

# Middlebury Township

PO Box 622, Ovid, Michigan 48866

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Draft  
Regular Meeting  
7627 W. M-21, Ovid, MI  
Tuesday, September 13, 2022 at 7:00 pm

## REGULAR MEETING

### Call to Order:

Supervisor Swan called the meeting to order at 7:00 pm.

### Board Members Present:

Supervisor Jeffery Swan, Clerk Susan Tomasek Swan, Treasurer Carolyn Stevens, Trustee Greg Atwood and Trustee Gene Ruess

**Guests Present:** Guests were present: Shawn Dilts, Deputy Clerk; Jill Ruess, Deputy Treasurer; Sheriff Deputy Rob Burns; Gary Kiger; Mike Herendeen, Deputy Supervisor; Mark Holley; Marlene Webster, County Commissioner; Mark Zacharda; Dom Helvie;

**Scheduled Comments:** County Commissioner report: Special meeting on 9/1/2022 for the veteran's home. It has been approved to move forward with the Griffin Home. The county coordinator has resigned. Tomorrow a search firm is doing a presentation about contracting with them. The renovation of the courthouse will begin next year. The cost will be around \$6M. Many departments will have to relocate during the renovation.

Sheriff Deputy: He has been recently assigned to our township. He provided stats that were added to the packet. Question was posed about the status of the trailer thefts. That has been turned over to the detective bureau.

**Public Comments: Opened at 7:pm Closed at 7: pm** Mark Zacharda, 71<sup>st</sup> District legislative candidate presented information on himself, his background, and his political platform.

### Motion to Approve Agenda:

Trustee Atwood made a motion to approve agenda as amended. Clerk Tomasek-Swan seconded the motion.

Carried on Voice Vote

### Motion to Approve Minutes:

Clerk Tomasek-Swan made a motion to approve July 12, 2022 minutes as presented. Treasurer Stevens seconded the motion.

Carried on voice vote

Clerk Tomasek Swan made a motion to transfer \$19,795.93 from general fund bank account to road fund bank account. \$9,795.93 will be from ARPA funds. Treasurer Stevens second the motion.

Upon Roll Call Vote those voting Aye: Swan, Atwood, Stevens, Ruess, Tomasek-Swan

Upon Roll Call Vote those voting Nay: None

Motion Carried

Clerk Tomasek-Swan made a motion to approve bills from General Funds in the amount of \$29,047.75 with checks #5756-5802 and 7EFTs and Emergency Fund \$1,132.50 with check # 1047 and Road Fund \$102,000.73 with checks #1075-1077. Trustee Atwood seconded the motion.

Upon Roll Call Vote those voting Aye: Swan, Atwood, Stevens, Ruess, Tomasek-Swan

Upon Roll Call Vote those voting Nay: None

Motion Carried

Clerk Tomasek-Swan made a motion to approve paying the Accident Fund Workman's Comp invoice when it arrives for \$756. Treasurer Stevens second the motion.

Upon Roll Call Vote those voting Aye: Swan, Atwood, Stevens, Ruess, Tomasek-Swan

Upon Roll Call Vote those voting Nay: None

Motion Carried

#### **Communications:**

**MTA-** Supervisor Swan reported on the MTA meeting that Middlebury hosted last week. Not many announcements due to many townships on vacation for the month of August. Next meeting 10/4/2022 at Owosso Township Hall.

**Library-** Clerk Tomasek-Swan reports that the library board are working on bylaws this month. Meeting minutes in packet.

**OMESA-** Supervisor Swan reports that new parking lot is completed. Trustee Atwood reports some officers are going to upcoming trainings. Deputy Supervisor Herendeen identifies that Emergency Services has some good leadership. Middlebury millage did pass. The other 2 entities millage expires in 2023 so they will need to put that on their ballots. Trustee Atwood announced the upcoming Fireman's Memorial in Roscommon.

**Clerk-** Clerk Tomasek-Swan attended the BS&A meeting, as well as a webinar on ARPA funds that was nationally sponsored. She has also been attending weekly Voting webinar on topics regarding elections. Supervisor Swan reports that the county is looking at using their ARPA funds to put broadband throughout the entire county. There are proposals on the ballot regarding changes to the voting process. Many of the changes would be difficult for this township to administer with staffing and cost.

**Assessor-** Assessor Holley reports that the state audit was completed on Monday. We passed 100% if the resolution passes tonight. He also presented the L 4029 2022 tax rate request for the board to sign.

**Business:**

**1. F 65 and Draft Audit Approval**

Clerk Tomasek-Swan Made the motion to approve the F65 as presented and to have the clerk proceed with filing the document to the state and to approve the draft of the year ending March 31,2022 audit and to authorize the Treasurer and Clerk to sign the management representation letter for finalization of the audit. Trustee Atwood Second the motion

Upon Roll Call Vote those voting Aye: Swan, Atwood, Stevens, Ruess, Tomasek-Swan

Upon Roll Call Vote those voting Nay: None

Motion Carried

**2. Meetings**

Trustee Atwood Made the motion to approve the clerk's BSA and ARPA webinar meeting. Treasurer Steven second the motion.

Upon Roll Call Vote those voting Aye: Swan, Atwood, Stevens, Ruess, Tomasek-Swan

Upon Roll Call Vote those voting Nay: None

Motion Carried

**3. Purchase Motions**

Rugs \$50-\$80 per rug and we will need 2

AC heater Unit suggested that the township explore splits as an option, as well as adding an a/c condenser. Trustee Atwood will take lead on exploring this option.

Extra Monitor-approximately \$100

Shed-Trustee Atwood will take the lead on exploring the options for a shed.

Supervisor Swan made a motion to spend up to \$250 on 2 rugs and up to \$200 on a second monitor. Trustee Ruess second the motion.

Upon Roll Call Vote those voting Aye: Swan, Atwood, Stevens, Ruess, Tomasek-Swan

Upon Roll Call Vote those voting Nay: None

Motion Carried

4. Drains

Update on Drains projects and meeting coming up in September 28, 2022 4pm-8 pm at Owosso Township Hall.

5. Resolution 2022-13 Poverty Exemption

**Middlebury Township**

**Resolution 2022-13**

**RESOLUTION FOR 2022 POVERTY EXEMPTION GUIDELINES**

At a Regular Meeting of the Middlebury Township Board held at the Middlebury Township Hall, 7627 W. M-21, Ovid, MI on the 13th day of September, 2022, at 7:00 P.M.

PRESENT: Members C. Stevens, G. Ruess, G. Atwood, J. Swan, S. Tomasek Swan

ABSENT: Members None

The following Resolution was offered by Member G. Ruess and supported by Member C. Stevens.

WHEREAS, Public Act (PA) 253 of 2020, which amended PA 206 of 1893 and PA 313 of 1993, concerning section MCL 211.7u of the Michigan Compiled Laws, requires the local governing body of the unit to annually determine and make available to the public the policy and guidelines for granting of poverty exemptions;

and

WHEREAS, the adoption of guidelines for poverty exemptions is within the purview of the township board; and

WHEREAS, the Principal Residence of persons who, in the judgment of the Supervisor and Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under PA 390 of 1994 (MCL 211.7u); and

WHEREAS, PA 253 of 2020, MIDDLEBURY TOWNSHIP, Shiawassee County, Michigan adopts the following Poverty Exemption Guidelines for the Supervisor and Board of Review. The guidelines shall include, but not be limited to, the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

NOW, BE IT RESOLVED: That to be eligible for a Poverty Exemption in Middlebury Township, an applicant must be the owner of and must occupy the property as a Principal Residence for which the exemption is requested; file a completed and notarized application in the form prescribed by the Township Assessor; and file copies of Federal and State Income Tax Returns for all persons residing in the homestead, including any property tax credit forms and/or Statement of Benefits Paid from Michigan Department of Social Services or Social Security Administration;

BE IT FURTHER RESOLVED: That the applicant must have an annual income that equals, or is less than, the Federal Poverty Income Standards as defined and determined annually by the United States Department of Health and Human Services; (Exhibit Attached)

BE IT FURTHER RESOLVED: The applicants, and any persons residing in the Principal Residence, shall NOT have assets in excess of THIRTEEN THOUSAND EIGHT HUNDRED DOLLARS (\$13,800) fair market value excluding the Principal Residence and one automobile. Assets to be included may be personal property, recreational vehicles, checking/savings accounts, certificates of deposit, stocks, bonds, life insurance, retirement funds, etc.;

BE IT FURTHER RESOLVED: The applicant will provide to the Board of Review a valid driver's license, or other form of identification, and proof of ownership of the Principal Residence;

BE IT FURTHER RESOLVED: That the Board of Review may request from the applicant any supporting documents which may be utilized in determining a Poverty Exemption request;

BE IT FURTHER RESOLVED: That the completed Poverty Exemption application must be filed after January 1, but not later than one day prior to the last day of the Board of Review in the year for which the exemption is sought;

BE IT FURTHER RESOLVED: That MIDDLEBURY TOWNSHIP Policy and Guidelines for Applicants, attached hereto and incorporated herein, shall be followed by the applicant, Township Assessor, and the Middlebury Township Board of Review in processing of applications for and the granting of Poverty Tax Exemptions;

BE IT FURTHER RESOLVED: That to conform to the provisions of PA 253 of 2020 this resolution is hereby effective September 13, 2022.

VOTE: AYES: C. Stevens, G. Ruess, J. Swan, S. Tomasek Swan, G. Atwood

NAYS: None ABSENT: None

Resolution Adopted

6. **Culvert replacement project from the Road commission.** Treasurer Stevens made the motion for the supervisor to sign the contract for replacing the culvert on Hammond Rd between Baldwin and Shaftsbury Roads in the amount of \$2,084.00. Clerk Tomasek-Swan second the motion.

Carried on voice vote.

7. **Trailer Update:** Supervisor Swan updated on the status of the dilapidated trailers. They should be removed by next meeting.

**Final Comments: Opened at 8: 12 pm Closed at 8:20 pm** Public inquiring about the speed of the trucks on Laurena Dr. The public would like to see signs added regarding children at play and the speed limit sign. Another public comment was made about the excessive speed on Baldwin Rd.

Trustee Atwood Motion to adjourn the meeting: Stevens second the motion. No objections  
Adjourned at 8:20 pm

Next meeting October 11, 2022 at 7:00 pm Election Commission Meeting at 6:45 pm

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Shawn Dilts  
Deputy Clerk