

BEARINGER TOWNSHIP PUBLIC HEARING AND SPECIAL MEETING  
17034 Town Hall Highway  
Millersburg, Michigan  
February 24, 2015

This Public Hearing and Special Meeting are called to consider the creation of a SPECIAL ASSESSMENT DISTRICT FOR PURPOSES OF SPECIALLY ASSESSING BENEFITTED PROPERTY FOR THE COST OF FIRE PROTECTION IN THE TOWNSHIP.

Supervisor J.G. Malaski called the meeting to order at 6:00 pm, followed by the pledge of allegiance to the flag. Present for the meeting were Board Members, Supervisor John G. Malaski, Treasurer Keitha Malaski, Clerk Beverly Rossetto, Trustees Kay Dowker and Archie J. Patterson. Others in attendance were Attorney Tim MacArthur, Maxine & Dave DeLauder, Karen & Pat Silver, Duane Walker, Richard & Mary S. Taylor, Pat & Carl Browning, Gale & Doug Phelps, Irvin Dedow, John & Jean Krupa, Gwen Sutton, Anna Mero, Bob Hartmann, David Wilson, Doris Parker, Dana Carver, Nancy Shutes, Jim McKindles, Storm Galbraith, Jim & Ruby Flewelling, Rita Lunceford, Carol & Hazel Reed, Doug Wood, Ron Dulak, S. Blasius, Ann Patterson, Ted Slawinski, Charmaine Taube, Margaret Fleming, Pete Maiani, Tom Anglin, Barb & Bill Davis, Chris Garst, Edna & Gilbert Bedell, Ardith & Philip Shishmian, Lee Twork, Pat Hoffman, Tom Harkleroad, Byron DeLong, Tom Woodcock, John Roby, David Taube, Patty Lubinski, Bob Ondayko, Ed Guzman and Howard Beckman.

Approval of Agenda: Kay Dowker made a motion to approve the agenda for this meeting, Archie Patterson supported the motion. Five yes votes, No nays. Motion carried.

John Malaski introduced Attorney Tim MacArthur and stated that he was in attendance to answer any legal questions.

Archie Patterson explained the spread sheet he has created that will total the acreage of the objections. The spread sheet is in compliance with the requirement of MCL 41.801. Mr. MacArthur spoke briefly about MCL 41.801.

Duane Walker questioned what the fire code capacity of the township hall was in case of a fire.

Supervisor Malaski spoke about the special assessment district and explained the revenue from this assessment will not be received in the township until April 2016. The letter to the Editor in the newspaper stating that only ten days were given to the property owners to object was incorrect and that the amount of \$283,442.12 would be down to approximately \$268,000.00 by the end of the fiscal year, March 31, 2015. Supervisor Malaski briefly spoke about:

Over 1,000 letters were mailed to all the property owners regarding the special assessment.

Three Volunteers are in training now and will be certified Fire Fighters soon. There is the possibility of three new volunteers this year.

Bearinger Townships share of this year's Fire Department budget will be approximately \$54,000.00.

Kay Dowker contacted her insurance company with inquires of policy increase regarding fire department coverage. If a resident is more than 5 miles for a fire department the policy would be \$10.00 more. If Bearinger was not covered by a fire department and you dialed 911, you could be charged around \$1,000.00 by a responding out or area fire department.

Supervisor Malaski explained that each person would be allowed two (2) minutes to speak on the special assessment district to support the cost of the fire department.

The following statements were made by property owners and guests in attendance:

Ted Slawinski is concerned that the board is raising taxes and he feels the fire department should control their budget.

Another person questioned how much of this township is owned by the State of Michigan? Archie Patterson explained that Bearinger Township has 40,704 acres, State of Michigan, DNR and Michigan Water Way acreage of 13,522 has been deducted to establish the assessment district.

John Roby said the board is not working for the people.

John Krupa talked about the board wasting money on things like the parking lot and wall heaters.

Margaret Fleming asked about the possible 10% increase each March. Attorney MacArthur explained that each year in March the Board will review the assessment and it could go up or down depending on the fire department budget, it cannot be increased more than 10% without notifying all property owners by mail.

Tom Harkleroad supports the fire department and special assessment.

Nora Twork does not support the special assessment.

Pat Browning supports the fire department, first responders and special assessment.

Patty Lubinski supports the fire department but does not understand the possible 10% increase each March and wants the special district area explained. Archie Patterson talked about the special assessment district area and added that any revenue from the special assessment district can only be used for support of the fire department.

David Taube questioned that the revenue can only be used for the fire department and he wants to know how long the special assessment will be in effect. It was explained that the special assessment revenue will be deposited in a fire fund to be used only for the support of the fire department. The special assessment will be for a six (6) year period.

Carol Reed is concerned about her home in case of fire and about the cost of insurance if we have no fire department. Because of health reasons, Mrs. Reed has had the first responders at her home four times and they were always the first on scene. Mrs. Reed is in support of the fire department and first responders.

Irv Dedow stated that Bearinger Township is the only township in Presque Isle County that does not have a millage or special assessment district to support their fire department. Irv talked about the age of some of the fire department equipment and other needs of the fire department.

Ed Guzman is not against the fire department but does object to the special assessment. He questioned why this public hearing is being held this time of year. It was explained that our fiscal year begins April 1, 2015.

Rita Lunceford wants to know why we are having this meeting, since a fire department millage has already been voted on.

Byron DeLong is in favor of the special assessment district. When he had to call 911 the fire department first responders were first on the scene. He said we all carry home, medical and automobile insurance and this tax is the same as an insurance policy.

Pete Maiani stated that he was once a member of the Ocqueoc – Bearinger Fire Department and we need a chief that will take charge.

Gale Phelps talked about the finances and funds of the township and how the board was wasting money, when she was told her time was up she became angry and continued talking.

At this time the Presque Isle County Sheriff's department was called and a request was made to have a deputy present at this meeting.

David Wilson asked how the vote is counted and who is doing the counting. Archie Patterson explained the way the acreage and objections will be counted.

Tom Anglin supports the fire department and stated that we need the fire department and first responders. He feels this special assessment district tax is being shoved down the property owner's throats.

Philip Shishmian thinks that we should float a bond for the special assessment district. Mr. Shishmian thinks we are doing this special assessment district wrong and illegally.

Ruby Flewelling spoke of a grass fire they had outside their home and that the fire department responded and dowsed the fire before there was any damage to their home, she supports the fire department.

Ron Dulak supports the fire assessment district and thinks it was good idea to give mail notices to all the property owners and give everyone a chance to voice their opinion.

Sue Taylor questioned the budget and finances.

Bill Davis asked how many runs the fire department had in the last year and why the lights are on all night at the fire station.

Barb Davis supports the fire department but not the special assessment. She spoke about the paving of the parking lot and the talk of a new township hall. She questioned if the board wants Bearinger Township to look like Grosse Point.

Doug Wood has spoken to Assessor Trevor Most and wants to know why the township board bypassed him in this decision, since he is our assessor.

Richard Taylor stated that this is not the patriotic way to do this assessment.

Gwen Sutton questioned the special assessment for Bluffs Highway and the special assessment for the fire department. Supervisor Malaski explained that Bluffs Highway has a committee and it will be up to the people on Bluffs Highway if they want a special assessment district to repair Bluffs Highway.

Dave DeLauder wanted his letter read. Supervisor Malaski said that if we read all the letters, this would be a very lengthy meeting.

Anna Mero passed because she had given her two minutes to Gale Phelps.

Bob Hartmann questioned if all of the objections tonight would be counted.

Karen Silver told the board that it is the voters that voted them into office, not the people with acreage. She stated that the revenue from this tax is not needed at this time.

Nancy Shutes spoke about the finances and fund balance of the Ocqueoc-Bearing fire department. Mrs. Shutes read a letter of Cease and Desist Demand to the board and gave a copy of the letter to each board member. Mrs. Shutes told attorney MacArthur she had contacted his office and requested an itemized list of when and how long he had talked to the board members and that she has not received a reply.

Jim McKindles told the board that they would recall the whole board.

Chris Garst spoke about the fire department and its lack of supervision.

Dana Carver said she was a guest representing the public, and stated that the township board was not following the Constitution of the United States. She quoted from the Constitution that "We are a government of the people, by the people, for the people", not the other way around.

Being no further comments regarding the special assessment district, a motion was made by Kay Dowker and supported by Keitha Malaski that this public hearing and special meeting be adjourned. Five yes votes, no nay votes. Motion carried. Public hearing and special meeting adjourned at 8:05 pm.

Minutes taken and respectfully submitted by,

Beverly Rossetto, Bearinger Township Clerk