

## PENTWATER TOWNSHIP ROAD COMMITTEE

327 S. Hancock Street, PO Box 512, Pentwater MI 49449

### Minutes of Meeting of July 6, 2020

- I. Chairman Hooyman called the meeting to order at 4:01 p.m. in Bell Park
- II. Members Present: Nancy Arvai, Tim Cole, Pat Hooyman, Tom Hicks, Dean Holub  
  
Members Absent: None  
  
Others Present: Dave Spittler, Township Supervisor
- III. **Meeting Agenda:** A motion was made by Member Arvai and duly seconded by Member Cole to approve the meeting agenda as presented. Voice vote: Aye: All Nay: None
- IV. **Minutes of Meeting of June 16, 2020:** A motion was made by Member Hicks and duly seconded by Member Arvai to approve the meeting minutes of June 16, 2020. Voice vote: Aye: All Nay: None
- V. **Old Business: None**
- VI. **New Business:**
  - a. **Review & Discussion: Long-Term Funding Alternative for Township Road Improvements**

Chairman Hooyman stated that the primary objective of the meeting was to discuss an alternative for long-term funding of road improvements for the Township as a result of an opinion from the Township's attorney regarding previous action by the Committee. He distributed a copy of the attorney's opinion which stated that a general law township cannot levy a road millage without the vote of electors due to several statutory limitations.

Therefore, the previous action by the Road Committee to recommend to the Township Board that it levy a road millage pursuant to Section 247.670 of P.A. 51 of 1951 without a vote of the electorate was negated.

Members discussed the only other viable option which was a millage levy through a vote of the electorate, while this approach would require the

proposal to be placed on an election ballot. It was mentioned that the next possible election ballot would be on November 3, 2020, the General Election and that the Township Board would have to approve ballot language and submit such language to the County Clerk no later than August 11, 2020. Further, the Township Board would be meeting on July 8<sup>th</sup> and not again until August 12, 2020.

Discussion continued whether to make a recommendation to the Township Board for its next meeting versus waiting to another election date which could be at least a year or two away. Members also discussed the amount of a road millage levy and length/term of the levy.

Following further discussion by the members, **a motion was made by Member Hicks and duly seconded by Member Arvai to recommend to the Pentwater Township Board of Trustees that it adopt the attached Resolution and Ballot proposal for a .5 mil levy for four (4) years (2020-2023) to fund Township road maintenance and construction to be placed on the November General Election ballot. Voice vote: Aye: All Nay: None**

VII. **Citizen Comments: None**

VIII. **Other Items from Members: None**

IX. **Announcements: None**

X. **Adjournment:** A motion was made by Member Hicks and duly seconded by Member Arvai to adjourn the meeting at 4:35 p.m. Voice Vote: Aye All Nay: None

**TOWNSHIP OF PENTWATER**  
**COUNTY OF OCEANA, MICHIGAN**

At a regular meeting of the Township Board of the Township of Pentwater, held at the Pentwater Township Hall, 327 Hancock Street, within the Township, on the 8th day of July, 2020, at 6:00 p.m.

PRESENT: Members:

ABSENT: Members:

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

**RESOLUTION NO. 20-13**

**RESOLUTION TO APPROVE BALLOT PROPOSAL FOR MILLAGE TO FUND TOWNSHIP ROAD MAINTENANCE AND CONSTRUCTION**

WHEREAS the Township Board of the Township of Pentwater finds that it is necessary, advisable and in the best interests of the residents of the Township, to raise funds for the maintenance and construction of Township roads;

WHEREAS, pursuant to Sections 24f and 34d of the General Property Tax Act, Act 206 of the Public Acts of Michigan of 1893, as amended, the Township Board may request approval to increase the tax rate limitation as previously approved, so as to provide for a 0.5 mill levy for Township road maintenance and construction; and

WHEREAS, Section 358a of the Michigan Election Law, which is Act 116 of the Public Acts of Michigan of 1954, as amended (the "Michigan Election Law"), authorizes the Board to call a special election to be held in the Township for the purpose of submitting a ballot proposition to the electors of the Township.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The question whether to increase the tax levy in the amount of 0.5 mills for a period of four years beginning with the December 1, 2020 tax levy to fund the maintenance and construction of Township roads shall be submitted to the qualified electors of the Township at a Township election coinciding with the State general election to be held on Tuesday, November 3, 2020, pursuant to the provisions of the General Property Tax Act and the Michigan Election Law.

2. The ballot proposal to be submitted to the electors shall be in the form attached hereto as Exhibit A, and in such form is hereby certified to the County Clerk.

3. The Township Clerk shall receive voter registrations and provide for publication of Notices of Registration and Notice of Election as provided by law.

4. The Township Clerk is hereby authorized and directed to follow all procedures required by the Michigan Election Law for the special election and may, as necessary, combine the notices required to be provided with any other notices required to be provided under State law with respect to the November 3, 2020 election or have any such required notices published by the County on behalf of the Township.

5. The Township Clerk is hereby authorized and directed to make the necessary arrangements to deliver a certified copy of this Resolution to the Oceana County Clerk as soon as possible, but in no event later than 4:00 p.m. on August 11, 2020 and to take other steps which are necessary and useful in scheduling the election.

6. The Township Clerk is hereby authorized and directed to file, within five days after the election, a certified copy of the official declaration of the election results with the County Treasurer.

7. All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

AYES: Members:

NAYS: Members:

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Sue Ann Johnson, Township Clerk

STATE OF MICHIGAN )

) ss.

COUNTY OF OCEANA )

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Township Board of the Township of Pentwater at a regular meeting thereof held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

\_\_\_\_\_  
Sue Ann Johnson, Township Clerk

**EXHIBIT A**

**TOWNSHIP OF PENTWATER**

**COUNTY OF OCEANA, MICHIGAN**

**PROPOSAL NO. 2**

**MILLAGE FOR TOWNSHIP ROAD MAINTENANCE AND CONSTRUCTION**

Shall the Township of Pentwater tax rate limitation imposed under Article IX, Sec. 6 of the Michigan Constitution on general ad valorem taxes be increased by an additional 0.5 mills (\$.50 per \$1,000 of taxable value) for a period of four years, 2020-2023, inclusive, subject to reduction as provided by law, on taxable property in the Township?

The purpose of this levy is to provide funds for the maintenance and construction of roads within the Township. It is estimated that a levy of 0.5 mills would provide revenue of \$115,196 in the first calendar year. The revenue from this millage levy will be disbursed to the Township of Pentwater.

Yes \_\_\_\_\_

No \_\_\_\_\_

UNAPPROVED