STATE OF MICHIGAN

DEPARTMENT OF LABOR & ECONOMIC GROWTH

BEFORE THE STATE BOUNDARY COMMISSION

In the matter of:

Boundary Commission
Docket #04-I-1

The proposed incorporation of territory in Crystal Township, Montcalm County, as the Village of Crystal Lake

SUMMARY OF PROCEEDINGS
FINDINGS OF FACT AND CONCLUSIONS OF LAW

The territory approved for incorporation in Crystal Township as the Village of Crystal Lake is described in *Attachment A*.

A. On February 23, 2004, a petition was filed to request that territory in Crystal Township be incorporated as the Village of Crystal Lake.

B. On April 15, 2004, 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 278 of 1909, as amended.

C. On July 8, 2004, the State Boundary Commission held a public hearing in Crystal Township to receive testimony, pursuant to Public Act 191 of 1968, as amended.

D. On October 21, 2004, at an adjudicative meeting, State Commissioners VerBurg and Walker, and Local Commissioners Blanding and Scott unanimously approved a motion to revise the area to be incorporated *(Attachment A).* Local Commissioner Blanding explained his affirmative vote by indicating that he felt the residents should have the opportunity to vote.

E. On April 20, 2006, at an adjudicative meeting, State Commissioners VerBurg, Barnett, and Jamnick, and Local Commissioners Blanding and Scott voted unanimously to approve the petition for the incorporation of the revised territory, and ordered that Commission staff prepare the draft Summary of Proceedings, Findings of Fact, and Conclusions of Law.

F. On May 18, 2006, State Commissioners VerBurg and Jamnick, and Local Commissioner Scott unanimously approved the Summary of Proceedings, Findings of Fact and Conclusions of Law, with certain revisions at the request of Crystal Township, and unanimously recommended that the Director of the Department of Labor & Economic Growth sign the attached Order to approve this proposed incorporation.

FINDINGS OF FACT

1. The population of the proposed village area as petitioned and as revised is 1,380*. The population of Crystal Township is 2,824*.
(* based on 2000 census)

2. The area proposed for incorporation as petitioned is 4.75 square miles, represents 13% of the total township area, includes the 750 acre lake, and contains 48% of the Township population.

3. The area proposed for incorporation as revised by the Commission on October 21, 2004, reduced the area by 0.6 square miles to 4.18 square miles, which represents approximately 12% of the total township area. This reduced territory still includes the 750 acre lake and 48% of the township population.

4. The reduction of territory splits three parcels between the revised area for incorporation and Crystal Township. These parcels are identified as parcel numbers 005-007-021-21, 005-007-027-00, and 005-008-009-00.

5. The state equalized value of real and personal property for Crystal Township is:

2006	2005	2004	2003
$121,491,700	$117,854,700	$108,680,400	$106,028,600

6. The state equalized value of real property for the proposed village is:

	2006	2005	2004	2003
as petitioned	$65,437,000	$61,069,700	$59,172,000	$52,333,100
revised area	$64,804,900	$60,588,100	$58,734,400	$51,906,200
difference	-$632,100	-$481,600	-$437,600	-$426,900

7. The taxable real value of the township is:

2006	2005	2004	2003
$79,816,762	$75,166,086	$70,443,664	$65,468,839

8. The taxable real value of the proposed village is:

	2006	2005	2004	2003
as petitioned	$46,446,827	$42,789,652	$40,308,459	$38,089,133
revised area	$46,012,338	$42,464,632	$40,017,546	$37,793,173
difference	-$434,489	-$325,020	-$290,913	-$295,960

9. The proposed village as revised is 57.6 percent of the taxable value of the township.

10. The unit millage of the township is:

    2006: .7503 (general fund)
    2005: 1.6984 (.7596 general fund and .9388 fire equipment)
    2004: 3.1278 (police, fire, and general fund)
    2003: 3.2039 (police, fire, and general fund)

    Note: The township will have a ballot proposal in August 2006 election for a millage request of 1.2 mills for police contract with county sheriff, and .9273 mills for fire equipment.

11. At the May 18, 2006 Boundary Commission meeting, the Township requested, and the Commission granted, that the following information be included in this report:
    a. The local school district asked for 2 mills for 2 years and it passed.
    b. The Township has a Sidewalk Replacement Program each year in its budget; some people near the Crystal Park exercise by walking the sidewalks which were recently installed due, in part, to a recreation grant.
    c. The Township provides leaf pickup in the proposed village area, particularly for senior citizens.
    d. The Township approved a Downtown Development Authority and has collected part of the millage in this district for the past two years. The township is currently in the process of developing a matching grant in order to make more improvements in the downtown area.
    e. A new business is currently being constructed in the downtown area; last year, a new building was built in the downtown area for a new business.
    f. The Township did have interim zoning for three years, but it expired from lack of support.
    g. The Township Board has passed several ordinances to help protect Crystal Lake and the residents in the proposed village area.
    h. The Township recently spent over $100,000 in matching funds from state grants to upgrade the township park on Crystal Lake, and more than $143,000 to install decorative lighting, new sidewalks, storm drains, trees, etc. along the main streets (both projects were for improvements within the proposed village area; an additional $10,000 will be paid for the storm drain project over the next two years).
    i. Millages that have been levied by Crystal Township, for township purposes, are <u>much</u> lower than for any city and all but one village in the county.
    j. Montcalm County Road Commission does not support the village incorporation proposal.

12. Services provided by the township are assessing, tax collections, and elections.

13. Sanitary sewer service is provided by Crystal Township to 815 customers, 80% of whom are located in the area proposed for incorporation. Rural areas do not have sewer hookup. Public water service is supplied through private wells.

14. A volunteer fire department consisting of approximately 19 personnel serves Crystal Township. The fire barn is located within the area proposed for incorporation.
    2005 equipment millage: .9388
    2004 equipment millage: .9602

15. The Montcalm County Sheriff Department provides police protection through contract with Crystal Township. The 2004 millage for one full time officer was 1.3907. The Township had no police millage in 2005.

16. Trash collection in the township is provided by private arrangement between property owners and individual haulers. Crystal Township provides a spring and fall "Township Cleanup."

17. The area proposed for incorporation is a densely populated area immediately surrounding Crystal Lake. The area lying outside the proposed village is sparsely populated and mostly agricultural.

18. Crystal Township does not have a master plan.

19. Four Township board members stated their opposition to the village incorporation, citing the financial impact with no stated benefits. One board member signed the petition.

20. At the public hearing, some who testified expressed concerns that incorporation will create an additional layer of government, a duplication of services already provided by the Township, and a financial burden for those residents on limited incomes.

21. Others who testified at the public hearing spoke in favor of incorporating as a village, citing township taxes are high and the level of service is low, the opportunity for lake management, and the potential for economic growth.

22. While all property owners in the area proposed for incorporation are taxpayers, not all have designated their lake property as their principal residence. In such cases, these property owners are not eligible to vote on the proposed incorporation or in the elections of the proposed village, even though they will have to pay village taxes.

23. Should the village incorporation be approved, the petitioners have stated a desire to implement and promote a zoning ordinance, public services, residential and business development, lake protection measures, and a land use plan. They cite that village incorporation will allow the township to concentrate on rural areas, and the village can concentrate on improvements that will enhance local businesses and services that will have a favorable effect on the entire township.

THE COMMISSION RECOMMENDS THAT

The qualified electors and freeholders of the territory approved for incorporation be allowed the opportunity to vote on whether to incorporate as the Village of Crystal Lake.

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 Labor & Economic Growth sign the attached Order to approve the subject incorporation and adopt this Summary of Proceedings and Findings of Fact and Conclusions of Law.

Kenneth VerBurg, Chairperson
State Boundary Commission

May 15, 2006
Date

STATE OF MICHIGAN

DEPARTMENT OF LABOR & ECONOMIC GROWTH

BEFORE THE STATE BOUNDARY COMMISSION

In the matter of:

The proposed incorporation of territory in Crystal Township, Montcalm County, into the Village of Crystal Lake

Boundary Commission
Docket # 04-I-1

FINAL ORDER

IT IS ORDERED THAT these Summary of Proceedings, Findings of Fact, and Conclusions of Law, and Order, approving the incorporation of territory in Crystal Township, Montcalm County, into the Village of Crystal Lake, as described in Attachment A, shall be effective on the date signed below by the Director of the Department of Labor & Economic Growth, unless a valid petition for a referendum is filed with the State Boundary Commission in Lansing within forty-five days following the date of this Order.

IT IS FURTHER ORDERED THAT if a valid petition is filed with the State Boundary Commission within the 45-day period, the Order for a referendum on the question of incorporation shall include a new effective date for this 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 affected area proposed for incorporation voting no on the question, then this 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 Summary of Proceedings, Findings of Fact and Conclusions of Law to the Secretary of State, and the clerks of Crystal Township and Montcalm County.

Robert W. Swanson, Director
Michigan Department of Labor & Economic Growth

6/19/06
Date

JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

ROBERT W. SWANSON
DIRECTOR

ATTACHMENT A

The Southeast 1/4; also the South 1/2 of the Southwest 1/4; and the Northeast 1/4 of the Southwest 1/4 of fractional Section 7, T10N, R5W, Montcalm County, Michigan.

Also the Northeast 1/4; also the South 1/2 of the Northwest 1/4; also the Southeast 1/4; and the Southwest 1/4 of fractional Section 8, T10N, R5W, Montcalm County, Michigan.

Also the West 1/2 of Section 9, T10N, R5W, Montcalm County, Michigan.

Also the Northwest 1/4; and the North 1/2 of the North 1/2 of the Southwest 1/4 of Section 16, T10N, R5W, Montcalm County, Michigan.

Also all of fractional Sections 17 and 18, T10N, R5W, Montcalm County, Michigan.

Including the following plats:

Allen's Elm-Ridge Park, lots 1-56

Crystal Shore's Subdivision of Part of Lot C Block 10 and Lot 4 Block 11 of Supervisor's Plat of SE1/4 of Sec.8, T10N, R5W, lots 1-25

Drake's Plat of the Village of Crystal, blocks 1-16

Durkee's Lake Side Park, lots 1-190 and outlot A

Eldred's Plat, lots 1-18

Marshall Strait's Silver Beech Park, lots 1-123

Mill's Landing, lots 1-21

Myer's Addition to the Village of Crystal, blocks 1-20

Northwest Tack, lots 1-14

Northwest Tack, lots 15-27 and outlot A

Owenday's Addition to Crystal Lake, lots 1-23

Peterman's Subdivision of part of Lot 200 and Lot B Block 10 Supervisor's Plat of SE1/4 of Sec.8, T10N, R5W, lots 1-29

Procunier's Subdivision of Part of Lot 45 Supervisor Teed's Plat of Crystal, lots 1-42

Skipper's Landing, lots 1-14 and outlots A-E

Steere's Landing, lots 1-32

Stone's Park Crystal Lake, lots 1-24

Supervisor's Plat Township of Crystal, blocks 1-11

Supervisor's Plat of West Shore Lots, lots 1-49

Supervisor's Rule's Subdivision of Lots 191-192 and 193 of Durkees Lakeside Park, lots 1-36

Supervisor's Shively's Plat of North Shores, lots 1-13

Supervisor's Shively's Plat of North Shores No.2, lots 14-17

Supervisor's Shively's Plat of Walthorn's Addition, lots 1-10

Supervisor Teed's Plat of Crystal, lots 1-47

Swan Lake, lots 1-39

Sznaider Subdivision No.1, lots 1-8

Tow's Park, lots 1-28