

Secord Township Monthly Meeting

December 20, 2023

10:00 am

Meeting was called to order by Supervisor Joel Vernier at 10:00 am with everyone standing reciting the Pledge of Allegiance.

Roll Call:

Supervisor Joel Vernier Present

Treasurer Cheryl Parmer Present

Clerk Karen Gawron Present

Trustee Maria Alward Present

Trustee Martin Holmes Present

27 registered interested residents in attendance

Minutes of November 15, 2023 10:00 am regular meeting minutes were reviewed.

Motion to accept minutes Holmes/Alward All ayes M/C

Consent Agenda/Changes to Agenda: None

Motion to accept agenda Vernier/Alward All Ayes M/C

Public Comment: None

Guest:

Mike Visnew/County Commissioner: County information

Treasurer's Report:

General Fund	\$511,021.68
12 Mo. CD #S50	53,089.14
12 Mo. CD #S51	52,833.79
Fire Fund	181,122.44
Garbage Fund	199,183.05
Weed Control Fund	686,216.00
Mosquito Fund	72,596.75
Road Fund	<u>426,406.28</u>
Total Funds	\$2,076,546.20

Motion to Receive and File Treasurers Report. Gawron/Alward All Ayes M/C

Bills To Be Paid: Clerk Karen Gawron presented Bills: General Fund \$64,001.23

Fire \$3,644.20 Payroll \$13,465.50

Motion by to pay the bills as presented Gawron/Alward All Ayes M/C

Correspondence Received:

Meeting Dates are Posted on Township Doors. Fire Board & Planning Zoning October 2023 Meeting Minutes. Breakfast/Chamber of Commerce Jan 12 7:30-9:30 at the K.O. Columbus Hall 751 S M-18 Charter channel update. Republic 2024 Schedule

Motion to accept correspondence by Vernier/Parmer All Ayes M/C

Reports

Planning Commission: P. Sawka Reported on November Meeting.

Fire Board: M. Holmes reported 7 runs; 5 Medical, 2 rescue

Fire Chief: Chief Fred Shavers reported Kennel inspection in progress. Air B & B inspections in progress. Will not sign off on permit(s) until inspection is passed.

Constable: All is well

Road Committee: Ken Douglas reported for 2024 Plan

Zoning Administrator: Harold Day Jr. reported 6 permit (s) request

Ordinance Officer: Working on issues in progress. Lakeshore property has 60 days to comply. Eighty (80) % must be cleaned up or the Township will move forward with the abatement.

Well and Septic: M. Alward reported Three (3) septic evaluations reported. Two (2) wells approved, one (1) not approved. Three (3) well evaluations reported. Two (2) wells approved, one (1) not approved.

Other Business:

CPA-Wienlander Fitzhugh; Audit 2023

Motion to sign Audit completion Letter Vernier/Gawron All Ayes M/C

2024 Township Brine Request: Completed

Election Information: Residents on the Permanent Ballot list will need to fill out an Application at the Township Clerks office to receive an Absentee Ballot. February 27; Presidential Primary. August Primary; Nine (9) days of Early voting at the County level [Sacred Heart Church Hall]. November Nine (9) days of Early voting at the County level [Sacred Heart Church Hall]. Regular Voting Day(s) February 27, August 6 & November 5 will be held at the Secord Township Hall.

Wensco Sign Supply [Invoice]: *Tabled to January 2024 Regular Township Meeting*

ISP Contract: *Tabled to January 2024 Regular Township Meeting*

Board of Review Members Three (3) Regular & One (1) Alternate appointed are all certified for 2024.

ARPA: Fire Fighters compensation/Bonus during Covid

Motion to approve Fire Department Bonus to Fire Fighters responding during Covid, for the years 2020 & 2021, shall be paid \$10.00 per call. A total \$20,020.00 (approximately.) Vernier/Alward All Ayes M/C

ARPA: Larger Monitors and shredder needed

Motion to purchase two (2) and one (1) paper shredder Vernier/Alward All Ayes M/C

Road Plan 2024

Motion to approve 2024 Road Plan Gawron/Holmes All Ayes M/C

Resolution 12-20-23 Riverview Mobile Home Park Drinking Water Responsibility

RESOLUTION 12-20-23

Riverview Mobile Home Park Drinking Water Responsibility

WHEREAS, the Luke Birchmeier owns and operates a drinking water system serving Riverview Gladwin, LLC (also known as Secord Lake Mobile Home Park) located at 2603 Lakeshore Drive, Gladwin Michigan (Legal Description attached as Exhibit A); and,

WHEREAS, , the Luke Birchmeier possesses the ability and willingness to continue effective operation and maintenance of said system; and

WHEREAS, Secord Township recognizes the need for effective and continued operation and maintenance of said system to protect the public health; and

WHEREAS, Secord Township deems it impractical for the Township to own, operate, and administer this particular drinking water supply;

NOW, THEREFORE, BE IT RESOLVED that Secord Township refuses to accept ownership of or operation, maintenance, and administrative responsibilities for said particular drinking water supply. Secord Township endorses the application of ,Luke Birchmeier to continue these responsibilities under state permit.

Motion to accept Resolution 12-20-23 Vernier/Alward

Roll Call:

- Supervisor Joel Vernier Aye
- Clerk Karen Gawron Aye
- Treasure Cheryl Parmer Aye
- Trustee Maria Alward Aye
- Trustee Martin Holmes Aye
- All Ayes M/C

Resolution 12-20-23-2 Poverty Exemption 2024

2024 RESOLUTION FOR POVERTY EXEMPTION

Resolution 12-20-23-2

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Council (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 charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City/Township of Secord, Gladwin County adopts the following guidelines for the Board of Review to implement. 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;

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 overall asset limit of \$20,000. 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 driver’s license or other form of identification.
- 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 by 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.

The following are the federal poverty income 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.

Federal Poverty Guidelines for the 2024 Assessment Year

Number of Persons Residing Poverty Guidelines in the Principal Residence Annual allowable income

1 Person	\$14,580
2 Persons	\$19,720
3 Persons	\$24,860
4 Persons	\$30,000
5 Persons	\$35,140
6 Persons	\$40,280
7 Persons	\$45,420
8 Persons	\$50,560
Each additional person, add	\$5,140

The following is a limit on the amount of assets an applicant can have (or insert see attachment):

- Limit on Cash Balances: \$2,500 (check/savings). All bank statements must be submitted with application.
- 1 personal vehicle is exempt from overall asset value limit
- Primary Residence is excluded, however, excess land over 5 acres will count toward overall asset limit.
- Annual dividend income (taxable & non-taxable) must be less than \$1,000
- Overall Asset Value Limit: \$20,000

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. As this policy and resolution do not establish specific guidelines for granting a 25% or 50% reduction in taxable value as allowed by MCL 211.7u, the Board of Review shall be limited to a 0% reduction (denial) or 100% reduction (approval).

Motion to adopt Resolution 12-20-23-2 Vernier/Holmes

Roll Call:

Supervisor Joel Vernier Aye

Clerk Karen Gawron Aye

Treasure Cheryl Parmer Aye

Trustee Maria Alward Aye

Trustee Martin Holmes Aye

All Ayes M/C

Ordinance to Amend & Restate Junk, Blight and Inoperable Motor Vehicle 3.44-3.36

SECORD TOWNSHIP ORDINANCE NO. 3.44,3.45,3.46

ORDINANCE TO AMEND AND RESTATE

THE SECORD TOWNSHIP JUNK ORDINANCE, BLIGHTED STRUCTURE ORDINANCE, AND INOPERABLE MOTOR VEHICLE ORDINANCE

AN ORDINANCE TO AMEND AND RESTATE THE SECORD TOWNSHIP JUNK ORDINANCE, BLIGHTED STRUCTURE ORDINANCE, AND INOPERABLE MOTOR VEHICLE ORDINANCE FOR THE TOWNSHIP OF SECORD.

An ordinance to prevent, reduce or eliminate blight, blighting factors or causes of blight within Secord Township, Gladwin County, Michigan; to provide for the enforcement hereof; and to provide penalties for the violation hereof. Pursuant to the enacting authority therefore provided by act 344 of the Public Acts of 1945, as amended.

ORDAINS:

Sec. 1 — Title

This ordinance shall be known as and cited as the Secord Township Blight Elimination Ordinance.

Sec. 2 — Purpose

Consistent with the letter and spirit of Public Act 344 of 1945, as amended, it is the purpose of this ordinance to prevent, reduce or eliminate blight or potential blight in Secord Township by the prevention and elimination of certain environmental causes of blight or blighting factors which exist or which may in the future exist in said township.

Sec. 3 — REGULATIONS

A. Exterior Storage of Nonoperative Vehicles. Unless otherwise permitted, no person or corporation, whether he be the owner, tenant or manager of private property, or whether he be the last registered owner of the vehicle or transferee on the bill of sale covering the vehicle, shall penult the accumulation on private property of one or more motor vehicles which do not meet the following conditions:

1. Any motor vehicle must be in operating condition and eligible for use in accordance with the requirements of the Michigan Vehicle Code being Act No. 300 of 1949, as amended. Provided that any such vehicle may not comply with these regulations for a period not exceeding fourteen (14) calendar days.
2. These requirements include, but are not limited to, an engine that runs, four wheels and four pneumatic tires capable of holding air, current license plates, registration, insurance and a working battery.
3. Any person enumerated in this Section who, under special conditions of hardship, or for valid reasons such as the preservation of a historic or classic vehicle, may request an extension of the fourteen (14) calendar days limitation above described by filing a timely request with the Township Board. Said Township Board may, at its discretion, after review of all the circumstances and after holding any hearing, it deems necessary, grant said applicant any reasonable extension of time.

4. These provisions shall apply in all areas except where the storage of said vehicles is in a completely enclosed building or is by a licensed junk dealer.

B. No repairing, re-designing, modifying or dismantling work or operations shall be allowed upon any vehicle or trailer or parts thereof upon any public right-of-way or public property or on any property except such as may be accomplished within a fully enclosed building; provided, however, if no fully enclosed building is located on the premises, the said repairing, redesigning, modifying or dismantling work or operations may be conducted on the premises for a period of time not to exceed one week. Repairing, redesigning, modifying or dismantling work or operations will not be permitted on any premises where the conduct of such work or operations would constitute a nuisance or annoyance to adjacent property owners or occupants and/or is in violation of any provisions of any applicable zoning ordinance or any other ordinance of the Township of Secord or Gladwin County. Nothing contained herein shall prohibit such occasional minor repair work as may infrequently be required to maintain a vehicle or trailer or parts thereof in normal operating conditions; provided, however, such minor work can be completed within a 24-hour period.

Sec. 4 — DEFINITIONS

The following words or terms when used herein shall be deemed to have the meanings set forth below:

- A. The term "junk" shall include, without limitation, parts of machinery or motor vehicles, broken and unusable furniture, stoves, refrigerators or other appliances, remnants of wood, metal or any other cast-off material of any kind, whether or not the same could be put to any reasonable use.
- B. The term "abandoned vehicle" shall include, without limitation, any vehicle which has remained on private property for a period of 48 continuous hours, or more, without the consent of the owner or occupant of the property, or for a period of 48 continuous hours, or more after the consent of the owner or occupant of the property has been revoked.
- C. The term "blighted structure" shall include, without limitation any dwelling, garage, or outbuilding, or any factory, shop, store, office building, warehouse or any other structure, or part of a structure, which, because of fire, wind, or other natural disaster, or physical deterioration, is no longer habitable as a dwelling, nor useful for the purpose for which it may have been intended.
- D. The term "building material" shall include, without limitation, lumber, brick, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete, or cement, nails, screws, or any other materials used in constructing any structure.
- E. The term "person" shall include all natural persons, firms, co-partnerships, corporations, and all associations of natural persons, incorporated or unincorporated, whether acting by themselves, or by a servant, agent or employee. All persons who violate any of the provisions of this ordinance, whether as owner, occupant, lessee, agent, servant, or employee shall, except as herein otherwise provided, be equally liable as principals.
- F. The term "trash and rubbish" shall include any and all forms of debris not herein otherwise classified.

Sec. 5

Except as otherwise provided herein, no person, firm, corporation, or other legal entity shall park, store or place upon any public roadway, public property or upon any premises within the TOWNSHIP OF SECORD, any junk, junk motor vehicles, abandoned vehicles, used parts or junk therefrom, any blighted structure, any building materials or any trash and rubbish as herein defined, unless the same is wholly contained within a fully enclosed building and does not violate any zoning or building laws of the TOWNSHIP OF SECORD, Gladwin County or State of Michigan.

Sec. 6 — NUISANCE

Any parking, storage, placement or operation in violation of the provisions of this Ordinance is hereby declared to be a public nuisance which may be enjoined or which may subject the violator to civil damages and the fines and penalties herein provided for.

Sec. 7 — CONSTRUCTION

This Ordinance shall not prevent the operation of any licensed junk yard or salvage yard, garage, body or paint shop legally operating within a proper zone as may be defined in any TOWNSHIP OF SECORD Ordinance and shall be in addition to any other laws or Ordinance controlling or regulating rubbish, refuse, litter, trash or junk.

Sec. 8 – PENALTY

A. *First offense.*

- (1) A first offense under this article shall be deemed to be a Township civil infraction.
- (2) The civil fine for a first offense violation shall be up to \$500.00, plus costs and other sanctions, for each offense. Such civil fine shall apply in the event of a determination of responsibility for a Township civil infraction, unless a different fine is specified in connection with a particular article provision.
- (3) In addition to ordering the defendant determined to be responsible for a Township civil infraction to pay a civil fine, costs, damages and expenses, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce or enjoin violation of this article.

B. *Continuing offense.* Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense.

C. *Remedies not exclusive.* In addition to any remedies provided for in this article, any equitable or other remedies available may be sought.

D. *Judge or magistrate.* The judge or magistrate shall also be authorized to impose costs, damages and expenses as provided by law.

E. *Default in payment of fines and costs.* A default in the payment of a civil fine, costs, damages or expenses ordered under subsection (A) of this section or an installment of the fine, costs, damages or expenses as allowed by the court may be collected by the Township by a means authorized for the enforcement of a judgment under chapter 40 or 60 of the revised judicature act (MCL 600.101 et seq.).

F. *Failure to comply with judgment or order.* If a defendant fails to comply with an order or judgment issued pursuant to this section within the time prescribed by the court, the court may proceed under subsection (H) of this section.

G. *Failure to appear in court.* A defendant who fails to answer a citation or notice to appear in court for a violation of this article is guilty of a misdemeanor, punishable by a fine of not more than \$500.00, plus costs, and/or imprisonment not to exceed 90 days.

H. *Civil contempt.*

1. If a defendant defaults in the payment of a civil fine, costs, damages, expenses or installments as ordered by the district court, upon motion of the Township or upon its own motion, the court may require the defendant to show cause why the defendant should not be held in civil contempt and may issue a summons order to show cause, or bench warrant of arrest for the defendant's appearance.
2. If a corporation or association is ordered to pay a civil fine, costs, damages or expenses, the individuals authorized to make disbursements shall pay the fine, costs, damages or expenses, and their failure to do so shall be civil contempt unless they make the showing required in subsection (H)(1) of this section.
3. Unless the defendant shows that the default was not attributable to an intentional refusal to obey the order of the court or to a failure on his part to make a good faith effort to obtain the funds required for payment, the court shall find that the default constitutes a civil contempt and may order the defendant committed until all or a specified part of the amount due is paid.
4. If it appears that the default in the payment of a civil fine, costs, damages or expenses does not constitute civil contempt, the court may enter an order allowing the defendant additional time for payment, reducing the amount of the payment or each installment, or revoking the fine, costs, damages or expenses.
5. The term of imprisonment on civil contempt for nonpayment of a civil fine, costs, damages or expenses shall be specified in the order of commitment and shall not exceed one day for each \$30.00 due. A person committed for nonpayment of a civil fine, costs, damages or expenses shall be given credit toward payment for each day of imprisonment and each day of detention in default of recognizance before judgment at the rate of \$30.00 per day.
6. A defendant committed to imprisonment for civil contempt for nonpayment of a civil fine, costs, damages or expenses shall not be discharged from custody until one of the following occurs:
 - a. The defendant is credited with an amount due pursuant to subsection (H)(5) of this section.
 - b. The amount due is collected through execution of process or otherwise.
 - c. The amount due is satisfied pursuant to a combination of subsections (H)(6) a. and (H)(6) b. of this section.
7. The civil contempt shall be purged upon discharge of the defendant pursuant to subsection (H)(6) of this section.

- I. *Second or subsequent offenses.* Any person who violates any of the provisions of this article for a second or subsequent time shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$500.00, or imprisonment in the county jail for a period of not to exceed 90 days, or by both such fine and imprisonment. Each day that a violation continues to exist shall constitute a separate offense.
- J. *Removal and sale.* In addition to the imposition of the fines and penalties as otherwise set forth in this section, the Township Board, building and zoning inspector, any law enforcement officer or such other officer as the Township Board may designate, may petition for a court order to cause any junk, blighted structure, building materials, trash, rubbish, vehicle or trailer, or parts thereof, which violate the provisions of this article to be removed from the premises, impounded and destroyed or sold for junk, and the cost thereof assessed against the owner of such vehicle or trailer, or parts thereof, or of the premises on which such items are located. Any sums realized on the sale thereof may be retained by the Township to reimburse the Township for the cost incurred in such removal and sale, to the extent of such cost. Any balance of sums remaining after such reimbursement shall be returned to the owner of such vehicle or trailer, or parts thereof.
- K. In addition to the imposition of the foregoing fines and penalties, the Township Board, Building and Zoning Inspector, any Police Officers or such other officer as the Township Board may designate, may petition for a court order to cause any junk, blighted structure, building materials, trash or rubbish, vehicle, trailer, or parts thereof, which violate the provisions of the ordinance to be removed from the premises, impounded and destroyed or sold for junk, and the cost thereof assessed against the owner of such vehicle, trailer or parts thereof, or of the premises on which same are located. Any sums realized on the sale of same may be retained by the TOWNSHIP OF SECORD to reimburse it for the cost incurred in such removal and sale, to the extent of such cost. Any balance of sums remaining after such reimbursement shall be returned to the owner of such a vehicle, trailer or parts thereof.

Sec. 9 — SEVERANCE CLAUSE

Each section or portion of a section of this ordinance shall be deemed to be severable and should any section, paragraph, or provision herein be declared by the court unconstitutional or invalid, such holding shall not affect the validity of this ordinance as whole or any part hereof, other than that part so declared to be constitutional or invalid.

Sec. 10 — EFFECTIVE DATE AND ADOPTION

This ordinance shall become effective thirty (30) days after its publication as required by law. This ordinance was adopted by the Township Board of Secord Township, Gladwin County, Michigan at a regular meeting thereof held on December 20, 2023

Motion to accept Ordinance 3.44, 3.45, 3.46 Vernier/Holmes

Roll Call:

Supervisor Joel Vernier Aye

Clerk Karen Gawron Aye

Treasure Cheryl Parmer Aye

Trustee Maria Alward Aye

Trustee Martin Holmes Aye

All Ayes M/C

Public Comment/Announcements: Two (2) Residents commented

Motion to Adjourn Vernier & Alward @ 11:00 am

E-Mail for Supervisor: supervisor@secordtwp.com