

**APPROVED MINUTES
COLDSPRINGS TOWNSHIP
REGULAR BOARD MEETING MINUTES
HELD ELECTRONICALLY VIA ZOOM
MONDAY, JANUARY 11, 2021 7:00 P.M.**

APPROVED
02-08-2021 *gj*

Supervisor Hoffman called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Board members present at roll call were Supervisor Hoffman, Clerk Gentelia, Treasurer Smith, Trustee Schaller and Trustee Delaney. Four members of the public were present, including Deputy Ashley Van Sloten and Township Assessor Sally Akerley.

Adoption of the Agenda: A **Motion** by Gentelia, **second** by Schaller, to adopt the agenda as presented. A roll call vote was taken: Ayes – Schaller, Delaney, Smith, Gentelia, Hoffman; Nays – None; Absent – None. Motion Carried.

Establish any conflict of interest of items that are on the agenda:
Supervisor abstains from Old Business: Award Contract for Website

Approval of Minutes from the December 14, 2020 Regular Board Meeting: Edit Section E) County Commissioners to state “The Supervisor would like the County Commission to invite township supervisors to attend County Affairs Committee meetings and work toward incorporating a noise ordinance into the current County Nuisance Ordinance”. **Motion** by Delaney, **second** by Smith, to approve the Regular Board Meeting minutes as amended. A roll call vote was taken: Ayes – Delaney, Smith, Gentelia, Hoffman, Schaller; Nays – None; Absent – None. Motion Carried.

Correspondence: None

Assessors Report:

Memorandum

January 5, 2021

To: Coldsprings Township Board
From: Sally Murray, MAAO
810 Cottageview Dr, Suite 301, Traverse City, MI 49684
231.499.7682
SallyAnnMurray8120@gmail.com
Subject: Assessor Report-January 2021

ASSESSMENT CHANGE NOTICES:

Assessment change notices will be mailed approximately mid-February 2021. KCI will be the vendor to process and mail these important notices. Bundled with other townships, the processing fee represents a significant savings. KCI will invoice the township for the printing and processing. **HOWEVER—POSTAGE MUST BE PRE-PAID IN ADVANCE. Please make check payable to “KCI” in the amount of \$ 1,196.97 AND MAIL THE CHECK TO THE ASSESSOR ASAP!!!**

GENERAL POSTAGE:

My office is in need of stamps for general mailings. Please make a check payable to “Postmaster General” in the amount of \$ 55.00 (one roll of stamps) and mail check to the assessor.

MARCH BOARD OF REVIEW:

The March Board of Review meeting is the primary opportunity taxpayers have to appeal their assessments. The meeting will be “early” this year. By statute, the assessor is to submit the assessment roll to the board on the Tuesday immediately following the first Monday in March, with the public hearings to follow in the immediate week. It just so happens March 1st is a Monday. Therefore, our public appeals will begin the week of March 8th. Statute dictates the board hold public meetings for 12 hours. Covid-19 is going to pose a real challenge here. I will continue to keep you updated on whether or not we can hold meetings live, virtually (12 hours??) or whether that can get kicked down the road and rescheduled. I will communicate with the supervisor regarding the scheduling of this year’s MBOR meeting(s).

Interestingly, non-residents are allowed to protest to the MBOR in writing. However, **residents** are not, unless the municipality has adopted an ordinance. Because covid may disrupt the March meetings, I would recommend you pass such an ordinance. I have included one in this report.

INFLATION RATE MULTIPLIER

The inflation rate multiplier (IRM) for use in the 2021 capped value formula will be 1.4%.
The IRM was 1.9% in 2020.

RESOLUTIONS:

I would recommend passing the following resolutions. For your convenience, I have attached some for your use. The board is welcome to make any edits it sees fit.

1. Resolution to adopt alternate date(s) for July and December Boards of Review
2. Assessing Policy and Procedure for the Public Inspection and Copying of Public Records in lieu of Customary Business Hours

POLICIES AND PROCEDURES:

Please review and formally recognize (in the town board minutes) the following PP for the assessing department:

1. Annual Personal Property Canvass Procedure
2. Charitable Exemptions (Granting and Removing)

FYI-GENERAL LEGISLATIVE CHANGES:

House Bill amends Section 211.53b the General Property Tax Act to change the definition of a qualified error to include an issue beyond the control of a disabled veteran or his or her unremarried surviving spouse that causes the denial of the veteran’s or spouse’s exemption from the collection of taxes on his or her homestead under the act. A **qualified error** is an error made in the assessment of a real property’s taxable value that may be appealed by the property owner before the relevant deadline and corrected if verified. An **issue beyond the control of a disabled veteran or his or her unremarried surviving spouse** means either of the following:

- An error made by the local tax collecting unit in processing a timely filed exemption affidavit.
- A delay in the determination by the United States Department of Veterans Affairs that the veteran is permanently and totally disabled as a result of military services and entitled to veteran’s benefits at the 100% rate.

Note: A qualified error DOES NOT include a veteran not timely filing their affidavit.

OF INTEREST:

The Michigan Senate passed bills that aim to prevent local governments from profiting from home tax foreclosures. Senate Bills 676 and 1137 will align Michigan tax law with the Michigan Supreme Court ruling that deemed unconstitutional what critics call “home equity theft”.

Any remaining proceeds from the sale of foreclosed properties resulting from the foreclosure or sale of the property to satisfy delinquent property taxes must now be returned to the former property owner. Senate Bills 676 and 1137, sponsored by Sens. Peter Lucido (R-Shelby Chtr. Twp.) and Jim Runestad (R-White Lake Chtr. Twp.), address the Michigan Supreme Court decision in *Rafaelli, LLC v Oakland County*. The legislation also allows a local unit the right to purchase foreclosed property at the greater of the minimum bid or the fair market value of the property and provides the procedure for claiming an interest in remaining proceeds of a foreclosed property. The bills were presented to the governor and were passed on 12/22/2020, with immediate effect.

I had recent conversation with our local county treasurer. Previously, the excess funds were deposited with the county treasurer, who could use the funds to cover shortfalls of other sales...or rehabilitate other properties.

Please contact me if you have questions or concerns.

HAPPY NEW YEAR!!

--Sally

Committee Reports:

(A) Planning & Maintenance: Trustee Schaller reported

- a. Cemetery – Clerk will submit write up for the Annual Newsletter
- b. Park
 - i. Tree Removal Complete
 1. Contractor only invoiced \$3200
 2. Will place topsoil and seed in the spring and invoice balance of contract
 - ii. EPS serviced the cameras
 - iii. Trustee Schaller will setup the park clean-up in the spring with the Sheriffs Dept/
 - iv. Community Park Clean-up is scheduled for Saturday, May 15, 9:00 am – 1:00 pm
 1. Picnic lunch
 2. Pizza & Pop at the Pavilion at Sands Park
 - v. Supervisor Hoffman placed a historical notebook on Clerk’s desk that includes old pictures of the construction of Sand’s Park with before and after photos. It will be kept at the Clerk’s service window for residents to peruse.

(B) Fireboard: Meetings was held via Zoom on January 6, hosted by Clerk Gentelia.

- a. Roof leak work has been completed
- b. Christmas Party was cancelled
- c. Working on FY 21/22 Budget
- d. Bills paid in the amount of \$21,957.57
- e. Discussed updating Fire Dept. website along with Township Website

(C) Road Commission: Trustee Delaney attended.

Road Committee Report

Coldsprings Township Board Meeting

January 11, 2021

1. The following is a recap of the most recent Kalkaska County Road Commission meeting held on December 16, 2020.
 - a. I advised KCRC of two concerns:
 - i. As requested at the October 14th meeting, what was the result of the inspection of the guardrail on Twin Lake Road just west of Davis Road, on the south side of the road? KCRC inspected and said the posts are still solid. The rail is bowed somewhat but they believe it is not a safety hazard. However, the longer-term plan is to have all guard rails in the county be part of Safety Project funding for the 2022 budget. The State of Michigan did not award Safety Project funding to KCRC for the 2021 budget.
 - ii. I advised the KCRC Board that Coldsprings Township passed a resolution at our December 14th board meeting to move forward with KCRC’s plan to fix Covert Road in 2021, as per my discussions with John Rogers.
 - iii. This meeting also finalized the 2021 budget. KCRC has committed to the following construction projects (impacting our township) in 2021:
 1. Fixing the closure of CR-571 due to flooding. Still a complicated situation with input needed from many parties.
 2. CR-612 from Crawford Lake intersection to Pothole Corners.

3. CR-612 from E. Shore Drive to Bear Lake Road. Wedge and cap.
 4. Plum Valley/Twin Lake Road chip seal.
 5. Matching grants for township road projects of \$100,000. 80/20 match and first come, first serve. Rapid River Township has received a commitment of \$20,000 for their project.
- iv. I advised the board that Coldsprings Township wants to receive the maximum match available for our Covert Road project. The Board assured me that they will find the money needed to match any township's project. And they will provide us the full 20% match that John Rogers has discussed with me. The \$100,000 cap is just a budget number, but the unwritten policy is to always provide the townships the matching funds they need. John Rogers said he wants to have a written contract for us to sign before we make a down-payment on the project. That will happen after bids are received and accepted in a few months.

Rick Delaney
Coldsprings Township Trustee

(D) Sheriff Department: Deputy VanSloten was in attendance

- a. Deputy Hawkins will not be back for a bit
- b. 3 Misdemeanors, 3 Civils, 20 Property Checks, 20 hours in Township
- c. Nuisance Ordinance is currently a civil infraction, but it should be a misdemeanor
- d. Discussion on properties on CR 571
 - i. Ultimately Property Owners are responsible
 - ii. Can get Property Owners name(s) and address(es) from Treasurer
 - iii. CC County Prosecutor, Township Attorney, Sheriff's Dept, Township Supervisor and Township Clerk when sending correspondence to Property Owner(s)

(E) Hospital:

- a. Doing everything to stay on top of COVID
- b. Normal business handled
- c. Still working on By-Laws

(F) County Commissioners:

- a. Commissioner Bob Baldwin was present
- b. He has been nominated as Vice-Chair
- c. Jan. 2 initial meeting
- d. Committee Meetings will begin this week
- e. Bob is on the County Commission Affairs committee, Representative for Road Commission
- f. Will propose Supervisors suggestion to County Affairs Committee

Treasurers Report:

- Issues with QuickBooks for the last week
- Statements will not be balanced until Thursday
- Table until next month

PUBLIC INPUT ON BUSINESS ITEM (as listed on the agenda): None

Old Business:

(A) REVIEW PROPOSALS FOR TOWNSHIP WEBSITE AND AWARD CONTRACT

- a. 3 proposals received – Lovast, LLC, Bit Social, Common Angle
- b. Proposals include:
 - i. Hosting Website

- ii. Moving all documents and information from old website to new website
- iii. Design of new website
- iv. User obtain information in 2 clicks or less, if possible
- v. Organize in a user-friendly format
- vi. Provide some level of support
- vii. Township would administrate and have multiple logins
- viii. Training to Township
- c. Bit Social and Common Angle use Word Press, Lovast has a proprietary platform
- d. Government Website experience
 - i. Bit Social – Government, Chambers, Tourism and Economic Development
 - ii. Common Angle – has done multiple municipalities
 - iii. Lovast – mostly medical and services, we would be first government entity, but in depth website design company
- e. Proposals
 - i. Common Angle - \$3,270, \$360/annual, \$79/ADA, \$199/Calendar
 - ii. Bit Social - \$3,100, \$350/annual
 - iii. Lovast - \$3,635, \$360/annual, (optional \$90/month in-depth support)
- f. Discussion on Payments, Security and Livestream of cameras at Sands Park
- g. Question to take back to Lovast
 - i. Can competitor service your platform
 - ii. Can we easily migrate to a new platform
- h. **Motion** by Smith, **second** by Schaller, to table item until Feb. 8 meeting in order to have questions answered. A roll call vote was taken: Ayes – Smith, Gentelia, Hoffman, Schaller, Delaney; Nays – None; Absent – None. Motion Carried.

New Business:

(A) Approve Board of Review Members: Melanie Pauch, Deborah Schaller, Roger Smelker, Sam Gentelia

- a. **Motion** by Hoffman, **second** by Smith, to approve Board of Review Members. A roll call vote was taken: Ayes – Hoffman, Delaney, Smith; Nays – None; Abstained – Gentelia, Schaller; Absent – None. Motion Carried.

(B) Consider Approval of Assessor Policies and Procedures – Charitable Exemptions:

- a. Review with due diligence to ensure township does not grant exemptions to those who do not qualify
- b. **Motion** by Gentelia, **second** by Smith, to Approval of Assessor Policies and Procedures – Charitable Exemptions. A roll call vote was taken: Ayes – Hoffman, Schaller, Delaney, Smith, Gentelia; Nays – None; Absent – None. Motion Carried.

(C) Consider Approval of Assessor Policies and Procedures – Annual Personal Property Canvass Procedure:

- a. Some entities pay Personal Property Tax
- b. Policy outlines granting exemptions to those who qualify
- c. **Motion** by Gentelia, **second** by Smith, to approve Assessor Policies and Procedures – Annual Personal Property Canvass Procedure. A roll call vote was taken: Ayes – Gentelia, Hoffman, Schaller, Delaney, Smith; Nays – None; Absent – None. Motion Carried.

(D) Consider Adoption of Resolution 2021-001 – Assessing Policy and Procedure for Public Inspection and Copying of Public Records:

- a. Process to get documents when request is made for public records when staffing of Township Hall is not full-time.
 - b. **Motion** by Delaney, **second** by Gentelia, to Adopt of Resolution 2021-001 – Assessing Policy and Procedure for Public Inspection and Copying of Public Records. A roll call vote was taken: Ayes – Hoffman, Schaller, Delaney, Smith, Gentelia; Nays – None; Absent – None. Motion Carried.
- (E) **Consider Adopting of Resolution 2021-002 – Adopt Alternative Date for July and December Board of Review:**
- a. This Resolution provide flexibility for Board of Review to meet.
 - b. **Motion** by Smith, **second** by Gentelia, to Adopting of Resolution 2021-002 – Adopt Alternative Date for July and December Board of Review. A roll call vote was taken: Ayes – Schaller, Delaney, Smith, Gentelia, Hoffman; Nays – None; Absent – None. Motion Carried.
- (F) **Consider Adopting of Resolution 2021-003 – Poverty Exemptions:**
- a. Normally adopted every year, Clerk would like to change it to this one time as long as we reference where to obtain the Annual Poverty Levels
 - b. Include url to Annual Poverty Levels under Section 5
 - c. Discussion on Section 6, bullet point 6 (Equity in the residence above a specified amount)
 - i. Does Board set “specified amount”
 - ii. Per Assessor, Tax Act assumption is a Property Owner should not have to forfeit home or draw on equity in order to meet their tax burden
 - iii. Per Assessor, we can strike this bullet point. All eligibility requirements are at the discretion of the Township Board
 - iv. Recommendation of the Assessor to strike this bullet point
 - d. Discussion on Section 6, bullet point 12 (Bank Account over a specified amount)
 - i. Again, does Board need to specify amount
 - ii. We can stike “over a specified amount”
 - e. **Motion** by Smith, **second** by Schaller, to Adopt of Resolution 2021-003 – Poverty Exemptions
 - i. Discussion, again do we need to specify amount for Bank Account
 - ii. We should strike “over a specified amount,” and allow the eligibility requirement outlined in Section 6 to determine eligibility (maximum value of assets not to exceed 5 times the Federal Poverty maximum income levels)
 - iii. **Smith amended motion** to strike out “over a specified amount” in Section 6, Bullet point 12, **Second** by Schaller. A roll call vote was taken: A roll call vote was taken: Ayes – Delaney, Smith, Gentelia, Hoffman, Schaller; Nays – None; Absent – None. Motion Carried.
- (G) **Review Contract for Law Enforcement Services and Authorize Signature:** Annual Law Enforcement Contract with the Kankaska County Sheriff’s Department. A **Motion** by Gentelia, **second** by Delaney, to approve the Contract for Law Enforcement Services and Authorize Signature. A roll call vote was taken: A roll call vote was taken: Ayes – Smith, Gentelia, Hoffman, Schaller, Delaney; Nays – None; Absent – None. Motion Carried.
- (H) **Consider Amendments to FY 20/21 Budget:** Clerk requests an increase to \$4,000 for 101-191-974.000 (Election Board Capital Expense) due to the purchase of a new Tabulator which Clerk received grants to pay for the expense. Clerk also requests an increase to \$2,500 for 101-215-860.000 (Clerk Mileage) due to additional mileage to pick up mail at Clerk’s PO Box. Brief discussion on how budgets are reviewed and monitored throughout the year and why amendments are required to obtain a balanced budget. A **Motion** by Smith, **second** by Schaller, to approve Amendments to FY 20/21 Budget. A roll call vote was taken: A roll call vote was taken: Ayes –Gentelia, Hoffman, Schaller, Delaney, Smith; Nays – None; Absent – None. Motion Carried.
- (I) **Remind Board Members to Provide Budget Input a Week Before the February Board Meeting:** Supervisor reminded Board for FY 21/22 Budget input. Supervisor does not see a need for much changes except to ensure we budget for Covert Road Project.

Approval of Bills:

Bills were reviewed. The total of bills to be paid is \$28,930.34, including the Charter bill and Board of Review Training that has not yet been received. A **Motion** by Hoffman, **second** by Schaller, to approve paying the bills as presented. A roll call vote was taken: Ayes – Schaller, Delaney, Smith, Gentelia, Hoffman; Nays – None; Absent – None. Motion Carried.

Public Comment: Started at – 9:03

(A) Refuse Discussion – Township will begin invoicing residents that are not following the large items and excess garbage guidelines. This has become quite a cost for the Township. If invoice is not paid, it will be rolled into property taxes. This will be included in the Newsletter. Clerk will contact Village of Kalkaska Clerk to obtain their process of rolling unpaid balances to property taxes.

(B) Newsletter needs input, send to Supervisor Hoffman

(C) Monitor for Treasurers' office has been ordered

Adjournment:

Motion to adjourn at 9:07 p.m. by Smith, **second** by Gentelia. A roll call vote was taken: Ayes – Hoffman, Gentelia, Smith, Schaller, Delaney; Nays – None; Absent – None. Motion Carried.

Next meeting Monday, February 8, 2021

Gayenell Gentelia
Clerk, Coldsprings Township