

OSHTEMO CHARTER TOWNSHIP BOARD
7275 West Main Street
Kalamazoo, MI 49009
269.375.4260

February 25, 2020

PUBLIC COMMENT SESSION
6:00 p.m.
AGENDA

- A. Call to Order
- B. Discussion on Tax Exempt Ordinance for MSHDA Housing
- C. Lighting District Amendment – Additional Light Installation at Frie Ave & S 6th Street
- D. Public Comment
- E. Other Business

REGULAR MEETING
7:15 p.m.
AGENDA

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Public Comment on Non-Agenda Items
- 4. Consent Agenda
 - a. Approve Minutes – February 11, 2020 (Regular Meeting)
 - b. Receipts & Disbursements Report
- 5. Presentation on County Hazard Mitigation Plan Update
- 6. Discussion of Oshtemo Sanitary Sewer Assistance Program
- 7. Request to enter into Closed Session to discuss written legal memoranda of staff counsel re the following cases: *Kellison Woods Development Co., LLC v. Bradley S. Solarek and Karen L. (Kurncz) Solarek*, Ninth Circuit Court Case No. 15-0446- CH; also Court of Appeals Case No. 350067; and also *Bradley S. Solarek and Karen L. Solarek and Forever Undeveloped, LLC v. Kellison Woods Condominium Association, Michael Doerr, Karin Doerr, et al.* Ninth Circuit Court Case No. 2019-0338-CZ; and further to discuss in closed session with staff counsel and litigation counsel the pending suit *Bradley S. Solarek and Karen S. Solarek v. Oshtemo Charter Township, Libby Heiney-Cogswell, et al*, Ninth Circuit Court Case No. 2019-0473-CZ
- 8. Consideration on Tax Exempt Ordinance for MSHDA Housing
- 9. Other Township Business
- 10. Public Comment
- 11. Board Member Comments
- 12. Adjournment

**Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings**

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email (oshtemo@oshtemo.org), walk-in visits, or by appointment.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be Board discussion prior to call for a motion. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name, but it is not required.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

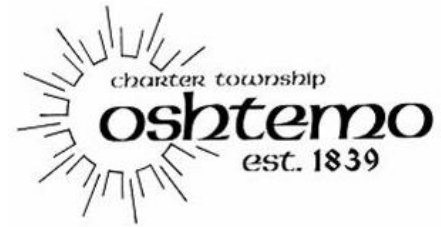
Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which does not follow these guidelines.

(adopted 5/9/2000)
(revised 5/14/2013)
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday 8:00 am- 5:00 pm, and on Friday 8:00 am-1:00 pm. Additionally, questions and concerns are accepted at all hours through the website contact form found at www.oshtemo.org, email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to oshtemo@oshtemo.org and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<u>Supervisor</u>		
Libby Heiny-Cogswell	216-5220	libbyhc@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Grant Taylor	216-5221	gtaylor@oshtemo.org
<u>Trustees</u>		
Cheri L. Bell	372-2275	cbell@oshtemo.org
Deb Everett	375-4260	deverett@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Ken Hudok	548-7002	khudok@oshtemo.org

Township Department Information		
<u>Assessor:</u>		
Kristine Biddle	216-5225	assessor@oshtemo.org
<u>Fire Chief:</u>		
Mark Barnes	375-0487	mbarnes@oshtemo.org
<u>Ordinance Enf:</u>		
Rick Suwarsky	216-5227	rsuwarsky@oshtemo.org
<u>Parks Director:</u>		
Karen High	216-5233	khigh@oshtemo.org
Rental Info	216-5224	oshtemo@oshtemo.org
<u>Planning Director:</u>		
Iris Lubbert	216-5223	ilubbert@oshtemo.org
<u>Public Works:</u>		
Marc Elliott	216-5236	melliott@oshtemo.org



Memorandum

Date: 24 February 2020
To: Township Board
From: Josh Owens, Assistant to the Supervisor
Dick Skalski, Public Works technical Specialist
Subject: Lighting District Amendment – Additional Light Installation at Frie Ave & S 6th Street

Objective

Township Board consideration of amending the Oshtemo Street lighting District to include the intersection of Frie Avenue and 6th Street.

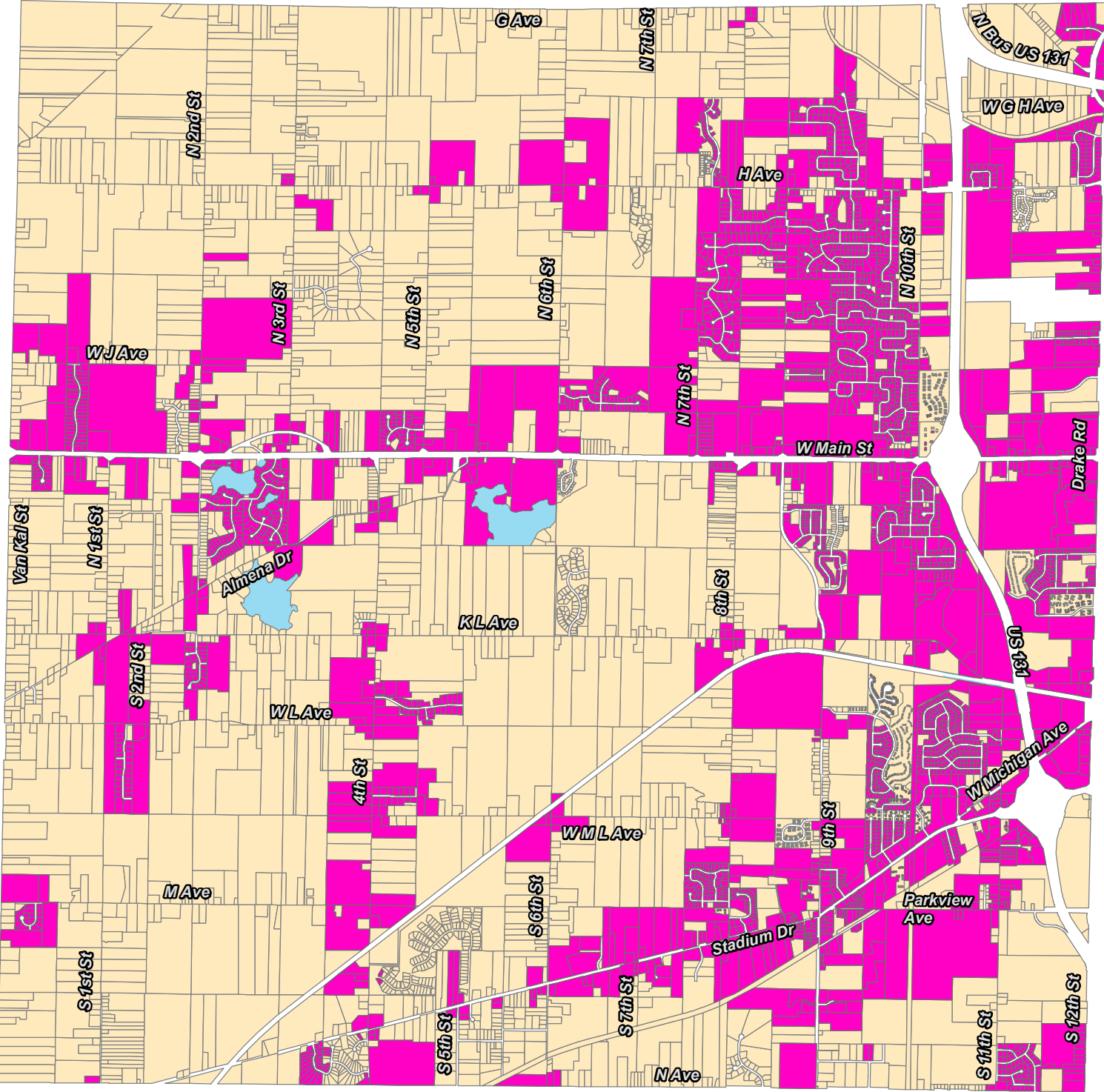
Background

The Township recently received a request for a new streetlight at the intersection of 6th Street and Frie Avenue from Mark Spencer, who lives at 4382 O’Park Street. Mr. Spencer’s concerns are that because of the speeds on 6th Street and the intersection with Frie Avenue is near the crest of a hill and difficult to find at night, it is a hazard to motorists slowing to identify the intersection and complete their turns.

Oshtemo employee, Dick Skalski, said that his daughter lives on O’Park Street and shares the same concerns that Mr. Spencer has, and that Mr. Skalski has seen these same issues while he has visited the area. Because of this staff is recommending that this intersection be added to the Oshtemo Street lighting District. A request has been made to Consumer’s Energy to add this intersection to their installation schedule pending approval by the Township Board.

OSHEMO TOWNSHIP

Streetlight Special Assessment District



0 0.5 1 Miles

	Property in Streetlight SAD
	Other Property

Adopted: _____

Effective: _____

An Ordinance to provide for the abatement or deferral of the financial obligation to connect the wastewater collection system of the Oshtemo Charter Township in situations where Property Owner(s) establish by objective evidence that it will constitute an undue financial hardship to pay or fully pay for the sewer system connection fees or the private plumbing expense to connect to the Wastewater Collection System as required by Oshtemo Charter Township Wastewater Service Ordinance No. 208.

THE CHARTER TOWNSHIP OF OSHTEMO

KALAMAZOO COUNTY, MICHIGAN

ORDAINS:

SECTION I. NAME. This Ordinance shall be known and cited as the Oshtemo Charter Township Public Sanitary Sewer Abatement/Deferment Ordinance.

SECTION II. PURPOSE.

- A. To enact an Ordinance under Public Act 368 of 1978 Public Health Code (MCL 333.12756 et seq.) allowing abatement or deferment of the sewer system connection fees and/or the private plumbing expense in cases where hardship prevents the Owners of the premises from paying for the public or private connections to the available sewer system.
- B. To establish a Hardship Advisory Review Committee (HARC) to review and recommend Property Owner(s) to be considered for abatement or deferment under this Ordinance.
- C. To establish procedures for the connection of premises to the sewer system by the Township for those who qualify for a hardship abatement or deferment.

SECTION III. DEFINITIONS. For purposes of this Ordinance, the following words, terms and phrases when used in this Ordinance shall have the following meanings ascribed to them in this Section:

- 1. *Abatement:* the forgiveness of all or a part of the annual mortgage payment owed to the Township on an Installment Payment Mortgage Agreement for Sewer.
- 2. *Deferment:* the postponement of all or a part of the annual mortgage payment owed to the Township on an Installment Payment Mortgage Agreement for Sewer or a delay in connecting to the public sanitary

sewer.

3. *Premise*: any lot, parcel, building site from which contains a building from which sanitary sewer originates for which sewer services are available and required by law to be served.
4. *Private Plumbing Expense*: the estimated cost of the installation of all necessary sewage disposal facilities on the property of the applicant or Property Owner(s) for hardship. It means and includes any person who has a legal, possessory interest in a lot, parcel or building site, which interest includes the legal obligation to assume the expenses of sewer connection expense charges.
5. *Property Owner(s) Hardship*: those Property Owner(s) falling below the income and asset limits set forth in Section IV of this Ordinance.
6. *Sewer System Connection Fees*: the connection fees charged by Oshtemo Charter Township.
7. *Sanitary Sewer System*: any municipally operated sewage collection system serving premises within Oshtemo Charter Township.

SECTION IV.

QUALIFYING STANDARDS FOR HARDSHIP FINANCING, HARDSHIP DEFERMENT OR HARDSHIP ABATEMENT. The standards for qualifying for hardship financing, hardship deferment or hardship abatement shall be as follows:

- A. Application Limitations. Before submitting an application for hardship financing deferment or abatement each Property Owner(s) must demonstrate that they do not qualify for assistance with the State of Michigan under the Deferment of Special Assessments on Homesteads Act at 225 of 1976 or under the USDA 504 Home Repair Program or the USDA 502 Home Repair Program.
- B. Hardship Financing. Property Owner(s) in Oshtemo Charter Township may enter into an Installment Payment Mortgage Agreement to finance their connection fees and provisions of wastewater services Ordinance, No. 208. In addition to the Property Owner(s)' right to enter into an Installment Payment Mortgage Agreement under Ordinance No. 208, the following individuals may request that the Private Plumbing Expenses be paid for by the Township and added to the Installment Payment Mortgage Agreement and be financed upon the same terms and the same interest rate offered under Ordinance No. 208, provided the Property Owner(s) meet the following income and assets limitations:
 1. Income Limitation. Property Owner(s) whose family income is at or below _____, for the year at issue.
 2. Asset Limitation. In addition to the Income Limitations requirements, an asset test considering all assets owned by the applicant, other than the applicant's house, vehicle, and household goods, will be used in determining whether relief should be granted. Property Owner(s) with assets in excess of \$20,000 may not be eligible for hardship financing.
- C. Hardship Deferments. Property Owner(s) who enter into an Installment Payment Mortgage Agreement, pursuant to Ordinance No. 208, may qualify for a Deferment provided they meet the following Income and Asset limitations set forth below.

1. Income Limitation. Property Owner(s) whose family income is at or below _____, for the year at issue.

2. Asset Limitation. In addition, to the Income Limitations requirements, an asset test considering all assets owned by the applicant, other than the applicant's house, vehicle, and household goods, will be used in determining whether relief should be granted. Property Owner(s) with assets in excess of \$20,000 may not be eligible for a hardship deferment.

D. Hardship Abatements. Property Owner(s) who enter into an Installment Payment Mortgage Agreement, pursuant to Ordinance No. 208 may qualify for abatement provided they meet the Income and Asset Limitations set forth below:

1. Income Limitation. Property Owner(s) whose family income is at or below _____, for the year at issue.

2. Asset Limitation. In addition, to the Income Limitations requirements, an asset test considering all assets owned by the applicant, other than the applicant's house, vehicle, and household goods, will be used in determining whether relief should be granted. Property Owner(s) with assets in excess of \$10,000 may not be eligible for abatement.

E. Extraordinary Circumstances Warranting Abatement, Deferment or Delay in Connection. Those Property Owner(s) who do not qualify under the above provisions may request consideration, based upon extraordinary circumstances, for an abatement, deferment, or delay in the connection to the public sanitary sewer system. The extraordinary circumstances which would be considered by the Hardship Advisory Review Committee would be items such as or similar to the following: death of a spouse; extraordinary medical expenses; bankruptcy; extreme difficulty in connecting to the public sanitary sewer system; etc. Those Property Owner(s) who believe they might qualify under the standards set forth herein may file an application as set forth in Section V below.

SECTION V. APPLICATION

- A. Property Owner(s) must complete an application, except for the signature, and return it to the Township Officers.
- B. All applications must be signed and witnessed by a Township employee and filed after January 1, but at least two weeks before the Hardship Advisory Review Committee's March meeting to be held the third week in March.
- C. All Property Owner(s) must submit their previous year's Federal Income Tax and State Income Tax returns.
- D. Applicants may be required to be present at the Hardship Advisory Review Committee meeting and may be called upon to appear on short notice.
- E. All questions set forth in the Application must be completed prior to the Hardship Advisory Review Committee meeting.
- F. All applicants signing the Application are admitting that everything contained in the Application is true to their best knowledge, information and belief.

- G. Any Property Owner(s) requesting an abatement or deferment is subject to investigation by the Township to verify information submitted or statements made in regard to the request for abatement or deferment are accurate.
- H. The meeting of the Hardship Advisory Review Committee may be recorded. Minutes will be kept of all proceedings. All meetings held will comply with the Open Meetings Act.
- I. The Hardship Advisory Review Committee shall follow the policies and guidelines established under this Ordinance in granting or denying abatement or deferment.
- J. Property Owner(s) will be evaluated based upon the data submitted to the Hardship Advisory Review Committee. Testimony taken from the Property Owner(s) and information gathered from any source by the Township.
- K. Property Owner(s) shall meet the income and asset limitation set forth herein may be granted an abatement, partial abatement, deferment, or partial deferment of their sanitary sewer fees or private plumbing expenses.
- L. The Hardship Advisory Review Committee's recommendations regarding sanitary sewer connection fees or private plumbing expense fees for abatement or deferment will be done on an annual basis.

SECTION VI. DETERMINATION; CONNECTION

- A. Following a recommendation by Hardship Advisory Review Committee to the Township Board on any premises not connected to an available sewage system, the Township Board shall take effective action to achieve connection of said premises to the public sanitary sewer system, whether the connection is made under the provisions of this article or otherwise. The Hardship Advisory Review Committee shall, within thirty (30) days of the close of its investigation, file with the Township Board its report and recommendation clearly stating whether any abatement or deferment for the sewer system connection fees or private plumbing expenses will be recommended.
- B. The Hardship Advisory Review Committee will not record a hardship abatement or deferral unless the Property Owner(s) agree to enter into an Installment Payment Mortgage Agreement to connect to the available public sanitary sewer system.
- C. Upon receipt of the Hardship Advisory Review Committee's recommendation regarding any premises, the Township Board shall promptly determine, without the necessity of a public hearing, whether to accept the recommendation. No recommendation of hardship for any premises shall be rejected without good cause shown and until the Property Owner(s) have had an opportunity to answer the objections before the Township Board. A recommendation of hardship not rejected by the Township Board within thirty (30) calendar days of receipt thereof shall be deemed accepted and shall entitle the Owner thereof to be qualified for connection under the provisions of this division.

SECTION VII. ABATEMENT OR DEFERRED PAYMENT; LIEN; COSTS

- A. In the event an Owner accepted for hardship herein requests the Township to effectuate connection to the public sanitary sewer system, the Township Supervisor shall direct the Public Works Director to ascertain the sewer connection fees and/or private plumbing expense to connect the premises to the system, and/or the reasonable value of its labor and materials. The Township Board shall specify to the Public Works Director whether the physical connection is to be accomplished by a licensed sewer contractor or by the agencies and employees of the City. The Township Board reserves to itself the sole and exclusive right to make or alter its designation as made herein previous to the commencement of the physical connection. Prior to the connection, the Owner shall execute an Installment Payment Mortgage Agreement for Sewer to the Township for possible abatement or deferred payment payable on or before death, or in any event, on the sale or transfer of the property except to the extent an abatement is granted.
- B. The Installment Payment Mortgage Agreement shall also include annual interest on the balance of such indebtedness to the Township at the rate set by the Board in Ordinance No. 208, commencing the date of the execution of documents of indebtedness.
- C. The Property Owner(s) shall also be responsible for all costs of the Township in connection with processing the Property Owner(s)' application for deferred payments, such as, by way of illustration, and not by way of limitation, costs of recording the Installment Payment Mortgage Agreement, and any direct legal fees in connection with reviewing of the foregoing and preparation of the Installment Payment Mortgage Agreement to be recorded. Such costs shall be added to the amount due and owing upon the Installment Payment Mortgage Agreement to be executed by the Owner of the premises.

SECTION VIII. PHYSICAL CONNECTION. Upon execution of the documents in accordance with the provisions of Section VII, the Township Board shall direct the Public Works Director to complete the physical connection of the premises, in the method approved by the Township Board, to the public sanitary sewer system in accordance with all laws, ordinances, rules and regulations of the State, City and Township.

SECTION IX. HARDSHIP REVOLVING FUND; BOARD CONTROL. The monies necessary to implement the provisions of this Ordinance shall be drawn from and returned to the "hardship revolving fund" to be created and maintained by the Township Board. The sewer fund shall be the sole source of Township monies deposited to the "hardship revolving fund." The Township Board shall transfer funds between the fund and the hardship revolving fund as necessary to properly implement the provisions of this division.

SECTION X. EFFECTIVE DATE. This Ordinance shall take effect upon publication after adoption in accordance with State law. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP

Subject	Owner-Occupied		New Houesholds to be Connected (900)	Cost of Private Sewer Expense (\$6,000)	Mandate USDA/State Plans	Cost of Deferment \$550/Yr	Mandate USDA/State Plan	Cost of Abatement \$550/Yr
	Estimate	Cummulative Percentage						
Occupied housing units	5,267							
HOUSEHOLD INCOME 2010								
Less than \$5,000	0.8	0.8	7.2	\$ 43,200	\$ -	\$ 3,960	\$ -	\$ 3,960
\$5,000 to \$9,999	2.1	2.9	26	\$ 156,000	\$ -	\$ 14,300	\$ -	\$ 14,300
\$10,000 to \$14,999	2.7	5.6	50	\$ 300,000	\$ -	\$ 27,500	\$ -	\$ 27,500
\$15,000 to \$19,999	3.1	8.7	78	\$ 468,000	\$ -	\$ 42,900	\$ -	\$ 42,900
\$20,000 to \$24,999	3.3	12.0	108	\$ 648,000	\$ 180,000	\$ 59,400	\$ 16,500	\$ 59,400
\$25,000 to \$34,999	7.8	19.8	178	\$ 1,068,000	\$ 600,000	\$ 97,900	\$ 55,000	\$ 97,900
\$35,000 to \$49,999	13.8	33.6	302	\$ 1,812,000	\$ 1,344,000	\$ 166,100	\$ 123,200	\$ 166,100
\$50,000 to \$74,999	20.7	54.3	488	\$ 2,928,000	\$ 2,460,000	\$ 268,400	\$ 225,500	\$ 268,400
\$75,000 to \$99,999	9.2	63.5	571	\$ 3,426,000	\$ 2,958,000	\$ 314,050	\$ 271,150	\$ 314,050
\$100,000 to \$149,999	20.1	83.6	752	\$ 4,512,000	\$ 4,044,000	\$ 413,600	\$ 370,700	\$ 413,600
\$150,000 or more	16.4	100.0	900	\$ 5,400,000	\$ 4,932,000	\$ 495,000	\$ 452,100	\$ 495,000
Median household income	\$ 69,024							

OSHTEMO CHARTER TOWNSHIP
HARDSHIP EXEMPTION OR DEFERMENT APPLICATION
FOR SANITARY SEWER PAYMENTS

This form should be completed if you, for reasons of hardship, are unable to pay the annual payment on your Installment Payment Mortgage Agreement for Sewer with Oshtemo Township. In applying for an exemption or deferment, you will be required to provide annually:

1. Specific income and asset information (for yourself and all individuals residing in your home);
2. Proof of your ownership (deed, land contract, or other evidence of ownership) and occupancy of the residence for which you are seeking an exemption;
3. State and Federal income tax returns and/or property tax credit returns (for yourself and all individuals residing in your home);
4. A valid driver's license or other legally valid form of picture identification;
5. Proof that you meet the income and asset standards of the Public Sanitary Sewer Abatement/Deferment Ordinance;
6. A completed application, delivered in person, to the Public Works Department after January 1 but no later than March 1 for consideration by the Hardship Advisory Review Committee (HARC) which meets the third week in March to consider applications.

Additionally, you may be required to appear before the HARC at a public meeting to answer questions regarding your application. You may also be subject to an investigation to verify the information submitted in your application and establish that your non-exempt assets do not exceed \$20,000.

These policies are set by the Oshtemo Charter Township Board in compliance with Michigan State Law. The Township will use criteria established in its Public Sanitary Sewer Abatement/Deferral Ordinance to review your application. If you have any questions, please contact the Public Works Department at (www.oshtemo.org/contact/ or (269) 375-4260).

Instructions for filing a claim with the Township Public Works Department:

1. Complete the following application in full, but do not sign the form.
2. Do not leave any sections blank, if you have questions regarding this form, please contact the Public Works Department for guidance.
3. If you require additional space to respond to any of the questions on this form, please attach a typed response, which clearly indicates which question(s) you are providing additional information regarding.
4. Completed applications must be delivered in person to the Public Works Department by March 1st.
5. Bring copies of all requested documents:
 - a. Previous year State and Federal Tax Returns;
 - b. Proof of ownership/residency/homestead for the residence for which you are requesting a hardship exemption;
6. Bring the completed, unsigned, form in person to:
Oshtemo Township Hall
7275 West Main Street,
Kalamazoo, MI 49009
(296) 375-4260
7. Bring your driver's license, or other legally valid picture identification with you.
8. Sign the form when directed by the Township personnel, and provide your ID for photocopying, if requested.

SANITARY SEWER ABATEMENT OR DEFERRAL APPLICATION FORM

Street Address: _____

Parcel Number: 3905- _____ - _____ - _____

SECTION 1: APPLICANT INFORMATION

Name of Applicant: _____

Marital Status (circle one): Married Single Divorced Other _____

Social Security Number: _____ - _____ - _____

Driver's License/State ID Number: _____

Issuing State: _____

Phone Number: _____

Email address: _____

Are you the sole owner of this property? Yes / No

If no, please provide:

Name of Co-Applicant: _____

Social Security Number: _____ - _____ - _____

Driver's License/State ID Number: _____

Issuing State: _____

Phone Number: _____

Email address: _____

SECTION 2: HOUSEHOLD, INCOME, AND ASSET INFORMATION

1. Please provide the following information for all people (including yourself) who live at the above address.

Name	Relationship	Age	Monthly Income
			\$
			\$
			\$
			\$
			\$

2. Do you currently have a mortgage on this property? **Yes / No**

If yes, please provide:

Current unpaid balance of your mortgage: \$ _____

Monthly payment amount: \$ _____

Name of your mortgage company: _____

3. Do you rent or lease any portion of this property? **Yes / No**

If yes, what portion? _____ % Monthly rent collected: \$ _____

4. Please list all household income, and specify which member of your household supplies the income from each applicable source:

Type of Income	Amount (monthly)	Source (self, co-applicant, etc.)
Salary/wages	\$	
Social Security	\$	
Pension(s)	\$	
Unemployment	\$	
Disability	\$	
Dividends/ Interest Income	\$	
Workmen's Compensation	\$	
Alimony	\$	

Child Support	\$	
Rental	\$	
Other:	\$	

Total Monthly \$ _____

APPLICATIONS WILL NOT BE ACCEPTED WITHOUT COPIES OF YOUR LATEST FEDERAL AND STATE INCOME TAX RETURNS (REGARDLESS OF YOUR INCOME) ATTACHED.

1. Please list the following **Bank Account** information for all residents at this address:

Name(s) on Account	Name of Bank/Credit Union	Current Balance
		\$
		\$
		\$
		\$

2. Please provide the following information about your **monthly expenses**:

Paid to (Company)	Expense Type (utilities, loans, medical bills, etc.)	Monthly payment	Outstanding debt/ account balance
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$

3. Do you, or your co-applicant, own other land/houses? **Yes / No**

If yes, please provide the following:

Name(s) on Title	Location	Current Value	Outstanding Mortgage Balance	Mortgage Company Information
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	

4. Do you have any other assets (excluding your homestead and normal household goods) which have not otherwise been disclosed in this form? **Yes / No.**

If yes, please list the assets and their approximate value:

Asset	Approximate Value
	\$
	\$
	\$
	\$
	\$

SECTION 3: CERTIFICATION

Please be aware, **any willfully false statements or misrepresentations in this form may constitute perjury**, an offense punishable under Michigan law. By signing this form, I acknowledge that the information on this application, and the documents provided by me in support of this application, are, to the best of my knowledge true and correct statements of fact regarding my property, income, and assets.

I, _____ being the owner and resident of the
Oshtemo Township property listed on this form, request relief under Public Act 368 of 1978
and Ordinance No. _____ adopted _____.

DO NOT SIGN THIS FORM UNTIL YOU ARE INSTRUCTED TO DO SO.

Applicant's Signature

Date: _____

Co-Applicant's Signature

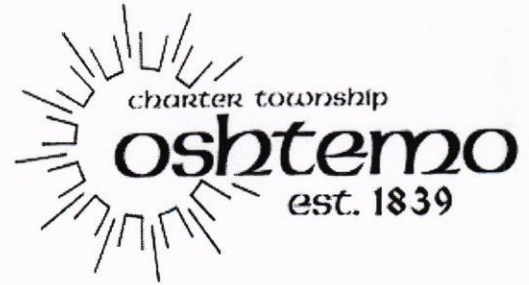
Date: _____

Applicant(s) presented picture ID, and signed this form in my presence:

Received by: _____

Date: _____

Memo



To: Oshtemo Charter Township Board
From: James W. Porter *JWP*
Date: February 20, 2020
Subject: Proposed Tax Exemption Amendment

OBJECTIVE

To allow low and moderate income developments financed through MSHDA, which were approved by the Township under a prior Ordinance, to obtain funding from MSHDA to carry out rehabilitation, redevelopment or transfer. Currently, the Township's Tax Exemption Ordinance only allows tax exemptions for developments serving low income, elderly persons. The Ordinance was changed in 1996 because we had so many rental units that the Township felt that it had done its share in providing reasonable cost rental housing. As you are aware, currently 50% of the Township's housing stock is rental units. More of those rental units are at a price point for low to moderate income persons. This applies to many rental facilities that are not even financed through MSHDA. While the Township limits new MSHDA housing to low income elderly persons, I saw no reason to not allow the sale or refinancing of previously approved MSHDA housing developments.

BACKGROUND

The Township was approached by Jessica Nepomiachi, Project Manager for Full Circle Communities, Inc., a nonprofit organization. Full Circle Communities is in discussions with Pinehurst to purchase its facilities, but Full Circle Communities cannot do so without funding from MSHDA. Pinehurst is currently operated by a nonprofit corporation and is tax exempt. Therefore, a transfer to another nonprofit will have no effect on funding for the Township.

INFORMATION PROVIDED

Attached hereto a copy of the proposed Ordinance Amendment to provide an exception to the Tax Exemption Ordinance for any previously approved MSHDA Housing for low and moderate income housing developments.

STATEMENT OF WHAT YOU ARE ASKING BOARD TO APPROVE

To accept for first reading and set for second reading the proposed amendment to the Township's Tax Exemption Ordinance No. 344.

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. _____

Adopted: _____

Effective: _____

This Ordinance amends the Oshtemo Charter Township Tax Exemption Ordinance (Ordinance No. 344) adopted on July 23, 1996, by the addition of Section X. entitled Exception Provisions; and the renumbering of subsequent sections.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION I. ADDITION OF COMPILED SECTION 270.010, EXCEPTION

PROVISIONS. Compiled Section 270.010, Exception Provisions, is hereby amended to read as follows:

270.010 Exception Provisions.

Sec. X.

Notwithstanding the foregoing, the Township recognizes that, prior to July 23, 1996, the Township had previously allowed low- and moderate-income housing developments, in addition to housing developments for low income elderly persons as defined by the State Housing Authority Act of 1996, to qualify under the Exemption Ordinance. However, in addition to the qualified housing developments, a significant amount of the Township's residential housing stock has been developed into rental property (approximately 50 percent), much of which serves the needs of low- and moderate-income persons. Therefore, while not wishing to expand this tax exemption program to additional classes of housing developments not currently provided for under this Ordinance, the Township does recognize the need of those having previously constructed housing developments serving low- and moderate-income individuals to rehabilitate, redevelop and/or transfer those facilities by obtaining financing through the State Housing Authority under 1996 PA 346. Given the foregoing, the Township will approve financing under the State Housing Authority Act 1966 PA 366 for the rehabilitation, redevelopment and/or transfer of housing developments previously permitted under the Township's prior Ordinance in the same manner provided for under this Ordinance.

SECTION II. RENUMBERING OF OLD COMPILED SECTIONS X.,

SEVERABILITY, XI., INCONSISTENT ORDINANCES AND XII.,

EFFECTIVE DATE. Old Compiled Sections 270.010, 270.011 and 270.012 are hereby renumbered as Compiled Sections 270.011, 270.012 and 270.013.

SECTION III. EFFECTIVE DATE. This Ordinance shall take effect upon publication after adoption in accordance with State law. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP