

OSHTEMO CHARTER TOWNSHIP BOARD
7275 West Main Street
Kalamazoo, MI 49009
269.375.4260

(Refer www.oshtemo.org home page for Virtual Meeting Information, or page 4 of packet)

July 14, 2020
BUDGET WORK SESSION
4:00 p.m.
AGENDA

- A. Call to Order
- B. Public Comment
- C. Update from Kalamazoo County
- D. Discussion on 2020 Budget (Continued)
- E. Other Updates and Business

REGULAR MEETING
7:15 p.m.
AGENDA

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Public Comment on Non-Agenda Items
- 4. Consent Agenda
 - a. Approve Minutes - June 23, 2020
 - b. Receipts & Disbursements Report
 - c. Job Description
 - a. Public Works Deputy Director
 - b. HR/Benefit Specialist
 - d. HARC Committee Appointments
 - e. North 10th Street Sewer Manhole Adjustment
 - f. Fire Department Polices & Procedures
 - a. General Orders
 - b. Policy Manual
- 5. Consideration of Rezoning of 9037 (7.7 acres) and 9037 (3.9 acres) W G Avenue – First Reading
- 6. Discussion on 8443 West KL Avenue Property
- 7. Discussion of South 8th Street Flooding Remedy
- 8. Discussion & Consideration of Installment Mortgage Payment Agreement Policy

8. Other Township Business
9. Public Comment
10. Board Member Comments
11. Adjournment

**Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings**

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email (oshtemo@oshtemo.org), walk-in visits, or by appointment.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)
(revised 5/14/2013)
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at www.oshtemo.org, email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to oshtemo@oshtemo.org and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<u>Supervisor</u>		
Libby Heiny-Cogswell	216-5220	libbyhc@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Grant Taylor	216-5221	gtaylor@oshtemo.org
<u>Trustees</u>		
Cheri L. Bell	372-2275	cbell@oshtemo.org
Deb Everett	375-4260	deverett@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Ken Hudok	548-7002	khudok@oshtemo.org

Township Department Information		
<u>Assessor:</u>		
Kristine Biddle	216-5225	assessor@oshtemo.org
<u>Fire Chief:</u>		
Mark Barnes	375-0487	mbarnes@oshtemo.org
<u>Ordinance Enf:</u>		
Rick Suwarsky	216-5227	rsuwarsky@oshtemo.org
<u>Parks Director:</u>		
Karen High	216-5233	khigh@oshtemo.org
Rental Info	216-5224	oshtemo@oshtemo.org
<u>Planning Director:</u>		
Iris Lubbert	216-5223	ilubbert@oshtemo.org
<u>Public Works:</u>		
Marc Elliott	216-5236	melliott@oshtemo.org

Zoom Instructions for Participants

Before a videoconference:

1. You will need a computer, tablet, or smartphone with a speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. If you are going to make a public comment, please use a microphone or headphones with a microphone to cut down on feedback, if possible.
3. Details, phone numbers, and links to videoconference or conference call are provided below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 11-digit Meeting ID.

To join the videoconference:

1. At the start time of the meeting, click on this link to [join via computer](#). You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to [join.zoom.us](#) on any browser and entering this **Meeting ID: 822 8109 1498**

If you are having trouble hearing the meeting or do not have the ability to join using a computer, tablet or smartphone then you can join via conference call by following instructions below.

To join the conference by phone:

1. On your phone, dial the toll-free teleconferencing number: **1-929-205-6099**
2. When prompted using your touchtone (DTMF) keypad, enter the Meeting ID number: **822 8109 1498#**

Participant controls in the lower-left corner of the Zoom screen:



Using the icons at the bottom of the Zoom screen, you can (some features will be locked to participants during the meeting):

- Participants – opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand. **This will be used to indicate that you want to make a public comment.**
- Chat – opens pop-up screen that allows participants to post comments during the meeting.

If you are attending the meeting by phone, to use the “Raise Hand” feature **press *9 on your touchtone keypad.**

Public comments will be handled by the “Raise Hand” method as instructed above within Participant Controls.



Memorandum

Date: July 9, 2020

To: Township Board

From: HR Department/Supervisor's Office

Subject: Job Description – Deputy Director of Public Works

OBJECTIVE

Requesting review and approval of job description.

BACKGROUND

The open position of Zoning Administrator has been filled; the selected candidate being Colten Hutson, our current Public Works Technical Specialist. After discussion with Public Works Director Elliott and learning of his plans to retire within the next year, HR and the Supervisor's Office concluded it would make sense to fill the open position with a qualified candidate who would be able to transition to the Director of Public Works position. With this in mind a job description has been drafted for a Deputy Director position describing the qualifications that would be needed to transition the chosen candidate.

INFORMATION PROVIDED

Draft Job Description – Deputy Director of Public Works

**CHARTER TOWNSHIP OF OSHTEMO
POSITION DESCRIPTION**

Position Title: DEPUTY DIRECTOR OF PUBLIC WORKS

General Summary:

Under the direct supervision of the DIRECTOR OF PUBLIC WORKS, and general direction of the Township Supervisor, performs professional and technical engineering duties for the Township; as well as administrative duties in assisting the planning and coordinating the operation of sewer, water, and road maintenance services.

Physical Requirements:

Physical requirements described herein are representative of those requirements which must be met by an employee to successfully perform the essential job functions of this job. Reasonable accommodations may be made upon request to enable an individual with a disability to perform these essential job functions.

The employee must be able to drive in order to visit properties within the Township. Property visits will be required to assist in evaluating development projects, site design, water run-off, water retention, compliance with construction plans and design, etc. While on site the employee must be able to traverse rough terrain in order to complete on-site inspections.

While at the office, the Deputy Director of Public Works must be able to type reports and permits and prepare maps using computer aided technology. The Deputy Director of Public Works must also be able to visually review schematic drawings, permit applications, site plans and related documents. In addition, the employee must be able to meet with outside agencies and organizations when assigned by the DIRECTOR OF PUBLIC WORKS.

On occasion, the employee must be able to attend necessary public meetings, when requested by the DIRECTOR OF PUBLIC WORKS. During the Planning Commission, Zoning Board of Appeals and Township Board meetings, the employee may be asked to present reports publicly using a computer and/or a projector system.

The ability to operate a computer, copy machine, and answer the telephone is required.

The ability to communicate the goals of the Township, prepare reports and analyses and recommendations for the Capital Improvements Committee, Planning Commission, Township Board, orally and in writing, in English, is required.

Typical Responsibilities:

1. Performs comprehensive administrative and engineering type work necessary to assist in the management of sewer, water, and storm water engineering or oversight, and sidewalk, path, and road construction and maintenance oversight, for the Township.
2. Using excellent customer service skills, establishes and maintains effective working relationships with other employees, officials, and all members of the general public.
3. Provides staff assistance to the Capital Improvements Committee on behalf of road maintenance and capital improvement project goals.
4. Coordinates capital improvement projects with consultants, private contractors and affected Township departments and outside agencies.
5. Assists in managing state/federal grants on all assigned projects.
6. Provides research to advise and provide expert witness services to other Township departments on matters related to professional civil engineering.
7. Assists the Director of Public Works and ultimately the Township Supervisor and the Capital Improvements Committee. Participates in the development of the Five-Year Capital Improvement Plan in terms of project priority recommendations and project cost estimates.
8. Assists in the pursuit of Federal, State and County funding for capital improvement projects.
9. Participates in the development of the Public Works department budget.
10. Contributes to the planning, supervision and design of public works projects, as assigned.
11. Participates in oversight of plans and contracts for public works projects, bidding and bid openings; project progress.
12. Participates in oversight and review of consultants' work.
13. Participates in establishment of special improvement districts.
14. Provides counsel to all departments on matters of engineering and surveying.
15. Answers technical questions and provides information to the public.

16. Maintain, access and extract infrastructure and public works records in a variety of formats such as MS Office digital documents, hard copy plan sheets, scanned records, database files and spatial records in a geographic information system (GIS).

The above statements are intended to describe the general nature and level of work to be performed. They are not to be construed as an exhaustive list of all job duties.

Employment Qualifications:

Excellent verbal and written communication skills.
Strong Problem-solving and analytical skills.
Demonstrated leadership skills.

EDUCATION/EXPERIENCE:

Bachelor's degree in Construction Management, Civil Engineering, or related field. Similar or equivalent experience in Construction Management, Civil Engineering, or a related field.

Municipal public works experience, minimum three years.

DRIVER'S LICENSE REQUIREMENT:

Must maintain a current Michigan motor vehicle operator's license without restrictions (other than corrective lenses).

These qualifications represent guidelines; alternative qualifications may be substituted if sufficient to perform duties required by position.

Effective Date: 04/09/2019

DRAFT

CHARTER TOWNSHIP OF OSHTEMO

POSITION DESCRIPTION

Position Title: HR/BENEFIT SPECIALIST

General Summary:

Under the direct supervision of the Township Supervisor/Personnel Director, performs administrative and professional Human Resource work.

Essential Job Functions:

Physical requirements described herein are representative of those requirements which must be met by an employee to successfully perform the essential job functions of this position. Reasonable accommodations may be made upon request to enable an individual with a disability to perform these essential job functions.

The employee must be able to read and analyze correspondence, contracts, ordinances, reports, etc. This requires the ability to open and sort the mail, review and sort documents and distribute documents which requires the employee to be able to lift, move and manipulate such items, to deliver such documents to the Township Supervisor and other office personnel.

The employee must be able to exercise reasonably proficient typing skills for purposes of replying to e-mails, updating calendar and logging into employee locator. In addition, the employee must have the necessary dexterity to operate a computer in order to research and write reports on administration and management issues affecting the Township Supervisor's office. In order to perform these functions, the employee must be able to read and speak English and communicate with others, including the ability to type, make calls, use a calculator, schedule appointments, and type memorandums.

The employee will be required to attend and assist at meetings when the Supervisor is unable to attend in order to provide, as well as disseminate information on behalf of the Supervisor and the Supervisor's office to interface with those inside and outside the office. This will require the employee to physically attend all of the required meetings, be prepared to speak in English to those persons in attendance, to gather information and communicate to the various boards and commissions the positions of the Supervisor's office. The employee may also be required to assist Township departments orally and in writing and be able to physically meet with various Department Heads to assist in that regard.

Typical Responsibilities:

1. Develop and maintain human resource policies and procedures for Township operations in coordination with the Township Supervisor/Personnel Director and Township Attorney. Work with Supervisor/Personnel Director to evaluate and track human resources needs.

2. Manage all employee benefit programs including annual enrollment, new hire onboarding and termination processes.
3. Review all benefit billings for accuracy.
4. Design and implement effective training and development plans.
5. Coordinate annual employee performance appraisals.
6. Ensure all employee records are maintained and updated as needed.
7. Identify the company's hiring needs and manage the recruitment process.
8. Respond to employees' queries and resolve issues in a timely and professional manner.
9. Manage Worker Compensation claims.
10. Assist FOIA Coordinator in preparing responses to public inquiry regarding employee benefits.
11. Perform other tasks as assigned by the Township Supervisor/Personnel Director.

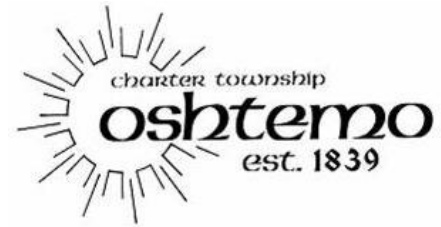
The above statements are intended to describe the general nature and level of work being performed. They are not to be construed as an exhaustive list of all duties performed.

Employment Qualifications:

DRIVERS LICENSE REQUIREMENT: Must maintain a current Michigan motor vehicle operator's license without restrictions (other than corrective lenses).

EDUCATION & EXPERIENCE: Equivalent to a Bachelor's degree from an accredited college or university with major course work in human resources or related field with minimum three years of increasingly responsible experience in human resources. Certification as Professional in Human Resources (PHR) or master degree in industrial/organizational psychology, business administration, or related program is preferred. Knowledge of employee benefits, insurance principles, Family Medical Leave Act (FMLA) and other related human sources laws and regulations. Must be skilled in accounting principles and have basic computer skills including word processing, spreadsheets, and database usage. Knowledge of BS&A municipal software is preferred. Strong written and verbal communications and organizational skills with the ability to make presentations. Strong knowledge of labor relations and payroll processes. Good understanding of the full recruitment process. Solid problem-solving and team management abilities.

Effective Date: 07/10/2020



Memorandum

Date: 9 July 2020

To: Township Board

From: Board Appointment Committee:
Libby Heiny-Cogswell, Supervisor
Dusty Farmer, Township Clerk
Grant Taylor, Township Treasurer

Subject: Oshtemo Township Public Sanitary Sewer Hardship Financing or Deferment Program -
“HARC” Committee Membership

Objective

Township Board consideration of the Sanitary Sewer Hardship Financing or Deferment Ordinance Hardship Advisory Review Committee (HARC) membership.

Background

The Board worked with Attorney Porter, the Capital Improvements Committee (CIC), and concerned residents to adopt an ordinance that provides financial assistance for property owners experiencing hardship with the mandatory sewer connection, such as some elderly residents or disabled residents, those with high college debt, and some young persons starting out. The Board also previously amended the 2020 Budget in the amount of \$300,000 to begin the first of the planned three-year funding of the multi-decade program. The next step is for the Board to appoint Hardship Advisory Review Committee members.

The Board previously determined to have five voting members as outlined below. Applications were sought after the Board adopted the Ordinance. One resident submitted application and is recommended. Two additional proposed members currently serve on the Board of Review and are willing to serve on the HARC. They are familiar with the property tax poverty exemption program and have exhibited appropriate privacy discretion in their annual review of those applications. The additional members proposed are from the Township Board, the Treasurer and Supervisor. Membership. The appointments are for staggered, three years terms.

- One or Two members who are currently or past serving on the Board of Review,
- One or Two members who are Oshtemo Residents, *and*
- Two Township Board Members, including Ex Officio Supervisor.

The Township Board can consider the recommended list of appointments.

The program includes the potential for assistance for both the public and private connection expense. The goal of the Township assistance program is to extend the assistance reach beyond the programs already in place through the USDA 502 and 504 assistance programs,

and the State of Michigan 225 program. The Township will work closely with other agencies and residents to help with making application.

The CIC recognizes need for the ongoing financial review, and to fund the program in 2020, 2021, and 2022 in the amount of \$300,000, and to use those funds over future decades to provide assistance.

Township internal discussion includes planning for the first HARC meeting in March 2021. Given 2020 is the launch year for the program, there could be a need to convene a September 2020 meeting. Public Works staff will receive the applications and will discuss options and timing for residents interested in the program. They will also provide staff assistance to assemble the information for HARC members' review.

Information Provided:

Committees Appointment Spreadsheet (proposed members in bold).

Oshtemo Charter Township Public Sanitary Sewer Hardship Financing or Deferment Ordinance—

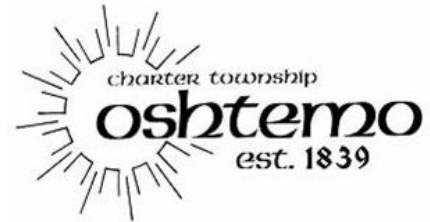
<http://online.encodeplus.com/regs/oshtemo-mi/doc-viewer.aspx?secid=2557&keywords=hardship#secid-2557>

*Bold Font Indicates Proposed Changes. Others are Continuing

TITLE	Members	Dates	Term/End Dat
Board & Committee	Libby Heiny-Cogswell	<i>As needed</i>	
Appointments	Grant Taylor		
	Dusty Farmer		
Buildings and Grounds	Libby Heiny-Cogswell	<i>Quarterly @ 8:00 a.m.</i>	
	Grant Taylor		
	Rick Everett (Staff)		
	Carl Benson (Resident)		
Capital Improvement (CIC)	Zak Ford	<i>Quarterly, Jan, Apr, July, Oct</i>	
	Grant Taylor	<i>3rd Tues. @ 1pm</i>	
	Libby Heiny-Cogswell		
	Tim Mallett (Resident)		
	Dick Hertzell (Resident)		
	Bernie Mein		
	Colten Hutson (Staff)		
	Marc Elliott (Staff)		
HARC (Hardship Advisory Review Committee)	Fred Gould (BOR)		12/31/2021
	Jeff Parson (Resident-at-large)		12/31/2022
3 year, staggered terms	Neil Sikora (BOR)		12/31/2023
	Grant Taylor (TB Treasurer)		TermofOffice
	Libby Heiny-Cogswell (TB Supervisor)		TermofOffice
"Legislative Breakfast"	Open to Entire Board	<i>Quarterly</i>	
(Southwest Michigan First)		<i>8am - 9am</i>	
Kalamazoo Brownfield Authority	Iris Lubbert (Staff)	<i>4th Thursday of each Month @ 4:00pm</i>	
Kalamazoo County Transit Authority	Dusty Farmer, Attendee	<i>2nd & 4th Monday, 5:30 p.m.</i>	
HR (Human Resources)	Dusty Farmer	<i>As Needed</i>	
Board Group	Libby Heiny-Cogswell		
	Deb Everett		
	Ed Hellwege (HR Specialist)		
Parks	Deb Everett	<i>3rd Thursday @ 7:30 a.m.</i>	
	Libby Heiny-Cogswell		
	Cheri Bell		

*Bold Font Indicates Proposed Changes. Others are Continuing

TITLE	Members	Dates	Term/End Dat
	Vacancy (Resident)		
	Paul Sotherland (At Large)		
	Karen High (Staff)		
Police	Libby Heiny-Cogswell	<i>Quarterly as needed</i>	
	Deb Everett		
	Zak Ford		
	Mark Barnes (Staff Fire Chief)		
	Jack Shepperly (Staff Police Specialist)		
	Jim Sterenberg (Resident)		
	Malcolm Blair (Resident)		
	Jim Taylor (Resident)		
	Nick Pollich (MSP-Primary, Resident)		
	Ed Hellwege (Staff HR)		
	Jim Porter (Staff Attorney)		
Safety	Mark Barnes (Staff)	<i>As needed</i>	
	Kristine Biddle (Staff)		
	Rick Everett (Staff)		
	Linda Ignasiak (Staff)		
Wellhead Protection Team	Iris Lubbert/Colten Hutson (Staff)	<i>Quarterly (approx)</i>	



Memorandum

Date: July 9, 2020
To: Township Board
From: Marc Elliott, P.E., Director of Public Works
Subject: Sewer Utility Repair, N 10th – Manhole Adjust & Pavement Repair

OBJECTIVE

Consideration of a Road Commission of Kalamazoo County (RCKC) Work Order Proposal for the repair of sewer manhole related pavement subsidence in N 10th St. The price is considered fair and appropriate. No budget amendment is needed.

BACKGROUND

Oshtemo Township received noise complaints in the area of N 10th St north of Torrington Rd which was related to gravel truck passing. Because it was described as manhole clanging, we investigated the manhole cover and rim for deficiencies. None were noted, nor were we able to replicate the noise. Upon continued monitoring and more detailed inspection, we observed the pavement to be slightly subsided near and along the south approach to the sanitary manhole. This results in the manhole being slightly elevated relative to the approaching pavement. Oshtemo's truck route ordinance causes primarily empty trailers to traverse along this route. We therefore now judge that the trailers are "jumping" and creating the clanging noise. The proposed work order will adjust the manhole rim & cover, and address the slight dip in pavement by hot-mix asphalt (HMA) wedging.

The current Board approved sanitary sewer budget includes a modest designation of funds for typical capital repairs of the public sanitary sewer system. Therefore no budget amendment is needed to proceed with this work.

INFORMATION PROVIDED

RCKC Work Order & Cost Estimate (6/15/20) for Sanitary Manhole Adjustment with HMA Wedging



Date Prepared: 6/15/20
 Township: **Oshtemo**
 Location: 2,800' South of H Avenue to 2,700' South of H Avenue
 Project Description: HMA Wedging
 Estimator: Bill Oxx
 Length: .01 Miles

Total Area (Syd)	Length	Width	Length	Width	Cul-de Sac Area (Sft)	Quantity
189	100	17			7,854	0
Conv Factor						
9						

Description of charge	Application Rate	Estimated Quantities	Units of measure	Estimated Unit Cost	Estimated Total	Notes
Sanitary Sewer Manhole Adjustment		1	each	800.00	0	
Cold Milling	1 - 2 inches	250	sq yd	8.00	2,000	
36A HMA Surface Course	220#/sq yd	50	ton	69.50	3,475	
Estimated Total Cost					\$5,475	
Overhead Costs				8.37%	\$458	
Total Estimated Project Cost					\$5,933	

General Orders

202.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process to make immediate temporary changes to department policy. The Oshtemo Fire and Rescue Department will, as necessary, issue General Orders that will immediately modify or change and supersede the sections of this manual to which they pertain. These General Orders will be immediately reported to the Township Supervisor.

202.2 POLICY

It is the policy of the Oshtemo Fire and Rescue Department to make any immediate temporary changes to policy and procedure in accordance with the current collective bargaining agreement and as permitted and recognized to be management rights by the Michigan Employment Relations Commission. Generally, the establishment of General Orders is management's prerogative but employee participation may be sought in the development of those policies. It is the policy of the Department to comply with any meet-and-confer requirements between labor groups and authorized department representatives.

202.3 RESPONSIBILITIES

The Fire Chief shall issue all General Orders.

All department officers and/or work supervisors shall be responsible for communicating General Orders to all members under their command and/or direct supervision.

General Orders will be rescinded upon incorporation into this manual.

All General Orders shall be reviewed periodically to authenticate or determine if they are currently applicable to the mission of the Department.

Policy Manual

101.1 PURPOSE AND SCOPE

The Policy Manual of the Oshtemo Fire and Rescue Department is hereby established and shall be referred to as the Fire Department Policy Manual or the manual. The manual is a statement of the additional policies, rules and guidelines applicable only to this department. All members are expected to conform to the provisions of this manual, the Township employee handbook and the Township Board policies. Should there be any conflicts between this manual and the employee handbook, the employee handbook will be controlling.

All prior and existing policies, manuals, orders and regulations that are in conflict with this manual are revoked, except to the extent that portions of the existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

101.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that fire and rescue work is not always predictable and circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed using an objective standard, taking into consideration the sound discretion entrusted to the members of this department under the circumstances reasonably available at the time of any incident.

101.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Oshtemo Fire and Rescue Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the Oshtemo Charter Township, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Oshtemo Fire and Rescue Department reserves the right to revise any policy content, in whole or in part.

101.2.2 SEVERABILITY

In the event that any term or provision of this Policy Manual is declared illegal, invalid or unenforceable by any court or any federal or state government agency, the remaining terms and provisions that are not affected shall remain in full force and effect. If any provision of the Policy Manual is found to be in conflict with a local, state or federal law, Oshtemo Charter Township policy or collective bargaining agreement, such law, Oshtemo Charter Township policy or collective bargaining agreement shall take precedence over that provision of the Policy Manual.

In the event that any of the terms or provisions of the Department Policy Manual are determined to conflict with any portion of a collective bargaining agreement, we will seek to resolve the conflict.

Oshtemo Fire and Rescue Department

Policy Manual

Policy Manual

101.3 AUTHORITY

The Fire Chief shall have the authority to recommend the adoption of the provisions of this manual, subject to Oshtemo Charter Township Board approval and shall ensure compliance with all applicable federal, state and local laws. The Fire Chief or his/her authorized designee may issue General Orders, which shall modify those provisions of the manual to which they pertain.

Any General Orders issued shall be submitted to the Township Board for review and approval but remain in effect until such time as they are permanently incorporated in the manual.

101.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

Oshtemo Charter Township - The Oshtemo Charter Township of Oshtemo, Michigan.

Civilian - Employees and volunteers who are not engaged in fire suppression as part of their primary duties.

Collective Bargaining Agreement

Department/OFD - The Oshtemo Fire and Rescue Department.

Employee - Any person employed by the Department.

Fire Code - National Fire Protection Association (NFPA) 1 Fire Code 2018 Edition, as adopted by Oshtemo Charter Township, Ordinance No. 594.

Firefighter/Sworn, appointed or elected - Those members, regardless of rank, who perform fire suppression duties as part of their primary duties as sworn, appointed or elected members of the Oshtemo Fire and Rescue Department.

Health and Safety Officer - Members designated by the Fire Chief as responsible for the administration of health and safety-related programs and policies for the Oshtemo Fire and Rescue Department. The Fire Chief shall assume responsibility for health and safety-related policy and program administration if there is no designee.

Manual - The Oshtemo Fire and Rescue Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Oshtemo Fire and Rescue Department, including:

- Full- and part-time employees including paid on-call (POC) firefighters
- Sworn or appointed firefighters
- Civilian employees

Oshtemo Fire and Rescue Department

Policy Manual

Policy Manual

- Volunteers i.e Fire Corps

On-duty - Member status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The title of the classification held by a firefighter.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Township Supervisor - As an elected official serving on the Township Board, of which the Supervisor is Chairperson, acts as Chief Executive Officer of the Township and manages the Township business by supervising the various departments in performing various functions to meet the needs of the Township residents. The Supervisor also serves as the Township's budget officer and personnel director.

Work Supervisor - A person in a position of authority directing the work of other members. The work supervisor exercises authority that is not merely routine or clerical in nature but requires the use of independent judgment. The term "work supervisor" may also include any person (e.g., Firefighter-in-charge, lead or senior worker) given responsibility for the direction of others without regard to a formal job title, rank or compensation.

101.5 DISTRIBUTION OF THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Fire Chief or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review, the Policy Manual and General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

101.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Fire Chief will ensure that the Policy Manual is periodically reviewed and updated as necessary.

101.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping informed of all Policy Manual revisions.

Oshtemo Fire and Rescue Department

Policy Manual

Policy Manual

The Deputy Chief will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisors, who will consider the recommendations and forward them to the command staff as appropriate.

July 10th, 2020



Meeting Date: July 14th, 2020

To: Oshtemo Charter Township Board

From: Ben Clark, Zoning Administrator

Applicant: James & Marilyn Endres Trust

Owner: James & Marilyn Endres Trust

Property: Portions of 9037 West G Avenue, parcel number 05-05-230-011

Zoning: AG: Agricultural

Request: Rezoning to RR: Rural Residential – First Reading

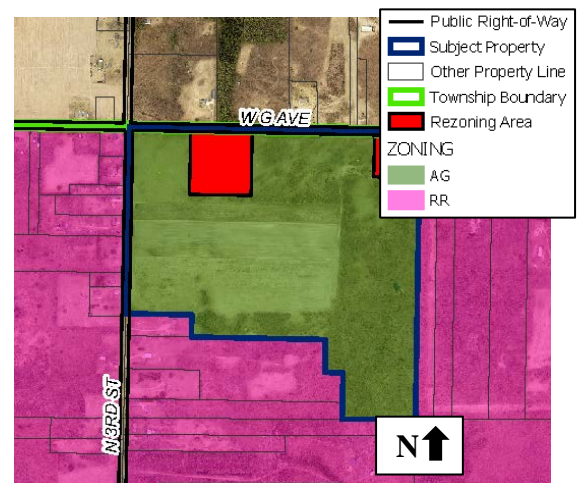
Section(s): Article 4—AG: Agricultural District
Article 5—RR: Rural Residential District

OBJECTIVE

Consideration to rezone approximately 11.6 acres of the property at 9037 West G Avenue from the “AG” Agricultural District to the “R-R” Rural Residence District for first reading.

OVERVIEW

The applicant owns approximately 123 acres of farmland southeast of the intersection of W G Avenue and N 3rd Street and from it would like to create an approximately 7.7-acre parcel 558 east of N 3rd Street and another new parcel 3.9 acres in size at the parent parcel’s northeast corner. Both proposed divisions would have frontage on W G Avenue, see map to the right. The applicant had initially pursued a simple land division to create the new properties, but with the parent tract being currently zoned AG, Agricultural the minimum size for a new parcel in this district is 40 acres—far more than the applicant would like to split off. In order to facilitate the desired land divisions, the two aforementioned portions of the subject property must be rezoned to Rural Residential *before* the land division can be approved by Township staff.



SUBJECT PROPERTY

Currently zoned as AG, Agricultural and actively farmed, the existing parcel has approximately 1,700 feet of frontage on N 3rd Street and almost 2,700 feet of frontage on W G Avenue. Surrounding the property are numerous large to medium-sized RR, Rural Residential zoned parcels accommodating single family homes. None

of the adjacent properties are zoned for agricultural use, although there do remain a handful of large, isolated AG zoned parcels nearby, similarly surrounded by residential properties.

ZONING ORDINANCE

While the intended use of the subject property—accommodating a single-family home—is a permitted use in both AG, Agricultural and RR, Rural Residential zoning districts, the dimensional requirements of the AG zoning classification mean that the desired land split could not be completed as proposed. The AG zoning district dictates that any new parcels created therein be not less than 40 acres in area. Parcels zoned as RR, Rural Residential have a minimum size of 1.5 acres, allowing for the creation of the two proposed parcels. Rezoning this property from AG to RR also means that any new farming activities of a commercial nature would not be allowed on the subject property, although existing agricultural use can continue, being considered nonconforming following rezoning.

The first area subject to the rezoning request is approximately 558 feet east of N 3rd Street, with the proposed dimensions of 557.5 feet in width and 600 feet in depth. The second area is in the northeast extreme corner of the parent parcel, with a proposed width and depth of 410 feet. If rezoned and eventually divided from the existing parcel, the two new properties will meet the necessary minimum road frontage value of 200 feet, the minimum parcel area of 1.5 acres, and will not violate the Township’s 4:1 depth to width ratio. Of the two areas subject to this request, the larger section is currently vacant, while the second, smaller piece of land accommodates a single-family home. The applicant has stated that they intend to continue farming the large remainder of the parent parcel for the time being.

CONSIDERATIONS

The Zoning Enabling Act, which allows Townships to zone property, does not provide any required standards that a Planning Commission must consider when reviewing a rezoning request. However, there are some generally recognized factors that should be deliberated before a rezoning decision is made. These considerations are as follows:

1. Master Plan Designation

Attached to this memo is an excerpt from Oshtemo’s Master Plan as well as the Future Land Use Map that pertains to this part of the Township. As illustrated on the Future Land Use Map, the subject property is within an area that is intended to transition to Rural Residential. As described in the Master Plan, Rural Residential includes developments such as low-density housing on scattered sites.

2. Consistency of the Zoning Classification in the General Area

Once a predominately agricultural area, Oshtemo has for a number of years been encouraging property owners in the western two thirds of the Township to rezone farmland to the Rural Residential zoning classification to facilitate the construction of single-family homes on parcels larger than what is typically found in other residential zoning districts to the east. The Township has adopted a Future Land Use Plan whereby farmland gives way to houses while maintaining the rural character of the area.

In this quadrant of the Township, the Future Land Use Plan has largely been fulfilled, and most parcels here are zoned Rural Residential. Of the nearly 1,000 properties in this area, only 14 remain zoned for agricultural use. Recommending approval of the requested rezoning would be consistent with prevailing zoning of the general area.

3. Consistency and Compatibility with General Land Use Patterns in the Area

One of the areas subject to the rezoning request currently accommodates a single-family home. The

applicant has indicated that the other portion of land, currently vacant, would also be used residentially. This is both consistent and compatible with land use patterns in the area.

4. Utilities and Infrastructure

Neither public water nor sewer are present along N 3rd Street or W G Avenue in this part of the Township, and the extension of such is not planned at any point in the foreseeable future. Given the anticipated residential use for the two areas subject to this rezoning request, with one presumably already served by a well and septic system, the absence of utilities here should in no way impede reasonable land use.

Similarly, although the nearby transit network is made up of country roads and unsignalized intersections, the requested rezoning and expected subsequent land divisions will not add undue burden to the existing infrastructure.

5. Reasonable Use under Current Zoning Classification

Zoned for agricultural use, the existing subject parcel is actively farmed and can continue to be used for such. Given the amount of road frontage and acreage present it can also accommodate numerous homes without being divided (one house for every 200 feet of frontage and three acres of land—a provision unique to the AG zoning district), so some reasonable use is possible. However, given the Township’s minimum 40-acre size for agriculturally zoned parcels, land division opportunities are limited. The applicant could create three parcels under the current zoning, but they have stated that they wish to keep the majority of the parent parcel for now.

6. Effects on Surrounding Property

The 7.7-acre portion subject to the rezoning request would be surrounded on three sides by the parent parcel, and essentially no impact to neighboring properties is anticipated. Likewise, the 3.9-acre area in the northeast corner already accommodates a single-family home, and no change in land use is being proposed there at this time—the neighboring residential property to the east will likely experience no effects as a result of the rezoning.

RECOMMENDATION

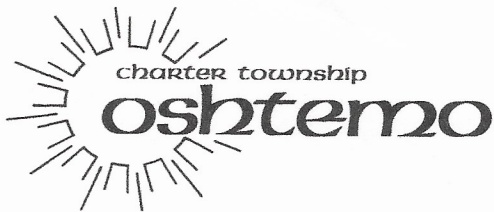
The Planning Commission held their public hearing for this request on July 9, 2020. One resident provided feedback during the public hearing. She noted that she was not against the rezoning but was sad to see the transition of this property from AG to RR. The Planning Commission made a unanimous motion to recommend approval of this rezoning request to the Township Board. The recommendation was based on the following factors:

1. The proposed rezoning is in accordance with the Township’s Future Land Use Plan.
2. The requested rezoning is compatible with the surrounding land uses and adjacent zoning classifications.
3. Existing infrastructure and utilities can accommodate the expected future residential land use.
4. Township staff anticipate practically no effects on surrounding properties as a result of the rezoning.

Respectfully submitted,


Ben Clark, Zoning Administrator

Attachments: Application, Zoning Map, Future Land Use Map, Future Land Use Plan Excerpt



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS Endres James + Marilyn Trust

PLANNING & ZONING APPLICATION

Applicant Name: James Endres - trustee

Company _____

Address 888D West G Avenue
Kalamazoo MI 49009

E-mail jendres1956@gmail.com

Telephone 269-370-4701 Fax _____

Interest in Property Equitable Interest + trustee

OWNER*: Endres James + Marilyn Trust

Name James Endres - trustee

Address 9037 West G Avenue
Kalamazoo, MI 49009

Email jendres1956@gmail.com

Phone & Fax 269-370 4701

THIS
SPACE
FOR
TOWNSHIP
USE
ONLY

Fee Amount _____
Escrow Amount _____

NATURE OF THE REQUEST: (Please check the appropriate item(s))

- Planning Escrow-1042
- Site Plan Review-1088
- Administrative Site Plan Review-1086
- Special Exception Use-1085
- Zoning Variance-1092
- Site Condominium-1084
- Accessory Building Review-1083
- Land Division-1090
- Subdivision Plat Review-1089
- Rezoning-1091
- Interpretation-1082
- Text Amendment-1081
- Sign Deviation-1080
- Other: _____

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary):

Please
take property indicated from Agricultural
to Rural Residential.
see attachment - 1

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

attached 2

PARCEL NUMBER: 3905- 05 230 011

ADDRESS OF PROPERTY: 9037 West 6 Avenue

PRESENT USE OF THE PROPERTY: Farming - Agriculture

PRESENT ZONING Agriculture **SIZE OF PROPERTY** 122 Acres +/-

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)

Address(es)

See Attached 3

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.

James Endres

Owner's Signature (* If different from Applicant)

5-17-2020

Date

James Endres

Applicant's Signature

5-17-2020

Date

- Copies to:
- Planning -1
- Applicant -1
- Clerk -1
- Deputy Clerk -1
- Attorney-1
- Assessor -1
- Planning Secretary - Original

7

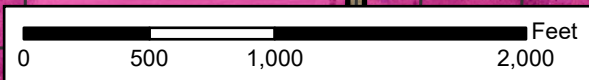
PLEASE ATTACH ALL REQUIRED DOCUMENTS

2

CURRENT ZONING

WG AVE

N 3RD ST



The information included on this map is for illustrative purposes only. No warranty on behalf of Oshtemo Charter Township, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of any information.

- Public Right-of-Way
- Subject Property
- Other Property Line
- Township Boundary
- Rezoning Area

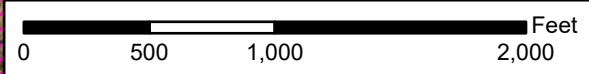
ZONING

- AG
- RR

FUTURE LAND USE

WG AVE

N 3RD ST



The information included on this map is for illustrative purposes only. No warranty on behalf of Oshtemo Charter Township, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, reliability or usefulness of any information.

- Public Right-of-Way
- Subject Property
- Other Property Line
- Township Boundary
- Rezoning Area

FUTURE LAND USE

- Rural Residential

Future Land Use Designations

Thirteen future land use categories have been created to designate the desired land use pattern for the Township. Each of the districts is described in more detail in the Plan, and are summarized in the following Future Land Use Matrix. The Future Land Use Matrix compares each of the designations based on several criteria of concern to this Plan.

Rural Residential (14,467 acres)

Development Intensity: Low

The Rural Residential land use designation is the largest designation in the Township. In many ways, it is also the most diverse and the most important.

The current land use pattern within the Rural Residential designation includes residential, agricultural, and some limited commercial land uses. Low density subdivision / neighborhood development is permitted and is encouraged to utilize open space cluster development practices in order to protect and preserve the natural features in this area and the rural character it defines. Other residential uses consist of scattered-site development at low density. Units typically are served by private wells and septic systems. (Although public utilities have been extended west into portions of the Rural Residential area, this was done to address environmental concerns and not to facilitate development.)

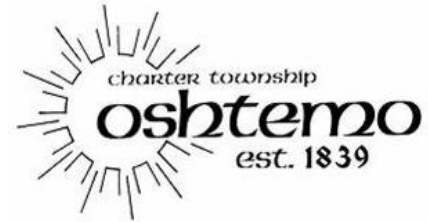
Rural Residential Desired Future Development Pattern

- Low density residential development
- Utilization of Rural Character Preservation Strategies, such as:
 - Utilization of conservation / open space subdivisions to protect sensitive landscapes
 - Utilization of programs available – purchase of development rights, transfer of development rights, conservation easements – to protect natural features
 - Setback from natural features (surface waters, wetlands)
 - Building pad site selection based on minimal disturbance to natural features
 - Tree lines and other vegetation along road frontages selectively cleared if at all to minimize impact on rural character along County Roads

Small agricultural uses are scattered throughout this area and are an important part of the rural character of the community. These include family farms, orchards, fruit farms, and other similar operations. Because the Township does not have many significantly sized parcels and due to the value of the land, agriculture will not expand significantly in the future. However, it is an important part of the Township's history and rural character, and pre-existing farms are encouraged to continue. In addition, supporting the rural character through the allowance of agri-businesses and agri-tainment uses should be considered.



Low density residential development sensitive to natural features may occur in the rural residential designation.



Memorandum

Date: July 10, 2020

To: Township Board

From: Karen High, Parks Director

Subject: Possible collaboration with Southwest Michigan Land Conservancy (SWMLC) on County-owned property at 8443 West KL Ave.

Objective: Discussion on 8443 West KL Ave property.

Background: This is a continuation from the June 23 Board meeting discussion on 2021 budget. Kalamazoo County is considering the sale of their 57.76 acre property purchased for landfill remediation purposes. The site is across the road from the landfill and adjacent to SWMLC's Wolf Tree Nature Trails preserve. It is located within Oshtemo's Natural Features Protection District and has long been considered worthy of preservation.

Peter D. Ter Louw, President and Executive Director of SWMLC, submitted the following Collaboration Proposal for further Board discussion.



A Collaborative Proposal

Southwest Michigan Land Conservancy – Oshtemo Township

The Southwest Michigan Land Conservancy (SWMLC) seeks a collaborative partnership with Oshtemo Township for the purpose of acquiring the Kalamazoo County owned property on KL Avenue as an expansion of greenspace adjacent to SWMLC’s Wolf Tree Nature Trails preserve.

SWMLC is willing to assist Oshtemo Township in the acquisition and stewardship of the Kalamazoo County owned property providing leadership in fundraising and preserve management that would complement the adjacent Wolf Tree Nature Trails preserve. The combined passive recreation natural area would create a 130 acre township – conservancy public preserve.

The approach would identify an agreed on value of the property based on an independent appraisal and application by Oshtemo Township to the Michigan Natural Resources Trust Fund seeking an acquisition grant that would provide 75% of the property’s purchase price. SWMLC is willing to work with Oshtemo Township to secure the remaining 25% and fundraise to create a preserve stewardship fund, which will support improvements and habitat work.

SWMLC acquired the 69 acre Wolf Tree Nature Trails through gift by owner Dr. Richard Malott in 2011, who donated his property because he wanted to share his land with area residents to enjoy nature and outdoor passive recreation. During the past nine years, SWMLC has invested approximately \$90,000 in private funding and volunteer projects to create public use infrastructure and restore the oak savanna habitat creating a preserve with 3.5 miles of trails.

The acquisition of the KL Avenue County property is supported by planning initiatives undertaken by both Oshtemo Township and the Southwest Michigan Land Conservancy. SWMLC is currently completing a strategic conservation planning project which explores the landscapes and ecology of our nine county region and the Kalamazoo moraine area of western Kalamazoo County and eastern Van Buren County is a priority area. And one of our fundamental land protection criteria is expansion of our existing conserved lands – the bigger is better approach.

Similarly, Oshtemo Township’s work in developing a natural features protection district, the Go! Green Oshtemo - open space vision for township parks, trails and conservation and the future of the West KL Avenue landfill as potential open space that could loosely link Wolf Tree Nature Trails, landfill, Kalamazoo College’s Lillian Anderson Arboretum and the Oshtemo Township Park.

The Southwest Michigan Land Conservancy seeks the Oshtemo Township Trustees support and willingness to participate in exploring with Kalamazoo County the potential of acquiring the KL Avenue property to create a natural area parkland that expands SWMLC’s Wolf Tree Nature Trails.



Welcome to Southwest Michigan Land Conservancy's

Wolf Tree Nature Trails

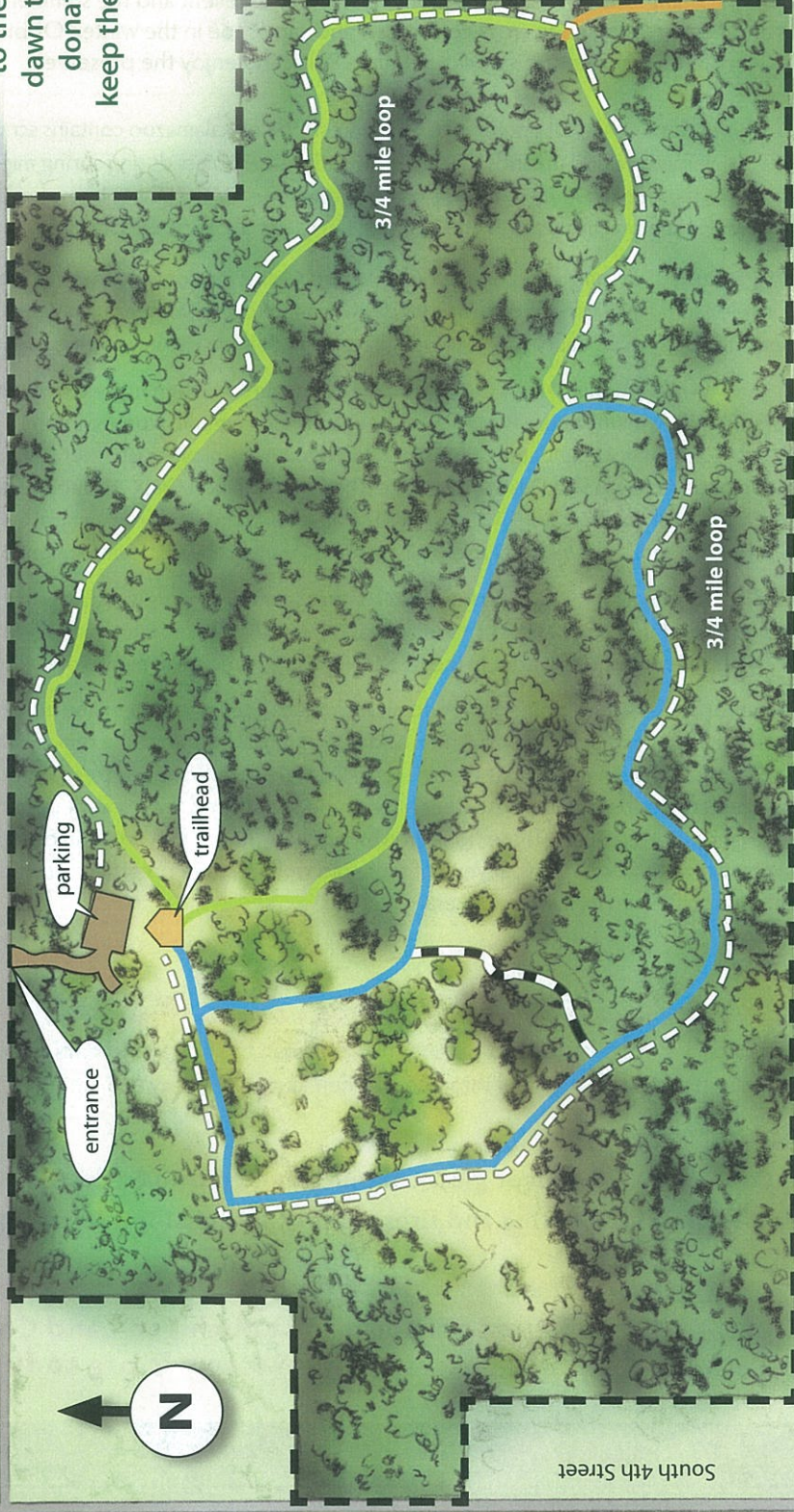
Oshtemo Township, Kalamazoo, Michigan

We're **YOUR** local land conservancy!







West KL Avenue




Our public preserves are free and open to the public from dawn to dusk. Your donation helps to keep them that way!



TRAILS

-  Oak Opening
-  Kettle & Kame
-  Oak-Kettle
-  Black Oak Connection
-  Little Kettle Spur
-  Trail Running Loop

(Follows the perimeter of the blue and green trails and is marked with white pin-flags. 3x round is a little over 5k.)

-  Preserve Boundary

Dogs are welcome at SWMLC's public preserves but must be kept on a 6-foot leash at all times and their waste removed from the preserve.

Ground-nesting birds are upset by loose dogs and may abandon their eggs and babies if disturbed. In addition, children, adults, and leashed dogs that are using the trails may feel threatened when approached by a loose dog. **Thank you for helping to keep our nature preserves a safe haven for people and animals alike!**





Welcome to Southwest Michigan Land Conservancy's

Wolf Tree Nature Trails

Oshtemo Township, Kalamazoo, Michigan

Wolf Tree Nature Trails offers 69 acres of year-round nature!

Like all of our public preserves, Wolf Tree Nature Trails is open every day from dawn to dusk with no admission fee.

Its 3.5 mile trail system allows you to really stretch your legs and its mild hills make it the perfect place for a trail run (try out the new marked 5K training course!). The spring birdwatching is excellent and the summer savanna flowers are lovely. The fall color is gorgeous and it's a great place to cross-country ski and snowshoe in the winter. Or bring a camera, sketchbook, or journal and spend some quiet time. Relax and enjoy the preserve!

NATURAL FEATURES This important natural open space on the west side of Kalamazoo contains scraps of presettlement black oak barrens remain on this property, as well as wooded uplands that are crowded with warblers during spring migration. The uncommon and interesting plant, American Columbo, has been identified in one portion of the forest. SWMLC has been working to enlarge the scope and depth of the oak barren habitat by clearing brushy invasives and planting the seeds of prairie species.

STORY SWMLC is extremely grateful to Oshtemo Township resident, Richard Malott for donating the property in 2011," says SWMLC Executive Director Peter Ter Louw. "We are glad to be able to honor Dr. Malott's desire for this to be a wonderful natural place for people, and we believe that the new name not only speaks to the natural beauty and history of the land, but also makes it clear that it is a place for people to enjoy."

Since 2011, SWMLC has been hard at work planning trails, mapping natural communities, running field trips, and restoring habitat with volunteers, staff, and contractors. The KL Avenue Nature Preserve has been a true community conservation project, garnering support from SWMLC volunteers, the Kalamazoo Community Foundation, the Hanes Foundation, employees of Pfizer Corporation and PNC Bank, Oshtemo Township, the Oshtemo Township and Mattawan Fire Departments, the Michigan Botanical Club, Audubon Society of Kalamazoo, the Great Lakes Adventure Club, and the Partners for Fish and Wildlife Program, Todd Sanford and Sanford Financial Services, Generation III Excavating, Native Landscapes, Native Connections, Hidden Savanna Nursery, not to mention the steadfast commitment of Dr. Malott.

Initially, this property was known as "KL Avenue Preserve", a plain moniker that seemed to merely place it on a map. In search of a name that better reflected the true value and importance of this special natural area to people and the community, SWMLC launched a public naming contest in the spring of 2016. We received over 100 entries in the re-naming contest and even more votes for the top ten submissions.

The winning name "Wolf Tree Nature Trails", was submitted by Autumn Malmquist-Mellinger. The name honors southwest Michigan's natural heritage, and provides an opportunity for discussion and education about the natural history of the region, what it used to look like, and why it is important to protect some of our most intact natural areas that are left. "Wolf Tree" refers to old trees (frequently oaks) with low-spreading limbs – often with a gnarly and weathered appearance. These trees have round shapes and low-spreading limbs because they used to grow alone in wide open spaces like savannas and pastures. These "lone wolves" are now more often found in overgrown woods among young, fast-growing trees, which eventually crowd-out the wolf trees. Several of these old wolf trees are present on the KL Avenue property, and offer an indicator of a restorable oak savanna ecosystem from a bygone era.

DOG POLICY

Dogs are welcome at SWMLC's public preserves but must be kept on a 6-foot leash at all times and their waste removed from the preserve. Ground-nesting birds are upset by loose dogs and may abandon their eggs and babies if disturbed. In addition, children, adults, and leashed dogs that are using the trails may feel threatened when approached by a loose dog.

THE FOLLOWING IS PROHIBITED

**Bicycles on trails • Unleashed pets • Alcohol or glass containers • Removal or destruction of plants and wildlife
Motorized vehicles or horses on trails Hunting and fires without permission • Camping, dumping, and fireworks**

*Thank you for helping to keep our
nature preserves a safe haven for
people and animals alike!*

**Like the preserve?
Support Southwest Michigan Land Conservancy!
Visit www.swmlc.org to find out how.**



OSHTEMO CHARTER TOWNSHIP

POLICY REGARDING INSTALLMENT PAYMENT MORTGAGE AGREEMENTS

Both the Public Wastewater Service and Public Water Service ordinances require payment of a connection fee in order to connect to the Township's water or wastewater systems. The connection fee may be paid in full or, in lieu of payment in full, a property owner may connect to the water or wastewater facilities by entering into an Installment Payment Mortgage Agreement with the Township, payable over a period of years.

Township residents have expressed concerns regarding the impact of entering into an Installment Payment Mortgage Agreement due to the possible impact a second mortgage would have on their ability to finance, refinance or obtain a home equity loan. Township property owners have also expressed a concern regarding the possible negative impact that an Installment Payment Mortgage Agreement may have on their credit report or credit worthiness. In order to address the concerns of our residents and mitigate the impact an Installment Payment Mortgage Agreement may have on a property owner's ability to finance, refinance or obtain a home equity loan or possibly impact their credit rating, the Township adopts the following policy.

1. The Township has not, and will not, report any of its property owners for nonpayment on their Installment Payment Mortgage Agreements to any credit reporting agency, nor will the Township inquire about a property owner's credit worthiness with a credit agency as a prerequisite to the execution of an Installment Payment Mortgage Agreement.
2. If requested by the property owner or lender of a property owner, the Township will subordinate its Installment Payment Mortgage Agreement (water or sewer) to the property owner's lender in order to facilitate the property owner's ability to finance, refinance or obtain a home equity loan on their property.
3. If requested by the property owner the Township will reassign or reissue an Installment Payment Mortgage Agreement to a subsequent purchaser with lender approval.

It should be noted that despite this policy, any installments on an Installment Payment Mortgage Agreement which are not paid with the December tax bills will be referred as delinquent to the County for collection.