

Charter Township of Portage
Regular Board of Trustees Meeting

September 12, 2022

The Charter Township of Portage held a Regular Board of Trustees Meeting on Monday, September 12, 2022.

Call to Order: The meeting was called to order by Bruce Petersen at 6:00 PM.

In attendance were Supervisor Bruce Petersen, Clerk Amy Skewes. Treasurer Betsy Smith and Trustees Peggy Anderson, Bill Bingham, Bill Fink and John Ollila as stated by roll call.

Additions or Changes to the Meeting Agenda:

New Business – Torrez Complaint, email complaints about water lines

A motion was made by Ollila, seconded by Skewes to approve the meeting agenda. Motion carried by a roll call vote. Aye: Anderson, Bingham, Fink, Ollila, Petersen, Skewes, Smith. Nay: none.

Approval of the Bd. of Trustees Previous Minutes: A motion was made by Ollila and seconded by Anderson to approve the August 8, 2022 regular meeting minutes and the August 11, and August 17, 2022 special meeting minutes. Motion carried by a roll call vote. Aye: Anderson, Bingham, Fink, Ollila, Petersen, Skewes, Smith. Nay: none.

Approval of the Bills:

A motion was made by Anderson and seconded by Fink to approve the bills as audited. Motion carried by a roll call vote. Aye: Anderson, Bingham, Fink, Ollila, Petersen, Skewes, Smith. Nay: none.

Review Clerk's Report:

- Local Clerk meeting at Franklin Township on 9/22/22
- Sent out over 300 unreturned AV applications for November
- Next election is November 8, 2022
- There is an accreditation class in Marquette. The board agreed to allow the deputy clerk attend

Review Treasurer's Report:

Water/Sewer Committee Follow Up: What is the follow up from Water/Sewer and Cemetery Meetings regarding my request to increase fees and look at budget deficits for both areas?

- Last meeting, we had a private session in which this was discussed, what has the committee since come up with regarding rate changes?
- No rate changes have been made to date. We are now in our 9th month of the year, and have little time to recoup fees for Portage Water to decrease the deficit if we do not change rates.
 - Rate changes require an advanced customer notification – (1) committee makes the recommendation, (2) the board approves, (3) customers are notified, (4)

Vanessa makes the changes within the system, and then (5) the next set of bills is reflected, when will a change be effective if we make it now? Next meeting?

- We've discussed sump pump monitoring and other approaches, but that does not fix the deficit on its own; a rate change is the other part of fixing this issue and regardless of the arguing done regarding sump pumps and fixing that part of the problem, this has yet to be addressed.
- Cemetery: Bill Fink and I met regarding Perpetual Care fund; we will not be setting up meetings at this time with other brokers surrounding taking monies out of our Perpetual Care Investment Funds and putting them into other investment types; because the market is low, we'd lose out selling low and should ride things out for the time being.
- Summer tax collection in process; 9am-6pm Treasurer will be in the office for mandatory collection on 9/14/22
- Rural Development/Portage Sewer working on confirmation of min. account balances for new PS RD loans – no updates, waiting on confirmation from Crystal at RD
 - Portage sewer is currently negative and will need "bail out" - due to general fund at year end
 - Two anticipated payments shown circled below will add to the deficit, potentially taking the account to -\$75,353.28 (does not take into account other expenses/income for this year)
 - Currently PS due to general fund is \$48,336.32
 - there was a plan to decrease this due to General Fund starting in 2021 by \$20,000/year
 - SSI monies decreased previous due to General Fund, but the other fees will create a potential due to General Fund of \$123,689 by year end if fees are not increased leaks not fixed

Review Zoning Administrator's Report (John) for (August 2022)

Zoning Applications:

8/1 – 44297 Paradise Road, new garage, approved, 8/2 – 47212 Main St., new garage, approved, 8/2 – Onagaming Resort development, referred to P.C. for site plan review, 8/4 – New duplex, Horatio & Huron, approved, 8/12 – Sheridan Place, addition, approved, 8/17 – Mobile home, Aspen Drive, Tapiola, approved. Also, pre-application visits to Dodgeville, Peepsock, Sheridan Place, & Main St.

Zoning Correspondence:

8/1 – Inquiry from Twin cities about 5 acres near Paradise Bridge, 8/5 – Same site inquiry by local real estate agent, 8/12 – Setbacks for future garage in Peepsock, 8/15 – Moving mobile home on vacant lot Tapiola area, 8/22 – Inquiry about fence, garage, and addition, Healy St. Dodgeville, 8/23,24.25 – Several questions about recent P.C. decision, 8/25 – Inquiry about the former Woodbury accounting site, 8/26 – Proximity of poured pad to side lot line, 8/31 – Inquiry about garage setbacks in Condo Plat, 8/31 – Complaint about a possibly illegal storage building and illegal business on Wayleen.

Correspondence: MRA – Michigan Railroad Association, BHK Support Letter for Energy Efficiency Funding, Ford Service, EGLW – Inland Lakes and Streams General Permit & Drinking Water Testing Reminder, MRWA – PFAS Cost Recovery Program, MTA – Emergency Issue Training

Review Fire Departments: OLFDD – no fires, 6 EMS calls

A motion was made by Ollila to approve the purchase of a 1992 pumper truck for \$10,000 from the Chassell Fire Department and purchase new hose for the OLFDD, seconded by Anderson. Motion carried by a roll call vote. Aye: Anderson, Bingham, Fink, Ollila, Petersen, Skewes, Smith. Nay: none.

Review Assessor's Report: Attached

Trustees Reports/Updates: Anderson asked if we received an estimate for repair to the front steps at the office yet, Bruce replied no. Anderson received 2 calls regarding the speed on Green Acres Road and calls from residents on Canal Road inquiring about old water lines and would like to have the DPW check. Bruce stated that L&H will be fixing the line in the next few weeks.

Anderson has concerns about 4 dead trees across the street from the Township office and wonders if they are on Township property. Trees are on Manderfield land.

Anderson and Skewes both requested that Bruce send Julie Riolo a thank you note for her donation and for helping with the cemetery.

Fink commented that he believes the Onagaming resort plan design is an unacceptable hazard because people must cross the highway from the 67-car parking lot to get to the resort. Also, he believes the plan involves trespassing, having their buildings trespass on state owned land, it looks like from the plans they are planning to trespass onto state land. He doesn't think it is appropriate for us to approve any plan that allows one land owner to trespass onto another land owner.

Bingham expressed concerns about the Supervisor using a home computer to do the work of the Township and storing Township business there, and he also questioned whether the fact that the work done at home is being backed up securely. Bruce said he does the work on his home computer, then transfers the documents over.

Bingham stated that the agenda has not been getting posted on the Website, the public would like access to it before meetings.

Public Comments:

A resident had concerns about commercial traffic going through Royalwood

A resident had a request to allow all township meetings be accessible via zoom as well as in person, also he proposed that any person threatening a public official be immediately ejected from the meeting.

Several residents expressed concerns regarding the Onagaming property and the process by which the Planning Commission conducted its meeting and vote. Also, concerns were voiced regarding one of the proposed parking lots being on the opposite side the Highway from the resort, and that no stormwater plan was required.

Susan Schwenk complained that she was now being harassed by the State Police and MDOT.

Old Business:

- A. Green Acres Rd. Sewer Project – Chg. Order 1 & Payment Resolution. Water Leak Repaired – (5) Bands on 38 vintage Line – Pursue EGLE Grants – October.
A motion was made by Bingham to approve the 7th draw from the USDA grant in the amount of \$744,101.86, seconded by Fink. Motion carried by a roll call vote. Aye: Anderson, Bingham, Fink, Ollila, Petersen, Skewes, Smith. Nay: none

A motion was made by Skewes to fix the water line under Green Acres Road at the approximate cost of \$15,000 to be paid for by Portage Water, seconded by Ollila. Motion carried by a roll call vote. Aye: Anderson, Bingham, Fink, Ollila, Petersen, Skewes, Smith. Nay: none.

A motion was made by Ollila to have UPEA apply for an EGLE grant for the Township, seconded by Smith. Motion carried by a roll call vote. Aye: Anderson, Bingham, Fink, Ollila, Petersen, Skewes, Smith. Nay: none.

- B. Keweenaw Chev. 2023 3500HD Price Quote – Price Increase – Met with Rob.
- C. 5 Year Rec. Plan Update – Successful Survey Completion – Narrative Next.
- D. Perpetual Care – MCL 128.1 Act 215 of 1937. Investment Risk Assessment.
- E. MI Dept. of Treasury – Cemetery Deficit Reduction Plan Approval.

A motion was made by Fink to approve the cemetery reduction plan, seconded by Ollila. Motion carried by a roll call vote. Aye: Anderson, Bingham, Fink, Ollila, Petersen, Skewes, Smith. Nay: none.

New Business:

- A. Kevin Harju – Houghton Co. Road Comm. – Signage and Speed Studies.
The board was updated with the speed limit process. 1st. Township must request a speed survey. 2nd. Road commission then analyzes speed and type of vehicles. 3rd. 85 percentile is used to calculate speed recommendation. 4th. The Township agrees to the recommendation which then goes to the State Police for the final determination.

A motion was made by Ollila to purchase two “no through traffic” signs for Royalwood and two “Fire Truck warning” signs for Tapiola, seconded by Anderson. Motion carried by a roll call vote. Aye: Anderson, Bingham, Fink, Ollila, Petersen, Skewes, Smith. Nay: none.

- B. Sand Purchases – Bacco 3,540 Cu. Yds. for College Ave. & Danielson for Green Acres Rd. Resurfacing.
- C. Moyle – New Mall Access Rd. Proposed Location – Just North of Twp. Property.
- D. Torrez Complaint – The Township has 21 days to respond and will get a response in the next few days.
- E. Two residents with water issues – Abramson water line is still not complete; though resident had been told it would be completed in the spring and is still not finished. Bruce will have the DPW finish the by Sept. 23 or the Township will hire a private plumber.
Attached are the emails from the residents about their issues

Meetings:

- A. August 18, 2022 - P.C. Mtg. – At Office.
- B. August 11, 2022 – Sp. Bd. Mtg. about Cemetery – At Office.
- C. August 7, 2022 - % Yr. Rec. Plan Update – At Office.

Public Comment:

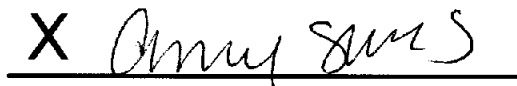
Other Business: The meeting went into Closed session at 8:10 to discuss water/sewer issues
The board returned to open session at 8:23PM

Adjourn: The meeting was adjourned at 8:25PM

Public Attendance: Attached

A handwritten signature in black ink, appearing to read "Bruce Petersen", written over a horizontal line. The signature is stylized with a large, looped 'P'.

Bruce Petersen
Supervisor

A handwritten signature in black ink, appearing to read "Amy Skewes", written over a horizontal line. The signature is cursive and somewhat slanted.

Amy Skewes
Clerk

Assessor's Report, September 2022

The granting of / qualification for the **Principal Residence Exemption** seems to be a continuing area of confusion among residents, banks and 'closing agents'.

Principal Residence Exemption – provides an exemption from the school operating tax (approximately 18 mills) to a property owner who occupies their home as their primary residence.

The Principal Residence Exemption (PRE) Affidavit (MI form 2368) must be completed to qualify for the exemption. The exemption cannot be granted if it is not fully completed, if incorrect information is filled in on the form, if the property owner has a PRE at another Michigan home or a similar exemption in another state.

For a summer (July) levy of the School Operating Tax the statutory deadline to file a Principal Residence Exemption is June 1st, for a winter (December) levy of the School Operating Tax; the statutory deadline to file is November 1st. If the affidavit is filed late (meaning filed after the deadline) the PRE cannot be placed on the roll for the current or prior year(s) without a specific request to the Assessor to grant the PRE retroactively. For the Houghton/Portage School System the Township levies ½ of the school operating millage in the summer, and ½ in the Winter. For the Baraga School System the Township levies all of the school operating millage in the winter.

July 14th of this year legislation was passed changing the authority for granting retroactive PRE's from the jurisdiction of the July and December Boards of Review, and placing it with the Assessor. This will speed up the process for individuals to receive an updated tax bill who were late in filing complete paperwork.

If all of the questions on the PRE are correctly answered, the form is received by the deadline, the form has an original signature, and the applicant qualifies, the PRE is granted and noted in the Assessment Roll. Complicating the issuance of PREs is the increasing number of persons transferring their property into Trusts. Some trust ownerships do not qualify for a PRE at the property. The State requires that persons who apply for a PRE whom have placed their property into a trust be designated as the beneficiary of the Trust. Snowbirds who file their State and Federal income taxes as residents of their 'other' state do not qualify for a Michigan Principal Residence Exemption. When there is a disqualifying factor, a PRE denial is required to be issued. On the denial there are instructions for the person to appeal the decision.

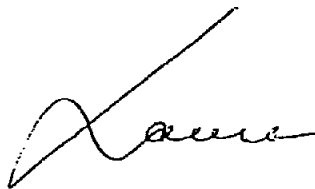
If there is an error or problem with the information on the PRE form when it is received, we will first call the applicant. If there is no phone number provided, as is unfortunately usually the case, I send a letter to the applicant with the details of the error/problem and await return of the form. Most homeowners call when they receive our letter, we review their form, and they return the form within a couple of weeks.

Failure to correct the form and return it results in the exemption *not* being granted to the property owner, and subsequently the receipt of a higher than expected tax bill. This scenario is different from a denial, in that Principal Residence Exemption Affidavit was returned to the property owner, for correction and the 'case' remains open. When a higher tax bill is received, the property owner calls, often upset, and the requirements are discussed including what documents must be submitted to move forward:

- a correctly completed Principal Residence Exemption Affidavit submitted
- a copy of the property owner's driver's license
- a letter to Assessor requesting that their PRE be granted retroactively
- other documentation as deemed necessary to support the claim retroactively

A PRE Rescind (or Conditional Rescission) Affidavit must be filed if a homeowner no longer occupies their home as their primary residence. It is the homeowner's responsibility to notify the Assessor (me) if they move from their home.

State PRE Audit. This month we received our annual request from the State to upload the information from our assessment database relative to Principal Residence Exemptions (PREs). The State's Agent will be reviewing the PREs within the Township, and may send letters of inquiry to property owners. It is imperative that if a property owner receives a letter from the State's Agent that they respond immediately to the State's Agent as directed in the letter. Failure to respond will result in the State denying the homeowner's Principal Exemption, and billing the homeowner penalties and interest, for up to 4 years.

A handwritten signature in black ink, appearing to read 'Dane', is written in a cursive style.

September 12, 2022
Regular Meeting

Sign IN's

- 1.) SHANNON HEALY ✓
- 2.) TED SOLDAN ✓
- 3.) WAYNE ABBA
- 4.) JEFFERY LOMAN
- 5.) Clayton Adams (✓)
- 6.) Todd Arney (✓)
- 7.) Tim Dawson (✓)
- 8.) Kevin Harjo (✓)
- 9.) MARY CHOPP
- 10.) SUSAN SCHWENK ✓
- 11.) Anders Kallungi
- 12.) Randy Malone
- 13.) Jacquelyn Dehn (✓)
- 14.) moto 24? (✓) - left after name asked
- 15.) Chris Holmes - UPEA directly in p.m.
- 16.) John McCarron (✓)

Amy Skewes

From: Amy Skewes
Sent: Tuesday, August 30, 2022 4:57 PM
To: Marcy Erickson
Subject: Re: Letter to the board

Thanks Marcy,

I have forwarded this to the whole board.

Amy Skewes- Clerk

[Get Outlook for iOS](#)

From: Marcy Erickson <maericks@mtu.edu>
Sent: Tuesday, August 30, 2022 3:19:22 PM
To: clerk@charterportagetwp.org <clerk@charterportagetwp.org>
Subject: Letter to the board

To the Portage Township Board,

I would like to share with you a little bit of my recent experience in dealing with an ongoing water issue I have had at my residence on Canal Road, Dakota Heights area. Mike Beccia was first made aware of a water leak in my backyard over two months ago. The leak still exists, unresolved, and attempts to locate the leak have ceased well over a month ago. A couple of the employees Mike supervises worked hard for a few days to locate a leak, but then the work ceased without any explanation. This issue could have and should have been resolved in a few weeks time, however it continues to be unresolved in part due to the unresponsiveness and inattentive nature of the township employees. I am now getting water in my basement, yet Mike Beccia doesn't return my phone calls, so I have no way of conveying this information to him.

This entire summer, I have had to call multiple times to both Bruce Peterson and Mike Beccia in order to get action at my home in dealing with the water issue. Most of the time my calls go unanswered and unreturned. I leave voicemails and never get a call back. I send text messages and get no replies.

On Thursday, August 25, I was told by Mike Beccia that today, Tuesday, August 30, he would be at my house, with an excavator, to install a new exterior water line (I chose to install a new water line so that I am no longer tied into an old leaky galvanized line that is shared by three residences. I asked him to notify me if the plan for the 30th changes. He never called and never showed up. I called him 3 or 4 times this morning, left a voicemail and sent a text message, and have yet to get a return call. I called Bruce Peterson 3-4 times, left a voicemail, and never got a call back. I finally called the township office and got Bruce's home address so I could talk to him in person. At his residence, I asked him to ensure that Mike Beccia holds to his word and shows up at my home to complete the work that was started over 3 weeks ago. He said he would "try to get him to get over there." I said that just trying is not good enough at this point. I have a plumber lined up to move my interior water line this afternoon. Bruce stated again that he would try and that he can't force Mike and that for all he knows "Mike is dead." I asked Bruce if he was Mike's supervisor, he said no the board supervises Mike.

There is much more to this story, but I won't write all the details. I just want to express my concern and frustration over the lack of oversight of township employees, the lack of communication from both Bruce and Mike, and the disregard they have for how their lack of attention affects the people of the township. I shouldn't have to call the township over

20 times in a summer to get them to follow through on what they say they are going to do. Nobody should have to hunt down a township supervisor at his personal residence in order to talk to him.

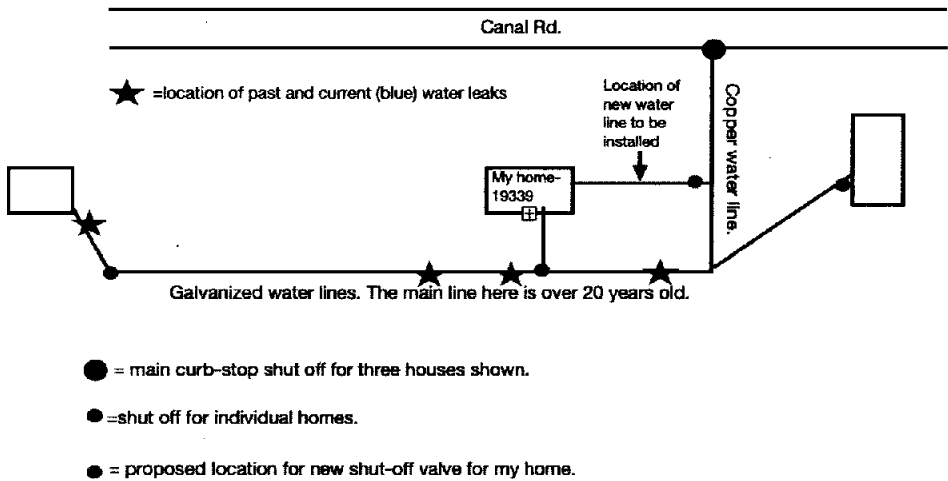
I would like to request, no - actually I'd like to demand - that Bruce Peterson, as the supervisor of our township and a public service employee, is physically present and available at the township office. He is a public servant, and it is ludicrous that a person in that position is unavailable to the people he serves during business hours. If he is no longer interested in working, then I request that he respectfully resigns from his position and allows someone who is willing to step up to the plate to take over the role of Supervisor. We need public employees who are transparent, honest, trustworthy, dependable, good communicators and actually interested in working with and for the public.

In a related issue, I want to make the board aware of a complicated water line issue that is shared by myself and my two neighbors on either side of me. We all currently share an old galvanized water line that ties into one curb stop. The bulk of the footage for this galvanized line is in my backyard. It runs from the curb to the back of my house on the east side, then through my entire back yard to serve the house on the west side of my house. This pipe has had multiple leaks in recent years, and all but one of them have been in my backyard. I am moving my water line to the east side of my house and tying into a copper line so that I can abandon the galvanized line. However, as long as the house on the west side of me remains tied into the galvanized line, I will have to continually deal with leaks (this line will only continue to deteriorate over time) even though the water line will soon have nothing to do with my home.

There is some confusion as to who is responsible for future leaks in this water line. All three homes have their own water shut offs along the galvanized line, but there is only one main shut off valve at the curb. So, I would like clarification of who is responsible for the current and future leaks in this galvanized line. I have attached a rough drawing so you can visualize what I'm trying to explain. I'd like a written response to this question so that I can refer back to it, if needed, in the event of future leaks.

Regards,

Marcy Erickson



Amy Skewes

From: Christine Abramson <cmabrams@mtu.edu>
Sent: Monday, September 12, 2022 10:40 AM
To: Bruce Petersen; Amy Skewes; Betsy Smith; billfink@chartermi.net; , binghamcamp; Keith Abramson; mike.beccia@charterportagetwp.org; Vanessa Dietz
Subject: Incomplete indoor water line connection

Good Morning - this email is intended to refresh memories and get the attention of someone who is able to initiate the completion of the water connection at 47275 Green Acres. The two quotes listed below are exact quotes from Bruce Petersen sent to me in email messages..

October 28, 2021 - 1:45 pm - from Bruce Petersen

"The DPW staff will put in a new 3/4" dia water quality line from the original point of origination at the front of the house to your utility area and that line will be run through a small hole in the basement ultimately connecting into the new water meter at the back of the house. The DPW guys have done this countless times"....."It should be hooked up tomorrow afternoon"

October 28, 2021 - 3:08 pm - from Bruce Petersen

"Hopefully they can get it connected tomorrow, the plumbing material has been a challenge to get"

The water line relocation was completed in August 2021 last year, measurements have been done, supplies were ordered & received, there have been a few expected days for completion but it seems that nobody knows who, what or when this is going to happen. *How can that be?*

I have been told it is less than a 2 hour job, I have been told DPW is much experienced with this work, it will be easy, I have been told this entire water problem going back to 2019 would be completely taken care of and that it was thought to have already been done. The current connection of a hose between our old & new water meters (crossing the basement floor, going thru a doorway) was a temporary arrangement, the permanent connection has not been done. I am asking for someone's help in making this happen as planned.

Thank you - I will anxiously be watching for your reply.

Chris Abramson
47275 Green Acres Road