

# Porter Township Newsletter

Cass County, Michigan — May, 2010

Check out our Website — <http://www.portertownship.org>

## Joint Ownership Prevents Uncapping of a Property's Taxable Value

Most township officials are aware that, under Proposal A, taxable values are "capped" until property is transferred, when the taxable value becomes identical to the assessed value. A transfer can include either a sale to a third party or a bequest on the death of the owner.

In a recent property tax case, however, the Court of Appeals explained that joint ownership can be used to avoid uncapping the taxable value on the death of the owner.

The court interpreted MCL 211.27a(7)(h) to provide that, if the present property owner

transfers a joint interest in capped property to another person, even after Proposal A, the death of the first owner will not require the uncapping of the taxable value. The successor joint owner can then convey a joint ownership interest to another person and avoid uncapping the taxable value upon the death of the successor joint owner.

Using this strategy, it would be possible to defer the uncapping of a property's taxable value indefinitely over a number of generations.

It is expected that this strategy will be used

most predominantly in the case of family-owned properties, such as lake cottages. By transferring joint interests in such property from parent to child, the properties can be kept "in the family" for generations without the taxable value ever becoming uncapped.

Klooster v Charlevoix (Michigan Court of Appeals, December 15, 2009.) (Copied from the "Township Law E-Letter" of Fahey, Schultz, Burzych, Rhodes PLC of Okemos, MI)

## Porter Township news roundup

### Porter Residents- Clean-Up Day

Porter Township Clean-Up Day will be June 12, from 8 a.m. to Noon. The drop off point will be the American Waste Yard, 15621 Mason St., Union. Pick up service will be provided for handicapped and senior citizens. All items except yard waste, garbage, and construction materials may be dropped off. A fee will be charged for refrigerator type appliances and tires. If you have questions, call 641-2375.

### Sheriff's Auction

On June 5 the Cass County Sheriffs department will have an auction at the fairgrounds.

### Alwine new OEO

Mike Alwine is the township's Ordinance Enforcement Officer (OEO). Mike was hired at the March 9 board meeting. Mike has been working with several townships in St. Joseph County as the Dangerous Structure Hearing Officer and as an Assistant Building Inspector for Porter Township.

### Hall resigns, Penninger appointed

Vickie Hall resigned her position as assistant to the Porter Township Clerk April 19. The board would like to thank her for her dedicated service to the township. Vickie's knowledge and experience will be missed. The township board

wishes her well in her future endeavors.

Pam Penninger has been appointed to the position of Assistant to the Clerk. Pam has worked in the township office for several years and is familiar with office procedures. Congratulations Pam.

### Census Warning

The U. S. Census process is progressing into the second phase. If you have not returned the Census form, you received in the mail, a Census enumerator will be coming to your house to collect the Census information.

The first phase of the 2010 Census is under way as workers have begun verifying the addresses of households across the country. Eventually, more than 140,000 U. S. Census workers will count every person in the United States and will gather information about every person living at each address including name, age gender, race, and other relevant data.

The Better Business Bureau (BBB) advises people to be cooperative, but cautious, so as not to become a victim on fraud or identity theft.

The big question is — how do you tell the difference between a U. S. Census worker and a con artist?

BBB offers the following advice:

■ If a U. S. Census worker knocks on your door, will have a badge, a handheld device, a Census bureau canvas bag, and

a confidentiality notice. Ask to see their identification and their badge before answering their questions. However, you should never invite anyone, your don't know, into your home.

■ Do not give your social Security number, credit card, or banking information to anyone, even if they claim they need it for the U. S. Census.

■ REMEMBER, NO MATTER WHAT THEY ASK, YOU REALLY ONLY NEED TO TELL THEM HOW MANY PEOPLE LIVE AT YOUR ADDRESS.

■ While the Census Bureau might ask for basic financial information such as a salary range. YOU DON'T HAVE TO ANSWER ANYTHING AT ALL ABOUT YOUR FINANCIAL SITUATION.

■ The Census Bureau will NOT ask for Social Security, bank account, or credit card numbers, nor will employees solicit donations. Any one asking for that information is NOT with the Census Bureau.

■ REMEMBER, THE CENSUS BUREAU HAS DECIDED NOT TO WORK WITH ACORN ON GATHERING THIS INFORMATION. No Acorn worker should approach you saying s/he is with the Census Bureau.

■ Eventually, Census workers may contact you by telephone, postal mail, or in-person at home. However, the Census Bureau will NOT contact you by Email, so be on the lookout for Email scams

impersonating the Census.

■ Never click on a link or open any attachments in an Email that are supposedly from the U. S. Census Bureau.

**Road Repairs in Porter Township**

At a special township meeting on April 20, 2010, the board voted to add \$77,000 to the road repair budget, for a total of \$227,000.

This represents about 32% of the township budget. The total cost of the

scheduled road resurfacing and graveling will be \$330,870.

The township's portion will be \$226,765 and the Cass County Road Commission will provide the balance of \$104,105.

The following roads are scheduled for repair:

**Resurfacing**

Wayne St.—from Baldwin Prairie Rd. to Hilltop Dr.

Wayne St.—Hilltop Dr. east to joint

Harvey St.—Walnut Rd. to Birch Rd.  
Teasdale Lake—Birch east past the patch

Harvey St.—Across the dirt patch  
Trout Rd—.75 miles north of Wayne St. to US-12

**Gravel**

Bellows—Sweet north to US-12

Guyer—Township line to Union

Lewis Lake—Brownsville to Monkey Run

**General Information**

**TOWNSHIP BOARD**

Supervisor .....Dan Harvey  
Clerk .....Marty Russell  
Treasurer.....Helen Croninger  
Trustee ..... Leard Wylie  
Trustee ..... Steve Northrup

**Dan Harvey, Supervisor**, will be in the office Mondays and at other times by appointment.

**Marty Russell, Clerk**, will be in the office Tuesday, Thursday and Friday.

**Pam Penninger Deputy Clerk** works Monday, Tuesday, Thursday and Friday

**Helen Croninger, Treasurer**, will be in the office on Wednesdays. During tax collection time she will be in the office on Tuesday, Wednesday and Friday.

**Nancy DuFour, Deputy Treasurer**, will be in the office on Wednesday.

**Pat Keirn or Connie Bickel, Sewer Department**, Open Monday, Tuesday, Wednesday and Friday. Closed Thursdays. Sewer bills may be paid in person or by mail.

**BUILDING INSPECTORS**

Building, Rich Drews  
Electrical, Jack Hughes  
Mechanical & Plumbing, Ed Wainwright

**Office Hours**

Township Offices are open 10 am to Noon and 1-4 pm Monday through Friday

**MEETINGS**

Township Board Agenda meetings are held

the first Tuesday of each month at 3:30 pm, unless otherwise posted.

**Township Board meetings** are the second Tuesday of each month at 7pm, unless otherwise posted.

**Building Night** meets weekly from 5 - 6 pm during the winter and until 7 pm when time changes to let you apply for building, plumbing, mechanical and electrical permits.

**CONTACT INFORMATION**

Township Office.....269-641-2375  
Hours .....10 am-Noon and 1-4 pm  
Fax .....269-641-2571  
Fire Department.....269-641-7100  
Emergency.....911  
E mail.....porter@portertownship.org

**Porter Township  
69373 Baldwin Prairie Rd.  
PO Box 517  
Union, MI 49130**

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