

ST. CLAIR TOWNSHIP
 1539 S. Bartlett Rd. St. Clair, MI 48079
 Phone (810) 329-9042 Fax (810) 329-1198
www.stclairtwp.org

St. Clair Township Board Meeting
 January 18, 2021
 7:00 p.m.

Supervisor Boulrier called the St. Clair Township Board meeting to order via Zoom due to Covid-19 at 7:00 p.m. with the Pledge of Allegiance to the Flag. Roll Call: Present- Trustees Mollan, Kays, Boeck & Hovis, Treasurer Hanrahan and Clerk Skonieczny.

1) Moved by Clerk Skonieczny. Seconded by Trustee Kays to accept the Treasurers Report. Motion Carried.

2) Moved by Clerk Skonieczny. Seconded by Trustee Mollan to amend the agenda to include Resolution 21-04. Roll Call: Yes- Trustees Mollan, Kays, Boeck & Hovis, Treasurer Hanrahan, Clerk Skonieczny & Supervisor Boulrier. Motion Carried.

3) Moved by Trustee Kays. Seconded by Trustee Mollan to accept the minutes of the December 14, 2020 Township Special Board Meeting. Motion Carried.

4) Moved by Trustee Kays. Seconded by Trustee Mollan to pay all bills.

BILLS TO BE APPROVED 1-18-2021

GENERAL FUND

J. COOPER	CANCELLED BZA REFUND	400.00
MICHIGAN. CO	PRINTING & PUBLICATIONS	22.00
PORTAGE PHYSICIAN	MEDICAL	99.90
AT & T	PHONE	456.01
KCI	POSTAGE	1,351.39
FIRST BANKCARD	ZOOM, POSTAGE, OFFICE SUPPLIES	361.59
MARCO TECH	COPIES	36.10
C. CUNNINGHAM	BOOKKEEPING SERVICES - DEC. 18 HRS	540.00
SCC RESA	COMPUTER SERVICES	137.75
21ST CENTURY MEDIA	PUBLICATIONS	89.42
DTE ENERGY	TOWNSHIP HALL	386.73
DTE ENERGY		
STREETLIGHTS	STREET LIGHTS	2,493.41
SEMCO ENERGY	TWP HEATING	274.38
		<hr/>
PEST CORP	PEST CONTROL	33.00
	TOTAL GENERAL FUND	6,681.68
		<hr/> <hr/>

INSPECTION FUND

W. KLAASSEN	INSPECTOR COMMISSION	75.00
	TOTAL INSPECTION FUND	75.00

ST. CLAIR TOWNSHIP
 1539 S. Bartlett Rd. St. Clair, MI 48079
 Phone (810) 329-9042 Fax (810) 329-1198
www.stclairtp.org

SEWER FUND		
POSTMASTER	WATER BILLS	86.16
SEMCO ENERGY	GENERATOR	17.31
DTE ENERGY	PUMP STATION	24.83
	TOTAL SEWER FUND	128.30
WATER FUND		
POSTMASTER	WATER BILLS	86.16
DTE ENERGY	WATER & ELECTRICITY	14.95
DTE ENERGY	WATER METER	15.20
CITY OF ST. CLAIR	WATER PURCHASE	26,860.96
	TOTAL WATER FUND	26,977.27
	TOTAL BILLS FOR 1-4-2021	74,194.66

Roll Call: Yes- Trustees Mollan, Kays, Boeck & Hovis, Treasurer Hanrahan, Clerk Skonieczny & Supervisor Boulier.
 Motion Carried.

5) Citizens who wish to address the Township Board:

- a) Jerry Leaman questioned why the Township Board Meeting was cancelled on 12-7-2020 and rescheduled as a Special Board Meeting on December 14, 2020. Supervisor Boulier stated that there were year-end bills that had to be paid.

6) Moved by Trustee Kays. Seconded by Clerk Skonieczny to approve the annual agreement between St. Clair Township & BMJ Engineers & Surveyors, Inc. Roll Call: Yes- Trustees Mollan, Kays, Boeck & Hovis, Treasurer Hanrahan, Clerk Skonieczny & Supervisor Boulier. Motion Carried.

7) Moved by Clerk Skonieczny. Seconded by Trustee Boeck to approve Resolution 21-04:

Resolution to Allow Resident Tax Payers to Protest in writing to March Board of Review

MCL 211.24c the governing body of a Township or City may, by ordinance or resolution, also permit resident taxpayers to file a protest to the Board of Review in writing without personal appearance.

Resolved; That to conform with MCL 211.24c, this resolution is hereby given immediate effect.

Resolution 21-04 offered by Clerk Skonieczny and supported by Trustee Boeck.

Roll Call: Yes- Trustees Mollan, Kays, Boeck & Hovis, Treasurer Hanrahan, Clerk Skonieczny & Supervisor Boulier.
 Motion Carried.

ST. CLAIR TOWNSHIP
1539 S. Bartlett Rd. St. Clair, MI 48079
Phone (810) 329-9042 Fax (810) 329-1198
www.stclairtwp.org

8) Moved by Trustee Boeck. Seconded by Trustee Kays to approve Resolution 21-01:

WHEREAS, the Township of St. Clair in the County of St. Clair, Michigan desires to make public improvements, namely, to operate and maintain. Which requires certain operations within and upon the right-of-way of County highways known as St. Clair Township; Which are under the jurisdiction of the Board of County Road Commissioners; and

WHEREAS, the BOARD OF COUNTY ROAD COMMISSIONERS is willing to issue a permit, therefore, provided said Board is assured of indemnify and protection against all liability arising by reason of Michigan law;

NOW THEREFORE, BE IT RESOLVED by governing body of the Township of St. Clair, St. Clair County, Michigan that in consideration of the BOARD OF COUNTY ROAD COMMISSIONERS granting a permit to the Township of St. Clair upon proper application therefore to construct and maintain its facilities along and upon the right-of-way of certain highways of the Township of St. Clair. Shall save harmless and indemnify the BOARD OF COUNTY ROAD COMMISSIONERS OF THE COUNTY OF ST. CLAIR and their successors against all liability which might arise either during operation or maintenance of the right-of-way along St. Clair County Highways.

Roll Call: Yes- Trustees Mollan, Kays, Boeck & Hovis, Treasurer Hanrahan, Clerk Skonieczny & Supervisor Boulier.
Motion Carried.

9) Moved by Trustee Kays. Seconded by Trustee Mollan to approve Resolution 21-02:

Resolution Setting Poverty Guidelines for 2021

Whereas, local governing bodies are required to adopt guidelines that set income levels for their poverty exemption guidelines; and

Whereas, those income levels shall not be set lower by a city or township than the Federal Poverty Guidelines updated annually by the U.S. Department of Health and Human Services; and

Whereas, the Federal Poverty Guidelines per STC Bulletin No. 17 of 2020, PROCEDURAL CHANGES FOR THE 2021 ASSESSMENT YEAR, October 20, 2020 state income levels as follows:

Whereas, PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit shall also include an asset level test. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. The asset test should calculate a maximum amount permitted and all other assets above that amount should be considered as available; and Resolves, that the asset level test shall meet the following requirements:

1. All applicants must obtain and complete the attached application in its entirety.
2. Applicants must own and occupy the property as their primary residence for which the exemption is requested. Applicants must produce a deed, land contract or other proof of property ownership if asked by the Board of Review. The principal residence exemption (PRE) percentage, as determined by the General Property Tax Law 211.7dd, will determine the percentage that can be considered for exemption.

ST. CLAIR TOWNSHIP
1539 S. Bartlett Rd. St. Clair, MI 48079
Phone (810) 329-9042 Fax (810) 329-1198
www.stclairtp.org

“Principal Residence” means the one place where an owner of the property has his or her true, fixed and permanent home to which, when ever absent, he or she intends to return and that shall continue as a principal residence until another principal residence is established.

3. A hardship/poverty exemption shall not be granted to any applicant who owns saleable property other than their own homestead, no matter where located.
4. Non-cash assets for the total household may not exceed \$15,000.

The following assets are excluded from this limit:

- a. Applicants homestead.
 - b. Applicants’ household personal property.
 - c. Licensed vehicles used for personal transportation and titled to a member of the household.
 - d. Assets not accessible by the applicant, co-owner of any member of the applicant’s household.
 - e. Insurance policies.
5. Income exclusions that can be included to adjust an applicant’s income even if his/her income is outside of adopted poverty guidelines included the following:
 - a. Medical Bills
 - b. Student Loan dept and/or payments not in forbearance.
 6. The township clerk will review for person/s registered to vote at the address of a property that is being considered by the Board of Review for a poverty exemption.

The Board of Review will consider all revenue and non-revenue producing assets of the owner, co-owner, and all members of the household. Any attempt to hide and/or shift income and/or assets to another person, business or corporation shall be grounds for immediate denial.

To be eligible for a Poverty Exemption, a person shall do all of the following on an annual basis:

1. Be an owner of and occupy as a homestead the property for which an exemption is requested.
2. File a claim with the Board of Review, accompanied by Federal and State Income Tax Returns for all persons residing in the homestead, including any property tax credit returns filed in the immediately preceding year or in the current year.
3. Produce a valid driver’s license or other form of identification if requested.

ST. CLAIR TOWNSHIP
1539 S. Bartlett Rd. St. Clair, MI 48079
Phone (810) 329-9042 Fax (810) 329-1198
www.stclairtp.org

4. Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if requested.
5. Meet the Federal Poverty Income Standards as defined and determined annually by the United States Office of Management and Budget.
6. The application for an exemption must be completed in its entirety and shall be filed after January 1, before the last day of the Board of Review.
7. Any additional eligibility requirements as determined by the Township Board.

Now, therefore, be it hereby resolved that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying a poverty exemption.

The following resolution was offered by Trustee Kays and supported by Trustee Kays.

Votes on this Resolution, seven members being present as follows:

Roll Call: Yes- Trustees Mollan, Kays, Boeck & Hovis, Treasurer Hanrahan, Clerk Skonieczny & Supervisor Boulier.
Motion Carried.

10) Moved by Trustee Kays. Seconded by Trustee Boeck to *deny* Resolution 21-03:

Resolution Regarding to Carry a Poverty Exemption Forward until 2021, 2022 and 2023

Public Act 253 of 2020 was signed into law on December 23, 2020. This Act made several changes to the poverty exemption statute (MCL 211.7u) that will impact how local units, assessors and boards of review handle the exemption starting with the 2021 tax year:

- Local units can adopt a resolution that allows an exemption granted in 2019 or 2020 to carry forward to 2021, 2022 and 2023 for those persons who receive a fixed income solely from public assistance that is not subject to significant annual increases (Federal Supplemental Security Income, Social Security disability or retirement benefits). Local units can also adopt a resolution for any new exemptions in 2021, 2022 or 2023 to remain exempt for up to 3 years for persons who receive a fixed income (MCL 211.7u(6))
- Local units can carry a poverty exemption forward that was granted in 2019 or 2020 for the 2021 tax year, without an application or protest to the Board of Review. **Local units must adopt a resolution by February 15, 2021 to carry the exemption forward (MCL211.7u(8))**•If a person meets all eligibility requirements in statute, the Board of Review must grant a full exemption equal to a 100% reduction in taxable value OR a partial exemption equal to a 25% or 50% reduction in taxable value OR any other percentage reduction in taxable value approved by the STC

A person receiving the extended exemption in MCL 211.7u(6) for up to 3 years due to receiving a fixed income is required to file an affidavit rescinding the exemption within 45 days of no longer being eligible for the exemption.

ST. CLAIR TOWNSHIP
1539 S. Bartlett Rd. St. Clair, MI 48079
Phone (810) 329-9042 Fax (810) 329-1198
www.stclairtp.org

Local units that adopt a resolution to extend the poverty exemption for up to 3 years for those persons who receive a fixed income solely from public assistance **or** local units that carry the 2019/2020 granted poverty exemptions forward to 2021 must implement an audit program and if found ineligible, the person is subject to repayment of the taxes plus interest.

Local units may need to revise their guidelines, policies, etc. to implement the changes in statute. This includes revised guidelines that remove any other calculation of the taxable value for approved poverty exemptions, i.e., formulas that take into consideration the homestead tax credit to calculate the property tax liability and revised TV based on that calculated tax liability. The guidelines may only provide for a full exemption equal to a 100% reduction in taxable value (TV of 0) or a partial exemption equal to a 25% reduction or 50% reduction in taxable value, or any other percentage reduction approved by the State Tax Commission.

Roll Call: Yes- Trustees Mollan, Kays, Boeck & Hovis, Treasurer Hanrahan, Clerk Skonieczny & Supervisor Boulier.
Motion Carried.

11) Discussion held regarding searching for new attorney. Board would like three candidates to choose from. They will need resume, qualifications & references.

12) Moved by Trustee Mollan. Seconded by Trustee Boeck to adjourn. Motion Carried.

Meeting adjourned at 7:36 pm.

Joyce A. Skonieczny
Clerk