

AVERY TOWNSHIP BOARD  
REGULAR MONTHLY MEETING

December 4, 2018

Supervisor Thom Seymour called the regular monthly meeting of the Avery Township Board to order at the Avery Township Hall with the pledge to the American Flag at 6:00 p.m.

ROLL CALL: Present: Jean Angell, Treasurer; Thom Seymour, Supervisor; Ann Seymour, Clerk; Dawn Dobbyn, Trustee; Gary McMurphy, Trustee.

Absent: None

Guests: Ken Werner, County Road Commissioner, Bryan McClelland, Deputy, MCSD.

Motion by Gary McMurphy, seconded by Dawn Dobbyn to accept the November 7, 2018 minutes as corrected. All in favor, motion carried.

Motion by Ann Seymour, seconded by Gary McMurphy, to accept the November 2108 2018 Treasurer's Report as submitted by Treasurer Jean Angell. All in favor, motion carried.

Motion by Gary McMurphy, seconded by Dawn Dobbyn to pay vouchers #3702-#3728 totaling \$8,006.61. All in favor, motion carried.

Motion by Jean Angell, seconded by Gary McMurphy to table the request from County Road Association requesting us to support Senate Bill 396 to lift/and or change load restrictions for logging industries until the January 2019 meeting. All in favor, motion carried.

Supervisor advised that we received communication regarding the Riverside Energy case had reached settlement. Motion entered by Jean Angell, seconded by Gary McMurphy to authorize the Supervisor to sign the necessary settlement agreement paperwork. All in favor, motion carried.

Motion by Gary McMurphy, seconded by Dawn Dobbyn to table the ordinance to prohibit recreational marijuana establishments until the January 2019 meeting. All in favor, motion carried.

Equalization Director Kevin Keller agreed to the changes to the L4029.

Discussion regarding Briley Township not having a quorum for two Joint operating meetings. Jean Angell contacted M.T.A. regarding the issue, and was advised if they didn't show with a quorum that there could be repercussions for Briley Township and that the FAA and other State agencies could become involved.

Motion by Jean Angell, seconded by Gary McMurphy to send Deputy Clerk, Robin Ross to MTA Clerk workshop in Gaylord at Treetops on 12/11/18. All in favor, motion carried.

Clerk Ann Seymour gave an update on Vienna Township Clerk Elaine Dixon's, recovery at Covenant Hospital in Saginaw.

AIRPORT REPORT: Presented by Jean Angell. She updated us on the newly signed contract with Barger Creek to put a cell tower at the Airport.

The Airport Joint Operating meeting for the Airport will be at 6:00 p.m.

Motion by Jean Angell, seconded by Gary Mc Murphy to adopt the following Poverty Guidelines and Poverty Guideline Resolution to be take effect immediately.

**WHEREAS**, the adoption of guidelines for poverty exemptions is required of the Township Board; and

**WHEREAS**, the principal residence of persons who the Supervisor/Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charges is, eligible for exemption in whole or part from taxation under Public Act 390, 1994 (MCL 211.7u); and

**WHEREAS**, pursuant to PA 390, 1994 the Township of Avery, Montmorency County adopts the following guidelines for the Board of Review to implement. The guide lines 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;

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the supervisor/assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year.
- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
4. Produce a valid drivers' license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted the governing body providing the alternative guidelines do not provide eligibility requirements less than the Federal guidelines.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.
- 8) The applicant and all household members assets shall not exceed the following limits:
  - (a) Liquid cash limit in checking and savings: \$75,000.00
  - (b) Value of vehicles limit: \$50,000.00
  - (c) Value of other assets maximum limit: \$50,000.00
- 9) Excess land attached to or included with the primary residents may be included in the asset test. Excess land is defined as an additional acreage over 120 acres. The primary residence is exempt along with the land not defined as excess.

**FEDERAL POVERTY GUIDELINES FOR 2019 ASSESSMENTS:**

Following are the federal poverty guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

**Size of Family Unit Poverty Guidelines.**

1	\$12,140
2	\$16,460
3	\$20,780
4	\$25,100
5	\$29,420
6	\$33,740
7	\$38,060
8	\$42,380

For each additional person, adds \$4,320

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the supervisor/assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the supervisor/assessor and Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

The foregoing resolution offered by Avery Township Board Jean Angell, and supported by Township Board Gary Mc Murphy.

Upon Roll call vote, the following voted "Aye": Thomas Seymour, Supervisor; Ann Seymour, Clerk; Jean Angell, Treasurer; Dawn Dobbyn, Trustee; Gary McMurphy, Trustee.

The following voted "Nay": None. Those absent: None

The Supervisor declared the resolution adopted.

Ann M. Seymour, Clerk, December 5, 2018

Ann M. Seymour

Ann M. Seymour, Clerk

I, Ann M. Seymour, the duly elected and acting Clerk of Avery Township, hereby certify that the foregoing resolution was adopted by the Township Board of said Township at the regular meeting of said Board held on Tuesday, December 4, 2018 at which meeting a quorum was present by a roll call vote of said members as hereinbefore set forth; that said resolution was ordered to take immediate effect.

Ann M. Seymour

Ann M. Seymour, Clerk

AMBULANCE REPORT: Presented by Thom Seymour. Will be starting the EMT Classes in January. The Joint Operating meeting on December 18, 2018 @ 7:00 at the Ambulance Barn.

ASSESSOR REPORT: No Report.

BOR REPORT: December 18, 2018 @ 3:00p.m. for errors and omissions.

Under new rules for the Board of Review, members will not be appointed for a two year term.

Motion by Ann Seymour, seconded by Jean Angell to appoint Claude Conn, Jim Katkus, and Don Angell to the Board of Review for two year terms from January 1, 2019 to December 31, 2020. All in favor, motion carried.

CEMETERY REPORT: NO report.

FIRE DEPARTMENT REPORT: Given by Dawn Dobbyn. Joint Operating meeting December 12 at 7:00 p.m. at the Fire Hall. Christmas party Jan. 12, 19 @ the Fire Hall.

MONTMORENCY CTY. ROAD COMMISSION: Discussed the County Road Association request for either support or rejection of Senate Bill 396 to change load restrictions for the logging industry.

MTA: Next meeting January 12, 2019 at 7pm at Hillman Community Center.

PARK REPORT: No report.

After discussion regarding the Tax Rate for Headlee Roll Back. A motion was entered by Gary McMurphy, seconded by Dawn Dobby to file an Amended 4029. All in favor, motion carried.

The new inflation price index rate is 2.4% for 2019.

Riverside Energy settlement is over and done with. Waiting for further details from the assessor.

AIRPORT REPORT: Presented by Jean Angell. She reported on the Internet Guidance System project by Barger Creek to install a 60ft. tower.

AMBULANCE REPORT: Presented by Thom Seymour. Joint Operating meeting on December 18, 2018 @ 6:00 at the Ambulance Barn.

ASSESSOR REPORT: No Report.

CEMETERY REPORT: NO report.

FIRE DEPARTMENT REPORT: Given by Dawn Dobbyn. Received a grant from P.I.E. & Gas. The "Dobbyn Boys" made a donation for a new sign at the Fire Department.

MONTMORENCY CTY. ROAD COMMISSION: Submitted an extract of a resolution regarding Townships requesting speed studies.

MTA: Fredrick Township will be forwarding wording for townships if the decide to "Opt In" to Recreational Marijuana.

PARK REPORT: No report.

PUBLIC COMMENT: None

There being no further business at hand the meeting was adjourned at 6:59 p.m.

*Ann M Seymour  
Avery Sup Clerk*