

HOPE TOWNSHIP REGULAR BOARD MEETING
May 9, 2022

Meeting called to order at 6:30 p.m. by Supervisor Doug Peck at the Hope Township Hall, 5463 S. M-43 Hwy, Hastings, MI 49058.

Members Present: Arlene Tonkin, Deborah Jackson, Doug Peck, Junior Homister

Members Absent: Matt Peake

Others Present: Dave Jackson, Ronna Lewis, Perry Shepard, Lisa Shockley-Curtis.

Public Comment: None

Approval of Agenda: Tonkin made a request to add Resolution 2022-13 Authorize Issuance of Special Assessment Bonds under New Business (B.) Motion to approve the amended agenda by Homister, second by Peck.
All in favor. Motion carried.

Delton Fire Report: Perry Shepard gave report.

County Commission Report: Dave Jackson gave report.

Consent Agenda: *All matters listed under item 6, Consent Agenda, are considered routine by the board and will be enacted by one motion. There will be no separate discussion of these items. If discussion is needed, it will be removed from the Consent Agenda and considered separately.*

- a. Approval of April 11, 2022, regular meeting minutes and April 26, 2022, special meeting minutes
- b. Reports received: Revenue/Expenditure report; Treasurer report; Library minutes; Sewer minutes; Zoning compliance report
- c. Approval of Bills and signatures of Board Members: Deborah Jackson

Motion to approve consent agenda by Jackson, second by Homister.

Roll call vote: Yes: Tonkin, Peck, Homister, Jackson; No: None; Absent: Peake

All in favor. Motion carried.

Reports/Board Comments:

Supervisor: Nothing to report.

Treasurer: Tonkin read report. Report on file.

Clerk: Jackson reported on the May 3, 2022, results. The library is hiring for a part time position. Library board approved a quote to replace the HVAC system.

Trustee(s): Homister gave an update on the R. Smith & Sons application for the gravel pit. The Planning Commission approved the annual report and the Camp Michawana site plan. The Planning Commission board is reviewing Section 10.6 of the Hope Township Zoning Ordinance.

Unfinished Business

A. Veterans Memorial. No update.

New Business

A. Resolution 2022-12 Poverty Guidelines as follows:

**RESOLUTION OF GUIDELINES FOR APPLICANTS REQUESTING
CONSIDERATION FOR POVERTY EXEMPTION
RESOLUTION NO: 2022-12**

WHEREAS, the adoption of guidelines for poverty exemptions is required of the Hope Township Board, County of Barry.

WHEREAS, the homestead of persons who, in the judgment of the Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under Public Act 390 of 1994 (MCL 211.7u) and as amended by PA 620 of 2002 and as further amended by PA 253 of 2020; and

WHEREAS, PA 253 of 2020 removes the word “supervisor” from statute. Only the Board of Review may grant or deny a poverty exemption. The Board of Review must not deviate from the adopted policy guidelines. The Board of Review will grant full exemption for person who meets eligibility requirements; and

WHEREAS, pursuant to PA 267 of 1976, the Open Meetings Act, the Board of Review cannot go into a closed session and meet privately to discuss poverty exemption appeals, disabled veteran exemptions or any other appeal. Information contained in documents provided to the Board of Review that is exempt should be redacted before to the Board of Review; and

WHEREAS, pursuant to PA 390 of 1994 and PA 620 of 2002 and as further amended by PA 253 of 2020, Hope Township Board, County of Barry 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.

To be eligible, a person shall do all of the following on an annual basis:

1. Be an owner of and occupy as a homestead the property for which an exemption is requested.
2. File a complete application for an exemption after January 1, but before the day prior to the last day of the December Board of Review with the Assessor's Office. The application must be completed on Treasury Form 5737 as approved by the State Tax Commission. Incomplete applications will be denied. The application must include federal and state income tax returns for all persons residing in the homestead. Per PA 135 of 2012, an affidavit (Treasury Form 4988) must be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current year or in the immediately preceding year.
3. Produce a valid driver's license or other form of identification, if requested.
4. Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is required, if requested.
5. Meet the federal poverty income standards as defined and determined annually by the United States Department of Health and Human Services. The local unit may also opt to increase the federal guidelines. If so, that percentage increase will be: 0%
6. Have assets totaling no more than \$15,000, not including the primary residence and one vehicle.

NOW, THEREFORE BE IT HEREBY RESOLVED that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

The forgoing resolution offered by Township Board Member Tonkin and supported by Township Board Member Homister.

UPON ROLL CALL VOTE, THE FOLLOWING VOTED:

"Aye": Deborah Jackson, Doug Peck, Junior Homister, Arlene Tonkin

"Nay": None

Absent: Matt Peake

B. Resolution 2022-13 To Authorize Issuance of Special Assessment Bonds as follows:

**TOWNSHIP OF HOPE
(Barry County, Michigan)**

Resolution No. 2022-13

**RESOLUTION TO AUTHORIZE ISSUANCE OF
SPECIAL ASSESSMENT BONDS, SERIES 2022
(GENERAL OBLIGATION LIMITED TAX)**

Minutes of a meeting of the Township Board of the Township of Hope, Barry County, Michigan, held in the Township Hall, 5463 S. M-43 Highway, Hastings, Michigan, on May 9, 2022, at 6:30 p.m., local time.

PRESENT: Arlene Tonkin, Deborah Jackson, Doug Peck, Junior Homister

ABSENT: Matt Peake

The following resolution was offered by Member Jackson and supported by Member Tonkin:

WHEREAS, pursuant to Act 188, Public Acts of Michigan, 1954, as amended (the "Act"), the Township Board of the Township of Hope (the "Township") has levied special assessments for the purpose of defraying the cost of making certain public improvements within the Township consisting of street paving improvements (the "Improvements") within the Oakwood and Elmwood Drive Street Paving Special Assessment District (the "Special Assessment District"); and

WHEREAS, the Special Assessment Roll for the Special Assessment District was confirmed in the amount of \$211,650; and

WHEREAS, to finance all or a portion of the cost of making the Improvements, the Township Board deems it necessary to borrow the sum of not to exceed \$211,650 and to issue its Special Assessment Bonds, Series 2022 (the "Bonds"), therefor in anticipation of the collection of special assessments in accordance with the Act; and

WHEREAS, the Township will seek proposals from a bank or banks or other purchasers to purchase the Bonds; and

WHEREAS, notice of this meeting has been duly posted pursuant to Section 308 of Act 34, Public Acts of Michigan, 2001, as amended; and

WHEREAS, the Township Board has determined to authorize one or more officers to receive the proposals and to select the proponent to purchase the Bonds and to take all actions necessary or desirable to issue and deliver the Bonds to the selected proponent.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. NECESSITY. It is necessary for the public health, safety, and welfare of the Township to make the Improvements and issue bonds of the Township, pursuant to the Act, to finance construction of the Improvements.

2. ESTIMATED COST - PERIOD OF USEFULNESS. The total cost of the Improvements, including the payment of engineer's fees, legal and financial expenses and other expenses incident to the financing of the Improvements, which is estimated to be \$211,650, is hereby approved and confirmed, and the estimated period of usefulness of the Improvements is determined to be in excess of ten (10) years.

3. ISSUANCE OF BONDS. To defray a portion of the cost of the Improvements, including legal, engineering, financial and other expenses, and in anticipation of the collection of a like amount of special assessments confirmed by the Township Board on the Special Assessment Roll against lots and parcels of property in the Special Assessment District, the Township shall issue one or more series of its bonds known as Special Assessment Bonds, Series 2022 (the "Bonds") in the aggregate principal sum of not to exceed \$211,650 as finally determined by the Authorized Officer (defined below) at the time of sale.

4. BOND TERMS. The Bonds shall be issued in fully registered form as to both principal and interest, in any denomination. The Bonds shall be numbered consecutively in the order of their registration, shall be dated the date of their delivery, and shall be payable serially or as term bonds as determined by the Authorized Officer at the time of sale. The Bonds shall bear interest at a net interest rate not exceeding six percent (6%) per annum, payable as determined by the Authorized Officer at the time of sale.

5. PLEDGE OF SPECIAL ASSESSMENT PAYMENTS AND FULL FAITH AND CREDIT, GENERAL OBLIGATION. Special assessments in an amount equal to the principal amount of the Bonds and the interest on the special assessments are hereby pledged to the payment of the principal of and interest on the Bonds. The Township also pledges its limited tax, full faith and credit, general obligation for the prompt payment of the principal of and interest on the Bonds as and when due. In the event there are insufficient moneys for the payment of principal of and interest on the Bonds, the Township shall levy a tax on all taxable property in the Township for the prompt payment of principal and interest on the Bonds, which tax shall be limited as to rate and amount by applicable constitutional and statutory limitations on the taxing power of the Township.

6. PAYMENT OF PRINCIPAL AND INTEREST. Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America to the person appearing on the Bond registration books as the registered owner thereof. Payment of interest on the Bonds shall be paid to the registered owner at the address as it appears on the registration books as of the determination date. Initially the determination date shall be the date as of the fifteenth (15th) day of the month prior to the payment date for each interest payment; however, the determination date may be changed by the Township to conform to market practice. Payments of principal and interest may be made to the Registered Owner by check, draft, preauthorized debit, or such other manner of payment acceptable to the Registered Owner.

7. PRIOR REDEMPTION.

(a) Mandatory Redemption. Principal designated as a term bond maturity shall be subject to mandatory redemption, in part, by lot, at par plus accrued interest, on the redemption dates in the amounts determined by the Authorized Officer.

(b) Optional Redemption. The Bonds or portions of the Bonds may be subject to optional redemption prior to maturity as determined by the Authorized Officer at the time of sale.

(c) Notice of Redemption. Notice of redemption of Bonds shall be given by mail to the Registered Owners of the Bonds to be redeemed not less than thirty (30) days prior to the date fixed for redemption, addressed to the Registered Owner at the registered address shown on the registration books of the Township maintained by the Paying Agent. Bonds so called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the Paying Agent to redeem the same.

8. PAYING AGENT AND REGISTRATION.

(a) Appointment of Paying Agent. The Township shall, from time to time, designate and appoint a paying agent, which may also act as transfer agent and bond registrar (the "Paying Agent") and is authorized to remove the Paying Agent and appoint a successor Paying Agent. The initial Paying Agent shall be designated by the Authorized Officer. In the event of a change in the Paying Agent, notice shall be given in writing, by certified mail, to each Registered Owner not less than sixty (60) days prior to the next interest payment date. The Paying Agent shall keep the official books for the recordation of the Registered Owners of the Bonds.

(b) Book Entry Eligible. At the option of the initial purchaser of the Bonds, the Bonds will be issued in book-entry only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York; if this option is selected, DTC will act as securities depository for the Bonds, purchase of the Bonds will be made in book-entry only form, in any denomination, and purchasers will not receive certificates representing their interest in Bonds

purchased, and payment of principal and interest will be made by the Paying Agent to DTC. While the Bonds are held in book-entry-only form, then the Bonds shall be transferred in accordance with the procedures established by DTC. So long as the Bonds are registered to DTC or another bond depository, the Paying Agent or bond registrar shall have no responsibility with respect to such transfers. The Authorized Officer shall have the authority from time to time to appoint a successor depository trustee to serve in the place of DTC. While the Bonds are issued in book-entry-only form the Paying Agent shall serve as paying agent only.

(c) Registration of Bonds outside of Book-Entry-Only. In the event the book-entry-only system is not selected or is discontinued, the following provisions would apply to the Bonds. Bonds may be transferred only by submitting the same to the Paying Agent, together with a satisfactory instrument of transfer signed by the Registered Owner or his legal representative duly authorized in writing, after which a new Bond or Bonds shall be issued by the Paying Agent to the transferee (new registered owner) in the same aggregate principal amount as the Bond submitted for transfer. No transfer of Bonds shall be valid unless and until recorded on the bond registration books in accordance with the foregoing. The person in whose name any bond is registered may for all purposes, notwithstanding any notice to the contrary, be deemed and treated by the Township and the Paying Agent as the absolute owner thereof, and any payment of principal and interest on any Bond to the Registered Owner thereof shall constitute a valid discharge of the Township's liability upon such Bond to the extent of such payment. No Bond shall be transferred less than fifteen (15) days prior to an interest payment date nor after the Bond has been called for redemption. So long as the Bonds are registered to DTC or another bond depository, the Paying Agent, acting as bond registrar, shall have no responsibility with respect to such transfers.

9. BOND FORM. The Bonds shall be substantially in the form attached hereto as Exhibit A, and incorporated herein, with such completions and changes as are recommended by the Township's Bond Counsel and approved by the officers of the Township signing the Bonds, whose signature thereon shall be conclusive evidence of such approval.

10. EXECUTION OF BONDS. The Township Supervisor, and the Clerk or Deputy Clerk of the Township, are hereby authorized and directed to sign the Bonds, either manually or by facsimile signature, on behalf of the Township. Upon execution, the Bonds shall be delivered to the purchaser thereof upon receipt of the purchase price in accordance with the accepted bid therefor, plus the accrued interest, if any, to the date of delivery.

11. RECEIVING FUND. There shall be established and maintained on the books of the Township kept by the Township Treasurer a fund for the Bonds to be designated "Special Assessment Bonds, Series 2022 Receiving Fund" (the "Receiving Fund"). There shall be deposited into the Receiving Fund all special assessment payments pledged to the Bonds and interest and penalties collected in conjunction therewith.

12. BOND PAYMENT FUND. For payment of principal of and interest on the Bonds, there shall be established and maintained a debt service fund for the Bonds (the "Bond Payment Fund"). The accrued interest, if any, and capitalized interest, if any, and such amount of any premium determined by the Authorized Officer, received at the time of delivery of the Bonds shall be placed into the Bond Payment Fund. On the 15th day of the month prior to each principal payment date, there shall be deposited from the Receiving Fund into the Bond Payment Fund the principal due on the Bonds on the next succeeding principal payment date. On the 15th day of the month prior to each interest payment date, there shall be deposited from the Receiving Fund into the Bond Payment Fund the interest due on the Bonds on the next succeeding interest payment

date. The principal and interest on the Bonds when due shall be paid directly out of the Bond Payment Fund. To the extent that deposits of special assessment collections and interest thereon exceed the requirements of the Bond Payment Fund in any one year, it is assumed that current debt service on the Bonds will be paid entirely from current collections of special assessments. The balance in the Bond Payment Fund shall be depleted annually so that the balance in the Bond Payment Fund before the deposit required to be made on the 15th day of the month prior to each principal payment date shall not exceed the greater of (A) one year's investment earnings on the Bond Payment Fund, or (B) one-twelfth of annual debt service.

If at any time the Receiving Fund and Bond Payment Fund are insufficient to pay the principal of and interest on the Bonds as they become due, the Township shall advance from its general funds a sufficient amount of money to pay the deficiency. In the event the Township shall advance moneys from its general fund to pay principal of and interest on the Bonds pursuant hereto, the Township shall be entitled to reimbursement of such amount from the first special assessment installments thereafter paid.

13. CONSTRUCTION FUND. Prior to delivery and sale of the Bonds, there shall be established a construction fund (the "Construction Fund"). After deducting the sums which are required to be deposited in the Bond Payment Fund, the balance of the proceeds of the Bonds shall be deposited into the Construction Fund. The moneys on deposit in the Construction Fund from time to time shall be used solely for the purpose for which the Bonds were issued. Any unexpended balance shall be used for such purposes as allowed by law. Any monies remaining in the Construction Fund after payment of all such costs shall be transferred to the Bond Payment Fund. After completion of the Improvements and disposition of any remaining bond proceeds, pursuant to the provisions of this Section, the Construction Fund shall be closed.

14. INVESTMENT OF FUNDS. Moneys in funds and accounts established herein may be invested by the Township as allowed by law, and subject to the limitations imposed by arbitrage regulations and Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder (collectively the "Code").

15. DEPOSITORY AND FUNDS ON HAND. Monies in the several funds and accounts maintained pursuant to this Bond Resolution may be kept in one or more accounts at financial institutions designated by resolution of the Township, and if kept in one account, the monies shall be allocated on the books and records of the Township in the manner and at the times provided in this Resolution.

16. BONDS MUTILATED, LOST OR DESTROYED. If any Bond shall become mutilated, the Township, at the expense of the holder of the Bond, shall execute, and the Paying Agent shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the Paying Agent of the mutilated Bond. If any Bond issued under this Resolution shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the Paying Agent and, if this evidence is satisfactory to both the Township and the Paying Agent and indemnity satisfactory to the Paying Agent shall be given, the Township, at the expense of the owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like tenor, which shall bear the statement required by Act 354, Public Acts of Michigan, 1972, as amended, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond, the Paying Agent may pay the same without surrender thereof.

17. COVENANTS. The Township covenants and agrees with the successive holders of the Bonds that so long as any of the Bonds remain outstanding and unpaid as to either principal or interest:

(a) It will cause the principal of and interest on the Bonds to be paid promptly when due, but solely from the funds pledged by this resolution.

(b) It will receive and apply the special assessment revenues in accordance with this resolution.

18. CONTRACT WITH BONDHOLDERS. The provisions of this Resolution shall constitute a contract between the Township and the holder or holders of the Bonds from time to time, and after the issuance of any of such Bonds, no change, variation or alteration of the provisions of this Resolution may be made which would lessen the security for the Bonds. The provisions of this Resolution shall be enforceable by appropriate proceedings taken by such holder or holders, either at law or in equity.

19. SALE OF BONDS. The Authorized Officer is hereby authorized to negotiate sale to such bank or other purchaser selected by the Authorized Officer or to circulate or to cause to be circulated a request for proposals to purchase the Bonds and to negotiate the sale of the Bonds to such purchaser as the Authorized Officer shall determine (the "Purchaser"). The Township determines that a negotiated sale is be in the best interest of the Township because its relationship with local banking institutions may provide a low interest rate while also saving on the costs of issuance for the Bonds.

20. AUTHORIZED OFFICER. Notwithstanding any other provision of this Resolution, the Supervisor, the Clerk, and the Treasurer of the Township, or any one or more of them (the "Authorized Officer"), are authorized within the limitations set forth below to determine the title of the Bonds, the interest rate or rates, maximum interest rate, amount of discount or

premium, amount of maturities, principal amount, amount of good faith deposit, if any, denominations, dates of issuance, dates of maturities, interest payment dates, optional and mandatory redemption rights, and term bond options. The authority granted to the Authorized Officer by this Section, is subject to the following limitations:

- (a) The par amount of the Bonds shall not exceed \$211,650.
- (b) The Bonds shall not be sold at a price that would make the net interest rate exceed six percent (6%) per annum.
- (c) The final maturity date of the Bonds shall not be later than June 1, 2033.
- (d) The Bonds shall not be sold at a price of less than 99.00% of the par value of the Bonds, provided, however, the Authorized Officer is authorized to agree to such fees as may be included in the proposal of the Purchaser.

The Authorized Officer is hereby authorized for and on behalf of the Township, without further Township Board approval, to execute a bond purchase agreement for the Bonds or award and reject proposals for the Bonds and to do all acts and take all necessary steps required to effectuate the sale, issuance and delivery of the Bonds.

Approval by the Township of the matters delegated in this section or any other sections may be evidenced by execution or approval of such documents by the Authorized Officer. The Authorized Officer, or any one or more of them, are authorized to execute any documents or certificates necessary to complete the transaction, including, but not limited to, any applications including applications to the Michigan Department of Treasury, including an Application for State Treasurer's Approval to Issue Long-Term Securities, applications for waivers, and the submission of any supporting or related documents), any certificates, receipts, orders, agreements, instruments, , security reports, a blanket letter of representations, and any certificates relating to federal or state securities laws, rules or regulations, to make any elections or designations under the Code, to pay any fees required by the State of Michigan and to engage such professionals as deemed necessary or desirable for the issuance of the Bonds.

21. DEFEASANCE. In the event cash or direct obligations of the United States or obligations the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional or mandatory redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this Resolution shall be defeased and the owners of the Bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein.

22. BOND COUNSEL. The firm of Dickinson Wright PLLC is employed as bond counsel to the Township for issuance of the Bonds. The Township acknowledges that Dickinson Wright PLLC represents a number of financial institutions in public finance matters, including financial institutions that may potentially purchase the Bonds, and consents to Dickinson Wright PLLC's representation of the Township as bond counsel and, and waives any conflict of interest arising from such representation of a financial institution or underwriter that may purchase the Bonds in other matters not involving the Township.

23. BOND RESOLUTION SUBJECT TO MICHIGAN LAW. The provisions of this Bond Resolution are subject to the laws of the State of Michigan.

24. SECTION HEADINGS. The section headings in this Bond Resolution are furnished for convenience of reference only and shall not be considered to be a part of this Bond Resolution.

25. SEVERABILITY. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution.

26. CONFLICT. Except as provided above, all resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed; provided, that the foregoing shall not operate to repeal any provision thereof, the repeal of which would impair the obligation on the Bonds.

27. EFFECTIVE DATE OF RESOLUTION. This Bond Resolution is determined by the Township Board to be immediately necessary for the preservation of the peace, health and safety of the Township and shall be in full force and effect from and after its passage.

YEAS: Members Junior Homister, Doug Peck, Deborah Jackson, Arlene Tonkin

NAYS: None

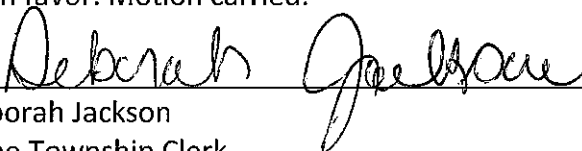
~~ABSENT~~ :

~~ABSTAIN~~: Member Matt Peake

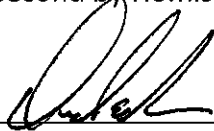
RESOLUTION DECLARED ADOPTED.

Additional Public Comment: Comment was made.

Meeting adjourned at 6:54 p.m. Motion to close by Tonkin, second by Homister.
All in favor. Motion carried.



Deborah Jackson
Hope Township Clerk



Doug Peck
Hope Township Supervisor

Date: June 13, 2022
Status (circle one) Tentative Minutes Approved Minutes