

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
STATE BOUNDARY COMMISSION

In the matter of:

**Boundary Commission
Docket 11-AR-1**

**The proposed annexation of land
in Caseville Township to the City of Caseville,
Huron County.**

RECEIVED
DEPT. OF LABOR & ECONOMIC GROWTH

APR 16 2012

STATE BOUNDARY COMMISSION

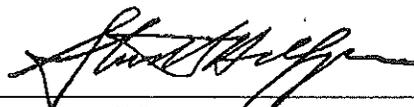
ORDER

IT IS ORDERED THAT the proposed annexation of territory in Caseville Township, as described in Attachment A, to the City of Caseville is approved.

IT IS ORDERED THAT the area expanded by the State Boundary Commission in Caseville Township, as described in Attachment B, to the City of Caseville is approved.

IT IS ORDERED THAT the Summary of Proceedings, Findings of Fact and Conclusions of Law, and the Order to approve the annexation of territory in Caseville Township to the City of Caseville, as described in Attachment C, shall be effective on the date signed below by the Director of the Department of Licensing and Regulatory Affairs (Lara).

IT IS FURTHER ORDERED THAT the State Boundary Commission shall transmit a copy of this Order with the Summary of Proceedings, Findings of Fact and Conclusions of Law to the clerks of Caseville Township, the City of Caseville, the County of Huron, and to the Secretary of State.



Steven H. Hilfinger, Director
Michigan Department of Licensing and Regulatory Affairs

3-29-12

Date

ATTACHMENT A TO FINAL ORDER

AND

**ATTACHMENT A TO SUMMARY OF PROCEEDINGS,
FINDINGS OF FACT AND CONCLUSIONS OF LAW**



SPICER GROUP, INC.
230 S. Washington Ave.
Saginaw, MI 48607
(989) 754-4717
(800) 833-0062
Fax: (989) 754-4440

DESCRIPTION FOR: City of Caseville
6767 Main Street
Caseville, Michigan 48725

DATE: November 9, 2010

DESCRIPTION OF:

Proposed Annexation Area:

A parcel of land the Southeast $\frac{1}{4}$ of Section 35, T.18 N.- R.10 E., City of Caseville, Huron County, Michigan, described as follows: To fix the point of beginning, commence at the Center Post of said Section; thence East, 82.50 feet; thence South, 195.00 feet to the point of beginning of this description; thence East, 361.50 feet; thence South, 340.00 feet; thence West, 361.50 feet; thence North 340.00 feet to the point of beginning.

Dept. of Energy, Labor & Economic Growth
FILED

JAN 20 2011 11 AR 1

STATE BOUNDARY COMMISSION

PREPARED BY: Roger P. Mahoney, P.S.
Professional Surveyor No. 41105

Job No. 118842SG2010
Drwg. No. A-26715

ATTACHMENT B TO FINAL ORDER

AND

**ATTACHMENT B TO SUMMARY OF PROCEEDINGS,
FINDINGS OF FACT AND CONCLUSIONS OF LAW**



SPICER GROUP, INC.
230 S. Washington Ave.
Saginaw, MI 48607
(989) 764-4717
(800) 633-0662
Fax: (989) 764-4440

DESCRIPTION FOR: City of Caseville
6767 Main Street
Caseville, Michigan 48725

DATE: June 22, 2011

DESCRIPTION OF:

Additional Parcel For Annexation Consideration:

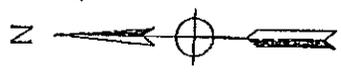
A parcel of land the Southeast ¼ of Section 35, T.18 N., R.10 E., City of Caseville, Huron County, Michigan, described as follows: To fix the point of beginning, commence at the Center Post of said Section; thence East, 82.50 feet; thence South, 535.00 feet to the point of beginning of this description; thence East, 515.50 feet; thence South, 141.57 feet; thence West, 515.50 feet; thence North 141.27 feet to the point of beginning.

PREPARED BY: Roger P. Mahoney, P.S.
Professional Surveyor No. 41105

Job No. 119196SG2011
Drwg. No. A-26760

ATTACHMENT C

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

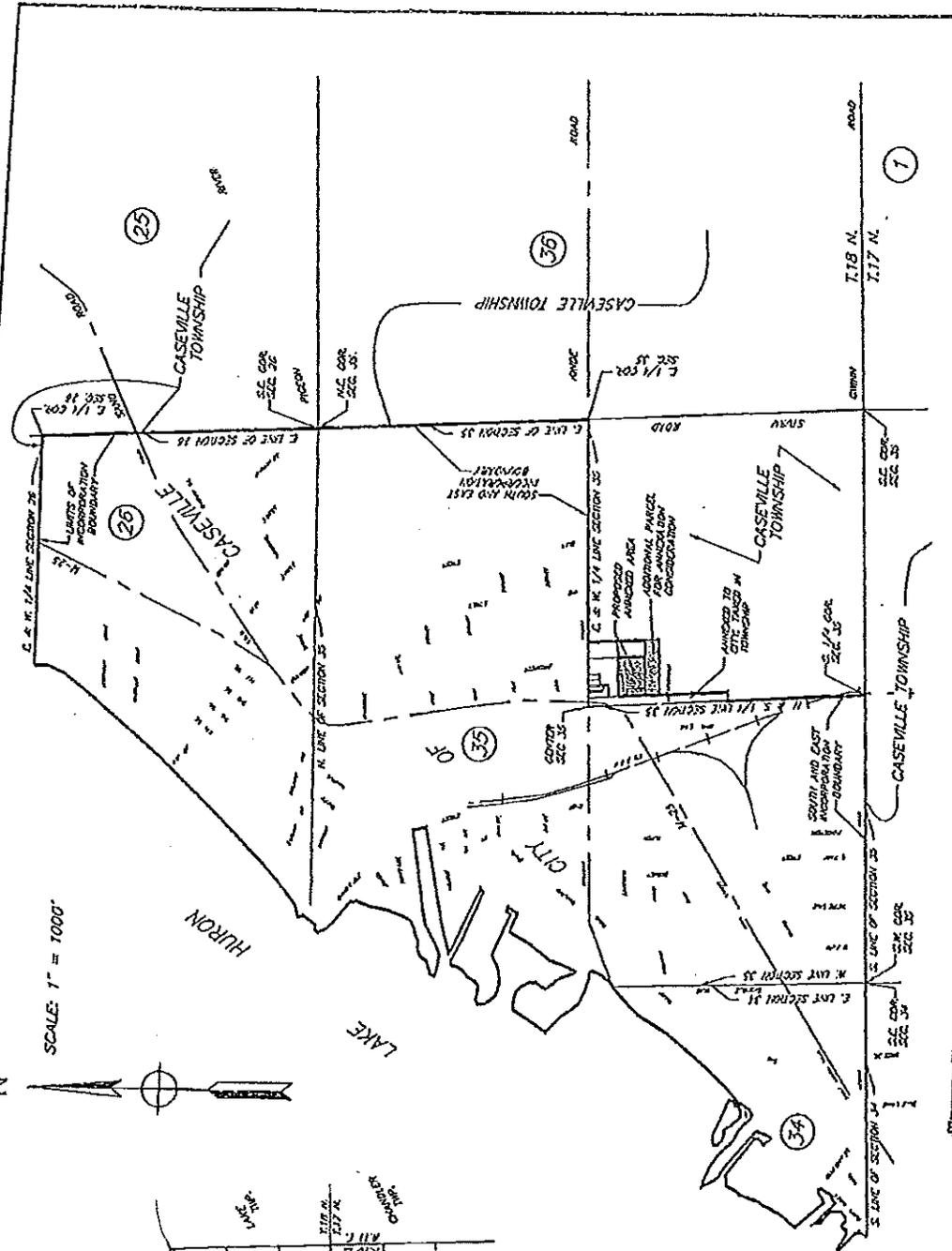


SCALE: 1" = 1000'



CASEVILLE TOWNSHIP,
CITY OF CASEVILLE,
T.18 N. - R.10 E.,
HURON COUNTY, MICHIGAN

- LEGEND**
- CITY BOUNDARY
 - PROPOSED ANNEXED AREA
 - ADDITIONAL PARCEL FOR ANNEXATION CONSIDERATION



Seller Group
200 S. Washington Avenue
P.O. Box 1689
Saginaw, Michigan 48605-1689
Tel: 989-754-4717
Fax: 989-754-4440

MAP DATE: 06-23-11

PART I MAP:
PART OF SECTIONS 25, 34 AND 35
CITY OF CASEVILLE AND CASEVILLE TOWNSHIP
HURON COUNTY, MICHIGAN

1191965C2017
D-4812

ATTACHMENT C
TO FINAL ORDER



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF CONSTRUCTION CODES
IRVIN J. POKE
DIRECTOR

STEVEN H. HILFINGER
DIRECTOR

STATE BOUNDARY COMMISSION

In the matter of:

State Boundary Commission
Docket #'s 11-AR-1

The proposed annexation of land
in Caseville Township to the City of Caseville,
Huron County.

SUMMARY OF PROCEEDINGS, FINDINGS OF FACT AND CONCLUSIONS OF LAW

SUMMARY OF PROCEEDINGS

1. This petition requesting annexation of this area to the City of Caseville was received on January 20, 2011 and was approved for legal sufficiency on June 16, 2011. The legal description of the area requested to be annexed is included in Attachment 'A'. At the June 16, 2011 meeting the Commission also expanded the area under consideration for annexation for accepting comment at the public hearing. The legal description of the area expanded by the Commission to receive public comment is shown in Attachment 'B'.
2. The Public Hearing was held in the City of Caseville on October 4, 2011; the 30-day comment period expired November 3, 2011 and the 7-day rebuttal period expired on November 17, 2011.
3. At the December 8, 2011 meeting the Commission voted to postpone the final decision on this docket.
4. At the January 11, 2012 meeting Commissioners Dennis Schornack, James Stewart, Cameron Priebe and Mark Green voted 4 to 0 to approve this petition including the expanded area added by the Commission prior to the public hearing. Commissioner Clay Kelterborn was absent.

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Information on the record from the City of Caseville:

1. This petition included minutes from the August 9, 2010 Caseville City Council meeting where the Council unanimously adopted a resolution to file an annexation petition with the State Boundary Commission. (Source: Petition for Docket #11-AR-1)
2. The land area of the City of Caseville is 115 acres. The population of the City of Caseville by the 2010 census is 777 for a density of 6.76 persons/acre. (Source: City of Caseville Questionnaire)
3. The City provides the following services to its residents: (Source: City of Caseville Questionnaire)
 - a) Public water (Owned and operated by the City of Caseville). Public water is already servicing the proposed annexation areas.
 - b) Sanitary sewer (Owned and operated by the City of Caseville). Public sewer is already servicing the proposed annexation areas.
 - c) Fire Protection (through Caseville Area Fire Protection Association paid by a millage.)
 - d) Police Protection (City of Caseville Police Department paid by General Operating Funds)
 - e) Garbage Collection (by contract with a private firm. Each homeowner is billed by governmental unit)
 - f) Street Lighting (provided by City paid out of General Operating fund)
 - g) Parks (provided by City paid out of General Operating fund)
 - h) Leaf and Brush Pickup (provided by City paid out of General Operating fund)
 - i) Street sweeping and snow plowing (provided by City out of road fund)
 - j) Marina (provided by Harbor Authority through fees)
 - k) Storm Water System (provided by city out of road fund)
 - l) Ambulance Service (by contract paid out of General Operating Fund)
 - m) Library (provided by area wide system)
4. State Equalized Value SEV (Real & Personal combined) (Source: City of Caseville Questionnaire)

2011	\$38,367,150
2010	\$45,888,789
2009	\$48,379,300
5. Current City Millage (Source: City of Caseville Questionnaire)

2010	14.075
2009	13.373
2008	13.373
6. The Village of Caseville built, and the City of Caseville maintains, John Lynn Drive which is used by Blue Chip Machining, L.L.C. in its daily operations. (Source: City of Caseville Public Hearing Handout)

7. According to City officials annexing the area of the petition is merely correcting a boundary error that occurred when the City was incorporated beginning in 2005 and completed in 2010. The area of the petition has historically been taxed as part of the Village of Caseville and the tax records in Huron County show that this area was taxed as part of the Village of Caseville before city incorporation. Services or taxes in the area proposed for annexation have never been provided or levied by the Township in the past. The residential property owner (Mr. James Devroye) indicated at the public hearing that he would like to be annexed into the City. Blue Chip Machining, L.L.C., the other property owner in the area proposed for annexation has indicated its opposition to annexation. (Sources: petition and public hearing).

Information on the Record from Caseville Township:

1. The land area of Caseville Township is 12.6 square miles. The population of Caseville Township is 1793. The population density is 142 persons/square mile. (Source: Caseville Township Questionnaire)
2. Caseville Township adopted a Master Plan in 2002 which was updated in 2007 and has a zoning code and a zoning board. The area originally proposed for annexation and the expanded area are both zoned industrial. (Source: Caseville Township Questionnaire)
3. The Township provides the following services to its residents: (Source: Caseville Township Questionnaire)
 - a) Public Water (through a treatment plant owned by the City of Caseville)
 - b) Fire Protection (through Caseville Fire District which serves City of Caseville, Caseville and Lake Townships paid by special assessment.)
 - c) Police Protection (through Huron County Sheriff's Department paid by Township through contract with Huron County)
 - d) Garbage Collection but not to the area of the proposed annexation (by contract with a private firm. Each homeowner is billed by individually by the hauler)
 - e) Library Service (operated by Township)
 - f) Ambulance Service (provided by Township paid out of General Fund)
4. State Equalized Value (SEV) (Real & Personal combined) (Source: Caseville Township Questionnaire)

2011	\$207,398,800
2010	\$241,617,300
2009	\$241,450,252
5. State Equalized Value (SEV) of original area proposed for annexation. Note: Township has granted an Industrial Facility Tax Exemption for Blue Chip Machining ending 12/2021. (Source: Caseville Township Questionnaire)

2011	\$421,700
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6. State Equalized Value (SEV) of expanded area (Source: Caseville Township Questionnaire)

2011	\$64,000
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7. Unit Millage (Source: Caseville Township Questionnaire)	
2010	3.8012
2009	3.8012
2008	3.9012

8. The Township maintains that due to the substantial increase in taxes without an increase in services in the annexation area Blue Chip Machining, L.L.C. is likely to move its business elsewhere, possibly out of Michigan, if this annexation is approved. This would cause a decrease in tax revenue for Caseville Township, the City of Caseville, Huron County, local schools and the State of Michigan. The Township Board opposes the annexation believing that it is not appropriate to increase the City's boundaries so soon after incorporation. Township residents oppose the annexation, as they opposed the incorporation. Some city residents are filing detachment proceedings after seeing the increase in their taxes following incorporation. (Source: Caseville Township Questionnaire)

Other Information from the Record

1. Population (based on federal decennial census data):

	<u>City</u>	<u>Township</u>
2010	777	1793
2000	888	1835
1990	857	1282

- Blue Chip Machining L.L.C. and the then Village of Caseville signed an Industrial Facilities Exemption Certificate in 2009 for \$2,029,500 investment in the factory and the creation of 50 new jobs.
- Blue Chip Machining L.L.C. and Caseville Township signed an Industrial Facilities Exemption Certificate in 2009 for \$4,984,500 investment in the factory.

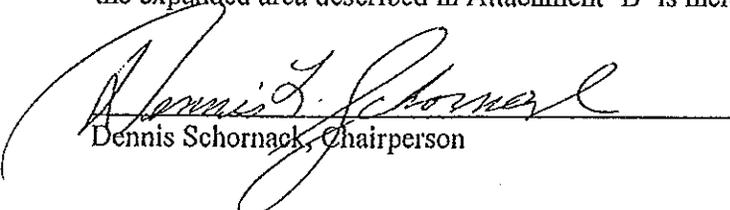
FINDINGS OF FACT

- The current boundary line between the City of Caseville and Caseville Township bisects the building and property owned by Blue Chip Machining, L.L.C.
- The petitioned area has been taxed as being in the Village of Caseville since the 1950's. Huron County's records show the petitioned area as being in the Village of Caseville for many years. The records at the local and county levels differed from those on file with the Secretary of State Office of the Great Seal. When the Village of Caseville filed a petition in 2005 to Incorporate as a Home Rule City they used the records on file with the Secretary of State. This resulted in the municipal boundary bisecting the building and property as noted in item #1 above.

3. The land to the south of the petitioned area that was included in the Commissions expanded area has always been in Caseville Township's jurisdiction. However, this area is also part of the current site of the Blue Chip Machining L.L.C. factory site.

CONCLUSIONS OF LAW

1. This petition requesting annexation of this area to the City of Caseville from Caseville Township was received on January 20, 2011 filed pursuant to MCL 117.9(7)(a).
2. The State Boundary Commission, pursuant to MCL 117.9(2) and R123.52, determined the validity of the petition and approved it for legal sufficiency with an expanded area on June 16, 2011. The legal description of the area requested to be annexed is included in Attachment 'A'. The legal description of the area expanded by the Commission to receive public comment pursuant is shown in Attachment 'B'. A map showing the areas described in Attachments 'A' and 'B' is provided in Attachment 'C'.
3. The Public Hearing was held in the City of Caseville on October 4, 2011 pursuant to MCL 123.1008(3); the 30-day comment period expired November 3, 2011 pursuant to R123.68; and the 7-day rebuttal period expired on November 17, 2011 pursuant to R123.68.
4. At the January 11, 2012 meeting, after consideration of all of the criteria stipulated under Section 9 of 1968 PA 191, and the testimony and information contained within the record of this docket, Commissioners Dennis Schornack, James Stewart, Cameron Priebe and Mark Green voted 4 to 0 to approve this petition, including the expanded area added by the Commission prior to the public hearing, pursuant to MCL 123.1010(1). Commissioner Clay Kelterborn was absent.
5. Pursuant to Executive Reorganization Order 1996-2, this approval is contingent on the concurrence of the Director of the Department of Licensing and Regulatory Affairs. A draft order for the Director's signature approving the annexation area described in Attachment 'A' and the expanded area described in Attachment 'B' is included in Attachment 'D'.



Dennis Schornack, Chairperson