

Street project could mean tax boost

Cass City property owners may be paying an additional mill in property taxes this year.

That is a decision to be made by the village council, which Saturday accepted the low bid of Hallenback Construction Co. of St. Johns of \$244,110 for reconstruction of portions of Doerr Road and Garfield Street.

If it weren't for the street project, the council wouldn't have to be thinking about a millage increase.

The issue at the special session, as expressed by trustee Dorothy Stahlbaum was "All these grants are great if you can afford it." The street project consists

of rebuilding of Doerr Road from Main to Garfield and Garfield between Doerr and the railroad tracks.

The federal government is paying \$181,400 of the cost. That leaves \$62,710 to be paid by the village, plus \$15,000 in engineering costs, plus \$20,000 it will have to pay to the state Department of Transportation to oversee the project. That's a total of \$97,710. The Doerr-Garfield project is the only one that would qualify for the specific federal program.

The DOT, which coordinates the federal road program, opened bids in Lansing last Wednesday, with the Hallenback firm being the

lowest of seven bidders.

The DOT wanted to notify the contractor Monday if its bid would be accepted, hence the special council session Saturday.

It was the second time the DOT has opened bids for the project. The first time was in September and the lowest of three bids was \$270,318. The village council rejected the bid as excessive.

"The successful bid this time was still more than the council wanted to pay, but trustees ultimately decided they didn't have a choice."

"Can we afford not to do this project?" asked Richard Hampshire. "It's only going to go up in cost."

The federal Safer-Off System Program money can only be used to improve non-residential streets running off major trunklines and the Doerr-Garfield project was the only one that qualified, according to village Supt. Lou Laponie. Both streets will be widened from their present 20 or 22 feet, below engineering standards for the traffic they bear, to 40 feet.

The project is to be completed by September.

THE PROBLEM IN ACCEPTING the bid is that the village doesn't have enough money for the local share without taking it from some-

where else. The council must now decide whether there is enough "somewhere else" without raising the millage rate. A one-mill increase on summer tax bills would bring in about \$17,000 extra.

The levy can be increased without a public vote as the village charter allows levying up to 17½ mills without a vote of the people. The village presently levies 13 mills.

WHERE WILL THE VILLAGE get the money it needs? For starters, it doesn't really need \$97,710, which is the local amount.

Of that, \$40,000 is to come

in special assessments for curb and gutter, to be paid by property owners along the street at the rate of about \$8.25 per foot of frontage. The two biggest property owners are Walbro and General Cable, whose assessments will total about \$15,000.

Property owners can pay the assessments over three years, but the council decided to send all of them a letter asking them to pay their total shares this year, if possible.

Even if none of them did so, they would still have to pay \$13,333 total as their first year assessments.

ALTHOUGH THE CONTRACTOR is supposed to do the seeding (\$1,000) and put on the top dirt (\$10,000), he might be persuaded to let village crews do it at a saving of maybe \$5,000.

Deleting proposed seal-coating of the roads in the village park would save \$15,000.

There are also a few other areas where the council might postpone or delete some expenditures.

IT WILL HAVE TO DIP into savings. The proposed 1980 budget had set aside \$74,000 for the project -- not \$97,000 -- village President Lambert Althaver ex-

plained, and that required taking \$58,000 from savings. That would have left only a projected \$20,000 in savings at the end of this year.

The council wrestles with the budget for the last time at its Monday meeting. A public hearing and final approval will take place at the Feb. 25 session.

Presumably it will have to make at least a preliminary decision Monday whether it will have to levy an additional mill to pay for the street project.

As it does every year, it will officially set the millage rate for summer tax bills in March or April.

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Springport Bindery
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Springport, MI

TWENTY PAGES

Board files unfair labor practice complaint

The Tuscola County Board of Commissioners voted Tuesday to file an unfair labor practice charge against the union which is negotiating a new labor contract with Probate Judge W. Wallace Kent Jr. for probate court employees.

The charge is being filed against the American Federation of State, County and Municipal Employees Council 25, AFL-CIO, its business agents, Rick Kloor, and the probate court employees.

The complaint charges that the seven employees involved, working in the probate court and its juvenile office, were included in the contract the county negotiated with all of its courthouse employees, members of AFSCME Local 2697, which was approved by both sides and went into effect Jan. 1.

As the union has made no effort to have a separate negotiating unit recognized for the probate court employees, the board charges the union is engaging in an unfair labor practice. Although commissioners don't like Probate Judge W. Wallace Kent's insistence on negotiating a separate contract with his employees, they do not contest that he has the legal right to do so -- only that the union hasn't followed proper procedure.

The charge is being filed with the Michigan Employment Relations Commission. It asks that the commission order Kloor and any bargaining committee to cease negotiating with Kent and accept the previously signed contract which supposedly covers all courthouse employees.

County Equalization Director Donald Graf discussed with the board the possibility of switching to contracting with a computer service for spreading of taxes and preparing tax bills.

With such a system, according to Commissioner Royce Russell of Elmwood township, chairman of the board's equalization committee, all township treasurers would have to do prepare tax bills is "lick the stamps."

He has requested the county Townships Association to appoint a committee to meet with his equalization committee to discuss the computer service proposal.

Such a change is necessary, he explained, because of some changes in the law in 1981, which would make it much more complicated and time consuming to calculate individual property taxes with the present system.

A switch would aid the county equalization and treasurer's departments and township supervisors and treasurers. The board approved paying a 50 percent share -- \$1,392 -- for purchase of various radio equipment to go into the car used by county Emergency Services Coordinator Frank Kroswek to aid him in times of emergencies, such as tornadoes.

The state Department of



SURPRISE -- A village crew had trouble sawing down a diseased tree Monday on Woodland Street, south of Houghton Street, and finally discovered why. Eldon Stoutenburg points to the rotary lawnmower blade found embedded in the tree, which had grown around it.

Only problem is money

Germania Road paving may be done this year

Portions of Germania Road may finally get paved this year after years of waiting by those who use the road, but it all depends on the Sanilac County Board of Commissioners.

All the county board has to do is find the money, lots of it.

That was the outcome of a meeting last Wednesday in Sandusky with county commissioners, the county Road Commission and representatives of townships which have contracted with it for paving of roads.

Some of the contracts go back to 1972, when it cost about \$12,000 a mile for paving. The townships agreed to pay \$4,000 per mile, with the Road Commission putting up the rest, only it never came up with its share of the money. It contracted for paving of 27 miles.

Now the cost is about \$30,000 per mile. According to Road Commission Engineer-Manager Jack Kineman, who didn't hold the position when the contracts were made, his agency still doesn't have the money. The funds it does receive pretty much have to be spent on maintaining present roads.

That threw the burden back on the county commissioners, who it was agreed last Wednesday, will try to come up with some funds to finally get the paving program underway.

According to county Commissioner Lloyd Severance

of Decker, the money will have to come from the \$480,000 in federal revenue sharing funds Sanilac county will receive in 1980. "I'm certain we will come up with a small amount and I'm sure we'll match some of the township's contributions," he commented. He was unable to define how much a "small amount" would be.

The county board may also consider asking each of the townships which have contracted with the Road Commission to increase their contributions of \$4,000 per mile. For that reason, Severance speculated the county board may not make a decision on subsidizing the paving program until after the townships' settlement day in March, after which they will know their financial situation.

ACCORDING TO KINEMAN, if money becomes available, paving will be done in the order that the individual townships signed contracts with the Road Commission.

The top four priorities are:

- 1) Brown Road, two miles -- Buel township.
- 2) Germania Road, five miles from Bay City-Forestville south to Robinson Road -- Greenleaf township.
- 3) Maple Grove Road, one mile -- Marion township.
- 4) Germania Road, one mile from Decker to Downingtown Road -- Evergreen township, and three

miles from Downingtown to Snover Road -- Lamotte township.

ACCORDING TO Greenleaf township clerk Clare Brown, the township has \$20,000 set aside to pay its portion for the paving of the five miles of Germania.

Should it be asked to contribute more, it probably can do so, he indicated, depending on how much additional it would have to pay.

A couple of miles still must be gravelled, but Kineman has indicated that could be done this year in time for the entire five miles to be paved. (With that exception, the rest of Germania for which there are contracts is ready for paving.)

Evergreen township has contracted with the Road Commission for paving of two miles, for which it has set aside \$8,000, according to Supervisor Audrey Leslie. One mile is on Germania and the other is the stretch of Decker Road between Decker and Shabbona Roads. The latter, if done, would permit blacktopped access to the community of Shabbona, presently accessible only on unpaved roads.

The latter has been dropped from the Road Commission priority list which has apparently downgraded it from a primary to a local road. Mrs. Leslie has written a letter of protest to the Road Commission, asking it to put the one mile of Decker back on its paving

Attorney general to appeal

State court rejects tax rollback suit

Attorney General Frank J. Kelley will appeal the Michigan Court of Appeals' rejection of his suit to force a tax rollback in the Owendale-Gagetown School District.

The appeals court issued its dismissal last Thursday, without any explanation.

Kelley filed the suit Dec. 11, in an attempt to force a rollback of approximately 1 mill in Owen-Gage. Such a loss would cost the district about \$32,000 in property taxes.

Pat Murphy, administrative assistant in the attorney general's office, said a decision was made Monday to appeal.

"It's a very gut issue," he said of the case, which he termed "precedent setting," hence the appeal. He termed reaction in the attorney general's office to the rejection as "sort of surprised."

The attorney general has

30 days to appeal from the date of the appeals court ruling.

The suit claimed that the Tuscola and Huron County Boards of Commissioners in approving their tax apportionment rolls had failed to comply with the Headlee amendment to the state constitution by not rolling back the Owen-Gage levy 1 mill.

The suit claimed the equalized valuation of property in the school district had risen 14 percent during the 1978-79 taxing period, during which the consumer price index had risen only 7.7 percent.

The Headlee amendment requires that property tax revenue to a taxing unit increase at a rate no more than the increase in the price index. Additional increases must be approved by voters.

The technical issue was whether the rollback had to be applied to the 17.25 mills Owen-Gage had in effect prior to Dec. 31, 1978. The provision clearly did not apply to the 4.25 mills approved by voters in June, 1979, two mills less than the levy that expired.

In addition to the two county boards, other defendants in the suit were the treasurers of the six townships which have portions of their territory within Owen-Gage: Elkland, Elmwood and Columbia in Tuscola county and Grant, Brookfield and Sebewaing in Huron county.

Owen-Gage was not a defendant, but filed a motion to intervene, which was also dismissed by the appeals court.

OWEN-GAGE SUPT. Ronald Erickson's reaction to the court's dismissal of the Kelley suit was, "It came out like I anticipated. I think it (the suit) was a power play to keep taxes away from us."

The attorney general had brought the suit in behalf of four school district taxpayers, Dalton P. Coe, David and Donna Sting and Elmwood Township Supervisor Roy Messer.

The four, Erickson said, had "egg on their face" because of the appeals court decision.

IN ADDITION TO THE fact that road paving costs keep going up every year, Kineman said the Road Commission has an added incentive to try to get as many roads as possible paved this year.

The agency has sold \$2.65 million in bonds in order to finance resurfacing of 106 miles of already paved roads this year. The bonds will be repaid out of future revenues.

With a contractor already in the county this summer

The two county boards in late November accepted the apportionment report regarding Owen-Gage as somewhat of a compromise in that the 1979 taxes from the Goslin territory were sent to the Cass City School District, but accepted Erickson's contention that the rollback did not apply. He cited Owen-Gage's total operational millage being reduced two mills, plus "ownership" of the Goslin was (and is) still in the courts.

TUSCOLA COUNTY Prosecutor Artis Noel, who had advised the county board that the rollback did apply, expressed some surprise that the appeals court had declined to state its reasons in dismissing the Kelley suit. "It was a fairly important question, I thought."

Murphy speculated there was another appeals court document which explained the reasons, but like Noel, as of Monday, had only seen the

order which simply said "dismissed."

As tax bills were mailed almost a month ago and many have already paid their taxes (minus the rollback), if Kelley ultimately wins on appeal to the Supreme Court, a rebate will have to be made to Owen-Gage taxpayers, presumably through their December, 1980 tax bills.

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At the Jan. 14 Owen-Gage school board meeting, Erickson had expressed hope enough property tax revenue would come in that week so that district employees could be paid Friday. It would have been the first time they received paychecks since Dec. 7.

Enough money didn't come in, but the superintendent was confident enough will in order for employees to be paid the next payday, Feb. 1.

Summer will come -- festival planning begins

It's hard to think about summer when winter is in full swing but the various chairmen of the July 4th festival are already planning for the second annual gala celebration.

At a meeting held last week the wheels were put in motion for this year's event.

We want to call attention to several important phases of the celebration early, Mike Weaver, one of the boosters of the event, said.

What Weaver wants, as parade chairman, is information about any acts that might add to the parade. While the parade last July was one of the best in the history of the commu-

ity, the Chamber of Commerce, which sponsors the event, wants the 1980 parade to be better.

If anyone out there has seen or knows of an act that might be available just have them contact me, Weaver said, and we'll do our best to get them in Cass City on the Fourth.

Dick Albee, in charge of tents, wants to hear from any group planning a booth that needs a tent. If we rent them as a group, Albee explained, they will be cheaper for everyone.

The Chamber is issuing an open invitation to groups, service clubs, churches, and others to join the festivities, said President Tom Herron.

Interested organizations are asked to contact Norma Wallace, secretary.

Herron also announced at the festival organizational meeting that planning for another event sponsored by the Chamber has been completed.

It is the annual Chamber banquet. It will be held at the Colony House March 22. At the banquet a review of the year and selection of outstanding citizens will be announced.

The cost is \$10 per person for the dinner with dancing following. Proceeds will be used to help defray Festival expenses.

Forest thieves steal trees

Thirty to 40 trees, worth an estimated \$1,500, were stolen from a Kingston township woodlot.

Clifton G. Strickland of 4431 S. Seeger Street, Cass City, reported the theft to the sheriff's department Jan. 13. The property, north-east of Wilmot, belongs to his mother-in-law, Gladys

Fort of 4446 Pine Street.

The property is all fenced with four strands of barbed wire. The fence was knocked down where the tree thieves had entered with a four-wheel drive vehicle or a tractor.

The trees were all cut down and then removed.

Springport Bindery
(Rawson Library)
Springport, MI
Dec. 1928