

VILLAGE OF BANCROFT  
(February 9, 2022)

RESOLUTION 2022-01

**RESOLUTION ESTABLISHING SPECIAL ASSESSMENT AND SPECIAL  
ASSESSMENT DISTRICT FOR PAYMENT OF COSTS OF SOLID WASTE DISPOSAL**

WHEREAS, the Village of Bancroft adopted Special Assessment Ordinance # 237-04, pursuant to Michigan Compiled Law (hereafter "MCL") 68.32, et seq. on May 4, 2004 to address the creation of special assessments and special assessment districts to fund local public improvement projects;

WHEREAS, on August 11, 2021, the Village took the first step under that Ordinance to seek cost recovery for implementing a local public improvement by adopting Resolution 2021-05 titled *Resolution Initiating A Local Public Improvement To Provide For Solid Waste Disposal on Residential Properties and Setting A Public Hearing On Creation Of A Special Assessment District*. This Resolution expressed and advanced the Village Council's intent to create a special assessment upon properties within a special assessment district to pay at least a portion of the cost associated with solid waste disposal in the Village of Bancroft after the Village, on April 1, 2021, entered into a ten (10) year contract with Granger to provide for solid waste disposal. This contract was amended on or about October 19, 2021 to include service to non-residential entities. (See attached Exhibit A) The Resolution referred the local public improvement project to the Village Clerk with instructions that the Clerk:

1. "[p]repare a report addressing the cost of providing this service to be in an annual amount, in an amount for the first year plus annual increases in a specific amount in subsequent years, based upon the costs of the contract with Granger."
2. Prepare and include in the above referenced report, ". . . a roll of parcels and parcel numbers, with the names and addresses of the parcel owners, that would be subject to this proposed special assessment".

WHEREAS, the Clerk reported the cost of providing this public improvement service would begin at \$14.16 per month, per unit (including residences, religious institutions and businesses, hereafter referred collectively to as "units"), in the first year of the contract beginning April 1, 2021 and rising to \$17.68 per month, per unit in the last year of the contract, beginning April 1, 2030. (See attached Exhibit B) A yearly breakdown of the monthly cost, per unit, was including in the table at the bottom of page 6 of 9 of the *Village of Bancroft Solid Waste, Recycling & Yard Waste Collection Agreement for Residential Customers*, executed by the Village on March 10, 2021, and *Amendment No. 1 To Contract* that was also signed.

WHEREAS, the Village Council reviewed the report of the Clerk on the cost of providing the local public improvement project of solid waste disposal, for all units in the special assessment district which includes the Village of Bancroft and in Resolution 2021-10, the Council scheduled a public hearing on the proposed Special Assessment to be held on Wednesday, March 9, 2022 at 7:05 p.m. during the next, regular Council meeting at the Community Hall.

WHEREAS as required, a written Notice of Special Assessment, with this public hearing date, was:

1. mailed to all property owners of record on January 14<sup>th</sup>, 2022,
2. was published daily in The Argus-Press from January 5<sup>th</sup>, 2022 through January 18<sup>th</sup>, 2022, and
3. was made available for public viewing at the Village Office.

WHEREAS that Notice advised recorded property owner of their options on how to protest the proposed Special Assessment and/or Special Assessment District in accordance with the Village Ordinance and State law. Specifically, the Notice provided property owners or persons with interest in parcels within the proposed special assessment district (see attached Exhibit C) where informed that they could:

1. appear at the public hearing on Wednesday, February 9, 2022 and be heard by the Village Council, and/or
2. file their appearance and protest by written letter with the Village prior to the public hearing.

These property owners were advised that appearance by letter, or in-person at the public hearing, in order to protest, was required to preserve the owner's right to file with the State Tax Tribunal, a written appeal within thirty (30) days after confirmation of any special assessment and special assessment district roll of parcels to be included.

WHEREAS, the Village Council heard any written and/or in-person protests to the Special Assessment under Section 2 of the Ordinance and having considered all comments regarding the proposed special assessment and/or proposed assessment district, to assess fifty-five percent (55%) of the total cost in each year of the ten (10) year contract on the tax bill of residential dwellings, religious institutions and businesses within the Village;

IT IS THEREFORE RESOLVED THAT:

1. the Village of Bancroft establishes a special assessment district for this local public improvement project of providing for the public service of solid waste disposal in the Village of Bancroft for residential households, religious institutions and businesses.
2. the Village Council received the October 19, 2021 report of the Village Clerk outlining the cost per year, per unit, for financing the local public improvement project of providing solid waste disposal within the Village of Bancroft to all residential households, religious institutions and businesses. The Clerk has reported the total cost of this service will be \$14.16 monthly in the first year with annual increases as outlined in the contract and the amendment with Granger.
3. The Village of Bancroft designates that a special assessment is imposed, upon the properties within the special assessment district (outlined in Exhibit C) created, wherein fifty-five percent (55%) of the cost of the local public improvement project, is assessed upon and is to be paid on a per property basis, that are declared to be the specifically benefitted properties of this public improvement project as outlined
4. Fifty five percent (55%) of the Village's total, annual costs of this local public improvement project, are to be assessed on a per property basis with the following

amounts to be placed by the Village Assessor on the summer taxes every year beginning 2022 on each property within the special assessment district:

<u>For service period:</u>	<u>Placed on Tax Roll</u>	<u>Assessed Amount:</u>
4/01-2021 to 03/31/2022	Summer 2022	(\$ 7.79/month) <b>\$93.48/year</b>
4/01-2022 to 03/31/2023	Summer 2023	(\$ 7.98/month) <b>\$95.76/year</b>
4/01-2023 to 03/31/2024	Summer 2024	(\$ 8.18/month) <b>\$98.16/year</b>
4/01-2024 to 03/31/2025	Summer 2025	(\$ 8.39/month) <b>\$100.68/year</b>
4/01-2025 to 03/31/2026	Summer 2026	(\$ 8.60/month) <b>\$103.20/year</b>
4/01-2026 to 03/31/2027	Summer 2027	(\$ 8.81/month) <b>\$105.72/year</b>
4/01-2027 to 03/31/2028	Summer 2028	(\$ 9.03/month) <b>\$108.36/year</b>
4/01-2028 to 03/31/2029	Summer 2029	(\$ 9.26/month) <b>\$111.12/year</b>
4/01-2029 to 03/31/2030	Summer 2030	(\$ 9.49/month) <b>\$113.88/year</b>
4/01-2030 to 03/31/2031	Summer 2031	(\$ 9.72/month) <b>\$116.64/year</b>

5. The Village Assessor shall comply with Section 7 of Ordinance # 237-04, Special Assessment Ordinance by reporting to the Village Council that the assessment has been completed by filing a certificate endorsed on the assessment roll as outlined in that Section 7.
6. When the Village Assessor reports to the Council under Section 7 that the assessment has been completed, the Village Clerk, under Section 9 of Ordinance # 237-04, shall make an endorsement upon the roll showing the date of confirmation.
7. Any resolution or part of a Resolution in so far as they conflict with the provisions of this resolution, are hereby rescinded.

Adopted at a regular meeting of the Bancroft Village Council held on the 9th day of February, 2022.

Motion By: K. Bible

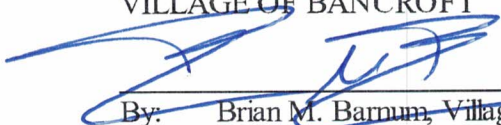
Second By: T. Terpening

YEAS: K. Bible, T. Terpening, R. Miller, L. Fuller, B. Barnum

NAYS: None.

ABSENT: C. Hutchins, T. Barnum

VILLAGE OF BANCROFT

  
By: Brian M. Barnum, Village President

## CLERK'S CERTIFICATION

I certify that the above is a true and complete copy of Resolution No. 2022-01 adopted by the Village Council at a regular meeting held on the 9th day of February, 2022.



Ashley Goodrich, Village Clerk

Drafted by:  
Christopher S. Johnson (P58746)  
Gormley & Johnson Law Offices, PLC  
Attorneys for the Village of Bancroft  
101 East Grand River Ave.  
Fowlerville, MI 48836  
Phone: (517) 223-3758  
Email: "chris@gormleylaw.net"

# The Argus-Press Company

201 E. Exchange St.  
Owosso, MI 48867

Phone (989) 725-5136 Fax (989) 725-6376

# Invoice/Statement

Date
2/1/2022

THE VILLAGE OF BANCROFT  
CLERK  
120 WARREN ST PO BOX 97  
BANCROFT, MI 48414

Terms	Rep	Account #
End of Month	LEG	200317

Date	Item	Transaction	Inches	Rate	Amount
12/31/2021		Balance forward			0.00
01/05/2022		INV #134085. --- 170 LEGAL ELECTRONIC, 6.25 @ \$55 = 343.75 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			343.75
01/06/2022		INV #134087. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00
01/07/2022		INV #134088. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00
01/08/2022		INV #134089. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00
01/09/2022		INV #134090. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00
01/10/2022		INV #134091. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00
01/11/2022		INV #134092. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00
01/12/2022		INV #134086. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00

CURRENT	1 - 30 DAYS	31 - 60 DAYS	61 - 90 DAYS	OVER 90 DAYS	Amount Due
343.75	0.00	0.00	0.00	0.00	\$343.75

A 1.5% service charge will be charged if payment is not received by the 25th.

Please write account number on check.

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CLERK  
120 WARREN ST PO BOX 97  
BANCROFT, MI 48414

Terms	Rep	Account #
End of Month	LEG	200317

Date	Item	Transaction	Inches	Rate	Amount
01/13/2022		INV #134093. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00
01/14/2022		INV #134094. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00
01/15/2022		INV #134095. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00
01/16/2022		INV #134096. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00
01/17/2022		INV #134097. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00
01/18/2022		INV #134098. --- 170 LEGAL ELECTRONIC \$0.00 --- NOTICE OF SPECIAL ASSESSMENT --- 1/5 THRU 1/18			0.00

CURRENT	1 - 30 DAYS	31 - 60 DAYS	61 - 90 DAYS	OVER 90 DAYS	Amount Due
343.75	0.00	0.00	0.00	0.00	\$343.75

A 1.5% service charge will be charged if payment is not received by the 25th.

Please write account number on check.