

**PAW TOWNSHIP BOARD  
REGULAR MEETING  
September 9<sup>th</sup>, 2024  
114 N. GREMPS STREET  
PAW PAW, MICHIGAN 49079**

Supervisor Palenick called the meeting to order at 6:00 P.M.

Pledge of Allegiance

**BOARD MEMBERS PRESENT:**

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

**BOARD MEMBERS ABSENT:**

None

**GUESTS PRESENT:**

Mark Root, Catherine P. Kaufman, Dave VanDoren, Maggie Duffy, Charmaine Sullivan, Scott Jagutis, Paul and Jennifer Hanson, Denis Reynolds, Gene and Deb Foley, Jim Degroff, Darcy Waddell, Becky Curtin, Chuck Cubbage, and a few more that did not sign in.

Supervisor Palenick closed the regular meeting at 6:01P.M. and opened the hearing on Summit Road Maintenance Assessment.

Kathy Bailey-Need to get snow plow on for this year.

Attorney Kaufman- the board needs to determine the percent of support and opposition by road frontage and then hold a special meeting if moving forward.

Palenick closed the Summit Road Maintenance Hearing at 6:08 and reopened the regular meeting.

Resolution 241014-1 postponed until road frontage is determined.

Supervisor Palenick closed the regular meeting at 6:09 P.M. and opened the hearing on Eagle Lake weed control Assessment.

Chuck Cabbage-asked to clarify that the price for front and back lots were switched on the notice. He also gave some background information on the history of the SAD.

Becky Curtin- asked what is in the SAD now and does it go out to bid?

Attorney Kaufman said that was already done and voted at the previous hearing.

Several asked for the balance of the current SAD. \$867.

John Tapper- Kaiser and association put together a plan. It is a vague plan as some of the weeds are under control.

Palenick closed the Eagle Lake Weed Hearing at 6:28 and reopened the regular meeting

## EAGLE LAKE CONTROL RESOLUTION NUMBER 2

AT A REGULAR SESSION OF THE PAW PAW TOWNSHIP BOARD, HELD ON THE 14th DAY OF OCTOBER 2024 AT THE TOWNSHIP HALL LOCATED AT 114 NORTH GREMPS STREET, PAW PAW, MICHIGAN 49079

PRESENT: Matt Miller, Lisa Zinkil, Fran Sanders, Thomas Palenick, Rebecca Payne

ABSENT: None

THE FOLLOWING MOTION WAS MADE BY Payne, AND SECONDED BY Sanders.

WHEREAS, THE PAW PAW TOWNSHIP BOARD pursuant to PA. 188 of 1954, being MCLA 41.721 et seq., as amended, has determined application of weed control treatment for EAGLE LAKE is a reasonable and necessary public improvement for eradication or control of aquatic weeds and plants and is an appropriate public improvement to said Lake; and,

WHEREAS, THE PAW PAW TOWNSHIP BOARD intends to make such improvement and the plans, estimates and costs of the special assessment district have been on file with the Paw Paw Township Clerk for inspection showing a cost of \$185,000 plus, expenses, legal, 1 % administration fee, publication and initial billing costs; and,

WHEREAS, THE PAW PAW TOWNSHIP SUPERVISOR and its Assessing Officer have

made a special assessment roll in which shall be entered and described all the parcels of land, determined to be 155 full and 127 half parcels, to be assessed with the name of the respective owners thereof, if known, and a total to be assessed against each parcel of land in the Special Assessment District as the benefit of the parcel of land bears to the total benefit of all parcels in said District is \$171.13 per on lake and \$85.57 per back lot parcel per year, subject to modification in accordance to law, for 5 years commencing 2024 through 2028 and,

Now, Therefore, BE IT RESOLVED, that:

1. The proposed services and costs therefore are deemed reasonable and necessary for the proposed improvement.
2. Said proposed Special Assessment roll has been filed and the same described all the parcels of land, determined to be 155 full and 127 half parcels, to be assessed with the name of the respective owners thereof, if known, and shows a total to be assessed against each parcel of land in the Special Assessment District as the benefit of the parcel of land bears to the total benefit of all parcels benefited in said District is \$4171.13 per on lake and \$85.57 per back lot parcel per year, subject to modification in accordance to law, for 5 years commencing 2024 through 2028.
3. Said Special Assessment District and roll shall be designated proposed Paw Paw Township, EAGLE LAKE WEED CONTROL, Special Assessment District and Roll No. 833.
4. Said proposed Special Assessment Roll shall be on file in the office of the Township Clerk and the same shall be available for public examination.
5. The Township Board shall meet on October 14, 2024 at 6:00 p.m. for the purpose of reviewing said special assessment roll and confirming the same and for the purpose of hearing any objections thereto.
6. The Township Clerk is directed to publish notice of said hearing for 2 consecutive weeks in the Courier-Leader, Van Buren County and cause said hearing to be mailed by first-class mail to all property owners of property BENEFITTING FROM ACCESS TO EAGLE LAKE , Paw Paw Township, Van Buren County, Michigan, Special Assessment District 833, as shown on the current assessment rolls of the Township at least 10 full days before the day of such hearing, in accordance with the provisions of Act 188 of the Public Acts of the State of Michigan 1954.
7. That said notice shall be in substantially the following form:

NOTICE OF HEARING  
ON SPECIAL ASSESSMENT IMPROVEMENT  
BY PAW PAW TOWNSHIP BOARD

TO THE OWNERS OF THE FOLLOWING DESCRIBED PROPERTY:

**ALL REAL PROPERTY BENEFITING FROM ACCESS TO EAGLE LAKE,**

TAKE NOTICE a special assessment roll for Eagle Lake weed control in the total sum of 185,000.00 including a rollover of \$800 from current SAD, plus fees and administration costs, and identified as proposed Paw Paw Township Eagle Lake weed control Special Assessment Roll No. 833 has been prepared by the Supervisor and Assessor. Said proposed Roll is described as being all real property benefitting from access to Eagle Lake, determined to be 155 on lake and 127 back lot parcels, in the District and the same is to be assessed with the name of the respective owners thereof, if known. The total to be assessed against each parcel of land in the Special Assessment District as the benefit of the parcel of land bears to the total benefit of all parcels in said District is \$171.13 per on lake and \$85.57 per back lot parcel per year, subject to modification in accordance to law, for 5 years commencing 2024 through 2028 and the proposed roll is on file with the Township Clerk and is available for public examination.

TAKE FURTHER NOTICE a meeting shall be held by the PAW PAW TOWNSHIP BOARD at the PAW PAW TOWNSHIP HALL, 114 N. GREMPS STREET, PAW PAW, MICHIGAN 49079 on October 14, 2024 at 6:00 p.m. to confirm the roll and lay the levy.

TAKE FURTHER NOTICE appearance and protest at the hearing held to confirm the special assessment roll is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal.

TAKE FURTHER NOTICE an owner, or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required. The owner or any person having an interest in the real property who protests in person or in writing may file a written appeal of the special assessment with the Michigan Tax Tribunal within 30 days following confirmation of the Special Assessment Roll.”

PAW PAW TOWNSHIP HALL is barrier free. Persons requiring special accommodations due to disability may contact the Township Clerk 7 days prior to the hearing to make arrangements for accommodating their disability. AMERICAN FOR DISABILITIES ACT.

AYES: Payne Yea, Zinkil Yea, Sanders Yea, Miller Yea, Palenick Yea

NAYES: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED THIS 14th DAY OF October 14, 2024.

Supervisor Palenick closed the regular meeting at 6:29P.M. and opened the hearing on Eagle Lake Drive Maintenance Assessment.

Chuck Cabbage- feels there is reason to accumulate a balance to cover more costly repairs as they arise.

Darcie Waddell- what is the current balance? (\$9,700ish balance) Is there an end date? (5 years)

Eugene Foley- I am against this because we have so much money. What was the cost last year?

Bob Bower- I am in favor. Everyone at our meeting agreed.

A few asked where they could see the amount of money that is paid from the account? Cabbage said street lighting, road repairs, and plowing.

Treasurer Zinkil advised them to get ahold of the Treasurer or Clerk offices and we could give them a print out.

Palenick closed the Eagle Lake Drive Hearing at 6:38 and reopened the regular meeting.

**PUBLIC ACT 188 OF 1954 PROCEEDINGS  
Paw Paw Township  
Van Buren County, Michigan**

**PREAMBLE AND RESOLUTION**

Special Assessment Roll for special Assessment District No. 855

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 cost of maintenance proposed to be conducted within the Special Assessment District No. 855.

AND WHEREAS, such public hearing was preceded by proper notice in the Courier-Leader, a newspaper of general circulation in the township, and by first-class mail 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 to all present to be heard in the matter;

AND WHEREAS, no written objections were received to said roll and levy;

AND WHEREAS, a record of those present to protest, and of written protests submitted at or before the public hearing was made a part of the minutes of the hearing;

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 in the within resolution) shall hereafter be designated as Eagle Lake Drive Maintenance Special Assessment District No. 855 and shall hereby be confirmed as the assessment roll for Special Assessment District No. 855.
2. Said Special Assessment Roll in the total sum of \$21,000 plus , expenses, legal, 1% administration fee, publication and initial billing costs and said Special Assessment Roll is described as all parcels of land, determined the be 56 parcels, to be assessed with the name of the respective owners thereof, if known, and shows a total to be assessed against each parcel of land in the Special Assessment District as the benefit of the parcel of land bears to the total benefit of all parcels benefited in said District is \$75.00 per parcel per year for 5 years commencing 2024 through 2028. All unpaid installments prior to the transfer of the tax roll shall bear interest as provided by Public Act 188 of 1954 payable annually on each installment due at the rate of 5% percent per annum commencing on the first installment due date hereinbefore set forth. Any payment made before such first installment shall not bear any such interest.
3. Future installments of an assessment against a parcel may be paid to the Township Treasurer any time in full with interest accrued through the month in which the final installment is paid in accordance with Public Act 188 of 1954 as amended. 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, in addition to the interest provided by this section, a penalty rate of 1% 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, also in accordance with Public Act 188 of 1954.

4. The assessment made in said special assessment roll are hereby ordered and directed to be collected by the Township Treasurer, and the Township Clerk shall deliver said special assessment roll to said Treasurer with his warrant attached, commanding the Treasurer to collect such assessment in accordance with the direction of the Township Board and said Public Act 188 of 1954.
5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Upon roll call vote on the adoption of the resolution

The following voted "Aye": Fran Sanders, Matthew Miller, Thomas Palenick, Rebecca Payne, Lisa Zinkil

The following voted "NAY": None

The supervisor declared the resolution duly adopted.

Supervisor Palenick closed the regular meeting at 6:39 P.M. and opened the hearing on Lake Brownwood weed Assessment.

Dave VanDoren- gave brief description.

John Ritsema- we don't get any spray along our property how do we address this? Also what can be done about the beaver problem?

Dave- Beaver problem in handled by the Drain Commission. They said they would send out a trapper.

Charmain Sullivan- I can talk with PLM to get assessment on John's weeds.

Palenick closed the Lake Brownwood Hearing at 6:45 and reopened the regular meeting.

## LAKE BROWNWOOD WEED CONTROL

AT A REGULAR SESSION OF THE PAW PAW TOWNSHIP BOARD,

HELD ON THE 14<sup>TH</sup> DAY OF October 2024 AT THE TOWNSHIP HALL  
LOCATED AT 114 NORTH GREMPS STREET, PAW PAW, MICHIGAN  
49079

PRESENT: Fran Sanders, Matthew Miller, Thomas Palenick, Rebecca Payne  
and Lisa Zinkil

ABSENT: None

**THE FOLLOWING MOTION WAS MADE BY Payne AND SECONDED by Palenick**

WHEREAS, the township board of the Township of Paw Paw determined to proceed under the provisions of PA 188 of 1954, as amended, to secure estimates of the cost for eradication or control of aquatic weeds and plants and is an appropriate public improvement to said Lake to schedule a public hearing upon the same for this date, and

WHEREAS, the estimates of cost and proposed special assessment district were filed with the township clerk for public examination and notice of the within hearing upon the same was published and mailed in accordance with the law and statute provided as shown by affidavits pertaining thereto on file with the township clerk, and

WHEREAS, in accordance with the aforesaid notices, a hearing was scheduled this 14<sup>th</sup> day of October 2024 commencing at 6 o'clock p.m. and all persons given the opportunity to be heard in the matter, and

WHEREAS, as a result of the foregoing, the township board believes the project to be in the best interests of the township and of the district proposed to be established therefore;

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. That this township board does hereby approve the plans to (1) control exotic plant species, (2) monitor water quality, and (3) monitor the aquatic plant community prepared and presented by PLM Lake & Land Management, on behalf of the Lake Brownwood Association and their estimate of costs for the completion thereof of \$42,200. Cost per parcel per year \$193.44 consisting of 67 parcels.
2. That this township board does hereby create, determine and define as a special assessment district to be known as Lake Brownwood Weed Control special assessment district No.842 within which the costs of such maintenance shall be assessed according to benefits, the following described area within said township:

**All properties that abut the Lake Brownwood Shore Line.**

3. That on the basis of the foregoing, this township board does hereby direct the supervisor and assessing officer to make a special assessment roll in which shall be entered and



described all the parcels of land to be assessed with the names of the respective owners thereof if known, and a total amount to be assessed against each parcel of land which amount shall be relative portion of the whole sum to be levied against the parcels of land in the special assessment district as the benefit to the parcel of land bears to the total benefit to all the parcels of land in the special assessment district. When the same has been completed, the supervisor or assessing officer shall affix thereto his/her certificate stating that it was made pursuant to this resolution and that in making such assessment roll, he/she has, according to his/her best judgment, conformed in all respects to the directions contained in the resolution and the applicable state statutes.

4. That all resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolutions be and the same are hereby rescinded.

Upon roll call vote, the following voted "Aye": Sanders, Miller, Palenick, Payne and Zinkil

The following voted "Nay": None      Absent: None

The supervisor declared the motion carried and the resolution duly adopted.

The supervisor then reported that he, in anticipation of the foregoing resolution, had completed the assessment roll in accordance therewith and had attached thereto his certificate as required by said resolution. The assessment roll was then received and filed with the office of the township clerk.

The following preamble and resolution were then submitted upon the motion of Payne and supported by Palenick for adoption:

**RESOLUTION SCHEDULING HEARING ON ASSESSMENT ROLL FOR LAKE BROWNWOOD WEED CONTROL SPECIAL ASSESSMENT DISTRICT NO. 842**

WHEREAS, the supervisor and assessing officer of the township has, in accordance with resolution of the township board and the laws pertinent thereto, prepared a special assessment roll in the total amount of \$42,200. covering all the parcels of land in the Lake Brownwood Special Assessment District No. 842 for a period of three years, according to the relation of the benefit to each parcel of land to the total benefit to all parcels of land in such special assessment district and has affixed thereto his/her certificate as required by said resolution.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. That said special assessment roll shall be filed with the township clerk and shall be available for public examination during working hours of regular working days from the present date until the public hearing upon the same and shall further be examined at such public hearing.

2. That the township board shall meet at 6 o'clock p.m. on 14<sup>th</sup> of October 2024, at the Paw Paw Township Hall located at 114 North Gremps Street, within the township, to review such special assessment roll and hear any objections thereto.
3. That the township clerk shall cause notice of such hearing and filing of such assessment roll to be published twice in the Courier-Leader, a newspaper of general circulation in the township prior to the date of the hearing with the first publication being not less than 10 days prior to the hearing and shall further cause notice of such hearing to be mailed by first-class mail to all owners of or persons interested in property within the Lake Brownwood Weed Control Special Assessment District No. 842 as shown on the current assessment roll of the township also at least ten (10) days prior to said hearing, all in accordance with law and statute provided.
4. All resolutions and parts of resolutions insofar as they conflict with the provisions of the within resolution are hereby rescinded.
5. Upon roll call vote, the following voted "Aye": Sanders, Miller, Palenick, Payne, Zinkil
6. The following voted "Nay": None            Absent: None
7. The supervisor declared the motion carried and the resolution duly adopted.

**APPROVAL OF MINUTES.**

Motion by Palenick seconded by Zinkil to approve the September 9<sup>th</sup>, 2024, regular and September 16<sup>th</sup> special meeting minutes.

In Favor Aye: All Aye

Motion Carried

**ADDITIONS TO AGENDA:**

None.

**APPROVAL OF AGENDA**

Motion by Payne seconded by Sanders to approve the agenda as presented.

In Favor Aye: All Aye

Motion Carried

**PUBLIC COMMENT:**

None.

**SUPERVISOR'S REPORT**

**SHERIFF'S REPORT**

The deputy was absent.

Motion by Sanders seconded by Palenick to approve Master Plan proposal submitted by David Jirousek and give Palenick authority to manage/sign contract.

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

Yeas: (5) Nays: (0) Absent (0). Motion carried.

Discussion on Sewer ordinance, will review for November's meeting.

**TREASURER'S REPORT**

Zinkil presented the Board with an expenditure report.

General Fund expenditures \$ 139,400.45

Sewer Fund expenditures \$ 26,969.05

Payroll expenditures \$ 51,120.88

Motion by Zinkil seconded by Payne to approve expenditures as presented.

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

Yeas: (5) Nays: (0) Absent (0). Motion carried.

Zinkil gave the Impress Fund balance of \$1,729,912.01

**CLERKS REPORT:**

Motion by Payne seconded by Palenick to adopt resolution 241014-5 to adjust the date of the Board of review for July and December moving forward.

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

Yeas: (5) Nays: (0) Absent (0). Motion carried.

Motion by Payne seconded by Palenick to approve free meals for Veterans at our Veterans meal every year.

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

Yeas: (5) Nays: (0) Absent (0). Motion carried.

Motion by Palenick seconded by Sanders to approve a \$100 budget for prizes each month.

Roll Call Vote: Palenick Yea, Zinkil Yea, Miller Yea, Sanders Yea, Payne Yea  
Yeas: (5) Nays: (0) Absent (0). Motion carried.

**TRUSTEES REPORT**

**PLANNING COMMISSION**

Sanders informed the board that the Planning Commission met in September and will share more next meeting.

**FIRE BOARD**

Sanders advised that the Fire Board meet last week, and there were 2 calls to the Township in September.

**PARKS AND REC**

**PUBLIC COMMENT:**

None.

Palenick adjourned the meeting at 7:35 PM.

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