

PENN TOWNSHIP
Special Meeting Minutes
September 3, 2026

Board Members Present: Supervisor Oli Olafsson, Clerk Rhonda Barnett, Treasurer Rachele Bogue, Trustee Roger Leach, and Trustee Scott Peters

Board Member Absent: None

Trustee Leach opened with prayer and led the Pledge of Allegiance.

Purpose of Meeting

1. Approve New Council for Moratorium/Zoning Review
2. Diamond Lake Yacht Abatement Hearing

The items were discussed out of order.

2. DIAMOND LAKE YACHT ABATEMENT PUBLIC HEARING

The public hearing was opened by Supervisor Olafsson at 6:40 pm for the Diamond Lake Yacht Abatement Hearing.

Dave Bolen gave an overview of the project

There were 4 public comments.

Jim Bogue is in favor of this shining star.

Chris Bokhart stated this is a great addition for the surrounding town/village/township

Lauryn Hodges commented about creating a district- what can we do to share this with others in similar situations?

Bill Schuld asked the question "What is a district? His question was answered

**A. RESOLUTION 2026-05, A RESOLUTION TO ESTABLISH PENN TOWNSHIP
COMMERCIAL REDEVELOPMENT DISTRICT NO. 1**

A motion was made by Trustee Leach and supported by Treasurer Bogue to approve Resolution No. 2026-05, a resolution to establish Penn Township Commercial Redevelopment District No. 1.

A motion was made by Treasurer Bogue and supported by Supervisor Olafsson to approve the Commercial Facilities Exemption (CFE) Certificate.

Public hearing was closed at 7:02.

The motion carried unanimously.

1. APPROVE NEW COUNCIL FOR MORATORIUM/ZONING REVIEW

A motion was made by Trustee Leach and supported by Treasurer Bogue to approve Mika Meyers Law firm, specifically Ronald Redick, to represent the township on moratorium, zoning, and planning issues, retroactive to August 13, 2026.

The motion carried unanimously.

ADJOURNMENT

A motion to adjourn was made by Trustee Leach and supported by Treasurer Bogue.

The motion carried unanimously.

The meeting ended at 7:20 p.m.

Respectfully submitted,

Rhonda Barnett, Penn Township Clerk

Date

Oli Olafsson, Penn Township Supervisor

Date

PENN TOWNSHIP RESOLUTION NO. 2026-05

A RESOLUTION TO ESTABLISH PENN TOWNSHIP COMMERCIAL REDEVELOPMENT DISTRICT NO. 1

Minutes of a regular/special meeting of the Township Board of Penn Township, Cass County, Michigan, held at the Penn Township Hall on September 3, 2026, beginning at 6:30 p.m.

PRESENT: Supervisor Olafsson, Treasurer Bogue, Trustee Leach, Trustee Peters, and Clerk Barnett

ABSENT: None

The following preamble and resolution were offered by Trustee Leach and supported by Treasurer Bogue.

WHEREAS, the Commercial Redevelopment Act, 1978 PA 255, as amended, MCL 207.651 et seq. (the "Act"), provides for the establishment of commercial redevelopment districts and for commercial facilities exemption certificates within districts established under the Act; and

WHEREAS, this Resolution is prepared on the premise that the 2026 revival and amendment of the Act authorizes Penn Township to establish the District described in this Resolution, subject to confirmation and final legal rendering by the Township Attorney; and

WHEREAS, the owner of the real property commonly known as 21268 Shore Acres Road, Cassopolis, Michigan 49031, identified as Parcel No. 14-100-230-001-10 (the "Property"), has requested, or the Township Board on its own initiative has proposed, establishment of a commercial redevelopment district encompassing the Property; and

WHEREAS, the Property contains an existing commercial facility proposed to be demolished and replaced with a new commercial facility, rather than rehabilitated or restored, and the proposed replacement facility is expected to include a restaurant open to and serving the general public; and

WHEREAS, the Township Board finds that the Property is commercial property and that establishment of the proposed District is consistent with the purposes of the Act, including encouraging the replacement and redevelopment of commercial property, continued commercial activity, private investment, employment, and economic vitality within Penn Township; and

WHEREAS, the Township Board intends that any later request for a commercial facilities exemption certificate be separately considered under the Act, including whether the proposed improvements constitute an eligible "replacement facility," what portions of the project qualify, and whether all statutory timing and eligibility requirements have been satisfied; and

WHEREAS, notice of the public hearing on establishment of the proposed District was given by publication in *The Leader* on August 22, 2026 and by certified mail on August 22, 2026, to the owner or owners of all real property within the proposed District and to all other persons or governmental units entitled to notice under the Act; and

WHEREAS, on September 3, 2026, the Township Board held a public hearing on establishment of the proposed District, at which the owners of real property within the proposed District and other residents and taxpayers of Penn Township were afforded an opportunity to be heard; and

WHEREAS, after considering the record of the public hearing, the Township Board finds and determines that establishment of the proposed District is in the public interest of Penn Township and that the real property within the proposed District satisfies the requirements applicable to district establishment under the Act.

NOW, THEREFORE, BE IT RESOLVED

1. The Penn Township Board hereby establishes the real property described in Exhibit A, commonly known as 21268 Shore Acres Road, Cassopolis, Michigan 49031, Parcel No. 14-100-230-001-10, as Penn Township Commercial Redevelopment District No. 1, pursuant to 1978 PA 255, as amended.
2. The boundaries of the District are limited to the real property described in Exhibit A. The street address and parcel number are included for reference; the verified legal description controls.
3. Establishment of the District does not itself grant or promise a commercial facilities exemption certificate. Any certificate application must be separately filed, noticed, heard, evaluated, and acted upon in accordance with the Act.
4. The Township Clerk is authorized and directed to certify this Resolution, maintain the District record, transmit certified copies and notices required by law, and take other ministerial actions necessary to effectuate the establishment of the District.
5. All resolutions and parts of resolutions in conflict with this Resolution are rescinded only to the extent of the conflict.
6. This Resolution shall take effect upon adoption, subject to any statutory filing, notice, review, or approval requirements applicable under the Act.

AYES: Supervisor Olafsson, Treasurer Bogue, Trustee Leach, Trustee Peters, and Clerk Barnett

NAYS: None

ABSTAIN: None

ABSENT: None

RESOLUTION DECLARED ADOPTED.

Dated: September 3, 2026

Penn Township Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Penn Township, Cass County, Michigan, at a regular/special meeting held on September 3, 2026, and that the meeting was conducted and public notice was given in compliance with the Open Meetings Act, 1976 PA 267, as amended.

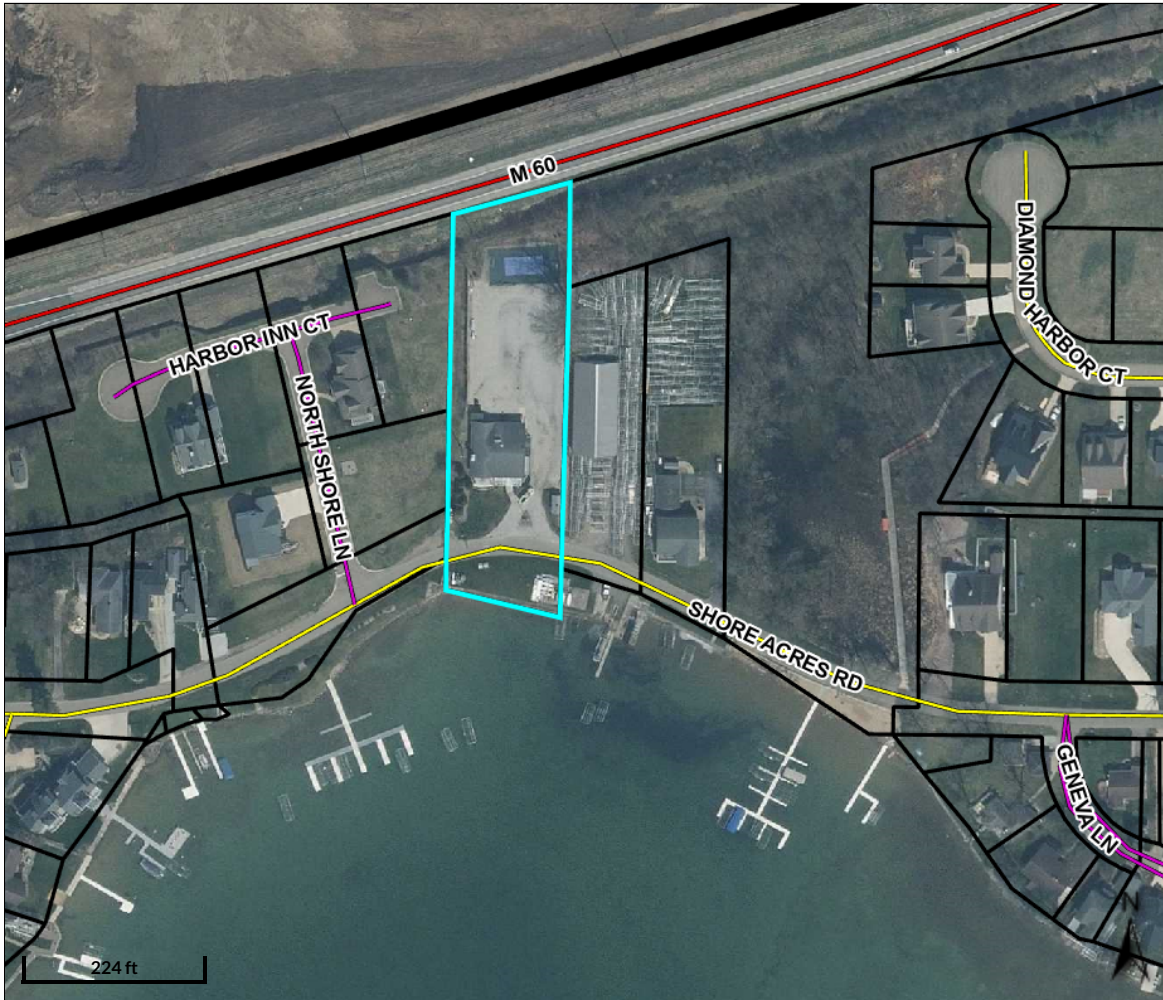
Penn Township Clerk

Dated: September 3, 2026

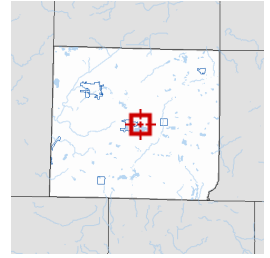
EXHIBIT A

LEGAL DESCRIPTION OF PENN TOWNSHIP COMMERCIAL REDEVELOPMENT DISTRICT NO. 1

Property Address	21268 Shore Acres Road, Cassopolis, Michigan 49031
Parcel Number	14-100-230-001-10
Legal Description	78-B 6S-14W BEG 1361.8 FT W & 292 FT N OF SE COR SEC, TH N 340.1 FT, S 72 DEG 54' W 129.3 FT, S 283 1/2 FT TO DIAMOND LKE S 81 DEG 19' E 125.2 FT TO BEG ALSO ALL LAND NLY OF SD PARCEL & SLY OF SLY LINE HWY M-60 WHICH LIES BETW E & W LINES OF SD PARCEL IF EXTENDED NLY SHORE ACRES.



Overview



Legend

Roads

- Berrien County Maintained
- City/Village Local
- City/Village Major
- County Local
- County Primary
- Elkhart County Maintained
- Federal Trunkline
- Private
- St Joseph County Maintained
- State Trunkline
- Van Buren County Maintained
- <all other values>

Parcels

Municipalities Low Level

Townships

Parcel ID	14-100-230-001-10	Alternate ID	n/a	Owner Address	DIAMOND LAKE YACHT CLUB
Twp/Rng	06S-14W	Class	201 - COMMERCIAL-IMPROVED		PO BOX 363
Property Address	21268 SHORE ACRES RD	Acreage	0.885		CASSOPOLIS, MI 49031
	CASSOPOLIS				
District	100 PENN TOWNSHIP				
Brief Tax Description	. 778-B 6S-14W BEG 1361.8 FT W & 292 FT N OF SE COR SEC, TH N 340.1 FT, S 72 DEG 54' W 129.3 FT, S 283 1/2 FT TO DIAMOND LKE S 81 DEG 19' E 125.2 FT TO BEG ALSO ALL LAND NLY OF SD PARCEL & SLY OF SLY LINE HWY M-60 WHICH LIES BETW E & W LINES OF SD PARCEL IF EXTENDED NLY SHORE ACRES.				
	(Note: Not to be used on legal documents)				

Date created: 9/16/2026

Last Data Uploaded: 9/15/2026 9:52:13 AM

Developed by  **SCHNEIDER**
GEOSPATIAL

STATE USE ONLY		
Application Number	Date Received	LUCI Code

Application for Commercial Facilities Exemption Certificate

Issued under authority of Public Act 255 of 1978, as amended.

Read the instructions page before completing the application. This application must be filed after a Commercial Redevelopment District is established. The original application and required documents are filed with the clerk of the Local Governmental Unit (LGU).

PART 1: OWNER / APPLICANT INFORMATION (applicant must complete all fields)

Applicant (Company) Name Diamond Lake Yacht Club		NAICS or SIC Code 7997	
Facility's Street Address 21268 Shore Acres Drive	City Cassopolis	State Mi	ZIP Code 49031
Name of City, Township or Village (taxing authority) Penn	County Cass	School District Where Facility is Located 14010 CASSOPOLIS PUBLIC SCHOOLS	
☐ City ☒ Township ☐ Village			
Date of Rehabilitation Commencement (mm/dd/yyyy) 08/24/2026	Planned Date of Rehabilitation Completion (mm/dd/yyyy) 09/30/2026		
Estimated Cost of Rehabilitation \$5,000,000	Number of Years Exemption Requested (1-12) 12		
Expected Project Outcomes (check all that apply)			
☒ Increase Commercial Activity ☐ Retain Employment ☐ Revitalize Urban Areas ☒ Create Employment ☐ Prevent Loss of Employment ☒ Increase Number of Residents in Facility's Community			
No. of perm. jobs to be created due to facility's rehab. 50	No. of perm. jobs to be retained due to facility's rehab.	Number of construction jobs to be created during rehabilitation 200	

Each year, the State Treasurer may approve 25 additional reductions of half the state education tax for a period not to exceed six years.

☒ Check this box if you wish to be considered for this exclusion.

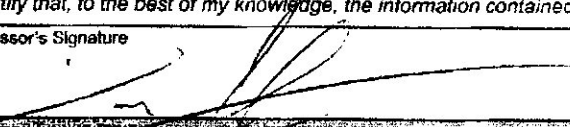
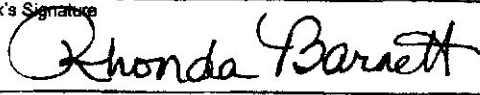
PART 2: APPLICATION DOCUMENTS

Prepare and attach the following items:

- | | |
|--|--|
| ☒ General description of the facility (year built, original use, most recent use, number of stories, square footage) | ☒ Descriptive list of the fixed building equipment that will be a part of the facility |
| ☒ General description of the facility's proposed use | ☒ Time schedule for undertaking and completing the facility's restoration, replacement or construction |
| ☒ General description of the nature and extent of the restoration, replacement, or construction to be undertaken | ☒ Statement of the economic advantages expected from receiving the exemption |
| ☒ Legal description of the facility | |

PART 3: APPLICANT CERTIFICATION

Name of Authorized Company Officer (no authorized agents) David Bolen	Telephone Number (248) 962-8087		
Fax Number	E-mail Address bolendave@gmail.com		
Mailing Address 20737 Decatur St.	City Cassopolis	State Mi	ZIP Code 49031
I certify that, to the best of my knowledge, the information contained herein and in the attachments is truly descriptive of the property for which this application is being submitted. Further, I am familiar with the provisions of Public Act 255 of 1978, as amended, and to the best of my knowledge the company has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local governmental unit and the issuance of a Commercial Facilities Exemption Certificate by the State Tax Commission. I further certify that this application relates to a program, when completed, will constitute a facility, as defined by Public Act 255 of 1978, as amended.			
Signature of Authorized Company Officer (no authorized agents) David Bolen	Title Commodore	Date 08/11/2026	

PART 4: LGU ASSESSOR CERTIFICATION				
Provide the Taxable Value and State Equalized Value of the Commercial Property.				
	Taxable Value (excluding land)		State Equalized Value (SEV) (excluding land)	
Building	\$71,183		\$189,197	
The property to be covered by this exemption may not be included on any other specific tax roll while receiving the Commercial Facilities Exemption. For example, property on the Eligible Tax Reverted Property (Land Bank) specific tax roll cannot be granted a Commercial Facilities Exemption that would also put the same property on the Commercial Facilities specific tax roll.				
☒ By checking this box I certify that, if approved, the property to be covered by this exemption will be on the Commercial Facilities Exemption specific tax roll and not on any other specific tax roll.				
Name of Assessor (first and last name)		Telephone Number		
Don Jollay		815-546-8288		
Fax Number		E-mail Address		
Mailing Address		City	State	ZIP Code
60717 S Main Street		Vandalia	MI	49095
I certify that, to the best of my knowledge, the information contained in Part 4 of this application is complete and accurate.				
Assessor's Signature			Date	
			09-03-2026	
PART 5: LGU ACTION / CERTIFICATION (LGU Clerk must complete Part 5)				
Action Taken By LGU:				
☒ Exemption approved for <u>12</u> years, ending December 30, <u>2038</u> (not to exceed 12 years)				
☐ Exemption Denied				
Date District Established (attach resolution for district)	Local Unit Classification Identification (LUCI) Code		School Code	
09/03/2026	201		14010	
Name of Clerk (first and last name)		Telephone Number		
Rhonda Barnett		269-816-5165		
Fax Number		E-mail Address		
		Penn-Clerk@outlook.com		
Mailing Address		City	State	ZIP Code
60717 S. Main St PO Box 69		Vandalia	MI	49095
LGU Contact Person for Additional Information		LGU Contact Person Telephone Number		Fax Number
Rhonda Barnett		269-816-5165		
I certify that, to the best of my knowledge, the information contained in this application and attachments is complete and accurate.				
Clerk's Signature			Date	
			9/3/2026	

If you have questions, need additional information or sample documents, call 517-335-7491 or visit www.michigan.gov/propertytaxexemptions.



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George V. Saylor, III

Also Admitted in

¹ Delaware

² Florida

³ Illinois

⁴ Iowa

⁵ New York

⁶ Pennsylvania

⁷ Wisconsin

August 5, 2026

Mr. Oli Olafsson, Supervisor
Penn Township
P.O. Box 69
Vandalia, MI 49095
oliolafsson@live.com

Re: Engagement Agreement

Dear Supervisor Olafsson:

This letter will confirm our agreement that Penn Township has retained Mika Meyers PLC to provide legal services in connection with Township zoning matters, including, in particular, regulations for data centers and a moratorium on data centers. The following are the general terms upon which we will represent the Township.

General Terms

Our fees are primarily determined by the time expended by us and the hourly rate of the individuals performing the services. The rate for members of the firm will be \$350 per hour. Mika Meyers may also utilize the services of associate attorneys with six or less years of experience if most efficient for the Township. The rate for associate attorneys will be \$270 per hour, depending on the associate's level of experience. The firm also uses paralegals for services that need not be performed by lawyers. Paralegal services will be billed at \$205 per hour. We review and adjust our rates from time-to-time to reflect inflation and cost increases affecting our practice, and the adjusted rates will apply to all services performed thereafter.

In addition to professional fees, we charge for expenses incurred on behalf of the clients, such as mileage, postage, filing fees, etc. We do not charge for clerical services, word processing and similar support activities, which are part of the costs of the legal services we provide. My legal assistant is Marcy Link. If you would like copies of documents or have routine questions, she may be able to answer them without charge.

Mr. Oli Olafsson, Supervisor
August 5, 2026
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We will submit to you monthly statements for fees and expenses describing with particularity the nature of our activities and any costs incurred. We believe it is important that you are satisfied with our services. If you have any questions about a bill, the services provided, or any aspect of our representation, please contact me. You agree to review each such bill promptly and bring any questions or concerns to our attention within thirty (30) days, after which time all bills shall be deemed accurate, fair, and reasonable. You agree to pay each monthly statement within 30 days of its date. We ask that you add accounting@mikameyers.com to your email contact list. By doing this, you will avoid having emails from our Accounting Department end up in your filter. Electronic invoices and balance reminders will be sent from accounting@mikameyers.com.

If you do not pay a monthly statement in full by its due date, the outstanding balance will accrue interest at the rate of 7% per annum. You agree to grant us to the extent permitted by law and our ethical obligations an attorney's lien, including general, charging, and retaining liens, on all documents, money, and other property of yours that comes into our possession or that is created by us in the course of this representation, until all fees and costs due and owing us have been paid.

You have the option of paying some or all of your statements by check, Discover, MasterCard, American Express or Visa. If you want to pay by credit card, there will be a 2% transaction fee added to payments made by credit card. You can avoid these fees and still pay electronically by selecting the ACH payment option that is available through our website (www.mikameyers.com).

In providing legal services, we may use technology-assisted tools, including artificial intelligence ("AI") to assist with research, document review, drafting, analysis, and administrative tasks. All legal services, advice, and work product remain subject to the review and professional judgment of our attorneys, who remain responsible for the representation. We take measures to protect confidential information consistent with our professional obligations. By engaging us, you consent to our use of such technology in connection with our representation of you.

You may terminate our representation at any time, with or without a cause, upon written notice to us and subject to your continued liability for payment of legal services provided and costs incurred by our attorneys. We reserve the right to terminate the representation, including petitioning any court for an order allowing us to withdraw from this representation, if you do not pay invoices on a timely basis or you otherwise fail to fulfill your obligations to us.

Once our engagement ends, we will return the file materials you provided to us. Any materials left with us after the engagement ends may be retained or destroyed, at our discretion. We reserve the right to make certain copies of all documents generated or received by us in the course of our representation. When you request documents from us, copies that we generate will be made at your expense.

Mr. Oli Olafsson, Supervisor
August 5, 2026
Page 3

We are pleased to have this opportunity to work with Penn Township. Please sign, date, and return a copy of this letter, indicating the Township's approval of the terms and conditions outlined in this letter. Thank you.

Yours very truly,



Ronald M. Redick

Direct Dial/Fax: (616) 632-8053
E-Mail: rredick@mikameyers.com

Agreed, accepted and acknowledged:

PENN TOWNSHIP

Dated: _____, 2026

By: _____
Oli Olafsson
Its: Supervisor

Dated: _____, 2026

By: _____
Rhonda Barnett
Its: Clerk