

The Manistee Township Board held a special meeting on Thursday, July 5, 2018 at 9:30 AM at the Manistee Township Hall. Board members present were Dennis Bjorkquist, John Dontz, Guy Finout, Connie Jankwietz, and Dianne Taylor. Also present was Connie Anderson, Assessor. The meeting had been posted in compliance with the Open Meetings Act. Posting attached.

The meeting was called to order by Supervisor Bjorkquist with the pledge to the United State Flag.

There being no public comments, the Supervisor explained that the Township will be undergoing an AMAR review and one of new requirements is that each Michigan governing body must pass a resolution indicating if they will or will not collect penalties for failure to file property transfer affidavits within forty-five (45) days following a transfer of ownership. After discussion regarding who collects, when, how much, how often, and who would perform the necessary procedures, Trustee Finout made a motion to approve resolution 2018-08 Waiver of Penalties for Failure to File Property Transfer Affidavits; Trustee Dontz seconded. Motion carried.

## **Resolution No. 2018-08**

### **WAIVER OF PENALTIES FOR FAILURE TO FILE PROPERTY TRANSFER AFFIDAVITS**

**Whereas**, the Township of Manistee is aware that Michigan statute, MCL 211.27a(10) requires the buyer, grantee or other transferee of a property to notify the appropriate assessing office within forty-five (45) days when a transfer of ownership occurs, and

**Whereas**, MCL 211.27a(10) further requires that such notification be made on a form prescribed by the state tax commission, commonly known as a Property Transfer Affidavit (Form 2766 or L-4260); and

**Whereas**, the Township is aware that MCL211.27b(1)(c) and (d) provides specific penalties to be levied if the appropriate assessing office is not notified within 45 days; and

**Whereas**, MCL 211.27b(5) allows the governing body to waive, by resolution, the penalty levied under subsection (1) (c) or (d); and

**Whereas**, it has been determined by the assessing office that compliance with filing Property Transfer Affidavits is greater than 90 percent; and

**Whereas**, the Township of Manistee has determined the cost to administer and collect the penalty, then share collected penalties with other taxing jurisdictions outweighs the benefit; and

**Whereas**, the Township finds the collection of penalties is unnecessary.

**Now, Therefore, Be it Resolved**, the Board of Trustees of the Township of Manistee, as provided in MCL 211.27b(5), waives the collection of penalties under subsections (1) (c) or (d); and

**Also, Therefore, Be it Resolved** that any resolution or directive in conflict with this Resolution is hereby repealed.

Trustee Finout motioned to approve the resolution; Trustee Dontz seconded.

Ayes: Dontz, Finout, Jankwietz, Taylor, Bjorkquist                      Nays:    None

The Supervisor declared the resolution adopted.

\_\_\_\_\_  
Dianne Taylor  
Manistee Township Clerk

I, Dianne Taylor, Clerk of the Township of Manistee, do hereby certify that the above is a true and correct copy of a Resolution which was adopted by the Township Board of the Township of Manistee on the 9<sup>th</sup> day of July, 2018.

Date: \_\_\_\_\_

\_\_\_\_\_  
Dianne Taylor  
Manistee Township Clerk

There being no further business or public comment, Trustee Dontz motioned and Trustee Finout seconded, to adjourn the meeting at 10:00 AM. All in favor; motion carried.

Respectfully submitted,

Dianne Taylor  
Manistee Township Clerk