

PAW PAW TOWNSHIP BOARD
REGULAR MEETING
August 8, 2022
114 N. GREMPS STREET
PAW PAW, MICHIGAN 49079

Clerk Payne called the meeting to order at 7:00 P.M.

Payne calls for motion to appoint a moderator.

Motion by Payne seconded by Zinkil to appoint Sanders as Moderator.

In Favor Aye: All Aye

Motion Carried

Pledge of Allegiance

Public comment:

Emily Hickmott gave the board an update on recent activities with the Van Buren Conservation District. She said that participation doubled this year over last largely due to the notice we put on the tax bills.

Board members present:

Matthew Miller, Fran Sanders, and Lisa Zinkil, Rebecca Payne

Board members absent:

Donald Stull

Guests present:

Tom Palenick, Catherine Kaufman Emily Hickmott, Greg Nitzel, Kent Schwingendorf, Jean Gregory, Beverly Kralovec, Matt Kahle and several others who did not sign in.

Sheriff's Report

Deputy read highlights from the 111 calls on the July 2022 sheriff's report.

Sanders stated that the next item on the agenda is the consideration of an aquatic plant control project for Lake Cora, the estimate of the costs of that project, review of the plans for the project, review of the petitions submitted for the project and the establishment of a special assessment district for that project.

"Today's public hearing is the first of two that are required before the special assessment process is complete. Today's hearing is on the petitions submitted for the project, the estimate of costs for the project, the plans for the proposed aquatic plant control project, the special assessment district proposed to be created for the recovery of the cost of the project and the question of whether the Township Board should proceed further with the special assessment project. The proposed new special assessment project will be three years, 2022 - 2024 inclusive.

The Township Board asks that any person speaking at the public hearing give his or her name so there will be an accurate record of the public hearing.

If the Township Board proceeds to a second hearing in the special assessment process, the second hearing will be on the special assessment roll.

If any interested person wishes to protest the special assessment and has not previously done so, he or she should feel free to do so prior to the close of the public hearing today. Such protest by the close of the second public hearing on the special assessment roll is a requirement to being able to appeal a party's special assessment to the Michigan Tax Tribunal."

Trustee Sanders closed the regular meeting at 7:06 and opened the public hearing on Lake Cora SAD.

Trustee Sanders than asked for any comments or objections from the public to the proposed aquatic plant control project, the cost estimates and plans for the project, and the proposed establishment of the special assessment district.

Roger asked about the process of allocating the funds who does the administration?

Township attorney Katherine Kaufman explained the process of a Special Assessment District (SAD) to the audience.

Rodger asked if the same company would be treating for all three years?

Kaufman said that yes that is how the plan was written.

Greg Nitzel (Vice President of the Lake Cora Association) and Kent Swingendorf (Treasurer of the Lake Cora Association) explained to Roger how the assessment works.

Jean Gregory asked how much per household?

Clerk Payne stated the breakdown was \$60 per year per parcel.

There was then a debate over the amount.

Attorney Kaufman stated that the plan appeared to be for \$21,000 total. Which is the \$60 per year.

Lake association said that it is \$21,000 per year so should be \$177 per year.

Attorney Kaufman advised that we need to re-notice and hold this public hearing again next month. Since the Lake association needs to resubmit a clear plan she advised that they could have an annual redetermination to help account for fluctuations in cost.

A resident asked if it was a good idea to do redetermination as they could just cause the treatment company to raise the price.

Attorney Kaufman advised that it is a three-year plan, and the treatment company has already stated price for the three years.

Roger asked if it is a tax?

Attorney Kaufman no it is an assessment.

Beverly Kralovec asked if Lake Cora is the last lake to do this kind of thing.

Board stated yes, they are the only lake in our Township that does not have a SAD.

Frank what if someone refuses to pay the assessment?

Attorney Kaufman stated again that you would need to appeal thru the Tax Tribunal if denied it goes on your tax bill. If it is still unpaid there is a process, and they can be collected thru tax sale of the property. Objections need to be done before the end of second hearing and you have 30 days to appeal to the Tax Tribunal.

Matt Kahle timeline? Will this push it back to far to collect money this year?

Clerk Payne no there is still plenty of time to get it done.

Attorney Kaufman went over what is needed to rewrite the notice for the next meeting.

Trustee Sanders closed the Public Hearing and opened the Regular Meeting at 7:30.

Approval of minutes.

Motion by Zinkil seconded by Payne to approve the July 11, 2022, regular minutes.

In Favor Aye: All Aye

Motion Carried

Additions to Agenda:

Remove item number 1 under the Clerk's section.

Approval of Agenda

Motion by Sanders seconded by Zinkil to approve agenda as presented with one removal.

In Favor Aye: All Aye

Motion Carried

SUPERVISOR'S REPORT

Treasurer's Report

Zinkil presented Board with expenditure report.

General Fund expenditures	\$ 54,691.46
Sewer Fund expenditures	\$ 18,805.48
Payroll expenditures	\$ 36,910.56

Motion by Zinkil seconded by Sanders to approve expenditures as presented.
 Roll Call Vote: Sanders Yea, Payne Yea, Zinkil Yea, Miller Yea
 Yeas: (4) Nays: (0) Absent (1). Motion carried.

Zinkil gave the Impress Fund balance of \$815,005.20.

Clerks Report:

Clerk Payne presented Board with Resolution 220808-3 for the sale of lots on 35 ½ street.
 Motion by Payne seconded by Zinkil to approve Resolution 220808-3.
 Roll Call Vote: Miller Yes, Sanders Yes, Payne Yes, Zinkil Yes
 Yeas: (4) Nays: (0) Absent (1). Motion carried.

TOWNSHIP OF PAW PAW

COUNTY OF VAN BUREN, STATE OF MICHIGAN

RESOLUTION REGARDING SALE OF TOWNSHIP PROPERTY

WHEREAS, the Township of Paw Paw (hereinafter the "Township") owns certain vacant property (hereinafter the "subject property") within the Township, which property is more particularly described as having parcel identification number of 80-14-400-057-00 (35 1/2 ST) with a legal description of

LOTS 57 & 58 PUBLIC PLAY GROUND FLOOK & MC EACHRON'S LAKE FOREST SUBDIVISION.

; and

WHEREAS, pursuant to MCL 41.2, a township board may sell or convey property that is not needed for a public purpose; and

WHEREAS, the Township Board has determined, after analysis and discussion, that there is no public purpose or need for the subject property and that the subject property is excess; and

WHEREAS, the Township Board will seek offers from the general public by sale through listing the subject property with a realtor; and

WHEREAS, the realtor and the Township Supervisor will coordinate in order to determine a fair market value for the subject property; and

WHEREAS, any offer made to purchase the subject property will be brought to the Township Board for review and approval; and

WHEREAS, the proceeds from the sale of the subject property will be used for the public benefit; and

WHEREAS, the Township would be relieved from further maintenance and other obligations of ownership if the subject property is sold for fair value.

NOW THEREFORE, BE IT HEREBY RESOLVED that Township Board authorizes:

1. The Township Supervisor to work with a realtor to arrive at a determination of fair market value for the subject property.
2. The Township Supervisor to take all necessary steps to prepare the subject property for sale.
3. The Township Board shall review and approve the sale of the subject property at a Township Board meeting.
4. The Township Supervisor to work with the Township Attorney to draft any and all documents needed for the sale of the subject property.

TRUSTEES REPORT

PLANNING COMMISSION

Sanders informed the board that the Planning Commission had a meeting on July 19th, and they worked on Ordinance from the joint meeting and where it would allow cannabis operations. It has gone to the County Planning Commission and will come to the Board next month. They also did two concept reviews for indoor grows. Marilyn Murphy came, and it was found she should have been on the list of allowed grows in the moratorium as she had a license from us at the time.

FIRE BOARD

Sanders read fire report with 16 calls to Township in July.

Public comment:

Treasurer Zinkil asked Emily Hickmott if you needed to sign up for the tire round up?

Emily Hickmott said that it is proffered so they know as there is limited space for tires, but if there is room, they will still take them.

Trustee Sanders asked how progress on the new property was going?

Emily Hickmott said that they are working on building plans still but in the meantime they are trying to improve the soil at the location.

Sanders adjourned the meeting at 7:41 PM.

Respectfully submitted,
Rebecca F. Payne, Clerk
Paw Paw Township