

STATE OF MICHIGAN

DEPARTMENT OF CONSUMER & INDUSTRY SERVICES

BEFORE THE STATE BOUNDARY COMMISSION

In the matter of:

**Boundary Commission
Docket #02-I-1**

**The proposed incorporation of territory
in Saugatuck Township and the Village
of Douglas into the City of Douglas**

**SUMMARY OF PROCEEDINGS
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The territory approved for incorporation from Saugatuck Township and the Village of Douglas into the City of Douglas is described in Attachment A.

- A. On February 12, 2002, a petition was filed asking for the incorporation of territory in Saugatuck Township and the Village of Douglas into the City of Douglas.
- B. On April 11, 2002, the State Boundary Commission held an adjudicative meeting to determine the legal sufficiency of the petition. The petition was declared to be legally sufficient, pursuant to Public Act 191 of 1968, as amended, and Public Act 279 of 1909, as amended.
- C. On June 26, 2002, the State Boundary Commission held a public hearing in the Village of Douglas to receive testimony given pursuant to Public Act 191 of 1968, as amended.
- D. On October 10, 2002, at an adjudicative meeting, State Boundary Commissioners VerBurg, Ishbia and Allegan County Boundary Commissioner Dykstra voted to recommend that the Director of the Department of Consumer & Industry Services approve the incorporation as petitioned.
- E. On November 14, 2002, at an adjudicative meeting, Boundary Commissioners VerBurg, Walker, Ishbia and Dykstra voted to approve the draft Summary of Proceedings, Findings of Fact and Conclusions of Law, and to recommend that the Director of the Department of Consumer & Industry Services sign the attached Order approving the incorporation.

FINDINGS OF FACT

1. The population of the Village is 1,214.*
The population of the Village increased 17% from 1990 to 2000. *
The population of Saugatuck Township is 3,590.*
The population of Saugatuck Township increased 23% from 1990 to 2000.
2. The Township provides the following services to the Village of Douglas: assessing, the Board of Review, tax collection for the Township, and non-village elections.
3. The Village paid \$220,819 in taxes to the Township in 2001.
4. The 2002 state equalized value for real and personal property is:
\$108,951,100 for the Village
\$285,759,250 for the Township
5. Sanitary sewer and water service are provided by the Kalamazoo Lake Sewer & Water Authority that is jointly owned and provides service to the Village of Douglas, the City of Saugatuck and Saugatuck Township.
6. The Fire District provides services to Douglas, Saugatuck and Saugatuck Township.
7. Douglas has a joint operating agreement with the City of Saugatuck for police services.
8. At the legal sufficiency meeting, Jim Ingalls, the Commission's surveyor, informed the Commission that the boundary line of the bottomlands in Lake Kalamazoo was depicted on the Part One Map in a manner that is not legally correct. The boundary between the City of Saugatuck and the Village of Douglas would be in a different location if the call to the section line in Kalamazoo Lake was depicted correctly. See Attachment B
9. The City of Saugatuck was incorporated pursuant to the State Boundary Commission Act. Based on the map that was approved by the Commission when Saugatuck was incorporated, the City of Saugatuck and the Village of Douglas have operated according to the depiction of the boundary line in Lake Kalamazoo on the Part I Map.
10. The City of Saugatuck submitted a resolution requesting that the boundary in Kalamazoo Lake remain as depicted on the Part One Map. Village of Douglas officials also requested that the boundary line in Lake Kalamazoo remain as shown on the Part I Map.

* 2000 United States Census

11. The Township does not object to the incorporation of the current Village boundaries.

According to the Township, administrative costs are more economical if the Village remains part of the Township.

THE COMMISSION FINDS THAT

1. The Village has the capability of providing the necessary additional services required of a city.
2. The Township has the fiscal capacity to accommodate the decrease in property tax revenue.
3. Expectations for further population growth and urban development in the area are reasonable.
4. The proposed incorporation will not have a deleterious effect on the broader community.
5. Consolidation of the Village of Douglas and the City of Saugatuck would be desirable, but the community has rejected the proposal in the past. Incorporation as a city will not hinder the consolidation of the two units of government in the future.
6. The boundary line between the City of Saugatuck and the Village of Douglas should remain as depicted on the Part I Map because both units of government have recognized this as the boundary and requested that it remain.

CONCLUSIONS OF LAW

The record of this docket, in accordance with the criteria stipulated under Section 9 of the Public Act 191 of 1968, as amended, supports the Commission's recommendation that the Director of the Department of Consumer & Industry Services sign the attached Order approving the subject incorporation and adopting the Summary of Proceedings and Findings of Fact and Conclusions of Law.

Kenneth VerBurg, Chairperson
State Boundary Commission

Date

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FINAL ORDER

IT IS ORDERED THAT these Findings of Fact, Conclusions of Law and Order approving the incorporation of territory in Saugatuck Township and the Village of Douglas, described in Attachment A and Attachment B, shall be effective on the date signed by the Director of the Department of Consumer & Industry Services, unless prior to 45 days after that date, a valid petition for a referendum is filed with the State Boundary Commission.

IT IS FURTHER ORDERED THAT if a valid petition for a referendum is filed during the 45-day period, the Order for a referendum on the question of incorporation shall include a new effective date for these Findings of Fact, Conclusions of Law and Order, which shall be at least 10 days later than the date of the referendum.

IT IS FURTHER ORDERED THAT if a referendum is held with the majority of the voters in the area proposed for incorporation voting no on the question, then the Order approving the incorporation is null and void.

IT IS FURTHER ORDERED THAT the Manager of the State Boundary Commission shall transmit a certified copy of this Order and the attached Summary of Proceedings and Findings of Fact and Conclusions of Law to the clerks of Saugatuck Township, the Village of Douglas and Allegan County, and the Secretary of State.

Noelle A. Clark, Director
Michigan Department of Consumer & Industry Services

Date