

**City of Swartz Creek
AGENDA**

**Regular Council Meeting, Monday, November 10, 2014, 7:00 P.M.
City Hall Building, 8083 Civic Drive Swartz Creek, Michigan 48473**

1. **CALL TO ORDER:**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
3. **OATH OF OFFICE-COUNCILMEMBER’S ELECT (City Clerk):**
4. **ROLL CALL:**
5. **COUNCIL ELECTIONS:**
 - 5A. Elect Mayor MOTION Pg. 12
 - 5B. Elect Mayor Pro-Tem MOTION Pg. 12
6. **MOTION TO APPROVE MINUTES:**
 - 6A. Council Meeting of October 13, 2014 MOTION Pg. 45
7. **APPROVE AGENDA:**
 - 7A. Proposed / Amended Agenda MOTION Pg. 1
8. **REPORTS & COMMUNICATIONS:**
 - 8A. City Manager’s Report (Agenda Item) MOTION Pg. 2
 - 8B. Metro Alliance Dues (Agenda Item) Pg. 54
 - 8C. Consumers Energy Notices Pg. 56
 - 8D. CMOM Agreement (Agenda Item) Pg. 61
 - 6E. October Building Department Reports Pg. 77
 - 6F. October Check Run Pg. 85
 - 6G. Senior Center Audit Pg. 90
 - 6H. October Police Department Report Pg. 111
 - 8I. Asset Management Training Pg. 117
 - 8J. Street Findings Presentation (Agenda Item) Pg. 118
 - 8K. Park board update (Joe Perrault) Pg. 129
 - 8L. October DPS Report Pg. 132
 - 8M. NPDES Permit Application Blank Pg. 138
9. **MEETING OPENED TO THE PUBLIC:**
 - 9A. General Public Comments
10. **COUNCIL BUSINESS:**
 - 10A. Medical Marijuana Moratorium RESO Pg. 16
 - 10B. Local Street Plan Findings by Rowe PSC PRESENTATION Pg. 118
 - 10C. Genesee Metropolitan Alliance Membership RESO Pg. 17
 - 10D. Board and Commission Appointment Extensions RESO Pg. 18
 - 10E. Storm Water Management Ordinance 415 Approval RESO Pg. 19
 - 10F. Illicit Discharge Ordinance 416 Approval RESO Pg. 36
 - 10G. CMOM Agreement RESO Pg. 43
11. **MEETING OPENED TO THE PUBLIC:**
12. **REMARKS BY COUNCILMEMBERS:**
13. **ADJOURNMENT:** MOTION

City of Swartz Creek
CITY MANAGER'S REPORT
Regular Council Meeting of Monday, November 10, 2014 - 7:00 P.M.

TO: *Honorable Mayor, Mayor Pro-Tem & Council Members*
FROM: Adam Zettel, City Manager
DATE: November 5, 2014

OLD / ROUTINE BUSINESS – REVISITED ISSUES / PROJECTS

- ✓ **GOLF COURSE TAX APPEAL** *(No Change of Status)*

At the request of the owner's legal representative, I ordered the city attorney to send the owner a request to remove themselves from the appeal that was filed with the Michigan Tax Tribunal. Since the previous owner has no horse left in the race, this should make this entire problem go away. However, until we have notice that they have officially withdrawn, we must assume they intend to see the appeal through.

- ✓ **RACEWAY TAX APPEAL** *(No Change of Status)*

Here is another one. The harness racing industry is struggling, but they still have 108.5 acres at a signalized intersection with I-69. Their appeal information is as follows:

2014 Taxable: \$904,200
2014 Taxable (requested): \$250,000

If the city agrees that non-residential land on Morrish Road off of I-69 is valued at less than \$4,700 per acre, assuming the improvements had no value, then we have very large problems indeed. (Note that we would assume no such thing in any case).

Like the golf course, this property keeps appealing. I believe such businesses will do so, beyond absurdity, until it is clear the city is resisting.

- ✓ **DOWNTOWN PARKING LOTS** *(No Change of Status)*

The Community Development Block Grant portion of the work is not done and there is likely to be a delay on closing out this project due to the wait time for street lights. Two of the lights are being installed by the contractor, with the light in the Morrish Road right-of-way being installed by Consumers Energy. The CDBG fund allocation was approved by Genesee County.

- ✓ **STREETS** *(See Individual Category)*
 - ❑ **MILLER ROAD RESURFACING PROJECT** *(Update)*

The grade inspection for Miller Road, between Morrish and Dye, was held on November 5, 2014. The project is moving forward as planned, assuming the city is able to get design exceptions for a narrow left turn lane and narrow bike lanes. The date set by the state for construction commencement was June 1, 2015, with completion on August 28, 2015. This is just a tentative schedule.

❑ **LOCAL STREET PLAN (Update)**

This is on the agenda again for this meeting. All signs point toward a public vote on a levy at some point. The big questions are: how much, how long, and what streets get priority. There has also been some interest in front loading the rehabilitation work by seeking a bond with potential revenues.

I have included the presentation that Mr. Fluery and I have been working on. Our intention is to provide the findings of the street audit to the public at this time, with some added information on road financing and levy options. Though this is not a public hearing per se, an allowance for questions, discussion, and comment is expected and encouraged.

❑ **SCRAP TIRE GRANT (Update)**

We submitted a placeholder application for another round of funding. This way, if a street levy/assessment is approved, we can begin construction in 2015 instead of 2016 and potentially save \$500,000 in the process. The state requested we resubmit the proposal for a lesser amount to reflect 4x higher demand for grant funds over what is available. The projects tentatively scheduled include (cost updates are pending):

Preventative Maintenance Improvements

Parkridge Parkway	\$70,000
Yarmy Drive	\$162,000
TOTAL	\$232,000

Reconstruction (including watermain)

Worcester Drive	\$800,000
Worcester Watermain	\$345,000
TOTAL	\$1,145,000

<u>Construction Total</u>	\$1,377,000
Design/Construction Engineering	\$210,000
TOTAL PROJECT COST	\$1,587,000

Funding Breakdown

-Scrap Tire Grant (provisional)	\$125,000
-Water Fund (including surface work)	\$500,000
-Street Fund (levy/assessment needed)	\$962,000

❑ **SALT PRICES (Update)**

The city is still under the county's purchasing arrangement for road salt by virtue of the county extending the unit prices from the previous year in what has become a very smart move. This is a good thing. The city will be paying \$52.69 per ton for the coming winter. The market price is now at an average of \$65.81 according to the Detroit Free Press, but I have heard it is creeping over \$100 for some communities.

✓ **WATER – SEWER ISSUES PENDING (See Individual Category)**

❑ **SEWER REHABILITATION PROGRAM (No Change of Status)**

Liqui Force has finished relining and videotaping the sewers. We are awaiting their recommendation for future projects. At first glance, it appears that the Miller Road main that was inspected is in pretty good shape.

❑ **BEAR CREEK SANITARY SEWER AGREEMENT** *(No Change of Status)*

I have been working with Genesee County Water and Waste to find a solution for the Bear Creek subdivision that is currently on the city's system. We can remove them from the system and force them to find an alternate solution (not likely given the nature of essential services), we can negotiate a new contract for sewage collection, or we can sell a section of the Morrish Road main to GCWWS to operate and maintain as a multi-jurisdictional line. This last option has some appeal, since the city would keep the customers on that line. We are working to see which option we will look to recommend based upon the long term interests of the city.

❑ **KWA** *(No Change of Status)*

The KWA water pipeline project is currently under budget and on schedule. We should be online in 2016. The bad news is that the Detroit water authority is hammering Genesee County for the last two years of system use in terms of rates, as well as any potential for a system backup after the KWA is online. Rates have been set, and they are unpleasant. I expect to have a new rate proposal for the city council at the next meeting for both water and sewer so that these increases do not empty the fund balance for water and sewer. It is likely that we will lose money for a quarter or two before new rates can be implemented, but both funds should be able to accommodate that loss so that the burden is lessened on the system users.

❑ **STORM SEWER** *(Update)*

We have two ordinances included in this week's packet, and I am hoping for approval by the city council. These are required by the state Department of Environmental Quality via the Genesee County Drain Commission. The city completed our National Pollutant Discharge Elimination System (NPDES) MS4 application this April, a blank copy is attached. Questions 20-26 & 32-58 compel these ordinances, models of which were developed by our partners with the state and county.

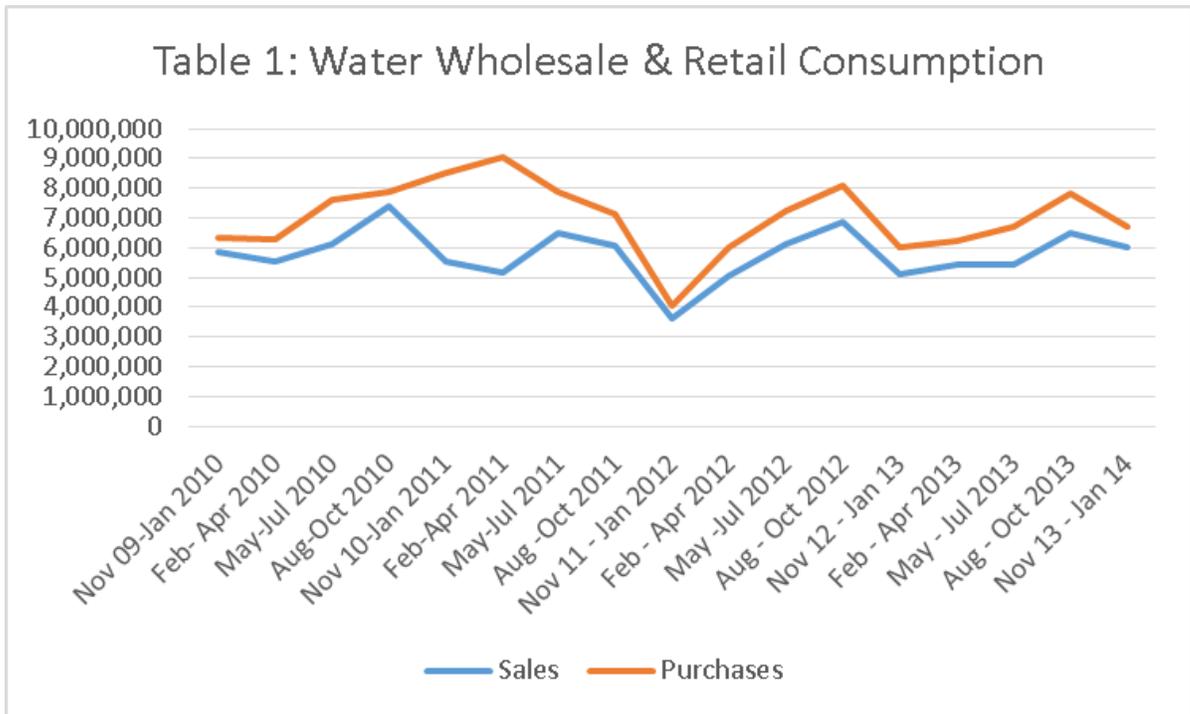
Our attorney has reviewed these ordinances on behalf of similarly situated communities and sees no irregularities with the model ordinances prepared for our community.

Like similar ordinances in the past related to industrial pretreatment, there is not much wiggle room here. However, going over the ordinances, I do not feel there is anything unreasonable in the requirements to permit storm water improvements and enforce illicit discharges. Tom has been working with staff from the state and GCDC for months on these. I believe we can adopt them as is, repealing our own storm water ordinance, without compromising our police powers or public safety.

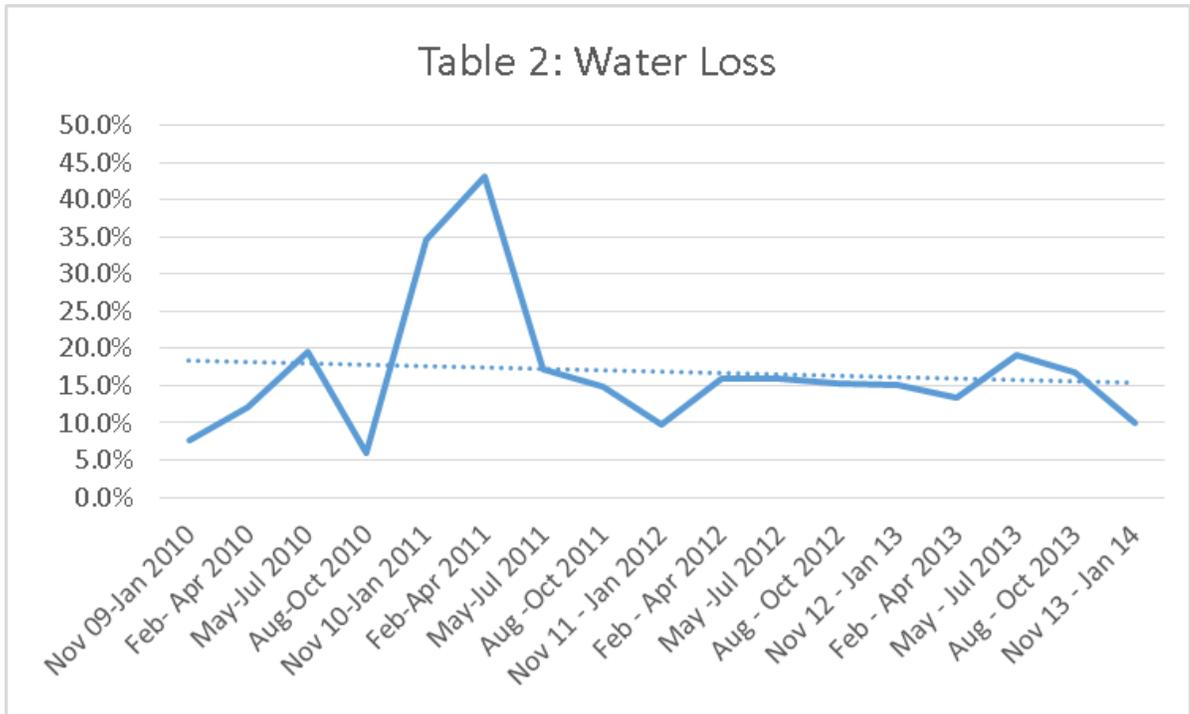
❑ **WATER LOSS** *(No Change of Status)*

I have been taking a look at the city's water loss with staff. Water loss refers to the water that is purchased wholesale from the county but never sold to an end user/customer from the city. This is water that is lost to water main breaks, undetected leaks, theft, faulty meters, and hydrant use/flushing. Most water systems function with 10-12% water loss, and this is an accepted industry standard. I have concerns that our water loss is climbing to unacceptable levels.

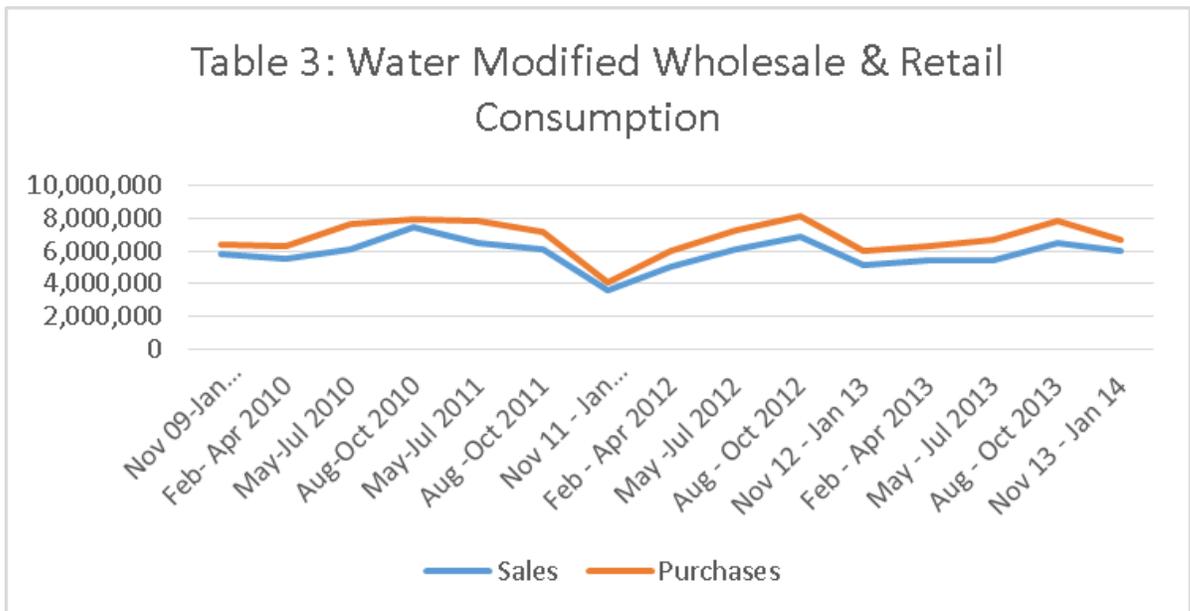
To illustrate what our concerns are, I have created some figures. Table 1 shows the quarterly purchases from the county compared to the retail sales. The separation between the two lines is our water loss. This gap should be as small as possible. A large gap indicates a problem. As you can see, the gap is tremendous during two quarters in 2011. I am told there were a series of large water main breaks during this time. However, what we are really looking for here are three trends that indicate more systemic problems: 1. Upward trending purchases 2. Downward trending sales, 3. A widening of the gap between the two over time.

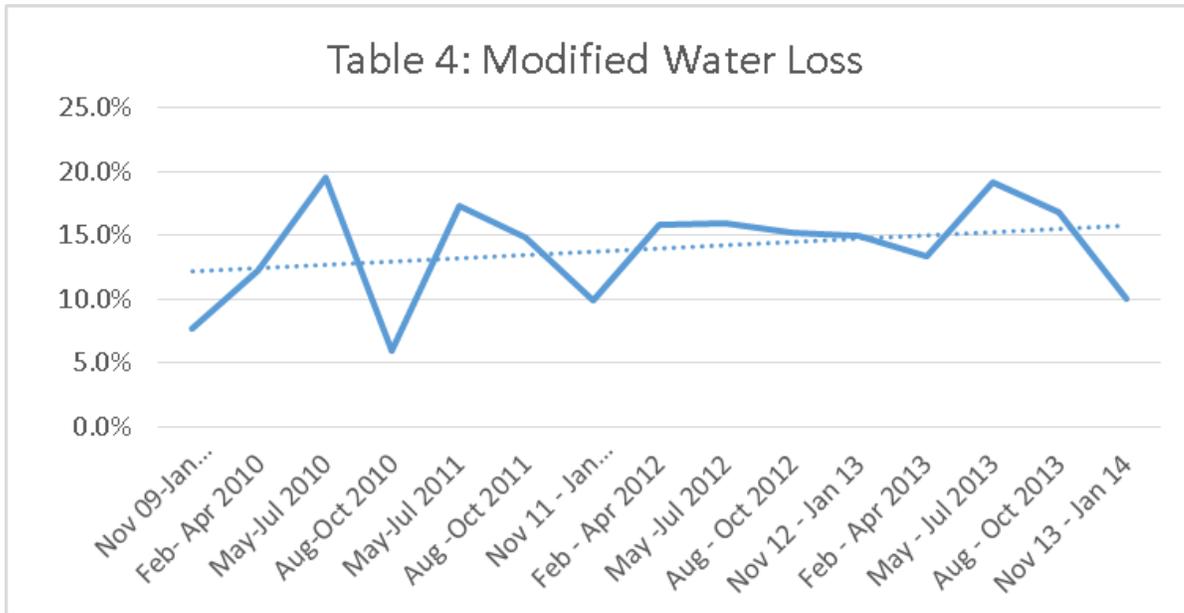


Based upon this chart and the accompanying water loss percentage chart (Table 2), the city is trending in the right direction. Though water loss is numerically high on average, one can deduce that it is largely due to the two quarters of main breaks, with the trend line indicated a return to the acceptable range.



With that in mind, I removed those two high quarters and took a look at the data without those outlying events. What we found is still disturbing. The new data indicate that purchases are stable over time, but sales are slightly decreasing. This is evidenced by the trend line (linear regression) on Table 4. What we see here is a classic rise from acceptable levels around 12% in 2010 to near 16% in 2014. There is a problem. Financially, this can be quite impactful. If water loss approaches 20%, the city may be losing well over \$75,000 annually beyond acceptable standards.





What is likely causing the loss? Causes for water loss were listed above, and I suspect all of them are at play in our community. However, what is causing the gradual increase? It is unlikely that system-wide theft is the issue. Though bills have been going up all over south east Michigan and theft may be more likely, I would expect this trend to be observable in other communities if it were a large scale problem. That does not appear to be the case.

Could it be one or more leaks? Maybe, but such leaks are typically accounted for in the 10% water loss figure. A large leak or set of leaks is usually apparent. However, underground leaks near the creek or a sewer outlet can go unnoticed because the water can drain right into an outlet without coming to the surface. We have visually inspected storm water outfalls into the creek and other problem areas and continue to be on the lookout. Nothing unusual has been observed. Leak detection of a more sophisticated nature is possible by contracted service, however, this option is expensive so we are holding off until other avenues are eliminated.

Hydrant flushing and fire department use? Though this water certainly goes unmetered, there are no known changes in practices that would indicate more water loss. Just to be safe, we intend to meter usage at the fire department to gauge how much water is used for training and other purposes.

Faulty meters? This is where we are focusing our efforts. The city is billed water at incoming meters on east Miller, north Elms, and north Morrish Roads. Outgoing water is then deducted from our wholesale purchases on Hill and Miller Roads on the west end. If the incoming meters are reading high, this would be a problem. However, this is unlikely based on meter technology and the stability of our water purchases. Could the outgoing meters be reading low? It's possible, and we are working with the county to test all meters. In addition to auditing large accounts for billing irregularities, we are also replacing and/or testing meters on our large users (GM, schools, & large retailers).

General Motors water usage has dropped much over the years. This was expected due to the massive reduction in occupancy (office), industrial efficiencies, and the overall workforce changes. For that reason, the reduction was not raising a red flag. However, the meter is old and they are our largest user. It is possible that a failing meter could account for a few percentage points of water loss city wide.

We will continue to monitor water loss and look into its causes. If we are not successful, we may need to seek outside assistance to begin a leak detection program. I will keep the council informed.

*Note that water loss figures will appear to fluctuate even under ideal circumstances based upon the timing of the meter reads by the county and city. That is why the trend line is viewed as a more suitable measure than the most current water loss figure.

✓ **PERSONNEL: POLICIES & PROCEDURES** *(No Change of Status)*

I have taken some best practice policies from our own collection and from across the state and have created a working document. I will need time to compare this against our collective bargaining agreements, the desires of department heads, and our legal counsel.

✓ **CITY PROPERTY, 4438 MORRISH & 5017 THIRD STREET** *(Update)*

The demolition of the Morrish Road house and the Third Street house are complete. There are no issues or irregularities to report. We are now winterizing the accessory structures on Third Street. I believe the plan has been to sell this lot off, an issue the council should address this winter.

✓ **SHARED SERVICES, POLICE DEPARTMENTS** *(Update)*

The city is moving forward with studying merger options. In the meantime, we will be working under an agreement with Mundy Township to provide the city with an employee to oversee the chief duties of the city.

Mundy Township created a temporary position to study merger and hired our own retiring Chief Clolinger. Under the shared service agreement with Mundy Township, Chief Atkinson has designated Rick Clolinger as the Chief of Swartz Creek. This will be done for a cost of \$37,500 annually. In the meantime, Lieutenant Bade will be working more day hours to supplement the administrative service. This will allow him to learn from the Chief to better prepare him for succession to that position, should it be necessary.

In practice, not much has changed for us when except that Mr. Bade will be learning the ropes of the administration and Chief Clolinger's hours are now limited. Otherwise, we can expect our service to remain the same. The oversight of the department is under Chief Clolinger, who will in turn answer to the city manager as required by charter. This arrangement has no impact on the policies, rules, procedures, supervision, or patrol strategies of the city.

The hope is that, within a year or so, we will know whether we are hiring/promoting a chief or moving forward with the merger. At that point, this agreement would go away in lieu of status quo chief services or a new authority.

- ✓ **SPRINGBROOK EAST & HERITAGE – VACANT LOTS** *(No Change of Status)*
Following are issues pending for the three Associations:

SPRINGBROOK COLONY	SPRINGBROOK EAST	HERITAGE VILLAGE
<i>No outstanding issues</i>	<i>No outstanding issues</i>	<i>Transfer water, sanitary sewer, storm sewer, streets to city and seek solution for 4 vacant lots owned by city.</i>

Two units have sold already and are under construction. At some point next year, the city council should look at what to do with the funds in excess of the city’s input that we are getting for these units.

I have also been in communication with the counsel of Heritage Village. On August 19th, the home owners association resolved to transfer described rights of ways, including utilities to the city. It appears that adequate surveys and language exist for the dedication, and there is also language included about storm drainage (collection system, pond system, and transmission system).

- ✓ **MEIJER COMMUNITY DONATION** *(No Change of Status)*
I am looking for a new contact at Meijer. Perhaps a recognition of their donation, along with all of the other grant and façade work is appropriate in the near future.
- ✓ **WINCHESTER WOODS LOTS** *(No Change of Status)*
I suggest we delay any sales or negotiations until a land sale policy is adopted. Prior to the last meeting, staff notified the interested parties that a sale will not be forthcoming anytime soon. They do not appear to be in a hurry and will await the council’s decision.

I want to take a harder look at the development of this area. Previously, the city considered an assessment that would provide drainage, curbs, gutters, road construction, street lights and sidewalks. The price per lot was absurd. I think the goal should be to make these lots buildable for quality homes. The city could probably achieve this with less intensive ditching and surfacing of the roads, sans the underground drainage system, lights, curbs, and sidewalks. This would drastically reduce the scope of the project.

A sale of lots to an adjacent property owner could compromise the success of any special assessment for improvements and the ability to use these lots for single family homes.

- ✓ **NEWSLETTER** *(Update)*
The newsletter has been sent out. Let us know what you think.
- ✓ **RENTAL REGISTRATION AND INSPECTIONS** *(Update)*
Please give me any other comments you may have on this proposal. I have been working with staff and the city attorney to get this into a final form. We hope to have this approved before the new calendar year

✓ **WINSHALL PAVILION (Update)**

Done.

✓ **OTHER COMMUNICATIONS & HAPPENINGS (Update)**

❑ **MONTHLY REPORTS (Update)**

The building, police, DPS, and check reports are included.

❑ **SENIOR CENTER AUDIT (Update)**

The senior center audit is included. I don't see any surprises or irregularities. They spent some fund balance on capital outlays, but their overall budget position and performance beat approved expectations. The auditors noted a deficiency in operations, but this is the same, unavoidable deficiency that the city often receives as it relates to the available checks and balances with a small staff size.

❑ **OTHER NOTICES (Update)**

I have also included a flyer for some free training on transportation asset management. The timing is perfect! Every council member should attempt to go. Let me know if you wish to register.

A pair of Consumers Energy notices are also included.

✓ **BOARDS & COMMISSIONS (See Individual Category)**

❑ **PLANNING COMMISSION (Update)**

The medical marijuana facility that was proposed for the Carriage Plaza was withdrawn. The Marathon site (Bigby Coffee) is working through conceptual and draft proposals, with a review expected at the December 2, 2014 meeting.

❑ **DOWNTOWN DEVELOPMENT AUTHORITY (Update)**

They will meet on November 13 to hear from an architect about possible in-fill development on the publicly owned property on Fortino and Morrish.

❑ **ZONING BOARD OF APPEALS (No Change of Status)**

Nothing to report.

❑ **PARKS AND RECREATION COMMISSION (Update)**

The commission met on November 5th to go over seasonal issues and the Elms Park Recreation Passport Grant. They have tentatively approved a scope for the grant work which follows:

Elms Park Recreation Passport Grant Proposed Scope

<u>Work Item Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Amount</u>
Restroom Renovation	1	LS	\$41,500	\$41,500
Barrier free parking at main pavilion (Add 1 van accessible stall with fill from DPW) 16' x 20' HMA and signage	1	LS	\$3,500	\$3,500
Speed table concrete road crossing, 6" thick, 45' x 8'	360	SFT	\$6	\$2,160

Concrete sidewalk to metal pavilion, 5' x 60' (fill and culvert by DPW)	300	SFT	\$4	\$1,200
Concrete sidewalk to Tammy Reaves Memorial pavilion, 5' x 130'	650	SFT	\$4	\$2,600
Barrier free parking at south parking lot 16' x 20' HMA and signage	1	LS	\$3,500	\$3,500
Backstop	1	LS	\$3,200	\$3,200
Exercise stations, manufactured, installed	3	EA	\$1,200	\$3,600
Paved walking path, 8' wide	500	LFT	\$30	\$15,000
MDNR sign	1	LS	\$500	\$500
SESC, restoration	1	LS	\$1,000	\$1,000

Estimated Construction Cost	\$77,760
Construction Contingency (20%)	\$15,552.0
Total Estimated Project Cost	\$93,312

I will write this grant during the winter months. Once that is completed, the city council will review and approve (or deny) application to the State of Michigan Department of Natural Resources. Applications are due in April of 2015 with construction expected in the spring of 2016. A match of approximately \$50,000 would be expected from the city. This could be done with a combination of in-kind services, volunteer labor, donated money/materials, and general fund money.

The park board is planning to provide candle light ambiance at this year's Christmas Parade. In addition, they will be sponsoring and judging city-wide decorating contests, with a residential and business category.

We did not discuss the park rules at this meeting. I expect to have an ordinance at the next meeting, or a meeting in December that enables the council to promulgate rules by resolution instead of by ordinance. This will create some flexibility that does not exist now. For example, the park hours are currently set by ordinance and require a legislative change to alter or waive. Enabling a set of rules will make such changes or waivers on hours, fees, and operations much more fluid.

Park Board member, Joe Perrault, included a 2014 summary/update on park activities. This is in the council packet.

BOARD OF REVIEW (*No Change of Status*)

The board of review met on July 23rd. Two petitioners presented. The board also requested the appointment of an alternate member. The state encourages this for practical reasons. The first is the need to ensure the presence of at least two members out of the three appointees. The second is to begin training of potential permanent members for what is considered a specialized position.

The charter limits the board to three, but the city attorney believes that alternates are permissible as long as the acting board is not comprised of more than three

members at any time. With that said, staff recommends the appointment of another qualified board member to serve as an alternate.

❑ **FAIRCHILD AND MILLER INTERSECTION** (*No Change of Status*)

At the last meeting there was a comment about the lighting at the Fairchild and Miller intersection. Mr. Svrcek looked into that issue later that week by placing a call to Consumers Energy. They indicated that this issue was raised before (I believe it may have been last summer, perhaps sooner?). Though we have not gotten any written report from them, we were told that additional lighting at that intersection would not be recommended. At this time, I don't know why that would be, whether there were practical concerns with the site or what cost-benefit metric was used. I will get the opinion of Consumers and bring back that analysis and options to the city council. As of writing this, it appears they called Miss Dig to mark out placement of a light at the northeast corner. No such move has been communicated to us. We continue to reach out to them.

Related to this, I am certain the city council is aware of a vehicle-pedestrian collision on the morning of Friday, October 17, 2014. It appears the young lady will pull through this, which is fantastic news considering the circumstances. As of writing this, the factors involved in that collision are not available to the public. Concerns abound and include lighting, distracted drivers, a general lack of awareness, speed, and so on. To what degree lighting is related to this incident at this or other intersections, I don't know. However, it is definitely a reasonable concern of the general public.

I will work with the schools, public works, and public safety to see what can be done at this intersection and others. There is no question that the darkness and weather add risk to pedestrian activities, even when lighting is present. The solution may be to prioritize the busier intersections for some sort of mitigation.

❑ **SNOW REMOVAL CONTRACT** (*Update*)

The contractor that was retained last fall for snow removal services is contracted through this winter. However, we could not contact them. We have rebid the service and are also getting quotes for the expected sidewalk enforcement services.

NEW BUSINESS / PROJECTED ISSUES & PROJECTS

✓ **NEW COUNCIL, MAYORAL ELECTION** (*Resolutions*)

Welcome back to our returning incumbents and welcome to our new member, Dennis Pinkston. We have a handful of organizational activities tonight, including Office Oath, Mayor, and Mayor Pro-Tem Elections.

Swartz Creek City Council adopted the following selection procedure for the Offices of Mayor and Mayor Pro-Tem:

1. The City Clerk will accept verbal nominations for all candidates of the respective post. Support for the nominee is not required.

2. A roll call vote of each Councilmember will be conducted by the Clerk. Councilmembers will name a single choice for the respective post.
3. Four votes shall be required of a nominee to be selected as Mayor and Mayor Pro-Tem.
4. If four votes are not cast for a candidate, the process will be repeated.

✓ **MEDICAL MARIJUANA MORATORIUM** (*Resolution*)

The city council approved this at the last meeting. Unfortunately, the paper was unable to accommodate our publication request for October 30, 2014 due to circumstance. As such, the process must be repeated.

✓ **GENESEE COUNTY METROPOLITAN ALLIANCE DUES** (*Resolution*)

The dues are only \$150. However, the participation and membership into this group is formal enough to require appointments by the legislative body of each community. For that reason, I am ensuring we have a resolution to participate. Our current representatives are Mr. John Gilbert (elected) and Mr. Ronald Shultz (citizen). Both positions require appointments at this meeting. We do not have a current alternate.

GCMA is the policy body responsible for decision making concerning surface transportation in Genesee County. Their duties include the review and endorsement of transportation planning issues, and federal aid projects and their funding. The decisions made by GCMA have a direct impact on roadway, mass transit and non-motorized issues within the county. GCMA meets the third Wednesday of the month at 7:00 p.m. in the County Administration Building.

✓ **APPOINTMENTS** (*Resolution*)

As expected following an election, there are numerous appointments to make on a number of city boards and commissions. Many appointments are proposed as affirmation of existing appointees. However, with the departure of Mr. David Hurt, there are many vacancies to fill.

However, since these are mayoral appointments, it is not practical to make such appointments at the same meeting in which the Mayor is selected by the council. This would, in effect, put a potentially new Mayor on the spot to instantly fill these vacancies without any research, preparation, or consultation with appointees. I recommend we extend the existing appointments for two weeks and fill these positions on November 24, 2014. This practice was observed in 2012. A resolution is attached.

✓ **CAPACITY MANAGEMENT AND OPERATIONS MAINTENANCE AGREEMENT (CMOM)** (*Resolution*)

The Genesee County Drain Commission Water and Waste Services Division (WWS) provide sewage treatment services to the City of Swartz Creek, as well as sewer transportation from the city to the Beecher Road treatment facility. The city pays for these services as a wholesale customer, meaning that the county bills the city as one user, and the city then bills individual users on our local system. This also means that the city is responsible for all operations and maintenance of the local system.

The CMOM agreement you see before you is generally intended for the retail customers of the county (those municipalities that do not operate and maintain their

respective systems). This agreement enables the county to provide O&M services, as well as billing, ground staking, and lift station operations.

At this point in time, the county is requesting all wholesale customers to be a party to this agreement in some capacity. The impetus for this request is to ensure property CCIF fee collection by the county through permitting processes, as well as to ensure that each municipality maintains some minimum standard of operation and maintenance over their system. Since the county is responsible for transporting and treating all waste from wholesale customers, this is not an unreasonable request, nor is it new to the city (think of the 114 page sewer use ordinance that was passed in 2011 for exactly this purpose!).

What does this all mean? It means that our community should engage as a party to this agreement under the terms that enable us to continue with operations and maintenance as usual. This means that, under Exhibit A of the agreement, we should select "Municipality to Issue B-Permits" under Item 1, "Not Selected" under Item 2, "Not Selected" under Item 3, and "Not Selected" under Item 4. The result of approving this agreement under those conditions will be the status quo. If the city is interested in having the county perform operations and maintenance of our sewer collection system, including lift stations, we can revisit this at any time.

Otherwise, we will be writing B-Permits (permits to connect to the system), staking the ground for "Miss Dig", and operating the system as usual. The sewer use ordinance we adopted three years ago satisfies the requirements of Article VII as noted in the letter and agreement.

Council Questions, Inquiries, Requests and Comments

- *The DPS is replacing signs all over town, included no parking signs that were noted as missing by the council.*
- *We plan to make the calendars more legible for next year as it relates to noting the city council meetings and recycling on the same days.*

<p>City of Swartz Creek RESOLUTIONS Regular Council Meeting, Monday, October 27, 2014, 7:00 P.M.</p>

Motion No. 141110-5A

NOMINATIONS & ELECT MAYOR

Councilmember	Shumaker:	_____
Councilmember	Porath :	_____
Councilmember	Krueger:	_____
Councilmember	Pinkston:	_____
Councilmember	Hicks:	_____
Councilmember	Gilbert:	_____
Councilmember	Abrams:	_____

Elected (*Minimum 4 Votes Needed*): _____

Motion No. 141110-5B

NOMINATIONS & ELECT MAYOR PRO-TEM

Councilmember	Shumaker:	_____
Councilmember	Porath :	_____
Councilmember	Krueger:	_____
Councilmember	Pinkston:	_____
Councilmember	Hicks:	_____
Councilmember	Gilbert:	_____
Councilmember	Abrams:	_____

Elected (*Minimum 4 Votes Needed*): _____

Resolution No. 141110-6A

MINUTES – October 27, 2014

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Minutes of the Regular Council Meeting held Monday, October 27, 2014, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 141110-7A

AGENDA APPROVAL

Motion by Councilmember: _____

I Move the Swartz Creek City Council approve the Agenda as presented / printed / amended for the Regular Council Meeting of November 10, 2014, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 141110-8A CITY MANAGER'S REPORT

Motion by Councilmember: _____

I Move the Swartz Creek City Council accept the City Manager's Report of November 10, 2014, to be circulated and placed on file.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 141110-10A MORATORIUM ON MEDICAL MARIJUANA ESTABLISHMENTS

WHEREAS, the City of Swartz Creek Michigan, by Ordinance, has prohibited the possession or use of marijuana, as well as the sale, display, furnishing, supplying or possession of controlled substance paraphernalia; and

WHEREAS, the use, possession, cultivation, manufacture or sale of marijuana remains a crime under the Laws of the State of Michigan, the United States of America as a Schedule 1 drug under the Michigan Public Health Code and by the Treaty of 1980, entitled: Convention of Psychotropic Substances, and it is illegal to operate a motor vehicle with any amount of THC in an individual's blood system; and

WHEREAS, the people of the State of Michigan by referendum have provided that there shall not be criminal prosecution for the medical use of marijuana in limited and specific ways as provided in MCLA 333.26421 et seq; and

WHEREAS, the City of Swartz Creek passed ordinance number 407 to define and regulate medical marijuana dispensaries and growing facilities; and

WHEREAS, the legislature of the State of Michigan is considering certain legislation, specifically House Bill 4271, that is expected to significantly alter the operations of medical marijuana commercial facilities; and

WHEREAS, the City of Swartz Creek Michigan believes that in light of potential adverse effects upon its citizens, by the use, sale, production, and storage of medical marijuana that could affect the public safety, health and welfare, if certain controls were not placed as to if, where, or how such medical marijuana use is carried out; and

WHEREAS, the Swartz Creek City Council believes that its Ordinances will require amendment to comply with current and proposed legislation, including the Michigan Medical Marijuana Act (MMMA), and to regulate certain conduct by medical marijuana users and their caregivers; and

WHEREAS, the Swartz Creek City Council believes that the location in which medical marijuana caregivers provide care to medical marijuana patients requires regulation to avoid any harmful impact on the citizens by the placement or concentration of medical marijuana caregivers, within the ambit of the Zoning Ordinances of the City of Swartz Creek.

NOW, THEREFORE, BE IT RESOLVED that the Swartz Creek City Council by this Resolution determines to place a moratorium upon the establishment of caregiver facilities, dispensaries, growing facilities, and similar facilities as defined by ordinance 407 and state legislation within its City Limits for a period of one hundred eighty (180) days, to allow the City Council to consider amendments to its Zoning Ordinances and to its Drug Control Ordinances. It is the intent of the City to maintain a land use status quo pending final adoption of any proposed zoning plan or changes regarding Michigan medical marijuana caregivers as defined in MCLA 333.26421 et seq. (MMMA).

BE IT FURTHER RESOLVED that in compliance with section 32.15 of the zoning code for the City of Swartz Creek, this moratorium shall be effective immediately upon publication of this resolution in a newspaper of general circulation.

Moved: Councilmember
Second: Councilmember
Voting For:
Voting Against:
Absent:

The Mayor declared the ordinance adopted.

David A Krueger, Mayor

Juanita Aguilar, City Clerk

CERTIFICATION

The foregoing is a true copy of Resolution No. 141110-___, which was passed by the Swartz Creek City Council at a regular meeting held on the 10th day of November, 2014.

Juanita Aguilar
City Clerk

Resolution No. 141110-10C GENESEE COUNTY METROPOLITAN ALLIANCE DUES

Motion by Councilmember: _____

WHEREAS, the City of Swartz Creek is a street authority in the State of Michigan that is funded with federal monies through the Genesee County Metropolitan Planning Commission, as represented by the Genesee County Metropolitan Alliance (GCMA), and;

WHEREAS, the City maintains membership status with the GCMA in order to be represented throughout the street planning and funding process for the region, and;

WHEREAS, the GCMA is requesting affirmation of membership and the payment of dues sufficient to cover meeting preparation and operational costs, and;

WHEREAS, the City finds continued membership to be in the best interests of the public.

NOW, THEREFORE BE IT RESOLVED that the City of Swartz Creek hereby approves ongoing membership with the GCMA and payment of \$150 towards dues for the 2015 calendar year.

BE IT FURTHER RESOLVED that representatives to the GCMA shall be selected at the regular meeting of the city council on November 24, 2014.

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 141110-10D BOARDS & COMMISSIONS, EXTEND APPOINTMENTS

Motion by Councilmember: _____

WHEREAS, the City maintains a variety of Boards & Commissions as part of its governmental functions and services; and

WHEREAS, the City's Charter, Ordinances and State Statutes defines the authority of all such boards and commissions, including the term of service, conditions and appointments; and

WHEREAS, many of the appointments are concurrent with the election of the City's Mayor and/or biennial Council at-large or district seats; and

WHEREAS, many of the appointed Board & Commission positions will expire with the seating and oath of office of a new Mayor and Council, as is the case of the meeting of November 10, 2014, subsequent to the elections of November 4, 2014; and

WHEREAS, the Council finds that appointments immediately following the seating of a newly elect Council and Mayor may need review and consideration, and in the best interest of the City, its residents and elector's, desires a postponement of all such appointments until the Council's next regular Council Meeting.

NOW, THEREFORE, I Move the City Council postpone the appointments of all expiring positions for the various Boards & Commissions, until the regular Council Meeting of November 24, 2014, and further, appoint and continue all such terms for an additional two weeks, the terms expiring on November 24, 2014 at 11:59 PM.

Second by Councilmember: _____

Voting For: _____
Voting Against: _____

Resolution No. 141110-10E STORM WATER MANAGEMENT ORDINANCE

**CITY OF SWARTZ CREEK
STORM WATER MANAGEMENT ORDINANCE
SWARTZ ZCREEK CITY COUNCIL
SWARTZ CREEK
GENESEE COUNTY, MICHIGAN**

ORDINANCE NO. 415

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, FOR SWARTZ CREEK, MICHIGAN, BY REPEALING ORDINANCE 376 AND REMOVING CHAPTER 15 ARTICLE IV AND ADDING ARTICLES I THROUGH IX TO CHAPTER 21 TO REGULATE STORM WATER CONTROL; TO PROVIDE FOR STORM WATER PERMITS AND FOR PAYMENT OR REIMBURSEMENT OF COSTS INCURRED BY THE CITY OF SWARTZ CREEK DUE TO STORM WATER PERMITS; AND TO PROVIDE PENALTIES FOR VIOLATIONS.

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment of Code of Ordinances.

Chapter 15 of the Code of Ordinances of the City of Swartz Creek, Michigan is amended by repealing Ordinance 376 (Chapter 15, Article IV) and by adding Articles I through IX of Chapter 21 to read as follows:

Article I. Storm Water

Section 21.101 Findings

The City of Swartz Creek finds that:

- (a) Water bodies, roadways, structures, and other property within, and downstream of the City of Swartz Creek are at times subjected to flooding;
- (b) Flooding is a danger to the lives and property of the public and is also a danger to the natural resources of the City of Swartz Creek and the region;
- (c) Land development alters the hydrologic response of watersheds, resulting in increased storm water runoff rates and volumes, increased flooding, increased stream channel erosion, and increased sediment transport and deposition;
- (d) Storm water runoff produced by land development contributes to increased quantities of water-borne pollutants;
- (e) Increases of storm water runoff, soil erosion, and non-point source pollution have occurred as a result of land development, and cause deterioration of the water resources of the City of Swartz Creek and downstream municipalities;
- (f) Storm water runoff, soil erosion, and non-point source pollution, due to land development within the City of Swartz Creek, have resulted in a deterioration of the water resources of the City of Swartz Creek and downstream municipalities;
- (g) Increased storm water runoff rates and volumes, and the sediments and pollutants associated with storm water runoff from future development projects within the City of Swartz Creek will, absent reasonable regulation and control, adversely affect the City of Swartz Creek's water bodies and water resources, and those of downstream municipalities;

- (h) Storm water runoff, soil erosion, and non-point source pollution can be controlled and minimized by the regulation of storm water runoff from development;
- (i) Adopting the standards, criteria and procedures contained in this ordinance and implementing the same will address many of the deleterious effects of storm water runoff;
- (j) Adopting these standards is necessary for the preservation of the public health, safety and welfare.

Section 21.102 Purpose

It is the purpose of this ordinance to establish minimum storm water management requirements and controls to accomplish, among others, the following objectives:

- (a) To reduce artificially induced flood damage;
- (b) To minimize increased storm water runoff rates and volumes from identified new land development;
- (c) To minimize the deterioration of existing watercourses, culverts and bridges, and other structures;
- (d) To encourage water recharge into the ground where geologically favorable conditions exist;
- (e) To prevent an increase in non-point source pollution;
- (f) To maintain the integrity of stream channels for their biological functions, as well as for drainage and other purposes;
- (g) To minimize the impact of development upon stream bank and streambed stability;
- (h) To reduce erosion from development or construction projects;
- (i) To preserve and protect water supply facilities and water resources by means of controlling increased flood discharges, stream erosion, and runoff pollution; and,
- (j) To reduce storm water runoff rates and volumes, soil erosion, and non-point source pollution, wherever practicable, from lands that were developed without storm water management controls meeting the purposes and standards of this ordinance.
- (k) To reduce the adverse impact of changing land use on water bodies and, to that end, this ordinance establishes minimum standards to protect water bodies from degradation resulting from changing land use where there are insufficient storm water management controls.

Section 21.203 Applicability, Exemptions and General Provisions

To prevent an increase in non-point source pollution; this ordinance shall apply to any earth-disturbing activities greater than or equal to 1-acre (≥ 1 ac.) for new development or redevelopment projects or earth disturbing activities less than 1-acre on parcels with greater than or equal to 50% ($\geq 50\%$) impervious surface which will alter storm water drainage characteristics of the development site. Typically these developments require approval of a plat, a site development plan, building permit, and other permits to be obtained. However, this ordinance shall not apply to the following:

- (a) Development on one single-family lot, parcel, or condominium unit where the City of Swartz Creek determines that due to the size of the development site or other circumstances, the quantity, quality, and or rate of stormwater flow does not materially alter storm water flow from the property in terms of rate and/or volume.
- (b) The installation or removal of individual mobile homes within a mobile home park. This exemption shall not be construed to apply to the construction, expansion, or modification of a mobile home park.
- (c) Ongoing farm operations such as tilling or plowing. Earth disturbances that are not directly related to farming are not exempt from this ordinance.

- (d) Plats with preliminary plat approval and other developments with final land use approval prior to the effective date of this ordinance, where such approvals remain in effect.
- (e) Additions or modifications to any single family or duplex structure disturbing less than 20,000 square feet of land.
- (f) Landscaping or gardening involving less than 5,000 square feet of land.
- (g) Construction of a dwelling on a legal lot within a development that itself previously received approval under this article, provided that less than 5,000 square feet of land is cleared or graded for such construction

Section 21.104 Definitions

For the purpose of this ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this Section unless the context in which they are used specifically indicates otherwise:

- (a) Best Management Practices (BMPs) - A practice, or combination of practices and design criteria that comply with the Michigan Department of Natural Resources and Environment's Guidebook of BMPs for Michigan Watersheds, the Low Impact Development Manual for Michigan, or equivalent practices and design criteria that accomplish the purposes of this ordinance (including, but not limited to minimizing storm water runoff and preventing the discharge of pollutants into storm water) as determined by the City Engineer, and, where appropriate, the standards of the Genesee County Drain Commissioner.
- (b) Building Opening - Any opening of a solid wall such as a window or door, through which floodwaters could penetrate.
- (c) Construction Site Storm Water Runoff - Storm water runoff from a development site following an earth change.
- (d) Detention - A system which is designed to capture storm water and release it over a given period of time through an outlet structure at a controlled rate.
- (e) Developed or Development - The installation or construction of impervious surfaces on a development site that require, pursuant to state law or local ordinance, the City's approval of a site plan, plat, site condominium, special land use, planned unit development, rezoning of land, land division approval, private road approval or other approvals required for the development of land or the erection of buildings or structures; provided, however, that for purposes of Article II only, developed or development shall not include the actual construction of, or an addition, extension or modification to, an individual single-family or a two-family detached dwelling or appurtenances to the same, if the City Manager finds that such construction, addition, extension or modification will not result in adverse storm water runoff. In making his written finding, the City Manager may consult with the Zoning Administrator, planning committee, the code enforcement official and/or the City engineer.
- (f) Developer - Any person proposing or implementing the development of land. Developer can also be interpreted to include their designated design representative (e.g. architects and engineers).
- (g) Development Site - Any land that is being or has been developed, or that a developer proposes for development.
- (h) Discharger - Any person or entity who directly or indirectly discharges storm water from any property. Discharger also means any employee, officer, director, partner, contractor, or other person who participates in, or is legally or factually responsible for, any act or omission which is or results in a violation of this ordinance.
- (i) Drain - Any drain as defined in the Drain Code of 1956, as amended, being MCL 280.1, et. seq., other than an established county or intercounty drain.

- (j) Drainage - The collection, conveyance, or discharge of ground water and/or surface water.
- (k) Drainageway - The area within which surface water or ground water is carried from one part of a lot or parcel to another part of the lot or parcel or to adjacent land.
- (l) Earth Change - Any human activity which removes ground cover, changes the slope or contours of the land, or exposes the soil surface to the actions of wind and rain. Earth change includes, but is not limited to, any excavating, surface grading, filling, landscaping, or removal of vegetative roots.
- (m) EPA - The United States Environmental Protection Agency.
- (n) Erosion - The process by which the ground surface is worn away by action of wind, water, gravity or a combination thereof.
- (o) Exempted Discharges - Discharges other than storm water as specified in Section 1.04 and 4.02 of this ordinance.
- (p) Flood or Flooding - A general and temporary condition of partial or complete inundation of normally dry land areas resulting from the overflow of water bodies or the unusual and rapid accumulation of surface water runoff from any source.
- (q) Floodplain - Any land area subject to periodic flooding (≥ 2 square miles)
- (r) Flood Protection Elevation (FPE) - The Base Flood Elevation plus one (1) foot at any given location.
- (s) Grading - Any stripping, excavating, filling, and stockpiling of soil or any combination thereof and the land in its excavated or filled condition.
- (t) Hazardous or Toxic Material – OSHA defines hazardous and toxic substances as those chemicals which are capable of causing harm. In this definition, the term chemical includes dusts, mixtures, and common materials such as paints, fuels, and solvents. OSHA currently regulates exposure to approximately 400 substances and the OSHA Chemical Sampling Information file contains listings for approximately 1500 substances. Some industrial libraries maintain files of material safety data sheets (MSDS) for more than 100,000 substances.
- (u) Illicit Connection - Any method or means for conveying an illicit discharge into water bodies or the City's storm water system.
- (v) Illicit Discharge - Any discharge to water bodies that does not consist entirely of storm water, discharges pursuant to the terms of an NPDES permit, or exempted discharges as defined in this ordinance.
- (w) Impervious Surface - Surface that does not allow storm water runoff to slowly percolate into the ground.
- (x) Improvements - Means those features and actions associated with a project that are considered necessary by the body or official granting zoning approval to protect natural resources or the health, safety, and welfare of the residents of a local unit of government and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening, and drainage. Improvements do not include the entire project that is the subject of zoning approval.
- (y) MS4 – Municipal Separate Storm Water Sewer System
- (z) MDNRE - Michigan Department of Natural Resources and Environment.
- (aa) Municipality – County, City, Village, or Township or their designated representative.
- (bb) NPDES - National Pollution Discharge Elimination System.
- (cc) Person - An individual, firm, partnership, association, public or private corporation, public agency, instrumentality, or any other legal entity.

- (dd) Planning board/commission - Means a county planning commission created under the Michigan Zoning Enabling Act, 2006 PA 110, MCL 125.3101 et. seq.
- (ee) Pollutant - A substance discharged which includes, but is not limited to the following: any dredged spoil, solid waste, vehicle fluids, yard wastes, animal wastes, agricultural waste products, sediment, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological wastes, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, commercial and agricultural waste, or any other contaminant or other substance defined as a pollutant under the Clean Water Act.
- (ff) Property Owner - Any person having legal or equitable title to property or any person having or exercising care, custody, or control over any property.
- (gg) Retention - A system which is designed to capture storm water and contain it until it infiltrates the soil or evaporates.
- (hh) Runoff - means the water flow that occurs when soil is infiltrated to full capacity and excess water from rain, snowmelt, or other sources flows over the land.
- (ii) Sensitive Areas – Inland lakes, watercourses and wetlands (≥ 5 ac as specified by MDNRE unless a stricter local requirement is specified)
- (jj) Site plan – means a plat, a site development plan, construction drawings, a building permit, and any other permits that need to be obtained before development can occur. These documents and drawings, required by the zoning ordinance, are to insure that a proposed land use or activity is in compliance with local ordinances and state and federal statutes.
- (kk) Soil Erosion - The stripping of soil and weathered rock from land creating sediment for transportation by water, wind or ice, and enabling formation of new sedimentary deposits.
- (ll) State of Michigan Water Quality Standards - All applicable State rules, regulations, and laws pertaining to water quality, including the provisions of Section 3106 of Part 31 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.
- (mm) Storm Drain - A system of open or enclosed conduits and appurtenant structures intended to convey or manage storm water runoff, ground water and drainage.
- (nn) Storm Water Permit - A permit issued pursuant to this ordinance.
- (oo) Storm Water Plan - Written narratives, specifications, drawings, sketches, written standards, operating procedures, or any combination of these which contain information pursuant to this ordinance.
- (pp) Storm Water Runoff Facility - The method, structure, area, system, or other equipment or measures which are designed to receive, control, store, or convey storm water as well as treat it for pollutants.
- (qq) Stream - A river, stream or creek which may or may not be serving as a drain, or any other water body that has definite banks, a bed, and visible evidence of a continued flow or continued occurrence of water.
- (rr) Surface waters of the state: Are defined consistent with the Part 4 Rules (Rules 323.1041 through 323.1117 of the Michigan Administrative Code) to mean all of the following, but not including drainage ways and ponds (detention and retention ponds or lagoons) used solely for wastewater conveyance, treatment, or control:
- The Great Lakes and their connecting waters
 - All inland lakes
 - Rivers
 - Streams
 - Impoundments

- Open drains
- Other surface bodies of water within the confines of the state

(ss) Waterbody - A river, lake, stream, creek or other watercourse or wetlands.

(tt) Watercourse – One that has not been altered artificially.

(uu) Wetlands (regulated) - Land characterized by the presence of water at a frequency and duration sufficient to support wetland vegetation or aquatic life.

Article II. Storm Water Permits

Section 21.201 Storm Water Standards

Developments subject to this ordinance shall require a storm water permit and a storm water plan, and shall be designed, constructed, and maintained to prevent flooding, minimize stream channel impacts, protect water quality, and achieve the purposes of this Ordinance, as stated above. The City of Swartz Creek has adopted the *Genesee County Storm Water and Flood Control Design Standard Requirements* to meet the objectives of managing the quantity and quality of storm water runoff from a site as its city engineering standards.

Section 21.202 Storm Water Permit Review Procedures

The City of Swartz Creek shall grant a storm water permit, which may impose terms and conditions in accordance with Section 21.208, and which shall be granted only upon compliance with each of the following requirements:

- (1) The developer will engage in the following sequence of events:
 - (a) **Pre-Development Information Gathering:** For all applicable projects, developers will contact representatives from each of the following: the County Road Commission, Health Department, municipal officials (zoning, planner, engineer, DPW, building official), and Drain Commissioner's office (Water and Waste Services and Surface Water). The purpose will be to gather information on design standards, development guidelines, and to identify the type of information developers and their representatives must furnish to comply with this ordinance. In some instances it may be expedient to hold one conference with all the involved parties.
 - (b) **Development and Review of Conceptual Site Plan:** Review of the conceptual site plan for approval at the County level by the appropriate personnel in Water & Waste Services, soil erosion, surface water, the Road Commission and the Health Department. Comments are returned to the owner/client and designer. At this time the design engineer will submit a statement that this site has been reviewed and determined sufficient to accommodate soil erosion and soil conservation measures.
 - (c) **Coordinated Review and Approval:** Review of the Storm Water Plan and the proposed BMPs will occur at the same time as the review of the site plan by representatives from the appropriate agencies.
 - (d) **Municipal Review and Approval:** Developers shall provide a storm water plan for post-construction management of storm water to the City for review and approval. Guidance will be provided to zoning administrators and local planning commission members on the ordinance and design standards and they will be provided with a checklist for reference during site plan review. At this stage all necessary permits should have been obtained from Federal, State, and County agencies. Once all of the above documents have been obtained a building permit will be issued by the city.
- (2) The developer has submitted a storm water plan complying with Section 21.203.
- (3) The storm water plans contain adequate storm water BMPs to address the requirements laid out in the Genesee County Storm Water Standards & Requirements

(GCSWS&R). At a minimum the developer will have to satisfy one of the following conditions:

- (a) A permanent on-site storm water system that includes on-site detention of storm water runoff (see *Genesee County Storm Water and Flood Control Design Standard Requirements* for requirements) , and
 - (b) A direct connection for all storm water runoff that will be discharged from and through the development site (see GCSWS&R /BMP Requirement Manual for requirements); or
 - (c) The developer provides a permanent on-site storm water system with a restricted outlet designed to result in no net increase in storm water runoff volume or rate onto any adjacent property. (see GCSWS&R /BMP Requirement Manual for requirements)
- (4) The developer has paid or deposited the storm water permit review fee pursuant to Section 21.204.
 - (5) The developer has paid or posted the applicable financial guarantee pursuant to Section 22.205.
 - (6) The developer provides all easements necessary to implement the approved storm water plan and to otherwise comply with this Ordinance including, but not limited to, Section 21.702. All easements shall be acceptable to the City in form and substance and shall be recorded with the Genesee County Register of Deeds.
 - (7) The storm water plan is designed in conformity with the City's design and performance standards for drains and storm water management systems, as set forth in Article VIII.
 - (8) All storm water runoff facilities shall be designed in accordance with the then-current BMPs.
 - (9) The developer provides the required maintenance agreement for routine, emergency, and long-term maintenance of all storm water runoff facilities and in compliance with the approved storm water plan and this Ordinance. The maintenance agreement shall be acceptable to the City of Swartz Creek in form and substance and at minimum contain the requirements outlined in Article VII.

Section 21.203 Storm Water Plan

The Storm Water Management Plan must be designed to meet the Genesee County Storm Water Standards as set out in the companion document to the Low Impact Development Manual for Michigan. The County is authorized to establish minimum design standards for storm water discharge release rates and to require dischargers to implement on-site retention, detention or other methods necessary to control the quality, rate and volume of surface water runoff discharged into the storm water drainage system and surface waters of the state. The County water quality and quantity standards are to be achieved through the techniques and methodologies outlined in the Low Impact Development Manual for Michigan (Chapters 6, 7 and 9). The storm water plan shall identify and contain all of the following:

- (1) The location of the development site and water bodies that will receive storm water runoff (National Wetland database). Information to consider and include where appropriate should be the drainage district ID, zoning, aerial imagery, soils and floodplain maps, traffic and utility information.
- (2) The existing and proposed natural feature of the development site, including the vegetation, topography, and alignment and boundary of the natural drainage courses, with contours having a maximum interval of two (2) foot (using USGS datum). The information shall be superimposed on the pertinent Genesee County soil map.
- (3) The development drainage area to each point of discharge from the development.
- (4) Calculations for the existing and final peak discharge rates (Based on Design criteria).
- (5) Calculations for any facility or structure size and configuration.

- (6) A drawing showing all proposed storm water runoff facilities with existing and final grades, as well as storm water easements.
- (7) The sizes and locations of upstream and downstream culverts serving the major drainage routes flowing into and out of the development site. Any significant off-site and on-site drainage outlet restrictions other than culverts should be noted on the drainage map.
- (8) An implementation plan for construction and inspection of all storm water runoff facilities necessary to the overall storm water plan, including a schedule of the estimated dates of completing construction of the storm water runoff facilities shown on the plan and an identification of the proposed inspection procedures to ensure that the storm water runoff facilities are constructed in accordance with the approved storm water plan.
- (9) Drawings, profiles, and specifications for the construction of the storm water runoff facilities (BMP) reasonably necessary to ensure that storm water runoff will be drained, stored, or otherwise controlled in accordance with this ordinance.
- (10) A maintenance agreement, in form and substance acceptable to the city, for ensuring maintenance of any privately-owned storm water runoff facilities. The maintenance agreement shall include the Developer's written commitment to provide routine, emergency, and long-term maintenance of the facilities and, in the event that the facilities are not maintained in accordance with the approved storm water plan, the agreement shall authorize the City to maintain any on-site storm water runoff facility as reasonably necessary, at the Developer's expense (see Article VII).
- (11) The name of the engineering firm and the registered professional engineer that designed the storm water plan and that will inspect final construction of the storm water runoff facilities.
- (12) All design information must be compatible for conversion to standard GIS shape files.
- (13) Any other information necessary for the City to verify that the storm water plan complies with the City's design and performance standards for drains and storm water management systems.

Section 21.204 Storm Water Permit Review Fees

- (1) (a) All expenses and costs incurred by the City directly associated with processing, reviewing and approving or denying a storm water permit application shall be paid (or reimbursed) to the City from the funds in a separate escrow account established by the Developer, as provided in subsection (b). The City may draw funds from a Developer's escrow account to reimburse the City for out-of-pocket expenses incurred by the City relating to the application. Such reimbursable expenses include, but are not limited to, expenses related to the following:
 - (a) Services of the City Attorney directly related to the application.
 - (b) Services of the City Engineer directly related to the application including inspections fees.
 - (c) Services of other independent contractors working for the City which are directly related to the application.
 - (d) Any additional public hearings, required mailings and legal notice requirements necessitated by the application.
- (2) At the time a Developer applies for a storm water permit, the Developer shall deposit with the City Clerk, as an escrow deposit, an initial amount as determined by resolution of the City Council for such matters and shall provide additional amounts as requested by the City in such increments as are specified in said resolution. Any excess funds remaining in the escrow account after the application has been fully processed, reviewed, and the final City denial or approval and acceptance of the development has occurred will be refunded to the Developer with no interest to be paid on those funds. At no time prior to the City's final decision on an application shall the balance e in

the escrow account fall below the required initial amount. If the funds in the account are reduced to less than the required initial amount, the Developer shall deposit into the account the additional amount needed to restore the account to the required amount before the application review process will be continued. Additional amounts may be required to be placed in the escrow account by the Developer, at the discretion of the City.

Section 21.205 Financial Guarantee

- (1) The City Engineer shall not approve a storm water permit until the Developer submits to the City, in a form and amount satisfactory to the City, a letter of credit or other financial guarantee for the timely and satisfactory construction of all storm water runoff facilities and site grading in accordance with the approved storm water plan. Upon certification by a registered professional engineer that the storm water runoff facilities have been completed in accordance with the approved storm water plan including, but not limited to, the provisions contained in Section 2.03(8), the City may release the letter of credit, or other financial guarantee subject to final City acceptance and approval.
- (2) The letter of credit or other financial guarantee may be accessed when:
 - (a) violation of this ordinance has occurred as determined by the City,
 - (b) three notifications to the developer detailing the infraction have been issued,
 - (c) no corrective action has being taken by the developer within 30 days of final notification.
- (3) Except as provided in subsection (5), the amount of the financial guarantee shall be as determined by the Clity Council in a Resolution of Fees for City Services, unless the City determines that a greater amount is appropriate, in which case the basis for such determination shall be provided to the Developer in writing. In determining whether an amount greater than the amount established by Resolution of City Council is appropriate, the City shall consider the size and type of the development, the size and type of the on-site storm water system, and the nature of the off-site storm water runoff facilities the development will utilize.
- (4) The letter of credit or other financial guarantee will not be permitted to expire until any necessary maintenance agreements for storm water facilities established by the developer has been signed.
- (5) A maintenance bond shall be provided to the appropriate agency. The maintenance bond shall be provided for a period of two years commencing from the date of the final approval of the storm water plan.
- (6) The City Manager may reduce or waive the amount of the financial guarantee for a development that will not increase the percentage of impervious surface of the development site by more than ten percent (10%).
- (7) This ordinance shall not be construed or interpreted as relieving a developer of its obligation to pay all costs associated with on-site private storm water runoff facilities as well as those costs arising from the need to make other storm water improvements in order to reduce a development's impact on a drain consistent with adopted design standards.

Section 21.206 Certificate of Occupancy

No certificate of occupancy shall be issued until storm water runoff facilities have been completed in accordance with the approved storm water plan; provided, however, the City may issue a certificate of occupancy if an acceptable letter of credit or other financial guarantee has been submitted to the City, for the timely and satisfactory construction of all storm water runoff facilities and site grading in accordance with the approved storm water plan.

Section 21.207 No Change in Approved Facilities

- (1) Storm water runoff facilities, after construction and approval, shall be maintained in good condition, in accordance with the approved storm water plan, and shall not be subsequently altered, revised or replaced except in accordance with the approved storm water plan, or in accordance with approved amendments or revisions in the plan.
- (2) The City has the right to take corrective action if alterations to approved storm water facilities occur and to seek compensation from the responsible party for all costs associated with the corrective action.

Section 21.208 Terms and Conditions of Permits

In granting a storm water permit, the City may impose such terms and conditions as are reasonably necessary to implement the purposes of this ordinance. A Developer shall comply with such terms and conditions.

Article III. Storm Water System, Floodplain and Other Standards, Soil Erosion Control

Section 21.301 Management of and Responsibility for Storm Water System

The City is not responsible for providing drainage facilities on private property for the management of storm water on said property. It shall be the responsibility of the property owner to provide for, and maintain, private storm water runoff facilities serving the property and to prevent or correct the accumulation of debris that interferes with the drainage function of a water body.

Section 21.302 Storm Water System

All storm water runoff facilities shall be constructed and maintained in accordance with all applicable federal, state and local ordinances, and rules and regulations.

Section 21.303 Floodplain and Sensitive Areas Standards

- (1) All new buildings and substantial improvements to existing buildings shall be protected from flood damage up to the Flood Protection Elevation (FPE) and shall be in accordance with all applicable federal, state and local ordinances, and rules and regulations. Floodway alteration shall be permitted only upon review and approval by the City, in accordance with an approved storm water plan.
- (2) A storm water plan providing for the filling or alteration of a floodway may include provisions for maintaining stability of the banks of streams or other water bodies, by means of the establishing of buffer zones and other means of providing protection of the slopes and banks of water bodies.
- (3) Within any required buffer zone, no earth change shall take place except in accordance with the approved storm water plan. Such a plan may also include provisions for the replacement of flood plain storage volume, where such storage volume is lost or diminished as a result of approved development.
- (4) Where appropriate, permanent setbacks based on site slopes and soils will be established in accordance with the specifications outlined in the Genesee County Requirement Manual.

Section 21.304 Building Openings

- (1) No building openings, including basement walkouts, shall be constructed below the following elevations:
 - (a) One foot above the 100-year floodplain.
 - (b) The building opening established at the time of plat or development approval and on file in the City Engineering Department.
 - (c) Three feet above the top of any downstream culvert.
 - (d) Four feet above the bottom of any permanent and defined drain.
 - (e) One foot above an adjacent detention basin design high water.

- (2) A waiver from elevations stated in Section 3.06(1a) may be granted by the City Engineer following receipt of a certification from a registered professional engineer demonstrating that the proposed elevation does not pose a risk of flooding.
- (3) Upon completion of construction of the structure's foundation and or slab on grade, a registered land surveyor shall certify any minimum building opening elevation specified by this ordinance. This certificate shall attest that the building opening elevation complies with the standards of this ordinance. The permittee for the building permit shall submit the certificate to the City Building Inspections official prior to the commencement of framing and/or structural steel placement. If the surveyor should find that the minimum building opening elevation is below the elevation specified in Section 79.276(a)(2) or (3), that opening must be raised using a method that meets with the approval of the City. After reconstruction, a registered land surveyor or engineer shall re-certify that the minimum building opening elevation complies with the standards of this ordinance prior to the commencement of framing and or structural steel placement.

Section 21.305 Sump Pump Discharge

- (1) When a sump pump is employed to discharge a buildings footing drains a check valve will be installed between the pump and the storm system. A gravity discharge to an enclosed system is not permitted unless it can be shown that the discharge point is above the overflow elevation for the storm water system.
- (2) A storm water lateral shall be provided for each parcel at the time of storm sewer construction. Laterals shall have a check valve.

Section 21.306 Public Health, Safety or Welfare

Protection of the public health, safety or welfare shall be a primary consideration in the design of all storm water runoff facilities.

Article IV. Prohibitions and Exemptions

Section 21.401 Illicit Discharges

- (1) No person shall discharge to a water body or storm collection system, directly or indirectly (i.e. via an illicit connection), any substance other than storm water or an exempted discharge. Any person discharging storm water shall effectively prevent pollutants from being discharged with the storm water, except in accordance with best management practices.
- (2) The City is authorized to require dischargers to implement pollution prevention measures, utilizing BMPs, necessary to prevent or reduce the discharge of pollutants into the City's storm water drainage system or surface waters of the state. Discharges to storm drains and waters of the state other than storm water and the exempted discharges listed in Section 21.402 is strictly prohibited.

Section 21.402 Exempted Discharges

The following non-storm water discharges are exempt from discharge prohibitions established by this ordinance, provided that they are not identified as significant contributors to violations of State of Michigan Water Quality Standards:

- (a) Water supply line flushing
- (b) Landscape irrigation
- (c) Diverted stream flows
- (d) Rising ground water
- (e) Uncontaminated ground water infiltration to storm drains
- (f) Uncontaminated pumped ground water

- (g) Discharges from potable water sources
- (h) Foundation drains
- (i) Air conditioning condensate
- (j) Individual residential car washing
- (k) Dechlorinated swimming pool waters from single, two, or three family residences
- (l) Residual street wash water
- (m) Discharges or flows from emergency fire fighting activities
- (n) Discharges for which a specific federal or state permit has been issued.

Section 21.403 Interference with Natural or Artificial Drainageway

It shall be unlawful for any person to stop, fill, dam, confine, pave, alter the course of, or otherwise interfere with any natural or constructed drain, or drainage way without first submitting a storm water plan to the local City and all appropriate agencies (City, State, Genesee County Drain Commissioner's office) and receiving approval of that plan. Any deviation from the approved plan is a violation of this ordinance. This section shall not prohibit, however, necessary emergency action so as to prevent or mitigate drainage that would be injurious to the environment, the public health, safety, or welfare.

Section 21.404 Storage of Hazardous or Toxic Materials in Drainageway

Except as permitted by law, it shall be unlawful for any person to store or stockpile within a drainageway any hazardous or toxic materials unless adequate protection and/or containment has been provided so as to prevent any such materials from entering a waterway.

Article V. Inspection, Monitoring, Reporting, and Recordkeeping

Section 21.501 Investigate, Inspect, and Monitor suspected illicit discharges

To investigate potential illicit discharges or connections and to assure compliance with the standards set forth in this ordinance, the City may investigate, inspect and/or obtain monitor any discharge. Upon request, the discharger shall allow the City's properly identified representative to enter upon the premises of the discharger at all hours necessary for the purposes of such inspection or sampling. The City shall provide the discharger reasonable advance notice of such inspection and/or sampling. The City or its properly identified representative may place on the discharger's property the equipment or devices used for such sampling, monitoring or inspection.

Section 21.502 Storm Water Monitoring Facilities

The City may require, in writing, that a discharger of storm water runoff provide and operate equipment or devices for the monitoring of storm water runoff, so as to provide for inspection, sampling, and flow measurement of each discharge to a water body or a storm water runoff facility. The City may require a discharger to provide and operate such equipment and devices if it is necessary or appropriate for the inspection, sampling and flow measurement of discharges in order to determine whether adverse effects from or as a result of such discharges may occur. All such equipment and devices for the inspection, sampling and flow measurement of discharges shall be installed and maintained in accordance with applicable laws, ordinances and regulations. All monitoring results will be made available and reported to the City at an agreed upon time.

Section 21.503 Accidental Discharges

- (1) Any discharger who accidentally discharges into a MS4 or water of the state any substance other than storm water or an exempted discharge shall inform the City within 24 hours of knowledge of the incident. If such information is given orally, a written report

concerning the discharge shall be filed with the City within five (5) days. The written report shall specify:

- (a) The composition of the discharge and the cause thereof.
 - (b) The exact date, time, and estimated volume of the discharge.
 - (c) All measures taken to clean up the accidental discharge, and all measures proposed to be taken to reduce and prevent any recurrence.
 - (d) The name and telephone number of the person making the report, and the name of a person who may be contacted for additional information on the matter.
- (2) A properly-reported accidental discharge shall be an affirmative defense to a civil infraction proceeding brought under this ordinance against a discharger for such discharge. It shall not, however, be a defense to a legal action brought to obtain an injunction, to obtain recovery of costs or to obtain other relief as a result of or arising out of the discharge. A discharge shall be considered properly reported only if the discharger complies with all the requirements of Section 21.503(a).

Section 21.504 Record Keeping Requirement

Any person subject to this ordinance shall retain and preserve for no less than three (3) years any and all books, drawings, plans, prints, documents, memoranda, reports, correspondence and records, including records on magnetic or electronic media and any and all summaries of such records, relating to monitoring, sampling and chemical analysis of any discharge or storm water runoff from any property.

Article VI. Enforcement

Section 21.601 Sanctions for Violation

- (1) Any person violating any provision of this ordinance shall be responsible for a municipal civil infraction and subject to a fine to cover costs, damages, expenses, and other sanctions as authorized under Chapter 87 of the Revised Judicature Act of 1961 and other applicable laws, including, without limitation, equitable relief; provided, however, that the violation stated in Section 21.601(2) shall be a misdemeanor. Each day such violation occurs or continues shall be deemed a separate offense and shall make the violator liable for the imposition of a fine for each day. The rights and remedies provided for in this section are cumulative and in addition to any other remedies provided by law. An admission or determination of responsibility shall not exempt the offender from compliance with the requirements of this ordinance.

For purposes of this section, "subsequent offense" means a violation of the provisions of this ordinance committed by the same person within 12 months of a previous violation of the same provision of this ordinance for which said person admitted responsibility or was adjudicated to be responsible.

The Zoning Administrator, code enforcement official, -building inspector and police officers of the City are authorized to issue municipal civil infraction citations to any person alleged to be violating any provision of this ordinance.

- (2) Any person who neglects or fails to comply with a stop work order issued under Section 21.602 shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than \$500 per violation per day or imprisonment in the county jail for not more than 93 days, or both such fine and imprisonment, and such person shall also pay such costs as may be imposed in the discretion of the court.
- (3) Any person who aids or abets a person in a violation of this ordinance shall be subject to the sanctions provided in this section.

Section 21.602 Stop Work Order

Where there is work in progress that causes or constitutes in whole or in part, a violation of any provision of this ordinance, the City is authorized to issue a Stop Work Order so as to prevent further or continuing violations or adverse effects. All persons to whom the stop work order is directed, or who are involved in any way with the work or matter described in the stop work order shall fully and promptly

comply therewith. The City may also undertake or cause to be undertaken, any necessary or advisable protective measures so as to prevent violations of this ordinance or to avoid or reduce the effects of noncompliance herewith. The cost of any such protective measures shall be the responsibility of the owner of the property upon which the work is being done and the responsibility of any person carrying out or participating in the work, and such cost shall be a lien upon the property.

Section 21.603 Failure to Comply; Completion

In addition to any other remedies, should any owner fail to comply with the provisions of this ordinance, the City may, after the giving of reasonable notice and opportunity for compliance, have the necessary work done, and the owner shall be obligated to promptly reimburse the City for all costs of such work.

Section 21.604 Emergency Measures

When emergency measures are necessary to moderate a nuisance, to protect public safety, health and welfare, and/or to prevent loss of life, injury or damage to property, the City is authorized to carry out or arrange for all such emergency measures. Property owners shall be responsible for the cost of such measures made necessary as a result of a violation of this ordinance, and shall promptly reimburse the City for all of such costs.

Section 21.605 Cost Recovery for Damage to Storm Drain System

A discharger shall be liable for all costs incurred by the City as the result of causing a discharge that produces a deposit or obstruction, or causes damage to, or impairs a storm drain, or violates any of the provisions of this ordinance. Costs include, but are not limited to, those penalties levied by the Environmental Protection Agency or MDNRE for violation of an National Pollutant Discharge Elimination System permit, attorney fees, and other costs and expenses.

Section 21.606 Collection of Costs; Lien

Costs incurred by the City pursuant to Sections 21.602, 21.603, 21.604 and 21.605 shall be a lien on the premises which shall be enforceable in accordance with Act No. 94 of the Public Acts of 1933, as amended from time to time. Any such charges which are delinquent for six (6) months or more may be certified annually to the City Treasurer who shall enter the lien on the next tax roll against the premises and the costs shall be collected and the lien shall be enforced in the same manner as provided for in the collection of taxes assessed upon the roll and the enforcement of a lien for taxes. In addition to any other lawful enforcement methods, the City shall have all remedies authorized by Act No. 94 of the Public Acts of 1933, as amended, and any other remedies available under applicable law.

Section 21.607 Appeals

Any person as to whom any provision of this ordinance has been applied may appeal in writing, not later than 30 days after the action or decision being appealed from, to the City Council the action or decision whereby any such provision was so applied. Such appeal shall identify the matter being appealed, and the basis for the appeal. The City Council shall consider the appeal and make a decision whereby it affirms, rejects or modifies the action being appealed. In considering any such appeal, the Clity Council may consider the recommendations of the City Engineer and the comments of other persons having knowledge of the matter. In considering any such appeal, the Council may grant a variance from the terms of this ordinance so as to provide relief, in whole or in part, from the action being appealed, but only upon finding that the following requirements are satisfied:

- (1) The application of the ordinance provisions being appealed will present or cause practical difficulties for a development or development site; provided, however, that practical difficulties shall not include the need for the developer to incur additional reasonable expenses in order to comply with the ordinance; and
- (2) The granting of the relief requested will not substantially prevent the goals and purposes sought to be accomplished by this ordinance, nor result in less effective management of storm water runoff.

Article VII> Storm Water Easements and Maintenance Agreements

Section 21.701 Applicability of Requirements

The requirements of this Article concerning storm water easements and maintenance agreements shall apply to all persons required to submit a storm water and/or storm water plan to the City for review and approval.

Section 21.702 Storm Water Management Easements

The Developer shall provide all storm water management easements necessary to implement the approved storm water plan and to otherwise comply with this ordinance in form and substance required by the City and shall record such easements as directed by the City. The easements shall assure access for proper inspection and maintenance of storm water runoff facilities and shall provide adequate emergency overland flow-ways.

Section 21.0703 Maintenance Agreements

A. Purpose of Maintenance Agreement

The purpose of the maintenance agreement is to provide the means and assurance that maintenance of stormwater BMPs shall be undertaken.

B. Maintenance Agreement Required

- (1) A maintenance agreement shall be submitted to the City of Swartz Creek, for review by the City Manager and his/her designee and the City Attorney, for all development, and shall be subject to approval in accordance with Stormwater Plan. A formal maintenance plan shall be included in the maintenance agreement.
- (2) Maintenance agreements shall be approved by the City Council prior to final subdivision plat or condominium approval, as applicable, and prior to construction approval in other cases.
- (3) A maintenance agreement is not required to be submitted to City of Swartz Creek for Chapter 18 Drains that will be maintained by the Genesee County Drain Commission.

C. Maintenance Agreement Provisions

- (1) The maintenance agreement shall include a plan for routine, emergency, and long-term maintenance of all stormwater BMPs, with a detailed annual estimated budget for the initial three years, and a clear statement that only future maintenance activities in accordance with the maintenance agreement plan shall be permitted without the necessity of securing new permits. Written notice of the intent to proceed with maintenance shall be provided by the party responsible for maintenance to the City of Swartz Creek at least 14 days in advance of commencing work.
- (2) The maintenance agreement shall be binding on all subsequent owners of land served by the stormwater BMPs and shall be recorded in the office of the Genesee County Register of Deeds prior to the effectiveness of the approval of the City Council.
- (3) If it has been found by the Swartz Creek City Council, following notice and an opportunity to be heard by the property owner, that there has been a material failure or refusal to undertake maintenance as required under this ordinance and/or as required in the approved maintenance agreement as required hereunder, the City of Swartz Creek shall then be authorized, but not required, to hire an entity with qualifications and experience in the subject matter to undertake the monitoring and maintenance as so required, in which event the property owner shall be obligated to advance or reimburse payment (as determined by the City of Swartz Creek) for all costs and expenses associated with such monitoring and maintenance, together with a reasonable administrative fee. The maintenance agreement required under this Ordinance shall contain a provision spelling out this requirement and, if the applicant objects in any respect to such provision or the underlying rights and obligations, such objection shall be resolved prior to the commencement of construction of the proposed development on the property.

Section 21.704 Establishment of County Drains

Prior to final approval, all storm water management facilities for platted subdivisions shall be established as county drains, as authorized in Section 433, Chapter 18 of the Michigan Drain Code (P.A. 40 of 1956, as amended) for long-term maintenance.

Article VIII. Performance and Design Standards

Section 21.801 Reference to Requirement Manual

The City or its designate shall use the policy, criteria, and information, including technical specifications and standards, in the Genesee County Requirement Manual as the basis for decisions about storm water permits and about the design, implementation and performance of structural and non-structural storm water BMPs.

The State LID Manual includes a list of storm water treatment practices, including the specific design criteria for each them. Storm water treatment practices that are designed and constructed in accordance with these design and sizing criteria should meet the minimum water quality and channel protection performance standards outlined in the Genesee County Storm Water and Flood Control Design Standard Requirements and the federal Phase II Storm Water Rules. Calculations to demonstrate that BMP designs will perform to meet required water quality, channel protection and flood control standards are to be submitted to the appropriate reviewing agency. Failure to construct storm water treatment practices in accordance with these standards may subject the violator to a civil penalty as described in Section 21.600 of this ordinance.

Section 21.802 Relationship of Genesee County Storm Water and Flood Control Design Standard Requirements (Requirements Manual) to Other Laws and Regulations

If the specifications or guidelines of the Genesee County Storm Water and Flood Control Design Standard Requirements are more restrictive or apply a higher standard than other laws or regulations, that fact shall not prevent application of the specifications or guidelines in the Requirement Manual.

Section 21.803 Changes to Standards and Specifications

Standards, specifications, guidelines, policies, criteria, or other information in the Requirement Manual in affect at the time of acceptance of a complete application shall control and shall be utilized in reviewing the application and in implementing this ordinance with regard to the application.

Section 21.804 Amendments to Requirement Manual

The Requirement Manual may be updated and expanded from time to time, based on advancements in technology and engineering, improved knowledge of local conditions, or local monitoring or maintenance experience. Prior to amending or updating the Requirement Manual, proposed changes shall be generally publicized and made available for review, and an opportunity for comment by interested persons shall be provided.

Section 21.805 Conflict of Laws

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human or environmental health, safety, and welfare, shall control.

Section 21.806 Private Agreements

This ordinance is not intended to revoke or repeal any easement, covenant, or other private agreement. However, where the regulations of this ordinance are more restrictive or impose higher standards or requirements than such easement, covenant, or other private agreement, then the requirements of this ordinance shall govern. Nothing in this ordinance shall modify or repeal any private covenant or deed restriction, but such covenant or restriction shall not legitimize any failure to comply with this ordinance. In no case shall the County or City be obligated to enforce the provisions of any easements, covenants, or agreements between private parties.

Section 21.807 Violations Continue

Any violation of the provisions of this ordinance existing as of the effective date of this ordinance shall continue to be a violation under this ordinance and be subject to penalties and enforcement unless the use, development, construction, or other activity complies with the provisions of this ordinance.

Article IX. Other Matters

Section 21.901 Interpretation

Words and phrases in this ordinance shall be construed according to their common and accepted meanings, except that words and phrases defined in Section 21.104 shall be construed according to the respective definitions given in that section. Technical words and technical phrases that are not defined in this ordinance but which have acquired particular meanings in law or in technical usage shall be construed according to such meanings.

Section 21.902 Catch-Line Headings

The catch-line headings of the articles and sections of this ordinance are intended for convenience only, and shall not be construed as affecting the meaning or interpretation of the text of the articles or sections to which they may refer.

Section 21.903 Severability

The provisions of this ordinance are hereby declared to be severable, and if any part or provision of this ordinance should be declared invalid or unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect any other part or provision of the ordinance.

Section 21.904 Other Ordinances

This ordinance shall be in addition to other ordinances of the City and shall not be deemed to repeal or replace other ordinances or parts thereof except to the extent that such repeal is specifically provided for in this Article.

Section 21.905 Repeal

Ordinance No. 376, titled Maintenance of Drains, is hereby repealed, as of the effective date of this ordinance.

Section 2. Effective Date.

This Ordinance shall become effective thirty (30) days after publication.

At a regular meeting of the City Council of Swartz Creek held on the _____ day of _____, 2014, _____ moved for adoption of the foregoing ordinance and _____ supported the motion.

Voting for:

Voting against:

The Mayor declared the ordinance adopted.

Mayor

Juanita Aguilar
City Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance No. _____ which was enacted by the Swartz Creek City Council at a regular meeting held on the _____ day of _____, 2014.

Juanita Aguilar
City Clerk

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 141110-10F ILLICIT DISCHARGE ORDINANCE

Motion by Councilmember: _____

THE CITY OF SWARTZ CREEK ORDAINS:

:

**CITY OF SWARTZ CREEK
ILLICIT DISCHARGE ORDINANCE
SWARTZ ZCREEK CITY COUNCIL
SWARTZ CREEK
GENESEE COUNTY, MICHIGAN**

ORDINANCE NO. 416

An ordinances to amend Chapter 15 of the Code of Ordinances, for Swartz Creek, Michigan, and add thereto a new Article IV to provide for the health, safety, and general welfare of the citizens of Swartz Creek through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process.

The objectives of this ordinance are:

- (1) To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by stormwater discharges by any user
- (2) To prohibit Illicit Connections and Discharges to the municipal separate storm sewer system
- (3) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance

THE CITY OF SWARTZ CREEK ORDAINS:

Section 1. Amendment to the Code of Ordinances.

Chapter 15, Article IV of the Code of Ordinances of the City of Swartz Creek is hereby amended to add

Article IV. Illicit Discharge

Section 15-401. Definitions.

Authorized Enforcement Agency: employees or designees of the director of the municipal agency designated to enforce this ordinance.

Best Management Practices (BMPs): schedules of activities, prohibitions of practices, general good house keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act. The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction Activity. Activities subject to NPDES Construction Permits. Currently these include construction projects resulting in land disturbance of 5 acres or more. Beginning in March 2003, NPDES Storm Water Phase II permits will be required for construction projects resulting in land disturbance of 1 acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal Discharge. Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Section X of this ordinance.

Illicit Connections. An illicit connection is defined as either of the following:

Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,

Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Industrial Activity. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14)

National Pollutant Discharge Elimination System (NPDES) Discharge Permit. means a permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge. Any discharge to the storm drain system that is not composed entirely of storm water.

Person. means any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm Drainage System. Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Storm Water. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stormwater Pollution Prevention Plan. A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Stormwater, Stormwater Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

Wastewater means any water or other liquid, other than uncontaminated storm water, discharged from a facility.

Section 15-402. Applicability.

This ordinance shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

Section 15-403. Responsibility for Administration.

The City of Swartz Creek shall administer, implement, and enforce the provisions of this ordinance. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated in writing by the Director of the authorized enforcement agency to persons or entities acting in the beneficial interest of or in the employ of the agency.

Section 15-404. Severability.

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

Section 15-405. Ultimate Responsibility.

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore this ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

Section 15-406. Discharge Prohibitions.

Prohibition of Illegal Discharges.

No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.

The commencement, conduct or continuance of any non authorized discharge to the storm drain system is prohibited except as described as follows:

- (a) The following discharges are exempt from discharge prohibitions established by this ordinance providing they are not identified as significant contributor to violations of Water Quality Standards: water line flushing or other potable water sources; landscape irrigation or lawn watering, and irrigation waters; diverted stream flows and flows from riparian habitats and wetlands; rising ground water and springs; uncontaminated ground water infiltration and seepage; uncontaminated pumped ground water except for groundwater cleanups specifically authorized by NPDES permits; foundation drains, water from crawl space pumps, footing drains and basement sump pumps (not including active groundwater dewatering systems); air conditioning condensation; waters from non-commercial washing of vehicles; street wash water; dechlorinated swimming pool water from single, two, or three family residences; and firefighting activities.
- (b) Dye testing done under the authorization of the MDEQ (general Rule 97) is an allowable discharge, but requires a complete Notice of Intent to the MDEQ prior to the time of the test.
- (c) The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

Prohibition of Illicit Connections.

- (e) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.
- (f) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (g) A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

Section 15-407. Suspension of MS4 Access.

Suspension due to Illicit Discharges in Emergency Situations

The City of Swartz Creek may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize danger to persons.

Suspension due to the Detection of Illicit Discharge

Any person discharging to the MS4 in violation of this ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the authorized enforcement agency for a reconsideration and hearing.

A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the authorized enforcement agency.

Section 15-408. Industrial or Construction Activity Discharges.

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to City of Swartz Creek prior to the allowing of discharges to the MS4.

Section 15-409. Monitoring of Discharges.

A. Applicability.

This section applies to all facilities that have storm water discharges associated with industrial activity, including construction activity.

B. Access to Facilities.

- (a) The City of Swartz Creek shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.
- (b) Facility operators shall allow the City of Swartz Creek ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.
- (c) The City of Swartz Creek shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's storm water discharge.
- (d) The City of Swartz Creek has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
- (e) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the City of Swartz Creek and shall not be replaced. The costs of clearing such access shall be borne by the operator.

- (f) Unreasonable delays in allowing the City of Swartz Creek access to a permitted facility is a violation of a storm water discharge permit and of this ordinance. A person who is the operator of a facility with a NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this ordinance.
- (g) If the City of Swartz Creek has been refused access to any part of the premises from which stormwater is discharged, and he/she is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction.

Section 15-410. Requirement to Prevent, Control, and Reduce Stormwater Pollutants by the Use of Best Management Practices.

The City of Swartz Creek will adopt requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a stormwater pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit.

Section 15-411. Watercourse Protection.

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

Section 15-412. Notification of Spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the authorized enforcement agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City of Swartz Creek within three business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

Section 15-413. Enforcement.

Notice of Violation.

Whenever the City of Swartz Creek finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the authorized enforcement agency may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:

- (a) The performance of monitoring, analyses, and reporting;
- (b) The elimination of illicit connections or discharges;
- (c) That violating discharges, practices, or operations shall cease and desist;
- (d) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; and
- (e) Payment of a fine to cover administrative and remediation costs; and
- (f) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

Section 15-414. Appeal of Notice of Violation.

Any person receiving a Notice of Violation may appeal the determination of the authorized enforcement agency. The notice of appeal must be received within __ days from the date of the Notice of Violation. Hearing on the appeal before the appropriate authority or his/her designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the municipal authority or their designee shall be final.

Section 15-415. Enforcement of Measures After Appeal.

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within 30 days of the decision of the municipal authority upholding the decision of the authorized enforcement agency, then representatives of the authorized enforcement agency shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

Section 15-416. Cost of Abatement of the Violation.

Within 30 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within 30 days. If the amount due is not paid within a timely manner as determined by the decision of the municipal authority or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the city by reason of such violation. The liability shall be paid in not more than 12 equal payments. Interest at the rate of 5 percent per annum shall be assessed on the balance beginning on the 1st day following discovery of the violation.

Section 15-417. Injunctive Relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. If a person has violated or continues to violate the provisions of this ordinance, the authorized enforcement agency may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

Section 15-418. Compensatory Action.

In lieu of enforcement proceedings, penalties, and remedies authorized by this Ordinance, the authorized enforcement agency may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

Section 15-419. Violations Deemed a Public Nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

Section 15-420. Criminal Prosecution.

Any person that has violated or continues to violate this ordinance shall be liable to criminal prosecution to the fullest extent of the law, and shall be subject to a criminal penalty of \$500.00 dollars per violation per day and/or imprisonment for a period of time not to exceed 90 days.

The authorized enforcement agency may recover all attorney's fees court costs and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

Section 15-421. Remedies Not Exclusive.

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

SECTION 2. Effective Date.

This Ordinance shall become effective thirty (30) days after publication.

At a regular meeting of the City Council of Swartz Creek held on the _____ day of _____, 2014, _____ moved for adoption of the foregoing ordinance and _____ supported the motion.

Voting for:

Voting against:

The Mayor declared the ordinance adopted.

Mayor

Juanita Aguilar
City Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance No. _____ which was enacted by the Swartz Creek City Council at a regular meeting held on the _____ day of _____, 2014.

Juanita Aguilar
City Clerk

Second by Councilmember: _____

Voting For: _____

Voting Against: _____

Resolution No. 141110-10G CMOM AGREEMENT

Motion by Councilmember: _____

WHEREAS, the Genesee County Drain Commission, Water and Waste Services Division (GCDC-WWS) provides sewer transportation and treatment services to the City as a wholesale customer; and

WHEREAS, the City issues its own B-Permits, provides staking for “Miss Dig” projects in the city, and operates and maintains the local sewer collection system, including lift stations and billing; and

WHEREAS, GCDC-WWS is updating operating agreements for retail customers and is seeking affirmation from wholesale customers regarding the provision of the above services; and

WHEREAS, the City finds it to be in the best interest of the public to continue to provide the above services; and

WHEREAS, the city finds that it is in compliance with the minimum requirements of the GCDC-WWS by virtue of its sewer use ordinance and ongoing sewer investment program.

NOW, THEREFORE, I Move the City Council execute the 2014-2024 Lateral Sewer System Operation and/or Maintenance Agreement as presented by the GCDC-WWS with the following selections within Exhibit A:

- Item 1: “Municipality to Issue B-Permits”
- Item 2: “Not Selected”
- Item 3: “Not Selected”
- Item 4: “Not Selected”

BE IT FUTHER RESOLVED, that the Mayor and Clerk are directed to make such notations upon the agreement and execute the agreement on behalf of the city council.

Second by Councilmember: _____

Voting For: _____
Voting Against: _____

**CITY OF SWARTZ CREEK
SWARTZ CREEK, MICHIGAN
MINUTES OF THE REGULAR COUNCIL MEETING
DATE 10/27/2014**

The meeting was called to order at 7:00 p.m. by Mayor Krueger in the Swartz Creek City Council Chambers, 8083 Civic Drive.

Invocation and Pledge of Allegiance to the Flag.

Councilmembers Present: Abrams, Gilbert, Hicks, Hurt, Krueger, Porath, Shumaker.

Councilmembers Absent: None.

Staff Present: City Manager Adam Zettel, City Clerk Juanita Aguilar, DPS Director Tom Svrcek, City Engineer Lou Fleury.

Others Present: Boots Abrams, Sharon Shumaker, Brent Cole, Bob Plumb, Steve Shumaker, Lou Fleury, Jim Florence, Ron Schultz.

APPROVAL OF MINUTES

Resolution No. 141027-01

(Carried)

Motion by Councilmember Porath
Second by Councilmember Shumaker

I Move the Swartz Creek City Council hereby approve the Minutes of the Regular Council Meeting held Monday, October 13, 2014 to be circulated and placed on file.

YES: Gilbert, Hicks, Hurt, Krueger, Porath, Shumaker, Abrams.
NO: None. Motion Declared Carried.

APPROVAL OF AGENDA

Resolution No. 141027-02

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Hurt

I Move the Swartz Creek City Council approve the Agenda as presented, for the Regular Council Meeting of October 27, 2014, to be circulated and placed on file.

YES: Hicks, Hurt, Krueger, Porath, Shumaker, Abrams, Gilbert.
NO: None. Motion Declared Carried.

REPORTS AND COMMUNICATIONS:

City Manager's Report

Resolution No. 141027-03

(Carried)

Motion by Councilmember Shumaker
Second by Councilmember Hicks

I Move the Swartz Creek City Council accept the City Manager's Report of October 27, 2014, to be circulated and placed on file.

YES: Hurt, Krueger, Porath, Shumaker, Abrams, Gilbert, Hicks.
NO: None. Motion Declared Carried.

MEETING OPENED TO THE PUBLIC

Steve Shumaker, 7446 Country Meadow, stated that he requested more information on the Karegnondi Water Authority appointments. City Manager Zettel stated that our community did not formally approve membership with Karegnondi, but by virtue of being within the interlocal agreement for the county wide system, the Karegnondi was adopted by that entity. Mr. Shumaker spoke about building houses near the DDA area.

Mike Olivo, 5243 Don Shenk, spoke about the police merger. Mr. Olivo mentioned a study he found about other mergers and encouraged the council to look at the study.

COUNCIL BUSINESS

Moratorium on Medical Marijuana Establishments

Resolution No. 141027-04

(Carried)

Motion by Councilmember Hicks
Second by Councilmember Hurt

WHEREAS, the City of Swartz Creek Michigan, by Ordinance, has prohibited the possession or use of marijuana, as well as the sale, display, furnishing, supplying or possession of controlled substance paraphernalia; and

WHEREAS, the use, possession, cultivation, manufacture or sale of marijuana remains a crime under the Laws of the State of Michigan, the United States of America as a Schedule 1 drug under the Michigan Public Health Code and by the Treaty of 1980, entitled: Convention of Psychotropic Substances, and it is illegal to operate a motor vehicle with any amount of THC in an individual's blood system; and

WHEREAS, the people of the State of Michigan by referendum have provided that there shall not be criminal prosecution for the medical use of marijuana in limited and specific ways as provided in MCLA 333.26421 et seq; and

WHEREAS, the City of Swartz Creek passed ordinance number 407 to define and regulate medical marijuana dispensaries and growing facilities; and

WHEREAS, the legislature of the State of Michigan is considering certain legislation, specifically House Bill 4271, that is expected to significantly alter the operations of medical marijuana commercial facilities; and

WHEREAS, the City of Swartz Creek Michigan believes that in light of potential adverse effects upon its citizens, by the use, sale, production, and storage of medical marijuana that could affect the public safety, health and welfare, if certain controls were not placed as to if, where, or how such medical marijuana use is carried out; and

WHEREAS, the Swartz Creek City Council believes that its Ordinances will require amendment to comply with current and proposed legislation, including the Michigan Medical Marijuana Act (MMMA), and to regulate certain conduct by medical marijuana users and their caregivers; and

WHEREAS, the Swartz Creek City Council believes that the location in which medical marijuana caregivers provide care to medical marijuana patients requires regulation to avoid any harmful impact on the citizens by the placement or concentration of medical marijuana caregivers, within the ambit of the Zoning Ordinances of the City of Swartz Creek.

NOW, THEREFORE, BE IT RESOLVED that the Swartz Creek City Council by this Resolution determines to place a moratorium upon the establishment of caregiver facilities, dispensaries, growing facilities, and similar facilities as defined by ordinance 407 and state legislation within its City Limits for a period of one hundred eighty (180) days, to allow the City Council to consider amendments to its Zoning Ordinances and to its Drug Control Ordinances. It is the intent of the City to maintain a land use status quo pending final adoption of any proposed zoning plan or changes regarding Michigan medical marijuana caregivers as defined in MCLA 333.26421 et seq. (MMMA).

BE IT FURTHER RESOLVED that in compliance with section 32.15 of the zoning code for the City of Swartz Creek, this moratorium shall be effective immediately upon publication of this resolution in a newspaper of general circulation, date of publication October 30, 2014.

Moved: Councilmember Hicks
Second: Councilmember Hurt
Voting For: Krueger, Porath, Shumaker, Abrams, Gilbert, Hicks, Hurt
Voting Against: None
Absent: None

The Mayor declared the ordinance adopted.

David A Krueger, Mayor

Juanita Aguilar, City Clerk

CERTIFICATION

The foregoing is a true copy of Resolution No. 141027-04, which was passed by the Swartz Creek City Council at a regular meeting held on the 27th day of October, 2014.

Juanita Aguilar
City Clerk

Publish Date: October 30, 2014
Paper: The Swartz Creek View
Effective Date: October 30, 2014

Discussion Took Place.

YES: Krueger, Porath, Shumaker, Abrams, Gilbert, Hicks, Hurt.
NO: None. Motion Declared Carried.

Local Street Plan Findings by Rowe PSC

Engineer Lou Fleury made a brief presentation on local street plan findings. City Council would like information about options out to city residents.

Miller Road Lot Sale

Resolution No. 141027-05

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Hurt

WHEREAS, the City of Swartz Creek owns a certain piece of real property on Miller Road, identified as parcel 58-36-578-018, an out lot, and;

WHEREAS, the city received an unsolicited offer to purchase this property from an adjacent landowner, and;

WHEREAS, the city council and staff, finding this property to be of marginal value to the city and no value to non-adjacent land owners, permitted the formal solicitation of offers from both neighbors with Miller Road frontage, and;

WHEREAS, one offer was received by the stated deadline from an adjacent land owner in the amount of \$1,000, and;

WHEREAS, under the city's land sale policy, the city council finds the sale process and consideration to be in the best interest of the public.

BE IT RESOLVED that the City of Swartz Creek hereby approves the sale of this lot, with the exception of a public easement, to Justin Ellison, for the consideration of \$1,000 in accordance with the quit claim deed attached, subject to combination of this parcel to the adjacent parcel of the buyer.

BE IT FURTHER RESOLVED that said instrument be made available for public inspection in accordance with the city charter.

Discussion Took Place.

YES: Porath, Shumaker, Abrams, Gilbert, Hicks, Hurt, Krueger.

NO: None. Motion Declared Carried.

Engineering Mitigation Proposal

Resolution No. 141027-06

(Carried)

Motion by Councilmember Hurt
Second by Councilmember Porath

WHEREAS, the city's primary engineer (Rowe PSC) submitted resurfacing projects for Miller Road, including a segment from Morrish to Elms and a segment from Tallmadge to Dye, to the Genesee County Metropolitan Planning Commission for approval in the Traffic Improvement Program; and

WHEREAS, the projects were approved for construction during the 2015 season; and

WHEREAS, the city selected a professional engineer (OHM) to perform preliminary engineering design work for these segments and

WHEREAS, the city must also retain the services of a third party engineer to mitigate any conflicts arising out of the project between OHM and Rowe PSC; and

WHEREAS, prices for the potential scope of work as outlined by the Michigan Department of Transportation were requested from the other three pre-qualified firms on the city's federal aid eligible list, with the lowest price submitted by HRC.

NOW, THEREFORE, BE IT RESOLVED the City of Swartz Creek approves the proposal by HRC for an amount not to exceed \$10,900, with any such work to be done only on an as-needed basis upon the manifestation of a conflict.

BE IT FURTHER RESOLVED, that the City Council directs the staff to amend the budget to reflect expenditures as reflected above within the major street fund.

Discussion Took Place.

YES: Shumaker, Abrams, Gilbert, Hicks, Hurt, Krueger, Porath.

NO: None. Motion Declared Carried.

Street Usage Permit, Annual Fire Department Christmas Parade

Resolution No. 141027-07

(Carried)

Motion by Councilmember Porath
Second by Councilmember Shumaker

I Move the City of Swartz Creek accept the Chief of Police's recommendation and approve the Swartz Creek Area Fire Department's Street Usage Application to hold an annual Christmas Parade on Saturday, December 6, 2014 from 6:00 PM to 7:00 PM, route, stipulations and conditions as set forth in the application packet, a copy of which is attached hereto, under the direction and control of the office of the Chief of Police.

YES: Abrams, Gilbert, Hicks, Hurt, Krueger, Porath, Shumaker.
NO: None. Motion Declared Carried.

Adopt 2015 FY Fire Budget

Fire Chief Brent Cole made a brief presentation on the Fire Department Budget. Mr. Cole stated that an updated budget will be submitted to show expense of \$291,734.50 for total budget.

Resolution No. 141027-08a

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

I Move the City of Swartz Creek approve the 2015 Fiscal Year Swartz Creek Area Fire Department Budget, a copy of which is attached hereto, gross maximum total not to exceed \$300,234.50, and further, appropriate an amount not to exceed \$150,117.25 from the City General Fund, to be paid consummate of the agreement between the City of Swartz Creek and the Township of Clayton, payment being the City's obligation of one-half of the proposed total budget of \$300,234.50.

Resolution No. 141027-08b

(Carried)

Motion by Councilmember Gilbert
Second by Councilmember Hurt

I Move to amend the amounts on the Fire Budget to reflect correct amounts submitted by the Fire Chief.

YES: Gilbert, Hicks, Hurt, Krueger, Porath, Shumaker, Abrams.
NO: None. Motion Declared Carried.

Resolution No. 141027-08c

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Shumaker

I Move the City of Swartz Creek approve the 2015 Fiscal Year Swartz Creek Area Fire Department Budget, a copy of which is attached hereto, gross maximum total not to exceed \$291,734.50, and further, appropriate an amount not to exceed \$145,867.25 from the City General Fund, to be paid consummate of the agreement between the City of Swartz Creek and the Township of Clayton, payment being the City's obligation of one-half of the proposed total budget of \$291,734.50.

Discussion Took Place.

YES: Hicks, Hurt, Krueger, Porath, Shumaker, Abrams, Gilbert.
NO: None. Motion Declared Carried.

County Water and Sewer Bond Obligations

Resolution No. 141027-09

Motion by Councilmember Shumaker
Second by Mayor Pro-Tem Abrams

WHEREAS, the City of Swartz Creek has a need to pay to the County of Genesee, the sum of \$59,377.60 to meet the bond and principal requirements on all bond obligations for water and sewer facilities in calendar year 2015; and

WHEREAS, the City of Swartz Creek has such an obligation for the retirement of a western trunk sewer extension bond through approximately 2026, and

WHEREAS, there are several means by which the funds can be secured to meet this payment; and

WHEREAS, all various means of securing these funds have been reviewed and considered;

NOW, THEREFORE, BE IT RESOLVED by the City of Swartz Creek that the monies to meet the principal and interest requirements and all bond obligations for water and sewer facilities will be secured from the following funds:

SOURCE OF FUNDS

Funds Already Available	<u>\$59,376.99</u>
Sewer Fund Total	\$59,376.99
Grand Total	\$59,376.99

Discussion Ensued.

YES: Hurt, Krueger, Porath, Shumaker, Abrams, Gilbert, Hicks.
NO: None. Motion Declared Carried.

MEETING OPEN TO THE PUBLIC:

Jim Florence, 4296 Springbrook Drive, spoke about things going on in the City the past weekend. Mr. Florence spoke about the women’s club having a craft show that did very well. Mr. Florence talked about an event at the Performing Arts Center and stated that there are brochures available.

REMARKS BY COUNCILMEMBERS:

Councilmember Porath stated that he hoped Councilmember Hurt enjoys his retirement from Council and thanked him for his years of great service. Mr. Porath also thanked Lou Fleury for his presentation. Mr. Porath asked if the council could review the street presentation before it was presented to the public.

Councilmember Shumaker thanked Mr. Hurt for his service, knowledge and abilities. Mr. Shumaker spoke about sidewalk complaints he has received from residents. Mr. Shumaker asked if the sidewalk repair list would be completed this year. Mr. Shumaker spoke about the MDEQ stating that the salt shed is too close to the creek.

Councilmember Hicks stated that it has been wonderful working with Councilmember Hurt.

Councilmember Hurt stated that he is grateful to the voters of Precinct 1 for electing him to represent them on the City Council. Mr. Hurt stated that he hopes that he has served them well. Mr. Hurt stated this experience has shown him how cities work and the complications involved with that. Mr. Hurt stated that the city has one of the best city governments in the state. Mr. Hurt thanked everyone for the cake.

Mayor Pro-Tem Abrams thanked Mr. Hurt for his service. Mr. Abrams stated that Mr. Hurt needed to be replaced on the GAIN committee. Mr. Abrams spoke about Mr. Svrcek being appointed to the Karegnondi committee.

Mayor Krueger thanked Mr. Hurt for all the years and efforts he has put into the council. Mr. Krueger thanked Councilmembers Porath and Gilbert for the picture of the Mayor for the wall in the council chambers. Mr. Krueger reminded everyone when election day is.

Adjournment

Resolution No. 141027-10

(Carried)

Motion by Mayor Pro-Tem Abrams
Second by Councilmember Hurt

I Move the City of Swartz Creek adjourn the Regular Session of the City Council meeting at 9:16 p.m.

YES: Unanimous Voice Vote.
NO: None. Motion Declared Carried.

David A. Krueger, Mayor

Juanita Aguilar, City Clerk



ROOM 223 – 1101 BEACH STREET

FLINT, MICHIGAN 48502-1470

TELEPHONE (810) 257-3010 FAX (810) 257-3185

October 16, 2014

Ms. Juanita Aguilar, Clerk
City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473



ROBERT JOHNSON – 732-9089
CHAIRPERSON
ROBERT COLE – 735-5050
VICE-CHAIRPERSON
MARIAN MICHALIK – 736-7799
TREASURER

TRUSTEES
BILL BAIN – 659-0001
JOHN GILBERT – 965-3186
DENNIS HEIDENFELDT – 813-5430
WILLIAM KOVL – 686-5850
ROBERT WIDIGAN – 569-8296
PATRICIA WITTE – 640-2000

Dear Ms. Aguilar:

Enclosed is an invoice regarding 2015 dues for membership in the Genesee County Metropolitan Alliance (GCMA). At a duly constituted meeting held on October 15, 2014, the Genesee County Metropolitan Alliance approved the annual dues levied for 2015 at \$150.00. The total dues levied for 2015 is \$4,800 and will be used to cover the costs for meeting preparation and attendance of secretarial staff at GCMA meetings for the 2015 calendar year.

We are in the process of updating our membership roster and would appreciate receiving names, mailing and email addresses of your representatives. Each local unit is authorized to appoint one electd representative, one citizen representative and an alternate. We respectfully request that, when considering appointments of individuals to represent your unit on the Metro Alliance, appointees be encouraged to participate as much as possible. The Metro Alliance meets on the third Wednesday of each month at 7:00 p.m. in the Harris Auditorium of the Genesee County Administration Building. Your representatives will serve on the Metropolitan Alliance Committee from January 2015 thru December 2015.

Please return both your check for membership dues and your letter designating your representatives for the 2015 year by **January 5, 2015**, to the Metro Alliance at the following address:

Genesee County Metropolitan Alliance
1101 Beach Street, Room 223
Flint, MI 48502

Thank you in advance for your cooperation. Your prompt consideration of these requests will be greatly appreciated.

Sincerely,

Marian Michalik, Treasurer
Genesee County Metropolitan Alliance

Enclosure

cc: City Manager, President, or Supervisor
Metro Alliance Representatives

AN EQUAL OPPORTUNITY ORGANIZATION

**GENESEE COUNTY
METROPOLITAN ALLIANCE**
1101 BEACH STREET, RM 223
FLINT, MICHIGAN 48502
PHONE (810) 257-3010

**INVOICE #
01526**

TO Juanita Aguilar, Clerk
City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473

DATE 10/16/14

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	GENESEE COUNTY METROPOLITAN ALLIANCE DUES	150.00	150.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
TOTAL DUE			\$150.00

*PAYMENT DUE WITHIN 60 DAYS

*PLEASE MAKE CHECKS PAYABLE TO GENESEE COUNTY METROPOLITAN ALLIANCE

PLEASE INDICATE THE INDIVIDUALS APPOINTED TO SERVE AS YOUR REPRESENTATIVES:

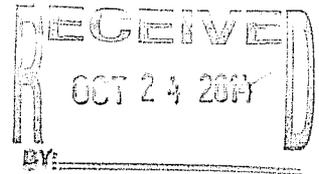
ELECTED OFFICIAL: _____
MAILING ADDRESS: _____
EMAIL ADDRESS: _____

CITIZEN REPRESENTATIVE: _____
MAILING ADDRESS: _____
EMAIL ADDRESS: _____

ALTERNATE: _____
MAILING ADDRESS: _____
EMAIL ADDRESS: _____

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

NOTICE OF HEARING
FOR THE ELECTRIC CUSTOMERS OF
CONSUMERS ENERGY COMPANY
CASE NO. U-17688



- On August 5, 2014, the Michigan Public Service Commission (Commission) issued an order requiring Consumers Energy Company (Consumers Energy) to file a proposal to modify the existing cost allocation methods and rate design methods that have been used to set existing electric rates. The Commission will review Consumers Energy's October 6, 2014 application to modify existing cost allocation methods and rate design methods that are used to set rates pursuant to Public Act 169 of 2014; and the Commission's order. The Company is specifically proposing: 1) a 4 CP 100/0/0 weighting methodology (100% demand, 0% on-peak energy, and 0% total energy) for production capacity expense and a 12 CP 100/0/0 weighting methodology to allocate transmission expense, and 2) to use class peak demands at generation, inclusive of Retail Open Access ("ROA") demands, as the allocator for the amounts related to high voltage distribution assets and a change related to the portion of test year Other O&M attributed to Federal Energy Regulatory Commission ("FERC") account 908, Customer Assistance Expense. The proposal impact, if approved, would be:
 - **A TYPICAL PRIMARY CLASS CUSTOMER'S AVERAGE ELECTRIC BILL MAY BE DECREASED BY APPROXIMATELY 5.0 % PER MONTH BEGINNING IN DECEMBER 2015 AND THEREAFTER.**
 - **A TYPICAL SECONDARY CLASS CUSTOMER'S AVERAGE ELECTRIC BILL MAY BE DECREASED BY APPROXIMATELY 1.3 % PER MONTH BEGINNING IN DECEMBER 2015 AND THEREAFTER.**
 - **A TYPICAL RESIDENTIAL CUSTOMER'S AVERAGE ELECTRIC BILL MAY BE INCREASED BY APPROXIMATELY 2.5 % PER MONTH BEGINNING IN DECEMBER 2015 AND THEREAFTER. THIS WOULD RESULT IN AN AVERAGE ELECTRIC BILL INCREASE OF \$2.29 PER MONTH FOR A RESIDENTIAL CUSTOMER WHO USES 654 KWH PER MONTH.**
- If the Commission approves its request; Consumers Energy's proposal in this case will not result in an increase in annual revenues for the Company but will alter the rates charged to customers in the residential, secondary, and primary rate classes. Consumers Energy has proposed that these altered rates not be implemented prior to December 1, 2015.
- The information below describes how a person may participate in this case.

- You may contact Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company.
- A public hearing will be held:

DATE/TIME: November 10, 2014, at 10:00 a.m.
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

BEFORE: Administrative Law Judge Mark E. Cummins.

LOCATION: Constitution Hall
525 West Allegan
Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 241-6160 in advance to request mobility, visual, hearing or other assistance.

The Commission will hold a public hearing to consider Consumers Energy's October 6, 2014 application to modify existing cost allocation methods and rate design methods that have been used to set rates for its electric customers pursuant to the provisions of Public Act 169 of 2014; and the Commission's August 5, 2014 Order. Consumers Energy's application proposes methods for cost allocation and rate design that would alter the Company's current rates which were approved by the Commission in Case No. U-17087.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 241-6180 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by November 3, 2014. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy's Legal Department - Regulatory Group, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to appear at the hearing to make a statement of position without

becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. All information submitted to the Commission in this matter becomes public information: available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 460.17315 and R 460.17335. Requests for further information on adjournment should be directed to (517) 241-6060.

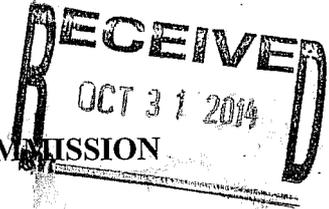
A copy of Consumers Energy's application may be reviewed on the Commission's website at: michigan.gov/mpscdockets, and at the office of Consumers Energy Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6180.

The Utility Consumer Representation Fund has been expanded for the purpose of aiding in the representation of utility customers in 2014 PA 169 proceedings. Contact the Chairperson, Utility Consumer Participation Board, Department of Licensing and Regulatory Affairs, P.O. Box 30004, Lansing, Michigan 48909, for more information.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; 1982 PA 304, as amended, MCL 460.6j et seq.; 2014 PA 169, as amended; MCL 460.11 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

October 9, 2014

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION



NOTICE OF HEARING
CONSUMERS ENERGY COMPANY
CASE NO. U-17725

- The Michigan Public Service Commission will review Consumers Energy Company's request for approval of long-term power purchase contracts.
- The information below describes how a person may participate in this case.
- You may contact Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, (800) 477-5050 for a free copy of its application. Any person may review the documents at the offices of Consumers Energy Company:
- A public hearing will be held:

DATE/TIME: November 14, 2014, at 9:00 a.m.
This hearing will be a prehearing conference to set future hearing dates and decide other procedural matters.

BEFORE: Administrative Law Judge Theresa A. G. Staley

LOCATION: Constitution Hall
525 West Allegan
Lansing, Michigan

PARTICIPATION: Any interested person may attend and participate. The hearing site is accessible, including handicapped parking. Persons needing any accommodation to participate should contact the Commission's Executive Secretary at (517) 241-6160 in advance to request mobility, visual, hearing or other assistance.

The Michigan Public Service Commission (Commission) will hold a public hearing to consider Consumers Energy Company's (Consumers Energy) October 1, 2014 application, which seeks Commission approval of long-term power purchase contracts for the purchase of 1,100 Zonal Resource Credits (ZRC) to meet its reserve requirements for Midcontinent Independent System Operator, Inc. (MISO) for the 2015 year and lesser amounts for 2016 - 2020. Consumers Energy is also requesting that the Commission grant approval pursuant to Public Act 304 of 1982 by: 1) finding that the capacity purchase arrangements are reasonable and prudent; and 2) granting confidential treatment of certain business information, as described in its filing.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in

Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 241-6180 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by November 7, 2014. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon Consumers Energy's Legal Department – Regulatory Group, One Energy Plaza, Jackson, Michigan 49201.

Any person wishing to appear at the hearing to make a statement of position without becoming a party to the case may participate by filing an appearance. To file an appearance, the individual must attend the hearing and advise the presiding administrative law judge of his or her wish to make a statement of position. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private.

Requests for adjournment must be made pursuant to the Commission's Rules of Practice and Procedure R 460.17315 and R 460.17335. Requests for further information on adjournment should be directed to (517) 241-6060.

A copy of Consumers Energy's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of Consumers Energy Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 241-6180.

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1982 PA 304, as amended, MCL 460.6j et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and the Commission's Rules of Practice and Procedure, as amended, 1999 AC, R 460.17101 et seq.

October 21, 2014



GENESEE COUNTY DRAIN COMMISSIONER'S OFFICE

- DIVISION OF -

WATER & WASTE SERVICES

G-4610 BEECHER ROAD - FLINT, MICHIGAN 48532-2617
PHONE (810) 732-7870 - FAX (810) 732-9773

JEFFREY WRIGHT
COMMISSIONER

October 29, 2014



Adam Zettel, Manager
City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473

Re: Operation and Maintenance Agreement

Dear Mr. Zettel:

Please find enclosed a copy of the CMOM Policy and Operation and Maintenance Agreement. Historically, you and your community have provided operation and maintenance services for your system. Under the CMOM Policy, the County Agency has established a minimum standard for the operation and maintenance of a sewer system.

As a wholesale customer, we ask that you present the agreement to your Board or Council for approval of the agreement. We suspect you will choose "not selected" for each category of the Scope of Services. Please review Paragraph VII of the agreement. Each municipality is required, at the minimum, to comply with the County's CMOM Standards.

New to this agreement under Exhibit A, Item 1, paragraphs A and B are in reference to the County Capital Improvement Fee (CCIF). For the wholesale customers, this is the most important section of the Exhibit, as it determines your role in the issuance of B-Permits and collection of the CCIF.

Choosing not to select the County Agency at this time does not prevent you from contracting with the County in the future. We have been requested by several communities to determine the cost for staking or "Miss Dig" services. At this time, we are willing to provide this service at \$650.00 per month. Should you be interested in contracting with the County for this service, please contact me directly at 810-732-7870.

Again, please present the agreement to your Board of Council for approval. I would like to have all agreements on file by January 16, 2015. Should you have any questions, do not hesitate to contact this office.

Sincerely,

Tim Davidek, Assistant Director of Operations
Division of Water and Waste Services

JFO:kt



**2015-2024 LATERAL SEWER SYSTEM
OPERATION AND/OR MAINTENANCE AGREEMENT**

THIS AGREEMENT, dated this 1st day of January, 2015, by and among the County of Genesee, a Michigan municipal corporation, acting by and through its Drain Commissioner, in his capacity as the duly appointed and acting “County Agency”, with principal offices at G-4610 Beecher Road, Flint, Michigan 48532, and City of Swartz Creek, a Michigan municipal corporation, with principal offices at 8083 Civic Drive, Swartz Creek, Michigan (hereinafter referred to as “the Municipality”). The County Agency and the Municipality sometimes hereafter are collectively referred to as “the Parties”.

WITNESSETH

WHEREAS, Act 342 provides that a county board of commissioners may authorize and direct that there be established a system or systems of water, sewer, or sewage disposal improvements and services within or between cities, villages, townships, charter townships or any duly authorized and established combinations thereof, within or without the County; and

WHEREAS, Section 2 of Act 342 authorizes the County to operate, repair and/or manage sewer or sewage disposal improvements, facilities and services (i.e., Lateral Sewer System) of any unit of government (i.e., municipality) by agreement entered into between the County and said unit of government; and

WHEREAS, Section 5 of Act 342 authorizes the County Agency to enter into agreements with units of government for the collection by the County Agency of connection charges (i.e., tap-in fees), and rates, charges or assessments for sewer services directly from the users or beneficiaries of said services; and

WHEREAS, the Municipality seeks to have the County Agency perform such of the services as the Municipality has designated on the attached schedules, according to the terms stated below and in the attached schedules, as may be modified during the term of this Agreement as provided below.

NOW THEREFORE, for the mutual consideration and purposes set forth above,

IT IS HEREBY AGREED BY THE PARTIES AS FOLLOWS:

I. DEFINITIONS

The terms below are defined herein as follows:

A. Act 222: shall mean Act 222 of the Michigan Public Acts of 2001, as amended.

B. Act 342: shall mean Act 342 of the Michigan Public Acts of 1939, as amended.

C. Act 425: shall mean Act 425 of the Michigan Public Acts of 1984, as amended.

D. CMOM: shall mean the Capacity Management and Operations Maintenance standards of the County Agency.

E. Force Majeure: shall mean acts of God, strikes, lockouts or other industrial disturbances, acts of public enemy, orders of any kind of the Government of the United States or the State, or any civil or military authority, insurrection, riots, epidemics, landslides, lightning, earthquake, fires, hurricanes, storms, floods, washouts, droughts, arrests, restraint of government and people, civil disturbances, explosions, breakage or accidents to machinery, pipelines or canals, partial or entire failure of a treatment facility, or on account of any other causes not reasonably within the control of the party claiming such inability.

F. Maintenance: such activities, as are identified in the attached Exhibit, that have been selected by the Municipality to be done by the County Agency to keep the Municipality's System of Lateral Sewers reasonably functioning in accordance with the CMOM standards of the County Agency. "Maintenance" activities include an inspection of the Municipality's system as ascertain its current condition and to make reasonable repairs as prescribed in the attached Exhibit A.

G. Operation: to manage and administer the general business activities of the System of Lateral Sewers, including such activities, where requested, of issuing permits, and collecting fees, for connection of users or customers of the System of Lateral Sewers; billing, and collecting payments from said users or customers, for sewage disposal services received by them at the rates set by the Municipality; remitting said payments to the Municipality, except as otherwise provided herein; and providing an accounting for said payment to the Municipality.

It also includes responding to, and making a record of, calls for service from the Municipality or users or customers of the Municipality; receiving complaints for property damage and/or personal injury due to backups or overflows in the System of Lateral Sewers; referring those complaints to the designated official or employee of the Municipality; and performing "miss dig" services.

H. System of Lateral Sewers: the sewer lines owned by the Municipality, which lines collect and transport domestic and non-domestic wastewater from building (i.e., homes, businesses, institutions) sewers to the interceptor mains of the County.

II. SCOPE OF SERVICES

The scope of services under this agreement will vary according to whether the Municipality has contracted for Operation and/or Maintenance services by the County Agency. The Municipality has the option of selecting such services as it desires from the respective schedules of services that are attached hereto and incorporated by reference herein. At the end of each schedule are two distinct categories: "Selected _____" and "Not Selected _____" with the exception of the issuance of B-Permits which states "County Agency to Issue B-Permits" or "Municipality to Issue B-Permits". Each schedule is to be checked in the appropriate space and initialed, where designated, by an authorized representative of the Municipality.

The description of the type of services provided is as stated on the schedule of service. If selected, the County Agency is responsible for performing such services for the Municipality in accordance with applicable federal, state or Genesee County laws, regulations or standards. Otherwise, the County Agency shall perform such services in the reasonable and customary manner of relevant and similar governmental agencies in Michigan. However, the performance of "Operation and/or Maintenance" services by the County Agency shall not impose on it the liability of the Municipality as owner of the System of Lateral Sewers for: 1) unlawful discharges into said system or inflow and infiltration into said system not caused by the act or omission of the County Agency; and/or 2) property damage and/or physical injury caused by backup or overflow in the system the cause of which was an act or omission other than that of the County Agency.

If the Municipality elects to have the County Agency perform Maintenance services, the County Agency shall pay any fines and penalties assessed against the Municipality by State and/or Federal authorities for any failure to institute required and/or appropriate measures to reduce sanitary sewer overflows.

III. RIGHT OF WAYS

If the Municipality elects to have the County Agency provide Maintenance services under this Agreement, the Municipality agrees that it will grant the County Agency the right to use its streets, highways, other public places and public easements for the purpose of performing the Maintenance services under this Agreement.

IV. CUSTOMER LIST

The Municipality shall maintain complete records of the number and sizes of service connections to the System of Lateral Sewers. Such records shall be provided monthly to the County Agency by the Municipality upon request by the County Agency. In addition, the Municipality shall also furnish at the County Agency's written request the number of Residential Equivalent Units ("REU") for each water or sewer account located in the Municipality or serviced by the Municipality pursuant to Act 425 of the Michigan Public Acts of 1984, as amended, or similar public act.

V. FEES

The fees payable to the County Agency for the services provided under this Agreement shall be in the amount set forth in the schedule of service selected by the Municipality, as may be periodically modified as provided herein. The County Agency shall invoice the Municipality for all fees by invoice, which shall be delivered to the Municipality by the Agency by first class mail, email, facsimile, or other mutually acceptable method. All fees shall be paid by the

Municipality to the County Agency at the address set forth in Section IX, below, by any method agreeable to the County Agency pursuant to the terms as stated on the invoice set by the County Agency to the Municipality.

Except for Item 2 of EXHIBIT A, which may be adjusted annually, the fees in each schedule shall not be increased until after December 31, 2019, at which time the fees will be evaluated annually to determine whether they are sufficient to cover the costs of service. If determined by the County Agency to be inadequate, the fees for that service may be increased upon ninety (90) day advance written to the Municipality. If the fee increase for the service exceeds by more than five percent (5%) the fee for the immediately preceding twelve (12) month period, the Municipality may elect to cancel that service for the balance of the term of this Agreement as is stated in Section VI, effective with the date of the scheduled increase. Further, should the total increase of all costs for services exceed by more than five percent (5%) the total of such costs for the immediately preceding twelve (12) month period, the Municipality may elect to cancel the balance of the term of this Agreement as is stated in Section VI, which cancellation would be effective with the date a scheduled increase would cause the total of all costs to exceed by more than five percent (5%) the total costs of the preceding year.

The balance of any unpaid fees owed by the Municipality under this Agreement for services provided by the County Agency must be paid in full at the time the Municipality elects to cancel any services of this Agreement as provided above. Following notice of the cancellation of any service by the Municipality, or if any fees are due and unpaid within six (6) months of the end of this Agreement, the County Agency may escrow any funds it has collected but not remitted to the Municipality as security for the payment of the fees due to the County Agency for its services under this Agreement.

In addition, if the Municipality does not pay the fees owed for services provided by the County Agency when due, there shall be added a penalty of one percent (1%) per month for each month or fraction thereof for which the same remains unpaid. The County Agency shall have the right to utilize any method permitted by law or by this Agreement for the collection of the fees owed to it, including, but not necessarily limited to, charging the users or customers of the Municipality directly and/or discontinuing service to the Municipality.

VI. TERM OF AGREEMENT

This Agreement shall become effective after approval by the governing body of the Municipality and by the County Agency and execution by the authorized officials of the Parties. It shall continue until 11:59 p.m., local time, on December 31, 2024, unless any service is earlier terminated as authorized by Section V, above. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective successors, if any.

VII. ENFORCEMENT OF COUNTY STANDARDS

The Municipality shall adopt, maintain and enforce an ordinance that sets minimum standards or requirements for: a) connection of buildings to the Municipality's System of Lateral Sewers; b) the types of sewage that may be properly discharged into said system; c) the amount and terms of payment for connection fees and sewage disposal service rates; and d) penalties and enforcement mechanisms for violations of the above provisions.

The minimum standards prescribed by said ordinance shall be not less than those established by the Ordinance, Rules and Regulations of the Genesee County Drain Commissioner, as County Agency, as may be amended from time to time.

The Municipality specifically acknowledges and agrees that should it “Not Select” to have Maintenance services performed by the County Agency under this Agreement, it is nonetheless required to comply with the CMOM standards upon promulgation of said standards and as may be amended in the future.

The Municipality shall provide a copy of any proposed ordinance or amendment to an ordinance that is intended to satisfy the requirements of this Agreement, to the County Agency for review and comment prior to the enactment of said ordinance or amended ordinance. The review and comment by the County Agency shall not relieve the Municipality of its obligation to enact an ordinance which complies with the requirements of this Agreement. Nor shall such review and comment cause a waiver of the obligation of the Municipality to include in its ordinance any terms required by this Agreement.

VIII. INDEMNIFICATION OF COUNTY AGENCY

The Municipality agrees to defend, indemnify, save and hold harmless the County of Genesee, Michigan, its Boards, Departments, Commissions, officers, agents, employees, including the County Agency, its officers, agents, and employees, from and against any and all claims, demands or causes of action, whether based in contract, statute or tort, for economic and/or non-economic loss, due to personal injury or property damage, or both, arising out of the subject matter of this Agreement and not due to an act or omission of the County Agency or some other municipality. This indemnification includes, but is not limited to, liability for a “sewage disposal system event”, as defined by Act 222, if the “substantial proximate cause” of the injury or damage was not an act or omission of the County Agency or some other municipality. It is expressly acknowledged and agreed that the Municipality is the sole “appropriate governmental agency” under Act 222 for its System of Lateral Sewers. The County

Agency agrees to refer any claim, demand, or cause of action submitted to it and arising out of an alleged sewage disposal system event to the designated officer or employee of the Municipality not later than the next business day following receipt of notice of same by a claimant.

In the event of a dispute between the County Agency and the Municipality with respect to the “substantial proximate cause” of the overflow or backup, or whether the cause of injury or damage was otherwise due to an act or omission of the County Agency or some other municipality, the matter will be submitted to a committee consisting of one (1) representative appointed by the Municipality, one (1) representative appointed by the County Agency and one (1) representative appointed by the Chairperson of the Genesee County Board of Commissioners. If the committee is unable to resolve the dispute, the Parties are left to their available remedies at law.

IX. NOTICES

Unless otherwise provided herein, any notice, communication (other than invoices for fees and payment of any fees pursuant to an invoice provided to the Municipality by the County Agency), request, reply or advice (herein severally and collectively, for convenience, called “Notice”) herein provided or permitted to be given, made or accepted by any party to any other party must be in writing and may be given or be served by depositing the same in the United States mail postpaid and registered or certified and addressed to the party to be notified, with return receipt requested, or by delivering the same to an officer of such party, or by prepaid telegram when appropriate, addressed to the party to be notified. Notice deposited in the mail in the manner described above shall be conclusively deemed to be effective, unless otherwise stated herein, from and after the expiration of three (3) days after it is so deposited. Notice given in any other manner shall be effective only if and when received by the party to be notified. For the

purposes of notice, the addresses of the parties shall, until changed as hereinafter provided, be as follows:

If to the Municipality: City of Swartz Creek
8083 Civic Drive
Swartz Creek, MI 48473

If to the County Agency: Genesee County Water and Waste Services
ATTN: Director
G-4610 Beecher Road
Flint, Michigan 48532

The Parties hereto shall have the right from time to time and at any time to change their respective addresses and each shall have the right to specify as its address any other address by at least fifteen (15) days written notice to the other party hereto.

X. DISREGARDING TITLES

The titles of the sections set forth in this Agreement are inserted for the convenience of reference only and shall be disregarded when construing or interpreting any of the provisions of this Agreement.

XI. COMPLETE AGREEMENT

This Agreement, and any additional or supplementary documents incorporated herein by specific reference, contains all the terms and conditions agreed upon by the Parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this Agreement or any part thereof shall have any validity or bind any of the Parties hereto.

XII. VENUE AND GOVERNING LAW

All amounts due under this Agreement, including, but not limited to, payments due under this Agreement or damages for the breach of this Agreement, shall be paid and be due at the location of the principal administrative offices of the County Agency. It is specifically agreed

among the Parties to this Agreement that Genesee County, State of Michigan is the place of performance of this Agreement. In the event that any legal proceeding is brought to enforce this Agreement or any provision hereof, the same shall be brought in the Genesee County Circuit Court.

This Agreement shall be governed by, interpreted, construed, and enforced pursuant to and in accordance with the laws of the State of Michigan.

XIII. CONSTRUCTION

This Agreement has been prepared and negotiations have occurred in connection with said preparation pursuant to the joint efforts of the Parties hereto. This Agreement therefore shall not be construed against any party to this Agreement.

XIV. MODIFICATION

This Agreement shall not be modified, altered, or amended except through a written amendment signed by a duly authorized representative of both the Municipality and the County Agency.

XV. SEVERABILITY

The Parties hereto specifically agree that in case any one or more of the sections, subsections, provisions, clauses or words of this Agreement or the application of such sections, subsections, provisions, clauses or words to any situation or circumstance should be, or should be held to be, for any reason, invalid or unconstitutional, under the laws or constitutions of the State or the United States of America, or in contravention of any such laws or constitutions, such invalidity, unconstitutionality or contravention shall not affect any other sections, subsections, provisions, clauses or words of this Agreement or the application of such sections, subsections, provisions, clauses or words to any other situation or circumstance, and it is intended that this

Agreement shall be severable and shall be construed and applied as if any such invalid or unconstitutional section, subsection, provision, clause or word had not been included herein, and the rights and obligations of the Parties hereto shall be construed and remain in force accordingly.

XVI. NON-BENEFICIARY AGREEMENT

This Agreement is not intended to be a third party beneficiary agreement and confers no rights on anyone other than the Parties hereto.

XVII. FORCE MAJEURE

If by reason of Force Majeure either party hereto shall be rendered unable wholly or in part to carry out its obligations under this Agreement, other than the obligation of the Municipality to make the payments required under this Agreement, then if such party shall give notice and full particulars of such force majeure in writing to the other party within a reasonable time after occurrence of the event or cause relied on, the obligation of the party giving such notice, so far as it is affected by such Force Majeure, shall be suspended during the continuance of the inability then claimed, but for no longer period, and any such party shall endeavor to remove or overcome such inability with all reasonable dispatch. If the event results in an insurance claim and settlement are authorized, the settlement proceeds shall be in the name of the County Agency and the name of the Municipality. The County Agency and the Municipality shall mutually determine if the County Agency, the Municipality, or both shall be entitled to a share of the insurance proceeds.

XVIII. CERTIFICATION OF AUTHORITY TO SIGN AGREEMENT

The persons signing on behalf of each of the Parties hereto certify by their signatures that they are authorized to sign this Agreement on behalf of such Party and that this Agreement has been authorized by such Party.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed and delivered, by their respective duly authorized officers, all as of the day and year first above written.

APPROVED AS TO FORM

Attorney for

David Krueger
Mayor

Juanita Aguilar
Clerk

COUNTY OF GENESEE

By and through its:
COUNTY AGENCY

Jeffrey Wright, Genesee County
Drain Commissioner

PREPARED BY:
Kevin Kilby (P68599)
Legal Counsel for County Agency
McGraw Morris P.C.
2075 W. Big Beaver Road
Suite 750
Troy, Michigan 48084
(248) 502-4000

EXHIBIT A
SANITARY SEWER OPERATING AGREEMENT

SCOPE OF SERVICES
CITY OF SWARTZ CREEK
(Data used as of Oct. 23, 2014)

Item 1: Issue B-Permits and/or perform inspection of connections to the local sewers, the charge by the County shall be fifty dollars (\$50.00) per tap-in and/or inspection performed.

- A. If the Municipality selects to have the County Agency issue B-Permits, then the Municipality shall not issue a building permit or allow construction to begin within the Municipality until the Municipality verifies that the CCIF has been paid to the County Agency.

If the Municipality issues a building permit or allows construction to begin within the Municipality without first verifying that the County Agency has collected the CCIF then the Municipality shall be solely liable for the entire CCIF amount due and owing to the County Agency. The CCIF shall be paid by the Municipality to the County Agency within thirty (30) days of notification from the County Agency that the CCIF is due and owing. The County Agency shall have the sole determination as to the number of REUs and the total amount of the CCIF due and owing.

- B. If the Municipality selects that the Municipality shall issue the B-Permit, then the Municipality shall not issue a building permit or allow construction to begin within the Municipality until the Municipality verifies that the CCIF has been paid to the County Agency. If the Municipality issues a building permit or allows construction to begin within the Municipality without first verifying that the County Agency has collected the CCIF then the Municipality shall be solely liable for the entire CCIF amount due and owing to the County Agency. The CCIF shall be paid by the Municipality to the County Agency within thirty (30) days of notification from the County Agency that the CCIF is due and owing. The County Agency shall have the sole determination as to the number of REUs and the total amount of the CCIF due and owing. If the County Agency's determination of the REUs is different than the Municipality's, then the Municipality shall be solely responsible for the additional amount due and owing to the County Agency for the additional REUs.

Item 1: County Agency to Issue B-Permits: _____

Municipality to Issue B-Permits: _____

Item 2: Billing the individual customers in the City for sewer service and/or water supply and/or garbage and refuse or the balance of the tap-in fee due, the charge by the County to the City shall be \$0.89 per bill including the cost of postage. This charge is per individual bill and only one billing charge will be made for each bill no matter how many service billings are on the bill. This rate is based on \$0.41 bulk mailing rate. Rate will be adjusted as postal rates adjust.

Item 2: Selected: _____ Not Selected: _____

Item 3:

- A. Operating and maintenance of the gravity sewer system in the City including all necessary cleaning, repairs and other services of maintaining and operating the system, the charge by the County to the City shall be \$4.00 per lineal foot of sewer. The annual fee shall be the total footage divided by 10 and multiplied by \$4.00. Payment shall be in 12 equal monthly payments.
- B. Operation and maintenance of the pumping stations and force mains in the City, including all necessary observation, repairs, and replacements; the charge by the County to the City shall be \$395.00 per month per station plus the amount of all utility bills.
- C. The pumping stations covered by this agreement are as follows:

Item 3: Selected: _____ Not Selected: _____

Item 4: If the Municipality indicated "Not Selected" with regard to Item 3, above, the Municipality may still elect to have the County Agency perform "Miss Dig" services at the cost of \$650.00 per month. **If the Municipality indicated "Selected" with regard to Item 3, above, please indicate "Not Selected" below.**

Item 4: Selected: _____ Not Selected: _____

City of Swartz Creek Building Permit List

2014

Permit No.	Date	Applicant	Phone	Tax ID No.	Value of Const/Permit Fee	Location	Type of Construction
Building							
PB1400056	10/02/14	WOODSIDE BUILDERS, IN	(810) 635 2227	58-36-676-054	\$138,465	7254 LINDSEY DR	48473 Res Single Family
PB1400057	10/02/14	WOODSIDE BUILDERS, IN	(810) 635 2227	58-36-676-056	\$157,099	7240 LINDSEY DR	48473 Res Single Family
PB1400058	10/01/14	WEBB ET AL, JOHN V		58-02-526-081	\$600	5090 FAIRCHILD ST	48473- Roofing
PB1400059	10/07/14	Hanson's Window & Construct	(248) 581 3030	58-02-530-030	\$5,922	8056 MAPLE ST	48473- Window Replacement
PB1400060	10/27/14	Tri City Construction	(810) 691 5383	58-02-526-092	\$4,500	8295 MILLER RD	48473- Roofing
PB1400061	10/21/14	SHKRELI INVESTMENTS O		58-32-100-004	\$66,000	5499 MILLER RD	48473- Com Utility Building
PB1400062	10/27/14	J.W. Morgan Construction	(810) 635 9228	58-03-533-033	\$5,600	5403 SEYMOUR RD	48473- Roofing
PB1400063	10/27/14	KROTZER, LARRY D & PA		58-02-502-030	\$3,000	5209 WORCHESTER DR	48473- Roofing
PB1400064	10/29/14	THD At-Home Services, Inc.	(734) 246 3955	58-36-577-025	\$0	7197 MILLER RD	48473- Roofing

Total:							9 Permits	Value: \$381,186	Fee Total: \$2,825.00	Total Number of Dwelling Units 2
Electrical										
PE1400057	10/16/14	Creative Electrical Solutions	(810) 659 7884	58-36-651-237	\$0	7361 CROSSCREEK DR	48473- Electrical			
PE1400058	10/20/14	B & W Electric	(810) 397 4246	58-36-676-059	\$0	7204 LINDSEY DR	48473 Electrical			
PE1400059	10/16/14	Creative Electrical Solutions	(810) 659 7884	58-36-651-125	\$0	4386 SPRINGBROOK DR	48473- Electrical			
PE1400060	10/16/14	Creative Electrical Solutions	(810) 659 7884	58-36-651-105	\$0	4391 SPRINGBROOK DR	48473- Electrical			
PE1400061	10/20/14	Conti Corporation	(586) 274 4800	58-35-576-031	\$0	4459 FORTINO DR	48473- Electrical			
PE1400062	10/30/14	Cougar Electric LLC	(810) 691 2684	58-03-534-015	\$0	9259 JILL MARIE LN	48473- Electrical			
Total:							6 Permits	Value: \$0	Fee Total: \$903.00	Total Number of Dwelling Units 0

City of Swartz Creek Building Permit List

2014

Permit No.	Date	Applicant	Phone	Tax ID No.	Value of Const/Permit Fee	Location	Type of Construction
PM140076	10/07/14	Holland Heating & Cooling	(810) 653 4328	58-02-501-010	\$0	5165 DAVAL DR	48473-Mechanical
PM140077	10/07/14	Goyette Mechanical	(810) 742 8530	58-36-651-015	\$0	4479 VIRGINIA CT	48473-Mechanical
PM140078	10/07/14	Mike Newland Plumbing	(810) 736 4533	58-36-651-010	\$0	4470 COLONY CT	48473-Mechanical
PM140079	10/08/14	Sherman Heating & Cooling	(810) 630 6032	58-36-676-057	\$0	7230 LINDSEY DR	48473 Mechanical
PM140080	10/16/14	Pelch Services	(810) 223 1682	58-32-100-006	\$0	5387 MILLER RD	48473 Mechanical
PM140081	10/16/14	Thomas Albright & Assoc Inc	(810) 659 7884	58-36-651-237	\$0	7361 CROSSCREEK DR	48473-Mechanical
PM140082	10/16/14	Thomas Albright & Assoc Inc	(810) 659 7884	58-36-651-125	\$0	4386 SPRINGBROOK DR	48473-Mechanical
PM140083	10/16/14	Thomas Albright & Assoc Inc	(810) 659 7884	58-36-651-105	\$0	4391 SPRINGBROOK DR	48473-Mechanical
PM140084	10/20/14	William Lalonde	(810) 659 7884	58-03-534-017	\$0	9275 JILL MARIE LN	48473-Mechanical
PM140085	10/20/14	Conti Corporation	(586) 274 4800	58-35-576-031	\$0	4459 FORTINO DR	48473-Mechanical
PM140086	10/27/14	Staley's Plbg & Htg, Inc.	(810) 659 5572	58-03-534-049	\$0	9262 JILL MARIE LN	48473-Mechanical

Total: 11 Permits Value: \$0 Fee Total: \$1,755.00 Total Number of Dwelling Units 0

Plumbing

PP140021	10/07/14	Herb Fischer Plumbing & Heat	(810) 691 5363	58-35-551-004	\$0	8468 MILLER RD	48473- Plumbing
PP140022	10/07/14	Herb Fischer Plumbing & Heat	(810) 691 5363	58-30-651-032	\$0	3495 CANTERBURY ST	48473 Plumbing
PP140023	10/21/14	Burnash Plbg	(810) 836 3489	58-36-676-059	\$0	7204 LINDSEY DR	48473 Plumbing

Total: 3 Permits Value: \$0 Fee Total: \$434.00 Total Number of Dwelling Units 0

Zoning

PZ14-0018	10/03/14	BEDELL, ELWOOD		58-01-100-024	\$900	5061 MORRISH RD	48473- Shed
PZ14-0019	10/21/14	WOHLFORD, DOUGLAS &		58-03-531-162	\$700	9265 CHESTERFIELD DR	48473- Fence

City of Swartz Creek Building Permit List

2014

Permit No.	Date	Applicant	Phone	Tax ID No.	Value of Const/Permit Fee	Location	Type of Construction
Total:		2 Permits	Value: \$1,600		Fee Total: \$25.00		Total Number of Dwelling Units 0

Permit Total: 31 Value: \$382,786 Fee Total: \$5,942.00

Permit.Date Issued Between 9/30/2014 12:00:00 AM AND 10/31/2014 12:00:00 AM

Enforcements By Category

11/05/14

ZONING

Enforcement Number	Address	Status	Filed	Closed
E14-109	4045 ELMS RD	No Violation	10/07/14	10/29/14
Total Entries: 1				

BLIGHT

Enforcement Number	Address	Status	Filed	Closed
E14-111	9210 YOUNG DR	No Violation	10/09/14	10/15/14
E14-112	9221 CHESTERFIELD DR	No Violation	10/09/14	10/15/14
E14-118	5366 WINSHALL DR	No Violation	10/27/14	10/29/14
Total Entries: 3				

BUILDING VIOLATIONS

Enforcement Number	Address	Status	Filed	Closed
E14-113	8103 MILLER RD	Violation	10/21/14	
E14-114	8103 CRAPO ST	Violation	10/21/14	
E14-115	4056 ELMS RD	Violation	10/21/14	
Total Entries: 3				

SIGNS

Enforcement Number	Address	Status	Filed	Closed
E14-116	6104 MILLER RD	Violation	10/21/14	
Total Entries: 1				

WEED COMPLAINT

Enforcement Number	Address	Status	Filed	Closed
E14-108	5061 MORRISH RD	Inspection Pending	10/06/14	
E14-117	9275 HILL RD	Violation	10/24/14	

Enforcements By Category

11/05/14

Total Entries: 2

Total Records: 10

Population: All Records
Enforcement.DateFiled Between 9/30/2014 12:00:00 AM AND 10/31/2014 12:

Inspection List

11/05/14

Address	Parcel Number	Inspection Type	Scheduled	Completed	Result	Inspector
5286 MILLER RD	58-29-551-020	Status	10/01/2014	10/01/2014	Complied	Marty Johnson
41134 JENNIE LN	58-36-526-014	Code	10/01/2014	10/01/2014	Violation(s)	Marty Johnson
41134 JENNIE LN	58-36-526-014	Letter	10/01/2014	10/01/2014	Violation(s)	Tara Ford
8295 MILLER RD	58-02-526-092	Letter	10/01/2014	10/01/2014	Violation(s)	Tara Ford
8518 CHESTERFIELD DR	58-02-501-057	Final	10/02/2014	10/02/2014	Approved	Bob Davis
4375 MAYA LN	58-36-676-037	Final	10/02/2014	10/02/2014	Approved	Marty Johnson
7254 LINDSEY DR	58-36-676-054	Footing	10/03/2014	10/06/2014	Approved	Marty Johnson
7230 LINDSEY DR	58-36-676-057	Rough & Service	10/06/2014	10/06/2014	Approved	Leon Buning
7508 ELIZABETH CT	58-36-651-059	Final-Reinspection	10/06/2014	10/06/2014	Approved	Marty Johnson
5061 MORRISH RD	58-01-100-024	Citation	10/06/2014			Tom Svrcek
7550 MILLER RD	58-36-552-010	Final	10/07/2014	10/07/2014	Approved	Leon Buning
90 HAMILTON ST	58-35-776-090	Final	10/07/2014	10/07/2014	Approved	Marty Johnson
7550 MILLER RD	58-36-552-010	Final	10/09/2014	10/09/2014	Approved	Bob Davis
4500 MORRISH RD	58-35-576-051	Final	10/09/2014	10/09/2014	Approved	Marty Johnson
5375 SEYMOUR RD	58-03-533-031	Status	10/09/2014	10/09/2014	Complied	Marty Johnson
5090 FAIRCHILD ST	58-02-526-081	Status	10/09/2014	10/23/2014	Complied	Marty Johnson
5370 MILLER RD	58-29-551-012	Status	10/09/2014	10/09/2014	Complied	Marty Johnson
5020 FORD ST	58-02-528-009	Status	10/09/2014	10/09/2014	No Change	Marty Johnson
5235 WORCHESTER DR	58-02-502-034	Status	10/09/2014	10/09/2014	Partially Complied	Marty Johnson
5184 BIRCHCREST DR	58-03-531-120	Status	10/09/2014	10/09/2014	No Change	Marty Johnson
7550 MILLER RD	58-36-552-010	Final	10/09/2014	10/09/2014	Approved	Bob Davis
4470 COLONY CT	58-36-651-010	Final	10/14/2014	10/14/2014	Approved	Bob Davis
6060 BRISTOL RD	58-29-300-007	Rough-In Wall	10/14/2014	10/14/2014	Approved	Bob Davis
6060 BRISTOL RD	58-29-300-007	Overhead Duct Wo	10/14/2014	10/14/2014	Approved	Bob Davis
7550 MILLER RD	58-36-552-010	Final	10/14/2014	10/14/2014	Disapproved	Marty Johnson
4134 JENNIE LN	58-36-526-014	Status	10/15/2014	10/15/2014	Complied	Marty Johnson
8295 MILLER RD	58-02-526-092	Status	10/15/2014	10/15/2014	Complied	Marty Johnson

Inspection List

11/05/14

Address	Parcel Number	Inspection Type	Scheduled	Completed	Result	Inspector
5210 YOUNG DR	58-03-531-150	Site Inspection	10/15/2014	10/15/2014	No Violation	Marty Johnson
221 CHESTERFIELD DR	58-03-531-158	Site Inspection	10/15/2014	10/15/2014	No Violation	Marty Johnson
230 LINDSEY DR	58-36-676-057	Rough	10/15/2014	10/15/2014	Approved	Bob Davis
230 LINDSEY DR	58-36-676-057	Rough	10/15/2014	10/15/2014	Approved	Marty Johnson
5235 WORCHESTER DR	58-02-502-034	Status	10/15/2014	10/15/2014	Complied	Marty Johnson
7204 LINDSEY DR	58-36-676-059	Service	10/16/2014	10/16/2014	Approved	Leon Buning
9267 JILL MARIE LN	58-03-534-016	Final	10/20/2014	10/20/2014	Approved	Leon Buning
9262 JILL MARIE LN	58-03-534-049	Final	10/20/2014	10/20/2014	Approved	Leon Buning
7550 MILLER RD	58-36-552-010	Final-Reinspection	10/20/2014	10/20/2014	Approved	Marty Johnson
5387 MILLER RD	58-32-100-006	Final	10/21/2014	10/21/2014	Approved	Bob Davis
7230 LINDSEY DR	58-36-676-057	Insulation	10/21/2014	10/21/2014	Approved	Marty Johnson
7240 LINDSEY DR	58-36-676-056	Footing	10/21/2014	10/21/2014	Approved	Marty Johnson
4278 MORRISH RD	58-35-576-019	Status	10/22/2014	10/22/2014	No Change	Marty Johnson
8103 MILLER RD	58-02-528-002	Code	10/22/2014	10/22/2014	Violation(s)	Marty Johnson
8103 CRAPO ST	58-02-530-042	Code	10/22/2014	10/22/2014	Violation(s)	Marty Johnson
4056 ELMS RD	58-36-526-070	Code	10/22/2014	10/22/2014	Violation(s)	Marty Johnson
6104 MILLER RD	58-31-526-008	Code	10/22/2014	10/22/2014	Violation(s)	Marty Johnson
5090 FAIRCHILD ST	58-02-526-081	Final	10/23/2014	10/23/2014	Approved	Marty Johnson
7204 LINDSEY DR	58-36-676-059	Rough	10/23/2014	10/23/2014	Approved	Bob Davis
4056 ELMS RD	58-36-526-070	Letter	10/23/2014	10/23/2014	Violation(s)	Tara Ford
8103 MILLER RD	58-02-528-002	Letter	10/23/2014	10/23/2014	Violation(s)	Tara Ford
7240 LINDSEY DR	58-36-676-056	Swr Tap In	10/23/2014	10/23/2014	Approved	Bob Davis
8103 CRAPO ST	58-02-530-042	Letter	10/23/2014	10/23/2014	Violation(s)	Tara Ford
2278 MORRISH RD	58-35-576-019	Letter	10/23/2014	10/23/2014	Violation(s)	Tara Ford
6104 MILLER RD	58-31-526-008	Letter	10/23/2014	10/23/2014	Violation(s)	Tara Ford
7254 LINDSEY DR	58-36-676-054	Backfill	10/24/2014	10/24/2014	Approved	Marty Johnson
9275 HILL RD	58-03-576-007	Site Inspection	10/24/2014	10/24/2014		Tom Svrcek

Inspection List

11/05/14

Address	Parcel Number	Inspection Type	Scheduled	Completed	Result	Inspector
8295 MILLER RD	58-02-526-092	Final	10/28/2014	10/28/2014	Approved	Marty Johnson
4403 SEYMOUR RD	58-03-533-033	Final	10/28/2014	10/28/2014	Approved	Marty Johnson
7015 ELMS RD	58-31-501-006	Final	10/28/2014	10/28/2014	Approved	Marty Johnson
9265 CHESTERFIELD DR	58-03-531-162	Final Zoning	10/28/2014	10/28/2014	Approved	Marty Johnson
8298 MILLER RD	58-35-300-019	Status	10/29/2014	10/29/2014	Complied	Marty Johnson
5472 MILLER RD	58-29-551-002	Citation	10/29/2014	10/29/2014	Partially Complied	Marty Johnson
7103 MILLER RD	58-36-577-017	Status	10/29/2014	10/29/2014	Partially Complied	Marty Johnson
5157 MORRISH RD	58-01-100-013	Status	10/29/2014	10/29/2014	No Change	Marty Johnson
4045 ELMS RD	58-31-501-003	Site Inspection	10/29/2014	10/29/2014	No Violation	Marty Johnson
9275 HILL RD	58-03-576-007	Code	10/29/2014			Tom Svrcek
5366 WINSHALL DR	58-02-553-001	Site Inspection	10/29/2014	10/29/2014	No Violation	Marty Johnson
7240 LINDSEY DR	58-36-676-056	Backfill	10/29/2014	10/29/2014	Disapproved	Marty Johnson
5499 MILLER RD	58-32-100-004	Post Hole	10/30/2014	10/30/2014	Approved	Marty Johnson
9262 JILL MARIE LN	58-03-534-049	Final	10/30/2014	10/30/2014	Approved	Bob Davis

Inspections: 68

Population: All Records

Inspection.DateTimeScheduled Between 9/30/2014 12:00:00 AM AND 10/31/2014 12:00:00 AM

11/03/2014

CHECK REGISTER FOR CITY OF SWARTZ CREEK
CHECK DATE FROM 10/01/2014 - 10/31/2014

Check Date	Check	Vendor Name	Description	Amount
Bank GEN CONSOLIDATED ACCOUNT				
10/02/2014	39580	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV. MATS, SUPPLIES	84.91 <u>33.00</u>
				117.91
10/02/2014	39581	BADGLEY CONSTRUCTION	SIDEWALK REPAIR MAINTENANCE	3,027.14
10/02/2014	39582	BRADYS BUSINESS SYSTEMS	COPY MACHINE MAINT AGREEMENT 9/15-10/14/	70.87
10/02/2014	39583	CHIEF SUPPLY CORPORATION	RAIN COATS (3)	240.26
10/02/2014	39584	CITY OF SWARTZ CREEK	6/20-9/20/14 UB 4125 ELMS 6/20-9/20/14 UB 5121 MORRISH 6/20-9/20/14 UB 5363 WINSHALL 6/20-9/20/14 UB 8059 FORTINO 6/20-9/20/14 UB 8083 CIVIC 6/20-9/20/14 UB 8095 CIVIC 6/20-9/20/14 UB 8100 CIVIC	279.23 125.16 262.17 652.98 397.66 189.04 <u>464.00</u>
				2,370.24
10/02/2014	39585	COMCAST BUSINESS	10/1-10/31/14 PUBLIC SAFETY BUILDING	147.80
10/02/2014	39586	DOUGLAS SHERMAN	TAX OVRPMT 58-35-576-051	1.50
10/02/2014	39587	ELECTIONSOURCE	BALLOTCHART.COM CHART ONLINE CREATION	47.50
10/02/2014	39588	FAMILY FARM AND HOME INC	PLUNGER NUTS, BOLTS, WASHERS 10W30 OIL 15W40 OIL RETURN 15W40 OIL/15W40 OIL GLOVES	5.99 9.26 49.98 25.99 24.00 <u>48.96</u>
				164.18
10/02/2014	39589	INTEGRITY BUSINESS SOLUTIONS	FACIAL TISSUE (1)/TOWELS (2)	133.63
10/02/2014	39590	JEFF PINKSTON PC	K-9 FOOD	60.42
10/02/2014	39591	JOHNS TRUCK SERVICE	REPLACE FUEL PUMP STROBE LIGHTS/STREET SWEEPER	133.70 <u>301.26</u>
				434.96
10/02/2014	39592	JOSE A MIRELES	MOW & TRIM CITY PROPERTIES	780.00
10/02/2014	39593	MATTHEW BADE	CAMERA CASE FOR PATROL VEH.	149.95
10/02/2014	39594	MICHIGAN ELECTRIC SUPPLY COMPANY	CAUTION BARRICADE TAPE (2)	32.00
10/02/2014	39595	MICHIGAN PIPE AND VALVE	4 1/2 X 2 1/2 NSTX MALE NST HYD ADT (6)	100.02
10/02/2014	39596	MICHIGAN STATE POLICE	SOR-BREWER, CONNOR	60.00
10/02/2014	39597	OHM ADVISORS	MILLER RD-TALLMADGE TO S DYE RD PROG BIL	5,434.38
10/02/2014	39598	OHM ADVISORS	MILLER RD-MORRISH TO ELMS PROGRESS BILL	2,578.76
10/02/2014	39599	PLANTE & MORAN PLLC	FY14 AUDIT/CONSULTING SERVICES THRU 9/15	14,300.00
10/02/2014	39600	ROWE PROFESSIONAL SERVICES CO	SPRINGBROOK EAST PAVING	492.00
10/02/2014	39601	ROWE PROFESSIONAL SERVICES CO	2014 CDBG PARKING LOT ENHANCEMENTS	9,397.00
10/02/2014	39602	ROWE PROFESSIONAL SERVICES CO	ASSET MANAGEMENT AND CAPITAL IMPROVEMENT	10,030.25
10/02/2014	39603	RWS OF MID MICHIGAN	FY15 GARBAGE/RECYCLING/YARD WASTE SEPT 2	21,803.84
10/02/2014	39604	RYAN MCFARLANE	SU 2014 TAX OVRPMT 58-03-531-075	83.19
10/02/2014	39605	SHULTS EQUIPMENT	UNDERBODY SCRAPER MODEL F8900-DPR-12' CARBIDE BLADE (6)	10,326.00 <u>1,526.52</u>
				11,852.52

10/02/2014	39606	STATE OF MICHIGAN DEPT TRANS	I69 RACEWAY SIGNAL ENERGY 4/1-6/30/14	25.45
10/02/2014	39607	SUBURBAN AUTO SUPPLY	BATTERY	42.95
			FUEL FILTER KIT/FUEL LINE HOSE	9.55
				<u>52.50</u>
10/02/2014	39608	SWARTZ CREEK ESTATES	SU 14 REFUND 58-35-776-141	159.97
10/02/2014	39609	SWARTZ CREEK ESTATES	TAX OVERPMT-COMBINATION MANY ACCTS	54.32
10/02/2014	39610	VALUE HOMES LLC	2014 TAX OVERPMTS MULTIPLE ACCOUNTS	9.78
10/02/2014	39611	VERMEER OF MICHIGAN	BLADE SHARPENING	45.85
10/02/2014	39612	VILLAGE CLEANERS	AUG. 2014 UNIFORM CLEANING	5.00
			AUG 2014 UNIFORM CLEANING	165.00
				<u>170.00</u>
10/02/2014	39613	WOODS COLLISION	REPAIR 2012-144 RIGHT REAR DOOR	269.00
			REPAIR 2005 -168 REPLACE L FRONT FENDER	605.30
				<u>874.30</u>
10/09/2014	39614	ADAM ZETTEL	SMALL CITIES MTG DINNER (6)	72.42
10/09/2014	39615	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV.	99.33
			MATS, SUPPLIES	32.93
				<u>132.26</u>
10/09/2014	39616	CONSUMERS ENERGY	9/1-9/30/14 4524 MORRISH RD	43.91
10/09/2014	39617	CONSUMERS ENERGY	9/1-9/30/14 ELMS PARKING LOT	29.54
10/09/2014	39618	CONSUMERS ENERGY	9/1-9/30/14 STREET LIGHTS	10,376.69
10/09/2014	39619	CONSUMERS ENERGY	9/1-9/30/14 SIRENS	28.85
10/09/2014	39620	CONSUMERS ENERGY	9/1-9/30/14 TRAFFIC LIGHTS	437.52
10/09/2014	39621	CONSUMERS ENERGY	9/3-10/1/14 A 5121 MORRISH RD	271.33
10/09/2014	39622	CONSUMERS ENERGY	9/3-10/1/14 A WINSHALL RESTROOMS	27.95
10/09/2014	39623	CONSUMERS ENERGY	9/3-10/2/14 A 8059 FORTINO DR	57.48
10/09/2014	39624	CONSUMERS ENERGY	9/3-10/2/14 A 8083 CIVIC DR	856.28
10/09/2014	39625	CONSUMERS ENERGY	9/3-10/2/14 A 8095 CIVIC DR	1,013.66
10/09/2014	39626	CONSUMERS ENERGY	9/3-10/2/14 A 8100 CIVIC DR	982.00
10/09/2014	39627	CONSUMERS ENERGY	9/4-10/2/14 A 8301 CAPPY LN	122.10
10/09/2014	39628	CONSUMERS ENERGY	9/3-10/1/14 A 8499 MILLER RD	23.68
10/09/2014	39629	CONSUMERS ENERGY	9/3-10/1/14 A 5257 WINSHALL DR	22.60
10/09/2014	39630	CONSUMERS ENERGY	9/3-10/1/14 A 5361 WINSHALL DR	22.60
10/09/2014	39631	CONSUMERS ENERGY	9/3-10/1/14 A 8011 MILLER RD	22.60
10/09/2014	39632	CONSUMERS ENERGY	8/30-9/30/14 A 9099 MILLER RD	22.60
10/09/2014	39633	CONSUMERS ENERGY	9/5-10/6/14 E 4125 ELMS RD	27.81
10/09/2014	39634	CONSUMERS ENERGY	9/5-10/6/14 A 4125 ELMS RD PAVILION	24.61
10/09/2014	39635	CONSUMERS ENERGY	9/5-10/6/14 A 6425 MILLER RD PARK-RIDE	76.32
10/09/2014	39636	FIDELITY SECURITY LIFE INSUR/EYEMED	OCT 2014 VISION - RETIREES (5)	26.93
			OCT 2014 C. BUECHE	5.95
				<u>32.88</u>
10/09/2014	39637	FLINT WELDING SUPPLY	CYLINDER COMPRESSED OXYGEN	5.00
			(FAX) CYLINDER COMPRESSED OXYGEN	5.00
				<u>10.00</u>
10/09/2014	39638	GILL ROYS HARDWARE	COUPLING (5)/NIPPLES (4)	40.91

			4 KEYS CUT	7.16
			BATTERIES	5.59
			3/4" NAP ROLLER COVER	4.79
			MICRO FIBER CLOTH	8.99
			CLOCK/AA BATTERIES	11.98
			YELLOW PAINT	33.99
			WHITE ADHESIVE CAULK	15.96
			1 GAL STAIN/ROLLER COVER	37.78
			ANTI-BACTERIAL SOAP	11.94
			ANTI-BACTERIAL SOAP (3)/BOWL CLEANER (2)	11.15
			BRUSHES (3)	17.17
			NUTS, BOLTS, SCREWS (4)	3.60
			PROPANE	4.59
			QUICK LINK/SHIPPING	15.98
			NUTS, BOLTS, SCREWS/CHAINS AW RESHARPENIN	6.08
			5/16" G30 ZINC COLD SHUT	1.99
			ROLLER COVER/PAINT/ROLLER FRAME/BRUSH	56.36
			1 LB COMBO EXT SCREW	7.99
			STAIN	33.99
			AA BATTERIES	11.18
			60# MORTAR MIX 1 BAG	4.99
			2" FLAT POLY BRUSH (2)	2.78
			2" FLAT POLY BRUSH (2)	2.78
			60# CONCRETE MIX (2)	9.58
			2 PK LINE MARKING COVERS (2)	7.98
			SEPT 2014 DISCOUNT	(34.00)
				<u>343.28</u>
10/09/2014	39639	GOV'T FINANCE OFFICERS ASSOC.	GFOA TRAINING 12/4/14 AGUILAR	135.00
10/09/2014	39640	HOPE PAIVARINTA	UB REFUND FOR 5197 DAVAL	259.61
10/09/2014	39641	HYDRO DESIGNS	WATER CROSS CONNECTION CONTROL AND COMPL	285.00
10/09/2014	39642	INTEGRITY BUSINESS SOLUTIONS	FOLDERS, INK CARTRIDGE/TAPE	95.36
10/09/2014	39643	JOSE A MIRELES	MOW & TRIM CITY PROPERTIES	780.00
10/09/2014	39644	LANDMARK APPRAISAL CO	OCT 2014 ASSESSOR SERVICES OCT 1 2014-JU	2,370.48
10/09/2014	39645	MCLAREN MEDICAL MANAGEMENT INC	PHYSICAL EXAM/S. MCKENZIE	146.00
10/09/2014	39646	PRINTING SYSTEMS	BALLOT INST/VOTER ID CARDS/MASTER CARDS	106.90
			WINDOW AV APP ENVELOPES (500)	48.96
				<u>155.86</u>
10/09/2014	39647	SELF SERVE LUMBER CO.	(FAX) SHELF (12)/ADHESIVE	65.67
			(FAX) RETURN 1 X 8 X 10 SHELF (2)	(14.18)
				<u>51.49</u>
10/09/2014	39648	SUBURBAN AUTO SUPPLY	HACKSAW BLADE (2)/4 HD BX CLMP	11.57
10/09/2014	39649	SUPER FLITE OIL CO INC	9/1-9/30/14 FUEL USAGE - DPW	1,052.43
10/09/2014	39650	SUPER FLITE OIL CO INC	9/1-9/30/14 FUEL USAGE - POLICE	2,320.88
10/09/2014	39651	SWARTZ CREEK AREA SENIOR CITZ.	SEPT 2014 EXP OF 2013 GRANT	350.00
10/09/2014	39652	SWARTZ CREEK AREA SENIOR CITZ.	AUG 2014 EXP OF 2013 GRANT	362.00
10/09/2014	39653	TAYLOR CORPORATION	EMPLOYEE RECORD ORGANIZER FOLDERS	398.01
10/09/2014	39654	VERIZON WIRELESS	SEPT 2014 MONTHLY INCOME	447.60
10/16/2014	39655	AMERICAN MESSAGING	OCT 2014 8108332563 8108331159	24.88
10/16/2014	39656	ARROW UNIFORM RENTAL	UNIFORMS, MATS, SUPPLIES, ENV.	84.72
			MATS, SUPPLIES	32.93
				<u>117.65</u>
10/16/2014	39657	BROWNELLS INC	GUN CLEANING SOLUTION	84.94
10/16/2014	39658	CAPITAL TIRE	(2) EAGLE 160R18 RSA TIRES	261.98
10/16/2014	39659	CITY OF SWARTZ CREEK	REIMB PETTY CASH	179.19

10/16/2014	39660	CREEK AUTO SERVICES LLC	A/C RELAY 12-144	107.95
			LOF MONTH MNT, MT & BAL 2 FRONT TIRES 12	66.95
			LOF MONTHLY MAINT 13-384	34.95
			2 LOWER CONTROL ARMS 12-144	468.00
			DRIVE SHAFT COUPLING 10-161	252.00
			NEW ALTERNATOR 12-144	742.95
				<u>1,672.80</u>
				1,672.80
10/16/2014	39661	DEANNA KORTH	ADVANCE ELECTION SUPPLIES NOV 4 GENERAL	150.00
10/16/2014	39662	DELTA DENTAL PLAN	NOV 2014 DENTAL-RETIRES (5)/C BUECHE	405.09
10/16/2014	39663	JOSE A MIRELES	MOW & TRIM CITY PROPERTIES	780.00
10/16/2014	39664	MICHIGAN POLICE EQUIPMENT COMPANY	PRACTICE AMMO FIREARMS TRAINING	86.00
10/16/2014	39665	MLIVE MEDIA GROUP	PUBLIC HEARING ZBA 9/2/14	255.32
10/16/2014	39666	PREMIUM TITLE SERVICES	UB REFUND FOR 5363 DON SHENK	9.87
10/16/2014	39667	SIMEN FIGURA & PARKER PLC	SEPT 2014 GEN'L/TRAFFIC/ORDIN	3,922.50
10/16/2014	39668	SUBURBAN AUTO SUPPLY	ISO HEET (2)/FUEL TREATMENT	13.37
10/16/2014	39669	THOMAS SVRCEK	DRIP KIT TOILET LEAK DETECTING TABLETS	65.09
10/16/2014	39670	TOM V BRANOFF TRUST	PARCEL 58-35-576-032 TO CITY	1.00
10/16/2014	39671	TUCKER CHRYSLER JEEP DODGE	RECHARGE A/C 12-144	104.58
10/16/2014	39672	UNITED METHODIST CHURCH -SW CK	NOVEMBER 4 2014 GENERAL ELECTION	750.00
10/16/2014	39673	UNUM LIFE INSURANCE	NOV 2014 RETIREE LIFE INS/SHANNON	10.35
10/23/2014	39674	ALDERMANS INC	CUB CADET SNOWBLOWER	1,900.00
10/23/2014	39675	AMERICAN PLANNING ASSOCIATION	APA DUES/MICH CHAPTER/AICP DUES/APA JOUR	558.00
10/23/2014	39676	ARROW UNIFORM RENTAL	MATS, SUPPLIES	32.93
			UNIFORMS, MATS, SUPPLIES, ENV.	84.72
				<u>117.65</u>
				117.65
10/23/2014	39677	BLUE CARE NETWORK-EAST MI	NOV 2014 RETIREE MED INS KELLY	706.62
			NOV 2014 RETIREE MED INS O'BRIEN	1,239.83
			NOV 2014 RETIREE MED INS PETRUCHA	1,479.62
			NOV 2014 RETIREE MED INS SHANNON	748.01
			NOV 2014 MEDICAL INS C. BUECHE	695.07
				<u>4,869.15</u>
				4,869.15
10/23/2014	39678	COMCAST BUSINESS	10/26-11/25/14 CITY HALL	281.75
10/23/2014	39679	CRAIG CULINSKI	MILEAGE, FERRY PARKING, ROOM TAX/PC TRAI	470.69
10/23/2014	39680	GENESEE CTY DRAIN COMMISSIONER	SEWER 7/1-9/30/2014	165,688.58
10/23/2014	39681	GENESEE CTY DRAIN COMMISSIONER	8/28-9/29/14 COMM/READY TO SERVE	108,205.10
10/23/2014	39682	JOSE A MIRELES	MOW & TRIM CITY PROPERTIES	780.00
10/23/2014	39683	MICHIGAN METER TECHNOLOGY GRP. INC	BLUE FLAGS (100)	24.37
10/23/2014	39684	MY-CAN LLC	PORTAJON RENTAL 9/16-10/23/14 ELMS PARK	215.00
10/23/2014	39685	SWARTZ CREEK AREA FIRE DEPT.	SEPT 2014 MONTHLY RUNS	1,553.83
10/30/2014	39686	AGROSCAPING INC.	SPRINKLER WINTERIZATION	60.00
10/30/2014	39687	ARROW UNIFORM RENTAL	MATS, SUPPLIES	32.93
			UNIFORMS, MATS, SUPPLIES, ENV.	84.72
				<u>117.65</u>
				117.65
10/30/2014	39688	BETTY SHANNON	REIMB FOR MEDICAL SERV PRIOR JAN 2014	110.97
10/30/2014	39689	C & H CONSTRUCTION CO INC	WATERMAIN REPAIR 6383 BRISTOL	1,345.00
10/30/2014	39690	CHARTER TOWNSHIP OF MUNDY	JOINT INSPECTION & PERMIT SERV 7/1-9/30/	11,244.90
10/30/2014	39691	COMCAST BUSINESS	11/1-11/30/14 PUBLIC SAFETY BLDG	147.80
10/30/2014	39692	COOKS DIESEL RV & TRUCK REPAIR	REPLACED FRONT BRAKE PADS AND ROTORS	325.88
			REPLACE BRAKE SHOES&DRUMS/EXHAUST CLAMP/	3,822.69
				<u>4,148.57</u>
				4,148.57

10/30/2014	39693	DONALD KORTH	2TB SATA DRIVES (2)/2TB USB PORTABLE HAR	81.60
			RESOLVE EVIDENCE ROOM ISSUE/INSTALL PRIN	75.00
			INSTALL 2TB HARD DRIVES/UPGRADE MAIL SER	<u>2,250.00</u>
				2,406.60
10/30/2014	39694	HEATHER BURGESS	UB REFUND FOR 9265 CEDAR CREEK	265.88
			UB REFUND FOR 9265 CEDAR CREEK PENALTY A	<u>5.16</u>
				271.04
10/30/2014	39695	INTEGRITY BUSINESS SOLUTIONS	OFFICE SUPPLIES	94.24
			KITCHEN ROLL TOWELS	126.97
			OFFICE SUPPLIES/TONER	189.49
			STAMP PAD REPLACEMENT	7.06
			FACIAL TISSUE/TOWELS	126.07
			CREDIT FOR INVOICE PD WITH TAX	<u>(133.63)</u>
				410.20
10/30/2014	39696	JMZ PROPERTIES, LLC	UB REFUND FOR 5200 WINSHALL	86.37
10/30/2014	39697	JOSE A MIRELES	MOW & TRIM CITY PROPERTIES	780.00
10/30/2014	39698	O'REILLEY AUTO PARTS	UB REFUND FOR 4301 ELMS	886.30
10/30/2014	39699	OHM ADVISORS	PROG BILL #7 MILLER TALMADGE CT TO S DYE	11,769.79
10/30/2014	39700	OHM ADVISORS	PROG BILL #7 MILLER RD MORRISH TO ELMS	2,648.25
10/30/2014	39701	PREMIUM TITLE AGENCY	UB REFUND FOR 5342 DON SHENK	83.09
10/30/2014	39702	PURCHASE POWER	SEPT 26 2014 POSTAGE/TRANS FEE	1,020.99
10/30/2014	39703	RWS OF MID MICHIGAN	OCT 2014 FY15 GARBAGE/RECYCLING/YARD WAS	21,803.84
10/30/2014	39704	U. S. POST OFFICE	FIRST CLASS PRESORT/FEE FOR RENEWAL	220.00
10/30/2014	39705	WOODSIDE BUILDERS INC	DEMO 2 RESIDENTIAL BLDGS	<u>17,803.00</u>
GEN TOTALS:				
Total of 126 Disbursements:				<u>480,527.84</u>

Swartz Creek Area Senior Citizens, Inc.

Genesee County, Michigan

Audited Financial Report

June 30, 2014

KING & KING CPAs LLC

Marlette - Imlay City - North Branch
Michigan

KING & KING CPAs LLC

Lehn L. King, C.P.A.

Ryan L. King, C.P.A.

3531 MAIN STREET
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Independent Auditor's Report

Members of the Senior Center Board
Swartz Creek Area Senior Citizens, Inc.
Genesee County, Michigan

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities of the **Swartz Creek Area Senior Citizens, Inc.** as of and for the fiscal year ended June 30, 2014 and the related notes to the financial statement, which collectively comprise the Senior Center's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate for the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities of the **Swartz Creek Area Senior Citizens, Inc.** as of June 30, 2014 and the respective changes in financial position for the fiscal year then ended, in accordance with accounting principles generally accepted in the United States of America.

KING & KING CPAs LLC

Lehn L. King, C.P.A.

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Other Matters

Required Supplemental Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, and major fund budgetary comparison schedule, as identified in the table of contents, be presented to supplement the basic financial statements. Such information, although not part of the basic financial statements, is required by the Governmental Accounting Standards Board, which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplemental information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

The **Swartz Creek Area Senior Center, Inc.** has not presented a Management's Discussion and Analysis letter that accounting principles, generally accepted in the United States of America, have determined is necessary to supplement, although not required to be part of, the financial statements.

Lehn King

Lehn L. King, C.P.A.
KING & KING CPAs LLC

September 18, 2014

Swartz Creek Area Senior Citizens, Inc.

Statement of Net Position

June 30, 2014

	<u>Primary Government Governmental Activities</u>
<u>Assets</u>	
Cash & Cash Equivalents	\$ 84,903.95
Accounts Receivable	11,029.27
Prepaid Expenses	4,629.62
Capital Assets (Net of Accumulated Depreciation)	<u>591,322.79</u>
<u>Total Assets</u>	<u>691,885.63</u>
<u>Deferred Outflows of Resources</u>	
	-
<u>Liabilities</u>	
Accrued Wages Payable	4,110.88
Deferred Revenue - Trips	<u>2,545.00</u>
<u>Total Liabilities</u>	<u>6,655.88</u>
<u>Deferred Inflows of Resources</u>	
	<u>-</u>
<u>Net Position</u>	
Invested in Capital Assets - Net of Related Debt	591,322.79
Restricted	4,629.62
Unrestricted	<u>89,277.34</u>
<u>Total Net Position</u>	<u>\$ 685,229.75</u>

The notes are an integral part of the statements.

Swartz Creek Area Senior Citizens, Inc.

Statement of Activities

For The Fiscal Year Ended June 30, 2014

	Program Revenues			Net (Expense) Revenue & Changes in Net Position
Expenses	Charges for Services	Operating Grants & Contributions	Capital Grants & Contributions	Primary Governmental Activities
Functions/Programs				
Primary Government:				
Governmental Activities:				
Recreation & Culture	\$ 11,696.00	\$ 35,129.45	\$ -	\$ (186,711.42)
Total Governmental Activities	\$ 11,696.00	\$ 35,129.45	\$ -	\$ (186,711.42)
General Revenues:				
Intergovernmental Revenues				\$ 160,172.20
Interest				2,286.24
Other Revenues				21,599.49
				184,057.93
				(2,653.49)
Change in Net Position				
				687,883.24
				\$ 685,229.75

The notes are an integral part of the statements.

Swartz Creek Area Senior Citizens, Inc.

Governmental Funds

Balance Sheet

June 30, 2014

	<u>General Fund</u>	<u>Total Governmental Funds</u>
<u>Assets & Deferred Outflows of Resources</u>		
<u>Assets</u>		
Cash & Certificates of Deposit	\$ 84,903.95	\$ 84,903.95
Accounts Receivable	11,029.27	11,029.27
Prepaid Expenses	4,629.62	4,629.62
<u>Total Assets</u>	<u>100,562.84</u>	<u>100,562.84</u>
 <u>Deferred Outflows of Resources</u>		
<u>Total Assets & Deferred Outflows of Resources</u>	<u>\$ 100,562.84</u>	<u>\$ 100,562.84</u>
 <u>Liabilities, Deferred Inflows of Resources & Fund Equity</u>		
<u>Liabilities</u>		
Accrued Wages Payable	\$ 4,110.88	\$ 4,110.88
Deferred Revenue - Trips	2,545.00	2,545.00
<u>Total Liabilities</u>	<u>6,655.88</u>	<u>6,655.88</u>
 <u>Deferred Inflows of Resources</u>		
 <u>Fund Equity</u>		
Fund Balance		
Nonspendable	4,629.62	4,629.62
Unassigned	89,277.34	89,277.34
<u>Total Fund Balances</u>	<u>93,906.96</u>	<u>93,906.96</u>
<u>Total Liabilities, Deferred Inflows & Fund Equity</u>	<u>\$ 100,562.84</u>	<u>\$ 100,562.84</u>

The notes are an integral part of the statements.

Swartz Creek Area Senior Citizens, Inc.

Governmental Funds
Reconciliation of Fund Balance to the
Statement of Net Position
For The Fiscal Year Ended June 30, 2014

Total Fund Balances for Governmental Funds \$ 93,906.96

Amounts reported for Governmental Activities in the Statement of
Net Position are different because:

Capital Assets used in Governmental Activities are not Financial
Resources and are not reported in the Funds 591,322.79

Net Position of Governmental Activities \$ 685,229.75

The notes are an integral part of the statements.

Swartz Creek Area Senior Citizens, Inc.

Governmental Funds

Statement of Revenues, Expenditures and Changes
in Fund Balances

For The Fiscal Year Ended June 30, 2014

	General	Total
	Fund	Governmental
	Funds	
<u>Revenues</u>		
Property Taxes	\$ 160,172.20	\$ 160,172.20
Charges for Services	11,696.00	11,696.00
Hall Rental	2,480.00	2,480.00
Interest Earnings	2,286.24	2,286.24
Contributions & Donations	35,129.45	35,129.45
Other Revenues	19,119.49	19,119.49
<u>Total Revenues</u>	<u>230,883.38</u>	<u>230,883.38</u>
<u>Expenditures</u>		
Recreation & Culture	211,244.87	211,244.87
Capital Outlay	67,580.91	67,580.91
<u>Total Expenditures</u>	<u>278,825.78</u>	<u>278,825.78</u>
Net Change in Fund Balances	(47,942.40)	(47,942.40)
<u>Fund Balance - Beginning of Year</u>	<u>141,849.36</u>	<u>141,849.36</u>
<u>Fund Balance - End of Year</u>	<u>\$ 93,906.96</u>	<u>\$ 93,906.96</u>

The notes are an integral part of the statements.

Swartz Creek Area Senior Citizens, Inc.

Governmental Funds

Reconciliation of Statement of Revenues, Expenditures
and Changes in Fund Balance of Governmental Funds

to the Statement of Activities

For The Fiscal Year Ended June 30, 2014

Net Change in Fund Balance - Total Governmental Funds \$ (47,942.40)

Amounts reported for Governmental Activities in the Statement of
Activities are different because:

Governmental Funds report Capital Outlays as Expenditures;
in the Statement of Activities, these costs are capitalized and
allocated over their estimated useful lives as Depreciation 67,580.91

Depreciation is an Expenditure for the Statement of
Activities, but is not reported in the Governmental Funds (22,292.00)

Net Change in Net Position of Governmental Activities \$ (2,653.49)

The notes are an integral part of the statements.

Swartz Creek Area Senior Citizens, Inc.

Notes to the Financial Statements
For The Fiscal Year Ended June 30, 2014

1. Organization and Purpose

The accounting policies of the **Swartz Creek Area Senior Citizens, Inc.** (the "Senior Center") conform to accounting principles generally accepted in the United States of America (GAAP) as applicable to governmental units. The following is a summary of the significant accounting policies used by the **Swartz Creek Area Senior Citizens, Inc.**

Financial Reporting Entity

The **Swartz Creek Area Senior Citizens, Inc.** was incorporated in March of 1982 under the provisions of the Internal Revenue Code 501(c)(3). As required by generally accepted accounting principles, the financial statements of the reporting entity include only those of the Senior Center (the primary government). The purpose of the Senior Center is to (a.) identify and meet the needs of senior citizens through programs designed to provide services in the areas of information and referral, education, health screening, nutrition, the arts, recreation, leadership development, personal growth, self-worth and community involvement; and (b.) to maintain the Senior Center which shall serve as a community focal point and resource on aging. The governing body of the Senior Center is made up of a nine (9) member board composed of six (6) elected from and by the General Membership of the Corporation and three (3) appointed officials to represent the service area.

2. Summary of Significant Accounting Policies

Government-wide and Fund Financial Statements

The Government-wide Financial Statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all the nonfiduciary activities of the Senior Center (the primary government). The effect of interfund activity has been removed from these statements. Governmental activities, normally supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support. Likewise, the primary government is reported separately from certain legally separate component units for which the primary government is financially accountable.

The statement of activities demonstrates the degree to which the direct expenses of a given function (governmental activities) or identifiable activity (business-type activities) is offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or activity. Program revenues include: (1) charges to customers or applicants who purchase, use or directly benefit from goods, services, or privileges provided by a given function or activity; and (2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or activity. Taxes and other revenue items properly excluded from program revenues are reported as general revenue.

Separate financial statements are provided for governmental funds and fiduciary funds, even though the latter are excluded from the Government-wide Financial Statements. Major individual governmental funds are reported as separate columns in the fund financial statements.

The Senior Center reports the following major governmental fund:

General Fund - The General Fund is the Senior Center's primary operating fund. It accounts for all financial resources of the general government.

Swartz Creek Area Senior Citizens, Inc.

Notes to the Financial Statements
For The Fiscal Year Ended June 30, 2014

3. Measurement Focus and Basis of Accounting

The Government-wide Financial Statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenue is recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenue in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental Fund Financial Statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized in the accounting period in which they become susceptible to accrual - that is, when they become both measurable and available. Revenue is considered to be available if it is collected within the current period or soon enough thereafter to pay liabilities of the current period, generally collected within 60 days of the end of the current fiscal period. Revenues susceptible to accrual include property taxes, intergovernmental revenues, special assessments, licenses, charges for services and interest. All other revenue items are considered to be available only when cash is received by the Senior Center. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, and claims and judgments are recorded only when payment is due.

Cash - The Senior Center's cash and cash equivalent are comprised of multiple checking accounts.

Vacation, Sick Leave and Other Compensated Absences - Vacation days are earned by full time employees at a rate from ten to fifteen days per year with unused days at year-end being forfeited. Sick days are earned by full time employees at a rate of twelve days per year. Sick days are cumulative from year to year, not to exceed ninety (90) days accumulation. The employees do not have a vested right to their sick leave accumulation. When an employee terminates, all unused sick leave accumulation shall be forfeited by the employee. The estimate maximum contingent liability for these benefits (calculated at current pay rates) as of June 30, 2014, is approximately \$16,162.

Capital Assets - Capital assets, which include buildings and equipment, are reported in the applicable governmental column in the Government-wide Financial Statements. Capital assets are defined by the Senior Center as assets with an initial individual cost of more than \$1,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation. Capital assets are depreciated using the straight-line method.

Fund Balance Classification - In the fund financial statements, governmental funds report nonspendable fund balance for amounts of assets that will not be converted to cash soon enough to affect the current period; restrictions of fund balance for amounts that are legally restricted by outside parties or enabling legislation for use for a specific purpose; committed fund balance for constraints placed on resources by a formal action of the board; and assigned fund balance for constraints placed on resources by the Senior Center's intent to be used for specific purposes.

- For *committed* fund balances, the Senior Center's highest level of decision-making authority is the Board and it takes a Board's resolution to establish a fund balance commitment.
- For *assigned* fund balances, the Board can authorize to assign amounts to a specific purpose through a motion.
- The Senior Center's policy is that the restricted amounts are considered to have been spent first when expenditure is incurred for purposes for which both restricted and unrestricted fund balance is available.
- The Senior Center's policy is if it has *committed*, *assigned* or *unassigned* fund balance available when it incurs expenditure it will use up the fund balance in the order of committed, assigned and then unassigned.
- The Senior Center does not have a policy with respect to a minimum fund balance.

Use of Estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the period. Actual results could differ from those estimates.

Swartz Creek Area Senior Citizens, Inc.

Notes to the Financial Statements
For The Fiscal Year Ended June 30, 2014

4. Stewardship, Compliance and Accountability

Budgetary Information

The Senior Center is legally subject to the budgetary control requirements of State of Michigan P.A. 621 of 1978 (the Uniform Budgeting Act). The following statements represent a brief synopsis of the major provisions of this Act:

- a. Budgets must be adopted for the General Fund.
- b. The budgets must be balanced. The balanced budget may include a contribution to or appropriation from fund balance.
- c. The budgets must be amended when necessary.
- d. Debt cannot be entered into unless permitted by law.
- e. Expenditures cannot exceed budget appropriations.
- f. Expenditures cannot be made unless authorized in the budget.
- g. Public hearings must be held before budget adoptions.

In the body of the financial statements, the Senior Center's actual expenditures and budgeted expenditures for the budgetary funds have been shown on a functional basis. The budget is used by the Senior Center Board as a management tool during the year for all budgetary funds. The budgets are adopted on a cash basis, which is not consistent with generally accepted accounting principles. Budgetary control is exercised at the departmental level. The budget for the General Fund is presented in the required supplemental information.

During the fiscal year ended June 30, 2014, the Senior Center incurred expenditures in certain budgetary funds which were in excess of the amounts appropriated, as follows:

	<u>Total Appropriations</u>	<u>Amount of Expenditures</u>	<u>Budget Variance</u>
NONE			

Swartz Creek Area Senior Citizens, Inc.

Notes to the Financial Statements
For The Fiscal Year Ended June 30, 2014

5. Cash and Investments

Michigan Compiled Laws, Section 129.91, authorizes the Local Unit to deposit and invest in the accounts of Federally insured banks, credit unions, and savings and loan associations; bonds, securities and other direct obligations of the United States, or any agency or instrumentality of the United States; United States government or Federal agency obligation repurchase agreements; bankers' acceptance of United States banks; commercial paper rated by two standard rating agencies within the two highest classifications, which mature not more than 270 days after the date of purchase; obligations of the State of Michigan or its political subdivisions which are rated investment grade; and mutual funds composed of investment vehicles which are legal for direct investment by local units of government in Michigan. Financial institutions eligible for deposit of public funds must maintain an office in Michigan.

The Senior Center has designated two banks for the deposit of Senior Center funds. The investment policy adopted by the Senior Center is in accordance with Public Act 196 of 1997. The Board has authorized investment in bank accounts and CDs, but not the remainder of State statutory authority as listed above. The Board's deposits are in accordance with statutory authority. All cash deposits and investments of the Senior Center are held by the Center in the Senior Center's name.

At the fiscal year end, the deposits and investments were reported in the basic financial statements in the following categories:

	Governmental Activities	Total Primary Government
Cash & Cash Equivalents	\$ 84,904	\$ 84,904

The breakdown between deposits and investments is as follows:

	Primary Government
Bank Deposits (Checking & Savings Accounts, CDs)	\$ 84,904

The bank balance of the primary government's deposits is \$84,904, of which \$84,904 is covered by federal depository insurance and \$-0- is collateralized with U.S. Treasury securities held by the pledging financial institution's trust department in the Senior Center's name.

Custodial Credit Risk of Bank Deposits

Custodial credit risk is the risk that in the event of a bank failure, the Senior Center's deposits may not be returned. The Senior Center does not have a deposit policy for custodial credit risk. At the fiscal year end, the Senior Center had \$-0- of bank deposits (certificates of deposit, checking, and savings accounts) that were uninsured and uncollateralized. The Senior Center evaluates each financial institution with which it deposits funds and assesses the level of risk of each institution; only those institutions with an acceptable estimated risk level are used as depositories.

Credit Risk

State law limits investments in commercial paper to the top two ratings issued by nationally recognized statistical rating organizations. The Senior Center's investment policy does not further limit its investment choices.

At the fiscal year end, there were no deposits and investments reported in the basic financial statements with additional credit risk.

Swartz Creek Area Senior Citizens, Inc.

Notes to the Financial Statements
For The Fiscal Year Ended June 30, 2014

6. Capital Assets

Capital Assets activity of the Senior Center's governmental activities was as follows:

	Balance July 1, 2013	Additions	Disposals & Adjustments	Balance June 30, 2014
Governmental Activities:				
Capital Assets Being Depreciated:				
Equipment	\$ 686,364	\$ 67,581	\$ -	\$ 753,945
Total Capital Assets Being Depreciated	<u>686,364</u>	<u>67,581</u>	<u>-</u>	<u>753,945</u>
Accumulated Depreciation:				
Equipment	140,330	22,292	-	162,622
Total Accumulated Depreciation	<u>140,330</u>	<u>22,292</u>	<u>-</u>	<u>162,622</u>
Net Capital Assets	<u>\$ 546,034</u>	<u>\$ 45,289</u>	<u>\$ -</u>	<u>\$ 591,323</u>

Depreciation expense was charged to programs of the primary government as follows:

Recreation & Culture	\$ 22,292
Total Governmental Activities	<u>\$ 22,292</u>

7. County Millage and Property Taxes

Genesee County passed a millage that will provide revenue to the local senior centers. For the fiscal year then ended June 30, 2014, the Senior Center received \$160,172 from the County.

8. Long -Term Debt

The Senior Center has no Long-Term Debt.

9. Facilities

The City of Swartz Creek contributes approximately one-half of the City Library building, which allows approximately 2,125 square feet of space, for use as a Senior Citizen Center by the Organization. The Senior Citizens Center shall serve as a community focal point and resource on aging. Membership is open to all persons who have reached the age of 50 and maintain residency within the service area.

10. Defined Contribution Plan

Swartz Creek Area Senior Citizens, Inc. contributes to a retirement plan for all full-time employees. The contributions are based on 6% of the full-time employee's payroll. The fund is an Individual Retirement Account that is held in the employee's name. Retirement funds are deposited on a quarterly basis and the expense to the Senior Center for the fiscal year ended June 30, 2014, was \$4,640.

11. Post Employment Benefits

The Senior Center does not provide any post employment benefits.

Swartz Creek Area Senior Citizens, Inc.

Notes to the Financial Statements
For The Fiscal Year Ended June 30, 2014

12. Risk Management

The Senior Center is exposed to various risks of loss related to property loss, torts, errors and omissions, employee injuries, as well as medical and workman's compensation benefits provided to employees. The Senior Center has purchased commercial insurance for the various risks of loss stated above.

Settled claims for the commercial insurance have not exceeded the amount of coverage in any of the past three years. There was no reduction in coverage's obtained through commercial insurance during the past year.

13. New Accounting Standards

For the fiscal year ended June 30, 2014, the Senior Center implemented the following new pronouncements:

GASB Statement 63 – *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources and Net Position* and GASB 65 – *Items previously reported as Assets and Liabilities*.

Summary:

These statements provide financial reporting guidance for deferred outflows of resources and deferred inflows of resources. Concepts Statement No. 4, *Elements of Financial Statements*, introduced and defined those elements as a consumption of net assets by the government that is applicable to a future reporting period, and an acquisition of net assets by the government that is applicable to a future reporting period, respectively. Previous financial reporting standards do not include guidance for reporting those financial statement elements, which are distinct from assets and liabilities.

Concepts Statement No. 4 also identifies net position as the residual of all other elements presented in a statement of financial position. This Statement amends the net asset reporting requirements in Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments*, and other pronouncements by incorporating deferred outflows of resources and deferred inflows of resources into the definitions of the required components of the residual measure and by renaming that measure as net position, rather than net assets.

The implementation of these standards did not require a restatement of the Senior Center's beginning year net position.

Required Supplemental Information

Swartz Creek Area Senior Citizens, Inc.

Required Supplemental Information

Budgetary Comparison Schedule

General Fund

For The Fiscal Year Ended June 30, 2014

	<u>Original Budget</u>	<u>Amended Budget</u>	<u>Actual</u>	<u>Variance with Amended Budget</u>
<u>Revenues</u>				
Property Taxes	\$ 170,255.00	\$ 170,255.00	\$ 160,172.20	\$ (10,082.80)
Charges for Services - Trips	-	-	11,696.00	11,696.00
Hall Rental	1,000.00	1,000.00	2,480.00	1,480.00
Interest Earnings	1,900.00	1,900.00	2,286.24	386.24
Contributions & Donations	33,066.00	33,066.00	35,129.45	2,063.45
Other Revenues	23,000.00	23,000.00	19,119.49	(3,880.51)
Total Revenues	229,221.00	229,221.00	230,883.38	1,662.38
<u>Expenditures</u>				
Recreation & Culture				
Wages & Payroll Taxes	102,268.00	102,268.00	98,023.17	4,244.83
Administration	38,300.00	39,050.00	37,975.71	1,074.29
Operating Activities	83,485.00	85,205.00	75,245.99	9,959.01
Capital Outlay	47,000.00	73,000.00	67,580.91	5,419.09
Total Expenditures	271,053.00	299,523.00	278,825.78	20,697.22
Net Change in Fund Balance	(41,832.00)	(70,302.00)	(47,942.40)	22,359.60
Fund Balance - Beginning of Year	-	-	141,849.36	141,849.36
Fund Balance - End of Year	\$ (41,832.00)	\$ (70,302.00)	\$ 93,906.96	\$ 164,208.96

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1814 S. CEDAR STREET
IMLAY CITY, MI 48444
Phone 810-724-1120
Fax 810-519-1332

September 18, 2014

Swartz Creek Area Senior Citizens, Inc.
8095 Civic Drive
Swartz Creek, MI 48473

To the Members of the Board:

In planning and performing our audit of the financial statements, as of and for the fiscal year ended June 30, 2014, in accordance with auditing standards generally accepted in the United States of America, we considered the **Swartz Creek Area Senior Citizens, Inc.**'s internal control over financial reporting (internal control) as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the governmental unit's internal control. Accordingly, we do not express an opinion on the effectiveness of the governmental unit's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be significant deficiencies or material weaknesses and therefore, there can be no assurance that all deficiencies or material weaknesses have been identified.

A deficiency in internal control exists when the design or operation does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented or detected and corrected on a timely basis. We did not identify any deficiencies in internal control that we consider to be material weaknesses; however, material weaknesses may exist that we have not identified.

A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the following deficiency in the **Swartz Creek Area Senior Citizens, Inc.**'s internal control to be a significant deficiency:

Segregation of Duties – Due to the limited number of people, many critical duties are combined and given to the available employees/board members. To the extent possible, duties should be segregated to serve as a check and balance to maintain the best control possible. We recommend the Senior Center segregate duties whenever possible.

This information is intended solely for the information and use of management, **Swartz Creek Area Senior Citizens, Inc.**, and others within the organization, and is not intended to be and should not be used by anyone other than these specified parties.

Sincerely,



Lehn L. King, C.P.A.
KING & KING CPAs LLC

KING & KING CPAs LLC

Lehn L. King, C.P.A.

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September 18, 2014

Swartz Creek Area Senior Citizens, Inc.

8095 Civic Drive
Swartz Creek, MI 48473

To the Members of the Council:

We have audited the financial statements of the governmental activities of the **Swartz Creek Area Senior Citizens, Inc.** for the fiscal year ended June 30, 2014, and have issued our report thereon dated September 18, 2014. Professional standards require that we provide you with the following information related to our audit.

Our Responsibility under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter dated September 25, 2012, our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

Planned Scope and Timing of the Audit

We performed the audit according to the planned scope and timing previously communicated to you.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the **Swartz Creek Area Senior Citizens, Inc.** are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the fiscal year ended June 30, 2014. We noted no transactions entered into by the governmental unit during the fiscal year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

KING & KING CPAs LLC

Lehn L. King, C.P.A.

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Audit Adjustments (Corrected and Uncorrected Misstatements)

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated September 18, 2014.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. There were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the information and use of management, the Board of the **Swartz Creek Area Senior Citizens, Inc.**, and Federal and State agencies and is not intended to be and should not be used by anyone other than these specified parties.

Sincerely,

Lehn King

Lehn L. King, C.P.A.
KING & KING CPAs LLC

Swartz Creek Area Senior Citizens, Inc.

Annual Financial Report
For The Fiscal Year Ended June 30, 2014

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**SWARTZ CREEK POLICE DEPARTMENT
MOTOR POOL RENTAL HOURS
OCTOBER 2014**

	<u>101-301-941</u>	<u>101-302-941</u>	<u>101-303-941</u>	<u>101-304-941</u>
#05-168	12	0	0	0
#05-649	92	1	0	0
#12-144	137	15	0	0
#09-401	0	0	143	0
#13-384	454	15	0	0
#09-226	119	7	0	6
#10-161	98	10	0	0
TOTAL	912	48	143	6

SCPD200 Ticket Ledger Report

10/1/2014 12:00:00 AM - 10/31/2014 12:00:00

AM

Citation No	Citation Date Time	Location	Offense
10354	10/2/2014	Wade	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10355	10/3/2014	Worcester	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10356	10/3/2014	Burkeshire	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10357	10/7/2014	Daval	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10358	10/7/2014	Cappy	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10359	10/7/2014	Worcester	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10360	10/8/2014	Wade	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10361	10/8/2014	Locust	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10362	10/11/2014	Durwood	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10363	10/11/2014	Worcester	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10364	10/11/2014	Greenleaf	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10365	10/12/2014	Don Shenk	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10366	10/12/2014	Parkridge	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10367	10/12/2014	Yarmy	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10368	10/13/2014	Parkridge	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations

10369	10/13/2014	Don Shenk	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10370	10/16/2014	Daval	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10371	10/16/2014	Don Shenk	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10372	10/16/2014	Mclain	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10373	10/17/2014	Daval	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10374	10/17/2014	Worcester	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10375	10/17/2014	Worcester	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10501	10/21/2014	Winshall	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10502	10/22/2014	Worcester	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10503	10/22/2014	Worcester	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10504	10/22/2014	Daval	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10505	10/22/2014	Chesterfield	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10506	10/25/2014	Winshall	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10507	10/25/2014	Winshall	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10509	10/25/2014	Greenleaf	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10510	10/26/2014	Frederick	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10511	10/26/2014	Winston	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10512	10/26/2014	Helmsley	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations

10513	10/26/2014	Worcester	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10514	10/26/2014	Mountain Ash	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10515	10/29/2014	Brady	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10516	10/29/2014	Winshall	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10517	10/29/2014	Greenleaf	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10518	10/29/2014	Greenleaf	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
10519	10/30/2014	Worcester	
			9913 - 93004 - Traffic, Non-Criminal - Parking Violations
1220768	10/20/2014	Morrish Near I-69	
			8054 - 54003 - Traffic - Violation of Basic Speed (Too Fast)
1220770	10/21/2014	Miller Near Fairchild	
			8280 - 54003 - Traffic - No Proof of Insurance
			8277 - 54003 - Traffic - Registration Law Violations
1269856	10/10/2014	Miller At Fairchild	
			8128 - 54003 - Traffic - Improper Stop and Turn on Red
			8277 - 54003 - Traffic - Registration Law Violations
			8277 - 54003 - Traffic - Registration Law Violations
1269857	10/10/2014	Bristol Near Heritage	
			8054 - 54003 - Traffic - Violation of Basic Speed (Too Fast)
			8275 - 54003 - Traffic - Driver License Law Violations
1269858	10/12/2014	Fortino Near Miller	
			8210 - 54003 - Traffic - Noisy Muffler/Excessive Fumes/Smoke
			8280 - 54003 - Traffic - No Proof of Insurance
			8277 - 54003 - Traffic - Registration Law Violations
1269859	10/12/2014	Miller Near Fortino	
			8273 - 54003 - Traffic - Driving on Susp/Revoked/Refused License
1269862	10/3/2014	Miller At Fairchild	
			8080 - 54003 - Traffic - Following Too Closely
1269863	10/13/2014	Miller Near Holland	
			8277 - 54003 - Traffic - Registration Law Violations

1269864	10/22/2014	Parkridge Near Locuse	
			8216 - 54003 - Traffic - Window Tint Violation
1269885	10/25/2014	7556 Miller Rd	
			5311 - 53001 - Disorderly Conduct
1269886	10/27/2014	Miller Near Elms	
			8280 - 54003 - Traffic - No Proof of Insurance
1269887	10/29/2014	Miller Near Fairchild	
			8080 - 54003 - Traffic - Following Too Closely
1269910	10/1/2014	Miller Near Elms	
			8273 - 54003 - Traffic - Driving on Susp/Revoked/Refused License
1269911	10/4/2014	Morrish Near Mary	
			8054 - 54003 - Traffic - Violation of Basic Speed (Too Fast)
1269912	10/5/2014	Miller Near Bristol	
			8280 - 54003 - Traffic - No Proof of Insurance
			8210 - 54003 - Traffic - Noisy Muffler/Excessive Fumes/Smoke
1269913	10/14/2014	Miller Near School	
			8280 - 54003 - Traffic - No Proof of Insurance
1269914	10/14/2014	Miller At Elms	
			8280 - 54003 - Traffic - No Proof of Insurance
1269915	10/14/2014	Miller At Elms	
			8122 - 54003 - Traffic - Disregarded Flashing Red Signal
			8280 - 54003 - Traffic - No Proof of Insurance
1269916	10/17/2014	Miller At Fairchild	
			8128 - 54003 - Traffic - Improper Stop and Turn on Red
1269917	10/19/2014	Miller Near Elms	
			8277 - 54003 - Traffic - Registration Law Violations
			8231 - 54003 - Traffic - Defective/Improper/No Headlights
1269918	10/19/2014	Morrish Near Mary	
			8273 - 54003 - Traffic - Driving on Susp/Revoked/Refused License
			8277 - 54003 - Traffic - Registration Law Violations
			8280 - 54003 - Traffic - No Proof of Insurance
1269919	10/24/2014	I-69 Near Morrish	
			8054 - 54003 - Traffic - Violation of Basic Speed (Too Fast)
1269920	10/24/2014	I-69 Near Morrish	
			8054 - 54003 - Traffic - Violation of Basic Speed (Too Fast)
1269921	10/25/2014	Morrish Near Mary	

			8277 - 54003 - Traffic - Registration Law Violations
1270081	10/6/2014	Bristol At Heritage	
			8054 - 54003 - Traffic - Violation of Basic Speed (Too Fast)
			8280 - 54003 - Traffic - No Proof of Insurance
1270083	10/21/2014	Morrish Near I-69	
			8054 - 54003 - Traffic - Violation of Basic Speed (Too Fast)
			8280 - 54003 - Traffic - No Proof of Insurance
1270084	10/25/2014	Morrish At Maplecrest	
			8054 - 54003 - Traffic - Violation of Basic Speed (Too Fast)
1270085	10/20/2014	Miller At Fairchild	
			8122 - 54003 - Traffic - Disregarded Flashing Red Signal
1270086	10/21/2014	Elms Near Yarmy	
			8054 - 54003 - Traffic - Violation of Basic Speed (Too Fast)
1270174	10/24/2014	Morrish At I-69	
			8122 - 54003 - Traffic - Disregarded Flashing Red Signal

Total Tickets : 70

Total Offenses : 83

Introduction to Transportation Asset Management – Okemos

A Workshop for Elected Officials

December 11, 2014 – 8:00 AM to 11:30 AM

Okemos Conference Center

2187 University Park Drive

Okemos, MI 48864

Overview

We apply the basic principles of asset management every day to manage decisions relating to our homes, automobiles and other personal possessions. Businesses also use asset management to make decisions, so why don't we use the same principles to maintain roads?

This workshop will provide an introduction to several core components of transportation asset management:

- Overview of transportation asset management principles
- Lowering costs using an asset management plan
- Preventative maintenance treatments for asphalt
- Choosing the right preventative maintenance strategies

Registration

There is no cost to participants. The Michigan Transportation Asset Management Council (TAMC) covers the training session registration costs and refreshments will be provided.

Registration & Continental Breakfast starts at 7:30am

Register at ctt.mtu.edu/Training

or by calling (906) 487-2102

Questions? Email ctt@mtu.edu

Instructor



Tim Colling, Ph.D., PE., is the Director of the CTT. Tim has been the primary instructor for over 200 education programs for local agency staff. Prior to joining the CTT in 2002, Tim worked as a civil engineering consultant in Michigan for 10 years.

ASSET MANAGEMENT PRESENTATION – CITY OF SWARTZ CREEK



AGENDA

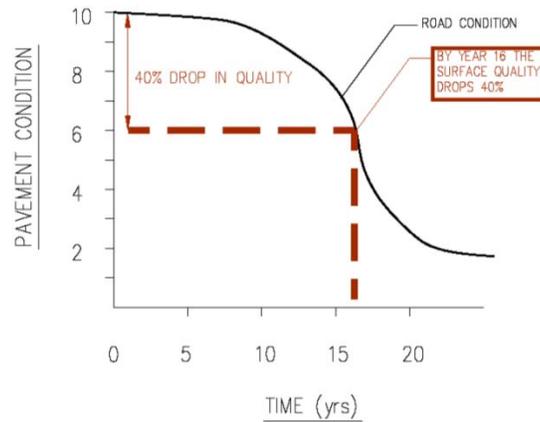
- I. Asset Management Overview
- II. Street Inventory
- III. Capital Plan Strategy
- IV. Example Project

WHAT IS ASSET MANAGEMENT?

- Planning for cost effective preservation of a physical asset



STREET LIFE CYCLE



KEY ELEMENTS

- 1. Existing Conditions
- 2. Level of Service
- 3. Planned Actions
- 4. Financing Strategy

STREET INVENTORY

- 1. Evaluate Existing Conditions
- 2. Establish Method of Treatment
- 3. Develop Budget for Improvements



CITY STREET NETWORK

- 22 Miles of Major/Local Streets



STREET INVENTORY

- Existing Conditions
 - Paser Rating



9

GOOD: 6-10



4

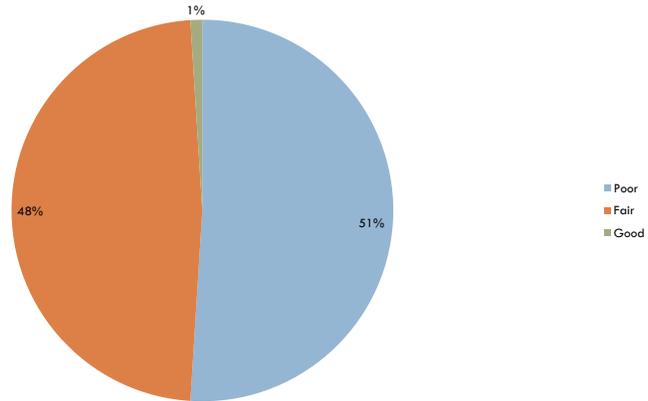
FAIR: 4-5



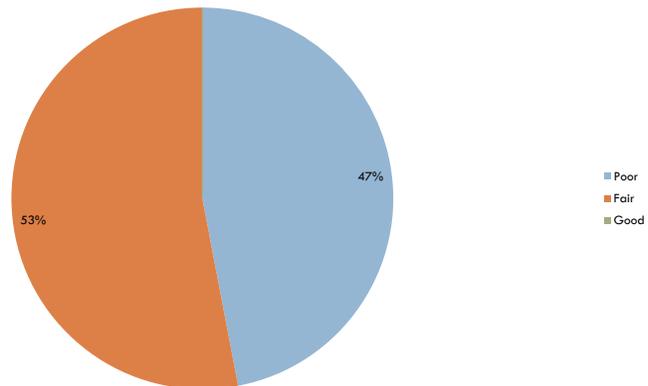
1

POOR: 1-3

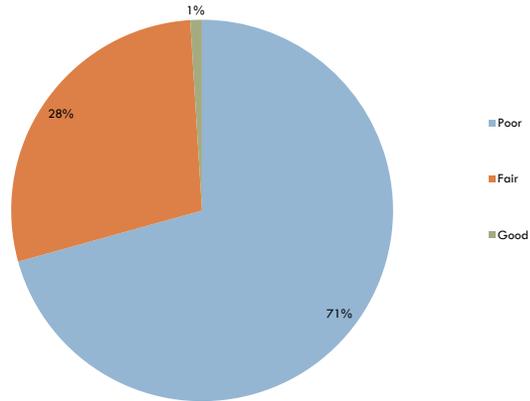
OVERALL RATINGS



MAJOR STREET RATINGS



2014 LOCAL STREET RATINGS

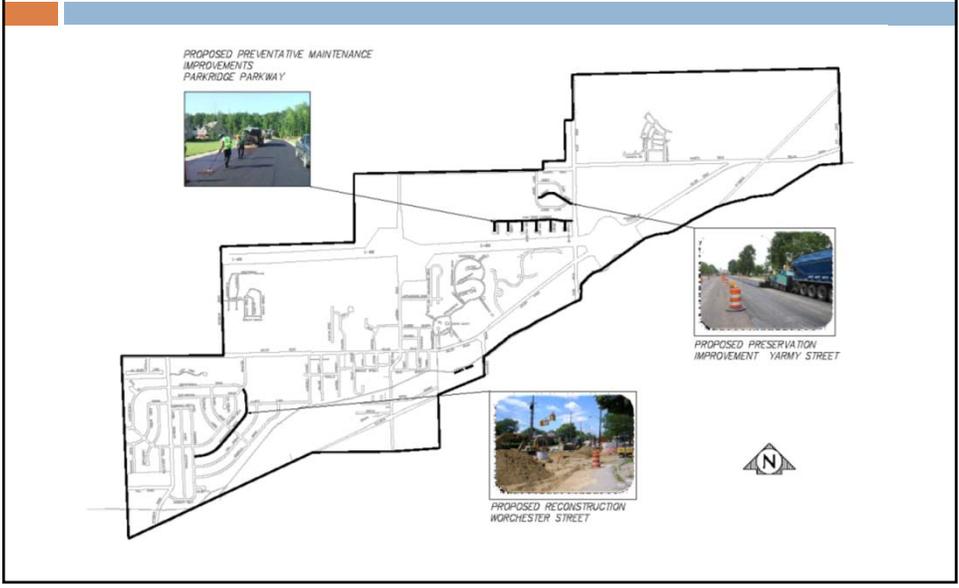


TREATMENT METHODS

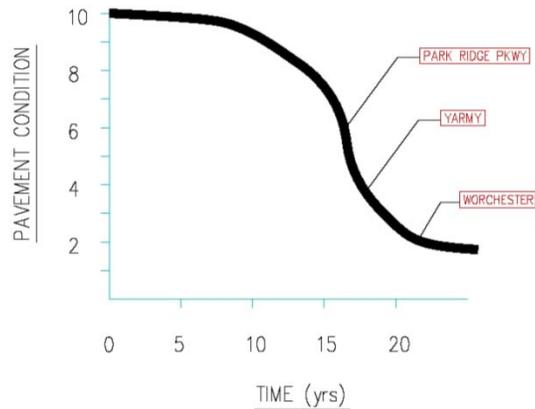
- Selecting the right application at the right time



EXAMPLE PROJECT



STREET LIFE CYCLE IMPROVEMENTS



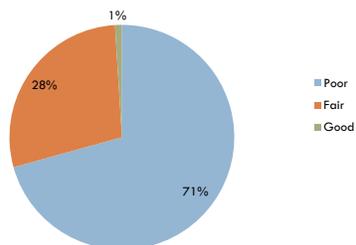
CAPITAL PLAN STRATEGY

□ NEXT STEPS

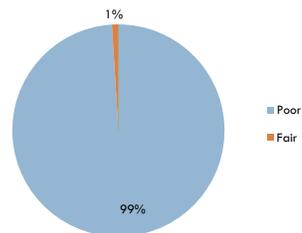
- -Establish goals for level of service/define annual community investment (more \$\$ = more rehab, replacement, & maintenance)
- -Establish prioritization strategy (which streets, when)
- -Outline a schedule of future improvements
 - Bonded improvements (front loading repairs)
 - On-going improvements (more maintenance focused)

EXISTING CONDITIONS

EXISTING CONDITIONS - 2014

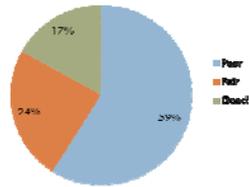


DO NOTHING - 2034

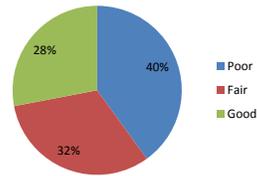


INVESTMENT STRATEGIES

\$0.5MIL ANNUALLY - 2034



\$1.0MIL ANNUALLY - 2034



CITY STREET FUNDS

Major Streets

- \$281,000 gas tax state revenues
- \$180,000 operating expenses
- \$~100,000 annually for projects
- Construction federal match is 4 to 1
 - Example: \$100,000 local funds can repair \$500,000 of roads
 - 2015 Miller Road project is ~\$2M, with \$400k contribution
- Current Status: Fund is solvent with sufficient capital improvement dollars for a fair level of service

Local Streets

- \$97,500 gas tax & other state revenues
- \$125,000 operating expenses
- -\$27,500 annually for projects
- No reliable construction match
- Current Impact: Fund is subsidized by general fund for operations to make up for the operating short fall, no capital improvement funds are available

Findings: The \$100k (\$500k after federal leverage) annual capital improvement budget is adequate for major streets. Similar results are expected from a matching investment into local streets.

Revenues Sources

Assessment

- Direct cost to property owners with street frontage
- Paid over 5-10 years with taxes
- Benefits: cost is that of actual improvement, process is quick, and improvements are guaranteed
- Downsides: No cost distribution to businesses or other users (think roads with schools)

Levy

- Cost to all taxpayers based upon taxable value
- Usually approved for 10-20 years
- Benefits: payments are lower than assessments, improvements span entire city, program is sustainable
- Downsides: Improvements can vary, while payments stay the same (home A had their street rebuilt, while home B's had their street resurfaced); improvements are less certain (think year 19 of the plan)

LEVEL OF SERVICE AND COSTS

Assessment

Assessments could range from \$100/year to over \$1,000/year

- \$800,000 over ~80 lots is \$10,000 assessment/lot for Worcester reconstruction

Levy

Levy Impacts on Homes	1 mil (\$135/yr)		3.7 mil (\$500k/yr)		7.4 mil (\$1M/yr)	
	Month	Year	Month	Year	Month	Year
Home Value \$70,000 (\$35,000 taxable)	\$2.92	\$35.00	\$10.79	\$129.50	\$21.58	\$259.00
Home Value \$100,000 (\$50,000 taxable)	\$4.17	\$50.00	\$15.42	\$185.00	\$30.83	\$370.00
Home Value \$150,000 (\$75,000 taxable)	\$6.25	\$75.00	\$23.13	\$277.50	\$46.25	\$555.00

WHAT NOW?

Community Vision

- New revenues?
 - ▣ If so, assessment or levy?
- Established 20 year plan or year-by-year?
- Bond or no bond?

Governmental Process

- Bid projects for construction in summer of 2015
- Develop street review committee?
- Hold ballot initiative in May 2015 OR seek assessments

SWARTZ CREEK PARK
PLANNING COMMISSION
2014

MISSION:

To move forward with the five year plan and to improve and repair our present facilities.

Objective:

To use community service organizations and volunteers from the community to fulfill the mission.

Service organizations:

Kiwanis

Rotary

Lions

Boy, Girl, Cub, Brownie Scouts

VFW

American Legion

Friends of Perkins Library

LaCross

ELMS ROAD PARK PROJECTS FOR 2014

COMPLETED

1. Clean north fence line
2. Trim trees throughout park
3. Planted 20 new trees
4. Replaced stoves
5. Repaired and painted gazebo

COMPLETED AND ONGOING

1. Repair and paint picnic tables
2. Added new diamond dust and graded softball field
3. Paint and repair playground swings, slides, etc.

NOT COMPLETED

1. New garbage cans
2. Run water and electric line to entrance island
3. Fix Lions Head drinking fountain and drainage problem
4. Repair tire/swing
5. Install sidewalks to pavilion areas
6. Increase soft ball field to baseball field
7. Install new backstop at ball field
8. Paint bicycle rack
9. Improve entrance road and parking lot
10. Install new roofing on pavilions
11. Grind stumps

FUTURE CONSIDERATIONS

1. Wild flower area
2. Skating pond
3. Vegetation signage
4. Horseshoe pits
5. Disc Golf

BICENTENIAL PARK

NOT COMPLETED

1. Need to grind stumps

WINDSHALL PARK

COMPLETED

1. Play area was cleaned up
2. Merry-go-round was rebuilt
3. Fence was repainted.
4. Trees were trimmed

DPS ACTIVITY

October 2014

	<u>REGULAR</u>	<u>HOLIDAY</u>	<u>VACATION</u>	<u>ABSENT</u>	<u>OT</u>	<u>DT</u>
101 GENERAL FUND						
262.0 ELECTIONS	0.00	0.00	0.00	0.00	0.00	0.00
781.0 AMPHI-PARK	6.00	0.00	0.55	0.00	0.00	0.00
782.0 WINSHALL PARK	7.00	0.00	0.25	0.00	0.00	0.00
783.0 ELMS PARK	33.00	0.00	1.64	1.11	0.00	0.00
784.0 BICENT. PARK	0.00	0.00	0.00	0.00	0.00	0.00
790.0 SENIOR CENTER/LIBRARY	17.50	0.00	0.00	0.00	0.00	0.00
345.0 P S BLDG	16.50	0.00	0.25	0.00	0.00	0.00
793.0 CITY HALL	2.37	0.00	0.03	0.03	0.00	0.00
794.0 COMM PROMO	9.00	0.00	1.00	0.00	5.00	0.00
796.0 CEMETERY	0.00	0.00	0.00	0.00	0.00	0.00
202 MAJOR STREET FUND						
429.0 SAFETY	0.00	0.00	0.00	0.00	0.00	0.00
441.0 PARK & RIDE	9.00	0.00	0.00	0.00	0.00	0.00
463.0 STREET MAIN	11.00	0.00	0.11	0.00	0.00	0.00
474.0 TRAFFIC	16.00	0.00	1.12	0.33	0.00	0.00
478.0 SNOW & ICE	0.00	0.00	0.00	0.00	0.00	0.00
482.0 ADMIN	3.96	0.00	0.44	0.00	0.00	0.00
203 LOCAL STREET FUND						
429.0 SAFETY	0.00	0.00	0.00	0.00	0.00	0.00
463.0 STREET MAIN	105.00	0.00	5.34	2.44	1.00	0.00
474.0 TRAFFIC	31.50	0.00	1.11	0.00	0.00	0.00
478.0 SNOW & ICE	0.00	0.00	0.00	0.00	0.00	0.00
482.0 ADMIN	3.96	0.00	0.44	0.00	0.00	0.00
226 GARBAGE FUND						
528.0 COLLECT	41.00	0.00	3.02	0.00	0.00	0.00
530.0 WOODCHIPPING	85.20	0.00	5.30	1.89	0.00	0.00
782.0 WINSHALL PARK GARBAGE	9.00	0.00	0.22	0.22	4.00	4.00
783.0 ELMS PARK GARBAGE	17.50	0.00	0.22	0.22	4.00	4.00
793.0 CITY HALL	2.37	0.00	0.03	0.03	0.00	0.00
590 WATER						
540.0 WATER SYSTEM	143.94	0.00	11.25	0.89	0.00	0.00
540.0 WATER-ON CALL	0.00	0.00	0.00	0.00	0.00	0.00
542.0 READ & BILL	14.50	0.00	0.86	0.00	0.00	0.00
793.0 CITY HALL	2.38	0.00	0.03	0.03	0.00	0.00
591 SEWER						
536.0 SEWER SYSTEM	72.44	0.00	7.85	0.11	0.00	0.00
536.0 SEWER-ON CALL	0.00	0.00	0.00	0.00	0.00	0.00
537.0 LIFT STATION	11.00	0.00	0.58	0.11	0.00	0.00
542.0 READ & BILL	14.50	0.00	0.86	0.00	0.00	0.00
793.0 CITY HALL	2.38	0.00	0.03	0.03	0.00	0.00
661 MOTOR POOL FUND						
795.0 CITY GARAGE	40.00	0.00	5.47	0.56	0.00	0.00
DAILY HOURS TOTAL	728.00	0.00	48.00	8.00	14.00	8.00

**Public Works
Monthly Work Orders**

11/03/14

Work Order # Work Order Status	Location ID	Customer Name Service Address	Date Recd Date Comp	Type
MNT14-0187 COMPLETED	CI10-008100-0000-01	PUBLIC SAFETY BUILDING 8100 CIVIC DR	10/01/14 10/02/14	BUILDING MAINTENA
WOFF14-1182 COMPLETED	MI10-008169-0000-03	JAGGAER, MICHAEL 8169 MILLER RD	10/01/14 10/02/14	WATER TURN OFF
WOFF14-1183 COMPLETED	FA10-005137-0000-02	COPELAND, NELSON 5137 FAIRCHILD ST	10/01/14 10/02/14	WATER TURN OFF
WOFF14-1184 COMPLETED	WI20-005058-0000-03	ALLEN-ANTHONY, NICOLE 5058 WINSTON DR	10/01/14 10/02/14	WATER TURN OFF
WTON14-0768 COMPLETED	BR20-008041-0000-04	BENTON, WARREN 8041 BRISTOL RD	10/01/14 10/01/14	WATER TURN ON
WREP14-0053 COMPLETED	MA30-007565-0000-01	LANDSKROENER, MARK 7565 MASON ST	10/01/14 10/01/14	WATER REPAIRS
MNT14-0188 COMPLETED	EL10-004125-0000-01	ELMS PARK 4125 ELMS RD	10/02/14 10/02/14	BUILDING MAINTENA
WTON14-0769 COMPLETED	MI10-008169-0000-03	JAGGAER, MICHAEL 8169 MILLER RD	10/02/14 10/02/14	WATER TURN ON
WTON14-0770 COMPLETED	WI20-005058-0000-03	ALLEN-ANTHONY, NICOLE 5058 WINSTON DR	10/02/14 10/02/14	WATER TURN ON
WTON14-0771 COMPLETED	FA10-005137-0000-02	COPELAND, NELSON 5137 FAIRCHILD ST	10/02/14 10/02/14	WATER TURN ON
WOFF14-1185 COMPLETED	GA10-004518-0000-04	HAYTH, ROY & CYNTHIA 4518 GATEWAY BLVD	10/03/14 10/03/14	WATER TURN OFF
GWO14-0312 COMPLETED	EL10-004125-0000-01	ELMS PARK 4125 ELMS RD	10/03/14 10/03/14	GENERIC WORK ORDE
GWO14-0313 COMPLETED	CI10-008095-0000-01	PERKINS LIBRARY 8095 CIVIC DR	10/03/14 10/03/14	GENERIC WORK ORDE
FNRD14-0753 COMPLETED	CE10-009265-0000-05	BURGESS, HEATHER 9265 CEDAR CREEK CT	10/03/14 10/03/14	FINAL READ
FNRD14-0754 COMPLETED	MI10-007029-0000-05	KRUPP, JASON 7029 MILLER RD	10/03/14 10/03/14	FINAL READ
FNRD14-0755 CANCELLED	WI10-005200-0000-05	JMZ PROPERTIES, LLC 5200 WINSHALL DR	10/03/14	FINAL READ
WTON14-0772 COMPLETED	BR10-005071-0000-03	FISHER, TAMMY 5071 BRADY ST	10/03/14 10/03/14	WATER TURN ON
WTON14-0774 COMPLETED	DO10-005363-0000-02	METCALFE, WILLIAM 5363 DON SHENK DR	10/03/14 10/03/14	WATER TURN ON
GWO14-0311 COMPLETED	OX10-005150-0000-01	QUICK, DONALD 5150 OXFORD CT	10/03/14 10/03/14	GENERIC WORK ORDE
WTON14-0773 COMPLETED	GR10-005239-0000-02	JUSTICE, LAURA 5239 GREENLEAF DR	10/03/14 10/03/14	WATER TURN ON

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
FNRD14-0756 COMPLETED	SC20-005119-0000-05	STORER, HELEN 5119 SCHOOL ST	10/06/14 10/07/14	FINAL READ
CKME14-0242 COMPLETED	SC20-005021-0000-09	SOTH, STEPHANIE 5021 SCHOOL ST	10/07/14 10/07/14	CHECK METER
MNT14-0189 COMPLETED	CI10-008095-0000-01	PERKINS LIBRARY 8095 CIVIC DR	10/09/14 10/10/14	BUILDING MAINTENA
FNRD14-0758 COMPLETED	DO10-005342-0000-01	CRAMPTON, ARTHUR 5342 DON SHENK DR	10/10/14 10/10/14	FINAL READ
MTRP14-0438 COMPLETED	MI10-007480-0000-01	HAMADY, NASRI & SALWA 7480 MILLER RD	10/10/14 10/10/14	METER REPAIR
CKME14-0243 COMPLETED	SP10-004289-0000-01	WALWORTH, MARY 4289 SPRINGBROOK DR	10/10/14 10/10/14	CHECK METER
WTON14-0775 COMPLETED	IN10-008211-0000-06	JMZ PROPERTIES 8211 INGALLS ST	10/10/14 10/10/14	WATER TURN ON
FNRD14-0759 COMPLETED	MY10-004375-0000-01	WOODSIDE BUILDERS 4375 MAYA LN	10/13/14 10/13/14	FINAL READ
WTON14-0776 COMPLETED	CH20-008493-0000-08	BRIMLEY, SHANNA 8493 CHESTERFIELD DR	10/13/14 10/13/14	WATER TURN ON
DAPU14-0015 COMPLETED	EL10-004045-0000-03	MOORE, DEBORAH 4045 ELMS RD	10/14/14 10/15/14	DEAD ANIMAL PICK
WBKU14-0036 COMPLETED	WI10-005342-0000-01	CAMPBELL, CHARLES 5342 WINSHALL DR	10/14/14 10/14/14	WATER BACK UP-CHE
FNRD14-0757 COMPLETED	MO10-005061-0000-07	BEDELL, ELWOOD 5061 MORRISH RD	10/15/14 10/15/14	FINAL READ
CKME14-0244	SP10-004447-0000-01	SZUCH, LEORA 4447 SPRINGBROOK DR	10/16/14	CHECK METER
WOFF14-1186 COMPLETED	EL10-004125-0000-01	ELMS PARK 4125 ELMS RD	10/20/14 10/20/14	WATER TURN OFF
WOFF14-1187 COMPLETED	WI10-005363-0000-01	WINSHALL PARK 5363 WINSHALL DR	10/20/14 10/20/14	WATER TURN OFF
WMBK14-0044 COMPLETED	DU10-005374-0000-04	PERKINS, ROBERT 5374 DURWOOD DR	10/20/14 10/20/14	WATER MAIN BREAK
FNRD14-0760 COMPLETED	AS10-000100-0000-03	WHITE, JUDITH 100 ASHLEY CIR	10/20/14 10/21/14	FINAL READ
WMBK14-0045 COMPLETED	BR20-006383-0000-02	BROCKWAY, CATHERINE 6383 BRISTOL RD	10/22/14 10/22/14	WATER MAIN BREAK
MNT14-0190	CI10-008095-0000-01	PERKINS LIBRARY 8095 CIVIC DR	10/23/14	BUILDING MAINTENA
CKME14-0245 COMPLETED	MA30-007553-0000-09	FREDRICK, DEBBRA 7553 MASON ST	10/23/14 10/23/14	CHECK METER
READ14-0390	SC20-005021-0000-09	SOTH, STEPHANIE 5021 SCHOOL ST	10/24/14	READ METER
WOFF14-1188 City Council Packet	CE10-009283-0000-03	CONTREBAS, JESSICA	10/24/14 November 10, 2014	WATER TURN OFF

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
CANCELLED		9283 CEDAR CREEK CT	10/27/14	
WOFF14-1189 CANCELLED	CH30-007550-0000-09	TALSMA, DENISE 7550 CHURCH ST	10/24/14 10/27/14	WATER TURN OFF
WOFF14-1190 COMPLETED	JE10-004029-0000-04	MURTO, RYAN 4029 JENNIE LN	10/24/14 10/27/14	WATER TURN OFF
WOFF14-1191 COMPLETED	MO20-004206-0000-05	MATTHEWS, CINDI 4206 MOUNTAIN ASH LN	10/24/14 10/27/14	WATER TURN OFF
WOFF14-1192 COMPLETED	WA10-007455-0000-04	LARA, MAGEN 7455 WADE ST	10/24/14 10/27/14	WATER TURN OFF
WOFF14-1193 COMPLETED	YA10-007025-0000-05	JACKSON, JOHNNY 7025 YARMY DR	10/24/14 10/27/14	WATER TURN OFF
FNRD14-0761 COMPLETED	MI10-006324-0000-01	WRIGHT, JOHN 6324 MILLER RD	10/24/14 10/24/14	FINAL READ
FNRD14-0762 COMPLETED	ST10-006315-0000-01	CHRISTIE, JASON 6315 ST CHARLES PASS	10/27/14 10/24/14	FINAL READ
STRT14-0057	EL10-003424-0000-01	ROBERTS, WILLIAM D 3424 ELMS RD	10/27/14	STREET REPAIR
WTON14-0777 COMPLETED	MO20-004206-0000-05	MATTHEWS, CINDI 4206 MOUNTAIN ASH LN	10/28/14 10/28/14	WATER TURN ON
WTON14-0778	JE10-004029-0000-04	MURTO, RYAN 4029 JENNIE LN	10/28/14 10/28/14	WATER TURN ON
CKME14-0246 COMPLETED	BR20-006498-0000-01	SPILLANE, DAVID E 6498 BRISTOL RD	10/28/14 10/28/14	CHECK METER
WOFF14-1194 COMPLETED	MA20-008041-0000-03	PARRY, GERRY 8041 MAPLE ST	10/29/14 10/29/14	WATER TURN OFF
WTON14-0779 COMPLETED	YA10-007025-0000-05	JACKSON, JOHNNY 7025 YARMY DR	10/29/14 10/29/14	WATER TURN ON
GWO14-0314 COMPLETED	CA10-008336-0000-01	SWARTZ CREEK SCHOOLS- WAREHO 8336 CAPPY LN	10/29/14 10/30/14	GENERIC WORK ORDE
FNRD14-0765 COMPLETED	WA10-007455-0000-04	LARA, MAGEN 7455 WADE ST	10/30/14 10/30/14	FINAL READ
FNRD14-0766 COMPLETED	MI10-007550-0000-04	PERAULT INS AGENCY 7550 MILLER RD	10/30/14 10/30/14	FINAL READ
FNRD14-0768 COMPLETED	GR10-005207-0000-05	JOHNSON, JASON 5207 GREENLEAF DR	10/30/14 10/30/14	FINAL READ
WOFF14-1195 COMPLETED	CA10-008347-0000-01	ALLMAN, DOROTHY 8347 CAPPY LN	10/30/14 10/30/14	WATER TURN OFF
FNRD14-0764	SP10-004444-0000-02	MACIAK, PATRICIA 4444 SPRINGBROOK DR	10/31/14	FINAL READ
FNRD14-0767 COMPLETED	MI10-008400-0000-01	SCANLON, MARTHA 8400 MILLER RD	10/31/14 10/31/14	FINAL READ
FNRD14-0769	CC10-007436-0000-02	SAGADY, MARY 7436 CROSSCREEK DR	10/31/14	FINAL READ

Work Order #	Location ID	Customer Name	Date Recd	Type
Work Order Status		Service Address	Date Comp	
FNRD14-0770	DU10-005191-0000-05	MARTIN, RANDAL 5191 DURWOOD DR	10/31/14	FINAL READ
MTRP14-0439 COMPLETED	BI20-004176-0000-02	STEWART II, PAUL A 4176 BIRCH LN	10/31/14 10/31/14	METER REPAIR

Total Records: 65

October 2014	MILES DRIVEN		GALLONS GAS PURCHASED		GALLONS DIESEL PURCHASED
<u>#1 P/U 4WD</u>					
<u>#3 P/U 4WD</u>	591		28		
<u>07-03 P/U 4WD</u>					25
<u>09-03 P/U 4WD</u>					21
<u>#2 P/U 2WD</u>			47		
<u>#6-00 BACKHOE</u>					
<u>#9 DUMP</u>					
<u>#10 DUMP</u>					
<u>#11 DUMP</u>			47		
<u>#12-02 DUMP</u>					
<u>#12-04 DUMP</u>					
<u>#12-99 GENERATOR</u>					
<u>#9-02 BRUSH HOG</u>					
<u>#17 CASE BACKHOE</u>					19
<u>#19 JD TRACTOR</u>					
<u>#06-99 BUCKET TRUCK</u>			15		
<u>#21 WOOD CHIPPER</u>					45
<u>#807 STREET SWEEPER</u>					
<u>#42 ASPHALT HEATER</u>					
<u>#37 TRAIL ARROW</u>					
<u>#10-98 3" PUMP</u>					
<u>#28A 3" PUMP</u>					
<u>3" PUMP</u>					
<u>#30 4" PUMP</u>					
<u>#31 4" PUMP</u>					
<u>#32 4" PUMP</u>					
<u>1" PUMP</u>					
<u>S-10</u>			34		
TOTAL	591		171		110



State of Michigan

National Pollutant Discharge Elimination System

Permit Application for Discharge of Storm Water to Surface Waters of the State from a Municipal Separate Storm Sewer System

DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER RESOURCES DIVISION
PERMITS SECTION
P.O. BOX 30458
LANSING, MICHIGAN 48909-7958
TELEPHONE: 517-284-5568
FAX: 517-241-9003



Michigan Department of Environmental Quality – Water Resources Division
STORM WATER DISCHARGE PERMIT APPLICATION

Do Not Return This Page with the Completed Application

PURPOSE AND AUTHORITY

The National Pollutant Discharge Elimination System (NPDES) Program protects the surface waters of the state by assuring that discharges of wastewater comply with state and federal regulations. Anyone discharging or proposing to discharge wastewater to the surface waters of the state are required to make application for and obtain a valid NPDES permit prior to wastewater discharge.

NPDES permits are required under Section 402 of the Federal Clean Water Act (the “Federal Act”), as amended (33 U.S.C. 1251 et seq., P.L. 92-500, 95-217), and under Part 31, Water Resources Protection, of Michigan’s “Natural Resources and Environmental Protection Act”, 1994 PA 451, as amended (NREPA). Part 31 of the NREPA also provides authority for the State to issue NPDES permits. The Michigan Department of Environmental Quality (DEQ) administers the NPDES permit program for the State of Michigan.

This Application should be used to apply for a storm water discharge from a regulated Municipal Separate Storm Sewer System (MS4) to the surface waters of the state.

ELIGIBLE PERMITTEES

Except as excluded below, any public body that owns or operates a regulated MS4 may be eligible for permit coverage including, but not limited to, the United States, the State of Michigan, a city, village, township, county, public school district, public college or university, a single purpose governmental agency, or any other governing body which is created by federal or state statute or law.

The DEQ will determine eligibility for permit coverage.

Nongovernmental entities, such as individuals, private schools, private colleges, and private universities, or industrial and commercial entities, are not eligible for permit coverage.

PENALTIES

The information in this Application is required by the Part 21 Rules of the NREPA. A municipality, business, or industry that violates the Part 21 Rules may be enjoined by action commenced by the Attorney General in a court of competent jurisdiction.

Federal and State laws provide penalties for submitting false application information. The laws imposing those penalties are cited below.

The Federal Act, Section 309(c)(4): “Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this chapter or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this chapter, shall upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or by both.”

The NREPA, Section 3115(2): “A person who at the time of the violation knew or should have known that he or she discharged a substance contrary to this part, or contrary to a permit or order issued or rule promulgated under this part, or who intentionally makes a false statement, representation, or certification in an application form pertaining to a permit or in a notice or report required by the terms and conditions of an issued permit, or who intentionally renders inaccurate a monitoring device or record required to be maintained by the department, is guilty of a felony and shall be fined not less than \$2,500.00 or more than \$25,000.00 for each violation. The court may impose an additional fine of not more than \$25,000.00 for each day during which the unlawful discharge occurred. If the conviction is for a violation committed after a first conviction of the person under this subsection, the court shall impose a fine of not less than \$25,000.00 per day and not more than \$50,000.00 per day of violation. Upon conviction, in addition to a fine, the court, in its discretion may sentence the defendant to imprisonment for not more than 2 years or impose probation upon a person for a violation of this part. With the exception of the issuance of criminal complaints, issuance of warrants, and the holding of an arraignment, the circuit court for the county in which the violation occurred has exclusive jurisdiction. However, the person shall not be subject to the penalties of this subsection if the discharge of the effluent is in conformance with and obedient to a rule, order, or permit of the department. In addition to a fine, the attorney general may file a civil suit in a court of competent jurisdiction to recover the full value of the injuries done to the natural resources of the state and the costs of surveillance and enforcement by the state resulting from the violation.”

The Michigan Department of Environmental Quality will not discriminate against any individual or group on the basis of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. Questions or concerns should be directed to the Office of Personnel Services, P.O. Box 30473, Lansing, MI 48909.

Michigan Department of Environmental Quality – Water Resources Division
STORM WATER DISCHARGE PERMIT APPLICATION

PLEASE TYPE OR PRINT						
Applicants for either new permit coverage or reissuance of a permit shall include all of the following requested information for Sections I-VIII.						
SECTION I. APPLICANT NAME AND MAILING ADDRESS				Current Permit/COC Number (if applicable)		
Additional Applicant Name Information						
Street Address or P.O. Box				e-mail		
City or Village			State	ZIP Code		
Telephone (with area code)			FAX Number (with area code)			
SECTION II. CONTACTS	<input type="checkbox"/> Application Contact <input type="checkbox"/> Storm Water Program Manager <input type="checkbox"/> Storm Water Billing	First Name		Last Name		
		Title		Business		
		Address 1		Address 2		
		City		State	ZIP Code	
		Telephone (with area code)	FAX (with area code)		e-mail	
	<input type="checkbox"/> Application Contact <input type="checkbox"/> Storm Water Program Manager <input type="checkbox"/> Storm Water Billing	First Name		Last Name		
		Title		Business		
		Address 1		Address 2		
		City		State	ZIP Code	
		Telephone (with area code)	FAX (with area code)		e-mail	
	<input type="checkbox"/> Application Contact <input type="checkbox"/> Storm Water Program Manager <input type="checkbox"/> Storm Water Billing	First Name		Last Name		
		Title		Business		
		Address 1		Address 2		
		City		State	Zip Code	
		Telephone (with area code)	FAX (with area code)		e-mail	
SECTION III. PERMIT ACTION REQUESTED:						
<input type="checkbox"/> New Authorization <input type="checkbox"/> Reissuance of Previous Authorization <input type="checkbox"/> Modification of Current Permit						
SECTION IV. REGULATED AREA						
Provide a map identifying the urbanized area within the applicant's jurisdictional boundary as defined by the 2010 Census. The regulated municipal separate storm sewer system (MS4) means an MS4 owned or operated by a city, village, township, county, district, association, or other public body created by or pursuant to state law and the nested MS4 identified in Section VI. that is located in an urbanized area and discharges storm water into surface waters of the state. The 2010 Census maps are located at http://www.michigan.gov/documents/deq/wrd-stormwater-urbanizedareas_374344_7.pdf						

Michigan Department of Environmental Quality – Water Resources Division
STORM WATER DISCHARGE PERMIT APPLICATION

SECTION V. OUTFALLS AND POINTS OF DISCHARGE

Identify and provide the surface water of the state that receives the discharge from each of the applicant's outfalls and points of discharge in Table 1 or an alternative format. Please note that an MS4 is not a surface water of the state. For example, an open county drain that is a surface water of the state is not an MS4.

SECTION VI. NESTED JURISDICTIONS

Submit the name and general description of each nested MS4 for which a cooperative agreement has been reached to carry out the terms and conditions of the permit for the nested jurisdiction. The applicant shall be responsible for assuring compliance with the permit for those nested jurisdictions with which they have entered into an agreement and listed as part of the Application. If the primary jurisdiction and the nested jurisdiction agree to cooperate so that the terms and conditions of the permit are met for the nested MS4, the nested jurisdiction does not need to apply for a separate permit. A city, village, or township shall not be a nested jurisdiction.

NESTED JURISDICTION NAME AND GENERAL DESCRIPTION:

SECTION VII. STORM WATER MANAGEMENT PROGRAM

This Application requires a description of the Best Management Practices (BMPs) the applicant will implement for each minimum control measure and the applicable water quality requirements during this permit cycle. The applicant shall incorporate the BMPs to develop a Storm Water Management Program (SWMP) as part of the Application. The SWMP shall be developed, implemented, and enforced to reduce the discharge of pollutants from the MS4 to the Maximum Extent Practicable and protect water quality in accordance with the appropriate water quality requirements of the NREPA 451, Public Acts of 1994, Part 31, and the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 *et seq.*). The Maximum Extent Practicable may be met by implementing the BMPs identified in the SWMP and demonstrating the effectiveness of the BMPs. The applicant shall attach any appropriate and necessary documentation to demonstrate compliance with the six minimum control measures and applicable water quality requirements as part of the Application.

The applicant shall complete this Application to the best of its knowledge and ensure that it is true, accurate, and meets the minimum requirements for a SWMP to the Maximum Extent Practicable.

When answering the questions in this section of the Application, the applicant's MS4 encompasses what the applicant identified in Sections IV, V, and VI, above. The applicant shall include a measurable goal for each BMP. Each measurable goal shall include, as appropriate, a schedule for BMP implementation (months and years), including interim milestones and the frequency of the action. Each measurable goal shall have a measure of assessment to measure progress towards achieving the measurable goal. A United States Environmental Protection Agency (USEPA) guidance document on measurable goals is available at <http://www.epa.gov/npdes/pubs/measurablegoals.pdf>.

Several minimum control measures include a statement requesting the applicant to indicate in the response if you are, or will be, working collaboratively with watershed or regional partners on any or all activities to meet the minimum control measure requirements. If the applicant chooses to work collaboratively with watershed or regional partners to implement parts of the SWMP, each applicant will be responsible for complying with the minimum permit requirements.

For purposes of this Application a procedure means a written process, policy or other mechanism describing how the applicant will implement minimum requirements. It may be helpful to read all questions in each section first.

Enforcement Response Procedure (ERP)

The applicant shall describe the current and proposed enforcement responses to address violations of the applicant's ordinances and regulatory mechanisms identified in the SWMP. The following question represents the minimum requirement for the ERP. Please complete the question below.

1. Provide the ERP. The ERP shall include the applicant's expected response to violations to compel compliance with an ordinance or regulatory mechanism implemented by the applicant in the SWMP (e.g., written notices, citations, and fines). The ERP shall contain a method for tracking instances of non-compliance, including, as appropriate, the name of the person responsible for violating the applicant's ordinance or regulatory mechanism, the date and location of the violation, a description of the violation, a description of the enforcement response used, a schedule for returning to compliance, and the date the violation was resolved. The applicant may keep an electronic file or hard copy file of the enforcement tracking.

ERP Reference (page and paragraph of attachments): e.g., Attachment A, Page 3, Section b. _____

Public Participation/Involvement Program (PPP)

The applicant shall describe the current and proposed BMPs to meet the minimum control measure requirements for the PPP to the maximum extent practicable, which shall be incorporated into the SWMP. Please indicate in your response if you are, or will be, working collaboratively with watershed or regional partners on any or all activities in the PPP during the permit cycle (i.e., identify collaborative efforts in the procedures). The following questions represent the minimum control measure requirements for the PPP. Please complete all the questions below. A measurable goal with a measure of assessment shall be included for each BMP, and, as appropriate, a schedule for implementation (months and years), including interim milestones and the frequency of the BMP.

Michigan Department of Environmental Quality – Water Resources Division
STORM WATER DISCHARGE PERMIT APPLICATION

2. Provide the procedure for making the SWMP available for public inspection and comment. The procedure shall include a process for notifying the public when and where the SWMP is available and of opportunities to provide comment. The procedure shall also include a process for complying with local public notice requirements, as appropriate.

Procedure Reference (page and paragraph of attachments): *e.g., Attachment A, Page 3, Section b.* _____

3. Provide the procedure for inviting public involvement and participation in the implementation and periodic review of the SWMP.

Procedure Reference (page and paragraph of attachments): _____

Public Education Program (PEP)

The applicant shall describe the current and proposed BMPs to meet the minimum control measure requirements for the PEP to the maximum extent practicable, which shall be incorporated into the SWMP. Please indicate in your response if you are, or will be, working collaboratively with watershed or regional partners on any or all activities in the PEP during the permit cycle. The following questions represent the minimum requirements for the PEP. Please complete all the questions below. A measurable goal with a measure of assessment shall be included for each BMP, and, as appropriate, a schedule for implementation (months and years), including interim milestones and the frequency of the BMP. The responses shall reflect the nested MS4s identified in Section VI.

4. Provide the procedure with the assessment of high priority, community-wide issues and targeted issues to reduce pollutants in storm water runoff as part of the PEP. The assessment shall include a list of the priority issues.

Procedure Reference (page and paragraph of attachments): *e.g., Attachment A, Page 3, Section b.* _____

Not applicable – PEP topics will not be prioritized.

5. The applicant shall identify applicable PEP topics below and, if prioritizing topics, prioritize based on the assessment in Question 4. The PEP topics may be prioritized as high, medium, and low or in order from 1-11 based on the assigned priority level (e.g., 1 being the highest priority topic and 11 being the lowest priority topic). For each applicable topic, identify the target audience; key message; delivery mechanism; year and frequency the BMP will be implemented; and the responsible party.

For each topic below, complete one or more of the following

- Fill out Table 2 for each applicable PEP topic.
- Reference the page number in your existing PEP document.
- Explain why the PEP activity is not applicable or a priority issue.

- A. Promote public responsibility and stewardship in the applicant's watershed(s).

Priority Ranking _____

See Table 2

Attach existing approved PEP (page and paragraph of attachments): _____

Not applicable. Provide explanation below.

- B. Inform and educate the public about the connection of the MS4 to area waterbodies and the potential impacts discharges could have on surface waters of the state.

Priority Ranking _____

See Table 2

Attach existing approved PEP (page and paragraph of attachments): _____

Not applicable. Provide explanation below.

- C. Educate the public on illicit discharges and promote public reporting of illicit discharges and improper disposal of materials into the MS4.

Priority Ranking _____

See Table 2

Attach existing approved PEP (page and paragraph of attachments): _____

Not applicable. Provide explanation below.

Michigan Department of Environmental Quality – Water Resources Division
STORM WATER DISCHARGE PERMIT APPLICATION

D. Promote preferred cleaning materials and procedures for car, pavement, and power washing.

Priority Ranking _____

See Table 2

Attach existing approved PEP (page and paragraph of attachments): _____

Not applicable. Provide explanation below.

E. Inform and educate the public on proper application and disposal of pesticides, herbicides, and fertilizers.

Priority Ranking _____

See Table 2

Attach existing approved PEP (page and paragraph of attachments): _____

Not applicable. Provide explanation below.

F. Promote proper disposal practices for grass clippings, leaf litter, and animal wastes that may enter into the MS4.

Priority Ranking _____

See Table 2

Attach existing approved PEP (page and paragraph of attachments): _____

Not applicable. Provide explanation below.

G. Identify and promote the availability, location, and requirements of facilities for collection or disposal of household hazardous wastes, travel trailer sanitary wastes, chemicals, and motor vehicle fluids.

Priority Ranking _____

See Table 2

Attach existing approved PEP (page and paragraph of attachments): _____

Not applicable. Provide explanation below.

H. Inform and educate the public on proper septic system care and maintenance, and how to recognize system failure.

Priority Ranking _____

See Table 2

Attach existing approved PEP (page and paragraph of attachments): _____

Not applicable. Provide explanation below.

I. Educate the public on, and promote the benefits of, green infrastructure and Low Impact Development.

Priority Ranking _____

See Table 2

Attach existing approved PEP (page and paragraph of attachments): _____

Not applicable. Provide explanation below.

J. Promote methods for managing riparian lands to protect water quality.

Priority Ranking _____

See Table 2

Attach existing approved PEP (page and paragraph of attachments): _____

Not applicable. Provide explanation on the next page.

Michigan Department of Environmental Quality – Water Resources Division
STORM WATER DISCHARGE PERMIT APPLICATION

K. Identify and educate commercial, industrial, and institutional entities likely to contribute pollutants to storm water runoff.

Priority Ranking _____

See Table 2

Attach existing approved PEP (page and paragraph of attachments): _____

Not applicable. Provide explanation below.

6. Provide the procedure for evaluating and determining the effectiveness of the overall PEP. The procedure shall include a method for assessing changes in public awareness and behavior resulting from the implementation of the PEP and the process for modifying the PEP to address ineffective implementation.

Procedure Reference (page and paragraph of attachments): _____

Illicit Discharge Elimination Program (IDEP)

The applicant shall describe the current and proposed BMPs to meet the minimum control measure requirements for the IDEP to the Maximum Extent Practicable, which shall be incorporated into the SWMP. Please indicate in your response if you are or will be working collaboratively with watershed or regional partners on any or all BMPs in the IDEP during the permit cycle (e.g., identify collaborative efforts in the procedures). The following questions represent the minimum control measure requirements for the IDEP. Please complete all the questions below. A measurable goal with a measure of assessment shall be included for each BMP, and, as appropriate, a schedule for implementation (months and years), including interim milestones and the frequency of the BMP. The responses shall reflect the nested MS4s identified in Section VI.

The following definitions apply to the terms used below:

- Illicit Discharge: Any discharge to, or seepage into, an MS4 that is not composed entirely of storm water or uncontaminated groundwater except discharges pursuant to an NPDES permit. A discharge that originates from the applicant's property and meets the illicit discharge definition is considered an illicit discharge.
- Illicit Connection: A physical connection to an MS4 that primarily conveys non-storm water discharges other than uncontaminated groundwater into the MS4; or a physical connection not authorized or permitted by the local authority, where a local authority requires authorization or a permit for physical connections.

The Center for Watershed Protection has a guide on developing and implementing an IDEP available at http://www.epa.gov/npdes/pubs/idde_manualwithappendices.pdf. This guide is a useful tool to assist with completing the Application.

Storm Sewer System Map

7. Provide the location where an up-to-date storm sewer system map(s) is available. The map(s) shall identify the following: the storm sewer system, the location of all outfalls and points of discharge, and the names and location of the surface waters of the state that receive discharges from the permittee's MS4 (for both outfalls and points of discharge). A separate storm sewer system includes: roads, catch basins, curbs, gutters, parking lots, ditches, conduits, pumping devices, and man-made channels. A storm sewer system map(s) may include available diagrams, such as certification maps, road maps showing rights-of-way, as-built drawings, or other hard copy or digital representation of the storm sewer system.

The map (or maps) is available at the following location: e.g., *The Department of Public Works front office* _____

Illicit Discharge Identification and Investigation

8. Provide the procedure for prioritizing the applicant's MS4 for detecting non-storm water discharges. The goal of the prioritization process is to target areas with high illicit discharge potential. The procedure shall document the process for selecting each priority area using the list below.

- Areas with older infrastructure
- Industrial, commercial, or mixed use areas
- Areas with a history of past illicit discharges
- Areas with a history of illegal dumping
- Areas with septic systems
- Areas with older sewer lines or with a history of sewer overflows or cross-connections
- Areas with sewer conversions or historic combined sewer systems
- Areas with poor dry-weather water quality
- Areas with water quality impacts, including waterbodies identified in a Total Maximum Daily Load
- Priority areas applicable to the applicant not identified above

Michigan Department of Environmental Quality – Water Resources Division
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- Procedure Reference (page and paragraph of attachments): *e.g., Attachment A, Page 3, Section b* _____
- Not applicable – The applicant will perform illicit discharge identification and investigation throughout the entire MS4. Skip to Question 10.

9. Provide the geographical location of each prioritized area using either a narrative description or map and identify the prioritized areas that will be targeted during the permit cycle.

IDEP Prioritized Areas (page and paragraph of attachments): _____

10. Provide the procedure for performing field observations at all outfalls and points of discharge in the priority areas as identified in the procedure above or for the entire MS4 during dry-weather at least once during the permit cycle. The procedure shall include a schedule for completing the field observations during the permit cycle or more expeditiously if the applicant becomes aware of a non-storm water discharge. *As part of the procedure, the applicant may submit an interagency agreement with the owner or operator of the downstream MS4 identifying responsibilities for ensuring an illicit discharge is eliminated if originating from the applicant's point(s) of discharge. The interagency agreement would eliminate the requirement for performing a field observation at that point(s) of discharge.*

The focus of the field observation shall be to observe the following:

- Presence/absence of flow
- Deposits/stains on the discharge structure or bank
- Vegetation condition
- Structural condition
- Biology, such as bacterial sheens, algae, and slimes
- Water clarity
- Color
- Odor
- Floatable materials

Procedure Reference (page and paragraph of attachments): _____

11. Provide the procedure for performing field screening if flow is observed at an outfall or point of discharge and the source of an illicit discharge is not identified during the field observation. Field screening shall include analyzing the discharge for indicator parameters (e.g., ammonia, fluoride, detergents, and pH). The procedure shall include a schedule for performing field screening.

Procedure Reference (page and paragraph of attachments): _____

12. Provide the procedure for performing a source investigation if the source of an illicit discharge is not identified by field screening. The procedure shall include a schedule for performing a source investigation.

Procedure Reference (page and paragraph of attachments): _____

13. Provide the procedure for responding to illegal dumping/spills. The procedure shall include a schedule for responding to complaints, performing field observations, and follow-up field screening and source investigations as appropriate.

Procedure Reference (page and paragraph of attachments): _____

14. Provide the procedure for responding to illicit discharges upon becoming aware of such a discharge outside of the priority areas. The procedure shall include a schedule for performing field observations, and follow-up field screening and source investigations as appropriate.

Procedure Reference (page and paragraph of attachments): _____

Not applicable – Field observations will be conducted at all outfalls and points of discharge

15. Provide the procedure that includes a requirement to immediately report any release of any polluting materials from the MS4 to the surface waters or groundwaters of the state, unless a determination is made that the release is not in excess of the threshold reporting quantities in the [Part 5 Rules](#), by calling the appropriate [MDEQ District Office](#), or if the notice is provided after regular working hours call the MDEQ's 24-Hour Pollution Emergency Alerting System telephone number: 800-292-4706.

Procedure Reference (page and paragraph of attachments): _____

16. If the procedures requested in Questions 8 through 14 do not accurately reflect the applicant's procedure(s), describe the alternative approach to meet the minimum requirements.

Not applicable

17. Provide the procedure for responding to illicit discharges once the source is identified. The procedure shall include a schedule to eliminate the illicit discharge and pursue enforcement actions. The procedure shall also address illegal spills/dumping.

Procedure Reference (page and paragraph of attachments): _____

Michigan Department of Environmental Quality – Water Resources Division
STORM WATER DISCHARGE PERMIT APPLICATION

IDEP Training and Evaluation

18. Provide the program to train staff employed by the applicant on the following topics. The program shall include a training schedule for this permit cycle. *It is recommended that staff be trained more than once per permit cycle.*
- Techniques for identifying an illicit discharge or connection, including field observation, field screening, and source investigation.
 - Procedures for reporting, responding to, and eliminating an illicit discharge or connection and the proper enforcement response.
 - The schedule and requirement for training at least once during the term of this permit cycle for existing staff and within the first year of hire for new staff.

Program Reference (page and paragraph of attachments): _____

19. Provide the procedure for evaluating and determining the overall effectiveness of the IDEP. The procedure shall include a schedule for implementation. *Examples of evaluating overall effectiveness include, but are not limited to, the following: evaluate the prioritization process to determine if efforts are being maximized in areas with high illicit discharge potential; evaluate the effectiveness of using different detection methods; evaluate the number of discharges and/or quantity of discharges eliminated using different enforcement methods; and evaluate program efficiency and staff training frequency.*

Procedure Reference (page and paragraph of attachments): _____

Illicit Discharge Ordinance

20. Provide the ordinance or regulatory mechanism in effect that prohibits non-storm water discharges into the applicant's MS4 (except the non-storm water discharges addressed in Questions 21 and 22).

Ordinance number(s) or regulatory mechanism title(s) (attach a copy): _____

21. Does the ordinance or other regulatory mechanism exclude prohibiting the discharges or flows from firefighting activities to the applicant's MS4 and require that these discharges or flows only be addressed if they are identified as significant sources of pollutants to waters of the State? The ordinance shall not authorize illicit discharges; however, the applicant may choose to exclude prohibiting the discharges and flows from firefighting activities if they are identified as not being significant sources of pollutants to waters of the state.

- Yes, ordinance or regulatory mechanism reference (page and paragraph of attachments): _____
 Not applicable – All non-storm water discharges into the applicant's MS4 will be prohibited.

22. Does the ordinance or other regulatory mechanism prohibit the following categories of non-storm water discharges or flows if identified as significant contributors to violations of Water Quality Standards? The ordinance shall not authorize illicit discharges; however, the applicant may choose to exclude prohibiting the following discharges or flows if they are identified as not being a significant contributor to violations of Water Quality Standards.

- Water line flushing and discharges from potable water sources
- Landscape irrigation runoff, lawn watering runoff, and irrigation waters
- Diverted stream flows and flows from riparian habitats and wetlands
- Rising groundwaters and springs
- Uncontaminated groundwater infiltration and seepage
- Uncontaminated pumped groundwater, except for groundwater cleanups specifically authorized by NPDES permits
- Foundation drains, water from crawl space pumps, footing drains, and basement sump pumps
- Air conditioning condensation
- Waters from noncommercial car washing
- Street wash water
- Dechlorinated swimming pool water from single, two, or three family residences. (A swimming pool operated by the permittee shall not be discharged to a separate storm sewer or to surface waters of the state without NPDES permit authorization from the MDEQ.)

- Yes, ordinance or regulatory mechanism reference (page and paragraph of attachments): _____
 Not applicable – All non-storm water discharges into the applicant's MS4 will be prohibited.

23. Provide the ordinance or regulatory mechanism that regulates the contribution of pollutants to the applicant's MS4.

Ordinance or regulatory mechanism reference (page and paragraph of attachments): _____

24. Provide the ordinance or regulatory mechanism that prohibits illicit discharges, including illicit connections and the direct dumping or disposal of materials into the applicant's MS4.

Ordinance or regulatory mechanism reference (page and paragraph of attachments): _____

Michigan Department of Environmental Quality – Water Resources Division
STORM WATER DISCHARGE PERMIT APPLICATION

25. Provide the ordinance or regulatory mechanism with the authority established to inspect, investigate, and monitor suspected illicit discharges into the applicant's MS4.

Ordinance or regulatory mechanism reference (page and paragraph of attachments): _____

26. Provide the ordinance or regulatory mechanism that requires and enforces elimination of illicit discharges into the applicant's MS4, including providing the applicant the authority to eliminate the illicit discharge.

Ordinance or regulatory mechanism reference (page and paragraph of attachments): _____

Construction Storm Water Runoff Control Program

The applicant shall describe the current and proposed BMPs to meet the minimum control measure requirements for the construction storm water runoff control program to the maximum extent practicable, which shall be incorporated into the SWMP. Please indicate in your response if you are or will be working collaboratively with watershed or regional partners on any or all requirements of this program during the permit cycle. The following questions represent the minimum control measure requirements for the construction storm water runoff control program. Please complete all the questions below. A measurable goal with a measure of assessment shall be included for each BMP, and, as appropriate, a schedule for implementation (months and years), including interim milestones and the frequency of the BMP. The responses shall reflect the nested MS4s identified in Section VI.

Qualifying Local Soil Erosion and Sedimentation Control Programs

27. Is the applicant a Part 91 Agency? A list of Part 91 agencies is available at http://www.michigan.gov/deq/0,4561,7-135-3311_4113-8870--00.html.

Yes. Choose type: County Enforcing Agency Municipal Enforcing Agency Authorized Public Agency

No, the applicant relies on the following Qualifying Local Soil Erosion and Sedimentation Control Program (Part 91 Agency)

Construction Storm Water Runoff Control

28. Provide the procedure with the process for notifying the Part 91 Agency or appropriate staff when soil or sediment is discharged to the applicant's MS4 from a construction activity. The procedure shall allow for the receipt and consideration of complaints or other information submitted by the public or identified internally as it relates to construction storm water runoff control. For non-Part 91 agencies, consideration of complaints may include referring the complaint to the qualifying local Soil Erosion and Sedimentation Control Program as appropriate. Construction activity is defined pursuant to Part 21, Wastewater Discharge Permits, Rule 323.2102 (K). The applicant may consider as part of their procedure when and under what circumstances the Part 91 Agency or appropriate staff will be contacted.

Procedure Reference (page and paragraph of attachments): e.g., *Attachment A, Page 3, Section b* _____

29. Provide the procedure for when to notify the MDEQ when soil, sediment, or other pollutants are discharged to the applicant's MS4 from a construction activity. Other pollutants include pesticides, petroleum derivatives, construction chemicals, and solid wastes that may become mobilized when land surfaces are disturbed. The applicant may consider as part of their procedure when and under what circumstances the MDEQ will be contacted.

Procedure Reference (page and paragraph of attachments): _____

30. Provide the procedure for ensuring that construction activity one acre or greater in total earth disturbance with the potential to discharge to the applicant's MS4 obtains a Part 91 permit, or is conducted by an approved Authorized Public Agency as appropriate. Note: For applicants that conduct site plan review, the procedure must be triggered at the site plan review stage.

Procedure Reference (page and paragraph of attachments): _____

31. Provide the procedure to advise the landowner or recorded easement holder of the property where the construction activity will occur of the State of Michigan Permit by Rule (Rule 323.2190).

Procedure Reference (page and paragraph of attachments): _____

Post-Construction Storm Water Runoff Program

Post-construction storm water runoff controls are necessary to maintain or restore stable hydrology in receiving waters by limiting surface runoff rates and volumes and reducing pollutant loadings from sites that undergo development or significant redevelopment.

The applicant shall describe the current and proposed BMPs to meet the minimum control measure requirements for the post-construction storm water runoff program to the maximum extent practicable, which shall be incorporated into the SWMP. Please complete the questions below as appropriate. If the "No" response is selected but a date is requested for the minimum requirement to

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be available, please provide a date to meet the minimum requirement. All dates provided by the applicant in this Application should be on or before **October 1, 2015**. Some questions are set up to allow for additional responses to meet the minimum requirements. If space is not available for an additional response, then the minimum requirement must be met in accordance with the question. A measurable goal with a measure of assessment shall be included for each BMP, and, as appropriate, a schedule for implementation (months and years), including interim milestones and the frequency of the BMP. The responses shall reflect the nested MS4s identified in Section VI.

An applicant may reference in its ordinance or regulatory mechanism other technical documents used to implement the post-construction storm water runoff program. For example, an applicant may answer a question with a reference to a performance or technical standards document in the ordinance **and** the reference in the technical document. When referencing the ordinance, regulatory mechanism, or other technical documents, attach the document and provide the page and paragraph reference.

The MDEQ has the following resources available to assist with development of a Post-Construction Storm Water Runoff Program.

- A Post-Construction Storm Water Runoff Program Compliance Assistance Document available at www.michigan.gov/documents/deq/wrd-storm-MS4-ComplianceAssistance_470350_7.pdf
- A manual titled *Low Impact Development Manual for Michigan* available at <http://www.semco.org/LowImpactDevelopment.aspx>. Chapter 9 of the manual provides a methodology for addressing post-construction storm water runoff.

Ordinance or Other Regulatory Mechanism

32. Is an ordinance or other regulatory mechanism in effect to address post-construction storm water runoff from new development and redevelopment projects, including preventing or minimizing water quality impacts? The ordinance or other regulatory mechanism shall apply to private, commercial, and public projects, including projects where the applicant is the developer. This requirement may be met using a single ordinance or regulatory mechanism or a combination of ordinances and regulatory mechanisms.
- Yes, ordinance or regulatory mechanism reference (page and paragraph of attachments): *e.g., Attachment A, Pages 1-15* _____
- No, the ordinance or regulatory mechanism will be available on _____
33. Does the ordinance or other regulatory mechanism apply to projects that disturb at least one or more acres, including projects less than an acre that are part of a larger common plan of development or sale and discharge into the applicant's MS4?
- Yes, ordinance or regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or regulatory mechanism will be available on _____

Federal Facilities

Federal facilities are subject to the Energy Independence and Security Act of 2007. Section 438 of this legislation establishes post-construction storm water runoff requirements for federal development and redevelopment projects.

34. Is the applicant the owner or operator of a federal facility with a storm water discharge?
- Yes
- No, skip to Question 36
35. Is the applicant implementing the post-construction storm water runoff control requirements in Section 438 of the Energy Independence and Security Act? A guidance document is available at http://www.epa.gov/greeningepa/documents/epa_swm_guidance.pdf
- Yes, regulatory mechanism reference (page and paragraph of attachments): _____
- No, the regulatory mechanism will be available on _____

Water Quality Treatment Performance Standard

36. Does the ordinance or other regulatory mechanism include one or more of the following water quality treatment standards?
- Treat the first one inch of runoff from the entire project site. Ordinance or other regulatory mechanism reference (page and paragraph of attachments) _____ Skip to Question 38.
- Treat the runoff generated from 90 percent of all runoff-producing storms for the project site. Ordinance or other regulatory mechanism reference (page and paragraph of attachments) _____
- No, the ordinance or other regulatory mechanism will be available on _____
- The ordinance or other regulatory mechanism is/will be available on _____ and includes the following water quality treatment standard. Provide an explanation as to how the water quality treatment standard will prevent or minimize water quality impacts.

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37. What is the source of the rainfall data if the applicant has chosen the water quality treatment standard of requiring the treatment of the runoff generated from 90 percent of all runoff-producing storms?

- The MDEQ's memo dated March 24, 2006 providing the 90 percent annual non-exceedance storm statistics. The memo is available at http://www.michigan.gov/documents/deq/lwm-hsu-nps-ninety-percent_198401_7.pdf.
- An analysis of at least ten years of local published rain gauge data following the method in the March 25, 2006, MDEQ memo titled *90 Percent Annual Non-Exceedance Storms* cited above.
- Other rainfall data source (page and paragraph of attachments) _____

38. Does the ordinance or other regulatory mechanism require that BMPs be **designed** on a site-specific basis to reduce post-development total suspended solids loadings by 80 percent or achieve a discharge concentration of total suspended solids not to exceed 80 milligram per liter?

- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or other regulatory mechanism will be available on _____
- The ordinance or other regulatory mechanism defines treatment as follows:

Channel Protection Performance Standard

39. Does the ordinance or other regulatory mechanism require that the post-construction runoff rate and volume of discharges not exceed the pre-development rate and volume for all storms up to the two-year, 24-hour storm at the project site? At a minimum, pre-development is the last land use prior to the planned new development or redevelopment. *A spreadsheet to assist with these calculations is available at www.michigan.gov/documents/deq/wb-storm-MS4-RunoffVolume_331235_7.xls*

- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or other regulatory mechanism will be available on _____
- The ordinance or other regulatory mechanism is/will be available on _____ and includes the following channel protection standard. Provide an explanation as to how the channel protection standard will prevent or minimize water quality impacts.

40. Does the ordinance or other regulatory mechanism exclude any waterbodies from the channel protection performance standard? The channel protection performance standard is not required for the following waterbodies: the Great Lakes or connecting channels of the Great Lakes; Rouge River downstream of the Turning Basin; Saginaw River; Mona Lake and Muskegon Lake (Muskegon County); and Lake Macatawa and Spring Lake (Ottawa County).

- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or other regulatory mechanism will be available on _____
- Not applicable

Site-Specific Requirements

41. Provide the procedure for reviewing the use of infiltration BMPs to meet the water quality treatment and channel protection standards for new development or redevelopment projects in areas of soil or groundwater contamination in a manner that does not exacerbate existing conditions. The procedure shall include the process for coordinating with MDEQ staff as appropriate.

Procedure Reference (page and paragraph of attachments): _____

42. Does the ordinance or other regulatory mechanism require BMPs to address the associated pollutants in potential hot spots as part of meeting the water quality treatment and channel protection standards for new development or redevelopment projects? Hot spots include areas with the potential for significant pollutant loading such as gas stations, commercial vehicle maintenance and repair, auto recyclers, recycling centers, and scrap yards. Hot spots also include areas with the potential for contaminating public water supply intakes.

- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or other regulatory mechanism will be available on _____

Off-Site Mitigation and Payment in Lieu Programs

43. Does the ordinance or other regulatory mechanism allow for the approval of off-site mitigation for redevelopment projects that cannot meet 100 percent of the performance standards on-site after maximizing storm water retention? Off-site mitigation refers to BMPs implemented at another location within the same jurisdiction and watershed/sewershed as the original project. *A watershed is the geographic area included in a 10-digit Hydrologic Unit Code and a sewershed is the area where storm water is conveyed by the applicant's MS4 to a common outfall or point of discharge.*

- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or other regulatory mechanism will be available on _____
- Not pursuing this option

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44. Does the ordinance or other regulatory mechanism allow for the approval of payment in lieu for projects that cannot meet 100 percent of the performance standards on-site after maximizing storm water retention? A payment in lieu program refers to a developer paying a fee to the applicant that is applied to a public storm water management project within the same jurisdiction and watershed/sewershed as the original project in lieu of installing the required BMPs onsite. The storm water management project may be either a new BMP or a retrofit to an existing BMP and shall be developed in accordance with the applicant's performance standards. *A watershed is the geographic area included in a 10-digit Hydrologic Unit Code and a sewershed is the area where storm water is conveyed by the applicant's MS4 to a common outfall or point of discharge.*
- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or other regulatory mechanism will be available on _____
- Not pursuing this option. If "not pursuing this option" was selected for both Questions 43 and 44, skip to Question 52.
45. Does the ordinance or other regulatory mechanism establish criteria for determining the conditions under which off-site mitigation and/or payment in lieu are available and require technical justification as to the infeasibility of on-site management? The determination that performance standards cannot be met on-site shall not be based solely on the difficulty or cost of implementing, but shall be based on multiple criteria related to the physical constraints of the project site, such as: too small of a lot outside of the building footprint to create the necessary infiltrative capacity even with amended soils; soil instability as documented by a thorough geotechnical analysis; a site use that is inconsistent with the capture and reuse of storm water; too much shade or other physical conditions that preclude adequate use of plants. The criteria shall also include consideration of the stream order and location within the watershed/sewershed as it relates to the water quality impacts from the original project site (*e.g., the water quality impact from a project site with a discharge to a small-sized stream would be greater than a project site on a large river and an offset downstream of the project site may provide less water quality benefit.*) The highest preference for off-site mitigation and in lieu projects shall be given to locations that yield benefits to the same receiving water that received runoff from the original project site.
- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or other regulatory mechanism will be available on _____
46. Does the ordinance or other regulatory mechanism establish a minimum amount of storm water to be managed on-site as a first tier for off-site mitigation or payment in lieu? A higher offset ratio is required if off-site mitigation or payment in lieu is requested for the amount of storm water identified as the first tier. *For example, a minimum of 0.4 inches of storm water runoff shall be managed on-site as a first tier.*
- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or other regulatory mechanism will be available on _____
- The ordinance or other regulatory mechanism requires the following:
-
47. Does the ordinance or other regulatory mechanism require an offset ratio of 1:1.5 for the amount of storm water above the first tier (identified in Question 46) not managed on-site to the amount of storm water required to be mitigated at another site or for which in-lieu payments shall be made?
- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or other regulatory mechanism will be available on _____
- The ordinance or other regulatory mechanism requires the following:
-
48. Does the ordinance or other regulatory mechanism require that if demonstrated by the developer to the applicant that it is completely infeasible to manage the first tier of storm water identified in Question 47 on-site, the offset ratio for the unmanaged portion is 1:2?
- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or other regulatory mechanism will be available on _____
- The ordinance or other regulatory mechanism requires the following:
-
49. Does the ordinance or other regulatory mechanism require a schedule for completing off-site mitigation and in-lieu projects? *Off-site mitigation and in-lieu projects should be completed within 24 months after the start of the original project site construction.*
- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
- No, the ordinance or other regulatory mechanism will be available on _____
- The ordinance or other regulatory mechanism requires the following:
-

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50. Does the ordinance or other regulatory mechanism require that offsets and in-lieu projects be preserved and maintained in perpetuity, such as deed restrictions and long-term operation and maintenance?

- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
 No, the ordinance or other regulatory mechanism will be available on _____
 The ordinance or other regulatory mechanism requires the following:

51. Describe the tracking system implemented, or to be implemented, to track off-site mitigation and/or in-lieu projects.

52. Are there any other exceptions to the performance standards, other than off-site mitigation and payment in lieu, being implemented or to be implemented during the permit cycle? The applicant shall demonstrate how the exception provides an equivalent or greater level of protection as the performance standards.

- Yes, demonstration reference (page and paragraph of attachments): _____ No

Site Plan Review

53. Does the ordinance or other regulatory mechanism include a requirement to submit a site plan for review and approval of post-construction storm water runoff BMPs?

- Yes, ordinance or regulatory mechanism reference (page and paragraph of attachments): _____
 No, the ordinance or regulatory mechanism will be available on _____

54. Provide the procedure for site plan review and approval.

Procedure Reference (page and paragraph of attachments): _____

55. Provide the reference in the site plan review and approval procedure to the process for determining how the developer meets the performance standards and ensures long-term operation and maintenance of BMPs.

Procedure Reference (page and paragraph of attachments): _____

Long-Term Operation and Maintenance of BMPs

56. Does the ordinance or other regulatory mechanism require the long-term operation and maintenance of all structural and vegetative BMPs installed and implemented to meet the performance standards in perpetuity?

- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
 No, the ordinance or other regulatory mechanism will be available on _____

57. Does the ordinance or other regulatory mechanism require a maintenance agreement between the applicant and owners or operators responsible for the long-term operation and maintenance of structural and vegetative BMPs installed and implemented to meet the performance standards?

- Yes, ordinance or other regulatory mechanism reference (page and paragraph of attachments): _____
 No, the ordinance or other regulatory mechanism will be available on _____
 The ordinance or other regulatory mechanism requires the following:

58. Does the maintenance agreement or other legal mechanism allow the applicant to complete the following? (Check if yes)

- Inspect the structural or vegetative BMP
 Perform the necessary maintenance or corrective actions neglected by the BMP owner or operator
 Track the transfer of operation and maintenance responsibility of the BMP (e.g., deed restrictions)

If any of the boxes above were not checked, provide a response explaining how the maintenance agreement or other legal mechanism allows the applicant to verify and ensure maintenance of the BMP.

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59. Provide the procedure for tracking compliance with a maintenance agreement or other legal mechanism to ensure the performance standards are met in perpetuity.

Procedure Reference (page and paragraph of attachments): _____

Pollution Prevention and Good Housekeeping Program

The applicant shall describe the current and proposed BMPs to meet the minimum control measure requirements for the Pollution Prevention and Good Housekeeping Program to the maximum extent practicable, which shall be incorporated into the SWMP. The applicant shall develop and implement a Pollution Prevention and Good Housekeeping Program to prevent or reduce the discharge of pollutants from municipal facilities and operations.

The following definitions apply to the terms used below:

- Fleet: A group of vehicles owned or operated as a unit.
- Maintenance (includes, but not limited to): adding/changing vehicle fluids, fueling, lubrication, painting, mechanical repairs, parts degreasing, and vehicle/equipment washing.
- Storage Yard (includes, but not limited to): areas where vehicles are stored longer than overnight/weekend; areas where road maintenance materials are stored; areas where vehicle maintenance materials are stored; areas where chemicals in bulk are stored; areas where catch basin cleaning wastes are stored; and areas where maintenance equipment such as mowers, tractors, vector trucks, and sweepers is stored.

Please complete the questions below as appropriate. A "Not Applicable" response is appropriate in cases where the applicant does not own or operate a municipal facility or storm water structural control or does not perform the operation in the question. A measurable goal with a measure of assessment shall be included for each BMP, and, as appropriate, a schedule for implementation (months and years), including interim milestones and the frequency of the BMP. The responses shall reflect the nested MS4s identified in Section VI.

Municipal Facility and Structural Storm Water Control Inventory

60. Provide an up-to-date inventory of applicant-owned or operated facilities and storm water structural controls with a discharge of storm water to surface waters of the state. The inventory shall include the location of each facility. **Provide an estimate of the number of structural storm water controls throughout the entire MS4 for each applicable category below (e.g., 100 catch basins and 7 detention basins).**

Inventory Reference (Page and Paragraph of Attachments): e.g., Attachment A, Page 3, Section b _____

Check all applicant-owned or operated facilities with a discharge of storm water to surface waters of the state:

- | | |
|---|--|
| <input type="checkbox"/> Administration buildings | <input type="checkbox"/> Animal Control Building |
| <input type="checkbox"/> Airports | <input type="checkbox"/> Bus Stations and Garages |
| <input type="checkbox"/> Cemeteries | <input type="checkbox"/> Composting facilities |
| <input type="checkbox"/> Equipment storage and maintenance facilities | <input type="checkbox"/> Fire Stations |
| <input type="checkbox"/> Fuel Farms | <input type="checkbox"/> Hazardous waste disposal facilities |
| <input type="checkbox"/> Hazardous waste handling and transfer facilities | <input type="checkbox"/> Landfills |
| <input type="checkbox"/> Landscape maintenance facilities | <input type="checkbox"/> Libraries |
| <input type="checkbox"/> Materials storage yards | <input type="checkbox"/> Mosquito Control Facility |
| <input type="checkbox"/> Parks | <input type="checkbox"/> Pesticide storage facilities |
| <input type="checkbox"/> Police stations | <input type="checkbox"/> Public golf courses |
| <input type="checkbox"/> Public parking lots | <input type="checkbox"/> Public schools |
| <input type="checkbox"/> Public works yards | <input type="checkbox"/> Recycling facilities |
| <input type="checkbox"/> Salt storage facilities | <input type="checkbox"/> Solid waste handling and transfer facilities |
| <input type="checkbox"/> Vacant land and open space | <input type="checkbox"/> Vehicle storage and maintenance yards |
| <input type="checkbox"/> Outdoor wash areas | <input type="checkbox"/> Other facilities – Provide a description below: |

Check all applicant-owned or operated structural storm water controls with a discharge of storm water to surface waters of the state:

- | | |
|---|--|
| <input type="checkbox"/> Catch basins | <input type="checkbox"/> Constructed wetlands |
| <input type="checkbox"/> Detention basins | <input type="checkbox"/> Infiltration basins and trenches |
| <input type="checkbox"/> Oil/water separators | <input type="checkbox"/> Porous pavement |
| <input type="checkbox"/> Pump Stations | <input type="checkbox"/> Rain gardens |
| <input type="checkbox"/> Secondary containment | <input type="checkbox"/> Underground storage vaults or tanks |
| <input type="checkbox"/> Vegetated swales | |
| <input type="checkbox"/> Other structural storm water controls – Provide a description below: | |

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61. Provide the location where an up-to-date map (or maps) is available with the location of the facilities and structural storm water controls identified in Question 60. *The location of the facilities and structural storm water controls may be included on the storm sewer system map maintained for the IDEP.*

The map (or maps) is available at the following location: _____

62. Provide the procedure for updating and revising the inventory in Question 60 and map (or maps) identified in Question 61 as facilities and structural storm water controls are added, removed, or no longer owned or operated by the applicant. *A suggested timeframe for updating/revising the inventory and map(s) is 30 days following adding/removing a facility or structural storm water control.*

Procedure Reference (page and paragraph of attachments): _____

Facility-Specific Storm Water Management

63. Provide the procedure for assessing each facility identified in Question 60 for the potential to discharge pollutants to surface waters of the state. The procedure shall include a process for updating and revising the assessment. *A recommended timeframe for updating/revising the assessment is 30 days prior to discharging storm water from a new facility and within 30 days of determining a need to update/revise the facility assessment.*

The applicant should consider the following factors when assessing each facility:

- Amount of urban pollutants stored at the site (e.g., sediment, nutrients, metals, hydrocarbons, pesticides, fertilizers, herbicides, chlorides, trash, bacteria, or other site-specific pollutants)
- Identification of improperly stored materials
- The potential for polluting activities to be conducted outside (e.g., vehicle washing)
- Proximity to waterbodies
- Poor housekeeping practices
- Discharge of pollutants of concern to impaired waters

Procedure Reference (page and paragraph of attachments): _____

Not Applicable – The applicant does not own a facility that discharges storm water to surface waters of the state. Skip to Question 71.

64. Provide the list of prioritized facilities using the assessment in Question 63. Each facility shall be prioritized based on having the high, medium, or low potential to discharge pollutants to surface waters of the state. Facilities with the high potential for pollutant runoff shall include, but are not limited to, the applicant's fleet maintenance and storage yards. The applicant may submit a demonstration with a description of how the applicant's fleet maintenance and storage yard has the low potential to discharge pollutants to surface waters of the state.

Prioritized Facility List (page and paragraph of attachments): _____

Fleet Maintenance and Storage Yard Demonstrations (page and paragraph of attachments): _____

65. Is a site-specific standard operating procedure (SOP) available identifying the structural and non-structural storm water controls implemented and maintained to prevent or reduce pollutant runoff at each facility with the high potential for pollutant runoff? The SOP shall be available at each facility with the high potential for pollutant runoff and upon request from the MDEQ. The SOP shall identify the person responsible for oversight of the facility. *The MDEQ may request the submission of the SOP during the application review process.*

Yes, a site-specific SOP is available at each facility with the high potential for pollutant runoff

Not Applicable – The applicant does not own or operate any facilities with the high potential for pollutant runoff. Skip to Question 70.

66. Provide the reference in the SOP, for each facility with the high potential for pollutant runoff, to the following: the list of significant materials stored on-site that could pollute storm water; the description of the handling and storage requirements for each significant material; and the potential to discharge the significant material.

SOP Reference (page and paragraph of attachments): _____

This space is available to reference multiple site-specific SOPs

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67. Provide the reference in the SOP, for each facility with the high potential for pollutant runoff, identifying the good housekeeping practices implemented at the site. *Good housekeeping practices include keeping the facility neat and orderly, properly storing and covering materials, and minimizing pollutant sources to prevent or reduce pollutant runoff.*

SOP Reference (page and paragraph of attachments): _____

This space is available to reference multiple site-specific SOPs

68. Provide the reference in the SOP, for each facility with the high potential for pollutant runoff, to the description and schedule for conducting routine maintenance and inspections of storm water management and control devices to ensure materials and equipment are clean and orderly and to prevent or reduce pollutant runoff. *A biweekly schedule is recommended for routine inspections.*

SOP Reference (page and paragraph of attachments): _____

This space is available to reference multiple site-specific SOPs

69. Provide the reference in the SOP, for each facility with the high potential for pollutant runoff, to the description and schedule for conducting a comprehensive site inspection at least once every six months. The comprehensive inspection shall include an inspection of all structural storm water controls and a review of non-structural storm water controls to prevent or reduce pollutant runoff.

SOP Reference (page and paragraph of attachments): _____

This space is available to reference multiple site-specific SOPs

70. Provide the procedure identifying the BMPs currently implemented or to be implemented during the permit cycle to prevent or reduce pollutant runoff at each facility with the **medium and lower potential for the discharge of pollutants** to surface waters of the state using the assessment and prioritized list in Questions 63 and 64.

Procedure Reference (page and paragraph of attachments): _____

Structural Storm Water Control Operation and Maintenance Activities

71. Provide the procedure for prioritizing each catch basin for routine inspection, maintenance, and cleaning based on preventing or reducing pollutant runoff. The procedure shall include assigning a priority level for each catch basin and the associated inspection, maintenance and cleaning schedule based on preventing or reducing pollutant runoff. The procedure shall include a process for updating/revising the priority level for a catch basin giving consideration to inspection findings and citizen complaints. *A recommended timeframe for updating/revising the procedure is 30 days following the construction of a catch basin or a change in priority level.*

Procedure Reference (page and paragraph of attachments): _____

Not Applicable – The applicant does not own or operate catch basins. Skip to Question 75.

72. Provide the geographic location of the catch basins in each priority level using either a narrative description or map.

Catch Basin Priority Location (page and paragraph of attachments): _____

73. Provide the procedure for inspecting, cleaning, and maintaining catch basins to ensure proper performance. Proper cleaning methods include ensuring accumulated pollutants are not discharged during cleaning and are removed prior to discharging to surface waters of the state. *A compliance assistance document titled Catch Basin Cleaning Activities Guidance Document is available at http://www.michigan.gov/documents/deq/wb-stormwater-CatchBasinGuidance_216198_7.pdf.*

Procedure Reference (page and paragraph of attachments): _____

74. Provide the procedure for dewatering, storage, and disposal of materials extracted from catch basins. *A compliance assistance document titled Catch Basin Cleaning Activities Guidance Document is available at http://www.michigan.gov/documents/deq/wb-stormwater-CatchBasinGuidance_216198_7.pdf.*

Procedure Reference (page and paragraph of attachments): _____

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75. Provide the procedure for inspecting and maintaining the structural storm water controls identified in Question 60, excluding the structural storm water controls included in an SOP as part of Question 65 and catch basins. The procedure shall include a description and schedule for inspecting and maintaining each structural storm water control and the process for disposing of maintenance waste materials. The procedure shall require that controls be maintained to reduce to the maximum extent practicable the contribution of pollutants to storm water. The procedure shall include a process for updating/revising the procedure to ensure a maintenance and inspection program for each structural storm water control. *A recommended timeframe for updating/revising the procedure is 30 days following the implementation of a new structural storm water control.*

- Procedure Reference (page and paragraph of attachments): _____
- Not Applicable – Applicant does not own or operate any structural storm water controls

76. Provide the procedure requiring new applicant-owned or operated facilities or new structural storm water controls for water **quantity** be designed and implemented in accordance with the post-construction storm water runoff control performance standards and long-term operation and maintenance requirements.

Procedure Reference (page and paragraph of attachments): _____

Municipal Operations and Maintenance Activities

77. Provide the procedure with the assessment of the applicant's operation and maintenance activities for the potential to discharge pollutants to surface waters of the state. The assessment shall identify all pollutants that could be discharged from each applicable operation and maintenance activity and the BMPs being implemented or to be implemented to prevent or reduce pollutant runoff. The procedure shall include a process for updating and revising the assessment. *A suggested timeframe for updating/revising the assessment is 30 days following adding/removing BMPs to address new and existing operation and maintenance activities.*

At a minimum, the procedure shall include assessing the following municipal operation and maintenance activities if applicable (check all that apply):

- Road, parking lot, and sidewalk maintenance (e.g., pothole, sidewalk, and curb and gutter repair)
- Bridge maintenance
- Right-of-way maintenance
- Unpaved road maintenance
- Cold weather operations (e.g., plowing, sanding, application of deicing agents, and snow pile disposal)
- Vehicle washing and maintenance of applicant-owned vehicles (e.g., police, fire, school bus, public works)

- Procedure Reference (page and paragraph of attachments): _____
- Not Applicable – Provide an explanation below.

78. Provide the procedure for prioritizing applicant-owned or operated streets, parking lots, and other impervious infrastructure for street sweeping based on the potential to discharge pollutants to surface waters of the state. The procedure shall include assigning a priority level for each parking lot and street and the associated cleaning schedule (i.e., sweeping frequency and timing) based on preventing or reducing pollutant runoff. The procedure shall include a process for updating/revising the priority level giving consideration to street sweeping findings and citizen complaints. *A recommended timeframe for updating/revising the prioritization is 30 days following the construction of a new street, parking lot, or other applicant-owned or operated impervious surface or within 30 days of identifying a need to revise a priority level.*

- Procedure Reference (page and paragraph of attachments): _____
- Not Applicable – The applicant does not own or operate any streets, parking lots, or other impervious infrastructure. Skip to Question 82.

79. Provide the geographic location of the streets, parking lots, and other impervious surfaces in each priority level using either a narrative description or map.

Street Sweeping Priority Location (page and paragraph of attachments): _____

80. Provide the procedure identifying the sweeping methods based on the applicant's sweeping equipment and use of additional resources in sweeping seasonal leaves or pick-up of other materials. *Proper sweeping methods include operating sweeping equipment according to the manufacturers' operating instructions and to protect water quality.*

Procedure Reference (page and paragraph of attachments): _____

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81. Provide the procedure for dewatering, storage, and disposal of street sweeper waste material. *A compliance assistance document titled Catch Basin Cleaning Activities Guidance Document is available at http://www.michigan.gov/documents/deq/wb-stormwater-CatchBasinGuidance_216198_7.pdf.*

Procedure Reference (page and paragraph of attachments): _____

Managing Vegetated Properties

82. Provide the procedure requiring the applicant's pesticide applicator to be certified by the State of Michigan as an applicator in the applicable category, to prevent or reduce pollutant runoff from vegetated land. A description of the categories is located at http://www.michigan.gov/mdard/0,4610,7-125-1569_16988_35289-11992--,00.html

Procedure Reference (page and paragraph of attachments): _____

Not Applicable – Provide an explanation below (e.g., the applicant's pesticide applicator only uses ready-to-use products from the original container).

Contractor Requirements and Oversight

83. Provide the procedure requiring contractors hired by the applicant to perform municipal operation and maintenance activities comply with all pollution prevention and good housekeeping BMPs as appropriate. The procedure shall include the process implemented for providing oversight of contractor activities to ensure compliance.

Procedure Reference (Page and Paragraph of Attachments): _____

Employee Training

84. Provide the employee training program to train employees involved in implementing or overseeing the pollution prevention and good housekeeping program. The program shall include the training schedule. At a minimum, existing staff shall be trained once during the permit cycle and within the first year of hire for new staff.

Program Reference (Page and Paragraph of Attachments): _____

Total Maximum Daily Load (TMDL) Implementation Plan

The following questions address discharges to impaired waters with a USEPA approved TMDL that includes a pollutant load allocation assigned to the permittee's MS4. BMPs shall be implemented to reduce the discharge of the TMDL pollutant from the MS4 to make progress in meeting Water Quality Standards. Applicable TMDLs are TMDLs approved prior to the applicant being notified of the need to apply for permit reissuance. Applicable TMDLs for the applicant were provided in the application notice letter.

The applicant shall describe the current and proposed BMPs to meet the minimum requirements for the TMDL Implementation Plan, which shall be incorporated into the SWMP. Please indicate in your response, if you are or will be working collaboratively with watershed or regional partners on any or all activities in the TMDL Implementation Plan during the permit cycle. The following questions represent the minimum requirements for a TMDL Implementation Plan. Please complete the following questions as appropriate. A measurable goal with a measure of assessment shall be included for each BMP, and, as appropriate, a schedule for implementation (months and years), including interim milestones and the frequency of the BMP. The responses shall reflect the nested MS4s identified in Section VI.

The USEPA has a document to assist with developing a TMDL Implementation Plan available at http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/upload/region3_factsheet_tmdl.pdf.

85. Was a TMDL included in the applicant's application notice?

Yes, the following approved USEPA TMDL(s) was included in my application notice letter:

No, Skip to Section VIII.

86. Provide the procedure for identifying and prioritizing BMPs currently being implemented or to be implemented during the permit cycle to make progress toward achieving the pollutant load reduction requirement in each TMDL identified in Question 85. The procedure shall include a process for reviewing, updating, and revising BMPs implemented or to be implemented to ensure progress in achieving the TMDL pollutant load reduction.

Procedure Reference (page and paragraph of attachments): e.g., Attachment A, Page 3, Section b _____

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87. Provide the list of prioritized BMPs currently being implemented or to be implemented during the permit cycle to make progress toward achieving the pollutant load reduction requirement in each TMDL identified in Question 85. Each BMP shall include a reference to the targeted TMDL pollutant.

TMDL BMP Priority List (page and paragraph of attachments): _____

88. Provide the monitoring plan for assessing the effectiveness of the BMPs currently being implemented, or to be implemented, in making progress toward achieving the TMDL pollutant load reduction requirement, including a schedule for completing the monitoring. Monitoring shall be specifically for the pollutant identified in the TMDL. Monitoring may include, but is not limited to, outfall monitoring, in-stream monitoring, or modeling. At a minimum, monitoring shall be conducted two times during the permit cycle or at a frequency sufficient to determine if the BMPs are adequate in making progress toward achieving the TMDL pollutant load reduction. *Existing monitoring data may be submitted for review as part of the plan to meet part of the monitoring requirement.*

TMDL Monitoring Plan (page and paragraph of attachments): _____

SECTION VIII. CERTIFICATION

Rule 323.2114(1-4), promulgated under the NREPA, requires that this Application be signed by either a principal executive officer or ranking elected official (e.g., mayor, village president, city or village manager, or clerk). Note: If the signatory is not a principal executive officer or ranking elected official, but is authorized to sign the Application, please provide documentation of the authorization.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for having knowledge of violations."

I understand that my signature constitutes a legal agreement to comply with the requirements of the NPDES Permit. I certify under penalty of law that I possess full authority on behalf of the legal owner/permittee to sign and submit this Application. I certify to the best of my knowledge that it is true, accurate and meets the minimum permit requirements for a SWMP to the MEP.

Print Name:

Title:

Representing:

Signature:

Date:

Please submit this completed Application and attachments to:

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
 WATER RESOURCES DIVISION
 PERMITS SECTION
 P.O. BOX 30458
 LANSING, MICHIGAN 48909-7958**

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Table 1 – Outfall and Point of Discharge Information

An identification number shall be provided for each outfall and point of discharge. Please note that the latitude and longitude is not required as part of the application. When entering a point of discharge, the receiving water is the point where the storm water enters a surface water of the state. The following definitions apply to these terms:

- **Outfall** means a discharge point from an MS4 directly to surface waters of the state
- **Point of Discharge** means a discharge from an MS4 to an MS4 owned or operated by another public body

A. Outfall/ Point of Discharge No.:	<input type="checkbox"/> Outfall <input type="checkbox"/> Point of Discharge	Outfall/Point of Discharge Identification No.:
B. Receiving Water:	Receiving Water :	
C. Latitude/Longitude (Optional)	Latitude:	Longitude:
A. Outfall/ Point of Discharge No.:	<input type="checkbox"/> Outfall <input type="checkbox"/> Point of Discharge	Outfall/Point of Discharge Identification No.:
B. Receiving Water:	Receiving Water :	
C. Latitude/Longitude (Optional)	Latitude:	Longitude:
A. Outfall/ Point of Discharge No.:	<input type="checkbox"/> Outfall <input type="checkbox"/> Point of Discharge	Outfall/Point of Discharge Identification No.:
B. Receiving Water:	Receiving Water :	
C. Latitude/Longitude (Optional)	Latitude:	Longitude:
A. Outfall/ Point of Discharge No.:	<input type="checkbox"/> Outfall <input type="checkbox"/> Point of Discharge	Outfall/Point of Discharge Identification No.:
B. Receiving Water:	Receiving Water:	
C. Latitude/Longitude (Optional)	Latitude:	Longitude:
A. Outfall/ Point of Discharge No.:	<input type="checkbox"/> Outfall <input type="checkbox"/> Point of Discharge	Outfall/Point of Discharge Identification No.:
B. Receiving Water:	Receiving Water :	
C. Latitude/Longitude (Optional)	Latitude:	Longitude:
A. Outfall/ Point of Discharge No.:	<input type="checkbox"/> Outfall <input type="checkbox"/> Point of Discharge	Outfall/Point of Discharge Identification No.:
B. Receiving Water:	Receiving Water :	
C. Latitude/Longitude (Optional)	Latitude:	Longitude:
A. Outfall/ Point of Discharge No.:	<input type="checkbox"/> Outfall <input type="checkbox"/> Point of Discharge	Outfall/Point of Discharge Identification No.:
B. Receiving Water:	Receiving Water :	
C. Latitude/Longitude (Optional)	Latitude:	Longitude:
A. Outfall/ Point of Discharge No.:	<input type="checkbox"/> Outfall <input type="checkbox"/> Point of Discharge	Outfall/Point of Discharge Identification No.:
B. Receiving Water:	Receiving Water :	
C. Latitude/Longitude (Optional)	Latitude:	Longitude:

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APPENDIX A

LOCAL DISTRICT OFFICE ADDRESSES AND COUNTY JURISDICTIONS

<u>DEQ DISTRICT OFFICES</u>	<u>TELEPHONE #</u>	<u>COUNTY JURISDICTIONS</u>		
CADILLAC DISTRICT OFFICE 120 WEST CHAPIN STREET CADILLAC MI 49601-2158	(231) 775-3960	ALPENA ALCONA ANTRIM BENZIE CHARLEVOIX CHEBOYGAN CRAWFORD EMMET	GRAND TRAVERSE KALKASKA LAKE LEELANAU MANISTEE MASON MISSAUKEE	MONTMORENCY OSCEOLA OSCODA OTSEGO PRESQUE ISLE ROSCOMMON WEXFORD
SOUTHEAST MICHIGAN DISTRICT OFFICE 27700 DONALD COURT WARREN, MI 48092	(586) 753-3700	MACOMB OAKLAND	ST. CLAIR	WAYNE
GRAND RAPIDS DISTRICT OFFICE STATE OFFICE BUILDING, FIFTH FLOOR 350 OTTAWA NW, UNIT 10 GRAND RAPIDS, MI 49503-2341	(616) 356-0500	BARRY IONIA KENT	MECOSTA MONTCALM MUSKEGON	NEWAYGO OCEANA OTTAWA
JACKSON DISTRICT OFFICE 301 EAST LOUIS GLICK HIGHWAY JACKSON, MI 49201-1556	(517) 780-7690	HILLSDALE JACKSON	LENAWEE MONROE	WASHTENAW
UPPER PENINSULA DISTRICT OFFICE 1504 WASHINGTON STREET MARQUETTE, MI 49855	(906) 228-4853	ALGER BARAGA CHIPPEWA DELTA DICKINSON	GOGEBIC HOUGHTON IRON KEWEENAW LUCE	MARQUETTE MACKINAC MENOMINEE ONTONAGON SCHOOLCRAFT
KALAMAZOO DISTRICT OFFICE 7953 ADOBE ROAD KALAMAZOO MI 49009-5026	(269) 567-3500	ALLEGAN BERRIEN BRANCH	CALHOUN CASS KALAMAZOO	ST. JOSEPH VAN BUREN
SAGINAW BAY DISTRICT OFFICE 401 KETCHUM STREET, SUITE B BAY CITY, MI 48708-5430	(989) 894-6200	ARENAC BAY CLARE GLADWIN	HURON IOSCO ISABELLA MIDLAND	OGEMAW SAGINAW SANILAC TUSCOLA
LANSING DISTRICT OFFICE CONSTITUTION HALL 1 st FLOOR SOUTH 525 WEST ALLEGAN PO BOX 30242 LANSING, MI 48909-7742	(517) 284-6651	CLINTON EATON GENESEE	GRATIOT INGHAM LAPEER	LIVINGSTON SHIAWASSEE