$100
<b>Inspection</b>	Senior Technician	\$110
	Technician	\$90
	Staff Technician	\$70
<b>Surveying</b>	Senior Surveyor	\$125
	Surveyor	\$110
	Survey Specialist	\$95
<b>GIS Mapping/CADD</b>	Senior Technician	\$126
	Technician	\$95
	Staff Technician	\$85
<b>Environmental Scientist</b>	Senior Environmental Specialist	\$145
	Environmental Specialist	\$105
	Staff Environmental Specialist	\$85
<b>Specialist</b>	Senior Engineering Specialist	\$145
	Senior Estimator	\$155
<b>Architecture</b>	Senior Architect	\$155
	Architect	\$120
	Staff Architect	\$95
<b>Administrative</b>	Principal	\$205
	Senior Associate	\$182
	Associate	\$182
	Clerical/Production Support	\$67



\*Contract Period shall be an annual contract with the Hourly Rate Schedule and Equipment Schedule, to be adjusted by FTCH annually in July, commencing July 2018.

FTCH will endeavor to assign the most experienced, cost effective professional, technician or support staff to a Van Buren Township project with the goal of providing cost efficient professional consulting services.

Invoices are rendered every four weeks and payment is due upon receipt.

# Charter Township of Van Buren

Agenda Item: \_\_\_\_\_

## REQUEST FOR BOARD ACTION

**WORK STUDY MEETING DATE: 06/05/17**

**BOARD MTG. DATES: 06/06/17**

Consent Agenda \_\_\_\_\_

New Business  X

Unfinished Business \_\_\_\_\_

Public Hearing \_\_\_\_\_

<b>ITEM (SUBJECT)</b>	To consider approval of a contract with McKenna & Associates to provide general planning services.
<b>DEPARTMENT</b>	Planning & Economic Development
<b>PRESENTER</b>	Ron Akers, Director of Planning & Economic Development
<b>PHONE NUMBER</b>	734-699-8913
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	N/A

### Agenda topic

<b>ACTION REQUESTED</b>	To consider approval of a contract with McKenna & Associates to provide general planning services.
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	Please see attached letter.
<b>BUDGET IMPLICATION</b>	Funds for Planning Services have been allocated in the budget.
<b>IMPLEMENTATION NEXT STEP</b>	If approved, the Supervisor and Clerk will execute the contract.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	N/A
<b>ATTORNEY RECOMMENDATION</b>	Attorney has reviewed the contract. (May be subject to Attorney/Client Privilege and not available under FOIA)
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	



# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Kevin McNamara

CLERK  
Leon Wright

TREASURER  
Sharry A. Budd

TRUSTEE  
Sherry A. Frazier

TRUSTEE  
Kevin Martin

TRUSTEE  
Reggie Miller

TRUSTEE  
Paul D. White

May 30, 2017

Township Board of Trustees  
46425 Tyler Road  
Van Buren Township, MI 48111

RE: Proposed General Planning Services Contract with McKenna & Associates

Honorable Trustees,

During the early portion of 2017 the Township Board of Trustees created a subcommittee to use a qualification based selection to solicit companies who were interested in being the Township's primary planning consultant. After a comprehensive search the committee recommended to the Township Board that McKenna & Associates to serve as the Township's planners. Before you is the proposed contract between the Township and McKenna & Associates for these services. The following are the key points in the contract:

- Hourly rates and fees are consistent with the current contract that we have with them. They have also agreed to maintain those fees through 2018.
- We have asked that language be added regarding insurance coverage which establishes a minimum amount of liability insurance coverage.
- We have compared the fee schedule to another fee schedule received in the evaluation process and have found this McKenna & Associates proposal to be more cost effective.

As always Township staff is mindful of the costs of using consultants and will continue our practice of only utilizing them when it is necessary. If you have any questions or would like to discuss this matter further, please contact me.

Sincerely,

Ron Akers, AICP  
Director of Planning and Economic Development

**AGREEMENT FOR PROFESSIONAL AND  
TECHNICAL PLANNING ADVISORY SERVICES**

THIS AGREEMENT, entered into this \_\_\_\_ day of \_\_\_\_\_, 2017, by and between the CHARTER TOWNSHIP OF VAN BUREN, WAYNE COUNTY, State of Michigan, referred to as "Township" and McKENNA ASSOCIATES, INCORPORATED, a Michigan corporation of Northville, Michigan, referred to as "Consultant."

WITNESS:

**SECTION 1 – AGREEMENT**

For and in consideration of the faithful and workmanlike performance of the services described, the Township hereby hires the Consultant and shall pay the Consultant as described in Section 7. This agreement shall continue in effect from the date of execution until such time as there is a ninety (90) day notice of termination by either the Township or the Consultant.

**SECTION 2 - HOURLY RATED SERVICES**

For services rendered pursuant to Section 2, the Township shall pay the Consultant at the hourly rate specified in Section 7.A., only upon request by the Township and Township approval of a prior estimate from the Consultant:

- A. Preparation for and attendance at Planning Commission, Zoning Board of Appeals, and Township Board meetings. At the meetings, the Consultant shall:
  - 1. Confer with the Developmental Services Department staff, Chairperson and/or Township Supervisor regarding the agenda prior to the meeting.
  - 2. During the meeting provide guidance and assistance regarding local and State legislation, procedures, regulations and planning, zoning and design principles.
- B. On a day-to-day basis the Consultant shall provide telephone advice, assistance and coordination with Township officials, especially the Developmental Services Department staff, Township Supervisor and Planning Commission Chair, and others doing business with the Township in all matters pertaining to administrative, advisory and legislative responsibilities, as applied to zoning, subdivision, commercial/industrial/multiple-family and other developmental issues, as requested by the Township.
- C. The Consultant shall make available its professional library of planning, design, development, housing, zoning and census information.
- D. The Consultant shall review potential land development proposals as to advisability and feasibility pursuant to the Township's land regulations and plans.
- E. Coordination of Township planning activities with other local, county, state, and regional agencies and authorities with jurisdiction, including but not limited to the Michigan Department of Natural Resources, and Michigan Department of Transportation, the Michigan State Housing Development Authority, when requested by the Township.
- F. The Consultant shall make the Township officials generally aware of the availability of sources of various funds and economic development mechanisms.
- G. Provision of assistance on the Community Development Block Grant (CDBG) and Neighborhood Stabilization (NSP) programs and assistance on other similar Federal, State and local programs which may be applicable.
- H. Preparation for and attendance at meetings of a planning or coordinating nature, with other agencies or groups, as requested by authorized Township officials.
- I. Professional planning and related work in the maintenance of the Master Plan and interpretation and revision of the plan as required.
- J. Provision of verbal and/or written reports, reviews and recommendations or other services (e.g., extensive revisions of zoning ordinance, map and text) to the Township as specifically requested by authorized Township officials.

- K. Review of proposed developments which require extensive economic development assistance, environmental assessments, extensive traffic studies or environmental impact statements beyond usual site plan review.
- L. Provision of other technical services related to planning, land use and spatial concerns, as may be requested by authorized Township officials.
- M. Sitting as expert witness or fact witness in court cases involving the Township, for a fee equivalent to one hundred fifty percent (150%) of the hourly rate specified in Section 7.A.
- N. Preparation of grant applications for submission to federal, state, county or other agencies.
- O. Provision of on-site planning and zoning services as requested by authorized Township officials.
- P. Provision of other professional, technical and design services as may be requested by authorized Township officials.

**SECTION 3 - REVIEW SERVICES**

The Consultant shall provide written technical recommendations on site plans, special approvals, rezonings, variances, and lot splits (land divisions), in accordance with the Township Zoning Ordinance and subdivision reviews in accordance with the Township Subdivision Control Ordinance. All such work shall be paid by the Township in accordance with the schedule of fees included in Section 7.B., herein.

For each review, the Consultant shall undertake the following activities:

- A. Initially review the site using aerial photos.
- B. Discuss the case by telephone or in person with the applicant and Township officials regarding review issues.
- C. Review all relevant planning issues (not including specific technical engineering issues).
- D. Prior to scheduled review by the Township (in time for inclusion with agenda packages), submission of a written review and recommendation to the Township.

**SECTION 4 - COOPERATION**

The Consultant shall have the cooperation of Township officials, including the Township Supervisor, Clerk/Treasurer, Attorney, Engineer, and other staff and consultants in the collection of data and other information for the agreed upon services.

**SECTION 5 - CONSULTANT PROVISIONS**

The Consultant agrees to furnish all materials and services including salaries and benefits of employees engaged by the Consultant and other overhead expenses necessary to undertake the above services for the Township and to assume all cost, except as otherwise provided in this agreement.

**SECTION 6 - TOWNSHIP PROVISIONS**

If requested by the Consultant and if available, the Township shall furnish the following in digital format, or paper format if no digital version is available, without charge to the Consultant:

- A. Up-to-date copies of Township code of ordinances, including zoning and land division ordinances, forms, guidelines and policies.
- B. Copies of previously prepared studies, plans, census and other available data.
- C. Aerial photographs with property lines as available from Wayne County; reproducible GIS or CAD maps of the Township, as available.
- D. Copies of the agenda and minutes for each Planning Commission meeting, and copies of site plans, documents, applications and related information for items on each Planning Commission agenda.

**SECTION 7 - COMPENSATION**

For and in consideration of performing services consistent with industry standards and delivery of the above services as set forth herein, the Township shall pay the Consultant monthly for services pursuant to this agreement within a period of thirty (30) days after receipt from the Consultant of an itemized voucher describing services performed, and when applicable, the time spent in rendering such services at the agreed upon hourly rate, per the schedule below:

A. Hourly Rated Services under Section 2

For services rendered pursuant to Section 2 above, the Township shall pay the Consultant at the hourly rate specified in the following schedule, including mileage at the rate of \$.50 per mile and one half of the travel time to Township offices, only upon request by the Township for these services and travel:

<u>Professional Classification</u>	<u>Rate Per Hour*</u>
President	\$133.90
Vice President	\$125.54
Director	\$119.58
Senior Principal or Manager	\$104.01
Principal	\$100.44
Senior	\$78.91
Associate	\$65.77
Assistant	\$53.81
Aide	\$41.84
Administrative Assistant	\$39.47

The hourly rates include all costs of salary, secretarial, taxes, office insurance, telephone facsimile, postage, education, local travel, publications, transportation (to and from client offices) and expenses, except outside reproduction (printing, large quantity copying, photography, etc.) which is invoiced at documented cost.

B. Compensation For Services Under Section 3.

For the following reviews, fees shall be paid by the Township to the Consultant for services rendered per Section 3 of this Agreement, in accordance with the following schedule. Payment of the following fees shall not be contingent upon Township's receipt of payment from the applicants. Where fees are based on hourly rates, upon request Consultant shall provide cost estimate to the Township for review services prior to commencing work.

1. Subdivision (plat) Review (for conventional subdivision and cluster subdivision):
  - a. Sketch Plan Review - (not required, but desirable): \$5.98 per lot with \$275.00 minimum charge.
  - b. Preliminary Plat Review for Tentative Approval. \$478.26 plus \$5.98 per lot.  
for Final Approval: \$239.12 plus \$2.98 per lot.
  - c. Final Plat Approval: \$5.98 per lot, with \$239.12 minimum charge.
2. Site Plan Review and Special Approval Reviews:
  - a. Multiple-family: \$376.62 plus \$8.68 per unit.
  - b. Cluster Housing: \$400.54 plus \$8.97 per unit.
  - c. Mobile Home Park: \$567.94 plus \$5.98 per mobile home unit.
  - d. Commercial: \$490.22 plus \$65.76 per acre or fraction thereof.
  - e. Industrial: \$490.22 plus \$64.76 per acre or fraction thereof.
  - f. Public or Semi-Public Uses: \$412.50 plus \$59.78 per acre or fraction thereof.
  - g. Site Condominiums: \$478.26 plus \$5.98 per lot.
  - h. Planned Residential Development:
    1. Planned Residential Development Review: Same as Section 7.B.4.
    2. Final detailed Site Plans: Subdivision plans, or other plans required prior to issuance of building permit – Same as Section 7.B., 1. And 2., above.
    3. Consultation with Township officials and applicant, and other work related to request for Planned Development plan – Consultant shall be paid at an hourly rate as specified in Section 7.A.
3. Rezoning or Conditional Rezoning Review: \$567.94 plus \$5.97 per acre or fraction thereof. For Conditional Rezoning, consultant shall be paid at an hourly rate as specified in Section 7.A. for review of proposed contract and conditions, in addition to the applicable Rezoning review fee specified above.
4. Special Approval or Conditional Use: \$478.26 plus \$8.37 per acre or fraction thereof; in addition to applicable site plan review fee (7.B.2 above).

5. Lot Split and Private Road Reviews: Consultant shall be paid at an hourly rate as specified in Section 7.A.
6. Variances: \$245.12 per variance.
7. Street or Alley Vacations: \$179.34 plus \$29.89 for each abutting lot.
8. Tree Removal Permit Review - \$669.54 plus \$59.78 per acre of official woodland or fraction thereof, plus \$2.12 per regulated tree located outside an official woodland.
9. Concept Plan Review: Consultant shall be paid at an hourly rate as specified in Section 7.A.
10. Meetings with Applicants: Consultant shall be paid at an hourly rate as specified in Section 7.A.
11. Condominium and Subdivision Developments: Consultant shall be paid at an additional fee of \$275.00 for master deed review of condominium plans and documents, and for review of subdivision documents, in addition to applicable rates for review services specified above.
12. Expedited Reviews: If the Township requests a review to be completed within five (5) days (120 hours) after receipt by the Consultant, the Consultant shall be paid a fee equal to one hundred fifty percent (150%) of the above fees for written reports facsimiled to the Township within 120 hours.
13. Resubmission after 90 Days or Major Revisions: 100% of original fee.

The hourly rates, and review fees in Section 7 are valid through December 31, 2018 after which the Consultant may increase its hourly rates, and review fees per classification by a percentage equal to the Consumer Price Index for the Detroit Metro Area as reported by the U.S. Department of Labor, Bureau of Labor Statistics.

#### **SECTION 8 - ADDITIONAL SERVICES**

For services requiring additional time or meetings beyond the scope identified in this agreement and as requested by the Township, the Consultant shall be compensated by the Township at the rate set forth in Section 7.A., herein. It is expressly understood and agreed that the compensation provided herein shall not cover the following services:

- A. Preparation of applications for submission to federal, State or County agencies;
- B. Traveling expenses outside Wayne County;
- C. Preparation of area plans, tax increment financing and development plans, project management, capital improvement programs, building inspections, corridor studies, recreation plans, public relations, environmental studies, market studies, municipal department administration, program development and similar plans, programs and studies.
- D. Outside reproduction.

The Consultant shall provide the above services for a separately negotiated fee.

#### **SECTION 9 - EQUAL EMPLOYMENT OPPORTUNITY**

There shall be no discrimination against any employee who is employed in the work covered by this Agreement or against any applicant for such employment because of race, color, religion, sex or nation origin. This provision shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training.

#### **SECTION 10 - OWNERSHIP OF DATA.**

All reports, charts, maps, and graphics shall become the property of the Township, and shall not be furnished to any other party without written permission of the Township.

#### **SECTION 11 - COMPLIANCE WITH ALL LAWS**

In performance of this agreement, the Consultant agrees to comply with all applicable federal, State and local statutes, ordinances and regulations, when applicable, including minimum wages, Social Security, unemployment compensation insurance, and Worker's Compensation, and to obtain any and all permits applicable to the performance of this agreement.

**SECTION 12 - NO CONFLICT OF INTEREST.**

During the term of this Agreement, the Consultant agrees that it shall not accept employment, nor shall it perform services for or on behalf of any client whose interests are adverse to that of the Township, or for which a conflict between the Township and Consultant would be created, without the prior written consent of the Township.

**SECTION 13 - COMPLIANCE WITH CODE OF ETHICS.**

The consultant agrees it shall be bound by the American Planning Association Code of Professional Ethics.

**SECTION 14 – INSURANCE.**

The Consultant shall maintain during the life of this Agreement the types of insurance coverage as set forth below:

- A. Workers' Compensation Insurance including Employers Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
- B. Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence combined single limit.
- C. Motor Vehicle Liability including all applicable no-fault coverages, with limits of liability of not less than \$1,000,000 per occurrence combined single limit Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- D. Additional Insured: Commercial General Liability and Motor Vehicle Liability Insurance, as described above, shall include an endorsement stating the Van Buren Township as Additional Insureds.
- E. Professional liability insurance with limits of not less than \$1,000,000 per claim.
- F. Cancellation Notice: Workers' Compensation Insurance, Commercial General Liability Insurance, Motor Vehicle Liability Insurance, and Professional Liability Insurance, as described above, shall include an endorsement stating the following: "Thirty (30) days Advance Written Notice of Cancellation or Non-Renewal, shall be sent to: Van Buren Township."

**SECTION 15 - INDEMNIFICATION**

Consultant agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Township against damages, liabilities and costs arising from the negligent acts Consultant in the performance of professional services under this Agreement to the extent that the Consultant is responsible for such damages, liabilities and costs on a comparative basis of fault and responsibility between the Consultant and the Township. The Consultant shall not be obligated to indemnify the Township for the Township's own negligence.

IN WITNESS WHEREOF, the Township and Consultant have executed this Agreement the day and year first above written.

WITNESS:

**CHARTER TOWNSHIP OF VAN BUREN  
WAYNE COUNTY, MICHIGAN**

\_\_\_\_\_

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

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

**McKENNA ASSOCIATES**

\_\_\_\_\_

By: \_\_\_\_\_  
John R. Jackson, AICP, President

# Charter Township of Van Buren

Agenda Item: \_\_\_\_\_

## REQUEST FOR BOARD ACTION

**WORK STUDY MEETING DATE: 06/05/17**

**BOARD MTG. DATES: 06/06/17**

Consent Agenda \_\_\_\_\_ **New Business**  X  Unfinished Business \_\_\_\_\_ Public Hearing \_\_\_\_\_

<b>ITEM (SUBJECT)</b>	To consider approval of resolution # <u>2017-11</u> , which is to approve an agreement between the Charter Township of Van Buren and Van Buren Public Schools with regards to the paving of McBride Road.
<b>DEPARTMENT</b>	Planning & Economic Development
<b>PRESENTER</b>	Ron Akers – Director of Planning & Economic Development
<b>PHONE NUMBER</b>	734-699-8913
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	N/A

### Agenda topic

<b>ACTION REQUESTED</b>	To consider approval of resolution # <u>2017-11</u> , which is to approve an agreement between the Charter Township of Van Buren and Van Buren Public Schools with regards to the paving of McBride Road.
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	Please see attached letter.
<b>BUDGET IMPLICATION</b>	There should be no impact on the budget.
<b>IMPLEMENTATION NEXT STEP</b>	If agreement is approved it will be executed by the Township Supervisor and Township Clerk.
<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	N/A
<b>ATTORNEY RECOMMENDATION</b>	Agreement & Resolution have been reviewed by the Township Attorney (May be subject to Attorney/Client Privilege and not available under FOIA)
<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	



# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Kevin McNamara

CLERK  
Leon Wright

TREASURER  
Sharry A. Budd

TRUSTEE  
Sherry A. Frazier

TRUSTEE  
Kevin Martin

TRUSTEE  
Reggie Miller

TRUSTEE  
Paul D. White

May 26, 2017

Township Board of Trustees  
46425 Tyler Road  
Van Buren Township, MI 48111

RE: Agreement between the Charter Township of Van Buren and Van Buren Public Schools  
Regarding the paving of McBride Road between Quirk Road and Beck Road.

Honorable Trustees,

The attached resolution is to approve an agreement between the Township and Van Buren Public Schools regarding the paving of McBride Road. This agreement was before the Van Buren Public Schools Board of Education on May 22, 2017 where a resolution was approved to contribute \$90,000 towards the paving project. I have attached an executed copy of the agreement to this letter for the Board's consideration. There are several provisions of this agreement and the following is a brief summary of some of the key points:

- The School District's contribution shall not exceed \$90,000
- The funds are required to be deposited on or before the Township authorizes preliminary engineering for the project.
- The funds shall be returned to the School District if the project is not completed.
- The agreement will not be in force until after the Township has finalized the creation of the Special Assessment District.

At this time staff is recommending approval of the resolution and agreement. If you have any questions or would like to discuss this matter further, please contact me.

Sincerely,

Ron Akers, AICP  
Director of Planning and Economic Development

# RESOLUTION OF THE CHARTER TOWNSHIP OF VAN BUREN

## TO APPROVE THE McBRIDE ROAD PAVING AGREEMENT

RESOLUTION NO. 2017-11

**WHEREAS**, The Charter Township of Van Buren (“Township”) is interested in entering into an Agreement with Van Buren Public Schools (“School District”) for the purpose of confirming the rights and obligations of the parties as to the paving of McBride Road between Quirk Road and Beck Road adjacent to McBride Middle School along with the related infrastructure improvements, hereinafter referred to as the “Project”. The parties acknowledge that McBride Middle School is a public school which is also used by the community as an election precinct. There is a large amount of school related traffic and it impacts not only the residents on McBride Road, but also everyone in the School District with school age children.

**WHEREAS**, the Township is participating in the Wayne County Local Township Road Improvement Program (“Program”) which Program allocates funds from Wayne County in order to make improvements to residentially zoned roads in the Township; and

**WHEREAS**, the Project requires that the Township or other local groups provide a local funding match of twenty (20%) percent of the Project cost; and

**WHEREAS**, the Township has solicited various local groups who might be interested in partnering with the Township to provide the required 20% local matched funding to implement the Project; and

**WHEREAS**, in response to that solicitation, the Township received a petition signed by the requisite number of resident property owners along McBride Road to participate in the local matched funding of the Project through a special assessment and also received a Resolution Authorizing Special

Assessment Agreement from the Van Buren Public Schools dated February 27, 2017 which resolution, among other things, authorized the Superintendent "to negotiate and enter into an agreement with Van Buren Township to pay a special assessment against the McBride Middle School property in an amount not to exceed \$90,000.00 for the costs of paving McBride Avenue"; and,

**WHEREAS**, at a regular meeting of the Township Board of Trustees on April 18, 2017, the Township approved the Project and authorized the special assessment process to go forward; and

**WHEREAS**, the Township and School District desire to proceed with the Project pursuant to the terms and conditions set forth in the Agreement.

**NOW THEREFORE**, be it resolved that The Charter Township of Van Buren hereby agrees that the Agreement between the Township and School District attached hereto as Exhibit A is hereby approved, and the Supervisor and Clerk are hereby authorized to execute the Agreement.

ON MOTION OF \_\_\_\_\_, SUPPORTED BY \_\_\_\_\_, the foregoing Resolution was adopted by the following vote:

The following members voted:

ROLL CALL: ABSENT \_\_\_\_\_ AYE \_\_\_\_\_ NAY \_\_\_\_\_

I, LEON WRIGHT, Clerk for The Charter Township of Van Buren, hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Township Board for The Charter Township of Van Buren at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been available as required by said Act.

\_\_\_\_\_  
Leon Wright, Clerk

## **AGREEMENT**

**THIS AGREEMENT** entered into this 25th day of May, 2017 between the Charter Township of Van Buren, a Michigan municipal corporation ("Township") and Van Buren Public Schools, a Michigan public school district ("School District"). This Agreement is made for the purpose of confirming the rights and obligations of the parties as to the paving of McBride Road between Quirk Road and Beck Road adjacent to McBride Middle School along with the related infrastructure improvements, hereinafter referred to as the "Project". The parties acknowledge that McBride Middle School is a public school which is also used by the community as an election precinct. There is a large amount of school related traffic and it impacts not only the residents on McBride Road, but also everyone in the School District with school age children.

**WHEREAS**, the Township is participating in the Wayne County Local Township Road Improvement Program ("Program") which Program allocates funds from Wayne County in order to make improvements to residentially zoned roads in the Township; and

**WHEREAS**, the Project requires that the Township or other local groups provide a local funding match of twenty (20%) percent of the Project cost; and

**WHEREAS**, the Township has solicited various local groups who might be interested in partnering with the Township to provide the required 20% local matched funding to implement the Project; and

**WHEREAS**, in response to that solicitation, the Township received a petition signed by the requisite number of resident property owners along McBride Road to participate in the local matched funding of the Project through a special assessment and

also received a Resolution Authorizing Special Assessment Agreement from the Van Buren Public Schools dated May 22, 2017 which resolution, among other things, authorized the Superintendent "to negotiate and enter into an agreement with Van Buren Township to pay a special assessment against the McBride Middle School property in an amount not to exceed \$90,000.00 for the costs of paving McBride Avenue." (A copy of the Resolution is attached as Exhibit A); and,

**WHEREAS**, at a regular meeting of the Township Board of Trustees on April 18, 2017, the Township approved the Project and authorized the special assessment process to go forward; and

**WHEREAS**, the Township and School District desire to proceed with the Project pursuant to the terms and conditions set forth in the Agreement.

**NOW THEREFORE**, in consideration of the mutual understandings of the parties and in conformity with applicable law, it is agreed:

1. The parties acknowledge and agree that the estimated cost of the Project is \$927,035 and the estimated 20% local match is \$185,407. The School District's estimated participation shall be in an amount not to exceed \$90,000 and the estimated participation through the Special Assessment District as to local residents will be \$95,407. The 80% Wayne County grant is estimated to be \$741,628. The parties acknowledge that the final cost will be based on the actual cost of construction, provided however that the School District's cost shall not exceed \$90,000.
2. The Township shall take all steps necessary to proceed with the Project including the creation of the Special Assessment District including the

adoption of a resolution to proceed, notice and set public hearings, set and confirm the assessment roll, proceed with preliminary pre-construction engineering, bid and award the construction of the Project and initiate and complete construction.

3. The School District's payment to the Township of \$90,000 shall be deposited with the Township on or before the date the Township authorizes and approves preliminary engineering to commence for the Project. The Township shall hold the money in escrow to be used solely and exclusively for the payment of Project expenses. In the event the Project does not proceed to conclusion for any reason, the Township shall return to the School District any portion of the \$90,000 not yet spent on the Project and the parties shall have no further obligation whatsoever to each other.
4. The parties further agree that no provision in this Agreement constitutes or acts as a waiver of any governmental immunity that the Township and/or School District, their agencies, officers, employees, agents or elected officials enjoy under applicable statutory or common law.
5. It is mutually understood and agreed that neither of the parties hereto shall be held responsible for damages occasioned by delay or failure to perform where due to fire, strike, flood, acts of God, unavailability of labor, material, legal acts of public authorities, or delays caused by public carriers or third persons (including contractors or subcontractors) which cannot reasonably be foreseen or provided against.

6. Each party to this Agreement shall remain responsible for any claims arising out of its own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims. This Agreement is not intended nor shall it be interpreted as giving either party hereto a right of indemnification, either by agreement or by law, for claims arising out of the performance of this Agreement.
7. Notification regarding anything in connection with this Agreement shall be sent in writing via first class mail to:

For the Township

Kevin McNamara, Supervisor  
Charter Township of Van Buren  
46425 Tyler Road  
Van Buren Township, MI 48111

-and-

Leon Wright, Clerk  
Charter Township of Van Buren  
46425 Tyler Road  
Van Buren Township, MI 48111

For the School District

Peter J. Kudlak, Superintendent  
Van Buren Public Schools  
555 W. Columbia Ave.  
Belleville, MI 48111

8. This Agreement, including the Exhibit hereto, embodies the entire Agreement and understanding among the parties and supersedes all prior agreements and understandings related to the subject matter thereof. No rights or

remedies are or will be acquired by either party, orally, through implication or otherwise, unless set forth herein.

9. This Agreement may be executed in counterparts, each of which will be deemed an original but all of which together will constitute one agreement.
10. This Agreement is effective only upon approval of the Township as evidenced by a resolution adopted by the Township Board of Trustees and by the School District as evidenced by a resolution adopted by the School District Board of Education.
11. Notwithstanding anything to the contrary contained herein, the Agreement shall have no force and effect until the Township has finalized the creation of the Special Assessment District and confirmed the Special Assessment tax roll in accordance with all applicable State statutory and local ordinance procedures.

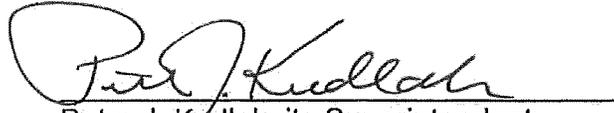
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year written above.

**Charter Township of Van Buren**

By: \_\_\_\_\_  
Kevin McNamara, its Supervisor

By: \_\_\_\_\_  
Leon Wright, its Clerk

**Van Buren Public Schools**



Peter J. Kudlak, its Superintendent



Ayes: Alison Bennett, Kevin English, Susan Featheringill, Keith Johnston, Kelly Owen  
and Simone Pinter

Nays: None

Motion declared adopted.

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Kevin English, Secretary  
Board of Education  
Van Buren Public Schools

The undersigned duly qualified and acting Secretary of the Board of Education of Van Buren Public Schools, Wayne and Washtenaw County, Michigan, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the Board of Education at a regular meeting held on May 22, 2017, the original of which resolution is a part of the Board's minutes and further certifies that notice of the meeting was given to the public under the Open Meetings Act, 1976 PA 267, as amended.

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Kevin English, Secretary  
Board of Education  
Van Buren Public Schools

**EXHIBIT 1**

**VAN BUREN PUBLIC SCHOOLS  
COUNTIES OF WAYNE AND WASHTENAW  
STATE OF MICHIGAN**

**RESOLUTION AUTHORIZING SPECIAL ASSESSMENT AGREEMENT**

A regular meeting of the Board of Education (the "Board") of Van Buren Public Schools (the "School District") was held in the School District, on February 27, 2017, at 7:00 p.m.

The meeting was called to order by President Johnston.

Present: Members Alison Bennett, Kevin English, Susan Featheringill, Sherry Frazier,  
Keith Johnston, Kelly Owen, and Simone Pinter

Absent: Members None

The following preamble and resolution were offered by Member Susan Featheringill and supported by Member Kevin English:

**WHEREAS**, Van Buren Township (the "Township") intends to pave McBride Avenue adjacent to McBride Middle School and to pay for a portion of the costs thereof via the levy of a special assessment against benefited properties; and

**WHEREAS**, Section 1141 of the Revised School Code permits a school district to "enter into an agreement with a ... township to pay special assessments for local improvements levied against school property ..."; and

**WHEREAS**, the School District and McBride Middle School will greatly benefit from the paving and the School District has determined that it is in the best interests of the School District to enter into an agreement with the Township to pay a special assessment levied against the McBride Middle School property to assist in the costs of the paving.

**THEREFORE, BE IT RESOLVED THAT:**

1. The Board hereby authorizes the Superintendent to negotiate and enter into an agreement with Van Buren Township to pay a special assessment against the McBride Middle School property in an amount not to exceed \$90,000 for the costs of paving McBride Avenue.
2. The Board hereby waives notice of any special assessment hearings related to the special assessment described herein.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Ayes: Alison Bennett, Kevin English, Susan Featheringill, Sherry Frazier  
Keith Johnston, Kelly Owen, and Simone Pinter

Nays: None

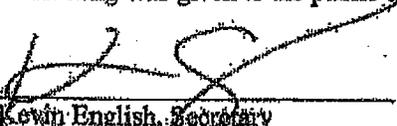
Motion declared adopted.



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Kevin English, Secretary  
Board of Education  
Van Buren Public Schools

The undersigned duly qualified and acting Secretary of the Board of Education of Van Buren Public Schools, Wayne and Washtenaw County, Michigan, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the Board of Education at a regular meeting held on February 27, 2017, the original of which resolution is a part of the Board's minutes and further certifies that notice of the meeting was given to the public under the Open Meetings Act, 1976 PA 267, as amended.



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Kevin English, Secretary  
Board of Education  
Van Buren Public Schools

# Charter Township of Van Buren

Agenda Item: \_\_\_\_\_

## REQUEST FOR BOARD ACTION

**WORK STUDY MEETING DATE: 06/05/17**

**BOARD MTG. DATES: 06/06/17**

Consent Agenda \_\_\_\_\_ **New Business**  \_\_\_\_\_ Unfinished Business \_\_\_\_\_ Public Hearing \_\_\_\_\_

<b>ITEM (SUBJECT)</b>	To consider a resolution to declare the Township's intent to establish a Special Assessment District for the McBride Road Improvement District and schedule the necessary public hearings.
<b>DEPARTMENT</b>	Planning & Economic Development
<b>PRESENTER</b>	Ron Akers, Director of Planning & Economic Development
<b>PHONE NUMBER</b>	734-699-8913
<b>INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)</b>	

### Agenda topic

<b>ACTION REQUESTED</b>	To consider a resolution to declare the Township's intent to establish a Special Assessment District for the McBride Road Improvement District and schedule the necessary public hearings.
<b>BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)</b>	Please see attached letter.

<b>BUDGET IMPLICATION</b>	None, costs are pass through.
<b>IMPLEMENTATION NEXT STEP</b>	Township Board will hold two (2) public hearings as required by PA 188 of 1954, the Public Improvements Act

<b>DEPARTMENT RECOMMENDATION</b>	Approval
<b>COMMITTEE/COMMISSION RECOMMENDATION</b>	N/A

<b>ATTORNEY RECOMMENDATION</b>	N/A
(May be subject to Attorney/Client Privilege and not available under FOIA)	

<b>ADDITIONAL REMARKS</b>	
<b>APPROVAL OF SUPERVISOR</b>	



# Charter Township of Van Buren

## BOARD OF TRUSTEES

SUPERVISOR  
Kevin McNamara

CLERK  
Leon Wright

TREASURER  
Sharry A. Budd

TRUSTEE  
Sherry A. Frazier

TRUSTEE  
Kevin Martin

TRUSTEE  
Reggie Miller

TRUSTEE  
Paul D. White

May 30, 2017

Township Board of Trustees  
46425 Tyler Road  
Van Buren Township, MI 48111

RE: Resolution to Establish the Necessary Public Hearings for the McBride Road Improvement District.

Honorable Trustees,

The Township is participating in Wayne County's Local Road Initiative program. The County will reimburse 80% of the construction costs of rehabilitating and improving certain local Township roads. The Township was presented with a resolution from Van Buren Public Schools and a petition signed by the owners along McBride road, which represents at least 60% of the lineal foot frontage along McBride road as verified by the Township Assessing department. The purpose of the Special Assessment District (SAD) is to raise the funds for the required 20% match of the Wayne County funds. No Township dollars will be used for the project. All costs will be assessed against the properties benefitted by the project through the SAD which will include administrative costs and interest.

Van Buren Public Schools has signed the agreement to participate in the road project. I have attached the agreement to this letter. The following is the revised timeline associated with this project. Please keep in mind many of these items are estimates:

- June 06 – Set 1<sup>st</sup> public hearing for June 20<sup>th</sup>.
- June 08<sup>th</sup> & June 15<sup>th</sup> – Notices for 1<sup>st</sup> public hearing are published in newspaper.
- First class mailings are sent at least ten (10) days prior to hearing.
- June 20<sup>th</sup> – 1<sup>st</sup> Public hearing is held; district is approved, and the 2<sup>nd</sup> public hearing is set.
- July 6<sup>th</sup> & July 13<sup>th</sup> – Notices for 2<sup>nd</sup> public hearing are published in newspaper.
- First class mailings are sent at least ten (10) days prior to hearing
- July 18<sup>th</sup> - 2<sup>nd</sup> Public hearing is held, the assessment roll is set, and the Township will authorize Engineer to resume preliminary engineering.
- Mid-August - Preliminary Engineering completed
- Mid-September – Bid Opening
- October – Contract Award
- Late Fall/Early Spring - Construction

I have attached to this letter a proposed resolution, a summary of the petition, the executed agreement with Van Buren Public Schools, and a summary of Engineer's opinion of cost. If you have any questions or would like to discuss this matter further, please contact me.

Sincerely,

Ron Akers, AICP  
Director of Planning and Economic Development

**PA 188 of 1954 Proceedings  
DECLARATION OF INTENT TO ESTABLISH  
A SPECIAL ASSESSMENT DISTRICT**

Excerpts from Minutes of a Regular Meeting of the Township Board held at the Township Hall on June 6, 2017.

Members Present:

Members Absent:

\*\*\*\*\*

The Township Board of the Charter Township of Van Buren received Petitions filed by owners of property within a defined district to create a special assessment for the purpose of providing matching funds to funds from Wayne County for the paving and improvement of necessary structures and other work incidental thereto of McBride Road between Quirk Road and Beck Road in the Township. The total assessment applicable for each property will be determined as follows: Each record owner of a tax parcel will be assessed for one (1) share with costs to be divided among all parcel owners as defined in the district with the exception of the property owned by Van Buren Public Schools. The Township has a separate agreement with the School district establishing the costs associated to their parcel.

Motion was then made by \_\_\_\_\_, seconded by \_\_\_\_\_, to adopt the following Resolution:

**RESOLUTION – 2017-**

WHEREAS, it appears to the Township Board that there is considerable interest by owners of property impacted by the paving and improvement of necessary structures and other work incidental thereto of McBride Road between Quirk Road and Beck Road in the Township and for creating a special assessment to match proposed funding from Wayne County as represented by a petition signed excess of 50% of the owners of lineal foot frontage on the streets, and

WHEREAS, the Board has determined that a special assessment, estimated to be in a total amount of \$579 per year for a period of five (5) years based upon an estimate created by the Township Engineer;

NOW THEREFORE BE IT RESOLVED that the Township Board does hereby tentatively declare its intent to create a special assessment for the purpose of paving McBride Road between Quirk Road and Beck Road per recommendation and cost estimates of the Township Engineer. The total shares applicable for each property will be determined as follows: Each record of a taxable parcel within the district will be assessed for one (1) share with the exception of the property owned by Van Buren Public Schools. The Township has a separate agreement with the School district establishing the costs associated to their parcel. The district shall pay 20% of the total construction costs and all related Township administrative costs. The total costs for the establishment and administering the special assessment per year will be divided equally among shares in the Special Assessment District.

BE IT FURTHER RESOLVED that the Township Board does tentatively designate the Special Assessment District against which the special assessment for improvements will be levied as the “**MCBRIDE ROAD IMPROVEMENT** Special Assessment District”, which shall include the lands and premises more particularly described as:

83-062-01-0112-000; 83-062-01-0113-000; 83-062-01-0114-000; 83-062-01-0115-000;  
83-062-01-0116-000; 83-062-01-0117-000; 83-062-01-0118-000; 83-062-01-0119-000;  
83-062-01-0120-000; 83-062-01-0121-000; 83-062-01-0122-000; 83-062-01-0123-000;  
83-062-01-0124-000; 83-062-01-0125-000; 83-062-01-0126-000; 83-062-01-0127-000;  
83-062-01-0105-000; 83-062-01-0106-000; 83-062-01-0107-000; 83-062-01-0108-000;  
83-062-01-0111-000; 83-062-01-0128-000; 83-062-01-0129-000; 83-062-01-0130-000;  
83-062-01-0131-000; 83-062-01-0132-000; 83-062-01-0133-000; 83-063-01-0066-000;  
83-063-01-0067-000; 83-063-01-0001-000; 83-063-99-0002-000; 83-063-99-0001-000;  
83-062-01-0109-002; 83-062-01-0109-001;

BE IT FURTHER RESOLVED that a hearing, consistent with statute, on any objections to the petitions, to the improvements, the estimate of costs, and to creation of the Special Assessment District proposed to be established for the assessment of the cost of such improvement by the Township Board, shall be held on Tuesday, June 20, 2017 at a regular meeting of the Township Board at The Charter Township of Van Buren Township Hall at 46425 Tyler Rd., Belleville, MI 48111, commencing at 7 PM.

BE IT FURTHER RESOLVED that the Township Clerk be instructed to give the proper notice of such hearing by mailing to all property owners and publication in accordance with law and statute provided.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

Upon roll call vote, the following voted "Aye":

The following voted "Nay":

Absent:

The Supervisor declared the motion carried and the resolution was duly adopted.

\_\_\_\_\_  
, Township Clerk

CERTIFICATE

I, \_\_\_\_\_, the duly elected and acting clerk of the Charter Township of Van Buren, hereby certify that the foregoing constitutes a true copy of an excerpt of the Minutes of a regular meeting of the Township Board, Wayne County, Michigan, held on April 21, 2015, at which meeting \_\_\_\_\_ members were present as indicated in said minutes and voted as therein set forth; that said meeting was held in accordance with the Open Meeting Act of the State of Michigan, and the foregoing Excerpt contains all material pertinent to the \_\_\_\_\_ Special Assessment District.

\_\_\_\_\_  
, Township Clerk

### McBride SAD Summary

Address	Property Status	Signed Petition?	For Sale?	Front Footage	Estimated Total Cost	Estimated Annual Cost Over 5 Years (Not Including Interest)
46716 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
46732 MCBRIDE AVE	Rental	N	N	75	\$2,891.12	\$578.22
46748 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46764 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46780 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46796 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46812 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46828 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
47016 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47032 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
47048 MCBRIDE AVE	Bank	N	N	75	\$2,891.12	\$578.22
47064 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47080 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47096 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47112 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
47128 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
10386 QUIRK RD	Owner-Occupied	Y	N	265	\$2,891.12	\$578.22
46616 MCBRIDE AVE	Owner-Occupied	N	N	75.1	\$2,891.12	\$578.22
46632 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
46648 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
46664 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47148 MCBRIDE AVE	Church	Y	N	75	\$2,891.12	\$578.22
47164 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47180 MCBRIDE AVE	Bank	N	N	75	\$2,891.12	\$578.22
47196 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
47212 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
47228 MCBRIDE AVE	Owner-Occupied	Y	N	75	\$2,891.12	\$578.22
10404 QUIRK RD	Owner-Occupied	Y	N	340.27	\$2,891.12	\$578.22
10405 BORGMAN AVE	Owner-Occupied	N	N	340.27	\$2,891.12	\$578.22
10404 BORGMAN AVE	Owner-Occupied	N	N	330.26	\$2,891.12	\$578.22
46801 MCBRIDE AVE	Rental	N	Y	153.48	\$2,891.12	\$578.22
47097 MCBRIDE AVE	School	Y	N	1277	\$90,000.00	\$18,000.00
46680 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
46664 MCBRIDE AVE	Owner-Occupied	N	N	75	\$2,891.12	\$578.22
Total Linear Feet		4806.38		School District Contribution		\$90,000.00
Project Cost		\$185,407.00		Homeowner Cost		\$95,407.00
Cost Per Linear Foot		\$38.58		Number of Single Family Homes		33
				Estimated Cost per Homeowner		\$2,891.12

Petition Summary	Total	Number Signed Petition	Percentage	Number Did Not Sign Petition	Percentage
Parcels Adjacent to Road	34	18	52.9%	16	47.1%
Owner Occupied Homes	28	16	57.1%	12	42.9%
Rental Properties	2	0	0.0%	2	100.0%
Bank Owned Properties	2	0	0.0%	2	100.0%
School Properties	1	1	100.0%	1	100.0%
Church Owned Properties	1	1	100.0%	0	0.0%
<b>Total Percentage of frontage of McBride Road represented on petition</b>	<b>62.6%</b>				

## **AGREEMENT**

**THIS AGREEMENT** entered into this 25th day of May, 2017 between the Charter Township of Van Buren, a Michigan municipal corporation ("Township") and Van Buren Public Schools, a Michigan public school district ("School District"). This Agreement is made for the purpose of confirming the rights and obligations of the parties as to the paving of McBride Road between Quirk Road and Beck Road adjacent to McBride Middle School along with the related infrastructure improvements, hereinafter referred to as the "Project". The parties acknowledge that McBride Middle School is a public school which is also used by the community as an election precinct. There is a large amount of school related traffic and it impacts not only the residents on McBride Road, but also everyone in the School District with school age children.

**WHEREAS**, the Township is participating in the Wayne County Local Township Road Improvement Program ("Program") which Program allocates funds from Wayne County in order to make improvements to residentially zoned roads in the Township; and

**WHEREAS**, the Project requires that the Township or other local groups provide a local funding match of twenty (20%) percent of the Project cost; and

**WHEREAS**, the Township has solicited various local groups who might be interested in partnering with the Township to provide the required 20% local matched funding to implement the Project; and

**WHEREAS**, in response to that solicitation, the Township received a petition signed by the requisite number of resident property owners along McBride Road to participate in the local matched funding of the Project through a special assessment and

also received a Resolution Authorizing Special Assessment Agreement from the Van Buren Public Schools dated May 22, 2017 which resolution, among other things, authorized the Superintendent "to negotiate and enter into an agreement with Van Buren Township to pay a special assessment against the McBride Middle School property in an amount not to exceed \$90,000.00 for the costs of paving McBride Avenue." (A copy of the Resolution is attached as Exhibit A); and,

**WHEREAS**, at a regular meeting of the Township Board of Trustees on April 18, 2017, the Township approved the Project and authorized the special assessment process to go forward; and

**WHEREAS**, the Township and School District desire to proceed with the Project pursuant to the terms and conditions set forth in the Agreement.

**NOW THEREFORE**, in consideration of the mutual understandings of the parties and in conformity with applicable law, it is agreed:

1. The parties acknowledge and agree that the estimated cost of the Project is \$927,035 and the estimated 20% local match is \$185,407. The School District's estimated participation shall be in an amount not to exceed \$90,000 and the estimated participation through the Special Assessment District as to local residents will be \$95,407. The 80% Wayne County grant is estimated to be \$741,628. The parties acknowledge that the final cost will be based on the actual cost of construction, provided however that the School District's cost shall not exceed \$90,000.
2. The Township shall take all steps necessary to proceed with the Project including the creation of the Special Assessment District including the

adoption of a resolution to proceed, notice and set public hearings, set and confirm the assessment roll, proceed with preliminary pre-construction engineering, bid and award the construction of the Project and initiate and complete construction.

3. The School District's payment to the Township of \$90,000 shall be deposited with the Township on or before the date the Township authorizes and approves preliminary engineering to commence for the Project. The Township shall hold the money in escrow to be used solely and exclusively for the payment of Project expenses. In the event the Project does not proceed to conclusion for any reason, the Township shall return to the School District any portion of the \$90,000 not yet spent on the Project and the parties shall have no further obligation whatsoever to each other.
4. The parties further agree that no provision in this Agreement constitutes or acts as a waiver of any governmental immunity that the Township and/or School District, their agencies, officers, employees, agents or elected officials enjoy under applicable statutory or common law.
5. It is mutually understood and agreed that neither of the parties hereto shall be held responsible for damages occasioned by delay or failure to perform where due to fire, strike, flood, acts of God, unavailability of labor, material, legal acts of public authorities, or delays caused by public carriers or third persons (including contractors or subcontractors) which cannot reasonably be foreseen or provided against.

6. Each party to this Agreement shall remain responsible for any claims arising out of its own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims. This Agreement is not intended nor shall it be interpreted as giving either party hereto a right of indemnification, either by agreement or by law, for claims arising out of the performance of this Agreement.
7. Notification regarding anything in connection with this Agreement shall be sent in writing via first class mail to:

For the Township

Kevin McNamara, Supervisor  
Charter Township of Van Buren  
46425 Tyler Road  
Van Buren Township, MI 48111

-and-

Leon Wright, Clerk  
Charter Township of Van Buren  
46425 Tyler Road  
Van Buren Township, MI 48111

For the School District

Peter J. Kudlak, Superintendent  
Van Buren Public Schools  
555 W. Columbia Ave.  
Belleville, MI 48111

8. This Agreement, including the Exhibit hereto, embodies the entire Agreement and understanding among the parties and supersedes all prior agreements and understandings related to the subject matter thereof. No rights or

remedies are or will be acquired by either party, orally, through implication or otherwise, unless set forth herein.

9. This Agreement may be executed in counterparts, each of which will be deemed an original but all of which together will constitute one agreement.
10. This Agreement is effective only upon approval of the Township as evidenced by a resolution adopted by the Township Board of Trustees and by the School District as evidenced by a resolution adopted by the School District Board of Education.
11. Notwithstanding anything to the contrary contained herein, the Agreement shall have no force and effect until the Township has finalized the creation of the Special Assessment District and confirmed the Special Assessment tax roll in accordance with all applicable State statutory and local ordinance procedures.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year written above.

**Charter Township of Van Buren**

By: \_\_\_\_\_  
Kevin McNamara, its Supervisor

By: \_\_\_\_\_  
Leon Wright, its Clerk

**Van Buren Public Schools**



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Peter J. Kudlak, its Superintendent



Ayes: Alison Bennett, Kevin English, Susan Featheringill, Keith Johnston, Kelly Owen  
and Simone Pinter

Nays: None

Motion declared adopted.

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Kevin English, Secretary  
Board of Education  
Van Buren Public Schools

The undersigned duly qualified and acting Secretary of the Board of Education of Van Buren Public Schools, Wayne and Washtenaw County, Michigan, hereby certifies that the foregoing is a true and complete copy of a resolution adopted by the Board of Education at a regular meeting held on May 22, 2017, the original of which resolution is a part of the Board's minutes and further certifies that notice of the meeting was given to the public under the Open Meetings Act, 1976 PA 267, as amended.

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Kevin English, Secretary  
Board of Education  
Van Buren Public Schools



**Van Buren**  
 CHARTER TOWNSHIP  
Wednesday, April 12, 2017  
 0 50 100 150 200 250  
 Feet  
2013 Image

**Classification - Signed?**

- Church - Yes
- School - Yes
- Bank Owned - No
- Rental - No
- Owner Occupied - Yes
- Owner Occupied - No
- Tax Parcels

Class	Count	Percentage of Property Type	Percentage of Property Type on McBride Road	Percentage of Front Footage on Petition
Total	34	100%	53%	63%
1 Owner Occupied	28	82%	57%	34%
2 Rental	2	6%	0%	0%
3 Bank Owned	2	6%	0%	0%
4 School	1	3%	100%	27%
5 Church	1	3%	100%	2%



## TECHNICAL MEMORANDUM

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### Wayne County Local Partnering Initiative for Township Roads

**Prepared For:** Mr. Ron Akers, Director of Planning and Economic Development

**Prepared By:** David M. Nummer, PE

**Date:** January 5, 2016

Wayne County has made available a pool of funds that may be used by Wayne County Townships to repair, resurface, or reconstruct local roads. The available funding for each community is based upon population. For Van Buren Township, the available funding for construction in 2016 is \$750,000. In order to take advantage of this funding, the Township must submit an application which includes the following information:

- The project must meet eligibility requirements
- Detailed scope of the project
- Engineer's estimate of cost
- Statement certifying that the Township has the capital to front the costs of the project
- Acknowledgement that the Township's Contractor must comply with permit requirements including insurance and bonds

The proposed project for 2016 is to pave McBride Avenue from Quirk Road to Beck Road. McBride Avenue is an existing gravel road that serves the adjacent residential properties and provides access to North Middle School.

A map showing the project area is attached as Exhibit A.

#### Project Eligibility

The proposed project includes road improvements to McBride Avenue. McBride Avenue is a residentially zoned street that is under the jurisdiction of Wayne County. As local streets they are not eligible for Federal aid.

#### Detailed Project Scope

McBride Avenue was originally constructed as a gravel subdivision street in the 1950's. The existing roadway widths are approximately 27 feet wide with open ditches. The existing gravel surface is rough with numerous potholes. See attached photos.

The proposed project includes paving the roadway and excavating ditches where necessary. The roadway section will be constructed in accordance with Wayne County standard detail L-2, "*Typical (SAD) HMA Local Road over Existing Aggregate*" with the exception that we will maintain the existing 27 foot width. For purposes of cost estimating, we have assumed a pavement section consisting of 1½ inch HMA wearing course and 3 inches HMA base course on top of existing aggregate base. Other project work will include minor ditching, relocation of mailboxes (if required), restoration of the disturbed areas of the right-of-way, mobilization, traffic control, and other associated work items.

Engineer's Estimate of Cost

The total project cost is estimated at \$882,890.13. This includes construction cost, engineering and contingency. A detailed cost estimate is attached as Exhibit B.

Township Acknowledgements

Van Buren Township certifies that they have the capital assets necessary to complete the project, including the 20% local match. Furthermore, the Township understands that this funding from Wayne County will be in the form of a reimbursement after the project has been completed. The reimbursement amount will be the project cost less the 20% local match, with a maximum reimbursement amount of \$750,000.

The Township will be responsible for contracting the work and administering the construction contract. An interagency agreement with Wayne County will be necessary to clearly define the duties and responsibilities of each party. The Township understands that this project will require a permit from Wayne County and that the Contractor for the project will be subject to any permit requirements including providing insurance and bonds as required by Wayne County.

DMN:

VCN 1020-15T

[Local Road Partnering Tech Memo.docx](#)

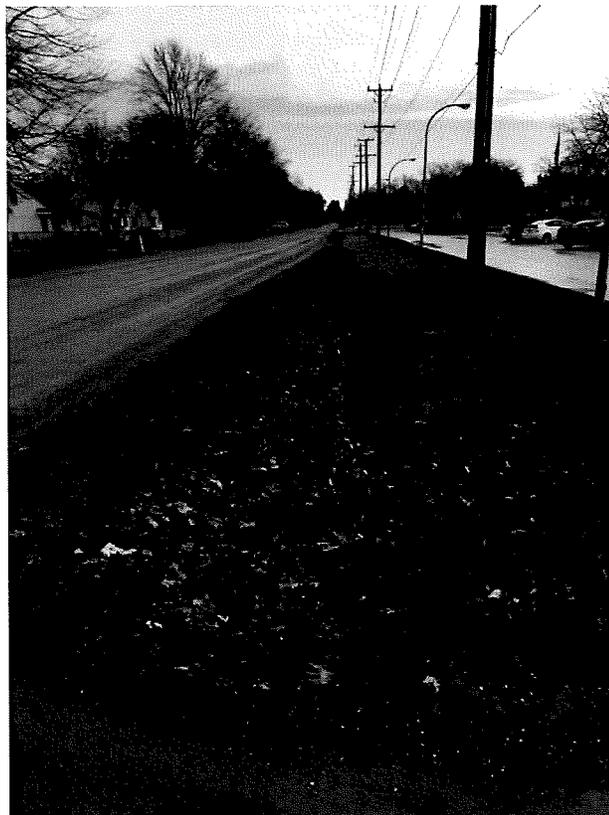
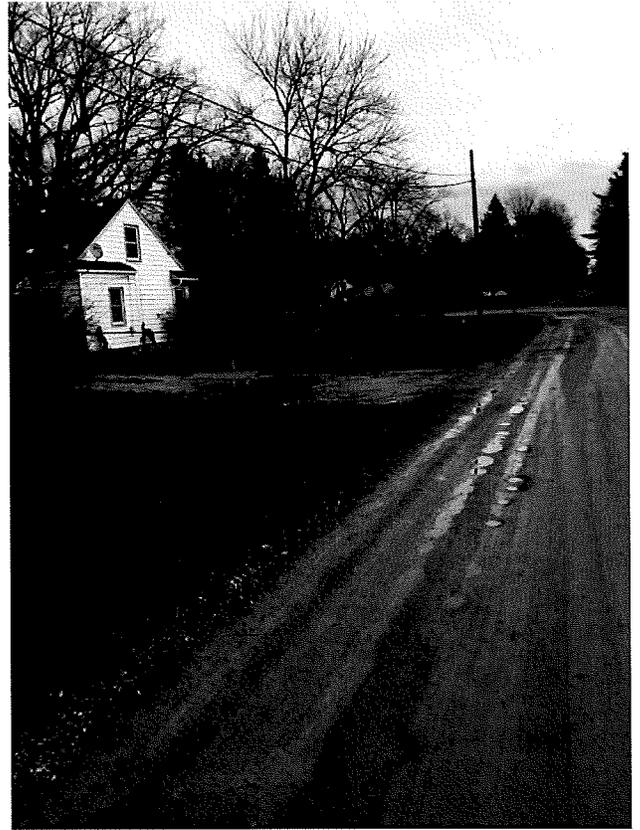
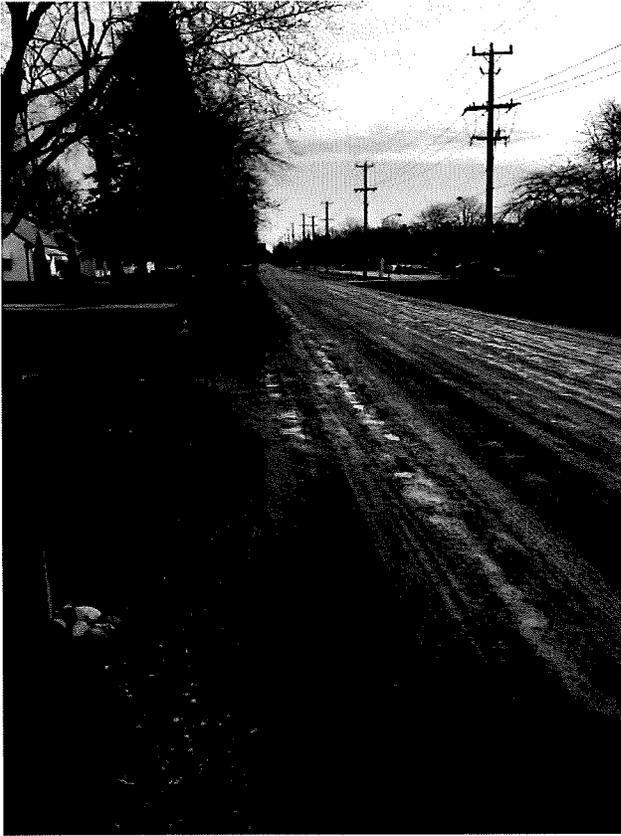
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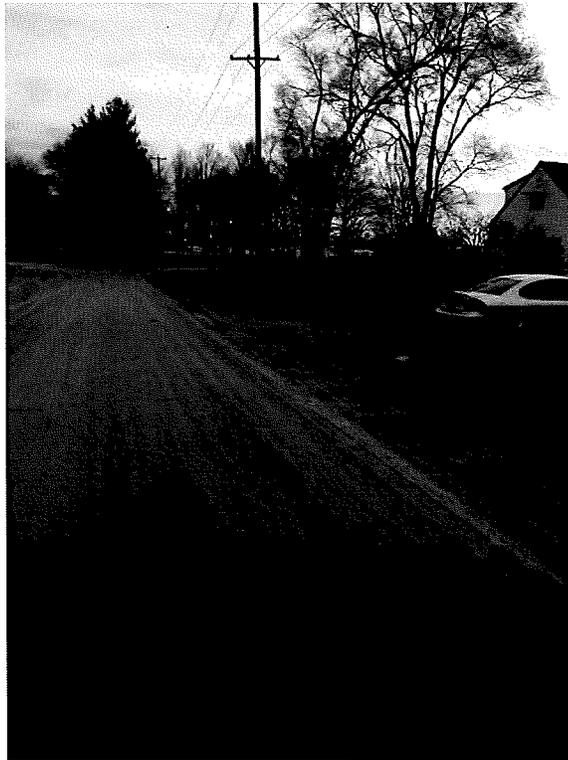
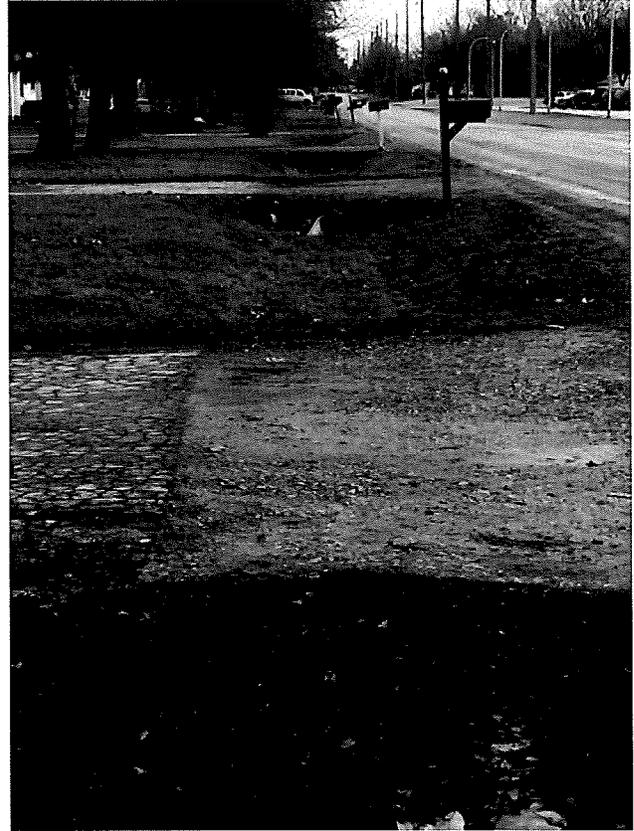
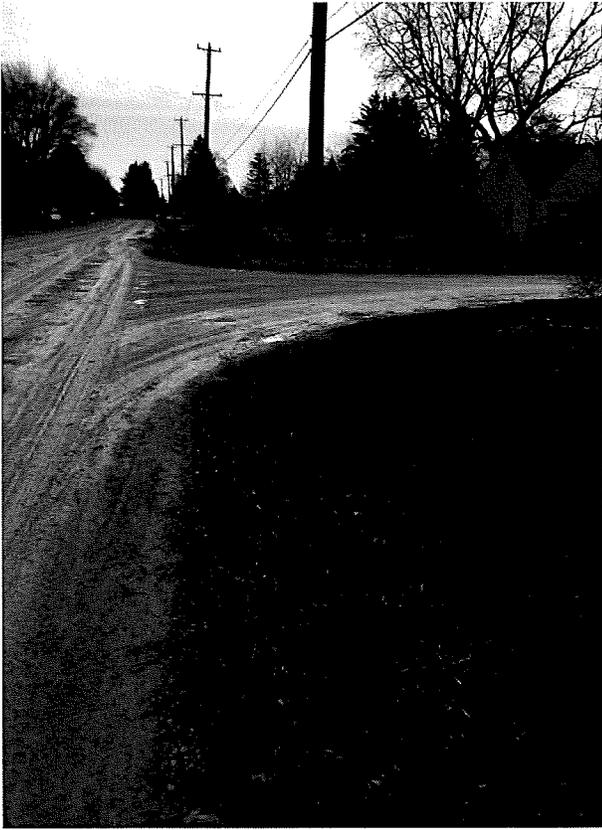
Existing Condition Photos

Exhibit A – Project Area Map

Exhibit B – Engineer's Estimate of Probable Construction Cost

Wayne County Standard Detail L-2







Project Area

Google Earth

Van Buren Charter Tow

Lake Crest Dr

Dewitt Rd

Greenfield Ave

Belleville Rd

Village Green Dr

Village Green Dr

Green Ln

Juniper Dr

© 2015 Google

UP

Wayne County 4-H Fair Grounds

Borgman Ave

Monark St

Van Allen St

McBride Ave

Beck Rd

94

N Interstate 94 Service Dr

Detroit Industrial Expy

S Interstate 94 Service Dr

Airport St

West St

Purple Sage Ct

Clayton St

Garfield St

Edicott St

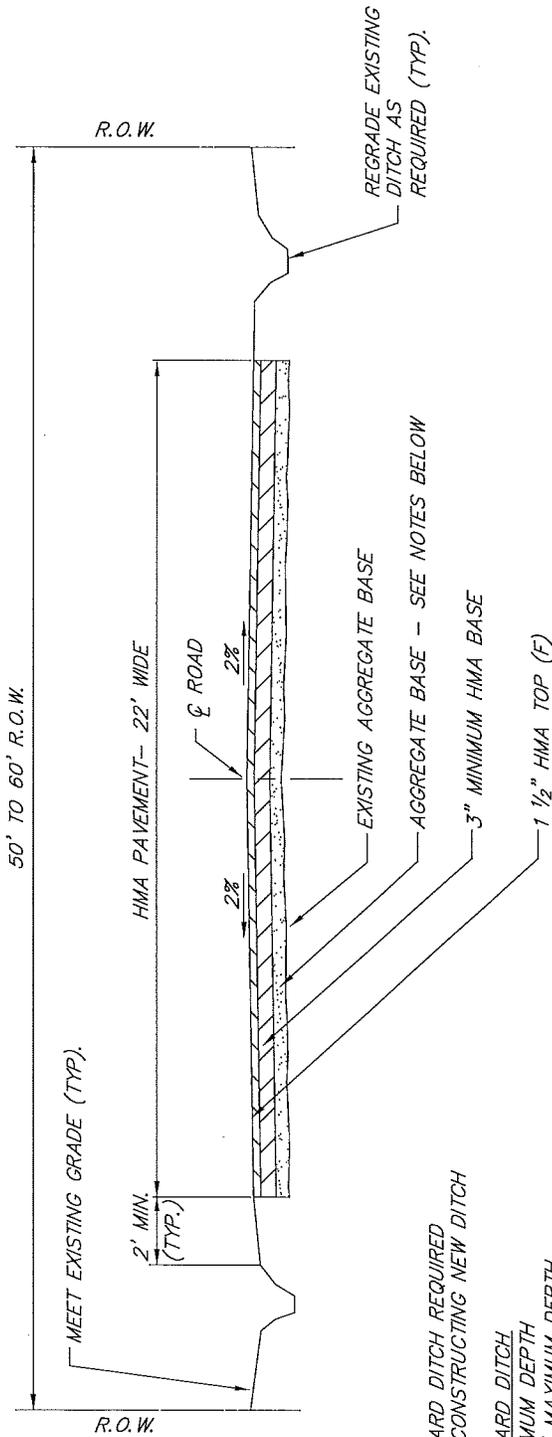
West St

**WADE TRIM**  
**Prelim cost Est.**

**SUBJECT** McBride Paving  
**JOB NO.**  
**CLIENT:** Van Buren Township  
**DATE:** January 5, 2016  
**Bid Date:**

**PAY ITEM**  
**NUMBER**

	<b>DESCRIPTION</b>	<b>QUANTITY</b>	<b>UNIT</b>	<b>Unit Cost</b>	<b>Eng. Est.</b>
1	Scarify, regrade, and add 3" 21AA agg	8,500	Syd	\$10.00	\$85,000.00
2	Pavement Remove, Butt Joint	50	Syd	\$20.00	\$1,000.00
3	Bituminous Drives, Remove	1,125	Sft	\$2.25	\$2,531.25
4	Concrete Drives, Remove	1,125	Sft	\$3.00	\$3,375.00
6	12" CMP Drive Culverts Including end sections	5	Each	\$1,000.00	\$5,000.00
6	Ditching	1200	LF	\$125.00	\$150,000.00
7	Subgrade Undercut and 21AA Backfill	100	Cyd	\$57.00	\$5,700.00
8	Embankment	200	Cyd	\$13.00	\$2,600.00
9	Maintenance Aggregate	100	Ton	\$23.00	\$2,300.00
10	Aggregate Bleeder	2	Each	\$1,000.00	\$2,000.00
11	Bituminous Leveling Course, LVSP	2200	Ton	\$80.00	\$176,000.00
12	Bituminous Wearing Course, LVSP 20AAA	750	Ton	\$80.00	\$60,000.00
13	Agg Surface Course, 6", Drives	125	Syd	\$5.00	\$625.00
14	Bituminous Drives, LVSP	50	Ton	\$190.00	\$9,500.00
15	Concrete Drive, 6 inch	125	Syd	\$93.00	\$11,625.00
16	Relocate Mailbox, with New Post	27	Each	\$170.00	\$4,590.00
17	Miscellaneous Sign Type B, Perm	100	Sft	\$15.00	\$1,500.00
18	Restoration with 4 inches Topsoil, Seed Fertilizer and Mulch	10,120	Syd	\$12.50	\$126,500.00
19	Traffic Maintenance and Control	1	L.S.	\$12,000.00	\$12,000.00
20	Audio/Video Route Survey	1	L.S.	\$1,200.00	\$1,200.00
21	Inspector Days	\$700.00	\$/Day	23	\$16,100.00
				<b>Total</b>	<b>\$679,146.25</b>
	(Items 1 thru 20)			<i>Contingency/Engineering/CE 30%</i>	<b>\$203,743.88</b>



STANDARD DITCH REQUIRED WHEN CONSTRUCTING NEW DITCH

STANDARD DITCH  
 1' MINIMUM DEPTH  
 2' 1/2' MAXIMUM DEPTH  
 2' DITCH BOTTOM  
 1:3 MAXIMUM SIDE SLOPES  
 12" MIN. COVER OVER DRIVE CULVERTS.

NOTES:

THIS TYPICAL CROSS SECTION IS TO BE USED FOR SPECIAL ASSESSMENT DISTRICT (SAD) LOCAL ROAD PROJECTS ONLY.

THE THICKNESS OF THE PROPOSED AGGREGATE BASE WILL BE AS DETERMINED BY THE WAYNE COUNTY ENGINEER.

IF NEW AGGREGATE BASE COURSE IS UTILIZED, THEN SUBGRADE UNDERDRAIN ON BOTH SIDES OF THE ROADWAY WILL BE REQUIRED OR EXTEND AGGREGATE SUBGRADE TO FACE OF DITCH AS DETERMINED BY THE WAYNE COUNTY ENGINEER.

RIGHT-OF-WAY RESTORATION SHALL CONSIST OF EITHER SEED MIX THM AND MULCH OVER 3" OF TOPSOIL OR SOD OVER 2" OF TOPSOIL.

DITCH MAY BE ENCLOSED AS DIRECTED BY THE WAYNE COUNTY ENGINEER

USE BOND COAT SS-1h BETWEEN EACH HMA LIFT AT A RATE OF 0.05 GAL/SYD

WORK THIS SHEET WITH THE GENERAL NOTES ON RS-1.

REVISION DATE: 08/01/07

DIRECTOR OF ENGINEERING

DIVISION PERMIT ENGINEER

WAYNE COUNTY DEPARTMENT OF PUBLIC SERVICES  
 ENGINEERING DIVISION/PERMIT OFFICE  
 PERMIT STANDARDS  
**TYPICAL (SAD) HMA LOCAL ROAD OVER EXISTING AGGREGATE  
 OPEN SHOULDER**

SCALE  
 NOT TO SCALE

**L-2**

SHEET  
 1 OF 1

NOTE: THIS IS NOT A LEGAL ENGINEERING DOCUMENT BUT AN ELECTRONIC DUPLICATE. THE ORIGINAL SIGNED COPY FOR PUBLICATION IS KEPT ON FILE AT THE WAYNE COUNTY ENGINEERING OFFICES.

**PA 188 of 1954 Proceedings**  
**CERTIFICATE REGARDING VERIFICATION OF RECORD OWNERS**

To: Township Clerk and Township Board,  
Charter Township of Van Buren,  
Wayne County, Michigan

Dear Officials:

This is to certify that I, Kevin McNamara, the Supervisor of the Charter Township of Van Buren, Wayne County, Michigan have directed Linda Stevenson, the Township Assessing Coordinator to check the attached petition for matching local funds for road improvements to McBride Avenue under Wayne County's Local Partnering Initiatives program for local roads and we hereby certify that said petition has been signed by record owners of 63.0 % of the total frontage within the boundaries as shown on the petition.

We hereby certify that the road frontage equals 4,806.38 lineal feet. The total signed by record owners within the proposed district equals 3007.27 lineal feet.

We hereby certify that the listing of record owners for the proposed assessment roll and all assessment records have been verified through records available as of May 26, 2017 within the area as set forth in said petition and is hereto attached.

Respectfully submitted,

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Kevin McNamara  
Township Supervisor

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Linda Stevenson  
Assessing Coordinator