

# HOPE TOWNSHIP PUBLIC HEARING AND SPECIAL BOARD MEETING

## October 29, 2019

Meeting called to order at 6:30 p.m. by Supervisor Feldpausch in the Hope Township Hall, 5463 S. M-43 Highway, Hastings, Michigan.

**Members Present:** Mark Feldpausch, Arlene Tonkin, Deborah Jackson, Matt Peake, David Messelink

**Members Absent:** None

**Others Present:** Keith Kramer, David Kramer, Lynn Buckley, Chris Finch, Kathy Finch, Nancy Kramer, Emily Kramer, Catherine Kaufman-Township Attorney, Lisa Shockley-Curtis.

**Public Comment:** None

**Approval of Agenda:** Motion by Tonkin, support by Messelink to approve the agenda as prepared. All in favor. Motion carried.

### **Public Hearing for Guernsey Lake Aquatic Plant Control Special Assessment District No. 19 (2<sup>nd</sup> Hearing)**

The next matter to come before the board was a public hearing on the proposed assessment roll for the GUERNSEY LAKE AQUATIC PLANT CONTROL SPECIAL ASSESSMENT DISTRICT NO. 19-1, which had been prepared by the Supervisor and Assessing Officer of the Township in accordance with a resolution of the Township Board adopted September 24, 2019.

Supervisor Feldpausch explained that the public hearing was on the proposed special assessment roll. If any interested person wishes to protest the amount of the special assessment and has not previously done so, he/she must do so in writing at this meeting in order to preserve the right to take an appeal to the Michigan Tax Tribunal. Supervisor Feldpausch reminded the public that the special assessment project has already been approved, so the issue for this meeting is whether a property is properly included in the roll and the amount of the proposed assessment. If there is anyone here who wishes to protest, please indicate the reason for the protest.

Clerk Jackson stated the notice of the public hearing was published in the *Hastings Banner* on October 17, 2019 and October 24, 2019 and was mailed by first class mail to each property owner within the special assessment district as shown on the current tax rolls of the Township on October 17, 2019. Affidavits of such publication and mailing were presented and ordered filed as a part of the minutes of the meeting.

Trustee Peake made a motion to open the public hearing at 6:34 pm for public comment, second by Jackson. All in favor. Motion carried.

Mike Kramer asked if property owners will be charged for each lot they own. He owns nine lots. Tonkin explained the assessment will be divided among the lots.

Lynn Buckley asked if a lot on the channel of the lake is considered a front lot. Tonkin replied with a yes.

Clerk Jackson read a letter from Lynde and Bill Rose in support of the Guernsey Lake Aquatic Plant Control assessment.

Trustee Messelink made a motion to close the public hearing at 6:39 pm, second by Peake. All in favor. Motion carried.

Attorney Kaufman explained the board may strike properties from the roll and/or change the assessment amount, based on information or comments received.

After everyone present had been given the opportunity to be heard concerning the assessment roll and the Board had fully considered the same and all comments made in connection therewith, the following Preamble and Resolution were offered by Supervisor Feldpausch and supported by Trustee Peake for adoption by the Township Board.

**PREAMBLE AND RESOLUTION CONCERNING GUERNSEY LAKE AQUATIC PLANT CONTROL SPECIAL ASSESSMENT DISTRICT NO.19-1**

WHEREAS, the Township Board of the Township of Hope, Barry County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by the Supervisor and Assessing Officer of the Township for the purpose of defraying the costs of an aquatic plant control program proposed to be undertaken within the GUERNSEY LAKE AQUATIC PLANT CONTROL SPECIAL ASSESSMENT DISTRICT NO. 19-1 as shown on the plans and specification for such project; and

WHEREAS, such public hearing was preceded by proper notice in the *Hastings Banner*, a newspaper of general circulation in the Township, and by First Class Mail notice to each property owner of record within said District and upon said assessment roll; and

WHEREAS, comments were received from those present at such public hearing concerning said assessment roll and opportunity given to all present to be heard in the matter; and

WHEREAS, a record of those present to protest and of written protests submitted at or before the public hearing were made a part of the minutes of the meeting; and

WHEREAS, the Township Board has duly inspected the proposed assessment roll and considered all comments and proposed amendments thereto and has found the proposed assessment roll, as amended, to be correct, just and reasonable.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The assessment roll submitted by the Supervisor and Assessing Officer of the Township, as amended, shall hereafter be designated as the GUERNSEY LAKE AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO. 19-1 and shall hereby be confirmed as the assessment roll for GUERNSEY LAKE AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO. 19-1 in the amount of \$118,720, which is the amount to be raised by special assessment, exclusive of any amount of surplus funds carrying over from the expiring special assessment district. It is anticipated that approximately \$18,660, of surplus funds will be carried over from the expiring special assessment district. The proposed assessment against each property in the district will be \$136 per year for front lots and \$66 per year for back lots.
2. The assessments in said GUERNSEY LAKE AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO. 19-1 ROLL shall be divided into five (5) annual installments of principal as described in the Roll with the first installment to be paid with the Winter 2019 tax bill, which will be due and payable by as required by law and the following installments to be due in the same manner every year thereafter (2020 through 2024 inclusive).
3. Future due installments of an assessment against any parcel of land may be paid to the Township Treasurer at any time in full. If any installment of a special assessment is not paid when due, then the installment shall be considered to be delinquent and there shall be collected a penalty at the rate of one (1%) percent for each month, or fraction of a month, that the installment remains unpaid before being reported to the Township Board for reassessment upon the Township tax roll, and interest shall accrue thereafter in accordance with said Act 188 of the Michigan General Property Tax Act.
4. The assessments made in the special assessment roll are hereby ordered and directed to be collected by the Township Treasurer, and the Township Clerk shall deliver the assessment roll to the Treasurer with her Warrant attached, commanding the treasurer to collect such assessments in accordance with the direction of the Township Board and said Public Act 188.
5. All resolutions and parts of resolution insofar as they conflict with the provisions of the Resolution be and the same are hereby rescinded.

Upon roll call vote, the following voted "Aye": Mark Feldpausch, Deborah Jackson, Arlene Tonkin, David Messelink, Matt Peake.

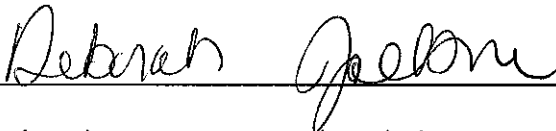
The following voted "Nay": None

The Supervisor declared the motion carried and the Resolution duly adopted.

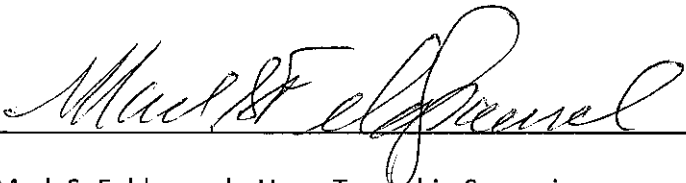
Motion by Tonkin, second by Messelink to authorize Supervisor Feldpausch and Clerk Jackson to sign "Interest Agreement" with the Guernsey Lake Association. Roll call vote. All in favor. Motion carried.

**Additional Public Comments:** None

Meeting adjourned at 6:46 p.m. Motion to close by Peake, second by Tonkin. All in favor. Motion carried.

  
\_\_\_\_\_

Deborah Jackson, Hope Township Clerk

  
\_\_\_\_\_

Mark S. Feldpausch, Hope Township Supervisor

Date Nov 11, 2019

Status (circle one)

Tentative Minutes

Approved Minutes