

MINUTES

Pentwater Township Board

Regular Meeting of January 11, 2017

Members Present: Mr. Smith, Mr. Ruggles, Mr. Flynn and Ms. Johnson

Members Absent: Ms. Siska - excused

Others Present: Oceana County Sheriff Craig Mast, Pentwater Fire Chief Terry Cluchey, and, Ms. Julie Burdick

Call to Order: Supervisor Smith called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

Review & Action: Meeting Agenda – Sheriff Mast appeared and asked to present a renewal of the law enforcement agreement. The agenda was approved as amended by unanimous consent. Said amendment was to include consideration of renewal of law enforcement agreement between the Township and the County Sheriff's Department which must coincide with the term of office of the Sheriff. It will be discussed during the Supervisor's Report.

Review & Action: Minutes of Regular Meeting of December 14, 2016 – The Minutes of the regular Meeting of December 14, 2016 were approved as submitted by unanimous consent.

Public Comments on Agenda Items – None

Supervisor's Report – Newly elected Sheriff Mast indicated that he would be attending as many of the township board meetings in the 16 townships as possible. He has an open-door policy for one to stop in or call at any time. He requested that the Law Enforcement Agreement be updated to reflect the new administration (i.e. Sheriff and Undersheriff). The agreement will be in effect for the period January 1, 2017 – December 31, 2020 to coincide with his term of office.

Sheriff Mast related that new legislation is expected to be adopted wherein municipalities will have the right to approve or disapprove medical marijuana dispensaries. A municipality may charge up to \$5,000 as an annual tax for such a dispensary. He hoped that the Township would not be persuaded to "invite this [activity] in our area as it would cost more in grief and turmoil" to have such a dispensary.

Moved by Mr. Smith and seconded by Mr. Ruggles to approve the renewal of the Law Enforcement Agreement between the Township and the County as it affects enforcement of the Township Animal Control Ordinance (barking dog section). Voice vote. Motion carried.

Supervisor Smith reported that Mr. George Kazemier resigned from the Pentwater Township Planning Commission and that Ms. Julie Burdick, Pentwater Township resident, submitted an application for appointment to the Planning Commission.

Moved by Mr. Smith and seconded by Ms. Johnson to accept Mr. Kazemier's resignation from the Pentwater Township Planning Commission with regrets and to appoint Ms. Julie Burdick, 5630 Ottawattamie Drive, Pentwater, Michigan for the term ending May 31, 2019. Voice vote. Motion carried.

Supervisor Smith asked the Board to consider adoption of a revised Principal Residence Property Exemption Form. Copies of the outdated and proposed forms were included in the packet.

The following resolution was offered by Member Smith and supported by Member Flynn:

RESOLUTION NO. 17- 01

RESOLUTION FOR POVERTY EXEMPTION

WHEREAS, the adoption of guidelines for poverty exemptions is required of the Pentwater Township Board; and

WHEREAS, the principal residence of persons, who the Supervisor/Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the Township of Pentwater, Oceana County adopts the following guidelines for the 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;

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

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.

- 2) File a claim with the supervisor/assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year.
- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

Federal Poverty Guidelines for 2017 Assessments

<u>Number of Persons Residing In the Principal Residence</u>	<u>Poverty Guidelines Annual Allowable Income</u>
1 person	\$11,880
2 persons	\$16,020
3 persons	\$20,160
4 persons	\$24,300
5 persons	\$28,440
6 persons	\$32,580
7 persons	\$36,730
8 persons	\$40,890
For each additional person, add	\$ 5,200

NOW, THEREFORE, BE IT HEREBY RESOLVED that the supervisor/assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the supervisor/assessor and Board of Review determines

there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

AYES: Members Smith, Flynn, Ruggles and Johnson

NAYS: None

ABSENT: Member Siska

Resolution Declared Adopted.

Clerk's Report – Ms. Johnson reported that she will be attending the MTA's New Officials Training on Tuesday, January 17, 2017 in Thompsonville. Also, the State requires that the Clerk's receive 2-full days of accredited in-school election training as well as 2-days of online classes. She will attend the training in Allegan County on February 22nd and 23rd if it will not conflict with any township meeting that may be held.

Mr. Smith interjected that the annual budget workshop will be held on Tuesday, February 28, 2017 at 1:30 p.m.

Treasurer's Report – was received and placed on file.

Staff Reports

- a) **Zoning Administrator** – Mr. Edwards was unable to attend the meeting due to illness. His written report reflects that no responses have been received from property owners regarding disposition of abandoned/dilapidated buildings. One zoning permit was issued in the month of December.
- b) **Assessor's Report** – Affidavits from commercial businesses that have personal property value under \$80,000 are due no later than February 10, 2017.
- c) **Cemetery Sexton** – No Report
- d) **Transfer Station Attendant** – No Report

Committee/Department Reports

- a) **Planning Commission** – No Report
- b) **Cemetery Advisory Committee** – No Report

- c) **Fire Department** – Monthly agendas and minutes were received. Chief Cluchey reported that 304 calls were made in 2016 – 257 were medical and 47 were fire-related. The Fire Department will be 145 years old in February.
- d) **Library Board** – No Report
- e) **Pentwater Lake Improvement Board (PLIB)** – No Report
- f) **Road Committee** – No Report

Review & Action: Invoices – Ms. Johnson stated that the budget comparison reports will no longer be included in the packet as they are outdated by the day of the meeting. Rather, she will distribute accurate ones at the meeting. She briefly reviewed the updated invoice amounts as well.

- a) **Township** - *A motion was made by Mr. Smith and seconded by Mr. Flynn that the Township bills in the amount of \$7,904.24 be approved as submitted.
Roll call vote: Smith, yes; Flynn, yes; Ruggles, yes; Johnson, yes; and, Siska, absent. Motion carried.*
- b) **Cemetery** – *A motion was made by Mr. Flynn and seconded by Mr. Smith that the Cemetery bills in the amount of \$1,182.42 be approved as submitted.
Roll call vote: Flynn, yes; Smith, yes; Ruggles, yes; Johnson, yes; and, Siska, absent. Motion carried.*
- c) **Fire Department** – *A motion was made by Mr. Ruggles and seconded by Mr. Smith that Fire Department bills in the amount of \$6,077.83 be approved as submitted.
Roll call vote: Ruggles, yes; Smith, yes; Flynn, yes; Johnson, yes; and, Siska, absent. Motion carried.*

Old Business – Lakeview Drive Improvements – Mr. Smith reminded the Board that the topic of improving Lakeview Drive is not a new one. Prein and Newhof, engineering firm used by the Oceana County Road Commission, prepared a proposed plan with projected costs of \$154,589.50. The Road Commission indicated that they would cover \$48,160.00 leaving a balance of \$106,429.50 as the responsibility of the Township and property owners.

Mr. Smith stated that a special assessment could be implemented to cover the costs; however, in the past 20 years, Township General Fund monies have been utilized for six different road projects without special assessments.

At the end of March 31, 2016, the Township's fund balance was \$522,999.83 of which \$151,388.01 was earmarked for other projects and \$22,300 committed to

CIP projects in 2016/2017. In addition, the Board's Fund Balance Policy requires a 25% fund reserve. Thus, there is about \$235,000 available for the Lakeview Drive project or other unforeseen projects/needs.

Mr. Smith asked for the Board's direction in this matter. Do we cover the full costs or require a special assessment?

Discussion ensued regarding funding the township's share of the Lakeview Drive project. The estimated costs may be high. If minimal paving and curbing were done and the cul-de-sac and ditching were not done, the costs could be reduced considerably without cutting quality.

One or more property owners may have to grant easements of property in order for the project to be completed. This needs to be negotiated between the Oceana County Road Commission and the property owners.

It was the consensus of the group that the Township's share could be covered by the General Fund. The Board has been frugal with funds to build up sufficient fund balance to take care of important projects for constituents.

Moved by Ms. Johnson and seconded by Mr. Smith to support the Lakeview Drive project (excluding the enlarged cul-de-sac) and to cover the Township's share of the costs with General Fund monies contingent upon an engineering report indicating realistic costs and the Township Board's review of the same.

Roll call vote: Johnson, yes; Smith, yes; Flynn, yes; Siska, absent; and, Ruggles, abstain. Motion carried.

Mr. Ruggles stated that abstained as he resides on Lakeview Drive.

New Business –

Fire Chief Cluchey reported that the Pentwater Fire Department officers recently approved the following slate officers: Secretary – Ray Hasil; Assistant Fire Chief – Paul Smith; and, Caretaker – Chris Gebhart. Said terms are for two years beginning April 1, 2017 and ending March 31, 2019. Pursuant to the intergovernmental agreement between the Village and Township, the election of officers must be ratified by both entities.

Moved by Mr. Smith and seconded by Mr. Flynn to approve the Pentwater Fire Department officers as follows: Paul Smith, Assistant Fire Chief; Ray Hasil, Secretary; and, Chris Gebhart, Caretaker for two year terms beginning April 1, 2017 through March 31, 2019. The motion was unanimously approved by voice vote.

Supervisor Smith reported that the Village recently installed a new message center board and recommended that the Township install the same type to maintain the look and integrity of the area. The Township's current message center is worn and old.

Moved by Ms. Johnson and seconded by Mr. Ruggles to purchase a 53.5" w x 5.5" d x 39" h, horizontal, single sided, wall-mounted message center from Kirby Built in the amount of \$1,161.80.

Roll call vote: Johnson, yes; Ruggles, yes; Flynn, yes; Siska, absent; and, Smith, yes. Motion carried.

Public Comments – Mr. Cluchey thanked the Board for considering the Lakeview Drive improvements without requiring a special assessment. He felt that a special assessment was not necessary.

Other Items from Members – Mr. Flynn noted that the Village and Township employees and officials will be holding a joint luncheon on February 1st.

Mr. Ruggles related that he would not be able to attend the February 8, 2017 Regular Meeting of the Pentwater Township Board as he will be out of town on business.

Adjournment – *Moved by Mr. Ruggles and seconded by Mr. Flynn to adjourn the meeting at 8:04 p.m. Voice vote. Motion carried.*

Next Meeting – The next regular meeting of the Pentwater Township Board of Trustees will be on Wednesday, February 8, 2017 at 7:00 p.m.

Respectfully submitted,

Sue Ann Johnson, Clerk
Pentwater Township

Date