

JANUARY 19, 2006

A Regular meeting of the Chocolay Township Board was held on Thursday, January 19, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the PUBLIC HEARING to order at 7:00 p.m.

PUBLIC HEARING – ORDINANCE #56 – SNOWMOBILES.

PUBLIC COMMENT:

- Has Chocolay Township checked with Lansing on the legality of this ordinance?
- Is this ordinance just for the designated trail or the entire Township?
- This ordinance is contrary to what the Township stated they wanted for the trail at the Cherry Creek School meeting.
- We need the speed limit on the snowmobile trail. How many people will be on the trail enforcing the speed limit?
- Glad to see a specific speed limit marked on the trail. Against the ordinance because anyone not living in the Township will not know so slow down to forward momentum after 10:00 pm.
- The 35 mph speed limit will help with the noise problem.
- Does not feel that the Township ordinance can supersede the State law.
- The speed limit is working so far.
- In favor of the ordinance, but does not know how the Township could enforce it.
- The snowmobile trail is beneficial to the Township.
- The Township and DNR should put buffers up along the trail.
- ATV's are on the trail in the summer and are not allowed by law.
- The DNR would not give Chocolay residents a voice on the trail; Chocolay Township Board has given their residents a voice.
- We have tried to get a trail through the business route in Chocolay Township. Against the ordinance; the 35 mph speed limit is enough.

BOARD COMMENTS:

The Township Board was working on a business route for snowmobiles years ago and a private citizen put a stop to it. The Board is still looking for a way to put in a business route. The wording for this ordinance was received from the Michigan Township Association. Some minor changes were made to the ordinance. The Township has been asking the DNR for a speed limit since the trail was put in and they put the speed limit signs up the week before we were going to discuss adoption of the snowmobile ordinance.

The public Hearing closed at 7:40 and the Regular Meeting was opened. Item IX. E. Presentation – Senior Services Transition Board was moved up to the first business item on the agenda.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.
ABSENT: None.

STAFF PRESENT: Mary Sanders, Dennis Stachewicz, Martin Caceres, Greg Zyburt.

MINUTES –December 19, 2005.

Trudeau moved, Greenberg second that the minutes of the regular meeting held on December 19, 2005 are approved as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Britton second that bills totaling \$9258.77 checks numbered 12696– 12720 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trudeau moved, Maki second that bills totaling \$51,878.65 checks numbered 12721– 12731 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

Joe Holman – Lansing may be able to help the Township with a snowmobile business route.

PRESENTATION - SENIOR SERVICES TRANSITION BOARD.

Dave Thomas reported to the board the recommendations of the Marquette Senior Center Transition Board. He also presented the Interlocal Agreement for Creation of Senior Center Commission.

ORDINANCE #56 – SNOWMOBILES.

Hill moved, Greenberg second to take no action with the snowmobile ordinance until we see how the 35 mph speed limit works on the snowmobile trail through Chocolay Township.

ROLL CALL:

AYES: Trudeau, Britton, Greenberg, Hill, Maki, Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

ANNUAL APPOINTMENTS.

Hill moved, Britton second that Thomas Thomas be re-appointed to the Utility Review Committee for a term to run from January 1, 2006 to December 31, 2009 (Four year term).

AYES: 7 NAYS: 0

MOTION CARRIED.

Seppanen moved, Maki second that Albert Denton be appointed to the Planning Commission effective January 20, 2006 as a replacement for Mike LaPointe for term that expires on May 24, 2007.

AYES: 7 NAYS: 0

MOTION CARRIED.

Trudeau moved, Britton second that Joy Verlinden be appointed to the Zoning Board of Appeals effective January 20, 2006 as a replacement for Al Denton for a term that expires in May 1, 2006.

AYES: 7 NAYS: 0

MOTION CARRIED.

Tabor moved, Greenberg second that Al Denton be appointed as the Planning Commission Liaison to the Zoning Board of Appeals effective January 20, 2006 for a term that expires on May 24, 2007.

AYES: 7 NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 12/05/05
- 2) NMPSA Minutes – 12/14/05

SUPERVISORS REPORT.

Road Commission – I meet with Jim Iwanicki to discuss several matters including the final billing for West Main and Silver Creek. He listened to the concerns and questions from Martin, Dennis, Don, and me. He stated that their ability to make roads is very inefficient and that is reflected in the final bill. We brought up specific concern in regards to several line items and also about the quality of the job. The Road Commission staff will be having a meeting to review our bill within the next several weeks and they will be getting back to us about our cost and our quality control concerns.

Jim did agree with Greg Z. and me on the short sighted distance on Green Bay Street intersection with Main Street. We will be working with the Road Commission to see if we can have the appropriate signage installed to lower the speed limit and to warn the vehicle operators.

Jim will also work with the DNR when the engineers look at modifying the snowmobile trail at the Riverside/Lakewood Lane area to make the intersection safer for all.

2. Adjacent Property – We asked Jim if it was possible to use the right of way that the Road Commission has to move our entrance to the Township parking lot further from the intersection. Dennis thinks we might be able to gain 25 or 30 feet by doing this. Jim stated that it can be done but we will need the permission of our neighbor. We will be contacting them again to see if there is way to make our entrance safer to the public.

3. KBIC 2% - We are still looking to have a meeting with the department heads to discuss the allocation of the small check from the tribe.

4. Township Hall Remodeling – John Trudeau, staff, and I met to help plan our next forward step to address the space needs of the Township Hall. It was agreed that staff would have prepared a RFP toward a conceptual design, or as John said “programming”, of the project. It should be ready to present to you at our next board meeting.

FY2006 FEE SCHEDULE.

Trudeau moved, Tabor second that

WHEREAS, the Township is desirous of restating, adding or revising its various charge for services; and

WHEREAS, the Township has reviewed operations and expenses associated with said services; and

NOW THEREFORE BE IT RESOLVED that the charges for services shall be established as follows:

Police Department

Copies of Accident Reports	\$5.00 ea.
Copies of Incident Reports	\$5.00 ea.
Local Record Check	\$5.00
Fingerprinting	\$5.00
PBT	\$3.00
Non-Sufficient Checks	\$20.00
Kennel Inspections	\$40.00
Liquor License Inspections	\$25.00

New/Liquor License Inspections	\$100.00
Video Copies	\$50.00 ea.
False Alarm Calls	\$100.00 (on fourth and subsequent calls per year)
<u>Fire Department</u>	
False Alarm Calls	\$100.00 plus personnel costs (on 2 nd and subsequent calls per year)
Hazardous Material Incidents	\$ Per itemized invoice

Department of Public Works

Garbage Tags	\$1.65 ea.
Restricted Haulers Agreements	\$3.00 ea.

Assessing

Property Transfer Affidavits (Charge to County)	\$30.00
Personal Property Valuations (Charge to County)	\$32.00
Land Division Applications	\$50.00 per application
Lot Split Applications	\$50.00 per application
Address Labels	.10 per label or .50 per envelope
Faxes to Appraisal Companies	1.00 per page

Zoning/Planning

Copy of Zoning Ordinance	\$25.00
Copy of Comprehensive Plan	\$65.00
Zoning Compliance Permit (Residential)	\$25.00
Zoning Compliance Permit (Commercial)	\$50.00
Conditional Use Permit	\$250.00
Variance	\$250.00
Nonconforming Use Permit	\$250.00
Rezoning	\$375.00
Site Plan Review	\$125.00
Private Roads	\$250.00
Plats (per plat application/step)	\$400.00
Site Condominiums	\$400.00
PUD - Site Plan	\$375.00
Zoning/Land Division Appeal	\$250.00

Clerks

Voting Labels	.015 per label
Voting List (on disk or e-mail)	\$30.00
Voting List (on paper)	.15 per page
Freedom of Information Copying	.15 per page (copying)
Freedom of Information Research	Per hour charge of lowest paid office staff (by law)
General Copy Charge	.15 per page
Certified Copies of Documents	\$3.00 per page

Passports

All ages	\$30.00 (plus U.S. Dept. of State fee)
Passport Photos	\$10.00

Miscellaneous

Special Meeting Requests	\$400.00
Meeting Room Use	\$10.00 per day
Meeting Room Use (Annual/1 day per week)	\$100.00

ROLL CALL:

AYES: Hill, Maki, Tabor, Trudeau, Britton, Greenberg, Seppanen.
 NAYS: None. MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2005 – AMENDMENT NO. 10 – REIMBURSEMENT FOR NOVEMBER GENERAL ELECTION.

Hill moved, Trudeau seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 13, 2004, 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:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$55,673.29	+\$1,594.88	\$57,268.17

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Election Department Salaries 101.190.710	2,980.00	+\$975.00	\$3,955.00
Election Department Miscellaneous 101.190.956	+ \$250.00	\$619.88	\$869.88

ROLL CALL:

AYES: Trudeau, Britton, Greenberg, Hill, Maki, Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

ZONING ORDINANCE UPDATE – RFP REVIEW.

Hill moved, Tabor second to authorize the Planning Commission to move forward with the RFP to begin the process of updating the zoning ordinance.

AYES: 7 NAYS: 0

MOTION CARRIED.

UTILITY REVIEW COMMITTEE.

Tom Thomas will be on the February agenda to update the Board on the activities of the Utility Review Committee.

PUBLIC COMMENT.

Joe Holman – The snowmobile ordinance should have been adopted tonight. The Township Board should not have changed their minds. The whole state was looking at what Chocoday Board was going to do with the ordinance.

Trustee Trudeau – Saw an article in the Mining Journal on a proposed pedestrian tunnel to replace the overpass in Harvey. He feels that the Board should have been informed before the article went into the paper.

Supervisor Seppanen stated that we did not know that the article was going to be printed until we saw it in the paper. This is a proposed MDOT grant.

Trustee Maki – Did not change his mind tonight on the snowmobile ordinance. His mind was changed the day the DNR put the speed limit signs up.

Trustee Britton – We need community support to accomplish a good working snowmobile trail.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Mark Maki to Township Board
- B. Information – MTA Legislative Updates

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

FEBRUARY 20, 2006

A Regular meeting of the Chocolay Township Board was held on Monday February 20, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Dan Maki.
ABSENT: Ken Tabor.

STAFF PRESENT: Mary Sanders, Dennis Stachewicz, Martin Caceres, Tom Murray.

MINUTES –January 19, 2006.

Greenberg moved, Trudeau second that the minutes of the regular meeting held on January 19, 2006 are approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$25,932.11 checks numbered 12732– 12770 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Britton moved, Maki second that bills totaling \$25,673.13 checks numbered 12771– 12813 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Britton second that bills totaling \$33,400.54 checks numbered 12814– 12843 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 01/09/06
- 2) NMPSA Minutes – 01/18/06
- 3) CABA Minutes – 12/14/05

SUPERVISORS REPORT.

1. Business Spur – snowmobile trail – Dennis and I met with Tom Casperson, Representative 108th District, this morning to elicit his support for funding of a snowmobile business spur. This would have the benefit of reducing the traffic through the residential portion of the trail and bring more of the traffic to our business section of Harvey.
2. KBIC 2% - We are still looking to have a meeting with the department heads to discuss the allocation of the small check from the tribe.
3. Job Descriptions – The job descriptions are done and the personnel committee will be meeting at the end of the month to review the information. Barring any surprises, I would expect that we will see the recommendations at our March meeting.
4. Landfill Authority – I had a call from the Director of the Landfill that I had indicated that the tag increase for this year was partially due to the fact that the landfill would be increasing their tipping fees. He indicated that no such decision has yet been made to that effect. I did apologize and stated that I should have stated that it was an anticipated increase and we would correct it on any communication that we have with the public. I asked him if he would assure me that the authority would not increase the tipping fee and he stated that he could not promise that at all. We do know that their expenses are up and that they will in all likelihood have to be making decisions that will have an impact on our residents cost of land filling our waste.

RESOLUTION OF APPRECIATION – ARLENE HILL.

Seppanen moved Trudeau second that the following resolution be adopted

WHEREAS, Arlene Hill has been elected President of the Michigan Townships Association; and

WHEREAS, Arlene has been an outstanding member of the Charter Township of Chocolay Board and served in the capacity of Township Clerk for more than 20 years; and

WHEREAS, Arlene has served not only the residents of Chocolay Township, but also the residents of Townships from across the entire Upper Peninsula as an Executive Board member for the Michigan Townships Association ; and

WHEREAS, Arlene will continue to represent Chocolay Township and also all of the Townships in the State of Michigan; Now Therefore Be It Hereby

RESOLVED, That the Charter Township of Chocolay recognizes Arlene Hill as an outstanding citizen of the Charter Township of Chocolay and presents her with this resolution of appreciation for a job well done.

AYES: 6 NAYS: 0 MOTION CARRIED.

RESOLUTION OF APPRECIATION – MIKE LAPOINTE.

Britton moved Hill second that the following resolution be adopted

WHEREAS, Mike LaPointe has served 14 years on the Charter Township of Chocolay Planning Commission; and

WHEREAS, Mike’s dedication and input on the update to the Chocolay Township Comprehensive Plan and other projects have had a positive impact on the development of the community; and

WHEREAS, Mike’s sound reasoning and judgment have built respect for the Chocolay Township Planning Commission; Now Therefore Be It Hereby

RESOLVED, That the Charter Township of Chocolay recognizes Michael LaPointe as an outstanding citizen of the Charter Township of Chocolay and presents him with this resolution of appreciation for a job well done.

AYES: 6 NAYS: 0 MOTION CARRIED.

RESOLUTION – SENIOR CENTER TASK FORCE

Britton moved Trudeau second that the following resolution be adopted

WHEREAS, The Marquette Senior Center Transition Board has been meeting to review the operations of the Marquette Senior Center; and

WHEREAS, The goal in mind is that the area senior citizens should be afforded the best possible core services and programs that can be provided at the most reasonable cost to the taxpayers; Now Therefore Be It Hereby

RESOLVED, That the Charter Township of Chocolay Board requests that the Marquette County Board appoint a grass roots task force, without third party administration, consisting of the following: one representative from the Commission on Aging, one representative from each Marquette County Senior Center, and one representative from each local City and Township. The purpose of the task force would be to address and report back within one year a priority of services and programs for seniors and the possible formation of a County-wide senior authority.

The Charter Township of Chocolay Board also requests that the senior millage to be voted on in 2006 be for two years in order to avoid the costs of a special election in the future.

AYES: 6 NAYS: 0 MOTION CARRIED.

PRESENTATION – JIM IWANICKI – MCRC PROPOSED MILLAGE.

Jim Iwaniki from the Marquette County Road Commission discussed a proposed state wide gas tax increase with the Board. The current state gas tax is .19 and diesel is .15. There is a lack of funding statewide for roads in Michigan. The Township Board will discuss this at a later meeting, but took no action at this time.

Jim Iwaniki also presented to the Board a request for a Board resolution to allow the electorate to vote on a county wide road millage. The County Road Commission is working toward getting out of road construction and only doing road maintenance and snow removal. The Board agreed to pass the resolution to allow the electorate to make the decision on road millage.

Trudeau moved Maki second that

Whereas, It is and has been obvious for many years that the Michigan Transportation Fund does not provide adequate funding for the local road system and there appears to be no additional funding in the future, and

Whereas, there is a need to preserve our local roads, and

Whereas, the Marquette County Board of Commissioners has the authority to conduct an election asking the voters of Marquette County for a road preservation millage, and

Whereas, a county wide millage would not only benefit the Marquette County Road Commission but also the cities of Marquette, Negaunee and Ishpeming, and

Whereas, this millage would include monies from all ad-valorem, personal property and specific ore revenues, and

Whereas, any revenues raised by this millage will be spend on each local unit of governments roads based on their SEV/Taxable value within the length of the voted millage unless otherwise agreed, and

Whereas, the future of our local roads is dependent on raising additional revenue.

Therefore, Be It Resolved that the Chocolay Township Board requests the Marquette County Board of commissioners prepare the proper ballot language and submit to the electors of Marquette County the proposed one mill county wide road preservation program.

AYES: 6 NAYS: 0 MOTION CARRIED.

PRESENTATION – STEVE LINDBERG.

Steve Lindberg introduced himself to the Board. He is running for State Representative in the 109th District.

PRESENTATION – TOM THOMAS – UTILITY REVIEW COMMITTEE AUDIT.

Tom Thomas presented the Utility Review Committee audit done by Houle and Associates, P.C. Mr. Thomas also gave a brief history on the origin of this committee and legal defense fund dating back to the 1980’s when the Townships sued the City of Marquette Board of Light and Power over electric rates. This case went to the Supreme Court and was won by the townships. The Utility Review Committee was formed at that time. They have an account for future legal issues, the balance in that account is currently just over \$100,000.00. This committee continues to monitor utility rates.

CONSIDER – PRELIMINARY PLAN FOR SPRINGWOOD SITE CONDOMINIUM.

Trudeau moved, Greenberg second, that as recommend by the Planning Commission, the Township Board approves the preliminary plan for the Springwood Site Condominium Project as presented with the following conditions:

1. The area within Unit #7 that is identified as being located in a “Zone A” Flood Hazard Area per the “Preliminary Site Layout” shall not be considered “buildable” area and shall be recorded as such on the Master Deed for the Springwood Site Condominium; and
2. Units #1, #2, #6, and #7 shall not have access to State Highway M-28 and shall be recorded as such on the Master Deed for the Springwood Site Condominium; and
3. Construction of a private road, which requires separate approval, prior to the submission of a final site plan shall be allowed; and
4. The development shall comply with the submittal requirements of Section 525 of Zoning Ordinance 60 and Condominium Act 59 for the final Condominium Plans.

AYES: 6 NAYS: 0 MOTION CARRIED.

CONSIDER – PRIVATE ROAD #21 – SPRINGWOOD TRAIL.

Greenberg moved, Britton second, that the Chocolay Township Board concurs with the Planning Commission recommendation to approve Private Road request #21 from Eric Keough under Section 402 of Zoning Ordinance #34 as presented with the following conditions (in this case the word “applicant” means Eric Keough):

- 1) The applicant shall allow access to township vehicles as well as other public/private utility companies to provide services; and
- 2) A covenant shall be established on the deeds for any parcels created off from this private road identifying the private road status and which reference the Declaration of Private Road Easement which must be fully executed and reflected in the Master Deed for the Springwood Site Condominium; and

- 3) The applicant shall pay for and install road signs identifying the approved name of the private road at the intersections with Autumn Trail and M-28; and
- 4) The applicant pay for and install stops signs at the intersections with Autumn Trail and M-28; and
- 5) The applicant shall obtain a driveway permit from the Michigan Department of Transportation; and
- 6) The applicant is required to provide certification from a surveyor/engineer that the private road standards of the Zoning Ordinance have been achieved at the conclusion of construction; and
- 7) A zoning compliance permit shall not be issued until all of the above conditions are met; and
- 8) Site Condominium approval is required from the Township Board for the creation of individual parcels off from the road and may require the modification of the lots as shown; and
- 9) The applicant shall comply with the conditions and requirements of all other agency regulations; and
- 10) The applicant is encouraged obtain Marquette County Health Department review of well and septic considerations for any proposed lots prior to road construction.

AYES: 6 NAYS: 0 MOTION CARRIED.

CONSIDER – MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION.

Hill moved Britton second that the Community Development Coordinator submits a grant application, not to exceed \$ 55,596.00 to the Department of Natural Resources for a MNRTF grant to develop the Silver Creek Recreation Area. If the application is successful the township agrees to provide the required match of funds and force account labor.

AYES: 6 NAYS: 0 MOTION CARRIED.

CONSIDER – WASTEWATER FUND EXPENDITURE – SEWER DEPARTMENT TRUCK REPLACEMENT.

Greenberg moved Hill second to accept the bid from Frei Chevrolet for a 2006 ¾ Ton Pick Up with a four way plow (price includes a trade in 1998 pick up) in the amount of \$18,314.13 to be taken from account #571.957.

ROLL CALL.

AYES: Maki, Hill, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

CONSIDER – REDUCTION OF WASTEWATER FEES – 133 CARMEN DRIVE.

Greenberg moved Maki second that under Ordinance #39-9-D-2a the sewer bill for the building located at 133 Carmen Drive be reduced to 1 equivalent user until the building it is sold or occupied.

AYES: 6 NAYS: 0 MOTION CARRIED.

CONSIDER – RFP FOR ARCHITECT SERVICES - MUNICIPAL COMPLEX PROGRAMMING PLAN.

Britton moved Greenberg second to accept the RFP and authorize the distribution of the RFP to prospective architects and firms.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Adam Westhouse, reporter from the Mining Journal introduced himself to the Board.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Information – Notice of Information Meeting – Marquette Area Wastewater Treatment Facility Improvements
- B. Information – MTA Legislative Updates

There being no further business, Supervisor Seppanen adjourned the meeting at 9:00 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

March 27, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, March 27, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m. Item H. under new business added to the agenda - Local control of cable franchise.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor.

ABSENT: Dan Maki.

STAFF PRESENT: Dennis Stachewicz, Martin Caceres, Tom Murray, Gary Johnson.

MINUTES –February 20, 2006.

Greenberg moved, Britton second that the minutes of the regular meeting held on February 20, 2006 are approved as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$22,418.34 checks numbered 12844– 12886 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 02/13/06
- 2) NMPSA Minutes – 02/22/06

SUPERVISORS REPORT.

1. Business Spur – recreational trail – We have had several follow-up meetings with Senator Prusi and Representative Adamini. We will be having a further meeting with both of them and representatives from the DOT and the DNR in early April. We hope that a more formal direction for funding this part of the business spur for our trail system will come out of this meeting.

2. KBIC 2% - We have put in another request for funds. We hope that our funding amount will be higher than the last award.

3. Solid Waste cost – We hope to have RFP’s in this week to review. We are hoping that the projected increases will not be as high as anticipated at budget time. If this is so we may be able to lower the price of the tags for this year.

4. Waste Water Treatment Plant Bonding –We have been looking over the contract, our flow numbers (use of the facility) and the overall flow numbers to see if Chocolay Township should remain such a large partner in the ownership of that facility. We are looking at our projected growth in the future and will be meeting with the City and Marquette Township to discuss the present levels of responsibility.

5. Utility Review Committee – We have been reviewing the by-laws and other information on this committee. I still need to sit down with Marquette Township to see who will handle the checkbook for the committee.

6. Emergency Management Meeting – County officials, Our Police Chief, Fire Chief, Dennis, and I had a meeting at the township hall last week. We are part of a county wide effort to “get the Chain of Command” established on what to do in case of a major event. I will be required to take some on-line training and testing as part of that effort to comply with state and federal requirements.

7. Road Commission Billing – I meet with Jim Iwaniki from the Road Commission. I agreed to pay the bill that the board had originally agreed to. Trustees Britton, Trudeau and I will meet to discuss the rest of the bill and bring our recommendation back to the board within the next two months.

STATE OF MICHIGAN INCREASE TO THE FUEL TAX.

John Trudeau Moved, Don Britton Second, that the following resolution be adopted

WHEREAS, it is and has been obvious for many years that the Michigan Transportation Fund does not provide adequate funding for the road systems in the State of Michigan; and

WHEREAS, Michigan roads were recently rated third worst in the United States and there is a desperate need to upgrade and maintain the road systems in the State of Michigan; and

WHEREAS, the State of Michigan has the authority to levy fuel taxes on gasoline and diesel; and

WHEREAS, the fuel tax is a user tax; and

WHEREAS, the last increase to the gas tax was in 1997 and the last increase to the diesel tax was in 1984; and

WHEREAS, an increase to the fuel tax would not only benefit the citizens of Marquette County but also all of the citizens in the State of Michigan; and

WHEREAS, the future of our road system is dependent on raising additional revenue; Now Therefore Be It Hereby

RESOLVED, that the Charter Township of Chocolay Board requests that the Legislature of the State of Michigan address the poor conditions of the road system in the State of Michigan by increasing the fuel tax on gasoline and diesel fuel.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCEPT HOMELAND SECURITY GRANT AWARD.

Greenberg moved, Hill second to authorize the Fire Department to accept a Homeland Security Grant through the Marquette County Emergency Management Department in the amount of \$17,000.00. It is understood that there are no matching funds required for the Grant and that the Fire Department will use the funds to purchase four (4) mobile radios, one for each apparatus.

AYES: 6 NAYS: 0 MOTION CARRIED.

CHANGES TO FIRE DEPARTMENT'S SOG, CONSTITUTION, AND BY-LAWS.

Britton moved, Tabor second to approve the changes to the Fire Department's Standard Operating Guidelines and the Constitution and By-Laws as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

BID REQUEST – FIRE DEPARTMENT.

Trudeau moved, Britton second to authorize the Fire Department to seek bids for the purchase of a Skid/Drop in Unit for the purpose of converting their utility truck to a brush fire unit. A bid tally and department recommendation will be forwarded to the Board at a future meeting for consideration of final purchase.

AYES : Greenberg, Britton, Trudeau, Tabor, Hill, Seppanen.
NAYS: None. MOTION CARRIED.

CAPITAL FUND EXPENDITURE – POLICE DEPARTMENT PATROL CAR.

Britton moved, Greenberg second to approve the purchase of a 2006 patrol car for the police department. The cost of the vehicle will not exceed \$23,000.00 The cost for transfer of equipment, graphoche and pick up costs for the new vehicle will not exceed \$1,600.00 for a total amount not to exceed \$24,000.00 This will be paid from the Capital Improvements Fund account 401.305.957.

AYES: Tabor, Hill, Greenberg, Britton, Trudeau, Seppanen.
NAYS: None. MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT NO. 1 FY2006 – SALE OF 2000 POLARIS SNOWMOBILE.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the Township in December 2005 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:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$0	+\$1,500.00	\$1,500.00
EXPENDITURE			
Police Department Capital Outlay 401.305.957	\$61,742.81	+\$1,500.00	\$63,242.81

AYES: Greenberg, Britton, Trudeau, Tabor, Hill, Seppanen.
NAYS: None MOTION CARRIED.

CHANGES TO PERSONNEL POLICY – JOB DESCRIPTIONS AND HOLIDAY SWAP.

Trudeau moved, Hill second to make no change to the current holiday schedule.

AYES: 2 NAYS: 4 MOTION FAILED.

Greenberg moved, Britton second to accept the job descriptions as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

Greenberg moved, Tabor second to honor the staff request to exchange the ½ day off on Good Friday to Christmas Eve morning.

AYES: 4 NAYS: 2 MOTION CARRIED.

LOCAL CONTROL OF CABLE FRANCHISE.

Hill moved, Tabor second that the following resolution be adopted

WHEREAS, it is the mission of the Charter Township of Chocolay, Marquette County, Michigan to preserve and protect the rights of all its citizens; and

WHEREAS, the existing federal and local cable franchising rules have resulted in \$100 billion investment in advanced telecommunications services nationwide and formed the basis for a national policy of broadband (high-speed internet); and

WHEREAS, the Charter Township of Chocolay strongly supports the provisions contained within the federal 1984 Cable Act including the anti-discrimination sections that have ensured against a 19th century world of digital “haves and have-nots” and ensured that Americans of all incomes, races and backgrounds can have equal access to television and broadband service as the information and communication that it provides becomes more essential in our daily lives; and

WHEREAS, the current federal cable law has been effective in ensuring robust build-out of broadband networks and in protecting against cherry-picking of communities, and should be applied to both existing cable providers and new entrants into the cable marketplace; and

WHEREAS, some telecommunications companies that now seek to enter the cable marketplace are attempting to gain a competitive advantage through federal and state preemption of local authority and are seeking to undermine the anti-discrimination and build-out requirements that have been a bipartisan cornerstone of our telecommunications laws for decades; and

WHEREAS, these telecommunications companies are attempting to label their service as “video service” to bypass traditional cable laws and regulations, and have encouraged the introduction of legislation in Congress and in various states to attempt to circumvent federal and local regulations; and

WHEREAS, in Michigan, legislation has been introduced in the House of Representatives, **HB 5895**, and in the Senate, **SB 1157**, that would strip away local cable franchising authority and hand control over to the State of Michigan (secretary of state); and

WHEREAS, the Charter Township of Chocolay strongly supports competition for telephone, broadband and video services, and recognizes that competition for such services is growing rapidly and encourages that these new competitive services are available to all its citizens; and

WHEREAS, new entrants into the video marketplace face no unreasonable barriers to entry as federal law expressly provides that cable franchises not be exclusive and that local governments have franchised numerous second cable providers throughout the country; and

WHEREAS, excluding local elected officials from the franchise process as some telecommunications carriers and **HB 5895** and **SB 1157** suggests would be harmful to the citizens of the Charter Township of Chocolay who use local franchise rules to ensure that cable services are provided to everyone, that service territory appropriately covers key areas for economic development and public safety and other community needs are met; and

WHEREAS, **HB 5895** and **SB 1157** does not permit a build-out requirement which will allow companies entering the cable market to cherry-pick high-value residents only, leaving low-value residents without service; and

WHEREAS, the Charter Township of Chocolay agrees that government policies should not determine winners and losers in the marketplace and thus the rules governing local franchises, including rules regarding build-out of networks, should apply to all cable providers equally; and

WHEREAS, **HB 5895** and **SB 1157** would drastically limit or abolish the important role of local government franchising and weaken the non-discrimination provisions of the 1984 Cable Act that protects the interests of all citizens and promotes competition; Now, Therefore, Be It Hereby

RESOLVED that the Charter Township of Chocolay, Marquette County, Michigan, strongly urges the Michigan Legislature to reject legislative proposals such as **HB 5895** and **SB 1157** that abolish the role of local government franchising and the ability of local governments to protect all citizens, that do not allow for build-out requirements, and that ensure that non-discrimination provisions of the 1984 Cable Act are met and promote competition for all its citizens; and Be It Further

RESOLVED, that the Charter Township of Chocolay, Marquette County, Michigan supports legislation which promotes competition in broadband and cable services for everyone, recognizes and preserves local community needs, preserves local control over franchising, prohibits redlining and other discriminatory practices, and ensures that any new entrants into the cable market abide by the same standards that current cable, broadband or multichannel video providers live by.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Seppanen to KBIC - Spring 2006 KBIC 2% Monies Request
- B. Correspondence – Scott Emerson to Senator Prusi and Township Supervisor
- C. Correspondence – Mark Maki to Township Board

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

April 17, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, April 17, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Dan Maki, Ken Tabor.

ABSENT: None .

STAFF PRESENT: Martin Caceres, Tom Murray, Gary Johnson, Mary Sanders.

Item N. under new business added to the agenda – Wastewater Engineering.

MINUTES –March 27, 2006.

Maki moved, Greenberg second that the minutes of the regular meeting held on March 27, 2006 are approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$29,595.35 checks numbered 12904– 12923 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor arrived 7:03 p.m.

Maki moved, Britton second that bills totaling \$206,319.95 checks numbered 12924– 12973 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 2/13/06 and 3/16/06 Meetings

SUPERVISORS REPORT.

1. Business Spur – recreational trail – We meet with representatives from the DOT, the DNR Senator Prusi and Representative Adamini in early April. The DNR will be getting back to us about what type of grant we will need to pursue to further develop a multi-use business spur to the present trail system.

2. Waste Water Treatment Plant Bonding – I've met with Marquette Township and City officials to inform them of our concern on Chocolay's share of the bonding cost for the new Treatment Plant projects. I also meet with the Plants Advisory Board and expressed our concern and presented a short power point that I put together with the numbers supplied by the Plant supervisor.

Supervisor Seppanen gave a presentation to the Board on our usage vs. our ownership of the Wastewater Treatment Plant. The Board concurred with the Supervisor. Chocolay Township will not pay this percentage of the bill.

PRESENTATION – FY2005 AUDIT.

Mike Grentz, Anderson Tackman presented the FY2005 audit to the Board. Trustee Trudeau had a question on the road payment for Main Street and Silver Creek and where it was shown in the FY2005 audit.

Britton moved, Hill second to accept the audit as presented with the Main Street/Silver Creek Road payment noted as a long term payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLISH ZONING ORDINANCE AMENDMENT #34-06-01 – REZONING #133 – JSN PROPERTIES.

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: #34-06-01

AMENDMENT #34-06-01

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 as follows:

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the properties commonly known as 351 W. Main Street and 2401 US-41 South located on the north side of Main Street and the east side of US-41 South in Section 6, T.47N-R.24W encompassing approximately 1.56 acres in total comprised of tax parcel code 52-02-201-001-01 to be rezoned from R-1 to R-3 and tax parcel code 52-02-201-001-00 to be rezoned from C-2/R-1 to R-3.

AYES: 7 NAYS: 0 MOTION CARRIED.

PRIVATE ROAD REQUEST #22 – WARD – QUANDT TRAIL.

Frank Ward requested that the Board drop from list of conditions #7 The applicant shall obtain Marquette County Health Department review and approval of well and septic considerations in the form of a site evaluation for the proposed lots prior to road construction. This approval on well and septic has to be done prior to getting a building permit.

Tabor moved, Hill second, that the Chocolay Township Board concurs with the Planning Commission recommendation to approve Private Road request #22 from Francis Ward under Section 402 of Zoning Ordinance #34 with the following conditions (in this case the word “applicant” means Francis Ward):

- 1) The applicant shall allow access to Township vehicles as well as other public/private utility companies to provide services; and
- 2) A covenant shall be established on the deeds for any parcels created off from this private road identifying the private road status and which reference the Declaration of Private Road Easement which must be fully executed; and
- 3) The applicant pay for and install a road sign identifying the private road as "Quandt Trail" at the intersection with US-41 and the applicant is to pay for and install a stop sign at the same intersection; and
- 4) The applicant shall obtain a driveway permit from the Michigan Department of Transportation; and
- 5) The applicant is required to provide certification from a surveyor/engineer that the private road standards of the Zoning Ordinance have been achieved at the conclusion of construction; and
- 6) The applicant shall comply with the conditions and requirements of all other agency regulations; and
- 7) A zoning compliance permit shall not be issued until all of the above conditions are met.
- 8) Land Division Approval is required from the Assessor for the creation of individual parcels off from the road and may require the modification of the lots as shown.

AYES: 7 NAYS: 0 MOTION CARRIED.

SPRINGWOOD SITE CONDOMINIUM FINAL PLAN.

Trudeau moved, Greenberg second that the Township Board approves the Final Plan for the Springwood Site Condominium Project.

AYES: 7 NAYS: 0 MOTION CARRIED.

ABANDONMENT OF ALLEY BETWEEN FAIRBANKS AND MAIN STREETS.

Hill moved, Tabor second, that the Charter Township of Chocolay takes the Planning Commission recommendation that the Chocolay Township Board send a letter to the Marquette County Road Commission supporting the abandonment of the 20’ alley in block 3 of the Plat of the Village of Harvey.

AYES: 7 NAYS: 0 MOTION CARRIED.

BALLOT LANGUAGE – PETER WHITE PUBLIC LIBRARY MILLAGE.

Tabor Moved, Hill second that the following ballot proposal be placed before the electorate at the election to be held on Tuesday, August 8, 2006.

BALLOT PROPOSAL
TO RENEW MILLAGE LIBRARY SERVICES

Shall the previously voted millage for library services to the residents of the Charter Township of Chocoday be renewed, authorizing an ad valorem tax levy within the Charter Township of Chocoday, 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 2007 to 2011 inclusive, which if levied, would raise an estimated \$116,628.00 in the first year.

- Yes
 No

ROLL CALL:

AYES: Britton, Tabor, Greenberg, Trudeau, Hill, Seppanen, Maki

NAYS: None.

MOTION CARRIED

Hill moved Tabor second that Arlene Hill contact the Peter white Library urging them to move in the direction of a district library so that Townships will have a voice in the use of their tax monies.

AYES: 7 NAYS: 0

MOTION CARRIED.

AMENDMENT TO 2006 FEE SCHEDULE – REDUCTION IN GARBAGE TAG FEE.

Hill moved Maki second to amend the FY2006 fee schedule and lower the garbage tag price to \$1.50 per tag or \$7.50 per sheet beginning May 1, 2006.

AYES: 7 NAYS: 0

MOTION CARRIED.

CAPITAL EXPENDITURE – GIS SOFTWARE AND DATA.

Tabor moved Greenberg second that the Charter Township of Chocoday Board authorizes capital fund expenditure for GIS software and data not to exceed the cost of \$2,885.00 to be paid from the following account 401.805.957.

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Hill, Maki, Seppanen,

NAYS: None.

MOTION CARRIED

AWARD BID REQUEST FOR FIRE EQUIPMENT.

Maki moved, Greenberg that the Chocoday Township Board award the bid request for a portable foam unit and wild land fire fighting coveralls to Pomasl Fire Equipment in the amount of \$2,202.80 plus the cost of shipping with the total not to exceed \$2,600.00 to be paid from account # 401.340.957.

ROLL CALL:

AYES: Tabor, Hill, Maki, Greenberg, Trudeau, Britton, Seppanen,

NAYS: None.

MOTION CARRIED

CONTRACTING FOR SCRAP METAL COLLECTION.

Greenberg moved, Hill second to accept the bid from Hawes Hauling and Disposal for the spring metal pick up for the amount of \$2,100.00 to be paid from account #101.526.870.

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Hill, Maki, Seppanen,

NAYS: None.

MOTION CARRIED

FUNDING FOR MCTA ANNUAL BANQUET.

Hill moved, Trudeau second that the Township pay the dinner cost of \$25.00 for all employees, Township Board, Planning Commission and ZBA members to attend the 2006 MCTA Banquet on Saturday April 29, 2006.

AYES: 6 NAYS: 1

MOTION CARRIED.

HIRING OF ARCHITECTURAL FIRM FOR PROGRAMMING PLAN.

Trudeau moved, Maki second that the Charter Township of Chocoday Board authorizes the Township Supervisor and Clerk to sign a contract with Integrated Designs for the development of a municipal complex programming plan in an amount not to exceed \$4,920.00 to be taken from Capital Improvements Fund 401.270.957.

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Hill, Maki, Seppanen,

NAYS: None.

MOTION CARRIED

TOWNSHIP LICENSE PLATE PURCHASE PROGRAM.

Hill moved, Britton second that the Township Clerk is authorized to purchase a minimum of 200 booster license plates at a cost not to exceed \$4.50 each and to amend the budget with the following budget amendment.

GENERAL FUND BUDGET AMENDMENT #1 FY2006 - LICENSE PLATES.

That Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005, 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
Clerk Department			
Miscellaneous	\$200.00	+\$900.00	\$1,1 00.00
101.215.956			
Contingency			
101.285.951	\$35,000.00	-\$900.00	\$34,100.00

ROLL CALL:

AYES: Tabor, Hill, Greenberg, Maki, Trudeau, Britton, Seppanen,

NAYS: None.

MOTION CARRIED

WASTEWATER ENGINEERING.

Trudeau moved, Maki second to authorize Supervisor Seppanen to enter into an agreement with Mike Pond, STS Consultants to review our sewage treatment capacity in the Marquette Area Wastewater Treatment Facility for an amount not to exceed \$3,000.00.

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Hill, Maki, Seppanen,

NAYS: None.

MOTION CARRIED

PUBLIC COMMENT.

Clerk Hill – Reminded Board members to make their reservation this week for the Marquette County Township Association Banquet.

Trustee Britton –Question on Lakenen Land. There are no current zoning violations.

- A. INFORMATIONAL REPORTS AND COMMUNICATIONS.
- B. Correspondence – Karen Alholm re: Tom Lakenen FOIA Request
- C. Correspondence – Mark Maki to Township Board

There being no further business, Supervisor Seppanen adjourned the meeting at 8: 50 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 4, 2006
SPECIAL MEETING

A Special meeting of the Chocolay Township Board was called for the purpose of considering a response to the ownership of the wastewater treatment facility and the meeting notice was duly published. The meeting was held on Thursday, May 4, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m. The Supervisor noted the purpose of the special meeting.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau.

ABSENT: Ken Tabor, Don Britton, Dan Maki.

STAFF PRESENT: Martin Caceres, Dennis Stachewicz, Mary Sanders.

PUBLIC COMMENT.

None.

CONSIDER RESPONSE TO QUESTIONS ASKED BY MARQUETTE AREA TREATMENT FACILITY ADVISORY BOARD REGARDING CHOCOLAY TOWNSHIP'S OWNERSHIP INTEREST IN THE WASTEWATER TREATMENT PLANT.

Mike Summers, Township attorney explained the 1977 contract and the 1993 contracts that we entered into with the City of Marquette and Marquette Township. Chocolay currently holds 12.45 % ownership in the wastewater plant. The plant will be purchasing a bond for facility renovations and Chocolay Township currently would be liable for 12.45% of that. Discussions have been ongoing with the City of Marquette and Marquette Township about lowering Chocolay Township's percent of the bond due to the fact that we currently use less than 3% of our allowed maximum flow.

Mike Pond, Engineer STS Consultants, prepared a study for the Township based on a 20 year projection and showed the Township only going up to 3.88 % of the projected future wastewater flow for the Marquette Area Wastewater Treatment Facilities.

Trudeau moved, Greenberg second to send the proposal as presented by attorney Mike Summers to the Marquette Area Treatment Facility Advisory Board.

Roll Call:

AYES: Trudeau, Greenberg, Hill, Seppanen.

NAYS: None.

ABSENT: Britton, Maki & Tabor.

MOTION CARRIED.

PUBLIC COMMENT.

- What portion of Chocolay Township is in the sewer district? The Harvey area including the business section is connected to the sewer system.

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 15, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, May 15, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Clerk Hill called the meeting to order at 7:00 p.m. and the Board voted Clerk Hill to chair the meeting in the Supervisor's absence.

TOWNSHIP BOARD.

PRESENT: Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor.

ABSENT: Greg Seppanen, Dan Maki.

STAFF PRESENT: Martin Caceres, Gary Johnson, Mary Sanders, Dennis Stachewicz.

MINUTES – April 17, 2006 and Special Meeting May 4, 2006.

Britton moved, Trudeau second that the minutes of the regular meeting held on April 17, 2006 with one correction and special meeting May 4, 2006 are approved as presented.

AYES: 5 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Britton moved, Trudeau second that bills totaling \$29,154.34 checks numbered 12974– 13005 are approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

Tabor moved, Britton second that bills totaling \$62,689.07 checks numbered 13006– 13040 are approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

Fire Chief Gary Johnson – Updated the Board on the Chocolay River flooding last week. Flood stage is 9 feet and the Chocolay River was at 12 feet over the weekend. There were several roads in Chocolay that flooded.

Ginger Winn – Had a complaint on Lakenen Land. She lives next to it and does not want a campground there.

Dennis Stachewicz – Currently Tom Lakenen has permits for everything he is doing, he has not made a request for a campground yet.

Clerk Hill – The Chocolay Township license plates are ready for sale. Tomorrow is the last date to file for precinct delegate.

Trustee Trudeau – Comments on minutes posting and payroll approval.

ZONING ORDINANCE AMENDMENT #34-06-01 – REZONING #133 – JSN PROPERTIES.

Greenberg moved Tabor 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: #34-06-01

AMENDMENT #34-06-01

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 as follows:

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the properties commonly known as 351 W. Main Street and 2401 US-41 South located on the north side of Main Street and the east side of US-41 South in Section 6, T.47N-R.24W encompassing approximately 1.56 acres in total comprised of tax parcel code 52-02-201-001-01 to be rezoned from R-1 to R-3 and tax parcel code 52-02-201-001-00 to be rezoned from C-2/R-1 to R-3.

Roll Call:

AYES: Trudeau, Britton, Greenberg, Tabor, Hill.

NAYS: None.

ABSENT: Seppanen, Maki.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 4/10/06
- 2) CABA Minutes – 3/15/06
- 3) MAWTFAB Minutes – 4/18/06

PUBLISH ZONING ORDINANCE AMENDMENT #34-06-02 – REZONING #134 – ENGLISH.

Tabor moved, Trudeau 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: #34-06-02

AMENDMENT #34-06-02

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 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the properties located in Section 7, T47N – R23W, more commonly known as 1988 M-28 East (Tax Parcel Code 52-02-007-041-00), 1992 M-28 East (Tax Parcel Code 52-02-007-042-00), 1996 M-28 East (Tax Parcel Code 52-02-007-030-00) 2010 M-28 East (Tax Parcel Code 52-02-007-019-00), 2016 M-28 East (Tax Parcel Code 52-02-007-052-10) and a portion of the property more commonly known as 277 Kawbawgam Road (Tax Parcel Code 52-02-007-046-00) further described as: *PART OF THE SW ¼ OF SEC 7, T47N, R23W, CHOCOLAY TOWNSHIP, MARQUETTE COUNTY, MICHIGAN MORE FULLY DESCRIBED AS COMMENCING AT THE W ¼ CORNER OF SAID SEC 7; THENCE S 00 DEG 28'22" E, 492.42' ALONG THE W LINE OF SAID SEC 7 TO THE SOUTHERLY RIGHT OF WAY (R/W) LINE OF AN ABANDONED RAILROAD (100' R/W); THENCE S 88 DEG 58'47" E, 1,654.97' ALONG SAID RAILROAD R/W LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S 88 DEG 58'47" E, 813.59' ALONG SAID RAILROAD R/W LINE TO THE NORTH-SOUTH ¼ LINE OF SAID SEC 7; THENCE S 00 DEG 27'09" E, 326.38' ALONG SAID NORTH-SOUTH ¼ LINE; THENCE N 88 DEG 58'47" W, 813.42'; THENCE N 00 DEG 28'57" W, 326.38' TO THE POINT OF BEGINNING* be rezoned from RR-2 to R-1 and a portion of the property more commonly known as 131 Kawbawgam Road (Tax Parcel Code 52-02-007-049-00) further described as *THAT PART OF THE NW ¼ OF THE SW ¼, SEC 7, T47N, R23W, LYING N OF THE SOO LINE RAILROAD RIGHT OF WAY AND 350 FEET EAST OF THE CENTERLINE OF COUNTY ROAD "BI"; INCLUDING THE SOUTH 66 FEET OF THE WEST 350 FEET* be rezoned from PL to R-1.

Attached to this amendment to the Charter Township of Chocolay Zoning Ordinance is a Statement of Conditions setting forth, as authorized under MCL 125.286i, conditions attached to the rezoning of the properties described above. The Statement of Conditions shall be fully enforceable and binding in the same manner as any other provision of the Charter Township of Chocolay Zoning Ordinance.

Roll Call:

AYES: Tabor, Britton, Trudeau, Greenberg, Hill.

NAYS: None.

ABSENT: Seppanen, Maki.

MOTION CARRIED.

PUBLISH ZONING ORDINANCE AMENDMENT #34-06-03 – REZONING #135 – WENNERBERG

Trudeau moved, Hill second to table this item until the June meeting to allow the applicant or representative of the applicant to be present.

AYES: 5

NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT NO. 2 FY2006 –KBIC MONEY.

Greenberg moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the Township in December 2005 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:

REVENUE	REVIIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$1,500.00	+\$15,481.21	\$16,981.21
EXPENDITURE			
Clerk Department Capital Outlay 401.215.957	\$6,562.38	+\$1,000.00	\$7,562.38
Treasurer Department Capital Outlay 401.253.957	\$300.00	+\$1,500.00	\$1,800.00
Zoning/Planning Capital Outlay 401.805.957	\$30,816.16	+\$1,500.00	\$32,316.16
Fire Department Capital Outlay 401.340.957	\$149,318.47	+\$9,481.21	\$158,799.68
Recreation Department Capital Outlay 401.708.957	\$26,460.65	+\$2,000.00	\$28,460.65

AYES: Trudeau, Britton, Greenberg, Tabor, Hill.

NAYS: None.

ABSENT: Seppanen, Maki.

MOTION CARRIED.

RE-APPOINTMENT OF ZBA MEMBERS

Trudeau moved, Greenberg second to reappoint Ms. Joy Verlinden to a three (3) year term on the Chocolay Township Zoning Board of Appeals, and Ms. Lois Sherbinow to a three (3) year term as an Alternate on the Chocolay Township Zoning Board of Appeals, terms ending May 2009.

AYES: 5

NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT REQUEST FOR ADDITIONAL OFFICER POSITION.

Britton moved, Tabor second to authorize the Fire Department to add a second Captain to their officer's corps.

AYES: 5

NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT BID AWARD FOR DROP-IN SKID UNIT.

Britton moved, Trudeau second that the Chocolay Township Board award the bid for the drop in skid unit to Pomasl Fire Equipment with the addition of the listed options for an amount not to exceed \$8,911. The funds for this purchase shall come from the Fire Department's Capital Improvement Fund 401.340.957.

Roll Call:

AYES: Tabor, Britton, Trudeau, Greenberg, Hill.

NAYS: None.

ABSENT: Seppanen, Maki.

MOTION CARRIED.

RESOLUTION SUPPORTING GRANT APPLICATION FOR WASTEWATER TREATMENT PLANT UPGRADE.

Trudeau moved, Greenberg second to authorize the Supervisor and Clerk to sign the S2 grant agreement for the wastewater treatment plant upgrade.

AYES: Trudeau, Britton, Greenberg, Tabor, Hill.

NAYS: None.

ABSENT: Seppanen, Maki.

MOTION CARRIED.

BUDGET AMENDMENT - ADMINISTRATIVE ASSISTANT SALARY UPGRADE.

Greenberg moved, Britton second to refer the salary request for the administrative assistant in the Clerk's Department to the personnel committee and that they meet before the June 19th Board meeting and bring a recommendation to the Board at that time.

AYES: 5

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Treasurer Greenberg – Informed the Board that his Deputy will be working 6 additional hours per week on her non full time portion of the year and he will bring a budget amendment to the June 19th Board meeting.

Dennis Stachewicz – Reminded the Board of the citizen forum on the Wastewater Treatment Plant Upgrade to be held June 5th at the Lakeview Arena.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Township Clerk and Various Parties re: Thomas Lakenen
- B. Correspondence – Mark Maki to Township Board
- C. Information – Notice of Public Hearing for Wastewater Treatment Plant Upgrade

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

June 19, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, June 19, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.

ABSENT: None.

STAFF PRESENT: Martin Caceres, Gary Johnson, Mary Sanders, Dennis Stachewicz.

MINUTES – MAY 15, 2006.

Greenberg moved, Trudeau second that the minutes of the regular meeting held on May 15, 2006 are approved as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$15,952.61 checks numbered 13041– 13073 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Maki moved, Tabor second that bills totaling \$9,455.07 checks numbered 13074– 13091 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Hill moved, Britton second that bills totaling \$28,085.12 checks numbered 13092– 13113 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

None.

PUBLISH ZONING ORDINANCE AMENDMENT #34-06-02 – REZONING #134 – ENGLISH.

Greenberg 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: #34-06-02

AMENDMENT #34-06-02

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 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the properties located in Section 7, T47N – R23W, more commonly known as 1988 M-28 East (Tax Parcel Code 52-02-007-041-00), 1992 M-28 East (Tax Parcel Code 52-02-007-042-00), 1996 M-28 East (Tax Parcel Code 52-02-007-030-00) 2010 M-28 East (Tax Parcel Code 52-02-007-019-00), 2016 M-28 East (Tax Parcel Code 52-02-007-052-10) and a portion of the property more commonly known as 277 Kawbawgam Road (Tax Parcel Code 52-02-007-046-00) further described as: *PART OF THE SW ¼ OF SEC 7, T47N, R23W, CHOCOLAY TOWNSHIP, MARQUETTE COUNTY, MICHIGAN MORE FULLY DESCRIBED AS COMMENCING AT THE W ¼ CORNER OF SAID SEC 7; THENCE S 00 DEG 28'22" E, 492.42' ALONG THE W LINE OF SAID SEC 7 TO THE SOUTHERLY RIGHT OF WAY (R/W) LINE OF AN ABANDONED RAILROAD (100' R/W); THENCE S 88 DEG 58'47" E, 1,654.97' ALONG SAID RAILROAD R/W LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S 88 DEG 58'47" E, 813.59' ALONG SAID RAILROAD R/W LINE TO THE NORTH-SOUTH ¼ LINE OF SAID SEC 7; THENCE S 00 DEG 27'09" E, 326.38' ALONG SAID NORTH-SOUTH ¼ LINE; THENCE N 88 DEG 58'47" W, 813.42'; THENCE N 00 DEG 28'57" W, 326.38' TO THE POINT OF BEGINNING* be rezoned from RR-2 to R-1 and a portion of the property more commonly known as 131 Kawbawgam Road (Tax Parcel Code 52-

02-007-049-00) further described as *THAT PART OF THE NW ¼ OF THE SW ¼ , SEC 7, T47N, R23W, LYING N OF THE SOO LINE RAILROAD RIGHT OF WAY AND 350 FEET EAST OF THE CENTERLINE OF COUNTY ROAD "BI"; INCLUDING THE SOUTH 66 FEET OF THE WEST 350 FEET* be rezoned from PL to R-1.

Attached to this amendment to the Charter Township of Chocolay Zoning Ordinance is a Statement of Conditions setting forth, as authorized under MCL 125.286i, conditions attached to the rezoning of the properties described above. The Statement of Conditions shall be fully enforceable and binding in the same manner as any other provision of the Charter Township of Chocolay Zoning Ordinance.

Roll Call:

AYES: Tabor, Britton, Trudeau, Greenberg, Hill, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

PUBLISH ZONING ORDINANCE AMENDMENT #34-06-03 – REZONING #135 – WENNERBERG
Trudeau 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:
AMENDMENT #34-06-03

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 property commonly known as 1440 M-28 East (Tax Parcel Code 52-02-110-083-95) in Section 10, T.47N-R.24W be rezoned from C-3 to C-2.

Roll Call:

AYES: Tabor, Hill, Maki, Britton, Trudeau, Greenberg Seppanen.

NAYS: None.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 5/8/06 and 5/17/06
- 2) MCTA Minutes – 4/26/06

SUPERVISORS REPORT.

1. Sewer Project Public Meeting – Martin and I went to the public meeting for the joint sewer project on June 5th. The meeting went well with only several questions asked. We expect to move this project along and with the assistance of the treasurer, to develop the new rate to offset part of the cost for this large capital project.

2. Building Meeting – On June 7th Dennis, John Trudeau, and I met with the architect Dax Richer to discuss the building and layout concerns of the township complex. We expect that personnel from Integrated Design will be going through and inspecting the township buildings over the next month. We will meet next in early August and should be able to give the board a progress report during the August meeting. We will not be at a point of doing construction this year. It is my intent NOT to consider any upgrades, changes, or modifications to our facilities until we have a plan approved by this board.

3. Business Loop Snowmobile Trail – We have been informed that there is discussion within the DOT at the Lansing level on this project. We will be trying to work with them so that any state approved business loop will complement our most important planned joint DOT/township corridor enhancement. This business corridor enhancement project is scheduled for review for funding later this year and, if approved, the work would begin in 2009.

4. We received a check from KBIC and are working on the distribution.

LETTER OF RECOGNITION – SHARON ROSHAK.

Seppanen moved, Greenberg second that IN APPRECIATION

OF DEDICATED SERVICE

THE CHOCOLAY TOWNSHIP BOARD

hereby resolves

That upon her retirement from the

CHARTER TOWNSHIP OF CHOCOLAY that

SHARON ROSHAK

Be commended for her 23 years of dedicated service she has
Given to the POLICE DEPARTMENT

She treated staff and the public in a courteous considerate manner.
Her endless contributions have made the police department what it is today.

FOR HER DEDICATED SERVICE we do
Unanimously resolve to commend SHARON ROSHAK and wish
She and her husband, Bob, a happy retirement.

Adopted this 19th day of June, 2006 by the Charter Township of Chocolay Board.

AYES: 7

NAYS: 0

MOTION CARRIED.

BILL SANDERS – OUTSTANDING CITIZEN.

Seppanen moved, Britton second that the following resolution be adopted

WHEREAS, Bill Sanders has served 14 years on the Charter Township of Chocolay Planning Commission; and

WHEREAS, Bill's tireless dedication and input on the update to the Chocolay Township Comprehensive Plan and other major projects have had a positive impact on the development of the community; and

WHEREAS, Bill's leadership and judgment as Chairman of the Planning Commission have built respect for the Township's involvement in land use planning; Now Therefore Be It Hereby

RESOLVED, that the Charter Township of Chocolay recognizes Bill Sanders as an outstanding citizen of the Charter Township of Chocolay and presents him with this resolution of appreciation for a job well done.

Adopted this 19th day of June, 2006, by the Charter Township of Chocolay Board.

AYES: 7

NAYS: 0

MOTION CARRIED.

CHOCOLAY CONDOMINIUMS PRELIMINARY PLAN.

Trudeau moved, Tabor second that as recommended by the Planning Commission, the Township Board approves of the preliminary site plan for the proposed Chocolay Condominiums with the following conditions:

- 1) That the development comply with the submittal requirements of Sections 525 and 503 of Zoning Ordinance 34, and Condominium Act 59 for the Final Condominium Plans; and
- 2) Approval is required from the agency with jurisdiction over the storm sewer located on Main Street before a connection can be established.

AYES: 7

NAYS: 0

MOTION CARRIED.

PLANNING COMMISSION APPOINTMENTS.

Seppanen moved, Tabor second, to appoint Dennis Magadanz to the Planning Commission with a term to run until May 24, 2009.

AYES: 7

NAYS: 0

MOTION CARRIED.

Seppanen moved, Hill second, to re-appoint Steve Kinunnen to the Planning Commission with a term to run until May 24, 2009.

AYES: 7

NAYS: 0

MOTION CARRIED.

RE-APPOINTMENT OF FIRE CHIEF.

Tabor moved, Maki second to concur with the Township Supervisor's recommendation and re-appoint Gary Johnson as a Fire Chief for a two year term.

AYES: 7

NAYS: 0

MOTION CARRIED.

SALE OF KAWBAWGAM PROPERTY TO DR. ENGLISH.

Britton moved, Maki second to authorize the Township Supervisor to execute the sale of Kawbawgam property in accordance with the "option and purchase" agreement dated January 5, 2004.

AYES: 7 NAYS: 0 MOTION CARRIED.

CAPITAL EXPENDITURE – ZONING ORDINANCE UPDATE CONTRACT.

Tabor moved Britton second that the Township Supervisor and Clerk be authorized to execute the contract with U.P. Engineers and Architects to perform and update of the Township Zoning Ordinance for an amount not to exceed \$14,000.00 to be taken from account #401.805.957 Zoning/Planning Commission.

Greenberg moved Hill second to change the terms and conditions of the Zoning Update Contract under Indemnification to read:

INDEMNIFICATION

To the fullest extent permitted by law, each of the parties agree to indemnify, pay on behalf of, defend, and hold harmless the other party from and against any and all actions or causes of action, claims, demands, liabilities, lawsuits, or damages of whatsoever kind and nature, and from all losses, costs, and expenses arising out of any liability, or claim of liability, or injuries or damage to persons or property sustained or claimed to have been sustained by anyone whomsoever arising, on account of, or by reason of the acts or omissions of the indemnifying party, or any employee of the indemnifying party. This indemnification obligation shall be limited to the same extent, and in the same proportion, that the negligent act or omission of the indemnifying party bears to the total liability for such claims, losses or damages.

And delete the paragraph under RISK ALLOCATION.

AYES: 7 NAYS: 0 MOTION CARRIED.

Roll Call (for zoning ordinance update contract):

AYES: Tabor, Britton, Trudeau, Greenberg, Hill, Maki, Seppanen.

NAYS: None.

GENERAL FUND BUDGET AMENDMENT NO. 3, FY 2006 – ARBOR DAY MINI GRANT.

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 December 19th, 2005, for fiscal year 2006 and, Whereas, as a result of 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
REVENUE			
State of Michigan			
101.543.	\$0	+\$200.00	\$200.00

Roll Call:

AYES: Greenberg, Britton, Trudeau. Hill, Maki, S Tabor, Seppanen.

NAYS: None. MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2006 AMENDMENT NO. 3 POLICE TRAINING FUNDS-STATE OF MICHIGAN

Hill moved, Britton seconded 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 December 19, 2005, 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	\$ 2,087.10	+ \$460.40	\$ 2,547.50

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 401.543	\$ 0	+\$460.40	\$ 460.40

Roll Call:

AYES: Tabor, Britton, Trudeau, Greenberg, Hill, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT #2 FY2006 – Salary adjustment Administrative Assistant Clerk Department, retroactive to June 1, 2006.

Trudeau moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005, 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
Clerk Department Salary 101.215.702	\$77,525.00	+\$2,189.00	\$79,714.00

Contingency 101.285.951	\$34,100.00	-\$2,189.00	\$31,911.00
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Roll Call:

AYES: Greenberg, Britton, Trudeau, Hill, Maki, S Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT #4 FY2006 – Deputy Treasurer Salary adjustment for additional hours from sanitary landfill account.

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 in December 19, 2005, 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
Sanitation Department Salary 101.526.702	\$0	+\$1,215.00	\$1,215.00

Sanitation Department Contractual Services 101.526.800	\$167,123.00	-\$1,215.00	\$165,908.00
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Roll Call:

AYES: Tabor, Britton, Trudeau, Greenberg, Hill, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

SEMCO SETTLEMENT REQUEST.

Hill moved, Greenberg second to agree with the settlement terms presented by SEMCO Energy and authorize the Township Attorney to move forward with the settlement.

Roll Call:

AYES: Trudeau, Britton, Greenberg, Tabor, Hill, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

MAWTF PROJECT – LETTER OF UNDERSTANDING AND RESOLUTION TO ADOPT PROJECT PLAN.

Tabor moved, Maki second, to authorize the Township Supervisor and Clerk to sign the Letter of Understanding which defines the future changes that will be made to the agreement for the Marquette Area Wastewater Treatment Facility.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved, Britton second a resolution adopting a final project plan for the secondary treatment improvements and High Street sewer replacement project and designating an authorized project representative

Whereas, the Charter Township of Chocolay recognizes the need to make improvements to its existing wastewater system; and

Whereas, the Charter Township of Chocolay authorizes Donohue & Associates, Inc. to prepare a Project Plan, which recommended the replacement of the High Street sanitary sewer as well as the replacement of the wastewater treatment plant's rotating biological contactors (RBCs) with activated sludge with associated system upgrades; and

Whereas, said Project Plan was presented at a Public Hearing held on June 5, 2006 and all public comments have been considered and addressed;

Now therefore be it resolved, that Charter Township of Chocolay formally adopts said Project Plan and agrees to implement the selected Secondary Treatment Alternative #3 (Activated Sludge).

Be it further resolved, that the Marquette City Manager, a position currently held by Judy Akkala, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a State revolving Fund Loan to assist in the implementation of the selected alternative.

AYES: 7 NAYS: 0 MOTION CARRIED.

RECREATION AUTHORITY ENDORSEMENT.

Britton moved, Greenberg second that the Charter Township of Chocolay Board supports the development of a plan to implement a County-wide Recreation Authority.

AYES: 7 NAYS: 0 MOTION CARRIED.

ZONING OF MARINA.

Greenberg moved, Tabor second, that the Charter Township of Chocolay Board supports the efforts of the Planning Commission to review the zoning classifications of Township owned property and subsequently allows the Township Supervisor to submit any rezoning applications if necessary.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Trustee Trudeau – Lake Superior Partnership membership.

Clerk Hill – Suggest a resolution for Tom Thomas resigning from the Utility Review Committee.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Planning Commission to Board – ORV Use on Snowmobile Trail
- B. Correspondence – Planning Commission to Supervisor – Snowmobile Business Loop
- C. Correspondence – Stupak to Supervisor
- D. Correspondence – Tom Thomas to Township Board

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

July 17, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, July 17, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Clerk Hill called the meeting to order at 7:00 p.m. in the absence of the Supervisor.

Trudeau moved, Britton second that Treasurer Greenberg chair the meeting.

AYES: 6 NAYS: 0 MOTION CARRIED.

TOWNSHIP BOARD.

PRESENT: Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.

ABSENT: Greg Seppanen.

STAFF PRESENT: Martin Caceres, Gary Johnson, Mary Sanders, Dennis Stachewicz.

MINUTES – June 19, 2006.

Britton moved, Trudeau second that the minutes of the regular meeting held on June 19, 2006 are approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Trudeau second that bills totaling \$9,359.03 checks numbered 13114– 13130 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

Britton moved, Tabor second to receive the Treasurer Report.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

ADOPT ZONING ORDINANCE AMENDMENT #34-06-03 – REZONING #135 – WENNERBERG.

Trudeau moved, Tabor 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:

AMENDMENT #34-06-03

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1966 and as amended, be further amended as follows:

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the property commonly known as 1440 M-28 East (Tax Parcel Code 52-02-110-083-95) in Section 10, T.46N-R.24W be rezoned from C-3 to C-2.

Roll Call:

AYES: Tabor, Hill, Maki, Britton, Trudeau, Greenberg.

NAYS: None. MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Annual Report.
- 2) Planning Commission Minutes – 6/12/06.
- 3) CABA Minutes – 04/19/06 and 06/24/06.

SEMCO GAS SETTLEMENT.

Britton moved, Tabor second that the Charter Township of Chocolay Board authorizes the Charter Township of Chocolay to issue a refund to SEMCO Energy in the amount of \$26,220.91 as per the Order for Consent Judgment from the Michigan Tax Tribunal.

Roll Call:

AYES: Britton, Trudeau, Tabor, Hill, Maki, Greenberg.

NAYS: None. MOTION CARRIED.

APPOINTMENT TO UTILITY REVIEW COMMITTEE.

Hill moved, Britton second to appoint John Trudeau as primary representative to the Township Utility Review Committee to a term that expires on 12/31/06.

AYES: 6 NAYS: 0 MOTION CARRIED.

FIRE DEPARTMENT – SALE OF RADIOS TO SANDS TOWNSHIP.

Maki moved, Britton second authorizing the fire Department to sell two (2) used Motorola Radios for the total price of \$150.00 to the Sands Township Fire Department.

AYES: 6

NAYS: 0

MOTION CARRIED.

LETTER OF SUPPORT TO MCRC AND MDNR – SUPERIOR PINES DEVELOPMENT.

Tabor moved, Trudeau second that the Charter Township of Chocolay Board concurs with the recommendation of the Planning Commission and authorizes the Township Supervisor to send a letter of support, as requested by Dr. John English, to the Marquette County Road Commission and Michigan Department of Natural Resources as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

JOINT MEETING WITH PLANNING COMMISSION – CORRIDOR GRANT/SNOWMOBILE BUSINESS SPUR.

Britton moved Trudeau second that the Charter Township of Chocolay Board schedule and notice a Special Joint Meeting with the Planning Commission to be held at 7:00 p.m. on July 31, 2006 at the Chocolay Township Hall to discuss the possible development of a snowmobile business spur.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Yelle to Sands Township Board

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

July 31, 2006

A Special meeting of the Chocolay Township Board and Chocolay Planning Commission was held on Monday, July 31, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton.

ABSENT: Ken Tabor, Dan Maki.

PLANNING COMMISSION.

PRESENT: Tom Shaw, Al Denton, Estelle DeVooght, Denny Magadanz, Scott Emerson.

ABSENT: Ken Tabor, Steve Kinnenen.

STAFF PRESENT: Tom Murray, Mary Sanders, Dennis Stachewicz.

PUBLIC COMMENT.

None.

Presentation by Dennis Stachewicz on the proposed Chocolay Township Multiple Use Trail and Corridor Enhancement. The proposed multi use trail would be used for biking/walking in the summer and for snowmobile use in the winter. The proposed trail would begin at the railroad overpass on the South side of M-28 for two way snowmobile traffic and terminate at the intersection of M-28 & U S 41 and from that point forward the motorized vehicles will be able to move with the flow of traffic. The non-motorized use will tie in with the existing bike trail. Other corridor improvements include landscaping, lighting and the trail and physical separation from traffic.

Comments from Township Planning Commission and Board members:

- The trail will provide a safe way for snowmobiles to go through Chocolay Township.
- The trail will separate snowmobile traffic from residential areas.
- The only reason for a snowmobile trail through Chocolay Township is economic. The trail has to go in the business section for that to be accomplished.
- There will be many families on M-28 affected by the trail.
- The trail will provide safety for crossing at the intersection.
- Biking and walking on the trail in the summer will have a positive effect on the economy in Harvey.
- We have been trying for years to accommodate snowmobiles through Chocolay Township; this trail may be the answer.
- Economic benefits for Chocolay businesses and this is a solution to our snowmobile trail problem.
- CABA has been asking for a business spur on the snowmobile trail for years. Representatives Casperson, Prusi and Adamini have all been involved in making this proposed trail a priority.

PUBLIC COMMENT.

- Lives by the Chocolay River on M-28 and just heard about this meeting today. Who will benefit from this trail? This is a bedroom community not a business community.
- Will the sound from the snowmobiles be shielded when they go over the bridge?
- Will this trail really have an economic impact on the Chocolay businesses?
- Snowmobiles already have access to Chocolay Township businesses. We should just make this trail non-motorized.
- It is already legal to travel on M-28 on a snowmobile. Why do we have to make a special trail for them? The snowmobiles can already get to gas stations and motels in Harvey. What will the cost be to the taxpayers?
- CABA wants to thank MDOT, the Township Board and the Township Planning Commission for the enhancements in the Township. Safety on the trail should be a top priority.
- The township residents should be able to vote on this issue. We should put it on the ballot.
- most of this situation.
- M-28 already has a lot of traffic including truck traffic. It makes sense to have the trail on a high traffic highway rather than a residential area.
- This would establish a legitimate trail for snowmobiles.

The next step in this process would be for the Board to take action on the trail by motion.

Hill moved, Trudeau second to move forward with applying for the Non-Motorized and Motorized Multiple Use Trail and Corridor Enhancement.

AYES: 5

NAYS: 0

MOTION CARRIED.

There being no further business, Supervisor Seppanen adjourned the meeting at 8:05 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

August 21, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, August 21, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Ken Tabor, Dan Maki.
ABSENT :Don Britton.

STAFF PRESENT: Martin Caceres, Mary Sanders, Dennis Stachewicz.

MINUTES – July 17 & 31, 2006.

Trudeau moved, Greenberg second that the minutes of the Regular meeting held on July 17, 2006 and the Special meeting on July 31, 2006 are approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Trudeau moved, Greenberg second that bills totaling \$66,029.75 checks numbered 13131– 13171 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Maki second that bills totaling \$41,250.96 checks numbered 13172– 13208 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Tabor second that bills totaling \$1,889.00 checks numbered 13209– 13235 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

Clerk Hill brought a letter on the Lakenen property to the Board's attention.

Supervisors Report.

1. Road Commission – 480 Project- The Road Commission is starting a new type of maintenance project in the county, chip sealing. They did this on the section of 480 with-in Chocolay Township. From our township line to the crossroads they will be putting down ¼ inch sealer. They will then compare which wears better as the season progresses. They are doing this experiment due to cost issues.

2. Fire Truck – Gary and I started discussions on the financing of the needed new fire truck. We will start working on the details and give you more information shortly.

3. Building Meeting – On June 7th Dennis, John Trudeau, and I met with the architect Dax Richer to review the first set of drawings of options for the modifications to the township complex. Dax will now be meeting with the office personnel to get a better idea of the specific needs of the staff work station placement. He will also be meeting with our fire chief Gary Johnson to review those departments needs. John Trudeau suggested that we also consider the option of a new fire department building. This will also be viewed as an option and costed out for review by this board.

4. Sewer Project Public – Martin, Dennis, and Mike Summers are working with Marquette Township and the city through the Waste Water Treatment Committee on the upgrade project and the agreement that will go with it. We hope to have all the lawyers involved to have the review of the documents completed soon.

5. FEMA On-Line Courses – I have successfully completed the IS-700 National Incident Management System (NIMS), and will be taking the IS-800 National Response Course in the next week. These courses need to be taken to keep our township and county eligible for federal emergency grants.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 7/10/06
- 2) CABA Minutes – 7/19/06

GENERAL FUND BUDGET AMENDMENT #5 FY2006 – REIMBURSEMENT FOR SNOWMOBILE GRANT.

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 in December 19, 2005,

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:

REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan 101.543	200.00	+15,861.06	16,061.06
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Capital Outlay 101.305.957	5,297.00	+8,411.26	13,708.26
Police Department Salaries 101.305.702	186,332.00	+5,812.06	192,144.06
Police Department Part Time Salaries 101.305.705	56,247.00	+1,637.74	57,884.74

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Greenberg, Seppanen.

NAYS: None.

ABSENT: Britton.

MOTION CARRIED

CAPITAL IMPROVEMENTS FUND BUDGET AMENDMENT NO. 4 FY2006 KBIC 2% MONEY DISBURSEMENT

Trudeau 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 in December 19, 2005 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:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	16,981.21	+107,920.85	124,902.06
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Clerk Department 401.215.957	7,562.38	+1,500.00	9,062.38
Treasurer Department 401.253.957	1,800.00	+ 250.00	2,050.00
Police Department 401.305.957	63,242.81	+15,000.00	78,242.81
Fire Department 401.340.957	158,799.68	+15,000.00	173,799.68
Recreation & Grants 401.722.957	28,460.65	+75,670.85	104,131.50
Planning & Zoning	32,316.16	+500.00	32,816.16

ROLL CALL:

AYES: Trudeau, Greenberg, Tabor, Maki, Hill, Seppanen.

NAYS: None.

ABSENT: Britton.

MOTION CARRIED

CAPITAL IMPROVEMENTS FUND BUDGET AMENDMENT NO. 5 FY2006 SALE OF KAWBAWGAM PROPERTY.

Tabor moved, Maki second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005 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:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	124,902.06	+26,175.00	151,077.06
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Recreation & Grants 401.708.957	104,131.50	+26,175.00	130,306.50

ROLL CALL:

AYES: Trudeau, Greenberg, Tabor, Maki, Hill, Seppanen.

NAYS: None.

ABSENT: Britton.

MOTION CARRIED

LETTER OF SUPPORT – MDOT/MARQTRAN GRANT APPLICATION.

Hill moved, Greenberg second that the Charter Township of Chocoy Board hereby supports the efforts of the Marquette Area Transit Authority and the Michigan Department of Transportation and authorizes the Township Supervisor to sign the letters of support as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Dick Arnold – Comments on junk car ordinance and the minutes posting.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Information – Police Department Quarterly Report
- B. Correspondence – CLSWP to MCRC
- C. Correspondence – Zoning Administrator to Township Board

There being no further business, Supervisor Seppanen adjourned the meeting at 7:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

September 18, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, September 18, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the PUBLIC HEARING on the 2006 Millage Rate – Truth in Taxation to order at 7:00 p.m. There was no public comment.

Supervisor Seppanen called the meeting to order at 7:02 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.
ABSENT : Arlene Hill.

STAFF PRESENT: Martin Caceres, Mary Sanders, Dennis Stachewicz, Greg Zyburt.

MINUTES –August 21, 2006.

Greenberg moved, Trudeau second that the minutes of the Regular meeting held on August 21, 2006 are approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Trudeau moved, Britton second that bills totaling \$48,245.70 checks numbered 13236– 13267 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor, Maki second that bills totaling \$5,578.73 checks numbered 13268– 13283 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Maki second that bills totaling \$ 28,877.45 checks numbered 13284– 13323 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

TREASURER REPORT WAS RECEIVED AND PLACED ON FILE.

PRESENTATION – TOM THOMAS – OUTSTANDING CITIZEN.

Seppanen moved, Greenberg second that

THE CHARTER TOWNSHIP OF CHOCOLAY BOARD moved that the following resolution be adopted

WHEREAS, Tom Thomas has previously served 12 years on the Charter Township of Chocolay Board and 5 years on the Charter Township of Chocolay Planning Commission; and

WHEREAS, Tom’s dedication to the citizens of Chocolay Township led to the creation of the Utility Review Committee, which he has been a member of since 1989; and

WHEREAS, Tom has been instrumental in assisting many area residents throughout his life including 31 years of service with the Great Lakes Recovery Program, 11 years of service with Pathways, and 6 years of service on the MARQTRAN Board; Now Therefore Be It Hereby

RESOLVED, That the Charter Township of Chocolay recognizes Tom Thomas as an outstanding citizen of the Charter Township of Chocolay and presents him with this resolution of appreciation for a job well done.

Adopted this 18th day of September, 2006, by the Charter Township of Chocolay Board.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

SUPERVISORS REPORT.

1. Building Meeting –The architect has met with the office employees but still needs to meet with the Fire Department.

2. Sewer Project Public – We are getting closer to the final draft on an agreement with Marquette Township and the city.
3. Recreational Trail Business Loop – The DNR will be looking at their grant programs at the end of the month for the funding of their end of the project. That would be the bridge over the Chocoley River.
4. Federal Courthouse – I went to one of the County budget sessions to urge the county to work with the federal officials and the county jail so that the Federal Courthouse is not jeopardized in the future.
5. Budget Process – Is moving forward.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 8/14/06
- 2) NMPSA Minutes – 8/23/06

2006 MILLAGE REQUEST REPORT – TRUTH IN TAXATION

Britton moved, Greenberg second that the Charter Township of Chocoley adopts a total 2006 ad valorem tax of 3.9353 mills on \$139,919,722.00 taxable value for a total levy of \$550,626.08 general operating of the Charter Township of Chocoley and authorizes the Township Supervisor and Clerk to sign the 2006 Tax Rate Request Form (L-4029) and forward it the Marquette County Board of Commissioners.

AYES: 6

NAYS: 0

MOTION CARRIED.

RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM

Trudeau moved, Britton second that

WHEREAS, the Charter Township of Chocoley Board, does hereby find as follows:

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, and local organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the city's/county's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes;

WHEREAS, the Incident Command System components of NIMS are already an integral part of various city/county incident management activities, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Charter Township of Chocoday Board, that the National Incident Management System (NIMS) is established as the Township standard for incident management.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLISH AND SCHEDULE A PUBLIC HEARING – ORDINANCE #56 – EMERGENCY MANAGEMENT.

Maki moved, Greenberg second that the Chocoday Township Board authorizes the publication of Amendment #56, Emergency Management Ordinance, and schedule a public hearing for October 16, 2006.

AYES: 6

NAYS: 0

MOTION CARRIED.

LETTER TO PETER WHITE PUBLIC LIBRARY BOARD – DISTRICT LIBRARY CREATION.

Greenberg moved, Britton that the Charter Township of Chocoday Board authorizes the Township Supervisor to sign the letter requesting that the Peter White Public Library Board research the idea of a District Library as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

EXTENSION OF PRELIMINARY PLAT OF THE EWING PINES (FORMERLY ELDERWOOD) SUBDIVISION.

Tabor moved, Maki second that the Township Board approve a 30 day extension from today's date to the preliminary plat approval for the Ewing Pines (formerly) Elderwood Subdivision.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Treasurer Greenberg – Interest due to Semco on personal property tax refund.

Greenberg moved, Britton second that Chocoday Township pay the full interest due to Semco in the amount of \$523.23.

AYES: 6

NAYS: 0

MOTION CARRIED.

Trustee Britton – Recreation authority is continuing to meet. The Senior Citizen advisory Board is looking for new members.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – LSCP to Township Board

There being no further business, Supervisor Seppanen adjourned the meeting at 7:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

October 16, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, October 16, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. It was agreed by the Board to reverse the order on the agenda and hold the public hearing after the Regular Meeting was opened.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.

ABSENT :None.

STAFF PRESENT: Tom Murray, Martin Caceres, Mary Sanders, Greg Zyburt.

PUBLIC HEARING ON ORDINANCE #56 EMERGENCY MANAGEMENT ORDINANCE.

There was no public comment.

Tabor moved, Britton second that the Chocolay Township Board has held the required public hearing and adopts Ordinance #56, titled "Emergency Management Ordinance."

THE CHARTER TOWNSHIP OF CHOCOLAY,
MARQUETTE COUNTY, MICHIGAN
EMERGENCY MANAGEMENT ORDINANCE

This ordinance is to provide the general policy and organization for effective mitigation, preparedness, response, and recovery from natural and human-caused emergencies and disasters within the Charter Township of Chocolay, as a component jurisdiction of the Marquette County Emergency Management Program; to designate the position of Township Emergency Management Coordinator who shall serve at the general direction of County Emergency Management officials in coordinating the emergency management activities of the Township and providing liaison between the Township and County officials on all matters pertaining to emergency management; to provide a means of coordinating resources and support of the Township with those of the County in the event of an emergency or disaster situation; and to provide a means through which the Charter Township of Chocolay Board, the Chief Executive Official, and Emergency Management officials may exercise the authority and discharge the responsibilities vested in them by their resolution and Michigan Emergency Management Act, Act No. 390 of the Public Acts of 1976, as amended.

THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN, ORDAINS:
Article 1 – Short Title.

Section 101. This ordinance shall be known as the "The Charter Township of Chocolay Emergency Management Ordinance."

Article 2 – Definitions.

Section 201. For the purpose of this ordinance certain words used herein are defined as follows:

- (a) "Act" means the Michigan Emergency Management Act, Act No. 390 of the Public Acts of 1976, as amended.
- (b) "Central Dispatch Manager" means the person who serves as the Manager for the Marquette County Central Dispatch Center and supervises the Emergency Management Coordinator.
- (c) "Chief Executive Official" means:
 - 1. in the case of a Township, the township supervisor.
 - 2. in the case of a City, the mayor or individual specifically identified in the municipal charter.
 - 3. in the case of Marquette County, the Board chairperson.
- (d) "Township Emergency Management Coordinator" means the person assigned by the Board in accordance with Section 9 (1) of Public Act 390 of 1976, as amended, to coordinate emergency management activities within the Township and serve as a liaison with the County.
- (e) "Board" shall mean the Charter Township of Chocolay Board.
- (f) "County Emergency Management Coordinator" shall mean the person appointed pursuant to Section 9 of Public Act 390 of 1976, as amended, to coordinate emergency management activities within the County.

- (g) “Disaster” means an occurrence or threat of widespread or severe damage, injury, or loss of life or property, resulting from a natural or human made cause, including but not limited to, fire, flood, snowstorm, ice storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure, hazardous peacetime radiological incident, major transportation accident, hazardous materials incident, epidemic, air contamination, blight, drought, infestation, explosion, or hostile military action or paramilitary action, or similar occurrences resulting from terrorist activities, riots, or civil disorders.
- (h) “Disaster Relief Force” means all agencies of the state, county, and municipal government, private and volunteer personnel, public officers and employees, all persons or groups of persons identified in the Emergency Operations Plan, those called into duty or working at the direction of a party identified in the Plan, to perform specific disaster or emergency related tasks and those having duties or responsibilities under the Michigan Emergency Management Act or pursuant to a lawful order or directive authorized by the Act.
- (i) “District Coordinator” means the state police, emergency management division district coordinator.
- (j) “Emergency Management Program” means a program established to coordinate mitigation, preparedness, response, and recovery activities for all emergency and disaster situations within the County and fulfill the requirements of the Act. The Program shall be managed through the Central Dispatch Department by an Emergency Management Program Coordinator and meet the program standards and requirements established by the Department of State Police, Emergency Management Division.
- (k) “Emergency” means any occasion or instance in which assistance is needed to save lives, protect property and the public health and safety, or to lessen or avert the threat of a disaster.
- (l) “Emergency Operations Plan”/“Emergency Action Guidelines” means the plan and necessary support material developed and maintained by the County and those political subdivisions included in the Emergency Management Program for the purpose of guiding local response to emergency and disaster situations, including provisions for the safe and efficient use of the Disaster Relief Force.
- (m) “Governor’s State of Disaster” means an executive order or proclamation by the Governor that implements the disaster response and recovery aspects of the Michigan Emergency Management Plan and applicable local plans of county or municipal programs affected.
- (n) “Governor’s State of Emergency” means an executive order or proclamation by the Governor that implements the emergency response and recovery aspects of the Michigan Emergency Management Plan and applicable local plans of the county or municipal programs affected.
- (o) “Local State of Emergency” means a declaration by the Chairperson or other Chief Executive Official, pursuant to the Act and this resolution, which implements the appropriate response and recovery aspects of the County Emergency Action Guidelines and authorizes certain actions as described in this resolution.
- (p) “Vital Records” means those records that contain information needed to continue effective functioning of a governmental entity in the event of an emergency or disaster situation, including those records necessary to recreate the legal position of government and those necessary to preserve the rights of government, its employees, and the residents it serves.
- (q) “Volunteer” means any person registered with the Emergency Management Program Coordinator and assigned to participate in emergency management related activities. The individual will contribute services, equipment, and/or facilities to the Emergency Management Program without remuneration or without a formal agreement or contract of hire.

Article 3 – Marquette County Emergency Management Organization.

Section 301. In accordance with the Act and this ordinance, the County has established and maintains an Emergency Management Program. The functions of the Program shall be handled by the Emergency Management Program Coordinator, who shall serve under the supervision of the Marquette County Central Dispatch Manager. He/she shall have the personal attributes, training, experience, and certification necessary to carry out the duties and responsibilities of this position.

Section 302. In addition, the Chairperson with approval of the Board shall designate a minimum of two qualified persons as successors to the Emergency Management Program Coordinator in the

event the Coordinator is not immediately available or is unable to perform the duties or responsibilities of the position. The designated line of succession shall be listed in the County Emergency Action Guidelines.

Section 303. Such assistants, professional, and support employees deemed necessary by the Board for the proper functioning of the Emergency Management Program will be employed or assigned.

Article 4 – Marquette County Emergency Management Program; Responsibilities.

Section 401. The Emergency Management Program Coordinator shall be responsible for the planning, coordinating, and operation of all emergency management related activities in Marquette County. The Emergency Management Program Coordinator and designated staff shall maintain ongoing coordination and liaison with municipal, county, state, and federal authorities as well as the private and volunteer sector to ensure safe, effective, and coordinated emergency operations. County emergency management officials and staff shall comply with the standards and requirements of the County and the Department of State Police Emergency Management Division, under the authority of the Act, in performing the following:

- a. Coordinate emergency management planning, disaster preparedness, and recovery assistance with local, state, and federal agencies and appropriate private entities. Participate in the development and negotiation of mutual aid agreements and other emergency management related contracts. Provide staff assistance to and coordinate activities of the Local Emergency Planning Committee. Develop professional working relationships to facilitate networking to help ensure the success of the Emergency Management Program.
- b. Develop, author, and update the County Emergency Action Guidelines and necessary support plans for review and approval by County, state and federal authorities as required. Ensure that the Plan is responsive to all state and federal regulations.
- c. Develop, collect, and maintain emergency resource information and ensure that information is readily available when needed.
- d. Ensure effective and efficient methods of communication are in place so that staff may be contacted at any time in the event of an emergency. Ensure that key elected officials are notified of an emergency situation. Responsible for notifying the State Police Emergency Management Division as required in the event of a disaster.
- e. Respond to calls for assistance as needed. Serve as principal emergency management advisor to the Chairperson and/or public officials from local entities. Activate the Emergency Operations Center when necessary and coordinate those activities. May be required to respond to the scene of an emergency situation to help coordinate needed resources. Coordinate with Central Dispatch Manager if planning to be absent from the area so an alternate coordinator can be made available.
- f. Submit accurate, concise, and well-written reports in a timely manner that are requested by state and federal agencies and County staff on both a routine basis and as needed in the event of a major emergency or disaster. Ensure proper reporting to secure disaster recovery assistance for the County and local jurisdictions. Serve as the official applicant agent for all units of government for state and federal emergency management assistance grants and funding for special emergency service projects.
- g. Conduct hazard identification, capability assessments, and vulnerability analyses to identify and prioritize community risks. Coordinate with local and state officials to develop hazard mitigation strategies. Physically survey and assesses various sites such as hazardous material locations (including facilities subject to Superfund Amendments and Reauthorization Act of 1986 (S.A.R.A.) Title III planning requirements), dams, reception and care facilities, medical facilities, schools, and businesses.
- h. Develop contingency plans to include hazard monitoring, public warnings, emergency notifications, personal safety measures, and population protection measures. Identify special populations in the County such as the homebound, to ensure adequate transportation in an evacuation or other emergency.
- i. Develop, coordinate, schedule, and participate in drills and operational exercises to ensure that involved agencies are able to fulfill their responsibilities and functions in an emergency. Identifies and documents strengths and deficiencies in emergency plans, response, implementation, and resources to assist in an evaluation of the County's level of disaster preparedness.
- j. Develop and implement a public information and education program to provide updated emergency management information to the media, communities, citizens, etc.

- k. Research possible grant opportunities and oversee grant programs as assigned. Keep abreast of issues and information related to responsibilities in the Emergency Management Program. Attend training as assigned to maintain and improve proficiency and comply with current and/or future standards/certifications.
- l. Assist Manager is responding to complaints regarding Emergency Management Program. This may include discussing with the complainant, reviewing information, discussing with staff, and responding to and resolving complaint.
- m. Perform other duties as assigned.

Article 5 – Township Emergency Management Coordinator; Appointment.

Section 501. By the authority of this ordinance, there is hereby established a Township Emergency Management Coordinator within the Charter Township of Chocoday for the purpose of coordinating emergency mitigation, preparedness, response, and recovery activities within the Township. He/she shall receive administrative supervision from the Chief Executive Official for the Township and according to the Act, serve at the direction of the County Emergency Management Coordinator on matters pertaining to emergency management. He/she shall have the personal attributes and experience necessary to carry out the duties and responsibilities of this position.

The Chief Elected Official, with the approval of the Township Board, shall appoint a minimum of two persons as successors to the position of Township Emergency Management Coordinator. The line of succession shall be provided to the Emergency Management office. In the absence of an appointed Emergency Management Coordinator, the Chief Executive Official for the Township shall serve in this capacity.

Article 6 – Township Emergency Management Coordinator; Duties.

Section 601. The Township Emergency Management Coordinator would be responsible for the following:

- a. Preparation and updating of the Township Emergency Operations Plan and other contingency plans. Township emergency planning shall supplement and be consistent with the County Emergency Action Guidelines, provide for interagency coordination, and guide the emergency response activities for the jurisdiction. Develop Standard Operating Procedures (SOP's) or checklists to accomplish emergency notification, assign emergency tasks, and guide emergency operations. Emergency planning documents shall generally be in the form prescribed by the Emergency Services Division.
- b. Promptly notify County Emergency Management officials of any condition or situation that threatens or has reached the proportions of a community emergency or disaster.
- c. Coordinate with Township emergency management efforts and response measures with those of the County and adjacent jurisdictions. Serve as the Township contact for damage assessment information.
- d. Participate in recommended emergency management training programs and ensure that Township personnel are adequately trained for assigned emergency functions. Coordinate with the County Emergency Management office to obtain or enroll in emergency management training programs.
- e. Assist in providing information and education to the Township residents as to actions necessary for the protection of life and property in an emergency or disaster situation.
- f. Participate in periodic exercises to enhance the Township emergency response capability.
- g. Provide County Emergency Management officials with a roster of personnel and resources available within the jurisdiction and a list of those services that may be needed during times of emergency.
- h. Assist in identification and protection of Vital Records of the Township.
- i. Cooperate with County Emergency Management officials in implementing the directives of the Township and County Chief Executive Officials under a local "State of Emergency."

Article 7 – Chief Executive Official of the Township; Powers; Duties:

Section 701. The Chief Executive Official of the Township shall monitor the activities of the Township Emergency Management Coordinator and County Emergency Management Program, working through

County Emergency Management officials. With the advice of County Emergency Management officials and the consent of the Township/township Board, the Chief Executive Official may formulate, review, and approve policy and operational guidelines for the Township Emergency Management Coordinator as needed.

Section 702. On an annual basis, the Chief Executive Official shall review the status of the County Emergency Program and associated work activities with Township and County Emergency Management officials.

Section 703. The Chief Executive Official shall review for adequacy and authenticate the Township Emergency Management Operations Plan at least every two years.

Section 704. When circumstances within the Township indicate that the occurrence or threat of occurrence of widespread or severe damage, injury, or loss of life or property from a natural or human caused exists, the Chief Executive Official may declare a Local State of Emergency in accordance with provisions contained in the Act. Such a declaration shall be promptly filed with the Emergency Management office. This declaration shall not be continued or renewed for a period in excess of seven days, except with the consent of the Township Board.

Section 705. If the Chief Executive Official invokes such power and authority, he/she shall, as soon as reasonably expedient, convene the Township Board for one or more emergency meetings in accordance with the Open Meetings Act to perform its normal legislative and administrative duties as the situation demands, and will report to that body relative to emergency activities. Nothing in this ordinance shall be construed as abridging or curtailing the powers of the Township Board unless specifically provided herein.

Section 706. The Chief Executive Official may do one or more of the following under a “State of Emergency:”

- a. Establish an Incident Command System/NIMS, activate the Township Emergency Operations Plan and/or other applicable emergency procedures for the Township. Consistent with the emergency plans and this (resolution/ordinance), initiate measures deemed immediately necessary for the protection of the health and safety of persons and property in the Township.
- b. Request County Emergency Management officials to implement the County Emergency Action Guidelines or other appropriate contingency plans and directives to the extent needed.
- c. Issue directives for travel restrictions on Township streets/roads within the jurisdiction.
- d. Relieve Township employees of normal duties and work schedules and temporarily reassign them to other duties.
- e. Authorize and activate mutual aid agreements.
- f. Oversee disaster relief efforts within the Township, in accordance with the Emergency Operations Plan.
- g. Advise the public of emergency or disaster situations and any recommended public protection measures.
- h. Request a local “State of Emergency” declaration and any required County assistance from the Chief Executive Official of the County.
- i. Assign available Township personnel and resources to the County Disaster Relief Force in the event a Local State of Emergency is declared in Marquette County by the Chief Executive Official for the County.
- j. Request a State of Disaster or Emergency declaration from the Governor through the County Emergency Management office.
- k. When obtaining normal approvals would result in undue injury or damage, the Chief Executive Official may, until the Township Board convenes, waive procedures and formalities otherwise required pertaining to the following:
 - i. For a period of up to seven days, appropriate and expend funds from the Township Disaster Contingency Fund created in Article 10 up to \$5,000.00, and thereafter with the consent of the Township Board.

- ii. For a period of up to seven days, make contracts, obtain and distribute equipment, materials, and supplies for disaster purposes, and thereafter with the consent of the Township Board.
- iii. Employ temporary emergency workers and services.
- iv. Make, amend, or rescind ordinances or rules necessary for emergency management purposes which supplement a rule, order, or directive issued by the Governor or a State agency. Such an ordinance or rule shall be temporary and, upon the Governor's declaration that a State of Disaster or State of Emergency is terminated, shall no longer be in effect.
- v. For a period of up to seven days, send the Township employees and resources to the temporary aid of other communities within Marquette County upon an official request from the affected jurisdiction(s).
- vi. Authorize other emergency activities as provided for in the Act.

Section 707. If a State of Disaster or Emergency is declared by the Governor, assign and make available for duty the employees, property, or equipment of the Township within or without the physical limits of the Township, as ordered by the Governor or the Director of the Michigan Department of State Police, in accordance with the Act.

Section 708. In the event the Township Executive Official is not immediately available or unable to exercise the powers and duties of the position, the following line of succession shall be established:

- a. Township Fire Chief
- b. Township Police Chief
- c. Township Director of Planning and Community Development

Article 8 – Governor Declaration Request.

Section 801. If a disaster or emergency occurs that has not yet been declared to be a State of Disaster or a State of Emergency by the Governor, the Township Board hereby delegates to the Chief Executive Official the authority to determine if the situation is beyond the control of the Township. If the disaster or emergency is considered to be beyond the Township's control, the Chief Elected Official may request state assistance. The Township Emergency Management Coordinator shall immediately contact the County Emergency Management Coordinator. The District Coordinator shall then be notified by County Emergency Management officials. Once notified, the District Coordinator, in conjunction with the Township and County Emergency Management officials, shall assess the nature and scope of the disaster or emergency. They shall recommend the personnel, services, and equipment that will be required for its mitigation or relief.

Section 802. The Chief Executive Official for the County shall not request state assistance or a declaration of a State of Disaster or a State of Emergency for an emergency which has occurred or is occurring solely within the confines of the Township, unless requested to do so by the Chief Executive Official for the Township.

Article 9 – Township Departments, Boarders, Board, or Other Services; Liaisons; Duties.

Section 901. Each department, Board, board, or other agency of Township government shall assign an emergency management liaison who shall coordinate the emergency management and emergency planning activities of the respective department, Boarder, board, agency, or service and act as a liaison between his/her organization and the Township Emergency Management Coordinator, and the County Emergency Management Coordinator, on all matters pertaining to emergency management activities.

Section 902. The organization's emergency management liaison should have a minimum of two people designated to serve as successors in the event the emergency management liaison is not immediately available or requires supplemental assistance. Successors shall be listed in the Township Emergency Operations Plan or the organization's standard operating procedures (SOP's) and be on file with the Township Emergency Management Coordinator and County Emergency Management Coordinator. In the absence of an appointed emergency management liaison, the service chief or agency head will serve in this capacity.

Section 903. Each department, Board, board, or other agency of county government, as well as other designated services are responsible for the following:

- a. Prepare or assist in the preparation and maintaining the Township Emergency Operations Plan, applicable portions of the Marquette County Emergency Action Guidelines, or other emergency plans deemed necessary to guide emergency management activities of that department, Board, board, agency, or service, including Standard Operating Procedures (SOP's) or checklists necessary to accomplish emergency notification, assigned emergency tasks, and define concepts of operation.

Emergency planning documents shall generally be in the form prescribed by the County Emergency Management Coordinator.

- b. Promptly notify Township and County Emergency Management official of any condition or situation that threatens to become or has reached the proportions of a community emergency or disaster.
- c. As part of the Disaster Relief Force and the County Emergency Management Program, perform specific duties as assigned in the Township Emergency Operations Plan and County Emergency Action Guidelines or other appropriate contingency plans.
- d. Coordinate the organization's emergency management efforts with those of other services, as well as Township and County Emergency Management officials. Provide necessary information for incident and damage assessment activities.
- e. Participate in such emergency management training as recommended by the Township Emergency Management Coordinator and the County Emergency Management office. Arrange for training relevant to the emergency responsibilities and functions of the organization to ensure that personnel are trained to be able to implement assigned emergency activities.
- f. Participate in periodic emergency exercises to enhance the adequacy of the organization's response and recovery capability.
- g. Provide the Township Emergency Management Coordinator and County Emergency Management office with a list of personnel and resources available within the agency, department, or service, as well as lists of resources, which may be needed during times of emergency.
- h. Identify and provide for the protection of the organization's vital records.
- i. Cooperate with Township and County Emergency Management officials in implementing directives of the Chief Executive Official for the Township and County or his/her designee under a Local State of Emergency.

Article 10 – Disaster Contingency Fund.

Section 1001. A disaster contingency fund is hereby created in the Township budget of not less than \$5,000.00 Money may be expended from the fund when a "Local State of Emergency" has been declared by the Chief Executive Official of the Township for the purpose of paying the disaster relief force, purchase of supplies and services, repair costs, or other needs required specifically for mitigating the effects of, in response to, or recovery from an emergency or disaster situation.

Article 11 – Volunteers; Appointment; Reimbursement.

Section 1101. Each department, Board, board, or other agency of Township government is authorized to appoint volunteers to augment regular personnel during implementation of the Township Emergency Operations Plan and County Emergency Action Guidelines. Such volunteer personnel shall be part of the disaster relief force and shall be subject to the rules and operational controls set forth by the respective department, Board, board, or agency through which the appointment was made, and shall be reimbursed for all actual and necessary travel and subsistence expenses incurred during this appointment. All volunteers used for emergency management purposes shall be registered with the Township Emergency Management Coordinator, the Township Clerk, and the County Emergency Management office.

Article 12 – Rights of Disaster Relief Force.

Section 1201. In accordance with Section 11 of the Act, personnel of the disaster relief force, while on duty shall:

- a. If they are employees of a county, municipality, or other governmental agency, regardless of where serving, have the powers, duties, and rights, privileges, and immunities, and receive the compensation incidental to their employment.
- b. If they are not employees of the county, municipality, or other governmental agency, be entitled to the same rights and immunities as are provided for by law.

Article 13 – Temporary Seat of Government.

Section 1301. The Township Board shall provide for the temporary movement and reestablishment of essential government offices and services in the event that existing facilities cannot be used.

Article 14 – Liability.

Section 1401. As provided for in the Act and this ordinance, the county or any political subdivision, or the agents or representatives of any political subdivision shall not be liable for personal injury or property damage sustained by volunteer disaster relief workers. In addition, any member of the disaster relief force engaged in disaster relief activity shall not be liable in a civil action for damages resulting from an act or omission arising out of and in the course of the person's good faith rendering of that activity, unless the person's act or omission was the result of that person's gross negligence or willful misconduct. The right of a person to receive benefits or compensation to which he or she may otherwise be entitled to under the worker's compensation law, any pension law, or act of Congress will not be effected as a result of said activity.

Section 1402. As provided for in the Act, any person owning or controlling real estate or other premises, who voluntarily and without compensation, grants the county the right to inspect, designate, and use the whole or any part of such real estate or premises for the purpose of sheltering persons or for any other disaster related function during a declared local state of emergency or during an authorized practice disaster exercise, shall not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege, or other permission, or for loss of, or damage to, the property of such person.

Article 15 – Sovereignty.

Section 1501. Should any section, clause, or provision of this ordinance be declared by the courts invalid for any reason, such declaration shall not affect the validity of this ordinance as a whole or any part thereof, other than the section, clause, or provision so declared to be invalid.

Article 16 – Repeals.

Section 1601. All resolutions or parts of a resolution inconsistent herewith are hereby repealed.

Article 17 – Annual Review.

Section 1701. This ordinance shall be reviewed as required by the Township Board, and changes shall be made if necessary.

Article 18 – Effective Date.

Section 1801. This ordinance shall have immediate effect.

ROLL CALL:

AYES: Trudeau, Britton, Greenberg, Hill, Tabor, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

MINUTES –September 18, 2006.

Maki moved, Tabor second that the minutes of the Regular meeting held on September 18, 2006 are approved as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Trudeau second that bills totaling \$54,930.43 checks numbered 13324– 13382 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

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

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

1. MCTA Executive Board - June 24th, 2006
2. CABA – August 16th, 2006
3. Planning Commission – September 11th, 2006

SUPERVISORS REPORT.

1. Director of Planning and Research – We are going to be interviewing this Thursday for that position. Tom is doing an excellent job of filling in.

2. Recreational Authority – I went to the presentation meeting in Marquette on September 26th. Many municipalities were represented. The proposed authority would only be for a linking trail system. The building and maintenance of the system would be by a very small millage of .1 to .2 for the cities and township where the residents have agreed to participate by voting for this millage. The millage in Chocolay would amount to about \$3.50 to \$6.00 per year for the average homeowner. I have included the slide show in your packet. The authority language and by-laws have been sent to our lawyer for his review.

3. Sewer Project Public – The final draft is in the hands of our legal council. We will see it at our November meeting. We are on schedule for the project.

4. Recreational Trail Business Loop and Corridor Enhancement Grant – We received the \$1,000,000 check and hope for another \$800,000 soon.

GENERAL FUND BUDGET AMENDMENT #6 FY2006 –SEMCO TAX SETTLEMENT.

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 in December 19, 2005, 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:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous	45,000.00	+22,767.39	67,767.39
EXPENDITURE			
Treasurer Department			
Tax Tribunal			
101.253.963	0	+26,744.15	26,744.15
Other General Government			
Contingency			
101.285.951	\$31,911.00	-3,976.76	27,934.24

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT #7 FY2006 –ELECTION DEPARTMENT.

Hill 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 in December 19, 2005, 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			
Per Meeting Comp.	\$ 1,700.00	+\$1,700.00	\$ 3,400.00
101.190.710			
Equipment Maintenance	\$ 100.00	+\$1,000.00	\$ 1,100.00
101.190.778			
Other General Government			
Contingency			
101.285.951	\$27,934.24	-\$2,700.00	\$25,234.24

ROLL CALL:

AYES: Trudeau, Britton, Greenberg, Tabor, Maki, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT #8 REIMBURSEMENT FOR MDOT TRAFFIC GRANT.

Britton 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 December 19, 2005, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department			
Salaries	192,144.06	+2,845.08	194,989.14

101.305.702

REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan 101.543	16,061.06	+2,845.08	18,906.14

ROLL CALL:

AYES: Hill, Tabor, Maki, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENT FUND BUDGET FY
2006 – AMENDMENT NO. 6 - MANUFACTURE’S REBATE FOR NEW CAR.

Greenberg moved, Maki second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on Dec. 19, 2005, 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 Improvement 401.305.957	78,242.81	+\$570.36	78,813.17

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	124,902.06	+\$570.36	125,472.42

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Maki, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND BUDGET AMENDMENT NO. 7 FY2006 FIRE DEPARTMENT
GRANT.

Trudeau moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005 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:

REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan 401.543	460.40	+1,116.76	1,577.16

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department 401.340.957	173,799.68	+1,116.76	174,916.44

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

CHOCOLAY DOWNS LIQUOR LICENSE ISSUANCE RECOMMENDATION

Trudeau moved, Britton second that the Charter Township of Chocolay recommends issuance of a new on premise license to Chocolay Downs Golf Course, (C.G.C. LLC).

AYES: 7

NAYS: 0

MOTION CARRIED.

REZONING # 136 - PUBLISH MAP AMENDMENT.

Tabor moved, Greenberg 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: #34-06-05.

AMENDMENT #34-06-05

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 property commonly known as 137 W. Main Street (Tax Parcel Code 52-02-203-010-00) in Section 6, T.47N-R.24W be rezoned from R-1 to PL.

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Maki, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

REZONING # 138 - PUBLISH TEXT AMENDMENT

Tabor 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: #34-06-04

AMENDMENT #34-06-04

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 214 – Provisions for the Public Lands Zoning District be deleted and replaced with the following:

SECTION 214 PUBLIC LANDS ZONING DISTRICT

INTENT. To establish and preserve areas for certain public purpose and functions conducted by Chocolay Township

PERMITTED PRINCIPAL USES. Offices and related buildings, Police and Fire Stations, Community Centers, Indoor Sports Facilities, Libraries, Parks, Township controlled utility infrastructure, Recycling drop offsite, Maintenance and Storage facilities, Marinas

CONDITIONAL USES. Wireless Communication Facilities subject to the conditions of Section 527, Solid Waste Transfer Stations, Cemeteries and Campgrounds.

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

EWING PINES SUBDIVISION / FINAL PLAT

Tabor moved, Maki second that the Charter Township of Chocolay Board concur with the Planning Commission and approve the final plat of the Ewing Pines subdivision as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGREEMENT FOR COLLECTION AND DISPOSAL OF REFUSE CONTRACT EXTENSION.

Trudeau moved, Britton second that the proposal letter dated September 8, 2006 from Great American Disposal Company to extend the agreement for collection and disposal of refuse for an additional five (5) years be accepted with the provision of the contract extension.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

David Dousey – Thanked the Board and staff for all of their assistance with the Ewing Pines subdivision project.

Trustee Trudeau – Requested that payroll totals be approved by the Board along with the Accounts Payable list.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

1. KBIC Funding Requests
2. Iron Ore Heritage Area Publications
3. Police Department / Quarterly Status Report

There being no further business, Supervisor Seppanen adjourned the meeting at 7:42 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

Special Meeting
October 25, 2006

A Special meeting of the Chocolay Township Board was held on Thursday, October 25, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 5:15 p.m. The reason for the Special Meeting was to consider the final plat of the Bayou Court Site Condominium Project.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, Ken Tabor, John Trudeau, Don Britton.

ABSENT: Dan Maki.

STAFF PRESENT: Tom Murray, Mary Sanders.

PUBLIC COMMENT.

Dave Thomas – Concerns on the short notice of the meeting.

BAYOU COURT SITE CONCOMINIUMS – FINAL PLAT.

Tom Murray, Community Development Coordinator - explained the site condo plan; it has been to the Planning Commission and has their approval.

Clerk Hill – Asked why this was not on the last regular meeting agenda.

Supervisor Seppanen - The request for approval was brought to the Township the day after the last regular meeting and the project developer requested a special meeting because it is late in the building season and they just completed their other approvals needed to bring it to the Township Board. They want to start the project as soon as they get Board approval.

Trustee Britton – What is the size of the fence between the project and the neighbor? The plan has a fence, but the material and size have yet to be decided.

Dave Thomas – Concerns about the fence.

Bethany French – Wants to make sure the fence goes up between the project and her property.

Tim Hunt – Why is the fence on only one side of the property? He is against the project, considers it urban sprawl.

Britton moved, Tabor second that the Chocolay Township Board approve the Final Plan for the Bayou Condominium Project as presented including a six foot solid fence adjacent to the French property.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

There being no further business, Supervisor Seppanen adjourned the meeting at 5:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

Special Meeting
November 2, 2006

A Special meeting of the Charter Township of Chocolay Board was held on Thursday, November 2, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 5:15 p.m. The purpose for the Special Meeting was to consider Board concurrence for employing Jason K Laumann as the director of Planning and Community Development.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, Don Britton.

ABSENT: Ken Tabor, John Trudeau, Dan Maki.

STAFF PRESENT: Tom Murray, Mary Sanders.

PUBLIC COMMENT.

None.

HIRING OF DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT.

Hill moved Britton second to concur with the Chocolay Township Supervisor for the hiring of Jason Laumann to fill the position of Chocolay Township's Director of Planning and Community Development.

AYES: 4 ABSENT: 3 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

There being no further business, Supervisor Seppanen adjourned the meeting at 5:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

November 13, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, November 13, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.

ABSENT :None.

STAFF PRESENT: Martin Caceres, Mary Sanders, Tom Murray, Greg Zyburt, Gary Johnson.

MINUTES –OCTOBER 16, 2006, OCTOBER 25, 2006 AND NOVEMBER 2, 2006.

Greenberg moved, Maki second that the minutes of the Regular meeting held on October 16, 2006 are approved as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved, Tabor second that the minutes of the Special meeting held on October 25, 2006 are approved as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

Hill moved, Britton second that the minutes of the Special meeting held on November 2, 2006 are approved as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$34,413.00 checks numbered 13384– 13419 be approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Hill moved, Trudeau second that 10/19/06 payroll \$32,123.97, 10/20/06 payroll \$1,072.34 and 11/02/06 payroll \$19,920.00 be approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

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

PUBLIC COMMENT.

Trustee Trudeau – Would like to have the assessing website added to the Township web page.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

None.

SUPERVISORS REPORT.

None.

REZONING # 136 - PUBLISH MAP AMENDMENT.

Greenberg moved, Tabor second that the Charter Township of Chocolay Board waive the reading and adopt and publish the following amendment to Ordinance 34 of the Charter Township of Chocolay, Marquette, County, Michigan: #34-06-05.

AMENDMENT #34-06-05

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 property commonly known as 137 W. Main Street (Tax Parcel Code 52-02-203-010-00) in Section 6, T.47N-R.24W be rezoned from R-1 to PL.

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Maki, Hill, Seppanen.

NAYS: None. MOTION CARRIED.

REZONING # 138 - PUBLISH TEXT AMENDMENT

Tabor moved, Hill second that the Charter Township of Chocolay Board waive the reading and adopt and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-06-04

AMENDMENT #34-06-04

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 214 – Provisions for the Public Lands Zoning District be deleted and replaced with the following:

SECTION 214 PUBLIC LANDS ZONING DISTRICT

INTENT. To establish and preserve areas for certain public purpose and functions conducted by Chocolay Township

PERMITTED PRINCIPAL USES. Offices and related buildings, Police and Fire Stations, Community Centers, Indoor Sports Facilities, Libraries, Parks, Township controlled utility infrastructure, Recycling drop offsite, Maintenance and Storage facilities, Marinas

CONDITIONAL USES. Wireless Communication Facilities subject to the conditions of Section 527, Solid Waste Transfer Stations, Cemeteries and Campgrounds.

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None. MOTION CARRIED.

RESOLUTION MARQUETTE COUNTY RECREATIONAL AUTHORITY.

Trudeau moved, Britton second that the following resolution be adopted.

WHEREAS, the Charter Township of Chocolay endorses the concept of the Recreation Authority to develop, manage, and maintain the Iron Ore Heritage Trail; and

WHEREAS, the Charter Township of Chocolay will work with its neighbors for the development of a connected trail system; and

WHEREAS, the Charter Township of Chocolay endorses the Iron Ore Heritage Trail as an interpretative trail with signage and interpretation of our region’s mining heritage; and

WHEREAS, the Charter Township of Chocolay endorses the Iron Ore Heritage Trail as a tool for economic development through the preservation of our history and traditions.

NOW THEREFORE IT BE RESOLVED that the Township of Chocolay supports the formation of the Recreation Authority for the development, management, and maintenance of the Iron Ore Heritage Trail.

Adopted this 13th day of November 2006, by the Charter Township of Chocolay Board.

AYES: 7 NAYS: 0 MOTION CARRIED.

MARQUETTE AREA WASTEWATER TREATMENT FACILITY, 3 PARTY CONTRACT.

Tabor moved, Maki second that the Township Supervisor and Clerk are authorized to sign the agreement for the Marquette Area Wastewater Treatment Facility.

AYES: 7 NAYS: 0 MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2006 AMENDMENT NO. 8 POLICE TRAINING FUNDS-STATE OF MICHIGAN

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 December 19, 2005, 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	\$2,547.50	+490.36	\$3,037.86
REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI			
401.543	\$1,577.16	+490.36	\$2,067.52

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

DELINQUENT SEWER ACCOUNTS TO TAX ROLL.

Greenberg moved, Britton second that the list of delinquent sewer charges and penalties as received from the Deputy Clerk, to be added to the December tax roll.

CHOCOLAY TOWNSHIP DELINQUENT SEWER USERS 2006				
Name	Tax ID Number	Address	City, State, Zip	Amount Due
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	298.02
Harvey Laundry	52-02-106-043-50	505 Corning Street	Mqt MI 49855	5,131.16
Susan Racine	52-02-215-006-00	156 East Fairbanks	Mqt MI 49855	298.02
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	298.02
Robert & Judy Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	142.08
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	298.02
Mark Chudy	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	298.02
Kim Brugman	52-02-216-009-00	130 Kellog Street	Mqt MI 49855	17.50
Richard Hillock	52-02-305-034-00	172 Riverside Road	Mqt MI 49855	298.02
Charlyne Horvath	52-02-107-012-00	204 Silver Creek Road	Mqt MI 49855	298.02
Steve Johnson	52-02-206-012-00	2424 U S 41 South	Mqt MI 49855	298.02
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	536.42
Harvey Oil Company	52-02-254-003-00	4025 U S 41 South	Mqt MI 49855	209.26
Wahlstrom Enterprise	52-02-107-007-00	5043 U S 41 South	Mqt MI 49855	8,755.56
Wahlstom-Sweetz N Treatz	52-02-107-007-00	5045 U S 41 South	Mqt MI 49855	476.84
Steve Wahlstrom- Lark	52-02-107-004-00	5063 U S 41 South	Mqt MI 49855	1,013.62
Robert Vidlund	52-02-455-004-00	120 Veda Street	Mqt MI 49855	298.02
David Blackburn	52-02-106-032-00	232 Van Epps	Mqt MI 49855	298.02
Scott Henry	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	298.02
Dr. Jean Elder	52-02-107-067-00	612 Willow Road	Mqt MI 49855	1,076.98
Dave/ Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	249.64
Pedone Trust	52-02-212-012-00	140 West Main Street	Mqt MI 49855	46.34
Renee Rintamaki	52-02-210-008-00	310 West Terrace	Mqt MI 49855	97.36
Joseph Stanaway	52-02-208-005-00	341 West Terrace	Mqt MI 49855	297.46
Marilyn Kremer	52-02-208-003-00	371 West Terrace	Mqt MI 49855	297.46
Kristine Dionne	52-02-106-043-00	110 West Wright Place	Mqt MI 49855	297.46
Glen Carlson	52-02-213-004-00	350 West Wright Place	Mqt MI 49855	74.28
Michael Olli	52-02-210-012-00	371 West Wright Place	Mqt MI 49855	291.24
Total Delinquent Amount				22,288.88

AYES: 7

NAYS: 0

MOTION CARRIED.

2006 ROAD RANKINGS.

Tabor moved, Maki second that the Chocolay Township Board concur with the Planning Commission and forward these rankings to the Marquette County Road Commission for consideration in their planning and road repair/reconstruction rankings.

AYES: 7

NAYS: 0

MOTION CARRIED.

FISCAL YEAR 2007 BUDGET WORKSHOP.

Salaries –

Greenberg moved, Trudeau second that the employee salary increase be set at 3 1/2 % for 2007.

AYES: 7

NAYS: 0

MOTION CARRIED.

General Fund

Revenues – No change.

Salaries – No change.

Township Board – No change.

Supervisor – No change.

Election – No change.

Assessor – No change.

Clerk – No change.
Board of Review – No change.
Treasurer – No change.
Township Hall & Grounds – No change.
Other General government – No change.
Police – No change.
Fire – No change.
Streets – No change.
Sanitation – No change.
Recreation & Grants – No change.
Community Center – No change.
Recreation & Property – No change.
Zoning – No change.
Planning Commission – No change.
Zoning Board of Appeals – No change.

Capital Improvements Fund

Expenditures – No change.

Wastewater Fund

Revenues – No change.

Expenditures – No change.

PUBLIC COMMENT.

Janet Amudsen – Hopes the Board will continue to charge for garbage with the tag system rather than a monthly amount.

Treasurer Greenberg – If Chocolay Township coordinates a spring clean up with the City of Marquette, we should consider a general household pick up instead of metal only.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. CABA Minutes of September 20th, 2006
- B. Besola Contracting Class A designation and agreement
- C. 2007 Z.B.A. meeting schedule
- D. Zoning Administrator Correspondence / 125 Kawbawgam Rd.
- E. Zoning Administrator Correspondence / Robert LaJeunesse
- F. MTA Correspondence dated October 9th, 2006

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

December 18, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, December 18, 2006 at 7:00 p.m. at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.

ABSENT : None.

STAFF PRESENT: Jason Laumann, Martin Caceres, Mary Sanders, Tom Murray, Greg Zyburt, Gary Johnson.

MINUTES –NOVEMBER 13, 2006.

Greenberg moved, Trudeau second that the minutes of the Regular meeting held on November 13, 2006 are approved as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

FISCAL YEAR 2007 BUDGET- PUBLIC HEARING AND ADOPTION.

The public hearing was opened at 7:03 p.m. There was no public comment. The public hearing was closed at 7:05 p.m.

GENERAL APPROPRIATIONS ACT

Greenberg moved, Britton second, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2007, and ending December 31, 2007, to the Township Board for its consideration; and

Whereas, notice of the public hearing on the budget was published in the Mining Journal, a newspaper of general circulation within the township, on December 1, 2006; and

Whereas, a public hearing on the proposed budget was held on December 18, 2006, at the Chocolay Township Municipal Complex, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing;

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2007, and ending on December 31, 2007, in the amount of \$1,564,293.00 for the General Fund, in the amount of \$269,313.00 for the Sewer Fund and in the amount of \$100,900.00 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,564,293.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2007, and ending December 31, 2007.
3. The Township Board does hereby appropriate the sum of \$269,313.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2007, and ending December 31, 2007.
4. The Township Board does hereby levy 4.7235 mills for general operations.
5. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution are rescinded.
6. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming to Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL.

AYES: Hill, Maki, Tabor, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None

MOTION CARRIED.

Hill moved, Tabor second, that the salary for the office of Supervisor shall be set in the amount of \$14,447.00 for the Fiscal Year 2007, which begins January 1, 2007, and ends December 31, 2007.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trudeau moved, Britton second, that the salary for the office of Treasurer shall be set in the amount of \$8,403.00 for the Fiscal Year 2007, which begins January 1, 2007, and ends December 31, 2007.

AYES: 7

NAYS: 0

MOTION CARRIED.

Britton moved, Greenberg second, that the salary for the office of Clerk shall be set in the amount of \$11,396.00 for the Fiscal Year 2007, which begins January 1, 2007, and ends December 31, 2007.

AYES: 7

NAYS: 0

MOTION CARRIED.

Hill moved, Greenberg second, that the per diem for the office of Trustee shall be set in the amount of \$50.00 per meeting for the Fiscal Year 2007, which begins January 1, 2007, and ends December 31, 2007.

AYES: 7

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$1,797.00 checks numbered 13420– 13434 be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

Maki moved, Tabor second that bills totaling \$59,393.05 checks numbered 13435– 13474 be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trudeau moved, Britton second that bills totaling \$15,805.59 checks numbered 13475– 13506 be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

Hill moved, Seppanen that payrolls Nov. 16th \$24,697.77, Nov. 30th \$18,874.05, Dec. 4th \$2,120.73, Dec. 14th \$20,695.68 be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

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

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

None.

SUPERVISORS REPORT.

1. Jason Laumann, Director of Planning and Community Development – He is on board. We will get back into the mid-month updates for the board. I owe a big thanks to Tom for all his efforts in covering the bases for the last two months.

2. PW Library – I will be looking for several individuals for the board to appoint to the District Library Exploratory Committee at our January meeting. The committee will be forming and have it's first meeting in February. The hope is that they will finish their charge by the coming December.

3. KBIC 2% -We are happy to accept the 2% money from the KBIC. This check was for \$60,000.

4. The upcoming year – 2007, several major actions by this board will be acted on:

Fire Truck – I have meet with our Fire Chief Gary Johnson about the purchasing of the new fire truck. The total cost should be slightly under \$500,000. We are looking at offsetting some of the cost through the sale of our two fire trucks and using money that has be set aside in the Capital Improvement Fund for this purchase. It will still leave us with the need to raise about \$350,000. As I have stated at earlier meetings, we will be looking at using a dedicated millage to cover this part of the purchase. In the discussion with the Chief, the time frame for the purchase and delivery would be about 2 years from now if we went with an August election.

Road funding – We have been discussing the problems associated with our county roads for several years and like most of the other communities we lack the funds to do the necessary repairs. We are also unsure of what the Road Commission will be doing to cover their part of this responsibility. If we are looking at a millage for the fire truck this year we may want to also discuss the possibility of seeing if there is public support for a dedicated millage for township road repair, as a number of other townships have.

Building Upgrade – We will need to have our committee bring a recommendation to the board before spring on the remodeling needs of the office area and the fire department building.

5. Don Britton was CABA Citizen of the Year. The following Board resolution was presented to Don.

RESOLUTION

TO DONALD BRITTON

THE CHARTER TOWNSHIP OF CHOCOLAY BOARD
Commends its member Donald Britton
On his selection as the Chocolay Area Business Association's
2006 Citizen of the Year.
Don's dedication comes from a sincere desire
to assist residents and encourage full participation
in the activities of the area.
Duly noted and presented this 30th day of November, 2006.

ANNUAL APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES.

Maki moved, Tabor second to appoint the following representatives to the named boards and committees with the prescribed terms of office.

BOARD OF REVIEW

Albert Denton 01/01/07 to 12/31/09
Dennis Hickey 01/01/07 to 12/31/09
Robert Pecotte 01/01/07 to 12/31/09

CHOCOLAY RIVER WATERSHED COUNCIL

Larry Gould 05/31/06 to 05/31/09

EAST MARQUETTE SOLID WASTE DISPOSAL AUTHORITY

Greg Seppanen 01/01/07 to 12/31/07
Martin Caceres 01/01/07 to 12/31/07
Brad Johnson 01/01/07 to 12/31/07

MARQUETTE AREA WASTEWATER TREATMENT ADVISORY BOARD

Martin Caceres 01/01/07 to 12/31/07
Brad Johnson 01/01/07 to 12/31/07

NORTHERN MICHIGAN PUBLIC SERVICE ACADEMY

Arlene Hill 01/01/07 to 12/31/07
Mary Sanders 01/01/07 to 12/31/07

PENSION COMMITTEE

Greg Zyburt 01/01/07 to 12/31/12

PERSONNEL COMMITTEE

Tina Fuller 01/01/07 to 12/31/07
Mary Kratzke 01/01/07 to 12/31/07
John Greenberg 01/01/07 to 12/31/08

PLANNING COMMISSION

Kendal Tabor 01/01/07 to 12/31/09

UTILITY REVIEW COMMITTEE

John Trudeau 01/01/07 to 12/31/10
AYES: 7 NAYS: 0

MOTION CARRIED.

2007 MEETING DATES.

Tabor moved, Maki second that the Township Board approve the 2007 township meeting dates schedule as proposed.

CHOCOLAY TOWNSHIP BOARD-7:00 p.m.

JANUARY 15 JULY 16
FEBRUARY 19 AUGUST 20
MARCH 19 SEPTEMBER 17
APRIL 16 OCTOBER 15
MAY 21 NOVEMBER 12
JUNE 18 DECEMBER 17

PLANNING COMMISSION-7:30 p.m.

JANUARY 8 JULY 9
FEBRUARY 12 AUGUST 13
MARCH 12 SEPTEMBER 10
APRIL 9 OCTOBER 8
MAY 14 NOVEMBER 5
JUNE 11 DECEMBER 10

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

JANUARY – NO MEETING JULY 26
FEBRUARY – NO MEETING AUGUST 23
MARCH 22 SEPTEMBER 27
APRIL 26 OCTOBER 25
MAY 24 NOVEMBER – NO MEETING
JUNE 28 DECEMBER – NO MEETING

VOLUNTEER FIRE DEPARTMENT:

MEMBERS- 2nd THURSDAY-7:00 p.m.-BUSINESS MEETING

3rd & 4th THURSDAY-7:00 p.m.-TRAINING

AYES: 7 NAYS: 0

MOTION CARRIED.

SCOTT EMERSON RESOLUTION.

Seppanen moved Greenberg second that the following resolution be adopted

WHEREAS, Scott Emerson has served 16 years on the Charter Township of Chocolay Planning Commission; and

WHEREAS, Scott’s tireless dedication and input on the issues brought before the Chocolay Township Planning Commission and other major projects have had a positive impact on the development of the community; and

WHEREAS, Scott’s judgment as a member of the Planning Commission has built respect for the Township’s involvement in land use planning; Now Therefore Be It Hereby

RESOLVED, that the Charter Township of Chocolay recognizes Scott Emerson as an outstanding citizen of the Charter Township of Chocolay and presents him with this resolution of appreciation for a job well done.

AYES: 7

NAYS: 0

MOTION CARRIED.

GENERAL FUND FY2006 BUDGET AMENDMENT #9 REIMBURSEMENT FOR BULLET PROOF VEST.

Trudeau moved, Britton seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on Dec. 19, 2005, 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 Uniforms 101.305.745	1,575.00	+201.50	1,776.50

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	67,767.39	+201.50	67,968.89

ROLL CALL.

AYES: Hill, Maki, Tabor, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None

MOTION CARRIED.

GENERAL FUND FY2006 BUDGET AMENDMENT #10 – PC ADVERTISING EXPENDITURES.

Tabor moved, Maki seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005 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
Planning Commission Advertising 101.805.901	\$1,200.00	+\$2,787.00	\$3,987.00

Other General Government

Contingency 101.285.951	\$25,234.24	-\$2,787.00	\$22,447.24
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ROLL CALL.

AYES: Greenberg, Britton, Trudeau, Hill, Maki, Tabor, Seppanen.

NAYS: None

MOTION CARRIED.

CAPITOL IMPROVEMENT EXPENDITURES – POLICE DEPT. EQUIPMENT.

Tabor moved, Hill second to approve the purchase of the above items at a total cost of \$14,774.93. This will be paid from the Capital Improvements Fund, account #401.305.957.

ROLL CALL.

AYES: Hill, Maki, Tabor, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None

MOTION CARRIED.

CAPITOL IMPROVEMENT EXPENDITURES – POLICE DEPARTMENT CHIEFS CONFERENCE.

Greenberg moved, Britton second to expend \$654.44 for the Police Chief conference in Grand Rapids January 31 – February 2, 2007. This would come from the Capital Improvement Training Fund 401.306.357.

ROLL CALL.

AYES: Greenberg, Britton, Trudeau, Hill, Maki, Tabor, Seppanen.

NAYS: None

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT NO. 9 FY2006 KBIC 2% MONEY DISBURSEMENT.

Trudeau moved, Britton seconded that Whereas, a budget was adopted by the Chocolate Township Board to govern the expenditures of anticipated Capital Improvement Fund receipts within the township on December 19, 2005 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:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$151,647.42	+\$60,000.00	\$211,647.42

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department Capital Outlay 401.340.957	\$174,916.44	+\$53,000.00	\$227,916.44

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Capital Outlay 401.305.957	\$78,813.17	+\$5,000.00	\$83,813.17

Recreation & Parks Capital Outlay 401.756.957	\$99,219.94	+\$1,000.00	\$100,219.94
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Clerk Department Capital Outlay 401.215.957	\$9,062.38	+\$1,000.00	\$10,062.38
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ROLL CALL.

AYES: Hill, Maki, Tabor, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None

MOTION CARRIED.

SEWER FUND BUDGET AMENDMENT NO.1 FY2006 – PROFESSIONAL SERVICES.

Trudeau moved, Britton second that Whereas, a budget was adopted by the Chocolate Township Board to govern the expenditures of anticipated sewer fund receipts within the township in December 19, 2005 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
Wastewater Professional Services 571.571.901	\$5,816.00	+\$6,000.00	\$11,816.00
Contingency 571.571.951	\$7,500.00	-\$6,000.00	\$1,500.00

ROLL CALL.

AYES: Greenberg, Britton, Trudeau, Hill, Maki, Tabor, Seppanen.

NAYS: None

MOTION CARRIED.

EWING PINES SUBDIVISION – SANITARY SEWER PLAN REVIEW AND INSTALLATION INSPECTION.

Greenberg moved, Trudeau second that Green Ventures Development submits the amount of \$5,367.35 to cover the cost of plan review and on site inspection of the construction of the sanitary sewer for Ewing Pines Subdivision.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Clerk Hill – Marquette County Township Association held a roast for Arlene as out going President of Michigan Township Association. There is a picture board here that was presented to her.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Township Clerk's Correspondence to the MAPS Board
- B. Assessing Office Progress Report
- C. A2Z – Peter White Public Library

There being no further business, Supervisor Seppanen adjourned the meeting at 7:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk