

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
MAY 22, 2017

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

Members present: Malkin, Kowalski, Pike, Brandt, Kochany, Reder
Members absent: Walsh
Also present: Richard Sheppard, Township Attorney
Mark Norton & Sam Szaroletta ó Township Engineers

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m. No public present wished to speak and public input was closed.

Motion by Kochany supported by Reder to adopt the agenda as presented.
Motion carried.

Motion by Reder supported by Pike to approve the minutes of the May 8, 2017 regular meeting as presented.
Motion carried.

Motion by Reder supported by Kochany to approve the minutes of the May 15, 2017 special meeting as presented.
Motion carried.

Motion by Reder supported by Brandt to approve the minutes of the May 17, 2017 special meeting as presented.
Motion carried.

A copy of the minutes for the May 10, 2017 special meeting was not included in the board packet for approval.
Motion by Reder supported by Pike to table approval of the May 10, 2017 special meeting minutes to the next regular meeting.
Motion carried.

Motion by Reder supported by Malkin to pay the bills in the amount of \$58,927.02 from General Fund.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh

Motion carried.

Motion by Reder supported by Brandt to receive the Treasurer's Report for April, 2017.
Motion carried.

Presentation by Spicer regarding 2017 Pipe & Manhole Repairs

Sam Szaroletta from Spicer gave a presentation of the 2017 pipe and manhole repairs that have been put out for bid. Szaroletta stated these needed repairs were found during the televising that was done as part of the SAW grant. The plans have been placed on the Spicer website for those who wish to submit a bid for the project. Bid opening has been scheduled for June 8, 2017.

Bid Award for 2017 Township Millage Road Paving Projects

Motion by Reder supported by Brandt to award the bid for the 2017 Road Millage Improvements to the low bidder, Ace-Saginaw Paving Co. with the total bid of \$1,380,609.50.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh

Motion carried.

2017 Township Road Improvements ó Ditching for Fraser, Haberland & Other Areas

Motion by Reder supported by Pike to approve the proposed 2017 general fund ditching improvements as follows:

Fraser Rd. Ditching	\$ 8,400.00
Haberland Ditching	\$ 17,940.00
Township Ditching	<u>\$ 34,660.00</u>
Total Ditching for 2017	\$ 61,000.00

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh

Motion carried.

Hiring of Township Park Custodian and Park Maintenance Custodian

Motion by Pike supported by Reder to hire Arthur (Jack) Adam as the Park Maintenance Custodian at a rate of 9.53/hr for the Park 2017 season beginning April 24, 2017; to hire Mr. Adam as the Park Custodian at a rate of \$589.16/month for the Park 2017 season of May 1, 2017 ó September 30, 2017; and for the Personnel Committee to revisit the job descriptions for both park positions.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh

Motion carried.

Supervisor Request for Rezoning ó Referral to Planning Commission

Motion by Reder supported by Malkin to refer to the Planning Commission for their consideration the proposed rezoning from AG to R for parcels 09-100-037-100-050-01, 09-100-037-100-050-02, 09-100-037-100-050-04, 09-100-037-100-060-00, 09-100-037-100-030-01, and 09-100-037-100-020-03, as submitted by the Supervisor.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh
Motion carried.

R-2017-012 Resolution to Create Curb/Gutter/Drainage SA District ó Mutual

Motion by Reder supported by Kochany to adopt Resolution R-2017-012, a resolution creating a special assessment district for Mutual Subdivision curb/gutter and drainage improvements as follows:

RESOLUTION TO CREATE SPECIAL ASSESSMENT DISTRICT TO FINANCE THE CONSTRUCTION OF CURB AND GUTTER IMPROVEMENTS, DRAINAGE IMPROVEMENTS AND/OR ADDITIONAL ROAD IMPROVEMENTS FOR MUTUAL SUBDIVISION, AND OTHER PARCELS THAT RECEIVE BENEFIT FROM THE IMPROVEMENTS, PURSUANT TO PUBLIC ACT 188 OF 1954.

WHEREAS, the Township Board received petitions for curb, gutter and drainage improvements from the record owners of certain properties, located within a proposed Special Assessment District; and

WHEREAS, the Township Supervisor verified that the above-referenced request has been made on behalf of the record owners of land constituting fifty percent (50%) or more of the total frontage and area of the proposed improvement district, and

WHEREAS, that in addition to relying on the petitions filed by the residents of the subdivision, the Monitor Charter Township Board has initiated the Special Assessment process pursuant to Act. 188 of Public Acts of 1954 of the State of Michigan.

WHEREAS, the Township Engineer prepared and filed a report showing the proposed curb, gutter, drainage and/or additional road improvements, the proposed location thereof with estimated construction and engineering costs of \$825,000, all as described on the attached Exhibit B; and

WHEREAS, the bond issuance costs to finance the proposed improvements are not known or available at this time.

WHEREAS, the Township Board tentatively determined by the adoption of a Resolution to Initiate the creation of a special assessment district (R-2017-004) on March 27, 2017, that there is a need for the proposed curb, gutter, drainage and/or road improvements described in Exhibit B to serve the properties within the proposed district described in the attached Exhibit A; and

WHEREAS, pursuant to property notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a special meeting of the Township Board held on the 3rd day of May, 2017, at 7:00 p.m. affording all interested parties an opportunity to address the Board;

NOW, THEREFORE, BE IT RESOLVED by the Township Board of the Charter Township of Monitor, Bay County, Michigan, as follows:

1. The Township Board hereby approves the petitions as legally sufficient and containing a sufficient number of signatures of property owners within the district or finding that less than 20% of the property owners have filed written objections to this initiation of this special assessment district, it is hereby approved by this resolution.

2. The Township Board hereby determines to provide for and complete the proposed curb, gutter, drainage and/or additional road improvements described in the attached Exhibits B and hereby approves the plans and estimated construction and engineering costs of \$825,000.00, all as described on the attached Exhibits B.

3. The Township Board hereby determines, creates and defines a special assessment district that shall consist of land described in the attached Exhibit A, within which the costs of such improvements shall be assessed, including any interest, according to the benefits. Said repayment is proposed to occur over a fifteen (15) year or eighteen (18) year period, dependent on the term of the bond that is obtained.

4. The initial assessment shall be established in an amount sufficient to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred including but not limited to publication, mailing, legal, pre-engineering, and bond issuance expenses, in review and approval of this assessment.

5. The Township Supervisor and assessing officer are hereby directed to make a special assessment roll in which shall be described all of the parcels of land to be assessed as above set forth, with the names of the owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the assessment district as the benefit to such parcel bears to the total benefit of all parcels of land in the special assessment district.

6. When the assessment roll is completed, the Supervisor or assessing officer shall affix thereto a certificate stating that said roll was made pursuant to this resolution and that in making the assessment roll he has, according to his best judgment, conformed in all respects to the directions contained in this resolution and the statutes of the State of Michigan, and he shall then report the special assessment roll with his attached certificate to the Township Clerk.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh

Motion carried.

R-2017-013 Resolution to Create Curb/Gutter/Drainage SA District ó Sharon Park

Motion by Brandt supported by Reder to adopt Resolution R-2017-013, a resolution creating a special assessment district for Sharon Park Subdivision curb/gutter and drainage improvements as follows:

RESOLUTION TO CREATE SPECIAL ASSESSMENT DISTRICT TO FINANCE THE CONSTRUCTION OF CURB AND GUTTER IMPROVEMENTS, DRAINAGE IMPROVEMENTS AND/OR ADDITIONAL ROAD IMPROVEMENTS FOR SHARON PARK SUBDIVISION, AND OTHER PARCELS THAT RECEIVE BENEFIT FROM THE IMPROVEMENTS, PURSUANT TO PUBLIC ACT 188 OF 1954.

WHEREAS, the Township Board received petitions for curb, gutter and drainage improvements from the record owners of certain properties, located within a proposed Special Assessment District; and

WHEREAS, the Township Supervisor verified that the above-referenced request has been made on behalf of the record owners of land constituting fifty percent (50%) or more of the total frontage and area of the proposed improvement district, and

WHEREAS, that in addition to relying on the petitions filed by the residents of the subdivision, the Monitor Charter Township Board has initiated the Special Assessment process pursuant to Act. 188 of Public Acts of 1954 of the State of Michigan.

WHEREAS, the Township Engineer prepared and filed a report showing the proposed curb, gutter, drainage and/or additional road improvements, the proposed location thereof with estimated construction and engineering costs of \$640,000, all as described on the attached Exhibit B; and

WHEREAS, the bond issuance costs to finance the proposed improvements are not known or available at this time.

WHEREAS, the Township Board tentatively determined by the adoption of a Resolution to Initiate the creation of a special assessment district (R-2017-006) on March 27, 2017, that there is a need for the proposed curb, gutter, drainage and/or road improvements described in Exhibit B to serve the properties within the proposed district described in the attached Exhibit A; and

WHEREAS, pursuant to property notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a special meeting of the Township Board held on the 10th day of May, 2017, at 7:00 p.m. affording all interested parties an opportunity to address the Board;

NOW, THEREFORE, BE IT RESOLVED by the Township Board of the Charter Township of Monitor, Bay County, Michigan, as follows:

1. The Township Board hereby approves the petitions as legally sufficient and containing a sufficient number of signatures of property owners within the district or finding that less than 20% of the property owners have filed written objections to this initiation

of this special assessment district, it is hereby approved by this resolution.

2. The Township Board hereby determines to provide for and complete the proposed curb, gutter, drainage and/or additional road improvements described in the attached Exhibits B and hereby approves the plans and estimated construction and engineering costs of \$640,000.00, all as described on the attached Exhibits B.

3. The Township Board hereby determines, creates and defines a special assessment district that shall consist of land described in the attached Exhibit A, within which the costs of such improvements shall be assessed, including any interest, according to the benefits. Said repayment is proposed to occur over a fifteen (15) year or eighteen (18) year period, dependent on the term of the bond that is obtained.

4. The initial assessment shall be established in an amount sufficient to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred including but not limited to publication, mailing, legal, pre-engineering, and bond issuance expenses, in review and approval of this assessment.

5. The Township Supervisor and assessing officer are hereby directed to make a special assessment roll in which shall be described all of the parcels of land to be assessed as above set forth, with the names of the owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the assessment district as the benefit to such parcel bears to the total benefit of all parcels of land in the special assessment district.

6. When the assessment roll is completed, the Supervisor or assessing officer shall affix thereto a certificate stating that said roll was made pursuant to this resolution and that in making the assessment roll he has, according to his best judgment, conformed in all respects to the directions contained in this resolution and the statutes of the State of Michigan, and he shall then report the special assessment roll with his attached certificate to the Township Clerk.

Roll call vote:

Yes: Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: None

Abstain: Malkin

Motion carried.

R-2017-014 Resolution to Create Drainage SA District ó Westhills

Motion by Brandt supported by Reder to adopt Resolution R-2017-014, a resolution creating a special assessment district for Westhills Subdivision drainage improvements as follows:

RESOLUTION TO CREATE SPECIAL ASSESSMENT DISTRICT TO FINANCE THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS AND/OR ADDITIONAL ROAD IMPROVEMENTS FOR WESTHILLS SUBDIVISION, AND OTHER PARCELS THAT RECEIVE BENEFIT FROM THE IMPROVEMENTS, PURSUANT TO PUBLIC ACT 188 OF 1954.

WHEREAS, the Township Board received petitions for drainage improvements from the record owners of certain properties, located within a proposed Special Assessment District; and

WHEREAS, the Township Supervisor verified that the above-referenced request has been made on behalf of the record owners of land constituting fifty percent (50%) or more of the total frontage and area of the proposed improvement district, and

WHEREAS, that in addition to relying on the petitions filed by the residents of the subdivision, the Monitor Charter Township Board has initiated the Special Assessment process pursuant to Act. 188 of Public Acts of 1954 of the State of Michigan.

WHEREAS, the Township Engineer prepared and filed a report showing the proposed drainage and/or additional road improvements, the proposed location thereof with estimated construction and engineering costs of \$490,000, all as described on the attached Exhibit B; and

WHEREAS, the bond issuance costs to finance the proposed improvements are not known or available at this time.

WHEREAS, the Township Board tentatively determined by the adoption of a Resolution to Initiate the creation of a special assessment district (R-2017-005) on March 27, 2017, that there is a need for the proposed drainage and/or road improvements described in Exhibit B to serve the properties within the proposed district described in the attached Exhibit A; and

WHEREAS, pursuant to property notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a regular meeting of the Township Board held on the 8th day of May, 2017, at 7:00 p.m. affording all interested parties an opportunity to address the Board;

NOW, THEREFORE, BE IT RESOLVED by the Township Board of the Charter Township of Monitor, Bay County, Michigan, as follows:

1. The Township Board hereby approves the petitions as legally sufficient and containing a sufficient number of signatures of property owners within the district or finding that less than 20% of the property owners have filed written objections to this initiation of this special assessment district, it is hereby approved by this resolution.

2. The Township Board hereby determines to provide for and complete the proposed drainage and/or additional road improvements described in the attached Exhibits B and hereby approves the plans and estimated construction and engineering costs of \$490,000.00, all as described on the attached Exhibits B.

3. The Township Board hereby determines, creates and defines a special assessment district that shall consist of land described in the attached Exhibit A, within which the costs of such improvements shall be assessed, including any interest, according to the benefits. Said repayment is proposed to occur over a fifteen (15) year or eighteen (18) year period, dependent on the term of the bond that is obtained.

4. The initial assessment shall be established in an amount sufficient to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred including but not limited to publication, mailing, legal, pre-engineering, and bond issuance expenses, in review and approval of this assessment.

5. The Township Supervisor and assessing officer are hereby directed to make a special assessment roll in which shall be described all of the parcels of land to be assessed as above set forth, with the names of the owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the assessment district as the benefit to such parcel bears to the total benefit of all parcels of land in the special assessment district.

6. When the assessment roll is completed, the Supervisor or assessing officer shall affix thereto a certificate stating that said roll was made pursuant to this resolution and that in making the assessment roll he has, according to his best judgment, conformed in all respects to the directions contained in this resolution and the statutes of the State of Michigan, and he shall then report the special assessment roll with his attached certificate to the Township Clerk.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh

Motion carried.

R-2017-015 Resolution to Create Drainage SA District ó Goetz Ct.

Motion by Brandt supported by Reder to adopt Resolution R-2017-015, a resolution creating a special assessment district for Goetz Ct. Subdivision drainage improvements as follows:

RESOLUTION TO CREATE SPECIAL ASSESSMENT DISTRICT TO FINANCE THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS AND/OR ADDITIONAL ROAD IMPROVEMENTS FOR GOETZ CT. SUBDIVISION, AND OTHER

**PARCELS THAT RECEIVE BENEFIT FROM THE IMPROVEMENTS,
PURSUANT TO PUBLIC ACT 188 OF 1954.**

WHEREAS, the Township Board received petitions for drainage improvements from the record owners of certain properties, located within a proposed Special Assessment District; and

WHEREAS, the Township Supervisor verified that the above-referenced request has been made on behalf of the record owners of land constituting fifty percent (50%) or more of the total frontage and area of the proposed improvement district, and

WHEREAS, that in addition to relying on the petitions filed by the residents of the subdivision, the Monitor Charter Township Board has initiated the Special Assessment process pursuant to Act. 188 of Public Acts of 1954 of the State of Michigan.

WHEREAS, the Township Engineer prepared and filed a report showing the proposed drainage and/or additional road improvements, the proposed location thereof with estimated construction and engineering costs of \$150,000, all as described on the attached Exhibit B; and

WHEREAS, the bond issuance costs to finance the proposed improvements are not known or available at this time.

WHEREAS, the Township Board tentatively determined by the adoption of a Resolution to Initiate the creation of a special assessment district (R-2017-007) on March 27, 2017, that there is a need for the proposed drainage and/or road improvements described in Exhibit B to serve the properties within the proposed district described in the attached Exhibit A; and

WHEREAS, pursuant to property notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a special meeting of the Township Board held on the 15th day of May, 2017, at 7:00 p.m. affording all interested parties an opportunity to address the Board;

NOW, THEREFORE, BE IT RESOLVED by the Township Board of the Charter Township of Monitor, Bay County, Michigan, as follows:

1. The Township Board hereby approves the petitions as legally sufficient and containing a sufficient number of signatures of property owners within the district or finding that less than 20% of the property owners have filed written objections to this initiation of this special assessment district, it is hereby approved by this resolution.

2. The Township Board hereby determines to provide for and complete the proposed drainage and/or additional road improvements described in the attached Exhibits B and hereby approves the plans and estimated construction and engineering costs of \$150,000.00, all as described on the attached Exhibits B.

3. The Township Board hereby determines, creates and defines a special assessment district that shall consist of land described in the attached Exhibit A, within which the costs of such improvements shall be assessed, including any interest, according to the benefits. Said repayment is proposed to occur over a fifteen (15) year or eighteen (18) year period, dependent on the term of the bond that is obtained.

4. The initial assessment shall be established in an amount sufficient to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred including but not limited to publication, mailing, legal, pre-engineering, and bond issuance expenses, in review and approval of this assessment.

5. The Township Supervisor and assessing officer are hereby directed to make a special assessment roll in which shall be described all of the parcels of land to be assessed as above set forth, with the names of the owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the assessment district as the benefit to such parcel bears to the total benefit of all parcels of land in the special assessment district.

6. When the assessment roll is completed, the Supervisor or assessing officer shall affix thereto a certificate stating that said roll was made pursuant to this resolution and that in making the assessment roll he has, according to his best judgment, conformed in all respects to the directions contained in this resolution and the statutes of the State of Michigan, and he shall then report the special assessment roll with his attached certificate to the Township Clerk.

Roll call vote:

Yes: Malkin, Pike, Brandt, Kochany, Reder

No: Kowalski

Absent: Walsh

Motion carried.

R-2017-016 Resolution to Create Curb/Gutter/Drainage SA District ó Donaldø

Motion by Brandt supported by Pike to adopt Resolution R-2017-016, a resolution creating a special assessment district for Donaldø Subdivision curb/gutter and drainage improvements as follows:

RESOLUTION TO CREATE SPECIAL ASSESSMENT DISTRICT TO FINANCE THE CONSTRUCTION OF CURB AND GUTTER IMPROVEMENTS, DRAINAGE IMPROVEMENTS AND/OR ADDITIONAL ROAD IMPROVEMENTS FOR DONALD'S SUBDIVISION, AND OTHER PARCELS THAT RECEIVE BENEFIT FROM THE IMPROVEMENTS, PURSUANT TO PUBLIC ACT 188 OF 1954.

WHEREAS, the Township Board received petitions for curb, gutter and drainage improvements from the record owners of certain properties, located within a proposed Special Assessment District; and

WHEREAS, the Township Supervisor verified that the above-referenced request has been made on behalf of the record owners of land constituting fifty percent (50%) or more of the total frontage and area of the proposed improvement district, and

WHEREAS, that in addition to relying on the petitions filed by the residents of the subdivision, the Monitor Charter Township Board has initiated the Special Assessment process pursuant to Act. 188 of Public Acts of 1954 of the State of Michigan.

WHEREAS, the Township Engineer prepared and filed a report showing the proposed curb, gutter, drainage and/or additional road improvements, the proposed location thereof with estimated construction and engineering costs of \$270,000.00, all as described on the attached Exhibit B; and

WHEREAS, the bond issuance costs to finance the proposed improvements are not known or available at this time.

WHEREAS, the Township Board tentatively determined by the adoption of a Resolution to Initiate the creation of a special assessment district (R-2017-008) on March 27, 2017, that there is a need for the proposed curb, gutter, drainage and/or road improvements described in Exhibit B to serve the properties within the proposed district described in the attached Exhibit A; and

WHEREAS, pursuant to property notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a special meeting of the Township Board held on the 17th day of May, 2017, at 7:00 p.m. affording all interested parties an opportunity to address the Board;

NOW, THEREFORE, BE IT RESOLVED by the Township Board of the Charter Township of Monitor, Bay County, Michigan, as follows:

1. The Township Board hereby approves the petitions as legally sufficient and containing a sufficient number of signatures of property owners within the district or finding that less than 20% of the property owners have filed written objections to this initiation of this special assessment district, it is hereby approved by this resolution.

2. The Township Board hereby determines to provide for and complete the proposed curb, gutter, drainage and/or additional road improvements described in the attached Exhibits B and hereby approves the plans and estimated construction and engineering costs of \$270,000.00, all as described on the attached Exhibits B.

3. The Township Board hereby determines, creates and defines a special assessment district that shall consist of land described in

the attached Exhibit A, within which the costs of such improvements shall be assessed, including any interest, according to the benefits. Said repayment is proposed to occur over a fifteen (15) year or eighteen (18) year period, dependent on the term of the bond that is obtained.

4. The initial assessment shall be established in an amount sufficient to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred including but not limited to publication, mailing, legal, pre-engineering, and bond issuance expenses, in review and approval of this assessment.

5. The Township Supervisor and assessing officer are hereby directed to make a special assessment roll in which shall be described all of the parcels of land to be assessed as above set forth, with the names of the owners thereof, if known, and the total amount to be assessed against each parcel of land, which amount shall be such relative portion of the whole sum to be levied against all parcels of land in the assessment district as the benefit to such parcel bears to the total benefit of all parcels of land in the special assessment district.

6. When the assessment roll is completed, the Supervisor or assessing officer shall affix thereto a certificate stating that said roll was made pursuant to this resolution and that in making the assessment roll he has, according to his best judgment, conformed in all respects to the directions contained in this resolution and the statutes of the State of Michigan, and he shall then report the special assessment roll with his attached certificate to the Township Clerk.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh

Motion carried.

Public Hearing & Resolution to Create SA District ó Holly Springs Storm Water System Phases 1 & 2

Public Hearing & Resolution to Create SA District ó Holly Springs Streetlights Phase 1 & 2

The public hearings to create special assessment districts for Phase 1 & 2 of Holly Springs Subdivision storm water system and streetlights opened at 8:02 p.m.

No public present wished to speak and the public hearings were closed.

R-2017-017 Resolution to Create SA District ó Holly Springs Storm Water System Phases 1 & 2

Motion by Kochany supported by Reder to adopt Resolution R-2017-017, a resolution creating a new special assessment district for Holly Springs Storm Water System Phase 1 & 2 as follows:

**RESOLUTION CREATING SPECIAL ASSESSMENT DISTRICT
FOR STORM WATER SYSTEM AFTER PUBLIC HEARING
FOR HOLLY SPRINGS SUBDIVISION PHASES I & II**

WHEREAS, on or about October 3, 2016, the Township received a request for the creation of a special assessment district to provide

funding for future maintenance of the storm water system for Holly Springs Subdivision Phases I & II and for the extinguishments of a existing special assessment district providing funding for maintenance of the storm water system in Phase I of the development signed by the owner of more than fifty percent (50%) of the fifty seven (57) lots of the subdivision (Phases I & II); and

WHEREAS, after the filing of the Supervisor's Certificate and the receipt of the requested improvement, this Township Board did adopt a Resolution expressing intent to proceed with the proposal to create a special assessment district for the maintenance of a storm water system within Holly Springs Subdivision Phases I & II, including but not limited to certain storm water sewers and certain outlet storm sewers by special assessment against the properties benefited therein.

WHEREAS, pursuant to proper notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a regular meeting of the Township Board held on the 22nd day of May, 2017 at 7:00 p.m. affording all interested parties an opportunity to address the Board;

NOW THEREFORE BE IT RESOLVED, that the Monitor Township Board does hereby create a special assessment district to provide future funding for the maintenance of the storm water system within Holly Springs Subdivision (Phases I & II), including but not limited to certain storm water sewers and certain outlet storm sewers by special assessment against the properties benefited therein.

BE IT FURTHER RESOLVED that the Monitor Township Board does hereby declare its intent to create a Special Assessment District including the land specifically benefited by the annual maintenance of such improvements, particularly described as follows:

Lots 1-57 of Holly Springs Subdivision (Phases I & II),
Bay County, Michigan

BE IT FURTHER RESOLVED that the Monitor Township Board further tentatively declares its intent to abolish the special assessment district consisting of lots 1 thru 33 of Holly Springs Subdivision concurrently with the creating of the new special assessment district above described.

IT IS FURTHER RESOLVED that this Board specifically approves or determines all of the following:

- (a) The creation of the new special assessment district and the abolition of the previously created special assessment district identified above.
- (b) The plans to provide maintenance to the detention pond and storm facilities and estimate of initial cost presented.

- (c) The sufficiency of the original Petition as submitted by the property owners within the special assessment district created.
- (d) That the maintenance expenses of the Township shall from time to time require redetermination without a change in the special assessment district boundaries, and such redetermination shall be made annually at the Board's first regular meeting of December beginning December 2017. The failure of the Board to make such an annual redetermination shall cause the then existing assessment to continue in effect without change for the following year.
- (e) That the annual expense to the Township to maintain the detention pond and storm sewer facilities is not able to be precisely determined for the reason that it is currently anticipated that such maintenance will be performed and funded by the Holly Springs Home Owners Association or the assigns or successors of such entity. The initial assessment shall be established to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred in review and approval of this project which costs are currently anticipated not to exceed \$6,000.00. The initial assessment shall be established at a rate sufficient to create a reserve fund which shall be maintained by the Township and used as may be later required.
- (f) It is further anticipated that if no maintenance expenses are incurred by the township after three (3) years of special assessments inclusive of the special assessments for Phase I of the project, the assessment for the fourth (4th) year may be reduced to \$100.00 annually.
- (g) That in the event that, as a result of neglect or failure to properly maintain the above referenced improvements, it is anticipated that the total assessment levied against all of the property within the district boundaries would be increased by any amount in excess of \$100.00 per year, then in that event, Monitor Township shall provide written notice to the record owners of the land within the district by regular first class mail at least ten (10) days prior to the meeting where such redetermination could be considered. Such interested owners would then be provided an opportunity to address the Board regarding the necessity of the increase in the total assessment to be levied.

IT IS FURTHER RESOLVED, that the Supervisor shall prepare a special assessment roll of all the parcels included in this district as to the benefit to each parcel as provided by subsection 5 (d) of Act 188 of 1954, and that such roll shall be duly filed with the Township Clerk on or before June 12, 2017.

IT IS FURTHER RESOLVED, that this Township Board shall conduct a separate public hearing to be held on June 26, 2017 at a regular meeting of the Township Board at the Monitor Township Hall, 2483 Midland Road, Bay City Michigan commencing at 7:00 p.m. to review and to hear any objections to the assessment roll.

IT IS FURTHER RESOLVED that the Clerk be instructed to publish and mail notice of this hearing in accordance with the statute in such cases made and provided.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh

Motion carried.

R-2017-018 Resolution to Create SA District ó Holly Springs Streetlights Phase 1 & 2

Motion by Brandt supported by Reder to adopt Resolution R-2017-018, a resolution creating a new special assessment district for Holly Springs Streetlights Phase 1 & 2 as follows:

**RESOLUTION CREATING SPECIAL ASSESSMENT DISTRICT
FOR STREET LIGHTS AFTER PUBLIC HEARING
HOLLY SPRINGS SUBDIVISION PHASES I & II**

WHEREAS, on or about October 3, 2016, the Township received a request for the creation of a special assessment district for street lighting for Holly Springs Subdivision Phases I and II, and for the extinguishments of a existing special assessment district providing funding for street lighting in Phase I of the development signed by the owner of more than fifty percent (50%) of the fifty seven (57) lots of the subdivision; and

WHEREAS, after the filing of the Supervisor's Certificate and the receipt of an estimate of the costs of the maintenance of the improvement, this Township Board did adopt a Resolution expressing intent to proceed with the creation of a special assessment district to provide funding for the nine (9) street lights within the newly created district, and

WHEREAS, pursuant to proper notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a regular meeting of the Township Board held on the 22nd day of May, 2017, at 7:00 p.m. affording all interested parties an opportunity to address the Board;

NOW THEREFORE BE IT RESOLVED, that the Monitor Township Board does hereby confirm its intent to proceed with the creation of a special assessment district consisting of lots 1 through 57 of Holly Springs Subdivision (Phases I & II), and with the abolition of the previously created district consisting of lots 1-33 of Holly Springs Subdivision-Phase I.

IT IS FURTHER RESOLVED, that this Board specifically approves or determines all of the following:

- (a) The creation of the new special assessment district and the abolition of the previously created special assessment district identified above.
- (b) The sufficiency of the original Petition as submitted by the property owner within the special assessment district created.
- (c) That the maintenance expenses of the nine (9) street lights may from time to time require redetermination without a change in the special assessment district boundaries, and such redetermination shall be made annually at the Board's first regular meeting of December beginning December of 2017. The failure of the Board to make such a redetermination shall cause the then existing assessment to continue in effect without change for another year.

IT IS FURTHER RESOLVED, that any funds collected from the special assessment previously approved for Phase I of the subdivision shall be used to meet expenses of maintenance of the street lights servicing lots 1-57 of Holly Springs Subdivision (Phases I & II). Delinquent assessments shall not be forgiven, and shall be collected as provided by law.

IT IS FURTHER RESOLVED, that the Supervisor shall make a special assessment roll of all the parcels included in this district as to the benefit to each parcel as provided by subsection 5 (d) of Act 188 of 1954, and that such roll shall be duly filed with the Township Clerk on or before June 12, 2017.

IT IS FURTHER ORDERED, that this Township Board shall conduct a public hearing at its regularly scheduled meeting of June 26, 2017, at 7:00 p.m. to review and to hear any objections to the assessment roll, and that the Clerk be instructed to publish and mail notice of this hearing in accordance with the statute in such cases made and provided.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh

Motion carried.

Public Hearing ó IFT Application MBM Development/FP Horak

The public hearing to consider the IFT application submitted by MBM Development for real property opened at 8:05 p.m.

No public present wished to speak and the public hearing was closed.

R-2017-019 Resolution Approving IFT Application & Agreement ó MBM Development, LLC

Motion by Reder supported by Malkin to adopt Resolution R-2017-019, a resolution approving the IFT application and agreement submitted by MBM Development, LLC for real property in the amount of \$5,037,000 as follows:

RESOLUTION APPROVING THE APPLICATION OF MBM DEVELOPMENT, LLC FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE

WHEREAS, pursuant to 1974 PA 198, that being MCLA § 207.551 et seq., after a duly noticed public hearing, this Township Board, by Resolution previously established an Industrial Development District encompassing property now owned by MBM Development, LLC; and

WHEREAS, MBM Development, thereafter on or about March 29, 2017, submitted an Application for Industrial Facilities Exemption Certificate with the Monitor Township Clerk, who, upon receipt of said application, sent written notices to the local assessor and to the legislative bodies of each unit levying ad valorem taxes in Monitor Township, affording them an opportunity for a hearing at which representatives of MBM Development would be present; and

WHEREAS, at a regular meeting of the Township Board held April 24, 2017 a Resolution Setting a Time to Consider the Application filed by MBM Development, which Resolution set May 22, 2017, as the date for consideration of said application; and

WHEREAS, pursuant to the Resolution previously approved by the Township Board, representatives of the Applicant, MBM Development, the local assessor and representatives of the affected taxing units were afforded an opportunity to be heard.

NOW THEREFORE, BE IT RESOLVED:

1. That this Township Board finds:
 - a. That the application as it relates to the improvements to real property was timely submitted.
 - b. That the improvements to real property submitted by the Applicant is located in a building situated in the Industrial Development District established in Monitor Township by the Monitor Township Board on the 27th day of July, 1981, by Resolution of the Township Board.
 - c. That the property improvements are calculated to and will, at the time of issuance of the certificate, have the reasonable likelihood to create employment or retain employment in the Township of Monitor.
 - d. That the property improvements will not have the effect of transferring employment from elsewhere in Michigan to the Township of Monitor.

e. That the aggregate SEV of real property, exempt from ad valorem taxes within the Township of Monitor, after granting this certificate, will exceed five percent (5%) of an amount equal to the sum of SEV of the Township plus SEV of real property thus exempted. However, the Township Board specifically finds that granting of the exemption applied for will not substantially impede the operation of, or, impair the financial soundness of any affected local government or other taxing authority.

2. That the above reference Application with regard to the improvements to real property described in the Application and situated in the Industrial Development District established previously by the Township Board be and hereby is approved for a period of twelve (12) years.

3. That the Township Board authorizes the Township Supervisor and Clerk to sign the certificate agreement for and on behalf of the Charter Township of Monitor.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh

Motion carried.

Hall Request ó Creekwood Estates Association Annual Meeting ó May 15, 2018

Motion by Kowalski supported by Reder to grant the Creekwood Estates Condominium Assn. use of the Township Hall on May 15, 2018 for their annual meeting; signed contract, all fees waived.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder

No: None

Absent: Walsh

Motion carried.

REPORTS

Malkin referenced the email from Bay County DWS regarding the repair to Dorey Dr. and the cost savings it provided to the township.

Kowalski reported on the discussions held at the recent owners' meetings at the Water Treatment Plant.

The meeting adjourned at 8:31 p.m.

Cindy L. Kowalski, Clerk

Ken Malkin, Supervisor