

# Middlebury Township

PO Box 622, Ovid, Michigan 48866

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Draft  
Regular Meeting  
7627 W. M-21, Ovid, MI  
Tuesday February 9, 2021 at 7:00 pm

## **REGULAR MEETING**

### **Call to Order:**

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

### **Board Members Present:**

Supervisor Michael Herendeen, Clerk Susan Tomasek Swan, Treasurer Carolyn Stevens, Trustee Jeff Swan, and Trustee Gene Ruess

**Guests Present:** Six guests were present: Colleen Ruess, Jill Ruess, Ken Williams, Dick Semans, and Gary Kiger, Mark Holley (arrived 8:13 pm)

**Scheduled Comments:** None

**Public Comments: Opened at 7:02 pm Closed at 7:02 pm** None

### **Motion to Approve Agenda:**

Treasurer Stevens made a motion to approve the agenda as presented. Clerk Tomasek Swan seconded the motion.

Voice Vote: Ayes: All Nays None Carried

### **Motion to Approve Minutes:**

Tomasek Swan made a motion to correct the January 12, 2021 minutes, under motion to pay bills; Check number 5417-5416 to number 5416-5424 and with no objection to approve the corrected minutes. Treasurer Stevens seconded the motion.

Roll Call: Ruess, J. Swan, Stevens, Tomasek-Swan, Herendeen Nays: None Carried

### **Motion to Approve Budget Amendments:**

Tomasek Swan made a motion to amend the FY 20-21 budget to move \$1500.00 from 101-941-969.002 Contingency (\$82,157.35 to \$80,657.35) to 101-223-801.000 Auditors Contracted Service (\$7,400.00 to \$8,900.00) Treasurer Stevens seconded the motion.

Roll Call Vote: Ayes: J. Swan, Stevens, Ruess, Tomasek-Swan, Herendeen Nays: Carried

### **Motion to approve Bills**

Clerk Tomasek Swan made a motion to approve bills from General Funds in the amount of \$12,729.98 with checks #5425-5441 and 11 EFTS. Trustee Ruess seconded the motion.

Roll Call Vote: Ayes: Stevens, Tomasek-Swan, J. Swan, Ruess, Herendeen    Nay: None                      Carried

### **Communications:**

**MTA-** Supervisor Herendeen briefed the board regarding Shiawassee MTA meetings. The meeting in June will be a cook out. March 2<sup>nd</sup> meeting location has yet to be determined.

**Library-** Meeting tomorrow via zoom.

**OMESA-** Supervisor Herendeen update the board on OMESA business. The fire department is experiencing issues with getting people to work. Trustee Ruess asked if the fire department is becoming an issue like the ambulance. Supervisor Herendeen explained the new State Fire Marshall is requiring over 40 hours training for level 1 to be on staff which makes it difficult to recruit.

**Clerk-** Clerk Tomasek Swan asked the board to review the budget for next month. The MTA New Official trainings will be wrapping up on February 14, 2021.

**Assessor-** Mark Holley arrived at 8:13 pm. Mark Holley briefed the board regarding the Board of Review being held in person. By allowing the local residents to protest in writing, it allows people to protest without coming in person. Mark stated the township's board of review has two new members. Mr. Holley officially announced the two BOR Meetings on March 10<sup>th</sup> from 9 am – 3 pm and March 12<sup>th</sup> from 3 pm-9 pm. Mr. Holley has visited every property and he expects there may be an increase in people. Mr. Holley stated to the board any questions regarding assessing please to refer the residents to him.

### **Business**

#### **1. Resolution 02-2021 Accept Board of Review Protest in Writing**

##### **Resolution No. 02-2021**

#### **Resolution to Allow Local Residents to Protest in Writing**

**Moved by Clerk Tomasek Swan, supported by Treasurer Stevens, the adoption of the following resolution.**

**Whereas,** MCL 211.30(8), permits a Township to authorize a resident taxpayer to file their appeal before the Board of Review by letter without a personal appearance by the taxpayer or their agent.

**NOW, Therefore, be it resolved that:** In order to ease the burden on taxpayers, the assessor and the board of review and to ensure that all taxpayers have an equal opportunity to be heard by the board of review, the Township of Middlebury hereby resolves, according to provisions of MCL 211.30(8) of the General Property Tax Act, that the board of review shall receive letters or emails of protest regarding assessments from resident and non-resident taxpayers from the first Tuesday in March until it adjourns from the public hearings for which it meets to hear such protests.

All notices of assessment change and all advertisements of board of review meetings are to include a statement that the resident and non-resident taxpayers may protest by letter or email to the board.

Yeas: Swan, Ruess, Stevens, Tomasek-Swan, Herendeen

Nays: None

Adopted this date: February 9, 2021

2. **Roads** The Shiawassee Road Commission will be here in March to review the roads. The board review the projects on the list. Deputy Supervisor Dick Seman reviewed some other roads that have some concerns. The board continued to discussed different roads that needed attention on a regular basis.
3. **Notary**- Clerk Tomasek Swan present information regarding becoming a Notary. The board discussed the different steps. Board discussed using a notary as a service for the township. Discussion continued which board members/employees to offer reimbursement to become a notary.

Supervisor Herendeen made a motion for the Clerk and Chief Deputy Clerk to become Notary with township reimbursing the expense. Treasurer Stevens supported the motion.

Roll Call Vote:

Aye: Stevens, Swan, Ruess, Herendeen, Tomasek Swan Nays None Carried

4. **Board of Review Appointment**- Trustee Ruess made a motion to appoint Randy Rasmussen to the Board of Review. Supervisor Herendeen supported the motion.  
Voice Call Vote Ayes All Nays None Carried
5. **Driveway** Trustee Ruess briefed the board on the information regarding placing a driveway on the township property. Trustee Ruess reviewed the regulations of having a commercial driveway. The driveway needs to be curbed and asphalt until it hits the right of way. He continued stating driveway needs to be 450 ft but the property is only 425 ft and the drive needs to be 33 feet wide. The board discussed different options. Deputy Supervisor, Dick Semans mentioned the brush needs to be cleaned up on the front of the property.
6. **Emails** Trustee Swan brief the board about his concerns about the board members using personal emails. His main concern was regarding receiving a FOIA request and members having to surrender their personal email accounts. Another concern was about emails being deleted. Trustee Swan stressed wanting every board member having their own emails for township correspondence with a back up system to hold emails for seven years. This also applies to phone calls and text messages. Trustee Swan stated it would be a good idea to have an off-site back up system. Trustee Swan also updated the board about redoing the township website. He stated a good practice would be to place board documents on the website to keep it backed up.

7. **Budget Hearing Motion to Set March 9 at 6:45pm** Clerk Tomasek Swan made a motion to set the Budget Hearing for fiscal year 2021-2022 for March 9<sup>th</sup> at 6:45 pm. Trustee Ruess supported the motion. Voice call vote Ayes: All Nays: none Carried
  
8. **Office Administrator** – Clerk Tomasek Swan approached the board members regarding having a position created to having someone to hold office hours. There are records to be sorted and also take on non-statutory duties. The board will revisit the discussion at March's board meeting.

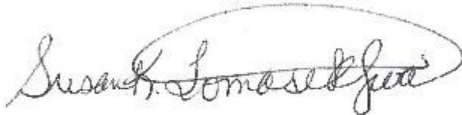
**Final Comments: Opened at 8:42 pm Closed at 8:43 pm**

Meeting dates were reviewed.

**Motion to adjourn the meeting: Adjourned at 8:43pm**

Without objection the supervisor adjourned the meeting at 8:43pm.

Next meeting March 9, 2021 at 6:45 pm

**X** 

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Susan K Tomasek Swan  
Deputy Clerk

ACTIONS: