

January 9, 2017

A Regular meeting of the Chocolay Township Board was held on Monday, January 9, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, Judy White, Mark Maki, Don Rhein.

ABSENT: David Lynch.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle, Scott Jennings, Pat Beck.

MINUTES – REGULAR MEETING DECEMBER 7, 2016.

Engle moved Rhein seconded to approve the minutes of the regular meeting of December 7, 2016 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Zyburt seconded to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Gail Varty, 208 Timberlane – Requested time to speak when agenda item XIV. C. Payment for Hydraulic Analysis Required by FEMA Flood Insurance Program for 208 Timber Lane is discussed.

ACCOUNTS PAYABLE.

Rhein moved Zyburt seconded that bills totaling \$59,760.59 including checks numbered 21436-21469 and bills totaling \$54,683.00 including checks numbered 21470-21501 and bills totaling \$18,010.67 including checks numbered 21502-21524 are approved for payment.

MOTION CARRIED.

Trustee Maki had a question on what projects the Superior Watershed Partnership worked on this year in Chocolay Township. Manager Lawry indicated that it was included in the last Board update. They are looking for grants to work on river erosion problems, but over the past few years they have done mapping and erosion work on Lake Superior shoreline.

PAYROLL.

Zyburt moved White seconded that the payroll for December 1, 2016 for \$31,623.74 including checks numbered 23563-23580 and 10406-10411 and ACH payments for Federal tax, State tax and MERS and December 2, 2016 longevity for \$2,505.32 including checks 23581-23592 and ACH

payments for Federal tax, State tax and MERS and December 15, 2016 for \$31,839.96 including checks numbered 23593-23610 and 10412-10417 and ACH payments for Federal tax, State tax and MERS and December 29, 2016 for \$53,893.25 including checks numbered 23611-23645 and 10418-10423 and ACH payments for Federal tax, State tax and MERS are approved for payment.
MOTION CARRIED.

FINANCIAL REPORT- NOVEMBER 2016.

Engle moved Rhein seconded to approve the November 2016 financial report.
MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Engle moved Rhein seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.
MOTION CARRIED.

U. P. 200 SLED DOG COMMITTEE PRESENTATION.

Tim Trowbridge representing the U P 200 Sled Dog Committee thanked the Board and residents of Chocolay Township for their past participation in the U P Sled Dog Race. The race has run through Chocolay Township for many years. The economic impact of this race to local communities is between one and two million dollars with some of it being spent in Chocolay Township. The Committee is always looking for sponsorship donations.

PLANNING INTERN PRESENTATION.

Molly Wetting, Chocolay Township Intern from Northern Michigan University presented her Chocolay Township project to the Board. Molly's project includes creating overlay maps of Silver Creek Recreation Areas. She completely updated the Township News You Can Use pamphlet. This pamphlet is distributed through the Township Office and on the Township website. She also updated the Township Annual Report. The last project that she worked on was the Chocolay Township Recreational Brochure; this is also on the Township website.

SUPERVISOR'S REPORT.

None.

BUREAU OF INDIAN AFFAIRS REQUEST FOR COMMENTS ON APPLICATION FOR TRUST STATUS FOR LAND IN CHOCOLAY TOWNSHIP.

Manager Lawry summarized the request for comments to Bureau of Indian Affairs on the request for Trust Status on KBIC land in Chocolay Township. At the December meeting the Chocolay Board requested a 30 day extension to gather more information. It is assumed that the project will go forward with or without Trust Status change. The taxable value of the property would increase from about \$124,000 to about \$2,980,000 if the property remains in non-trust after the expansion project is completed.

Board member questions/comments:

- The children that currently live on Trust property go to Marquette Public Schools, yet there is no school tax paid on the property. Jennifer Misegan, Council Vice President responded that the schools can apply for funds to offset this. They also receive 2% funds.

- What is the benefit to the Township or County if the property goes into Trust? Jennifer Misegan responded that the benefit to Chocolay Township would be an increase in 2% money, increase in growth of the community. Larry Denomie, Chief Executive Officer responded that once the casino is in place most often support businesses will want to build nearby, bringing more growth to the Township. How many jobs will this expansion bring? Larry Denomie responded that a minimum of 30-40 new jobs will be created.
- Is your pay base above minimum wage? Larry Denomie responded our goal is to pay above minimum wage for entry level jobs and above that for other positions.
- If the land goes to Trust Status, how does the Township know that all the building, sewer, water and other codes are being followed? Jennifer Misegan responded that Indian Health Services are regulated with Federal requirements. Often times the Tribal laws have requirements that are more restrictive than the local. We have our own building code inspector. The gaming commission also has regulations that we must follow.
- We received a letter from the United States Department of Interior stating that there is no change in land use anticipated. Jennifer Misegan responded that the process is such a lengthy process, and that statement was made before the plans were finalized. The application is in the process of being updated indicating change in land use.
- What is the impact or connection with the old airport property? Jennifer Misegan responded that property mentioned will not be allowed to be placed in Trust status. It is off the table at this point.
- Have you had zoning discussions with the Township? Larry Denomie responded that yes we have been working with Dale Throenle.

Comments from the public:

- Why will this property work better for a casino than the old airport property. Jennifer Misegan responded that a portion of the property in Chocolay Township is already in Trust and that none of the property at the old airport is in Trust.
- What are the benefits to the Tribe if the property becomes Trust land? Larry Denomie responded that employment issues, tax issues are much easier for the Tribe to work with. Manager Lawry responded that if all the land was in Trust then all the property would be following one set of rules and that would benefit the Tribe and the Township.
- There are still concerns about environmental impacts concerning water and sewer. Larry Denomie responded they are working with Indian Health Services to properly handle environmental issues.
- There are some residents that have no water on Kawbawgam Road. There have been studies done on the water issues in the area. Larry Denomie responded that the studies that they have had done recently show that water should not be a problem for the project.

White moved (no second) to stand mute on this issue.

Motion did not go to a vote without a second.

Maki moved White seconded to not concur with putting the proposed property in Trust so we have the ability to manage issues such as public water and traffic and zoning through our local regulatory process that anyone else would have to go through.

AYES: Maki, White, Zyburt.

NAYS: Rhein, Engle, Bohjanen.

MOTION FAILED.

Supervisor Bohjanen suggested that we follow the suggestion made in a letter from the State of Michigan on this issue, and make a list of concerns that we have, and recommend that a decision not be made until these concerns are addressed.

Manager Lawry clarified that this project is currently proceeding following local zoning ordinances, County building and health codes and the DEQ rules. It is expected that with the build out date of late 2017 the current project will be completed under all of those regulations before the Trust status is likely to be rendered. That would address the current project. If Trust status is granted then future projects could be done without the same process.

Engle moved Rhein seconded to not oppose the process for Trust application but ask that it not be put into Trust until the current project is complete.

ROLL CALL.

AYES: Rhein, Zyburt, Engle, Bohjanen.

NAYS: White, Maki.

MOTION CARRIED.

KEWEENAW BAY INDIAN COMMUNITY PROPOSAL FOR WATER SYSTEM IMPROVEMENTS.

The Tribe agreed to make any excess capacity of the new water system available to the Township to serve neighboring residences through a Township operated public water system. We have identified about 80 homes that could potentially be in range to serve them. They have estimated 20,000 gallons per day of capacity to serve others is available. The first step is to develop cost estimates and survey the residents in the area to determine if they are interested in abandoning their current wells and connecting to the water system.

Zyburt moved Engle seconded to authorize the Township Supervisor to execute the attached contract agreement with GEI Consultants of Michigan, P. C. for an amount not to exceed \$5,000.

MOTION CARRIED.

PAYMENT FOR HYDRAULIC ANALYSIS REQUIRED BY FEMA FLOOD INSURANCE PROGRAM FOR 208 TIMBER LANE.

After a long telephone conversation today with FEMA, the Varty's, Kurt Simandl from North Country Engineering, the Township Zoning Administrator, Manager and Supervisor we learned that FEMA is not willing to accept the hydraulic analysis that has been done. They want something that is far more complicated, FEMA has been very inflexible on this project. FEMA is not recognizing the local permits and blaming the Township for allowing even the potential for construction in a flood plain. We explained to FEMA that the Varty's have basically cleaned up a

junk yard on this property. We are sending court documents on the cleanup that has taken place on the property hoping that FEMA will have a change of mind.

Supervisor Bohjanen indicated that there is more than just the Varty's property involved. This could affect all properties that are in the flood way in Chocolay Township.

White moved Rhein seconded to authorize payment of \$1,806.25 to North Country Engineering for development of a hydraulic analysis of flood elevations of the Chocolay River in the vicinity of 208 Timber Lane, without such payment obligating the Township for payment of any further analysis required by FEMA or establishing a precedent for analysis of other locations.

MOTION CARRIED.

FIRST READING OF PROPOSED NEW ORDINANCE #62 ANIMAL CONTROL ORDINANCE.

Trustee Maki asked about the salmonella issues with chickens and did this Ordinance go back to the Planning Commission. Would this be in conflict with the zoning ordinance? Which local jurisdiction allows chickens in residential areas? Sands Township does. Have we had any complaints about chickens in the Township? We have not.

Engle moved Zyburt seconded that after review of proposed Ordinance #62 and recommendations of the Township Planning Commission, the Board schedule a second reading on the proposed language as written of Ordinance #62 at its February 2017 meeting.

MOTION CARRIED. (Maki-no)

2016 GENERAL FUND BUDGET AMENDMENT #5 TO ACCOUNT FOR OFFICE OF HIGHWAY SAFETY GRANTS TO POLICE DEPARTMENT FOR OVERTIME ENFORCEMENT.

Maki moved Rhein 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 November 4, 2015 for the next fiscal year, and Whereas as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to maintain a balanced 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 Salary			
101.305.702	\$281,526.00	+\$4,172.75	\$285,698.75
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$29,164.28	+\$4,172.75	\$ 33,337.03

ROLL CALL.

AYES: Maki, Rhein, White, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

2016 GENERAL FUND BUDGET AMENDMENT #6 TO TRANSFER SALARY CONTINGENCY TO POLICE DEPARTMENT SALARIES ACCOUNT.

Engle 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 on November 4, 2015, 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
101.305.702 Police Department Salary	\$285,698.75	+\$26,000.00	\$311,698.75
101.285.952 Other General Government Salary Contingency	\$28,600.00	-\$ 26,000.00	\$ 2,600.00

ROLL CALL.

AYES: Rhein, White, Maki, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

2016 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #11 TO ACCOUNT FOR RECEIPT OF KEWEENAW BAY INDIAN COMMUNITY 2% GAMING FUNDS.

White moved Maki seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on November 4th, 2015 for fiscal year 2016, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
REVENUE			
KBIC 2% Gaming Money			
401.000.582	\$ 40,000.00	+\$ 60,000.00	\$100,000.00
Police Vehicles			
401.305.981	\$ 58,643.27	+\$ 20,000.00	\$ 78,643.27
Fire Dept. Vehicles			
401.340.981	\$ 67,507.61	+\$ 30,000.00	\$ 97,507.61

Recreation & Properties

Land Improvements

401.756.972	\$ 35,703.55	+\$ 10,000.00	\$ 45,703.55
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With the \$10,000 in Land Improvements to be paid to the Cedar Tree Institute for implementation of the Zaagkii Project on public lands within Chocolay Township.

ROLL CALL.

AYES: Rhein, White, Maki, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

RECOMMENDATION FROM PERSONNEL COMMITTEE ON POLICE OFFICER STARTING SALARY.

Maki moved Zyburt seconded to move Jeff Czarny to step two of pay grade three due to his years of experience.

MOTION CARRIED.

RECOMMENDATION FROM PERSONNEL COMMITTEE ON AD HOC COMMITTEE FOR POLICY REVIEW.

White moved Zyburt seconded to establish an ad hoc committee consisting of the personnel committee, the Manager and all department heads to incorporate all of Township policies into one document.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS FOR DIGITAL TABLETS FOR BOARD OF TRUSTEES AND PLANNING COMMISSION.

Engle moved Rhein seconded that the Planning/Zoning Director spend up to \$4,200 from the Technology budget 101.258.957 for the purchase of Tablets and supplies to be utilized for Township Board and Planning Commission board packets.

ROLL CALL.

AYES: Rhein, White, Maki, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND FOR SHELVING AND LAPTOPS FOR THE ELECTIONS.

Maki moved Zyburt seconded that the Clerk expend up to \$1,900 from the Elections department in the Capital Improvement Fund 401.190.977 for shelving and two Election laptop computers.

ROLL CALL.

AYES: Rhein, White, Maki, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

TOWNSHIP MANAGER'S ANNUAL EVALUATION AND COMPENSATION APPROVAL.

White moved Zyburt seconded to increase the Manager salary for 2017 by 1%.

MOTION CARRIED.

Trustee Maki asked questions of the Manager about Planning Commission appointment procedure, the Address Ordinance, Zoning violations and enforcement and vacation rentals. Trustee Maki will put his questions in writing so the Township Manager can respond.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of November 21st, 2016.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of November 17th, 2016.
- C. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of November 30th, 2016 Draft.
- D. Minutes – Minutes – US 41 Corridor Advisory Group, Regular Meeting of October 11th, 2016.
- E. Communication – Anonymous Re: Casino Expansion Project.
- F. Communication – Annual Report of Upper Peninsula Substance Enforcement Team.

Supervisor Bohjanen adjourned the meeting at 7:45 p.m.

Max Engle, Clerk

Richard Bohjanen, Supervisor

February 13, 2017

A Regular meeting of the Chocolay Township Board was held on Monday, February 13, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Brad Johnson, Suzanne Sundell, Dale Throenle, Scott Jennings, Pat Beck.

MINUTES – REGULAR MEETING JANUARY 9, 2017.

White moved Zyburt seconded to approve the minutes of the regular meeting of January 9, 2017 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Bohjanen moved Lynch seconded to approve the agenda with the addition of State Disaster Contingency Fund Grant Resolution as item XV. K.

MOTION CARRIED.

PUBLIC COMMENT.

Rachael Guth – She is a district manager at the Marquette County Conservation District. Her Board is looking for a space to hold its monthly Board meetings that would be open to the public and free of cost. Supervisor Bohjanen asked Manager Lawry to respond. Manager Lawry stated that all other users pay a fee and deposit to use the meeting room. We generally allow governmental agencies to use the space free, if it is during our regular office hours and it is occasional use.

Jill Hendrickson, 2023 M-28 East - Is concerned about the water in her area with the proposed casino project. She also handed out a letter to the Board members.

Supervisor Bohjanen said that he and Jill had a conversation earlier today on this issue and he told her that it is too early in the project process for the Board to make comment at this point.

Mitch Koetje, Marquette Little League – Marquette Little League is currently working with Chocolay Township on a ball field development at Silver Creek field. He asked for a letter of

continued support for the project from the Township as he applies for grant funds for ball field development.

Lynch moved White seconded to write a letter of support for Marquette Little League for the Silver Creek ball field project.

MOTION CARRIED.

Dick Arnold, 312 County Road 545- Commented on two driving incidents involving turns on the highway that created traffic slow down or stop on the main highway. He feels that the highway department has let Chocolay Township down by not putting in enough passing lanes and decelerating lanes.

Jeff Koch, is representing Superior Watershed Partnership and will be available to answer any questions the Board might have when they discuss item XV. F. pass through request for KBIC 2% money.

ACCOUNTS PAYABLE.

Lynch moved Rhein seconded that bills totaling \$73,933.37 including checks numbered 21525-21550 and bills totaling \$84,737.49 including checks numbered 21551-21601 are approved for payment.

MOTION CARRIED.

Trustee Maki asked about the bill for Yelle Mechanical for \$2,800.00.

PAYROLL.

Zyburtt moved Engle seconded that the payroll for January 4, 2017 for \$12,230.76 including checks numbered 23646 and 10424 and ACH payments for Federal tax, State tax and MERS and January 12, 2017 for \$40,794.25 including checks numbered 23647-23690 and 10425-10430 and ACH payments for Federal tax, State tax and MERS and January 26, 2017 for \$35,981.51 including checks numbered 23691-23718 and 10431-10436 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT- DECEMBER 2016 (PRE-AUDIT) AND JANUARY 2017.

White moved Zyburtt seconded to approve the December 2016 (Pre-audit) and January 2017 financial reports.

MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zyburtt reported to the Board that we reinvested one C/D in January in the amount of \$100,000.00 from the general fund to Honor Credit Union at .30% and in February a \$250,000.00 C/D matured from M-Bank and went to UBS at .875%.

Engle moved Rhein seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

SUPERVISOR'S REPORT.

- He attended a Marquette Chamber of Commerce informal session. They meet on the 2nd Wednesday of every month at 5:15 pm and the Chamber encourages all of our Board members to attend.

SECOND READING OF PROPOSED NEW ORDINANCE #62 ANIMAL CONTROL ORDINANCE.

White moved Rhein seconded that after reviewing the input from a public hearing, the recommendations of the Township Planning Commission and the second reading of proposed Ordinance # 62 Animal Control, that the Board adopt the language of the proposed ordinance as written with the ordinance to take effect March 13, 2017; that the Board repeals Ordinance # 41, Animal Control effective March 13, 2017; and that the Board file a motion with the Township Clerk to publish a notice of adoption in the local newspaper and on the Township website within fifteen days of adoption, and record the new ordinance in the Township Book of Ordinances within one week after publication.

ROLL CALL:

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: Maki

MOTION CARRIED.

Trustee Maki asked if the Zoning Ordinance needed to be amended because this ordinance is in conflict with the Zoning Ordinance. Supervisor Bohjanen stated that the discussion by the Planning Commission was that we do not have to include it the Zoning Ordinance because this is not a new use being allotted. Planning Director Throenle stated that this is not an agricultural activity; it is more on the line of a family garden in a residential area. Trustee Maki feels that it will be confusing to our residents if this is not spelled out in the Zoning Ordinance.

Trustee Maki asked what a chicken license is. Answer – It is a permit to raise chickens. This permit will be a standardized form that everyone will have to fill out to have chickens in non-agricultural areas.

INVESTIGATION OF POSSIBLE KAWBAWGAM ROAD AREA WATER UTILITY.

GEI engineering firm halted the water study based on the preliminary estimates for construction and operation of the water system. The estimates would place the average monthly customer bill between \$150 and \$200. The cost makes this project seem no longer feasible. Manager Lawry feels that we should communicate the reason for stopping the investigation of a water supply with the residents of the 80 households in the area.

Zyburt moved Engle seconded to terminate the present contract with GEI Consultants of Michigan, P. C. at its present level of completion, pay for work performed to date, and notify

Kawbawgam Road area residents of the Board’s decision not to pursue a public water system for the area because estimated construction and operation costs appear to be unaffordable.
MOTION CARRIED.

MANAGER PERFORMANCE EVALUATION.

Supervisor Bohjanen noted that the memo from Manager Lawry presents questions from Trustee Maki with replies from Manager Lawry. The questions were answered thoroughly by Mr. Lawry. Supervisor Bohjanen stated that we have another item on the agenda to discuss questions from Mr. Maki, so no action is needed at this time other than to read and acknowledge the memo.

SCHEDULING ANNUAL JOINT MEETING WITH TOWNSHIP PLANNING COMMISSION.

We are going to roll out new information system on Tablets and we will need a tutorial on the usage. It would be effective to have the tutorial and joint meeting with the Planning Commission on the same day.

Engle moved Lynch seconded to schedule a joint Planning Commission/Township Board meeting on Monday March 20, 2017 at 5:15 pm. This will take the place of the Regular March 13, 2017 Board meeting. We will have the Tablet presentation for both boards and the joint meeting starting at 5:30 pm and the Planning Commission will continue on with their Regular Planning Commission meeting at 7:00 pm.

MOTION CARRIED.

RESCHEDULING THE APRIL BOARD OF TRUSTEES MEETING.

The Supervisor and Clerk both plan on attending the Michigan Township Association Education Conference April 10-13th which conflicts with the Regular April Board meeting.

Rhein moved Lynch seconded to move the date for the Regular April Board meeting to April 3, 2017 at 5:30 pm.

MOTION CARRIED.

FIRE STATION CONSTRUCTION DEFICIT ELIMINATION PLAN FOR 2017.

White moved Lynch seconded that;

WHEREAS, the Charter Township of Chocolay Fire Millage Fund has a \$(260,903.00) deficit fund balance on December 31, 2016; and

WHEREAS, Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury:

NOW THEREFORE, IT IS RESOLVED that the Charter Township of Chocolay Fire Millage Fund Deficit Elimination Plan:

	2017
Fund Balance - Restricted	\$29,097
Fund Balance - Unrestricted	\$(290,000)

Fund Balance – Total	\$(260,903)
Revenue – Property Tax	\$323,825
Expenditure – Interest	\$(1,450)
Net Income	\$322,375
Fund Balance – Restricted	\$61,472
Fund Balance – Unrestricted	-
Fund Balance – Total	\$61,472
Payments on Advances–General Fund	\$145,000
Payments on Advances-Wastewater Fund	\$145,000

BE IT FURTHER RESOLVED that the Charter Township of Chocolay Supervisor, Richard A. Bohjanen submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

ROLL CALL:

AYES: Rhein, Maki, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AWARD OF BIDS FOR MEETING ROOM FLOOR.

White moved Rhein seconded that the Chocolay Township Board award the flooring contract to Carpet Specialist’s in the amount of \$6,880.00. This is to be paid from the Township Hall and Grounds capital improvement fund 401.265.976.

ROLL CALL.

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: Maki.

MOTION CARRIED.

Trustee Maki asked why we can’t just stain the floor. DPW Foreman answered that it cannot be sanded down any further to stain it. This is the original floor.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FROM THE POLICE TRAINING ACCOUNT FOR TACTICAL ENCOUNTERS TRAINING.

Lynch moved Engle seconded to expend \$195 For Tactical Encounters for patrol officers training. This is to be paid from the Capital Improvements Fund Police Training account 401.306.957.

ROLL CALL.

AYES: Rhein, Maki, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED

REQUEST FROM SUPERIOR WATERSHED PARTNERSHIP FOR TOWNSHIP TO ACT AS PASS THROUGH AGENCY FOR 2% GAMING FUNDS.

KBIC has sent other organizations our way to make a request for 2% money and utilize Chocolay Township as a pass through agency. We will be making our request to the tribe this spring and could include this in our request.

Jeff Koch from Superior Watershed Partnership indicated those potential projects that this money would fund are:

- Coastal Erosion Control
- Stream Restoration/Riparian Restoration
- Wildlife Habitat Restoration
- Trail and Footbridge Construction
- Tree Planting/Native Plant Restoration
- Dune Restoration
- Native Pollinator Habitat Restoration
- Invasive Plant Removal
- Environmental monitoring
- Public Access Improvement/Handicap Access
- Community Projects/Clean- Ups/Etc.

Board members asked if there were any major projects planned this year and what projects will be done in Chocolay? They have worked on wind erosion areas in Chocolay with beach grass and shrubs. Trustee Maki asked that Superior Watershed Partnership report to our Board when they do stream restoration projects in Chocolay Township.

Zybert moved Maki seconded to authorize a request from the Superior Watershed Partnership for \$10,000 in funding for the Great Lakes Conservation Corps projects within Chocolay Township to be submitted as a part of the next Township request for 2% gaming funds from the Keweenaw Bay Indian Community, with the Township to act as a pass through agency for funds received from this source, and to ask the SWP to report back to the Township on the projects accomplished with this funding.

ROLL CALL.

AYES: Rhein, Maki, White, Lynch, Zybert, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED

CONSIDERATION OF REVISED RECYCLING AGREEMENT WITH MARQUETTE COUNTY SOLID WASTE AUTHORITY.

The landfill needs to expand their recycling program. To accomplish this they wish to amend the recycling contract and change the way we are paid for recycling to keep it viable. We will continue to not pay a tonnage fee for recycling, but the amount paid to the Township for recycling will go down. This is still in the best interest of the Township because the saving on the tonnage fee is significant.

White moved Lynch seconded to authorize the Township Supervisor to execute the attached contract agreement with the Marquette County Solid Waste Management Authority for acceptance and marketing of recyclable materials from the Township.

MOTION CARRIED.

CONSIDERATION OF LEASE AMENDMENT PROPOSALS FROM AMERICAN TOWER CORPORATION.

American Tower has offered two options: one- to extend the lease and two- a lump sum buy out. Manager Lawry indicated that the Company is trying to standardize contracts.

Engle moved White seconded to leave our lease with American Tower basically as it now stands.

MOTION CARRIED.

DISCUSSION OF QUESTIONS POSED BY CORRESPONDENCE FROM TRUSTEE MAKI.

Trustee Maki sent a memo to the Chocolay Township Board dealing with the following topics and Supervisor Bohjanen responded to each:

- 1. Recently the Board dealt with the address ordinance and proposed changes dealing with the provision of addressing multiple dwellings on one site.**

There is new language in Ordinance #61 that added structure to the terms dwelling and places of business, so yes this rewrite was needed. The language was sent to the fire and police departments prior to the second reading of the ordinance, but not the first reading. The Board did pay attention to what the fire and police department had to say. On the question as to why the Board did not agree to get comments first – there was different input and the outcome was the same.

- 2. Regarding the Treasurer appointment and the fact that his application was a day late and the Board did not notify him ahead of time.**

Treasurer appointment – there was a published deadline and Mark’s application arrived one day late. It was unfortunate that Mr. Maki came to the meeting expecting to be interviewed and was surprised to find out that he was not being interviewed. Applicants should follow the procedure set out by the Board and file by the deadline.

- 3. What is the Board’s email policy?**

Township e-mail policy- Manager Lawry responded that following the State email retention policy, we keep the email two years and after that it is destroyed. Dale Throenle responded that Randy Yelle did not have any email when Dale arrived, but Jennifer Thum, Kelly Woodward and Tina Fuller all had emails on file and were kept for two years.

4. What is done with Township Board emails?

Board emails – This will be the norm for our Board to communicate by e-mail once we switch over to the tablets for our Board packets.

5. Zoning Ordinance issues –enforcement policy and practice, recent sign provisions, vacation rentals.

Zoning enforcement – The sign Ordinance and vacation rentals have been looked at recently, but none of them have been completed. The sign Ordinance has to be looked at because of changes in State laws. The Planning Commission has had a work session on vacation rentals and surrounding communities are also discussing how to handle them. Trustee Maki feels vacation rentals are not authorized in the WFR zone, which includes land north of Lakewood Lane. Supervisor Bohjanen feels that there is no clear answer yet. Clerk Engle said that there have been vacation rentals in the Township since the original Zoning Ordinance.

6. Planning Commission Appointments.

Planning Commission appointments- Supervisor Bohjanen read the procedure for appointing Planning Commissions and chose the appointees and brought them before the Board for approval. Trustee Maki asked if the candidates submitted applications for Planning Commission. They did file applications for Planning Commission. Trustee White was selected as Board liaison on the Planning Commission and an application is not necessary as Board liaison to the Planning Commission. The candidates knew of the meeting that the appointments would be made and one candidate was not available. Supervisor Bohjanen does not know why the recent Planning Commissioners left.

OPPORTUNITY TO COMMENT ON LAKE SUPERIOR COMMUNITY PARTNERSHIP APPLICATION FOR U.S. ECONOMIC DEVELOPMENT ADMINISTRATION FUNDS TO MITIGATE EFFECTS OF BUSINESS CLOSURES.

Lynch moved Zyburt seconded to support the Lake Superior Community Partnership application for U.S. economic development administration funds to mitigate effects of business closures.
MOTION CARRIED.

STATE DISASTER CONTINGENCY FUND GRANT RESOLUTION.

White moved Rhein seconded to submit the State Disaster Contingency Fund Grant Resolution for the flooding incident that occurred on October 18, 2016.

ROLL CALL.

AYES: Rhein, Maki, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road – Commented on an article in the Mining Journal that was written about the Casino expansion quoting our Manager that the project was in compliance with all local regulations. Why do we not say something to the Mining Journal when they print an article with inaccurate information? Manager Lawry did not speak to the Mining Journal, the article was written with information from our Board packet only. Mark also commented that the Board should get a copy of the bills.

Jill Hendrickson, 2023 M-28 East- Was shocked to learn about the casino expansion. She lives near the casino and read about the expansion in the newspaper. She has three neighbors that wrote letters to the editor on water issues with an expansion of the casino and none of the letters were put in the paper.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of December 19th, 2016.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of December 15th, 2016.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of January 18th, 2017 Draft.
- D. Minutes – Minutes – US 41 Corridor Advisory Group, Regular Meeting of December 13th, 2016.
- E. Notice – Application for SDM License from Department of Licensing and Regulatory Affairs by Ironwood Oil Co. dba Holiday Station stores.
- F. Communication – Charter Communications Rate Adjustment Notice.

Supervisor Bohjanen adjourned the meeting at 7:15 p.m.

Max Engle, Clerk

Richard Bohjanen, Supervisor

February 27, 2017
Special Board Meeting

A Special meeting of the Chocolay Township Board was held on Monday, February 27, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the Township Board meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle, Scott Jennings.

AGENDA ADDITIONS/DELETIONS.

Lynch moved White seconded to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

None.

AUTHORIZATION FOR POLICE DEPARTMENT TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR REPLACEMENT POLICE VEHICLE.

The reason for this special meeting is a request from the Police Department to order a new patrol vehicle to replace the one that was totaled in an accident. We have received the check from the insurance company and we will do a budget amendment at a later meeting to put the money back into Police Department Equipment in the Capital Improvement Fund. It will take 12 weeks from the order date to get the police vehicle and if we waited until the next regular scheduled meeting it would be 15 weeks before we would get the new vehicle.

Engle moved Zyburt seconded to approve the purchase of a 2017 patrol vehicle for the Police Department. Cost of the vehicle will not exceed \$35,510. Costs for installation of equipment and graphics will not exceed \$2,100 for a grand total of \$37,610. This will be paid from the 2017 Capital Improvement Fund account 401.305.981.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

GRANT AGREEMENT FOR NEW ELECTION EQUIPMENT.

Clerk Engle explained that this grant agreement must get back to the State of Michigan soon for us to get the equipment in time to use in the August election. The only change in the paperwork in front of you is that the State will only give us two new machines instead of three indicated. Each precinct will be allocated one machine. The machines should come to us free of cost because the State grant is covering a portion of purchasing the machines and the balance that we should be paying will be covered by the vendor.

Maki moved, Rhein seconded

WHEREAS, the Chocolay Township Board of Trustees wishes to apply to the Secretary of State for a grant to purchase a new voting system, which includes precinct tabulators, accessible vote devices for use by individuals with disabilities, and related Election Management System (EMS) software.

WHEREAS, partial funding for the new voting system will be provided by the State, and will include a combination of Federal Help America Vote Act and State-appropriated funds. Local funding obligations are detailed in the attached Dominion Voting quote.

WHEREAS, the Charter Township of Chocolay plans to begin implementation of the new voting system in 2017.

NOW, THEREFORE, BE IT RESOLVED that the Chocolay Township Clerk is authorized to submit this Grant Application on behalf of Chocolay Township, Marquette County on this day of February 27, 2017.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

RESCIND STATE DISASTER CONTINGENCY FUND GRANT RESOLUTION AND ADOPT CORRECTED RESOLUTION.

White moved Lynch seconded to rescind the State Disaster Contingency Resolution for the flooding that occurred on October 18, 2016 in the amount of \$1,893.35 and submit the State Disaster Contingency Resolution for the flooding that occurred on October 18, 2016 in the amount of \$1,618.64.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

None.

Zyburt moved Rhein seconded to adjourn the meeting at 5:15 p.m.

Max Engle, Clerk

Richard Bohjanen, Supervisor

March 20, 2017

A Joint meeting of the Chocolay Township Board and Chocolay Township Planning Commission was held on Monday, March 20, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: None.

PLANNING COMMISSION.

PRESENT: Tom Mahaney, Eric Meister, Kendell Milton, Jon Kangas, Donna Mullen-Campbell, Judy White (Board representative).

ABSENT: Andy Smith.

STAFF PRESENT: Steve Lawry, Suzanne Sundell, Dale Throenle, Pat Beck.

MINUTES – REGULAR MEETING FEBRUARY 13, 2017 AND SPECIAL MEETING FEBRUARY 27, 2017.

White moved Rhein seconded to approve the minutes of the regular meeting of February 13, 2017 with a correction on page two, change the word under Treasurer Report from reimbursed to *reinvested* and on page 8 *that Trustee Maki feels that vacation rentals are not authorized in the WFR zone, which includes land north of Lakewood Lane* and to approve the February 27, 2017 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Engle moved Zyburt seconded to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Jason Ayres, Real Estate Officer for Keweenaw Bay Indian Community- Would like to reserve time to speak to Item A. under New Business - The Rezoning Application.

Janet Amundson, 2029 M-28 East – Where is the water coming from that will fill the proposed water tank for the Casino project. Supervisor Bohjanen replied that the simple answer is from the wells. The US Geological Survey study did not come to the conclusion that this will dry up all the surrounding wells.

Jeff Glass- Would like to speak under item E. New Business – Brewer’s License for Jeffrey Glass.

Linda Rossberg, 1975 M-28 East – Asked why a 42 unit condominium project was unanimously denied 10 years ago on the opposite corner of Kawbawgam and M-28. Why there was not enough water for that project but there is for the Casino project.

ACCOUNTS PAYABLE.

Lynch moved Zybert seconded that bills totaling \$61,893.24 including checks numbered 21603-21633 and bills totaling \$13,801.35 including checks numbered 21634-21658 and bills totaling \$40,743.83 including checks numbered 21659-21692 are approved for payment.

MOTION CARRIED.

Trustee Maki asked about the bill for Range Bank Credit Card paying for Board of Review Training and Citizen Planner.

Trustee White asked about a credit card with First Merit Bank. Manager Lawry noted that the Township Treasurer Department has their own credit card for tax billing postage/envelope purchases.

Trustee Rhein had a question on the oil change bill.

Supervisor Bohjanen had a question on the City of Marquette Wastewater Treatment bill. Manager Lawry responded that the January bill included the rebalancing of our annual cost.

PAYROLL.

White moved Lynch seconded that the payroll for February 9, 2017 for \$31,828.87 including checks numbered 23719-23736 and 10437-10442 and ACH payments for Federal tax, State tax and MERS and February 23, 2017 for \$36,033.94 including checks numbered 23737-23771 and 10443-10448 and ACH payments for Federal tax, State tax and MERS and March 9, 2017 for \$31,086.81 including checks numbered 23772-23790 and 10449-10454 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT- FEBRUARY 2017.

Zybert moved Engle seconded to approve the February 2017 financial reports.

MOTION CARRIED.

TREASURER'S REPORT.

Treasurer Zybert reported to the Board that for the month of March we had additional funds in the three main accounts of \$149,000. With that we purchased a 1.5% C/D maturing in April 2020.

Engle moved Rhein seconded to accept the Treasurer's report.

MOTION CARRIED.

FUND WITHDRAWAL AND DEPOSIT REPORT.

White moved Lynch seconded to accept the fund withdrawal report.

MOTION CARRIED.

IMPLEMENTATION OF DIGITAL TABLETS FOR AGENDA MATERIAL PACKETS.

Maki moved Zybert seconded to move on to the rezoning issue now since we have public in attendance for this issue and deal with the tablet presentation afterward.

MOTION CARRIED.

CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION ON REZONING APPLICATION ZA 17-01 FROM THE KEWEENAW BAY INDIAN COMMUNITY FOR THE NORTH 660 FEET OF THE SOUTH 1,392 FEET OF

THE E ½ OF THE SE ¼, EXCEPT THE WEST 150 FEET THEREOF, SECTION 12, TOWNSHIP 47 NORTH, RANGE 24 WEST AT 200 ZHOONIYAA MIIKANA TRAIL. (A PORTION OF PARCEL #52-02-112-048-70).

Manager Lawry noted to the Board that we received a revised copy of the letter from Marquette County Planning Commission with a correction to the legal description. The corrected letter has been distributed to the Board. This property has been zoned residential for years even though it has been used for decades as a parking lot which is a commercial use.

Permitted uses for Commercial District:

1. Offices
2. Establishments selling goods and services at retail
3. Gas stations and service stations
4. Private clubs
5. Hotels
6. Nursing homes
7. Funeral homes
8. Bakeries
9. Restaurants
10. Indoor theaters and other places of amusement
11. Motor vehicle sales and rentals
12. Storage units

(F) Conditional Uses

1. Auto Repair Shops
2. Trails
3. Outdoor wood boilers
4. WECS including conditions of approval
5. Outdoor storage including semi-trailers
6. Hospitals
7. Contractors yards and shops
8. Other uses deemed by the Planning Commission to be of the same general character as those permitted and conditional uses

Engle moved Rhein seconded, to waive the second reading and approve the partial rezoning of the property described as the North 660 feet of the South 1,392 feet of the E ½ of the SE ¼, except the West 150 feet thereof, Section 12, Township 47 North, Range 24 West, Chocolay Township, Marquette County, Michigan from Single Family Residential (R-1) to Commercial (C), and to file the amendment with the Township Clerk to publish a notice in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance book.

MOTION CARRIED. (Maki-No)

Trustee Maki has concerns that the Planning Commission did not hold a public hearing on this issue at the February meeting and there were several people in attendance that spoke in reference to the water issue. I would like to allow the public to speak tonight. The Planning Commission made a recommendation to rezone this property. Was any of that public comment sent to the Marquette County Planning Commission? Trustee Maki read the Marquette County Planning Commission report. Trustee Maki is concerned that the Chocolay Township Planning Commission and the Marquette County Planning

Commission did not consider the water issue when recommending the rezoning. Trustee Maki read portions of a letter from the Governor's office indicating concerns with water and wastewater on the Casino property. There are concerns for offsite drinking wells. What property is under trust and what is proposed to become trust property?

Supervisor Bohjanen reminded Trustee Maki that the issue tonight is only rezoning the parking lot. The water is not the issue tonight.

Jason Ayres, Real Estate Officer for Keweenaw Bay Indian Community- We are aware of concerns about the water and are working with MDEQ to address those concerns. We are working with MDEQ on availability of water and proper discharge of sewage.

Linda Rossberg, 1975 M-28 East – Water has been issue in this area since she moved there 28 years ago. She presented a picture of her water. If there was not enough water for a 42 unit condo development 10 years ago, why is there enough water for the Casino expansion now? She feels that this development is being pushed too fast. Why is the section of parking lot up for rezoning just being changed now?

Jeff Glass, M-28 – Feels that there is plenty of water and this project will not draw down the water table. The water table in this area is 13 feet.

Lee Blondeau, 30 N. Tracie - Would like to speak in favor of the project. It is positive for the Township.

Jan Amundson, 2029 M-28 – They are going on their 4th well since they have lived there. The last well they put in was 40 feet down. Once the parking lot is approved, the rest of the project will happen. The Township is more concerned about the dollar bills than the people.

Larry Denomie, CEO of Keweenaw Bay Indian Community- We do understand the water concerns of the people in the area and the KBIC is also very concerned about the water and are currently doing testing. Once the information is available to KBIC they will hold a town hall meeting and welcome all residents.

Jennifer Misegan, Vice President KBIC Council- We are simply here tonight on the rezoning process. We do not want take anyone's water from them. The governor's office stopped KBIC from building in Negaunee and the December letter is another way to try to stop further growth. KBIC is working with the MDEQ on the water issue.

Jill Hendrickson, M-28 – Is concerned about the water on M-28. She spoke with someone from the DEQ and they said they will never allow this project.

Linda Rossberg, 1975 M-28 East- Has talked with the Governor's office several times and they have told her that they are still open to having the Casino in Negaunee.

Dale Throenle, Township Planner - The Planning Commission addressed the zoning of the parking lot property, not a final plan. There is a record card in the file that has confusion as to whether this was tribal property prior to the parking lot being put in. This property has been a parking lot since 1997. The entire packet from the Chocolay Township Planning Commission was sent to Marquette County Planning Commission. The water issue is not a part of the commercial rezoning of the parking lot.

Supervisor Bohjanen reminded Trustee Maki that his earlier concerns were that we do not have control if the property becomes Trust Land. It is currently under our local zoning control.

DISCUSSION OF 2017 PRIORITIES. SUGGESTED TOPICS INCLUDE: SHORT-TERM RENTAL REGULATION, ASSET MANAGEMENT PLANNING, AND REWRITE OF ZONING ORDINANCE.

Dale Throenle, Planning Director explained that we have some real discrepancies in our current zoning ordinance, definition issues, 62% of our agricultural district is non-conforming and commercial district wording needs work. We have since modified the sign portion. The ordinance was written in 2008 and many current issues are not covered in the ordinance.

Manager Lawry indicated that we have funds in the 2017 budget to begin performing an asset management plan for the wastewater collection system. In order to apply for outside financial assistance, we must have an asset management plan set in place. We also have funds to look at the road system. The County does not have the funding to replace/maintain the roads, so it falls on us if it is to happen. The last road millage in Chocoyl expired in 2012. We again have to have an asset management plan in place before we request millage. The ongoing vehicle fleet will continue to have needs. For many units of government a water system is also a part of the asset management system.

Trustee Maki asked if there is a time frame for the Planning Commission on short term rentals.

Dale Throenle replied in the next few months.

Supervisor Bohjanen stated that a public water system is on his high priority list as a long term plan.

Planning Commission Priorities.

Priority 1

- Asset Management Plan for Township roadways
- Begin planning for implementation of high priority Master Plan projects
- Finish incomplete proposed zoning ordinance amendments
- Monthly land use explorations in preparation for amending of the Zoning Ordinance to implement the Zoning Plan of the Master Plan, Zoning Classification, Accessory Homesteading Activities, etc.
- Necessary updates to the Lot Split and Land Division ordinances
- Plan for four-season transit facility

Priority 2

- Consider need to amend the Animal Control Ordinance for consistency with agricultural regulations (done)
- Consider need to amend the Nuisance Control Ordinance in relation to permitted agricultural activities
- Further amend the Zoning Ordinance to address changes in State Legislation
- Further amend the Zoning Ordinance to implement the Zoning Plan of the Master Plan
- Reconsider approach to private road regulation
- Reconsider the *Accessory Homesteading Activities* regulations after evaluating public input

Priority 3

- None

Priority 4

- Consider Firewise zoning regulations

Tom Mahaney reminded Dale to add to the list - Mixed Use corridor from the Welcome Center down to M-28 just past Nagelkirks. We are close on the short term rentals, and we are still working on asset management and the zoning ordinance. Does the Board want the Planning Commission to continue with this priority list?

Don Rhein feels the mixed corridor should be on the #1 priority list.

Trustee Maki feels it would be helpful to bring a list to the Board of the issues with the current zoning ordinance. That would be a good place to start with the zoning ordinance.

Clerk Engle is concerned that if we change things piecemeal, it will cause problems in other areas of the zoning ordinance.

Supervisor Bohjanen has concerns with the statement in each segment of the zoning ordinance *If any part of this ordinance is in conflict with other ordinances, they are then repealed.* I would suggest meeting once a month to look at one or two of the ordinances, and come to the conclusion as to whether it needs a change.

The Board agreed to all of the above Planning Commission priorities.

2017 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #1 TO REFLECT INSURANCE SETTLEMENT FOR 2016 POLICE VEHICLE.

White moved Zybert seconded that Whereas, a budget was adopted by the Chocoy Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on October 5th, 2016 for fiscal year 2017, and Whereas, as a result of receipt of unanticipated revenue from an insurance settlement for a damaged police vehicle it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
REVENUE			
Miscellaneous			
401.698.000	\$ 0.00	+\$ 19,750.00	\$ 19,750.00
EXPENDITURE			
Police Vehicles			
401.305.981	\$ 88,009.27	+\$ 19,750.00	\$107,759.27

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zybert, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF REQUEST FOR REDUCTION OF SEWER USE FEE.

Maki moved Lynch seconded that the equivalent user fee for 2288 U S 41 South remains at 1 equivalent user unless the owner digs up the lateral and has it capped off and inspected by D.P.W. staff.

MOTION CARRIED.

CONSIDERATION OF RESOLUTION OF SUPPORT FOR BREWER'S LICENSE FOR JEFFREY GLASS.

Jeff Glass explained that his purpose for the license request is to offer his campers something more at the Gitchee Gumee R V Park and Resort. He needs an approval from the Board to make an application to the State of Michigan. This is different than a liquor license, it is for a small location beer brewing only.

Zyburt moved Lynch seconded that the application from Jeffrey Morris Glass for the following license(s): Brewer license to be located at: 2048 M-28 East, Marquette MI 49855 at Gitchee Gumee RV Park.

It is the consensus of this body that it recommends this application be considered for approval by the Michigan Liquor Control Commission.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS FOR POLICE TRAINING.

White moved Rhein seconded to expend \$495 for the Medicolegal Investigation of Death training. This would come from the Capital Improvement Police Training Fund, 401.306.957.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS FOR HOLSTERS AND WEAPON LIGHTS.

Lynch moved Zyburt seconded to approve the purchase of Holsters, Weapon Lights and Gun Cases for no more than \$2,880. This will be paid from the Capital Improvement Fund - Electronics, Account #401.305.977.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

REQUEST FOR LETTER OF SUPPORT FOR CITY OF MARQUETTE TRUST FUND GRANT APPLICATION FOR WILLIAMS PARK IMPROVEMENTS.

Maki moved White seconded to support the Trust Fund Grant application filed by the City of Marquette for accessibility improvements, and tennis and basketball court upgrades to Williams Park. The proposed improvements are in accord with the City's Recreation Master Plan which identified playground accessibility improvements as a priority.

MOTION CARRIED.

PUBLIC COMMENT.

Jan Amundson, 2029 M-28 – Does brewing beer use a lot of water? When can I get a copy of the geological study? It is on the Township website and Supervisor Bohjanen has a copy available for the public to read.

Lee Blondeau, 30 N. Tracie – Does the Township have a road construction plan for this summer. Supervisor Bohjanen replied that currently we have no road construction plan because we are working on the asset management plan and do not have a current road millage.

The Tablet training will be deferred to the April meeting because there is a Planning Commission Public Hearing scheduled at 7:15 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of January 16, 2017.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of January 19, 2017.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of February 15, 2017, Draft.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meeting of January 10, 2017.

Supervisor Bohjanen adjourned the meeting at 7:15 p.m.

Max Engle, Clerk

Richard Bohjanen, Supervisor

April 3, 2017

A Regular meeting of the Chocolay Township Board was held on Monday, April 3, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Pat Beck and Lee Gould.

MINUTES –JOINT MEETING March 20, 2017.

Rhein moved Zyburt seconded to approve the minutes of the joint meeting of March 20, 2017 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Lynch moved Maki seconded to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Judy White, 370 Lakewood Lane – Spoke on the restructuring of office personnel that is being requested by Manager Lawry. He is requesting that the Deputy Treasurer hours be increased to 40 hours per week and hiring an additional on call person in her absence. She cited state statute on the duties and responsibilities of the Treasurer and Deputy Treasurer position. She also checked with Marquette Township on their Treasurer's salary and duties of the Treasurer Department. She feels the Board needs to justify additional personnel when the Deputy Treasurer is absent. She feels if the administrative assistant can't fill in for the Deputy Treasurer, then the Treasurer should.

Mark Maki, 370 Karen Road – At the February ZBA meeting he brought up the fact that there was an illegal sign on M-28 past Shot Point to the Zoning Administrator. It is a large sign (10 x 30), and as far as he knows nothing was done about it. It's been six weeks since his complaint. Why does it take six weeks to do something? Manager Lawry replied that Dale Throenle updated the Board on that sign in the most recent Board update.

PAYROLL.

Lynch moved Rhein seconded that the payroll for March 23, 2017 for \$36,540.55 including checks numbered 23791-23829 and 10455-104604 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

TREASURER'S REPORT- FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zyburt reported to the Board that we had one C/D mature in the amount of \$250,000. from River Valley Bank and we changed it to North Star Bank, maturing in June of 2019. He also reported that in

the past year since he took over as Treasurer our Bond portfolio has had a 100% turn over and with the type of investments made we have increase our interest earnings by \$12,412.50.

Engle moved Rhein seconded to accept the Treasurer's report.
MOTION CARRIED.

PRESENTATIONS.

FIRE DEPARTMENT UPDATE ON M28 BEACH LIFESAVING EQUIPMENT STATIONS PROJECT.

Lee Gould, Assistant Fire Chief presented information to the Board on the Waterfront Safety Project. We have received donations for the project from Northern Michigan University, Marquette General Hospital through the Michigan Sea Grant Program and Michigan State University Extension. These will go toward life preservers, flotation boards, and signage. Rainy Creek Construction is donating all the labor and Lowe's has committed to donating materials. We are working with Marquette Township, City of Marquette and

the Coast Guard on water safety/rescue training. Chocolay DPW is working on permits and the Police Department will be watching for theft once the boards are up.

INTRODUCTION TO DIGITAL TABLETS FOR AGENDA PACKETS.

Suzanne Sundell asked the Board if they had any questions on the tablets since they are already using them. She indicated that the tablets are already loaded with some of the major documents such as the Master Plan, Recreation Plan and the 2017 budget. Depending on which browser you use to open in, the look on the tablet will be different. It's best to just download the packet and then open in Adobe Acrobat Reader. Trustee Maki asked if he could use his own laptop. Clerk Engle said that if you utilize your personal computer for Township business, someone could FOIA your personal information. All Board members signed Charter Township of Chocolay Computer Acceptable Use Policy.

APPOINTMENTS / RESIGNATIONS-RESIGNATION OF TOWNSHIP ASSESSOR BODE.

Supervisor Bohjanen informed the Board that Don Bode, Assessor will be retiring as of June 1st. Don did a good job as Township Assessor we will be extremely lucky to find someone as qualified as Don.

Trustee Maki was surprised to see that the County would be interested in taking over our roll. He heard that they did not have the time or staff to take on other Townships. He feels this is a conflict of interest and is not interested in having the County doing our Assessing.

Engle moved Rhein seconded to accept Don Bodes' letter of resignation.
MOTION CARRIED.

CONSIDERATION OF PERSONNEL COMMITTEE AND MANAGER RECOMMENDATIONS ON RESTRUCTURING STAFF POSITIONS.

The Board received two memos from the Manager on this item and the minutes of the Personnel Committee meeting.

Trustee Maki asked about the chart in the memo that showed the Community Coordinator at 1248 hours currently. Manager Lawry indicated that it is currently vacant, but budgeted for 1248 hours. Manager Lawry feels that the Township would be better served if they made the Community Coordinator position full time and the Administrative Assistant a part time position.

Trustee Maki asked if Suzanne Sundell would step into the full time Community Coordinator position. Manager Lawry indicated that she would. She has already taken on many of the duties of this position without additional pay and has proven herself capable. The Personnel Policy allows us to post a position from within if a current employee is interested in it and is qualified.

Trustee Maki thought that the Board already gave full time status to the Deputy Treasurer. Manager Lawry explained that the Board allowed for it in the budget for 2017, but it had to go through the personnel Committee first. Trustee Maki said that we have always had one or two part-time on call personnel. Each department would have their own part-time on call person paid from the respective department.

Trustee Maki has been around here for 42 years and has never seen the Personnel Committee getting involved in recommending staffing. That is a Board duty not a Personnel Committee duty.

Maki moved Lynch seconded to authorize implementation of the Township Manager's proposal for restructuring the positions of Community Development Director, Administrative Assistant Clerk's Office, Deputy Treasurer, and On-call Treasurer's Assistant as outlined in the attached memorandum and to approve filling the Community Development Coordinator position under the terms of Section 2.2.b of the *Personnel Policy and Procedures Manual*.

MOTION CARRIED. (2 Nays – White, Engle)

Trustee White asked Treasurer Zyburt if the Treasurer Department Duties and Procedures had been developed as Manager Lawry requested. Treasurer Zyburt replied that he is currently working on that.

EVALUATION OF ASSESSING SERVICES OPTIONS.

Maki moved Lynch seconded to authorize the Manager to advertise for the hiring of a fulltime assessor with MCAO or higher level certification in accordance with the recruitment procedures outlined in the Personnel Policy and Procedures Manual.

MOTION CARRIED.

Trustee Maki feels that the Zoning Administrator, Planner and Assessor should all be hired by the Board. He has seen it cause problems by being hired by one or two people. These positions are the face of the Township.

Manager Lawry indicated that in the past we have utilized a screening committee and then brought the final candidate before the Board. We have also had the Board of Review Chair be included in the screening committee.

Supervisor Bohjanen thinks that we may not have a large group to choose from. There are some issues with sending the full application information to the Board, because the packet becomes public information. Personal and private information would have to be redacted. He feels a small committee would be more efficient depending on how many applications we receive. Trustee Maki's concerns will be taken into consideration.

2017 GENERAL FUND BUDGET AMENDMENT #1 TO ACCOUNT FOR DONATIONS FOR BEACH RESCUE EQUIPMENT BOARDS.

Lynch moved Zyburt seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated General Fund receipts within the Township on October 5th, 2016 for fiscal year

2017, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
REVENUE			
Miscellaneous			
101.698.000	\$ 24,200.00	+\$ 1,000.00	\$ 25,200.00
EXPENDITURE			
Fire Dept. Capital Outlay			
101.340.957	\$ 0.00	+\$ 1,000.00	\$ 1,000.00

ROLL CALL.

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FROM THE POLICE TRAINING ACCOUNT FOR TRAINING AT NORTHERN MICHIGAN PUBLIC SAFETY INSTITUTE.

Zyburt moved Engle seconded to expend \$600. for the NMU Safety Institute for the year 2017. This would be paid from the Capital Improvement Fund Police Training 401.306.957.

ROLL CALL.

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE ELECTION EQUIPMENT WITH CAPITAL IMPROVEMENT FUND DOLLARS.

White moved Lynch seconded that the Board approve the purchase of an additional tabulator for backup purposes, not to exceed \$5,000. from the Capital Improvement Fund Election Department 401.190.977.

ROLL CALL.

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

REQUEST FROM LAKESTATE INDUSTRIES FOR TOWNSHIP TO ACT AS PASS THROUGH AGENCY FOR 2% GAMING FUNDS.

Trustee Maki asked if Manager Lawry knew if coffee shop and small retail store were just for training or open to the public. Manager Lawry replied that he understands it will be open to the public as a training facility. He has asked Dale to explore this with Lakestate Industries to make sure this is permissible.

Maki moved Zyburt seconded to authorize a request from Lakestate Industries for \$5,000 in funding for its "Building Futures Capital Campaign" to be submitted as a part of the next Township request for 2% gaming funds from the Keweenaw Bay Indian Community, with the Township to act as a pass through agency for funds received from this source, and to ask Lakestate Industries to sign a Letter of Agreement to provide specified public services in exchange for this funding.

MOTION CARRIED.

CONSIDERATION OF ALTERNATE MEETING DATE FOR MAY 2017.

Supervisor Bohjanen asked if any other Board member will be unavailable on the regular scheduled Board meeting date of May 8, 2017. Trustee Lynch and Treasurer Zybert will both be out of town.

Rhein moved Zybert seconded to reschedule the May 8, 2017 Regular Board meeting to 5:30 pm on Monday May 1, 2017.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Meeting of February 20th, 2017.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of February 16th, 2017.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of March 15th, 2017 Draft.
- D. Minutes – Marquette County Township Association, Meeting of January 25, 2017.
- E. Schedule – Marquette County Township Association Meetings for 2017.
- F. Minutes - Northern Michigan Public Service Academy, Meeting of March 16, 2017, Draft.
- G. Communication – David & Mary Lynch Regarding Kawbawgam Area Water Supply.
- H. Communication - CUPPAD Notice of Rural Transportation Planning Meeting.
- I. Communication – Charter Communications Notice of Channel Lineup Changes.

Zybert moved Engle seconded to adjourn the meeting at 6:30 p.m.

Max Engle, Clerk

Richard Bohjanen, Supervisor

May 1, 2017

A Regular meeting of the Chocolay Township Board was held on Monday, May 1, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Pat Beck, Scott Jennings, Brad Johnson.

MINUTES –APRIL 3, 2017.

Rhein moved Lynch seconded to approve the minutes of the regular meeting of April 3, 2017 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Lynch moved Engle seconded to approve the agenda with the deletion of XI. B. Audit Presentation.

MOTION CARRIED.

PUBLIC COMMENT.

Elizabeth Delene – Spoke to water issue on Kawbawgam Road. She left information from USGS Geologist Tom Weaver with Dale Throenle and also provided it to KBIC. Asked the Board if they were familiar with the water study done on the Kawbawgam area, she left a copy with the Township when they were considering the Dr. English project and she also left a copy with Dale Throenle 2 months ago. She read from page 6 of that report that “They ran one well for 420 minutes and the impact was that well and a neighboring well went down 15.5 feet and 14 feet approximately”. They did not do an aquafer study at that time. The neighbors are concerned about the recharge rate on wells. She knows of 11 replacement wells on Kawbawgam Road.

Nancy Rife, 202 Wanda – Her property abuts the Casino. They have lived there for 30 years and their well has gone down 12 feet.

ACCOUNTS PAYABLE.

Engle moved Zyburt seconded that bills totaling \$22,081.01 including checks numbered

21693-21719 and bills totaling \$34,708.50 including checks numbered 21720-21740 and bills totaling \$2,124.60 including checks numbered 21741-21750 are approved for payment.
MOTION CARRIED.

PAYROLL.

Maki moved Rhein seconded that the payroll for April 6, 2017 for \$39,900.52 including checks numbered 23830-23872 and 10461-10466 and ACH payments for Federal tax, State tax and MERS and for April 20, 2017 for \$35,429.77 including checks numbered 23873-23908 and 10467-10471 and ACH payments for Federal tax, State tax and MERS are approved for payment.
MOTION CARRIED.

FINANCIAL REPORT- MARCH 2017.

Zyburdt moved Engle seconded to approve the March 2017 financial reports.
MOTION CARRIED.

TREASURER'S REPORT- FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zyburdt reported to the Board that we had excess funds in the amount of \$150,000 with which we purchased a 1.75% C/D from the State Bank of Fenton to mature in October 2018.
Engle moved Rhein seconded to accept the Treasurer's report.
MOTION CARRIED.

PRESENTATIONS-PETER WHITE PUBLIC LIBRARY UPDATE.

Andrea Ingmire, Peter White Library Director presented an informational update on her first year as Library Director. The teen zone had a makeover and they are in the process of changing lighting over to LED. There were five Township library millage elections that passed in 2016. The library meeting room usage is up, children's program attendance is up, the book drops are well used and Chocolay Township's book drop box usage is up over 200%. They now have a seed library and children's garden. There is a space planning program currently ongoing; looking at how to utilize library space efficiently. There are building repairs that need to be taken care of and security concerns with lines of site in the library.

CERTIFICATE OF APPRECIATION TO RETIRING PUBLIC WORKS EMPLOYEE MICHEAL DISCH.

Supervisor Bohjanen presented a certificate of appreciation to Mike Disch, upon his retirement for his dedication to the Township and its citizens as DPW Maintenance Worker for the past 22 years.

APPOINTMENTS / RESIGNATIONS - APPOINTMENT OF TOWNSHIP ASSESSOR.

The Ad Hoc Committee interviewed three good candidates for Township Assessor and made a decision based all of the information presented and levels of experience. They made a recommendation to the Board that Mark Maki be hired as the Assessor. The Board still has the option to ask questions of the candidates present at the meeting. Trustee Lynch said based on the information presented to the Board that he agrees with the recommendation of the committee.

Lynch moved Zyburt seconded to appoint Mark Maki as Chocolay Township Assessor effective June 1, 2017, with compensation as outlined in the Personnel Manual.

MOTION CARRIED. (1 Nay – White) (1 Abstain – Maki)

SUPERVISOR'S REPORT.

Supervisor Bohjanen reported on attending the MTA Conference in Lansing. There was a lot of material that was available to learn. He attended Infrastructure for the Near and Far Future, Junk Ordinance Enforcement, Short Term Rentals, Developing Board Consensus, Township and County Road Commission Cooperation, Bulletproofing Zoning Decisions and the General Meeting. He felt it was a very useful conference and well worth the cost of attendance.

FIRST READING OF ALGER-DELTA FRANCHISE AGREEMENT ORDINANCE.

Manager Lawry informed the Board that technically Alger Delta has been operating in Chocolay Township over the past 30 years illegally. This was not because of action on their part, but our Township Board never updated the Franchise agreement. He did consult our attorney and the response is in the packet. It does not require a public hearing, but he recommends that we schedule a public hearing for our next meeting. Alger Delta has not received the changes that our attorney made to the Ordinance. Manager Lawry will provide Alger Delta with the changes.

Trustee White asked what would happen if we did not approve the agreement. Manager Lawry stated that it would involve the court if we did that.

Trustee Maki asked if we could negotiate rates while in this process. Manager Lawry said that we could attempt to do that, but we do not have a strong bargaining position in which to accomplish that. Supervisor Seppanen and Supervisor Walker both tried to do that in the past. Alger Delta has a rate plan that is fairly uniform throughout their districts. Alger Delta is not willing to break out a more urban area like Chocolay with a separate rate structure. The best approach is to work through our district representative on their Board, Karen Alholm.

Supervisor Bohjanen asked if their rates were regulated by a State regulating agency. Trustee Lynch said that Alger Delta opted out of that regulation because they are a co-op and have that option. They are under a local utility Board.

Trustee Rhein asked what the rate difference was between the two utilities. Trustee Lynch replied that Alger Delta rates are currently 10-12% higher than Marquette Board of Light and Power.

The Board concurred to schedule their public hearing and hold Alger Delta's presentation at the June Township Board meeting. The final presentation and adoption of the Franchise Ordinance will occur at the July Township Board meeting.

2017 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #2 TO REFLECT REVISED INSURANCE SETTLEMENT FOR POLICE VEHICLE.

Lynch moved Zyburt seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on October 5th, 2016 for fiscal year 2017, and Whereas, as a result of receipt of unanticipated revenue from an additional insurance settlement for a damaged police vehicle it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
REVENUE			
Miscellaneous			
401.698.000	\$19,750.00	+\$ 2,483.00	\$ 22,233.00
EXPENDITURE			
Police Vehicles			
401.305.981	\$107,759.27	+\$ 2,483.00	\$110,242.27

ROLL CALL.

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

RECOMMENDATION FROM PERSONNEL COMMITTEE ON REVISIONS TO ASSESSOR JOB DESCRIPTION.

White moved Lynch seconded that the Board concur with the Personnel Committee and approve the recommended changes to the Assessor job description dated April 4, 2017.

MOTION CARRIED.

PERFORMANCE RESOLUTION FOR MICHIGAN DEPARTMENT OF TRANSPORTATION PERMITS.

White moved Rhein seconded to authorize Manager Lawry and DPW Foreman Johnson to sign the Performance Resolution for Michigan Department of Transportation Permits.

ROLL CALL.

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AMENDMENT TO MARQUETTE COUNTY SOLID WASTE MANAGEMENT AUTHORITY ARTICLES OF INCORPORATION.

Maki moved Rhein seconded that we make an amendment to the Articles of Incorporation for the Marquette County Solid Waste Management Authority and authorize the Township Supervisor to sign the document.

MOTION CARRIED.

OPPORTUNITY TO PURCHASE FORECLOSED PROPERTIES.

There are two properties in Chocolay Township that are going for public land purchase; 303 Little Lake Road and 144 Dana Lane. There is no public benefit to either of these parcels.

Maki moved Lynch seconded that the Manager contact the Marquette County Treasurer that the Township has no interest for public use of these properties.

MOTION CARRIED.

APPROVAL OF WAGE ASSOCIATED WITH PROMOTION TO POLICE SERGEANT.

Engle moved Lynch seconded to approve the compensation increase to pay grade 4, step 3 of Appendix L, Chocolay Township Pay Grid, effective 05/01/2017, for Anthony Carrick for assuming the duties of sergeant within the police department. This would be an increase of \$2,437 to an annual salary of \$51,176.

MOTION CARRIED.

PUBLIC COMMENT.

Linda Johnson, 200 Kawbawgam – How can residents get a copy of the water study and can that be shared with Board members? She also has a copy of a source water assessment. Manager Lawry replied that the water study is on the web site and we can add the other document if she will give a copy to the Township. Manager Lawry also stated that the tribe and their contractors are working to satisfy the MDEQ with regard to water production and withdrawal and wastewater treatment. MDEQ will require an 8 hour pump test to determine the effect on adjacent wells.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Meeting of March 20th, 2017.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of March 16th, 2017.
- C. Minutes – US 41 Corridor Advisory Group, Regular Meetings of February 14th, 2017 and March 14th, 2017.
- D. Minutes – Marquette County Township Association, Regular Meeting of March 22nd, 2017.
- E. Communication – Charter Communications Channel Lineup Changes

Supervisor Bohjanen adjourned the meeting at 6:30 p.m.

Max Engle, Clerk

Richard Bohjanen, Supervisor

May 15, 2017
Special Meeting

A Special meeting of the Chocolay Township Board was held on Monday, May 15, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle.

MINUTES –May 1, 2017.

Lynch moved Zyburt second to approve the minutes of the regular meeting of May 1, 2017 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Maki moved Rhein second to approve the agenda with one change XII. A. change Resignation of Township Assessor-Mark Maki to letter of Non Acceptance of Assessing Position-Mark Maki.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane- Commented on the current Board meeting time. She feels that 5:30 p.m. is not an appropriate time for working people to be able to attend Board meetings. She feels that it is disingenuous that the Board sets a yearly schedule for meetings and then changes the schedule because a board member is not able to attend on the original date. She is a big proponent of the Township requiring property owners to obtain a survey when they do certain activities.

CONSIDER LETTER OF NON ACCEPTANCE OF ASSESSING POSITION – MARK MAKI.

Lynch moved Engle second to accept letter of non-acceptance of assessing position.

MOTION CARRIED.

APPOINTMENT OF TOWNSHIP ASSESSOR – SAM GERBER.

Engle moved Zyburt second to appoint Mr. Sam Gerber as Chocolay Township Assessor effective June 1, 2017, with compensation as outlined in the *Personnel Manual*.

MOTION CARRIED.

Trustee White asked Mr. Gerber how he went from nursing to assessing. Mr. Gerber replied that nursing was not the career path he envisioned.

AUTHORIZATION TO NEGOTIATE TERMS FOR THE PURCHASE OF ADDITIONAL WASTEWATER TREATMENT CAPACITY.

Manager Lawry explained to the Board that we have done some preliminary checks on the predicted flows from the expanded Casino project and feel that they would basically use up our cushion of reserve that we own at the treatment plant. There is no better time to get additional reserve and have the tribe pay for it, than when they want to come into the system. We told them that they would have to pay for the additional capacity.

Lynch moved Zyburt second to authorize the Township Supervisor, Township Treasurer and the Township Manager to negotiate the terms for purchase of additional wastewater treatment capacity at the Marquette Area Wastewater Treatment Plant in order to accommodate flows from the Ojibwa II Casino complex, with a draft agreement to be returned to the Board for review.
MOTION CARRIED.

Trustee White asked about the routing of the sewer line for this project and what about all the people that paid an assessment for the sewer system and are not connected.

Manager Lawry replied that the proposed route would be from the casino to Riverdale and then Riverdale to the Riverside pump station. We are still not far enough along in the process to say how many residents would be able to connect at this time. KBIC would pay for construction and then turn it over to the Township and we would be responsible for maintenance of the system from that point. This is the preferred option of KBIC.

Lynch asked if there would be an opportunity to bring water out since you will be doing the construction anyway, if the well system is not adequate to serve the casino.

Manager Lawry responded that KBIC will not have water to spare, but should have enough for their project from the new wells.

Trustee Rhein asked with our ancient sewer system, will the system be able to handle the additional flow?

Manager Lawry replied that we have reserve capacity at all but one of our pump stations.

RECONSIDERATION OF PUBLIC HEARING FOR ALGER-DELTA COOPERATIVE ELECTRIC ASSOCIATION FRANCHISE ORDINANCE

Mr. Harrell, General Manager from Alger Delta will not be available for our scheduled Public Hearing at the Township Board Meeting on June 12, 2017.

White moved Rhein second to change the Alger Delta Cooperative Public Hearing from June 12, 2017 to July 10, 2017.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane- Thought it was outrageous that this Board looked at rezoning property associated with the casino and failed to understand the ramifications of the water quality of the people that live in that area. The Governor's office has not vetoed the casino being at the old airport. The whole community will still be affected by the addition to the Wastewater Treatment system.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

None.

Supervisor Bohjanen moved Lynch second to adjourn the meeting at 6:00 p.m.

Max Engle, Clerk

Richard Bohjanen, Supervisor

June 12, 2017

A Regular meeting of the Chocolay Township Board was held on Monday, June 12, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle, Scott Jennings, Brad Johnson.

MINUTES –SPECIAL MEETING MAY 15, 2017.

Rhein moved Zyburt second to approve the minutes of the regular meeting of May 15, 2017 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Lynch second to approve the agenda with the addition of XV. H. Deficit Elimination Resolution.

MOTION CARRIED.

Trustee Maki commented that he sent several letters out concerning Item XV. F. Zoning Enforcement Discussion and he did not see any of the letters in the Board agenda packet. Those letters with questions and Manager Lawry's answers were emailed to all the Board members.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Lynch moved Zyburt second that bills totaling \$67,156.67 including checks numbered 21751-21786 and bills totaling \$23,160.30 including checks numbered 21787-21812 and bills totaling \$28,051.01 including checks numbered 21813-21838 are approved for payment.

MOTION CARRIED.

Trustee White asked about a bill that paid for training for Don Bode before he retired. Manager Lawry explained that it was for a certification that was prescheduled and he needed it while he was still employed by Chocolay Township.

PAYROLL.

White moved Engle second that the special payroll for April 24, 2017 for \$1,732.93 including check numbered 23909 and ACH payments for Federal tax, State tax and MERS and for May 4, 2017 for \$32,850.40 including checks numbered 23910-23928 and 10473-10478 and ACH payments for Federal tax, State tax and MERS and for May 18, 2017 for \$34,022.42 including checks numbered 23929-23960 and 10479-10484 and ACH payments for Federal tax, State tax and MERS and special payroll for May 26, 2017 for \$4,778.70 including check numbered 23961 and ACH payments for Federal tax, State tax and MERS and for June 1, 2017 for \$31,680.48 including checks numbered 23962-23981 and 10485-10490 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT- APRIL 2017.

Zyburt moved Rhein second to approve the April 2017 financial reports.

MOTION CARRIED.

TREASURER'S REPORT- FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zyburt reported to the Board that we did not have any C/D activity in May.

Engle moved Rhein second to accept the Treasurer's report.

MOTION CARRIED.

PRESENTATIONS.

Mike Armstrong from Anderson Tackman and Company PLC presented the FY2016 audit. He indicated that we received an unqualified opinion; which is the highest opinion given. The change in net position was \$470,000 and the total net position on the whole is 9.2 million. The Township exceeded budgeted revenues and kept expenses down below what was budgeted and that is a great plan to have. We did not find any material weaknesses or significant deficiencies with internal control. However according to auditing standards we did have to report to the State 2016-001 Assist in preparing financial statements and footnotes and 2016-002 Fund Balance deficit in the Fire Millage Fund.

Trustee Maki had questions on Fund Balance amounts. He also asked about the MERS defined pension plan liability and how do we know when we go from a net benefit to a deficit. Supervisor Bohjanen responded that MERS sends an annual actuarial report to the Township with that information.

SUPERVISOR'S REPORT.

The Supervisor reported that he will not be in the office next week because he will be in Belize on a Mission Project.

AUTHORIZATION TO EXECUTE MICHIGAN DEPARTMENT OF NATURAL RESOURCES PASSPORT GRANT AGREEMENT FOR SILVER CREEK RECREATION AREA.

Trustee Maki asked if there was an estimated cost and who was the engineer on the project. Manager Lawry responded that we have not yet sent out RFP for the engineer on this project.

White moved Lynch second to adopt the Resolution for the Michigan Recreation Passport Grant Program Development Project Agreement Number RP16-0124 as written.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE EMERGENCY RESPONSE GEAR FOR POLICE OFFICERS WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Supervisor Bohjanen asked Chief Jennings what type of emergency response gear is being requested. Chief Jennings responded protective vests, first aid kits, radio holsters, magazine and a plate carrier. These kits are set up for a police officer that has to respond to an emergency directly from home. This will be for four full time officers in Chocolay. Most of the officers in Marquette County are doing the same.

Lynch moved Zyburt second to approve the purchase of Emergency Response Gear for off-duty Officers for no more than \$1,600. This will be paid from the Capital Improvement Fund Police Department Equipment 401.305.977.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Zyburt moved Engle second that Whereas, a budget was adopted by the Chocolay Township Board on October 5, 2016 to govern the anticipated Capital Improvement Fund for 2017, and

Whereas, as a result of changing equipment needs, it is suggested that the aforesaid budget be modified as follows to allow for purchase of tablets for Board and Commission use for packets using funds currently designated for election equipment, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
EXPENDITURE			
Technology 401.258.977	\$ 20,699.92	+\$ 7,800.00	\$ 28,499.92
EXPENDITURE			
Election Equipment 401.190.977	\$ 26,485.36	-\$ 7,800.00	\$ 18,685.36

and that the Board authorize the use of the transferred funds to purchase fifteen (15) tablets for Township meeting use.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

Trustee White asked how much the current tablets cost. Clerk Engle responded \$2,400 total. We will look at repurposing the old tablets. The main problem with the current tablets is that they will not keep up with windows.

Trustee Rhein asked about moving the money from the elections fund to technology. What happens to the election needs? Clerk Engle responded that the State is providing the new election equipment for each of our precincts at no charge, so the Election Department does not need all of the money set aside.

RECOMMENDATION FROM PERSONNEL COMMITTEE ON RATE OF PAY FOR PUBLIC WORKS MAINTENANCE WORKER.

Trustee Maki asked if the job was posted properly and are we required to advertise. Manager Lawry indicated that according to our Personnel Policy we can post from within if we have a qualified employee interested in the position.

White moved Rhein second that Joe Neumann's pay be adjusted to Step two of Pay Grade one with a difference in annual salary to be increased from \$32,541 to \$33,970 retroactive to May 15, 2017.

MOTION CARRIED.

NOMINATION FOR AARP ANDRUS VOLUNTEER AWARD.

Maki moved Engle second to nominate Bob Mercure for the AARP Andrus Award.

MOTION CARRIED.

ZONING ENFORCEMENT DISCUSSION REQUESTED BY TRUSTEE MAKI.

Trustee Maki asked if all the Board members have his June 5, 2017 memo. All Board members received it via email. Trustee Maki has concerns about a zoning violation that he reported to Planner Throenle. It has been 100 days since he reported the violation and the ordinance has not been enforced.

A lengthy Board discussion followed about enforcing the Zoning and Sign Ordinance to the letter of the law or work with residents to find a solution that works for the Township and the resident. There was no Board decision made to change the current direction the Planning Director is taking

with the zoning issue. The Planning Director will start making monthly reports to the Board on all zoning issues that he is working on and what the status is.

DEFICIT ELIMINATION PLAN RESOLUTION.

White moved, Lynch second that;

WHEREAS, the Charter Township of Chocolay Fire Millage Fund has a \$(262,000.) deficit fund balance on December 31, 2016; and

WHEREAS, Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury:

NOW THEREFORE, IT IS RESOLVED that the Charter Township of Chocolay Fire Millage Fund Deficit Elimination Plan:

	2017
Fund Balance - Restricted	\$12,230
Fund Balance - Unrestricted	\$(262,000)
Fund Balance – Total	\$(249,770)
Revenue – Property Tax-Prior Year Deferred	\$252,979
Expenditure – Interest	\$(1,450)
Net Income	\$251,529
Fund Balance – Restricted	\$1,759
Fund Balance – Unrestricted	-
Fund Balance – Total	\$1,759
Payments on Advances–General Fund	\$262,000

BE IT FURTHER RESOLVED that the Charter Township of Chocolay Supervisor, Richard A. Bohjanen submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey 633 Lakewood - Cautioned the Board to be wary of what can happen to the Chocolay Pension plan. The General Fund Balance has gone up substantially, the Board should be mindful that when they spend money it belongs to the taxpayers and consider lowering taxes. The Board should consider painting lines on the tennis courts. She has written letters to Mr. Throenle and received no response. The Zoning Ordinance should be enforced.

Mark Maki 370 Karen Road- His letters were sent to the Board and he wanted them in the agenda packet not via email. He complained that his letters were not readable and all the letters from the Township were legible.

EMPLOYEE REQUEST FOR CLOSED SESSION HEARING TO DISCUSS DISCIPLINARY ACTION.

Rhein moved Lynch second that the Board meet in closed session under Section 8 (a) of the Open Meetings Act to discuss an employee’s request for hearing on a disciplinary action.

ROLL CALL.

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: Maki.

MOTION CARRIED.

Engle moved, Lynch second to go out of closed session.

ROLL CALL.

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: Maki.
MOTION CARRIED.

Maki moved Zyburt second to support the Managers position on the written reprimand.
ROLL CALL.

AYES: Rhein, Maki.
NAYS: White, Lynch, Zyburt, Engle, Bohjanen.
MOTION FAILED.

Trustee Maki would like to hear the Manager's comments.

Trustee Lynch does not condone raising your voice with a customer but according to Township policy the first reprimand should be an oral one not a written one.

Supervisor Bohjanen feels that the behavior has been modified through this process and he feels that an oral reprimand is appropriate now. A letter of reprimand in the personnel file may have an affect the employee later in life.

Engle moved, Lynch second to change the written reprimand to an oral reprimand.
ROLL CALL.

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen.
NAYS: Maki.
MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Meeting of April 17th, 2017.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of April 20th, 2017.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of April 19th, 2017, Annual Stockholders Meeting of April 19th, 2017, and Regular Meeting of May 17th, 2017, Drafts.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meetings of February 14th and March 14th, 2017.
- E. Minutes – Northern Michigan Public Service Academy Board Regular Meeting of May 18th, 2017.
- F. Communication – Ms. Linda Rossberg Re: Kawbawgam Road Area Water Situation.
- G. Communications – Charter Communications Channel Lineup Changes.
- H. Communication – Michigan Public Service Commission Cable Television Complaint Procedure.

Supervisor Bohjanen adjourned the meeting at 7:45 p.m.

Max Engle, Clerk

Richard Bohjanen, Supervisor

July 10, 2017

A Regular meeting of the Chocolay Township Board was held on Monday, July 10, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Suzanne Sundell, Gary Johnson, Lee Gould, Matt Perala.

MINUTES –JUNE 12, 2017.

White moved Lynch second to approve the minutes of the regular meeting of June 12, 2017 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Lynch moved Zyburt second to approve the agenda with the addition of XV.G. Purchase of Wild Land Equipment with DNR Grant.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane –She is confused on how the Township Board minutes are taken. She specifically said paint lines for Pickle Ball on the old tennis courts, she talked about the general fund having excess funds and reducing taxes or returning the money to residents and zoning enforcement and none of that was in the June minutes. There was no indication of the Board discussion on zoning. She questioned the purpose of the minutes if they do not accurately show what was stated. She commented on zoning enforcement issues; including 557 Lakewood Lane, the Lakenenland sign, construction equipment across from Bayou Grill on Main Street, and failure to enforce short term rental problem. She commented on the how the Planning Director report does not show real issues being dealt with, only percent of time utilized and his numbers do not add up. Historically, Kelly would report specific issues and how they were being addressed. The Township Board should support and encourage their employees to do their job. She is a big supporter of CUPPAD doing our zoning. She feels that the Board does not care what she or other residents have to say.

Tom Curry – Introduced himself as a candidate running for the Michigan House of Representatives for the 109th District. He was not born in the U P but has lived here for the past 30 years and is

Township Supervisor of Limestone Township in Alger County. Mr. Maki has been their Assessor for almost the entire time that he has been Supervisor.

Jeff Glass – Spoke about incorrect language on his Micro Brewery request. Supervisor Bohjanen stated that it can be corrected when the agenda item comes up tonight.

PUBLIC HEARING-ALGER DELTA FRANCHISE.

The public hearing was opened.

Tom Harrell, CEO from Alger Delta Electric spoke to the Board on the background of the request for the Alger Delta franchise. Alger Delta has been serving in Chocolay Township for many years and he was reviewing some documents recently and discovered that several franchise agreements had not been renewed in a timely manner. Chocolay Township's last franchise agreement was renewed in 1998. Alger Delta Electric's law firm requested some language changes in the franchise agreement. There was some concern that the language on getting attachments and some every day service hook up service would require permission from the Township. That language has been resolved in the updated franchise agreement. He is available for questions.

There was no other public comment and the public hearing was closed.

ACCOUNTS PAYABLE.

White moved Rhein second that bills totaling \$28,914.09 including checks numbered 21839-21862 and bills totaling \$12,096.41 including checks numbered 21863-21883 are approved for payment.

MOTION CARRIED.

PAYROLL.

Lynch moved Zyburt second that payroll for June 15, 2017 for \$31,741.61 including checks numbered 23982-24002 and 10491-10496 and ACH payments for Federal tax, State tax and MERS and for June 29, 2017 for \$36,491.88 including checks numbered 24003-24043 and 10479-10502 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT- MAY 2017.

Zyburt moved Lynch second to approve the May 2017 financial reports.

MOTION CARRIED.

TREASURER'S REPORT- FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zyburt reported to the Board that we had three C/D's mature; 100,000 CDARS, 150,000 MBank, and 150,000 Miners Bank. One was rolled over for 150,000 into First Bank for one year at .90% and three C/D's into MBank for a total of 250,000 for 18 month duration at 1.3%. The auditors asked for a separation on the brokerage C/D's because the market value fluctuates monthly on that type of investment.

Engle moved Rhein second to accept the Treasurer's report.
MOTION CARRIED.

PRESENTATIONS-FIRE DEPARTMENT SERVICES.

Matt Perala, a Chocolay Township Volunteer Fire Fighter presented information to the Board on running a Medical First Responder Service, (non-transporting) through the Fire Department. This would be medical assistance until the ambulance arrives. Calls would come from Central Dispatch and only the qualified emergency medical trained fire fighters would be paged. Through the years our Fire Department has gone from just firefighting to also being equipped and trained for extrication. The next trend for fire departments is to train and aid with medical services. Almost every fire department on this side of the County has first responders. Chocolay Firefighters are currently called to fires, car accidents, cardiac arrest and lift assist. The major costs of adding first responder to the CTVFD are licensing, equipment, uniforms, training and payroll. This would be a major asset to Chocolay Township.

Trustee Maki asked about state licensing for the Volunteer Fire Department as a first step toward being a Medical First Responder.

Manager Lawry indicated that the Board should give guidance to him as he prepares the FY2018 budget.

SUPERVISOR'S REPORT.

The Supervisor will not be in town for the August meeting and the Clerk will open the meeting and the Board will then elect a chair for the meeting.

SECOND READING OF ORDINANCE #64, ALGER DELTA ELECTRIC COOPERATIVE FRANCHISE.

White moved Lynch seconded, that after reviewing the input from a public hearing and conducting two readings of proposed language that the Board adopt the attached draft of Alger Delta Electric Cooperative Franchise Ordinance #64 containing the provision for coordination of Township and Utility construction projects within shared rights-of-way and expiring in 2040 and that the Board file a motion with the Township Clerk to publish a notice of adoption in the local newspaper and on the Township website within fifteen days of adoption, and record the new ordinance in the Township Book of Ordinances within one week after publication.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED

MICRO BREWER LICENSE REQUEST – JEFF GLASS

Lynch moved White second that the application from Jeffrey Morris Glass for the following license(s): Micro Brewer license to be located at: 2048 M-28 East, Marquette MI 49855 at Gitche Gumees RV Park be approved to make beer and sell on premises.

It is the consensus of this body that it recommends this application be considered for approval by the Michigan Liquor Control Commission.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

ZONING ENFORCEMENT DISCUSSION REQUESTED BY TRUSTEE MAKI.

Trustee Maki commented that this goes back much longer than with hiring Dale. We have had trouble hiring a zoning administrator with any experience; probably with the last two or three people. There is no license for Planning and Zoning. Recently the Planning Commission and Zoning Board of Appeals have had problems. The Planning Commission has had agenda problems because a site plan was not done on time and they had to have a special meeting. They have not had the site plans reviewed to make sure they comply with the zoning before the meeting, which has caused a lot of discussion and concern. The Zoning administration has become political. The short term rental situation is confusing to some people. Someone on Lakewood Lane had a contractor sign that was 18” by 12” and they received a letter from the Township about the sign, yet we have a billboard on the highway the Township is not doing anything about.

Supervisor Bohjanen said that the progress is slow but the Planning Commission is looking at our Ordinances, finding out which ones need work. There is a budget concept item on the agenda tonight looking at having an outside organization look at the ordinances that need changes and the Sign Ordinance is definitely one that needs modification.

AUTHORIZATION TO EXECUTE CHARTER COMMUNICATIONS FRANCHISE AGREEMENT.

Lynch moved Rhein second to authorize the Township Supervisor to execute the attached new ten-year franchise agreement with CC VIII Operating, a Delaware Limited Liability Corporation doing business as Charter Communications and continuing a 5% franchise fee and a 0% PEG fee.

MOTION CARRIED. (1 Nay-White)

2017 GENERAL FUND BUDGET AMENDMENT #2 TO REFLECT RECEIPT OF RAP GRANT FROM MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY.

Zyburt moved Lynch 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 October 5, 2016 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 BUDGET	CHANGE	AMENDED BUDGET
Police Department Capital Outlay 101.305.715	\$8,400.00	+\$746.25	\$9,146.25

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$25,200.00	+\$746.25	\$25,946.25

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

2017 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #4 TO REFLECT RECEIPT OF MCOLES TRAINING FUNDS.

Engle moved Zyburt second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October 5, 2016 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or 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	\$802.04	\$422.75	\$1,224.79

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 401.543	\$0	\$422.75	\$422.75

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

2017 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #5 TO REFLECT RECEIPT OF KEWEENAW BAY INDIAN COMMUNITY 2% GAMING FUNDS.

Engle moved Lynch second that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on October 5th, 2016 for fiscal year 2017, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
REVENUE KBIC 2% Gaming Money 401.000.582	\$ 0.00	+\$ 70,000.00	\$ 70,000.00

EXPENDITURE

Fire Department

Land Improvements

Ojibwa Water Reservoir

401.340.002.972	\$ 0.00	+\$ 25,000.00	\$ 25,000.00
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Fire Dept. Vehicles

401.340.981	\$105,758.14	+\$ 20,000.00	\$125,758.14
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Police Dept. Vehicles

401.305.981.000	\$110,242.27	+\$ 15,000.00	\$125,242.27
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Streets

Land Improvements

401.440.972	\$ 27,707.04	+\$ 7,000.00	\$ 34,707.04
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Township Hall & Grounds

Building Improvements

401.265.976	\$ 13,500.55	+\$ 3,000.00	\$ 16,500.55
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A letter will be sent to the Superior Watershed Partnership informing them that the requested funds were not received.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO REQUEST ROAD MILLAGE ON NOVEMBER 2017 BALLOT.

Manager Lawry informed the Board that we have not yet obtained an engineering firm or developed an asset management plan on our roads and we are coming up on the deadline for ballot language for the November election. If the Board wishes to seek approval on road millage this year, they will have to work with some preliminary estimates that he has put together. The County Road Commission are almost at the end of their limit on issuing bonds, but we may be able to bond elsewhere. If we worked yearly off the millage as collected, we would not be able to address the real road issues. We need to bond to do the road work all at once, and also do preventive maintenance. We would need at minimum 1.5 mills, but realistically 1.7 or 1.75 is needed.

Lynch moved Zyburt second to submit ballot language to County and State election authorities seeking to place a question on the November 2017 ballot in Chocolay Township in which voters

will be asked to approve a new property tax levy of up to 1.75 mills for up to 15 years to be used for the repair and maintenance of public roads within the Township.

MOTION CARRIED. (1 Nay-Rhein)

BOARD INPUT ON 2018 BUDGET PREPARATION.

Manager Lawry indicated that budget wish lists from the Fire Department included Medical First Response, the Police Department is looking at training and accreditation and an upgrade for their administrative assistant, Recreation Department would include adding to grant money, Manager Position going full time, Planning Commission is looking at Zoning Ordinance rewrite. He would like to hear from the Board what their priorities are.

Trustee Lynch said that staffing seems to be an important issue to be looked at.

Trustee Rhein feels that EMS for the Fire Department is an important item to look at for the budget.

Clerk Engle indicated that making the administrative assistant position in the front office part time is not working well right now.

Supervisor Bohjanen feels that two budget items to look at are what type of benefit are we deriving from our membership in Community organizations and also technology implementation.

Zyburt moved Rhein second to increase the fire department services to include Medical First Responders.

MOTION CARRIED.

White moved Rhein second to include a full time manager in the 2018 budget.

MOTION CARRIED. (Nay-1 Maki).

Rhein moved White second that the employee portion of payment toward health insurance in 2018 be increased from 15% to 17.5%.

MOTION CARRIED. (Nay-1 Maki).

PURCHASE OF WILD LAND EQUIPMENT WITH DNR GRANT.

Maki moved Rhein seconded authorizes the Fire Department to purchase wild land PPE from Pomasl Fire Equipment in the amount of \$4,957 using capital improvements funds and Michigan DNR grant funds.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood – Accusations are not acceptable, Law suits Lakenenland, know your facts please. Rumors are going around in the Township that Lakenenland does not pay taxes. She was accused by a Board member at this meeting that she is going after Lakenenland. She sat through 3 years of discussion on the sign ordinance by the Planning Commission. People don't want zoning enforcement when it pertains to them. The Board should commit to only spending Road millage money on Roads not like the Fire Hall Millage. She asked the Board to think before they spend money on redoing the sign or zoning ordinance; do you want enforcement, do you want zoning?

Mark Maki, 370 Karen Road- Two Board members have accused him of harassment, who have I been harassing? Judy says I'm harassing Lakenenland. Over the last 15 years, he has never heard a Board member or Planning Commission member say what about the zoning ordinance on this issue?

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Meeting of May 15th, 2017.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of May 18th, 2017.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of May 17th, 2017 and Work Session of June 1st, 2017, Drafts.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meetings of May 9th, 2017.
- E. Communication – Charter Communications Changes in Channel Line-up.

Supervisor Bohjanen adjourned the meeting at 8:09 p.m.

Max Engle, Clerk

Richard Bohjanen, Supervisor

August 14, 2017

A Regular meeting of the Chocolay Township Board was held on Monday, August 14, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Clerk Engle called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: Richard Bohjanen.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Scott Jennings, Brad Johnson, Pat Beck.

ELECTION OF PRESIDENT PROTEM.

Zyburt moved Rhein second to appoint Trustee Lynch as President Pro Tem.

MOTION CARRIED.

MINUTES –JULY 10, 2017.

Zyburt moved Rhein second to approve the minutes of the regular meeting of July 10, 2017 with the following changes - Zoning Enforcement Discussion by Trustee Maki – change line 8 to *The short term rental situation is confusing to some people.* Board Input on 2018 budget – clarify the motion to state *Rhein moved White second that the employee portion of payment toward health insurance be increased from 15% to 17.5%.*

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Engle moved White second to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – The July 10th minutes do not accurately reflect what Trustee White said about her. The minutes say nothing about Trustee Whites comments of her harassing. In fact the document states me being harassing. This needs to be clarified. Trustee White has made comments about how she does not believe someone can tell her how to utilize her property. How can the Board allow her to sit on the Planning Commission with that mind set? I love Lakenenland Park and send people there all the time. My concern is with the trailer that is there and zoning ramifications. How do you think people living in AF districts will like trailers with signs on them? I want to talk about FOIA tonight. This Township Board and staff need training with FOIA. Everything is FOIAble. I have made many FOIA requests including zoning information that has not been properly handled. Everything is FOIAble. The Township is withholding assessing records from residents. Years ago, the Township had a public computer that had

assessment records on it. The Township is required by law to allow those records to be inspected and copied. The Township is failing to provide assessing records according to the General Tax Act and FOIA. I don't know how to get through to you unless I file a law suit, and I don't want to do that. The assessor's license will be on the line when my complaint is made.

George Meister, 394 County Road 480- Commented that GEI Consultants feels their price and qualifications are the best offered to the Township and it would keep people on the project who are homeowners in the Township.

Dick Arnold, 312 County Road 545- The Township Board minutes said the Board is allowing the Zoning Administrator to negotiate solutions to ordinances of the Township. The Zoning Ordinance duties state that the Zoning Administrator shall have no power to vary or waive Ordinance requirements. He has been trying to clean up his neighborhood and has had no response from the Zoning Administrator.

Earl Schuster, 244 S. Shag Lake Drive, Gwinn – Is a representative of the USA Pickle Ball Association in Marquette and Superior land Pickle Ball and we heard that Chocolay Township may have some recreation money to do some renovations in Chocolay. We are hoping that Pickle Ball will be included. Marquette City, Sands Township and Marquette Township all have Pickle Ball Courts.

John Sutton, 138 Aspen Drive- Pickle Ball is now the sport for the aging population that used to play tennis and racquetball.

Brenda Crothers, 196 Riverside Road – Is there any truth to the grant money possibly being sent back? Manager Lawry stated that we do not have all the funds for our portion of the grant. We must find the funds or return the grant. She is very interested in a Pickle Ball Court in Chocolay.

Marlene Fisher, 277 Lakewood - In 2010 her husband tried to get Pickle Ball going in Marquette. They started with one court in the summer in Marquette and one in Sands Township. The Pickle Ball Players are willing to do work on the courts.

ACCOUNTS PAYABLE.

White moved Zyburt second that bills totaling \$17,980.00 including checks numbered 21884-21904 and bills totaling \$13,910.40 including checks numbered 21905-21915 and bills totaling \$17,622.25 including checks numbered 21916-21939 and bills totaling \$38,488.53 including checks numbered 21940-21971 are approved for payment.

MOTION CARRIED.

PAYROLL.

Maki moved Engle second that payroll for July 13, 2017 for \$41,504.49 including checks numbered 24044-24087 and 10508-10513 and ACH payments for Federal tax, State tax and MERS and for July 27, 2017 for \$35,983.84 including checks numbered 24088-24123 and 10514-10519 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

TREASURER'S REPORT-

Treasurer Zybert reported to the Board that we had a \$250,000 C/D mature from 1st of St. Ignace and it was reinvested with Northern Michigan Bank out of Petoskey for a rate of 1.74% maturing in May of 2020.

White moved Rhein second to accept the Treasurer's report.

MOTION CARRIED.

FUND WITHDRAWAL AND DEPOSIT REPORT.

Rhein moved White second to accept the fund withdrawal and deposit report.

FINANCIAL REPORT- JUNE 2017.

Zybert moved Maki second to approve the June 2017 financial reports.

MOTION CARRIED.

SUPERVISOR'S REPORT.

None.

APPROVAL OF NOVEMBER BALLOT LANGUAGE FOR ROAD MILLAGE.

Trustee White suggested that we request only 1.5 mills for the road millage. Clerk Engle stated that we are requesting up to 1.75 mills, and can change that amount to a lower millage if the engineering numbers come in lower. Trustee Maki prefers not to go above what we collected for the fire millage which is 1.7 mills.

Maki moved, White second that

WHEREAS, the Charter Township of Chocolay Board acknowledges the need to repair, improve and maintain local roads within Chocolay Township; and

WHEREAS, the Charter Township of Chocolay Board has approved the development of a study and detailed plan to repair, improve and maintain local roads within Chocolay Township; and

WHEREAS, a previous road improvement millage commencing in 2008 expired in 2012; and

WHEREAS, townships may provide for construction, improvement and maintenance of public roads and other public facilities pursuant to MCL 41.722(1), MCL 42.31, and other laws of the State of Michigan; and

WHEREAS, at a regularly scheduled meeting held on August 14, 2017, the Township Board entertained the motion to place on the November 7, 2017 ballot the question of whether to levy 1.70 mills for the purpose of providing revenue for the maintenance, rehabilitation, repair,

reconstruction and improvement of public roads within the Township in compliance with an asset management plan to be developed for the Township roads, for a period of fifteen (15) years from 2017 to 2031, both inclusive; and

WHEREAS, the Township Board has determined that placing the millage on the ballot at the November 7, 2017 election is in the best interests of the health, safety and welfare of the Township residents.

THEREFORE, the Township Board of the Charter Township of Chocolay, Marquette County, Michigan, resolves as follows:

The Township Board resolves to present to the electors of the Charter Township of Chocolay at the November 7, 2017 election a proposed increase of the amount of ad valorem taxes pursuant to the following ballot language:

Shall the Charter Township of Chocolay levy a new millage of up to 1.70 mills on real and personal property in the Township for up to fifteen (15) years from 2017 to 2031, both inclusive, to provide revenue for the maintenance, rehabilitation, repair, reconstruction and improvement of public roads within the Township in compliance with an asset management plan developed for said roads, which said 1.70 mills will raise an estimated \$352,000 in the first year it is levied?

YES or NO

The Township Clerk is authorized and directed to promptly submit this Resolution along with the above ballot language to the County Clerk so that the millage proposal may be included on the November 7, 2017 election ballot.

Any resolution inconsistent with this resolution is hereby rescinded.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zybert, Engle.

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

2017 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #6 TO REFLECT RECEIPT OF REBATE FROM FOX MOTORS ON REMOVAL OF EQUIPMENT FROM DAMAGED PATROL CAR.

White moved Zybert second that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on October 5th, 2016 for fiscal year 2017, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
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REVENUE

Miscellaneous			
401.000.698	\$ 22,233.00	+\$ 924.91	\$ 23,157.91

EXPENDITURE

Police Dept. Vehicles			
401.305.981.000	\$125,242.27	+\$ 924.91	\$126,167.18

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle.

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS TO PURCHASE AND OUTFIT A NEW POLICE PATROL VEHICLE.

Zyburt moved Engle second to approve the purchase of a 2018 patrol car for the Police Department. Cost of the vehicle will not exceed \$30,765. Cost for transfer of equipment, graphics and pick-up costs for the new vehicle will not exceed \$13,000 for a total amount not to exceed \$43,765. This will be paid from the 2017 Capital Improvement Fund, Account #401-305-981 vehicles.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle.

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

2017 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #7 AND AUTHORIZATION TO PURCHASE MATERIALS FOR HOCKEY RINK DASHER BOARDS.

Engle moved Maki seconded Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on October 5th, 2016 for fiscal year 2017, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
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EXPENDITURE

Capital Improvements Fund			
Recreation and Properties			
Land Improvements			
401.756.972	\$60,703.55	-\$ 8,300.00	\$52,403.55

Capital Improvements Fund
Recreation and Properties

Equipment			
401.756.977	\$19,127.57	+\$ 8,300.00	\$27,427.57

And that the Chocolay Township Board approves the expenditure of no more than \$8,300 for the fiberglass reinforced panel (FRP) from Athletica Sports Systems and the screws needed to attach the panels. This will be purchased using funds from the Recreation and Properties Capital Improvement Fund 401.756.977.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle.

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

AWARD A CONTRACT FOR ENGINEERING SERVICES TO DEVELOP AN ASSET MANAGEMENT SYSTEM FOR SECONDARY ROADS WITHIN THE TOWNSHIP.

Trustee Maki asked if all the Engineering firms meet all of our requirements. Manager Lawry responded that basically all did meet the requirements. The difference is the number of hours that would be put into the project. One proposed 27 hours and one proposed 46 hours. GEI mentioned that they would incorporate their results into the GIS system which is the system that we use at the Township. The add on hours will be billed up to \$1,500 and Trustee Maki questioned how we keep this on the low side. Manager Lawry indicated that the additional is for meeting time and it will be on the lower side if we keep the meetings shorter.

Zyburt moved Rhein second to retain the firm of GEI Municipal Engineering Services to prepare an asset management plan of public roads in Chocolay Township in accordance with the firm's proposal dated August 1, 2017 and for a total cost not to exceed \$5,500, to authorize the Township Clerk to sign a professional services agreement, as approved by the Township Attorney, for the work, and to authorize the expenditure of up to \$5,500 from the Capital Improvement Fund to pay for such services.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle.

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

AWARD A CONTRACT FOR ENGINEERING SERVICES TO DEVELOP AN ASSET MANAGEMENT SYSTEM FOR THE TOWNSHIP SEWER COLLECTION SYSTEM.

Trustee White asked how much is in our fund to cover this portion of the plan? Could the \$29,000 be better utilized by putting it toward the current pump stations? Manager Lawry replied that we have \$80,000 set aside in this year's budget. Whatever we do not use this year can be rolled over into next year's budget and we have to have an analysis before we can move forward with funding decisions. Trustee White also asked if a special assessment district was planned for this work. Manager Lawry replied that would be a board decision once we have the information whether to look for outside assistance or go in house.

Trustee Maki asked if GEI had done similar projects in the area. George Meister, GEI responded that yes they have 7 different SAW Grants in the Upper Peninsula. Trustee Maki asked if we have ever done anything like this with the sewer system. Manager Lawry responded that unfortunately nothing has been done like this in the past and the system is forty+ years old. Trustee Rhein commented that the timing is especially pertinent now with the possibility of the KBIC project utilizing our sewer system. Manager Lawry also said that recently our flow has gone up dramatically and we are in the process of investigating what is happening to cause that.

Engle moved Zyburt second to retain the firm of GEI Municipal Engineering Services to prepare an asset management plan for the Chocolay Township sanitary sewer collection system in accordance with the firm's proposal dated August 1, 2017 for a total lump sum cost of \$29,632, including \$2,000 for infrared and vibration analysis, to authorize the Township Clerk to sign a professional services agreement, as approved by the Township Attorney, for the work, and to pay for such services from the Wastewater Treatment Fund operating budget.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle.

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

AWARD A CONTRACT FOR ENGINEERING SERVICES TO DESIGN A MULTI-USE PATH ON ORTMAN ROAD.

Manager Lawry indicated that we are utilizing grant money for the engineering. We will need additional funds to complete the project.

Trustee White questioned the price to design such a small path. Manager Lawry responded that even though it is a small path there are surveys, legal documents and drainage ditch issues that make this problematic. There are soil and safety issue also.

Trustee Maki asked if we have contacted the school about this project. Manager Lawry responded that we have, but since that time our Planner has changed and the school principal has changed at Cherry Creek.

White moved Zyburt second to retain Payne & Dolan Incorporated to design a multi-use path connecting Cherry Creek Road to the entrance of Cherry Creek School, to assist the Township in identifying and applying for construction grant funds for the path in accordance with their proposal dated August 1, 2017 for a lump sum price of \$5,636 plus hourly compensation at rates specified in the proposal for required attendance at public meetings, to authorize the Township Clerk to sign a professional services agreement, as approved by the Township Attorney, for the work, and to authorize the expenditure of these funds from the Healthy Community – Cherry Creek Bike Project Account within the Township Capital Improvements Fund.

ROLL CALL.

AYES: Maki, Lynch, Zyburt, Engle.

NAYS: Rhein, White.
ABSENT: Bohjanen.
MOTION CARRIED.

AWARD A CONTRACT FOR ENGINEERING SERVICES TO DESIGN TENNIS COURT AREA IMPROVEMENTS AT SILVER CREEK RECREATION AREA.

Manager Lawry indicated that we have received two grants toward this project and \$1,000. in private funds, but the Township still does not have enough funds to complete our portion. We cannot utilize State grant funds unless we follow the agreement exactly as laid out. We are hoping that the paving company will explore many options and find one that we can afford.

Maki moved White second to retain Payne & Dolan Incorporated to provide engineering services for the redesign of the tennis court area at Silver Creek Recreation Area and for construction administration services on a project to implement the new design in accordance with their proposal dated August 1, 2017 all for a lump sum price of \$6,852, to authorize the Township Clerk to sign a professional services agreement, as approved by the Township Attorney, for the work, and to authorize the expenditure of these funds from the Silver Creek Tennis Court Project Account of the Capital Improvements Fund.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle.
NAYS: None.
ABSENT: Bohjanen.
MOTION CARRIED.

REQUEST TO WAIVE USER FEE FOR FUNDRAISER AT BEAVER GROVE SOFTBALL FIELD.

White moved Zyburt second to waive the \$50.00 user fee for the evening of August 4, 2018.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle.
NAYS: None.
ABSENT: Bohjanen.
MOTION CARRIED.

PUBLIC COMMENT.

John Sutton, 138 Aspen Drive- Thanked the Board for approving the grant and supporting the citizens of the Township.

George Meister, 394 County Road 480- Thanked the Board for their support and also commented that there are surfaces available that will allow the Board to afford the Tennis Court project.

Trustee Lynch asked Manager Lawry to continue to copy the Board on responses to Trustee Maki's questions.

Trustee Maki commented on the Planning Commission minutes needing a correction on pages 9-10. That Tom Mahaney did not correct Mr. Maki, the correction was on the agenda.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of June 19th, 2017.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of June 29th, 2017.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of June 21st, 2017.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meetings of June 13th, 2017 and July 11, 2017.
- E. Communication – Charter Communications Changes in Rates and Fees.
- F. Communication – Eastwood Nursing Center RE: Marquette County Medical Care Facility.
- G. Communications – Mark Maki RE: Records Access and Zoning Questions.

Zyburdt moved Engle second to adjourn the meeting at 6:35 pm.
MOTION CARRIED.

Max Engle, Clerk

Richard Bohjanen, Supervisor

September 11, 2017

A Regular meeting of the Chocolay Township Board was held on Monday, September 11, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Lisa Perry, Scott Jennings, Jeff Czarney.

MINUTES –AUGUST 14, 2017.

Rhein moved Zyburt second to approve the minutes of the regular meeting of August 14, 2017 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Supervisor Bohjanen informed the Board that GEI would not be available to make their presentation as they do not have all the material ready. They have requested an additional two weeks to complete the task. Supervisor Bohjanen asked if Board members would be available to attend a Special Meeting on September 25, 2017.

Engle moved Zyburt second to call a Special Meeting of the Chocolay Township Board on Monday September 25, 2017 at 5:30 pm for the GEI presentation on Road Asset Management Plan.

MOTION CARRIED.

PUBLIC COMMENT.

Supervisor Bohjanen asked if anyone had something to discuss under public comment other than short term rentals, please speak now. Supervisor Bohjanen indicated that if the spokesperson of the group that opposes short term rentals would speak now under public comment and anyone else that had additional input voice that. If you concur with the speaker but do not have new information to add, we can send a note pad around so you can enter your name and address to be added to the minutes showing that you are (not in favor) or (in favor) of short term rentals.

Jennifer Briggink, 673 Lakewood Lane – Spokesperson on the short term rental petition. Presented a map showing where the people live that signed the petition. There were over 190 properties that they attempted to visit (some were not home) and a petition with over 180 signatures (representing over 120 properties) against short term rentals on Lakewood Lane. The

sense of community and neighborhood in a residential district is not one you get with tourists that change every week. What you get instead is parties, fireworks, trash on the beach and people getting lost and wandering through your yard. This is what you get with short term rentals. These are narrow properties, a lot only 50 feet wide. A living space for less than a month is a short term rental. She is concerned with the Planning Commission working on definitions that they already have and did not know it was already in the Ordinance. The people that rent the short term rentals don't pay property tax in the Township, the residents do. There is also some question about if State sales tax is paid on short term rentals. People that are in a short term rental are not able to be counted properly in the census.

Trustee Maki feels that the residents should be able to speak when the agenda item comes up.

Scott Emerson, 119 Lakewood Lane- Spokesperson on the short term rental petition. This is just a sneaky commercial spot zoning in a residential area. The definition of short term rentals (Nationally) is anything less than thirty days. Anything longer than thirty days are considered long term. This is a motel business activity that is being allowed in established residential zones. We need to learn from areas across the Country that already dealt with this. The advocates of short term rentals call it a property rights issue and they should be able to do whatever they want with their property. That is a complete violation of zoning. This violates the rights of the residents that purchase a home in a single family residential area expecting family and community values. This is a public health issue, not just a zoning issue. The loss of sense of community has an adverse effect on your health and longevity. The history on short term rentals is that there are many cities all over the United States that have allowed short term rentals and are now reversing their approval because of all the problems short term rental have caused. The reversals have been upheld.

Peter Ollila, 633 Lakewood Lane – Zoning Ordinances in Michigan have been written to identify land uses that are permitted in certain zoning districts. Zoning Ordinances generally do not say what is not permitted. He spoke to the Attorney Zappa letter on short term rentals and quoted Michigan Court rulings and Michigan Zoning Enabling Act.

Pete Magas & Sandra Page, 1082 Ortman Road – Had questions on how his Lakewood Lane family camp would be affected by allowing or not allowing short term rentals. Lakewood Lane in the past was mostly all camps and used as short term rentals.

Keith Glendon, 2971 M-28 East - He has property on Lake Superior to be used in the future. He rents it out short term, to supplement his mortgage. He does not want problems with his property and has rules that renters must adhere to. He feels his guests are part of our community and utilize local businesses. He hopes the Township will only consider regulations on short term rentals targeting health, safety and welfare of the Township.

Andy Jones, 2385 M-28 East – Short term rentals are good for the community. People with short term rentals put money in their homes to upgrade them and spend money in the Township. Short term rentals allow people from out of the area to have a family vacation that a hotel does not offer.

Lauri Krzymowski, 741 Lakewood Lane – Has the luxury of owning two homes, one in Chocolay Township and one in Petosky, Michigan and before that, had a third home in Telluride, Colorado. She has never rented any of these properties. All of her homes are very charming. She has two little boys and had difficulty putting her boys to bed while people are shooting off fireworks. She has had strangers walking through her yard, neighbors would not do that. It's a fun place to explore, but that is what State parks are for.

Lori Rietman, 3112 M-28 East – She grew up in Harvey and has many good memories here. She has a place that she rents as a short term rental and employs locals to do work on her rental. There is a rating review not only for the rental but the people that rent them. She quoted comments from people that stayed at the short term rental. Marquette and Chocolay Township are benefitting from short term rentals. She sends her guests to local stores.

Paul Balconi, 213 N. Front Street – Has lived here his whole life and owns property on Lake Superior that he rents out on a weekly basis only. It is a great way to live in a community for a short period and feel what the community is. He is against fireworks on the beach and people should contact the Chocolay Township police if there is a problem. We don't have a lot of hotels and motels in Chocolay Township and VRBO's fill in the gap.

Ruth Zeil, 734 Lakewood Lane – Has lived in her house since 1990. Last summer she was walking on her deeded easement to the lake, when someone that she did not know accosted her. They said they were staying for a couple of weeks. They also blocked her walkway with boats, life jackets, and junk. It is still sitting there.

Hal Pauley, 643 Lakewood Lane – Has lived there for 23 years. It sounds like all the people in the audience tonight are great landlords and they have good renters. He has called the police several times for drunken parties and fireworks on the beach.

John Briggink, 673 Lakewood Lane – It's great to say call the police, but you could call the police each time there are new renters. You cannot get back lost sleep.

Pat Dudley, 2413 M-28 East – The complaints that people have made tonight are justifiable, but are not strictly limited to short term rentals. He has had these same problems with full time neighbors having parties and fireworks.

Kenlyn Hubbard, 121 Wintergreen Trail – Commented that community is having a heart and sharing with others. Her mother has a neighbor on one side that is the nicest person and on the other side that is horrible. It is not the property that makes a community, it is the people. Some people rent out their property to earn enough money to keep the family camp.

Kelly Sturdy, Nevada – Utilizes VRBO's when she travels all over the country. She feels that she becomes part of the community when she stays at a short term rental.

Stephanie Genchef, 597 Lakewood Lane – Read a letter from Bill Karas opposing short term rentals in residential neighborhoods. They do not respect the neighborhood and feel this is a safety issue.

Bill Karas, 195 Lakewood Lane – Emailed and sent a letter in opposition to short term rentals.

June Rydholm, 221 Lakewood Lane – Feels that short term rental people want to remain anonymous. She woke up at 2:30 am and a man was walking around her property. It is a danger for people living alone.

Deborah Mulcahey, 633 Lakewood Lane – People who sit here talking about heart and neighborhood and maybe they don't know it but they are blatantly violating the law. Short term rentals are not allowed on Lakewood Lane and M-28. Lakewood Lane is made up of 50 foot lots. We are looking only at stopping short term rentals on Lakewood Lane. She is not against short term rentals, just on Lakewood Lane. She read excerpts from a letters from Dale Throenle, Planning Director and previous Chocolay Township Attorney Mike Summers.

Mark Maki, 370 Karen Road - Enforced the Chocolay Township Zoning Ordinance from 1977 until 2002 and short term rentals were not allowed in certain districts then and are still not allowed in those districts. In 2011, Jennifer Thum, Planning Director wrote a letter to the Planning Commission stating that short term rentals were not allowed in the WFR. The next Planning Director also wrote that they were not allowed. Mark questioned why our current Planning Director was not at this meeting. He is proposing that the Board rezone Lakewood Lane to R-1 zoning and allow short term rentals in the WFR zoning district as a conditional use.

ACCOUNTS PAYABLE.

White moved Lynch second that bills totaling \$25,880.83 including checks numbered 21972-2200 are approved for payment.

MOTION CARRIED.

PAYROLL.

Lynch moved Zyburt second that payroll for August 10, 2017 for \$32,386.05 including checks numbered 24124-24144 and 10520-10525 and ACH payments for Federal tax, State tax and MERS and for August 24, 2017 for \$38,932.87 including checks numbered 24145-24188 and 10526-10531 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT – JULY 2017.

Zyburt moved Rhein second to accept the July Financial Report.

MOTION CARRIED.

TREASURER'S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zybur reported to the Board that we had a \$250,000 C/D mature from Flagstar and he is currently researching investment options and will report to the Board in October how it was invested.

Rhein moved Engle second to accept the Treasurer's report.

MOTION CARRIED.

ROAD ASSET MANAGEMENT PLAN.

The Road Asset Management Plan will be presented to the Board at a Special Board Meeting on September 25, 2017.

LAKE SUPERIOR COMMUNITY PARTNERSHIP UPDATE.

Caralee Swanberg, Vice President of Economic Development and Mary Van Tilburg, Business Development Specialist representing Lake Superior Community Partnership presented an update on what the partnership is doing for Chocolay Township and the entire County.

SUPERVISOR'S REPORT.

- The speed limit on M-28 East of Kawbawgam has changed to 65 MPH.
- We have lost our tax assessor and we are in the process of figuring out plan B which will involve advertising for a new assessor or restructuring within the Township for the tasks that are necessary.

CONSIDERATION OF REQUEST REGARDING SHORT –TERM RENTALS.

Supervisor Bohjanen presented a memo to the Board and the Board has heard citizen comment on this. The Planning Commission has been working slowly but diligently on redefining the Ordinance. We have heard a lot of opinions and ideas today and not everyone is in agreement. There is still a lot of work to do. Part of this work is looking at definitions in the current Ordinance and finding out if they are appropriate to circumstances. I disagree with the concept that if it is not stated in the ordinance then it is prohibited. Our State Legislature is looking at changing the concept of what short term rentals are and taking the power away from the Township. We should still continue on with our work with this issue. We don't have many options as a Board other than make the amendment of the ordinance a high priority for the Planning Commission or encourage reporting of problems related to current vacation rentals to the police department or spend legal fees on trying to enforce the current ordinance. I would ask the Board to make a recommendation from one of those three or any other ideas they may come up with.

Clerk Engle stated that we need to look at the historical use of the properties used as short term rentals in Chocolay Township. They started out over sixty years ago as camps, being used as short term rentals. Things have changed over the years, but some of them were there before 1977. I don't believe that we should eliminate short term rentals entirely, but maybe put some restrictions on them. The process needs to start with the Planning Commission.

Trustee Rhein would like to speed up the process and have the Planning Commission working on short term rentals as a priority and resolve this in a timely and proper manner.

Trustee Maki asked if anyone was concerned that the Zoning Administrator has refused a short term rental permit on Lakewood Lane. Isn't that a clear indication that they are not allowed. Many people have said tonight that they have short term rentals and the Township is not doing anything about it. That could cause legal action of discrimination from the person that was denied a permit. The Planning Commission has had this on their agenda since 2011.

Trustee White and Supervisor Bohjanen both stated that we do not have a permit for short term rentals.

Trustee Lynch stated that Planning Commission is working on short term rentals now, we do not want to short circuit that.

Trustee White asked if the person on Lakewood Lane that asked for a short term rental permit and was denied signed the petition against short term rentals, and if so why would they sign the petition.

Rhein moved Engle second to give the Planning Commission three months to work on short term rentals and bring a viable plan to the Board.

MOTION CARRIED. (2 Nay – Maki, White)

2017 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #8 TO REFLECT RECEIPT OF INSURANCE PAYMENT FOR DAMAGED POLICE EQUIPMENT.

Zyburt moved Lynch second that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on October 5th, 2016 for fiscal year 2017, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
REVENUE			
Miscellaneous Revenue			
401.698.000	\$ 23,157.91	+\$3,088.93	\$ 26,246.84
EXPENDITURE			
Police Vehicles			
401.305.981.000	\$126,167.14	+\$3,088.93	\$129,256.07

ROLL CALL.

AYES: Maki, Rhein, Lynch, White, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

2017 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #9 TO REFLECT RECEIPT OF UTILITY REVIEW COMMITTEE PAYMENT.

Lynch moved Rhein second that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on October 5th, 2016 for fiscal year 2017, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
REVENUE			
Miscellaneous Revenue			
401.698.000	\$26,246.84	+\$1,417.39	\$27,664.23
EXPENDITURE			
Streets 401.440.972			
Land Improvements	\$34,707.04	+\$1, 417.39	\$36,124.43

ROLL CALL.

AYES: Maki, Rhein, Lynch, White, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

REQUEST TO DESIGNATE THE COMMUNITY AS “NIGHT-SKY FRIENDLY”.

Maki moved Engle second to refer the Night Sky Friendly to the Planning Commission for review and comment.

MOTION CARRIED. (Nay - White)

PUBLIC COMMENT.

Lori Rietman, 3112 M-28 East – Had a question about her property deed.

Jennifer Briggink, 673 Lakewood Lane –Expressed condolences to the Township for the loss of an employee. In the 1950’s Lakewood Lane was camps, not a residential area. She has called the Chocolay P D on short term renters for fireworks. She feels that M-28 larger lots may be fine for rentals, but Lakewood Lane lots are small in width. She contributes to the community.

Paul Balconni – We should not carve out one portion of Chocolay Township to not allow short term rentals. This is something to be looked at Township wide.

Mark Maki, 370 Karen Road – It is fairly obvious that the Township Board is 6-1 for short term rentals and the Planning Commission will be 7-0.

Deborah Mulcahey, 633 Lakewood Lane – She hopes Mark is wrong on this issue. She met some very nice people on Lakewood Lane while getting the petition signed. People do not understand what they can do on their property because we don’t have leadership in the community and in the Township Zoning Official Administrator to tell someone directly what they can do. We should

work together to help create criteria for those people that want short term rentals on M-28 instead of be pitted against each other and she holds the Township accountable for this.

Scott Emerson, 119 Lakewood Lane- This Board needs to be educated on the nationwide push back on short term rentals. Cities that originally allowed short term rentals and have now reversed the policy. 180 votes can alter an election.

Lauri Krzymowski, 741 Lakewood Lane – Hopes the Board will give guidance to the Planning Commission on short term rentals. This group is only asking the Board to look at the lake side of Lakewood Lane for not allowing short term rentals.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of July 20th, 2017.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meetings of July 19th, 2017 and August 16, 2017, Draft.
- C. Minutes – US 41 Corridor Advisory Group, Regular Meetings of August 8th, 2017.
- D. Short Term Rental Correspondence

Supervisor Bohjanen adjourned the meeting at 8:15 pm.

MOTION CARRIED.

Max Engle, Clerk

Richard Bohjanen, Supervisor

September 25, 2017
Special Meeting

A Special meeting of the Chocolay Township Board was called for a Presentation of the Road Asset Management Plan by GEI Consultants and to schedule a date for the public presentation of the plan. The meeting was held on Monday, September 25, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Brad Johnson.

MINUTES – SEPTEMBER 11, 2017.

Maki moved Rhein second to table the approval of the regular meeting minutes of September 11, 2017 until the October Board meeting.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Maki moved Rhein second to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane- The addresses of people making public comment at the September 11th meeting were not necessarily their legal address but the address of their rental properties. She questioned some of the material from the consultants that was not available to the public. Under administrative law if a permit is not issued, it is considered denied.

Trustee Maki stated that we approved the contract to develop a plan for the projects, but we have not approved any projects yet.

PRESENTATIONS - ROAD ASSET MANAGEMENT PLAN.

Sean Beckman, GEI Consultants presented the Asset Management Plan. This is preliminary at this time because they are looking for feedback from the Board and the public, when the public meeting is held. PASER ratings are used nationwide to rate roads and rating is done visually, no digging to the subsurface to do the readings. GEI utilized PASER ratings to evaluate Chocolay Township roads. Chocolay Township has a lot of 6-7-8 rated roads. Those generally do not require much work. The asset inventory for Chocolay shows less than 46 miles of roads. Chocolay

has 5.59 miles of roads in the 1-3 category, 10.39 miles in the 4-5 category, 13.76 miles in the 6-7 category, 7.78 miles in the 8 category and 8.4 miles in the 9-10 category. The repair options are:

- Roads rated 7, 8 or 9 – Seal the cracks and pavement joints with a hot poured rubber material.
- Roads rated 5 or 6 – Chip seal coat the road.
- Roads rated 4 to 5 -Cold mill and pave with thin asphalt overlay.
- Roads rated 1, 2 or 3 – Full reconstruction.

A very conservative estimate utilizing 2017 construction costs and bringing all Township roads up to a PASER rating of 7 within 5 years would be roughly 13 million dollars. This number includes drainage and subsurface repairs, so there is room to make adjustments. To bring everything up to an 8 rating, would bring the cost up to 18 million dollars. The costs do not include soft costs (engineering, legal, bond counsel and administrative which typically is 15%). Bonding is very common, Marquette County Road Commission bonding are an option; grant programs, USDA and special assessments are other funding options. Currently construction prices are high and if the Township waited a few years to do the projects the price may come down.

Trustee Maki asked about the additional State gas tax money that the Marquette County Road Commission is receiving; will they help the Township paving projects with any of that.

Manager Lawry responded that Marquette County Road Commission expects about 8 million dollars from the additional State gas tax, with a 3 year phase in. They are committing a chunk of the additional State gas tax money for replacement of their fleet. As far as road projects go, the Road Commission will be limited to the County primary system. They did vote to use a portion of it toward maintenance, but they will do road sweeping and mowing with that money. They will not use any of the money for Township secondary roads.

Manager Lawry explained that a lot of the dollars that Sean has in the estimate include much more than pavement maintenance. It includes ditching and shoulder restoration. That is routine maintenance that the Marquette County Road Commission should be doing. If we can target a couple of roads each year and work with the Marquette County Road Commission to have them do the shoulder and ditch work, that should substantially lower our costs and keep the roads in good condition. The cost numbers will fall tremendously if we can get the County to do this.

PASER road rating, project repair costs, traffic volume, public safety and feedback from the Township Board and the public all are part of prioritizing roads.

Trustee Maki asked what information will be available to the private citizen at the public meeting for the road that the resident lives on.

The information that will be available is the rating of their road and what the cost estimate will be for repair of their road. The time line will not be available.

Manager Lawry thinks the biggest factor for the time line is if we spend the tax money each year as we receive it, or if and when we bond, and if we do all the work at one time. The Board also needs to decide what the criterion is for selecting the time line.

Clerk Engle asked who will speak to the cost estimates being larger than the proposed millage income. Manager Lawry will address that question at the public hearing.

Trustee Maki suggested that GEI provide informational handouts for the public to take with them.

SCHEDULE PUBLIC PRESENTATION OF ROAD ASSET MANAGEMENT PLAN.

Maki moved Zyburt second that the Public Meeting on the Road Asset Management be scheduled for October 9, 2017 at 7:00 pm at the Cherry Creek School.

MOTION CARRIED. (No-Bohjanen)

When setting up the public presentation, we learned that Cherry Creek School was not available and the presentation was changed to Silver Creek Church at 7:00 pm on October 9th.

PUBLIC COMMENT.

Peter Ollila, 633 Lakewood Lane- The Board has a hard sell with not much time to get the information out before the election. Voters that do not have information, tend to vote no.

Deborah Mulcahey, 633 Lakewood Lane- Commented on whether GEI looked only at surface or subsurface. The RFP talks about 5 years and the millage is 15 years, explain that to the public. She also commented on the number of miles and ratings. The public needs to be educated that this is a County responsibility. The Township needs to let the County know what the safety issues are with the roads. As a follow up to the short term rental issue she questioned Dale Throenle's absence at the September 11th meeting.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

None.

Supervisor Bohjanen moved Lynch second to adjourn the meeting at 6:52 p.m.

Max Engle, Clerk

Richard Bohjanen, Supervisor

October 9, 2017

A Regular meeting of the Chocolay Township Board was held on Monday, October 9, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: Ben Zyburt.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle, Brad Johnson.

MINUTES –SEPTEMBER 11, 2017 REGULAR MEETING AND SEPTEMBER 25, 2017 SPECIAL MEETING.

White moved Lynch second to approve the minutes of the regular meeting of September 11, 2017 with one change under Public Comment - Jennifer Briggink.

MOTION CARRIED.

Lynch moved Rhein second to approve the Special Meeting minutes of September 25, 2017 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Lynch second to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

White moved Rhein second that bills totaling \$53,958.90 including checks numbered 22001-22049 and bills totaling \$4,984.46 including checks numbered 22050-22062 are approved for payment.

MOTION CARRIED.

PAYROLL.

Lynch moved Engle second that payroll for September 7, 2017 for \$32,083.00 including checks numbered 24189-24209 and 10532-10538 and ACH payments for Federal tax, State tax and MERS and September 21, 2017 for \$34,239.70 including checks numbered 24210-24236 and 10539-10545 and ACH payments for Federal tax, State tax and MERS and October 5, 2017 for \$39,676.96 including checks numbered 24237-24282 and 10546-10552 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT – AUGUST 2017.

White moved Rhein second to accept the August Financial Report.

MOTION CARRIED.

TREASURER’S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Lynch moved Engle second to accept the Treasurer’s fund withdrawal and deposit report.

MOTION CARRIED.

RESIGNATION OF JUDY WHITE AS BOARD LIAISON TO TOWNSHIP PLANNING COMMISSION.

Lynch moved Rhein second to accept the resignation of Judy White as the Township Board Representative on the Planning Commission.

MOTION CARRIED.

Supervisor Bohjanen thanked Trustee White for her service on the Planning Commission.

APPOINTMENT OF DON RHEIN AS BOARD LIAISON TO TOWNSHIP PLANNING COMMISSION.

Supervisor Bohjanen moved White second to appoint Don Rhein as the Board Representative on the Planning Commission.

MOTION CARRIED.

Trustee Maki asked if Trustee Rhein filled out an application to the Planning Commission. Supervisor Bohjanen responded that as a Board Representative he does not have to fill out an application. Trustee Maki felt that he should fill out an application. Trustee Maki questioned Trustee Rhein on his thoughts and goals for the Planning Commission and if he would change the Zoning Ordinance to allow short term rentals and if he thought the Zoning Ordinance was the law and should be enforced. Trustee Rhein responded that his goal is to clean up the mess with (short term rentals) and he will voice that at the Planning Commission meeting. He believes that the Zoning Ordinance is the law and should be enforced.

APPOINTMENT OF TOWNSHIP ASSESSOR.

Supervisor Bohjanen told the Board that the committee interviewed three candidates for the Assessor position; there were two that were found to be acceptable. We offered the position to Cameron Fuess but he declined. Mr. John Gehres from the Petoskey area was a good candidate and after checking with references; he was offered a position. He is available to take the position, but he does have a few demands.

Manager Lawry stated that during the interview he indicated that he would like the opportunity to assess more than just Chocolay Township. He was told that this is a primary full time commitment, but in the future if he could prove that he could do the job satisfactorily in less time he could approach the Board at that time. He presented a proposal for additional pay; \$50,000 as a starting pay. Our current pay grid starts at \$42,604. We discussed at the interview, the possibility of incorporating the part time summer technician work into this position. They each thought that they could do that. We have just over \$5,000 For that position so that could be

added to the assessor salary, but that still does not get us up to \$50,000 We tried to research the market conditions for this position and it appears that we are off the mark with the market for this position as well as several others. It would cost the Township substantially more to contract with the County and provide some in house staffing to answer assessing questions. It is higher than we budgeted but it is the lowest cost option. There is room in the budget to make accommodations for it if the Board feels it appropriate. A previous Board made an adjustment to Mr. Bode's starting salary. This was based on his experience and certification level and he did not need health insurance. Mr. Geres will most likely need to enroll in the insurance program.

The Board discussed possible salary options for hiring an assessor. They discussed Mr. Geres job history and references. Clerk Engle shared information from Michigan Township Association on three other Assessor positions from Townships with the similar population as Chocolay.

Maki moved Rhein second to offer \$50,000 to Mr. Gehres for the Township Assessing position and that dollar amount will be the top of the paygrade for this position. The only increases that will affect this salary would be the annual budgeted increase that other positions receive.

MOTION CARRIED.

REVIEW AND DISCUSSION OF DRAFT 2018 BUDGET.

Lynch moved White second that the salary line item for Assessor be changed to include the \$50,000 annual salary for the new Assessor.

MOTION CARRIED.

Trustee Maki asked Manager Lawry if he was going to inform Mr. Gehres at the time of offering the job that he will not have the summer technician. Manager Lawry responded that he would include that in the formal offer.

Trustee Maki had question on the fee schedule changes. The administrative fee change from \$12 to \$15 per month covers the extensive bookkeeping that goes along with preparing a landfill permit.

Trustee Lynch asked if we require a deposit. We currently require a \$40 deposit; we are changing that to \$50 because the tipping fees have increased.

Trustee Maki questioned the part time clerical hours increase in this budget. He noted that the Township Supervisor is the Secretary of the Board of Review.

Maki moved White second to move the Community Development Coordinator salary from Zoning/Planning to Township Board.

MOTION CARRIED.

Trustee White has no problem with a 2% pay increase, but does not agree with an additional personal day in the benefit package. Supervisor Bohjanen indicated that we are giving the extra ½% in a personal day instead of salary because it does not cost taxpayer dollars.

White moved Rhein second to not add a personal day to the employee package.

MOTION FAILED. (2 Yes – White, Rhein)

Trustee Lynch asked if the 2018 budget included a salary study; and does the MTA prepare a salary study. Manager Lawry did not include money for the study, but planned that the Community Development Coordinator would do an in house study. MTA has salary information but not in the form of a study.

Lynch moved Rhein second that the FY2018 preliminary budget as proposed and amended be approved.

MOTION CARRIED.

SCHEDULE PUBLIC HEARINGS FOR 2018 BUDGET.

Engle moved Lynch second that a Public Hearing on the FY2018 budget be scheduled for November 13th at the regular board meeting at 5:30 pm.

MOTION CARRIED.

RECOMMENDATION FROM THE PERSONNEL COMMITTEE ON ADOPTION OF REVISED PERSONNEL MANUAL.

Trustee White told the Board that the Personnel Committee did a complete review of the Personnel Manual and collating all Township Policies within the Manual. The Township employees have reviewed and given their requested changes. The draft Personnel Manuals in front of you includes all the changes that have been made.

Trustee Maki asked about the two year retention policy for emails. His concern was that a policy or information leading up to a decision may be deleted. Clerk Engle indicated that we follow the State retention and disposal schedule whether it is an email or paper document.

A lengthy discussion took place on email retention schedule. The Board discussed changing retention to four years but did not change the two year retention schedule.

White moved Lynch second to approve the Revised Personnel Manual with one change – include the State of Michigan in the FOIA definition.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS FOR TOWNSHIP HALL ENERGY CONSERVATION PROJECT.

White moved Lynch second that the Chocolay Township Board authorizes the purchase of LED tubes to replace the fluorescent tubes in the Township Office Complex. The \$1,500 will be taken out of Township Hall and Grounds Building Improvements 401.265.976.

ROLL CALL.

AYES: Maki, Rhein, Lynch, White, Engle, Bohjanen.

ABSENT: Zyburt.

NAYS: None.

MOTION CARRIED.

Trustee Lynch stated that this is a good project; it will save the Township nearly \$60,000 over the next twenty years if you include the labor to change out the tubes.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS FOR TOWNSHIP HALL SECURITY IMPROVEMENT PROJECT.

Lynch moved Rhein second that the Chocolay Township Board authorizes the purchase of a security system for the Township Office. The \$1,500 will be taken out of Township Hall and Grounds Building Improvements 401.265.976.

ROLL CALL.

AYES: Maki, Rhein, Lynch, White, Engle, Bohjanen.

ABSENT: Zyburt.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – She has concerns in regard to the assessor position, not only with pay scale but how will the township keep and recruit employees if we hire at the top of the pay scale. The Township should work with the County on changing the archaic time consuming process of permits to haul to the landfill. The landfill should also be open at least a half day on Saturday. Employees utilizing their personal vehicle for work should notify their insurance company that they are doing so. This is a liability issue for the employee. The Township is not offering a computer for the public to look at assessing records? These records must be available to the public by State law. Peter Ollila offered to buy the Township a computer for this purpose six weeks ago.

Peter Ollila, 633 Lakewood Lane – FOIA allows people to come in and inspect records. This is in the tax law. The Township needs to set up a committee to decide how to attract and retain an assessor.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Special Meeting of July 6th, 2017 and Regular Meeting of July 17th, 2017.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of August 15th, 2017.

- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meetings of September 20th, 2017, Draft.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meetings of September 12th, 2017.
- E. Minutes – Marquette County Township Association, Regular Meeting of May 24, 2017.

Supervisor Bohjanen adjourned the meeting at 8:15 pm.
MOTION CARRIED.

Max Engle, Clerk

Richard Bohjanen, Supervisor

November 13, 2017

A Regular meeting of the Chocolay Township Board was held on Monday, November 13, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: Ben Zyburt.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle, Scott Jennings, Jeff Czarny, Pat Beck, Lisa Perry, Chris Lucas, Joe Neumann, Mary Jo Bucket.

MINUTES –OCTOBER 9, 2017 REGULAR MEETING.

Trustee Maki questioned comments in the minutes pertaining to Trustee Rhein's appointment to the Planning Commission.

Rhein moved Lynch seconded that the voice recording is reviewed and then the October 9, 2017 minutes be brought back to the Board in December.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Rhein seconded to approve the agenda as presented with one correction to XVI. A. Authorization to Proceed With Legal Action on Zoning and Blight Violations.

MOTION CARRIED.

PUBLIC COMMENT.

Dick Arnold, 312 Co. Rd 545 – Feels that the Township sign should only be used for Township business. He also commented about a complaint he put in with the Township Zoning Administrator last April. He has not heard back from the Zoning Administrator and the neighbor he complained about still has the junk, lumber, trailer and unlicensed structure.

Mark Maki, 370 Karen Road – Commented on the September 2017 Planning Commission minutes, page 6. The Short Term Rental definition was inadvertently left out. Disagrees with Dale Throenle's count on how many Zoning Administrators have dealt with Short Term Rentals. He also commented that he objects to the Planning Commission plan on Short Term Rentals. There is no time frame.

Stephanie Gencheff, 597 Lakewood Lane – She is part of the group that collected signatures for the petition against Short Term Rentals on Lakewood Lane. She asked the Board to address their concerns. There is a house at 721 Lakewood Lane that was bought as a commercial investment.

PUBLIC HEARING ON AND CONSIDERATION OF PROPOSED 2018 FEE SCHEDULE.

The public hearing was opened for public comment.

Trustee Maki asked about the 2018 Budget that included cameras. He thought that the cameras were for outside the building not inside. He feels that the Board should look at this issue again.

Manager Lawry responded that these are security cameras and that there will be cameras inside and outside the building.

Trustee White asked about the new zoning fee for a structure under 200 square feet.

Zoning Director Throenle indicated that here is no requirement for a building permit for that size building.

The public hearing was closed.

PUBLIC HEARING ON PROPOSED 2017 MILLAGE RATES AND GENERAL APPROPRIATIONS ACT FOR 2018.

The public hearing was opened for public comment.

The public hearing was closed.

ACCOUNTS PAYABLE.

Lynch moved Rhein seconded that bills totaling \$22,234.05 including checks numbered 22063-22073 and bills totaling \$45,216.52 including checks numbered 22074-22104 and bills totaling \$50,099.13 including checks numbered 22105-22134 are approved for payment.

MOTION CARRIED.

PAYROLL.

White moved Engle seconded that payroll for October 19, 2017 for \$33,903.89 including checks numbered 24283-24316 and 10553-10559 and ACH payments for Federal tax, State tax and MERS and November 2, 2017 for \$29,143.28 including checks numbered 24317-24336 and 10560-10566 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT – SEPTEMBER 2017.

Engle moved Lynch seconded to accept the September Financial Report.

MOTION CARRIED.

CERTIFICATE OF DEPOSIT AND INVESTMENT REPORT.

Maki moved White seconded to accept the C/D report.

MOTION CARRIED.

TREASURER'S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Lynch moved Engle seconded to accept the Treasurer's fund withdrawal and deposit report.
MOTION CARRIED.

RESIGNATION OF TOWNSHIP MANAGER.

Supervisor Bohjanen feels that this is a difficult resignation to accept but appreciates all the work Steve has done over the past 7 ½ years and it will be difficult to find his equal.

Lynch moved Rhein seconded to accept the resignation from Steve Lawry as Township Manager and we do appreciate his tenure with the Township.

MOTION CARRIED.

SUPERVISOR'S REPORT.

1. On October 16, 2017 I attended the Planning Commission meeting as a member of the public. The issue of short term rentals and the plan for action presented by the Planning Administrator was on the agenda. Inflammatory and derogatory remarks were made by two members of the public against the planning commission, the planning administrator, and the board, notable mainly because they were not constructive, and were led by a member of the board. According to MCL 41.101, these people could be asked to leave, and if they refused, charged with a Misdemeanor, punishable by a fine of up to \$50. I am of the opinion that it is becoming necessary to invoke this law in future similar circumstances.
2. Directly and indirectly there have been two inquiries into the possibility of a Medical Marijuana Ordinance. They would be willing to make presentations to the board on their concept proposals. Any desire to hear them?

Board discussion on Medical Marijuana ensued and there was agreement to listen to the presentation.

3. There has been a problem with material showing up from the public for inclusion in the Board and Planning Commission agenda packets. We have a policy for staff to submit agenda items by a certain time and date. Staff has asked for a policy that will not include material that does not arrive by that date and time. Clerk Engle stated that we already have a policy on this. Supervisor Bohjanen said this is for staff only. Trustee Maki said we could set the deadline for all material to be in by a specific date and time for anyone. Otherwise the material could go to the following meeting. The Planning Commission could address this through their by-laws.

CLERK'S REPORT - ELECTION RESULTS IN CHOCOLAY TOWNSHIP.

Clerk Engle presented the results from the Chocolay Township November 7, 2017 election. He also commented that the Election Workers did an excellent job on Election Day.

CONSIDERATION OF COMPENSATION FOR PLANNING COMMISSION, BOARD OF ZONING APPEALS, AND BOARD OF REVIEW APPOINTEES.

Maki moved White seconded that the compensation for all Boards and Commissions is accepted as presented in the 2018 Budget.

MOTION CARRIED.

CONSIDERATION OF EMPLOYEE WAGES AND BENEFITS, EMPLOYEE HEALTH CARE CONTRIBUTION RATES, AND ADOPTION OF REVISIONS TO APPENDIX C OF THE POLICIES AND PROCEDURES MANUAL.

Engle moved Rhein seconded to amend Section 6.5 of the Policies and Procedures Manual to provide for 48 hours of personal time per year instead of 40 and to amend Appendix C of the Manual by increasing all steps in the wage grid by 2%. It is further moved and seconded that the employee share of health care coverage, as outlined in PA 152 of 2011 be increased from 15% to 17.5% for the 2018 calendar year.

MOTION CARRIED.

CONSIDERATION OF PUBLIC ACT 152 WAIVER.

Lynch moved White seconded

WHEREAS, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011; and

WHEREAS, the Act contains three options for complying with the requirements of the Act; and

WHEREAS, the three options are as follows:

- 1) Section 3 – "Hard Caps" Option – limits a public employer's total annual health Care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 – "80%/20%" Option - limits a public employer's share of total annual Health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 – "Exemption" Option – a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of The governing body;

WHEREAS, the Board of Trustees of the Charter Township of Choccolay has decided to adopt the Exemption Option as its choice of compliance under the Act;

NOW, THEREFORE BE IT RESOLVED the Board of Trustees of the Charter Township of Choccolay elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual Exemption Option for the medical benefit plan coverage year January 1, 2018 through December 31, 2018.

ROLL CALL.

Ayes: Maki, Rhein, White, Lynch, Engle, Bohjanen.

Nays: None.

Absent: Zyburt

RESOLUTION PASSED.

CONSIDERATION OF GENERAL APPROPRIATIONS ACT FOR 2018 BUDGET.

Lynch moved Engle seconded that we postpone this action item until the December 11, 2017 meeting when we can include the Road millage vote and budgetary items at that time.

MOTION CARRIED.

RECOMMENDATION FROM THE PLANNING COMMISSION ON SHORT TERM RENTAL REGULATION.

Supervisor Bohjanen feels that if we are going to work on Short Term Rental in the Ordinance we also need to deal with Long Term Rental because that is not in the ordinance either.

Trustee Lynch commends the Planning Commission for the plan they have come up with, it is good framework for them to work through the process and come up with something enforceable and is clear and concise.

Trustee Rhein noted that Marquette City already has issues with their plan. We need to get it done right in a timely fashion.

Trustee Maki said that Grand Island has 26 people and they were able to address this issue. The problem with this plan is that it has no time frame. And what do we do in the interim? I have already offered the idea to not allow Short Term Rentals in R-1 district and put Lakewood Lane in that district. We need to amend the ordinance in the next 30-60 days or enforce the ordinance. If you had read the Planning Commission packet from 2007 you would clearly see that the Planning Commission intentionally excluded that from Lakewood Lane and residential zones. Someone will sue the Township for discrimination.

Supervisor Bohjanen asked the Board to consider spending some money on an administrative law judge or some legal person outside of the Township to look at this issue.

Planner/Zoning Administrator Throenle stated that the person in question was never refused a permit for Short Term Rentals. She was told there is no such permit. She filled out a Zoning Compliance permit and that permit does not include short term rentals. She was told that the Planning Commission was working through that process (on short term rentals) and she was told that when they have completed that process, hers will be considered. Mr. Maki's permit application was overlooked. Throenle said that Manager Lawry talked to him about it and Throenle apologized for not addressing Maki's application. People came to a Planning Commission meeting and stated that they have had Short Term Rentals since at least 1988. To date there have been zero violations issued for Short Term Rentals.

Clerk Engle would like to see some kind of time line. Planner/Zoning Administrator Throenle felt that June 1, 2018 would be a fair date for a draft completion of this process. The major concerns

with Short Term Rentals appear to be noise and fireworks. There are State laws that we have to take into consideration also.

Supervisor Bohjanen asked the Board if they approved in general, the October 16, 2017 Planning Commission plan on Short Term Rentals with a draft completion date of June 1, 2018. Five Board members approved it and Trustee Maki did not.

AUTHORIZATION TO PROCEED WITH LEGAL ACTION ON ZONING AND BLIGHT VIOLATIONS.

Trustee Maki asked why this issue is coming before the Board.

This is the process that the Board approved to deal with zoning violations.

The first case has been open since 2014 and has been given multiple notices to clean up the property. The Board discussed the violation and after review, the following motion was made.

Rhein moved Engle seconded to go for a civil infraction and proceed on to step 4 of the Zoning violation enforcement policy and report to the Township Attorney.

MOTION CARRIED.

Case two includes multiple zoning violations with a tiny home built on a trailer on wheels and is attached to a septic system to the home next to it. There is water hooked up from the home to the trailer. This tiny home/trailer is being rented out. There have been no building permits on this home. They are in the floodplain and within 30 feet of the water. The Board discussed the violation and after review, the following motion was made.

Lynch moved Rhein seconded to move this violation to step 4 of the Zoning violation enforcement policy and report to the Township Attorney.

MOTION CARRIED.

AUTHORIZATION TO MODIFY JOB DESCRIPTION AND ADVERTISE TOWNSHIP MANAGER POSITION.

Lynch moved White seconded to approve the attached job description for Township Manager and authorize to advertise the position as described above with the application deadline to be December 8, 2017 with the addition under Preferred Qualifications of Community Planning.

MOTION CARRIED.

AUTHORIZATION FOR SEASONAL CHANGE OF SEWER USE FEE.

White moved Rhein seconded that the Equivalent User Fee for 5057 U.S. 41 South be changed from 11.9 down to 1 as of October 15, 2017, until the business is reopened in the Spring of 2018, as provided for in Section 9.C. 2. d, of Ordinance #39.

MOTION CARRIED.

RESOLUTION OF SUPPORT FOR MEDC GRANT FOR M 28 IMPROVEMENTS.

Maki moved, Lynch seconded that the following resolution be adopted by the Chocolay Township Board of Trustees at its meeting held on this 13th day of November 2017:

Whereas, Michigan Highway M28 carries nearly 10,000 vehicles per day between Kawbawgam Road and US 41, and

Whereas, motel, convention center, and entertainment venue construction planned by the Keweenaw Bay Indian Community on property accessed from Zhooniyaa Miikana Trail, in the vicinity of Kawbawgam Road, is anticipated to result in higher overall traffic volumes and a substantial increase in turning movements at the intersection of Zhooniyaa Miikana Trail with M28, and

Whereas, it is the recommendation of Michigan Department of Transportation traffic planners, safety consultants, and design engineers that the construction of dedicated turn lanes be completed at this intersection to improve the safety of all motorists using the roadway, and

Whereas, Michigan Economic Development Corporation makes funds available to assist with the construction of infrastructure in support of development projects that create additional job opportunities for Michigan citizens, and

Whereas, the Board of Trustees of Chocolay Charter Township supports and promotes the safety of all residents and visitors to Chocolay Township, safety improvements to the design of public roads, the creation of additional job opportunities within the Township, the development of under-utilized properties within the Township, and the expansion of the Township’s tax base,

Now Therefore Be It Resolved, that Chocolay Charter Township supports the application of the Keweenaw Bay Indian Community and the Michigan Department of Transportation for Michigan Economic Development Corporation funding to construct turn lanes and related roadway safety improvements at the intersection of Zhooniyaa Miikana Trail and Michigan Highway M28.

ROLL CALL.

AYES: Maki, White, Rhein, Lynch, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

Trustee Maki felt that the street name was bizarre and that the Township Board did not approve the name.

2017 GENERAL FUND BUDGET AMENDMENT #3 TO ACCOUNT FOR RECEIPT OF RAP GRANT FOR FIELD TRAINING OFFICER TRAINING.

White moved Lynch 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 October 5, 2016 for the next fiscal year, and whereas, as a result of unanticipated changes in revenues it is necessary to modify the aforesaid budget. Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
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Police Department			
Training	\$9,146.25	+\$ 162.50	\$9,308.75
101.305.715			

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous	\$25,946.25	+\$ 162.50	\$26,108.75
101.698			

ROLL CALL.

AYES: Maki, White, Rhein, Lynch, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

2017 GENERAL FUND BUDGET AMENDMENT #4 TO ACCOUNT FOR RECEIPT OF RAP GRANT FOR POLICE SUPERVISION TRAINING.

White moved Rhein 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 October 5, 2016 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 BUDGET	CHANGE	AMENDED BUDGET
Police Department			
Training	\$9,308.75	+187.50	\$9,496.25
101.305.715			

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous	\$26,108.75	+187.50	\$26,296.25
101.698			

ROLL CALL.

AYES: Maki, White, Rhein, Lynch, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

2017 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #10 TO ACCOUNT FOR RECEIPT OF MCOLES POLICE TRAINING FUNDS.

Lynch moved Maki 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 October 5, 2016 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or 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	\$ 1,736.04	\$479.05	\$2,215.09

401.306.957

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI			
401.543	\$934.00	\$479.05	\$1,413.05

ROLL CALL.

AYES: Maki, White, Rhein, Lynch, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

APPLICATION OF DELINQUENT SEWER CHARGES AS TAX LIENS.

Engle moved Maki seconded to accept the list of delinquent sewer charges and penalties as allowed in Ordinance 39 Section E. 2. c to be added to the Chocolay Township December 2017 tax roll.

DELINQUENT SEWER USERS FOR 2017

Name	Tax ID Number	Address	City, State, Zip	Amount Due
Marc Gilmore	52-02-490-002-00	110 Chocolay River Tr	Mqt MI 49855	\$ 118.50
Chocolay Childrens Center	52-02-251-006-00	324 Corning Street/197 Terrace	Mqt MI 49855	\$ 795.15
Menhennick	52-02-254-003-00	500 Corning Street/4021 U S 41 So.	Mqt MI 49855	\$ 418.50
Steven & Heather Shaw-Quizno's	52-02-106-043-50	505 Corning Street	Mqt MI 49855	\$ 2,427.30
Richard & Brooke Laurich	52-02-214-006-00	105 E. Fairbanks	Mqt MI 49855	\$ 418.50
Dawn Wrobel	52-02-214-003-10	141 E. Fairbanks Street	Mqt MI 49855	\$ 102.11
Susan Racine	52-02-215-006-00	156 E. Fairbanks Street	Mqt MI 49855	\$ 118.50
Randall Goin	52-02-215-009-00	164 E. Fairbanks	Mqt MI 49855	\$ 418.50
David Hillock	52-02-216-010-00	158. E. Wright Place	Mqt MI 49855	\$ 418.50
Linda Morgan	52-02-216-015-00	161 E. Wright Place	Mqt MI 49855	\$ 418.50
Anthony & Karri Rabitaille	52-02-455-038-00	214 Jean Street	Mqt MI 49855	\$ 418.50
Daniel & Laura Clements	52-02-455-056-00	208 Judy Street	Mqt MI 49855	\$ 9.30
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$ 418.50
Linda Bice	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 418.50
Stacy Eagle	52-02-107-013-00	208 Silver Creek Road	Mqt MI 49855	\$ 43.50
Joe & Barb Menze	52-02-107-063-00	328 Silver Creek	Mqt MI 49855	\$ 418.50
Scott Lamora/Farm Bureau	52-02-201-003-00	2315 U S 41 South	Mqt MI 49855	\$ 418.50
David Laurich/Medical Benefits	52-02-106-020-00	2366 U S 41 South	Mqt MI 49855	\$ 418.50
A.J. Menhennick	52-02-254-003-00	4021 U S 41 South	Mqt MI 49855	\$ 418.50
Harvey Oil Company	52-02-254-004-00	4025 U S 41 South/4021 U S 41 So.	Mqt MI 49855	\$ 418.50
Shaw's Service	52-02-254-005-00	4027 U S 41 South	Mqt MI 49855	\$ 711.45
Mike & Eva Schlenkert	52-02-455-001-00	132 Veda Street	Mqt MI 49855	\$ 418.50
Jon Kangas	52-02-253-004-00	128 W. Fairbanks Street	Mqt MI 49855	\$ 102.30
Brian Macdevitt-Dunn	52-02-212-007-00	129 W. Fairbanks Street	Mqt MI 49855	\$ 102.30
Michael Anderson	52-02-251-014-00	210 W. Fairbanks Street	Mqt MI 49855	\$ 209.20
Jennifer Simula	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	\$ 418.50
Dave & Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$ 418.50
Bayou Bar/Tim Soucy	52-02-207-007-00	200 W. Main Street	Mqt MI 49855	\$ 2,884.86
Larry Weaver	52-02-207-004-00	240 W. Main Street	Mqt MI 49855	\$ 418.50
Shane Thomas	52-02-207-002-00	264 W. Main Street	Mqt MI 49855	\$ 418.50
Matthew & Crystal Dale	52-02-251-023-10	205 W. Terrace Street	Mqt MI 49855	\$ 418.50
Janice Lister	52-02-251-025-00	209 W. Terrace Street	Mqt MI 49855	\$ 68.50
Gardner Bess	52-02-210-005-00	334 W. Terrace Street	Mqt MI 49855	\$ 418.50
Judith Charles/Marilyn Kramer	52-02-208-003-00	371 W. Terrace Street	Mqt MI 49855	\$ 418.50
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	\$ 418.50
Kristine & Michael Dionne	52-02-106-043-00	110 W. Wright Place	Mqt MI 49855	\$ 418.50
Glen Carlson	52-02-213-004-00	350 W. Wright Place	Mqt MI 49855	\$ 418.50

Total Delinquent Amount				\$ 17,736.97
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MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

A. Minutes – Chocolay Township Planning Commission, Regular Meeting of September 18th, 2017.

B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of September 21st, 2017.

C. Minutes – Marquette County Solid Waste Management Authority, Regular Meetings of October 18th, 2017, Draft.

D. Minutes – US 41 Corridor Advisory Group, Regular Meetings of October 10th, 2017.

E. Minutes – Marquette County Township Association Regular Meeting of September 27, 2017, Draft, Including CUPPAD Presentation.

F. Communication – Marquette Area Wastewater Treatment Authority Advisory Board 2018 Meeting Schedule.

G. Communication – Marquette County Solid Waste Management Authority Certification of Amendment to the Articles of Incorporation.

H. Communication – Marquette County Solid Waste Management Authority changes to Recycling Program.

I. Communication – Janet Montgomery Re: Lakenenland.

J. Communication – Deborah Mulcahey

Supervisor Bohjanen adjourned the meeting at 7:05 pm.

MOTION CARRIED.

Max Engle, Clerk

Richard Bohjanen, Supervisor

December 11, 2017

A Regular meeting of the Chocolay Township Board was held on Monday, December 11, 2017 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Don Rhein, Mark Maki.

ABSENT: Judy White.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle, Brad Johnson, Scott Jennings, Lisa Perry, Pat Beck, Jeff Czarny.

MINUTES –OCTOBER 9, 2017 AND NOVEMBER 13, 2017.

Rhein moved Zyburt seconded to approve the minutes of the regular meeting of October 9, 2017 and November 13, 2017 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Maki moved Lynch seconded to approve the agenda with the deletion of the Cannabinoid processing presentation.

MOTION CARRIED.

PUBLIC COMMENT.

Gail Varty – Asked to present information to the Board on item XV. E. Discussion of hydraulic analysis invoice.

Maki moved Lynch seconded to allow Gail Varty to speak when item XV.E. is discussed.

MOTION CARRIED.

Dick Arnold, 312 County Road 545 – Suggested to the Board to send a survey out with tax bills. It would not cost the Township any money in additional postage. He suggested questions that could be added to a survey including zoning questions about neighbors parking three semi-trailers in the back yard or 36 foot cabin cruiser or two 24 foot trailers in the front yard or friend's recreation equipment on their property or how many accessory buildings should be allowed or small houses be allowed.

Supervisor Bohjanen told Mr. Arnold that we have sent out surveys in the past with tax bills.

PUBLIC HEARING ON PROPOSED 2017 MILLAGE RATES AND THE GENERAL APPROPRIATIONS ACT for 2018.

Manager Lawry highlighted the 2018 budget for the Board indicating that the 2018 budget is very similar to 2017 with the only major change in the Sewer Fund. He presented graphs showing the revenue stream from the years 2011-2018, the revenue make up from taxes is 42%, state shared revenue is 26% and other revenues are 29%. The other revenues are mainly from garbage tag fees, franchise fees, ordinance fines and zoning fees. Interest has increased since April 2016 with the different types of investments made by our Treasurer. On the expense side health care has remained fairly stable and the employee funding percent has been going up. The employees received a 2 % increase in salaries and an additional personal day in the 2018 budget. Our salaries are on the low side compared to other U.P. municipalities and an in house salary survey is recommended to be done in the next year.

The Road Fund millage passed and will be funded to do two to three miles of roads per year.

The Fire Station Fund Millage is complete.

The Liquor Law Enforcement Fund is a small fund for reimbursement to our police department for inspection of liquor establishments.

The Library Millage is paid directly to the Peter White Library.

The Capital Improvement Fund is more like a savings account with capital purchases being funded over multiple years. The majority of the funding comes from KBIC 2% money. We also receive grants to assist with our capital projects.

The Wastewater Fund is an enterprise fund and must be self-supporting. Basically the service fees pay all the cost to operate the system and most of the expense is operating the treatment plant. We own 5% of the treatment plant.

ACCOUNTS PAYABLE.

Lynch moved Rhein seconded that bills totaling \$87,416.22 including checks numbered 22135-22175 are approved for payment.

MOTION CARRIED.

PAYROLL.

Rhein moved Zyburtt seconded that payroll for November 16, 2017 for \$34,804.77 including checks numbered 24337-24371 and 10567-10573 and ACH payments for Federal tax, State tax and MERS and November 30, 2017 for \$36,706.26 including checks numbered 24372-24403 and 10574-10580 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT – OCTOBER 2017.

Zyburtt moved Rhein seconded to accept the October Financial Report.

MOTION CARRIED.

TREASURER'S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zyburt reported that since his last report three C/D's have matured. One was with Flagstar Bank for \$250,000 and reinvested with Flagstar, one from Miner State Bank for \$100,000 was reinvested in The Bank of Fenton and one with First Bank Upper Michigan was invested with Traverse City State Bank.

Engle moved Rhein seconded to accept the Treasurer's Certificate of Deposit report.
MOTION CARRIED.

Lynch moved Rhein seconded to accept the fund withdrawal and deposit report.
MOTION CARRIED.

RESIGNATIONS FROM BOARD OF REVIEW.

Resignations from Al Denton , Dennis Hickey and Robert Pecotte from the Board of Review were received.

Engle moved Lynch seconded to approve these resignations.
MOTION CARRIED.

Supervisor Bohjanen presented certificates of appreciation to Al Denton, Robert Pecotte and Dennis Hickey for their service to the Township on the Board of Review.

RESIGNATION FROM PETER WHITE PUBLIC LIBRARY TOWNSHIP ADVISORY COUNCIL.

Sandra Page resigned from the Peter White Advisory Council.

RESIGNATION FROM SUPERIOR TRADE ZONE BOARD OF DIRECTORS.

John Greenberg resigned from the Superior Trade Zone Committee.

Lynch moved Rhein seconded to accept both of the above resignations.
MOTION CARRIED.

APPOINTMENTS TO BOARDS AND COMMITTEES.

Bohjanen moved Lynch seconded for the appointment or reappointment of:

- Jeff Czarny as a new employee representative to Personnel Committee for a term ending 12-31-18,
- Dale Throenle to the Personnel Committee for a new term ending 12-31-18,
- Kendell Milton to the Planning Commission for a new term ending 12-31-20,
- Jon Kangas to the Planning Commission for a new term ending 12-31-20.

MOTION CARRIED.

Lynch moved Zyburt seconded to appoint or reappoint the following individuals to the boards, committees, and councils for the specified terms:

- Kendell Milton as Planning Commission representative to the Zoning Board of Appeals for a new term ending 12-31-20,

- Paul Charboneau as alternate to the Zoning Board of Appeals for a new term ending 12-31-20,
- Paul Charboneau to the Board of Review to complete a term ending 12-31-18,
- Anthony Giorgianni to the Board of Review to complete a term ending 12-31-18,
- Jill Hendrickson to the Board of Review to complete a term ending 12-31-18,
- Dale Throenle as voting representative to the Superior Trade Zone Board of Directors for an indefinite term.

MOTION CARRIED.

APPOINTMENT PROCESS FOR TOWNSHIP MANAGER.

Lynch moved Engle seconded to recuse Don Rhein from the process as he has a relative in the pool of applicants.

MOTION CARRIED.

Engle moved Lynch seconded the following process for ranking and interviewing the candidates for the manager position:

- To review all applicants that submitted a completed application packet and returned to the Township by the deadline.
- The Board will use a rating system provided to them and interview the top three.
- If two candidates tie for the number three position for interviewing, both will be interviewed. The scoring of the candidates will be available to the Board tomorrow morning and the scoring must be returned to Suzanne Sundell by 9:00 am on Thursday December 14, 2017.
- A Special Board Meeting will be scheduled at 5:30 pm on Monday December 18, 2017 for interviews. If a candidate is not able to make the interview date, we will reschedule the Special Meeting date or do the interview by conference call.

MOTION CARRIED.

Supervisor Bohjanen asked the Board to consider adding a subjective question to the list – *What are your feelings about how the candidate presents him or herself through filling out the forms?*

Maki moved Lynch seconded to add that question to the list of ranking questions.

MOTION CARRIED.

SUPERVISOR'S REPORT.

Senior Drop-In Center has been a real success story. They meet Tuesday and Thursday in fellowship and have a great time. They have presented to the Board an incredible list of activities that they have done over the past three years. Manager Lawry noted that they do this at no cost to the Township.

Trustee Maki moved Lynch second to move up the agenda item discussion of Hydraulic Analysis invoice.

MOTION CARRIED.

DISCUSSION OF HYDRAULIC ANALYSIS INVOICE.

Gail Varty presented a brief history of problems with the fill on her property and related issues with FEMA. She highlighted what she has gone through over the last two years trying to piece together what FEMA required. She presented an overview of what was invoiced and why it was on the invoice in relation to the HEC RAS study that FEMA required.

Planner Throenle interjected that the interactions with FEMA have been that FEMA continually requests additional information each time the paperwork is turned in.

The Board discussed how much of this bill rightfully belongs to the Township and what is considered Gail Varty's. The majority of the bill was for work done by the surveyor following the requests by FEMA. The HEC RAS study required by FEMA on average costs \$1,000 to \$1,500. The Board questioned what value does the Township glean from this process, if we pay for part of it. We have learned how the process works and the proper steps to take, for the next resident in this position.

Supervisor Bohjanen agrees with one of the concepts regarding not having all of the ducks in a row and he does not feel it is all Gail's fault, the Township's fault or the DEQ's fault. It is a combination of a system that been enacted, promulgated and enforced. However, he feels it is inappropriate for an outside party to submit an invoice that the Board did not authorize or request.

Maki moved Lynch seconded to pay this bill minus \$1,500 for the HEC RAS model which will be paid by Gail Varty. This payment will be made from Township Board Professional Services.

ROLL CALL.

AYES – Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen.

NAYS – None.

MOTION CARRIED.

CONSIDERATION OF GENERAL APPROPRIATIONS ACT FOR 2018 BUDGET.

Lynch moved Zyburt seconded to approve the 2018 fee schedule.

ROLL CALL.

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

Lynch moved Rhein seconded that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1st, 2018, and ending December 31st, 2018, 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 November 24, 2017; and

Whereas, a public hearing was held on the proposed budget on December 11, 2017 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 1st, 2018, and ending on December 31st, 2018, in the amount of \$1,786,000.00 for the General Fund, in the amount of \$355,000.00 in the Road Fund, in the amount of \$0 in the Fire Department Millage Fund, in the amount of \$2,900.00 in the Liquor Law Enforcement Fund, in the amount of \$154,200.00 in the Library Millage Fund, in the amount of \$105,000.00 in the Capital Improvements Fund, and in the amount of \$873,700.00 for the Sewer Fund.
2. The Township Board does hereby appropriate the sum of \$1,891,000.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1st, 2018, and ending December 31st, 2018.
3. The Township Board does hereby appropriate the sum of \$873,700.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1st, 2018, and ending December 31st, 2018.
4. The Township Board does hereby appropriate the sum of \$355,000.00 for the repairing of the Township Roads to be used for the fiscal year beginning January 1st, 2018, and ending December 31st, 2018.
5. The Township Board does hereby appropriate the sum of \$0 for the fiscal year beginning January 1st, 2018 and ending December 31st, 2018 for retirement of debt associated with constructing and equipping the fire station.
6. The Township Board does hereby appropriate the sum of \$2,900.00 for the enforcement of Liquor Laws of the State of Michigan for the fiscal year beginning January 1st, 2018, and ending December 31st, 2018.
7. The Township Board does hereby appropriate the sum of \$154,200.00 for contractual services with the Peter White Public Library for the fiscal year beginning January 1st, 2018, and ending December 31st, 2018.
8. The Township Board does hereby levy 3.6629 mills for general operations; extra voted is 0.7433 for library.

9. All resolutions and parts of resolutions in so far as they conflict with provisions of this resolution are rescinded.
10. 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: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

SUPERVISOR'S SALARY

Lynch moved Engle seconded that the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2018, which begins January 1st, 2018, and ends December 31st, 2018.

ROLL CALL.

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

TREASURER'S SALARY

Maki moved Lynch seconded that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2018, which begins January 1st, 2018, and ends December 31st, 2018.

ROLL CALL.

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

CLERK'S SALARY

Rhein moved Lynch seconded that the salary for the office of Clerk shall be set in the amount of \$11,850.00 for the Fiscal Year 2018, which begins January 1st 2018, and ends December 31st, 2018.

ROLL CALL.

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

TRUSTEE'S PER DIEM

Trustee Maki asked that the Board change the per diem for Trustee from \$80.00 back to \$75.00

Zyburt moved Engle seconded that the per diem for the office of Trustee shall be set in the amount of \$75.00 per meeting for the Fiscal Year 2018, which begins January 1st, 2018, and ends December 31st, 2018.

ROLL CALL.

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen.
NAYS: None.
MOTION CARRIED.

REVIEW OF BOARD POLICIES.

Trustee Maki had questions on the FOIA policy relating to viewing assessing information. Supervisor Bohjanen stated that we will have a computer available to the public to view assessment records.

Supervisor Bohjanen noted several editorial/clerical mistakes in some of the policies.

Lynch moved Zyburt seconded that the Township policies will be brought back to the Board at a future date after Supervisor Bohjanen reviews them.

MOTION CARRIED.

APPROVAL OF 2018 MEETING CALENDAR.

Chocolay Township Board – 5:30PM

January 8 th	July 9 th
February 12 th	August 6 th
March 12 th	September 10 th
April 9 th	October 8 th
May 14 th	November 12 th
June 11 th	December 10 th

Chocolay Township Planning Commission – 7:00PM

January 15 th	July 16 th
February 19 th	August 20 th
March 19 th	September 17 th
April 16 th	October 15 th
May 21 th	November 26 th
June 18 th	December 17 th

Chocolay Township Zoning Board of Appeals – 7:00PM

January 25 th	July 26 th
February 22 nd	August 23 rd
March 22 nd	September 27 th
April 26 th	October 25 th
May 24 th	November 15 th
June 28 th	December 27 th

Chocolay Township Fire Department – 7:00PM

1st Thursday of each Month – Business Meeting
2nd, 3rd, and 4th Thursday of each month – Training

Chocolay Township Tax Board of Review

March 6th (10:00 am), 12th (9:00 am – 4:00 pm), 13th (1:00 pm – 9:00 pm)
July 17th (10:00 am)
December 11th (10:00am)

The joint meeting of the Chocolay Township Board and the Chocolay Township Planning Commission will be determined at a later date.

Maki moved Lynch seconded that the above dates for the Chocolay Township Board, Chocolay Township Planning Commission, Chocolay Township Zoning Board of Appeals, Chocolay Township Fire Department, and Chocolay Township Tax Board of Review be approved for 2018.

MOTION CARRIED.

CONSIDERATION OF RENTAL AGREEMENT FOR VOTING PRECINCT #2.

Zyburk moved Lynch seconded to change the precinct two polling location from Prince of Peace Church, 555 Riverside Road to Silver Creek Church 219 Silver Creek Road and approve the following agreement:

This FACILITIES USE AGREEMENT is made and entered into between **CHARTER TOWNSHIP OF CHOCOLAY**, located at 5010 U.S. 41 South, Marquette, Michigan 49855, and **SILVER CREEK CHURCH**, located at 219 Silver Creek Road, Marquette, Michigan 49855.

The use of the space at Silver Creek Church is for the purpose of conducting elections, and for the specific purpose of serving as Precinct Two for the voters of Chocolay Township.

Said elections are scheduled for the first Tuesday following the first Monday, and can be scheduled for the months of March, May, August, and November. Use of the facility would require Monday prior to the election for setup of election equipment, Tuesday to hold the election, and Wednesday morning for take down of equipment.

This agreement shall be effective as of January 1, 2018, and shall continue through December 31, 2022. At the expiration of this agreement, it may be extended for a period of time that is agreeable to both parties.

In exchange for use of the facility, the Township will pay Silver Creek Church a sum of \$50.00 per election.

MOTION CARRIED.

AUTHORIZATION TO SELL SURPLUS PATROL CAR.

Zyburk moved Rhein seconded seconded to declare the items on the 2013 Dodge Charger to be surplus to Township operations, to authorize the Township Manager to seek competitive bids for the sale, and to authorize their reuse, recycling, or other means of disposal where no bids are received.

MOTION CARRIED.

DISCUSSION OF TENNIS COURT REPAIR OPTIONS.

Lynch moved Zyburt seconded to authorize staff to attempt to re-negotiate the terms of the grant agreement for the Passport Grant for the Silver Creek Tennis Court Project to allow for rehabilitation of at least two courts within a project budget consisting of those funds currently held by the Township for this project and whatever portion of the Passport Grant can be retained for the project after the reduction in scope.

MOTION CARRIED.

RECOMMENDATION FROM THE PERSONNEL COMMITTEE ON TEXT CHANGE FOR POLICY AND PROCEDURES MANUAL.

Maki moved Engle seconded to accept the proposed language updates for sections 2.6.6 and 16.18 of the Township Policies and Procedure manual as written.

MOTION CARRIED

PUBLIC COMMENT.

Trustee Maki thanked Manager Lawry for his years of service; he has been very conscientious and a good ambassador for Chocolay Township.

Supervisor Bohjanen commented that Deborah Mulcahey has several items in correspondence and he would like the Board to read them and ponder what they have to say.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of October 16th, 2017.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of October 19th, 2017.
- C. Correspondence – Marquette County Solid Waste Management Authority, 2018 Meeting Schedule and Landfill Holiday Schedule.
- D. Correspondence – U.P. Insurance Agency Re: Policy Dividend.
- E. Correspondence – D. Mulcahey Re: Short-term Rentals.
- F. Correspondence – D. Mulcahey Re: Delays.
- G. Correspondence – D. Mulcahey Re: Meeting Attendance.
- H. Correspondence – Iron Ore Heritage Recreation Authority Opportunity to Comment on Recreation Plan.

Lynch moved Rhein seconded to adjourn the meeting at 7:40 pm.

MOTION CARRIED.

Max Engle, Clerk

Richard Bohjanen, Supervisor

December 18, 2017
Special Board Meeting

A Special meeting of the Chocolay Township Board was held on Monday, December 18, 2017 at the Chocolay Township Fire Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 5:30 p.m. The Special meeting was called to interview and make a selection for the Township Manager position.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle, Brad Johnson, Lisa Perry, Cindy LaMere.

AGENDA ADDITIONS/DELETIONS.

Lynch moved Zyburt seconded to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

None.

Supervisor Bohjanen stated that this is an open meeting and the three candidates have the option of staying in the meeting while the other candidate interviewed or leaving the room while the other candidate interviewed.

Supervisor Bohjanen also explained that the conflict of interest no longer exists with Trustee Rhein for the rest of the interview process.

Zyburt moved Lynch seconded to allow Don Rhein to participate in the interviewing of potential Township Manager candidates, as the conflict no longer exists.

MOTION CARRIED.

Supervisor Bohjanen indicated that he provided the Board with a list of 16 interview questions and would like the Board to shorten it to approximately 10 questions to ask all the candidates. The Board did shorten the list for questioning the candidates.

SKYPE INTERVIEW WITH TOWNSHIP MANAGER CANDIDATE # 1.

Joseph Gunter introduced himself to the Board. Mr. Gunter has a B.A in International Relations, from University of Michigan and an M.S. in Economic Development, from Northwestern

University. He is currently employed by the Town of Northwood, New Hampshire as Town Administrator. He responded to a set of questions from the Board.

INTERVIEW WITH TOWNSHIP MANAGER CANDIDATE # 2.

Jon Kangas introduced himself to the Board. Mr. Kangas has a BSCE in Civil Engineering from Michigan Technological University. He is currently employed by the City of Ishpeming as City D.P.W. Director. He responded to a set of questions from the Board.

INTERVIEW WITH TOWNSHIP MANAGER CANDIDATE # 3.

Mark Polega introduced himself to the Board. Mr. Polega has a B.A. in Landscape Architecture from Michigan State University. He is currently employed by the City of Gladstone as the Electric and D.P.W. Supervisor. He responded to a set of questions from the Board.

The Board discussed all three candidates' qualifications and presentation.

Lynch moved Zyburt seconded based the evaluations last week and the interviews tonight, to make an offer to Jon Kangas as full time manager, contingent upon a satisfactory background and reference check, at a starting salary of \$75,000 and a tentative starting date of January 2, 2018 based on his two weeks' notice. He meets all the criteria that was set forth in the job description, was the number one candidate by double digits in the scoring process and based on his experience, he will be a really good fit for the Township.

MOTION CARRIED.

White moved Engle seconded that if Jon Kangas turned the offer down, we offer the position to Joseph Gunther.

MOTION CARRIED.

Supervisor Bohjanen brought up that Jon Kangas is currently on the Planning Commission and he does not feel that should be a conflict. The Board felt he could stay on the Planning Commission as long as there is no conflict with the Manager being on the Planning Commission.

PUBLIC COMMENT.

None.

Lynch moved Zyburt seconded to adjourn the meeting at 7:15.

Max Engle, Clerk

Richard Bohjanen, Supervisor