

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
MONDAY, JANUARY 25, 2010

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MI 48042

PRESENT: MARK H. GRABOW, SUPERVISOR  
MICHAEL D. KOEHS, CLERK  
MARIE MALBURG, TREASURER  
DINO F. BUCCI, JR, TRUSTEE  
JANET DUNN, TRUSTEE  
ROGER KRZEMINSKI, TRUSTEE  
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel  
Jack Daley, Planning Consultant  
James VanTiflin, Engineering Consultant  
*(Additional attendance on file at the Clerk's Office)*

Supervisor GRABOW called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

**ROLL CALL**

1. Clerk KOEHS called the roll and the Board of Trustees was present.

**APPROVAL OF THE AGENDA**

2. The agenda was reviewed and items 9A, 9B, 9C, 9D, 9E and 15 were added.

**MOTION by DUNN seconded by BUCCI to approve the agenda as amended.**

**MOTION carried.**

**APPROVAL OF THE BILLS**

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

**MOTION by NEVERS seconded by KRZEMINSKI to approve both bill runs as presented.**

**MOTION carried.**

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

4. The minutes of the previous meeting held on January 13, 2010 were reviewed and any additions, corrections or deletions were discussed and made.

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**MOTION by DUNN seconded by MALBURG to approve the minutes of the meeting of January 13, 2010 as presented.**

**MOTION carried.**

**5. Consent Agenda Items:**

**A. Clerk's Department:**

1. Wall Sign Bond Release; \$2.25 Cleaners; Section 25; Global Signs and Awning, Inc., Petitioner.
2. Wall Sign Bond Release; Kaewpraya Thai Cuisine; Section 31; Kaewpraya Thai Cuisine Inc., Petitioner.
3. Site Plan Bond Release; Macomb Centre Plaza; Section 17; River Place Plaza Ltd., Petitioner.

**B. Human Resources**

1. Request for Personal Leave of Absence – Fire Department.

Supervisor GRABOW reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.

**MOTION by KRZEMINSKI seconded by BUCCI to approve the Consent Agenda as presented.**

**MOTION carried.**

**6. Public Comments – Agenda Items**

None

**PUBLIC HEARING** – Retention Basin; Buckingham Village I & II and Wingate Subdivisions; near Vesper Drive & Heydenreich Road.

At 7:04 p.m. Supervisor GRABOW opened the public hearing on the matter of the retention basin for the subdivisions at Buckingham Village I, Buckingham Village II and Wingate. Township Attorney Lawrence Dloski informed everyone that the litigation was proceeding through the circuit court, and that two landscape bonds, unrelated to the basin issue, were returned to the developer.

Paul Petrella thanked the Board for taking action and asked the Board to hold any party responsible who contributed to the problem, including the Board itself. He said that he was in favor of turning the maintenance of

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the retention basin over to the homeowners, once it was repaired. He also asked that the Board rescind its' intentions of proceeding with a special assessment district for the basin.

Matt Mazurco expressed his concern that the two bonds were released when the basin matter was not yet resolved.

The public hearing was closed at 7:10 p.m. No additional action was taken at this time.

## PLANNING

7. **Tentative Preliminary Plat;** Gloede Park Estates; Located on the northwest corner of 21 Mile Road and Garfield Road; Section 30; Permanent Parcel No. 08-30-400-020. Lombardo Companies, Petitioner.

Mr. Jack Daley, Planning Consultant, reviewed this matter and stated that, other than changing the name from Gloede Park II to Glode Park Estates, this is actually a renewal of a subdivision which is already constructed. He further stated his recommendation for approval.

Mr. Greg Windingland, representing the petitioner, was present to answer any questions the Board might have.

**MOTION by DUNN seconded by NEVERS to approve the Tentative Preliminary Plat for Gloede Park Estates which is located on the northwest corner of 21 Mile Road and Garfield Road in Section 30, Permanent Parcel No. 08-30-400-020, based on the recommendations of the Planning Consultants.**

**MOTION carried.**

8. **Final Preliminary Plat;** Gloede Park Estates; Located on the northwest corner of 21 Mile Road and Garfield Road; Section 30; Permanent Parcel No. 08-30-400-020. Lombardo Companies, Petitioner.

Mr. Jack Daley, Planning Consultant, reviewed this matter and again stated his recommendation for approval.

Mr. Greg Windingland, representing the petitioner, was present to answer any questions the Board might have.

**MOTION by KOEHS seconded by DUNN to approve the Final Preliminary Plat for Gloede Park Estates which is located on the northwest corner of 21 Mile Road and Garfield Road in Section 30, Permanent Parcel No. 08-30-400-020, based on the recommendations of the Planning Consultants.**

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**MOTION carried.**

**NEW BUSINESS**

9. Request to Adopt Poverty Exemption Resolution.

Phyllis Sharbo, Township Assessor, reviewed this matter and stated her recommendation for approval.

**MOTION by DUNN seconded by KRZEMINSKI to adopt the following resolution:**

**TOWNSHIP OF MACOMB  
COUNTY OF MACOMB, STATE OF MICHIGAN  
REAL PROPERTY TAX POVERTY EXEMPTION RESOLUTION**

**Memorandum of Resolution made and adopted at a Regular Meeting of the Board of Trustees of Macomb Township, Macomb County, Michigan, held in the Macomb Township offices on Monday the 25<sup>th</sup> of January, 2010.**

**The following preamble and resolution were offered by Member DUNN and supported by Member KRZEMINSKI:**

**Whereas, Section 211.7u of Act No. 206 of the Public Acts of 1893, as amended, provides that the homestead of a person who, in the judgment of the Supervisor and Board of Review, by reason of poverty, is unable to contribute toward the public charges are eligible for exemption in whole or in part from taxation under the Act; and,**

**Whereas, said section provides certain eligibility requirements for exemption under said section; and,**

**Whereas, said section requires that an applicant meet the federal poverty income standards as defined and determined annually by the United States Office of Management and Budget or alternative guidelines adopted by the governing body of the local assessing unit; provided, however, such alternative guidelines do not provide income eligibility requirements less than the federal guidelines; and,**

**Whereas, the Board of Trustees of the Township of Macomb is the governing body of the local assessing unit; and,**

**NOW, THEREFORE, BE IT RESOVED that the following standards be adopted in relation to applications for the Real Property Poverty Exemptions:**

**In order to qualify for the Poverty Exemption, the claimant MUST meet all of the following requirements. It may be possible that a claimant meets the income standard for the Poverty Exemption but not meet the asset standard or**

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**other standards as set forth in these guidelines. In this instance the claimant would NOT qualify for the exemption even though the income standard was met.**

**The Board of Review shall follow these guidelines when granting or denying a Poverty Exemption. The same standards shall apply to each claimant in the Township for the assessment year “unless the Supervisor and Board of Review determines that there are substantial and compelling reasons why there should be deviation from the guidelines and the substantial and compelling reasons are communicated in writing to the claimant.”**

**In granting Poverty Exemptions, the Township of Macomb and the Board of Review realizes that this represents a shift of those property taxes exempted to the other taxpayers of the Township. Poverty exemptions are intended to assist those who are in temporary financial straits and are NOT intended as a permanent or continuous subsidy. Poverty exemptions shall apply only to the applicant’s qualified homestead and the property must be classified RESIDENTIAL for property tax purposes. Under no circumstances shall a poverty exemption be granted or apply to the property of a business, partnership or corporation.**

**To be eligible for exemption by reason of poverty, a person shall do all of the following on an annual basis:**

**Applicants MUST be an owner of and occupy as a homestead (as defined by MCL 211.7dd) the property for which an exemption is being requested. Vacant, unplatted, contiguous land shall not qualify as homestead property for purposes of these guidelines.**

**Applicants MUST file a completed “Hardship Exemption Application” with the Board of Review on a form provided by the Assessing Department and include a copy of their W-2 Forms, Federal Income Tax Returns, Michigan Income Tax Returns including the Michigan Homestead Property Tax Credit Claim (MI-1040CR) and all supporting documents and schedules for ALL PERSONS residing in the homestead, filed in the immediately preceding year or in the current year.**

**Applicants MUST provide a copy of the Social Security Benefit Statement (Form SSA-1099) for ALL PERSONS, residing in the homestead, which receive social security benefits.**

**Applicants MUST provide a copy of their bank statements, for the immediately preceding six month, of all checking and savings accounts.**

**Applicants MUST provide a valid driver’s license or other form of identification, and must also provide a copy of a deed, land contract, or other**

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evidence of ownership of the property for which an exemption is requested, if requested by the Assessor or Board of Review.

Applications, including all required information above, **MUST** be filed after January 1 and before the day prior to the final day of the March, July or December Board of Review meetings for that assessment year.

Applicants **MUST** meet poverty income standards determined by the Township of Macomb. These income standards shall be posted annually in the Department of Assessment and made available upon request at no charge. These income standards will be based upon the current year Federal Poverty Thresholds multiplied by a rate of 135% (1.35).

The Board of Review shall consider income from all sources and from all occupants of the homestead when determining whether an Applicant meets Township poverty income standards as established by the Township Board of Trustees.

In addition to income as noted above, savings accounts, checking accounts, investments and interest earnings/dividends, in total, from all household members, may not exceed double the amount of the current annual property tax obligation. The Board of Review may also take into consideration other assets such as ownership interest in other real estate and/or personal property.

**NOTE:** Under no circumstances shall the Board of Review reduce the taxable value of a claimant that is not currently receiving the maximum refund of \$1,200.00 from the State of Michigan unless the claimant's household income is equal to or less than the federal poverty income standards as defined and determined by the United States office of management and budget. Any relief granted shall be based upon the tax obligation in excess of the maximum \$1,200.00 homestead credit refund allowed by the State of Michigan.

Under no circumstances shall the Board of Review reduce the taxable value lower than that which would produce an annual ad valorem tax equal to 3.5% of an applicants income plus property tax credit refund payable by the State of Michigan. It is not the intent of the Township to adopt a policy of an individual being "automatically entitled" to exemption.

**AYES:** DUNN, KRZEMINSKI, BUCCI, NEVERS, MALBURG, KOEHS, GRABOW.

**NAYS:** NONE

**MOTION** carried, **RESOLUTION** declared adopted.

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9. A Request to Renew the Annual Maintenance Agreement with RIO Supply Michigan Meter, Inc.

Gerry Wangelin, Water and Sewer Superintendent, reviewed this matter and stated that this covers the hand held meter reading devices. The annual maintenance contract costs four thousand seven hundred twenty two dollars (\$4,722.00).

**MOTION by BUCCI seconded by KRZEMINSKI to approve the request to Renew the Annual Maintenance Agreement with RIO Supply Michigan Meter, Inc. in the amount of four thousand seven hundred twenty two dollars (\$4,722.00).**

**MOTION carried.**

9. B Review of the Senior Citizens Program.

Salvatore DiCaro, Parks and Recreation Director, reviewed this program and informed the Board that attendance has been poor and that the program took in just over one thousand dollars and costs over eleven thousand dollars to operate during its five month run, so far. He did indicate that there is strong participation by seniors in the Parks and Recreation programs.

**MOTION by KRZEMINSKI seconded by NEVERS to end the Senior Citizen Program when it expires at the end of February due to lack of attendance and costs.**

**MOTION carried.**

9. C Request to accept a letter of Engagement for a Five Year Revenue Study.

Clerk KOEHS reviewed this proposal from Plante and Moran Accountants to conduct the projected five year revenue and expenditure study at a cost of two thousand dollars (\$2,000.00).

**MOTION by KRZEMINSKI seconded by KOEHS to accept the terms of the letter as proposed by Plante and Moran to conduct the five year revenue and expenditure study for a cost of two thousand dollars (\$2,000.00).**

**MOTION carried.**

9. D **Request to Extend the Period of a Renaissance Recovery Zone Designation for Majestic Industries, Inc.**

Mr. James Ahee from Macomb County Planning and Economic Development asked the Board to consider the extension of a previously granted designation as a Renaissance Recovery Zone to Majestic Industries, Inc. The request is to extend the original five (5) year designation for an additional five (5) years, making it a total of ten (10) years.

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Mr. James Butler, from Majestic Industries, Inc., also informed the Board of all of the accomplishments that Majestic Industries, Inc. has made since the original designation was granted on July 22, 2009.

**MOTION by KRZEMINKSI seconded by KOEHS to approve the following resolution:**

**A RESOLUTION TO EXTEND THE DURATION OF A TOOL AND DIE RENAISSANCE  
RECOVERY ZONE FOR MAJESTIC INDUSTRIES**

**WHEREAS, the Township of Macomb desires to promote economic activity and maintain/increase the number of jobs available to residents of the area, and;**

**WHEREAS, certain industries in the state are facing difficult times and the tool and die industry, in particular, has sustained losses due to foreign competition and increased productivity;**

**WHEREAS, the designation of a Recovery Zone will temporarily reduce the tax burden paid by the business enabling it to reposition itself to compete globally, and;**

**WHEREAS, the business has entered into a collaborative agreement with other business entities having the appropriate North American Industrial classification, and;**

**WHEREAS, the qualified tool and die business property is property leased or owned by a tool and die business and used primarily for tool and die operations;**

**WHEREAS, should the area be designated a Recovery Zone, property within that zone will be exempt from taxes levied by the township, county, and other units of government as provided under this Act, and;**

**WHEREAS, we estimate that the tax revenue lost would be a small fraction of the benefits the designation of a Recovery Zone will bring the community.**

**WHEREAS the Township of Macomb had previously supported a Recovery Zone for this property for a period of up to five (5) years in a previous resolution adopted on July 22, 2009.**

**WHEREAS, the Michigan Strategic Fund designated the company as a Recovery Zone for a period of five (5) years;**

**WHEREAS, recent legislation has allowed individual businesses in a Recovery Zone to have differing time periods for the abatement.**

**THEREFORE BE IT RESOLVED, that the Township of Macomb requests that the State of Michigan extend the duration of the Recovery Zone of Majestic Industries for an additional five (5) years.**

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**AYES: KRZEMINSKI, KOEHS, NEVERS, DUNN, BUCCI, MALBURG, GRABOW**

**NAYS: NONE**

**MOTION carried.**

9. E Confirmation of a Telephone Poll regarding an Employee disciplinary matter.

**MOTION by DUNN seconded by MALBURG to confirm the voting results of the employee disciplinary matter taken earlier by the Supervisor.**

**MOTION carried.**

**FIRE DEPARTMENT**

10. Request to Attend Fire Department Instructors Training Conference.

Chief Robert Phillips, reviewed this matter and stated the Lt. Gary Ross and himself would be attending this years conference. He further stated his recommendation for approval.

**MOTION by NEVERS seconded by DUNN to approve the request to attend the Fire Department Instructors Training Conference as presented.**

**MOTION carried.**

**Public Comments, Non-Agenda Items Only - (3 minute time limit)**

Grace Caparucio spoke regarding the school elections coming up in the Chippewa Valley School district.

Judge Douglas Shepherd spoke regarding the relocation of the 41<sup>st</sup> District Court.

**BOARD COMMENTS**

11. Supervisor Comments:

Supervisor GRABOW commented on the recent success of the Blood Drive, and on the interruption of service to the Town Hall phone lines. He also informed the Board that the Road Commission has informed him that at this time they do not feel that guard rails are warranted for 25 Mile Road near the Macomb Corners Park.

12. Clerk Comments: None

13. Treasurer Comments: None

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14. Trustees Comments:

Trustee BUCCI asked that the Board reconsider the search for a purchasing specialist and a deputy building official and suspend this activity for a period of six (6) months.

**MOTION by KRZEMINSKI seconded by NEVERS to suspend the recruitment of a purchasing specialist and a deputy building official for a period of six months.**

**MOTION carried.**

Trustee BUCCI revisited the issue of purchasing fuel for township vehicles and asked the Board to send out for bids for fuel through the Michigan Intergovernmental Trade Network.

**MOTION by KOEHS seconded by DUNN to rebid the purchase of fuel for the township fleet using the Michigan Intergovernmental Trade Network.**

**MOTION carried.**

**MOTION by BUCCI seconded by KRZEMINSKI to retire to Executive Session at 8:00 p.m.**

**MOTION carried.**

*The Board returned from Executive Session at 8:58 p.m.*

**EXECUTIVE SESSION**

**MOTION by DUNN seconded by NEVERS to suspend Fire Fighter Allen Coleman from January 14, 2010 through January 27, 2010 and to not allow him to work standby duty for ninety days commencing from January 29, 2010.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board meeting at 9:04 p.m.**

**MOTION carried.**

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Respectfully submitted,

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Mark H. Grabow  
Macomb Township Supervisor

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Michael D. Koehs, CMC  
Macomb Township Clerk