

JANUARY 21, 2002

A Regular meeting of the Chocolay Township Board was held on Monday, January 21, 2002 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

**TOWNSHIP BOARD.**

**PRESENT:** Ivan Fende, John Greenberg, Arlene Hill, Don Britton, Lois Sherbinow, Matt Wiese (arrived at 7:05).

**ABSENT:** Ken Tabor.

**MINUTES – DECEMBER 17, 2001.**

Greenberg moved Sherbinow second that the minutes of the Regular Meeting held on December 17, 2001 be approved.

AYES: 5      NAYS: 0

MOTION CARRIED.

**ACCOUNTS PAYABLE.**

Sherbinow moved Hill second that bills totaling \$24,166.19 checks numbered 11454 - 11498 are approved for payment.

AYES: 5      NAYS: 0

MOTION CARRIED.

Hill moved Sherbinow second that bills totaling \$196,183.10 checks numbered 11499 - 11548 are approved for payment.

AYES: 5      NAYS: 0

MOTION CARRIED.

**FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.**

**C/D INVESTMENT REPORT.**

AMT OF C/D	360,000.00
DATE PURCHASED	1/15/02
MATURING ON	7/16/02
INTEREST RATE	2.85%
INSTITUTION	Pen Bank

**PUBLIC COMMENT.**

David Zorza – Presented a letter to the Board and asked that they read it. The letter was placed on file.

Lee Blondeau – A request was made on Wednesday to add an item to the agenda. Supervisor Fende would not add it to this agenda because appropriate staff was not available to give the Board back up materials.

Trustee Wiese arrived at 7:05 p.m.

Dan Chartier – Called the Township on Wednesday to have an item added to the agenda and was told that it was too late for this meeting and that it could be added to the next Board agenda in February. Would the Board add it to the agenda tonight?

Trustee Don Britton – What is the issue you want to discuss?

Lee Blondeau – The issue is a zoning enforcement issue of parking of commercial and private vehicles.

The Board set a Special Board Meeting to discuss citizens complaints on current enforcement of the Zoning Ordinance and parking of business vehicles within the Township. The Meeting will be held on Tuesday January 29, 2002 at 7:00 p.m. at the Township Meeting room.

Bill Kimmes – He should not have to come to Board meetings. These issues should be taken care of by the Township Board.

Dan Chartier – Who supervises the Zoning Administrator?

Supervisor Fende – As Township Supervisor I am his direct supervisor.

Lee Blondeau – Can the Zoning Board of Appeals meeting be delayed until after the Board discusses this issue?

Pete LaRue – Can item #4 be dropped from the Zoning Board of Appeals agenda?

Supervisor Fende – The Board will not interfere in the Zoning Board of Appeals agenda items. We will not discuss personnel issues at a public meeting. There are two sides to every story and we have just heard one side.

**PRESENTATION – CONSERVATION DISTRICT – GROUNDWATER STEWARDSHIP PROGRAM.**

Sara Cody from Americore, working with the Soil Conservation District, gave a presentation outlining work that can be done locally through the groundwater stewardship program. She will be presenting this to all the other township boards in Marquette County.

**REZONING #117 – TEXT AMENDMENT – LAKE SUPERIOR SHORELINE/DUNE PROTECTION OVERLAY DISTRICT.**

Sally May explained to the board that she basically agreed with the wording of the Shoreline/Dune text amendment, but would like to see three changes. On the intent of the amendment, on the wording horizontal to vertical and the revegetation.

The Board discussed the request for the changes and made two of the changes to the text amendment. The 1<sup>st</sup> was in the first paragraph of the Intent section regarding the priorities of the regulations. The second was to the third paragraph of the Conditional Use Section to switch the horizontal and vertical slope language.

Greenberg moved, Britton second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN #34-02-01.

**SECTION 218                      LAKE SUPERIOR SHORELINE/DUNE PROTECTION OVERLAY DISTRICT**

A)     **INTENT:** The provisions of the Lake Superior Shoreline/Dune Protection Overlay District are intended to protect the lake shore adjacent to Lake Superior in Chocolay Township in order to insure property values are protected; existing and future structures and properties are protected from erosion and flooding; and that this special ecosystem is preserved.

In order to facilitate this purpose, this overlay zone has been established to overlap any existing zoning districts, and their respective regulations, along Lake Superior in a width from the erosion hazard line to encompass the entire foredune, or to a maximum of 100 feet landward, whichever is less, where the natural conditions of the shoreline, specifically the foredune and/or associated vegetation, shall be preserved in its natural state.

This overlay district shall not apply to the shoreline of the Shot Point area where a rock shoreline predominates.

These provisions are intended to supplement, and not abrogate, any other applicable regulations for this area. All applicable state or federal regulations must also be complied with as administered through their respective agencies.

B)     **PERMITTED PRINCIPAL USES:** Trees and shrubs within this overlay zone may be trimmed or pruned at the property owner's discretion to create a view of the water and access thereto. In cases where native vegetation does not exist, the landowner is encouraged to replace the dune area with native plant species.

Pathways for access and stairways are permitted and are encouraged to be designed to minimize disturbance to existing vegetation.

Vegetative cover, including trees, within the overlay zone may be removed if the Zoning Administrator finds that such modifications will be consistent with management practices which will prevent soil loss, will minimize wind erosion, and will provide the shoreline with adequate protection without altering the inherent characteristics of the water body and dune structure.

- C) **CONDITIONAL USES:** Earth changes such as bulldozing, lowering of the dune, creating cuts through the dune or other similar changes that alters the size, height, or width of the dune area within the Shoreline/Dune Protection Overlay District.

In those sections of the Overlay District where the dunes have grown in height to such an extent that the view of the water has been significantly diminished, homeowners may understandably wish to lower the dunes to restore their view of the lake. In such circumstances a conditional use permit will be required to ensure that any such modification of the dunes will be consistent with management practices which will minimize wind erosion, will provide the shoreline with adequate protection, and will not cause significant harm to neighboring properties

A 20 foot undisturbed buffer strip shall remain in place on the dune along the property lines. Slopes for dune cuts shall not exceed 1 foot vertical to 3 foot horizontal. Altered dune areas shall be stabilized with the planting of beach grass at a rate of 1 culm (clump) per 1 square foot of disturbed area or other method approved by the Planning Commission to prevent wind erosion from impacting adjacent properties.

The Township Office will assist the property owner with the development of a plan to detail the changes that are proposed for the conditional use approval process. The Marquette County Conservation District will alert all residents or property owners of the need for a conditional use permit with Chocolay Township when applications for soil erosion permits come through their office.

Restoration: In the event of violations of these regulations, property owners will be required to provide a plan to the Planning Commission detailing their restoration efforts to restore and protect the integrity of the affected dune area.

For purposes of the LAKE SUPERIOR SHORELINE/DUNE PROTECTION OVERLAY DISTRICT, the term "foredune" shall be defined in Section 101 as:

**FOREDUNE:** The foredune is the first dune landward behind the beach that typically varies from 3-10 meters in height. The foredune is measured from the erosion hazard line over the crest of the dune and down its backslope (the slope away from the lake) to its base or to a maximum of 100 feet landward, or whichever is less, as measured from the erosion hazard line.

AYES: 6      NAYS: 0

MOTION CARRIED.

#### BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - December 10, 2001
- 2) Zoning Board of Appeals - December 27, 2001
- 3) Community Center Committee - January 9, 2002
- 4) MAWTFAB - December 11, 2001

#### SUPERVISOR'S REPORT.

- 1) Corridor Management Team Meeting - As noted in Doug's memorandum in your packets, there is a meeting scheduled for Monday, February 4<sup>th</sup> at 7:00 p.m. at the Lakeview Arena for the US-41 Corridor Management Team to make their initial presentation to the Planning Commissions and Boards of the City of Marquette, Marquette Township and Chocolay.

- 2) Community Center - The Community Center Committee will be presenting their initial report and recommendations to the Township Board at the February Meeting.
- 3) Lake Superior Community Partnership - In order to keep our membership current with the Lake Superior Community Partnership, primarily in order not to lose some of the insurance benefits afforded the Township, I have worked up a formula for our membership due based on what other Township's have paid to remain members.
- 4) Insurance Renewal - We have renewed our liability and property insurance for another year with the Michigan Municipal League. Their bid fell within budget and was a couple of thousand dollars less than the Michigan Townships' Par Plan and the sewer coverage was better.
- 5) Bob Pecotte - Just to let the Board know, one of the new representatives to the three member County Road Commission is Township resident and Board of Appeals Chairman Bob Pecotte.
- 6) Thank You - I would like to thank a couple of businesses for their recent support on a couple of DPW projects. Blondeau and Sons on the construction of the new trailhead for the Kawbawgam Ski Trail and Fraco for the use of their truck for delivery of the new restrooms for the Marina and the Lions Field.
- 7) Scrap Metal Collection - Denny is in the process of soliciting bids for the spring scrap metal collection. We are asking for a bid for both curbside pick-up and for roll-offs. Initial indications is that we will have to go with a drop off site again due to low scrap metal prices and a lack of interested haulers.
- 8) Recreation Survey - Lee has met with a Business Class from NMU, which will be helping us with a recreation survey for the 2003 update to our Recreation Plan.

RESOLUTION – STEEL IMPORTS SECTION 201 REMEDIES.

Hill moved Sherbinow second that the following resolution be adopted:

WHEREAS, on October 22, 2001 the United States International Trade Commission, during its Sec. 201 investigation, determined that steel imports were causing significant injury to our domestic industry; and

WHEREAS, federal trade laws provide that the International Trade Commission recommend remedies to the President of the United States which will correct the injuries caused by these imports and provide relief for American steel producers and allow them time to restore profitability; and

WHEREAS, on December 7, 2001, the International Trade Commission voted to recommend remedies which are insufficient in their scope to correct the injuries that have forced twenty-nine American steel companies into bankruptcy, shutdown blast furnaces and iron ore mines and cost nearly forty thousand American steelworkers their jobs; and

WHEREAS, the economic impact of this crisis in iron ore and steel has extremely negative consequences on local communities and their tax-paying citizens across these United States; and

WHEREAS, the President of the United States has the authority to accept, ignore, or modify the International Trade Commission's recommended remedies, and to implement corrective action in the form of tariffs and quotas that will provide comprehensive relief to the American steel industry; now therefore be it

RESOLVED, that the Charter Township of Chocoday calls upon the President of the United States, using the authority granted to him under our federal trade laws, to impose the maximum tariffs allowed on imported steel products, set quotas, where appropriate,

on imported steel products, and ensure that America's vital iron ore and steel industries are given the opportunity to compete fairly.

AYES: 6      NAYS: 0

MOTION CARRIED.

**DUSK TO DAWN LIGHTING – PLANNING COMMISSION RECOMMENDATION.**

Memo received from Doug Riley, Director of Planning and Research on a Planning Commission discussion that any new dusk to dawn lights or replacements lights installed by the Marquette Board of Light & Power or Alger Delta for private residences or businesses would be of the new downward directed style or provided with a shield.

The Board discussed this issue and are in favor of the new lights for intersection streetlights in the township. They may consider the same for Marquette Board of Light & Power and Alger Delta lights on private light poles at a later date. This information will be forwarded to the Planning Commission.

**DNR VOLUNTEER FIRE ASSISTANCE GRANT.**

Britton moved Wiese second that the Director of Recreation and Grants Administration is authorized to apply for a DNR Volunteer Fire Assistance Grant for the purchase of personal protection equipment. The Township Board agrees to a 50% match not to exceed \$1,000.

AYES: 6      NAYS: 0

MOTION CARRIED.

**CAPITAL IMPROVEMENTS FUND EXPENDITURE - POLICE TRAINING.**

Greenberg moved Wiese second to expend \$713.73 for the 2002 Police Chief's Conference and \$220.00 for ammunition for weapon qualification. This will come from the police training account in the Police Capital Improvement Fund 401.306.957.

ROLL CALL.

AYES: Hill, Sherbinow, Greenberg, Britton, Wiese, Fende.

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

**SILVER CREEK SCHOOL PAYMENT – DISCUSSION.**

The 1<sup>st</sup> payment for Silver Creek School (made in June of 2001) was made out of the Capital Improvements Fund Community Center Donation account. There was \$34,002.97 in that account. The 1<sup>st</sup> payment was \$81,600.00 so the balance of \$47,597.03 must be accounted for. The Board agreed to use unencumbered fund balance in the Capital Improvement Fund for the balance of \$47,597.03.

**RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2002 - AMENDMENT NO. 1 POLICE TRAINING FUNDS-STATE OF MICHIGAN**

Greenberg moved Wiese second that Whereas, a budget was adopted by the Chocolate Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in October, 2001, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training Capital Outlay 401.306.957	\$1,990.65	+\$456.20	\$2,446.85
REVENUE 401.698	\$0	+\$456.20	\$ 456.20

ROLL CALL.

AYES: Hill, Sherbinow, Greenberg, Britton, Wiese, Fende.

NAYS: None.

ABSENT : Tabor

MOTION CARRIED.

Clerk Hill informed the Board that she and the Deputy Clerk are considering attending the International Institute of Municipal Clerk's conference in Texas and wondered if any Board member had an objection. None were expressed.

Supervisor Fende told the Board that he is working on a policy that will instruct staff that no verbal decisions will be given out on zoning. All zoning decisions will be documented on paper. That there be a period of time for any research to be done before a decision is rendered.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Charter Communications - Re: Rate Schedule
- B. Memorandum - Riley - February 4, 2002 Special Meeting - US-41 Corridor Management Presentation
- C. Memorandum - Zyburt - Drug Forfeiture Reimbursement
- D. Information - Police Department - 4<sup>th</sup> Quarter 2001 Statistical Report
- E. Information - Marquette County Road Commission - 2002 Meeting Schedule
- F. Information - Peter White Library Advisory Council - 2002 Meeting Dates
- G. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 9:15 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk

CHOCOLAY TOWNSHIP  
SPECIAL MEETING  
JANUARY 29, 2002

A Special meeting of the Chocolay Township Board was held on Tuesday, January 29, 2002 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

Supervisor Fende noted that the purpose of the Special Meeting was A CITIZEN REQUEST FOR BOARD REVIEW OF PARKING OF BUSINESS VEHICLES WITHIN THE TOWNSHIP.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Arlene Hill, Don Britton, Lois Sherbinow, Matt Wiese, Ken Tabor.

ABSENT: None.

There were approximately 70 people in attendance.

PUBLIC COMMENT.

None.

Lee Blondeau requested permission to give a presentation on his concerns on this matter. The Board agreed to this. Mr. Blondeau gave a presentation on what he considered unfair zoning practice regarding contractors in the Township. His presentation lasted 30 minutes.

Other comments:

- The Board does not have the authority to tell the Supervisor whether or not to enforce a Township Ordinance. Three tickets have been issued over the past twenty years for parking of commercial vehicles or equipment; two in residential areas and one in a commercial district.
- Small contractors in Chocolay Township have noticed unfair treatment to certain businessmen in the Township. Others have a good working relationship with the Township.
- Do you support the growth and development of business in Chocolay Township?
- The zoning administrator enforces the ordinance based on his interpretation.
- What defines a commercial vehicle?
- The zoning ordinance must have clear legal definitions so they are dealt with in a consistent manner.
- Has a business in Chocolay Township and has always enjoyed having a business here.
- The Planning Commission and Zoning Board of Appeals will be discussing the definition of a contractor yard and home occupation. The public is welcome to attend those meetings and share information.
- Thirty years ago complaints were made about the Township Board being anti business, the Board has tried to work with businesses and still today that same comment is being made.
- There is poor communication between the Chocolay Township Board and Chocolay Area Businesses.
- What amount was spent on court costs for the Besola trial?
- The bill has not arrived yet.
- A F.O.I.A. was filed for information on zoning complaints that have been made throughout the years; Mr. La Jeunesse did not see one filed on his property.
- It is difficult to arrive at correct wording for any definition in the zoning ordinance.
- The Board should drop the zoning citations that have been given until the language for contractor yard has been resolved.
- The attorney for the Michigan Township's Association has stated that the Board can not rescind an ordinance citation. The Supervisor has the ultimate responsibility to see that ordinances are enforced according to Michigan Township Association.

- Complaints were made regarding other contractors in the Township.

Trustee Britton made a motion that the Township Board requests that the Supervisor rescind the zoning citations based on the fact that the wording for home occupation is currently being worked on. The motion died due to the lack of a second.

Supervisor Fende commented that this issue has been discussed for two hours and felt additional discussion may not be beneficial.

Supervisor Fende adjourned the meeting at 9:05 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk



CHOCOLAY TOWNSHIP  
SPECIAL MEETING  
FEBRUARY 4, 2002

A Special meeting of the Chocolay Township Board was held on Monday, February 4, 2002 at the Lakeview Arena, 401 E. Fair Avenue, Marquette, Mi. Supervisor Fende called the meeting to order at 7:00 p.m.

Supervisor Fende noted that the purpose of the Special Meeting was TO REVIEW THE U.S. 41/M-28 CORRIDOR MANAGEMENT TEAM REPORT.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Arlene Hill, Don Britton, Lois Sherbinow, Ken Tabor.

ABSENT: Matt Wiese.

Also in attendance: Chocolay Township Planning Commission, City of Marquette Commission, City of Marquette Planning Commission, Marquette Township Board and Marquette Township Planning Commission.

Mayor Jerry Irby opened the meeting and welcomed everyone.

Adrian Stroupe, MDOT Transportation Planner and David Gillis, CUPPAD Executive Director reviewed the US41/M-28 Corridor Management Team efforts to date. They explained the background on the formation of the corridor study. Future goals for implementing site plan review in all local agencies and developing a corridor improvement plan were discussed. The GIS data that the corridor management team has produced was demonstrated. Discussion followed within the group with questions and answers and ideas for the corridor study. They urged input from all of the governmental units.

Supervisor Fende adjourned the meeting at 8:30 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk

FEBRUARY 18, 2002

A Regular meeting of the Chocolay Township Board was held on Monday, February 18, 2002 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Don Britton, Lois Sherbinow, Matt Wiese, Ken Tabor.

ABSENT: Arlene Hill.

MINUTES –JANUARY 21, 2002.

Sherbinow moved Britton second that the minutes of the Regular Meeting held on January 21, 2002 be approved.

AYES: 6      NAYS: 0      MOTION CARRIED.

MINUTES –JANUARY 29, 2002.

Wiese moved Britton second that the minutes of the Special Meeting held on January 29, 2002 be approved.

AYES: 6      NAYS: 0      MOTION CARRIED.

MINUTES –FEBRUARY 4, 2002.

Greenberg moved Britton second that the minutes of the Special Meeting held on February 4, 2002 be approved.

AYES: 6      NAYS: 0      MOTION CARRIED.

ACCOUNTS PAYABLE.

Sherbinow moved Wiese second that bills totaling \$40,425.15 checks numbered 11549 - 11586 are approved for payment.

AYES: 6      NAYS: 0      MOTION CARRIED.

Sherbinow moved Wiese second that bills totaling \$37,001.22 checks numbered 11587 - 11619 ( check # 11599 void) are approved for payment.

AYES: 6      NAYS: 0      MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

C/D INVESTMENT REPORT.

AMT OF C/D	360,000.00	215,000.00
DATE PURCHASED	2/12/02	2/12/02
MATURING ON	8/13/02	8/13/02
INTEREST RATE	2.00%	1.63%
INSTITUTION	Bay Bank	Nat City

PUBLIC COMMENT.

None.

ADOPTION OF REZONING #117 – TEXT AMENDMENT – LAKE SUPERIOR SHORELINE/DUNE PROTECTION OVERLAY DISTRICT.

Phil and Sally May approached the Board again on changing the wording on the text amendment for the Lake Superior Shoreline Dune Protection Overlay District. The Board considered their request and will work on the wording in Section B paragraph two and section C paragraph three.

Greenberg moved Tabor second to table the text amendment for the Lake Superior Shoreline Dune Protection Overlay District to allow the Board time to consider wording on (including/excluding) trees in Section B and including natural revegetation in Section C.

AYES: 6      NAYS: 0      MOTION CARRIED.

PUBLICATION OF REZONING #119 – Mary Lou Shimon – RP (Resource Production) to RR-2 (Rural Residential).

Greenberg moved Tabor second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-02-02

AMENDMENT #34-02-02

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

SECTION 901 - CHOCOLAY TOWNSHIP ZONING MAP

That the west 20 acres of parcel 52-02-128-010-00 located in Section 28, T47N, R24W owned by Mary Lou Shimon be rezoned from RP (Resource Production) to RR-2 (Rural Residential)

AYES: 6      NAYS: 0      MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

1. Planning Commission - January 14, 2002
2. Zoning Board of Appeals - January 24, 2002
3. Community Center Committee - February 6, 2002
4. MAWTFAB - January 8, 2002
5. Chocolay River Watershed Council - September 19, 2001 and January 23, 2002

SUPERVISOR'S REPORT.

Zoning Enforcement Update: Each board member will find a handout at their seat which is an update from the Zoning Administrator on current enforcement issues.

Forest Stewardship Grant: Lee has obtained a \$2,500 Michigan Forest Stewardship Grant in order to complete a Forest Management Plan for the property that was donated from Don Browers at the corner of Kawbawgam and Mangum Roads.

Scrap Metal Collection: Denny has been contacted by two scrap metal companies regarding Spring collection. One of the haulers is interested in bidding for curbside collection as well as a drop-off site. This will at least allow us to evaluate the costs of each.

Letter from Seventh Grader: Each board member will also find a copy of a letter from a Bothwell Seventh Grader regarding lighting for the soccer fields at the Beaver Grove Recreation Area. I would suggest that we forward this letter to our Recreation Committee and invite this student to attend their next meeting.

PUBLICATION OF REZONING #120 – TEXT AMENDMENTS – SECTION 107 (HOME OCCUPATION STANDARDS); SECTION 206 (LS/R DISTRICT CONDITIONAL USES); SECTION 810 (SIGN ILLUMINATION).

Tabor moved Wiese second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-02-03

**AMENDMENT #34-02-03 (New Language in Bold Print)**

**REZONING #120 - TEXT AMENDMENT - SECTION 107 - HOME OCCUPATION STANDARDS**

1. Home occupation means a use conducted entirely within an enclosed dwelling but does not occupy more than 1/4 of the floor area of the residential single family dwelling unit on the property or not more than 320 sq. ft. of an accessory structure.
2. Home Occupations shall employ only those inhabitants residing on the premises.
3. ~~There shall be no outdoor storage or other exterior evidence of the conduct of the home occupation other than an approved sign which~~ **A sign approved by the Zoning Board of Appeals** shall not exceed four (4) sq. ft. in area and ~~which~~ shall be attached to the building used for the home occupation ~~of or~~ a two (2) sq. ft. sign **may be** placed in the yard.
4. Specifically excluded is the storage and display of merchandise not produced by such home occupation **or** any activity similar to a generally recognized retail store or service establishment as permitted in any commercial district. **Also prohibited is** any activity

involving any building alteration, window display, construction features, equipment, machinery, or outdoor storage of which is visible from off the lot on which located.

REZONING #120 - TEXT AMENDMENT - SECTION 206(C)  
PROPOSED LS/R DISTRICT AMENDMENT - CONDITIONAL USES

**SECTION 206 DISTRICT LS/R.**

(A) **INTENT.** This district is intended to establish and maintain for residential and recreational use those areas with frontage on inland lakes and rivers and the Lake Superior shoreline which, because of their natural characteristics and accessibility, are suitable for development.

(B) **PERMITTED PRINCIPAL USES.** Single- family dwellings.

(C) **CONDITIONAL USES.** Marinas, boat liveryes, bathing facilities, fishing piers, resorts, Bed & Breakfast, ~~trails~~, fish markets, commercial fishing docks, and associated facilities when located **on lots of 20 acres or more** and designed so as not to unreasonably interfere with, degrade or decrease the enjoyment of existing uses of nearby land. Accessory Housing Units for the elderly parent(s) or grandparent(s) of the owner-occupiers of a single-family dwelling as permitted under Section 107 (C). (34-99-4). **Trails.**

REZONING #120 - TEXT AMENDMENT - SECTION 810 - SIGN ILLUMINATION

**SEC. 810 SIGN ILLUMINATION.**

No sign shall be illuminated by other than electrical means, unless specifically approved by the Zoning Administrator. All lighting for illumination of signs shall be directed away from and shall be shielded from any residential districts **and no lighting shall project upward toward the sky. No ground or bottom-mounted lighting is permitted.** Illumination shall be so arranged as to not adversely affect driver visibility on adjacent thoroughfares. No sign except time and temperature and similar signs shall have blinking, flashing, fluttering lights, exposed bulbs, or other illuminating devices which have a changing light intensity, heightness of color, or any form of animation or moving device.

AYES: 6

NAYS: 0

MOTION CARRIED.

**NEWSLETTER/CABA QUARTERLY.**

The Board discussed the need of a newsletter. Supervisor Fende told the Board that in the past MTA council stated that a newsletter is not a legal expenditure. We will contact MTA legal council this week and pose the question and get a response in writing. This will be brought back to the Board at the next meeting.

Trustee Britton reported that the pricing structure to do an insert in the Mining Journal is \$480.00 for a 1 sided sheet and \$600.00 for a 2 sided sheet. The Caba Quarterly printing cost would be \$330.00 for one full page in the paper.

**COMMUNITY CENTER COMMITTEE REPORT.**

Richard Bohjanen, Chairperson of the Community Center Committee, presented the report to the Board and asked the Board where does the Committee go from here? The Board discussed some ideas on what they want to see with the Community Center. The Board discussed opening the Center with a post office and running it with Township funds for a year. The Board discussed millage, which would be necessary to run the Center. This will be brought back at the March meeting to discuss and make a decision on millage and the process of opening the Community Center. At this time the Board would like the Community Center Committee to consider taking on the project of promotion and policy issues for the Community Center.

**TEACHING FAMILY HOMES (SANDS TOWNSHIP) – LETTER OF SUPPORT.**

Supervisor Fende presented a letter of support for Teaching Family Homes for the Board to review. The Board approved the letter.

**EXPENDITURE STREETS CAPITAL IMPROVEMENT FUND – FOR STREET LIGHT REPLACEMENT.**

Britton moved Wiese second that the Township expend up to \$5,000.00 from Capital Improvement Fund Streets 401.440.957 to complete phase one of the street light replacement.

ROLL CALL.

AYES: Greenberg, Britton, Wiese, Sherbinow, Tabor, Fende.

NAYS: None.

ABSENT: Hill

MOTION CARRIED.

A request was made by a private citizen to be included in the light change over to get a better price on changing their BLP light. The board will allow that as long as the private citizen pays for their own street light change over. The Township will contact those in the changeover area with BLP lights at their home and allow them the same opportunity.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

1. Memorandum - Hill to Board - Re: Marquette County Clerks Association
2. Correspondence - Silver Creek Head Start Teachers - Re: Thank You and Invitation
3. Correspondence - Fende to Zorza - Re: Response to Letter
4. Correspondence - Fende to Fraco and Blondeau Trucking - Re: Thank You
5. Correspondence - Maki to Griffin - Re: Clarification
6. Correspondence - Maki to Zorza - Re: Personal Property Statement
7. Information - Marquette County Clerk - Biennial Precinct Report
8. Information - MCTA - February Meeting
9. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 9:15 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk

MARCH 18, 2002

A Regular meeting of the Chocolay Township Board was held on Monday, March 18, 2002 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Don Britton, Lois Sherbinow, Matt Wiese, Ken Tabor.

ABSENT: None.

MINUTES –FEBRUARY 18, 2002.

Greenberg moved Tabor second that the minutes of the Regular Meeting held on February 18, 2002 be approved.

AYES: 7      NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Sherbinow moved Hill second that bills totaling \$15,829.66 checks numbered 11621 - 11651 are approved for payment.

AYES: 7      NAYS: 0

MOTION CARRIED.

Hill moved Wiese second that bills totaling \$58,813.20 checks numbered 11652 -11677 are approved for payment.

AYES: 7      NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Bill Kessel – Commented that he was not in favor of a park, especially with a parking area at the fishing access site across from his home on Green Bay Street.

Dan Chartier – Had heard that Chocolay Township fire rating was a 9, was this true?

CENTRAL LAKE SUPERIOR WATERSHED PARTNERSHIP.

Carl Lindquist, representative of CLSWP presented to the Board the objectives and programs carried out by the partnership. He thanked the Board for their participation in the partnership, allowing these programs to continue.

UPPER PENINSULA SUBSTANCE ENFORCEMENT TEAM.

Jeff Racine, an U.P.S.E.T. representative, spoke to the Board on the function of U.P.S.E.T. and how they work with other law enforcement agencies. He thanked the Township Board for their continued support of U.P.S.E.T.

ADOPTION OF REZONING #117 – TEXT AMENDMENT – LAKE SUPERIOR SHORELINE/DUNE PROTECTION OVERLAY DISTRICT.

Tabor moved, Hill second that the Charter Township of Chocolay Board waive the reading and adopt the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-02-01.

**AMENDMENT #34-02-01**

**The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended to establish the following section:**

**SECTION 218**

**LAKE SUPERIOR SHORELINE/DUNE PROTECTION OVERLAY DISTRICT**

- A) INTENT: The provisions of the Lake Superior Shoreline/Dune Protection Overlay District are intended to protect the lake shore adjacent to Lake Superior in Chocolay Township in order to insure property values are protected; existing and future structures and properties are protected from erosion and flooding; and that this special ecosystem is preserved.

In order to facilitate this purpose, this overlay zone has been established to overlap any existing zoning districts, and their respective regulations, along Lake Superior in a width from the erosion hazard line to encompass the entire foredune, or to a maximum of 100

feet landward, whichever is less, where the natural conditions of the shoreline, specifically the foredune and/or associated vegetation, shall be preserved in its natural state.

This overlay district shall not apply to the shoreline of the Shot Point area where a rock shoreline predominates.

These provisions are intended to supplement, and not abrogate, any other applicable regulations for this area. All applicable state or federal regulations must also be complied with as administered through their respective agencies.

- B) **PERMITTED PRINCIPAL USES:** Trees and shrubs within this overlay zone may be trimmed or pruned at the property owner's discretion to create a view of the water and access thereto. In cases where native vegetation does not exist, the landowner is encouraged to replace the dune area with native plant species. Pathways for access and stairways are permitted and are encouraged to be designed to minimize disturbance to existing vegetation.

Vegetative cover, including trees, within the overlay zone may be removed if the Zoning Administrator finds that such modifications will be consistent with management practices which will prevent soil loss, will minimize wind erosion, and will provide the shoreline with adequate protection without altering the inherent characteristics of the water body and dune structure.

- C) **CONDITIONAL USES:** Earth changes such as bulldozing, lowering of the dune, creating cuts through the dune or other similar changes that alters the size, height, or width of the dune area within the Shoreline/Dune Protection Overlay District.

In those sections of the Overlay District where the dunes have grown in height to such an extent that the view of the water has been significantly diminished, homeowners may understandably wish to lower the dunes to restore their view of the lake. In such circumstances a conditional use permit will be required to ensure that any such modification of the dunes will be consistent with management practices which will minimize wind erosion, will provide the shoreline with adequate protection, and will not cause significant harm to neighboring properties

A 20 foot undisturbed buffer strip shall remain in place on the dune along the property lines. Slopes for dune cuts shall not exceed 1 foot vertical to 3 foot horizontal. Altered dune areas shall be stabilized with the planting of beach grass at a rate of 1 culm (clump) per 1 square foot of disturbed area or other method approved by the Planning Commission to prevent wind erosion from impacting adjacent properties.

The Township Office will assist the property owner with the development of a plan to detail the changes that are proposed for the conditional use approval process. The Marquette County Conservation District will alert all residents or property owners of the need for a conditional use permit with Chocolay Township when applications for soil erosion permits come through their office.

**Restoration:** In the event of violations of these regulations, property owners will be required to provide a plan to the Planning Commission detailing their restoration efforts to restore and protect the integrity of the affected dune area.

For purposes of the LAKE SUPERIOR SHORELINE/DUNE PROTECTION OVERLAY DISTRICT, the term "foredune" shall be defined in Section 101 as:

**FOREDUNE:** The foredune is the first dune landward behind the beach that typically varies from 3-10 meters in height. The foredune is measured from the erosion hazard line over the crest of the dune and down its backslope (the slope away from the lake) to its base or to a maximum of 100 feet landward, or whichever is less, as measured from the erosion hazard line.

**ROLL CALL.**

**AYES:** Hill, Tabor, Wiese, Greenberg, Fende.

**NAYS:** Sherbinow, Britton.

**MOTION CARRIED.**

Prior to the vote the following items were discussed:

Phil and Sally May – Still oppose the Dune ordinance and offered alternative language.

Mike LaPointe – The Planning Commission was approached by residents concerning an ordinance protecting the dunes.

Clerk Hill – Does not feel the Planning Commission is micro managing lake property. The language being proposed is the same as water front set back language that is currently in our zoning ordinance. Township officials i.e. Planning Director, Planning Commission and Zoning Administrator have indicated that they will seek additional education on managing the dunes.

Trustee Britton – Managing the cutting of shrubs and trees would be too restrictive.

Carl Lindquist, Director of Central Lake Superior Watershed Partnership – Has flown over the Lake Superior Shoreline and from that view the changes in the shoreline are obvious. There are many more lots to the lake, there are some nightmares that have happened to some properties and many situations of erosion.

**ADOPTION OF REZONING #119 – MARY LOU SHIMON – RP (RESOURCE PRODUCTION) TO RR-2 (RURAL RESIDENTIAL).**

Greenberg moved Britton second that the Charter Township of Chocolay Board waive the reading and adopt the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-02-02

**AMENDMENT #34-02-02**

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

**SECTION 901 - CHOCOLAY TOWNSHIP ZONING MAP**

That the west 20 acres of parcel 52-02-128-010-00 located in Section 28, T47N, R24W owned by Mary Lou Shimon be rezoned from RP (Resource Production) to RR-2 (Rural Residential).

ROLL CALL.

AYES: Britton, Wiese, Greenberg, Hill, Tabor, Sherbinow, Fende.

NAYS: None.

MOTION CARRIED.

**ADOPTION OF REZONING #120 – TEXT AMENDMENTS – SECTION 107 (HOME OCCUPATION STANDARDS); SECTION 206 (LS/R DISTRICT CONDITIONAL USES); SECTION 810 (SIGN ILLUMINATION).**

Tabor moved Wiese second that the Charter Township of Chocolay Board waive the reading and adopt the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-02-03

**AMENDMENT #34-02-03**

**REZONING #120 - TEXT AMENDMENT - SECTION 107 - HOME OCCUPATION STANDARDS**

1. Home occupation means a use conducted entirely within an enclosed dwelling but does not occupy more than 1/4 of the floor area of the residential single family dwelling unit on the property or not more than 320 sq. ft. of an accessory structure.
2. Home Occupations shall employ only those inhabitants residing on the premises.
3. A sign approved by the Zoning Board of Appeals shall not exceed four (4) sq. ft. in area and shall be attached to the building used for the home occupation or a two (2) sq. ft. sign may be placed in the yard.
4. Specifically excluded is the storage and display of merchandise not produced by such home occupation or any activity similar to a generally recognized retail store or service establishment as permitted in any commercial district. Also prohibited is any activity involving any building alteration, window display, construction features, equipment, machinery, or outdoor storage which is visible from off the lot on which located.



REZONING #120 - TEXT AMENDMENT - SECTION 206(C)  
PROPOSED LS/R DISTRICT AMENDMENT - CONDITIONAL USES

SECTION 206 DISTRICT LS/R.

- (A) INTENT. This district is intended to establish and maintain for residential and recreational use those areas with frontage on inland lakes and rivers and the Lake Superior shoreline which, because of their natural characteristics and accessibility, are suitable for development.
- (B) PERMITTED PRINCIPAL USES. Single- family dwellings.
- (C) CONDITIONAL USES. Marinas, boat liveries, bathing facilities, fishing piers, resorts, Bed & Breakfast, fish markets, commercial fishing docks, and associated facilities when located on lots of 20 acres or more and designed so as not to unreasonably interfere with, degrade or decrease the enjoyment of existing uses of nearby land. Accessory Housing Units for the elderly parent(s) or grandparent(s) of the owner-occupiers of a single-family dwelling as permitted under Section 107 (C). (34-99-4). Trails.

REZONING #120 - TEXT AMENDMENT - SECTION 810 - SIGN ILLUMINATION

SEC. 810 SIGN ILLUMINATION.

No sign shall be illuminated by other than electrical means, unless specifically approved by the Zoning Administrator. All lighting for illumination of signs shall be directed away from and shall be shielded from any residential districts and no lighting shall project upward toward the sky. No ground or bottom-mounted lighting is permitted. Illumination shall be so arranged as to not adversely affect driver visibility on adjacent thoroughfares. No sign except time and temperature and similar signs shall have blinking, flashing, fluttering lights, exposed bulbs, or other illuminating devices which have a changing light intensity, heightness of color, or any form of animation or moving device.

ROLL CALL.

AYES: Hill, Tabor, Sherbinow, Wiese, Greenberg, Fende.

NAYS: Britton.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Community Center Committee - February 27, 2002
- 2) MAWTFAB - February 12, 2002
- 3) Central Lake Superior Watershed Partnership - December 20, 2001
- 4) NMPSA -January 23 & February 27, 2002

SUPERVISOR'S REPORT.

1. Scrap Metal Collection - We had two bidders for scrap metal collection. Only one would complete curbside collection and that bid was within budget and comparable to the drop-off site by the other bidder. Therefore, in keeping with the Boards interest in alternating between a drop-off site and curbside, I authorized the curbside collection for this year. It will begin May 25, 2002. Brush drop-off will be at the same time.
2. Gwinn/Sawyer Chamber - We are now official members of the Gwinn/Sawyer Chamber of Commerce. I have requested our check back from the Lake Superior Community Partnership since they informed us, at my request for documentation, that we are not considered members of their organization.
3. Census - You probably saw the article in the paper regarding the Census Bureau transferring the Prison population to the City. I have subsequently contacted the Census Bureau regarding our lost population and we will be filing the appropriate challenge regarding their discrepancies on our population, as the appropriate information becomes available.
4. Central Lake Superior Watershed Partnership - As referenced in their letter that is included in your packets, the Watershed Partnership has asked for any known "areas of concern" in the watershed that should be evaluated. Any Board members

that know of any can forward them to Doug, as he will be compiling a list to be forwarded to the Watershed Partnership.

5. Recreation Surveys - We are getting a tremendous return on our recreation surveys. As of today, we have already received 423 back, and we only needed 400 to be considered statistically significant (i.e. 95% rate of accuracy).

#### COMMUNITY CENTER MILLAGE REQUEST.

Supervisor Fende gave an estimated budget to run the Community Center of approximately \$90,000.00. One mill would bring in about \$112,000.00 in revenue. This would allow us to run the community center and use the balance to pay a portion back the Capital Improvements Fund for the \$245,000.00 purchase of the building and property.

Dan Chartier – Does not think the Township should go out for millage right away.

Supervisor Fende – The best option would have been to ask the voters if they would support a community center with millage before the purchase. We did not have that option.

Treasurer Greenberg – As Treasurer of the Township, he would not have agreed to purchase the school if he felt that we could not make the payment. We should not use millage for the purchase of the school. We should go out for less millage to be used only to run the community center. We could ask for less than a mill for a five-year period.

Clerk Hill – Based on the budget, we could ask for  $\frac{3}{4}$  of a mill.

Tom Argetsinger – What type of programs will Chocolay offer that are not offered in the City of Marquette at places like the YMCA?

Treasurer Greenberg – We need to start working on lining up interested parties to use the building. We should guarantee one-year use of the building even if the millage does not pass.

Trustee Wiese – All the Township citizens he has spoken with are in agreement with millage to support a community center.

Lee Blondeau – The Board should not go out for millage right away.

Trustee Britton – Is not against millage, but the Board should look at all the options. Possibly selling the current Township Office and moving the offices to the Community Center, is an option to consider. He also wants the Board to make a commitment to run the community center for one year no matter what happens to the millage.

Hill moved, Sherbinow second that the Chocolay Township Board establish ballot language for the August 2002 Primary for 1 mill for five years to support a community center.

ROLL CALL.

AYES: Britton, Wiese, Greenberg, Hill, Tabor, Sherbinow, and Fende.

NAYS: None.

MOTION CARRIED.

The ballot wording should be approved at the April Township Board meeting to be forwarded to the County Clerk in May for the August Primary.

Britton moved Tabor second that the Board is committing to run the Community Center for one year, no matter what the outcome is in the millage election.

AYES: 7

NAYS: 0

MOTION CARRIED.

Richard Bohjanen, Chairman of the Community Center Committee – What is the Community Center Committee's next move? They were requested to meet to discuss their future roll as an advisory committee and what involvement they would like to have.

#### FIRE DEPARTMENT – FEMA GRANT APPLICATION.

Hill moved, Wiese second that the Chocolay Fire Department submit a grant application for FEMA for the acquisition of a Fire Fighter Flashover Training System. The Board agrees to a 10 % match not to exceed \$19,990.00.

AYES: 7

NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Riley to Board - Re: Newsletter
- B. Memorandum - MTA to Board - SET Letter
- C. Correspondence - CLSWP - Re: Request for areas of concern
- D. Correspondence - Fende to Teaching Family Homes - Re: Proposed Campus
- E. Correspondence - State of MI to Maki - Re: Land Division Act Violations
- F. Correspondence - Charter to Fende - Re: Franchise Fee Rebate
- G. Correspondence - U.P. Childrens Museum to Board - Exhibit Invitation
- H. Information - MTA - Re: Professional Development Retreats
- I. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at p.m. 9:20 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk

APRIL 15, 2002

A Regular meeting of the Chocolay Township Board was held on Monday, April 15, 2002 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Lois Sherbinow, Matt Wiese, Ken Tabor.

ABSENT: Don Britton.

MINUTES –MARCH 18, 2002.

Sherbinow moved Greenberg second that the minutes of the Regular Meeting held on March 18, 2002 be approved.

AYES: 6      NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Greenberg second that bills totaling \$15,511.01 checks numbered 11678 - 11704 are approved for payment.

AYES: 6      NAYS: 0

MOTION CARRIED.

Hill moved Wiese second that bills totaling \$30,414.76 checks numbered 11714 –11746 (11705 – 11713 void) are approved for payment.

AYES: 6      NAYS: 0

MOTION CARRIED.

FINANCIAL AND INVESTMENT REPORTS WERE RECEIVED AND PLACED ON FILE.

C/D INVESTMENT REPORT.

AMT OF C/D	190,000.00
DATE PURCHASED	3/13/02
MATURING ON	9/11/02
INTEREST RATE	2.08%
INSTITUTION	Republic Bank

PUBLIC COMMENT.

Gary Johnson, Fire Chief – Assistant Fire Chief Bill Goodwin has retired from the fire department. The new assistant Fire Chief is Tom Kidd.

Dan Chartier – Requested that the Board add Televising Township Board Meetings to the agenda. It will be added as Item G. under new business. He also informed the Board that the Easter Egg Hunt put on by the Lion's Club and Chocolay Area Business Association was a resounding success.

COMMUNITY CENTER MILLAGE BALLOT LANGUAGE.

Fende moved, Hill second, that the Clerk submit the following Election Ballot:

MILLAGE REQUEST FOR OPERATION OF SILVER

CREEK COMMUNITY CENTER

Shall the authorized charter millage limit for ad valorem taxes within the Charter Township of Chocolay be increased by an amount not to exceed one mill (\$1.00 on each \$1,000.00 of taxable valuation), for a period of five (5) years from 2002 to 2006 inclusive, for the purpose of funding the operation, maintenance, and renovation of the Township Community Center, which, if levied, will raise in the first year of levy, an estimated \$113,864.

YES

NO

ROLL CALL.

AYES: Hill, Sherbinow, Tabor, Wiese, Greenberg, Fende.

NAYS: None

ABSENT: Britton

MOTION CARRIED.

TOWNSHIP NEWSLETTER/CABA QUARTERLY.

The Board discussed continuing using the CABA Quarterly vs. publishing our own newsletter. If we continue to publish in the CABA Quarterly we can get half of our articles published free and pay for publishing the other half. This is accomplished by purchasing a half or full page of ad space and use it for articles. This is done through the Mining Journal and payments are made to the Mining Journal. We also have the option to do an insert in the CABA Quarterly. The Board agreed to continue publishing with CABA Quarterly. Draft guidelines will be brought back to the Board.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - March 11, 2002
- 2) Community Center Committee - March 27, 2002
- 3) MAWTFAB - March 11, 2002

SUPERVISOR'S REPORT.

1. RIVER/FLOODING - As of 4:30 today the Chocolay is still rising. We are approximately one foot above flood stage. So far there has not been any major structural damage but we have had a couple of road washout situations around the Township.
2. SEWER BACKUPS - There are new State Law requirements for sewer backup reporting which we are publicizing and mailing to all of our sewer customers. The reporting requirements are as follows: If you experience an overflow or back up from the sanitary sewer or storm water system, you must file a written claim with Chocolay Township, within 45 days after the overflow or backup was discovered. Notice should be mailed to the Chocolay Township Clerk at 5010 US 41 South, Marquette, MI 49855. Telephone number is 906-249-1448. Failure to provide the required notice will prevent recovery of damages. Contact the Township Department of Public Works Supervisor immediately upon discovery of an overflow or backup.
3. FIREWORKS - Included in the bills is our annual contribution to the Marquette Fourth of July fireworks. The Fourth of July Committee continues to provide the necessary contract for this service for our residents.
4. LAJEUNESSE COURT CASE - As noted in Mark's memorandum in your packets, the Judge has issued his ruling in the LaJeunesse Court case in favor of the Township. The complete written order is in my office if any Board members wish to see it.
5. WASELESKY - We may have to go back to Court on Waselesky's junkyard on South Big Creek as they are continuing to expand the junkyard contrary to the agreement that was earlier reached.

FY2001 AUDIT WITH ANDERSON, TACKMAN AND COMPANY.

Mike Greutz from Anderson, Tackman and Company reported the audit firms findings on the Township annual audit. They gave an unqualified opinion, which is a clean bill of health. The accounting records are in order and the Board acts in a fiscally responsible manner. The Township will have to comply with GASB regulations within the next year.

Wiese moved Sherbinow second that the Township Board accepts the FY2001 audit as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

COMMUNITY CENTER COMMITTEE – BY-LAWS.

Hill moved Tabor second that a permanent Chocolay Township Community Center Committee be established and that Richard Bohjanen (3) years, John Greenberg (3) years, Ann Pecotte (3) years, Don Britton (2) years, Pete LaRue (2) years, Al Denton (2) years, Elry Reetz (1) year, Penny Smith (1) year and Lori Busch (1) year be approved to serve on the Community Center Committee for the terms indicated.

AYES: 6

NAYS: 0

MOTION CARRIED.

The Procedures and Guidelines of the Chocolay Township Community Center Committee will be brought back to the Board at the May meeting.

**FIRE DEPARTMENT CONSTITUTION AND BY-LAWS.**

Greenberg moved Sherbinow second that the Fire Department Constitution and By-Laws and Operating Procedures be adopted with the changes recommended by the Officers of the Chocolay Township Fire Department.

AYES: 6      NAYS: 0      MOTION CARRIED.

**ANNUAL MCTA SPRING BANQUET.**

Sherbinow moved Wiese second that the Township will pay the meeting cost of \$18.00 for the MCTA Spring Banquet to be held May 10, 2002.

AYES: 6      NAYS: 0      MOTION CARRIED.

**PLANNING COMMISSION MEMBER REAPPOINTMENT.**

Fende moved Tabor second to re-appoint Estelle DeVooght to the Planning Commission with a term to run until May 24, 2005.

AYES: 6      NAYS: 0      MOTION CARRIED.

**ALLOCATION OF FIRE AGREEMENT FUNDS – RESOLUTION AMENDING CAPITAL IMPROVEMENTS BUDGET FY 2002 - AMENDMENT NO. 2 FIRE DEPARTMENT – OJIBWA HOUSING AUTHORITY.**

Greenberg moved Wiese second that whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 15, 2001, for the next fiscal year, and, whereas, as a result of unanticipated changes in the revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, now therefore, be it hereby resolved, that the aforesaid budget be hereby modified as follows:

<b>EXPENDITURE</b>	<b>PREVIOUS</b>	<b>CHANGE</b>	<b>AMENDED</b>
<b>Fire Department Capital Outlay 401.340.957</b>	<b>\$91,102.01</b>	<b>+ \$13,589.00</b>	<b>\$104,691.01</b>
<b>REVENUE 401.698</b>	<b>\$456.20</b>	<b>+\$13,589.00</b>	<b>\$ 14,045.20</b>

**ROLL CALL.**

AYES: Greenberg, Wiese, Sherbinow, Tabor, Hill, Fende.

NAYS: None

ABSENT: Britton

MOTION CARRIED.

**REQUEST BY CABA/TOWNSHIP TELEVISION MEETINGS AT TOWNSHIP EXPENSE.**

Dan Chartier, President of CABA made the request to the Township to televise the Township Board monthly meetings on Charter Cable Television. The cost to the Township would \$150.00 per meeting.

- Why can't the Township use the Charter rebate money to televise the meetings? The rebate money has already been earmarked for the Community Center.
- Seven or eight years ago the Board meetings were being televised for a period of time. When the televising stopped, no one complained or commented to the Township.
- Will citizens really watch a Township Board meeting on cable television?
- The full meeting would be shown on cable.
- We could look into putting the minutes in the newspaper.
- The minutes would not show as much information as the televised meeting.
- When citizens are interested in an issue they come to our meetings.
- We should survey the citizens of the Township to see if they want the Township to televise meetings at a cost to the Township.

The Township will do a survey on televising the Board meeting at a cost to the Township.

Trustee Wiese said that he would attend the next CABA meeting.

Clerk Hill asked Dan Chartier if he will read the memo on the fire department ISO rating at the next CABA meeting. It will clear up misinformation.

**INFORMATIONAL REPORTS AND COMMUNICATIONS.**

- A. Memorandum - Maki to Board - Re: Zoning Enforcement Update
- B. Memorandum - Snooks to Board - Re: ISO Public Protection Classification
- C. Correspondence - MTA to Governor - Re: House Bill 4022
- D. Correspondence - Lake Superior Community Partnership - Re: Refund
- E. Correspondence - Keewenaw Bay Ojibwa Housing Authority - Re: Fire Protection Agreement Payments
- F. Correspondence - Marquette County Solid Waste Management Authority - Re: 2002 Bond Payment
- G. Correspondence - U.S. Census Bureau - Re: Revised Population and Housing Counts
- H. Information - Clerk's Accreditation Program
- I. Information - Police Department - 1<sup>st</sup> Quarter Statistical Report
- J. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at p.m. 8:20 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk

MAY 20, 2002

A Regular meeting of the Chocolay Township Board was held on Monday, May 20, 2002 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Don Britton, Lois Sherbinow, Matt Wiese, Ken Tabor.

ABSENT: None.

MINUTES –April 15, 2002.

Greenberg moved Wiese second that the minutes of the Regular Meeting held on April 15, 2002 be approved.

AYES: 7            NAYS: 0                                  MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$17,870.85 checks numbered 11747 - 11781 are approved for payment.

AYES: 7            NAYS: 0                                  MOTION CARRIED.

Tabor moved Sherbinow second that bills totaling \$28,375.85 checks numbered 11786 –11812 are approved for payment. (Check # 11782 & 11783 replacement for # 11771 & 11784 & 11785 void).

AYES: 7            NAYS: 0                                  MOTION CARRIED.

FINANCIAL AND INVESTMENT REPORTS WERE RECEIVED AND PLACED ON FILE.

DATE PURCHASED	5/14/02	5/14/02
C/D INVESTMENT REPORT.		
AMT OF C/D	290,000.00	100,000.00
MATURING ON	11/12/02	9/11/02
INTEREST RATE	2.48%	2.25%
INSTITUTION	NO. COUNTRY	NMB

PUBLIC COMMENT.

Dan Chartier – CABA President is still requesting the Board to send a representative to the CABA meetings.

Trustee Wiese attended the last CABA meeting and is willing to be the Board representative at the CABA meeting with Don Britton acting as the alternate.

Clerk Hill – Notified the Board that Gary Menhennick (former Trustee) passed away. She was requested to send a letter from the Board. The Board made personal contributions to Hospice.

TELEVISED BOARD MEETINGS – PUBLIC PARTICIPATION POLICY.

Treasurer Greenberg feels that a 5-minute limit per person during public comment is reasonable, but feels that limiting the entire public comment session to 20 minutes may not allow enough discussion time.

The Board agreed to the Public Participation Policy as presented by the Supervisor with one change; eliminate the 20-minute time limit total for the public comment session.

COMMUNITY CENTER PROCEDURES AND GUIDELINES.

Hill moved Greenberg second that the Procedures and Guidelines for the Chocolay Township Community Center Committee be adopted.

AYES: 7            NAYS: 0                                  MOTION CARRIED.

Trustee Britton asked what the Township Board could do to help pass the Community Center Millage. The Board members can work on their own on the Millage, but it is illegal to expend Township funds or employee time on it.

We take occupancy of the Silver Creek School on August 1, 2002.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - April 8, 2002
- 2) Zoning Board of Appeals - April 25, 2002
- 3) Community Center Committee - April 24, 2002
- 4) NMPSA - March 27, 2002



SUPERVISOR'S REPORT.

1. BEAVER GROVE GRANT PROJECT - Associated Constructors began the construction of the Beaver Grove Grant project last week. It is anticipated that the project will be completed in July or August.
2. GREEN BAY STREET PROPERTY - The Conservation District and Watershed Partnership have begun the erosion control project on the Township's Green Bay Street Property along the Chocoley River at the fishing access site. The stairways are nearly complete. Fencing and soil replacement will be completed next.
3. RESTROOMS - The vault toilets have been put in place at both the Marina and the Lions Park. With a few minor improvements they will be ready for use.
4. WEIGHT RESTRICTIONS - The County Road Commission lifted the weight restriction today for Chocoley Township. Therefore, curbside recycling will resume.
5. CHERRY CREEK COMPLETION - The Road Commission has determined not to finish completion of Cherry Creek Road (i.e. the box culvert at Cherry Creek and the connection to 480) until after the bridge on M-553 over the Carp River is completed. It will most likely be late summer before this is completed.
6. SCRAP METAL COLLECTION - Curbside scrap metal collection begins on Saturday, May 25<sup>th</sup>. Residents are urged to have their items at curbside by 7:00 a.m. as the trucks will only come around once. (Another ad in the paper will run tomorrow).
7. BRUSH DROP-OFF - The brush drop-off site at the Township Hall will also open Saturday, May 25<sup>th</sup> and will remain open until June 2<sup>nd</sup>.

Trustee Britton is looking for volunteers to roof the Beaver Grove pavilion sometime in July.

PRIVATE ROAD #17 – MARY LOU SHIMON- SHIMON COURT.

Tabor moved Sherbinow second, that the Chocoley Township Board concur with the Planning Commission recommendation to approve Private Road request #17 from Mary Lou Shimon under Section 402 of Zoning Ordinance #34 with the following conditions:

- 1) A covenant be established on the deeds for any parcels created off from this private road identifying the private road status and which reference the Private Road Easement and a maintenance agreement which must be fully executed.
- 2) The applicant is required to provide certification from a surveyor/engineer that the private road standards of the Ordinance have been achieved at the conclusion of construction.
- 3) A zoning compliance permit shall be issued after all of the above conditions are met.
- 4) That this private road extension also be called Shimon Court.

AYES: 7      NAYS: 0      MOTION CARRIED.

FIRE CHIEF RE-APPOINTMENT.

Fende moved Wiese second that Gary Johnson be re-appointed as Fire Chief for a term of two (2) years beginning retroactive from April 11, 2002.

AYES: 7      NAYS: 0      MOTION CARRIED.

RESOLUTION HONORING BILL GOODWIN – SERVICE TO FIRE DEPARTMENT.

Hill moved Greenberg second that,

WHEREAS, Bill Goodwin served on the Chocoley Township Volunteer Fire Department for twenty-four years (24) as a firefighter, giving generously and unselfishly of his time and efforts and in all situations; now therefore be it hereby;

RESOLVED, that the Charter Township of Chocoley, through the Township Board, extends to Bill Goodwin and his family its expression of sincere appreciation for his serving the Township faithfully and well, and its heartfelt thanks and best wishes for a job well done, and be it further;

RESOLVED, that the Clerk be authorized and instructed to prepare a certificate of appreciation expressing commendation and appreciation for the untiring and valuable service rendered to the Township by Bill Goodwin.

AYES: 7      NAYS: 0      MOTION CARRIED.

**EQUIVALENT USER FEES FOR HARVEY LAUNDRY.**

Greenberg moved Hill second that the equivalent user factor be reduced to .94 per washer for the Harvey Laundry, as provided for in section 9D-3-a of Ordinance #39.

ROLL CALL.

AYES: Greenberg, Britton, Wiese, Tabor, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED.

**WASTEWATER CHARGES FOR NORTH SHORE DEVELOPMENT.**

Britton moved Sherbinow second that the Equivalent User Factor for North Shore Development be reduced to 1 user retroactive to January 1<sup>st</sup> 2002 until the business is reopened, as provided for in section 9D-3-a of Ordinance #39, with a credit applied to future billings.

ROLL CALL.

AYES: Tabor, Sherbinow, Hill, Greenberg, Britton, Wiese, Fende.

NAYS: None.

MOTION CARRIED.

**CAPITAL IMPROVEMENTS FUND EXPENDITURE – BEAVER GROVE CMI GRANT.**

Hill moved Sherbinow second that the Township Board agrees to appropriate all funds, from the Recreation Department in the Capital Improvements Fund (401.708.957) necessary to complete the Beaver Grove Recreation Area CMI Grant. The amount will not exceed \$118,975.00. The CMI Grant will reimburse Chocolay Township \$85,066.00.

ROLL CALL.

AYES: Greenberg, Britton, Wiese, Tabor, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED.

**GENERAL FUND FY2002 – BUDGET AMENDMENT NO. 1 - REIMBURSE CLERK TRAINING ACCOUNT.**

Hill moved Wiese second that whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 15, 2001, for the next fiscal year, and, whereas, as a result of unanticipated changes in the revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, now therefore, be it hereby resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Clerk Department Training			
101.215.715	\$3,075.00	+ \$890.38	\$3,965.38
REVENUE	PREVIOUS	CHANGE	AMENDED
101.698	\$35,500.00	+\$890.38	\$36,390.38

ROLL CALL.

AYES: Tabor, Sherbinow, Hill, Greenberg, Britton, Wiese, Fende.

NAYS: None.

MOTION CARRIED.

**INFORMATIONAL REPORTS AND COMMUNICATIONS.**

- A. Memorandum - Maki to Board - Re: Zoning Enforcement Update
- B. Correspondence - Verito to Board, et.al. - Re: Bluff Development
- C. Correspondence - Marquette County EMS - Re: Invitation to Reception
- D. Correspondence - Action Day Planning Committee - Re: Invitation to Reception
- E. Information - Recreation Survey Report
- F. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at p.m. 7:40 p.m.

\_\_\_\_\_  
Arlene E. Hill, CMC  
Township Clerk

\_\_\_\_\_  
Mary L. Sanders, CMC  
Deputy Clerk

June 17, 2002

A Regular meeting of the Chocoday Township Board was held on Monday, June 17, 2002 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

**TOWNSHIP BOARD.**

**PRESENT:** Ivan Fende, Arlene Hill, John Greenberg, Don Britton, Lois Sherbinow, Matt Wiese, Ken Tabor.

**ABSENT:** None.

**MINUTES –May 20, 2002.**

Greenberg moved Tabor second that the minutes of the Regular Meeting held on May 20, 2002 be approved.

**AYES:** 7      **NAYS:** 0

**MOTION CARRIED.**

**ACCOUNTS PAYABLE.**

Hill moved Sherbinow second that bills totaling \$22,706.57 checks numbered 11813 - 11856 are approved for payment.

**AYES:** 7      **NAYS:** 0

**MOTION CARRIED.**

Sherbinow moved Britton second that bills totaling \$161,753.33 checks numbered 11861 - 11888 are approved for payment. (Check # 11857 - 11860 void).

**AYES:** 7      **NAYS:** 0

**MOTION CARRIED.**

**FINANCIAL AND INVESTMENT REPORTS WERE RECEIVED AND PLACED ON FILE.**

**PUBLIC COMMENT.**

Mark Maki, Director of Assessing and Zoning commented to the Board on his letter of resignation. He has worked as assessor for Chocoday Township for 27 years and zoning administrator for 25 years. He has had great experiences working with the staff and citizens of Chocoday throughout the years. He has the opportunity to be self-employed and feels the time to do it is now. He thanked the Board for the years working for Chocoday.

**NEWSLETTER/CABA QUARTERLY.**

The Board discussed and agreed to the **GUIDELINES FOR PUBLISHING TOWNSHIP INFORMATION IN THE CABA QUARTERLY.**

**BOARDS, COMMITTEES, COMMISSIONS REPORTS.**

- 1) Planning Commission - 2001 Annual Report
- 2) Planning Commission - May 13 and June 3, 2002
- 3) Zoning Board of Appeals - May 30, 2002
- 4) Community Center Committee - May 22, 2002
- 5) MAWTFAB - April 10, 2002

**SUPERVISOR'S REPORT.**

1. **MAKI RETIREMENT** –Supervisor Fende personally thanked Mr. Maki for the years of service he has given to Chocoday Township. Supervisor Fende also stated that he would rather that Mr. Maki not leave but wishes him well.
2. Survey regarding the televising of Board meetings. Are there any other questions that the Board would like to ask? The Board has located a graduate student willing to work on the survey form. (i.e. Asking one question on a survey is not very efficient).
3. **MANGUM ROAD** - The Road Commission has assured us that the remaining work on Mangum Road (i.e. the culverts) will be completed this construction season.
4. **SCRAP METAL** - The scrap metal collection is complete and over 100 tons was picked up.

5. REVENUE SHARING - I ask that the Board members take special note of the June 14<sup>th</sup> MTA legislative alert that is on the table. This alert indicates that there is current legislation being considered that would cut Individual Township revenue sharing by 10-20%. That percentage would mean a reduction of approximately \$57,000-\$114,000 for Chocoley. MTA is requesting all members to contact their legislators to voice your concerns about these potential cuts. The Board concurred that the Supervisor and Clerk should each make this contact on behalf of Chocoley Township.

PRELIMINARY PLAN FOR CHOCOLAY WOODS – PROPOSED SITE CONDOMINIUM.  
Tabor moved Hill second that the Township Board approve the Preliminary Plan for the Chocoley Woods Proposed Site Condominium with the following conditions:

- 1) That the development comply with the submittal requirements of Section 525 of Zoning Ordinance 60 and Condominium Act 59 for the Final Condominium Plans.
- 2) That the lots may need adjustment to comply with lot size requirements as determined by the Zoning Administrator.

AYES: 7      NAYS: 0

MOTION CARRIED.

PUBLICATION OF REZONING #121-CHOCOLAY TOWNSHIP-SILVER CREEK SCHOOL AND SILVER CREEK RECREATION AREA PROPERTY – R-3 TO PUBLIC LANDS.

Hill moved Wiese second that the Charter Township of Chocoley Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-02-04

AYES: 7      NAYS: 0

MOTION CARRIED.

CAPITAL EXPENDITURE – FOREST STEWARDSHIP GRANT – BROWERS PROPERTY.

Greenberg moved Britton second that the Township Board agrees to appropriate all funds, from the Recreational Capital Improvements Fund (401.708.957) necessary to complete the Brower Property Forest Stewardship Grant. The amount will not exceed \$3,700.00. The Forest Stewardship Grant will reimburse the Township \$2,500.00.

ROLL CALL.

AYES: Hill, Sherbinow, Tabor, Greenberg, Britton, Wiese, Fende.

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND FY2002 – BUDGET AMENDMENT NO. 3 – POLICE TRAINING FUNDS-STATE OF MICHIGAN.

Greenberg moved Tabor second that Whereas, a budget was adopted by the Chocoley Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in October, 2001, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore,

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training			
Capital Outlay			
401.306.957	2,446.85	+396.56	2,843.41
REVENUE	PREVIOUS	CHANGE	AMENDED
401.698	14,045.20	+396.56	14,441.76

ROLL CALL.

AYES: Greenberg, Britton, Wiese, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

GENERAL FUND FY2002 – BUDGET AMENDMENT NO. 2 – COMPUTER PROGRAM PURCHASE.

Hill moved Sherbinow second that whereas, a budget was adopted by the Chocoley Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 15, 2001, for the next fiscal year, and, whereas, as a result of unanticipated changes in the revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, now therefore, be it hereby resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Clerk Department Computer 101.215.811	\$8,235.00	+ \$2,729.00	\$10,964.00

Other General Gov. Contingency 101.285.951	PREVIOUS	CHANGE	AMENDED
	\$29,500.00	- \$2,729.00	\$26,771.00

ROLL CALL.

AYES: Hill, Sherbinow, Tabor, Greenberg, Britton, Wiese, Fende.

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Maki to Supervisor and Board - Re: Retirement from Chocolay Township
- B. Correspondence - Fende to Fraco, Inc. - Re: Thank You
- C. Correspondence - Gary Menhennick Family and Friends to Board - Re: Thank You
- D. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 7:20 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk

July 15, 2002

A Regular meeting of the Chocolay Township Board was held on Monday, July 15, 2002 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

**TOWNSHIP BOARD.**

**PRESENT:** Ivan Fende, Arlene Hill, John Greenberg, Lois Sherbinow, Matt Wiese, Ken Tabor (arrived at 7:03).

**ABSENT:** Don Britton.

**MINUTES –JUNE 17, 2002.**

Wiese moved Greenberg second that the minutes of the Regular Meeting held on June 17, 2002 be approved.

**AYES: 5        NAYS: 0**

**MOTION CARRIED.**

**ACCOUNTS PAYABLE.**

Hill moved Sherbinow second that bills totaling \$17,024.62 checks numbered 11889 - 11914 are approved for payment.

**AYES: 5        NAYS: 0**

**MOTION CARRIED.**

Sherbinow moved Wiese second that bills totaling \$62,474.48 checks numbered 11915 – 11955 are approved for payment.

**AYES: 5        NAYS: 0**

**MOTION CARRIED.**

**FINANCIAL REPORTS WERE RECEIVED AND PLACED ON FILE.**

Ken Tabor arrived at 7:03 p.m.

**PUBLIC COMMENT.**

John Smith – Would like to reserve time to speak on item VII A – adoption of rezoning #121. Also gave his opinion on what the costs to run a community center would be. He is opposed to the millage and wonders if we are spending future infrastructure money on this community center?

Steven Perry - Would like to reserve time to speak on item IX C – Vending at Recreation Areas.

Pete LaRue - Would like to reserve time to speak on item IX D – Community Center Open House.

**ADOPTION OF REZONING #121 – CHOCOLAY TOWNSHIP – SILVER CREEK SCHOOL AND SILVER CREEK RECREATION AREA PROPERTY – R-3 TO PUBLIC LANDS.**

Hill moved Sherbinow second that the Charter Township of Chocolay Board waive the reading and adopt the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-02-04.

**AMENDMENT #34-02-04**

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

**SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP**

That the Township owned property known as the Silver Creek School and the Silver Creek Recreation Area located on the north side of Silver Creek Road in Sections 6 and 7, T.47N-R.24W encompassing approximately 35 acres identified as tax parcel codes 52-02-106-038-00, 52-02-106-039-00, 52-02-106-040-00, 52-02-107-034-00 and 52-02-107-059-00 be rezoned from R-3 to Public Lands.

**Discussion:**

John Smith – The Township has a double standard for rezoning. When they want something rezoned it passes without a problem. If a resident wants property rezoned, it takes a long

time to go back and forth between the Planning Commission and the Township Board. Retail should not be allowed in the community center.

Treasurer Greenberg – Is very comfortable with the plans laid out for the Community Center. The business community is in support of the Community Center.

ROLL CALL:

AYES: Tabor, Sherbinow, Hill, Fende, Greenberg, Wiese.

NAYS: None

MOTION CARRIED.

#### BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - June 13, 2002 Special Meeting
- 2) MAWTFAB - May 14 and June 11, 2002
- 3) Watershed Partnership - January 23 and March 21, 2002

#### SUPERVISOR'S REPORT.

1. DIRECTOR OF ASSESSING AND ZONING - Mr. Maki has agreed to continue to work part time on a contractual basis for the Township through the end of August as we search for a replacement. Mr. Maki works on Mondays and Tuesday mornings and is available to review and issue zoning compliance permits on an as needed basis.
2. BEAVER GROVE RECREATION AREA PARKING - As you may have noticed, last week at the Beaver Grove Recreation Area there was a problem with overflow parking onto US-41. This was caused by the Soccer Association over scheduling use of the fields since the Marquette fields are under construction and they were not utilizing Silver Creek for Striker Play. Adjustments have been made to the Silver Creek field to allow Striker play and the Soccer Association has been notified to curtail over scheduling at Beaver Grove.
2. ROAD COMMISSION REPORT - We have received the Marquette County Road Commission's 2001 Financial Report and a copy is in my office if any Board members wish to review it.
3. BUDGET - The 2003 Budget preparation packets have been distributed to all Department Heads and they have until July 31 to get their requests in to me.
4. BICYCLE REGISTRATION - The Police Department registered 96 bicycles at the annual Bicycle Day at the Township Hall. This was the first time the registration was tried on a weekday and we actually registered more than we typically get on a weekend.

#### WASTEWATER FEES CREDIT – PARKWAY MOTEL.

Greenberg moved Wiese second to issue a credit of 1/3 of the sewer bill, in the amount of \$261.50, for the Parkway Motel applied to the next wastewater bill.

ROLL CALL:

AYES: Wiese, Greenberg, Fende, Tabor, Sherbinow, Hill,

NAYS: None

MOTION CARRIED.

#### WASTEWATER FEES/DISCONNECT – PETERSON.

Greenberg moved Hill second that under Ordinance #39-9-2e the sewer bill for Audrey Peterson at 217 Corning is discontinued until the house is deemed usable again.

ROLL CALL:

AYES: Tabor, Sherbinow, Hill, Fende, Greenberg, Wiese.

NAYS: None

MOTION CARRIED.

#### VENDING AT RECREATION AREAS.

Steven Perry, business owner of U.P. Dogs – Requested that the Board consider allowing him to vend hot dogs, soft drinks & chips at the recreation areas in Chocolay Township. He has a license from the health department and is insured. He will clean up the area each time he sells at an event.

The Board discussed the issue and decided to try it for the rest of the season, and see how it works. The Board will consider licensing vendors for next year, if this works out in a positive way.

#### COMMUNITY CENTER OPEN HOUSE.

Supervisor Fende asked the Board if they would be attending the open house at the Community Center. If the full Board will attend, they must work out a schedule so that four Board members are not there at the same time (four would be a quorum).

Pete LaRue spoke as a Community Center Member – The open house will be held on July 27<sup>th</sup> from 1:00 p.m. – 5:00 p.m. at the old Silver Creek School. There will be door prizes and an ice cream social, all funded by donations (not Township dollars).

**SURVEY QUESTIONS.**

Treasurer Greenberg asked if we could hold off on doing the survey until after the millage election. Depending on how the millage turns out, we will have other question relating to the Community Center to put on the survey.

The Board agreed to wait until after the August election.

**ANNUAL ROAD RANKINGS.**

The Board discussed road rankings and decided to table the issue until more financial information was received from the Marquette County Road Commission on roadwork for Green Garden/Greenfield Road.

**GENERAL FUND FY2002 – BUDGET AMENDMENT NO. 3 – FIRE DEPARTMENT WASHING MACHINE DRAIN RENOVATION.**

Fende moved Tabor second that whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 15, 2001, for the next fiscal year, and, whereas, as a result of unanticipated changes in the revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, now therefore, be it hereby resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department Capital Outlay 101.340.957	\$9,125.00	+ \$560.00	\$9,685.00
Other General Gov. Contingency 101.285.951	\$26,771.00	- \$560.00	\$26,211.00

**ROLL CALL:**

AYES: Wiese, Greenberg, Fende, Tabor, Sherbinow, Hill,

NAYS: None

**MOTION CARRIED.**

**INFORMATIONAL REPORTS AND COMMUNICATIONS.**

- A. Correspondence - Supervisor to MDNR - Re: Ownership of Railroad Grade
- B. Correspondence - NMPSA to Board - Re: Coordinator/Training
- C. Correspondence - MSU Extension to Twp. - Re: Brower Property Grant Award
- D. Information - MTA - Legislative Updates

Supervisor Fende explained that the Township has researched the cost of running and staffing the Community Center. We have provided a workable budget based on the research. We will have volunteers to assist with programs along with paid Township Employees. We feel that the one mill over five years requested will meet our needs. If the Township does not need the full mill for the five-year period, it will not be collected. We have a history of lowering or returning millage that was not necessary. The school had a report done on asbestos in the Silver Creek School and the level is acceptable to federal standards. There will be a post office at the Community Center. If anyone has questions on the Community Center, talk to anyone on the Citizens Advisory Board for the Community Center.

There being no further business, Supervisor Fende adjourned the meeting at 7:50 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk





3. 2003 BUDGET - Department Heads have turned in their proposed 2003 budgets and I will be reviewing and making my recommendations over the next week. Board members should receive the proposed budget by September 1 with the budget workshop at the Board meeting on September 16.
4. County Road 545 is being reconstructed with Federal funds. The work stops right at the Chocolay border. Supervisor Fende will work on finding the reason.

**CHOCOLAY WOODS – PROPOSED SITE CONDOMINIUM – FINAL PLAN.**

Greenberg moved Tabor second that the Township Board approve the Final Plan for the Chocolay Woods Site Condominium Project.

AYES: 7      NAYS: 0

MOTION CARRIED

**COMMUNITY CENTER – COURSE OF ACTION – COMMUNITY CENTER COMMITTEE RECOMMENDATION.**

The Community Center made a recommendation to the Board that the Township Board place a millage question to the voters on the November 5, 2002 election. The Committee recommends that the Township Board seek 1 mill for 5 years for the operation of the Chocolay Township Community Center.

Board discussion:

- Only 700 people voted no on the Community Center millage in August – we should try in November when more people vote. There are 4500 registered voters in Chocolay Township.
- The Community Center Committee and Township Board members need to be more active in getting out information on the Community Center. The information did not get out to enough people.
- Many people did not vote in the primary. It is a shame not to take advantage of this facility as a Chocolay Community Center.
- There will be library millage and possibly a road millage request on the November ballot.
- We should have an open house with a panel discussion on the uses of the Community Center.
- What options did the Community Center Committee look at? – Different dates for the election and different millage amounts.
- Should we consider changing from 1 mill to ¾ mill and do less at the Community Center?
- We should go for 1 full mill because that is the amount needed to run the Center.
- We need public relations work if we go out for millage again.
- Chocolay Township deserves a Community Center; we should try again for the millage at the November election, when more citizens vote.
- Most communities support a community center, even the small ones. Many are renovated schools.
- We have requests from so many clubs that need meeting space.
- The Community Center Committee will meet this week and try to get the post office open and services going right away.
- Letters to the editor are a good way to get the public attention.

Hill moved Tabor second the Township use the following ballot language to present to the electorate for the November 5th General Election:

**MILLAGE REQUEST FOR OPERATION OF SILVER**

**CREEK COMMUNITY CENTER**

Shall the authorized charter millage limit for ad valorem taxes within the Charter Township of Chocolay be increased by an amount not to exceed one mill (\$1.00 on each \$1,000.00 of taxable valuation), for a period of five (5) years from 2002 to 2006 inclusive, for the purpose of funding the operation, maintenance, and renovation of the Township Community Center, which, if levied, will raise in the first year of levy, an estimated \$113,864.

Yes

No

**ROLL CALL.**

AYES: Greenberg, Fende, Hill, Sherbinow, Britton, Tabor, Wiese.

NAYS: None

ABSENT: None

MOTION CARRIED.

Greenberg moved Tabor second that the application packet for the Chocolay Community Center be approved.

AYES: 7      NAYS: 0

MOTION CARRIED.

**PETER WHITE LIBRARY MILLAGE RENEWAL REQUEST – BALLOT LANGUAGE.**

Clerk Hill reported that she spoke to Pam Christenson from the Peter White Library. If the library millage did not pass in Chocolay Township, our residents could use the library through a user fee. The amount charged is \$40.00 for six months or \$65 per year for a single person, or \$70.00 for six months or \$125 per year for a family. The millage would be less than the fee system for most people.

Fende moved, Wiese second, that the Clerk submit the following ballot language to the Marquette County Clerk to be included on the November General Election ballot:

**BALLOT PROPOSAL  
TO RENEW MILLAGE LIBRARY SERVICES**

Shall the previously voted millage for library services to the residents of the Charter Township of Chocolay be renewed, authorizing an ad valorem tax levy within the Charter Township of Chocolay, in an amount not to exceed 0.8299 mills (\$0.8299 per \$1,000.00 of taxable valuation), for a period of five (5) consecutive years, from 2002 to 2006 inclusive, which if levied, would raise an estimated \$94,496.00 in the first year.

Yes

No

ROLL CALL.

AYES: Hill, Sherbinow, Britton, Tabor, Wiese, Greenberg, Fende.

NAYS: None

ABSENT: None

MOTION CARRIED.

CABA CITIZEN(S) OF THE YEAR.

Hill moved Sherbinow second that

BE IT HEREBY KNOWN THAT  
THURSDAY, AUGUST 29, 2002 IS DECLARED  
**SHAW FAMILY APPRECIATION DAY**

BY THE CHOCOLAY TOWNSHIP BOARD IN COOPERATION WITH THE CHOCOLAY  
AREA BUSINESS ASSOCIATION

TO GIVE WELL DESERVED RECOGNITION TO GLENN SHAW, STEVE SHAW AND TOM  
SHAW FOR THEIR SERVICE TO THE CHOCOLAY COMMUNITY  
FOR THE FOLLOWING:

- \* Over 40 years of courteous service station business that has benefited the community in many different ways.
- \* Providing years of U.S. mailing services through their contracted postal office.
- \* Assistance to the Chocolay Township Police Department in emergency situations where towing service is needed.
- \* Assistance to the Chocolay Township Fire Department with extrication training and the towing of vehicles.
- \* Donations to community events such as the Police Department's Bicycle Registration program.
- \* Individual involvement with volunteer organizations such as the Township's Fire Department and the Planning Commission.

THEREFORE, FOR ALL OF THE SERVICE THAT THE SHAW FAMILY HAS PROVIDED THE CHOCOLAY COMMUNITY, IT IS HEREBY RESOLVED THAT, WITH GRATEFUL THANKS, WE ESTABLISH AUGUST 29, 2002 AS SHAW FAMILY APPRECIATION DAY.

AYES: 7

NAYS: 0

MOTION CARRIED.

SNOWMOBILE ENFORCEMENT GRANT.

Hill moved Wiese second that the Director of Recreation and Grants Administration submit a grant application to the Department of Natural Resources for a Snowmobile Enforcement Grant. The Board agrees to a 25% match not to exceed \$1,563.00.

ROLL CALL.

AYES: Hill, Sherbinow, Britton, Tabor, Wiese, Greenberg, Fende.

NAYS: None

ABSENT: None

MOTION CARRIED.

SURVEY QUESTIONS.

The original reason for the survey was to ask our residents if they want the Board to expend Township funds to videotape and broadcast the Township meetings. (Currently a private party is paying to televise meetings and wants the Board to pay for the coverage.) When the survey is sent out we should have additional questions on it to assist in planning for utilization of the Community Center. Staff will bring draft questions to the next Board meeting for Board approval.

Trustee Sherbinow – There is a letter of complaint on the Gitchee Gumee Campground in Chocolay Township. The Township Supervisor will write a letter to the Association of RV Parks and Campgrounds of Michigan. The complainant will be advised to do the same.

Clerk Hill – Noted that the MCTA has publicly stated that its members are in favor of the road millage. This is not true of all the Townships in Marquette County Township Association. Would the Board mind if Clerk Hill spoke to the Mining Journal about the article stating all of MCTA members are in favor of the millage. The Board approved of Clerk Hill doing this.

Clerk Hill stated that on August 30, 2002 the Township employees and any Board members interested will have a retirement luncheon for Mark Maki.

Treasurer Greenberg – Have we heard anything at the Township about the Marquette County Road Commission not planning on plowing County Road 480 (as a priority) this year? Commissioner Seppanen has contacted our office. This will be discussed at the County Commissioners meeting on Tuesday August 20<sup>th</sup>.

Trustee Sherbinow – Enjoyed reading the paper written by Jesse Wernholm, Chocolay Township Police Department intern.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - MDNR Director Cool to Fende - Re: Railroad Grade
- B. Correspondence - Christopherson to Board - Re: Campground Complaint
- C. Information - Marquette County Board of Canvassers - Re: Election Results
- D. Information - Wernholm - Re: Police Department Internship Paper
- E. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:10 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk

September 11, 2002

A Regular meeting of the Chocolay Township Board was held on Wednesday, September 11, 2002 (this was a rescheduled meeting from September 16, 2002) at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Lois Sherbinow, Don Britton.

ABSENT: Ken Tabor, Matt Wiese.

Supervisor Fende requested 30 seconds of silence in remembrance of September 11, 2001.

MINUTES –AUGUST 19, 2002.

Greenberg moved Britton second that the minutes of the Regular Meeting held on August 19, 2002 be approved.

AYES: 5            NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$23,657 checks numbered 10047 – 10079 are approved for payment.

AYES: 5            NAYS: 0

MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.  
C/D INVESTMENT REPORT.

DATE PURCHASED	08/13/02	08/13/02
AMT OF C/D	360,000.00	180,000.00
MATURING ON	02/11/03	02/11/03
INTEREST RATE	2.00%	2.08%
INSTITUTION	BAY BANK	REPUBLIC

PUBLIC COMMENT.

John Smith – Asked the Board what part of “no” do they not understand from the millage election in August? There will be too many millage requests on the November ballot. What has happened to the 2% casino money? Many people do not have faith in our Township Board.

Jim Goodman – Would the Board have brought the Community Center Millage vote back to the citizens of Chocolay if they had voted yes on the millage in August?

Roger Wotring – Requested to reserve time to speak to IX. A. Rezoning #122.

Supervisor Fende responded to public comment indicating that the board decided to go out for millage again for the Community Center because many people requested another chance for the community to vote. If the millage does not pass in November, the Township will sell the building. This is most likely the last chance that Chocolay residents would ever have to purchase a Community Center at a reasonable price. The road millage will not be on the November ballot. The library millage is a renewal, not new millage. Chocolay Township has the lowest millage rate in the immediate area. One mill would cost a homeowner of a \$100,000.00 value home \$50.00 more per year.

Clerk Hill – Marquette County Clerk’s Association is sponsoring a meet the candidate night for the two Secretary of State candidates. This will take place at the Chocolay Community Center on October 7, 2002 at 7:00 p.m.

Trustee Britton – There was an article in the Mining Journal that stated that the millage money raised for the Community center would go toward renovation and running the center. The amount of money going towards renovation is minimal.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - August 12, 2002
- 2) Zoning Board of Appeals - July 25, 2002
- 3) Community Center Committee - August 14 & 21, 2002
- 4) MAWTFAB - August 13, 2002
- 5) NMPSA - July 24 & August 28, 2002

SUPERVISOR’S REPORT.

1. Community Center - The Community Center Committee and staff have been diligently working to get the community center open on September 16<sup>th</sup>. Lee and I will be interviewing people for the part time secretarial/postal clerk and custodial positions later

this week. We are moving all of the current users of the Township hall over there and have a number of events, such as flu shots, scheduled. The opening and scheduled events will be advertised in the CABA Quarterly which is coming out later this month.

2. County Road 480 - We have checked with the County Road Commission and they informed us that there are no plans to reduce the snowplowing priority for County Road 480 as has been rumored. They informed us that they also consider 480 a high priority due to its function as a winter arterial.
3. County Road 545 - I have spoken with the Road Commission regarding the ranking of the Township's portion of County Road 545. Of the County's primary roads, it is ranked 23rd for receiving funding (which would be over 16 million dollars in other primary road improvements first). I will continue to pursue increasing its ranking.
4. TV 6 Editorial - In case you missed it, TV 6 did an editorial regarding the Township pursuing the community center millage again. I have an appointment with TV 6 next week to air a response editorial.

REZONING #122 – WOTRING – M-28 EAST, WEST OF DANA LANE – R-1 TO C-3.  
Roger and Sharon Wotring stated their case to the Board in favor of the rezoning. They felt that the resident's complaints made to the Chocoday Township Planning Commission were unfounded.

Supervisor Fende explained that if the property was changed to C-3, all of the permitted used in C-3 was a possible use on this property that abutted residential property.

Treasurer Greenberg wondered if a P.U.D. would be possible for this property?

Clerk Hill would like the Planning Director to work with Mr. Wotring on looking into the possibility of a P.U.D.

Hill moved Greenberg second that, as recommended by the Chocoday Township Planning Commission and for the reasons included in their recommendation for denial, the Township Board DENY rezoning request #122.

AYES: 4      NAYS: 1

MOTION CARRIED.

Supervisor Fende – Mr. Wotring should work with the Planning Director on researching a P.U.D.

#### JUNK VEHICLE PETITION.

A petition was delivered to the Township Clerk by Mr. Arnold concerning junk vehicles in the township.

Supervisor Fende suggested that when our Township survey is done a question on junk vehicles in the Township should be added.

Mr. Arnold – Feels it is time to revisit the Junk Vehicle Ordinance.

Mr. Riley – The Planning Commission has discussed looking at the junk vehicle ordinance also.

#### ASSESSING AND ZONING POSITION.

We advertised for an Assessor/Zoning Administrator in trade magazines and newspapers without much success. Supervisor Fende asked the Board to consider hiring a full time assessor right away and have Doug Riley do the zoning on an interim basis. We can look at the possibility of a part time Zoning Administrator. The Board was supportive of this approach.

Hill moved Sherbinow second, that Doug Riley be appointed with the interim duties of Zoning Administrator, Floodplain Administrator and to review and approve Land Division and Street Address applications while the Township continues to pursue filling the vacant Director of Assessing and Zoning position.

AYES: 5      NAYS: 0

MOTION CARRIED.

FY2003 BUDGET WORKSHOP.

Revenues – No change.

Salaries – No change.

Township Board – Treasurer Greenberg questioned how we could fund a donation to the Childrens Museum and say to no to other groups and organizations assisting youth in the future. Supervisor Fende feels that this is a unique group assisting youth from our area. Donating to this is the other side of the spectrum of donating to U.P.S.E.T. The Board would like a letter from the Children’s Museum stating what they offer to Chocolay Township and any programs that could possibly be implemented at the new Community Center. Supervisor Fende will get that information for the next Board meeting to approve the budget.

Supervisor - No change.

Elections - No change.

Assessor - No change.

Clerk - No change.

Board of Review - No change.

Treasurer – No change.

Township Hall and Grounds – No change.

Other General Government – No change.

Police – No change.

Fire – No change.

Streets – No change.

Sanitation – No change.

Recreation – No change.

Community Center – No change.

Parks and Properties – No change.

Zoning – No change.

Planning Commission – No change.

Zoning Board of Appeals – No change.

Capital Improvements – No change.

Sewer Fund – Increase sewer rates to \$22.60 per month.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Ski Hall of Fame - Re: Invitation
- B. Correspondence - Marquette County Emergency Management - Re: Storm of July 21, 2002
- C. Correspondence - Wernholm - Re: Thank you
- D. Information - Equalization - Re: Sales Ratio Adjustments
- E. Information - Police Department - Re: 2<sup>nd</sup> Quarter Statistical Report
- F. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:55 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk

October 21, 2002

A Regular meeting of the Chocoley Township Board was held on Monday, October 21, 2002 at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Lois Sherbinow, Don Britton, Ken Tabor, Matt Wiese.

ABSENT: None.

PUBLIC HEARING FY2003 BUDGET.

John Smith - Questioned how the Board was planning on dealing with rising insurance costs.

Supervisor Fende – Responded that we have in the past and currently have a balanced budget. If in the future that is a problem because of insurance costs, we will have to look into alternative ideas such as employees paying for a portion of the cost.

Treasurer Greenberg – Indicated that 13 states are looking into providing state health insurance.

Clerk Hill – Asked if the U.P. Children’s Museum would have a presentation tonight?

The Public Hearing was closed.

MINUTES –September 11, 2002.

Greenberg moved Sherbinow second that the minutes of the Regular Meeting held on September 11, 2002 be approved.

AYES: 7            NAYS: 0                                MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$36,989.24 checks numbered 10080 – 10120 are approved for payment.

AYES: 7            NAYS: 0                                MOTION CARRIED.

Hill moved Greenberg second that bills totaling \$19,906.57 checks numbered 10121 – 10150 are approved for payment.

AYES: 7            NAYS: 0                                MOTION CARRIED.

Wiese moved Tabor second that bills totaling \$27,359.45 checks numbered 10151 – 10191 are approved for payment.

AYES: 7            NAYS: 0                                MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

C/D INVESTMENT REPORT.

DATE PURCHASED	10/11/02	10/11/02
AMT OF C/D	215,000.00	140,000.00
MATURING ON	04/11/03	04/11/03
INTEREST RATE	2.25%	2.25%
INSTITUTION	PEOPLES	NMB

PUBLIC COMMENT.

Walt Racine –He services Carlson Tree Service equipment, will he be able to continue to do work on these vehicles in the future?

Planning Director, Doug Riley will call Mr. Racine on this matter later this week after he has time to research it.

Lee Blondeau – Commented on the Supervisor stating at the last meeting that the Township has spent \$100,000.00 on legal fees. What is being done on Contractor’s Yards?

Supervisor Fende - \$100,000.00 was spent over the past 20 to 25 years on legal fees. When residents make a complaint, the Township will check into a zoning violation. We have a good zoning record, by our decisions being upheld in the court system. The Board and the Planning Commission would welcome local contractors to come up with language that everyone can live with.

John Smith – It is not fair that public comment is held to 5 minutes for the public and the Board members can speak longer. He would like to see the Planning Commission and the Board have a Public Hearing on Contractor’s Yard.

Clerk Hill – Northern Michigan Public Service Academy had a seminar on Parliamentary Procedure and a Clerk Accreditation class. The Clerk, Deputy Clerk and Election Records Clerk all attended the election class and are all qualified to run elections.

Bill Kimmes – Feels that having a public hearing on Contractor Yard wording would alleviate the fears and concerns of local contractors. He attended a Zoning Board of Appeals meeting last year and the ZBA members suggested that he work on acceptable wording for a Contractors Yard.

Treasurer Greenberg – Perhaps this could be a topic for the next joint Board/Planning Commission meeting.

Trustee Tabor – Wanted to clarify that Contractor Yard and parking of commercial vehicles are two separate issues.





SUPERVISOR'S REPORT.

1. Community Center Public Forum - There will be a public forum on Wednesday, October 24<sup>th</sup> at 7:00 p.m. at the community center for people to be able to ask questions and look around the facility.
2. Carl Levin - I met with Carl Levin last week regarding Chocoday's own full service U.S. Post Office.
3. RailRoad Grade – A letter has been sent to the DNR on an alternative snowmobile trail in Chocoday Township. We have not heard back from them.
4. Letter that is being circulated regarding zoning – An unsigned document is being circulated in Chocoday Township in regard to zoning in residential areas.

PRIVATE ROAD REQUEST #17 - SHIMON - WAIVER REQUEST TO CUL-DE-SAC REQUIREMENT.

Tabor moved Greenberg second, that the Township Board approve Ms. Shimon's request to construct a 40' x 40' turnaround at the end of her private road in place of the standard cul-de-sac requirement.

AYES: 7                      NAYS: 0    MOTION CARRIED

APPOINTMENT OF NEW ASSESSOR.

Hill moved Sherbinow second that Tina Fuller is appointed as the Township Assessor and as the Land Division and Street Address Administrator.

AYES: 7                      NAYS: 0    MOTION CARRIED

Supervisor asked the Board for relocation expenses for Tina Fuller. This was not part of the hiring agreement that was made, but suggests that we offer some amount of relocation expense and later look into putting something in the Personnel Policy.

Hill moved Tabor second that \$500.00 be paid for relocation expenses for the newly hired assessor, and study the issue for future instances.

ROLL CALL.

AYES: Wiese, Britton, Greenberg, Sherbinow, Tabor, Hill, Fende.

NAYS: None.

MOTION CARRIED.

SUMMER TAX COLLECTION.

Greenberg moved Hill second that the Charter Township of Chocoday will collect the State Education Tax beginning in the summer of 2003 and the County Treasurer shall be informed of this fact.

AYES: 7                      NAYS: 0    MOTION CARRIED

DELINQUENT SEWER CHARGES AND PENALTIES.

Greenberg moved Sherbinow second that the list of delinquent sewer charges and penalties as received from the Deputy Clerk, be sent to the County of Marquette to be added to the 2002 tax roll.

CHOCOLAY TOWNSHIP DELINQUENT SEWER USERS 2002				
Name	Tax ID Number	Address	City, State, Zip	Amount Due
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	\$329.69
Jean Kantola	52-02-207-009-00	238 Corning Street	Mqt MI 49855	\$659.34
Jeffrey Johnston	52-02-215-003-00	120 East Fairbanks	Mqt MI 49855	\$329.69
Susan Racine	52-02-215-006-00	156 East Fairbanks	Mqt MI 49855	\$329.69
Walter Besola	52-02-305-038-00	168 East Main St	Mqt MI 49855	\$329.69
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	\$329.69
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$329.69
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$329.89
Robert Wilson	52-02-455-023-00	103 Juliet Street	Mqt MI 49855	\$115.50
Robert Wilson	52-02-455-025-00	111 Juliet Street	Mqt MI 49855	\$329.69
Mark Chudy	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$329.69
James Brugman	52-02-216-009-00	130 Kellog Street	Mqt MI 49855	\$79.69
Sharon Laurich	52-02-106-035-00	338 Reservoir Street	Mqt MI 49855	\$329.69
Steve Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$329.69
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$593.41
Wahlstrom Enterprise	52-02-107-007-00	5043 U S 41 South	Mqt MI 49855	\$8,940.92
Robert Vidlund	52-02-455-004-00	120 Veda Street	Mqt MI 49855	\$329.69
David Blackburn	52-02-106-032-00	232 Van Epps Street	Mqt MI 49855	\$329.69
Kevin Small	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	\$329.69
Dorianne Oberg	52-02-107-071-00	624 Willow Road	Mqt MI 49855	\$189.34
John Janofski	52-02-212-010-00	124 West Main Street	Mqt MI 49855	\$128.21
Joseph Stanaway	52-02-208-005-00	341 West Terrace St	Mqt MI 49855	\$323.58
Marilyn Kremer	52-02-208-003-00	371 West Terrace St	Mqt MI 49855	\$329.69
Kristine Dionne	52-02-106-043-00	110 West Wright PI	Mqt MI 49855	\$329.69
Michael Olli	52-02-210-012-00	371 West Wright PI	Mqt MI 49855	\$126.85

Total Delinquent Amount				\$16,432.08
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AYES: 7      NAYS: 0      MOTION CARRIED

**FIRE DEPARTMENT - MUTUAL AID AGREEMENT WITH MARQUETTE COUNTY RESCUE.**

Hill moved Sherbinow second that the Board approve the Mutual Aid Agreement with Marquette County Rescue as presented.

AYES: 7      NAYS: 0      MOTION CARRIED

**EQUIVALENT USER FEE FOR COMMUNITY CENTER.**

Greenberg moved Wiese second that the equivalent user factor be reduced to 0 for the Community Center effective July 1, 2002.

AYES: 7      NAYS: 0      MOTION CARRIED

**RESOLUTION AMENDING GENERAL FUND BUDGET FY2002 – AMENDMENT # 4 REIMBURSEMENT FOR POLICE DEPARTMENT SNOWMOBILE GRANT.**

Britton moved, Wiese second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October 15, 2001, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Capital Outlay 101.305.957	\$1,670.00	+\$1,675.00	\$3,345.31
REVENUE 101.698	\$36,390.38	+\$1,675.00	\$38,065.69

**ROLL CALL.**

AYES: Wiese, Britton, Greenberg, Sherbinow, Tabor, Hill, Fende.

NAYS: None.

MOTION CARRIED.

**BUDGET AMENDMENT - ELECTION CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #4- Election equipment reimbursement.**

Hill moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October 15, 2001, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Election Department Capital Improvement Fund 401.190.957	\$10,664.01	+\$780.00	\$11,444.01
REVENUE 401.698	\$14,441.76	+\$780.00	\$15,221.76

**ROLL CALL.**

AYES: Sherbinow, Tabor, Hill, Wiese, Britton, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

**INFORMATIONAL REPORTS AND COMMUNICATIONS.**

- A. Correspondence - Ski Hall of Fame - Re: Invitation
- B. Correspondence - Marquette County Emergency Management - Re: Storm of July 21, 2002
- C. Correspondence - Wernholm - Re: Thank you
- D. Information - Equalization - Re: Sales Ratio Adjustments
- E. Information - Police Department - Re: 2<sup>nd</sup> Quarter Statistical Report
- F. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:15 p.m.

\_\_\_\_\_  
Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk

November 11, 2002

A Regular meeting of the Chocolay Township Board was held on Monday, November 11, 2002 at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Lois Sherbinow, Don Britton, Matt Wiese.

ABSENT: Ken Tabor.

MINUTES –October 21, 2002.

Greenberg moved Britton second that the minutes of the Regular Meeting held on October 21, 2002 be approved.

AYES: 6      NAYS: 0      MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$16,755.82 checks numbered 10192 – 10256 are approved for payment.

AYES: 6      NAYS: 0      MOTION CARRIED.

PUBLIC COMMENT.

John Smith – Reserve time on 9A and B.

Dave Thomas – Reserve time on 9A.

Brian Crothers – Reserve time on 9A.

Mary Kaye Schaefer – Reserve time on 9A.

Bernadette Wallace – Reserve time on 9A.

Joe Holman – Reserve time on 9A.

Robert Taylor – Reserve time on 9A.

Goggi Schaub – Reserve time on 9A.

Jill Hoganson – Reserve time on 9A.

Bob Roshak – Reserve time on 9A.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - October 14, 2002
- 2) Zoning Board of Appeals - October 24, 2002
- 3) Community Center Committee - October 23, 2002
- 4) NMPSA - October 23, 2002
- 5) MCTA - September 25, 2002

SUPERVISOR'S REPORT.

1. Hockey Rink - The ice rink will be improved this year at the Lions Park as Marquette Junior Hockey has donated their old hockey rink boards to the Township which have been installed around the rink.
2. Mangum Road - Aside from a little bit of shoulder work, the Road Commission has completed the culverts and washout repairs on the reconstructed part of Mangum Road.
3. Assessing - Tina Fuller is now working full-time as our Assessor and has been working diligently on updating the computer assessing records.
4. Brush Drop Off - As evidence by the pile of brush behind the Township Hall, the fall brush drop off was utilized by a large number of residents. Any residents that would like the resultant wood chips are welcome to them.

REAFFIRM CHOCOLAY TOWNSHIP BOARD POSITION ON USE OF RAILROAD GRADE.

Supervisor Fende explained that since the DNR has taken action to use the Railroad Grade as a temporary snowmobile trail, the Township board should discuss their position on this.

Comments from the public:

John Smith – Wondered how many people attended the snowmobile meeting in downstairs room of the Garden Room? He indicated that the speaker said that it is legal to ride a sled on any road in the Township. If the snowmobiles can not go on the Railroad grade, they will go down Lakewood Lane. The Railroad grade could also be used for a biking and hiking trail in the summer (not in favor of motorized use in the summer). Not in favor of using Township tax dollars on a lawsuit against the State.

Dave Thomas – Snowmobiles pass 30 feet from his house and usually do not bother him, unless they go by late at night. Supports the DNR trail and is not in favor of using Township tax dollars on a lawsuit against the State. Let the residents do that. He stated that the police are ineffective in this issue.

Brian Crothers – Has lived on Riverside Road for 5 years. He is against the trail for health reasons. The 2-cycle engine exhaust is bad for people with asthma. The police can't enforce the snowmobile problem. The sleds that are made now are too fast and are gone before the police arrive on the scene. He is in favor of Township tax dollars being spent on a lawsuit against the State. Has the DNR done an impact study on putting this trail in?

Mary Kaye Schaefer – Is against a snowmobile trail going through Riverside Road. It is a residential area. She has lived here 30 years and favors the Township filing a lawsuit on behalf of the citizens on this issue.

Bernadette Wallace – Is concerned about the speed of snowmobiles. Why can't the snowmobilers build a bridge over the Chocolay and M-28? Is in favor of spending Township tax dollars on a lawsuit against the State.

Joe Holman – We are sacrificing decency for the sake of a dollar. Kids play, and adults ski and walk on Riverside Road. How can kids or animals get out of the way of snowmobiles going 60 – 70- miles per hour? Why can't the trail go down U S 41 behind the businesses in Harvey?

Robert Taylor - The sport of snowmobiling only lasts 3 – 4 months out of a year. Chocolay police should patrol the snowmobile trail. A curfew and speed limit could be set on the trail. 78 Decibels is the high end of snowmobile noise. There will be an economic impact without the East West trail being opened. He is against spending Township tax dollars on a lawsuit against the State.

Goggi Schaub - A snowmobile trail is good for the business in the area. Does not want to spend Township tax dollars on a lawsuit against the State.

Jill Hoganson – No one cares about the people that live near the Railroad grade. She is in favor of spending Township tax dollars on a lawsuit against the State.

Supervisor Fende - The Township is being branded as anti snowmobile. Four years ago the Township had a proposed snowmobile trail that did not go by a residential area. That was stopped by someone that was not involved with the proposed site. The Township was stopped from negotiating with property owners along the proposed trail. We have tried to talk with the DNR on this issue, but they did not want to talk with us. He measured some of the homes from the proposed trail and a few have bedrooms only 30 feet from the trail. This proposed trail would bypass all of the businesses in Chocolay. We have an obligation to the residents of Chocolay Township to protect the health and welfare of the citizens.

John Greenberg – What are our capabilities of policing the Railroad grade?

Chief Zyburt – When AT & T owned the railroad grade, they would not give our police permission to write tickets for snowmobiles on the grade. We spent 100 hours on snowmobile patrol last year. The police can not chase down a snowmobile; they must wait for the snowmobile to drive past them. We can not do much in the way of enforcement. There has to be a reason to stop a snowmobile. There are no speed regulations for snowmobiles, like there are for a car on the highway. A ticket can be written for careless driving. There is an 11:00 p.m. until 6:00 a.m. curfew for snowmobiles within 50 feet of a residence. This was later corrected to 12:00 a.m. until 6:00 a.m. and within 100 feet of a residence.

Don Britton - Chocolay police can enforce snowmobile infractions.

John Greenberg – Has an environmental impact study been done? Answer – no.

Fende moved Hill second that the Township Board reaffirm its 1997 and 1998 positions that the Chocolay Township Board is against motorized trail development on the Wisconsin Central Railroad grade through the residential areas of the Township.

Roll Call.

AYE: Sherbinow, Hill, Fende, Greenberg, Wiese.

NAY: Britton

ABSENT: Tabor

Motion Carried.

Hill moved, Sherbinow second, that the Township Board request that the County Commission reaffirm its March 1999 position to the DNR as to the grade abutting residential areas being limited to non-motorized uses and to support efforts to avoid such residential areas and utilize a route that would still achieve the DNR's goal to provide an east to west snowmobile trail across the Upper Peninsula.

Roll Call.

AYE: Greenberg, Wiese, Fende, Sherbinow, Hill.

NAY: Britton

ABSENT: Tabor

Motion Carried.

**COMMUNITY CENTER MILLAGE ELECTION RESULTS/DISPOSITION.**

Supervisor Fende explained to the Board that he does not want a decision tonight. We will not go back to the citizens again with a millage request for the community center. Citizens have stated that they do not want additional millage for the Center operation. After the center has been running close to a year, we will know the real cost vs. revenue. We will continue to check into grant money. The Board should use this year to think about:

- ◆ Selling the Township office complex.
- ◆ Use the money to renovate the center into some office space.
- ◆ Build a new fire hall.
- ◆ Selling the Community Center.

We will get estimates on the work that would need to be done and decide if it would be feasible. We will do a survey with at least three questions:

- Do people want the Township Board meetings televised at Township expense?
- Do people want a community center if it is not funded by additional millage?
- Do people favor a snowmobile trail through a residential area of Chocolay Township?

Clerk Hill – We need to look at other ways to fund the community center.

A citizen asked if the money designated for a community center would be set aside upon the sale of the building? Treasurer Greenberg responded that if we decide to sell the building, we should keep the community center open until the sale. It is easier to sell a building in use rather than a vacant one. If the building is sold the money could be put back into capital improvements building or offset the cost of running the community center for the first year.

**APPOINTMENT OF ZONING ADMINISTRATOR.**

Hill moved Wiese second that Randy Yelle be appointed as the Township Zoning and Floodplain Administrator.

AYES: 6      NAYS: 0

MOTION CARRIED.

**BUDGET AMENDMENT – GENERAL FUND BUDGET AMENDMENT #5- REIMBURSEMENT FOR TRAFFIC GRANTS.**

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 15, 2001, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Salary			
101.305.702	\$181,729.00	+\$2,077.69	\$183,806.69
REVENUE	PREVIOUS	CHANGE	AMENDED
101.698	\$38,065.31	+\$2,077.69	\$40,143.00

ROLL CALL.

AYES: Sherbinow, Hill, Wiese, Britton, Greenberg, Fende.

NAYS: None.

ABSENT: Tabor.

MOTION CARRIED.

**MCTA RECOMMENDED RESOLUTION – KAMEHAMEHA PROPERTY.**

Hill moved Sherbinow second that Whereas, on July 27, 2002 the Kamehameha Schools announced their intention to sell their land holdings which total 390,000 acres of land in ten Upper Peninsula Counties, and

Whereas, most of the land is forested and currently timbered using sustainable forest practices. And, within the land there are over 160 underdeveloped inland lakes; 20 miles of major rivers; 250 miles of secondary rivers, significant Lake Superior shoreline and key buffers along the Porcupine Mountain Wilderness State Park, the Pictured Rocks National Lake Shore, and land along Michigan Natural and National Scenic Rivers, and

Whereas the Kamehameha Schools lands represent 10% of the forest production in the UP and 5% of all timber in Michigan and

Whereas, these lands are an important pulp mill supplier for both International Paper and Mead Westvaco and a critical supplier for 10 sawmills in the UP and the UP timber industry is valued at more that \$3 billion per year and provides 10,000 jobs in support of working families across the UP, and

Whereas, public recreation on commercial forestland significantly increases the contribution the land makes to the local economy. According to a review by Public Sector Consultants tourism on private forestlands in the UP adds an additional 40,000 jobs to the local economy. And the Kamehameha Schools lands are not only open to the public for hunting and fishing through the Commercial Forest Act but they also include miles of snowmobile trails.

Whereas, the people of the Upper Peninsula resist fragmentation of property and they value uses that support their core industries of tourism and timber, and their family recreational opportunities and their personal access to the land,

Now Therefore Be It Resolved,

That the Township of Chocoy is in support of a private and public venture to acquire the land involved the State of Michigan and The Nature Conservancy, We believe that the partnership model of mixing public and private funds to purchase a working forest easement will support key aims of:

- Keeping land in private ownership and paying local property taxes
- Insuring permanent, public access through nearly all of the land through a working forest easement
- Providing permanent protection for the working forestlands
- Supporting critical protected cores around the natural areas most important to conservation and recreation, such as river corridors and headwaters
- Having a timber investor to acquire the working forestland and manage the land for economic value and sustainable timber flow.

AYES: 6

NAYS: 0

MOTION CARRIED.

Clerk Hill – Received a call from a Boy Scout looking for a Board member to explain what a Township Board does. Trustee Wiese volunteered to do this.

**INFORMATIONAL REPORTS AND COMMUNICATIONS.**

- A. Memorandum - Hill to Board - Re: Clerk Department Activity
- B. Correspondence - County Solid Waste Management Authority - Re: DEQ
- C. Correspondence - Department of Corrections to Police Dept. - Re: Thank you
- D. Correspondence - Planning Commission to Ledebuhr, et. al. - Re: Thank you
- E. Information - Marquette County Road Commission - Re: Contacts/Projects/Budget
- F. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:10 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk





MEETING DATES 2002.

Hill moved Greenberg second that the Charter Township of Chocoday Board set the following dates for the Boards and Commissions of the Township and that it be published as required by law.

AYES: 7      NAYS: 0      MOTION CARRIED.

CHOCOLAY TOWNSHIP BOARD-7: 00 p.m.

JANUARY 20, 2003	JULY 21, 2003
FEBRUARY 17, 2003	AUGUST 18, 2003
MARCH 17, 2003	SEPTEMBER 15, 2003
APRIL 21, 2003	OCTOBER 20, 2003
MAY 19, 2003	NOVEMBER 10, 2003
JUNE 16, 2003	DECEMBER 15, 2003

PLANNING COMMISSION-7: 30 p.m.

JANUARY 13, 2003	JULY 14, 2003
FEBRUARY 10, 2003	AUGUST 11, 2003
MARCH 10, 2003	SEPTEMBER 8, 2003
APRIL 14, 2003	OCTOBER 13, 2003
MAY 12, 2003	NOVEMBER 3, 2003
JUNE 2, 2003	DECEMBER 8, 2003

ZONING BOARD OF APPEALS-7: 30 p.m.

JANUARY 23, 2003	JULY 24, 2003
FEBRUARY 27, 2003	AUGUST 28, 2003
MARCH 27, 2003	SEPTEMBER 25, 2003
APRIL 24, 2003	OCTOBER 23, 2003
MAY 22, 2003	NOVEMBER 20, 2003
JUNE 26, 2003	DECEMBER 18, 2003

VOLUNTEER FIRE DEPARTMENT:

MEMBER- 2ND THURSDAY-7: 00 PM-Business  
3RD & 4TH THURSDAY-7: 00 PM-Training  
FIRE DEPARTMENT MEETINGS AT FIRE HALL

COMMUNITY CENTER COMMITTEE-7: 00 p.m.

JANUARY 22, 2003	JULY 23, 2003
FEBRUARY 26, 2003	AUGUST 27, 2003
MARCH 26, 2003	SEPTEMBER 24, 2003
APRIL 23, 2003	OCTOBER 22, 2003
MAY 28, 2003	NOVEMBER 19, 2003
JUNE 25, 2003	

JOINT BOARD/PLANNING COMMISSION MEETING.

Greenberg moved Tabor second that a joint Township Board and Planning Commission meeting be scheduled and advertised for Monday, January 13, 2003 at 7:30 p.m.

AYES: 7      NAYS: 0      MOTION CARRIED.

PUBLICATION OF HEARING/AMENDMENTS ON TRAFFIC CODE ORDINANCE.

Sherbinow moved Tabor second to schedule a Public Hearing on January 20, 2003 to take public comment and consider adoption of proposed Ordinance#38 Adopting by Reference the Michigan Vehicle Code and Part 821 324.82101 to 324.82160 of the Natural Resources and Environmental Protection Act (Act 451 of 1994).

AYES: 7      NAYS: 0      MOTION CARRIED.

Wiese moved Tabor second that a public hearing be scheduled for January 20, 2003 to take public comment and consider re-adoption of the revised Uniform Traffic Code for Ordinance #38.

AYES: 7      NAYS: 0      MOTION CARRIED.

BOARD, COMMITTEE AND COMMISSION APPOINTMENTS.

Hill moved Sherbinow second that Ivan Fende be re-appointed to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2003 to December 31, 2003.

AYES: 7      NAYS: 0      MOTION CARRIED.

Sherbinow moved Britton second that Denny Magadanz be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2003 to December 31, 2003.

AYES: 7      NAYS: 0      MOTION CARRIED.

Greenberg moved Hill second that Doug Riley be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2003 to December 31, 2003.

AYES: 7      NAYS: 0      MOTION CARRIED.

Greenberg moved Sherbinow second that Cathy Phelps be appointed to the Personnel Committee for a term to run from January 1, 2003 to December 31, 2003.

AYES: 7      NAYS: 0      MOTION CARRIED.

Hill moved Greenberg second that Denny Magadanz be appointed to the Personnel Committee for a term to run from January 1, 2003 to December 31, 2003.

AYES: 7      NAYS: 0      MOTION CARRIED.

Sherbinow moved Britton second that John Greenberg be re-appointed to the Personnel Committee for a term to run from January 1, 2003 to December 31, 2004.

AYES: 7      NAYS: 0      MOTION CARRIED.

Tabor moved Greenberg second that Denny Magadanz be re-appointed to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2003 to December 31, 2003.

AYES: 7      NAYS: 0      MOTION CARRIED.

Hill moved Britton that Doug Riley be re-appointed to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2003 to December 31, 2003.

AYES: 7      NAYS: 0      MOTION CARRIED.

Greenberg moved Wiese second that Robert Pecotte, Steven Sanderson and Dennis Hickey be appointed to the Board of Review for terms to run from January 1, 2003 to December 31, 2004.

AYES: 7      NAYS: 0      MOTION CARRIED.

Hill moved Sherbinow second that Michael Summers be re-appointed to the Pension Committee for a term to run from January 1, 2003 to December 31, 2008.

AYES: 7      NAYS: 0      MOTION CARRIED.

#### CAPITAL EXPENDITURES.

Hill moved Wiese second that \$2,696.00 be spent from the Clerk Department in the Capital Improvements Fund – 401.215.957 for the purchase of two computers, monitors and keyboards.

ROLL CALL.

AYES: Sherbinow, Hill, Tabor, Wiese, Britton, Greenberg, Fende.

NAYS: None.      MOTION CARRIED.

Britton moved Tabor second to expend \$1,299.00 from 401.265.957 Township Hall and Grounds Capital Improvements to purchase a snowblower.

ROLL CALL.

AYES: Wiese, Britton, Greenberg, Sherbinow, Tabor, Hill, Fende.

NAYS: None.      MOTION CARRIED.

Hill moved Sherbinow second that \$670.00 be spent from the Assessing Department in the Capital Improvements Fund 401.202.957 for the purchase of the Apex Sketching Program.

ROLL CALL.

AYES: Sherbinow, Hill, Tabor, Wiese, Britton, Greenberg, Fende.

NAYS: None.      MOTION CARRIED.

Britton moved Sherbinow second that the Clerk, Treasurer and Supervisor be authorized to make a decision on the 800 Mhz radio purchase for the police and the fire departments from the Capital Improvements Fund.

AYES: 7      NAYS: 0      MOTION CARRIED.

#### RESOLUTION AMENDING GENERAL FUND BUDGET FY 2002 - AMENDMENT NO. 6 – REIMBURSEMENT FOR BULLETPROOF VEST.

Greenberg moved Hill second that whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 15, 2001, for the next fiscal year, and, whereas, as a result of unanticipated changes in the revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, now therefore, be it hereby resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Uniforms			
101.305.745	\$5,185.00	+ \$410.00	\$5,595.00

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.9698	\$40,143.00	+\$410.00	\$40,553.00

ROLL CALL.

AYES: Sherbinow, Hill, Tabor, Wiese, Britton, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2002 - AMENDMENT NO. 7 -  
TOWNSHIP BOARD – LEGAL FEES

Greenberg moved Hill second that whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 15, 2001, for the next fiscal year, and, whereas, as a result of unanticipated changes in the revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, now therefore, be it hereby resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Township Board Legal Fees 101.103.826	\$12,000.00	+ \$16,000.00	\$28,000.00

Other General Gov. Contingency 101.285.951	PREVIOUS	CHANGE	AMENDED
	\$26,211.00	- \$16,000.00	\$10,211.00

ROLL CALL.

AYES: Wiese, Greenberg, Sherbinow, Tabor, Hill, Fende.

NAYS: Britton.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY2002 AMENDMENT  
# 5 FOR BEAVER GROVE GRANT AND #6 FOR BROWER PROPERTY.

Greenberg moved, Wiese second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October 15, 2001, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Recreation Capital Outlay 401.708.957	\$49,347.75	+\$37,669.55	\$87,017.30

REVENUE	PREVIOUS	CHANGE	AMENDED
401.698	\$15,221.76	+\$37,669.55	\$52,891.31

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Recreation Capital Outlay 401.708.957	\$87,017.30	+2,453.94	\$89,471.24

REVENUE	PREVIOUS	CHANGE	AMENDED
401.698	\$52,891.31	+2,453.94	\$55,345.25

ROLL CALL.

AYES: Hill, Sherbinow, Tabor, Wiese, Britton, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY2002 AMENDMENT  
NO.7 – POLICE TRAINING FUNDS – STATE OF MICHIGAN.

Greenberg moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October 15, 2001, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training Capital Outlay 401.306.957	\$2,843.41	+\$466.16	\$3,309.57

REVENUE	PREVIOUS	CHANGE	AMENDED
401.698	\$55,345.25	+466.16	\$55,811.41

ROLL CALL.

AYES: Wiese, Britton, Greenberg, Sherbinow, Tabor, Hill, Fende.

NAYS: MOTION CARRIED.

SEWER FUND FY2002 – BUDGET AMENDMENT NO. 1 – EMERGENCY PUMP AND GENERATOR.

Tabor moved Sherbinow second that whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated sewer fund receipts within the Township on October 15, 2001, for the next fiscal year, and, whereas, as a result of unanticipated changes in the revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, now therefore, be it hereby resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Repair & Maintenance			
571.930	\$4,095.00	+ \$1,100.00	\$5,195.00

	PREVIOUS	CHANGE	AMENDED
Contingency			
571.951	\$22,417.00	- \$1,100.00	\$21,317.00

ROLL CALL.

AYES: Wiese, Britton, Greenberg, Sherbinow, Tabor, Hill, Fende.

NAYS: MOTION CARRIED.

Hill moved Sherbinow second to go into closed session at 8:15 p.m. to discuss property sale/purchase.

ROLL CALL.

AYES: Greenberg, Wiese, Britton, Sherbinow, Tabor, Hill, Fende.

NAYS:None. MOTION CARRIED.

Hill moved Tabor second to come out of closed session.

ROLL CALL.

AYES: Hill, Sherbinow, Tabor, Wiese, Britton, Greenberg, Fende.

NAYS: None. MOTION CARRIED.

Britton moved Tabor second that the Supervisor, Clerk and Treasurer be authorized to continue to negotiate toward sale of property.

AYES: 7 NAYS: 0 MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - MDEQ to Snooks - Re: Coastal Management Grant
- B. Correspondence - Moosewood Nature Center - Re: Activities/Funding
- C. Correspondence - Johnson and O'Connell - Re: Complaints
- D. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:55 p.m.

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Arlene E. Hill, CMC  
Township Clerk

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Mary L. Sanders, CMC  
Deputy Clerk