

**Melrose Township Board of Trustees Approved Minutes as corrected
January 11, 2022 7:00 pm**

Call to order: 7:03 pm V. Goodwin called to order

Present: V. Goodwin, S. Burr, M.P. Goldich, D. Nowland, R. Hissong Berry

Approval of the Agenda

Motion to approve the agenda as presented.

Motion: M.P. Goldich 2nd S. Burr approved 5/0

Approval of minutes from previous meeting:

Minutes of the December 14, 2021 Regular Meeting

Motion to approve the minutes of the Regular Township Board meeting of December 14, 2021 as presented.

Motion: D.Nowland 2nd M.P. Goldich approved 5/0

Guest –

Bryan Graham – Zoning Administration

V. Goodwin announced he was withdrawing as a candidate for the permanent zoning administration job.

Bryan Graham presented a summary of the difference between an employee and contracted services for the position. He answered questions for board members. He pointed out that planning and zoning enforcement are 2 different jobs with different skill sets required. Many jurisdictions have different people for each job.

V. Goodwin shared that the Township in the past has had 5 Zoning and Planning Administrators, 3 were contracted and 2 as employees.

B. Graham shared that an employee should be evaluated yearly. The ZBA is where disputes with the Zoning Administration should be directed.

The hardest job is the enforcement. Planning is often contracted out.

The personnel committee would work on the posting and screening. The board would do the final interviews and make decision. Ideal would be ready to hire by April

Motion to make Zoning Administrator position an employment relationship and direct the personnel committee to begin recruitment process.

Motion: V. Goodwin 2nd S. Burr approved 5/0

A question was raised who has direct access to the Township Attorney? Current practice is Supervisor or Clerk. May be a good idea to allow the chair of the Planning Commission and Zoning Board of Appeal to make direct contact also.

Old Business

- **Sewer Update** – Engineers are working on the North Shore expansion plans and the Holmes Road lagoon site plans.
- **Water Update** – no news
- **Cemetery Ordinance update** – no news
- **Dam** - A written report has been received. Copy will be available in the office to review. A copy to Philo so he may follow-up with the WLA and other lake townships.
- **Mettler Lawsuit update** - Still in finding of facts stage.
- **Noise in the village issue** - Ordinance direction for attorney
Nothing new yet. Board members each have a copy of J. Dalton letter about the noise issue.

New Business

- **Zoning Administration – Personnel Committee Report**
Board members have a copy of the D. Beier letter.
- **Smith Street Easement agreement**
Motion to approve the Smith Street Easement agreement as presented.
Motion: S. Burr 2nd D. Nowland
Roll call : M.P. Goldich -y, S. Burr- y, V. Goodwin- y, D. Nowland-y, R. H. Berry-y
Approved 5/0
- **Assessing Policy**

Resolution 2022-01-11-01 resolution to set Alternate Date for the July or December Board of Review meetings.

Motion: S. Burr 2nd V. Goodwin

Roll call: M.P. Goldich-y, D. Nowland-y, S. Burr-y, V. Goodwin-y, R. Hissong Berry-y

Approved 5/0

Motion to approve the Policy and Procedure for the Public Inspection and copying of assessing records as presented.

Motion: R. Hissong Berry 2nd M. P. Goldich approved 5/0

Motion to approve Policy and Procedure as recommended for PRE Denials as presented.

Motion: R. Hissong Berry 2nd V. Goodwin approved 5/0

- **Building values / appraisal for insurance coverage**

Motion to use the Assessor values for insurance coverage amount.

Motion: D. Nowland 2nd S. Burr approved 5/0

- **County Funding Recreation Project resolution**

Resolution 2022-01-11-02 authorizing the application for the Charlevoix County recreation funds for up to \$10,000.00 to improve the Pickle Ball Court in the park.

Motion: M. P. Goldich 2nd V. Goodwin

Roll call: M. P. Goldich-y, D. Nowland-y, S. Burr-y, V. Goodwin-y, R. Hissong Berry-y

Approved 5/0

- **Meeting Dates for 2022-2023**

Motion to approve the Township Board meetings dates with the correction of December 13, 2022, as presented.

Motion: D. Nowland 2nd M. P. Goldich approved 5/0

- **Poverty Exemption annual**

Motion to approve the 2022 Poverty Exemption Policy and Guidelines as presented.

Motion: V. Goodwin 2nd D. Nowland approved 5/0

- **MDOT Resolution**

Resolution 2022-01-11-03 Approve the MDOT resolution for Performance Resolution for Municipalities from MDOT as presented.

Motion: V. Goodwin 2nd S. Burr

Roll call :

M.P. Goldich-y, S. Burr-y, V. Goodwin-y, D. Nowland-y, R. Hissong Berry-y

Approved 5/0

- **Fire Department Resignation**

Motion to accept the fire department resignation from T.LaGasse .

Motion: R. Hissong Berry 2nd M. P. Goldich ~~approved 5/0~~

- **Little Traverse Bay Grant for Water Protection**

Motion to approve applying for a grant from Little Traverse Bay Water Protection Fund with the

Petoskey/ Harbor Community Foundation to fund enhancements to the Third Street improvement project.

Motion: M. P. Goldich 2nd V. Goodwin approved 5/0

Financial Report

- **General fund reports**

Motion to accept the General Fund financials as presented and pay all bills.

Motion: S. Burr 2nd V. Goodwin approved 5/0

- **Sewer fund reports**

Motion to accept the sewer fund financials as presented and pay all bills.

Motion: M. P. Goldich 2nd D. Nowland approved 5/0

Zoning Administrators Report see included report

Assessors Report Busy time of the year. Training for BOR is Jan 25.

Employee Grounds Report no report

Committee Reports

- **Planning Commission**

D. Nowland reported the PC approved 2 waterfront overlay permits and elected officers.

- **Zoning Board of Appeals** - no meeting
- **Road Committee** - E. Lee reported not much happening now
- **Park Committee** no report
- **Fire Department**
L. Stephens reported the department activities. Department is working on new brush truck specifications. The medical training has started. The state is making changes to chief training requirements that will challenge small rural departments. Working with Hudson Township and Charlevoix County to get Fire Truck access to the East end of Thumb Lake within the park.
- **DDA** no meeting
- **Library Board** no December meeting

Correspondence

Anne Burnett- informed rate increase for 2022

Consumers Power announced new Street Light system to report methods

Blarney Castle letter warning late fees will be applied for late arriving payments. Encourages online payments

J. Dalton letter received

Public Comment called for- none offered

Adjournment 9:12pm

Charlevoix County Parks Millage

Application Resolution

Resolution No. 2022-01-11-02

WHEREAS, the Melrose Township Board of Trustees has the authority to construct, operate, and maintain the Melrose Township Park and Pickle Ball Court Improvements; and

WHEREAS, Melrose Township Board of Trustees is requesting an appropriation not to exceed \$10,000.00 from the Charlevoix County Board of Commissioners; and

WHEREAS, the Melrose Township Board of Trustees desires to enhance, provide or create the Melrose Township Pickle Ball Court Improvements to meet the needs of users in Charlevoix County;

THEREFORE BE IT RESOLVED by the Melrose Township Board of Trustees that, pursuant and subject to all of the terms and provisions of the Charlevoix County Parks millage, application be made to the Charlevoix County Board of Commissioners for funding; and

BE IT FURTHER RESOLVED that the Supervisor of Melrose Township is hereby authorized and directed to cause the necessary data to be prepared and application to be signed and filed with the County of Charlevoix;

Passed and adopted at a regular meeting of the Melrose Township Board of Trustees on the 11th day of January, 2022.

Signature: _____

Print Name: Robin Hissong Berry

Title: Township Clerk

Date: January 12, 2022

Clerk of Said: Melrose Township

Melrose Township, Charlevoix County

RESOLUTION NO. 2022-01-11-01

RESOLUTION TO SET AN ALTERNATE DATE FOR THE JULY OR DECEMBER BOARD OF REVIEW

WHEREAS, Section 53b of the General Property Tax Act, MCL 211.53b, requires a Board of Review that meets in July to meet on Tuesday following the third Monday in July, and a Board of Review that meets in December to meet on the Tuesday following the second Monday in December; and

WHEREAS, assessors who work for multiple jurisdictions are not always able to attend the Board of Review meeting for each township when they meet on the same day; and

WHEREAS, Public Act 122 of 2008, effective May 9, 2008, allows an alternate July Board of Review meeting date during the week of the third Monday in July; and an alternate December Board of Review meeting date during the week of the second Monday of December; and

WHEREAS, it will benefit the residents of the Township of Melrose to have the assessor available to assist the Board of Review and taxpayers in processing qualified errors and property exemptions.

NOW THEREFORE BE IT RESOLVED, that the Township of Melrose authorizes an alternate day may be selected during the week of the third Monday of July and an alternate day may be selected during the week of the second Monday of December for the purpose of conducting Board of Review (MCL 211.53b).

RESOLVED this 11th day of January 2022 A.D.
Resolution was adopted.

Motion: S. Burr 2nd V. Goodwin

Roll call: M.P. Goldich-y, D. Nowland-y, S. Burr-y, V. Goodwin-y, R. Hissong Berry-y

CERTIFICATION

I, the undersigned, the Clerk of Melrose Township, Charlevoix County, Michigan, do hereby certify that the foregoing is a true and complete copy of Resolution No.2022-01-11-01 adopted by the Township Board of Melrose Township, Charlevoix County, State of Michigan, at a regular meeting held on January 11, 2022, the original of which is on file in the Clerk's office and available to the public. Public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1976.

Dated: January 12, 2022

Township Clerk

PERFORMANCE RESOLUTION FOR MUNICIPALITIES

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the Township of Melrose, Charlevoix County hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this Resolution shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Resolution, as provided by law. This Resolution is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right Of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

7. The incorporation by the DEPARTMENT of this Resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.

8. This Resolution shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right Of Way on behalf of the MUNICIPALITY.

Title and/or Name:

Vern Goodwin, Supervisor
Aaron Nordman, Engineer of Record

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by the Melrose Township Board of Trustees of the Melrose Township of Charlevoix County at a regular meeting held on the 11th day

of January A.D. 2022.


Signed

Township Clerk

Title

Robin Hissong Berry

Print Signed Name

2022 POVERTY EXEMPTION POLICY & GUIDELINES

The following ***policy and guidelines***, adopted by the Township Board, shall be followed by the Township Board of Review when considering ***poverty exemptions*** according to section 211.7u of the Michigan Compiled Laws (MCL).

Application Guidelines: To be eligible for a Poverty Exemption; The applicant must:

1. File Form 5737 Application for MCL 211.7u Poverty Exemption
2. File Form 5739 Affirmation of Ownership and Occupancy to Remain Exempt by Reason of Poverty
3. Own and occupy the property as a principal residence. Provide federal and state income tax returns for the current or immediately preceding year, including any property tax credits, for all persons residing in the principal residence. (disclosure of the income of an owner who is not residing in the principal residence is not required.) Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return. Instead, Form 4988, *Poverty Exemption Affidavit* may be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current or immediately preceding year
4. Produce a valid drivers license or other form of identification, if requested
5. Produce a deed, land contract or other evidence of ownership of the property, if requested.
6. Meet the income guidelines of this policy
7. Meet the asset level test of this policy

Income Test

- Total Annual Household Income shall not exceed the following amount applicable to the number of persons living in the household:

Number of Persons	Federal Poverty Income Level for 2022	City/Township Income Level for 2022
1	\$12,880	\$19,320
2	\$17,240	\$25,860
3	\$21,960	\$32,940
4	\$29,500	\$44,250
5	\$31,040	\$46,560
6	\$35,580	\$53,370
7	\$40,120	\$60,180
8	\$44,660	\$66,990
For each additional person	\$4,540	\$6,810

- Total Annual Household Income shall be based on Federal Poverty Income Guidelines and will be adjusted annually to agree to the federally established amount.

Potential income and asset sources are (non-inclusive):

Income from all sources	Interest and dividends
Salaries & wages before deductions	Pensions

Net receipts from self-employment	Supplemental Security Income
Veteran payments	Net rental income
Royalties	Scholarships & grants
Unemployment compensation	Insurance
Workers compensation	Retirement accounts
Alimony	Child support
General assistance	IRA/Keogh annuities
Social Security	New or reverse mortgages
Cash	Stocks & bonds
Checking & savings accounts	Investments
Money market accounts	Gifts
Assets in trust accounts	Deferred compensation

Asset Test

1. Things of value that a person can own and are exempt from consideration in determining eligibility for a poverty exemption.
 - a. Applicant's principal residence
 - b. One motor vehicle per working adult
 - c. Essential household goods
 - d. Personal assets of any nature with a total value up to \$10,000.

2. Things of value that the Board of Review can consider in determining what percent exemption to grant:
 - a. Real estate other than the principal residence
 - b. Personal property
 - c. Motor vehicles in excess of one per working adult
 - d. Recreational vehicles and equipment
 - e. Certificate of deposits, savings accounts, checking accounts, stocks, bonds, life insurance, and retirement funds, etc.

3. The Board of Review shall consider the value of the assets, or indebtedness otherwise owned by the applicant. Assets (except those exempt from consideration as listed above), shall not exceed \$10,000.

Evaluation Procedures

1. The Board of Review shall follow the above policy and guidelines when making poverty exemption decisions.

2. The applicant should be prepared to answer questions regarding their financial affairs, health, status of people living in the household, and any other question relevant to the exemption request.

3. All information is subject to verification.

Granting full or partial poverty exemptions. MCL 211.7u(5) states that if a person claiming poverty exemption meets all eligibility requirements, the Board of Review shall grant the poverty exemption in whole or in part as follows:

- a) A full exemption equal to a 100% reduction in taxable value for the year in which the exemption is granted; or
- b) A partial exemption equal to a 50% reduction in taxable value for the year in which the exemption is granted; or
- c) A partial exemption equal to a 25% reduction in taxable value for the year in which the exemption is granted.

No other method of calculating taxable value may be utilized, except for those percentage reductions specifically authorized by statute

Melrose Township Policy and Procedures for Principle Residence Denials

When a Principal Residence is denied for a property within Melrose Township, these procedures and steps shall be followed:

- Copies of the "local unit denial, form 2742" completed by the Assessor are distributed to the Melrose Twp. Treasurer, Charlevoix County Treasurer, and Charlevoix County Equalization Department. Those copies will also be sent as necessary with a batch cover to the Michigan Department of Treasury. A copy shall remain on file with the Melrose Township Assessor.
- Any denials received from Charlevoix County Treasurer shall also be distributed to the Melrose Twp. Treasurer.
- Any State of Michigan denials received from Treasury shall also be distributed to the Melrose Treasurer.
- When a denial is received, the Melrose Treasurer should use the form 4142 prescribed by the Michigan Department of Treasury for the distribution of interest and penalty when necessary.
- The form 4142 is attached to this policy.

Melrose Township
Charlevoix County

**POLICY AND PROCEDURE FOR THE PUBLIC INSPECTION AND COPYING OF ASSESSING RECORDS IN LIEU OF
CUSTOMARY BUSINESS HOURS**

- Requests for public inspection and copying of assessing records may be made verbally and/or in writing.
- Said requests may be directed to the township/city official and/or authorized individual responsible for said assessing records.
- Any requests made pursuant to Michigan's Freedom of Information Act, shall be made to the FOIA coordinator and shall be subject to the statutory requirements of FOIA
- If verbal request is made, the responding township/city official and/or authorized individual shall prepare a checklist of items/records requested to be copied and/or inspected. Said listing shall be presented to the requesting party on the date set for inspection or copying.
- The responding township/city official and/or authorized individual may require the requesting party to counter sign the check list to indicate compliance with the verbal request.
- The responding township/city official and/or authorized individual shall be responsible for the production of the requested copies.
- The requesting party shall be billed for the copies and preparation time, if applicable, pursuant to the schedule of charges established by the Township Board.
- If the request is for inspection of public record, the responding township/city official and/or authorized individual shall respond in a timely manner, not to exceed 5 business days, from the date of said request. Said response shall indicate the date, time and place when said public inspection of the requested public records shall take place.
- The establishment of the date and time of the public inspection of the requested public records shall be in the discretion of the responding township official and/or authorized individual. The place designated for the requested inspection shall be the Township/City Hall or the location where said public records are officially retained.
- The responding township/city official and/or authorized individual shall allow such inspection between the hours of 9:00 AM and 5:00 PM, Monday through Friday, unless mutually agreed to by the responding township official/city and/or authorized individual and the requesting party.