

Bruce Meyers

House Bill 4095 Testimony 4/18/2019 House Ways and Means Committee

POINTS TO CONSIDER – Please vote NO

**There is currently a surplus of 3,312 CCI beds  
945 CCI beds are utilized – 4,257 beds are licensed**

**-- MDHHS is responsible for the care and supervision of apx. 13,500 children --**

**6,480** (nearly half) are currently in their own home or placed with relatives

**4,590** are placed in foster homes because no relatives are available

**945** children are placed into a CCI (Child Caring Institution) which is a court mandated placement into an institutional setting including juvenile Detention Centers and homes for children with disabilities and mental health treatment facilities

**We have 3,312 available beds in existing licensed CCI's** – these facilities are currently approved by MDHHS who has determined that they provide the necessary services - there is no need to change legislation to fix a problem that does not exist

**Please consider the real reason for this legislation and this bills ramifications**

There is no actual need for such a drastic measure. This bill drastically changes the spirit and intent of the Michigan Zoning Enabling Act and allows large scale institutional facilities to be located in single-family residential neighborhoods without the ability to regulate infrastructure adequacy, conformance with the master plan and unique preservation goals of a district Its impact is far reaching and has consequences which must be considered

- This bill is written for one special interest group and enables institutions like themselves to buy property in a single family residential or agricultural districts, split the property up, and create unlimited numbers of housing units on the same campus
- This bill defies case law (*Larkin v. State*, 883 F. Supp. 172 (E.D. Mich. 1995)). The court has determined that you cannot regulate residential household occupancy to parcel size and you cannot regulate the number of occupants residing as a family unit/functional family in a residence and that distance separation between facilities is not enforceable - rendering the amendment to the bill unenforceable
- Current law allowing 6 or fewer residents has been thoroughly evaluated and universally accepted nationwide, increasing the number 10 occupants improperly classifies the increased density as equivalent to a residential use with no foundational evidence supporting the rational
- Increasing residents in these facilities on parcels of 20 acres or larger is arbitrary and prejudicial to the property owners in that zoning district
- CCI' s and residential facilities of 6 or fewer occupants are already allowed
- Federal and State standards for foster care report that increasing occupants in these setting to more than 6 is detrimental.
- Communities can already increase the number of residents and do not need this legislation to do this
- There is no reason to enact legislation for a problem that does not exist
- This bill fails to specify net or gross acreage, unbuildable land is included and shouldn't be
- This bill fails to address the infrastructure and suitability of the site

*Use should correlate to the characteristics of the surrounding land use and the infrastructure to support it – not parcel size. If this use is acceptable on a 20 acre parcel it should be acceptable in every other size parcel and the local municipality is best equipped to make such a decision*



## Eddie Sleeper

---

**From:** Chalmers Fitzpatrick <chalfitz@gmail.com>  
**Sent:** Tuesday, April 23, 2019 6:07 PM  
**To:** Eddie Sleeper; Rep. Brandt Iden (District 61); Rep. Jim Lilly (District 89); Rep. Eric Leutheuser (District 58); Rep. Beth Griffin (District 66); Rep. Jason Wentworth (District 97); Rep. Roger Hauck (District 99); Rep. Bronna Kahle (District 57); Rep. Rebekah Warren (District 55); Rep. Wendell Byrd (District 3); Rep. Sheldon Neeley (District 34); Rep. Kevin Hertel (District 18)  
**Subject:** Testimony against HB 4095

Dear Madams and Gentlemen,

I am strongly opposed to Riley's bill that allows homes for foster children to go from 6 children to 10 as long as property is on 20 acres. This Bill has been specifically written for HOP and their supporters and with complete disregard to the agricultural community in which the former hunting club was purchased by the Dunn's. Although we know there are high levels of lead on this property and to expose children to this sounds horrible, although we know that these children will be utilizing Oxford's virtual school so they do not have to integrate into society and the internet is spotty at best, although we know HOP and the Dunn's are able to avoid paying property taxes and are granted perks due to the nature of their nonprofit and although we know roads are dirt, narrow and the population is farms not institutions and commercial, they continue to fight for zoning changes. There are other organizations close by (in Oxford) with vacant beds and yet they still are pushing onward. And as much as their fight does not make sense to me, it's their right to do so, if it's truly legal.

Having said that, I am very distressed that this has been couched as an issue regarding foster children. The issue in our community is really about preservation of rural land uses in an Agricultural zoned district. I know of no one in the community who is opposed to foster children or even the House of Providence. I know of many people in this rural area who have or are currently fostering/adopting children. The concern is the conversion of use of limited agricultural land to a more intense use. Land is a limited resource. Once it is converted away from agricultural uses, it will never again return to agricultural uses. Even this was acknowledged by the Township Supervisor, who is too close to the Dunn's and even shares their last name. It is very difficult to find agricultural land within a reasonable drive of employment centers. To lose this land use when there is plenty of non-agricultural land available for non-agricultural uses is the issue. We are paving over our world to the detriment of species, pollinators and a diverse way of life. If another non-agricultural land use had been proposed, it too would have been opposed. Moreover, going to the State Legislature and asking it to create legislation to override local control of zoning issues creates a very slippery slope for communities to be able to define who they are. Please see this issue for what it is - a land use issue, not a foster child issue.

This bill needs to go away. It's 100% politically and religiously motivated to serve a small select few.

Sincerely,

Chalmers Fitzpatrick  
4434 Hough Rd  
Dryden, MI 48428

Sent from my iPhone



## Eddie Sleeper

---

**From:** Barbara Blanock <barbarablanock@gmail.com>  
**Sent:** Saturday, April 20, 2019 9:39 AM  
**To:** Eddie Sleeper; Rep. Brandt Iden (District 61); Rep. Jim Lilly (District 89); Rep. Eric Leutheuser (District 58); Rep. Beth Griffin (District 66); Rep. Jason Wentworth (District 97); Rep. Roger Hauck (District 99); Rep. Bronna Kahle (District 57); Rep. Rebekah Warren (District 55); Rep. Wendell Byrd (District 3); Rep. Sheldon Neeley (District 34); Rep. Kevin Hertel (District 18)  
**Subject:** Please reject HB4095

Dear Representatives-

We all care about children, but many times good intentions end up with the opposite effect.

Expanding the housing of foster children on 20 acres or more from six to ten is such a mistake.

First of all it's not the size of the acreage that makes a good foster home a good foster, but rather the intimacy and love given to the children. Most natural families have less than six children for many reasons including parents ability to commit enough time in child rearing. Why do schools with smaller classes have better academic and behavioral results and why do parents pay a lot of money to send their children to private or parochial schools with smaller class size? Clearly class size like house size is an important ingredient in successful outcomes. The number six was established for a reason and I see no good reason to increase this number by risking the quality of care and love foster children receive. Also, to override local community zoning laws and impose an acreage minimum is irrational and without merit. It makes no sense and has been selected to accommodate a single group to the detriment of everyone else. This is unfair and unethical. Shame on Rep. Reilly.

I do not agree with former Governor Snyder on a lot of issues, but his concern for foster children's well-being was clear in his decision not to sign this bill in last year's session.

Please think of the children first!

Respectfully submitted,

Barbara Blanock

3601 Barber Road

Oxford, MI 48371

Sent from my iPhone



## Eddie Sleeper

---

**From:** palinstitute@aol.com  
**Sent:** Wednesday, April 17, 2019 3:34 PM  
**To:** Eddie Sleeper  
**Subject:** keep for record - Fwd: requesting a 'No' vote on HB4095

-----Original Message-----

**From:** palinstitute <palinstitute@aol.com>  
**To:** BrandtIlden <BrandtIlden@house.mi.gov>; JimLilly <JimLilly@house.mi.gov>; EricLeutheuser <EricLeutheuser@house.mi.gov>; BethGriffin <BethGriffin@house.mi.gov>; RogerHauck <RogerHauck@house.mi.gov>; BronnaKahle <BronnaKahle@house.mi.gov>; JasonWentworth <JasonWentworth@house.mi.gov>; RebekahWarren <RebekahWarren@house.mi.gov>; WendellByrd <WendellByrd@house.mi.gov>; SheldonNeeley <SheldonNeeley@house.mi.gov>; KevinHertel <KevinHertel@house.mi.gov>  
**Sent:** Wed, Apr 17, 2019 3:32 pm  
**Subject:** requesting a 'No' vote on HB4095

Dear Ways and Means Committee Member:

This email is to ask you for a 'No' vote on HB4095.

We do not support this bill because it over rides local control for zoning. This bill is pushed by a small special interest group. It is not in the best interest of Michigan's rural townships or the children it claims to serve. We do not believe larger facilities or multiple facilities for congregate care in one area are in the best interest of the child residents. Note that a similar bill under our previous governor was vetoed.

Why should this group have the power to violate our zoning codes? If Oxford is the place of concern, let them control their own zoning. Don't impact other townships that deserve to maintain their local control.

Kenneth Boyd  
Pamela Lewis  
11420 Terrace Road  
Holly, MI 48442





## Eddie Sleeper

---

**From:** CINDY WAKER <CWAKER@live.com>  
**Sent:** Tuesday, April 16, 2019 9:06 PM  
**To:** Eddie Sleeper  
**Cc:** Rep. Mike Mueller (District 51); dianne@rosetownship.com  
**Subject:** House Bill 4095

Mr. Sleeper

I am requesting this letter be kept for record.

My name is Cynthia Waker and I am a resident of Rose Township MI. (10855 Hensell Rd). On April 15 2019 I attended a meeting at the township hall regarding Mike Mueller and House Bill 4095. The majority of those in attendance object to the passage of HB 4095 and acknowledged the negative effect it will have on townships throughout Michigan. If passed, this bill will hamper the ability of townships to regulate local zoning laws. These laws and guidelines NEED to be under the authority of townships and residents and not state controlled.

Therefore I am requesting the Ways and Means Committee vote NO on HB 4095

Thank You

Cynthia Waker

Get Outlook for iOS

Get Outlook for iOS



## Eddie Sleeper

---

**From:** GREG CREECH <GCREECH\_NFS@hotmail.com>  
**Sent:** Tuesday, April 16, 2019 8:18 PM  
**To:** Eddie Sleeper; Eddie Sleeper  
**Cc:** Rep. Mike Mueller (District 51)  
**Subject:** HB 4095

Mr. Sleeper

I am requesting this letter be kept for record

My name is Greg Creech, I am a resident of Rose Township Mi. On April 15 2019 we (the township board and residents) met with Mike Mueller to discuss HB 4095. The outcome of that meeting was a unanimous disapproval of HB 4095 and its negative effects on townships throughout Michigan. If passed this bill will hamper the ability of townships to regulate local zoning laws. These laws and guidelines NEED to be under the authority of townships and residents and not state controlled.

Therefore I am requesting the Ways and Means Committee vote NO on HB 4095

Thank You  
Greg Creech

Get [Outlook for iOS](#)



April 16, 2019

REFERENCE #: HOUSE BILL #4095  
OBJECTION TO: AMENDMENT TO HOUSE BILL #4095

ATTENTION: EDDIE SLEEPER, COMMITTEE CLERK  
Michigan House Ways and Means Committee  
Lansing, Michigan

Dear Clerk:

Please be apprised, we William and Adolene Eddington of Rose Township, Oakland County Michigan, OBJECT to amending House Bill 4095 for the following reasons:

This amendment is certain to affect the local community as well as every Township, and Community in the state of Michigan.

**REASONS FOR OBJECTION:**

**HOUSE BILL #4095 AMENDMENT** is projected to BENEFIT a “NON PROFIT ORGANIZATION” WITHOUT DUE RESPECT TO PROPERTY OWNERS OF ROSE TOWNSHIP, OAKLAND COUNTY AS WELL AS ALL PROPERTY OWNERS OF THE STATE OF MICHIGAN.

**HOUSE BILL #4095 AMENDMENT** will totally be BEYOND control of the LOCAL LEGISLATURE and place it totally in the hands of *STATE OFFICIALS* and “*THE HOUSE OF PROVIDENCE OWNER*”, Jason Dunn.

**HOUSE BILL #4095 AMENDMENT** if passed, would increase the number of BEDS in the State of Michigan for child foster care and group homes by **13,000** and be aware, most of these establishments have employee requirement of just a GED and a Drivers License and without further professional training.

We appeal to the Ways and Means Clerk, and the Committee to veto this proposed Amendment and allow the present HOUSE BILL #4095 to remain as is.

We wish to thank you for your consideration in giving Rose Township and all other Townships in Michigan due respect of not taking away their right to govern their Townships pertaining the #4095 AMENDMENT.

Respectfully,

*William Eddington & Adolene Eddington*  
*19516 Hickory Ridge Rd*  
*Fenton, Michigan*

## Eddie Sleeper

---

**From:** Angie Lake  
**Sent:** Monday, April 8, 2019 1:33 PM  
**To:** Eddie Sleeper  
**Subject:** FW: please record Fwd: Asking for your 'No' vote on HB4095

For 4095

Angie Lake  
Committee Clerk Director  
517-373-5795  
[alake@house.mi.gov](mailto:alake@house.mi.gov)

**From:** palinstitute@aol.com <[palinstitute@aol.com](mailto:palinstitute@aol.com)>  
**Sent:** Sunday, April 7, 2019 1:23 PM  
**To:** Angie Lake <[alake@house.mi.gov](mailto:alake@house.mi.gov)>  
**Subject:** please record Fwd: Asking for your 'No' vote on HB4095

-----Original Message-----

**From:** palinstitute <[palinstitute@aol.com](mailto:palinstitute@aol.com)>  
**To:** JamesLower <[JamesLower@house.mi.gov](mailto:JamesLower@house.mi.gov)>; SteveMarino <[SteveMarino@house.mi.gov](mailto:SteveMarino@house.mi.gov)>; KathyCrawford <[KathyCrawford@house.mi.gov](mailto:KathyCrawford@house.mi.gov)>; JulieCalley <[JulieCalley@house.mi.gov](mailto:JulieCalley@house.mi.gov)>; GaryHowell <[GaryHowell@house.mi.gov](mailto:GaryHowell@house.mi.gov)>; GaryElsen <[GaryElsen@house.mi.gov](mailto:GaryElsen@house.mi.gov)>; LukeMeerman <[LukeMeerman@house.mi.gov](mailto:LukeMeerman@house.mi.gov)>; BradPaquette <[BradPaquette@house.mi.gov](mailto:BradPaquette@house.mi.gov)>; JimEllison <[JimEllison@house.mi.gov](mailto:JimEllison@house.mi.gov)>; WilliamSowerby <[WilliamSowerby@house.mi.gov](mailto:WilliamSowerby@house.mi.gov)>; AlexGarza <[AlexGarza@house.mi.gov](mailto:AlexGarza@house.mi.gov)>; KaraHope <[KaraHope@house.mi.gov](mailto:KaraHope@house.mi.gov)>; PadmaKuppa <[PadmaKuppa@house.mi.gov](mailto:PadmaKuppa@house.mi.gov)>; BenFrederick <[BenFrederick@house.mi.gov](mailto:BenFrederick@house.mi.gov)>; SaraCambensy <[SaraCambensy@house.mi.gov](mailto:SaraCambensy@house.mi.gov)>; DaireRendon <[DaireRendon@house.mi.gov](mailto:DaireRendon@house.mi.gov)>; MichaelWebber <[MichaelWebber@house.mi.gov](mailto:MichaelWebber@house.mi.gov)>; MattMaddock <[MattMaddock@house.mi.gov](mailto:MattMaddock@house.mi.gov)>; MikeMueller <[MikeMueller@house.mi.gov](mailto:MikeMueller@house.mi.gov)>; BeauLaFave <[BeauLaFave@house.mi.gov](mailto:BeauLaFave@house.mi.gov)>  
**Sent:** Sun, Apr 7, 2019 1:22 pm  
**Subject:** Asking for your 'No' vote on HB4095

Dear Committee Members and Sponsors:

This email is to ask you for a 'No' vote on HB4095.

We do not support this bill because it over rides local control for zoning. This bill is pushed by a small special interest group. It is not in the best interest of Michigan's rural townships or the children it claims to serve. We do not believe multiple facilities for congregate care in one area are in the best interest of the child residents. Note that a similar bill under our previous governor was vetoed.

Why should this group have the power to violate our zoning codes? If Oxford is the place of concern, let them control there own zoning. Don't impact other townships that deserve to maintain their local control.

Kenneth Boyd  
Pamela Lewis  
11420 Terrace Road  
Holly, MI 48442





## **Eddie Sleeper**

---

**From:** James Unis <jdunis60@gmail.com>  
**Sent:** Wednesday, March 27, 2019 12:42 PM  
**To:** Eddie Sleeper  
**Subject:** Fwd: Fw: Vote No on House Bill #4095

### **PLEASE VOTE NO ON HOUSE BILL# 4095.**

We are very concerned citizens of Oxford, MI.

House Bill No. 4095 would strip local authority on land use in our community and local governments.

My husband and I are concerned citizens of Oxford. As we understand you are going to vote on HB4095. Institutionalized warehousing of dozens of children in a single setting is not only less than ideal, increased institutionalized child care is not appropriate for a rural area. This is a farming community with narrow dirt roads and limited resources. The residents choose to live here for that particular reason.

We are adamantly **OPPOSED** to House Bill 4095. The Legislative Analysis that states that "This bill would have no discernible fiscal impact on state or local units of government" could not be further from the truth and has not been thought out.

It is not the size of property which should dictate the density of residents allowed in a facility, it is the current housing density, direct access to paved roads and direct access to municipal water and sewer which should dictate the density allowed. In the winter roads can be impassable for several weeks at a time. This has happened before.

There is a big difference between an Institution and a single-family residence where a family cares for foster children. Any non-owner-occupied building that accepts money paid at an institutional rate to care for residents where paid or volunteer staff are the caregivers is an institution. A private home where a family takes in foster children is completely different than an operation that is paid to care for the residents. Only private homes who take in 6 or fewer foster children should be exempt. Any operation where payment is accepted at an institutional rate should be subject to all local zoning.

Preservation of Agriculture and Open Space has been identified by both the Legislature and the residents of Michigan as being of critical importance. Legislation as proposed here is conflicting use which will greatly harm these areas and lead to further increasing sprawl and increasing loss of the beautiful countryside and agricultural areas.

We would like to stress that areas where parcel sizes are 20 acres or larger are extremely low density single-family residential farmsteads and are negatively impacted when conflicting land uses such as these are allowed. People chose to live in remote areas which lack infrastructure because they value the open space and

agricultural activities that take place, including a thriving equestrian community in our area. The addition of more residents in this area greatly increases traffic on roads that are gravel, in deplorable condition and cannot handle any further increase in use. It results in further cutting off of trails and open space and a reduction of value as agricultural property.

The increased traffic that comes with increasing the density of these residential facilities has very severe negative impacts on agriculture and equestrian use and creates a dangerous situation with an increase of drivers who are unfamiliar with the roads.

These rural and agricultural areas have poor infrastructure and are the worst possible locations for residential facilities of this size. We lack internet, many areas lack natural gas, there is no municipal water or sewer and drinking water safety and environmental contamination and known problems in agricultural areas due to past use of chemicals and petroleum products.

These activities also financially burden the rural and agricultural local communities as it increases the costs because of increased services needed and it is magnified as in most cases tax revenue is lost and therefore there is not only a loss of the revenue which would have come from the property, there is an increased cost to provide services (police, fire, busing, education, EMS, etc.) and these rural and agricultural communities are the least equipped to absorb these costs. **Multiple Child Care Institutions (CCI) on 118 acres would uproot these children from their families, neighborhoods, and put them in a very unsafe environment contaminated with lead that will impact their lives forever with everlasting neurological deficits. In addition this bill is being pushed through because of a relationship with House of Providence (HOP). And Representative John Reilly. This same Representative refuses to speak to the citizens of this community at our local library or here in Lansing.**

**The land that was purchased by the House of Providence (HOP) which was a former hunt club property that had significant lead shotgun shells expended for decades. There was an Environmental impact study done (hundreds of pages) which showed many dangerous levels of lead on the 118 acres and the lead has not been remediated. Before HOP purchased the property several buyers declined because of the lead contamination because they did not want an impact to their children, their farm animals or themselves. The MDEQ continues to state and provide record to the citizens and the Township that the lead level are above very dangerous levels and that Jason an Maggie Dunn have not remediated the lead on the property and are in fact not cooperating with the MDEQ. The MDEQ and Oakland County Health Department are holding a special meeting at the Oxford Township Hall regarding this Dangerous Lead Issue on April 9, 2019 to inform the citizens of the dangerous lead levels. Lead contamination is not safe for exposure to children or adults or animals. Don't forget the lead problems in Flint and that the Detroit Public Schools are on bottled water. Also the video that was shown to the committee in January- the children are on the most contaminated site on the HOP property.**

**We strongly urge you to reject HB4095. There are many other citizens in this community who are against this bill also. We all feel we are not being heard.**

Sincerely Jim & Donna Unis

## Eddie Sleeper

---

**From:** wilbert hutchings <wilberthutchings@hotmail.com>  
**Sent:** Wednesday, March 20, 2019 2:00 PM  
**To:** Eddie Sleeper  
**Subject:** Hb4095

Vote no.

Get [Outlook for Android](#)



## **Eddie Sleeper**

---

**From:** GUY COWING <guycowing@comcast.net>  
**Sent:** Monday, March 18, 2019 9:36 AM  
**To:** Eddie Sleeper  
**Subject:** Fwd: Ways and Means Committee RE: HB 4095 (2019)

This note was sent to the members of the committee. Please add it to the record.

Thanks,

Guy Cowing

**Subject: Ways and Means Committee RE: HB 4095 (2019)**

This note is let you know my concern with HB 4095 that increases the occupancy limit for a child care institution from 6 to 10 and located on a minimum parcel size of 20 acres, which by the way, also preempts local government. This bill incentives organizations to purchase large acreages in rural areas with the intent to divide their acreage into numerous 20 acre parcels, resulting in much greater occupant numbers in a community than the 10 mentioned in the bill. Also, Governor Snyder vetoed a similar bill last year on the basis that increasing the occupancy limit would only serve to dilute the caring attention each foster child deserves and needs. Many foster care experts with firsthand experience agree with the position that he took. Apparently he did some homework on the subject prior to vetoing that bill.

Please be aware that the proposed revisions to HB 4095 has come about through the lobbying efforts of just one organization. If passed, that will subject all rural communities in the State to the interests of one entity. I support the need to provide for foster kids, but I also believe that the best way to do that is with 6 or fewer occupants in a single family setting as it is today. They are more likely to get the care they need in that setting, as opposed to an institutional setting of some 30 to 50 or more occupants in a campus like setting spread over a larger parcel that has been divided into various 20 acre lots.

In our area this organization will house males up to 17 years old, old enough to enlist in the military. The greater the number of occupants, the greater the chance for a runaway that may affect the safety of our community. This is not a false concern as the State Police have been called to this facility in the few short months that they have been in operation with only 6 or fewer occupants. One police visit was for a male occupant that was out of control and trying to leave the facility. Some of our citizens could not defend themselves or their homes against a physically strong and angrily distressed 17 year old wanting whatever they may have, or maybe just to get a distorted revenge against a world that has not treated him well. It is apparent that the local community is not a consideration in regard to HB 4095, but nevertheless, I would like you to know that I choose to live here for what once was the peace and security of a rural community, as did many of the others that live here. But now the State via the legislative process is fixing to add a significant amount of

additional jeopardy to that by increasing the number of occupants, both directly and additionally by potential land division.

Please reject the bill or amend the bill to limit the occupancy to 6 or fewer which has been the proven standard and to eliminate the ability of an organization to subdivide large parcels into an ever sprawling number of units. I am eagerly awaiting to hear your position on the bill and how you intend to vote.

Thank you for considering my concern,

Guy Cowing

Rose Township

## Eddie Sleeper

---

**From:** Jan Koop <cjkoop@comcast.net>  
**Sent:** Monday, March 18, 2019 9:32 AM  
**To:** Eddie Sleeper  
**Subject:** Fwd: House Bill 4095

Dear Clerk Sleeper,  
Please include this letter that I sent to members of the Ways and Means Committee in the official record of that committee regarding HB 4095.

Thank you,  
Jan Koop

Dear Representative Iden,  
There has been a great deal of opposition to House Bill 4095 for a variety of reasons. I want to express my opposition for an entirely different reason.

I taught disadvantaged children in Bendle Public Schools for 40 years. Many of my students were foster children. Those children came to me with a unique set of needs, foremost which was a need for extra nurturing, love and support. Most were lacking in confidence and trust, many had special needs in academic areas, but above all else, they needed extra time and attention from me, their first grade teacher. I ALWAYS wished I had a smaller class size and more time to support these children with the attention they so deserved. I did the best I possibly could, but I never felt there was enough of me to go around.

When I read about expanding the size of foster care facilities, my immediate reaction is bigger is never better for children with unique needs. While they are waiting for a forever home with a loving family, let's keep them in a small and loving environment where they can get lots of time and attention that they so desperately need.

Thank you for taking time to read my thoughts and please put the children first when you cast your vote.

Sincerely,  
Jan Koop  
Davisburg, Michigan

Sent from my iPad





## Eddie Sleeper

---

**From:** Harold Pudvay <hpudvay@gmail.com>  
**Sent:** Monday, March 18, 2019 7:10 AM  
**To:** Rep. John Reilly (District 46); Rep. Jim Lilly (District 89); Rep. Eric Leutheuser (District 58); Rep. Beth Griffin (District 66); Rep. Roger Hauck (District 99); Rep. Jason Wentworth (District 97); Rep. Bronna Kahle (District 57); Rep. Rebekah Warren (District 55); Rep. Wendell Byrd (District 3); SheldonNeely@house.mi.gov; Rep. Kevin Hertel (District 18)  
**Cc:** Eddie Sleeper; inajgolden@hotmail.com; Rep. James Lower (District 70); Rep. Julie Alexander (District 64); Rep. Ben Frederick (District 85); Rep. Sara Cambensy (District 109); Rep. Daire Rendon (District 103); Rep. Kathy Crawford (District 38); Rep. Michael Webber (District 45); Rep. Matt Maddock (District 44); Rep. Mike Mueller (District 51); Rep. Beau LaFave (District 108); Guy Cowing; Jan Koop Koop; hpudvay@gmail.com; nancy\_strole@yahoo.com; Dianne@rosetownship.com; Jennifer Pudvay; Gabster  
**Subject:** HB 4095

I writing to request that you do not support HB 4095.

It has come to our attention that House of Providence has hired a lobbyist to influence the passing of this legislation which will negatively affect my family and my neighbors.

We simply do not need dormitory housing for troubled youth in our rural community. These children need counsel and care with out any doubt and their well being is not improved by placing them in a rural setting only to send them back to a urban lifestyle.

The County, State and Federal Park system spends Millions of dollars each year to provide all residents and visitors with parks that allow for unlimited outdoor activity. These parks are not only nature preserves but also a place where urban residents can spend time in a rural setting.

House of Providence and others who seek to relocate troubled children into these rural setting for a brief period of time to counsel them then send them back to the urban areas in which they live are potentially doing more harm than good to these already troubled youth. Instead of dormitories with multiple youth in our backyard they should be counseling them in there urban areas and teaching them how to use our County, State and Federal Park system as a means of recreation and entertainment.

Businesses like House of Providence who have hired lobbyist (payed for by our tax dollars) receive large sums of money annually from the government to counsel these youth. Our tax dollars also pay for the parks, visit <https://www.michigan.gov/dnr/> and see all of the wonderful things our state has to offer that we pay for through tax dollars.

Our property tax is based on our home/property value, with a dorm full of trouble teenage boys in your backyard won't increase that value but lower it.

Now we are faced with HB4095 which will lower our property value using tax dollars to fund this organization that seeks to go outside of our local township to change the ordinances. A well intention group would not operate in a deceitful manner but would seek to involve the community in which it resides to support the youth and mentor them. In addition they would leverage the multiple parks system to teach urban youth how to enjoy a reprieve from the inner city life in a safe and socially responsible manner.

The State of Michigan spends millions in Advertising campaigns across the nation to draw visitors to our Park system (the best in the nation) why do we need HB4095 which will lower our property value, place our homes and children at risk to troubled teens and then force us to pay for something that is unwanted in our township(s).

On behalf of my family and our neighbors we humbly request that you end HB4095 and preserve our community.

Thank you  
Harold Pudvay  
11650 Hidden Valley Trail  
Holly, MI

Please include this in the Committee Record

## Eddie Sleeper

---

**From:** Ina Golden <inajgolden@hotmail.com>  
**Sent:** Monday, March 18, 2019 6:23 AM  
**To:** Rep. Rebekah Warren (District 55)  
**Cc:** Eddie Sleeper  
**Subject:** HB 4095

Representative Rebekah  
Warren  
Ways and Means Committee  
Michigan House of  
Representatives

P.O. Box  
30014

Lansing, Michigan 48909-7514

Dear Representative Warren;

I have serious concerns over HB 4095 and I want to address them with you. This bill was crafted for one piece of property in Rose Township located in northwest Oakland County. The lame duck legislators swiftly passed it but Governor Snyder vetoed the proposed legislation. Below are my concerns:

1. There is **NO** need for a state law to change zoning on one parcel of land in Rose Township when there is a process already in place at the local level. A private nonprofit organization is pushing the legislature to pass a law just for their purposes. The legislation exempts House of Providence (HOP) from having to go through the site plan review process at the local level. This proposed state law preempts local authority. Michigan Association of Townships opposes the bill and so does the Michigan Municipal League.
2. Rose Township officials and homeowners in the area were never informed and our Representative never talked to his constituents in the area before co-signing onto the bill. Another Representative, when asked why he cosigned, said the Sponsor was his friend. We would hope our newly elected Representatives would consider their base and do their best to represent them.
3. A lobbyist (former Michigan State Representative and State Senator) never divulged he was a lobbyist when talking to newly elected lawmakers and convincing them to vote for the bill. Our new legislators were misinformed and misled. Coincidentally, this same lobbyist, when he was Rose Township's State Representative 35+ years ago, supported us when we opposed the state mandated camp for male juveniles on acreage in Rose Township, ¼ mile away from this site, citing the very same reasons for our objection to this takeover of local authority. He prevailed and the proposed camp moved to another county.
4. This bill would increase the number of youth in these institutions by almost **70%**. Foster youth need more attention, not less, according to the American Academy of Pediatrics Policy Statement. Foster care payments are paid per child and increasing the amount of youth by almost 70% will, ultimately, increase payments to the institution.
5. This bill was railroaded through in the lame duck legislature last November and, when it came to his desk,

Governor Snyder vetoed it citing "increasing the cap on foster children in a home from 6 to 10 compromises the balance and would **ultimately negatively impact the children that the bill intended to help.**" (Vetoed 12-28-18)

6. Professionals (Social Workers and Child Development professionals) recommend "6 or fewer" youth and not 10. Why should we change the rules of the professionals? Most all states in the country require 6 or fewer in foster homes.

7. Some legislators, when they discovered more about the bill, **removed their name from sponsoring it and voted NO**. They listened to us and heard our arguments; now others are viewing the ill-conceived bill with a new perspective. I hope you and your committee are able to decode the bill and understand its ramifications.

8. Our rural community, with essentially no businesses and very limited infrastructure, cannot support the nonprofit facilities in the manner they require. The area in Rose Township identified with the HOP home already in existence is on a rural dirt road. Passage on the back roads is often difficult due to road conditions and we are subject to frequent power failures and poor cellular and internet coverage. We live with the utility and road passage inconsistencies because we love the rural life. Emergency response is slow or delayed due to road conditions on the back roads.

9. The large-scale institutional campus, exempt from taxes, creates a burden on the limited number of tax paying residents in the Township. Additional staff may be required to comply with local, state, and federal law; the cost must be absorbed by the residents creating an unfunded mandate and taxation without representation.

10. When four of us (a retired teacher, a retired registered nurse, the Rose Township Supervisor, and the former Rose Township Supervisor) traveled to Lansing for the Local Government and Municipal Finance Committee March 14, 2019, we were not offered the opportunity to speak before the Committee, although the DHHS Legislative Aide was allowed to give her testimony. We had just heard about this bill and did not know of the previous committee meeting. The Committee met at 12 noon and the vote was over at 12:10 p.m. I hope we have a chance to speak at your Committee.

Please listen to the rural residents in this area and put yourself in their shoes. Quickly pushing this legislation through is not the best interest of the people it is affecting.

Sincerely,

Ina J. Golden BSN RN CEN  
11705 Hidden Valley Trail  
Holly, MI 48442  
inajgolden@hotmail.com

cc: Clerk Eddie Sleeper - please add this correspondence to the Official Committee Record

## Eddie Sleeper

---

**From:** Art Ingraham <aingraham02@comcast.net>  
**Sent:** Monday, March 18, 2019 12:36 AM  
**To:** Eddie Sleeper  
**Subject:** Please enter this letter into the Official Committee Record.

March 16, 2019

Representative Brandt Ident, Chairperson

Ways and Means Committee

Michigan House of Representatives

RE: HB4095

I am a concerned resident of Rose Township located in Northwest Oakland County and have lived here for over 20 years. I have recently been made aware of HB 4095 that is before you and the Committee for consideration. This bill, if approved will have a devastating impact on my family, my neighbors and our community. I'm sure you know the details of this bill however, please let me summarize how this bill pertains to my situation. There is a 70 acre property located to the south of my home. When we moved into our home this was a single family dwelling. It was later sold to an organization called Promise Village and recently purchased by a similar group called the House of Providence. This organization houses court ordered young boys from the age of 13 to 17 years old, currently with a limit of no more than 10 foster children. When Promise Village moved in they wanted to increase the number of children they cared for to as many as they could house on the 70 acres. Our community fought long and hard to prevent this expansion. HB 4095 would allow the new organization to have 10 boys, and possibly more if, they are allowed to split their 70 acre property into 20 acre parcels and build individual dorms on each parcel. The ramifications of this situation would be devastating to our community in more ways than I can express in this brief letter of concern.

I moved to this area in the hopes of building my retirement home, in the country, away from the crime and violence of the big city. HB 4095 will destroy my hopes and lifelong goal. I have a 12 year old daughter that can't go out to play in her own back yard due to the present situation. There is a wooded area behind our house that adjoins to the 70 acre property. My wife used to enjoy picking flowers and walking in the woods, now she won't go near the woods. My daughter's friends aren't allowed to stay overnight for fear of the children next door. My wife and I considered moving however, what potential buyer would purchase our house if they were made aware of the situation we are dealing with. These are 13 to 17 year old boys from various backgrounds living in a home without security, locks on their doors or fencing around their living quarters. Please think about what you would do if you had a 12 year old daughter and this organization was allowed to increase the

number of youths living next door to you. Please reject this bill for the safety of our community and the wellbeing of the children in this facility.

Sincerely,

Art Ingraham

Rose Township

March 15, 2019

Representative Brandt Iden, Chairperson  
Ways and Means Committee  
Michigan House of Representatives  
P.O. Box 30014  
Lansing, Michigan 48909-7514

Via E-Mail

RE: House Bill 4095 (2019)

Dear Representative Iden;

I am writing to express my concerns and opposition to HB 4095. The procedural history of this bill is clearly intended to limit proper review, evaluation and public input. My concerns are as follows:

Public Policy Considerations

*Passage of HB 4095 serves no public policy purpose in that it is simply an attempt to "carve out" special legislation for the sole benefit of one licensed residential facility provider and codify their preferred management model. Current state law and licensing regulations already have provisions and procedures that allow House of Providence (HOP) to seek licensing approval for the size facility they desire. There is no empirical data to support the contention that passage of HB 4095 will bring more beds "on line," more quickly or in greater numbers than are occurring under current law and licensing procedures.*

Preempts Local Control

*HB 4095 (t)(i) (ii) will exempt from local zoning provisions, licensed residential facilities, of the size (10 persons) HOP intends to operate. Current law and licensing regulations require facilities housing more than 6 persons to seek site plan review and approval whereas facilities of 6 or less (regardless of lot size) are exempt from this requirement. The sole purpose for this legislation is to exempt HOP from having to go through the site plan review process. When facilities of this size are exempted from site plan review, a community has no ability to ensure ordinance compliance and use compatibility, have input into development plans nor be assured that services and other activities at the facility are compliant with residential zoning regulations.*

Constitutionality

*The proposed language at Sub Section (t) (ii) is unconstitutional in light of the Larkin v Michigan Dept. of Social Services (883 F. Supp 172 1994) decision wherein the court struck down density-based regulations relative to locating licensed residential facilities. Lot size is a density-based scheme for regulating land use and Sec. (t) (ii) clearly links the number of individuals housed in a facility solely to lot size.*

## Consequences Of HB 4095

If adopted, HB 4095 would extend the category of “unreviewable” residential facility status to 10-person facilities. The provision creates the opportunity for a service provider to “fly under the regulatory radar” by constructing, over time, a series of 10-person facilities on the parent parcel with the end result being the evolution of a single family residence into a campus or institutional type setting. *At what point does a concentration of licensed single family residential homes become an institution?*

Rural communities, with their abundance of large and relatively inexpensive parcels (and a lack of qualified caregivers, social services, public transportation, proximity to familial support systems etc.) would act as magnet pulling services and resources away from urban centers resulting in further underserving these population centers.

In closing, this bill is not only bad public policy but also unwarranted and should be defeated. The current statutes and licensing regulations, have been in effect for many years, their provisions are both time and court-tested and are being equally and uniformly applied across the state. As is most often the case, “quick and simple” legislative fixes are generally neither, particularly when there is no problem to fix.

Sincerely,

Chester Koop  
Rose Township

cc: Representative Mike Mueller, 51<sup>st</sup>. District  
Ways and Means Committee Members