



BOARD OF TRUSTEES

Regular Meeting

August 9, 2023

7:00 p.m.

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF AGENDA
5. PRESENTATIONS
6. PUBLIC HEARINGS
7. PUBLIC COMMENT: Restricted to three minutes regarding items on this agenda
Note: This is an opportunity for comments only, questions to the Board will not be answered at this time. For specific answers to questions, please call Township Hall (989-772-4600)
8. CLOSED SESSION
9. REPORTS/BOARD COMMENTS
 - A. Current List of Boards and Commissions – Appointments as needed
 - B. Board Member Reports
10. CONSENT AGENDA
 - A. Communications
 - B. Minutes – July 26, 2023 – Regular Meeting
 - C. Accounts Payable
 - D. Payroll
 - E. Meeting Pay
 - F. Fire Reports
11. NEW BUSINESS
 - A. Discussion/Action: (Smith) Revised Consumers Energy River Road High Service Pump Three Phase Power Easement
12. EXTENDED PUBLIC COMMENT: Restricted to 5 minutes regarding any issue
Note: This is an opportunity for comments only, questions to the Board will not be answered at this time. For specific answers to questions, please call Township Hall (989-772-4600)
13. MANAGER COMMENTS
14. FINAL BOARD MEMBER COMMENT
15. ADJOURNMENT

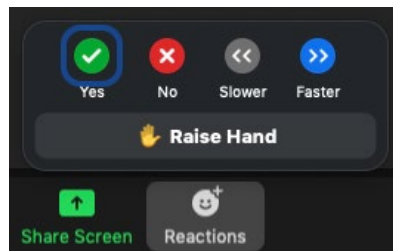
Hybrid Meeting Instructions for the Charter Township of Union Board of Trustees Meeting

The public can view all Union Township meetings live by clicking on our [YouTube Channel](#). For those who would like to participate during public comment, you can do so via Zoom.

[Click here](#) to participate in the Zoom Meeting via computer or smart phone. (Meeting ID Enter “861 1599 5624” Password enter “926394”). Access to the electronic meeting will open at 6:50 p.m. and meeting will begin at 7:00 p.m.

Telephone conference call, dial (312-626-6799). Enter “861 1599 5624” and the “#” sign at the “Meeting ID” prompt, and then enter “926394” at the “Password” prompt. Lastly, re-enter the “#” sign again at the “Participant ID” prompt to join the meeting.

- All public comments for items on the agenda will be received during the Public Comment section of the Agenda and any issue not on the agenda will be received during the Extended Public Comment section of the Agenda.
- Computer/tablet/smartphone audience: To indicate you wish to make a public comment, please use the “Reactions” icon. **Next, click on the “Raise Hand” icon** near the bottom right corner of the screen.



- **To raise your hand for telephone dial-in participants, press *9.** You will be called on by the last three digits of your phone number for comments, at which time you will be unmuted by the meeting moderator.
- Please state your name and address for the minutes and keep public comments concise.

You will be called upon once all in-person comments have been received, at which time you will be unmuted by the meeting moderator.

Persons with disabilities needing assistance should call the Township office at (989) 772-4600. Persons requiring speech or hearing assistance can contact the Township through the Michigan Relay Center at 711. A minimum of one (1) business day of advance notice will be necessary for accommodation.

Board Expiration Dates

Planning Commission Board Members (9 Members) 3 year term			
#	F Name	L Name	Expiration Date
1-BOT Representative	James	Thering	11/20/2024
2-Chair	Phil	Squattrito	2/15/2026
3-Vice Chair	Ryan	Buckley	2/15/2025
4-Secretary	Doug	LaBelle II	2/15/2025
5 - Vice Secretary	Tera	Albrecht	2/15/2024
6	Stan	Shingles	2/15/2024
7	Paul	Gross	2/15/2025
8	Nivia	McDonald	2/15/2026
9	Jessica	Lapp	2/15/2026
Zoning Board of Appeals Members (5 Members, 2 Alternates) 3 year term			
#	F Name	L Name	Expiration Date
1-Chair	Liz	Presnell	12/31/2025
2 -Vice Chair	Richard	Barz	12/31/2025
3- PC Rep	Ryan	Buckley	2/15/2025
4 -	Vacant		12/31/2023
5 -	Eric	Loose	12/31/2024
Alt. #1	David	Coyne	12/31/2024
Alt #2 (BOT Repesantive)	Jeff	Brown	11/20/2024
Board of Review (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Doug	LaBelle II	12/31/2024
2	Sarvjit	Chowdhary	12/31/2024
3	Bryan	Neyer	12/31/2024
Alt #1	Randy	Golden	12/31/2024
Construction Board of Appeals (3 Members) 2 year term			
#	F Name	L Name	Expiration Date
1	Colin	Herren	12/31/2023
2	Joseph	Schafer	12/31/2023
3	Andy	Theisen	12/31/2023
Hannah's Bark Park Advisory Board (2 Members from Township) 2 year term			
1	Mark	Stuhldreher	12/31/2024
2	John	Dinse	12/31/2023
Chippewa River District Library Board 4 year term			
1	Ruth	Helwig	12/31/2023
2	Lynn	Laskowsky	12/31/2025



Board Expiration Dates

EDA Board Members (9 Members) 4 year term			
#	F Name	L Name	Expiration Date
1-Chair	Thomas	Kequom	4/14/2027
2-VC/BOT Rep	Bryan	Mielke	11/20/2024
3	James	Zalud	4/14/2027
4	Richard	Barz	2/13/2025
5	Robert	Bacon	1/13/2027
6	Marty	Figg	6/22/2026
7	Sarvjit	Chowdhary	6/22/2027
8	Jeff	Sweet	2/13/2025
9	David	Coyne	3/26/2026
Mid Michigan Area Cable Consortium (2 Members)			
#	F Name	L Name	Expiration Date
1	Kim	Smith	12/31/2025
2	vacant seat		
Cultural and Recreational Commission (1 seat from Township) 3 year term			
#	F Name	L Name	Expiration Date
1	Robert	Sommerville	12/31/2025
Sidewalks and Pathways Prioritization Committee (2 year term -PC Appointments)			
#	F Name	L Name	Expiration Date
1 - BOT Representative	Kimberly	Rice	11/20/2024
2 - PC Representative	Stan	Shingles	2/15/2024
3 - Township Resident	Jeff	Siler	8/15/2023
4 - Township Resident	vacant seat		10/17/2022
5 - Member at large	Phil	Hertzler	8/15/2023
Mid Michigan Aquatic Recreational Authority (2 seat from Township) 3 year term			
#	F Name	L Name	Expiration Date
1-City of Mt. Pleasant	John	Zang	12/31/2023
2-City of Mt. Pleasant	Judith	Wagley	12/31/2022
1-Union Township	Stan	Shingles	12/31/2023
2-Union Township	Allison	Chiodini	12/31/2025
1-Mt. Pleasant Schools	Lisa	Diaz	12/31/2022
1-Member at Large	Mark	Stansberry	2/14/2025
2- Member at Large	Michael	Huenemann	2/14/2025

**APPOINTMENT TO BOARDS & COMMISSIONS
OF CHARTER TOWNSHIP OF UNION
APPLICATION**



Name: SARVJIT CHOWDHARY Date: 5/16/23
Address: 774 STONERIDGE DRIVE
Phone (home) (989) 779-2900 (cell) (989) 400-2688 (work) _____
Email: savichowdhary@yahoo.com
Occupation: Retired

Please select the board you are applying for:

- ☒ Zoning Board of Appeals Must be a Union Township Resident
☐ Board of Review Must be a Union Township Resident
☐ Planning Commission Must be a Union Township Resident
☐ EDA Must meet one of the following qualifications:
 ☐ Property owner in East or West DDA
 ☐ Resident in Union Township

☐ OTHER *Specify Board: ZONING Board of Appeal

Please state reason for interest in above board:

I am interested in this position. I want to
involved with this position

Other information that you feel would be useful in your application review (i.e., past experience, past board membership, etc. A resume is encouraged with the application):

As I am involved with other Boards of
The Union T/ship and want to serve This Board Also

Signature: [Signature] Date: 5/16/23

2023 CHARTER TOWNSHIP OF UNION
Board of Trustees
Regular Meeting Minutes

A regular meeting of the Charter Township of Union Board of Trustees was held on July 26, 2023, at 7:00 p.m. at the Union Township Hall.

Meeting was called to order at 7:00 p.m.

Roll Call

Present:

Supervisor Mielke, Clerk Cody, Treasurer Rice, Trustee Bills, Trustee Brown, Trustee Smith, and Trustee Thering

Approval of Agenda

Smith moved **Bills** supported to approve the agenda as presented. **Vote: Ayes: 7 Nays: 0. Motion carried.**

Presentation

- a. Amanda Brake, Project Manager for Maslow's Mount Pleasant Tiny Homes Village, gave a presentation on The Mount Pleasant Tiny Homes Project.

Public Hearing

Public Comment

Open: 7:38 p.m.

No comments were offered

Closed: 7:38 p.m.

Reports/Board Comments

- A. **Current List of Boards and Commissions – Appointments as needed.**
- B. **July Monthly Activity Report**
- C. **Planning Commission, EDA, Sidewalks, and ZBA updates by Community and Economic Development Director**
- D. **Correspondence from the Morey Foundation**
- E. **Board Member Reports**

Bills – gave an update on the July 18th Isabella County Board of Commission Work Session Meeting and the July 19th Isabella County MTA meeting.

Consent Agenda

- A. Communications
- B. Minutes – July 12, 2023 – Regular Meeting
- C. Accounts Payable
- D. Payroll
- E. Meeting Pay
- F. Fire Reports

Rice moved **Brown** supported to approve the consent agenda as presented. **Vote: Ayes: 7. Nays: 0. Motion carried.**

New Business

A. Discussion/Action: (Teall) FY'23 Budget Amendment #3

Smith moved **Brown** supported to approve the FY 2023 Budget Amendment No. 3 for the General fund, East DDA Fund, West DDA Fund, Tribal 2% Fund, American Rescue Plan Act (ARPA) Fund, Sewer Fund and Water Fund. **Roll Call Vote: Ayes: Mielke, Cody, Rice, Bills, Brown, Smith, and Thering. Nays: 0. Motion carried.**

B. Discussion/Action: (Nanney) Michigan Department of Agriculture and Rural Development's (MDARD) Rural Readiness Grant Program Resolution

Bills moved **Brown** supported to adopt a resolution of support for the Township's application for a Rural Readiness Program Grant from the Michigan Department of Agriculture and Rural Development. **Roll Call Vote: Ayes: Mielke, Cody, Rice, Bills, Brown, Smith, and Thering. Nays: 0. Motion carried.**

C. Discussion/Action: (Board of Trustees) Adoption of Revised Governance Policy Section I: Ends

Bills moved **Smith** supported to adopt the revised Governance Policy Section I: Ends including the 1.5 replacement sent by Manager Stuhldreher dated July 25, 2023. **Vote: Ayes: 7. Nays: 0. Motion carried.**

D. Discussion/Action: (Stuhldreher) Policy Governance 2.0 Executive Constraints

Discussion by the Board

E. Discussion/Action: (Teall) Policy Governance 2.5 Financial Conditions and Activities

Discussion by the Board

F. Discussion/Action: (Board of Trustees) Policy Governance 4.4 Township Management Team Performance

Discussion by the Board

EXTENDED PUBLIC COMMENT: RESTRICTED TO 5 MINUTES REGARDING ANY ISSUE

Open: 8:59 p.m.

No comments were offered.

Closed: 9:00 p.m.

MANAGER COMMENTS

- Informed the Board of the ribbon cutting for the Outdoor Fitness Court on September 7th at 10 a.m.
- Commented on The Mount Pleasant Tiny Homes Project targeted location behind Hunter's Ale House in Union Township.

FINAL BOARD MEMBER COMMENTS

Rice – Pay your taxes. There is an online payment option available.

Smith – Appreciated the presentation.

Bills – Loved the presentation and excited about the Tiny Homes Project

Brown – Happy Birthday Trustee Bills

Mielke – Commented on the tax for the curbside recycling and free composting units for residents in Kansas City.

ADJOURNMENT

Rice moved **Smith** supported to adjourn the meeting at 9:13 p.m. **Vote: Ayes: 7 Nays: 0. Motion carried.**

APPROVED BY:

Lisa Cody, Clerk

Bryan Mielke, Supervisor

(Recorded by Tera Green)

08/02/2023 04:53 PM
User: SHERRIE
DB: Union

CHECK REGISTER FOR CHARTER TOWNSHIP OF UNION
CHECK DATE FROM 07/27/2023 - 08/09/2023

Page: 1/3

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 101 POOLED CHECKING						
08/01/2023	101	626 (E)	01105	MASTERCARD	MASTERCARD CRAWFORD	55.48
					MASTERCARD BEBOW	1,055.13
					MASTERCARD WALDRON	536.24
					MASTERCARD DEARING	116.72
					MASTERCARD MCBRIDE	609.60
					MASTERCARD ROCKAFELLOW	91.97
					MASTERCARD RICE	43.38
					MASTERCARD FUSSMAN	186.62
					MASTERCARD STUHLBREHER	63.96
					MASTERCARD HOHLBEIN	7.99
					MASTERCARD OCKERT	685.89
					MASTERCARD THEISEN	92.32
					MASTERCARD NANNEY	415.00
					MASTERCARD SOMMER	89.99
					MASTERCARD PETERS	50.00
					MASTERCARD TEALL	992.99
					MASTERCARD COFFELL	563.12
					MASTERCARD SMITH	201.15
						<u>5,857.55</u>
08/01/2023	101	627 (E)	01105	VOID		
				Void Reason: Created From Check Run Process		
08/02/2023	101	628 (E)	00146	CONSUMERS ENERGY	4520 E RIVER RD	51.75
					2424 W MAY ST	1,232.79
					800 CRAIG HILL RD	49.14
					1633 S LINCOLN RD	200.20
					1605 SCULLY RD	50.99
					5319 E AIRPORT RD	49.76
					1046 S MISSION ST	130.87
					2279 S MERIDIAN RD PUMP HOUSE	23.31
					2279 S MERIDIAN RD	3,060.30
					4511 E RIVER RD	13,874.08
						<u>18,723.19</u>
08/09/2023	101	24754	00020	JAMES ALWOOD	WELL SITE LEASE-JUL 2023	655.16
08/09/2023	101	24755	01703	AMAZON CAPITAL SERVICES	LATEX GLOVES & RUBBER BANDS	33.05
					DISPOSABLE GLOVES/RUBBER BANDS	32.78
					CREDIT-GLOVES/BANDS NEVER ARRIVED	(33.05)
						<u>32.78</u>
08/09/2023	101	24756	00084	B S & A SOFTWARE	ANNUAL BS&A SUPPORT SERVICES 8/1/23-8/1/	8,643.00
08/09/2023	101	24757	01240	BRAUN KENDRICK FINKBEINER PLC	LABOR LEGAL FEES-JUN 2023	105.00
					GENERAL LEGAL FEES-JUN 2023	5,406.50
						<u>5,511.50</u>
08/09/2023	101	24758	00129	CMS INTERNET, LLC	NETWORK SWITCH UPGRADES	974.00
08/09/2023	101	24759	00155	COYNE OIL CORPORATION	FUEL IN TOWNSHIP VEHICLES-JUL 2023	902.36
08/09/2023	101	24760	01415	KEVIN CRAWFORD	CLOTHING ALLOWANCE REIMBURSEMENT	100.00
08/09/2023	101	24761	01092	D CLARE SERVICES	DUMPSTER FOR FITNESS COURT INSTALL	410.00
08/09/2023	101	24762	00188	DOUG'S SMALL ENGINE	BELT	138.99
08/09/2023	101	24763	01870	DYNAMIC RESOURCES, INC	FITNESS COURT INSTALLATION	25,000.00

CHECK REGISTER FOR CHARTER TOWNSHIP OF UNION
 CHECK DATE FROM 07/27/2023 - 08/09/2023

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
08/09/2023	101	24764	00195	EJ USA, INC	FIRE HYDRANTS FIRE HYDRANTS/BOLTS/FLANGE	478.12 14,376.66
						14,854.78
08/09/2023	101	24765	00201	ELHORN ENGINEERING COMPANY	BULK CHLORINE/LIQUID AQUADENE	4,213.00
08/09/2023	101	24766	00209	ETNA SUPPLY COMPANY	WATER METER BUSHINGS-ISABELLA WELL SITE	5,120.00 27.50
						5,147.50
08/09/2023	101	24767	01390	EUROFINS EATON ANALYTICAL, INC	WATER TESTING-EPA SAMPLES UCMR-5 WATER TESTING-EPA SAMPLES UCMR-5 WATER TESTING-EPA SAMPLES UCMR-5	560.00 785.00 560.00
						1,905.00
08/09/2023	101	24768	01741	GOENNER LAWN CARE LLC	WEED ABATEMENT SERVICES	276.25
08/09/2023	101	24769	00257	GOURDIE-FRASER, INC.	SIDEWALK DESIGN SERVICES@TWP HALL/JONATH ENGINEERING-STORM WATER REVIEW ICRC PRELIM DESIGN-PUMP STN #5 UPGRADES	6,175.00 1,000.00 6,387.50
						13,562.50
08/09/2023	101	24770	00261	GRAINGER	FIRE HYDRANT PAINT	183.60
08/09/2023	101	24771	01746	TERA GREEN	MILEAGE FOR DAILY BANKING	45.33
08/09/2023	101	24772	01869	JENNIFER HORTON	JAMESON HALL RENTAL-SEC DEP REFUND	250.00
08/09/2023	101	24773	01721	HYDROCORP	CROSS CONNECT CONTROL PRG/NON-RESIDENTIAL CROSS CONNECT CONTROL PRG/RESIDENTIAL -	950.00 2,650.00
						3,600.00
08/09/2023	101	24774	00324	ISABELLA CORPORATION	FITNESS COURT CONCRETE/TWP HALL SIDEWALK	40,790.25
08/09/2023	101	24775	00333	ISABELLA COUNTY ROAD COMMISSION	BROOMFIELD ROAD-MISSION TO ISABELLA	100,000.00
08/09/2023	101	24776	00362	KRAPOHL FORD & LINCOLN	OIL CHANGE-2017 FORD F150 2006 FORD F150-SLIPPING TRANSMISSION	88.40 98.00
						186.40
08/09/2023	101	24777	00506	MEEKHOF TIRE SALES & SERVICE INC	LAWN MOWER TIRE MOUNTING	39.00
08/09/2023	101	24778	00422	MICHIGAN PIPE & VALVE-MT. PLEASANT	8" TAP - FIRE HYDRANT INSTALL	2,963.00
08/09/2023	101	24779	00128	CITY OF MT. PLEASANT	DOG PARK OPERATING COST 2023-PMT 1	675.00
08/09/2023	101	24780	00494	NORTH CENTRAL LABORATORIES	LATEX TUBING/TESTING SUPPLIES	1,081.79
08/09/2023	101	24781	01871	PERRIN CONSTRUCTION CO. INC	BD BOND REFUND-WORK IS COMPLETE	20,300.00
08/09/2023	101	24782	00570	RS TECHNICAL SERVICES, INC.	CHLORINE PUMP	1,243.09
08/09/2023	101	24783	00601	KIMBERLY SMITH	CLOTHING ALLOWANCE REIMBURSEMENT	79.49
08/09/2023	101	24784	01495	MARK STUHLREHER	EXPENSE REIMB-LUNCH REGIONAL MME&ROTARY	135.86
08/09/2023	101	24785	01654	TRACE ANALYTICAL LABORATORIES, INC.	SAMPLE HANDLING, STORAGE & DISPOSAL SAMPLE HANDLING, STORAGE & DISPOSAL	28.00 274.00
						302.00
08/09/2023	101	24786	01314	VERIZON WIRELESS	CELL PHONES 7-16-23 TO 8-15-23	402.82
08/09/2023	101	24787	00703	WASTE MANAGEMENT OF MICHIGAN, INC	DUMPSTER SERVICE WTR PLANT-AUG 2023 DUMPSTER SERVICE WWTP-AUG 2023 DUMPSTER SERVICE SHOP-AUG 2023 DUMPSTER SERVICE TWP HALL-AUG 2023 DUMPSTER SERVICE JAMESON HALL-JUL 2023	45.89 265.53 45.44 69.10 010112.12

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
						<hr/>
						DUMPSTER SERVICE MCDONALD PARK-AUG 2023
						137.66
						<hr/>
						675.74
08/09/2023	101	24788	00723	WINN TELECOM	PHONE SERVICE 8/1/23 - 8/31/23	337.69
						<hr/>
						<hr/>
101 TOTALS:						
Total of 38 Checks:						280,198.62
Less 1 Void Checks:						0.00
						<hr/>
Total of 37 Disbursements:						280,198.62

Charter Township of Union Payroll
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CHECK DATE: August 3, 2023

PPE: July 29, 2023

NOTE: PAYROLL TRANSFER NEEDED

General Fund	\$ 43,961.28
Fire Fund	
EDDA	
WDDA	
Sewer Fund	34,678.41
Water Fund	28,366.14
Total To Transfer from Pooled Savings	\$ 107,005.83

NOTE: CHECK TOTAL FOR TRANSFER

BS&A Gross Payroll	\$ 73,260.09
Employer Share Medicare	1,014.44
Employer Share SS	4,337.43
SUI	26.44
Pension-Employer Portion	5,683.20
Workers' Comp	426.00
Life/LTD	626.02
Dental	1,287.79
Health Care	22,590.91
Vision	414.20
Vision Contribution	(207.10)
Health Care Contribution	(2,453.59)
Flex Administrators	-
Cobra/Flex Administration	-
PCORI Fee	-
Total Transfer to Payroll Checking	\$ 107,005.83



Union Township Report

Date: Tuesday, July 25, 2023



Alarm Date between 2023-07-16 and 2023-07-22

District	NFIRS Number	Alarm Date	Incident Type Code	Incident Type	Apparatus Name	Personnel Count	Alarms
Union Township	0000485						
		7/16/2023 10:10:11 AM	321	EMS call, excluding vehicle accident with injury	ENG 32	2	1
						Total Responding 2	
Union Township	0000490						
		7/17/2023 9:15:32 AM	322	Motor vehicle accident with injuries	ENG 32	2	1
						Total Responding 2	
Union Township	0000497						
		7/20/2023 12:28:22 AM	440	Electrical wiring/equipment problem, other	ENG 31	2	1
						Total Responding 2	

Union Township	0000498						
		7/19/2023 11:22:26 PM	554	Assist invalid	ENG 32	2	1
						Total Responding 2	
Union Township	0000502						
		7/21/2023 2:06:34 AM	743	Smoke detector activation, no fire - unintentional	ENG 32	3	1
						Total Responding 3	
Union Township	0000504						
		7/21/2023 11:04:30 AM	321	EMS call, excluding vehicle accident with injury	ENG 32	2	1
		7/21/2023 11:04:30 AM	321	EMS call, excluding vehicle accident with injury	C 31	1	1
						Total Responding 3	
	Total Runs 6					Total Responding 14	

Note: Alarms

1=Duty Crew

2=Paged Off Duty Full-time

3=Paged Paid-on-Call Firefighters

4=Paged All



Union Township Report

Date: Tuesday, August 1, 2023



Alarm Date between 2023-07-23 and 2023-07-29

District	NFIRS Number	Alarm Date	Incident Type Code	Incident Type	Apparatus Name	Personnel Count	Alarms
Union Township	0000507						
		7/23/2023 2:30:16 AM	154	Dumpster or other outside trash receptacle fire	ENG 32	2	1
						Total Responding 2	
Union Township	0000510						
		7/23/2023 7:32:37 PM	311	Medical assist, assist EMS crew	ENG 32	2	1
						Total Responding 2	
Union Township	0000514						
		7/25/2023 1:47:49 PM	140	Natural vegetation fire, other	C 31	1	2
		7/25/2023 1:47:49 PM	140	Natural vegetation fire, other	POV	2	2

		7/25/2023 1:47:49 PM	140	Natural vegetation fire, other	Brush 31	1	2
						Total Responding 4	
Union Township	0000515						
		7/26/2023 5:41:23 AM	321	EMS call, excluding vehicle accident with injury	ENG 32	2	1
						Total Responding 2	
Union Township	0000519						
		7/28/2023 12:29:38 AM	321	EMS call, excluding vehicle accident with injury	ENG 31	2	1
						Total Responding 2	
	Total Runs 5					Total Responding 12	

Note: Alarms

1=Duty Crew

2=Paged Off Duty Full-time

3=Paged Paid-on-Call Firefighters

4=Paged All

REQUEST FOR TOWNSHIP BOARD ACTION

To: Mark Stuhldreher - Township Manager

DATE: July 31, 2023

FROM: Kim Smith – Public Services Director

DATE FOR BOARD CONSIDERATION: August 9, 2023

ACTION REQUESTED: Approval of a **revised** (30) thirty- feet wide permanent easement to Consumers Energy for the construction and maintenance of three-phase power facilities to support the installation of high service pumps at the River Road Control Valve Station located at 4520 E River Road.

Current Action X Emergency _____

Funds Budgeted: If Yes _____ Account # _____ No _____ N/A _____ x

Finance Approval _____

BACKGROUND INFORMATION

In April of 2022 the Union Township Board of Trustees approved the bid from County Line Power in the amount of \$339,574 for the installation of a high service pump, electrical, piping, and appurtenances at the Control Valve Station located at 4520 E. River Road. Due to the horse power of the high service pump installation of (3) three-phase power to the existing site is required. The installation of (3) three-phase power will be completed by Consumers Energy. The power line will be extended from the current location at the Township's Waste Water Treatment Plant south to the River Road Control Valve site. Consumers Energy requires a (30) thirty- feet wide permanent easement be approved by the Township to facilitate this installation.

In January of 2023 the Union Township Board of Trustees approved an easement to Consumers Energy for this project. Due to wet and marshy site conditions Consumers Energy was unable to connect to an existing pole at the WWTP as originally designed. Township staff worked with Consumers Energy Design Team to reroute the connection to the next pole to the north at the WWTP to accommodate the site conditions and ensure that the new route does not conflict with our operations on the waste water treatment plant and control valve station sites.

SCOPE OF SERVICES

Granting this easement involves the following general conditions:

- **Additional Work Space:** In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said lines. Said temporary work space shall be located within the Easement Area, on either side, as required by construction.
- **Access:** Consumers shall have the right to unimpaired access to said line or lines, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder.
- **Trees and Other Vegetation:** Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area.

Consumers shall have the right from time to time hereafter to enter Owner’s Land to trim, cut down, and otherwise remove and control any trees, brush, or other vegetation located outside of the Easement Area which are of such a height or are of such a species whose mature height that in falling directly to the ground could come into contact with or land directly above Consumers’ facilities.

- **Buildings/Structures:** Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without a prior written agreement executed by Consumers’ Real Estate Department expressly allowing the aforementioned.

JUSTIFICATION

Completion of this project will directly benefit the water users by providing exceptional quality and quantity of safe drinking water in accordance with the Safe Drinking Water Act to its existing and future customers.

The addition of a booster pump at the River Road valve station will facilitate the incorporation of the Meridian Road well site capacity and increase our storage computation rating. This will provide the necessary capacity to meet the five-to-ten-year firm capacity requirements for source water in accordance with the State of Michigan EGLE. Approval of the easement to Consumers Energy for (3) three-phase power will provide the necessary electrical service required to operate the high service pump.

PROJECT IMPROVEMENTS

Board of Trustees goals addressed by this agreement (From Policy 1.0: Global End).

- 1. Community well-being and common good**
- 2. Health and Commerce**

COSTS

NA

PROJECT FUNDING

NA

PROJECT TIME TABLE

2023- Dependent on availability of Consumers Energy, equipment, and materials.

RESOLUTION

Approval of a **revised** (30) thirty- feet wide permanent easement to Consumers Energy for the construction and maintenance of three-phase power facilities to support the installation of high service pumps at the River Road Control Valve Station located at 4520 E River Road.

Resolved by _____ Seconded by _____

Yes:

No:

Absent:

7/17/2023

Charter Township of Union
2010 S Lincoln Rd.
Mt. Pleasant, MI 48858

SAP# 1067042422

Design # 11525408

In order to install Electric for 4520 E River Rd., Mt. Pleasant, Michigan, we must secure permission to cross a portion of your property with our Electric Facilities, as shown in Exhibit B of the easement.

Enclosed is our standard right-of-way easement form. Please sign this instrument **with only black ink** where indicated (**signatures must be notarized**) and return the **original** document at your earliest convenience. Your promptness in having this instrument signed, notarized and returned will enable us to proceed with our construction plans.

If you have any questions concerning the design of this job, please call Matthew Benic, 989-386-4709. If you have any questions regarding the easement, please contact Patrick Lavery, 989-259-8008.

This Easement is being sent to you from our Document Preparation Department, please do not reply directly to the sender. For any questions or concerns you may have, please direct them to the Agent with the provided information below.

After signed and notarized please mail the original back to:

**Patrick W. Lavery # CLR-100F
Consumers Energy Company
1 Consumers Energy Parkway,
Clare, MI 48617
989-259-8008**

Thank you very much for your cooperation in this matter.

EASEMENT FOR ELECTRIC FACILITIES

Master Tract# ROW000916078907
SAP# 1067042422
Design# 11525408
Agreement# MI00000067933

CHARTER TOWNSHIP OF UNION, a Michigan municipal corporation, whose address is 2010 South Lincoln Road, Mount Pleasant, Michigan 48858 (hereinafter "Owner")

for \$1.00 and other good and valuable consideration [exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)] grants and warrants to

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers")

a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the Township of Union, County of Isabella, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect a line or lines of electric facilities in, on, over, under, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described in the attached Exhibit B, together with any pole structures, poles, or any combination of same, wires, cables, conduits, crossarms, braces, guys, anchors, transformers, electric control circuits and devices, location markers and signs, communication systems, utility lines, protective apparatus and all other equipment, appurtenances, associated fixtures, and facilities, whether above or below grade, useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing electricity.

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said lines. Said temporary work space shall abut the Easement Area, on either side, as required by construction.

Access: Consumers shall have the right to unimpaired access to said line or lines, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, or other vegetation located outside of the Easement Area which are of such a height or are of such a species whose mature height that in falling directly to the ground could come into contact with or land directly above Consumers' facilities.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without a prior written agreement executed by Consumers' Real Estate Department expressly allowing the aforementioned.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without a prior written agreement executed by Consumers Real Estate Department allowing said alteration.

Exercise of Easement: Consumers' nonuse or limited use of this Easement shall not preclude Consumers' later use of this Easement to its full extent.

Ownership: Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

Successors: This Easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Counterparts: This Easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Date: _____

Owner: CHARTER TOWNSHIP OF UNION, a Michigan
municipal corporation

Signature
By: _____
Print name
Its: _____
Print title

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, _____
on _____ by _____ of Charter Township of Union, a
Date Name Title
Michigan municipal corporation, on behalf of the corporation.

Notary Public
Print Name _____
County, _____
Acting in _____ County
My Commission expires: _____

**PROPERTY OWNERS MAIL
SIGNED EASEMENT TO:**

Patrick Lavery #CLR-100F
Consumers Energy Company
1 Consumers Energy Parkway
Clare, MI 48617

Prepared By:
Rebecca Hyatt 7/17/23 EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

**REGISTER OF DEEDS OFFICE USE
ONLY**

Return recorded instrument to:
Carrie J. Main, EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

Owner's Land

Land situated in the Township of Union, County of Isabella, State of Michigan:

That part of the Southwest 1/4 of the Southeast 1/4 of Section 2, Town 14 North, Range 4 West, lying Westerly of the following described line; Commencing at the Southeast corner of said Section 2; thence South 89°39'00" West, 1993.15 feet along the South line of said Section 2 to the Point of Beginning and the East boundary of an existing drainage ditch; thence Northeasterly the following five courses along the East boundary of the existing drainage ditch; North 13°46'18" East, 225.81 feet; North 03°52'34" East, 451.46 feet; North 09°59'16" East, 115.29 feet; North 14°23'46" East, 200.48 feet; North 04°23'39" East, 277.39 feet to a traverse line along the South edge of the Chippewa River; thence Easterly the following five courses along said traverse line, North 84°44'42" East, 162.65 feet; North 83°46'34" East, 99.86 feet; North 88°29'49" East, 55.89 feet; North 66°02'10" East, 56.27 feet; North 62°17'39" East, 73.15 feet to the South East-West 1/8 line and the Point of Ending.

Also known as: 4520 East River Road, Mount Pleasant, Michigan 48858

Parcel ID: 14-002-40-004-02

EXHIBIT B

Easement Area

A 30.00-foot-wide strip of land, being 15.00 feet on each side of the centerline of the line constructed on Owner's Land, the centerline to be located approximately as shown in the attached drawing.

