

**PAW PAW TOWNSHIP BOARD
REGULAR MEETING
February 13, 2023
114 N. GREMPS STREET
PAW PAW, MICHIGAN 49079**

Clerk Payne called the meeting to order at 6:00 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:

Heath Wall let the board know of his opposition and concerns for the large Consumers Energy power line project.

Treasurer Zinkil let him know that we have no more information than the public has at this point but gave him suggestions of where to get the information at.

Board members present:

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

Board members absent:

Donald Stull

Guests present:

Tom Palenick, Mrs. Smallcombes, Heath Wall, Bob Parshall, Ron Cicchini, and others.

Trustee Sanders closed the regular meeting at 6:07 and opened the public hearing on Three Mile Lake SAD.

Trustee Sanders then 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.

There were no comments.

Trustee Sanders closed the hearing and reopened the regular meeting at 6:09

Approval of minutes.

Motion by Sanders seconded by Payne to approve the January 9, 2023, regular meeting minutes.

In Favor Aye: All Aye

Motion Carried

Additions to Agenda:

None

Approval of Agenda

Motion by Sanders seconded by Zinkil to approve agenda as presented.

In Favor Aye: All Aye

Motion Carried

SUPERVISOR'S REPORT

Sheriff's Report

Deputy read off the numbers from January 2023 sheriff's report 99 total calls 46 from the State and 53 from the County.

Motion by Payne seconded by Miller to approve resolution 230213 Weed control on 3-mile lake.

Roll Call Vote: Miller Yes, Sanders Yea, Payne Yea, Zinkil Yes

Yeas: (4) Nays: (0) Absent (1). Motion carried.

RESOLUTION CONCERNING THREE MILE LAKE AQUATIC PLANT CONTROL SPECIAL ASSESSMENT DISTRICT NO. 852

WHEREAS, the Township Board of the Township of Paw Paw, Van Buren 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 THREE MILE LAKE AQUATIC PLANT CONTROL SPECIAL ASSESSMENT DISTRICT NO. 852 as shown on the plans and specifications for such project; and

WHEREAS, such public hearing was preceded by proper notice in the *Paw Paw Courier*, 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 THREE MILE LAKE AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO. 852 and shall hereby be confirmed as the assessment roll for THREE MILE LAKE AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO. 852 in the amount of approximately \$53,277, which is the amount proposed to be raised by special assessment. The total project cost is \$64,500, with the estimated surplus amount of \$11,223 remaining at the termination of the existing special assessment district being carried over to the new district. The proposed assessment against each property in the district will be approximately \$140 per year per parcel.
2. The assessments in said THREE MILE LAKE AQUATIC PLANT CONTROL PROJECT SPECIAL ASSESSMENT DISTRICT NO. 852 ROLL shall be divided into three (3) annual installments of principal as described in the Roll with the first installment to be paid with the Winter 2023 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. (2023 through 2025 inclusive). All unpaid installments prior to their transfer to the tax roll as provided by Public Act 188 of 1954, as amended, shall bear interest payable annually on each installment due at a rate of 5 % per annum commencing on the first installment due date hereinbefore set forth. Any payments made before such first installment due date shall not bear any such interest.
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 resolutions insofar as they conflict with the provisions of this Resolution be and the same are hereby rescinded.

Discussion on zoning amendments.

Motion by Miller seconded by Zinkil to approve ordinance 282 text amendment changing the NCC to HCI zoning for one parcel.

Roll Call Vote: Zinkil Yes, Miller Yes, Sanders Yea, Payne Yea

Yeas: (4) Nays: (0) Absent (1). Motion carried.

Motion by Miller seconded by Payne to approve ordinance 283 text amendment for NCC.

Roll Call Vote: Payne Yea, Zinkil Yes, Miller Yes, Sanders Yea

Yeas: (4) Nays: (0) Absent (1). Motion carried.

Motion by Sanders seconded by Zinkil to approve letter of support for tire recycling event in Porter Township.

Roll Call Vote: Zinkil Yes, Miller Yes, Sanders Yea, Payne Yea

Yeas: (4) Nays: (0) Absent (1). Motion carried.

Treasurer's Report

Zinkil presented the Board with the expenditure report.

General Fund expenditures \$ 164,391.80

Sewer Fund expenditures \$ 46,372.03

Payroll expenditures \$ 47,135.51

Motion by Zinkil seconded by Sanders to approve the expenditures as presented.

Roll Call Vote: Sanders Yes, Payne Yes, Zinkil Yes, Miller Yes

Yeas: (4) Nays: (0) Absent (1). Motion carried.

Impress Fund Balance of \$1,288,918.06

Discussion on Senior Center Assistant.

Clerks Report:

Board discussion on the purchase of an AED machine for the Township Hall.

Motion by Miller seconded by Payne to approve the purchase of an AED device.

Roll Call Vote: Payne Yes, Zinkil Yes, Miller Yes, Sanders Yes

Yeas: (4) Nays: (0) Absent (1). Motion carried.

TRUSTEES REPORT

PLANNING COMMISSION

Sanders informed the board that the Planning Commission met on January 17th and they approved meeting dates to remain the third Tuesday of the month at 6PM for the 2023 year.

FIRE BOARD

Sanders read the fire report with 7 calls to Township in January. The Fire Board also voted to approve the purchase of a new pumper truck.

Public comment:

None.

Trustee Sanders adjourned the meeting at 6:55 PM.

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