

Essex Township

Minutes of the Regular Monthly Meeting

December 20, 2017 @ 7:00 p.m.

Members Present: Supervisor Carla Wardin, Trustee James Gavenda, Trustee Mark Winsor, Treasurer Kathy George, Clerk Lori Conner

Visitors: County Commissioner Kam Washburn, Assessor Beth Botke, Ann Gifford, Mitch Gifford, Lee Thelen

Call to Order: Township Supervisor Carla Wardin called the meeting to order at 7:00 p.m. in the Lowe United Methodist Church Hall followed by the Pledge of Allegiance.

Visitor Statements:

Lee Thelen

- Reported Hyde Road is in need of repair and gravel between Lowell and McNeil Road.

County Commissioner Kam Washburn

- 2018 recycling programs for Clinton County have been approved. Awaiting grant for tire disposal.
- Barb Moss is retiring as Equalization Director.
- Up to \$20,000 has been budgeted for a strategic plan to develop Clinton Lake County Park.

Township Assessor Beth Botke

- A stipulated agreement was reached between PK Housing and Essex Township. (MTT Docket No. 17-003724)
- State Tax Commission approved an inflation rate multiplier of 2.1%

Mitch Gifford

- Stated he is working on his "Citizenship in Community" Boy Scout merit badge.

Minutes of October 18, 2017 Meeting: Gavenda moved to approve the meeting minutes, supported by Winsor. Motion passed and carried (MPC).

Approval of Agenda: The agenda was reviewed.

Trustee Reports:

- Trustee Gavenda reported the Maple Rapids Fire Department employee handbook is in progress. Department has new radios and pager.
- Trustee Winsor reported garage door was fixed in Lowe Cemetery by James Shipman.

Treasurer's Report:

- The general ledger for the period 10/1/17 – 12/16/17 was reviewed including checks #5925-5956.
- The checking balance is \$74,427.18. Total income for the period 10/1/17 – 12/16/17 was \$23,660.68 while total expenses were \$38,632.35.
- Cemetery CD balance is \$8358.10. Tax checking balance is \$37,180.36.
- Winsor moved to accept the treasurer's report, supported by Gavenda. MPC.

Clerk's Report:

- Year to date budget was reviewed.
- Goerge moved to reallocate \$550.00 from "Unallocated: Contingency" to "Cemetery: Maintenance", supported by Winsor. MPC.
- George moved to accept the clerk's report, supported by Gavenda. MPC.

Supervisor's Report

Communications were reviewed:

- Resident James Goble requested a guard rail on corner of McNeil and French Road due to accident concerns. The road commission suggested more warning signs and a gentler slope to the ditch.
- Briggs District Library is looking for representation from the various townships on their board.
- The County confirmed that the resolution for millage vote is ready for the May 2018 ballot.

Old Business:

- Doug Riley confirmed Maniez project is progressing as scheduled.

New Business:

- **Resolution to Authorize Clinton Area Ambulance Service Authority to Remount and Finance an Ambulance** was signed and passed. Motion to approve made by Wardin, supported by Winsor. MPC
- **PTA Resolution - ESSEX TOWNSHIP**
WHEREAS, MCL 211.27b, General Property Tax Act, addresses charging a fee for interest and penalty for failure to timely file form 2766, Property Transfer Affidavit, or the adoption of a local unit Resolution to the contrary; and

WHEREAS; MCL 211.27b requires a penalty to be assessed to the buyers of properties if a Property Transfer Affidavit is not filed by the new property owner within 45 days of any transfer of ownership.

NOW, THEREFORE, BE IT RESOLVED that the Essex Township waives the penalty for failure to file Property Transfer Affidavits (PTAs) within 45 days, for all transfers.

BE IT FURTHER RESOLVED that this waiver may be requested to be set aside by the Assessor, or other local unit official, in specific cases and, therefore, collect late fees in those specific cases, wherein those fees for specific instances will comply with Michigan Compiled Laws 211.27b (1)(c) and 211.27b (1)(d).

Motion made by Gavenda, supported by Wardin.

Upon roll call vote the following voted

“Aye”: Gavenda, Winsor, Wardin, Conner, George

“No”:

Supervisor Wardin declared the resolution adopted.

- **RESOLUTION FOR POVERTY EXEMPTION GUIDELINES**

WHEREAS, 1994 PA 390, which amended Section 7u of Act No. 206 of the Public Acts of 1893, as amended by Act No. 313 of the Public Acts of 1993, being Section 211.7u of the Michigan Compiled Laws, requires the local governing body of the unit to determine and make available to the public the policy and guidelines for granting of poverty exemptions; and

WHEREAS, the adoption of guidelines for poverty exemptions is within the purview of the township board; and

WHEREAS, the homestead of persons who, in the judgment of the Supervisor and Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under Public Act 390, 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390, 1994, ESSEX TOWNSHIP, Clinton County, adopts the following guidelines for the Supervisor and Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

NOW, BE IT RESOLVED: That to be eligible for a poverty exemption in Essex Township, a person must be the owner and must occupy the property as a homestead for which the exemption is requested; file a completed and notarized application in the form required by the Township Assessor; and file copies of federal and state income tax returns for all persons residing in the homestead, including any property tax credit forms and/or Statement of Benefits Paid from Michigan Department of Social Services or Social Security Administration. If the applicant does not file a federal or state income tax return, the applicant must sign and submit Michigan Department of Treasury Form #4988, Poverty Exemption Affidavit, affirming he/she was not required to file a federal or state income tax return.

BE IT FURTHER RESOLVED: That the applicant must have an annual income that meets the federal poverty income standards as defined and determined annually by the United States Department of Health and Human Services;

BE IT FURTHER RESOLVED: That the applicant's, and any person's residing in the homestead, total assets for applicants applying for poverty exemption may not exceed 25% of the current Poverty Exemption Guidelines adopted by Essex Township Board of Trustees. Assets that are exempt are the applicant's residence and one vehicle per licensed driver in the household. Assets to be included are personal property, recreational vehicles, checking/savings accounts, certificates of deposit, stocks, bonds, life insurance, retirement funds, etc

BE IT FURTHER RESOLVED: That the applicant may not have ownership interest in any real estate other than the homestead;

BE IT FURTHER RESOLVED: The applicant will provide to the Board of Review a valid driver's license or other form of identification, and proof of ownership of the homestead;

BE IT FURTHER RESOLVED: That the Board of Review may request from the applicant any supporting documents which may be utilized in determining a poverty exemption request;

BE IT FURTHER RESOLVED: That the completed poverty exemption application must be filed after January 1, but one day prior to the last day of the Board of Review in the year for which the exemption is sought;

BE IT FURTHER RESOLVED: That ESSEX TOWNSHIP Policy and Guidelines for Applicants, attached hereto and incorporated herein, shall be followed by the applicant, Township Assessor, and the Essex Township Board of Review in processing of applications for and the granting of poverty tax exemptions unless said policy and guidelines shall hereafter be modified by resolution of the Essex Township Board of Trustees or subject to deviation by the Board of Review as hereafter provided;

BE IT FURTHER RESOLVED: That the Board of Review may deviate from the established policy and guidelines only for substantial and compelling reasons. The applicant and Board of Trustees will be notified, in writing, the reasons for deviating from the Policy and Guidelines for Poverty Exemption;

BE IT FURTHER RESOLVED: That the Board of Trustees rescinds all previous Poverty Exemption Resolutions.

BE IT FURTHER RESOLVED: That to conform to the provisions of 1994 PA 390, this resolution is hereby effective January 1, 2018.

Motion made by Gavenda. Supported by George.

Upon roll call vote the following voted

“Aye”: Gavenda, Winsor, Wardin, Conner, George

“No”:

Supervisor Wardin declared the resolution adopted.

Adjournment: Wardin moved to adjourn the meeting at 7:38 p.m., supported by George.

MPC. The next regular meeting of the Essex Township Board will be held February 21, 2018, at 7:00 p.m. in the Lowe United Methodist Church Hall.

Respectfully submitted,

Lori Conner

Essex Township Clerk