

CALL TO ORDER

The regular September 21, 2017 meeting of the Buchanan Township Board of Trustees was called to order by Supervisor Malinda Cole-Crocker at 6:30 p.m.

Members Present: Malinda Cole-Crocker, Supervisor; Sheila Reitz, Clerk; Janet Dehring, Treasurer; Lynn Ferris, Trustee; Thomas VanAntwerp, Trustee

Others Present: Mario Palmisano, ZBA; Jenna Balos, Deputy Clerk; Mike Homier, Attorney; Brian Scribner, SMCAS; 6 residents

APPROVAL OF MINUTES

The minutes of the September 7, 2017 regular meeting were approved.

ADDITIONS / CORRECTIONS TO AGENDA- None

BRIEF PUBLIC COMMENT- AGENDA ITEMS- None

CORRESPONDENCE- None

TREASURER'S REPORT

Motion by Dehring, second by Reitz to approve General Fund check #104447 through #10455 totaling \$3,048.79 as well as Fire Fund check #6409 through #6414 totaling \$988.81. Roll call vote showed unanimous approval, motion carried (5-0).

REPORTS

SEBCL- M. Cole-Crocker

Cole-Crocker reported Reitz was appointed to committees that Brad Reitz was previously appointed to. The General Manager position will be advertised soon as final verbiage is being worked on. Normal business was conducted.

SMCAS- L. Ferris

Ferris reported that finances are looking healthy. All 6 owner municipalities have passed resolutions for a special assessment.

UNFINISHED BUSINESS- None

NEW BUSINESS

Brian Scribner, SMCAS- Last winter the \$20 per parcel fee expired so this is basically just a renewal to fund SMCAS. SMCAS counts on the assessment money for approximately 17% of its budget. We bill for services and we also collect this assessment. We don't have big profit margins in any way, shape, or form. We are a not for profit entity and are actually owned by these communities. If we do make any kind of extra money it goes right back into the community from strengthening the EMS system or improving operations that type of thing. This money is very much needed for SMCAS to survive and thrive.

Malinda Cole-Crocker, Township Supervisor- I would like to clarify that the assessment that just expired they charged \$20 per improved parcel. This assessment here the amount will continue to be \$20, however, it will be for every parcel, improved and unimproved. If you have a vacant lot you will now be impacted. You will pay \$20 on the vacant lot where you did not before. If you just have your residence you will pay \$20 every year. That is going to continue. It is not an additional; it is just going to stay \$20 per year for the next five years.

SMCAS Public Hearing was opened at 6:42 pm.

M. Cole-Crocker- Please stand and give your name so that our clerk can document.

Mario Palmisano, Redbud Tr.- One of the neighbors was asking me and I'm trying to get an answer for him. How is this going to impact like the trailer park or campgrounds as far as will it be assessed per each lot?

M. Cole-Crocker- So the trailer park yes each residential unit will be charged \$20 so each mobile home within the park will pay a \$20 assessment. The campgrounds I'm not for sure if they are treated that way.

Mike Homier, Attorney- No, not to the extent. What is assessed for vacant parcels they will have to pay on the vacant otherwise it applies to residential units and a per pad charge for manufactured homes.

M. Cole-Crocker- Just so everybody knows this is Mike Homier. He is our Township attorney and is also the attorney for SMCAS.

M. Palmisano, Redbud Tr- The second question I had was as far as the church properties that are exempt, how will that affect them?

M. Cole-Crocker- They will be exempt.

M. Palmisano, Redbud Tr- So they won't be charged for it?

M. Cole-Crocker- Correct, that is my understanding. They will not be charged. They will remain exempt.

M. Palmisano, Redbud Tr- Then how are you dealing with like the campground where the houses are all on one parcel but they don't own the property. I can't think of the name of it, camp...

M. Cole-Crocker- Madron?

L. Ferris, Township Trustee- Out at Clear Lake?

M. Palmisano- Yeah, out there at Clear Lake where there is a variance request

Tom VanAntwerp, Township Trustee- I live there.

M. Cole-Crocker- It is my understanding again that each parcel

M. Palmisano, Redbud Tr- I believe the problem with that one is we have one parcel on the map

M. Cole-Crocker- but it has more than one residential unit on it.

T. VanAntwerp- I can tell you that the tax bill we get has \$20 per residential unit. It is only one tax bill here but when you divide it up we are paying \$20 each.

M. Palmisano, Redbud Tr- Alright. Those are the questions I had.

Janet Dehring, Township Treasurer- I'm curious Mike, I thought there was a property in the township owned by a church group and I was thinking that they did pay the \$20.

M. Homier, Attorney- So the statutes pretty clear. It's MCL 41.801 and what it says is that you can levy a special assessment for ambulance service in this case except against those lands and premises that are exempt from the collection of taxes under the general property tax act. So any parcel that is tax exempt under the general property tax act cannot be assessed by law.

J. Dehring- Ok

M. Homier, Attorney- That would your typical exemptions like churches, is a good example.

J. Dehring- Ok.

M. Homier, Attorney- May also include DNR property, Berrien County property, Buchanan Township property, so mostly public entities as well as other exempt properties under the general property exempt act.

M. Cole-Crocker- I will go ahead and read correspondence in regards to it. Regarding 1961 Madron Lake Road, Buchanan, Michigan Lots 20 and 49.

To Whom it may concern:

Please be advised that the owners of the above referenced residential units object to the proposed establishment of a special assessment district. The Township Board of the Township of Buchanan has provided no justification for its decision to defray its share of the cost of maintaining and operating the Southwestern Michigan Community Ambulance Service (SMCAS) or for the establishment of such special assessment district.

Any costs associated with maintenance and operation of the SMCAS should be continued to be covered by the entire Township as the service benefits the entire community.

Very truly yours,
Johnson & Bell, LTD
Susan M. Hannigan

M. Cole-Crocker- That is the only one that we received in by email or anything.

M. Homier, Attorney- Just so the township is aware, and I haven't seen the letter yet, but from what you read it appeared as if they are objecting to the formation of the district not the amount and I know that is parsing language out but it's important because they're two separate public hearings related to those issues. And the other thing I might add is that the entire township is subject to the special assessment so that it is being born by the public generally not by specific owners.

M. Cole-Crocker- Thank you.

M. Homier, Attorney- Sure.

M. Cole-Crocker- Anybody else? If there isn't anybody else, we will close the public hearing portion of the meeting at 6:48 pm.

T. VanAntwerp- For the record the township has offered ample reason why we need the special assessment for the welfare of our community.

M. Cole-Crocker- I whole heartedly agree with you there.

Motion made by VanAntwerp, second by Ferris to accept Resolution No. 4 Confirmation of Special Assessment Roll as presented. Roll call vote showed unanimous approval, motion carried (5-0).

ANNOUNCEMENTS

Trick or Treat hours for the township will be October 31

CITIZEN COMMENTS- NON AGENDA ITEMS

Citizen mentioned that gravel is still being hauled off the new property just purchased by Redbud TNT.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 7:50 p.m.

Sheila Reitz
Buchanan Township Clerk

Malinda Cole-Crocker
Buchanan Township Supervisor