



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

ROBERT J. KLEINE
STATE TREASURER

MINUTES OF THE MEETING OF THE STATE TAX COMMISSION

***Lansing Center / Meeting Room 201
333 East Michigan Avenue, Lansing, Michigan***

***Monday, May 11, 2009
9:00 a.m.***

***PRESENT: Robert H. Naftaly, Chair STC
Douglas B. Roberts, Member STC
Frederick W. Morgan, Member STC***

***Kelli Sobel, Executive Secretary
LaNiece Densteadt, Recording Secretary***

The item numbers referred to in the minutes correspond to the agenda items as numbered.

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the minutes of February 2, 2009. (Item 1 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved that the valuations enumerated by Ms. Parr and recommended by the Assessment and Certification Division be received and approved as the 2009 Preliminary Equalized Valuations for each separately equalized classification of property in each of the 83 Michigan counties. It was further moved that the report of preliminary equalized values be reproduced and transmitted to each county as required by law. The recommended preliminary 2009 total state equalized valuations for each class are as follows: (Item 2 on agenda)

Agricultural	\$ 18,569,309,970
Commercial	\$ 62,751,045,841
Industrial	\$ 24,892,041,196
Residential	\$ 287,555,268,809
Timber-Cutover	\$ 343,576,344
Developmental	\$ 612,159,456
Total Real Property	\$ 394,723,401,616
Total Personal Property	\$ 29,178,281,330
Total Real and Personal	\$ 423,901,682,946

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the 2009 State Average Tax Rate. (Item 3 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt Executive Secretary Sobel's recommendation regarding the Equalization Sales Study and Dates for the year 2010. The Commission ordered the use of single year sales studies for the 2010 year with the same exception process that was used in 2009. The Commission made the following changes to the sales study dates: Two Year Study – November 1, 2007 through October 31, 2009 / Single Year Study – November 1, 2008 through October 31, 2009. The Commission will also allow the use of a single year study in the first of an increasing market if a single year study was used in the prior year. (Item 4 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to receive the tentative 2009 State-Assessed Roll for the following values:

Railroad Companies

Tentative True Cash Value	\$ 1,330,743,516
Tentative Assessed Cash Value	\$ 665,371,758
Tentative Capped Value	\$ 504,893,368
Tentative Taxable Value	\$ 494,142,714

Telephone and Telegraph Companies

Tentative True Cash Value	\$ 4,683,573,650
Tentative Assessed Cash Value	\$ 2,341,786,825
Tentative Capped Value	\$ 2,610,272,441
Tentative Taxable Value	\$ 2,274,790,792

Car Loaning Companies

Tentative True Cash Value	\$ 168,395,226
Tentative Assessed Cash Value	\$ 84,197,613
Tentative Capped Value	\$ 81,598,607
Tentative Taxable Value	\$ 81,598,607

Total Utility Roll

Tentative True Cash Value	\$ 6,182,712,392
Tentative Assessed Cash Value	\$ 3,091,356,196
Tentative Capped Value	\$ 3,196,764,416
Tentative Taxable Value	\$ 2,850,532,113

and to set June 2, 2009 as the dates for appeals. (Item 5 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the official order to assume jurisdiction of the 2009 assessment roll for the following units for being an uncertified unit for 2009: Arenac Township - Arenac County, Bruce Township – Macomb County, China Township – Saint Clair County, East China Township – Saint Clair County, Cornell Township – Delta County, Deerfield Township – Lapeer County, Shelby Township – Macomb County, City of Caspian – Iron County, and City of Gastra – Iron County. (Item 6 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the official order to certify the 2007 Roll for Edwards Township, Ogemaw County. (Item 7 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the official order to certify the 2007 Roll for Salem Township, Allegan County. (Item 8 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the official order to certify the 2008 Roll for Pine Grove Township, Van Buren County. (Item 9 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the official order to overturn the actions of the December Board of Review for Interior Township, Ontonagon County and correct the values for the two parcels of 6606-107-00130 and 6606-107-00140 for the 2005 and 2006 years. (Item 10 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the official order to overturn the actions of the December Board of Review for Dundee Township, Monroe County and return the property owned by Dundee Casting to the classification of Commercial Personal for the 2006, 2007, and 2008 years. (Item 11 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt Executive Secretary Sobel's recommendation to instruct the assessor of Deep River Township, Arenac County to prepare MCL 211.154 petitions to add the property in the report to the assessment roll for 2007, 2008, and 2009 years. (Item 12 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt Executive Secretary Sobel's recommendation to order a 14-point review for Markey Township, Roscommon County. (Item 13 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to issue a memorandum of guidance to assist Equalization Director's and Assessor's in valuation of Indian Gaming Facilities. (Item 14 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the Personal Property Examiner Certificates submitted by staff. (Item 15 on agenda)

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the staff recommendation on the Exemptions. (Item 16 on agenda) ([See attached link for file identification](#))

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the staff recommendation on the Re-certifications and New Certifications of Computerized Tax Rolls for the following: (Item 17 on agenda)

These certifications will expire on **May 1, 2012**.

Jackson County

Blackman Charter Township

Oakland County

Highland Township

Novi Township

Rose Township

Southfield Township

Village of Beverly Hills

Village of Franklin

City of Farmington

City of Orchard Lake Village

City of Pontiac

City of Sylvan Lake

Lyon Township

Oakland Township

Royal Oak Township

White Lake Township

Village of Bingham Farms

City of Auburn Hills

City of Huntington Woods

City of Pleasant Ridge

City of South Lyon

City of Wixom

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the MCL 211.154 **Concurrences**. (Item 18 on agenda) ([See attached link for file identification.](#))

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the MCL 211.154 **Special Items Agenda**. (Item 19 on agenda) ([See attached link for file identification.](#))

- a. [Alger Delta Co-Op Electric 154 Petitions](#)
- b. [Cherryland Electric Co-Op 154 Petitions](#)

It was moved by Roberts, supported by Naftaly, and unanimously approved to **postpone** the following MCL 211.154 petitions until **May 26, 2009**. Morgan recused himself from the Detroit petitions. (Item 20 on agenda)

Bath Township, Clinton County

154-08-1594 ATLANTIS CAMPUS COMMUNITIES LLC; 19-010-536-400-010-51; Real Property

2006 AV from \$ 9,794,700 to \$ 9,794,700 TV from \$ 9,794,700 to \$ 6,307,646

154-08-1595 ATLANTIS CAMPUS COMMUNITIES II LLC; 19-010-536-400-010-05; Real Property

2006 AV from \$ 3,594,800 to \$ 3,594,800 TV from \$ 3,325,123 to \$ 2,664,533

154-08-1596 ATLANTIS CAMPUS COMMUNITIES III LLC; 19-010-536-400-010-02; Real Property

2006 AV from \$ 9,936,100 to \$ 9,936,100 TV from \$ 9,626,238 to \$ 7,396,182

It was moved by Morgan, supported by Roberts, and unanimously approved to **postpone** the following MCL 211.154 petitions until **June 11, 2009**. (Item 20 on agenda)

City of Dearborn, Wayne County

154-08-1629 ZAKRON USA INC.; 84-0001-516000; PERSONAL PROPERTY

2006 AV from \$ 0 to \$ 34,100 TV from \$ 0 to \$ 34,100
2007 AV from \$ 0 to \$ 24,500 TV from \$ 0 to \$ 24,500
2008 AV from \$ 15,750 to \$ 23,350 TV from \$ 15,750 to \$ 23,350

154-08-1413-DIS JUSTUS; 01990678.03; PERSONAL PROPERTY

2005 AV from \$ 0 to \$ 66,000 TV from \$ 0 to \$ 66,000
2006 AV from \$ 0 to \$ 66,000 TV from \$ 0 to \$ 66,000
2007 AV from \$ 0 to \$ 66,000 TV from \$ 0 to \$ 66,000

City of Detroit, Wayne County

154-08-0970-DIS CUSTOM ENTERPRISES; 21990015.03; PERSONAL PROPERTY

2005 AV from \$ 0 to \$ 80,700 TV from \$ 0 to \$ 80,700
2006 AV from \$ 0 to \$ 80,700 TV from \$ 0 to \$ 80,700
2007 AV from \$ 0 to \$ 80,700 TV from \$ 0 to \$ 80,700

It was moved by Roberts, supported by Naftaly, and unanimously approved to adopt the following MCL 211.154 petitions as **amended**. Morgan recused himself from the Detroit Petitions. (Item 20 on agenda) ([See attached link for file identification](#))

It was moved by Morgan, supported by Roberts, and unanimously approved to **deny** the following MCL 211.154 petitions. (Item 20 on agenda)

Burt Township, Alger County

154-08-1348 KARLA SCHOLTEN & RON MARSHALL; 02-002-108-013-00; Real Property

2006 AV from \$ 17,800 to \$ 60,800 TV from \$ 15,445 to \$ 58,445
2007 AV from \$ 20,500 to \$ 65,400 TV from \$ 16,016 to \$ 60,607

City of Troy, Oakland County

154-08-1605 KCS VENTURES LLC; 88-99-00-342-100; PERSONAL PROPERTY

2006 AV from \$ 2,250 to \$ 82,890 TV from \$ 2,250 to \$ 82,890
2007 AV from \$ 2,220 to \$ 199,640 TV from \$ 2,220 to \$ 199,640

It was moved by Roberts, supported by Naftaly, and unanimously approved to allow the **withdrawal** of the following MCL 211.154 petitions. Morgan recused himself from the Detroit Petitions. (Item 20 on agenda) ([See attached link for file identification](#).)

It was moved by Roberts, supported by Naftaly, and unanimously approved to adopt all other MCL 211.154 petitions **as submitted**. Morgan recused himself from the Detroit Petitions. (Item 20 on agenda) ([See attached link for file identification.](#))

It was moved by Roberts, supported by Naftaly, and unanimously approved the following MCL 211.154 petitions as **concurrences**. These petitions were initially noticed as non concurrences. Morgan recused himself from the Detroit Petitions. (Item 20 on agenda) ([See attached link for file identification.](#))

It was moved by Morgan, supported by Roberts, to go into closed session to discuss pending litigation. Roll Call Vote: Chairperson Naftaly – Yes, Commissioner Roberts – Yes, Commissioner Morgan – Yes. The motion was unanimously approved.

It was moved by Morgan, supported by Roberts, and unanimously approved to return to open session. Roll Call Vote: Chairperson Naftaly – Yes, Commissioners Roberts – Yes, Commissioner Morgan – Yes. The motion was unanimously approved.

It was moved by Morgan, supported by Roberts, and unanimously approved to issue an order as required by Judge Switalski, Macomb Circuit Court, classifying the personal property for parcel 99-01-001-100 for Iron Mountain Information Management, City of Warren, Macomb County as Commercial Personal Property nunc pro tunc.

It was moved by Morgan, supported by Roberts, and unanimously approved to issue an order as required by Judge Switalski, Macomb Circuit Court, classifying the personal property for parcel 10-33-177-003-001 for Iron Mountain Information Management, City of Sterling Heights, Macomb County as Commercial Personal Property nunc pro tunc.

It was moved by Morgan, supported by Roberts, and unanimously approved to issue an order as required by Judge Miller, Macomb Circuit Court, classifying the personal property for parcel 10-09-100-068-001 for Ric Man Construction, City of Sterling Heights, Macomb County as Commercial Personal Property nunc pro tunc.

It was moved by Morgan, supported by Roberts, and unanimously approved to issue an order as required by Judge Lauderbach, Midland Circuit Court, classifying the personal property for parcel 64-27-50-500 for Midland Cogeneration Venture Limited Partnership, City of Midland, Midland County as Industrial Personal Property.

It was moved by Morgan, supported by Roberts, and unanimously approved to adopt the recommendation of the Attorney General's office to approve a settlement offer from Walter Toebe Construction Company. The Commission authorized Executive Secretary Sobel sign the settlement on their behalf.

It was moved by Morgan, supported by Roberts, and unanimously approved to cancel the November 12th meeting.

It was moved by Morgan, supported by Roberts, and unanimously approved to receive the staff memoranda regarding state assessed properties. The Commission accepted the recommendation that parts A and B are issues to be reviewed for the 2010 roll, parts C & D2, and E are denied, and parts D1, D3, and D4 were already done in the 2009 tentative roll.

It was moved by Morgan, supported by Roberts, and unanimously approved to adjourn the meeting of the State Tax Commission at 11:45 a.m.

DATED TYPED: **May 12, 2009**

DATE APPROVED: **May 26, 2009**

Robert H. Naftaly, Chair
State Tax Commission

Douglas B. Roberts, Member
State Tax Commission

Frederick W. Morgan, Member
State Tax Commission