

# PENINSULA TOWNSHIP

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## Township Board Special Meeting February 28, 2022, 9:00 a.m. Township Conference Room MINUTES

1. **Call to Order** by Manigold at 9:02 a.m.

2. **Pledge**

3. **Roll Call**

Present: Manigold, Chown, Achorn, Bickle, Sanger

Absent: Wahl and Wunsch

Also present by phone: township attorney Meihn

4. **Brief Citizen Comments (for agenda items only):** none

5. **Approve Agenda**

**Bickle moved to approve the agenda with a second by Sanger.**

**Motion approved by consensus**

6. **Conflict of Interest:** none

7. **Consent Agenda:** none

8. **Business:**

1. Delayed uncapping for parcel ID No. 28-11-109-029-00

**Sally Murray, assessor:** discussed the recent history of the parcel and why a delayed uncapping may be potentially applicable for prior years. Noted that this situation is very unique and one that neither the township nor county has any prior similar matters to compare it to. Further explained a bit more detail on the parcel(s) leading up to 2018 and the 2019 split into four new parcels, with the original parent parcel retired from the 2019 assessment roll and the four child parcels new to the 2019 assessment roll.

**Manigold:** asked for clarification of the ownership history of the property in question.

**Virginia Coulter:** provided a brief overview on the ownership history, the multiple family members part of the limited partnership originally established by her father, and how upon his death the bulk of his property holdings were transferred to a couple of immediate family members.

**Achorn:** asked a series of questions regarding the timeline and ownership details.

Board discussion occurred.

**Bickle:** if a property transfer actually took place upon her father's passing, then it would be most beneficial if

Mrs. Coulter could provide a written “family tree” and timeline in order help the board grasp the complexity.

**Sanger:** would like a legal opinion to provide some review and legal guidance.

**Meihn:** the law and statutes are somewhat vague and will need further legal review. Once Mrs. Coulter provides the ownership family tree history and any/all legal documents defining the initial set-up of the limited partnership coupled with any updates in the legal documents that are provided, will have his legal team do an overview and provide a legal opinion.

**Manigold:** wants to do more research.

**Murray:** noted that the family came forward when they became aware of the matter. Emphasized that the family was very forthright by raising and wanting to address the issue.

**Achorn:** we potentially may need legal assurances and signoffs to protect the township from any claims thus avoiding any unnecessary litigation.

**Bickle:** wants to look at all possible options to resolve this matter.

**Sanger:** we have to make the right decision. Will have to engage tax counsel and general legal counsel.

**Bickle:** this is not a clear delineation like other situations we’ve become aware of.

**Achorn:** if the limited family partnership does by chance owe money, how is it to be collected?

**Bickle:** once we know the family history and get all the detail to Greg [Meihn] and his legal team, we potentially should be able figure this out.

**Meihn:** will need all parcel documents plus family history.

**Bickle moved to explore the matter further by looking at the family history and timeline and engaging legal counsel and its tax department to provide a legal opinion on how to proceed with a second by Achorn.**

**Roll call: Yes-Sanger, Bickle, Manigold, Chown, Achorn** passed unan

#### 9. Citizen Comments

**Fred Dohm:** asked if the property was initially uncapped and assessed at a higher tax rate after his father passed away in 2009.

**Murray:** has no memory of that occurring.

#### 10. Board Comments

**Bickle:** clarified that any/all letters of opinion the family has received from its own tax attorney regarding this matter should be given to Meihn.

**Meihn:** the more information we get, the better able we are to make a good decision.

#### 11. Adjournment:

**Bickle moved to adjourn with a second by Sanger.**

Motion approved by consensus

**Meeting adjourned at 9:58 a.m.**