

TOWNSHIP OF NEW BUFFALO

PUBLIC SAFETY SPECIAL ASSESSMENT DISTRICT NO. 1

**RESOLUTION NO. 1
RESOLUTION OF INTENT TO ESTABLISH SPECIAL ASSESSMENT DISTRICT;
TENTATIVE DESIGNATION OF SPECIAL ASSESSMENT DISTRICT;
NOTICE OF PUBLIC HEARING**

At a regular meeting of the Township Board of the Township of New Buffalo, held on the 21st day of December, 2020, at 7:00 p.m.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by _____ and seconded by _____.

WHEREAS, the Township currently operates a fire department and contracts with other governmental units for police protection and emergency medical services, as authorized by law; and

WHEREAS, pursuant to Act 33 of 1951, MCL 41.801 *et seq.*, the Township may defray the cost of maintaining and operating police and fire departments through a special assessment, which assessment is to be spread across the taxable value of the parcels in the district; and

WHEREAS, pursuant to Act 368 of 1978, as amended by Act 179 of 1990 (MCL 333.20948), the Township may defray the cost of a contract for emergency medical services (ambulance) operation through a special assessment, which must conform as nearly as possible to the procedure set forth in section 1 of Act 33 of 1951; and

WHEREAS, the Township wishes to defray the costs of maintaining and operating its fire department and maintaining its contracts for police protection and emergency medical services through a special assessment under Act 33 of 1951 and Act 368 of 1978, as amended; and

WHEREAS, the Township finds that initiating proceedings to establish such a special assessment district is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, THE TOWNSHIP RESOLVES AS FOLLOWS:

1. The Township Board determines to defray the costs of maintaining and operating its fire department and maintaining its contracts for police protection and emergency medical services through a special assessment.

2. The Township Board tentatively designates the Public Safety Special Assessment District No. 1 (“District”) as all real property parcels in the Township, except those that are exempt from the collection of taxes under the General Property Tax Act. Pursuant to Act 33, the cost will be spread across the taxable value of the parcels in the District.

3. The Township estimates that the cost will equate to an assessment of 2.1 mills per year, which is estimated to generate \$1,297,954 in the first year of the District.

4. The Township tentatively proposes that the District remain in effect for a period of twenty (20) years. The Township will annually determine the amount to be assessed in the District and hold a public hearing in the manner required by Act 33.

5. The Township Board will hold a public hearing on January 19, 2021, at 4:00 p.m. at Township Hall to hear and consider objections to the creation of the District and the estimated amount of the estimate.

6. The Township Board directs the Township Clerk to give notice of the time, date and purpose of the hearing, by first class mail, to each record owner of, or party-in-interest in, real

property within the Township whose name appears upon the last Township tax assessment records, at least ten days before the date of the hearing in the form substantially similar to Exhibit A, attached to this Resolution. In addition, notice will also be published in the same form at least twice before the hearing in a newspaper circulating in the Township. The first publication will be at least ten days before the date of the hearing.

7. Following the public hearing, the Township Board may revise, correct, amend or change the plans, estimate of cost, or boundaries of the special assessment district.

8. Any and all resolutions in conflict with this Resolution are repealed, but only to the extent necessary to give this Resolution full force and effect.

ADOPTED:

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)

)

COUNTY OF BERRIEN)

I, the undersigned, the duly qualified and acting Township Clerk of the Township of New Buffalo, Berrien County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the Township Board of said Township at a regular meeting held on the 21st day of December, 2020.

Judy H. Zabicki, Township Clerk

EXHIBIT A

TOWNSHIP OF NEW BUFFALO

**NOTICE OF ELECTRONIC MEETING AND PUBLIC HEARING ON PUBLIC
SAFETY SPECIAL ASSESSMENT DISTRICT NO. 1**

NOTICE IS HEREBY GIVEN that the Township Board of the Township of New Buffalo, Berrien County, Michigan, has determined to proceed with creating a special assessment district to defray, in whole or part, the costs of maintaining and operating its fire department and maintaining its contracts for police protection and emergency medical services (Public Safety Special Assessment District No. 1).

The Township Board has tentatively determined that these costs will be specially assessed against the taxable value of all real property in the Township, except property that is exempt from collection of taxes under the General Property Tax Act, for a period of twenty (20) years, at a proposed rate of 2.1 mills.

TAKE NOTICE that the Township Board of the Township of New Buffalo, Berrien County, Michigan will be holding a meeting on January 19, 2021 at 4:00 p.m. The purpose of the meeting is to hold a public hearing to hear and consider any objections to the proposed special assessment, the district and all other matters relating to the Public Safety Special Assessment District No. 1. and to consider any business to come before the Township Board as permitted by law. Property will not be added to the proposed special assessment district without further notice and public hearing.

This meeting will only be held electronically pursuant to the Open Meetings Act and the Michigan Department of Health and Human Services (MDHHS) Epidemic Orders.

Pursuant to the Open Meetings Act, Act 267 of 1976, and the MDHHS Epidemic Orders, the Township Board also gives notice of the following:

1. Reason for Electronic Meeting. The Township Board is holding the meeting by electronic means only because of the gathering restrictions and social distancing requirements set forth in the MDHHS Epidemic Order in effect at the time of this notice and due to health and safety concerns related to the COVID-19 pandemic.

2. Procedures. The public may participate in the meeting and may make public comment electronically by video or telephone conference using the following information:

Join Zoom Meeting

Meeting ID: 822 6370 9921

Or by telephone: (312) 626-6799

Meeting ID: 822 6370 9921

**To unmute microphone from a cell phone dial *6 (star 6)

To raise your hand from a cell phone dial *9 (star 9)

3. Contact Information. For those who desire to contact members of the Township Board to provide input or ask questions on the business that will come before the Township Board at the meeting, please contact Judy Zabicki, Township Clerk, at jhzabicki@newbuffalotownship.org prior to the start of the meeting.

4. Persons with Disabilities. Persons with disabilities may participate in the meeting through the methods set forth in paragraph 2. Individuals with disabilities requiring auxiliary aids or services in order to attend electronically should notify the Clerk at (269) 469-1011 Ext 104 within a reasonable time in advance of the meeting.

By: Judy Zabicki, Clerk
17425 Red Arrow Highway
New Buffalo, MI 49117
Telephone No: (269) 469-1011

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