

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department Equipment 101.340.778	5,225.00	+400.00	5,625.00
REVENUE			
Miscellaneous 101.698	11,911.77	+400.00	12,311.77
Roll Call: AYES: Bohjanen, Greenberg, Denton, Hill, Sherbinow, Menhennick, Fende. NAYS: None.		MOTION CARRIED.	

ADDITIONAL CLEARING AND PARKING AT SILVER CREEK SOCCER FIELD.

The Board discussed rental vs. purchase of chain saws for the clearing at the Silver Creek soccer field. The length of time needed to clear the trees at the soccer field will determine whether it would be more cost effective to rent or buy.

Denton moved, Bohjanen second that a committee made up of Clerk Hill, Supervisor Fende and Trustee Denton be allowed to expend up to \$1,000. to start tree removal project at Silver Creek soccer field.

Roll Call:

AYES: Bohjanen, Denton, Greenberg, Sherbinow, Hill, Menhennick, Fende.

NAYS: None.

MOTION CARRIED.

COMPUTER UPDATE.

Hill moved, Sherbinow second that the Clerk is authorized to sell the remaining computer equipment parts for the best negotiable price.

Roll Call:

AYES: Hill, Sherbinow, Menhennick, Fende, Bohjanen, Greenberg, Denton,

NAYS: None.

MOTION CARRIED.

TUITION REIMBURSEMENT POLICY.

The Board discussed an education policy and compiled ideas that they felt would work, such as fixed amount per credit and amount of money budgeted per year and who will be selected to receive this benefit. A motion will be brought back to the next Board meeting in June.

MEETING ROOM POLICY.

Denton moved, Bohjanen second to accept the following changes to the meeting a room policy:

AGREEMENT AND CONDITIONS OF MEETING FACILITY USE

The meeting room is reserved for organized nonprofit community groups of Chocolay Township to conduct meetings, including worship services, although any other group or individual may use the meeting room on an as-available basis. The facility shall not be used to conduct work projects that involve the use of materials, tools, or machinery. No group that charges a fee for its programming may use the facility; however, non-profit groups may charge a fee as long as the fee is used to cover the cost of materials used.

_____ agree(s) to the following terms and conditions for using the meeting room:

1. The Charter Township of Chocolay reserves the right to cancel or prohibit use of these facilities, if such use would fall into conflict with the regular or emergency use of any body of township government.
2. A deposit, except for authorized government agencies, in the amount of twenty-five dollars (\$25.00) will be made before a key to the building shall be issued, which will be returned when the key is returned and all the conditions of this agreement have been met. Any group who uses the facilities during regular office hours does not need to pay a deposit and will not be issued a key. However, they still must sign an agreement form. Groups using the facility during weekdays cannot use it from 12:00 to 1:00, except for lunch purposes, since the room is used as an employee lunchroom.
3. The undersigned, in representing the above named group or organization, assumes responsibility for payment of damage to any township property which occurs during this use.
4. Groups using the facility on a regular basis will be required to pay only one deposit.

5. Regular use by any single group or organization may be evaluated at sixty (60) day intervals, depending upon additional requests for this facility on like dates and times.
6. Approximate size of the group and furniture requirements will be provided to the township at the time the deposit is paid.
7. Furnishings will be situated, at completion of use. in the same manner as that in which they were found. **THE LARGE TABLE IS NOT TO BE MOVED FOR ANY REASON** and when moving other tables they must be lifted off the floor (do not slide).
8. Food may not be prepared at the facility. Buying clubs may not use the facility for the purpose of dividing or distributing food.
9. As of June 1, 1994 **NO SMOKING** in any township owned vehicles, township owned buildings and within 10 feet of any entrance to a township owned building, pursuant to Part 126 of the Public Health Code, P.A. 368 of 1978.
10. Nothing is to be fastened to walls, windows, doors or woodwork.
11. All refuse in the meeting room and restrooms must be placed in garbage bags supplied, removed from the building and deposited in the outdoor Dumpster.
12. Whenever people are present in the building, the doors must be unlocked and the entrance/exists must remain open and not blocked.
13. All lights must be shut off before vacancy.
14. A fan switch is located on the left side of the large display cases. You can turn the switch for the hours that you meet. This will help circulate air in the building. Since the room has heat and air conditioning, you should not open windows.

I UNDERSTAND THAT IF ANY OF THESE CONDITIONS ARE VIOLATED THAT THE DEPOSIT MAY BE RETAINED OR MY GROUP/ORGANIZATION MAY LOSE THE PRIVILEGE OF USING THE MEETING ROOM FOR ONE YEAR.

Group Name:

Representative:

Address:

Phone: (Home) _____ (Work)

Signature:

Deposit paid and key issued: _____ Receipt #:

Deposit held or deposited: _____ Collector

Date(s) of meeting(s):

Time: _____ Number of people attending

Furniture requirements:

Condition following use:

Deposit and key returned on:

AYES: 7

NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. Planning Commission minutes 4/13/98.

2. MAWTFAB minutes 4/9/98.

Whereas, the residents and visitors of our community benefit daily from the knowledge, skills, and dedication of these highly trained individuals; and

Whereas, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and

Whereas, injury prevention and the appropriate use of the EMS system will help reduce national health care costs; and

Whereas, the designation of Emergency Medical Services Week will also serve to educate the public about the life saving aspects of the EMS system.

Now, therefore, we the Charter Township of Chocoday Board in grateful recognition of our local EMS services do hereby proclaim the week of May 17th-23rd, as

EMERGENCY MEDICAL SERVICES WEEK

Residents are encouraged to observe this week and to help “make” a difference” in the community by actively supporting our local EMS organizations.

AYES: 7 NAYS: 0 MOTION CARRIED.

Lee Blondeau – Explained to the Board that the court hearing has been rescheduled to June 10, 1998, his attorney made this decision because Supervisor Fende will not be in town for the original court date. He wanted the Board to know that he was not forcing the issue of Supervisor Fende’s attendance at the hearing.

Hill moved Denton second that the Board go into closed session at 9:05 p.m.

Roll Call:

AYES: Hill, Sherbinow, Menhennick, Fende, Bohjanen, Greenberg, Denton,
NAYS: None. MOTION CARRIED.

Hill moved, Denton second that the Board come out of closed session at 9:50 p.m.

Roll Call:

AYES: Sherbinow, Hill, Greenberg, Bohjanen, Denton, Fende.
NAYS: Menhennick. MOTION FAILED.

Greenberg moved, Denton second that the Board come out of closed session at 9:55 p.m.

Roll Call:

AYES: Denton, Bohjanen, Greenberg, Hill, Sherbinow, Fende.
NAYS: Menhennick MOTION FAILED.

Supervisor Fende would not end the closed session until the Board voted unanimously to close.

Hill moved, Sherbinow second that the Board come out of closed session at 10:00 p.m.

Roll Call:

AYES: Menhennick, Hill, Sherbinow, Bohjanen, Greenberg, Denton, Fende.
NAYS: None. MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Joyce A. Smith - Thank You
- B. Nancy H. Rife - re: Ojibwa II Casino
- C. MTA Legislative Fax from 5/08/98
- D. Notice on Scrap Metal Collection

There being no further business the Supervisor adjourned the meeting at 10:00 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

PUBLIC COMMENT.

John Smith – Is opposed to the addition to the police department. He feels that this a waste of tax dollars. He heard that there are preliminary talks to reuse the casino for a juvenile detention center. Also reminded the Board of his request for more comfortable chairs for the public.

Don Britton – The trail committee is interested in running a bike path from Silver Creek to U S 41 and from U S 41 down Cherry Creek Road to the school, to coincide with the repaving of Cherry Creek Road. The Board thought this was worth looking into.

Lee Blondeau – Gave a presentation to the Board on how Blondeau Trucking wants to be a part of the Chocolay Township community. They have been in business for fifty years and plan on being in business in Chocolay for another fifty years. They want to work with the Board if the Board will allow them to.

Greg Zyburt – Told the Board that the bike program was a success and that over 100 bikes were registered. This week is buckle Up U.P. Week. He would like to display a crushed car and a sign about buckling up in front of the pavilion.

Gary Menhennick – According to the MTA the Board did not have to vote for reconsideration on the casino issue, any Board member could have brought up a new motion to discuss the issue. He also feels that the township should go back to two public comment sessions.

Menhennick moved, Bohjanen second that the Board allows two public comments sections at the Board meeting.

AYES: 2

NAYS: 5

MOTION FAILED.

Menhennick moved that the Board comply with Roberts Rules of Orders to conduct the meeting. There was no support.

BIDS ON POLICE OFFICE ADDITION AND RENOVATION.

Motion by Denton second by Hill that the Police Office Addition & Renovation Project is awarded to Pascoe Builders in the amount of \$54,361 and that funds for the project be expended from the Capital Improvements Funds Buildings account. The Supervisor of the Department of Public Works is designated as the project coordinator.

ROLL CALL:

AYES: Hill, Sherbinow, Denton, Greenberg, Bohjanen, Fende.

NAYS: Menhennick.

MOTION CARRIED.

ADDITIONAL CLEARING AND PARKING AT SILVER CREEK SOCCER FIELD.

Hill moved, Denton second that the Supervisor of the Department of Public Works is authorized to work with the Army Reserves to complete the Silver Creek Soccerfield expansion for additional parking and open space area project and the cost estimated at \$5,355 for the project to be expended from the Capital Improvements Fund, Recreation Account 401.708.957.

ROLL CALL:

AYES: Bohjanen, Greenberg, Hill, Sherbinow, Denton, Fende, Menhennick.

NAYS: None.

MOTION CARRIED.

MEETING ROOM POLICY – FEE STRUCTURE.

Supervisor Fende proposed a fee structure and will forward it to CABA for their input and then it will be brought back to the Board for a vote at the next Board meeting.

REVISED ROAD CONTRACTS.

Denton moved, Greenberg second that

Whereas, the Charter Township of Chocolay intends entering into certain road construction and improvement contracts with the County Road Commission, and:

Whereas, the parties have agreed the Commission may bill and recover from Chocolay Township, 50% of the actual cost of the project that may exceed the estimates, and;

Whereas, that excess cost requires Township approval before it is incurred, and;

Whereas, such approval must be on an urgent basis;

Be It Resolved:

The Supervisor of DPW or, as necessary, the Township Supervisor, is hereby granted authority to issue change orders pursuant to the road construction and improvement contracts, accepting, rejecting, or modifying any proposals by the County Road Commission to carry out work which will result in exceeding the estimated cost previously provided by the Road Commission and recited in the contracts. Under no circumstances does the Supervisor of DPW have authority to authorize additional cost that exceeds 15 percent of the estimate without first having obtained authority of the Township's Board of Trustees.

In the event that the Supervisor of DPW is not available, the Township Supervisor has the same authority to issue change orders. Copies of all change orders must be submitted to the Board at their next meeting.

AYES: 6

NAYS: 1

MOTION CARRIED.

TUITION REIMBURSEMENT POLICY.

Greenberg moved, Bohjanen second, that the following be added to SEC 12.13 of the Personnel Policies and Procedures Manual:

After completing their probationary period, regular full-time employees may be eligible for reimbursement for up to four credit hours per year of undergraduate, work-related college classes, at an accredited college or university for which they receive a grade of "C" or better.

Graduate classes may be taken, but reimbursement will be at the undergraduate rate. Reimbursement is for tuition only, and does not include books or fees.

If the employee receiving the reimbursement voluntarily leaves employment with Chocoday Township, any tuition paid within the preceding two years shall be repaid by the employee to the Township.

Funds available for tuition reimbursement will be part of the annual budget. Allocation of these funds will be made by the township board or a committee appointed by the board, with the recommendation of the employee's supervisor. Applications for reimbursements should be submitted by December 1st for the following year, or later if funds remain available.

AYES: 6

NAYS: 1

MOTION CARRIED.

KBIC 2% LETTER.

The township sent a letter to KBIC stating that we would accept a gift or donation for trails. KBIC sent a letter to the township stating specific language that must be used to distribute these funds. The township did not have a Board meeting within the time frame, and the KBIC re-distributed the funds to another agency before the Board met.

Supervisor Fende will write a letter to the attorney general office asking two questions:

1. Does the KBIC have to donate a portion of the 2% money to the local government in which they reside?
2. Can they dictate where the money is earmarked?

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Planning Commission meeting minutes of 06/01/98
2. MAWTFAB meeting minutes of 05/14/98
3. Ad Hoc Water Committee meeting minutes of 06/10/98

SUPERVISOR'S REPORT.

1. I have received a request from Andrea Beckman to do an independent sewer rate study for six motels within the Marquette area. You will remember we did a study last year at a cost of more than \$5,000. Are you interested in using our staff time to develop a study as per Mrs. Beckman's request?

Hill moved, Denton second that Supervisor Fende and Planner Chandler do a study on local motel sewer rates and compare them to the Travelodge of Marquette.

AYES: 7

NAYS: 0

MOTION CARRIED.

2. We have received information from MDOT that the left turn phase light will not be in place until at least this fall. MDOT needs a cost agreement and resolution supporting the maintenance agreement from the County Road Commission. MDOT has one crew statewide which install signal lighting and they usually travel to the UP in the spring and fall.

CONSIDER APPROVAL IN CONCEPT OF FORMING A REGIONAL WATER AUTHORITY.

Jesse Luttenton, KBIC grant writer, spoke to the Board on the advantages to the municipality and the KBIC in working together on a water grant. More points are acquired for a grant written combining the municipalities and the tribal community.

Menhennick moved, Bohjanen second that the Board supports the concept of forming a regional water and sewer authority with Chocolay Township, KBIC and Sands Township.

AYES: 7

NAYS: 0

MOTION CARRIED.

MARQUETTE COUNTY REFUNDING BONDS UNLIMITED TAX, SERIES 1998.

Greenberg moved, Denton second that

WHEREAS, pursuant to the provisions of Act No. 185, Public Acts of Michigan, 1957, as amended, the Charter Township of Marquette and the Charter Township of Chocolay (the "Townships") the City of Marquette (the "City") and the County of Marquette (the "County") have entered into a contract governing the Marquette County Wastewater Treatment System (the "System"), which Contract is dated September 19, 1977 (the "Contract"); and

WHEREAS, pursuant to the Contract, the County has issued its Marquette County Wastewater Treatment System Bonds, Series 1978 dated as of April 1, 1978 (the "Prior Bonds"), in the original principal amount of \$2,500,000 to defray the cost of acquiring and constructing the System, as described in the Contract; and

WHEREAS, the Charter Township of Chocolay has approved the refunding of part or all of the Prior Bonds and it is now necessary to approve a refunding contract (the "Refunding Contract") regarding the Marquette County Refunding Bonds Unlimited Tax, Series 1998 (the "Refunding Bonds").

THEREFORE, BE IT RESOLVED:

1. The Township Board hereby approves the Refunding Contract attached as Appendix A.

2. The Supervisor and Clerk of the Charter Township of Chocolay are hereby authorized to execute and deliver the Refunding Contract on behalf of the Township.

AYES: 7

NAYS: 0

MOTION CARRIED.

PRIVATE ROAD REQUEST #12.

Greenberg moved, Bohjanen second that the Chocolay Township Board concur with the Planning Commission recommendation to approve the private road request from Dana Varvil from the intersection of Autumn Trail to the end of Parcel D as identified on the Survey Sketch dated June 1, 1998 with the following conditions:

1. A covenant be established on the parcel deeds identifying the private road status and the owners responsibility for road maintenance, bridge maintenance, right-of-way maintenance, and drainage maintenance as well as requiring that open access to the private road be maintained for public services.
2. A certificate of bridge weight capacity for a minimum of 80,000 pounds be certified by an engineer and presented to the Planning Director.
3. A temporary cul-de-sac as per County Road Commission requirements be included and dedicated at the end of the private road (at parcel "D") as a turn around for emergency vehicles until such time as the private road maybe extended and further approval will be requested.

MEDIAN INCOME STUDY.

The Board discussed the Median Income Study for Municipal Water System grants and agreed to encumber the money because the study will not be done until 1999.

SOCCER FIELD PARKING AREA.

A conditional use permit was submitted to the Chocolay Township Planning Commission to allow a public park at the Silver Creek Recreation Area. The Planning Commission approved the permit with conditions. Supervisor Fende told the Board that he would appeal the conditions.

TOWNSHIP RECORDS.

The Board discussed that the full agenda books that are in the Supervisor 's office will not be thrown away. No other action was taken.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. Fire Dept. - Quarterly Report for April, May, June
2. Groundwater Stewardship Team minutes of 06/09/98
3. MAWTFAB minutes of 06/11/98
4. ZBA minutes of 05/28/98
5. Police Dept. - Quarterly Report for April, May, June

SUPERVISOR'S REPORT.

1. The Fire Chief explained a situation, which occurred last week on Riverside Road. I will forward a letter to Central Dispatch to make sure this type of error does not happen again.
2. Insurance Refund - We have received our insurance refund in the amount of \$1,620 from our insurance carrier for our fleet of vehicles.
3. Computer sale - The sale of used computer equipment brought in \$510.
4. Left turn phase light - We have received information from MDOT that they intend to finally install the left turn phase light in August.
5. Fire Department Annual Picnic - a memo from the Fire Department is in the information reports section of the agenda. Their annual picnic will be held on Saturday, August 22 at the Township Pavilion and Fire Hall.
6. Fire Department Live-Burn Training - The live burn training was done last Saturday at the Ken Chant property on Kawbawgam Lake. The training went very well and it was a good learning experience for the new members.
7. Parade Award - note the memo from Arlene Hill. Jim Blondeau received the plaque from the American Legion. The Chocolay Township Volunteer Fire Department is the first department to receive this award.
8. Summer Youth Workers – We have three single placement workers assigned to the township until mid August. We also had a crew for a week and ½ who did a lot of work on the soccerfield expansion project and they also worked on the bike path near Jack's IGA and worked on the nature trail at the Beaver Grove Recreation Area.
9. Multi - use Trails Acquisition Grant – We have unofficially found out that we will be receiving the DNR acquisition grant to purchase the multi-use trail properties.
10. Road Construction Projects - The County Road Commission has completed the repaving of Corning Street and are now working on the three projects on Little Lake Road. This project will take them until the middle of August before it is completed.

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department Capital Outlay 401.340.957	288,912.36	+500.00	289,412.36

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	13,403.72	+500.00	13,903.72

ROLL CALL:

AYES: Bohjanen, Menhennick, Denton, Greenberg, Fende, Hill, Sherbinow.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY1998
- AMENDMENT NO. 5

This amendment is for the money received from the sale of timber from the Silver Creek Recreation Area.

Greenberg moved, Sherbinow second that Whereas, a budget was adopted by the Chocoday Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 20, 1997, 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, and Whereas, such modification will continue 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
Recreation Department Capital Outlay 401.708.957	83,419.64	+1,145.35	84,564.99

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	13,903.72	+1,145.35	15,049.07

ROLL CALL:

AYES: Bohjanen, Menhennick, Denton, Greenberg, Fende, Hill, Sherbinow.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY1998
- AMENDMENT NO. 6

This amendment is for the money received from the sale of old voting devices & counters.

Hill moved, Greenberg second that Whereas, a budget was adopted by the Chocoday Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 20, 1997, 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, and Whereas, such modification will continue 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
Election Department Capital Outlay 401.190.957	15,861.97	+1,160.00	17,021.97

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	15,049.07	+1,160.00	16,209.07

ROLL CALL:

AYES: Bohjanen, Menhennick, Denton, Greenberg, Fende, Hill, Sherbinow.

NAYS: None.

MOTION CARRIED.

PERSONNEL COMMITTEE APPOINTMENT.

Denton moved, Greenberg second that Mark Maki be appointed as an employee representative to the Personnel Committee to fill the vacant term which expires December 31, 1998.

AYES: 6

NAYS: 1

MOTION CARRIED.

- I. Fire Dept - (1) Annual Picnic and (2) Live-Burn Training
- J. Fire Department's presentation in 4th of July Parade

There being no further business the Supervisor adjourned the meeting at 9:55 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

HLINAK EQUIVALENT USER RATE.

The Board wants to have more information on the zoning and also have the Supervisor of D.P.W. come up with more general language to cover all similar issues.

ADOPTION OF LAND DIVISION ORDINANCE # 52.

Hill moved, Denton second that Charter Township of Chocolay adopt the Land Division Ordinance # 52 as follows:

LAND DIVISION ORDINANCE #52

An ordinance to regulate partitioning or division of parcels or tracts of land, enacted pursuant but not limited to Michigan Public Act 288 of 1967, as amended, and Act 246 of 1945, as amended, being the Township General Ordinance statute; to provide a procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to prescribe penalties and enforcement remedies for the violation of this Ordinance.

CHARTER TOWNSHIP OF CHOCOLAY
MARQUETTE COUNTY, MICHIGAN,
ORDAINS:

SECTION I

TITLE

This ordinance shall be known and cited as the Charter Township of Chocolay Land Division Ordinance.

SECTION II

PURPOSE

The purpose of this ordinance is to carry out the provisions of the State Land Division Act (1967 PA 288, as amended, formerly known as the Subdivision Control Act), to prevent the creation of parcels of property which do not comply with applicable ordinances and said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and otherwise provide for the health, safety and welfare of the residents and property owners of the Township by establishing reasonable standards for prior review and approval of land divisions within the Charter Township of Chocolay.

SECTION III

DEFINITIONS

For purposes of this ordinance certain terms and words used herein shall have the following meaning:

- A. "Applicant" - a natural person, firm, association, partnership, corporation, or combination of any of them that holds an ownership interest in land whether recorded or not.
- B. "Divide" or "Division" - the partitioning or splitting of a parcel or tract of land by the Owner or Titleholder thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns, for the purpose of sale, transfer of interest, or lease of more than one year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of Sections 108 and 109 of the State Land Division Act. "Divide" and "Division" does not include a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of the State Land Division Act, or the requirements of other applicable Township ordinances.
- C. "Exempt split" or "exempt division" - the partitioning or splitting of a parcel or tract of land by the proprietor thereof, or by his or her heirs, executors, administrators, legal representatives, successors or assigns, that does not result in one or more parcels of less than 40 acres or the equivalent.
- D. "Forty acres or the equivalent" – either 40 acres, a quarter-quarter section containing not less than 30 acres, or a government lot containing not less than 30 acres.
- E. "Governing body" - the Township Board.

SECTION IV

PRIOR APPROVAL REQUIREMENT FOR LAND DIVISIONS

Land in the Township shall not be divided without the prior review and approval of the Township assessor, or other official designated by the governing body, in accordance with this ordinance and the State Land Division Act; provided that the following shall be exempted from this requirement:

- A. A parcel proposed for subdivision through a recorded plat pursuant to the State Land Division Act.
- B. A lot in a recorded plat proposed to be divided in accordance with the State Land Division Act.
- C. An exempt split as defined in this Ordinance.

SECTION V

APPLICATION FOR LAND DIVISION APPROVAL

An applicant shall file all of the following with the Township assessor or other official designated by the governing body for review and approval of a proposed land division before making any division by deed, land contract, mortgage, lease for more than one year, or for building development:

- A. A completed application form on such form as may be approved by the Township Board.
- B. Proof of fee ownership of the land proposed to be divided.
- C. A tentative parcel map drawn to scale including an accurate legal description of each proposed division, and showing the boundary lines, approximate dimensions, and the accessibility of each division for automobile traffic and public utilities.
- D. Proof that all standards of the State Land Division Act, this Ordinance and the Township Zoning Ordinance have been met.
- E. If a transfer of division rights is proposed in the land transfer, detailed information about the terms and availability of the proposed division rights transfer.
- F. A filing fee as set by resolution of the governing body to cover the costs of review of the application and administration of this Ordinance and the State Land Division Act.

SECTION VI

PROCEDURE FOR REVIEW OF APPLICATIONS FOR LAND DIVISION APPROVAL

- A. The Township shall approve or disapprove the land division applied for within 45 days after receipt of a complete application conforming to this Ordinance's requirements and the State Land Division Act, and shall promptly notify the applicant of the decision, and if denied, the reasons for denial.
- B. Any person or entity aggrieved by the decision of the assessor or designee may, within 30 days of said decision appeal the decision to the Township Planning Commission or such other body or person designated by the governing body which shall consider and resolve such appeal by a majority vote of said Commission or by the appellate designee at its next regular meeting or session affording sufficient time for a 20 day written notice to the applicant (and appellant where other than the applicant) of the time and date of said meeting and appellate hearing.
- C. The assessor or designee shall maintain an official record of all approved and accomplished land divisions or transfers.
- D. Approval of a division is not a determination that the resulting parcels comply with other ordinances or regulations.
- E. The Township and its officers and employees shall not be liable for approving a land division if building permits for construction on the parcels are subsequently denied because of inadequate water supply, sewage disposal facilities or otherwise, and any notice of approval shall include a statement to this effect.

SECTION VII

STANDARDS FOR APPROVAL OF LAND DIVISIONS

A proposed land division reviewable by the Township shall be approved if the following criteria are met:

- A. All parcels created by the proposed division(s) have a minimum width as provided for in an applicable zoning ordinance.
- B. All such parcels shall contain a minimum area as provided for in an applicable zoning ordinance.
- C. The ratio of depth to width of any parcel created by the division does not exceed a four to one ratio exclusive of access roads, easements, or non-development sites. The

depth of a parcel created by a land division shall be measured within the boundaries of each parcel from the abutting road right-of-way to the most remote boundary line point of the parcel from the point of commencement of the measurement.

D. The proposed land division(s) comply with all requirements of this Ordinance, the Township Zoning Ordinance and the State Land Division Act.

E. All parcels created and remaining have existing adequate accessibility, or an area available therefor, for public utilities and emergency and other vehicles.

SECTION VIII

CONSEQUENCES OF NONCOMPLIANCE WITH LAND DIVISION APPROVAL REQUIREMENT

Any division of land in violation of any provision of this Ordinance shall not be recognized as a land division on the Township tax roll or assessment roll. When the assessing officer suspects such a violation or potential non-conformity, he shall refer the same to the county prosecuting attorney and give written notice to the person suspected of the violation or potential non-conformity. The Township shall further have the authority to initiate injunctive or other relief to prevent any violation or continuance of any violation of this Ordinance. Any division of land in violation of this Ordinance shall further not be eligible for any zoning or building permit for any construction or improvement thereto.

In addition any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan Statute which shall be punishable by a civil fine of not more than \$500.00 along with costs which may include all expenses, direct and indirect, to which the Township has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 nor more than \$500.00 be ordered. A violator of this Ordinance shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan Law.

Pursuant to Section 267 of the Land Division Act, an unlawful division or split shall also be voidable at the option of the purchaser and shall subject the seller to the forfeiture of all consideration received or pledged therefore, together with any damages sustained by the purchaser, recoverable in an action at law.

SECTION IX

SEVERABILITY

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this Ordinance other than said part or portion thereof.

SECTION X

REPEAL

All previous Land Division Ordinances affecting unplatted land divisions in conflict with this Ordinance are hereby repealed; however, this Ordinance shall not be construed to repeal any provision in any applicable Zoning Ordinances, Building Codes or other ordinances of the Township which shall remain in full force and effect notwithstanding any land division approval hereunder.

SECTION XI

EFFECTIVE DATE

This ordinance shall take effect upon publication following its adoption.

ROLL CALL:

AYES: Denton, Greenberg, Fende, Hill, Menhennick, Sherbinow.

NAYS: None.

MOTION CARRIED.

MARINA LAND PURCHASE - CAPITAL IMPROVEMENTS EXPENDITURE.

Sherbinow moved, Hill second that the estimated cost of \$1,600.00 for the land purchase adjacent to the marina, the survey, and fencing cost be expended from the Capital Improvements Fund Marina Account.

ROLL CALL:

AYES: Denton, Hill, Menhennick, Greenberg, Fende, Sherbinow.

NAYS: None.

MOTION CARRIED.

POLICE OFFICE ADDITION PROJECT - EXPENDITURE OF FUNDS .

Greenberg moved, Denton second that \$5,133.32 be transferred from the Capital Improvements Fund Unencumbered Fund Balance to the Capital Improvements Fund Buildings Account for the Police Office Addition and renovation project.

ROLL CALL:

AYES: Denton, Greenberg, Fende, Hill, Sherbinow, Menhennick.

NAYS: None.

MOTION CARRIED.

BIKE PATH - SNOWMOBILE FENCING.

Greenberg moved, Hill second that the Supervisor D.P.W. proceed with purchasing materials for snow fencing at an amount not to exceed \$435.00.

ROLL CALL:

AYES: Hill, Sherbinow, Menhennick ,Denton, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

CHANGES TO LITTLE LAKE ROAD RECONSTRUCTION PROJECTS BC-1 AND BC-2.

The Board noted the change order to BC-1, a net increase of \$910.00. On project BC-2, the County will patch and repair at their own expense. The reconstruction of BC-2 will be postponed until a future date.

MINING PROVISIONS - MINING PERMIT APPLICATION.

The Zoning Administrator had a mining permit at the board meeting but would like to work on refining the language and bring it back to the Board at a future meeting.

Kathy DeVooght – Questioned how the Township can give mineral rights to the State of Michigan on the recreation property and not allow anyone living within 3000 feet of recreation areas in Chocolay Township to use mineral rights on their own property.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. Planning Commission minutes of 7/14/98
2. ZBA minutes of 06/25/98
3. MAWTFAB minutes of 7/09/98
4. Chocolay River Watershed Project Advisory Council minutes of 7/16/98

SUPERVISOR'S REPORT.

1. The Chocolay River Fest was held on Saturday 8/8/98 at the Beaver Grove Recreation Area and it was a success. Over 500 people attended and it was an educational and fun day.
2. The office replacement carpet has been ordered and is scheduled for installation for the end of September. We changed the proposal to include a larger door runner, which will increase the total cost \$119.30 from the Capital Improvements fund.
3. Alger Delta Cooperative Electric Association Franchise - a letter of response to Alger Delta is in the informational section of the agenda. As per the Clerk's message to me, I would recommend we work with Alger Delta and agree to a shorter franchise by agreement.

Kathy DeVooght insisted on commenting on a prior issue. Supervisor Fende requested she not make further comments. The meeting was recessed for two minutes until the matter could be resolved.

HUARD PRIVATE LAUNDROMAT - SEWER EQUIVALENT USER RATE.

Denton moved, Greenberg second that a wastewater equivalent user rate of 2.06 be established for the proposed private laundry facility to service only the apartment building located at 612B Willow Road.

AYES: 6

NAYS: 0

MOTION CARRIED.

WASTEWATER USER CHARGES FOR LARUE ON CORNING STREET.

Greenberg moved, Denton second that since the structure owned by Pete LaRue at 418 Corning Street was substantially damaged by fire on July 29, 1998 that the wastewater charges be discontinued as provided for in section 9.C.2.c of Ordinance 39 until the structure is usable.

AYES: 6

NAYS: 0

MOTION CARRIED.

TRAILWAYS & GREENWAYS CONFERENCE EXPENSES.

Hill moved, Greenberg second that expenses for Don Britton to attend the Trailways and Greenways Conference at Battle Creek, September 27-29 be expended from contingency with a final budget amendment coming before the Board for approval after the conference.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLICATION OF REZONING # 100 – VARVIL CENTER FROM C-3 TO C-1.

Greenberg moved, Menhennick second that the Board table this rezoning until we get comment from the property owner.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLICATION OF REZONING # 101 - HILLIER'S AT 116 W WRIGHT PLACE.

Denton moved, Greenberg second that the Charter Township of Chocolay waive the reading and PUBLISH the following amendment to "ORDINANCE 34" CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN # 34-98-7

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

SECTION 902 HARVEY AREA ZONING MAP

Be rezoned from R-1 to C-2 on the following parcel:

Section 6 T47N R24W part of the SW 1/4 of the SE 1/4 Parcel "C". Identified as tax code parcel 52-02-106-043-80

The penalties for violation of this ordinance shall be the same as those penalties set forth in Section 707 of the Chocolay Township Zoning Ordinance No. 34.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLICATION OF REZONING # 102 - TEXT AMENDMENT FOR GOLF COURSE SIGNS.

Hill moved, Fende second that the Charter Township of Chocolay waive the reading and PUBLISH the following amendment to "ORDINANCE 34" CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN # 34-98-8

AMENDMENT

To the Charter Township of Chocolay Zoning Ordinance as adopted May 9, 1977, amended with a new section entitled Section 812 "Golf Course Directional Signs" and any and all Amendments adopted subsequent thereto, shall be and the same hereby is amended by the addition thereto of the following language.

SECTION 812 GOLF COURSE DIRECTIONAL SIGNS

Notwithstanding Sections 809 and 811, a sign not exceeding 24 square feet, identifying the location of a Golf Course shall be permitted in any residential zone upon permit granted by the Zoning Board of Appeals upon finding that: A substantial number of motorists who might seek the advertised establishments pass the proposed location; that such establishment has no other sign visible from the same road; that consent of the property owner has

been obtained; and that placement of the sign will not cause any hazard or significant obstruction of any scenic view.

AYES: 6

NAYS: 0

MOTION CARRIED.

Clerk Hill informed the Board that we used the new voting equipment on August 4, 1998 and one of the computers broke down within two hours of opening the polls. We had a replacement computer from Doubleday and ours is under warranty for repair.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. MDNR - grant award for multi-use trails
- B. MDEQ - permit # 98-03-0046
- C. MML Pool Law Enforcement Risk Control - recommendation from Pool & response from Police Chief Greg Zyburt
- D. Mqt. Co. Board of Canvassers - Certificate of Determination
- E. Wm Bergin - Lion's Club Park on M-28
- F. Kristen L. Richardson - concerning Alger Delta franchise
- G. Joseph VanOosterhout - Central Dispatch
- H. MTA Legislative Fax from 7/24/98 & 8/07/98
- I. Bob Menard - Co. Rd. Commission meeting w/Townships

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

ROLL CALL:

AYES: Denton, Bohjanen, Menhennick, Sherbinow, Hill, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

ADOPTION OF REZONING # 34-98-8 - TEXT AMENDMENT FOR GOLF COURSE SIGNS.

Denton moved, Bohjanen second that the Charter Township of Chocolay waive the reading and ADOPT the following amendment to "ORDINANCE 34" CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN # 34-98-8

AMENDMENT

To the Charter Township of Chocolay Zoning Ordinance as adopted May 9, 1977, amended with a new section entitled Section 812 "Golf Course Directional Signs" and any and all Amendments adopted subsequent thereto, shall be and the same hereby is amended by the addition thereto of the following language.

SECTION 812 GOLF COURSE DIRECTIONAL SIGNS

Notwithstanding Sections 809 and 811, a sign not exceeding 24 square feet, identifying the location of a Golf Course shall be permitted in any residential zone upon permit granted by the Zoning Board of Appeals upon finding that: A substantial number of motorists who might seek the advertised establishments pass the proposed location; that such establishment has no other sign visible from the same road; that consent of the property owner has been obtained; and that placement of the sign will not cause any hazard or significant obstruction of any scenic view.

ROLL CALL:

AYES: Menhennick, Sherbinow, Denton, Bohjanen, Greenberg, Hill, Fende.

NAYS: None.

MOTION CARRIED.

EDUCATION REQUEST.

Bohjanen moved, Hill second that the Board support a request from Stacy Busch for job related courses in the amount of \$790. as long as she has maintained at least a C grade average.

ROLL CALL:

AYES: Bohjanen, Hill, Fende.

NAYS: Menhennick, Sherbinow, Denton, Greenberg.

MOTION FAILED.

Bohjanen moved, Hill second that the Board support a request from Stacy Busch for ONE (1) job related course in the amount of \$395. as long as she has maintained at least a C grade average.

ROLL CALL:

AYES: Menhennick, Sherbinow, Denton, Greenberg, Bohjanen, Hill, Fende.

NAYS: None.

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. Zoning Board of Appeals minutes from 7/23/98.

SUPERVISOR'S REPORT.

1. ROAD CONSTRUCTION PROJECTS: The Corning Street repairs and repaving project is complete. The two Little Lake Road projects are progressing.
2. SILVER CREEK SOCCERFIELD PROJECT: The Army Reserves are scheduled to work part of the weekend of the 19th. We hope to complete the stumping and start the grading.
3. FIREHALL PAINTING: Balmes Decorating has met with Sherwin Williams and they will do more test painting in the near future to assure the new paint will bond and will touch up the spots.

BOARD OF REVIEW – no change.

TREASURER – no change.

TOWNSHIP HALL AND GROUNDS – no change.

OTHER GENERAL GOVERNMENT – will be adjusted after all other accounts have been reviewed.

POLICE – Salary adjustment mentioned above.

Greenberg moved, Hill second to increase weapon repair by \$165. within the equipment maintenance account (305.778).

AYES: 7

NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT – no change.

SEWER FUND – no change.

WATER FUND – no change.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. MI Groundwater Stewardship Program - money available for abandoned wells
- B. MTA Workshop on Performance Measures & Benchmarks: Tools for Local Government Success
- C. MTA Legislative Fax from 8/21/98

There being no further business the Supervisor adjourned the meeting at 10:05 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

September 21, 1998

A Regular meeting of the Chocolay Township Board was held on Monday, September 21, 1998 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:31 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Arlene Hill, Al Denton, Richard Bohjanen, Gary Menhennick, Lois Sherbinow.

ABSENT: None.

MINUTES – September 21, 1998.

Menhennick mentioned to the Board that the last sentence under the presentation by Roy Anklam on the first page should read “Suggests by year 2000 it could be mandatory to provide filtered water.

Greenberg moved, Denton second that the minutes of September 8, 1998 be approved as corrected.

AYES: 7

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Menhennick second that bills totaling \$ 11,006.93 checks numbered 8651-8677 (8651 void), are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORTS.

None.

PUBLIC COMMENT.

Clerk Hill mentioned a MTA seminar at the Landmark Inn on October 20, 1998 on Utility deregulation and whether or not a township should enter into a franchise.

POSITION UPGRADE/CLERK’S DEPARTMENT

Bohjanen moved, Hill second to upgrade current position of Secretary/Records Clerk to Administrative Assistant.

AYES: 5

NAYS: 2

MOTION CARRIED.

ADOPTION OF REZONING # 100 – VARVIL CENTER FROM C-3 TO C-1.

Bohjanen moved, Denton second that the Charter Township of Chocolay waive the reading and ADOPT the following amendment to “ORDINANCE 34” CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN # 34-98- 9

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

SECTION 901 Chocolay Township Zoning Map

Be rezoned from C-3 to C-1 on the following parcel:

Section 10 T47N R24W Part of the SW 1/4 of the NW 1/4. Identified as tax parcel code number 52-02-110-082-00.

The penalties for violation of this ordinance shall be the same as those penalties set forth in Section 707 of the Chocolay Township Zoning Ordinance No. 34.

ROLL CALL:

AYES: Menhennick, Sherbinow, Hill, Fende, Greenberg, Bohjanen, Denton.

NAYS: 0

MOTION CARRIED.

BLONDEAU PRESENTATION

Lee Blondeau gave a presentation to the Board on the future of Blondeau and how he would like to work together with Chocolay Township. He would also like to expand his current shop by 2900 feet to accommodate his needs better.

The Board expressed a willingness to work with the Blondeau firm. Encourages them to bring their plans to the proper Board for approval.

MTA CONFERENCE 2000/FEATURED AREA

Hill moved, Sherbinow second that we financially support the U.P as a special featured area of the 2000 MTA Conference and make a contribution of \$100 for community development. ROLL CALL:

AYES: Sherbinow, Hill, Fende, Greenberg, Bohjanen, Denton.

NAYS: Menhennick

MOTION CARRIED.

SETTING 1998 TAX RATE

Hill moved Sherbinow second at authorize 4.2674 mills for township operating and .8549 mills for library services.

ROLL CALL:

AYES: Greenberg, Bohjanen, Denton, Menhennick, Sherbinow, Hill, Fende.

NAYS: NONE

MOTION CARRIED.

INSURANCE PROPOSAL

Denton moved, Menhennick second that effective October 1, 1998 the Chocoday Township Board authorizes the purchase of the UP Health Plan-Wausau insurance for all employees of the township at the rates quoted this date.

AYES: 7

NAYS: 0

MOTION CARRIED.

AUTHORIZATION FOR PURCHASE OF NEW PATROL VEHICLE

Denton moved, Bohjanen second to authorize the Chocoday Township Police Department to order a 1999 Chevrolet Tahoe 4-wheel drive patrol car for the cost of \$29,044.38.

ROLL CALL:

AYES: Hill, Sherbinow, Menhennick, Denton, Bohjanen, Greenberg, Fende.

NAYS: None

MOTION CARRIED.

SHIFT DIFFERENTIAL-POLICE DEPARTMENT

Greenberg moved, Denton second that the following wording be added to the Personal Policy, creating a new section 5.4 Shift Differential.

Sec 5.4 Shift Differential

The Police Department will be paid a shift differential, in the amount of \$0.40 per hour additional for any hours worked later than 6:00 p.m. If an employee is required to work over their normal shift, overtime pay will be computed at 1 1/2 times the rate of pay they were earning at the time the overtime was earned.

AYES: 7

NAYS: 0

MOTION CARRIED.

ADDITIONAL WORDING FOR EDUCATIONAL POLICY

Greenberg moved, Hill second to add the following additional wording to the Personnel Policy:

After completing their probationary period, regular full-time employees may be eligible for reimbursement for up to four credit hours per year of undergraduate, work-related college classes, at an accredited college or university for which they receive a grade of "C" or better.

If the employee receiving the reimbursement voluntarily leaves employment with Chocoday Township, the employee shall repay any tuition paid within the preceding two years to the Township.

When work related classes are only available during office hours, employee may be granted time off with pay, instead of tuition reimbursement.

Funds available for tuition reimbursement will be part of the annual budget. Allocation of these funds will be made by the Township Board or a committee appointed by the Board, with the recommendation of the employee's supervisor.

Application for reimbursement should be submitted by December 1st for the following year, or later if funds remain available.

AYES: 7

NAYS: 0

MOTION CARRIED.

It was suggested that a form be developed for the employee to sign when classes are taken agreeing that if the employee leaves before the two-year payback period the employee will reimburse the township for the class or classes taken.

SUPERVISOR'S REPORT

1. DPW Supervisor advised the Board of a change in the Police Department addition due to an inspection by the Marquette Building Code Department. Supervisor Fende was authorized to look into this matter and take appropriate action.

BUDGET WORK SESSION.

STREETS-No change.

SANITATION- No Change.

MARINA- No change.

RECREATION- No change.

ZONING- No change.

ZONING/PLANNING COMMISSION- No change.

ZONING BOARD OF APPEALS- No change.

CAPITAL IMPROVEMENTS- No change.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Scott Emerson
- B. Mark Maki-Proposed Zoning Ordinance Amendment
- C. MTA Legislative Fax 9/11/98
- D. Resource Management-Update of Count's Solid Waste Plan
- E. State of Michigan-General Election Ballot Proposals

There being no further business the Supervisor adjourned the meeting at 9:23 p.m.

Arlene E. Hill, CMC
Township Clerk

Stacy L. Busch
Secretary/Records Clerk

and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing;

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 1999, and ending on December 31, 1999, in the amount of \$1,202,962 for the General Fund, in the amount of \$320,550 for the Sewer Fund, in the amount of \$241,894 in the Capital Improvements Fund and \$2,610 in the Water Fund.
2. The Township Board does hereby appropriate the sum of \$1,202,962 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 1999, and ending December 31, 1999.
3. The Township Board does hereby appropriate the sum of \$320,550 to defray the expense of the operation and debt retirement of the Sanitary Sewer System and a sum of \$2,610 to defray the expense of the Water System for the fiscal year beginning January 1, 1999, and ending December 31, 1999.
4. The Township Board does hereby levy 4.2674 mills for general operations, and .8549 mills for Library services.
5. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution are rescinded.
6. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming with Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL.

AYES: Denton, Bohjanen, Greenberg, Fende, Hill, Sherbinow, Menhennick.

NAYS: NONE

MOTION CARRIED.

WASTEWATER RATES AND MOTION FOR OM&R PAYMENT.

Hill moved, Sherbinow second that WHEREAS, the revenues and expenditures for the wastewater collection and treatment system have been reviewed, and

WHEREAS, the current user fee of \$19.60 is not adequate for the projected replacement cost of the system, therefore a rate of \$20.35 will be necessary and

WHEREAS, the equivalent user fee of \$20.35 per month will be sufficient to offset the Township's share of \$6.41 per equivalent user per month to pay the OM&R cost for the wastewater treatment plant, and

WHEREAS, the equivalent user fee of \$20.35 will be adequate for the collection system OM&R cost, now therefore

BE IT RESOLVED, the Chocolay Township Board establishes the equivalent user fee of \$20.35 for the fiscal year of 1999.

ROLL CALL.

AYES: Hill, Sherbinow, Menhennick, Denton, Bohjanen, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

CHANGE ORDER FOR POLICE OFFICE ADDITION.

Denton moved, Bohjanen second that that the Supervisor of the Department of Public Works is authorized to expend the additional funds from the Capital Improvement Fund, Buildings for the police office addition/renovation in the amount of \$237.00 to change the door hardware and the have the telephone and computer wiring completed.

ROLL CALL.

AYES: Denton, Bohjanen, Greenberg, Hill, Sherbinow, Menhennick, Fende.

NAYS: None.

MOTION CARRIED.

REVISION TO PERSONNEL POLICY MANUAL – APPENDIX E.

Fende moved, Hill second that Appendix E, Continued Education Request Form be accepted as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. MAWTFAB minutes from 8/13/98.
2. Chocolay Township Planning Commission minutes from 8/10/98.

SUPERVISOR’S REPORT

1. ROAD CONSTRUCTION PROJECTS: Little Lake Road has been paved and the shoulder work and seeding should be done this week. We do not have the final project cost but we know that the Little Lake road project will be over the original estimate due to the extra undercut that was required to remove the old corduroy and muck.
2. SILVER CREEK SOCCERFIELD EXPANSION PROJECT: The Army Reserves were back working on the project the weekend of September 19th. The reserves are scheduled to be back the weekend of October 24th to haul the gravel and construct the drive and parking area.
3. PETITION RE: SNOWMOBILE/MULTI-USE TRAILS: You will note there is a copy of another petition in your information items. This petition covers the multi-use trail recently approved for a DNR Land Acquisition Grant. Larry Gould's correspondence to the DNR follows that petition in your agenda packet.

Don Britton gave a report to the Board on the rails to trails conference that he recently attended.

4. FREEDOM OF INFORMATION ACT: I will be prepared to discuss reasonable rules for adoption, to protect records and prevent undue interference with the Township's office work, for the enactment of the FOIA at the next Board meeting.

DELINQUENT SEWER CHARGES TO BE ADDED TO 1998 TAX ROLL.

Greenberg moved Denton second that the list of delinquent sewer charges and penalties as received from the Deputy Clerk, be sent to the County of Marquette to be added to the 1998 tax roll.

AYES: 7

NAYS: 0

MOTION CARRIED.

FirstName	Address1	City	State	Postal Code	Delinquent amount
Ray & Margaret Sprowl 52-02-212-001-00	209 Corning Street	Marquette	MI	49855	\$199.86
Jean Kantola 52-02-207-009-00	238 Corning Street	Marquette	MI	49855	\$399.72
Jeffery Johnston 52-02-215-003-00	120 East Fairbanks	Marquette	MI	49855	\$199.86
Susan Racine 52-02-215-006-00	156 East Fairbanks	Marquette	MI	49855	\$199.86
Walter Besola 52-02-305-038-00	168 East Main Street	Marquette	MI	49855	\$199.86
Mark & Linda Morgan 52-02-216-015-00	161 East Wright Place	Marquette	MI	49855	\$199.86
Robert & Joni Taylor 52-02-455-036-00	204 Jean Street	Marquette	MI	49855	\$199.86
Mark Chudy 52-02-215-015-00	115 Kellog Street	Marquette	MI	49855	\$199.86
Jolynn Swanson 52-02-216-006-00	126 Kellog Street	Marquette	MI	49855	\$199.86
Michael & Cheryl Davison 52-02-300-006-00	177 Lakewood Lane	Marquette	MI	49855	\$129.60

FirstName	Address1	City	State	Postal Code	Delinquent amount
Sharon Laurich 52-02-106-035-00	338 Reservoir Street	Marquette	MI	49855	\$199.86
Steve Johnson 52-02-206-012-00	2424 US 41 South	Marquette	MI	49855	\$199.86
Walt Racine 52-02-251-012-00	2801 US 41 South	Marquette	MI	49855	\$359.73
LeRoy Wahlstrom 52-02-107-007-00	5043 US 41 South	Marquette	MI	49855	\$4,936.17
LeRoy Wahlstrom 52-02-107-007-00	5045 US 41 South	Marquette	MI	49855	\$197.02
Parkway Enterprises 52-02-107-004-00	5063 US 41 South	Marquette	MI	49855	\$466.26
Robert Vidlund 52-02-566-004-00	120 Veda Street	Marquette	MI	49855	\$199.86
David Blackburn 52-02-106-032-00	232 Van Epps Street	Marquette	MI	49855	\$199.86
Mike Fluette 52-02-207-011-00	209 West Fairbanks	Marquette	MI	49855	\$199.86
Kevin Small 52-02-207-010-00	219 West Fairbanks Street	Marquette	MI	49855	\$199.86
Norma & Michael Bungo 52-02-107-071-00	735 Willow Road	Marquette	MI	49855	\$39.86
Judith Taylor 52-02-208-003-00	371 West Terrace Street	Marquette	MI	49855	\$199.86
Kristine Dionne 52-02-106-043-00	110 West Wright Place	Marquette	MI	49855	\$199.86
				TOTAL	\$9,726.12

LOT SPLIT #13 – HIGHLAND MEADOW LOT #7.

Denton moved, Bohjanen second that the Chocolay Township Board approve Lot Split #13, Highland Meadow, Lot 7, as recommended by the Chocolay Township Planning Commission.

AYES: 7

NAYS: 0

MOTION CARRIED.

CORRECTION TO 1998 BUDGET AND BUDGET AMENDMENT.

Denton moved, Hill second, that the salary for the office of Supervisor shall be set in the amount of \$13,759 for the Fiscal Year 1998, which begins January 1, 1998, and ends December 31, 1998.

ROLL CALL.

AYES: Denton, Bohjanen, Greenberg, Hill, Sherbinow, Menhennick, Fende.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1998 -AMENDMENT NO. 6.

Menhennick moved, Denton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 20, 1997, 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, and Whereas, such modification will continue 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
Other General Government Contingency 101.285.951	56,493.00	-655.00	55,838.00

Supervisor
Salaries

101.175.702	42,084	+655.00	42,739.00
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ROLL CALL.
 AYES: Hill, Sherbinow, Menhennick, Denton, Bohjanen, Greenberg, Fende.
 NAYS: None. MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1998 - AMENDMENT NO.7. This amendment is for QVF election equipment.

Hill moved, Denton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 20, 1997, 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, and Whereas, such modification will continue 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
Election Equipment			
101.190.778	130.00	+142.05	272.05
Revenue Miscellaneous			
101.698	12,454.59	+142.05	12,596.64

ROLL CALL.
 AYES: Menhennick, Sherbinow, Denton, Bohjanen, Fende, Greenberg, Hill.
 NAYS: None. MOTION CARRIED.

POLICY FOR PURCHASE OF POLICE VEHICLES.

The Board concurred that all police vehicle purchases will go out on bid and be opened through the Clerk Department.

Clerk Hill and Trustee Menhennick will attend a MTA Hot Issues Forum on October 20, 1998.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Robert Menard, MCRC - review of three year plan
- B. Justin Savu, MCCD - request for comments and concerns regarding the Soil Erosion Control Program
- C. MTA - workshop in Marquette on "Hot Issues Forum"
- D. Cathy DeVooght - petition re: snowmobile/multi-use trails
- E. Jim Woods, DNR - on land acquisition

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

 Arlene E. Hill, CMC
 Township Clerk

 Mary L. Sanders, CMC
 Deputy Clerk

aforesaid budget, and Whereas, such modification will continue 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
Other General Government Contingency 101.285.951	55,838.00	-445.00	55,393.00
Planning Commission Travel 101.805.860	500.00	+445.00	945.00

ROLL CALL:

AYES: Denton, Greenberg, Sherbinow, Menhennick, Hill, Fende.

NAYS: None.

DNR REQUEST FOR CHOCOLAY TOWNSHIP'S STAND ON FUTURE USE OF WISCONSIN CENTRAL RAILROAD GRADE.

A motion will be brought back to the November 2nd Township Board Meeting to allow the public to comment on the multi use trail. A letter will be sent to the DNR requesting a delay on acting on the Multi Use Trail DNR Grant until after the November 2nd meeting.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. Zoning Board of Appeals minutes from 09/24/98
2. Planning Commission minutes from 09/14/98
3. MAWTFAB minutes of 09/10/98
4. Fire Department Third Quarter Monthly Activity Reports
5. Police Department Third Statistical Report

SUPERVISOR'S REPORT.

1. FREEDOM OF INFORMATION ACT: I have prepared a memo for staff concerning the FOIA requests within the office.
2. A MIOSHA inspection was done two weeks ago and we will receive a written report.
3. The Michigan Department of Transportation has installed a new left turn lane light at the intersection of U S 41 South and M-28.
4. Cherry Creek Road is still number one on the Road Commission list for projects for the 1999 construction season. They are still planning to incorporate a paved area for a bike path. MDOT will have the TEA-21 applications available in the near future and if the Township will match the grant they will apply to construct a bike path from Cheery Creek Road to Silver Creek Road.
5. The Township provided a Brush Drop Off on Saturday October 3 and 10th. A total of 19 vehicles stopped to use the service.
6. Soccerfield expansion project will be worked on again this weekend. The gravel for the drive and parking lot should be completed. Next spring we will install the parking post and reseed the area.
7. The police office addition is progressing on scheduled. The outside work is 99% complete and the inside work is at least 80% complete. We are still planning on November first to have the project complete.
8. We have a student from the Political Science Department working 75 hours this semester for the Township. One of her first assignments was to contact TV-6 about the possible use of our offices as a drop site for the upcoming Can-a-thon.

DISCONTINUING WASTEWATER SERVICE AT 625 WILLOW ROAD.

Denton moved, Sherbinow second that the request by George Schmidt to discontinue the wastewater service and billing for the now vacant parcel of land at 625 Willow Road be granted when the sewer has been permanently capped and approved by the Supervisor of the Department of Public Works.

AYES: 6

NAYS: 0

MOTION CARRIED.

PROPERTY AND LIABILITY INSURANCE QUOTES.

The Township has received property and liability quotes from 5 companies. Supervisor Fende recommended to the Board that we need more time to look over this information and check into claims service and pay out on claims. This information will be brought back to the Board in November or December.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Al Feldhauser, Mqt. Co. Planner - on draft Solid Waste Management Plan
- B. Mqt. Co. Conservation District - on 43rd annual meeting
- C. MTA Fax for 10/09/98

There being no further business the Supervisor adjourned the meeting at 9:05 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

- Why did grant application call for multi-use on trail?
- Trail is ok, but not in my backyard.
- No temporary trail. Temporary always becomes permanent.
- Trail would be all right if not motorized.
- Non-motorized trail would be popular. Enhance property values.
- On Riverside the lots are small. Trail very close to homes.
- Would County Road Commission permit grading for snowmobiles along County Road right a way?
- Snowmobile fatalities happen most often when driven by or on roads.
- Snowmobile trails are ideal for winter walks in the woods!
- Is funding available for trails other than for snowmobiles?

Among those citizens making general comments were these offered by professionals familiar with the situation. Attorney Jim Mitchell indicated he represented the 4 or 5 people being approached by the Trails Committee to purchase their land for this use. He asked the township not to contact them again. Supervisor Fende asked if he had written permission to indicate that he was authorized to speak for these parties. He said he did not have written permission, but would seek to obtain it. Sheriff's Department Snowmobile Officer Erik Lukkarinen addressed the concerns for safety of snowmobilers, that many want just to connect with other UP snowmobile trails, and that other methods would have to be explored for use by snowmobilers. Trustee Menhennick, member of the Trail Committee outlined on a map the proposed trail and the proposed plans for the future.

PROPERTY & LIABILITY INSURANCE QUOTES

Denton moved Bohjanen second that the Charter Township of Chocolay accepts the insurance quotation from Par Plan, at a cost of \$11,129 for 1999.

ROLL CALL

AYES: Greenberg, Denton, Bohjanen

NAYS: Menhennick, Sherbinow, Hill, Fende.

MOTION DENIED.

Will be placed on December 5, 1998 agenda after further study.

DRAFT OF COUNTY SOLID WASTE MANAGEMENT PLAN

Motion by Greenberg, supported by Denton that the Township Supervisor and the Supervisor of the Department of Public Works be authorized to submit comments on the draft solid waste plan to the County Solid Waste Planning Committee for incorporation into the final plan.

AYES: 7

NAYS: 0

MOTION CARRIED.

MULTI-USE TRAIL DNR LAND ACQUISITION GRANT

Motion by Menhennick supported by Sherbinow that if a positive response is not received for the property owners needed for the acquisition of property for the multi use trails system, that the Supervisor of the Department of Public Works is authorized to notify the DNR that the Township is withdrawing from the grant request for proposed project #98-041.

AYES: 7

NAYS: 0

MOTION CARRIED.

The Board expressed thanks to the Trail Committee for their good efforts to develop an alternate trail that would be safe for snowmobilers.

CONSIDER DNR REQUEST FOR CHOCOLAY TOWNSHIP'S STAND ON FUTURE USE OF WISCONSIN CENTRAL RAILROAD GRADE

Fende moved Bohjanen supported that the Chocolay Township Board correspond with the MDNR the wishes of the community to see the Wisconsin Central Railroad grade be used for non-motorized trails from the Visitor's Center on US 41 South to the Varvil Center on M-28 East and that the Township is interested in the Master Plan process and would appreciate members of our community being placed on that planning committee.

ROLL CALL

AYES: Sherbinow, Denton, Hill, Fende, Bohjanen.

NAYS: Greenberg, Menhennick.

Members voting stated that action would force snowmobilers to use the roads. They were concerned for their safety.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Zoning Board of Appeals minutes of 10/08/98
2. Groundwater Stewardship Team minutes of 7/16/98
3. Marquette County Townships Association meeting minutes of 09/23/98

SUPERVISOR'S REPORT.

1. Greg Zyburt, Police Chief has asked that Board members review this copy of the policies & procedures manual before our meeting in December. He would like the Board to consider adopting this manual as the Chocolay Township Police Department Policies & Procedures Manual.
2. In the informational items, you received a copy of AMCAB's Fiscal Resources and Community Nutrition Services. I have a copy of the entire Annual Review, if any Board member is interested in taking a look at the document.

POLICE DEPARTMENT ADDITION-ADA COUNTER

Motion by Denton supported by Fende that the Supervisor of the Department Works is authorized to have an ADA counter constructed and installed in the Police office for the best price and the funds to be expended from the Capital Improvements Fund Buildings Account.

ROLL CALL

AYES: Fende, Hill, Greenberg, Bohjanen, Sherbinow, Denton.

NAYS: Menhennick.

MOTION CARRIED.

Hill moved, Sherbinow second that the Board goes into closed session to discuss purchase of property.

ROLL CALL

AYES: Fende, Hill, Greenberg, Bohjanen, Sherbinow, Denton, Menhennick.

NAYS: None.

MOTION CARRIED.

Time 9:20 p.m. Board returned to open session by roll call vote at 9:27 p.m.

Denton moved, Menhennick second that the Township Supervisor and Supervisor of Department of Public Works be authorized to obtain a fair purchase price on the designated recreational property.

AYES: 7

NAYS: 0

MOTION CARRIED.

There being no further business the meeting was adjourned at 9:32 p.m.

Arlene E. Hill, CMC
Township Clerk

Andrea Beckman told the Board that she will get a meter installed for water consumption. Her request for a reduction is based on occupancy rates. The Travelodge occupancy rate is low.

The Township will check the meter when it is in place and Ms. Beckman can bring data to the Board after 3 months. The Board will look at the data, but this does not guarantee a rate change.

REFUNDING BOND RESOLUTION.

Hill moved, Bohjanen second that the Chocolay Township Board adopt the **RESOLUTION APPROVING AGREEMENT AS TO SHARE OF DEBT SERVICE PAYMENTS**

WHEREAS, in accordance with a resolution approved by the Township Board of the Charter Township of Chocolay (the "Township"), the County of Marquette on July 28, 1998 issued its \$1,485,000 Marquette County Refunding Bonds Unlimited Tax Series 1998 (the "Refunding Bonds") to refund in part the Marquette County Wastewater Treatment System Bonds, Series 1978 (the "Prior Bonds"); and

WHEREAS, pursuant to the provisions of Act No. 185, Public Acts of Michigan, 1957, as amended, and Act No. 202, Public Acts of Michigan, 1943, as amended, the City of Marquette, the Charter Township of Chocolay, and the Charter Township of Marquette (all of these together referred to jointly as the "Municipalities"), and the County of Marquette (the "County") have entered into a refunding contract dated May 1, 1998 (the "Refunding Contract") and an amendment to contract dated July 15, 1998 (the "Amendment to Contract") regarding the Refunding Bonds: and

WHEREAS, the debt service schedules that were previously calculated and were attached to the Amendment to Contract were based on those originally used for the Prior Bonds; and

WHEREAS, said ratios of the debt for the Municipalities have changed since the issuance of the Prior Bonds whereby making it necessary to correct the debt service schedule for the Refunding Bonds as such schedule applies to the Municipalities, a copy of which is attached as *APPENDIX A* to the Agreement approved hereafter;

NOW THEREFORE, in consideration of the premises and the covenants of each other, the parties hereto agree as follows:

1. The Township Board hereby approves the Agreement as to Share of Debt Service Payments (the "Agreement") attached as *EXHIBIT A*.

2. The Supervisor and Clerk of the Township are hereby authorized to execute and deliver the Agreement on behalf of the Township.

ROLL CALL.

AYES: Britton, Bohjanen, Fende, Hill, Sherbinow, Menhennick.

NAYS: None.

MOTION CARRIED.

Bohjanen moved, Menhennick second that the Chocolay Township Board adopt the **AGREEMENT AS TO SHARE OF DEBT SERVICE PAYMENTS**

This Agreement as to Share of Debt Service Payments dated as of October 15, 1998 (the "Agreement") by and among the CHARTER TOWNSHIP OF CHOCOLAY, a Michigan township corporation in the County, the CHARTER TOWNSHIP OF MARQUETTE, a Michigan township corporation in the County, and the CITY OF MARQUETTE, a Michigan Home Rule City (all of these together referred to jointly as the "Municipalities").

WHEREAS, in accordance with a resolution approved by the City Council of the City of Marquette and the Township Boards of the Charter Township of Chocolay and Marquette, the County of Marquette on July 28, 1998 issued its \$1,485,000 Marquette County Refunding Bonds Unlimited Tax Series 1998 (The "Refunding Bonds") to refund in part the Marquette County Wastewater Treatment System Bonds, Series 1978 (the "Prior Bonds"); and

WHEREAS, the debt service schedules that were previously calculated and were attached to the Amendment to Contract dated July 15, 1998 were based on those originally used for the Prior Bonds;

WHEREAS, said ratios of the debt have changed since the issuance of the Prior Bonds whereby making it necessary to correct the debt service schedule for the Refunding Bonds as such schedule applies to each of the Municipalities, a copy of which is attached as Appendix A; and

WHEREAS, the persons authorized to sign on behalf of the Municipalities have been authorized to execute this Agreement by resolutions adopted by their respective governing bodies.

NOW THEREFORE, in consideration of the premises and the covenants of each other, the parties hereto agree as follows:

1. The Municipalities agree to pay to the County the corrected debt retirement payments assigned to each on the dates and in the amounts set forth in Appendix B;

3. This Agreement shall in part supersede (as to prior Bonds being refunded by the Refunding Bonds) the Contracts under which the prior bonds were issued and shall supplement the Refunding Contract made and entered into as of May 1, 1998 and the Amendment to Contract dated as of July 15, 1998 by and among the parties hereto;

4. This Agreement shall inure to the benefit of and be binding upon the respective parties hereto, their successors and assigns.

5. This Agreement may be executed in counterparts all of which taken together shall constitute the Agreement

6. This Agreement shall be come effective upon execution in individual counterparts by the persons named below on behalf of each of the Municipalities.

IT WITNESS WHEREOF, the parties hereto have caused this instrument to be executed as of October 15, 1998.

ROLL CALL.

AYES: Sherbinow, Menhennick, Britton, Bohjanen, Fende, Hill,

NAYS: None.

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. MAWTFAB minutes of 10/08/98
2. Zoning Board of Appeals minutes of 10/20/98 & 11/05/98

SUPERVISOR'S REPORT.

1. Police Chief, Greg Zyburtt has been in contact with the Township Attorney concerning the deputation of our department with the Sheriff's Department. Township Attorney, Mike Summers has been in contact with the Prosecutors Office, I hope to see some paperwork for the next meeting.
2. I still have the policies & procedures manual for the Police Department in the office. We will be adopting the manual at the next meeting. I hope all of you have an opportunity to review the manual before the next meeting.
3. We will have a discussion on trail development at the next meeting. I have been told that the Trails Committee is passing a recommendation to the Planning Commission for next week. It should be on our agenda for December 21. I plan to have a 10-minute trail video shown at that meeting.
4. A letter to Jim Woods is included in the information reports concerning the DNR grant. If any Board member has ideas for land acquisition, please let me know. We need to get back to the DNR by the end of this month.

MARQUETTE COUNTY SOLID WASTE ORDINANCE/EXPORT OF WASTE.

A copy of the ordinance was given to the Board for their review.

CAPITAL IMPROVEMENTS EXPENDITURE – POLICE DEPARTMENT.

Hill moved, Sherbinow second that \$498.00 be expended from the Police Department Capital Improvements Fund 401.305.957 to cover the cost of a new laser printer for the police department.

ROLL CALL.

AYES: Britton, Bohjanen, Fende, Hill, Sherbinow, Menhennick.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1998 -AMENDMENT NO. 9. This amendment is for the police office equipment purchase.

Bohjanen moved, Britton second that Whereas, a budget was adopted by the Chocloy Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 20, 1997, 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, and Whereas, such modification will continue 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
Other General Government Contingency 101.285.951	55,393.00	-1,600.00	53,793.00
Police Department Capital Outlay 101.305.957	850.00	+1,600.00	2,450.00

ROLL CALL.

AYES: Sherbinow, Britton, Bohjanen, Fende, Hill,

NAYS: Menhennick.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1998 -AMENDMENT NO. 10. This amendment will cover additional ads printed for the Zoning Board of Appeals.

Hill moved, Sherbinow second that Whereas, a budget was adopted by the Chocloy Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 20, 1997, 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, and Whereas, such modification will continue 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
Other General Government Contingency 101.285.951	53,793.00	-500.00	53,293.00
Zoning Board of Appeals Per Meeting Compensation 101.815.710	1, 190.00	+300.00	1,490.00
Zoning Board of Appeals Advertising 101.815.901	600.00	+200.00	800.00

ROLL CALL.

AYES: Britton, Bohjanen, Fende, Hill, Sherbinow, Menhennick.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1998 -AMENDMENT NO. 11. This amendment is for the police salaries.

Hill moved, Bohjanen second that Whereas, a budget was adopted by the Chocloy Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 20, 1997, 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, and Whereas, such modification will continue 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 Department			
Salaries			
101.305.702	154,787.59	+1,667.15	156,454.74

REVENUE			
101.956	12,596.64	+1,667.15	14,263.79

ROLL CALL.

AYES: Menhennick, Sherbinow, Britton, Bohjanen, Fende, Hill,

NAYS: None.

MOTION CARRIED.

**RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY1998
- AMENDMENT NO. 7**

This amendment is for the donation for the soccerfield expansion.

Sherbinow moved, Menhennick second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 20, 1997, 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, and Whereas, such modification will continue 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
Recreation			
Capital Outlay			
401.708.957	84,564.99	+ 100.00	84,664.99

REVENUE			
Miscellaneous			
401.698	18,927.07	+ 100.00	19,027.07

ROLL CALL.

AYES: Britton, Bohjanen, Fende, Hill, Sherbinow, Menhennick.

NAYS: None.

MOTION CARRIED.

1999 MEETING DATES.

Hill moved, Sherbinow second that the Charter Township of Chocolay Board set the following dates for the Boards and Commission of the township and that it be published as required by law.

CHOCOLAY TOWNSHIP BOARD-7:30 p.m.

JANUARY 4, 1999	JUNE 21, 1999
JANUARY 25, 1999	JULY 19, 1999
FEBRUARY 1, 1999	AUGUST 16, 1999
FEBRUARY 15, 1999	SEPTEMBER 7, 1999 (TUESDAY)
MARCH 1, 1999	SEPTEMBER 20, 1999
MARCH 15, 1999	OCTOBER 4, 1999
APRIL 5, 1999	OCTOBER 18, 1999
APRIL 19, 1999	NOVEMBER 1, 1999
MAY 3, 1999	DECEMBER 6, 1999
MAY 17, 1999	DECEMBER 20, 1999

PLANNING COMMISSION-7:30 p.m.

JANUARY 11, 1999	JULY 12, 1999
FEBRUARY 8, 1999	AUGUST 9, 1999
MARCH 8, 1999	SEPTEMBER 13, 1999
APRIL 12, 1999	OCTOBER 11, 1999
MAY 11, 1999	NOVEMBER 8, 1999
JUNE 8, 1999	DECEMBER 13, 1999

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

JANUARY 28, 1999	JULY 22, 1999
FEBRUARY 25, 1999	AUGUST 26, 1999
MARCH 25, 1999	SEPTEMBER 23, 1999
APRIL 22, 1999	OCTOBER 28, 1999
MAY 27, 1999	
JUNE 24, 1999	

December 21, 1998

A Regular meeting of the Chocolay Township Board was held on Monday, December 21, 1998 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Lois Sherbinow, Gary Menhennick, and Richard Bohjanen.

ABSENT Don Britton.

MINUTES – December 7, 1998.

Sherbinow moved, Bohjanen second that the minutes of the Regular Meeting on December 21, 1998 be approved as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Menhennick second that bills totaling \$ 30,138.73 checks numbered 8881-8920 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORTS.

Financial Reports were received and placed on file. Certificate of Deposit report received from the Treasurer.

PUBLIC COMMENT.

Steve Pelto, Look Realty - Spoke to the Board about a problem that occurred when his realty called the Township office about tax and homestead information on a specific parcel. The home was not a homestead property and Look Realty understood that it was. Mark Maki responded that the Board of Review could not change the status in 1998 because it was not a homestead. The Board will look into questions on tax and homestead information being responded to in writing.

Clerk Hill - Told the Board that the Revenue Sharing legislation that was discussed at the last Board meeting was revamped and was more acceptable to Townships.

VIDEO ON TRAIL DEVELOPMENT/PLANNING COMMISSION RECOMMENDATION.

A 10-minute video was shown on Michigan trail development. After that public comment was taken.

- The video was great, it showed trails for biking and hiking and family activities. It also was not in a residential area.
- A business owner in Harvey spoke in favor of a snowmobile trail because of the positive effect on businesses.
- Another business owner said the snowmobile trail was a necessity for his sale of snowmobiles.
- A memo from Mark Maki concerning the trail was read by a resident.
- Trails Inc. put up the signs and markers for the snowmobiles. Is there a zoning permit that must be applied for to groom a snowmobile trail? Response – There is a overlay zone in the zoning ordinance that addresses snowmobile trails crossing private land, and a permit from the Planning Commission must be obtained.
- It is not right for people in the audience to criticize staff members publicly when they are doing their job for the Township Board. The Board is available to receive such comments at office/homes. Final decisions come from the Board.
- Resident requested to see a copy of the public ad for on Sec 217 Overlay Zone in the Zoning Ordinance.
- Resident has lived here in Chocolay for 22 years, and moved here for the quiet residential neighborhood. If a snowmobile trail is put in, it should benefit residents not be a problem for them. The Township should continue to pursue a snowmobile trail in Chocolay away from residential areas.
- If we do not find an alternate trail for snowmobiles, they will be riding on the roads creating a safety problem.
- Marquette County Sheriff Department stated that it is not legal for snowmobiles to ride on State and U S highways.

- Why do snowmobilers feel that other property owners must share their property for snowmobile use?
- Resident lives in Chocolay Township because it is a quiet place to live in. She is offended by business owners that care more about snowmobile business than about residents living here 365 days a year spending money at businesses.
- People can haul their snowmobiles on trailers and then stop at local businesses.
- Chocolay Township Board stated at a meeting that they will not allow a snowmobile trail in a residential area if the people are against it.
- The trail committee feels that no matter what type of trail or where the trail is located someone will voice opposition.
- Can the DNR force a resident to sell property for a trail?
- The DNR is not interested in purchasing from individual property owners, only railroad property.
- How can Gary Menhennick speak as a Township Board member and state what the trail committee feels? NOTE: Trustee Menhennick serves in both positions.
- People would like to see a non-motorized trail for hiking and biking, not a snowmobile trail.
- Trustee Greenberg indicated that he is confused by this and other public comment whether people are against all trails or just snowmobile trails. There was a call of hands on both, and the majority of the public in the audience approved of a non-motorized trail only.

Supervisor Fende told the Board that he would not bring this issue back to them unless there was an acceptable alternate trail that would not go through residential property.
A two-minute recess was called.

POLICE DEPARTMENT POLICIES AND PROCEDURES MANUAL.

Greenberg moved, Sherbinow second that the Police Department adopts a new Policy and Procedure Manual. The Michigan Municipal League approves this manual.

AYES: 6 NAYS: 0 MOTION CARRIED.

PERSONNEL COMMITTEE RECOMMENDATIONS/JOB DESCRIPTION AND WAGE STUDY CHART.

The Board discussed the job description for Administrative Assistant/Clerk Department. The Personnel Committee had proposed several changes to the description.

Trustee Menhennick – Having heard comments that working conditions at the Township office were at times unpleasant and near harassment, Trustee Menhennick had contacted a former employee who confirmed this. If this situation continues, the Board will take appropriate action. Trustee Menhennick asked the Clerk if the working environment in the office was hostile? She responded that it was at times unpleasant.

Trustee Menhennick suggested that the Board consider a statement in our Personnel Policy that includes “employed at will”. We will have the Township attorney look at this.

Greenberg moved, Hill second that the job description for Administrative Assistant/Clerk Department as approved at budget time remain as written with one change in item # 10 :shall possess 2 years of secretarial experience or some general, college level business education.

AYES: 6 NAYS: 0 MOTION CARRIED.

The Board discussed the reliability of a wage study. It was decided that because of the variation in jobs of the same title, the wage study would not be of any value. Supervisor Fende will adjust current starting salaries and bring the update back to the Board.

BOARD, COMMITTEE AND COMMISSION REPORTS.

1. MAWTFAB minutes of 11/12/98
2. Chocolay Township Planning Commission minutes of 11/9/98

SUPERVISOR'S REPORT.

1. There are three DNR permits in the informational section of the agenda. Two have been denied by the DNR. The third, a permit for Shot Point Dr. has been investigated by our DPW Department and Planning Department. There has been some fill brought into the site already and Supervisor Fende will send a letter to the DNR indicating that fill has started without issuance of the permit.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND FY98 BUDGET.

AMENDMENT #8/POLICE TRAINING.

Greenberg moved, Menhennick second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 20, 1997, 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, and Whereas, such modification will continue 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 Department Capital Outlay 401.306.957	1,708.12	+486.28	2,194.40
 REVENUE			
Miscellaneous 401.698	19,027.07	+486.28	19,513.35
ROLL CALL:			
AYES: Menhennick, Sherbinow, Hill, Greenberg, Bohjanen, Fende.			
NAYS: None.			MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1998-AMENDMENT NO. 12.

This amendment will cover additional meetings for the Zoning Board of Appeals.

Greenberg moved, Bohjanen second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 20, 1997, 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, and Whereas, such modification will continue 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
Other General Government Contingency 101.285.951	\$53,293.00	-300.00	\$52,993.00
Zoning Board of Appeals Per Meeting Compensation 101.815.710	\$ 1,490.00	+300.00	\$ 1,790.00
ROLL CALL:			
AYES: Greenberg, Bohjanen, Fende, Hill, Sherbinow, Menhennick.			
NAYS: None.			MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1998 -AMENDMENT NO. 13. This amendment will cover the short fall in the fire department.

Bohjanen moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 20, 1997, 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, and Whereas, such modification will continue 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
Other General Government Contingency 101.285.951	52,993.00	-2,000.00	50,993.00

Fire Department Equipment Maintenance 101.340.778	5,625.00	+2,000.00	7,625.00
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ROLL CALL:

AYES: Sherbinow, Menhennick, Hill, Greenberg, Bohjanen, Fende.

NAYS: None.

MOTION CARRIED.

ENCUMBRANCES – NEW SILVER CREEK DRIVEWAY.

Greenberg moved, Hill second that the \$6,300 budgeted in the recreation fund account 708.957 for the new Silver Creek Recreation Area driveway be encumbered for 1999 construction.

ROLL CALL:

AYES: Menhennick, Sherbinow, Hill, Greenberg, Bohjanen, Fende.

NAYS: None.

MOTION CARRIED.

ENCUMBRANCES – MEDIAN INCOME STUDY.

Menhennick moved, Bohjanen second that the \$1,800 budget in the water fund account 591.957 for the median income study is encumbered for future expenditure.

ROLL CALL:

AYES: Hill, Greenberg, Menhennick, Sherbinow, Bohjanen, Fende.

NAYS: None.

MOTION CARRIED.

APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS.

Hill moved, Sherbinow second that Larry Gould be appointed to the Marquette Area Water Treatment Advisory Board for a term to run from January 1, 1999 to December 31, 2000.

AYES: 6

NAYS: 0

MOTION CARRIED.

Greenberg moved, Menhennick second that Karen Chandler be appointed as an alternate to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 1999 to December 31, 2000.

AYES: 6

NAYS: 0

MOTION CARRIED.

Menhennick moved, Hill second that Ivan Fende be appointed to the East Marquette County Waste Disposal Authority for a term to run from January 1, 1999 to December 31, 1999.

AYES: 6

NAYS: 0

MOTION CARRIED

Greenberg moved, Sherbinow second that Larry Gould be appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 1999 to December 31, 1999.

AYES: 6

NAYS: 0

MOTION CARRIED

Greenberg moved, Sherbinow second that Karen Chandler be appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 1999 to December 31, 1999.

AYES: 6

NAYS: 0

MOTION CARRIED

Sherbinow moved, Menhennick second that Mike Disch be appointed to the Personnel Committee for a term to run from January 1, 1999 to December 31, 1999.

AYES: 6

NAYS: 0

MOTION CARRIED

Sherbinow moved, Menhennick second that Karen Chandler be appointed to the Personnel Committee for a term to run from January 1, 1999 to December 31, 1999.

AYES: 6

NAYS: 0

MOTION CARRIED

Hill moved, Menhennick second that John Greenberg be appointed to the Personnel Committee for a term to run from January 1, 1999 to December 31, 2000.

AYES: 6

NAYS: 0

MOTION CARRIED

Greenberg moved, Sherbinow second that Thomas Thomas be appointed to the Utility Review Committee for a term to run from November 6, 1998 to November 5, 1999.

AYES: 6

NAYS: 0

MOTION CARRIED

Menhennick moved, Sherbinow second that Rene DeVooght, Dennis Magadanz and Robert Pecotte be appointed to the Board of Review for the Term January 1, 1999 to December 31, 2000.
AYES: 6 NAYS: 0 MOTION CARRIED

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Correspondence from - MDEQ- permit notices for
 - 1. DEQ File # 98-3-56 Dr. & Mrs. Martin Matthews
 - 2. DEQ File # 98-3-148 Mr. Joe Holman
 - 3. DEQ File # 98-03-0152W Don O. Johnson
- B. Correspondence from - D & N Bank, Lake Superior Community Partnership, & Marquette Area Chamber of Commerce - on closing snowmobile trail
- C. MTA Fax's - 12/11/98 and information on Revenue Sharing
- D. Memo from - Larry Gould - Harvey Groundwater Contamination Update
- E. Memo from - Arlene Hill - Can-a-thon participation
- F. Chocolay Township 1999 Curbside Recycling

There being no further business the meeting was adjourned at 9:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

3. The Charter Township of Chocolay Police Department shall indemnify, defend, and hold harmless the County of Marquette, its officers, agents, employees, elected and appointed officials, and volunteers from and against any and all claims, losses or liability, including attorney's fees, arising from injury, death, violation of rights or damage to property occasioned by any act, omission or failure of the agency its subcontractors, officers, agents, employees, and volunteers in performing any action or omission as deputies of the Marquette County Sheriff's Department..

AYES: 7

NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Groundwater Stewardship Team Meeting minutes of 10/19/98
2. Chocolay Township Planning Commission minutes of 12/14/98
3. Fire Department 4th Quarter Reports

SUPERVISOR'S REPORT.

1. MDOT on the Multi Use Trails/Bike Paths. MDOT now has agreed to sponsor the projects and we will not have to provide the matching dollars.
2. Ad Hoc Water Committee minutes. The committee's goal was to find a source of funds to fund the project. The minutes of the committee should be provided to the Board.
3. The new traffic lighting system at the intersection of US41/M-28 & Cherry Creek Road. We are communicating with MDOT to get problems resolved.
4. Scrap metal market is very bad. Our current collector wants an additional \$600 for the collection. Larry Gould was advised to check out other businesses that might pick up the scrap metal. It is a good service to our citizens.
5. The Planning Commission has sent a memo supporting a letter be sent to Ameritech. The Supervisor was requested to do the same for the Board.
6. The Planning Commission requests that the Township Board pursue grant funds and to contract with a Planning Consultant to develop an alternate highway access in the vicinity of M-28 and US 41 intersection and that the consultant also look into lighting for the area. A meeting will be set up to discuss this with interested parties.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 1998 - AMENDMENT NO. 9 FIRE DEPARTMENT FUNDS FROM THE OJIBWA HOUSING AUTHORITY.

Greenberg moved, Sherbinow seconded by 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 20, 1997, for the next fiscal year, and, whereas, as a result of unanticipated changes in the revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, now therefore, be it hereby resolved, that the aforesaid budget be hereby modified as follows:

BUDGET ACCOUNT	PREVIOUS	CHANGE	AMENDED
REVENUE			
Miscellaneous 401.698	19,513.35	6,013.10	25,526.45
EXPENDITURE			
Capital Improvements Fund Fire Department 410.340.957	289,434.25	6,013.10	295,447.35

ROLL CALL.

AYES: Fende, Hill, Greenberg, Bohjanen, Sherbinow, Britton, Menhennick.

NAYS: None

MOTION CARRIED.

MAISD – SUMMER TAX COLLECTION.

Sherbinow moved Menhennick second that the Charter Township of Chocoday notifies the Marquette Alger Intermediate School District that we are not interested in collecting their summer property tax levy for 1999.

AYES: 7 NAYS: 0 MOTION CARRIED.

RECREATION COMMITTEE.

The Board requested more information regarding the purpose and make up of the committee. It will come back to the Board at the February 15th meeting.

POSTING MINUTES.

Hill moved Menhennick second that the Charter Township of Chocoday Board authorizes that minutes of all Regular and Special Board Meetings shall be posted in the following locations:

- Chocoday Township Office, 5010 US 41 South
- Chocoday Township Fire Hall, 5010 US 41 South
- Kassel's Korner, 6400 US 41 South
- First National Bank of Negaunee, 3021 US 41 South
- MFC First National Bank, 6000 US 41 South
- Jack's IGA, 101 Carmen Drive

and that such posting shall take place monthly after approval of such minutes by the Township Board.

AYES: 7 NAYS: 0 MOTION CARRIED.

The Clerk is to report to the Board on the cost and possibility of putting the minutes on the internet.

There being no further business the Supervisor adjourned the meeting at 8:45 p.m.

Arlene E. Hill, CMC
Township Clerk

area will have a passing lane installed. The existing concrete surface will be removed and replaced with asphalt. The project is being bid now with anticipated start of construction in mid-May and completion by mid-September.

4. ORV ORDINANCE - A copy of a letter sent to Greg Seppanen is in the informational reports. The County Commissioners are considering the adoption of an ORV Ordinance. I have offered the Commissioners some alternatives for both ORV and snowmobile use on the County Roads.
5. AMERITECH RESPONSE - I have received a call from the Real Estate Division of Ameritech in Chicago. The caller indicated that Ameritech was starting to meet with the Department of Natural Resources.
6. LETTER FROM CITY FIRE CHIEF - a letter was received from the City of Marquette thanking the Chocolay Township Fire Department for their support at a fire in the City on December 31.

EXPENDITURE FROM POLICE TRAINING – CAPITAL IMPROVEMENTS FUND.
Hill moved, Greenberg second to expend \$190.00 from the police training account in the Capital Improvements Fund 401.306.957 for the three day Police Chief’s Conference in Lansing February 10-12, 1999.

Roll Call:

AYES: Britton, Bohjanen, Greenberg, Hill, Sherbinow, Menhennick, Fende.

NAYS: None.

MOTION CARRIED.

MDOT PERFORMANCE AND INDEMNIFICATION RESOLUTION.

Hill moved, Menhennick second that

WHEREAS, the Charter Township of Chocolay hereinafter referred to as the “GOVERNMENTAL BODY” from time to time makes application to the Michigan Department of Transportation, hereinafter referred to as the “DEPARTMENT” for permits hereinafter referred to as the “PERMIT”, to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under state trunkline right of way at various locations within and adjacent to its corporate limits.

NOW THEREFORE, in consideration to the DEPARTMENT granting such PERMIT the GOVERNMENTAL BODY agrees that:

1. It will faithfully fulfill all permit requirements and will indemnify, save harmless, represent and defend the State of Michigan, Michigan Transportation Commission, the DEPARTMENT, and all other officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract from any and all claims of every kind for injuries to, or death of any and all persons and, for loss of, or damage to property, and environmental damage or degradation, and from attorney’s fees and related costs arising out of, under, or by reason of the presence of the GOVERNMENTAL BODY’S facilities and/or its installation, construction, operation, maintenance, or other activities which are being performed under the terms of the PERMIT on, over, and/or under the State trunkline right of way, except claims resulting from the sole negligence of willful acts or omissions of said DEPARTMENT, its officers, agents, employees, and contracting governmental bodies and officers, agents, and employees thereof, performing permit activities.
2. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL BODY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT.
3. It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operation damages to any State trunkline right of way resulting or arising out of the installation, construction, operation, and/or maintenance of the resulting GOVERNMENTAL BODY’S facilities pursuant to a PERMIT issued by the DEPARTMENT.

3. You may have noted a handout (MDEQ letter) on the table tonight. Parts of the plant are at treatment design capacity and the MDEQ will NOT issue any additional connection permits until a study is complete.

REZONING #104 – ZONING AMENDMENT 34-99-1.

Greenberg moved, Menhennick second that the Charter Township of Chocolay waive the reading and PUBLISH the following amendment to “ORDINANCE 34” CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN # 34-99-1

AMENDMENT

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

SECTION 902 HARVEY AREA ZONING MAP

Be rezoned from R-3 to C-2 on the following parcel:

Part of the NE 1/4 of Section 7 T47N R24W, Chocolay Township, Marquette County, MI known as lots 9-15 of Maude B. Warren's unrecorded plat, and more particularly described as commencing at the NE corner of Section 7; thence S00°39'10"W, 1327.77' (recorded as 1327.6') along the E line of Section 7 to the PoB and N 1/16 corner; thence continuing S00°39'10"W, 279.42' (recorded as 278.4') along the E Section line to the N'ly Right-of-way line of Highway M-28 (200' R/W February 1997); thence S82°11'45"W, 380.74' along the N'ly Right-of-Way line of Highway M-28 to a point of Tangency; thence NW'ly, 302.51' along the arc of a 855.37' radius Right-of-Way curve to the right, having a delta angel of 20°15'47" and a chord bearing N87°40'24"W, 300.94' to the SW corner of Lot 15 Maude B. Warren's unrecorded plat; thence N12°22'08"E, 314.14' along the W line of said Lot 15 to the N 1/16 line of Section 7; thence continuing N12°22'08"E, 22.72' along the W line of Lot 15 to the NW corner of Lot 15; thence S89°02'40"E, 609.02' (recorded as 609.4') along the N line of Maude B. Warren's unrecorded plat to the PoB. Parcel contains 4.77 Acres and is located near the NE corner of the M-28 and US 41.

The penalties for violation of this ordinance shall be the same as those penalties set forth in Section 707 of the Chocolay Township Zoning Ordinance No. 34.

AYES: 6

NAYS: 1

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1999- AMENDMENT NO. 1
To cover computer maintenance contract.

Hill moved, Menhennick second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 5, 1998, 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, and Whereas, such modification will continue 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
Other General Government Contingency			
101.285.951	32,676.00	-1,691.00	30,985.00
Clerk Computers			
101.215.811	1,800.00	+1,691.00	3,491.00
ROLL CALL.			

AYES: Greenberg, Britton, Bohjanen, Menhennick, Sherbinow, Hill, Fende.

Trustee Menhennick questioned letter that Supervisor Fende sent to Marquette County Commissioners on his stand on the ORV Ordinance, the letter appeared to be a Board position and not the Supervisor’s opinion.

Supervisor Fende replied that the letter was written considering the Board's position on snowmobiles in residential areas. He has a right to respond as Township Supervisor.

Trustee Menhennick indicated that MDOT held a meeting held at the Township Hall. Sharon Roshak attended the meeting on personal comp time representing the police department and her own personal interest, her questions seemed to be more of a personal nature than township questions.

Trustee Menhennick brought up that it appears that a Planning Commission member is missing more meetings than allowed in the By-laws. Supervisor Fende suggested that this be brought up to the Planning Commission Chairperson.

Trustee Menhennick asked the Board to consider naming township facilities after a deceased person in the Township. The Board was not interested at this time, but may consider it in the future.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. DEQ - on USEPA inspection report for Marquette Area Wastewater Treatment Plant
- B. MCTA - Meeting Change Notice
- C. Bresnan Communications - Rate adjustment for expanded basic service
- D. CUPPAD - Economic Development Projects
- E. MTA Fax - 02/05/99

There being no further business the Supervisor adjourned the meeting at 8:40 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

March 1, 1999

A Regular meeting of the Chocolay Township Board was held on Monday, March 1, 1999 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

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

ABSENT: Richard Bohjanen.

MINUTES – February 15, 1999.

Greenberg moved, Britton second that the minutes of the Regular Meeting on February 15, 1999 be approved as amended.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORTS.

Financial report received and placed on file.

Treasurer investment report was given as follows:

AMT OF C/D	\$100,000.00	\$100,000.00	\$100,000.00
DATE PURCHASED	2/16/99	2/16/99	2/16/99
MATURING ON	8/17/99	8/17/99	8/17/99
INTEREST RATE	4.700%	4.700%	4.700%
INSTITUTION	MFC	Peninsula	National City

PUBLIC COMMENT.

Trustee Britton – Letter written by Al Conrad to Supervisor & the Board regarding an employee of the Township.

Mark Maki – Responded to the letter and explained the letter from his point of view.

Mike Davidson – Thanked Supervisor Fende for the letter sent to Ameritech about the railroad grade. Would Chocolay Township consider looking into purchasing the railroad grade for unmotorized trails?

Billy Jenkins – Have the new chairs been ordered?

REZONING #104 – ZONING AMENDMENT 34-99-1.

Greenberg moved, Menhennick second that the Charter Township of Chocolay waive the reading and ADOPT the following amendment to “ORDINANCE 34” CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN # 34-99-1

AMENDMENT

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

SECTION 902 HARVEY AREA ZONING MAP

Be rezoned from R-3 to C-2 on the following parcel:

Part of the NE 1/4 of Section 7 T47N R24W, Chocolay Township, Marquette County, MI known as lots 9-15 of Maude B. Warren's unrecorded plat, and more particularly described as commencing at the NE corner of Section 7; thence S00°39'10"W, 1327.77' (recorded as 1327.6') along the E line of Section 7 to the PoB and N 1/16 corner; thence continuing S00°39'10"W, 279.42' (recorded as 278.4') along the E Section line to the N'ly Right-of-way line of Highway M-28 (200' R/W February 1997); thence S82°11'45"W, 380.74' along the N'ly Right-of-Way line of Highway M-28 to a point of Tangency; thence NW'ly, 302.51' along the arc of a 855.37' radius Right-of-Way curve to the right, having a delta angel of 20°15'47" and a chord bearing N87°40'24"W, 300.94' to the SW corner of Lot 15 Maude B. Warren's unrecorded plat; thence N12°22'08"E, 314.14' along the W line of said Lot 15 to the N 1/16 line of Section 7; thence continuing N12°22'08"E, 22.72' along the W line of Lot 15 to the NW corner of Lot 15; thence S89°02'40"E,

609.02' (recorded as 609.4') along the N line of Maude B. Warren's unrecorded plat to the PoB. Parcel contains 4.77 Acres and is located near the NE corner of the M-28 and US 41.

The penalties for violation of this ordinance shall be the same as those penalties set forth in Section 707 of the Chocolay Township Zoning Ordinance No. 34.

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Britton, Greenberg.

NAY: Fende.

ABSENT: Bohjanen.

MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND EXPENDITURE – QVF EQUIPMENT.

Hill moved, Sherbinow second to expend \$2955.38 from the Elections account in the Capital Improvements Fund 401.190.957 for the Qualified Voter File computer equipment.

ROLL CALL.

AYES: Hill, Menhennick, Sherbinow, Britton, Fende.

NAY: Greenberg.

ABSENT: Bohjanen.

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Sherbinow second that bills totaling \$ 20,627.64 checks numbered 9083-9112 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. Ad Hoc water committee meeting minutes 2/10/99.

SUPERVISOR'S REPORT.

1. Larry Gould attended a DNR Recreation grant writing meeting and our chances for grant approval this year will be very slim. Our application will not score high on the DNR's priority list but we will bring the application back to the March 15 meeting for a public hearing and Board approval.
2. Karen Chandler has received a proposal from our website provider. He'd charge \$40 per month for hosting and maintenance. We currently pay \$20 per month for this service. Arlene says we can do this in house for much less. I would like to have her make a formal proposal at the next meeting.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 1999 AMENDMENT. #1 – reimbursement for alleviated option on 1999 Chevrolet Tahoe. Greenberg moved, Menhennick second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 5, 1998, 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, and Whereas, such modification will continue 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
Capital Improvement Police 401.305.957	62,596.69	+135.00	62,731.69
REVENUE Capital Improvement Miscellaneous 401.698	0	+135.00	135.00

ROLL CALL.

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

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

Trustee Menhennick – Asked the Board to consider requesting 2% money from the KBIC. This item will be put on the March 15, 1999 agenda. Menhennick also questioned if the Township has received updates from the DEQ on any contaminated wells in Chocoday Township?

Clerk Hill – Noted Chief Zyburt’s response to Supervisor Fende’s memo on the police department computer system. The Township Supervisor, Clerk and Police Chief will meet to discuss this.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. UPSET – thank you for contribution
- B. Ameritech – response on future use of Wisconsin Central Railroad grade use
- C. Bresnan Communication – on channel lineup changing and realigning; and franchise fee reimbursement notice
- D. SCA - on Master Plan for Water System
- E. Judy Mattord, Chairperson Mgt. Co. Solid Waste Management Authority - annual Stockholders meeting and issues
- F. MTA Fax – 02/19/99
- G. Greg Zyburt, Police Chief - response to Y2K memo

There being no further business the Supervisor adjourned the meeting at 8:25 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

SPECIAL BOARD MEETING
March 11, 1999

A Special meeting of the Chocolay Township Board was held on Thursday, March 11, 1999 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 8:04 p.m. He advised those present that the meeting was called for the purpose of considering a township manager.

TOWNSHIP BOARD.

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

ABSENT: Richard Bohjanen.

PUBLIC COMMENT.

Cathy DeVooght – The Township is wasting tax dollars by having a special meeting when there is regular meeting scheduled for Monday. The Township does not need a manager.

TOWNSHIP BOARD DISCUSSION ON HIRING A MANAGER OR PLANNING DIRECTOR.

- This is the time to discuss hiring a manager because a position is open.
- There are many cases of Township Managers trying to take the duties and authority away from the Township Board. The Board is elected to make decisions.
- Could a Manager and Planning Director be one combined position? It could be done, but filling that position would be somewhat difficult. What duties would a Manager have? Personnel and grant writing would be part of that position.
- A manager may be good for current and future Township growth. Possibly a better time for a manager would be when the current Supervisor leaves office. The Board should not give up their power to a Manager.
- If the Board thinks this is a good idea, now would be a better time to move on it than waiting until the Supervisor leaves.
- Karen Chandler will assist with the Planning Commission for the next two-months at the maximum.
- Chocolay Township used to be a leader in Marquette County when we had a manager. That is not the case now. A manager would add an other layer of bureaucracy between department heads and Board.
- We should hire a Planning Director now and look into hiring a Manager at a later date.

Consensus of the Board was to hire a Director of Planning and Research at this time.

PUBLIC COMMENT.

Cathy DeVooght – Our current Planner was hired without a Planning degree and there were others that applied for that position that were more qualified and had a planning degree. If Supervisor Fende was in the office more we would not need a Manager. Would hiring a manager eliminate a Township Supervisor? No, law requires a Township Supervisor.

Lee Blondeau – If the right person was hired as Manager, all department heads would get help in their jobs.

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

LAKE SUPERIOR COMMUNITY PARTNERSHIP.

Trustee Britton asked that this item be added to the agenda to discuss why the Township did not join. The Township discussed this previously at a Board meeting and considered this a worthy organization to join, but did not agree with the fee structure. The Township did not join because the Board felt the dues for Chocolay Township too high.

Supervisor Fende told the Board that this and many other items have been brought up for discussion at a Board meeting that have been voted down at a previous Board meeting. This will not continue. He will not allow a topic to be brought up over and over after voted down.

Menhennick moved, Britton second that Chocolay Township Adopt Roberts Rules of Order.

AYES: 2

NAYS: 4

MOTION FAILED.

Menhennick moved, Britton second that Chocolay Township adopt random drug and alcohol testing for all Township employees.

AYES: 2

NAYS: 4

MOTION FAILED.

Supervisor Fende explained to the Board that from this point on, all items to be discussed and voted on at a Board meeting must be placed on the agenda ahead of time. The Board needs the information ahead of time to be able to study an issue before voting on it.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. Correspondence from - MDOT - Transportation Summit, March 17 in Ishpeming
- B. Correspondence from - W.K. Kellogg Foundation - Exciting things are happening
- C. Correspondence from - Lake Superior Community Partnership - response to fee structure
- D. Correspondence from - MDEQ - on permit # 98-03-0152 denied
- E. Correspondence from - Chocolay River Watershed Council - Public Meeting and Discussion on March 31, 7:00 p.m. at Skandia Township Hall

There being no further business the Supervisor adjourned the meeting at 9:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

3. The fire department will be working with NMU to provide extrication training for an EMT class.
4. A copy of the recreation grant is provided on the meeting room table for your information.
5. Travel expenses – For candidates who we will be interviewing for the Director of Planning and Research.

Hill moved, Sherbinow second that the Supervisor is authorized to pay up to \$1,000. For travel expenses for Planner candidates coming for an interview.

ROLL CALL.

AYES: Britton, Bohjanen, Greenberg, Menhennick, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED.

MUTUAL AID RESCUE & EXTRICATION SERVICE AGREEMENT WITH CITY OF MARQUETTE.

Hill moved, Sherbinow second that the Township enter into a “Mutual Aid And Extrication Services Agreement” with the City of Marquette whereby the Fire Departments can provide mutual aid services in each jurisdiction.

AYES: 7

NAYS: 0

MOTION CARRIED.

AUDITORS RECOMMENDATION – FIXED ASSET POLICY.

The Treasurer was concerned that such fixed asset accounts would present a different audit, one that was not easily understood by the public or the Board. It was decided to get more information before authorizing this change.

SCHOOL ELECTIONS.

The Clerk showed an agreement to the Board that would authorize the Township election department to manage school elections. The Board encouraged the Clerk to continue talking to the school district. The final agreement will come back to the Board for approval.

ANNUAL FIRE DEPARTMENT REVIEW OF CONSTITUTION AND BY LAWS.

Greenberg moved, Menhennick second that the Fire Department constitution and By Laws and the operating policy and procedures be adopted with the changes as recommended by the Fire Department.

AYES: 7

NAYS: 0

MOTION CARRIED.

PERSONNEL COMMITTEE APPOINTMENT.

Bohjanen moved, Britton second that Larry Gould be appointed as employee representative on the Personnel Committee through December 31, 1999.

AYES: 7

NAYS: 0

MOTION CARRIED.

SALE OF USED POLICE VEHICLE.

Menhennick moved, Greenberg second that the police department be authorized to place the 1996 Ford Crown Victoria patrol vehicle on bid to the highest bidder. The township Clerk will receive and reserve the right to accept or reject all bids. The sale price of this vehicle would be deposited in the Police Capital Improvement account 401.305.957.

AYES: 7

NAYS: 0

MOTION CARRIED.

The Board discussed future Board meeting agenda items.

Trustee Menhennick asked that Cathy Cole from Michigan Jobs Commission be invited to make a presentation.

Clerk Hill mentioned that Amy Clickner from the Lake Superior Community Partnership had written with the same request.

The Board asked that both be invited to the May 3, 1999 meeting.

Trustee Sherbinow was concerned about senior citizens being taken advantage of by various sweepstakes offers and telephone scamming. It was suggested that we might encourage our legislators to write appropriate legislation.

Trustee Britton wants to come back with a proposal to add more trail committee members.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. Ivan Fende,-Township Board Meetings
- B. Arlene Hill-SB366
- C. MCTA-Spring Banquet
- D. Arlene Hill-2000 MTA Educational Conference
- E. County of Marquette-Railroad Grade
- F. Marquette Soil & Water Conservation District-Thank you from Chocolay River Watershed Council

There being no further business the Supervisor adjourned the meeting at 8:45 p.m.

Arlene E. Hill, CMC
Township Clerk

April 12, 1999

A Special meeting of the Chocolay Township Board was held on Monday, April 12, 1999 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 5:30 p.m. This meeting was posted to hire a Director of Planning and Research.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Richard Bohjanen, Arlene Hill, Lois Sherbinow, Gary Menhennick, Don Britton.

ABSENT: John Greenberg.

Supervisor Fende explained to the Board that the Township received 19 applications for the position of Director of Planning and Research. The three applicants interviewed were Douglas Riley, Andy Maracini and Timothy Pilgrim. Each of the applicants had positive qualities to bring to the job, but Supervisor Fende recommended Douglas Riley because of his township background and planning experience.

Fende moved, Bohjanen second that Douglas K. Riley be appointed to serve the Charter Township of Chocolay as Director of Planning and Research at a salary of \$30,000. per year to begin April 1999.

AYES: 6 NAYS: 0 ABSENT : 1 MOTION CARRIED.

Fende moved, Hill second that Douglas K. Riley be appointed to serve the Charter Township of Chocolay as Planning Director.

AYES: 6 NAYS: 0 ABSENT : 1 MOTION CARRIED.

PUBLIC COMMENT.

Trustee Sherbinow asked if the meeting date of April 26, 1999 was convenient for the rest of the Board.

There being no further business the Supervisor adjourned the meeting at 5:50 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

Korpi – difficult to answer, but changes could be made to it at a later date.

Trustee Bohjanen – There are township residents that are interested in a water system.

This water master plan will be brought back to a future Board meeting for a vote. We will wait until Sands Township Board has discussed and voted on their 50% of the cost.

WATERSHED AREA DESIGNATION.

The map showing watershed high quality, threatened and critical areas was posted throughout the Township at its regular posting sites and an ad was placed in the Mining Journal. The Board addressed the change in the map and accepted the changes made.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. AdHoc Water Committee Minutes - March 10, 1999
2. Central Lake Superior Watershed Partnership Meeting - March 18, 1999
3. Planning Commission Minutes - April 12, 1999
4. Zoning Board of Appeals Minutes - March 25, 1999
5. Wastewater Treatment Facility Advisory Board Minutes - March 11, 1999

SUPERVISOR'S REPORT.

1. We have received the revised Bresnan Franchise agreement proposal and the City of Marquette's agreement.
2. We have received the 1998 Solid Waste Management Authority Annual report.
3. As part of the first ever Michigan Week Township Exchange Program, I will be "trading places" (actually not on the same day) with Supervisor Curt Boller of Brownstown Township. An exact date has not been set but it will probably be in late May.
4. We have received a copy of the Environmental Assessment Report from the Interior Department's Bureau of Indian Affairs regarding the Casino's application/renewal of gaming operations. They issued a "Finding of No Significant Impact". Supervisor Fende will draft a letter in response, and will bring it back to the Board for approval.
5. We have sent a letter of request and a drawing to MDOT for an enhancement grant to relocate the bike path. If the grant funds are reallocated we should be able to do the project this construction season.
6. With funds in our budget and donated funds and labor from the soccer association we will be installing an automated irrigation system for the Silver Creek Soccerfield this spring.
7. We requested proposals for the annual scrap metal collection and only received one proposal from our previous collector.
8. The road projects are complete and we have received the final invoicing. The total projects are slightly over the agreement estimate but under the 15% allowed. We are reviewing the proposed 1999 project agreements and these may be brought back to the Board if funds are not available for them.
9. Due to the load limits we had a special curbside recycling on April 16th.
10. The proposed Marquette County ORV ordinance has been forwarded to the Marquette County Township Association and will be addressed at their meeting April 28, 1999.
11. Introduction – Doug Riley, newly hired Director of Planning and Research.

SPECIAL USE PERMIT #1 – LINDBERG MINING PERMIT.

Greenberg moved, Sherbinow second that after careful consideration of the A. Lindberg & Sons, Inc. application for a mining and mineral extraction permit as provided in Section 404-407 of the Chocolay Township Zoning Ordinance #34, the Chocolay Township Board, as recommended by the Chocolay Township Planning Commission, approves the permit with the following condition:

1) That a Zoning Compliance/Mining Mineral Extraction Permit be obtained from the Chocolay Township Zoning Administrator prior to use.

AYES: 7 NAYS: 0 MOTION CARRIED.

CAPITAL IMPROVEMENTS EXPENDITURE – EQUIPING POLICE VEHICLE.

Hill moved, Sherbinow second that the Police Department has authorization to expend \$1,220. From the police department capital improvements fund 401.305.957 for equipping the new 1999 Chevrolet Tahoe patrol vehicle.

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Fende, Greenberg, Bohjanen, Britton.
NAYS: None. MOTION CARRIED.

CAPITAL IMPROVEMENTS EXPENDITURE – ELECTION EQUIPMENT PURCHASE.

Hill moved, Menhennick second that one Accuvote Election Counter be purchased from Doubleday Brothers at a cost of \$4,900 from Election Capital Improvement Fund 401.190.957.

ROLL CALL.

AYES: Greenberg, Bohjanen, Britton, Menhennick, Sherbinow, Hill, Fende.
NAYS: None. MOTION CARRIED.

MCTA ANNUAL SPRING BANQUET.

Sherbinow moved, Menhennick second that any township employee may attend the MCTA annual Spring Banquet with dinner costs paid by the Township. Guests and Township Board members are welcome to attend at their own cost.

ROLL CALL.

AYES: Hill, Menhennick, Sherbinow, Britton Bohjanen, Greenberg, Fende.
NAYS: None. MOTION CARRIED.

Supervisor Fende asked the Board if there were any topics to be added to future agendas.

Trustee Britton – We need to appoint more members to the Trail Committee.

Trustee Menhennick – Add 6.2 acres on Kawbawgam Road to the Township Recreation Plan.

Clerk Hill – Noted the 3 handout that she placed on the Board table.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. Lake Superior Community Partnership
- B. Marquette County Solid Waste Management Authority - Leachate Recirculation
- C. MTA - April E-News
- B. MCTA Minutes - February 24, 1999
- C. Chocolay Township Police - 1st Quarter Statistical Report

There being no further business the Supervisor adjourned the meeting at 9:25 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 3, 1999

A Regular meeting of the Chocoday Township Board was held on Monday, May 3, 1999 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Richard Bohjanen, Arlene Hill, Lois Sherbinow, Gary Menhennick, Don Britton.

ABSENT: None.

MINUTES – APRIL 26, 1999.

Greenberg moved, Menhennick second that the minutes of the Regular Meeting on April 26, 1999 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Sherbinow second that bills totaling \$5,218.95 checks numbered 9233-9245 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORTS.

None.

PUBLIC COMMENT.

Arlene mentioned that we have the sign up list for the MCTA Banquet and need to know who is going.

LAKE SUPERIOR COMMUNITY PARTNERSHIP

John Marshall and Mike Skytta of the Lake Superior Partnership gave a presentation on how the organization was formed and the services they provide. They mentioned that they are willing to work with us on the fee structure.

The Board's main objection to joining this organization is how it was formed and the fee structure. The fees are based on population and the state equalized value.

Britton moved, Hill second that we join the Lake Superior Community Partnership organization and negotiate the dues for Chocoday Township.

AYES: 7 NAYS: 0 MOTION CARRIED.

CONSIDER-RESPONSE ON KBIC'S SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

Hill moved, Sherbinow second that the Supervisor be authorized to send a letter to the KBIC.

AYES: 4 NAYS: 3 MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. Groundwater Stewardship Meeting Minutes-March 25, 1999.

SUPERVISOR'S REPORT.

1. Scrap metal collection will be in the first 2 weeks of June.
2. Two of the road contracts have been signed for construction this year on Little Lake Road. Mangum Road will be reviewed next year.
3. Curbside recycling will begin again this week.
4. Brush collection will be tentatively planned for the last two weeks of May.
5. Bresnan-The initial review of the proposed Franchise agreement against the City of Marquette's revealed several differences or omissions in the services offered. The city chose to spell out all of the FCC requirements and mandates in their agreement. We are currently working on the best approach to assure equity is achieved.
6. If the County needs fire equipment/personnel we will send pumper #2 and 2 firefighters to assist in Republic. We need to maintain our equipment and personnel for our own needs.

RESOLUTION-AUDITOR RECOMMENDATION-FIXED ASSET POLICY

Hill moved, Bohjanen second that Whereas the National Council on Government Accounting (NCGA), the authorized body on generally accepted accounting principles for local government, defines capital/fixed assets as “Assets of a long term character which are intended to continue to be held or used, such as land, building, machinery, furniture and other equipment and;

Whereas the State of Michigan Budget and Accounting Act, Act 2, 1968, as amended, defines a capital outlay expenditure as “a disbursement of money which results in the acquisition of, or addition to, fixed assets and;

Whereas the Township of Chocolay defines a capital/fixed asset as a tangible asset with an estimated useful life of five years or greater, then by adoption the Township of Chocolay shall define capital/fixed assets owned by the Township in the following manner.

Tangible assets of a long term character which are intended to continue to be held or used, such as land, buildings, machinery, furniture and other equipment, titled to the Township having an estimated useful life of 5 years or greater AND having a cost of \$500 or more.

AYES: 7

NAYS: 0

MOTION CARRIED.

RESOLUTION-EMERGENCY MEDICAL SERVICES WEEK

Bohjanen moved, Greenberg second that the Township Board adopts the following Marquette County EMS resolution designating the week of May 16-22, 1999 as Emergency Medical Services Week.

PROCLAMATION

To designate the week of May 16-22, 1999 as
Emergency Medical Services Week

Whereas, emergency medical services is a life saving community service; for residents and visitors of Marquette County, and;

Whereas, immediate access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

Whereas, the members of the emergency medical services system in our community work diligently to provide lifesaving care to those in need 24 hours a day, seven days a week; and

Whereas, emergency medical services providers have traditionally served as the vital link in America’s health care system; and

Whereas, emergency medical services in Marquette County Consists of emergency physicians, emergency nurses, first responders, emergency medical technicians, paramedics, rescue specialists, dispatchers, educators, administrators, and other; and

Whereas, approximately two-thirds of all community emergency medical services providers are volunteer professionals; and

Whereas, the members of local emergency medical services units, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

Whereas, the residents and visitors of our community benefit daily from the knowledge, skills, and dedication of these highly trained individuals; and

Whereas, it is most appropriate to recognize the value and the accomplishments of our emergency medical services providers by designating Emergency Medical Services Week; and

Whereas community education, injury prevention initiatives, and the proper use of the EMS system will help reduce national health care costs; and

Whereas, the designation of Emergency Medical Services Week will also assist in informing the public about life saving aspects of the local EMS system,

Now, therefore, I/we, Charter Township of Chocolay in special recognition of our local EMS services do hereby proclaim the week of May 16-22, 1999, as

EMERGENCY MEDICAL SERVICES WEEK

Residents of our area are encouraged to observe this week and to help “make a difference” in the community by actively supporting our local EMS organizations.

AYES: 7 NAYS: 0 MOTION CARRIED

CONSIDER PLANNING COMMISSIONER REAPPOINTMENT

Fende moved, Sherbinow second that the reappointment of Estelle DeVooght to the Planning Commission with a term to run from May 25, 1999 to May 24, 2002 be approved.

AYES: 5 NAYS: 2 MOTION CARRIED

DISCUSS TOWNSHIP NEWSLETTER

The Board authorized the Clerk to work with staff on newsletter and it will be brought back to the board before it is distributed.

Clerk Hill mentioned Andrea Beckman’s request that her letter be given to the Board.

Mrs. Beckman stated that she feels her meter proves she is being charged more than what is being used.

The Board reminds her their agreement to do a year long study and report back to her.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. Correspondence from - East Marquette Solid Waste Disposal Authority
- B. Correspondence from - Andrea Beckman, Travelodge
- C. Correspondence from - Daniel Chartier, Chocolay Area Business Association

There being no further business the Supervisor adjourned the meeting at 8:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Stacy L. Busch
Administrative Assistant

May 17, 1999

A Regular meeting of the Chocolay Township Board was held on Monday, May 17, 1999 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

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

ABSENT: Richard Bohjanen.

MINUTES – MAY 3, 1999.

Greenberg moved, Menhennick second that the minutes of the Regular Meeting on May 3, 1999 be approved.

AYES: 6

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Sherbinow second that bills totaling \$24,561.66 checks numbered 9246-9282 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORTS.

Received and placed on file.

TREASURER REPORTS.

Received and placed on file.

PUBLIC COMMENT.

Clerk Hill - The MCTA will hold officer elections in two weeks. We have ballots here for Board members to pick up if they will not attend the MCTA meeting and still want to vote.

Clerk Hill – The Township has an old typewriter that we need to dispose of. Mark Maki offered to purchase it.

Fende moved, Menhennick second that the Clerk place an ad in the Mining Journal to take bids on the typewriter.

AYES: 6

NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. Planning Commission 1998 Annual Report
2. AdHoc Water Committee - Minutes - April 14, 1999
3. Marquette Area Wastewater Treatment Facility Advisory Board - Minutes - April 8, 1999
4. Chocolay River Watershed Council - Minutes - March 31, 1999
5. Zoning Board of Appeals - Minutes - April 22, 1999

SUPERVISOR'S REPORT.

1. Letter from Sands Township indicating that they will participate with Chocolay Township and the Keweenaw Bay Indian Community to evaluate the feasibility of central water.
2. The Marquette County Board of Commissioners will be considering the proposed ORV ordinance at their June 3, 1999 meeting.
3. The Recreation Committee had their first meeting last Thursday. They elected officers, discussed a work plan for the year, received an update on recreation projects. They also discussed the Ad Hoc Trails Committee's ideas for a ski trail and pocket park at Kawbawgam.
4. A representative from the DNR recreation grant office was here last week to review our Beaver Grove grant application and visit the site. He feels that our application will score well and if we are not funded we will be considered again this fall.
5. The wastewater plant capacity report and the DEQ response will be submitted to the Township Board at the June meeting.

6. A copy of the scrap metal collection notice is in your agenda packet. A copy of the brush collection notice was on the meeting table tonight for your information.

MARQUETTE COUNTY SOLID WASTE MANAGEMENT PLAN.

Hill moved, Menhennick second that the Chocolay Township Board approve the County of Marquette's Solid Waste Management Plan Update dated April 13, 1999, prepared pursuant to Part 115 of Public Act 451 of 1994, as amended, and the rules promulgated thereunder.

AYES: 6

NAYS: 0

MOTION CARRIED.

FIRE FIGHTER RIGHT TO KNOW – LACK OF BUSINESS COMPLIANCE.

The Board discussed the fact that two separate letters on the Firefighters Right To Know have gone out to local businesses and out of 126 businesses, 48 have not returned the form. This information is very important to the Fire Department. Supervisor Fende drafted a letter to CABA explaining the situation. The Board approved sending the letter.

REZONING #105 – TEXT AMENDMENT – MINING AND MINERAL EXTRATION.

Greenberg moved, Hill second that Rezoning #105 be referred back to the Planning Commission to review and address the concerns forwarded by the County Planning Commission and Township Attorney and report back to the Township Board within 60 days.

AYES: 6

NAYS: 0

MOTION CARRIED.

APPOINTMENT TO MARQUETTE AREA WASTEWATER TREATMENT ADVISORY BOARD.

Hill moved, Sherbinow second that Douglas Riley be appointed as an alternate to the Marquette Area Wastewater Treatment Advisory Board to fill the balance of Karen Chandler's term which expires on December 31, 2000.

AYES: 6

NAYS: 0

MOTION CARRIED.

APPOINTMENT TO EAST MARQUETTE SOLID WASTE DISPOSAL AUTHORITY.

Sherbinow moved, Greenberg second that Douglas Riley be appointed as an alternate to the East Marquette Solid Waste Disposal Authority to fill the balance of Karen Chandler's term which expires on December 31, 1999.

AYES: 6

NAYS: 0

MOTION CARRIED.

APPOINTMENT TO RECREATION COMMITTEE.

Menhennick moved, Sherbinow second that Al Denton be appointed to serve on the Recreation Committee as a representative of the general public for a term to run from May 17, 1999 to December 31, 2000.

AYES: 6

NAYS: 0

MOTION CARRIED.

Larry Wilson – Questioned whether the Township was planning to run sewer and water through out the Township.

Supervisor Fende – Informed the Board that Marquette County Board of Commissioners will deal with the ORV Ordinance at their June 3, 1999 meeting. He asked the Board if the Township wanted to make a decision tonight to send to the County on the ORV Ordinance.

Hill moved, Sherbinow second that Chocolay Township request that the Marquette County Board of Commissioners exclude Chocolay Township from the ORV Ordinance.

AYES: 5

NAYS: 1

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. Michigan Department of Transportation - Police Dept. Thank You
- B. Michigan Department of Transportation - Fire Dept. Thank You
- C. State Senate - Steil School Uniform Bill Passes Committee
- D. MTA - Legislative Update
- E. Bulletin - Scrap Metal Collection

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

June 21, 1999

A Regular meeting of the Chocolay Township Board was held on Monday, June 21, 1999 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Arlene Hill, Gary Menhennick, Don Britton, Richard Bohjanen, Lois Sherbinow (arrived at 7:35 p.m.)

ABSENT: None.

MINUTES – MAY 17, 1999.

Greenberg moved, Britton second that the minutes of the Regular Meeting on May 17, 1999 be approved.

AYES: 6

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Greenberg second that bills totaling \$20,266.51 checks numbered 9283-9311 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

Bohjanen moved, Greenberg second that bills totaling \$33,521.39 checks numbered 9312-9356 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORTS.

Received and placed on file.

TREASURER REPORTS.

Received and placed on file.

PUBLIC COMMENT.

Dick Kierzak – Explained to the Board that there is a problem in his neighborhood with burn barrels and burning rubbish. He asked the Board if they could do anything to resolve this problem? It is a health hazard.

Bob Champion – Lives in the same neighborhood as Mr. Kierzak and is also concerned about the smell and looks of smoldering burn barrels.

Fire Chief Jim Blondeau – Explained that there are regulations on burn barrels and the DNR should be notified if people are not burning properly.

The Township Board and Planning Commission will look into this matter and it will be on the next Township Board agenda.

Rena McEachrin – Asked the Board if they knew the name of the company removing the railroad tracks along Riverside Road?

Donna Barto – Does the Township have a copy of the full DNR grant application for Rail-Trail acquisition?

Bernadette Wallace – Does the Township know who the DNR representative is on the Rail-Trail acquisition?

Ava Bennett – Requested that when the Township Board selects a Board member to meet with the DNR on Rail-Trail acquisition, that it not be one with a conflict of interest in this matter. Will the Township look at an alternate trail again?

Trustee Britton – Marquette County Trail Committee meets once a month and is open to any public that wants to attend.

MICHIGAN ECONOMIC DEVELOPMENT CORPORATION - NEW SERVICES

Kathy Cole, account manager for Michigan Economic Development Corporation spoke to the board on services such as low interest loans for economic development. Their company promotes business growth throughout the State.

DISCUSS - MARQUETTE AREA WASTEWATER PLANT CAPACITY AND FUTURE ISSUES.

The Board discussed wastewater treatment plant current and future capacity. Short term – there is no problem and the DEQ will issue permits for sewer expansion. Long term – Our NPDES permit expires in five years, at that time we may be required to do expensive upgrades in the treatment process. This may require outside funding, such as bonding since the replacement fund is being utilized for current upgrades.

CONSIDER - PUBLICATION OF REZONING #105 - TEXT AMENDMENT - MINING AND MINERAL EXTRACTION.

Menhennick moved, Britton second that the Charter Township of Chocolay waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-99-2

AMENDMENT

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

That Section 404, B.1. shall be amended to read as follows:

- 1. Until an impact area is determined. One Thousand (1,000) feet shall be presumed to be an appropriate distance from any adjoining land uses or structures. The area encompassed by that distance shall be designated the "impact area". If, as a result of review and analysis by the Planning Commission, a site-specific reason based upon health, safety or welfare, as specified in subsection 404,A)2),a) through d) would allow a reduced "impact area" or require an enlarged "impact area" such adjustment may be made as is found to be reasonable.**

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Greenberg, Bohjanen, Britton, Fende.

NAYS: None.

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Minutes - Planning Commission - June 8, 1999
2. Minutes - Zoning Board of Appeals - May 27, 1999
3. Minutes - Recreation Committee - May 13, 1999
4. Minutes - AdHoc Committee Trail Development - June 1, 1999
5. Minutes - Chocolay River Watershed Council - March 31, 1999
6. Minutes - Central Lake Superior Watershed Partnership - February 2, March 18, April 15 and May 20, 1999
7. Minutes - Groundwater Stewardship Team Meeting - April 29, 1999
8. Minutes - Marquette Area Wastewater Treatment Facility Advisory Board - May 13, 1999

SUPERVISOR'S REPORT.

1. Brush drop off was held on May 22 & 29 with a total of 25 vehicles using the service.
2. Property purchase for the parcel adjacent to the marina is complete. The fencing required as part of the purchase will be installed this week.
3. The Silver Creek Student Council planted flowers in the planter near the sidewalk and the new planter near the corner of the police office.
4. Kallioinen Scrap Metal Company completed scrap Metal curbside collection. The collection was normal with a large volume of metal collected.
5. The Lions Park lease with the school ran into problems when the school referred it to their attorney. We are corresponding with them and hope to negotiate a lease in the near future. We will be dealing with a new administration and school Board, which may change the process.

6. The Personnel Committee has completed the annual review of the personnel policy. The proposed changes are to be reviewed by the employees and the personnel administrator and will be sent to the Board for the July agenda.
7. The issue of water meters has been raised again and you will note materials in your informational reports and communications sent by Andrea Beckman. We were also requested to look at a water meter that was relocated at Wahlstrom's Restaurant. I would like the Board to give us direction on the meter issue since if you are leaning toward water meters we will place this on a future agenda.

ROAD NAME CHANGE – COUNTY ROAD BX.

A request was made from Dennis Kallery, property owner on County Road BX to rename the road “Chelsea Lane”. The Board discussed the fact that County Road BX is a seasonal road and does not meet county road standards. The Board took no action to rename the road.

MEMBERSHIP FEE AND APPOINTMENT – LAKE SUPERIOR PARTNERSHIP.

Greenberg moved, Britton second that Chocolay Township pay \$2,052.50 (pro-rated) for the remainder of the 1999 calendar year for membership to the Lake Superior Community Partnership and appoint Ivan J. Fende as the Township Representative and Douglas Riley as the Alternate Representative.

ROLL CALL.

AYES: Greenberg, Bohjanen, Britton, Menhennick, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED.

TRIAD – FILE OF LIFE DONATION REQUEST.

Hill moved, Menhennick second that Chocolay Township donate \$400.00 from the Senior Citizen Fund to Marquette County TRIAD for the purchase and distribution of File of Life units for the senior residents of Chocolay Township.

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Greenberg, Bohjanen, Britton, Fende.

NAYS: None.

MOTION CARRIED.

INTERIM PLANNING DIRECTOR - DISCONTINUATION.

Greenberg moved, Britton second that the Chocolay Township Board officially discontinue the temporary position of Interim Planning Director and thank Karen Chandler for her service in this capacity.

ROLL CALL.

AYES: Bohjanen, Britton, Menhennick, Sherbinow, Hill, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 1999 – AMENDMENT NO. 2 POLICE TRAINING

Hill moved, Menhennick second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in October, 1998, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training			
Capital Outlay			
401.306.957	\$1,783.76	\$418.88	\$2,202.64
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
401.698	\$ 135.00	\$418.88	\$ 553.88

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Greenberg, Bohjanen, Britton, Fende.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 1999
 – AMENDMENT NO. 3 SALE OF POLICE EQUIPMENT.

Greenberg moved, Sherbinow second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in October, 1998, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police			
Capital Outlay			
401.305.957	\$62,731.69	\$5,188.00	\$67,919.69
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
401.698	\$ 553.88	\$5,188.00	\$5,741.88

ROLL CALL.

AYES: Bohjanen, Britton, Greenberg, Menhennick, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED.

PROPOSED KAWBAWGAM CROSS COUNTRY SKI TRAIL.

The Ad Hoc Trail Committee would like to put a cross-country ski trail and pocket park on Kawbawgam Road. They met with Jesse Luttenon, KBIC to discuss their idea for a ski trail and also a basketball court on Kawbawgam Road. Jesse indicated that HUD through the KBIC could possibly donate money for this project.

Supervisor Fende is concerned with the timing on this offer, since we are still awaiting the Governor's decision on the Gaming Casino on Kawbawgam Road. If we accept money it may appear that we are showing our approval of the KBIC casino.

Bohjanen moved, Menhennick second that Chocolay Township Board work with the KBIC and with HUD to look for funding for a basketball court and pocket park on Kawbawgam Road.

ROLL CALL.

AYES: Britton, Menhennick, Hill, Greenberg, Bohjanen.

NAYS: Sherbinow, Fende.

MOTION CARRIED.

Britton moved, Bohjanen second that the Board supports the concept of a Kawbawgam X-country ski trail as drafted on the map with the Township property used as a trailhead for parking and that the issue be referred to the Planning Commission for comment and the necessary conditional use permits and/or rezoning. Prior to application to the Planning Commission for zoning issues and commencing any construction the Trails Committee get written commitments for the volunteer materials and labor for constructions and maintenance and that written easements for trail use and authorization for permits on any property not owned by the Township. The final site plans be submitted to the Planning Commission and Township Board for approval.

AYES: 6

NAYS: 1

MOTION CARRIED.

FIRE DEPARTMENT – BUILDING HEIGHT CONCERNS.

The Board discussed the four options offered in a memo from the Fire Department regarding structures in excess of 30 feet in height.

Fende moved, Bohjanen second that the Board send a letter to the Zoning Board of Appeals, that they should not approve any structure over 30 feet until hearing the recommendation of the Chocolay Township Fire Department as to whether height and /or other unique features will impede saving the structure and/or lives.

AYES: 7

NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1999-AMENDMENT NO. 2.
TO INCREASE TEMPORARY EMPLOYEE SALARY ACCOUNT FOR ADDITIONAL
HOURS.

Bohjanen moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 5, 1998, 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, and Whereas, such modification will continue 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
Other General Government Contingency 101.285.951	30,320.00	-3,320.00	27,000.00
Temporary Employees Salaries 101.883.702	4,720.00	+3,320.00	8,040.00
ROLL CALL.			

AYES: Bohjanen, Britton, Greenberg, Menhennick, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED.

MEETING ROOM FOUNDATION REPAIRS.

Greenberg moved, Menhennick second that the Supervisor of the Department of Public Works is authorized to expend up to \$5000.00 for the repair to the foundation and porch of the meeting room and that the funds be expended from the Capital Improvement Fund - buildings account.

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Bohjanen, Britton, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

Burt Sparhawk – Stated that the letter written by Supervisor Fende on the MDNR notice of intent – Marquette-Munising Rail-Trail acquisition was a good letter, but did not go far enough.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. Jim and Andrea Beckman
- B. Supervisor Fende RE: James Mitchell, Attorney for Quandts, Petersons and Basal
- C. MDNR Notice of Intent - Marquette-Munising Rail-Trail Acquisition
- D. Response to Supplemental Environmental Assessment for the Ojibwa II Casino
- E. Christopher M. Thomas, Director of Elections - Qualified Voter File
- F. Marquette-Alger Intermediate School District - Tax Levy Report
- G. Central Lake Superior Watershed Partnership
- H. MTA - 1999 Summer Legislative Forum
- I. MTA - June E-News
- J. Information - MTA - Legislative Alert - Personal Property Multiplier Tables
- K. Correspondence from - Chocolay Township Police Department - Bicycle Registration Program
- L. Memorandum - Police Department - 1999 Bicycle Registration Winners
- M. Correspondence - Menhennick d/b/a Harvey Motors v Township of Chocolay/Fende/Maki

There being no further business the Supervisor adjourned the meeting at 10:15 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

July 19, 1999

A Regular meeting of the Chocolay Township Board was held on Monday, July 19, 1999 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Arlene Hill, Gary Menhennick, Don Britton, Richard Bohjanen, Lois Sherbinow.

ABSENT: None.

MINUTES – JUNE 21, 1999.

Bohjanen moved, Britton second that the minutes of the Regular Meeting on June 21, 1999 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE – JULY 9, 1999 PREPAID.

Hill moved, Sherbinow second that bills totaling \$15,185.32 checks numbered 9357-9409 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

JULY 19, 1999.

Menhennick moved, Hill second that bills totaling \$12,965.86 checks numbered 9410-9431 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Chief Zybert – Informed the Board that the police department recently received a grant application for snowmobile law enforcement. The grant would reimburse the township for monies used in snowmobile law enforcement. This is the first time this has been offered to local units of government.

Menhennick moved, Britton second that the Police Chief apply for the law enforcement snowmobile grant and try to work it through the County of Marquette.

AYES: 7 NAYS: 0 MOTION CARRIED.

Clerk Hill – indicated that a letter had been received today from the Bureau of Indian Affairs requesting the Township's review and comments on the KBIC application for continued gaming regarding the effects to the surrounding community.

WATER METERS FOR WASTEWATER INVOICING.

The Board discussed water meters for commercial and residential sewer users. The Board agreed to survey the commercial sewer users on using water meters as a way of invoicing for wastewater vs. the user system currently in place. A cost estimate for the meter will be included.

CONSIDER - PUBLICATION OF REZONING #105 - TEXT AMENDMENT -
MINING AND MINERAL EXTRACTION.

Menhennick moved, Britton second that the Charter Township of Chocolay waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-99-2

AMENDMENT

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

That Section 404, B.1. shall be amended to read as follows:

- 1. Until an impact area is determined. One Thousand (1,000) feet shall be presumed to be an appropriate distance from any adjoining land uses or structures. The area encompassed by that distance shall be designated the "impact area". If, as a result of review and analysis by the Planning Commission, a site-specific reason based upon health, safety or welfare, as specified in subsection 404,A)2),a) through d) would allow a reduced "impact area" or require an enlarged "impact area" such adjustment may be made as is found to be reasonable.**

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Greenberg, Bohjanen, Britton, Fende.

NAYS: None.

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Minutes - Planning Commission - June 8, 1999
2. Minutes - Zoning Board of Appeals - May 27, 1999
3. Minutes - Recreation Committee - May 13, 1999
4. Minutes - AdHoc Committee Trail Development - June 1, 1999
5. Minutes - Chocolay River Watershed Council - March 31, 1999
6. Minutes - Central Lake Superior Watershed Partnership - February 2, March 18, April 15 and May 20, 1999
7. Minutes - Groundwater Stewardship Team Meeting - April 29, 1999
8. Minutes - Marquette Area Wastewater Treatment Facility Advisory Board - May 13, 1999

SUPERVISOR'S REPORT.

1. Brush drop off was held on May 22 & 29 with a total of 25 vehicles using the service.
2. Property purchase for the parcel adjacent to the marina is complete. The fencing required as part of the purchase will be installed this week.
3. The Silver Creek Student Council planted flowers in the planter near the sidewalk and the new planter near the corner of the police office.

4. Kallioinen Scrap Metal Company completed scrap Metal curbside collection. The collection was normal with a large volume of metal collected.
5. The Lions Park lease with the school ran into problems when the school referred it to their attorney. We are corresponding with them and hope to negotiate a lease in the near future. We will be dealing with a new administration and school Board, which may change the process.
6. The Personnel Committee has completed the annual review of the personnel policy. The proposed changes are to be reviewed by the employees and the personnel administrator and will be sent to the Board for the July agenda.
7. The issue of water meters has been raised again and you will note materials in your informational reports and communications sent by Andrea Beckman. We were also requested to look at a water meter that was relocated at Wahlstrom's Restaurant. I would like the Board to give us direction on the meter issue since if you are leaning toward water meters we will place this on a future agenda.

ROAD NAME CHANGE – COUNTY ROAD BX.

A request was made from Dennis Kallery, property owner on County Road BX to rename the road "Chelsea Lane". The Board discussed the fact that County Road BX is a seasonal road and does not meet county road standards. The Board took no action to rename the road.

MEMBERSHIP FEE AND APPOINTMENT – LAKE SUPERIOR PARTNERSHIP.

Greenberg moved, Britton second that Chocolay Township pay \$2,052.50 (pro-rated) for the remainder of the 1999 calendar year for membership to the Lake Superior Community Partnership and appoint Ivan J. Fende as the Township Representative and Douglas Riley as the Alternate Representative.

ROLL CALL.

AYES: Greenberg, Bohjanen, Britton, Menhennick, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED.

TRIAD – FILE OF LIFE DONATION REQUEST.

Hill moved, Menhennick second that Chocolay Township donate \$400.00 from the Senior Citizen Fund to Marquette County TRIAD for the purchase and distribution of File of Life units for the senior residents of Chocolay Township.

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Greenberg, Bohjanen, Britton, Fende.

NAYS: None.

MOTION CARRIED.

INTERIM PLANNING DIRECTOR - DISCONTINUATION.

Greenberg moved, Britton second that the Chocolay Township Board officially discontinue the temporary position of Interim Planning Director and thank Karen Chandler for her service in this capacity.

ROLL CALL.

AYES: Bohjanen, Britton, Menhennick, Sherbinow, Hill, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 1999
 – AMENDMENT NO. 2 POLICE TRAINING

Hill moved, Menhennick second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in October, 1998, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training Capital Outlay 401.306.957	\$1,783.76	\$418.88	\$2,202.64
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$ 135.00	\$418.88	\$ 553.88

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Greenberg, Bohjanen, Britton, Fende.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 1999
 – AMENDMENT NO. 3 SALE OF POLICE EQUIPMENT.

Greenberg moved, Sherbinow second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in October, 1998, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Capital Outlay 401.305.957	\$62,731.69	\$5,188.00	\$67,919.69
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$ 553.88	\$5,188.00	\$5,741.88

ROLL CALL.

AYES: Bohjanen, Britton, Greenberg, Menhennick, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED.

PROPOSED KAWBAWGAM CROSS COUNTRY SKI TRAIL.

The Ad Hoc Trail Committee would like to put a cross-country ski trail and pocket park on Kawbawgam Road. They met with Jesse Luttenon, KBIC to discuss their idea for a ski trail and also a basketball court on Kawbawgam Road. Jesse indicated that HUD through the KBIC could possibly donate money for this project.

Supervisor Fende is concerned with the timing on this offer, since we are still awaiting the Governor's decision on the Gaming Casino on Kawbawgam Road. If we accept money it may appear that we are showing our approval of the KBIC casino.

Bohjanen moved, Menhennick second that Chocolay Township Board work with the KBIC and with HUD to look for funding for a basketball court and pocket park on Kawbawgam Road.

ROLL CALL.

AYES: Britton, Menhennick, Hill, Greenberg, Bohjanen.

NAYS: Sherbinow, Fende.

MOTION CARRIED.

Britton moved, Bohjanen second that the Board supports the concept of a Kawbawgam X-country ski trail as drafted on the map with the Township property used as a trailhead for parking and that the issue be referred to the Planning Commission for comment and the necessary conditional use permits and/or rezoning. Prior to application to the Planning Commission for zoning issues and commencing any construction the Trails Committee get written commitments for the volunteer materials and labor for constructions and maintenance and that written easements for trail use and authorization for permits on any property not owned by the Township. The final site plans be submitted to the Planning Commission and Township Board for approval.

AYES: 6

NAYS: 1

MOTION CARRIED.

FIRE DEPARTMENT – BUILDING HEIGHT CONCERNS.

The Board discussed the four options offered in a memo from the Fire Department regarding structures in excess of 30 feet in height.

Fende moved, Bohjanen second that the Board send a letter to the Zoning Board of Appeals, that they should not approve any structure over 30 feet until hearing the recommendation of the Chocolay Township Fire Department as to whether height and /or other unique features will impede saving the structure and/or lives.

AYES: 7

NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1999-AMENDMENT NO. 2. TO INCREASE TEMPORARY EMPLOYEE SALARY ACCOUNT FOR ADDITIONAL HOURS.

Bohjanen moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 5, 1998, 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, and Whereas, such modification will continue 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
Other General Government Contingency 101.285.951	30,320.00	-3,320.00	27,000.00
Temporary Employees Salaries 101.883.702	4,720.00	+3,320.00	8,040.00

ROLL CALL.

AYES: Bohjanen, Britton, Greenberg, Menhennick, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED.

MEETING ROOM FOUNDATION REPAIRS.

Greenberg moved, Menhennick second that the Supervisor of the Department of Public Works is authorized to expend up to \$5000.00 for the repair to the foundation and porch of the meeting room and that the funds be expended from the Capital Improvement Fund - buildings account.

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Bohjanen, Britton, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

Burt Sparhawk – Stated that the letter written by Supervisor Fende on the MDNR notice of intent – Marquette-Munising Rail-Trail acquisition was a good letter, but did not go far enough.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. Jim and Andrea Beckman
- B. Supervisor Fende RE: James Mitchell, Attorney for Quandts, Petersons and Basal
- C. MDNR Notice of Intent - Marquette-Munising Rail-Trail Acquisition
- D. Response to Supplemental Environmental Assessment for the Ojibwa II Casino
- E. Christopher M. Thomas, Director of Elections - Qualified Voter File
- F. Marquette-Alger Intermediate School District - Tax Levy Report
- G. Central Lake Superior Watershed Partnership
- H. MTA - 1999 Summer Legislative Forum
- I. MTA - June E-News
- J. Information - MTA - Legislative Alert - Personal Property Multiplier Tables
- K. Correspondence from - Chocolay Township Police Department - Bicycle Registration Program
- L. Memorandum - Police Department - 1999 Bicycle Registration Winners
- M. Correspondence - Menhennick d/b/a Harvey Motors v Township of Chocolay/Fende/Maki

There being no further business the Supervisor adjourned the meeting at 10:15 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

August 16, 1999

A Regular meeting of the Chocolay Township Board was held on Monday, August 16, 1999 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

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

ABSENT: Richard Bohjanen.

MINUTES – JULY 19, 1999.

Greenberg moved, Britton second that the minutes of the Regular Meeting on July 19, 1999 be approved.

AYES: 6

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE – AUGUST 1, 1999 AND AUGUST 16, 1999.

Britton moved, Menhennick second that bills totaling \$17,075.93 checks numbered 9432-9464 and bills totaling \$11,558.15 checks numbered 9465-9491 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

C/D INVESTMENT REPORT.

AMT OF C/D	200,000.00	161,000.00	124,000.00
DATE PURCHASED	7/20/99	7/20/99	7/20/99
MATURING ON	1/18/00	1/18/00	1/18/00
INTEREST RATE	4.80%	5.10%	4.50%
INSTITUTION	PENINSULA	D & N	NO MI BANK

PUBLIC COMMENT.

Treasurer Greenberg requested that the Utility Review Committee Recommendation be moved to the first item under new business.

WATER METERS – SURVEY OF COMMERCIAL USERS.

The Board received a memo from Larry Gould, D.P.W. Supervisor with a sample of a survey to be sent to commercial sewer users about water meters. A few changes were made to the survey letter.

- The percentage of the sewer bill that would be fixed cost and could not be changed by the meter reading.
- Note in the letter the minimum meter cost and the fact that the meter and installation would be at the expense of the business.

The updated letter will be brought back to the next Board meeting.

ENHANCEMENT AND TEA 21 GRANT-BIKE PATH/MULTI USE-TRAIL.

General discussion on the bike path along Silver Creek Road. The Marquette County Road Commission will be reviewing this.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Minutes - Central Lake Superior Watershed Partnership - June 17, 1999
2. Minutes - AdHoc Trails Committee - July 6, 1999
3. Minutes - Marquette Area Wastewater Treatment Facility Advisory Board - July 8, 1999
4. Minutes - Planning Commission - August 9, 1999

SUPERVISOR'S REPORT.

1. KAWBAWGAM SKI TRAIL & POCKET PARK – The Trails Committee have run into some problems getting the required easements and agreements but they anticipate that they will have them in the very near future.
2. BECKMAN'S LAWSUIT – We were served with the official notification for the Beckman lawsuit.

3. SUMMER YOUTH PROGRAM – The summer youth program was completed last Friday and the program was very successful this year.
4. TENNIS COURT AND PARKING LOT REPAIRS – Arnt Asphalt is scheduled to start repairs and resurfacing of the tennis courts at Silver Creek.
5. BLONDEAU TRUCKING – Blondeau trucking has donated equipment and manpower for the clearing and construction of the new Silver Creek parking lot, drive, and multi use area. I feel that we should provide a plaque to thank them, if the Board does not have any objection.
6. IRRIGATION SYSTEM – The automated irrigation system for the Silver Creek soccerfield has been completed and is functioning.
7. ZONING ENFORCEMENT UPDATE: The zoning administrator has been working on a number of Zoning Ordinance violations that have been sent to the Township Attorney.
8. PICNIC - I would like to propose that the Board consider sponsoring a "Thank You Picnic" for all our Committee and Commission Members.

UTILITY REVIEW COMMITTEE RECOMMENDATION.

Tom Thomas, Utility Review representative for Chocolay Township reported to the Board that the minimum financial reserve should be raised from \$50,000. to \$100,000. If litigation were necessary, the reserve amount would not be sufficient.

Britton moved, Greenberg second that the reserve amount for the Utility Review Committee be raised to \$100,000. for the following reasons:

1. The last litigation cost approximately \$275,000 and \$50,000 is a very small portion of that amount.
2. Any law firm retainer fee is quite likely to exceed \$50,000 in the current market for legal services.
3. Legal service fees are certainly much higher now then at the time of the original legal action, hence, the current cost for a similar legal challenge would be very likely to exceed the original \$275,000.

AYES: 6

NAYS: 0

MOTION CARRIED.

RESOLUTION – JAMES BLONDEAU.

Hill moved, Britton second

THE CHARTER TOWNSHIP OF CHOCOLAY BOARD HEREBY RESOLVES THAT;

on behalf of all the citizens of the township that Jim Blondeau be commended for his dedicated and outstanding service to the Charter Township of Chocolay Volunteer Fire Department;

AND THAT IT HEREBY BE NOTED;

that Jim served the fire department for over 10 years in the capacity of Fire Chief, and Lieutenant, beginning as a firefighter in 1989;

WHEREAS BE IT RECORDED THAT;

during his service in the fire department he saw and helped the department grow in the quality of fire service to the Township;

WHEREAS IN HIS SERVICE;

He gave generously and selflessly of his time and efforts and in all situations;

THE TOWNSHIP BOARD COMMENDS;

Jim Blondeau with sincere appreciation for his serving the Township faithfully and well, and gives its heartfelt thanks and best wishes for a job well done and offers grateful appreciation and commendation to him and his family for his faithful service.

Hereby noted this 16th day of August 1999 in the permanent records of the Charter Township of Chocolay.

AYES: 6

NAYS: 0

ABSENT: 1

MOTION CARRIED.

Supervisor Fende indicated that he would like the Township to Thank Jim Blondeau for all his hard work with a dinner for Jim and guest. The Board agreed to do this.

Jim Blondeau thanked the Board and the township staff for all their support.

RESOLUTION – ARLENE E. HILL DAY.
Greenberg moved, Sherbinow second that

THE CHARTER TOWNSHIP OF CHOCOLAY BOARD

Unites with the Chocolay Area Business Association and the Township citizens to:
Declare that Wednesday, August 18, 1999, as

Arlene E. Hill Day

In the Township of Chocolay, County of Marquette, Michigan;

IT IS HEREBY DECLARED THAT

Township Clerk Arlene Hill is most deserving of this public recognition;

AND IT IS FURTHER NOTED

Arlene Hill has served faithfully and well as Chocolay Township Clerk since 1987;

ON BEHALF OF ITS CITIZENS AND BUSINESSES

Appreciation is expressed for Arlene Hill's dedicated services to the Township;

AND IT IS FURTHER NOTED THAT

Arlene Hill has served on the Board of Directors of the Michigan Townships Association, as Chairperson of the Marquette County Central Dispatch Board, as Treasurer of the Marquette County Transportation Authority, as President of the Marquette County Township Association, and as a charter member and as 1999 President of the Michigan Association of Clerks, all of which add to her value and contributions to the Township;

FURTHER APPRECIATION IS EXTENDED TO

The family of Arlene Hill who have given her their support over the years;

IT IS WITH GRATITUDE

That we honor Arlene Hill and further declare

Wednesday, August 18, 1999
Arlene E. Hill Day
In the Charter Township of Chocolay

Noted this 16th day of August 1999, and hereby recorded in the permanent records of the Township.

(Prior to the vote Clerk Hill stated that she would abstain from voting.

AYES: 5 NAYS: 0 ABSENT: 1 ABSTAIN: 1 MOTION CARRIED.

PRELIMINARY PLAT – TENTATIVE APPROVAL – EWING PARK NO. 2.

Britton moved, Greenberg second that following review of the proposed Preliminary Plat of Ewing Park No. 2 dated 7/26/99 the Township Board grants Tentative Approval of the Preliminary Plat with the following conditions:

- 1) That approval grants the proprietor approval of lot sizes, lot orientation, and street layout for a period of 1 year.
- 2) That the proprietor comply with the requirements of Chocolay Township Wastewater Ordinance #39 and any other additional requirements of the Department of Environmental Quality for the proposed sewer extensions.

AYES: 6 NAYS: 0 MOTION CARRIED.

PRELIMINARY PLAT – TENTATIVE APPROVAL – ELDERWOOD.

Menhennick moved, Sherbinow second that following review of the proposed Preliminary Plat of Elderwood Subdivision dated 7/26/99 the Township Board grants Tentative Approval of the Preliminary Plat with the following conditions:

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. Wisconsin Central/Ameritech/MDNR - Railroad Abandonment
- B. Bureau of Indian Affairs - Comments on Part 2 Determination
- C. Marquette Public Schools - Thank You
- D. MDNR - X-Country Ski-Trail
- E. Harvey Motors v. Maki
- F. MTA - August E-News
- G. MTA - Legislative Update
- H. County Soil Conservation District - Chocolay River Watershed Plan
- I. U.P.S.E.T. - June News
- J. Beckman Lawsuit

There being no further business the Supervisor adjourned the meeting at 8:35 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

September 7, 1999

A Regular meeting of the Chocolay Township Board was held on Tuesday, September 7, 1999 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Gary Menhennick, Don Britton, Richard Bohjanen, Lois Sherbinow.

ABSENT: Arlene Hill. (Clerk was excused for surgery downstate and will be absent for several meetings.)

MINUTES – AUGUST 16, 1999.

Menhennick moved, Greenberg second that the minutes of the Regular Meeting on August 16, 1999 be approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE – SEPTEMBER 7, 1999.

Bohjanen moved, Menhennick second that bills totaling \$19,549.28 checks numbered 9492-9530 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Police Chief Zyburt awarded a Good Citizenship Award to Regina Ward.

Trustee Menhennick would like to donate a light pole to the Kawbawgam Pocket Park.

Trustee Britton would like to bring back discussion to the Board on the zoning of the township property on Kawbawgam. This will be placed on the next agenda.

WATER METERS – SURVEY OF COMMERCIAL USERS.

The Board received a memo from Larry Gould, D.P.W. Supervisor showing the updated letter that will be sent to the commercial sewer users. The Board discussed the letter, the only additional change will be take question 1 and 2 and combine them.

LeRoy Wahlstrom & Doug Christenson, business owners in Harvey spoke in favor of water meters.

ENHANCEMENT AND TEA 21 GRANT-BIKE PATH/MULTI USE-TRAIL.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1999 - AMENDMENT

NO. 4. Enhancement grant match for relocation bike path & multi use trail U S 41.

Greenberg moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 5, 1998, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify aforesaid budget, and Whereas, such modification will continue 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
Other General Government Contingency 101.285.951	24,947.50	-4,120.00	20,827.50
Recreation Capital Outlay 101.708.957	18,178.00	+4,120.00	22,298.00

ROLL CALL.

AYES: Sherbinow, Menhennick, Britton, Bohjanen, Greenberg, Fende.

NAYS: None. MOTION CARRIED.

Menhennick moved, Sherbinow second that the Township authorized the Supervisor of the Department of Public Works to work with the Michigan Department of Transportation and the County Road Commission to amend the original TEA 21 grant

application to include a bike path/multi use trail between the crosswalk and the Silver Creek school and that if the grant is received the Township will provide up to the 20% local grant match which is currently estimated at \$2,000.

AYES: 6

NAYS: 0

MOTION CARRIED.

SUPERVISOR REPORT.

1. The tennis courts & township office parking lot have been resealed. The firehall parking lot has been paved.
2. Gravel & concrete material have been hauled to fill a hole at the Kawbawgam Park Area.
3. The FY2000 budget will be discussed at the September 20, 1999 Board meeting.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Minutes - Zoning Board of Appeals - July 22, 1999
2. Minutes - AdHoc Trails Committee - August 3, 1999

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 1999 AMENDMENT NO. 6 DNR grant funds reimbursement for the purchase of a portable pump.

Greenberg moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in October, 1998, 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
Fire Department Capital Outlay 401.340.957	\$155,352.53	+\$500.00	\$155,852.53
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$6,227.20	+\$500.00	\$6,727.20

ROLL CALL.

AYES: Bohjanen, Greenberg, Sherbinow, Menhennick, Britton, Fende.

NAYS: None.

MOTION CARRIED.

PERSONNEL POLICY – WAGE CHART.

The Supervisor will update the starting salary chart and bring it to the Board for approval.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. Resurfacing Tennis Courts
- B. KBIC Housing Authority - Ski-Trail/Pocket Park Funding
- C. Wisconsin Central Ltd. - Removal of Ties and Rails
- D. Michigan Association of Clerks - DPW Thank You
- E. MTA - Legislative Update

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

September 20, 1999

A Regular meeting of the Chocolay Township Board was held on Monday, September 20, 1999 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Gary Menhennick, Don Britton, Richard Bohjanen.

ABSENT: Arlene Hill, Lois Sherbinow.

MINUTES – SEPTEMBER 7, 1999.

Menhennick moved, Bohjanen second that the minutes of the Regular Meeting on September 7, 1999 be approved.

AYES: 5 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE – SEPTEMBER 20, 1999.

Britton moved, Menhennick second that bills totaling \$37,603.63 checks numbered 9531-9572 are approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Cathy Peterson asked about the water committee minutes and why the Township needed a water committee. She would like the Board to deal with all issues, not have special committees.

Trustee Menhennick requested that water study issue be brought back to the Board on the next agenda.

Police Chief Zyburt awarded Good Citizenship Awards to Beth Anderson and Katie Hamari.

KAWBAWGAM SKI-TRAIL/POCKET PARK.

The parking lot has been graded and is done. Trustee Britton would like to move forward on the ski trail.

Britton moved, Menhennick second that pending proper easements, conditional use permit, application and approval, work can begin on the Kawbawgam property ski trail.

AYES: 5 NAYS: 0 MOTION CARRIED.

Menhennick moved, Britton second that the Township Board recommend to the Planning Commission rezoning the two parcels on Kawbawgam Road belonging to Chocolay Township to Public Lands.

AYES: 5 NAYS: 0 MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Minutes - Water Committee - September 8, 1999
2. Minutes - Central Lake Superior Watershed Partnership - August 19, 1999
3. Minutes - MAWTFAB - August 12, 1999

SUPERVISOR'S REPORT.

1. **BECKMAN LAWSUIT** – The Magistrate for District Court has written his opinion and recommended to the District Judge that the injunction not be granted. We should hear from the court in the next few weeks.
2. **BEAVER GROVE RECREATION GRANT** - Contact has been made with the DNR and it appears that our recreation grant application has made it through all the reviews and is waiting for legislative appropriation of funds.
3. **BIKE PATH RELOCATION** – the draft plans have been completed and when the final details are resolved the bids will be submitted next week.
4. **WATER METERING FOR SEWER INVOICING** – The survey letters have been completed and sent to the business. We will have the results for an October meeting.

5. CHERRY CREEK ROAD PROJECT- The County has run into a problem with the design that may set the project timetable back. The may have a meeting with the property owners along the road in the near future.
6. LAWN TRACTOR – Funds have been set aside to replace the big lawn tractor and we are deciding whether to replace it with a similar size or a larger unit. Price quotes will be brought to the Board.

GREEN GARDEN SIGNAGE – PETITION.

A petition was received from the residents of Green Garden requesting highway signage be placed in that area.

Fende moved, Greenberg second that a letter be sent to the Michigan Department of Transportation requesting signage and map designation for the Green Garden area.

AYES: 5

NAYS: 0

MOTION CARRIED.

BLONDEAU & SONS - REQUEST TO ADDRESS LAND USE ISSUES FOR TRUCKING FACILITY.

Township attorney Michael Summers addressed his letter dated August 9, 1999 regarding Blondeau Trucking proposal for expansion. He explained the legal issues contained in the letter and concluded that there are two available options. Blondeau Trucking can file an application with the Zoning Board of Appeals requesting an expansion of his nonconforming use or file a petition to be heard by the Township Planning Commission and Township Board requesting a change in zoning classification from C-2 to C-3.

Mr. Blondeau made a presentation to the Board referring back to the presentation of September 20, 1998 on expansion of his business. He presented his request to enlarge the trucking building to hold the larger new trucks & an enclosed washing bay for the trucks.

The Board discussed the presentation and our attorney's letter. In conclusion, the Board suggested that the best option for Mr. Blondeau at this time was to address the Zoning Board of Appeals with a request for expansion of the nonconforming use.

Maggie Meiss addressed the Board with her continued objection to Blondeau Trucking.

FY2000 BUDGET WORK SESSION.

SALARIES –

Greenberg moved, Bohjanen second that the additional 1% in pension be deleted and that the salary increase be 3 ½% for township employees, also include the additional \$750.00 for the three positions addressed by the Supervisor's proposal.

ROLL CALL:

AYE: Britton, Bohjanen, Greenberg.

NAY: Menhennick, Fende.

MOTION CARRIED.

TOWNSHIP BOARD – No change.

SUPERVISOR – No change.

ELECTION – No change.

ASSESSOR – No change.

CLERK – No change.

BOARD OF REVIEW – No change.

TREASURER – No change.

TOWNSHIP HALL & GROUNDS –

Greenberg moved, Britton second that the carpet cleaner be deleted from the capital outlay budget and the \$2,300. be changed to \$1,000. For additional carpet cleaning.

AYES: 4

NAYS: 1

MOTION CARRIED.

OTHER GENERAL GOVERNMENT – No change.

POLICE – No change.

FIRE –

Menhennick moved, Britton second to add \$120.00 back to capital outlay for one set of wheel chocks for the main pumper.

AYES: 4

NAYS: 1

MOTION CARRIED.

STREETS – No change.

SANITATION – No change.

MARINA – No change.

RECREATION – No change.

ZONING – No change.

PLANNING COMMISSION – No change.

ZONING BOARD OF APPEALS – No change.

TEMPORARY EMPLOYEES – No change.

CAPITAL IMPROVEMENTS FUND – No change.

SEWER FUND – No change.

WATER FUND – No change.

End of FY200 budget work session.

Trustee Menhennick would like to invite Tom Weaver to speak to the Township water committee.

INFORMATIONAL REPORTS AND COMMUNICATION.

- A. Existing Starting Salary Range Chart
- B. MTA Legislative Update - September 10, 1999
- C. MTA E-News - September
- D. Fall Brush Collection

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

October 4, 1999

A Regular meeting of the Chocolay Township Board was held on Monday, October 4, 1999 at the Township Hall, 5010 US 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Gary Menhennick, Don Britton, Richard Bohjanen, Lois Sherbinow.

ABSENT: Arlene Hill.

PUBLIC HEARING - FY2000 BUDGET.

No public comment. The public hearing closed at 7:32 p.m.

MINUTES – September 20, 1999.

Greenberg moved, Bohjanen second that the minutes of the Regular Meeting held on September 20, 1999 be approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE – OCTOBER 4, 1999.

Bohjanen moved, Britton second that bills totaling \$19,819.82 checks numbered 9573-9598 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORT.

Certificate of deposit report received from Treasurer Greenberg.

PUBLIC COMMENT.

Mary Jane Lynch – Will the roads be patched where the Rail Road tracks were pulled out?

Trustee Britton – Noted that a draft letter/questionnaire was passed out at the Board table. This letter is designed to go to residents along the proposed snowmobile trail (Chocolay Downs to M-28 overpass).

ADOPTION OF FY2000 BUDGET.

Greenberg moved, Menhennick second that the salary for the office of Supervisor shall be set in the amount of \$13,759 for the Fiscal Year 2000, which begins January 1, 2000, and ends December 31, 2000.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

Sherbinow moved, Menhennick second that the salary for the office of Treasurer shall be set in the amount of \$8,003 for the Fiscal Year 2000, which begins January 1, 2000, and ends December 31, 2000.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

Bohjanen moved, Sherbinow second that the salary for the office of Clerk shall be set in the amount of \$10,853 for the Fiscal Year 2000, which begins January 1, 2000, and ends December 31, 2000.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

Greenberg moved, Britton second that the per diem for the office of Trustee shall be set in the amount of \$50 for the Fiscal Year 2000, which begins January 1, 2000, and ends December 31, 2000.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

GENERAL APPROPRIATIONS ACT

Menhennick moved, Sherbinow second that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2000, and ending December 31, 2000, 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 September 24, 1999; and

Whereas, a public hearing on the proposed budget was held on October 4, 1999, at the Chocolay Township Municipal Complex, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing;

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2000, and ending on December 31, 2000, in the amount of \$1,244,756 for the General Fund, in the amount of \$324,295 for the Sewer Fund, in the amount of \$235,406 in the Capital Improvements Fund and \$2,610 in the Water Fund.
2. The Township Board does hereby appropriate the sum of \$1,244,756 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2000, and ending December 31, 2000.
3. The Township Board does hereby appropriate the sum of \$324,295 to defray the expense of the operation and debt retirement of the Sanitary Sewer System and a sum of \$2,610 to defray the expense of the Water System for the fiscal year beginning January 1, 2000, and ending December 31, 2000.
4. The Township Board does hereby levy 4.2245 mills for general operations, and .8464 mills for Library services.
5. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution are rescinded.
6. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming with Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL:

AYES: Menhennick, Sherbinow, Fende, Greenberg, Bohjanen, Britton.

NAYS: None.

ABSENT: Hill.

MOTION CARRIED.

WATER STUDY/AD HOC WATER COMMITTEE RECOMMENDATION.

Memo's received from Supervisor Fende & Larry Gould, D.P.W. Supervisor. The Board agreed for Supervisor Fende to approach Sands Township Board with regard to a joint water study. Our Board prefers to deal directly with the Sands Board.

BOARD, COMMITTEE, COMMISSION REPORTS.

1. Minutes - Planning Commission - September 13, 1999
2. Minutes - EMSWDA - September 22, 1999
3. Minutes - Chocolay River Watershed Council - June 23, 1999

SUPERVISOR REPORT.

1. As of today, the results of the water meter survey are as follows: YES=17, NO=22, UNABLE TO DETERMINE=2, UNDELIVERABLE=1. The results and a discussion of the survey will be on the agenda for the next meeting.
2. Steve Kotaniemi has submitted his letter of resignation from the Chocolay River Watershed Council. We will review the applications on file and bring back a recommendation to the Board for a future meeting.
3. The four zoning enforcement issues that were reported as being sent to the Township Attorney in August remain unresolved. The Zoning Administrator and Township Attorney will continue to work on these.
4. Progress continues on the Kawbawgam Ski Trail project as the Conditional Use Permit Public Hearing will be held on October 11 at the Planning Commission Meeting. However, we have still not received the funds from the KBIC Housing Authority needed to complete the park aspect.
5. The State Property Tax Division has ruled that there is no apparent support to the Conrad allegations regarding Chocolay Township's Assessor or Assessing Department.
6. Arlene Hill is home and recuperating from her surgery. However, she wanted me to report that she should be back in attendance at the first November Board meeting.

PLANNING COMMISSION RECOMMENDATION/EMERSON CORRESPONDENCE – SNOWMOBILE TRAIL.

Public Comment:

- Agrees with part of the snowmobile proposal, but wants it to affect the least amount of residents as possible.

- Opposed to snowmobile trails through residential areas.
- Opposed to snowmobile trails in Chocolay Township.
- Met with Emerson for two hours on the trail issue and feels that Emerson has changed his mind.

A Fox News tape on the impacts of snowmobiling was played by a resident.

- Why does Chocolay Township Board want to accommodate snowmobiles when the residents do not want a trail?
- The money that is spent in this community by snowmobilers goes beyond just the business owners.
- We should create snowmobile parks instead of trails through the U.P.
- Opposes a trail going through Riverside and Lakewood, but supports a trail going through a safe route.
- If a trail goes through Chocolay Township a law suit will follow.
- Has been fighting to keep the trail out of her back yard for two years and now it is proposed to go through her front yard.

The Board agreed to send the questionnaire to the Planning Commission to clean up the wording and bring back to the Board.

PUBLICATION REZONING 106 – TEXT AMENDMENTS – KENNELS IN RP DISTRICT AND MINIMUM LOT SIZES AND WIDTHS FOR C-1,C-2 AND C-3 DISTRICTS.

Board discussion on the amendment. Mark Maki, Zoning Administrator responded that the regulations regarding minimum lot sizes will apply only to the division of land in these respective zoning districts.

Menhennick moved, Britton second that the Charter Township of Chocolay waive the reading and publish the following amendments to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-99-3

AMENDMENT

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows: To amend Section 212 (RP District) to change Kennels from being a Permitted Principal Use to a Conditional Use on 20 acres or more and to amend Section 300 to establish minimum lot sizes and widths for the C-1, C-2 and C-3 Districts.

ROLL CALL:

AYES: Greenberg, Bohjanen, Britton, Menhennick, Sherbinow, Fende.

NAYS: None.

ABSENT: Hill.

MOTION CARRIED.

HEIKKILA WETLAND PERMIT APPLICATION.

A wetlands permit has been sent to the Board for possible response (per past practice). Staff has reviewed the permit and visited the site and discussed the site particulars with the Board. The Board agreed to have staff prepare the customary response.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- Correspondence from - MTA - U.P. 2000
- Correspondence from - Steve Kotaniemi - Resignation from Watershed Council
- Correspondence - MDOT - Green Garden Signage/Map Designation

There being no further business the Supervisor adjourned the meeting at 8:40 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

OCTOBER 18, 1999

A Regular meeting of the Chocolay Township Board was held on Monday October 18, 1999 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Don Britton, Lois Sherbinow, Gary Menhennick.

ABSENT: Arlene Hill, Richard Bohjanen.

MINUTES – October 4, 1999.

Greenberg moved, Menhennick second that the minutes of the Regular Meeting held on October 4, 1999 be approved.

AYES: 5 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Britton moved, Menhennick second that bills totaling \$19,636.82 checks numbered 9599-9629 are approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORT.

Certificate of deposit report received from Treasurer Greenberg.

AMT OF C/D	\$260,000.00
DATE PURCHASED	10/13/99
MATURING ON	4/12/00
INTEREST RATE	5.25%
INSTITUTION	PEOPLE'S

PUBLIC COMMENT.

None.

SNOWMOBILE TRAIL SURVEY – PLANNING COMMISSION AND AD HOC TRAIL COMMITTEE RECOMMENDATION.

Trustee Britton explained to the Board that the Trail Committee feels that pending the sale of the Railroad grade, the Township should only proceed with setting speed limits and a curfew for snowmobiles in Chocolay Township.

Comments from the public:

- Law enforcement on snowmobile trails is very difficult. It is hard to stop a snowmobile.
- It is currently legal to snowmobile on the plowed right hand side of any County Road and on the unplowed shoulder of a State Highway.
- People riding Four wheelers are complaining that they should be able to ride on the Railroad grade if snowmobiles can.
- If the Board does nothing about setting a snowmobile trail, then the snowmobiles can go on any County or State Road.

Supervisor Fende stated to the Board if a trail is not designated tonight, the issue will not be on another agenda within the year. It is not fair to make the citizens continue to come to every meeting to find out if the snowmobile issue is being discussed.

The Board agreed to have staff research what is being done with speed limits and curfews for snowmobiles in other communities. This information will be brought back to the Board.

WATER METER SURVEY RESULTS.

The results of the water meter survey sent to sixty-two commercial sewer users in the Township are:

YES – 17
NO – 23
UNDETERMINED – 2
NOT RETURNED - 20

Comments from public:

- The large users are in favor of the water meters as a method of billing. The small business owners are against meters because they think their bills may increase and they

can not afford to buy a water meter. The survey was not written in a positive manner; that is why so many businesses voted no.

- Who pays for the meter, the business owner or the Township? The business owner.
- A meter was placed in his business and comparing his meter usage to the billing method in the City of Marquette, his sewer bill would go down.
- It is unfair to charge a motel a per room rate for the sewer when many rooms might be vacant. If the water was metered, the billing would reflect the usage only for rooms being used.

The Board discussed water meters for commercial users and decided to vote at the next meeting, when the full Board will be present.

REZONING #106 – TEXT AMENDMENTS KENNELS IN RP DISTRICT AND MINIMUM LOT SIZES AND WIDTHS FOR C-1,C-2 AND C-3 DISTRICTS.

Menhennick moved Britton second that the Charter Township of Chocolay Board waive the reading and ADOPT the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-99-3
AMENDMENT

To the Charter Township of Chocolay Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

That Section 212, (B) PERMITTED PRINCIPAL USES shall be amended to delete "kennels" and to amend Section 212, (C) CONDITIONAL USES to add "Kennels on 20 acres or more" which section shall now read as follows:

- (C) **CONDITIONAL USES.** Resorts, Bed & Breakfast, lodges on lots of 20 acres or more. And trails. Hunting and shooting preserves on lots of 20 acres or more. Kennels on 20 acres or more. Recreational structures on lots of 20 acres or more. Unlighted golf courses on lots of 60 acres or more.

That Section 300, (A) SCHEDULE OF REGULATIONS (C-1, C-2 and C-3 Districts) shall be amended to delete the word "none" under the "Minimum Lot Size" and "Minimum Lot Width C" columns and to establish minimum lot sizes and widths for these districts, which section shall now read as follows:

<u>District</u>	<u>Minimum Lot Size</u>	<u>Minimum Lot Width C</u>
C-1	25,000 sq. ft.	125'
C-2	25,000 sq. ft.	125'
C-3	1 acre	150'

ROLL CALL:

AYES: Sherbinow, Menhennick, Britton, Greenberg, Fende.

NAYS: None.

ABSENT: Hill, Bohjanen.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY1999 - AMENDMENT NO. 5 - KAWBAWGAM SKI TRAIL FUNDING.

Britton moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 5, 1998, 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, and Whereas, such modification will continue 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
Other General Government Contingency 101.285.951	20,827.50	-700.00	20,127.50
Recreation Capital Outlay 101.708.957	22,298.00	+700.00	22,998.00

ROLL CALL:

AYES: Britton, Greenberg, Sherbinow, Menhennick, Fende.

NAYS: None.

ABSENT: Hill, Bohjanen.

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS MINUTES

1. Minutes - Planning Commission - October 11, 1999
2. Minutes - Ad Hoc Trails Committee - October 5, 1999
3. Minutes - MAWTFAB - September 9, 1999
4. Minutes - Central Lake Superior Watershed Partnership - September 16, 1999
5. Minutes - Township/Road Commission Relations Committee - September 9, 1999

SUPERVISOR'S REPORT.

1. The brush drop off was held on October 2nd & 9th and a total of 18 vehicles used the roll off. Two-thirds of the roll off was filled with brush.
2. The plans and specifications for the relocation of the bike path/multi use trail are complete. However, due to the lateness of the construction season, the project will not be bid until later this year for construction in the spring of 2000. The grant funding will allow for the carry over of the funds.
3. We have sent a letter to the Sands Township Board and requested to be on their next agenda regarding the Water Study.
4. Progress is being made on the lease of the Lions Park. When we get a draft agreement that is acceptable to both parties we will submit it to the DNR and the Board.
5. We have received notice that the County has been awarded the countywide GIS grant that we pledged a contribution towards. Staff will be attending the upcoming meetings and we will undoubtedly be receiving the request for our pledge payment shortly.
6. The Township Attorney has sent Mr. Gibb's Attorney a final notice regarding compliance with the testing requirements for the golf course with the revocation of his Conditional Use Permit being the next possible option on enforcement.

CURBSIDE COLLECTION OF GARBAGE CANS AND RECYCLING BINS

Memo received from Larry Gould, D.P.W. Supervisor informing the Board of recycling bin prices. The Board requested information on quantity of bins needed to be ordered to get a price break. This information will be available at the next Board meeting.

DELINQUENT SEWER CHARGES ADDED TO 1999 TAX ROLL

Greenberg moved, Menhennick second that the list of delinquent sewer charges and penalties as received from the Deputy Clerk, be sent to the County of Marquette to be added to the 1999 tax roll.

FirstName	Address1	City	State	Postal Code	Delinquent amount
Ray & Margaret Sprowl 52-02-212-001-00	209 Corning Street	Marquette	MI	49855	\$258.48
Jean Kantola 52-02-207-009-00	238 Corning Street	Marquette	MI	49855	\$516.94
Jeffery Johnston 52-02-215-003-00	120 East Fairbanks	Marquette	MI	49855	\$258.48
Susan Racine 52-02-215-006-00	156 East Fairbanks	Marquette	MI	49855	\$258.48
Walter Besola 52-02-305-038-00	168 East Main Street	Marquette	MI	49855	\$258.48
Linda Morgan 52-02-216-015-00	161 East Wright Place	Marquette	MI	49855	\$258.48
Robert & Joni Taylor 52-02-455-036-00	204 Jean Street	Marquette	MI	49855	\$258.48
Oliver Burns 52-02-455-046-00	225 Judy Street	Marquette	MI	49855	\$150.70
Mark Chudy 52-02-215-015-00	115 Kellog Street	Marquette	MI	49855	\$258.48
Sharon Laurich 52-02-106-035-00	338 Reservoir Street	Marquette	MI	49855	\$258.48
Cassandra & Michael Koval 52-02-107-038-00	265 Silver Creek Road	Marquette	MI	49855	\$235.24
Michael & Denise Mullins 52-02-107-057-10	321 Silver Creek Road	Marquette	MI	49855	\$208.34
ABC True Value Hardware 52-02-106-011-00	2250 US 41 South	Marquette	MI	49855	\$556.20
Steve Johnson	2424 US 41 South	Marquette	MI	49855	\$258.48

FirstName	Address1	City	State	Postal Code	Delinquent amount
52-02-206-012-00					
Walt Racine 52-02-251-012-00	2801 US 41 South	Marquette	MI	49855	\$465.24
Wahlstrom Enterprise 52-02-107-007-00	5043 US 41 South	Marquette	MI	49855	\$7116.10
Wahlstrom Enterprise 52-02-107-007-00	5045 US 41 South	Marquette	MI	49855	\$413.56
Parkway Motel 52-02-107-004-00	5057 US 41 South	Marquette	MI	49855	\$3,627.94
Parkway Enterprises 52-02-107-004-00	5063 US 41 South	Marquette	MI	49855	\$620.32
Robert Vidlund 52-02-566-004-00	120 Veda Street	Marquette	MI	49855	\$258.48
David Blackburn 52-02-106-032-00	232 Van Epps Street	Marquette	MI	49855	\$258.48
Kevin Small 52-02-207-010-00	219 West Fairbanks	Marquette	MI	49855	\$258.48
Jack Wiggins 52-02-207-016-00	239 West Fairbanks	Marquette	MI	49855	\$258.48
Judith Taylor 52-02-208-003-00	371 West Terrace Street	Marquette	MI	49855	\$258.48
Kristine Dionne 52-02-106-043-00	110 West Wright Street	Marquette	MI	49855	\$258.48
					\$17,787.78

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Police Department - 3rd Quarter Statistical Report
- B. Fire Department - 3rd Quarter Reports
- C. Marquette County Conservation District's 44th Annual Meeting
- D. MDEQ - Heikkila Wetland Permit Application
- E. Connie Williams Re: Snowmobile Trail
- F. Green Garden Addressing

There being no further business, the Supervisor adjourned the meeting at 8:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

NOVEMBER 1, 1999

A Regular meeting of the Chocolay Township Board was held on Monday November 1, 1999 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

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

ABSENT: Richard Bohjanen.

MINUTES – October 18, 1999.

Greenberg moved, Menhennick second that the minutes of the Regular Meeting held on October 18, 1999 be approved.

AYES: 6

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Sherbinow second that bills totaling \$5,607.96 checks numbered 9630-9655 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Financial reports received and placed on file.

PUBLIC COMMENT.

None.

WATER METERS FOR WASTEWATER INVOICING.

Trustee Menhennick suggested to the Board that the Township purchase water meters for all commercial and residential sewer users from the sewer fund. The cost of this could be built back into the system through user fees. The board agreed to table this issue until the December 6th meeting, when the full board would be available to vote.

SANDS AND CHOCOLAY WATER SYSTEM MASTER PLAN.

Greenberg moved, Hill second that the Township Supervisor is authorized to enter into a contract with Sundberg, Carlson and Associates for a water system master plan for Chocolay and Sands Township and the Chocolay Township share of the plan cost (\$2,912.50) to be expended from the Capital Improvements Fund Water Department Account.

ROLL CALL.

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

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS MINUTES

1. Chocolay River Watershed Council - September 30, 1999.

SUPERVISOR'S REPORT.

1. Staff is compiling information and sample ordinances regulating snowmobiles regarding a curfew and speed limit as directed by the Board and it will be on a December Board meeting for discussion.
2. Staff is working up the alternatives and various prices for recycling containers and this item will likewise be on a December Board meeting for discussion.
3. Regarding the Beckman lawsuit, the District Judge affirmed the Magistrates Judge's resolution and denied the Beckman's motion for preliminary injunctive relief. Our Attorney is considering a motion to have the case dismissed in its entirety. In response to a question, the Supervisor advised the Board that he would let them know if it was still in Federal court or referred back to circuit court.
4. Zoning enforcement continues on a number issues with all four of the previously identified problems tagged for "stepped up" action remaining unresolved. The Zoning Office reports that general nuisance complaints are increasing around the Township.

5. Alger-Delta Electric will install, operate and maintain the parking lot light at the Kawbawgam Ski Trail at no cost to the Township. Trustee Britton requested that the Township send a thank-you letter to all that assisted with the Kawbawgam Ski Trail. The Board agreed.

PUBLICATION OF REZONING #107 – TEXT AMENDMENT – ACCESSORY HOUSING.

Menhennick moved, Britton second that the Charter Township of Chocolay waive the reading and publish the following amendments to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-99-4

AMENDMENT

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

Under SECTION 101 - DEFINITIONS **add** the following language:

"ACCESSORY HOUSING UNIT: A complete, self-contained dwelling unit created within or attached to a permitted existing detached single-family dwelling that provides accommodations for the parent(s) or grandparent(s) of the owners-occupiers of the single family dwelling".

Under Subsection C (CONDITIONAL USES) in SECTIONS: 202 (DISTRICT R-1); 203 (DISTRICT R-2); 206 (DISTRICT LS/R); 207 (DISTRICT RR-1); 208 (DISTRICT RR-2); 212 (DISTRICT RP) and 213 (DISTRICT OS) **add** the following language:

"Accessory Housing Units for the elderly parent(s) or grandparent(s) of the owner-occupiers of a single-family dwelling as permitted under Section 107 (C)."

Under SECTION 107 - ACCESSORY USES AND STRUCTURES **add** a subsection (C) which reads:

"Accessory Housing Unit: It is the intent of this section to provide standards that will allow extended family living in what have traditionally been detached single-family only zoning districts or neighborhoods. Such provisions will permit the conversion of a single-family dwelling to include an accessory apartment as a means of accommodating an elderly parent(s) or grandparent(s). It is the intent that by providing housing opportunities for the elderly that a vital need can be met without diminishing the quality of the affected neighborhood; this allows independence and yet close contact to younger family members.

- 1) Accessory Housing Units shall meet the following requirements:
 - a) Only owner-occupiers are permitted to install and/or maintain accessory housing units.
 - b) Occupancy of the accessory housing unit is limited to the parent(s) or grandparent(s) of the occupants of the single-family dwelling.
 - c) Accessory housing units are required to be attached to the single-family dwelling and shall not increase the floor area of the single family dwelling by over 30%, and in no case shall any accessory housing unit exceed 1,000 square feet.
 - d) There shall be no visible change in the exterior appearance of the dwelling containing the accessory housing unit that will alter the single-family appearance of the dwelling. Exterior elevation drawings, architectural renderings and floor plans of the existing/proposed structure are required

- to be submitted for review as part of the Conditional Use application.
- e) All improvements associated with construction of the accessory housing unit shall meet current applicable codes including approval of the Health Department for any needed improvements to the on-site septic system if applicable. Utilization of the existing septic system, without creating a new/separate system is encouraged and Health Department permits shall be provided to the Township by the applicant.
 - f) Separate sale or ownership of the accessory housing unit from the primary dwelling on a lot or parcel is prohibited. Upon conditional use approval of any accessory housing unit, the owner(s) shall file an affidavit with the Registrar of Deeds giving notice that the accessory housing unit of the involved parcel is for temporary use by a parent(s) or grandparent(s) related to the owner.
 - g) Any additional parking as needed or required by this Ordinance shall be provided in off-street space.
 - h) Conditional Use approval of accessory housing units are valid for a period of five (5) years subject to Planning Commission review of requested five (5) year extensions.
 - i) Upon the cessation of use of the accessory housing unit by the parent(s) or grandparent(s) of the owner-occupiers of the single-family home, said accessory housing unit shall be removed or converted to remove the individual floor plan elements (such as a separate/duplicate kitchen facilities) that functionally create a separate dwelling unit.
 - j) The Planning Commission may impose any other reasonable conditions deemed necessary to protect adjoining properties, to retain the residential character of the neighborhood and to protect the public health, safety and welfare.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLICATION OF REZONING #108 – TEXT AMENDMENT – SITE PLAN REVIEW.

Menhennick moved, Sherbinow second that the Charter Township of Chocolay waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-99-5

AMENDMENT

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

Under Section 502 (SITE PLAN REVIEW) subsection B.1.a. shall be amended to add a subsection (4) which would read:

- "4) A change of use to another principal permitted use in the zoning district, or an expansion of an existing permitted structure, which, in either case, does not increase the floor area by more than 20 percent, nor the parking already developed on site by more than 20 percent, and in which there are no changes in access locations or other site improvements, including, but not limited to, landscaping."

AYES: 6

NAYS: 0

MOTION CARRIED.

CAN-A-THON – TOWNSHIP AS A DROPSITE.

Greenberg, moved, Hill second that the Charter Township of Chocolay office is designated as a drop off site for the 1999 can-a-thon and appropriate containers shall be placed in the building for this purpose.

AYES: 6

NAYS: 0

MOTION CARRIED.

CLOSED SESSION – ACQUISITION OF PROPERTY.

Hill moved, Sherbinow second that the Board go into closed session.

ROLL CALL.

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

NAYS: None. ABSENT: Bohjanen. MOTION CARRIED.

Hill moved, Britton second that the Board come out of closed session.

ROLL CALL.

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

NAYS: None. ABSENT: Bohjanen. MOTION CARRIED.

Hill moved, Sherbinow second to direct the D.P.W. Supervisor to move forward on the land acquisition project.

AYES: 6 NAYS: 0 MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Correspondence from - James Carter to the MDOT - Re: Green Garden Signage/Map Designation
- B. Correspondence - Township Attorney to Ameritech - Re: Railroad Grade
- C. Information - MTA - Legislative Update

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

- The plumbing cost to a residential homeowner could be fairly high depending on how the water lines are set up in the home.
- The meters would only be fair if they were installed at all commercial and residential users.
- Meters would be the fairest way to bill for sewage. Water meters will be installed when a public water system is put in place.
- It may be many years before a water system could be in place, it would be much less expensive to put the meters in now and use for sewer billing.
- Our wastewater treatment plant charge is \$4.33 per 1000 gallons.

Menhennick moved, Britton second that Chocolay Township install water meters to be used as a billing method for sewer use. The Township will pick up the initial cost of the meters. The home or business owner will pay for the installation. The cost of this purchase could be built back into the system through user fees.

ROLL CALL.

AYES: Menhennick, Britton, Bohjanen.

NAYS: Greenberg, Fende, Hill, Sherbinow.

MOTION FAILED.

Supervisor Fende requested that the D.P.W. Supervisor look at the meter set up at the Travelodge of Marquette.

ADOPTION OF REZONING #107 – TEXT AMENDMENT – ACCESSORY HOUSING.

Hill moved, Greenberg second that the Charter Township of Chocolay waive the reading and adopt the following amendments to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-99-4

AMENDMENT

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

Under SECTION 101 - DEFINITIONS add the following language:

"ACCESSORY HOUSING UNIT: A complete, self-contained dwelling unit created within or attached to a permitted existing detached single-family dwelling that provides accommodations for the parent(s) or grandparent(s) of the owners-occupiers of the single family dwelling".

Under Subsection C (CONDITIONAL USES) in SECTIONS: 202 (DISTRICT R-1); 203 (DISTRICT R-2); 206 (DISTRICT LS/R); 207 (DISTRICT RR-1); 208 (DISTRICT RR-2); 212 (DISTRICT RP) and 213 (DISTRICT OS) add the following language:

"Accessory Housing Units for the elderly parent(s) or grandparent(s) of the owner-occupiers of a single-family dwelling as permitted under Section 107 (C)."

Under SECTION 107 - ACCESSORY USES AND STRUCTURES add a subsection (C) which reads:

"Accessory Housing Unit: It is the intent of this section to provide standards that will allow extended family living in what have traditionally been detached single-family only zoning districts or neighborhoods. Such provisions will permit the conversion of a single-family dwelling to include an accessory apartment as a means of accommodating an elderly parent(s) or grandparent(s). It is the intent that by providing housing opportunities for the elderly that a vital need can be met without diminishing the quality of the affected neighborhood; this allows independence and yet close contact to younger family members.

- 1) Accessory Housing Units shall meet the following requirements:

- a) Only owner-occupiers are permitted to install and/or maintain accessory housing units.
- b) Occupancy of the accessory housing unit is limited to the parent(s) or grandparent(s) of the occupants of the single-family dwelling.
- c) Accessory housing units are required to be attached to the single-family dwelling and shall not increase the floor area of the single family dwelling by over 30%, and in no case shall any accessory housing unit exceed 1,000 square feet.
- d) There shall be no visible change in the exterior appearance of the dwelling containing the accessory housing unit that will alter the single-family appearance of the dwelling. Exterior elevation drawings, architectural renderings and floor plans of the existing/proposed structure are required to be submitted for review as part of the Conditional Use application.
- e) All improvements associated with construction of the accessory housing unit shall meet current applicable codes including approval of the Health Department for any needed improvements to the on-site septic system if applicable. Utilization of the existing septic system, without creating a new/separate system is encouraged and Health Department permits shall be provided to the Township by the applicant.
- f) Separate sale or ownership of the accessory housing unit from the primary dwelling on a lot or parcel is prohibited. Upon conditional use approval of any accessory housing unit, the owner(s) shall file an affidavit with the Registrar of Deeds giving notice that the accessory housing unit of the involved parcel is for temporary use by a parent(s) or grandparent(s) related to the owner.
- g) Any additional parking as needed or required by this Ordinance shall be provided in off-street space.
- h) Conditional Use approval of accessory housing units are valid for a period of five (5) years subject to Planning Commission review of requested five (5) year extensions.
- i) Upon the cessation of use of the accessory housing unit by the parent(s) or grandparent(s) of the owner-occupiers of the single-family home, said accessory housing unit shall be removed or converted to remove the individual floor plan elements (such as a separate/duplicate kitchen facilities) that functionally create a separate dwelling unit.
- j) The Planning Commission may impose any other reasonable conditions deemed necessary to protect adjoining properties, to retain the residential character of the neighborhood and to protect the public health, safety and welfare.

ROLL CALL.

AYES: Menhennick, Britton, Bohjanen, Greenberg, Hill, Sherbinow, Fende.

NAYS: None.

MOTION CARRIED.

ADOPTION OF REZONING #108 – TEXT AMENDMENT – SITE PLAN REVIEW.

Sherbinow moved, Menhennick second that the Charter Township of Choccolay waive the reading and adopt the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-99-5

AMENDMENT

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

Under Section 502 (SITE PLAN REVIEW) subsection B.1.a. shall be amended to add a subsection (4) which would read:

- "4) A change of use to another principal permitted use in the zoning district, or an expansion of an existing permitted structure, which, in either case, does not increase the floor area by more than 20 percent, nor the parking already developed on site by more than 20 percent, and in which there are no changes in access locations or other site improvements, including, but not limited to, landscaping."

ROLL CALL.

AYES: Greenberg, Hill, Sherbinow, Menhennick, Britton, Bohjanen, Fende.

NAYS: None.

MOTION CARRIED.

RECYCLING BINS.

Fende moved, Menhennick second that 1,200 recycle bins be purchased with funds from the Capital Improvements Fund Sanitation account at an estimated cost of \$6,300.00 and that each household be provided one bin at no cost, to be picked up within 60 days and that additional containers per household be provided at cost.

ROLL CALL.

AYES: Menhennick, Britton, Fende.

NAYS: Bohjanen, Greenberg, Hill, Sherbinow.

MOTION FAILED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. Planning Commission - November 8, 1999
2. Zoning Board of Appeals - August 26, 1999, October 28, 1999 & November 4, 1999
3. AdHoc Trails Committee - November 2, 1999
4. Township/Road Commission Relations Committee - October 14, 1999
5. Groundwater Stewardship Team Meeting - May 27, 1999
6. MAWTFAB - October 12, 1999

SUPERVISOR'S REPORT.

1. We have received notice that our Clean Michigan Initiative grant application for the improvement of the Beaver Grove Recreation Area was denied in the first round of funding. It is being automatically resubmitted and staff will be working with the DNR on strengthening the application.
2. MDOT has submitted the necessary TEA 21 grant application for the sidewalk/multi-use trail along Silver Creek from the overpass to the school. This project will be considered in the next round of funding along with the path along the west side of US-41.
3. We now have a complete set of the County Road Commission policies in the office for review purposes.
4. MDOT has notified us that US-41 will be resurfaced next year with a 2" cap and 8' paved shoulder from M-28 south to the recently reconstructed portion.
5. The Township Fire Department has received correspondence from an Attorney regarding the threat of a lawsuit regarding an applicant who was not placed on the department.
6. Staff is once again trying to obtain the KBIC's past due annual fire protection payment.

YEAR 2000 MEETING DATES.

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

CHOCOLAY TOWNSHIP BOARD-7:30 p.m.

JANUARY 3, 2000

JANUARY 24, 2000

FEBRUARY 7, 2000

FEBRUARY 21, 2000

MARCH 6, 2000

MARCH 20, 2000

JUNE 19, 2000

JULY 17, 2000

AUGUST 21, 2000

SEPTEMBER 5, 2000 (TUESDAY)

SEPTEMBER 18, 2000

OCTOBER 2, 2000

APRIL 3, 2000
APRIL 17, 2000
MAY 1, 2000
MAY 15, 2000

OCTOBER 16, 2000
NOVEMBER 6, 2000
DECEMBER 4, 2000
DECEMBER 18, 2000

PLANNING COMMISSION-7:30 p.m.

JANUARY 10, 2000
FEBRUARY 14, 2000
MARCH 13, 2000
APRIL 10, 2000
MAY 8, 2000
JUNE 12, 2000

JULY 10, 2000
AUGUST 14, 2000
SEPTEMBER 11, 2000
OCTOBER 9, 2000
NOVEMBER 13, 2000
DECEMBER 11, 2000

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

JANUARY 27, 2000
FEBRUARY 24, 2000
MARCH 23, 2000
APRIL 27, 2000
MAY 25, 2000
JUNE 22, 2000

JULY 27, 2000
AUGUST 24, 2000
SEPTEMBER 28, 2000
OCTOBER 26, 2000
NOVEMBER 30, 2000
DECEMBER 28, 2000

VOLUNTEER FIRE DEPARTMENT:

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

AYES: 7 NAYS: 0 MOTION CARRIED.

PRINTER PURCHASE – CLERK DEPARTMENT.

Greenberg moved, Menhennick second that an Epson LQ-2080 printer be purchased from Lasco at a cost of \$450.00 with funds being taken from Clerk – Capital Improvements Fund 401.215.957.

ROLL CALL.

AYES: Greenberg, Hill, Sherbinow, Menhennick, Britton, Bohjanen, Fende.
NAYS: None. MOTION CARRIED.

TOWNSHIP FLAG.

Hill moved, Britton second that Charter Township of Chocolay purchase a flag for \$350.00 from Marquette Embroidery.

ROLL CALL.

AYES: Britton, Bohjanen, Hill, Sherbinow, Menhennick, Fende.
NAYS: Greenberg. MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY1999 NO. 7 POLICE TRAINING.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in October, 1998, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training Capital Outlay 401.305.957	\$2,472.62	+ \$477.28	\$2,949.90

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$6,727.20	+ \$477.28	\$7,204.48

AYES: 7 NAYS: 0 MOTION CARRIED.

PURCHASE OF NEW POLICE VEHICLE.

Hill moved, Sherbinow second to authorized the Chocolay Township Police Department to order a 2000 Ford Crown Victoria patrol car for the approximate cost of \$21,000.00 and to pay the \$235 annual fee for the State Purchasing Agreement. Additionally, we authorize the purchase of a new light bar for the patrol car.

ROLL CALL.

AYES: Britton, Bohjanen, Greenberg, Hill, Sherbinow, Menhennick, Fende.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 1999-AMENDMENT NO. 6. COPS GRANT REIMBURSEMENT.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in October, 1998, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Salary 101.305.702	\$160,679.00	\$6,416.00	\$167,095.00
REVENUE	PREVIOUS	CHANGE	AMENDED
Due From Police Grant 101.501	8,500.00	6,416.00	14,916.00

ROLL CALL.

AYES: Hill, Sherbinow, Greenberg, Britton, Bohjanen, Menhennick, Fende.

NAYS: None.

MOTION CARRIED.

TRANSFER OF FUNDS TO POLICE CAPITAL IMPROVEMENT FUND.

Fende moved, Greenberg second that the amount of \$3,000.00 from Police Salaries 101.305.702, be transferred to the Police Capital Improvements Fund. 401.305.957.

AYES: 7

NAYS: 0

MOTION CARRIED.

Chief Zyburd informed the Board that the Township police department has had its first drug forfeiture. This will be on the next agenda for the Board to discuss how the finances will be handled in the future.

Trustee Menhennick had a question on the status of the Sundberg Carlson water study. He also noticed that the Harvey water testing frequency had slowed down. Larry Gould responded that is because the level of contaminates found in the water has decreased.

Trustee Britton told the Board that the Kawbawgam ski trail is ready to go.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Road Commission - RE: STIP Four Year Draft Plan
- B. Health Department - RE: FY2000 Monitoring of Contaminated Sites
- C. MTA E-News
- D. MCTA Christmas Potluck

There being no further business, the Supervisor adjourned the meeting at 9:10 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

DECEMBER 20, 1999

A Regular meeting of the Chocolay Township Board was held on Monday, December 20, 1999 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Richard Bohjanen, Lois Sherbinow, Gary Menhennick.

ABSENT: Don Britton.

MINUTES – DECEMBER 6, 1999.

Greenberg moved, Bohjanen second that the minutes of the Regular Meeting held on December 6, 1999 be approved.

AYES: 6

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Bohjanen moved, Menhennick second that bills totaling \$18,936.98 checks numbered 9722-9755 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Financial reports received and placed on file.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEE, COMMISSIONS REPORTS.

1. MAWTFAB - November 9, 1999
2. Central Lake Superior Watershed Partnership - October 21, 1999

SUPERVISOR'S REPORT.

1. DRUG FORFEITURE FUNDS - This item will be placed on a future agenda.
2. BROWERS PROPERTY - The acquisition of the Don Browsers property is complete and the deed is recorded.
3. BECKMAN LAWSUIT – In your packet you will find a copy of the letter that the Beckman's sent to their attorney instructing him to drop the lawsuit. We were instructed by our attorney not to read the Beckman's meter until the lawsuit has been formally dismissed. When the lawsuit is officially dismissed, I will send a letter to the editors and provide them with the facts to hopefully set the record straight.
4. WATER MASTER PLAN - Larry will be attending a meeting with the City and Marquette Township to discuss the master plan they are considering. We will then decide if it would be advantageous for us to work jointly with them. Larry has been in contact with Sands Township on this issue.
5. CHERRY CREEK ROAD - The Road Commission has provided us with a schedule for the Cherry Creek Road project, which indicates that construction is planned to begin in July.
6. PERSONAL PROPERTY - In response to utility company appeals, the State Tax Commission has developed a completely new set of depreciation tables and forms for personal property. It is possible that Chocolay Township could be faced with a payback situation with SEMCO due to their 1998 and 1999 appeals.

ANNUAL APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS.

Hill moved, Sherbinow second that Ivan Fende be appointed to the East Marquette County Solid Waste Disposal Authority for a term to run from January 1, 2000 to December 31, 2000.

AYES: 6

NAYS: 0

MOTION CARRIED.

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	7,204.48	+6,243.80	13,448.28

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department 401.340.957	155,852.53	+6,243.80	162,096.33

ROLL CALL.

AYES: Greenberg, Bohjanen, Menhennick, Sherbinow, Hill, Fende.

NAY: None.

ABSENT: Britton.

MOTION CARRIED.

AMENDING CAPITAL IMPROVEMENTS BUDGET FY 1999 - AMENDMENT NO. 9 RECREATION – KAWBAWGAM POCKET PARK.

Menhennick moved, Sherbinow second by 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, 1998, for the next fiscal year, and, whereas, as a result of unanticipated changes in the revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, now therefore, be it hereby resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	13,448.28	+7,029.00	20,477.28

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Recreation 401.708.957	5,215.42	+7,029.00	12,244.42

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Greenberg, Bohjanen, Fende.

NAY: None.

ABSENT: Britton.

MOTION CARRIED.

Supervisor Fende requested that a thank-you letter on the donation for the pocket park. Clerk Hill will write the letter.

ENCUMBRANCE – SUPERVISOR DEPARTMENT.

Hill moved, Greenberg second that the \$850.00 budgeted in the Supervisor's fund account #175.957 for Capital Outlay - Office Equipment be encumbered for future expenditure.

ROLL CALL.

AYES: Greenberg, Bohjanen, Menhennick, Sherbinow, Hill, Fende. RESOLUTION

NAY: None.

ABSENT: Britton.

MOTION CARRIED.

ENCUMBRANCE – ASSESSING OFFICE.

Greenberg moved, Sherbinow second that \$5,825.00 budgeted in the FY1999 Assessing Department 101.202.957 for the new window version of the Equalizer program and equipment be encumbered for future expense.

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Greenberg, Bohjanen, Fende.

NAY: None.

ABSENT: Britton.

MOTION CARRIED.

ENCUMBRANCE – MARINA.

Menhennick moved, Sherbinow second that the Marina capital outlay funds (\$2,300) budget in the 1999 budget be encumbered for driveway, parking, and erosion control in the next construction season.

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Greenberg, Bohjanen, Fende.

NAY: None.

ABSENT: Britton.

MOTION CARRIED.

ENCUMBRANCE – RECREATION.

Menhennick moved, Greenberg second that the balance of the funds (\$1,960) budgeted for the engineering cost in the Bike Path/Multi Use Trail Enhancement Grant relocation project on the east side of US 41 south of Main Street be encumbered for project completion in the next construction season.

ROLL CALL.

AYES: Greenberg, Bohjanen, Menhennick, Sherbinow, Hill, Fende.

NAY: None.

ABSENT: Britton.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Correspondence - Road Commission - RE: Cherry Creek Road Reconstruction
- B. Correspondence - Robert Grove to USPS - RE: Postal Service
- C. Correspondence from - Beckman - RE: Lawsuit
- D. Correspondence from - Township Attorney - RE: Blondeau Trucking
- E. Information - County Road Commission - RE: STIP - 2000-2003
- F. Information - MTA Legislative Update - SB 205

There being no further business, the Supervisor adjourned the meeting at 7:55 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JANUARY 24, 2000

A Regular meeting of the Chocolay Township Board was held on Monday, January 24, 2000 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Richard Bohjanen, Don Britton, Lois Sherbinow, Gary Menhennick.

ABSENT: None.

MINUTES – DECEMBER 20, 1999.

Sherbinow moved, Greenberg second that the minutes of the Regular Meeting held on December 20, 1999 be approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

ACCOUNTS PAYABLE.

Hill moved, Britton second that bills totaling \$14,584.05 checks numbered 9756-9791 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Sherbinow moved, Bohjanen second that bills totaling \$123,422.63 checks numbered 9792-9838 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL REPORT.

Investment report received as a hand out and placed on file.

AMT OF C/D	200,000	161,000	124,000	105,000
PURCHASE	1/18/00	1/18/00	1/20/00	1/18/00
MATURING	7/18/00	7/18/00	5/9/00	4/12/00
INTEREST RATE	5.9%	5.95%	5.50%	5.10%
INSTITUTION	PEN	D & N	NMB	N CNTRY

PUBLIC COMMENT.

Tabb Lonergan – Has many snowmobiles trespassing on his property on Chocolay River Trail. He complained to the township police department and was told that there was nothing they could do about it. Supervisor Fende will look into this and have the police respond to Mr. Lonergan.

Darlene Herkins – Owns Chocolay Shores apartments and has a problem with snowmobiles crossing her private property.

Bill Kessell – Snowmobiles drag race on Lakewood Lane.

Lee Blondeau – Would like to be placed on the Township Board agenda for a Land Use Issues.

Chief Zyburnt – Currently the Township police department have practical difficulties catching speeding snowmobiles.

TRAVELODGE SEWER CHARGES.

Memo from L. Gould, D.P.W. Supervisor indicating that the Beckman lawsuit has been officially dismissed and that he and Doug Riley read the meter at the Marquette Motor Lodge. The Innkeeper of the Marquette Motor Lodge told Mr. Gould that there is another well that is not metered and it services part of the motel and the units behind the motel. Supervisor Fende wanted it stated in the records that at a May 1999 public meeting of the Board, he asked Mrs. Beckman if there was another well on the property that was not being metered. Mrs. Beckman stated that there was not. In addition, the Township is currently charging the units behind the motel as motel units instead of as duplexes (which is a higher rate) because of an earlier request/argument from the Beckman's that they

were motel units. The motel innkeeper told Mr. Gould that the units in the back were indeed duplexes.

SUPERVISOR'S REPORT.

1. Mr. Blondeau has made the request to be placed on the Board agenda concerning Land Use Issues does the Board want to do this?

Menhennick moved, Britton second that Lee Blondeau - Land Use Issues be placed on the next Township Board agenda.

AYES: 4

NAYS: 3

MOTION CARRIED.

2. I want to bring your attention to the letter to the County Road Commission that is in your packet. We did not pay the invoiced amount for the road reconstruction that was done last summer on Little Lake Road. The County did not adhere to the contract provisions, therefore, we only paid the contract amount and not the higher invoiced amount.
3. The UP 200 Sled Dog Race will be held again this year on February 18th. They have received approval from Ameritech to use the railroad grade and Ameritech will have the trestle barricades removed just prior to the race. We have been assured they will be replaced immediately following the race.
4. The Countywide Community Information System/GIS project that we have contributed towards is proceeding into the data collection phase. Staff will be working on the collection of Chocolay Township's government service information, maps and other data for inclusion in the system.
5. Staff has looked into whether there are State grant monies available for the cleanup of the trash in the woods near Lake LeVasseur and the new cross country ski trail as requested by the Ad Hoc Trails Committee. The DNR has informed us that those types of grants or assistance programs are no longer available. The only suggestion they offered was the formation of a volunteer "Adopt a Forest" program, (similar to the "Adopt a Road" program).

FIRE DEPARTMENT - COUNTY TRAINING FACILITY.

Greenberg moved, Hill second that the Township Board supports the concept of a County wide training facility that would be used by all Fire departments in the County.

AYES: 7

NAYS: 0

MOTION CARRIED.

Supervisor Fende will write a letter of support of the concept to the County as requested by the Fire Department.

FIRE DEPARTMENT GRANT - DRY HYDRANT.

Hill moved, Sherbinow second that the Fire Department would like to install a dry hydrant at an estimated cost of \$3,850 on the Chocolay River at the Mangum Road crossing and the Department is authorized to apply for a Rural Community Fire Protection Grant.

AYES: 7

NAYS: 0

MOTION CARRIED.

DRUG FORFEITURE MONEY.

A policy will be brought back to the next Board meeting for discussion and a vote.

SNOWMOBILE ENFORCEMENT GRANT.

Menhennick moved, Britton second that the police department has approval to utilize \$12,007.55 for the police snowmobile grant. The township will be reimbursed by the DNR for their share \$9,006.00, in the fall of 2000. A budget amendment will be done at that time.

ROLL CALL.

AYES: Menhennick, Sherbinow, Hill, Fende, Greenberg, Bohjanen, Britton.

NAYS: None.

MOTION CARRIED.

EXPENDITURE FROM POLICE TRAINING CAPITAL IMPROVEMENT FUND.

Greenberg moved, Britton second to expend \$416.24 from the 302 police training account in the Police Capital Improvement Fund 401.306.957 for the three day Police Chief's Conference in Grand Rapids February 8-11, 2000.

ROLL CALL.

AYES: Greenberg, Bohjanen, Britton, Menhennick, Sherbinow, Hill, Fende,.

NAYS: None.

MOTION CARRIED.

POLICE DEPARTMENT INTERNSHIP.

Bohjanen moved, Menhennick second to re-instate the police intern program for the year 2000.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLICATION FOR RESCINDING LAND DIVISION ORDINANCE.

Menhennick moved, Sherbinow second that the Charter Township of Chocolay publish the required public notice for a public hearing to rescind Ordinance #52, otherwise known as the Chocolay Township Land Division Ordinance.

AYES: 7

NAYS: 0

MOTION CARRIED.

PARTICIPATION IN MARQUETTE CITY WATER/SEWER MASTER PLAN.

The Board discussed the three options pointed out in a memo from L. Gould, D.P.W. Supervisor. The Board agreed to move forward with the Sands/Chocolay water master plan and share the information with the City of Marquette.

CHOCOLAY RIVER WATERSHED COUNCIL APPOINTMENT.

Fende moved, Hill second that Jack Rydquist be appointed to fill the unexpired term on the Chocolay River Watershed Council through May 31, 2000.

AYES: 7

NAYS: 0

MOTION CARRIED.

RECYCLING PROGRAM REDUCTION.

Menhennick moved, Hill second that since the refuse/recycling contract with Northern Refuse does not require that mixed paper be collected, their request to discontinue collection of mixed paper be granted and that adequate notification be made to residents.

AYES: 7

NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Correspondence - Mining Journal - RE: Editorial on "Meters"
- B. Correspondence - Road Commission - RE: Contract Payments
- C. Correspondence - Ameritech - RE: Snowmobile Trail
- D. Correspondence - KBIC - RE: Kawbawgam Park Funds Donation
- E. Correspondence - Donald Browers - RE: Property Donation
- F. Correspondence from - Cynthia VanAusdale - RE: Resignation and Thank You to Police Department

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

FEBRUARY 7, 2000

A Regular meeting of the Chocolay Township Board was held on Monday, February 7, 2000 at the Township Hall, 5010 U S 41 South, Marquette. Treasurer Greenberg called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Arlene Hill, John Greenberg, Richard Bohjanen, Don Britton, Lois Sherbinow.

ABSENT: Ivan Fende, Gary Menhennick.

MINUTES – JANUARY 24, 2000.

Bohjanen moved, Britton second that the minutes of the Regular Meeting held on January 24, 2000 be approved.

AYES: 5

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Sherbinow second that bills totaling \$14,135.65 checks numbered 9839-9877 are approved for payment.

AYES: 5

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Doug Riley – Lake Superior Community Partnership has requested that Chocolay Township write a letter in support of CCI on the Suicide Bowl Property. The Board concurred with Supervisor Fende writing a letter.

John Smith – Could the Board request that MDOT put signage up at the US41 and M-28 intersection traffic light indicating that it is triggered by sensor.

RESCINDING ORDINANCE #52 – LAND DIVISION ORDINANCE.

Mark Maki, Director of Zoning explained to the Board the reasoning behind revising the Land Division Ordinance instead of rescinding it. The Board discussed this issue and offered the following motion.

Hill moved, Sherbinow second to authorize to publish for the REVISION of Ordinance #52 Section VIII with the following language

SECTION VIII

CONSEQUENCES OF NONCOMPLIANCE WITH LAND DIVISION APPROVAL

REQUIREMENT

When the assessing officer suspects such a violation or potential non-conformity, he shall refer the same to the county prosecuting attorney, plat section Department of Commerce and give written notice to the person suspected of the violation or potential non-conformity.

Any division of land in violation of this Ordinance shall further not be eligible for any zoning or building permit for any construction or improvement thereto.

An unlawful division or split shall also be voidable at the option of the purchaser and shall subject the seller to the forfeiture of all consideration received or pledged therefore, together with any damages sustained by the purchaser, recoverable in an action at law.

An affidavit shall be filed in the County Register of Deed's office indicating noncompliance with the Township Land Division Ordinance for any lot created which has not obtained a land division approval.

AYES: 5

NAYS: 0

MOTION CARRIED.

DRUG FORFEITURE FUNDS – PROPOSED POLICY.

Bohjanen moved, Britton second that all drug forfeiture funds awarded to Chocolay Township shall be deposited in Special Revenue Fund #265 titled "Drug Law Enforcement Fund" in which these funds shall be the first to be utilized to pay Chocolay Township's annual contribution to U.P.S.E.T. and that any additional expenditures from this fund shall be evaluated on a case by case basis by the Township Board.

AYES: 5

NAYS: 0

MOTION CARRIED.

Trustee Bohjanen had to leave the meeting at 7:50.

PRESENTATION – BLONDEAU TRUCKING – LAND USE ISSUES.

Lee Blondeau gave a presentation to the Board on Blondeau Trucking. He spoke on the history of the Blondeau property and the fact that they have been a family operation for 50 years and plan on continuing in the same location into the future. Lee Blondeau would like to come to a fair settlement

between the Township and Blondeau Trucking that would allow his business to develop in the day and age in which he is doing business. Mr. Blondeau believes that the stipulated agreement is a court decree and it implies that his use is a permitted conditional use. Mr. Maki stated that it is a stipulated agreement made between the Township and Blondeau Trucking, not a Judge's opinion or court decree.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Minutes - Ad Hoc Trails Committee - January 4, 2000
2. Minutes - Chocolay Township Election Commission - January 24, 2000
3. Minutes - Township/Road Commission Relations Committee - January 13, 2000

PUBLICATION OF REZONING #109 – CHOCOLAY TOWNSHIP – KAWBAWGAM ROAD PROPERTY – C-1 AND RR-2 TO PUBLIC LANDS.

Hill moved, Sherbinow second that the Charter Township of Chocolay waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-00-1

AMENDMENT

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

SECTION 901 - CHOCOLAY TOWNSHIP ZONING MAP

That the Township owned property on the east and west sides of Kawbawgam Road south of M-28 and immediately north of the abandoned railroad grade encompassing approximately 6 acres identified as tax parcel code 52--02-007-049-00 be rezoned from C-1 and RR-2 to Public Lands.

AYES: 5

NAYS: 0

MOTION CARRIED.

EXPENDITURE FROM POLICE TRAINING CAPITAL IMPROVEMENTS FUND.

Hill moved, Britton second to expend \$380.00 from the police training account in the Police Training Capital Improvements Fund 401.306.957 for the three day training seminar entitled Snowmobile Patrol Operations.

ROLL CALL:

AYES: Britton, Sherbinow, Hill, Greenberg.

NAYS: None.

ABSENT: Fende, Menhennick, Bohjanen.

MOTION CARRIED.

FIREHALL INSULATION IMPROVEMENTS.

Sherbinow moved, Britton second that up to \$1,575.00 be expended from the Capital Improvements Fund Buildings Account 401.270.957 to insulate and provide protective wall coverings for parts of the firehall exterior walls.

ROLL CALL:

AYES: Hill, Sherbinow, Britton, Greenberg.

NAYS: None.

ABSENT: Fende, Menhennick, Bohjanen.

MOTION CARRIED.

Clerk Hill – Richard Bohjanen is our representative on the Peter White Public Library Township Advisory Board. She would like to have him update the Board on the status of Peter White Library.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Correspondence - UP 200 - Re: Railroad Grade
- B. Correspondence - County Board of Commissioners - Re: Fire Training Facility
- C. Correspondence from - MTA - Re: Legislative Issues
- D. Correspondence from - County of Marquette - Re: Rezoning #110 & #111
- E. Correspondence from - U.P.S.E.T. - Re: Contribution Thank You
- F. Correspondence from - ZBA - Withdrawal of Class A #32 Request
- G. Information - Peter White Public Library Township Advisory Council Meeting Schedule for 2000

There being no further business, the Treasurer adjourned the meeting at 8:35 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

AMENDMENT

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

SECTION 901 - CHOCOLAY TOWNSHIP ZONING MAP

That the Township owned property on the east and west sides of Kawbawgam Road south of M-28 and immediately north of the abandoned railroad grade encompassing approximately 6 acres identified as tax parcel code 52--02-007-049-00 be rezoned from C-1 and RR-2 to Public Lands.

ROLL CALL:

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

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Minutes - MAWTFAB - January 11, 2000
2. Minutes - Central Lake Superior Watershed Partnership - January 20, 2000

SUPERVISOR'S REPORT.

1. Stacy Busch has announced that she is taking a job at NMU. This Friday will be her last day.
2. The Police Department has obtained their snowmobile, which was made possible through the DNR Enforcement Grant. They are currently equipping it and they hope to have it available for use within the next week.
3. In your packets is a Habitat for Humanity request for input on potential properties for their program or for potential families who may qualify for a habitat home. You can forward any ideas directly to them.
4. Along with Bresnan's 1999 franchise fee refund to subscribers that is included in your packets, we also received notification from the FCC that, based upon a complaint filed in 1994, Bresnan will refund approximately \$2.50 per subscriber for a 3 month overcharge in 1994.
5. The students at Silver Creek Elementary are involved in a newspaper-recycling project. In order to teach conservation they are equating a certain size stack of papers as equal to one tree. We are helping them with this effort by picking up the papers once a week.
6. The Presidential Primary polls open tomorrow at 7:00 a.m. We need to pick up the chairs in the meeting room at the conclusion of tonight's meeting.

Trustee Britton asked if Mr. Blondeau would consider resubmitting an application to the Zoning Board of Appeals.

Mr. Blondeau would like to respond to our most recent attorney's opinion at the next Township Board meeting.

Supervisor Fende stated that unless Mr. Blondeau's response to the Board was something other than what has already been presented, money will not be spent on an attorney opinion and it will not go on the agenda.

Trustee Menhennick noted that Blondeau Trucking problems started back in 1977 with the new zoning ordinance & rezoning of property in the Township. Perhaps a rezoning of the Blondeau property from C-2 to C-3 could be an option.

Mr. Blondeau indicated that one of the primary difficulties with resubmitting to either the ZBA or the Planning Commission is the fact that both the Planning Director and/or Zoning Administrator respectively will have negative recommendations and these recommendations carry a lot of weight with these Boards. What does it mean in the Planning Director and Zoning Administrator job descriptions that they "serve at the Board's pleasure"?

Supervisor Fende advised Mr. Blondeau that any response he would make regarding our Attorney's last opinion should be made in writing and submitted for our review and/or our Attorney review well in advance of another meeting.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Correspondence from - Fende/Attorney - Re: Blondeau
- B. Correspondence from - Marquette County Habitat for Humanity - Re: Building Sites/Families
- C. Correspondence from - Bresnan - Re: 1999 Rebate
- D. Correspondence from - Attorney/MI Supreme Court - Re: Harvey Motors v. Maki
- E. Correspondence - State Historical Preservation Office - Re: CCI
- F. Information - Memo. from Gould - Re: Marquette County Road Commission Report
- G. Information - MTA - Legislative Update
- H. Information - MTA - February E-News
- I. Information - 2000 Recycling Notice
- J. Information - MCTA - February Meeting

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

MARCH 6, 2000

A Regular meeting of the Chocolay Township Board was held on Monday, March 6, 2000 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

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

ABSENT: Richard Bohjanen.

MINUTES – FEBRUARY 21, 2000.

Greenberg moved Britton second that the minutes of the Regular Meeting held on February 21, 2000 be approved.

AYES: 6

NAYS: 0

MOTION CARRIED.

As a point of clarification to the Trustee Menhennick's comment in the February 21, 2000 minutes, Mark Maki, Zoning Administrator offered the following correction. The problem did not start in 1977. The parcel of the Blondeau Trucking operation has been a nonconforming use since the 1962 Zoning Ordinance. The property was zoned One Family Residential under the 1962 and 1976 Zoning Ordinance. The 1976 Zoning Ordinance was voted out in January 1977. In May 1977, when the current Zoning Ordinance was adopted a large area of property had been zoned to a C-2 classification. This new C-2 zone included L. Blondeau & Sons Trucking Repair Shop property and yard. Under C-2 the use is still nonconforming. The current repair shop was built in 1974. At that time a permit was requested for a garage. The property was zoned residential at that time.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$12,442.91 checks numbered 9910-9944 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

John Smith – A trash clean up along the ski trail on Kawbawgam is planned in April. Will the Township pay for the disposal of the trash? The Board agreed that Mr. Smith should coordinate the clean up with Larry Gould, D.P.W. Supervisor and the Township will cover the landfill disposal cost.

Lee Blondeau – Would the Board comment on his most recent correspondence located under informational reports in the agenda?

Trustee Britton asked if Mr. Blondeau had additional information on Blondeau Trucking zoning situation?

Britton moved Menhennick second to allow Mr. Kirt Harmon, Attorney, time during the meeting to discuss with the Board the Blondeau zoning issue.

AYES: 5

NAYS: 1

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Minutes – Planning Commission – February 14, 2000.
2. Minutes – Ad Hoc Trails Committee – February 1, 2000.

SUPERVISOR'S REPORT.

- 1) The Township's new Secretary/Records Clerk, (i.e. Stacy Busch's replacement), began work last Thursday. Her name is Jennifer Wiles and she lives at Sawyer.
- 2) Doug and I recently met with representatives from the Lake Superior Community Partnership regarding our Year 2000 Membership fee. We have been asked to sit on a committee to review the local government fee structure.

- 3) In your packets is a letter from Mike Davison regarding the removal of the railroad trestle over M-28. While the Township does not have any ownership control over this bridge, and it is unlikely that any removal would be completed by either the owner or the DNR because of the obvious desire for use of the trestle for a rails to trails conversion, we will send a request at the appropriate time regarding painting and maintenance of the trestle to address its appearance.
- 4) Our Board of Review is scheduled for March 13th and 16th. The inflation rate for Year 2000 is 1.9%. Our calculated residential increase is 4%.
- 5) The Police Department has their snowmobile back from having it equipped, however, it's doubtful whether they will have a chance to get it out in the community for enforcement this winter.
- 6) As a handout you will find a copy of the County's 1999 accomplishments bulletin (which clearly emphasizes the Sawyer conversion).
- 7) It is our intent to cancel the 2nd Board Meeting of this month as our Clerk and Deputy Clerk will be out of town and we have adjusted business matters accordingly.

Mr. Harmon addressed the Board on the problems with the consent judgement in that the order is void regarding expansion, zoning classification or whether it was a conditional use. Mr. Harmon suggested that the Township and Mr. Blondeau approach the court together to come to a mutual resolution.

Trustee Menhennick would like to see the property rezoned to C-3.

Supervisor Fende stated that under the agreement Blondeau Trucking went from 15 to 59 units. He suggested that he was willing to go back to court and have the stipulated agreement thrown out and start from square one.

Trustee Britton wondered if there was a way to clarify the agreement.

Lee Blondeau would like the Board to vote on this issue at the next scheduled Board meeting.

Supervisor Fende requested that Mr. Blondeau's attorney write a proposal for our attorney to review. After his review a determination will be made for the next agenda.

Treasurer Greenberg suggested that Mr. Blondeau go back to the Zoning Board of Appeals.

Trustee Sherbinow asked Mr. Blondeau why he withdrew his application to the Zoning Board of Appeals. His reply was that he was afraid of losing his Class A designation.

REZONING #111 TEXT AMENDMENT – OFF STREET PARKING REQUIREMENTS.

The Board discussed this amendment that would restrict parking of commercial vehicles in residential areas. The various types of commercial vehicles were discussed, panel trucks, cars with commercial logos, semi-trucks, step vans, pick-up trucks with plows and various equipment that attach to vehicles.

Many businessmen were in the audience to comment on item #9 of the amendment.

- Why do we need this regulation when there is no real problem in the Township?
- We should not fix something that is not broke.
- Has lived in Chocoley Township many years in the same area and has never had a complaint about his commercial vehicle being parked at his residence.
- Being able to take a business vehicle home is a benefit to the business owner.
- This is micro managing property and the text amendment should be sent back to the Planning Commission with the suggestion that we do not need it.
- The Police do get some complaints from neighbors of commercial truck owners.

Amend Section 214 "**PUBLIC LANDS ZONING DISTRICT**" subsection (C) **CONDITIONAL USES** to add "Wireless Communication Facilities subject to the conditions of Section 527".

Amend To Add a Section 527 to read:

WIRELESS COMMUNICATION FACILITIES:

The Township has a clear and identifiable interest in accommodating the communication needs of residents and businesses but also has an interest in regulating highly visible structures such as large, high communication towers. It is the Township's interest, also, to induce, to the extent reasonable, cooperative use and collocation of such towers and their associated facilities and structures.

- A. Wireless Communication Facilities located in the C-3 or Public Lands District are subject to the following qualifying conditions and/or regulations:
1. The height of the wireless communication facility shall not exceed 175' unless a variance has been granted by the Zoning Board of Appeals.
 2. All sites must contain a minimum area sufficient to contain the wireless communication facility and all related accessory uses. The site shall have legal documented access to a public road.
 3. Any wireless communication tower must be set back from all property lines a distance equal to its height, unless engineering plans and specifications have been certified by a licensed mechanical, civil, professional engineer or architect, or other engineer licensed and competent in assessing the structural integrity of such towers, verifying a safe fall zone. All towers shall be certified by an above licensed engineer verifying that the structural design will withstand wind speeds and icing under the worst conditions experienced in the area.
 4. Accessory structures shall not exceed six hundred (600) square feet of gross building area.
 5. No wireless communication facility shall be approved unless the applicant is able to establish that any existing tower, structure or facility is not available for co-utilization based upon technical inadequacy or incapacity, unreasonable or prohibitive cost, denial by owner or other practical impediment to use or access.
 6. There shall not be displayed on the wireless communication facility advertising or identification of any kind intended to be visible from the ground or other structures, except as required for emergency purposes.
 7. The wireless communication facility shall be maintained in a predominate color, coating or material which matches the exterior surroundings. The predominant color scheme shall be designed to minimize off-site visibility of the structure.
 8. All wireless communication facilities must comply with the standards of the Federal Aviation Administration, the Federal Communications Commission, *the Airport Zoning Ordinance for Marquette County* and all applicable State or Local codes.
 9. The wireless communication facility shall be located and operated so that they do not interfere with radio, television, audio, video, electronic, microwave or other reception in nearby areas.
 10. All wireless communication facilities shall be removed by the property owner or lessee within six (6) months of being abandoned by all users.
 11. Minimum spacing between wireless communication facilities shall be one (1) mile in order to prevent a concentration of towers in one area.
 12. Wireless communication facilities shall not be artificially lighted unless required by the Federal Aviation Administration.
 13. The base of any tower and any cable supports shall be fenced with a minimum six (6) foot high security fence and all fencing shall be screened with landscaping. Accessory structures shall match the construction characteristics of other existing buildings in the surrounding area.
 14. All wireless communication facilities shall be inspected after being constructed and then once every three (3) years for compliance with all ordinance, structural and operational requirements and shall be certified as in compliance by a licensed mechanical, civil, professional engineer or architect,

or other engineer licensed and competent in assessing the structural integrity of such towers, and said certification shall be submitted to the Township.

B. Wireless Communication Facilities located in the RP District are subject to the above qualifying conditions and/or regulations (1 through 14) with the following exceptions or additional requirements in order to reduce the impact of wireless communication facilities on the low intensity intent of the RP District and the tourism related aesthetic qualities of the Township's outlying areas:

1. The height of the wireless communication facility shall not exceed 75' unless a variance has been granted by the Zoning Board of Appeals.
2. The wireless communication facility and any accessory structures shall be set back a minimum of 150' from all public or approved private road rights-of-way. Said set back shall be left in its natural state in order to provide screening or buffering to the roadway.
3. The wireless communication facility and any accessory structures shall be set back a minimum of 300' from any existing residential dwellings.
4. The applicant shall make every attempt in the design of the wireless communication facility to disguise the structure (e.g. as a light pole, tree, etc.) to reduce/eliminate the aesthetic impact to the surrounding area.

AYES: 6

NAYS: 1

MOTION CARRIED.

PUBLICATION OF REZONING #111 – TEXT AMENDMENT – OFF-STREET PARKING REQUIREMENTS.

The Board discussed notes 1 through 8 and did not want them to apply to residential housing of 4 units or less. Changes will be made to this amendment and it will be brought back to the Board at the April 17, 2000 meeting.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Report - Recreation Committee - 1999 (Annual) Report
2. Minutes - Planning Commission - March 13, 2000
3. Minutes - Recreation Committee - February 24, 2000
4. Minutes - EMSWDA - March 16, 2000
5. Minutes - MAWTFAB - March 14, 2000
6. Minutes - Central Lake Superior Watershed Partnership - February 17, 2000

SUPERVISOR'S REPORT.

1. BLONDEAU - I received a letter from Mr. Blondeau's Attorney on Friday afternoon, obviously not in time to get to the Township Attorney for review and comment prior to tonight's meeting.
2. AUDIT - The auditor's have completed their work and the 1999 report will be on the agenda for the April 17 meeting.
3. HAULER AGREEMENT - Peninsula Sanitation in Marquette has increased their fees at the transfer station to \$100.00 per ton. This is over two & one half (2&1/2) times the fee at the landfill. The landfill is subsequently experiencing more haulers at the landfill and is making arrangements so that smaller haulers can dump in a rolloff unit rather than at the disposal site. Due to the high fees at Peninsula, we will be providing the Board with a revised haulers agreement for the smaller hauler so they can bypass the transfer and haul to the landfill.
4. SKI TRAIL CLEAN UP – At the last meeting, there was consensus to have volunteers clean up the refuse along the ski trail. To alleviate any confusion, I am providing you and the volunteers a list of guidelines to follow for the clean up.
5. BILLY JENKINS – Billy Jenkins has volunteered to obtain rubber belting from CCI to install under all the recreation area bleachers. This will reduce our maintenance and increase the longevity of the bleachers.
6. ARBOR DAY GRANT – You will note in your packet that we received an Arbor Day Mini Grant from the DNR. We will use the grant to purchase oak trees to be planted by the school children at the recreation area and to plant trees for a windbreak.

7. **BURGER KING** - Officials from Burger King have indicated that they still intend to build yet this year on the corner of 41/Cherry Creek. They are now back to the concept of a combined restaurant/gas station and are having an architect work on a new plan.
8. **MCTA BANQUET** - In your packets is a copy of the announcement for the MCTA Spring Banquet. We need to pass a motion authorizing any interested employees to attend.
9. The Board discussed the 4th of July donation under Supervisor's report and agreed to look into the legality of this type of donation.

Greenberg moved Menhennick second that any township employee may attend the MCTA annual Spring Banquet with dinner costs paid by the Township. Guests and Township Board members are welcome to attend at their own cost.

ROLL CALL.

AYES: Hill, Menhennick, Sherbinow, Britton Bohjanen, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

PERSONNEL COMMITTEE RECOMMENDATIONS.

The Board discussed the harassment policy, sick leave verification and pension committee term of office. Mark Maki, Zoning Administrator expressed his concerns with the harassment policy. He feels the employees should have another chance to discuss this policy. He feels that it could be administered unfairly and an employee could be discharged unfairly. The Board looked at section 8.0 of the personnel policy and felt that the steps under this section would ensure fair treatment of the employees.

Hill moved Menhennick second that the Board concurs with the Personnel Committee's Recommended changes to the personnel policy for items listed as IV. A. (Harassment Policy), V. A. 1. & 2. & 3. (Sick Leave Verification), and V. B. (Pension Committee term of office) as presented in their March 8, 2000 meeting minutes.

AYES: 7

NAYS: 0

MOTION CARRIED.

Fende moved, Sherbinow second that the issue of retirement insurance be referred back to the Personnel Committee to draft a policy to be considered by the Board.

AYES: 7

NAYS: 0

MOTION CARRIED.

Hill moved Menhennick second that Greg Zybur is appointed as the employee representation on the Pension Committee for a six-year term beginning 1-1-2000 through 12-31-2006.

AYES: 7

NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2000-AMENDMENT NO. 1 REIMBURSEMENT BULLET PROOF VEST.

Greenberg moved, Menhennick second that Whereas, a budget was adopted by the Chocoday Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in October 4, 1999, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Uniforms			
101.305.957	\$3,822.00	+\$279.50	\$4,101.50
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
Grant 101.698	\$8,000.00	+\$279.50	\$8,279.50

ROLL CALL.

AYES: Britton Bohjanen, Greenberg, Fende, Hill, Menhennick, Sherbinow.

NAYS: None.

MOTION CARRIED.

Clerk Hill brought up the Travelodge letter listed below in informational reports and communications. Mrs. Beckman referenced a comment made by the Clerk in the letter. Clerk Hill wanted the Board to know that was not what she said to Mrs. Beckman.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Correspondence - Information - Memo. from Fende - Re: Beckman correspondence of March 2, 2000
- B. Correspondence from - Lake Superior Community Partnership - Re: Organizational Structure
- C. Correspondence from - MDNR - Re: Arbor Day Mini-Grant
- D. Correspondence from - MTA - Re: House of Representatives
- E. Information - MCTA - Re: Spring Banquet
- F. Information - MTA - Spring District Meetings
- G. Information - MTA - Legislative Updates
- H. Information - MTA - March E-News
- I. Information - MJ Article - Re: Brower Property

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

April 17, 2000

A Regular meeting of the Chocolay Township Board was held on Monday, April 17, 2000 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Don Britton, Richard Bohjanen, Lois Sherbinow, Gary Menhennick.

ABSENT none.

MINUTES – April 3, 2000.

Greenberg moved Menhennick second that the minutes of the Regular Meeting held on April 3, 2000 be approved.

AYES: 7

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$34,050.37 checks numbered 10001 – 10038 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

A certificate of deposit report was received and placed on file.

PUBLIC COMMENT.

Jim Beckman, Marquette Motor Lodge – Made a request to be placed on the next Board agenda. The Board did not move on this item.

Lee Blondeau – Would like a hearing before a judge regarding his zoning classification. Supervisor Fende requested a written response from Mr. Blondeau on this matter.

Lee Blondeau – Would like a lifting of the non-conforming zoning classification from his property. Would also like a hearing on this in front of a judge.

ADOPTION OF REZONING #110 – TEXT AMENDMENT – WIRELESS COMMUNICATION FACILITIES (CELL TOWERS).

Hill moved, Sherbinow second that the Charter Township of Chocolay waive the reading and adopt the following amendments to Ordinance 34 of the Charter Township of Chocolay, Marquette County, Michigan.

AMENDMENT #34-00-02

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

Amend Section 101 "DEFINITIONS:" to add the following definition in the correct alphabetical location:

Wireless Communication Facilities: All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals. This may include, but shall not be limited to, radio and television broadcasting or relay towers, wireless or cellular telephone communication receivers and transmitters, telephone devices and exchanges, microwave relay facilities and towers, telephone transmission equipment buildings, and *public*, private and commercial mobile radio service facilities.

Amend Section 211 "DISTRICT C-3" subsection (C) CONDITIONAL USES to add "Wireless Communication Facilities subject to the conditions of Section 527".

Amend Section 212 "DISTRICT RP" subsection (C) CONDITIONAL USES to add "Wireless Communication Facilities subject to the conditions of Section 527".

Amend Section 214 "PUBLIC LANDS ZONING DISTRICT" subsection (C) CONDITIONAL USES to add "Wireless Communication Facilities subject to the conditions of Section 527".

Amend To Add a Section 527 to read:

WIRELESS COMMUNICATION FACILITIES:

The Township has a clear and identifiable interest in accommodating the communication needs of residents and businesses but also has an interest in regulating highly visible structures such as large, high communication towers. It is the Township's interest, also, to induce, to the extent reasonable, cooperative use and collocation of such towers and their associated facilities and structures.

A. Wireless Communication Facilities located in the C-3 or Public Lands District are subject to the following qualifying conditions and/or regulations:

1. The height of the wireless communication facility shall not exceed 175' unless a variance has been granted by the Zoning Board of Appeals.
2. All sites must contain a minimum area sufficient to contain the wireless communication facility and all related accessory uses. The site shall have legal documented access to a public road.
3. Any wireless communication tower must be set back from all property lines a distance equal to its height, unless engineering plans and specifications have been certified by a licensed mechanical, civil, professional engineer or architect, or other engineer licensed and competent in assessing the structural integrity of such towers, verifying a safe fall zone. All towers shall be certified by an above licensed engineer verifying that the structural design will withstand wind speeds and icing under the worst conditions experienced in the area.
4. Accessory structures shall not exceed six hundred (600) square feet of gross building area.
5. No wireless communication facility shall be approved unless the applicant is able to establish that any existing tower, structure or facility is not available for co-utilization based upon technical inadequacy or incapacity, unreasonable or prohibitive cost, denial by owner or other practical impediment to use or access.
6. There shall not be displayed on the wireless communication facility advertising or identification of any kind intended to be visible from the ground or other structures, except as required for emergency purposes.
7. The wireless communication facility shall be maintained in a predominate color, coating or material which matches the exterior surroundings. The predominant color scheme shall be designed to minimize off-site visibility of the structure.
8. All wireless communication facilities must comply with the standards of the Federal Aviation Administration, the Federal Communications Commission, *the Airport Zoning Ordinance for Marquette County* and all applicable State or Local codes.
9. The wireless communication facility shall be located and operated so that they do not interfere with radio, television, audio, video, electronic, microwave or other reception in nearby areas.
10. All wireless communication facilities shall be removed by the property owner or lessee within six (6) months of being abandoned by all users.
11. Minimum spacing between wireless communication facilities shall be one (1) mile in order to prevent a concentration of towers in one area.
12. Wireless communication facilities shall not be artificially lighted unless required by the Federal Aviation Administration.
13. The base of any tower and any cable supports shall be fenced with a minimum six (6) foot high security fence and all fencing shall be screened with landscaping. Accessory structures shall match the construction characteristics of other existing buildings in the surrounding area.
14. All wireless communication facilities shall be inspected after being constructed and then once every three (3) years for compliance with all ordinance, structural and operational requirements and shall be certified as in compliance by a licensed mechanical, civil, professional engineer or architect, or other engineer licensed and competent in assessing the structural integrity of such towers, and said certification shall be submitted to the Township.

B. Wireless Communication Facilities located in the RP District are subject to the above qualifying conditions and/or regulations (1 through 14) with the following exceptions or additional requirements in order to reduce the impact of wireless communication facilities on the low intensity intent of the RP District and the tourism related aesthetic qualities of the Township's outlying areas:

1. The height of the wireless communication facility shall not exceed 75' unless a variance has been granted by the Zoning Board of Appeals.
2. The wireless communication facility and any accessory structures shall be set back a minimum of 150' from all public or approved private road rights-of-way. Said set back shall be left in its natural state in order to provide screening or buffering to the roadway.
3. The wireless communication facility and any accessory structures shall be set back a minimum of 300' from any existing residential dwellings.
4. The applicant shall make every attempt in the design of the wireless communication facility to disguise the structure (e.g. as a light pole, tree, etc.) to reduce/eliminate the aesthetic impact to the surrounding area.

Trustee Menhennick questioned if this ordinance will limit 911 radio towers. It will not, 911 towers will switch to the State Police Towers.

ROLL CALL.

AYES: Hill, Sherbinow, Menhennick, Britton, Bohjanen, Fende.

NAYS: Greenberg.

MOTION CARRIED.

PUBLICATION OF REZONING #111 – TEXT AMENDMENT – OFF-STREET PARKING REQUIREMENTS.

Greenberg moved, Sherbinow second that the Charter Township of Chocolay waive the reading and publish the following amendments to Ordinance 34 of the Charter Township of Chocolay, Marquette County, Michigan: #34-00-03.

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

SECTION 500 OFF-STREET PARKING REQUIREMENTS

Except in Districts RP and OS, there shall be provided off-street parking for motor vehicles, and the minimum number of parking spaces to be provided shall be as shown in the following list:

USE	SPACES REQUIRED
Single and Two-family dwellings	2 per dwelling unit
Rooming houses, fraternities, sororities, dormitories, convalescent homes.	.4 times maximum lawful number of occupants.
Hotels	1.2 per room in addition to spaces required for restaurant
Apartment and townhouses	2 per dwelling unit or floor area in square feet divided by 440, which ever is greater.
Senior Housing	1 per dwelling Unit
Mobile home subdivisions and parks	2 per mobile home & 1 per 300 sq. ft. for offices.
Churches, theaters, facilities for spectators sports, auditoriums, concert halls	.35 times the seating capacity.
Community Center	.35 times the seating capacity.
Golf courses	7 per hole
Barber shops and beauty parlors	2 plus 1.5 per chair
Bowling alleys	5 per lane in addition to spaces required for restaurant facilities
Fast food take-out establishments and drive-in restaurants	1.5 per 100 sq. ft. of floor area (amended 2-22-93)
Restaurants (except drive-ins)	1.2 per 100 sq. ft. of floor space
Hardware stores, household equipment, repair shops including shoe repair, contractor's showroom and others.	1.2 per 100 sq. ft. of floor space 1 per 200 sq. ft. of floor space

Museums and galleries		1 per 100 sq. ft. of floor space
Furniture, appliance, carpet		1 per 200 250 sq. ft of floor space (amend. 8-15-78)
Funeral parlors		1 per 50 sq. ft of floor space
Gas stations		1 per fueling location plus 2 per lift
Auto Body Repair Shops		1 Space per bay and 1 per employee
Motor Vehicle Sales		1 space per each 1000 sq. ft. of display area
Laundromats		.50 per machine .33 per machine
Doctor's and dentist's offices		1 per 100 sq. feet of waiting room area and 1 per doctor or dentist
Day Care Center		1 space per 5 children
Banks		1 per 150 sq. ft. of floor space
Warehouses		1 per 500 1500 sq. ft. of floor area
For uses not specifically listed above, the requirements listed below are applicable:		
Retail stores and service establishments		1 per 150 200 sq. ft. of floor space and outdoor sales space
Offices		1 per 300 sq. ft of floor space
Bed & Breakfast		One space per room for transient guests in addition to spaces required for single family dwellings.
Other commercial and industrial uses		.75 times maximum number of employees on premises at any one time

With the exception of residential housing of 4 units or less, Notes #1 through #8 shall also apply.

1. Where calculation in accordance with the foregoing list results in requiring a fractional space, any fraction less than one-half shall be disregarded and any fraction of one half or more shall require one space.
2. Required off-street parking shall be provided on the lot to which it pertains. All spaces shall be provided by adequate access by means of a maneuvering lane. Backing directly onto a street is prohibited.
3. The use of any required parking space for the storage of any motor vehicle for sale, or for any other purpose other than the parking of motor vehicles is prohibited.
4. All required parking spaces shall be clearly defined by use of a car wheel or bumper stops, and or painted lanes.
5. No off street parking shall be constructed or altered until approval has been issued by the Chocolate Township Planning Commission under site plan review.
6. Lighting fixtures used to illuminate off-street parking areas shall be designed to reflect light downward and away from adjoining residential properties, institutional premises, or streets and highways. Lighting shall not emanate from fixtures above a point 15 degrees below horizontal as measured at the light fixture.
7. Handicap parking spaces shall be provided in accordance with the applicable building code and shall be provided in sufficient number.
8. Parking lot layout should include consideration for snow removal and on-site drainage and plans shall be provided for on the site plan.

For a use not specifically identified the off street parking facilities shall be in accordance with a use, which the Zoning Administrator considers as similar in type.

The following minimum design standards shall be observed in laying out off-street parking facilities:

<u>Parking Angle</u>	<u>Stall Width</u>	<u>Aisle Width</u>	<u>Parking Stall Length</u>	<u>Curb to Curb</u>
0 to 15	9 ft.	12 ft.	23 ft.	30 ft.
16 to 37	10 ft.	12 ft.	19 ft.	47 ft.
38 to 57	10 ft.	13 ft.	19 ft.	54 ft.
58 to 74	10 ft.	18 ft.	19 ft.	61 ft.
75 to 90	10 ft.	24 ft.	19 ft.	63 ft.

NOTE: Minimum aisle width is 24' for 2-way traffic.

AYES: 7

NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Minutes - MAWTFAB - February 8 & March 14, 2000
2. Minutes - Township/Road Commission Relations Committee - February 9, 2000

SUPERVISOR'S REPORT.

CLERK OF THE YEAR - I am pleased to announce that our own Arlene Hill has been awarded the Michigan Institute of Clerks award for the Michigan Township Clerk of the year. This is an award where all of the Township Clerks in the entire State vote on the recipient. Congratulations Arlene.

JOINT WATER STUDY - Sundberg Carlson & Associates (SCA) have not started on the joint water study with Sands Township. They anticipate they will block out a week in the near future to complete the study.

FIRE DEPARTMENT SIREN – The fire department have the siren timer set to operate between 9:00 AM & 9:00 PM for calls to a fire.

RECYCLING – Due to the load limits being on for an extended period of time this spring, we provided a special curbside collection of recyclables today.

SCRAP METAL COLLECTION – Kallioinen Scrap Metal can not provide the annual collection of curbside scrap metal and we sent out requests for proposals and did not receive any proposals. We are in the process of contacting everyone solicited to see if we can entice one of them to provide the service.

LIQUOR LICENSE APPLICATION - We have received a liquor license transfer request for the Dry Dock. We are in the process of completing the background checks and this item will be on an upcoming Board agenda for review.

PATROL CAR - The Police Department has received the new patrol car and it is currently being equipped (lights, emblems, etc.) and it should be on the road within a week.

WETLAND PERMIT - In your packets was a copy of the Jeff Glass wetland permit application for the dredging of his existing pond southwest of the campground. Staff has reviewed his proposal and does not see any reasons to object as it is in compliance with his previously approved plans. If the Board does not object, I will respond accordingly.

CHERRY CREEK ROAD PROJECT - Also in your packets you will find a sample letter the Road Commission sent to the property owners on Cherry Creek that they will be working with to acquire additional right-of-way. Hopefully this acquisition process will proceed smoothly but it will likely delay this road project somewhat.

INSURANCE - We have been working with our Insurance agent on replacement health insurance. It appears that we have found a comparable program and we may even achieve a premium reduction.

FY1999 AUDIT – ANDERSON, TACKMAN & COMPANY.

The Board discussed legal options that might assist township commercial property owners and how they can best accomplish their goals. The Supervisor was authorized to discuss this further with our attorney.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Memo - Re: Beckman correspondence of April 8, 2000
- B. Memo. from Fende/Attorney Review - Re: Blondeau Trucking
- C. Memo. from Gould - Re: Central Lake Superior Watershed Partnership
- D. DEQ - Glass Wetland Permit
- E. Road Commission - Cherry Creek Road Property Owner Notification Letter
- F. County of Marquette - Re: 911 Cellular Service Fee
- G. Charter Communications - Re: Ownership Transfer
- H. MDOT - Re: US-41/M-28 Signalized Intersection
- I. Michigan Works - Re: Summer Youth Program
- J. MTA - Legislative Update, April E-News, Capital Currents

There being no further business, the Supervisor adjourned the meeting at 9:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 1, 2000

A Regular meeting of the Chocolay Township Board was held on Monday, May 1, 2000 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Don Britton, Richard Bohjanen, Lois Sherbinow, Gary Menhennick (arrived at 7:38).

ABSENT none.

MINUTES – April 17, 2000.

Greenberg moved Sherbinow second that the minutes of the Regular Meeting held on April 17, 2000 be approved.

AYES: 6

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$4,616.42 checks numbered 10039 – 10063 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Financial reports were received and placed on file.

PUBLIC COMMENT.

Tom McLain, 317 Fernwood – Has a concern about the property at 208 Timberlane being used as a dumpsite. He is concerned about the safety of neighborhood children, and water pollution to the Chocolay River, which is on this property.

Trustee Menhennick arrived at 7:38 p.m.

Clerk Hill wanted to correct a motion that was made at the April 17, 2000 meeting.

Hill moved, Sherbinow second that the Township extends our contract with Anderson, Tackman & Company to include the FY2000 audit at an amount of \$4,400.00.

ROLL CALL.

AYES: Hill, Sherbinow, Menhennick, Britton, Bohjanen, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

Marny Weting – Is also a neighbor to 208 Timberlane and is very concerned about the dumpsite on this property.

Billy Jenkins – Noted that he likes the color of the new police car.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Minutes - Planning Commission - April 10, 2000
2. Minutes - AdHoc Trails Committee - March 7, 2000
3. Minutes - Central Lake Superior Watershed Partnership - March 16, 2000

SUPERVISOR'S REPORT.

BLONDEAU TRUCKING – Supervisor Fende and the township attorney met with Lee Blondeau and his attorney today. There may be a solution that is workable; information will be brought back to the Board.

MINING THEME PARK: Lake Superior Community Partnership sent a letter regarding the Marquette Range Iron Mining Heritage Theme Park's request for letters and/or dollars of community support. Even though we received this letter late, they said they are still collecting letters or dollars of support. Does the Board desire to forward a letter?

CUPPAD MEETING: CUPPAD has contacted us to use the meeting room here at the Township on Monday May 22 for 1 of 2 public forums they will be conducting in the

County. The purpose of the forums is to obtain public input on the Countywide Trails Master Plan that they have been contracted to complete for the County.

SCHOOL MILLAGE: You also have before you a handout regarding the Marquette-Alger Intermediate School District's Technology Millage question that has been forwarded to us from the Lake Superior Community Partnership. That vote will be held on June 12.

EPA/LGAC: I have been appointed to the Environmental Protection Agency's Local Government Advisory Committee. This committee is composed of roughly 30 local government leaders from across the Country to advise the EPA on its policy impacts on local communities and to identify ways to involve local governments in their environmental decision making. My first meeting is Wednesday through Friday of next week in Denver. Expenses for the committee work are paid by the EPA.

JUNK COMPLAINT: We have received a complaint regarding the conditions of a piece of property on Timberlane. Mr. Maki has written a memo. which you have before you regarding this problem and another to advise the Board of the need for enforcement. Due to the nature of the problems, enforcement may include the Zoning Administrator, Police Department and the DEQ.

A video was shown to the Board on two areas in the Township with a junk problem. After viewing the video the Board agreed to have the Township look into what we should do about the situation and contact other governmental agencies that should be involved.

APPROVAL OF FIRE CHIEF.

Hill moved Menhennick second that Gary Johnson be re-appointed as fire chief for a term of two (2) years beginning retroactive to April 15, 2000.

AYES: 7

NAYS: 0

MOTION CARRIED.

RESTRICTED REFUSE HAULERS AGREEMENT.

Greenberg moved Britton second that the Township Board adopt the "Restricted Refuse Hauler Agreement" and that the DPW Supervisor and others authorized by him are authorized to sign the agreement in behalf of the Township.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLICATION OF REZONING #112 – TEXT AMENDMENT – PUBLIC LANDS.

Britton moved Menhennick second that the Charter Township of Chocolay waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-00-04.

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended for SECTION 214 to read as follows:

SECTION 214 PUBLIC LANDS ZONING DISTRICT

- A) INTENT.** To establish and preserve areas for certain public purposes and functions conducted by Chocolay Township.
- B) PERMITTED PRINCIPAL USES.** Offices and related buildings, Police and Fire Stations, Community Centers, Indoor Sports Facilities, Libraries, Parks, Township controlled utility infrastructure, Recycling drop-off Site, Maintenance and Storage Facilities.
- C) CONDITIONAL USES.** Wireless Communication Facilities, Solid Waste Transfer Stations, Cemeteries, Campgrounds.

AYES: 7

NAYS: 0

MOTION CARRIED.

APPOINTMENTS – PLANNING COMMISSION AND ZONING BOARD OF APPEALS.

Fende moved Sherbinow second to reappoint Steven Kinnunen to the Planning Commission with a term to run from May 25, 2000 to May 24, 2003.

AYES: 7 NAYS: 0 MOTION CARRIED.

Fende moved Hill second to reappoint Gary Menhennick as the Board Member representative to the Planning Commission with a term to run from May 25, 2000 to November 20, 2000.

AYES: 7 NAYS: 0 MOTION CARRIED.

Fende moved Sherbinow second to reappoint William Sanders to the Planning Commission with a term to run from May 25, 2000 to May 24, 2003.

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved Bohjanen second to reappoint William Sanders as the Planning Commission representative to the Zoning Board of Appeals with a term to run from May 10, 2000 to May 9, 2003.

AYES: 7 NAYS: 0 MOTION CARRIED.

Hill moved Menhennick second to reappoint Lois Sherbinow as the Board representative to the Zoning Board of Appeals with a term to run from May 10, 2000 to November 20, 2000.

AYES: 7 NAYS: 0 MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. MDOT - Re: Traffic Signal at US 41/M-28
- B. MDEQ - Re: Glass Wetland Permit
- C. Marquette Range Iron Mining Heritage Theme Park, Inc. - Re: Cliffs Shaft Mine Theme Park
- D. Fire Department - 4th Quarter (1999) Report
- E. Fire Department - 1st Quarter (2000) Report

There being no further business, the Supervisor adjourned the meeting at 8:40 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 15, 2000

A Regular meeting of the Chocolay Township Board was held on Monday, May 15, 2000 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Don Britton, Richard Bohjanen, Lois Sherbinow, Gary Menhennick.

ABSENT none.

MINUTES – May 1, 2000.

Greenberg moved Bohjanen second that the minutes of the Regular Meeting held on May 1, 2000 be approved.

AYES: 7

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$52,699.36 checks numbered 10064 – 10099 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Financial reports were received and placed on file.

TREASURER'S REPORT.

C/D INVESTMENT REPORT.

AMT OF C/D	180,000.00	154,000.00	131,000.00
DATE PURCHASED	05/09/00	05/09/00	05/09/00
MATURING ON	11/14/00	11/14/00	11/14/00
INTEREST RATE	6.27%	6.27%	6.25%
INSTITUTION	NO. COUNTRY	D & N	NO MI BANK

PUBLIC COMMENT.

Paul Huard – Spoke on behalf of a petition regarding paving Willow Road and setting up payment through a special assessment district.

Supervisor Fende – The Board set criteria in 1996 to allow a special assessment district to be set up for paving Willow Road. One of the criteria was 100% participation from the property owners, because if there is one person against it, litigation could follow and stop the process. Another criteria was to obtain a certified copy of where the road will be located.

Paul Huard – There is only one property owner on Willow Road that will not sign the petition.

Mark Leist – There are three other property owners, aside from him that will not sign the petition.

Helena Smith – Does not understand why Willow Road did not become a County Road.
Response – Willow Road does not meet County specifications.

John Smith – Requested that the Board send a letter of condolence to the Stupak family.

Kevin LaJoye – 95% of Willow Road residents are here at this meeting and want to pave Willow Road.

Dale Michelson – Does Chocolay Township have easements to the sewer lines?
Response – The Township has sewer maintenance easements only.

Mark Leist – Over the past seven months people have thrown all kinds of junk in his yard and speed by his house. He is not interested in paving Willow Road because people will just speed more.

Trustee Menhennick – Willow Road residents should check into the criteria to make Willow Road a County Road.

Treasurer Greenberg – The Board does not want to deny services to residents, but they are being cautious because one resident against the paving is enough to start litigation.

ADOPTION OF REZONING #111 – TEXT AMENDMENT – OFF STREET PARKING REQUIREMENTS.

Hill moved, Menhennick second that the Charter Township of Chocolay Board waive the reading and ADOPT the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN # 34-00-03.

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended for Section 500 - OFF STREET PARKING REQUIREMENTS to read as follows:

SECTION 500 OFF-STREET PARKING REQUIREMENTS

Except in Districts RP and OS, there shall be provided off-street parking for motor vehicles, and the minimum number of parking spaces to be provided shall be as shown in the following list:

USE	SPACES REQUIRED
Single and Two-family dwellings	2 per dwelling unit
Rooming houses, fraternities, sororities, dormitories, convalescent homes.	.4 times maximum lawful number of occupants.
Hotels	1.2 per room in addition to spaces required for restaurant
Apartment and townhouses	2 per dwelling unit or floor area in square feet divided by 440, which ever is greater.
Senior Housing	1 per dwelling Unit
Mobile home subdivisions and parks	2 per mobile home & 1 per 300 sq. ft. for offices.
Churches, theaters, facilities for spectators sports, auditoriums, concert halls	.35 times the seating capacity.
Community Center	.35 times the seating capacity.
Golf courses	7 per hole
Barber shops and beauty parlors	2 plus 1.5 per chair
Bowling alleys	5 per lane in addition to spaces required for restaurant facilities
Fast food take-out establishments and drive-in restaurants	1.5 per 100 sq. ft. of floor area (amended 2-22-93)
Restaurants (except drive-ins)	1.2 per 100 sq. ft. of floor space
Hardware stores, household equipment, repair shops including shoe repair, contractor's showroom and others.	1 per 200 sq. ft. of floor space
Museums and galleries	1 per 100 sq. ft. of floor space
Furniture, appliance, carpet	1 per 250 sq. ft of floor space (amend. 8-15-78)
Funeral parlors	1 per 50 sq. ft of floor space
Gas stations	1 per fueling location plus 2 per lift
Auto Body Repair Shops	1 Space per bay and 1 per

		employee
Motor Vehicle Sales		1 space per each 1000 sq. ft. of display area
Laundromats		.33 per machine
Doctor's and dentist's offices		1 per 100 sq. feet of waiting room area and 1 per doctor or dentist
Day Care Center		1 space per 5 children
Banks		1 per 150 sq. ft. of floor space
Warehouses		1 per 1500 sq. ft. of floor area
For uses not specifically listed above, the requirements listed below are applicable:		
Retail stores and service establishments		1 per 200 sq. ft. of floor space and outdoor sales space
Offices		1 per 300 sq. ft of floor space
Bed & Breakfast		One space per room for transient guests in addition to spaces required for single family dwellings.
Other commercial and industrial uses		.75 times maximum number of employees on premises at any one time

With the exception of residential housing of 4 units or less, Notes #1 through #8 shall also apply.

1. Where calculation in accordance with the foregoing list results in requiring a fractional space, any fraction less than one-half shall be disregarded and any fraction of one half or more shall require one space.
2. Required off-street parking shall be provided on the lot to which it pertains. All spaces shall be provided by adequate access by means of a maneuvering lane. Backing directly onto a street is prohibited.
3. The use of any required parking space for the storage of any motor vehicle for sale, or for any other purpose other than the parking of motor vehicles is prohibited.
4. All required parking spaces shall be clearly defined by use of a car wheel or bumper stops, and or painted lanes.
5. No off street parking shall be constructed or altered until approval has been issued by the Chocolate Township Planning Commission under site plan review.
6. Lighting fixtures used to illuminate off-street parking areas shall be designed to reflect light downward and away from adjoining residential properties, institutional premises, or streets and highways. Lighting shall not emanate from fixtures above a point 15 degrees below horizontal as measured at the light fixture.
7. Handicap parking spaces shall be provided in accordance with the applicable building code and shall be provided in sufficient number.
8. Parking lot layout should include consideration for snow removal and on-site drainage and plans shall be provided for on the site plan.

For a use not specifically identified the off street parking facilities shall be in accordance with a use, which the Zoning Administrator considers as similar in type.

The following minimum design standards shall be observed in laying out off-street parking facilities:

<u>Parking Angle</u>	<u>Stall Width</u>	<u>Aisle Width</u>	<u>Parking Stall Length</u>	<u>Curb to Curb</u>
0 to 15	9 ft.	12 ft.	23 ft.	30 ft.
16 to 37	10 ft.	12 ft.	19 ft.	47 ft.
38 to 57	10 ft.	13 ft.	19 ft.	54 ft.
58 to 74	10 ft.	18 ft.	19 ft.	61 ft.
75 to 90	10 ft.	24 ft.	19 ft.	63 ft.

NOTE: Minimum aisle width is 24' for 2-way traffic.

ROLL CALL.

AYES: Hill, Sherbinow, Menhennick, Greenberg, Britton, Bohjanen, Fende.

NAYS: None.

Motion Carried.

ADOPTION OF REZONING #112 – TEXT AMENDMENT – PUBLIC LANDS.

Britton moved Menhennick second that the Charter Township of Chocolay waives the reading and adopt the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-00-04.

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended for SECTION 214 to read as follows:

SECTION 214 PUBLIC LANDS ZONING DISTRICT

- A) INTENT.** To establish and preserve areas for certain public purposes and functions conducted by Chocolay Township.
- B) PERMITTED PRINCIPAL USES.** Offices and related buildings, Police and Fire Stations, Community Centers, Indoor Sports Facilities, Libraries, Parks, Township controlled utility infrastructure, Recycling drop-off Site, Maintenance and Storage Facilities.
- C) CONDITIONAL USES.** Wireless Communication Facilities, Solid Waste Transfer Stations, Cemeteries, Campgrounds.

ROLL CALL.

AYES: Greenberg, Britton, Bohjanen, Hill, Sherbinow, Menhennick, Fende.

NAYS: None.

Motion Carried.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Minutes - MAWTFAB - April 11, 2000

SUPERVISOR'S REPORT.

ENFORCEMENT CASES: We have sent a letter to the DEQ regarding their jurisdiction and regulations for the two "junk" issues that were discussed at the last meeting. Mr. Maki is also looking at the applicable township regulations (e.g. zoning, nuisance, etc.) to evoke depending on the DEQ's position.

FBI ACADEMY: We just recently received official notification that Chief Zyburtt has been accepted to attend the FBI Academy this summer. In his absence, Sergeant Gary Heinzelman will be in charge of the Police Department.

POLICE OFFICER: Emil Kezerle, former Detective with the City of Marquette Police Department, has been hired for part-time duties with the Police Department.

BENNETT ROAD REQUEST: I have received an application for a "private road" under an old 1909 statute where a landlocked property owner can request access across adjacent

lands. As the Township Supervisor, I am required to convene a jury to review the necessity of the road and to determine the damages to the affected property owners. The jury selection meeting has been scheduled for Wednesday, May 24 here at the Township.

SCRAP METAL – N&N Trucking will be providing scrap metal collection starting on May 20th and will work until they complete the same routes as the sanitation collection. It is costing us \$300 more than we budgeted but they were the only company to provide a proposal and with the increased fuel prices it is probably a reasonable cost.

BRUSH DROP OFF – The brush drop of notice is in your packet and you should note that it would be held the mornings of May 20th and 27th.

LIONS PARK – The transaction is complete and we now own the Lions Park. The recreation committee will be holding a meeting in the near future with the Lions Club to get their input on the existing facilities and ideas for development.

SANDS TOWNSHIP FIRE DEPARTMENT – The Fire Department has discussed the mutual aid and other issues that the Board discussed. Representatives of the Fire Department will be meeting with Larry and I in the near future to discuss the issues and we will report back to the Board at a future meeting.

TRANSFER OF LIQUOR LICENSE – DRY DOCK.

Menhennick moved Greenberg seconded by John that the request from Bob Jennings Enterprises, Inc. for transfer of all stock from existing stockholders to Stanley Hubert, in 1999 Class C license business with Dance Permit, located at 5029 South U.S. 41, Marquette County, be considered for approval. It is the consensus of this board that the application is recommended for issuance.

ROLL CALL.

AYES: Hill, Sherbinow, Menhennick, Greenberg, Britton, Bohjanen, Fende.

NAYS: None.

Motion Carried.

AUTHORIZATION TO SELL THE 1994 CHEVROLET PATROL CAR.

Greenberg moved Britton second that the Police department be authorized to place the 1994 Chevrolet Caprice patrol vehicle on bid to the highest bidder. The township would reserve the right to accept or reject all bids. The sale price of this vehicle will be deposited in the police Capital Improvement account 401.305.957.

AYES: 7

NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENT EXPENDITURE - NEW PATROL CAR COSTS.

Menhennick moved Sherbinow second that the Police Department have authorization to expend \$2,357.00 from the police Capital Improvement Fund 401.305.957 for equipping the new 2000 Ford Crown Victoria.

ROLL CALL.

AYES: Greenberg, Britton, Bohjanen, Hill, Sherbinow, Menhennick, Fende.

NAYS: None.

Motion Carried.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2000 AMENDMENT NO. 2 REIMBURSEMENT FOR SNOWMOBILE COURSE CANCELLATION.

Menhennick moved Britton second that Whereas, a budget was adopted by the Chocoday Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in October, 1999, 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
Training			
101.305.715	\$3,550.00	\$760.00	\$4,310.00
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$8,279.50	\$760.00	\$9,039.50

ROLL CALL.

AYES: Hill, Sherbinow, Menhennick, Greenberg, Britton, Bohjanen, Fende.

NAYS: None.

Motion Carried.

4TH OF JULY FIREWORKS.

Menhennick moved Sherbinow second that the Township contribute \$500 towards the Year 2000 Marquette Area 4th of July Fireworks and that the Township Supervisor and Clerk are authorized to execute an appropriate contract for the provision of these fireworks.

ROLL CALL.

AYES: Greenberg, Britton, Bohjanen, Hill, Sherbinow, Menhennick, Fende.

NAYS: None.

Motion Carried.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2000-AMENDMENT NO. 3 - 4TH OF JULY FIREWORKS.

Hill moved Sherbinow 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 4, 1999, 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
Township Board			
Membership & Publications			
101.103.802	\$13,634.00	+\$500.00	\$14,134.00
Other General Government			
Contingency			
101.285.951	\$37,823.00	-\$500.00	\$37,323.00

ROLL CALL.

AYES: Hill, Sherbinow, Menhennick, Greenberg, Britton, Bohjanen, Fende.

NAYS: None.

Motion Carried.

GENTZ REQUEST – DUST CONTROL.

Greenberg moved Menhennick second that the Township will cost share with Gentz's in the amount of \$375.00 for dust control on Gentz Road since Gentz's provide the compost site to Township residents at no cost and since the residents use of the compost site contributes to the dust problem.

ROLL CALL.

AYES: Greenberg, Britton, Bohjanen, Hill, Sherbinow, Menhennick, Fende.

NAYS: None.

Motion Carried.

MARQUETTE EMERGENCY MEDICAL SERVICES RESOLUTION.

Sherbinow moved, Hill second that the Township Board adopts the following Marquette County EMS resolution designating the week of May 14-20, 2000 as Emergency Medical Services Week.

PROCLAMATION

To designate the week of May 14-20, 2000 as
Emergency Medical Services Week

Whereas, emergency medical services is an essential community service that must be readily available; for residents and visitors of Marquette County, and;

Whereas, immediate access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

Whereas, the many organizations that comprise the emergency medical services system in our community work diligently to provide lifesaving care to those in need 24 hours a day, seven days a week; and

3. SCRAP METAL COLLECTION: The collection was started on May 20th and completed within six days by N&N trucking.
4. BRUSH DROP OFF: The brush drop off was completed on the last two Saturdays of May with a larger volume than we normally have.
5. LIONS RECREATION AREA AGREEMENT: The Lions Club has signed the agreement that basically turns over to us the capital improvements that they have completed on the property.
6. TREE PLANTING: The Cedar Tree Institute with the Watershed Council and local kids planted 30 white cedar trees at the marina.
7. BLONDEAU - Mr. Blondeau and his attorney have made their submittal for our attorney to review to address their problem. Hopefully, if all goes well with our review and attorney's discussions, this will be on the Board's July agenda.
8. JUNK ENFORCEMENT CASES: I have sent a letter to the DEQ regarding their review of the 2 junk enforcement cases from the video that we reviewed in May. We await their response.
9. MTA/PAC LETTER: In your packets is a letter that was sent to me by MTA's Political Action Committee requesting my stance on an endorsement for State Representative this fall.
10. CHURCH PARKING: At the last Board meeting, we heard a complaint regarding the Church service parking negatively affecting Willow Road. We had the police keep an eye on this. Nothing has been found to substantiate the complaint.
11. INSURANCE: As you know, Wausau is terminating its provision of health insurance. We have completed the switch to Blue Cross and that coverage will be effective as of June 28.
12. FIRE DEPT. COMPLAINT: Regarding the hiring decision complaint against the Fire Department that I appraised you of several months ago. Even though no lawsuit has been filed, the complainant's attorney has sent a settlement proposal to our insurance carrier, which is currently being reviewed.
13. SEWER BACK-UP EXCLUSION: In your packets is a letter from the Michigan Municipal League Liability and Property Pool regarding no longer providing coverage for sewer back-ups. They will be making a proposal by July 1 regarding what they may be able to offer in terms of limited coverage or claims assistance.
14. MIKE DISCH: Also in your packets is a copy of a letter to Michael Disch regarding his nomination for an award from Marquette General Hospital for his assistance in the trench cave-in incident at the St. Louis the King Church. Mr. Disch indeed won the award and was presented with a plaque for his act.

PRIVATE ROAD REQUEST #15 – STABILE.

Menhennick moved Britton second that the Chocoley Township Board concur with the Planning Commission recommendation to approve Private Road request #15 from Frank Stabile under Section 402 of Zoning Ordinance 34 with the following conditions:

- 1) A covenant be established on the deeds for any parcels created off from this private road identifying the private road status and which reference the Declaration of Easement which must be fully executed.
- 2) The applicant is required to provide certification from a surveyor/engineer that the private road standards of the Ordinance have been achieved at the conclusion of construction and that soil/roadbed conditions have been addressed.
- 3) The applicant pay for and install a road name and stop sign at the intersection of the road and US-41.
- 4) The applicant comply with the conditions and requirements of all other agency regulations including the Michigan Department of Transportation for the road connection to US-41 and a soil erosion and sedimentation control permit.
- 5) The road shall be called Vista Hills Trail.
- 6) The "Possible Future Road" along the south boundary of the parcel is not part of this application or approval.
- 7) The Declaration of Easement include wording to address needed culvert sizing for individual driveways to the private road and that no access be provided for lots directly to US-41.
- 8) A zoning compliance permit shall be issued after all of the above conditions are met.

9) The applicant is strongly encouraged to obtain Health Department review of well and septic considerations for the proposed lots prior to road construction.
AYES: 7 NAYS: 0 MOTION CARRIED.

KAWBAWGAM POCKET PARK.

Trustee Britton reported that the basketball court and fencing are both complete. The parking lot is close to being done. There is still \$2,600.00 for the pocket park that has not been spent. Different playground equipment is under consideration. Discussion centered on sending the volunteers thank-you letters and perhaps a plaque to be constructed similar to the one at Beaver Grove.

CHERRY CREEK ROAD PROJECT.

Planning Director Doug Riley presented to the Board the projected improvements to Cherry Creek Road. The Road Commission is currently working on the right of way acquisition. There are a couple of problem areas. There are a house and a garage that need to be relocated. Also, the DNR is requesting a free span bridge instead of the proposed box culvert near the fish hatchery. The Board urged Supervisor Fende to communicate with appropriate officials if needed, to resolve the bridge issue. It was noted that if powerpoles are relocated, they should be raised in height.

Trustee Britton would like the Board to communicate to the Road Commission regarding the visibility problem on Cherry Creek at Carmen Drive.

SILVER CREEK RECREATION AREA DRIVEWAY.

Hill moved, Britton second that the Supervisor is authorized to expend \$4,855 from the Capital Improvements Fund Recreation Account to add to the encumbrance for the construction of a new access driveway for the Silver Creek Area.

ROLL CALL.

AYES: Britton, Bohjanen, Greenberg, Hill, Sherbinow, Menhennick, Fende.
NAYS: None. MOTION CARRIED.

MARQUETTE COUNTY ROAD COMMISSION – SEASONAL ROAD POLICY.

Hill moved, Sherbinow second that the “Construction of Dwelling on Seasonal County Road Property Owner Notification” be adopted and that the property owner be required to sign the notification prior to the issuance of a zoning compliance permit.

AYES: 7 NAYS: 0 MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2000-AMENDMENT NO. 1 – SALE OF POLICE VEHICLE.

Greenberg moved, Hill 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 4, 1999, 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:

ACCOUNT	PREVIOUS	CHANGE	AMENDED
Capital Improvements Fund Police Capital Outlay 401.305.957	\$70,314.81	+\$3,465.00	\$73,779.81
Capital Improvements Fund Miscellaneous 401.698	\$8,000.00	+\$3,465.00	\$11,465.00

ROLL CALL.

AYES: Hill, Sherbinow, Menhennick, Britton, Bohjanen, Greenberg, Fende.
NAYS: None. MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2000-AMENDMENT NO. 2 – POLICE TRAINING MONEY.

Greenberg moved, Bohjanen 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 4, 1999, 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:

ACCOUNT	PREVIOUS	CHANGE	AMENDED
Capital Improvements Fund			
Police Training Capital Outlay			
401.306.957	\$2,114.92	+\$450.04	\$2,564.96
Capital Improvements Fund			
Miscellaneous			
401.698	\$11,465	+\$450.04	\$11,915.04

ROLL CALL.

AYES: Britton, Bohjanen, Greenberg, Hill, Sherbinow, Menhennick, Fende.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING WATER FUND BUDGET FY 2000-AMENDMENT NO. 1 - TRANSFER WATER FUND TO CAPITAL IMPROVEMENTS FUND – MEDIAN INCOME STUDY.

Menhennick moved, Britton second that Whereas, a budget was adopted by the Chocoday Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October 4, 1999, 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:

ACCOUNT	PREVIOUS	CHANGE	AMENDED
Water Fund			
Due to Capital Improvements Fund			
591.219	\$4,410.00	-\$4,410.00	0
Capital Improvements Fund			
Due from Water Fund			
401.071	\$0	+\$4,410.00	\$4,410.00

ROLL CALL.

AYES: Hill, Sherbinow, Menhennick, Britton, Bohjanen, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Fende - Re: William Bennett Private Road Meeting
- B. Hill - Re: Petitions
- C. Representative Bart Stupak - Re: Condolences
- D. Willow Road Property Owners - Re: Willow Road
- E. EMS - Re: Fire Department Assist Calls
- F. Hill - Re: MCTA Banquet/Thank You
- G. Michigan Municipal League Liability and Property Pool - Re: Sewer Back Up Exclusion
- H. Marquette General Hospital - Re: Award to Michael Disch
- I. MTA - Re: Membership
- J. MTA/PAC - Re: Endorsement Questionnaire
- K. Most Precious Blood School - Re: Thank You
- L. X-Country Ski Trailhead Grant Application
- M. Announcement - Celebrate the U.P.
- N. MTA - Legislative Updates
- O. MTA - June E-News

Supervisor Fende gave Larry Gould, D.P.W. Supervisor's letter of resignation to the Board.

Trustee Menhennick asked if there was any work being done on the proposed bike path from Silver Creek School to the overpass on U S 41 South as he would like to see the Board complete this project regardless of the grant application.

Clerk Hill told the Board that Larry Merrill has been selected to be the new MTA Executive Director. He assumes his position on July 1, 2000.

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JULY 17, 2000

A Regular meeting of the Chocolay Township Board was held on Monday, July 17, 2000 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Don Britton, Lois Sherbinow, Gary Menhennick.

ABSENT: Arlene Hill, Richard Bohjanen.

MINUTES – June 19, 2000.

Menhennick moved Britton second that the minutes of the Regular Meeting held on June 19, 2000 be amended.

AYES: 5

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Sherbinow moved Menhennick second that bills totaling \$8,917.82 checks numbered 10185–10217 are approved for payment.

AYES: 5

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Lee Blondeau – Requested to address the Board later in the meeting.

BOARDS, COMMITTEE, COMMISSIONS REPORTS

1. Election Commission - June 29, 2000
2. Planning Commission - June 13, 2000
3. Minutes - Zoning Board of Appeals - April 13 & June 22, 2000
4. Minutes - Recreation Committee - June 21, 2000
5. Minutes - MAWTFAB - June 13, 2000

SUPERVISOR'S REPORT.

1. BLONDEAU: Regarding discussions with Blondeau Trucking, Mr. Blondeau and his Attorney made a submittal for our Attorney's review. Our Attorney completed his review and has redrafted a proposal and submitted this to Mr. Blondeau's Attorney last Wednesday. While we had initially hoped that something could have been completed for review by the Board meeting tonight, we did not get the redrafted proposal to Mr. Blondeau's Attorney early enough for additional discussions with counsel.
2. HARVEY LAUNDRY: In your packets is a copy of a memorandum from Mr. Gould regarding Harvey Laundry's water meter. I advised the Shaw's of our previous problem regarding utilizing meters for sewer charges and that I would only put this item back on the agenda for formal consideration if instructed to by the Board.
3. SUMMER YOUTH PROGRAM: The Summer Youth Program is entering its second week and things are running smooth. There are 27 kids enrolled and participating this year.
4. DEQ/SOMMERS PROPERTY: Regarding the Sommers junk enforcement issue on Timberlane, the DEQ has informed us that they cannot investigate the property without probable cause. Mr. Maki has been in contact with adjoining property owners to determine if the DEQ can evaluate the property from these adjoining properties and to establish probable cause.
5. TRAIL APPROVAL: As most of you know, last Monday the Planning Commission granted conditional use approval for a non-motorized trail through the Township which primarily utilizes the abandoned rail road grade. Of course, one of the items we continue to hear about is snowmobile enforcement. Our Police Department will be looking for direction from the Board on this issue in the future.
6. CHERRY CREEK ROAD: Good news, the DEQ has granted the Road Commission the needed permit for the culvert under the bridge on Cherry Creek Road versus the earlier argued "free span" bridge. While there is a remaining issue with needed right-of-way from the hatchery property; a meeting has been set for later this week with the DNR, the Road Commission and us to keep the ball rolling in those regards.
7. ROAD COMMISSION - The Road Commission has informed us that they will finishing their grading work on Silver Creek across the Township line in Sands Township this week and the paving should begin by Thursday next week. In addition, they have also informed us that they would like to work on reclaiming the shoulders in the older portions of Harvey yet this year with a new machine they have acquired.

Lee Blondeau - On May 1st Supervisor Fende and the Chocoday Township Attorney met with Mr. Blondeau and his attorney. It was a very positive meeting. Mr. Blondeau wants to make a safer working environment for his workers and community. A permitted conditional use designation is what Mr. Blondeau actually desires.

Supervisor Fende responded to Mr. Blondeau's comments on "road blocks" by the Township Supervisor. We must follow legal guidelines and the advice of our legal council.

Trustee Menhennick said that he voted against Mike Summers being appointed Township Attorney because he feels that possibly Mr. Summers' judgement is clouded by the different township positions he has held.

Mark Maki, Zoning Administrator explained that the 1994 agreement with Blondeau Trucking was made to stop any future changes or expansions to Blondeau Trucking and to resolve this matter once and for all. Mr. Maki advised that none of the Blondeau expansions were ever done in compliance with the Zoning Ordinance.

Supervisor Fende advised the Board that he would forward Mr. Blondeau's latest information to the Township Attorney for comment.

INFORMATIONAL REPORTS AND COMMUNICATION

- A. Gould - Re: Harvey Laundry
- B. MDOT - Re: US-41 Bike Path Relocation
- C. Road Commission - Re: Cherry Creek Road
- D. Michael Disch - Re: Star of Life Award
- E. Ameritech - Re: Rail-Road Grade
- F. Attorney - Re: Harvey Motors v. Maki
- G. Michigan Groundwater Stewardship - Re: Programs
- H. Road Commission - Re: Mangum Road Bridge Closure
- I. Fire Department - 2nd Quarter Statistical Report
- J. Central Lake Superior Watershed Partnership - Re: Meeting
- K. MTA - Legislative Updates
- L. MTA - Capitol Currents

There being no further business, the Supervisor adjourned the meeting at 8:40 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

STARTING SALARY RANGE CHART.

Hill moved Sherbinow second that the Personnel Policy be amended to delete the Starting Salary Range Chart as Appendix C; and the references to the Starting Salary Range Chart in the Compensation section which shall be replaced with the following language:

"Starting salaries or wages shall be based upon current market conditions and experience as determined by the Personnel Administrator and/or Township Board"

AYES: 7

NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2000-AMENDMENT NO. 4 - ELECTION REIMBURSEMENT.

Hill moved Sherbinow 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 4, 1999, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Election Department Equipment Maintenance 101.190.778	\$ 100.00	+\$ 180.60	\$ 280.60

REVENUE

Miscellaneous 101.698	\$9,039.50	+\$ 180.60	\$9,220.10
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AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Menhennick feels that it is not unreasonable for our attorney to reply in writing to Mr. Blondeau. The Board again told Mr. Blondeau that he should go to the Zoning Board of Appeals. Supervisor Fende asked the Board if he could allocate time with our Township attorney to meet with Mr. Blondeau to achieve a legal solution to the problem. The Board approved of this meeting.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Fende - Re: Blondeau
- B. Fende - James & Gail Hermann - Re: Cherry Creek Road
- C. MDNR - Re: Beaver Grove Recreation Area Grant
- D. Keweenaw Bay Ojibwa Housing Authority - Re: Annual Fire Protection Payment
- E. Central Lake Superior Watershed Partnership
- F. US Census - Re: Census Update
- G. Charter Communications - Re: Package Changes
- H. Notice - Cherry Creek Road Meeting
- I. Summer Youth Program Overview
- J. Police Department - 2nd Quarter Statistical Report
- K. MTA - Legislative Updates
- L. MTA - Capitol Currents

There being no further business, the Supervisor adjourned the meeting at 9:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

and Cherry Creek last week. The application was tabled in order to give the applicant time to resolve a number of issues including property ownership and access design. They indicated their plans are to build in the spring.

6. Road Contracts - In your packets is a letter from the Marquette County Township's Association regarding construction contracts with the Road Commission. The largest problem that we have had in the past is in regards to change orders not being reviewed/approved by the Township in regards to cost sharing implications.
7. MCTA Appointments - You will also see in your packets a letter from the County Township Association regarding appointments to various boards/commissions. Clerk Hill told the Board that Debbie Pellow would not be president of MCTA next year. John Olson is willing to be president but does not have office staff. Our staff can do the office work if our Board approves. There were no objections from the Board as long as MCTA pays the cost.
8. Lion's Club Letter - I would like to write a letter on behalf of the Board to the Lions Club thanking them for their assistance in our acquisition of the property from the School District.
9. Dry Hydrant - The Dry Hydrant at the Mangum Road Bridge on the Chocolay River has been completed and is operational.
10. Blondeau - Finally, you should have received in the mail a copy of our Attorney's letter regarding his meeting with Mr. Blondeau. As you can see, a number of issues appear to have been resolved, however, Mr. Blondeau has now requested another opportunity to meet with our attorney to clarify some issues.

RESOLUTION – BALLOT PROPOSAL 00-2.

Menhennick moved, Bohjanen second that CHOCOLAY TOWNSHIP, MARQUETTE COUNTY IS IN OPPOSITION TO PROPOSAL 00-2 TO AMEND THE MICHIGAN CONSTITUTION

- Our country's democratic principles are built on the principle that laws reflect the will of the majority of citizens, and
- Proposal 00-2 will thwart the ability of a majority of our elected representatives and senators to adopt new laws necessary for local government to better serve its citizens, and
- Growing townships are entitled to more state shared revenues to meet the service needs of expanding populations, and
- Townships are entitled to the same protection of boundaries as is afforded to cities, and
- Proposal 00-2 does not merely require a two-thirds vote on legislation that would usurp local control but also will require a two-thirds vote in both the House and the Senate for laws that enhance the statutory authority of townships, and
- Local control can best be preserved through township residents and their elected township officials communicating their expectations to the Michigan Legislature that local government is the most appropriate institution for resolving matters of local concern, now

Therefore be it resolved, that the Board of Chocolay Township opposes Proposal 00-2 and urges its defeat at the November General Election.

AYES: 6

NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2000-AMENDMENT NO. 5 - PRESIDENTIAL PRIMARY ELECTION REIMBURSEMENT.

Hill moved, Sherbinow 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 4, 1999, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Election Department			
Salaries			
101.190.710	\$ 4,682.00	+\$ 743.50	\$ 5,425.50

Elections Department

Printing

101.190.728	\$ 750.00	+\$ 400.00	\$ 1,150.00
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REVENUE

Miscellaneous

101.698	\$9,220.10	+\$ 1,143.50	\$10,363.60
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AYES: 6	NAYS: 0	MOTION CARRIED.	
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FY2001 BUDGET WORK SESSION.

New Staff Position – Don Britton was not in favor of the new position, it is too much of an expense to the Township. Is there space for another person in the office? An office would be built just at the entrance to the main office. Supervisor Fende indicated the position would not be filled until after the election.

Bohjanen moved, Hill second that the money necessary to fund the new position for Director of Recreation and Grants be included in FY2001 budget.

AYES: 6	NAYS: 0	MOTION CARRIED.
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Revenues – No change.

Salaries – No change.

Township Board –

Menhennick moved, Bohjanen second that no salary increase be given to Township officials.

AYES: 1	NAYS: 5	MOTION FAILED.
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Sherbinow moved, Bohjanen second that no salary increase be given to the Trustees.

AYES: 4	NAYS: 2	MOTION CARRIED.
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Note – all 4 trustees voted for this motion.

Supervisor – No change.

Elections – No change.

Assessor – No change.

Clerk – No change.

Board of Review – No change.

Treasurer – No change.

Township Hall & Grounds – No change.

Other General Government – No change.

Police – No change.

Fire – No change.

Streets – No change.

Sanitation – No change.

Marina – No change.

Recreation – No change.

Zoning – No change.

Planning Commission – No change.

Zoning Board of Appeals – No change.

Temporary Employees – No change.

Capital Improvements Fund – No change.

Sewer Fund – No change.

Water Fund – No change.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Riley - Re: Draft Marquette County Recreational Trails Master Plan
- B. Maki - Re: Blondeau Trucking
- C. International Institute of Municipal Clerks - Re: Arlene Hill's acceptance into IIMC Master Municipal Clerk Academy
- D. MCTA - Re: Vacancies on Boards
- E. MCTA - Re: Road Construction Contracts
- F. US Postal Service - Re: Chocoday Post Office
- G. Ski Hall of Fame - Re: Induction Weekend
- H. MTA - Legislative Updates

The water study was brought up by Trustee Menhennick, Sundberg Carlson is still working on it.

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

OCTOBER 2, 2000

A Regular meeting of the Chocolay Township Board was held on Monday, October 2, 2000 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Lois Sherbinow, Gary Menhennick.

ABSENT: Richard Bohjanen, Don Britton.

PUBLIC HEARING FY2001 BUDGET.

2000 Estimate of Tax Revenue

Township 98,542,653	x 4.2245 Mills	=	\$416,293.44
Library	x .8464 Mills	=	\$ 83,406.50
Total:			\$499, 699.94

2001 Estimate of Tax Revenue

Township 102,517,003	x 4.1940 Mills	=	\$429,956.31
Library	x .8402 Mills	=	\$ 86,134.78
Total:			\$516,091.09

No public comment received.

The Public Hearing was closed at 7:35pm.

MINUTES – September 18, 2000.

Menhennick moved Fende second that the minutes of the Regular Meeting held on September 18, 2000 be approved.

AYES: 5

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$18,538.61 checks numbered 10383– 10408 are approved for payment.

AYES: 5

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

C/D INVESTMENT REPORT.

AMT OF C/D	100,000.00	120,000.00	160,000.00
DATE PURCHASED	9/22/00	9/22/00	9/22/00
MATURING ON	12/13/00	12/13/00	12/13/00
INTEREST RATE	6.00%	6.15%	6.00%
INSTITUTION	PEOPLES	NAT. CITY	W. FARGO

PUBLIC COMMENT.

Supervisor Fende asked Lee Blondeau if he was still working with our attorney – the answer is yes.

ADOPTION OF FY2001 BUDGET.

GENERAL APPROPRIATIONS ACT

Greenberg moved, supported by Sherbinow that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2001, and ending December 31, 2001, 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 September 25, 2000; and

Whereas, a public hearing on the proposed budget was held on October 2, 2000, at the Chocolay Township Municipal Complex, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing;

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2001, and ending on December 31, 2001, in the amount of \$1,341,572 for the General Fund, in the amount of \$262,969 for the Sewer Fund, in the amount of \$251,561 in the Capital Improvements Fund and \$0 in the Water Fund.
2. The Township Board does hereby appropriate the sum of \$1,341,572 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2001, and ending December 31, 2001.
3. The Township Board does hereby appropriate the sum of \$262,969 to defray the expense of the operation and debt retirement of the Sanitary Sewer System and a sum of \$0 to defray the expense of the Water System for the fiscal year beginning January 1, 2001, and ending December 31, 2001.
4. The Township Board does hereby levy 4.1940 mills for general operations, and 0.8402 mills for Library services.
5. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution are rescinded.
6. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming with Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL:

AYES: Greenberg, Menhennick, Sherbinow, Hill, Fende.

NAYS: None.

ABSENT: Bohjanen, Britton.

Hill moved, Sherbinow second that the salary for the office of Supervisor shall be set in the amount of \$14,447 for the Fiscal Year 2001, which begins January 1, 2001, and ends December 31, 2001.

AYES: 4

NAYS: 1

MOTION CARRIED.

Sherbinow moved, Hill second that the salary for the office of Treasurer shall be set in the amount of \$8,403 for the Fiscal Year 2001, which begins January 1, 2001, and ends December 31, 2001.

AYES: 4

NAYS: 1

MOTION CARRIED.

Fende moved, Greenberg second that the salary for the office of Clerk shall be set in the amount of \$11,396 for the Fiscal Year 2001, which begins January 1, 2001, and ends December 31, 2001.

AYES: 4

NAYS: 1

MOTION CARRIED.

Fende moved, Menhennick second that the per diem for the office of Trustee shall be set in the amount of \$50 for the Fiscal Year 2001, which begins January 1, 2001, and ends December 31, 2001.

AYES: 4

NAYS: 1

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS

1. Minutes - Planning Commission - September 11, 2000
2. Minutes - Recreation Committee - July 26, 2000
3. Minutes - Central Lake Superior Partnership - August 16, 2000

SUPERVISOR'S REPORT

1. Signal at US-41/M-28 - In your packets is the response from the MDOT regarding the traffic signal at US-41/M-28. The only thing they are changing is that it won't start flashing amber until midnight instead of 11:00 p.m.
2. Water Study - We have called Sundberg Carlson regarding the status of the Water Study and they indicated that they would be working on it over the next couple of weeks.

Walter Besola	52-02-305-038-00	168 East Main St	Mqt MI 49855	\$266.20
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	\$266.20
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$266.20
Linda Hemmila	52-02-455-045-00	221 Judy Street	Mqt MI 49855	\$266.20
Mark Chudy	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$266.20
Sharon Laurich	52-02-106-035-00	338 Reservoir Street	Mqt MI 49855	\$266.20
Steve Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$266.20
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$479.13
LeRoy Wahlstrom	52-02-107-007-00	5043 US 41 South	Mqt MI 49855	\$7,338.28
LeRoy Wahlstrom	52-02-107-007-00	5045 US 41 South	Mqt MI 49855	\$425.90
Parkway Motel	52-02-107-005-00	5057 US 41 South	Mqt MI 49855	\$3,730.91
Parkway Enterprises	52-02-107-004-00	5063 US 41 South	Mqt MI 49855	\$638.82
Robert Vidlund	52-02-455-004-00	120 Veda Street	Mqt MI 49855	\$266.20
David Blackburn	52-02-106-032-00	232 Van Epps Street	Mqt MI 49855	\$266.20
Kevin Small	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	\$266.20
James Jennings	52-02-107-071-00	624 Willow Road	Mqt MI 49855	\$520.42
Norma & Michael Bugno	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$34.68
Bernard Stanaway	52-02-208-005-00	341 West Terrace St	Mqt MI 49855	\$207.40
Marilyn Kremer	52-02-208-003-00	371 West Terrace St	Mqt MI 49855	\$266.20
Kristine Dionne	52-02-106-043-00	110 West Wright Pl	Mqt MI 49855	\$266.20
Total Delinquent Amount				\$17,900.90

AYES: 5

NAYS: 0

MOTION CARRIED.

Trustee Menhennick -Have we have heard from the Superintendent of Marquette Schools on signage at Cherry Creek School. Answer – no.

Treasurer Greenberg – Are going to keep or sell the old tractor. We are going to keep it.

Trustee Menhennick – Have we received a proposal for the Silver Creek bike path? No, we are waiting for bid specifications from North Country Engineering.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Chocolay Lions Club - Re: Thank You
- B. FBI - Re: Chief Zyburt
- C. MDOT - Re: US-41/M-28 Signal
- D. MTA - Upcoming Workshop - Effective Fire & Emergency Response Programs
- E. MTA - Legislative Updates
- F. MTA - Capitol Currents

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

OCTOBER 16, 2000

A Regular meeting of the Chocolay Township Board was held on Monday, October 16, 2000 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Don Britton Lois Sherbinow, Gary Menhennick.

ABSENT: Richard Bohjanen, Arlene Hill.

MINUTES – October 2, 2000.

Sherbinow moved Britton second that the minutes of the Regular Meeting held on October 2, 2000 be approved.

AYES: 5

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Menhennick moved Britton second that bills totaling \$18,778.38 checks numbered 10409– 10448 are approved for payment.

AYES: 5

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

C/D INVESTMENT REPORT.

AMT OF C/D	135,000.00	155,000.00
DATE PURCHASED	10/11/00	10/11/00
MATURING ON	4/11/01	2/9/01
INTEREST RATE	7.125%	6.00%
INSTITUTION	NO. CNTRY.	NO. MI. BANK

PUBLIC COMMENT.

Attorney Stephen Adamini – Spoke on the Van Neste 10.1 acre parcel in Sec 9 T47N R24W. He feels that the Township Zoning Ordinance does not define abut, nor does Section 402 describe how much property has to abut.

Glen Van Neste – Is on the Planning Commission in Marquette and feels our Zoning Ordinance should be changed to allow this parcel to be buildable.

Travis Van Neste – Feels that the Township Zoning Ordinance should be changed.

Carol Margrif – Supports local government & local control. The circuit court has already made a decision on this 10.1 acre parcel, yet it continues to come back up for discussion. When the Planning Commission and Board discuss this, the neighbor should be notified.

A letter from R. Mark Muscoe was read to the Board on the Van Neste property.

BOARDS, COMMITTEES, COMMISSIONS REPORTS

1. Minutes - Planning Commission - October 9, 2000
2. Minutes - Recreation Committee - September 27, 2000
3. Minutes - AdHoc Trails Committee - August 1, 2000
4. Minutes - MAWTFAB - August 8, 2000

SUPERVISOR'S REPORT

1. **Annual Sewer Cleaning** - The annual fall sewer cleaning is complete with only a couple of minor problems being experienced. There was grease buildup at the manhole between Jack's IGA and A&W; sand in the manhole in front of the Township Office that had to be manually removed; and a cracked pipe in Chocolay River Trail that had to be repaired.
2. **Lion's Recreation Area** - The Lions Recreation Area parking lot and ballfield is cleaning up very nicely, and the outfield grass is starting to respond to the lime and fertilizer treatment. It is nice to see this park coming up to the quality of our other recreation areas.
3. **Ice Rink** - As a handout you will find information from our Insurance carrier regarding an ice rink at the Lions Park. I believe we should try the rink this winter and see if we want to continue or expand it in the future.

Trustee Menhennick would like 2 separate sheets of ice, one for hockey and the other for skating.

PRIVATE ROAD REQUEST #14 – AMENDMENT – PETERSON.

Menhennick moved Sherbinow second that the Township Board concurs with the Planning Commission and that Condition #7 for Private Road Request #14 is amended to read as follows:

"The Declaration of Easement include wording to address needed culvert sizing for individual driveways to the private road and that no access be provided for lots directly to US-41 except for the parcel abutting US-41 on the north side of the private road with approval from the Michigan Department of Transportation."

AYES: 5

NAYS: 0

MOTION CARRIED.

US-41/M-28 CORRIDOR MANAGEMENT TEAM.

RESOLUTION

Menhennick moved Britton second that WHEREAS the Chocolay Township Board located at 5010 U S 41 South, Marquette County, Michigan recognizes the need to participate in a planning effort for the US-41/M-28 Corridor; and

WHEREAS the Chocolay Township Board recognizes the need to implement controlled land use development and access control standards in the interest of all parties; and

WHEREAS the Chocolay Township Board reviewed the Memorandum of Understanding which is attached hereto and made part hereof;

NOW, THEREFORE, BE IT RESOLVED, that the Chocolay Township Board hereby adopts the said Memorandum of Understanding as a policy document and instructs the staff and affected Boards and Commissions of the Charter Township of Chocolay to implement the provisions thereof.

Adopted this 16th day of October, 2000.

AYES: 5

NAYS: 0

MOTION CARRIED.

MEMORANDUM OF UNDERSTANDING

In furthering the objectives of the US-41/M-28 Corridor Management Team which seek to:

“Advise the local municipalities concerning the effects of the zoning and planning changes and access design features along the US-41/M-28 Corridor and as a means of discussing development change on the highway and adjacent lands within the planning area,”

the Chocolay Township Board which is part of the US-41/M-28 planning area (comprised of Chocolay Township, Marquette Township, Negaunee Township, Ishpeming Township, the cities of Marquette, Negaunee, Ishpeming and the County of Marquette Road Commission, jointly and mutually agree to participate in a comprehensive, cooperative, and continuing planning process for the US-41/M-28 Corridor Management Team.

For purposes of this memo, the planning area is defined as:

1000 feet on both sides of the centerline of US-41/M-28 from the US-41/M-28 intersection in the east to the US-41/M-95 intersection in the west.

Parties to this agreement recognize that the comprehensive character of the planning process requires an inventory, analysis, and continual updating of the following basic elements as they pertain to future development activity:

1. Land Use
2. Development Proposals
3. Population
4. Economic factors
5. Natural Features
6. Public Utilities
7. Traffic Volumes and Travel Patterns
8. Traffic Control Facilities
9. Access Control Standards
10. Financial Resources
11. State and Federal Grant Programs
12. Codes, Ordinances and Regulations

The parties to this Memorandum of Understanding agree that they will not authorize site plan approvals, rezonings, new Planned Unit Developments, or similar projects requiring Planning

NOVEMBER 6, 2000

A Regular meeting of the Chocolay Township Board was held on Monday, November 6, 2000 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

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

ABSENT: Richard Bohjanen.

MINUTES – OCTOBER 16, 2000.

Menhennick moved Britton second that the minutes of the Regular Meeting held on October 16, 2000 be approved.

AYES: 6

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Sherbinow moved Menhennick second that bills totaling \$32,122.03 checks numbered 10449–10505 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Fire Chief Gary Johnson – Fire prevention week was in October and the fire department held a fundraiser at Jack's IGA. The fire department raised \$833.00, half of this was donations from the public and Jack's IGA matched that amount. The money was donated to Pigs-N-Heat.

Clerk Hill – Indicated that in the Board packet was information from the Marquette County Township Association meeting informing them of a requirement for a temporary food license for any events that include food preparation.

BOARDS, COMMITTEES, COMMISSIONS REPORTS

1. Minutes - Election Commission - September 28, 2000
2. Minutes - Zoning Board of Appeals - September 28, 2000
3. Minutes - MCTA - September 27, 2000
4. Minutes - Lake Superior Watershed Partnership

SUPERVISOR'S REPORT

1. **Blondeau** - The Order Supplementing the Stipulated Injunctive Order on Blondeau has been executed and filed with the Court.

Mr. Blondeau thanked the Board for the completion of this. He also thanked Mr. Britton and Menhennick for their support.

2. **Sommers Property** - Mr. John Sommers continues to work with Mr. Maki on the clean up of his property on Timberlane. To date, over 120 tires have been hauled out along with numerous barrels of waste oil, etc. In addition the majority of the safety hazards have been eliminated. The main effort now is to remove the 60+ cars.
3. **ABC Hardware** - Regarding the complaint received about the conditions behind ABC Hardware, the first notice of October 4 received no action. The second notice went out October 27 with no response to date. The next step will be some type of Attorney action.
4. **Bike Path/Driveway** - We have received the bids for the bike path and new driveway on Silver Creek Road. Both bids received were above budget and neither could guarantee that the project could be completed this year. We will look to re-bid for spring construction when we should be able to get a better price.
5. **Ice Rink** - The preliminary work for the Lions Park Ice rinks has been done as Don and Dennis completed the grading and the signage has been completed.

PRESENTATION – GOOD CITIZENSHIP AWARD – PAMELA AHO.

Police Chief Greg Zyburgt presented a good citizenship award to Pamela Aho for her assistance.

RE-BID OF FIRE TRUCK.

Greenberg moved Britton supported that the bid proposal received for the new fire truck be rejected for failure to meet our bid specifications. Further, we authorize the Fire Department to modify the bid specifications and resubmit them for new bid proposals. The bids shall be received by the Clerk's Department and kept in the vault. The bid opening will occur at 12:01 p.m. on December 6, 2000 by the Clerk. The Fire Department will make their recommendation for the bid award.

AYES: 6

NAYS: 0

MOTION CARRIED.

REZONING #113- TEXT AMENDMENT – CAMPGROUNDS AND DAY CAMPS – DEFINITION(S) AND RP DISTRICT CLASSIFICATION.

Menhennick moved Hill second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-00-05

AMENDMENT #34-00-05

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

Section 101 - Definitions - To create a definition of a day camp to read as follows:

DAY CAMP, A camp providing facilities for groups of young people such as YMCA camps, Boy Scout camps, and Girl Scout camps.

Section 101 - Definitions - To amend the definition of a campground to read as follows:

CAMPGROUND, a parcel or tract of land under the control of any person wherein sites are offered for the use of the public or members of an organization either free of charge or for a fee, for the establishment of temporary living quarters consisting of any combination of three or more recreational vehicles, tents or other temporary habitable structures or sites.

And Section 212 - RP District - To change campgrounds and day camps from being a Permitted Principal Use to a Conditional Use on 20 acres or more.

AYES: 6

NAYS: 0

MOTION CARRIED.

REZONING #114 – TEXT AMENDMENT – SEASONAL ROAD PROPERTY OWNER NOTIFICATION.

Hill moved Sherbinow second that the Charter Township of Chocolay Board TABLE Rezoning #114 in order to await the County's further review of this procedure.

AYES: 6

NAYS: 0

MOTION CARRIED.

REQUEST – MARK MAKI – VACATION FOR 25 YEARS OF SERVICE.

The Board discussed Mr. Maki's request for an additional 2 vacation days after 25 years of service.

Hill moved Sherbinow second that this request be sent to the personnel committee for a recommendation.

AYES: 6

NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence from - Marquette County - Re: Hearing Date Change on County Trails Master Plan
- B. Correspondence from - Mary Buchanan - Re: Township Hall
- C. Information - Police Department - 3rd Quarter Statistical Report
- D. Information - MTA - Legislative Updates
- E. Information - MTA - Capitol Currents

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

CAMPGROUND, a parcel or tract of land under the control of any person wherein sites are offered for the use of the public or members of an organization either free of charge or for a fee, for the establishment of temporary living quarters consisting of any combination of three or more recreational vehicles, tents or other temporary habitable structures or sites.

And Section 212 - RP District - To change campgrounds and day camps from being a Permitted Principal Use to a Conditional Use on 20 acres or more.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS

1. Minutes - Planning Commission - November 13, 2000
2. Minutes - Ad Hoc Trails Committee - October 3, 2000

SUPERVISOR'S REPORT

1. **Joint Meeting** - I recently spoke with Stu Bradley, Marquette City Commissioner regarding holding a joint meeting between the City Commission and the Board to discuss items of mutual interest. I would like to get the Board thoughts on having such a meeting. The dates that Mr. Bradley indicated that may work were January 3rd, 4th, 9th, or 10th here at the Township. The Board agreed to the 10th of January 2001.
2. **Burger King** - As you probably noted in the copy of the Planning Commission minutes, Burger King has withdrawn their conditional use application to build a new restaurant/gas station on the corner of US-41 and Cherry Creek. They are selling the property to Northern Michigan Bank.
3. **Mangum Road Contract** - As you should have noted from the correspondence from the Road Commission, they are working on the contracts for next years projects. We have already budgeted the funds for the Mangum Road project and we are finalizing the contract with the Road Commission. In regards to our next three-year plan, the road rankings are going to be discussed at the next Planning Commission meeting and they should be on the next Board agenda.
4. **Re-key the Township Offices** – Dennis Magadanz, D.P.W. Supervisor is a locksmith and he will re-key the Township Hall. This has not been done since the building was built over 20 years ago.

POLICE DEPARTMENT – SNOWMOBILE ENFORCEMENT.

Chief Zyburt and Supervisor Fende felt that there was no reason for the Township to have it's own ordinance on snowmobile enforcement when the State regulations are probably sufficient. If a specific problem develops in the future, we can re-evaluate then. The Board agreed with this.

There will be snowmobile training in January 2001, presented by the DNR & Sheriff Department. Chocloy Township police will attend.

MEMBERSHIP IN PUBLIC SERVICE TRAINING ACADEMY.

The Board discussed joining the Northern Michigan Public Service Training Academy. Treasurer Greenberg is involved in the academy through the County of Marquette and feels that it is very beneficial. The cost to join is minimal. There are many classes that will be offered at a reasonable price and put on locally.

Greenberg moved Hill second that Chocloy Township join the Northern Michigan Public Service Training Academy.

AYES: 7

NAYS: 0

MOTION CARRIED.

DIRECTOR OF RECREATION AND GRANTS ADMINISTRATION JOB DESCRIPTION.

Supervisor Fende informed the Board that he would like to proceed with advertising this position and hire in January 2001. The Board agreed with this. The job descriptions will go to the Personnel Committee for review on December 5, 2000.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Greenberg & Hill - Re: Deputy Appointments
- B. Fende & Magadanz - TEA 21 Grant Application
- C. Marquette County Road Commission - Re: Road Plans/Contracts
- D. Marquette County - Re: Housing Rehabilitation Program
- E. Marquette Area 4th of July Committee - Re: Thank You
- F. Dennis Pekkala - Re: First Responders
- G. MCTA - Re: Christmas Potluck
- H. MTA - Legislative Update
- I. Capitol Currents

Clerk Hill informed the Board that the Marquette County Township Association will be having their Christmas pot luck on December 13, 2000 at 6:00 p.m. at the Ishpeming Township Hall.

There being no further business, the Supervisor adjourned the meeting at 8:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

2. **Ice Rinks** - The DPW Department has the Lions Park and Township Hall ice rinks ready for use in time for the holidays. The public service announcements were sent out today.
3. **Adamini Request** - The Township Planning Commission and their Ordinance Amendment Sub-Committee have thoroughly reviewed the Stephen Adamini/VanNeste Ordinance Amendment request that was initially addressed to the Township Board. The Planning Commission ultimately recommended that no change is made to the Zoning Ordinance and that their specific request is more appropriately directed back to the Zoning Board of Appeals as it involves an individual piece of property. The VanNestes advised that they would proceed with this approach.
4. **Keys** - Denny has pretty much completed changing the locks for the Township Hall offices and we now need to get any keys that the Board members have so that we can get them changed.
5. **Summer Taxes** – The ISD has again requested that Chocolay Township collect the school taxes in the summer. Chocolay will continue to collect all taxes in the winter.

DNR FIRE ASSISTANCE GRANT.

Hill Moved Greenberg second that the fire department is authorized to apply for the DNR Volunteer Fire Assistance Grant for the purchase of radio equipment for the new fire truck and new turnout gear.

AYES: 7

NAYS: 0

MOTION CARRIED.

ANNUAL ROAD RANKING.

Memo received from Denny Magadanz, DPW Supervisor and Doug Riley, Director of Planning & Research on the annual road inspection and road ranking.

ASSESSING PROGRAM AND COMPUTER PURCHASE.

Memo from Mark Maki on the Equalizer Program update and need for a new computer. The majority of the money for the program and computer has been encumbered in the Assessing Department (\$5,825.00).

Fende moved Sherbinow second to approve expenditure from the assessing capital improvements fund (401.202.957), not to exceed \$2,621.70 for the purchase of the Equalizer program, computer equipment and data entry contract.

ROLL CALL.

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

NAYS: None

MOTION CARRIED.

EXPENDITURE FROM POLICE TRAINING CAPITAL IMPROVEMENTS FUND.

Greenberg moved Hill second to expend \$637.00 from the 301-302 police training account in the Capital Improvements Fund 401.306.957 for the three day police Chief's conference in Lansing held on February 7-9, 2001.

ROLL CALL.

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

NAYS: None

MOTION CARRIED.

Hill moved Sherbinow second to expend \$50.00 from the police training account in the Capital Improvement Fund 401.306.957 for two police manuals.

ROLL CALL.

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

NAYS: None

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2000- AMENDMENT NO. 7 TRAFFIC GRANT REIMBURSEMENT

Sherbinow moved Wiese second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October, 2000, 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	\$168,906.00	+ \$2,706.00	\$171,612.00
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$16,128.75	+ \$2,706.00	\$18,834.75

ROLL CALL.

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

NAYS: None

MOTION CARRIED.

TRANSFERS TO CAPITAL IMPROVEMENT FUND.

Greenberg moved Tabor second that the \$5,000.00 budgeted in the Planning Commission's fund account #805.957 for Capital Outlay - Comprehensive Plan Update, and the \$1,000.00 already encumbered in the same account, be transferred to Planning Commission - Capital Improvements for future expenditure.

ROLL CALL.

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

NAYS: None

MOTION CARRIED.

Britton moved Hill second that the \$3,000.00 in 101.708.956 and the \$14,950.00 and the \$850.00 in 101.708.957 along with the \$7,605.00 encumbered for the driveway relocation, be transferred to Recreation – Capital Improvements for future expenditure 401.708.957.

ROLL CALL.

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

NAYS: None

MOTION CARRIED.

Britton moved Tabor second that the \$2,300.00 budgeted in the Marina’s fund account #101.544.957 for Capital Outlay be transferred to Marina’s Capital Improvements fund 401.544.957.

ROLL CALL.

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

NAYS: None

MOTION CARRIED.

Greenberg moved Wiese second that the \$1,950.00 budgeted in the Township Hall & Grounds account 101.265.957 for capital outlay be transferred to Township Hall & Grounds Capital Improvement Fund 401.265.957.

ROLL CALL.

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

NAYS: None

MOTION CARRIED.

Supervisor told the Board that appointments to Boards and Commissions will be on the next regular agenda.

FIRE DEPARTMENT – AWARDING CONTRACT FOR FIRE TRUCK.

A memo from the fire department on the re-bid of the fire truck listing Central States exceptions to the bid proposal was received. A memo from Central States attempting to rebut the fire department memo was presented to the Board at the meeting. The fire department recommended that the Board approve the bid proposal from Pierce Manufacturing. Pierce met all of the bid specifications and has a good service track record. The fire department is extremely concerned about service record because of the problems with the mini pumper.

Supervisor Fende agreed with the fire department. Our attorney opinion on this matter was that as long as there were material items of non-compliance with the bid specifications, the higher bid could be accepted.

The Board questioned the fire department on many items listed in their memo as not meeting specifications or not included in the bid.

- Aluminum vs. stainless steel on fenders and pump frame.
- Size and type of pump panels and general pump compartments.
- Axle and suspension.
- Size of hose bed.
- Service record and reliability.

Fende moved Britton second that the bid for the new fire truck be awarded to Pierce Manufacturing for \$247,923.00 This includes deductible options #24 and #26 in their bid proposal. It is understood that \$84,273.00 will be paid to Pierce at the time the truck chassis arrives at the Pierce factory, the remainder will be paid upon delivery of the fire truck.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Fende - Re: Annual Appointments
- B. Correspondence from - Maki - Re: 2000 Zoning Report
- C. Correspondence from - Silver Creek Elementary Student Council - Re: MDOT Grant
- D. Information - MTA - Legislative Update

Trustee Britton asked if others had read the Cathy Peterson letter that had been copied to the Board?

Trustee Tabor informed the Board of the Planning Commission discussion on Shoreline protection.

There being no further business, the Supervisor adjourned the meeting at 8:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

SPECIAL MEETING
JANUARY 10, 2001

A Special joint meeting of the Chocolay Township Board and the City of Marquette was held on Wednesday, January 10, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

Mayor Bradley opened the City of Marquette meeting at 7:00 p.m.

CHOCOLAY TOWNSHIP BOARD.

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

ABSENT: None.

CITY OF MARQUETTE.

PRESENT: Cameron Howes, Dan Dallas, Stu Bradley, Jerry Irby, Jim Schneider, David Carlson.

ABSENT: Tony Tollefson.

Supervisor Fende explained the format of the meeting. There would be a public comment section before the Boards discussion and after. The public is asked to refrain from commenting while the two Boards are discussing issues.

PUBLIC COMMENT.

Cathy Peterson – Questioned what authority allowed the joint meeting?

Scott Emerson – Feels that the new radio tower should be a topic of discussion. Even though it sits in the City boundaries, it is an issue the crosses boundaries.

Supervisor Fende commented that we should explore ideas of mutual interest and consider projects that could be worked on jointly. Mayor Bradley spoke on regional planning with shared ideas and services.

Items of discussion by the City of Marquette and Chocolay Township Boards.

- Library services
- Snowmobile trails
- State police radio tower
- Bike path
- Trash collection
- Recycling
- Recreation areas
- Elections
- Senior Services
- Zoning and planning
- Arts and culture
- Sewer and water services
- Purchasing
- Look at using schools for recreation after 5:00 p.m. on week days
- Training
- Ban on animal feeding
- Grants

Both Boards felt that all of the above issues need to be explored and decided on the subject of Recreation to be discussed at the next joint meeting. The next joint meeting will be held on Tuesday January 30, 2001 at the Lakeview Arena at 7:00 p.m. Marquette Public School Board will be invited to the meeting along with Marquette Township and Sands Township.

PUBLIC COMMENT.

Scott Emerson – The public should be allowed to interject comments while the Board discussion is ongoing. Radio tower placement should take into consideration the

beautiful shore line view that could be ruined. Consider a dark sky ordinance (for street lighting).

Bill Kessel – Could the radio tower be placed on the old prison property at the end of Silver Creek Road?

Larry Huebner – Units of government should keep working on joint issues and use existing bodies.

Billy Jenkins – Is Sands Township involved in the joint meetings?

Cathy Peterson – Is the City of Marquette going to annex the surrounding Townships?

Max Muelle – Marquette Township is excited about the spirit of co-operation.

Dave Savolainen – Requested that a letter from The City of Marquette and all Townships involved be sent to the State police requesting information on radio tower specifications.

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department			
Uniforms			
101.305.957	\$1,075.00	+ \$253.01	\$1,328.01

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$8,000.00	+\$253.01	\$8,253.01

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

SUBCOMMITTEES – AD HOC TRAILS AND RECREATION.

Hill moved Britton second that the Township Board requests the Planning Commission to evaluate making the AdHoc Trails Committee and Recreation Committee formal sub-committees of the Planning Commission.

AYES: 7

NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEES AND COMMISSIONS APPOINTMENTS.

Greenberg moved Britton second, to reappoint Lois Sherbinow as the Board Member representative to the Zoning Board of Appeals with a term to run to 12/5/03.

AYES: 7

NAYS: 0

MOTION CARRIED.

Hill moved Sherbinow second, to appoint Michele Wietek to the Zoning Board of Appeals to fill the open unexpired term to 5/9/01.

AYES: 7

NAYS: 0

MOTION CARRIED.

Sherbinow moved Britton second, to appoint Robert Pecotte, Rene DeVooght and Steven Sanderson to the Board of Review with a term to run to 12-31-02.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Britton second, to appoint Lois Sherbinow and Matt Wiese to serve on the Election Commission with Clerk Arlene Hill with a term to run to 11-20-04.

AYES: 7

NAYS: 0

MOTION CARRIED.

Sherbinow moved Tabor second, to appoint Arlene Hill as the Board representative to the Marquette County Townships Association with a term to run to 11-20-04.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Britton second, to appoint Ken Tabor as the Board representative to the Peter White Library Township Advisory Council with a term to run to 11-20-04.

AYES: 7

NAYS: 0

MOTION CARRIED.

Hill moved Greenberg second, to appoint Dennis Magadanz as the member, and Doug Riley as the alternate, to the Marquette Area Wastewater Treatment Facility Advisory Board with a term to run to 12-31-01.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Britton second, to appoint Ivan Fende as the member and Dennis Magadanz and Doug Riley as the alternates to the East Marquette Solid Waste Authority with a term to run to 12-31-01.

AYES: 7

NAYS: 0

MOTION CARRIED.

Hill moved Sherbinow second, to appoint Tom Thomas as the Township representative to the Utility Review Committee for a term to run to 12-31-01.

AYES: 7

NAYS: 0

MOTION CARRIED.

Fende moved Wiese second, to appoint Mike Disch and Gary Heinzelman as the employee representatives to the Personnel Committee with a term to run to 12-31-01.

AYES: 7

NAYS: 0

MOTION CARRIED.

Fende moved Sherbinow second, to appoint John Greenberg as a Board representative to the Personnel Committee with a term to run to 12-31-02

AYES: 7

NAYS: 0

MOTION CARRIED.

Fende moved Britton second, to appoint John Greenberg as the Board representative to the Pension Committee with a term to run to 12-31-04.

AYES: 7

NAYS: 0

MOTION CARRIED.

PERSONNEL POLICY RECOMMENDATIONS.

Sherbinow moved Greenberg second that the Personnel Policy be amended to reflect the changes as recommended by the Personnel Committee in their memorandum of December 11, 2000.

AYES: 7

NAYS: 0

MOTION CARRIED.

The Personnel Policy changes are as follows:

Each employee who reaches 20 years of service (full time or part time) will receive an additional annual vacation day, and will receive an additional annual vacation day on each five-year anniversary thereafter.

Annual vacation hours are available for use on the employee's anniversary date each year according to the above chart. However, as said annual vacation hours are considered earned based upon working an entire year, or on a pro-rated basis, any employee leaving employment during the year must reimburse the Township for any vacation hours that were taken prior to being accrued.

JOB DESCRIPTIONS – NEW LANGUAGE OR CHANGES IN THE FOLLOWING:

- *Director of Recreation and Grants Administration*
- *Supervisor, Department of Public Works*
- *Director of Planning and Research*
- *Lead Maintenance Worker*
- *General Maintenance Worker I*
- *General Maintenance Worker II*

ARMY RESERVE BRIDGE - ADHOC TRAILS AND PLANNING COMMISSION RECOMMENDATION.

A memo was received from the Planning Commission supporting pursuing using this bridge over the Chocolay River at M-28. The Board discussed the liability to the Township if the bridge were used even though it would be safer for snowmobiles than crossing the highway. Putting this bridge up would probably encourage more snowmobiling on a non-authorized trail.

The Board will wait until next summer to make a decision on the bridge. That will allow the Township to evaluate where the DNR is in the acquisition of the railroad right of way.

MANGUM ROAD CONTRACTS.

Greenberg moved Britton second that the Township enter into a contract with the Marquette County Road Commission to repair and repave the three phases of Mangum Road for a total not to exceed \$165,497.36.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

DIRECTOR OF RECREATION AND GRANTS ADMINISTRATION - EMPLOYMENT CONCURRENCE.

Fende moved Hill second, to concur with the Township Supervisor for the hiring of Mr. Lee Snooks to fill the newly created position of Director of Recreation and Grants Administration.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

KAWBAWGAM SKI TRAIL GROOMING SNOWMOBILE.

Hill moved Britton second that the Township expend \$2,700.00 from the balance of the KBIC Recreation money and from recreation capital improvements fund both in 401.708.957 to purchase a used Arctic Cat snowmobile.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

CLOSED SESSION - DISCUSS PROPERTY ACQUISITION.

Hill moved Sherbinow second that the Township Board go into closed session at 8:40 p.m. to discuss property purchase.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

Hill moved Tabor second that the Township Board go out of closed session at 9:00 p.m. and that the Supervisor be advised to continue to study this issue.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Fende - Re: Water Committee
- B. Charter Communications - Re: Rates
- C. James Carter - Re: Rural Signage
- D. Central Lake Superior Watershed Partnership - Re: Financial Support/Thank You
- E. Police Department - 4th Quarter Statistical Report
- F. MTA - Legislative Updates
- G. MTA - Capitol Currents

There being no further business, the Supervisor adjourned the meeting at 9:05 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JOINT MEETING
 CHARTER TOWNSHIP OF CHOCOLAY
 SPECIAL MEETING
 JANUARY 30, 2001

The Charter Township of Chocolay Board met at a Special Meeting with the Marquette City Commission, Charter Township of Marquette Board and officials of the Marquette Public Schools. The purpose of the meeting was to discuss Recreation and other mutual concerns. Stu Bradley, Marquette City Mayor, chaired the meeting. He noted that the purpose had been duly noted and published. The meeting was called to order at 7:10 p.m. at the Lakeview Arena, Marquette.

CHOCOLAY TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, Don Britton, Ken Tabor, Matt Wiese.

ABSENT: John Greenberg, Lois Sherbinow.

CITY OF MARQUETTE.

PRESENT: Stu Bradley, Tony Tollefson Jerry Irby, Cameron Howes, Dan Dallas, Jim Schneider, Norm Gruber, City Clerk.

MARQUETTE TOWNSHIP BOARD.

Present: Max Muelle, Carol Huempfer, Bob Atkins, Bill Musolf, Jim Padford.

MARQUETTE PUBLIC SCHOOLS.

Leonard Parker, Kelly Holmstrom, Isabel Edgell, Patrick Smith, Superintendent, Tim Yeadon, Business Manager.

It was generally agreed that the recreation area was the first area of mutual interest to be explored. Committees to be formed will establish what services and facilities exist in each community. Present ideas of interest for future use. The committee's function is to present ideas. They will have no authority to make monetary commitments. The following ideas were mentioned:

- Two members from each of the four governmental units at the meeting
- Should focus on trails and snowmobiles
- Facilities and projected plans

The organizational meeting was set for February 9, 2001 at 12:00 noon at the Bonanza Restaurant. It was later agreed that a separate committee would also be formed to study services and needs for the area of senior citizens. This committee will meet for organizational purposes at the same time and place. The County would be invited to send two representatives to participate in these plans.

Future topics of interest were listed as follows (not in order of priority):

- Arts and culture
- Planning and zoning (including street lighting and transportation)
- Senior services
- Public health issues i.e. water, sewer, composting
- Technology including main frames, wire/wireless (the I.S.D. was mentioned as a partner in this study)
- Signage with emphasis on political signs
- Cable TV
- Animal feeding guidelines

Generally it was agreed that the purpose of meeting on areas of mutual concerns was best served by approaching one or two areas and making some inroads of progress. From there we will branch out.

The next meeting to receive reports was set for Wednesday, March 21, 2001 at the Lakeview Arena at 7:00 p.m.

The meeting was adjourned at 8:30 p.m.

Arlene E. Hill, CMC
 Township Clerk

Mary L. Sanders, CMC
 Deputy Clerk

4. **DPW Supervisor's Soil Erosion Certification** - Denny recently completed his State Soil Erosion Administration Certification that our previous DPW Supervisor had, (and that we had contracted with Mr. Gould to retain in the interim).

6. **EPA Meeting** – There is a possibility that the EPA Advisory Board may meet in Marquette for one of their quarterly meetings. This Board includes about 30 members from all over the country and 10-15 support personnel. The Board thought this was a great opportunity.

STREET LIGHTING – PLANNING COMMISSION RECOMMENDATION.

A memo was received from the Planning Commission on a street lighting policy change regarding the type of lighting fixture utilized. The Board would like the Planning Commission to pursue this and bring it back to the Board.

QUALIFIED VOTER FILE COMPUTER.

The board discussed the fact that the State is requiring us to purchase a new computer to accommodate their program upgrade. The Board would like Clerk Hill to find out if all other jurisdictions must pay for the new computer.

Hill moved Sherbinow second that the Clerk Department is authorized to purchase the state approved computer, keyboard and mouse for the QVF records at a cost not to exceed \$2,211.00 from the Capital Improvements Fund Election Department 401.190.957.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

COMMUNITY INFORMATION SYSTEM – MAINTENANCE AGREEMENT-COMPUTER.

Britton moved, Wiese second that the Board authorizes the Supervisor to execute the Marquette Information Technology for Intergovernmental Cooperation Project Information Maintenance Agreement for Chocoley Township's participation in this project.

AYES: 7

NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Fende - Re: Joint Sub-Committee Representatives
- B. Memorandum - Fende - Animal Feeding
- C. Correspondence from - U.P.S.E.T. - Re: Thank You
- D. Correspondence from - Jenny Lancour - Re: Tower
- E. Correspondence from - Lake Superior Hospice - Re: Support
- F. Information - 2001 Equalization - Board of Review Hearing Dates
- G. Information - Road Commission - 2001 Meeting Schedule
- H. Information - Township Meeting Attendance Report
- I. Information - Peter White Public Library - February Programs
- J. Information - MTA - Legislative Updates
- K. Information - MTA - Capitol Currents

Lee Snooks, Director of Recreation and Grants was introduced to the Board. This was his first day on the job.

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

To appropriate all funds necessary to complete the project during the project period and to provide Forty Five Thousand Eight Hundred Six (\$45,806.00) dollars to match the grant authorized by the DEPARTMENT.

To maintain satisfactory financial accounts, documents, and records to make available to the DEPARTMENT for auditing at reasonable times.

To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of the Agreement.

To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.

To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution."

ROLL CALL.

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

NAYS: None.

Motion Carried.

TRAILER PURCHASE – CAPITAL IMPROVEMENTS FUND EXPENDITURE.

Britton moved Sherbinow second that the DPW Supervisor be authorized to spend \$3,080.00 from the Capital Improvements 401.708.957 for a box scraper and trailer.

ROLL CALL.

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

NAYS: None.

Motion Carried.

FIREWALL – CAPITAL IMPROVEMENTS FUND EXPENDITURE.

Sherbinow moved Tabor second that the Township Supervisor is authorized to expend \$2,464.00 for a computer firewall from Buildings – Capital Improvements 401.265.957.

ROLL CALL.

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

NAYS: None.

Motion Carried.

CLOSED SESSION.

Wiese moved Tabor second that the Board go into closed session at 7:20 p.m. to discuss property purchase.

ROLL CALL.

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

NAYS: None.

Motion Carried.

Greenberg moved Britton second to go out of closed session at 7:40 p.m.

ROLL CALL.

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

NAYS: None.

Motion Carried.

Britton moved Greenberg second that the Township Supervisor is authorized to continue property negotiations and to authorize a Phase I environmental site assessment for the subject property by U.P. Engineers and Architects at a cost not to exceed \$1,490.00

ROLL CALL.

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

NAYS: None.

Motion Carried.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Sanders - Re: QVF Computer
- B. Correspondence from - Charter Communications - Re: Rebate
- C. Correspondence from - Michigan Groundwater Stewardship Program - Re: Programs
- D. Information - MTA - Legislative Updates

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JOINT MEETING
CHARTER TOWNSHIP OF CHOCOLAY
SPECIAL MEETING
MARCH 21, 2001

The Charter Township of Chocolay Board met at a Special Meeting with the Marquette City Commission, Charter Township of Marquette Board and officials of the Marquette Public Schools. The purpose of the meeting was to discuss Recreation, Senior Services, and No-Feeding of Wildlife. Stu Bradley, Marquette City Mayor, chaired the meeting. The meeting was called to order at 7:05 p.m. at the Lakeview Arena, Marquette.

CHOCOLAY TOWNSHIP BOARD.

PRESENT: Ivan Fende, Don Britton, Ken Tabor, Lois Sherbinow.

ALSO PRESENT: Doug Riley, Director of Planning and Research, Lee Snooks, Director of Recreation and Grants, Cathy Phelps, Records Clerk.

ABSENT: John Greenberg, Arlene Hill, Matt Wiese.

CITY OF MARQUETTE.

PRESENT: Stu Bradley, Dan Dallas, Hugh Leslie, Parks & Recreation Director, Jerry Peterson, City Manager, Norm Gruber, City Clerk, Charles Richardson, Director of Senior Citizens.

MARQUETTE TOWNSHIP BOARD.

PRESENT: Max Muelle, Carol Huempfner, Bob Atkins, Bill Musolf.

ALSO PRESENT: Larry Huebner, Township Manager

MARQUETTE PUBLIC SCHOOLS.

Kelly Holmstrom and Patrick Smith, Superintendent.

The following Agenda items were discussed:

- Recreation Services
- Senior Services
- No-Feeding of Wildlife

Don Britton, Chocolay Township, reported on the Recreation Services subcommittee. The committee met and exchanged ideas on trail use and recreation inventories. They have met twice. The County is gathering information and is making a map showing what recreational services are now available. With this map the committee can see what is available now, and what is or may not be needed for the future. The three main areas they are concentrating on are trails, recreational fields, and parks. It was discussed whether the DNR should be contacted to join the group. Jerry Peterson will be drawing up a letter for the four entities to sign requesting the County's assistance in our recreation and mapping interests.

Carol Huempfner, Marquette Township, reported on Senior Services. The committee met and looked at a 5 and 10 year study. They will work on completing surveys regarding senior needs. They may work with classes at NMU and the Commission of Aging.

Regarding the feeding of wildlife, Chocolay Township does not have a problem at this time and is not included. The City and Marquette Township are working on an ordinance against feeding bear, geese, skunks, deer, and raccoon. Max Muelle and Jerry Peterson both commented on the increased problem of deer in residential areas. Hugh Leslie stated educating the community is essential in this endeavor.

June 1, 2001 was the date planned for the two committees to have reports ready.

The meeting was adjourned at 8:18 p.m.

Arlene E. Hill, CMC
Township Clerk

Cathy L Phelps,
Records Clerk

- Skateboard park at one of the recreation areas.
- Silver Creek Recreation Area play equipment update and safety inspection.
- Expand recycling in the Township.
- A trashcan is provided at Silver Creek School and emptied during the school year by the students. Will the Township empty it during the summer months.
- Does the Township voting system need updating? Were all the votes counted in Chocoday?
- When will the bike path from U S 41 to Silver Creek School be done? Will the bike path be put in from Cherry Creek School to Silver Creek School?
- A bike path including a nature trail.

The Students thanked the Board for listening to their requests.

The Township Board responded immediately to some of the requests, the Planning Commission and Recreation Committee will also explore the student council requests.

- Chocoday Township has the accuvote voting system, which is the system most problem voting areas will be going to. We switched from punch card voting to accuvote four years ago.
- Chocoday Lions Recreation Area was purchased one year ago and the township is working on improvements. The requests made by the student council will be taken in consideration.
- The bike path from U S 41 to Silver Creek School will be done this summer.
- The Recreation Committee will look at all current playground equipment.
- A Nature Trail will be considered on the Browers Property on Kawbawgam Road. This property was donated to the Township.
- We will pick up the trashcan at Silver Creek School during the summer months.

FIRE DEPARTMENT – NFPA STANDARDS OPPOSITION.

Hill moved Greenberg second that the Chocoday Township Board is in opposition to the National Fire Protection Association’s proposed standards 1710 and 1720 and adopts the attached resolution to be sent to the NFPA for review.

Charter Township of Chocoday Board Resolution Marquette, Michigan

- Resolution Opposing NFPA Proposed Standards 1710 and 1720
- WHEREAS the National Fire Protection Association (NFPA) is an international association of individuals and trade and professional organizations; and
- WHEREAS the mission of NFPA is “to reduce the worldwide burden of fire and other hazards on the quality of life by providing and advocating scientifically-based consensus codes and standards, research and education”; and
- WHEREAS NFPA has produced over 275 codes and standards that deal with every aspect of fire and life safety; and
- WHEREAS NFPA is an internationally recognized authority in producing codes and standards dealing with fire and life safety; and
- WHEREAS NFPA is currently proposing two new standards: NFPA 1710, Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, Special Operations to the Public by Career Fire Departments, and NFPA 1720, Organization and Deployment of Fire Suppression, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments; and
- WHEREAS proposed NFPA standards 1710 and 1720 define minimum response times, minimum fire company staffing levels, initial full alarm response levels, and extra alarm response levels; and
- WHEREAS levels of service delivery for fire and emergency medical services (EMS) have always been determined by local jurisdictions; and

COUNTY'S REQUEST FOR FEDERAL BUDGET RESOLUTION.
CHARTER TOWNSHIP OF CHOCOLAY
MARQUETTE, MICHIGAN
REFERAL BUDGET RESOLUTION

Hill moved, Fende second that

WHEREAS, the Charter Township of Chocolay receives funds to operate essential programs and projects from the federal government in the form of grants and flow-through funds, and

WHEREAS, the federal legislature is currently in the process of cutting tax revenue in the form of an income tax reduction without establishing a balanced budget prior to allocating these tax cuts, and

WHEREAS, local municipalities are required to establish a balanced budget by a specified date, and

WHEREAS, businesses and individuals could not decrease their revenue without knowing their expenditures,

NOW, THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay requests the federal legislature to adhere to the same responsible budget process and only consider proposed tax cuts in conjunction with a fiscally responsible budget thus assuring continued economic prosperity for all Americans;

AND, FURTHER, that the Charter Township of Chocolay adopts this resolution at its meeting, held on Monday, April 16, 2001.

YES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

1. **Police Car** - The Police Department's new squad car is in and the Chief will be picking it up this week. It will be outfitted next week and should be ready for the road within the next month.
2. **ABC Hardware** - Our Police Department currently has charges against ABC Hardware for illegal dumping and disposal of waste on their property. The Department of Environmental Quality is involved in this investigation and hopefully this will lead to a successful conclusion to this problem.
3. **Sommers Property** - Now that Spring is here, Mr. Maki is again working on the continued clean up of the Sommers property on Timberlane. Hopefully, progress can continue on this issue without more intensive enforcement efforts.
4. **Scrap Metal Collection** - We did decide to go with a scrap metal drop off program this spring versus roadside collection due to the increased costs. We will re-evaluate next year regarding going back to roadside collection.
5. **Census/City of Marquette.** - The City of Marquette is in the process of challenging 1205 persons of Chocolay Township's 2000 population census. They did not notify us that this was being done, we learned about it through the Mining Journal. The Census maps just came out and we have been communicating with State and Federal census people. The census block in question is in the Beaver Grove area.

Clerk Hill asked the Board to discuss paying for employees and Board members to attend the MCTA Spring Banquet.

Hill moved Britton second that the township pay the cost for township employees and their spouses to attend the MCTA Spring Banquet.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

Clerk Hill – MTA District meetings will be held the 1st and 2nd week in May.

Supervisor Fende – Encouraged the Board members to consider attending the MTA Winter conference in Grand Rapids or Lansing.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Chocloy River Watershed Plan
- B. Marquette Area 4th of July Committee - Re: Fireworks Contribution
- C. Police Department - 1st Quarter Statistical Report
- D. MCTA Spring Banquet
- E. MTA - Spring District Meetings
- F. MTA - Legislative Updates

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

**CHARTER TOWNSHIP OF CHOCOLAY
SPECIAL MEETING
5-15-2001**

A Special Meeting of the Charter Township of Chocolay Board was called for at 5:30 PM at the townhall on Tuesday, May 15, 2001. Supervisor Fende called the meeting to order at the prescribed time. He noted the posted purpose of the meeting was to take a site visit to the Silver Creek Elementary School and consider any appropriate action thereafter.

PRESENT: Fende, Hill, Greenberg, Tabor, Sherbinow, Britton

ABSENT: Wiese

The meeting was adjourned to conduct the site visit at 5:35 PM.

The meeting was called to order when the Board members returned at 6:15 PM.

Don Britton Moved, John Greenberg Second, that the Township Supervisor and Township Clerk are authorized to enter into the Purchase Agreement, Lease Promissory Note and Mortgage pertaining to the acquisition of the Silver Creek Elementary School as presented upon approval by the Board of Education of the Marquette Area Public Schools upon receipt and approval of the personal property list.

ROLL CALL

Yes – 6, Don Britton, John Greenberg, Ivan Fende, Arlene Hill, Lois Sherbinow, Kendall Tabor

No – none

Absent – Matt Wiese

Motion carried.

The Supervisor adjourned the meeting following this action at 6:45 PM.

Arlene E. Hill, CMC
Township Clerk

CHARTER TOWNSHIP OF CHOCOLAY
BOARD MEETING
MAY 21, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, May 21, 2001 at the Township Hall, 5010 U S 41 South, Marquette. In the absence of the Supervisor, Treasurer Greenberg called the meeting to order at 7:00 p.m.

Greenberg called for nominations to chair the meeting.

Hill moved, Sherbinow supported that Greenberg be appointed to chair the meeting.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED

TOWNSHIP BOARD.

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

ABSENT: Ivan Fende.

MINUTES – APRIL 16, 2001 and MAY 15, 2001.

Britton moved, Wiese second that the minutes of the Regular Meeting held on April 16, 2001 be approved.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

Britton moved, Tabor second that the minutes of the Special Meeting held on May 15, 2001 be approved.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Sherbinow second that bills totaling \$27,285.74, checks numbered 10906 -10941 are approved for payment.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

Sherbinow moved, Tabor second that bills totaling \$13,346.61 checks numbered 10943 – 10975 are approved for payment.

Wiese questioned check #10942. Arlene Hill explained it as a void.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

C/D INVESTMENT REPORT.

AMT OF C/D	205,000.00	180,000.00	100,000.00
DATE PURCHASED	5/15/01	5/15/01	5/15/01
MATURING ON	11/13/01	11/13/01	11/13/01
INTEREST RATE	4.50%	4.55%	4.40%
INSTITUTION	N MI Bank	N MI Bank	Republic Bank

PUBLIC COMMENT-

1. Mrs. William Albrecht, 399 Lakewood Lane, questioned the Board regarding neighborhood noise problem in relation to the parking of a semi truck. Greenberg thought the problem may be solved by addressing the problem personally. Doug Riley will check with Zoning Administrator regarding Zoning and the Police Department regarding the Nuisance Ordinance.
2. Dan Chartier, President of CABA, wanted to let the Board know of CABA meeting the 3rd Wednesday of the month. June 20th they will be honoring Citizen(s) of the Year. He noted that the business association would like to help the Township with planned use of Silver Creek School. Dan also discussed the survey follow-up on businesses belonging to CABA. He requested that someone from the Township attend their monthly meetings. The Board was asked to put a resolution on the agenda for the Lions at the June meeting.
3. Arlene Hill introduced Cathy Phelps, Records Clerk, to the Board. Hill noted that her responsibility, among other things, is to take care of the election records of the Township.

PUBLICATION OF REZONING #114 – TEXT AMENDMENT– SEASONAL ROAD PROPERTY OWNER NOTIFICATION

Doug Riley discussed a letter from Attorney Summers, and the Board discussed recording with the Register of Deeds so owners are made fully aware of seasonal road limitations.

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

Section 402 - FRONTAGE REQUIREMENTS - To add a subsection E. to read as follows:

E. CONSTRUCTION OF DWELLING ON SEASONAL COUNTY ROAD
Any person constructing a dwelling on a seasonal County Road is required to sign a "Construction of Dwelling on Seasonal County Road - Property Owner Notification" form prior to the issuance of a zoning compliance permit. (Said notifications to be kept with the Zoning Compliance permits).

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED

LAND DIVISION ORDINANCE AMENDMENT – CREATE PROVISIONS FOR A LOT WIDTH TO DEPTH VARIANCE PROCEDURE

Discussion: John Greenberg said this affects the entire Township. This will go to the Board of Appeals, creating an allowance for a variance of depth to width.

Hill moved, Sherbinow second to authorize staff to proceed with the formal amendment to the Land Division Ordinance and to schedule the required public hearing.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED

BOARDS, COMMITTEES, COMMISSIONS REPORTS –

1. Planning Commission – April 19, 2001
2. MAWTHAB – March 12 & April 17, 2001
3. NMPSA – March 28 & April 25, 2001
Arlene Hill mentioned the survey is to be completed.
4. CLSWP – April 17, 2001

SUPERVISOR’S REPORT. None.

SPECIAL USE PERMIT #2 – MARQUETTE COUNTY ROAD COMMISSION –MINING PERMIT (SAND) FOR WITTLER PROPERTY ON US 41

Hill moved, Britton second that after consideration of Special Use Permit #2 for a Mining and Mineral Extraction Permit for sand as provided in the standards of Section 407 of the Chocolay Township Zoning Ordinance, the Township Board approves the request as recommended by the Planning Commission with the following conditions:

- 1) That a zoning compliance/mining and mineral extraction permit be obtained from the Zoning Administrator prior to use.
- 2) That the access road be adequately treated to prevent dust from impacting US-41.
- 3) That the permit is only valid for the 2001 road construction season and the site shall be restored to MDOT borrow site requirements.

ROLL CALL:

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

NAYS: None.

ABSENT: Fende.

MOTION CARRIED.

SILVER CREEK MULTI-USE PATH BID AWARD.

Denny Magadanz discussed the path.

Motion by Britton, Tabor second that the Department of Public Works Supervisor is authorized to expend \$9,122.87 from Recreation Capital Improvements Fund 401.708.957 and award the construction of the multi use path to the low bidder, Smith Paving Company.

ROLL CALL:

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

NAYS: None.

ABSENT: Fende.

MOTION CARRIED

PUBLICATION OF REZONING #115 – TEXT AMENDMENT– COMMERCIAL REAL ESTATE AND SUBDIVISION DEVELOPMENT SIGNS.

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

Section 805 - EXEMPTIONS FROM SIGN REGULATIONS - To amend the second section by adding the language in bold print:

- signs having an area of not more than six square feet each, the message of which is limited to warning of any danger, prohibition or regulation of the use of the property, or traffic or parking thereon, or advertising the premises for sale or rent. **Signs**

advertising commercial real estate and subdivision/development signs of 32 square feet or less provided they are located outside of the right-of-way.

ROLL CALL:

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

NAYS: None.

ABSENT: Fende.

MOTION CARRIED.

BEAVER GROVE RECREATION AREA - CMI GRANT – PRIME PROFESSIONAL .

Discussion: John Greenberg questioned the breakdown percentage. Denny Magadan noted it was all in one lump sum, and that the site has already been surveyed.

Britton moved, Hill second that the Director of Recreation and Grants Administration retain the services of U.P. Engineers & Architects, Inc. to Act as Prime Professionals for the Beaver Grove Recreational Area CMI Grant, for a fee of \$11,400. This fee does not include site surveying, or reproduction and advertisement costs for project bidding.

ROLL CALL:

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

NAYS: None.

ABSENT: Fende.

MOTION CARRIED

RESOLUTION AMENDING GENERAL FUND BUDGET FY2001–AMENDMENT NO. 2 PHASE I ENVIRONMENTAL SITE ASSESSMENT.

Hill moved, Sherbinow second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 2, 2000, 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, and Whereas, such modification will continue 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
Other General Government Contingency 101.285.951	35,796.00	-1,490.00	34,306.00
Township Hall & Grounds Capital Outlay 101.265.957	-0-	+1,490.00	1,490.00

ROLL CALL:

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

NAYS: None.

ABSENT: Fende.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

Chief Zybert – Re: Officer Neveau/6 month Probation Report

Maki to Waselesky – Re: Zoning Violation

MTA/Adamini/Riley – HB 4022

Marquette County Clerk – Re: 2001 Apportionment

MCTA – Re: meeting Information

Marquette County Road Commission - Street Sweeping Schedule

MTA - Legislative Updates

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

Arlene E. Hill, CMC
Township Clerk

Cathy L Phelps
Record Clerk

Public Hearing opened at 7:12 p.m. Clerk Hill asked for clarification from staff on the need for this change. Doug Riley, Planning Director, explained that this amendment creates a variance procedure to the lot width to depth ratio contained in our land division ordinance. Currently no variances can be requested. The Public Hearing closed at 7:15 p.m.

Hill moved, Wiese second that the Charter Township of Chocolay Board waive the reading and ADOPT the following amendment to ORDINANCE 52 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #52B

AMENDMENT #52B

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #52, the Chocolay Township Land Division Ordinance as adopted August 17, 1998 and as amended, be further amended to add the following language to Section VII:

Sec (F) Lake Superior/M-28/Lakewood Lane depth to width ratio exemption

- (a) Lots with Lake Superior frontage, on M-28, and Lakewood Lane are exempt from the 4 to 1 depth to width ratio due to the existing development pattern and physical location of M-28 and Lakewood Lane, which has led to unusually deep lots.

Sec (G) Variances:

The Zoning Board of Appeals shall have the power and duty to authorize upon appeal in specific cases a variance from the literal enforcement of the provisions of the 4 to 1 depth to width ratio, where compliance would result in unnecessary hardship or practical difficulty owing to special conditions.

The Zoning Board of Appeals shall make findings that the requirements of this Section have been met by the applicant.

- (a) The Zoning Board of Appeals shall further find that the reasons set forth in the application justify the granting of the variance, and that it is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- (b) The Zoning Board of Appeals shall further find that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public interest.
- (c) The site exhibits unique topographic or physical conditions, which justify the granting of the variance.

In granting any variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of this Ordinance.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED

BOARDS, COMMITTEES, COMMISSIONS REPORTS –

- 1) Planning Commission - 2000 (Annual) Report
- 2) Planning Commission - May 14 and May 23 (Special) Meeting
- 3) MAWTFAB - May 8, 2001
- 4) MCTA - April 25, 2001

SUPERVISOR'S REPORT.

1. Police Survey- In your packets was a copy of a survey that was completed by a NMU group on the area's Police Departments. Please take note that the Chocolay Township Police Department received a high rating.
2. Metal Drop Off - The metal drop off went very well with 15 roll-offs being picked up by LaChance Scrap Metal and only 1 roll-off of non-metal material had to be taken to the landfill.
3. Infield Reconstruction - The infields at Silver Creek, Beaver Grove and the Lions Field have been reconstructed and the users have voiced their appreciation. By completing this work ourselves, the cost of the box scraper and materials was under \$4,000 (which is significantly less than the amount previously budgeted).
4. USDA Grant Application - Mr. Snooks recently submitted a preliminary grant application under the USDA Essential Community Facilities Grant Program for equipment and furnishings for the

Community Center. The total requested is \$68,000 of which the Township's share would be \$16,000. This grant would come before the Board prior to any formal consideration.

5. Fire Department - The Fire Department recently brought on two new volunteers, which brings the Department total to 21.
6. Lions Field - A portable toilet has been installed at the Lions Field and the Little League has started to use the field.
7. Haulers Agreements - We have seen a substantial increase in the number of hauling agreements we are issuing for people to haul directly to the landfill and people seem very appreciative for the Township providing this opportunity.

PUBLICATION OF REZONING #116 – BEAVER GROVE RECREATION AREA PROPERTY – R-1 TO PUBLIC LANDS.

Britton moved Sherbinow second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-01-03

AMENDMENT #34-01-03

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

SECTION 901 - CHOCOLAY TOWNSHIP ZONING MAP

That the Township owned property known as the Beaver Grove Recreation Area Property located on the west side of US-41, north of County Road 480 in Section 16, T47N-R24W encompassing approximately 29 acres identified as tax parcel codes 52-02-116-011-10 and 52-02-116-020-10 be rezoned from R-1 to Public Lands.

AYES: 7 NAYS: 0

MOTION CARRIED.

HOSKING PRIVATE ROAD.

Hill moved Britton second that the Township Board concurs with the Planning Commission that the private road construction by Ray Hosking is a minor change and is consistent with the previous approval and does not warrant a new public hearing.

AYES: 7 NAYS: 0

MOTION CARRIED.

MANGUM ROAD CONTRACTS – CHANGE ORDER.

Hill moved Wiese second that the Township Supervisor signs the Mangum Road change orders #1 and #2 at a cost of \$17,305.00 from Streets Capital Improvements 401.440.957.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

CONSIDER 2000 CENSUS RESOLUTION.

Certifying to the State of Michigan, Department of Treasury, the number of residents to be subtracted from the 2000 Census count for the Township of Chocolay and added to the City of Marquette for revenue sharing and tax appropriation purposes.

WHEREAS, the Township of Chocolay and the City of Marquette have jointly agreed to subtract 955 residents from the Township of Chocolay and to add said 955 residents to the City of Marquette due to an assumed error of the United States Census Bureau with the 2000 Census counts for these jurisdictions.

NOW THEREFORE, BE IT RESOLVED that 955 residents from Census Tract 1200, Block 3016 be subtracted from the Township of Chocolay, Marquette County Michigan and added to the City of Marquette, Marquette County Michigan, for the purpose of revenue sharing and tax appropriation through the Michigan Department of Treasury

AYES: 7 NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT CONSTITUTION AND BY-LAWS.

Greenberg moved Wiese second that the Fire Department Constitution and by-laws and the Operating Policy and Procedures be adopted with the changes recommended by the Fire Department.

AYES: 7 NAYS: 0

MOTION CARRIED.

ACCOUNTING COMPUTER PROGRAM – PURCHASE UPDATE.

Sherbinow moved Wiese second that the Clerk Department is authorized to expend \$1,220.00 from Capital Improvements Fund, Clerk Department 401.215.957 for Fund Balance software updates.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED

ATTORNEY FEE INCREASE.

Fende moved Sherbinow second that the Township Attorney's request for an hourly rate increase from \$75.00 to \$82.50 be approved effective July 1, 2001.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

PLANNING COMMISSION APPOINTMENTS.

Fende moved Wiese second to reappoint Scott Emerson to the Planning Commission with a term to run until May 24, 2004.

AYES: 7 NAYS: 0

MOTION CARRIED.

Fende moved Wiese second to reappoint Mike LaPointe to the Planning Commission with a term to run until May 24, 2004.

AYES: 7 NAYS: 0

MOTION CARRIED.

LION'S CLUB RESOLUTION.

Greenberg moved Britton second that

BE IT HEREBY KNOWN THAT

CHOCOLAY LIONS APPRECIATION DAY

WEDNESDAY, JUNE 20, 2001 IS DECLARED

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

TO GIVE THE WELL DESERVED RECOGNITION TO THE CHOCOLAY AREA LIONS CLUB
MEMBERS FOR THEIR SERVICE TO THEIR COMMUNITY THROUGH THE FOLLOWING:

- COMMUNITY CALENDAR
- YOUTH HALLOWEEN PARTY
- HANDICAPPED/SENIOR HOME IMPROVEMENTS
- HIGHWAY CLEAN UP PROGRAM
- GIFT OF A TOWNSHIP PARK AREA

AND IN CONJUNCTION WITH LIONS INTERNATIONAL:

- LEADER DOG PROGRAM
- EYE GLASSES PROGRAM

IT IS HEREBY RESOLVED THAT, WITH GRATEFUL THANKS, WE ESTABLISH JUNE
20, 2001, AS CHOCOLAY LIONS APPRECIATION DAY.

AYES: 7 NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - MDOT - Re: TEA 21 Grant
- B. Correspondence - CABA - Re: Lions Club Recognition Dinner
- C. Correspondence - Marquette County - Re: Commissioner Districts
- D. Correspondence - MTA - Re: Membership Update
- E. Information - Marquette County Road Commission - Re: Scenic Roads Policy
- F. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:00 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JULY 23, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, July 23, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: None.

MINUTES – June 18, 2001.

Greenberg moved, Britton second that the minutes of the Regular Meeting held on June 18, 2001 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Sherbinow second that bills totaling \$107,076.82 checks numbered 11049 - 11076 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Sherbinow moved, Wiese second that bills totaling \$42,632.39 checks numbered 11080 – 11136 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

PUBLIC COMMENT.

Dick Arnold - County Road 545 had a complaint about junk in neighbors' yard. Supervisor Fende asked Chief Zyburt to re-investigate the complaint.

ADOPTION OF REZONING #116 – BEAVER GROVE RECREATION AREA PROPERTY – R-1 TO PUBLIC LANDS.

Hill moved, Britton second that the Charter Township of Chocolay Board waive the reading and ADOPT the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-01-03

AMENDMENT #34-01-03

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

SECTION 901 – 903 CHOCOLAY TOWNSHIP ZONING MAP

That the Township owned property known as the Beaver Grove Recreation Area Property located on the west side of US-41, north of County Road 480 in Section 16, T47N-R24W encompassing approximately 29 acres identified as tax parcel codes 52-02-116-011-10 and 52-02-116-020-10 be rezoned from R-1 to Public Lands.

ROLL CALL:

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

NAYS: None. MOTION CARRIED

BOARDS, COMMITTEES, COMMISSIONS REPORTS –

- 1) Planning Commission - June 12 and July 9, 2001 Meetings
- 2) Zoning Board of Appeals - May 24, 2001 Meeting
- 3) NMPSA - May 24 and June 27, 2001 Meetings

SUPERVISOR'S REPORT.

- 1) Budget - As you will note from the process schedule that was included in your packets, the 2002 budget process is underway and the departments are currently completing their requests.

- 2) Census - In case the Board hears rumors, Sands Township has told us that they may challenge their census count as they believe their people along Townline Road (2 houses, 5-6 people) were credited to Chocolay Township.
- 3) Bicycle Registration - The Police Department's bicycle registration day was held on the last day of June and around 100 kids participated and 3 donated bikes were awarded.
- 4) Firefighters Tournament - I would like to congratulate our Fire Department on winning the Negaunee Frontier Days Fireman's competition.
- 5) Zoning Enforcement - Mr. Maki continues to work on several zoning enforcement issues including the complaints that were addressed to the Board over the past year (Sommers property on Timberlane and the Semi-Truck parking on Lakewood Lane).
- 6) Chocolay Sign - We have moved the "Entering Chocolay Township Sign" that was previously placed in the City of Marquette jurisdiction west of the rock cut near the small red house. We moved it closer to the actual Township line on the east side of the rock cut since we were receiving many of the calls and complaints regarding the new road that was run up the hill by the small red house.
- 7) Jon Wennerberg - I would like to acknowledge Jon Wennerberg, owner of Star Industries, and CABA for the work that he puts forth (in conjunction with CABA) in maintaining the US-41/M-28 intersection area and for his company's recycling program which benefits a great many of our Township residents.

PRIVATE ROAD REQUEST #16 – SCOTT HUBBARD – WINTERGREEN TRAIL.

Greenberg moved, Britton second, that the Chocolay Township Board concur with the Planning Commission recommendation to approve Private Road request #16 from Scott Hubbard under Section 402 of Zoning Ordinance #34 with the following conditions:

- 1) The applicant provides verification of current ownership prior to beginning construction.
- 2) The applicant install 2' gravel shoulders to comply with Ordinance requirements.
- 3) A covenant be established on the deeds for any parcels created off from this private road identifying the private road status and which reference the Declaration of Easement which must be fully executed.
- 4) The applicant pays for and installs a stop sign at the intersection of Wintergreen Trail and M-28.
- 5) The applicant complies with the conditions and requirements of all other agency regulations.
- 6) A zoning compliance permit shall be issued after all of the above conditions are met.
- 7) The applicant is required to provide certification from a surveyor/engineer that the private road standards of the Ordinance have been achieved at the conclusion of construction.
- 8) The applicant is strongly encouraged to obtain Health Department review of well and septic considerations for the proposed lots prior to road construction.
- 9) Land Division Approval is required from the Zoning Administrator for the creation of individual parcels off from the road and may require the modification of the lots as shown.

AYES: 7 NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND BUDGET AMENDMENT # 2 FY2001 – POLICE TRAINING FUNDS.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 2, 2000, 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, and Whereas, such modification will continue 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 Training Capital Outlay 401.306.957	2,186.40	+430.60	2,617.000

REVENUE

Miscellaneous

401.698	6,886.80	+430.60	7,317.40
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ROLL CALL:

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

NAYS: None.

MOTION CARRIED

COMMUNITY CENTER – FORMATION OF COMMITTEE AND 1ST PAYMENT TO SCHOOL.

Britton moved, Wiese second, to establish the "Chocolay Community Center Committee". This committee is formed for the purpose of evaluating the future use of the Silver Creek Elementary School as a Community Center and to provide recommendations to the Township Board on such matters as suggested uses, policy issues, funding, and renovations.

AYES: 7 NAYS: 0

MOTION CARRIED.

Greenberg moved, Britton second to expend monies from the Capital Improvement Fund Community Center Donations and Fund Balance for the First year payment toward the purchase of Silver Creek School.

AYES: 7 NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - United States Department of Agriculture - Re: Grant for Community Center
- B. Information - FY 2002 Budget Process Schedule
- C. Information - MTA - Legislative Updates
- D. Information - Capitol Currents

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

AUGUST 20, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, August 20, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: Ken Tabor.

MINUTES – JULY 23, 2001.

Britton moved Greenberg second that the minutes of the Regular Meeting held on July 23, 2001 be approved.

AYES: 6 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Sherbinow moved Britton second that bills totaling \$92,551.75 checks numbered 11142 - 11172 are approved for payment.

AYES: 6 NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

PUBLIC COMMENT.

Gary Johnson, Fire Chief – Informed the Board that the new fire truck should be ready for delivery on October 16, 2001. The fire department is working on the sale of the old fire truck. They already have two offers.

Clerk Hill - The Clerk Department attended a Clerk conference in Shanty Creek last week. There was a workshop on a Brownfield area that was very informative.

BOARDS, COMMITTEES, COMMISSIONS REPORTS –

- 1) MAWTFAB – July 10, 2001.

SUPERVISOR'S REPORT.

- 1) Budget - You should note that there are two Board meetings scheduled for next month for budget workshop purposes. (September 17th and 24th - the second meeting if needed). Budget packets will be out to Board members by September 1.
- 2) DNR Fishing Access Site - The DNR is making upgrades to the Chocolay River fishing access site on M-28. They are paving the parking lot and stabilizing the stream bank.
- 3) Junk Enforcement - The Police Department has reopened the case and initiated legal action regarding the complaint of junk on County Road 545 that the Board received at last month's meeting.

The Zoning Administrator and Police Department have issued tickets for the enforcement of ordinances regarding junk vehicle problems on S. Big Creek Road.

- 4) Fire Truck - The Fire Department is in initial discussions with an interested party regarding the purchase of the Township Fire Truck that is being replaced.
- 5) Rock Cut - I have authorized our Director of Recreation and Grants Administration to do some preliminary work in conjunction with the Land Conservancy on potential funding opportunities for public or conservancy acquisition of property in the rock cut area.
- 6) Community Center Committee - I have mailed out the invitations to the people suggested to serve on the Community Center Committee as discussed by the Board at the last meeting. A kick-off meeting will be held next week to get the Committee underway.

SPEED STUDY – ORTMAN ROAD.

Hill moved Wiese second that the Chocolay Township Supervisor send a request to the Marquette County Road Commission to perform a speed study for Ortman Road between U S 41 and Cherry Creek Road.

AYES: 6 NAYS: 0 MOTION CARRIED.

SPECIAL ASSESSMENT – CLEAN UP/NUISANCE ABATEMENT – 200 BROOKSIDE.

Greenberg moved Britton second that be it resolved that a special assessment be placed against property at 200 Brookside Drive (Parcel 52-02-350-010-00) for clean up in accord with Sec. 37.7 (A) (B) being Ordinance 37 (A) of the Nuisance Ordinance.

ROLL CALL:

AYES: Sherbinow, Hill, Greenberg, Britton, Wiese, Fende.
NAYS: None. ABSENT: Tabor MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND EXPENDITURE – FIRE DEPARTMENT DNR FIRE ASSISTANCE GRANT.

Britton moved Wiese second that the fire department is authorized to expend \$2,000.00 from the capital improvements fund 401.340.957 for radio equipment under a DNR Volunteer Fire Assistance Grant program. The DNR will reimburse the Township one-half of the purchase (\$1,000.00).

ROLL CALL:

AYES: Greenberg, Britton, Wiese, Sherbinow, Hill, Fende.
NAYS: None. ABSENT: Tabor MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Marquette County Sheriff's Office - Re: K-9 Unit
- B. Correspondence - Jim Carter - Re: Highway Signage Update
- C. Correspondence - Charter Communications - Re: Channel Changes
- D. Information - 2001 Summer Youth Program Report
- E. Information - 2001 Equalization Study - Sales Ratio Adjustments

- F. Information - BLP News
- G. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 7:15 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

BOARDS, COMMITTEES, COMMISSIONS REPORTS –

- 1) Planning Commission - August 13, 2001
- 2) MAWTFAB - August 16, 2001 and RBC Memo.
- 3) Chocolay River Watershed Council - March 14, 2001
- 4) Central Lake Superior Watershed Partnership - June 21, 2001

SUPERVISOR’S REPORT.

- 1) September 24 Board Meeting - We will need to have our Board meeting on the 24th due to the needed meeting on the proposed Dune Overlay District that has been recommended by the Planning Commission. Hopefully, we can complete the budget workshop at this meeting.
- 2) Cherry Creek Road - We were informed today that the reconstruction of Cherry Creek Road will not be complete by this fall. The culvert at Cherry Creek can not be completed due to problems with utilities. The reconstruction will be completed up to the Fish Hatchery this fall. The remainder will be completed in the spring. (The detour will be lifted over the winter).
- 3) Fire Truck - The Fire Department has received a formal bid of \$45,000 for the Fire Truck and I have told them to proceed with its sale.
- 4) Community Center Committee - The Community Center Committee met for the first time on September 28th and developed an ambitious schedule that will establish short and long-term goals. A variety of issues were discussed including program options, funding sources, building renovations and leasing opportunities. The Committee's first decision was to appoint a Chairperson (Richard Bohjanen) and Secretary (John Greenberg). The members also decided to develop and implement a community-wide survey to solicit citizen input.

Each member was given the task of researching existing centers and reporting their findings at the next meeting scheduled for September 26th.

- 5) Beaver Grove Grant - The plans for the grant improvements at the Beaver Grove Recreation Area have been officially approved by the DNR. Lee is working on the required bids and some construction is still anticipated for this fall.
- 6) Community Entrance Signs - For many years I have thought that perhaps we should install some nice community entrance signs on the Township lines. This may be the time to do this since we will be installing new signs at the Beaver Grove Recreation Area and we could purchase these at the same time and realize a cost savings and coordinate them architecturally. I can have staff put together the numbers we would be looking at but I wanted the Board's thoughts on this matter. Should they be at all four major entrances (M-28, US-41 North, US-41 South and County Road 480)?

The Board agreed to price the purchase of three and four signs.

RESOLUTION AMENDING GENERAL FUND BUDGET FY2001 - AMENDMENT NO. 3 – REIMBURSEMENT FOR SNOWMOBILE GRANT.

Greenberg moved Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 2, 2000, 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, and Whereas, such modification will continue 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 Department			
Capital Outlay			
101.305.957	2,543.01	+2,678.21	5,221.22

REVENUE

Miscellaneous			
101.698	8,253.01	+2,678.21	10,931.22

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY2001 - AMENDMENT NO. 4 – REIMBURSEMENT FOR BULLET PROOF VEST.

Greenberg moved Britton second that Whereas, a budget was adopted by the Chocoday Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 2, 2000, 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, and Whereas, such modification will continue 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 Department			
Uniforms			
101.305.745	5,221.22	+395.61	5,616.83
REVENUE			
Miscellaneous			
101.698	10,931.22	+395.61	11,326.83

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND EXPENDITURE – BROWERS PROPERTY PARKING LOT.

Britton moved Wiese second that the Township Board approve the construction of the parking lot on the Brower property and authorizes the expenditure of \$1,000.00 from the recreational capital improvement fund 401.708.957 for construction.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

JULIET STREET SEWER EXTENSION.

Elder has made a request to extend the sewer on Juliet by 200 feet for a new manhole to serve five lots. The cost would be entirely covered by Elder.

Hill moved Sherbinow second that the sewer on Juliet Street be extended 200 feet at a cost to be covered by Elder.

AYES: 7 NAYS: 0

MOTION CARRIED.

FY2002 BUDGET WORK SESSION.

Revenues – No change.

Salaries – Clerk Hill suggested that three positions receive a larger increase, Deputy Treasurer, Secretary/Records Clerk and Administrative Assistant/Police Department. No change was made.

Township Board - No change.

Supervisor - No change.

Elections - No change.

Assessor – No change.

Clerk - No change.

Board of Review - No change.

Treasurer - No change.

Township Hall & Grounds - No change.

Other General Government - No change.

Police - No change.

Fire - No change.

Streets - No change.

Sanitation - No change.

Recreation - No change.

Community Center - No change.

Parks & Properties - No change.
Zoning - No change.
Planning Commission - No change.
Zoning Board of Appeals - No change.
Capital Improvements Fund - No change.
Sewer Fund - No change.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - State Representative Adamini - Re: Legislative Update
- B. Correspondence - U.S. National Ski Hall of Fame - Re: Induction Weekend
- C. Information - Central Lake Superior Watershed Partnership - Re: Looking Around...Looking Ahead Public Forum
- D. Information - Police Department - Re: 2nd Quarter Statistical Report
- E. Information - MTA - Legislative Updates
- F. Information - MTA - Capitol Currents

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

SEPTEMBER 24, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, September 24, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: None.

MINUTES – September 17, 2001.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$20,566.78 checks numbered 11258 -11271 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Trustee Britton – Was disturbed about a memo from Mr. Maki, under informational reports and communications. Feels that this is one side of the story.

SUPERVISOR'S REPORT.

- 1) Maki Complaint - I would be happy to discuss this letter in private with any board member.
- 2) Brower Property Parking Lot - The parking lot on the Brower property that was approved at last weeks meeting has been completed. Thanks Don Britton for the help. The ecology class from Marquette High School also worked on the property last Friday on preliminary trail clearing.
- 3) Settlement - Mr. Maki reports that the Attorney's have a verbal settlement agreement on the matter of the junkyard on S. Big Creek Road as the property owner agreed to comply with the Township requirements. The property owners did request some time to remove vehicles in violation. The written agreement to spell out the requirements is being drafted.

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

Supervisor Fende explained to the board that he looked at two types of shoreline/dune alterations. One piece of property was done properly, with concern for the neighbors on either side. The other was done with total disregard for the land and the neighbors. He would like to see the planning commission set up some type of formula that would include required slopes for the dune and/or number of feet away from the neighbors.

A slide presentation on shoreline/dune protection overlay district by the Planning Director was shown. Examples of positive and negative dune alterations were also shown.

The Supervisor opened the floor for discussion of shoreline/dune protection.

The following responses were given:

- Acts of property owners can negatively affect neighbors. This text amendment would give the neighbors a chance to comment before the work is done. The owner must lay out in advance what will be done to the dune.
- Thirty years ago the dunes were much lower. They just wanted to lower the dune enough to see the lake, not as low as it was when they moved to Lakewood Lane thirty years ago. Property value on the lake is based on a view of the lake.
- Some homes were originally built without a view of the lake.
- The whole issue is subjective. The Planning Commission is trying to give an avenue for a review process.
- A lake property owner by the river mouth belongs to an association with his neighbors. They all discuss any changes to the dunes before any work is done. This text amendment would allow all neighbors to discuss any changes before they are made.
- There is a way to work out a formula to allow for shoreline/dune work.

- Owner on the lake does have pictures from 30 years ago to show how the dunes have grown up over the years. She bulldozed some of the dunes back to see the lake and checked with the DNR before starting work. Is this really such a problem? Why not let this issue ride until it is a problem.
- We should not wait to fix something until there is a problem.
- Who at the township is qualified to decide on vegetation removal, soil loss and erosion?
- Staff will have to be educated on dune application. Training and expertise is available through the soil erosion district. The DEQ get about 20 calls/complaints per year on dune removal or erosion.
- Informational packets should be made available to property owners by the lake including lake levels, dune protection and other relative matters.
- The Planning Commission should look at a fee structure and possibly no charge. They should consider a formula for dune protection. A written statement by the May's was given to the Board and is to be passed on to the Planning Commission.

Tabor moved Wiese second that rezoning #117 text amendment Lake Superior Shoreline/Dune Protection Overlay District be sent back to the Planning Commission for further modification and consideration of matters discussed.

AYES: 7 NAYS: 0 MOTION CARRIED.

DELINQUENT SEWER CHARGES TO BE ADDED TO THE 2002 TAX ROLL.

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

Name	Tax ID Number	Address	City, State, Zip	Amount Due
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	\$ 268.60
Jean Kantola	52-02-207-009-00	238 Corning Street	Mqt MI 49855	\$ 537.16
Jeffrey Johnston	52-02-215-003-00	120 East Fairbanks	Mqt MI 49855	\$ 268.60
Susan Racine	52-02-215-006-00	156 East Fairbanks	Mqt MI 49855	\$ 268.60
Walter Besola	52-02-305-038-00	168 East Main St	Mqt MI 49855	\$ 268.60
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	\$ 268.60
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$ 268.60
Oliver Burns	52-02-455-046-00	225 Judy Stret	Mqt MI 49855	\$ 268.60
Mark Chudy	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 268.60
James Brugman	52-02-216-009-00	130 Kellog Street	Mqt MI 49855	\$ 101.48
Sharon Laurich	52-02-106-035-00	338 Reservoir Street	Mqt MI 49855	\$ 268.60
Steve Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$ 268.60
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$ 483.45
Parkway Motel	52-02-107-005-00	5057 US 41 South	Mqt MI 49855	\$ 3,760.19
Parkway Enterprises	52-02-107-004-00	5063 US 41 South	Mqt MI 49855	\$ 644.59
Robert Vidlund	52-02-455-004-00	120 Veda Street	Mqt MI 49855	\$ 268.60
David Blackburn	52-02-106-032-00	232 Van Epps Street	Mqt MI 49855	\$ 268.60
Kevin Small	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	\$ 268.60
Dorianne Oberg	52-02-107-071-00	624 Willow Road	Mqt MI 49855	\$ 337.16
Marilyn Kremer	52-02-208-003-00	371 West Terrace St	Mqt MI 49855	\$ 268.60
Kristine Dionne	52-02-106-043-00	110 West Wright Pl	Mqt MI 49855	\$ 268.60
Total Delinquent Amount				\$ 9,893.03

AYES: 7 NAYS: 0 MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Maki - Re: Complaint
- B. Information - MTA - Legislative Update

There being no further business, Supervisor Fende adjourned the meeting at 8:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

OCTOBER 15, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, October 15, 2001 at the Township Hall, 5010 U S 41 South, Marquette. It was duly noted that a public hearing on the Fiscal Year 2002 Budget was scheduled for 7:00 P.M. At the appointed hour, Supervisor Fende called the meeting to order. He noted that the public hearing on the budget was in order. No comments or questions were asked. He declared the public hearing closed and called the Board Meeting to order.

TOWNSHIP BOARD.

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

ABSENT: None.

MINUTES – SEPTEMBER 24, 2001.

Britton moved Greenberg second that the minutes of the Regular Meeting held on September 24, 2001 be approved.

AYES: 7 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$191,211.61 checks numbered 11272 -11317 are approved for payment.

AYES: 7 NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT

The financial report was received and placed on file. The investment report was as follows:

Amount:	\$100,000	\$115,000
Rate:	3.75%	3.75%
Institution:	Peoples	Northern Michigan Bank

PUBLIC COMMENT

The Larry Merrill Workshop on October 24th, 2001, at the Marquette County Township Association Meeting was announced.

SALARIES

Hill moved, supported by Greenberg, that the salary for the office of Supervisor shall be set in the amount of \$14,447 for the Fiscal Year 2002, which begins January 1, 2002, and ends December 31, 2002.

AYES: 7 NAYS: 0 ABSENT: 0

Britton moved, supported by Wiese, that the salary for the office of Treasurer shall be set in the amount of \$8,403 for the Fiscal Year 2002, which begins January 1, 2002, and ends December 31, 2002.

AYES: 7 NAYS: 0 ABSENT: 0

Sherbinow moved, supported by Britton, that the salary for the office of Clerk shall be set in the amount of \$11,396 for the Fiscal Year 2002, which begins January 1, 2002, and ends December 31, 2002.

AYES: 7 NAYS: 0 ABSENT: 0

Greenberg moved, supported by Hill, that the per diem for the office of Trustee shall be set in the amount of \$50 for the Fiscal Year 2002, which begins January 1, 2002, and ends December 31, 2002.

AYES: 7 NAYS: 0 ABSENT: 0

Hill moved, supported by Britton, that the per diem for the office of Planning Commission Member shall be set in the amount of \$40 for the Fiscal Year 2002, which begins January 1, 2002, and ends December 31, 2002.

AYES: 7 NAYS: 0 ABSENT: 0

Tabor moved, supported by Britton, that the per diem for the office of Zoning Board of Appeals Member shall be set in the amount of \$40 for the Fiscal Year 2002, which begins January 1, 2002, and ends December 31, 2002.

AYES: 7 NAYS: 0 ABSENT: 0

BUDGET

Hill moved, supported by Greenberg, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2002, and ending December 31, 2002, 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 October 5, 2001; and

Whereas, a public hearing on the proposed budget was held on October 15, 2001, at the Chocoday Township Municipal Complex, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing;

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2002, and ending on December 31, 2002, in the amount of \$1,416,534 for the General Fund, in the amount of \$254,795 for the Sewer Fund and in the amount of \$234,151 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,416,534 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2002, and ending December 31, 2002.
3. The Township Board does hereby appropriate the sum of \$254,795 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2002, and ending December 31, 2002.
4. The Township Board does hereby levy 4.1709 mills for general operations, and 0.8355 mills for Library services.
5. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution are rescinded.
6. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming with Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

Roll Call.

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

NAYS: 0

ABSENT: 0

MOTION CARRIED

SUPERVISOR'S REPORT

- 1) DenBeste Complaint - Regarding the letter in your packets from the DenBestes concerning the intersection of Ridge Lane and Briarwood Drive, the Road Commission has put up a curve sign and trimmed back the brush that blocked the street light to improve the safety at this intersection.

Likewise, we have contacted the DeRochers regarding their letter concerning the speed limit on Ortman and informed them that the Board has already made the request for the speed study this coming Spring.

- 2) New Fire Truck - The Fire Department has indicated that they pick up the new Fire Truck on the 20th of this month and the sale of the old truck should be completed at about the same time.
- 3) New Ski Trail Head - We are constructing a new trail head for the Kawbawgam Cross Country Ski Trail on State Land near the entrance to Lake LaVasseur. This will alleviate having to utilize any private land for the trail and will get skiers in

proximity to Lake LaVasseur sooner which is the most touted aspect of the trail system.

- 4) US-41 Bike Path - In case you haven't noticed, MDOT and the County Road Commission have begun the construction of the Bike Path on this side of US-41. This path will connect with the path we constructed along Silver Creek Road and the path the Road Commission constructed along Cherry Creek Road.

REZONING #118

Height Definition and Height Limit for Accessory Buildings

AMENDMENT #34-01-05

Section 101 and Section 300 (F) shall be amended to read as follows:

Section 101 - Definitions

HEIGHT, means the vertical distance between the average ground level of the grade within 10 feet of where the structure elements intersect the ground and the highest point of the roof surface for flat roofs, to the deck line of mansard roofs, the average height between the eaves and ridge for gable, hip and gambrel roofs; and the average height between the lowest point and the highest point on a shed roof, excepting any chimney or antenna on a building, unless specifically provided elsewhere in this ordinance, and provided that two access points to the roofline less than 25 feet in height are shown.

Section 300 (F)

- F. No detached accessory building shall exceed fifteen (15) feet in height nor exceed the exterior perimeter dimensions of the principal structure on the lot.

Greenberg Moved, Britton Second that the Charter Township of Chocoy Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN:
#34-01-05

AYES: 7 NAYS: 0 ABSENT: 0 MOTION CARRIED

FOREST STEWARDSHIP GRANT.

Britton moved Tabor second that the Director of Recreation and Grants Administration submit a grant application to the Department of Natural Resources for a Forestry Stewardship Grant. The Board agrees to a 50% match not to exceed \$2,500.00.
Roll Call.

AYES: Greenberg, Hill, Fende, Wiese, Tabor, Sherbinow, Britton
NAYS: 0 ABSENT: 0 MOTION CARRIED

CLEANUP / NUISANCE ABATEMENT

Motion by Greenberg, second by Wiese that it be resolved that a special assessment be placed against property at 2366 US 41 South being parcel #52-02-106-020-00 for cleanup in accord with Sec. 37.7 (A) (B), being Ordinance 37A (the nuisance ordinance).

AYES: 7 NAYS: 0 ABSENT: 0 MOTION CARRIED

MARK MAKI CONTRACT REQUEST FOR ASSESSING SERVICES

Board considered Mr. Maki's request. They felt the job could not be split. They expressed satisfaction with Maki's performance.

CLOSED SESSION

Sherbinow moved, Hill second to move into closed session to consider property acquisition.

Roll Call.

AYES: Greenberg, Hill, Fende, Wiese, Tabor, Sherbinow, Britton
NAYS: 0 ABSENT: 0 MOTION CARRIED

Hill moved, Britton second to come out of closed meeting to open session.

Roll Call.

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

NAYS: 0 ABSENT: 0 MOTION CARRIED

Fende moved, Greenberg second that the Supervisor and Clerk be authorized to purchase property as discussed in closed session.

Roll Call.

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

NAYS: 0 ABSENT: 0 MOTION CARRIED

Supervisor Fende adjourned the meeting at 7:55 p.m.

Arlene E. Hill, CMC

Township Clerk

NOVEMBER 12, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, November 12, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: None.

MINUTES – October 15, 2001.

Tabor moved Sherbinow second that the minutes of the Regular Meeting held on October 15, 2001 be approved.

AYES: 7 **NAYS:** 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$28,440.01 checks numbered 11319 -11356 are approved for payment.

AYES: 7 **NAYS:** 0

MOTION CARRIED.

Wiese moved Britton second that bills totaling \$28,241.31 checks numbered 11357 -11384 are approved for payment.

AYES: 7 **NAYS:** 0

MOTION CARRIED.

PUBLIC COMMENT.

Lee Blondeau – Asked the Board what is the Township procedure on zoning violation citations? Supervisor Fende replied that the citation is approved by the Township Attorney before being issued, if legal action follows the Board is informed.

Trustee Britton – When is the language to be changed on contractors yard? The Planning Commission will be discussing contractor’s yard definition at the next meeting.

Marcia Thieme – Why is only one portion of accessory buildings in the zoning ordinance being considered for change. Why not look at all the parts of accessory buildings for wording change?

Clerk Hill – Marquette County Township Association wants all of the Townships in the County to respond at a November 28th MCTA meeting on the Marquette County Road Commission millage request. Clerk Hill informed the Board that she would be at the meeting to respond that Chocolay Township is not in favor of the millage request. The Board agreed with her response. She also asked if any Board member is willing to be a representative on the Marqtran board?

ADOPTION OF REZONING #118 – TEXT AMENDMENT – HEIGHT DEFINITION AND HEIGHT LIMIT FOR ACCESSORY BUILDINGS.

Marcia Thieme presented to the Board reasons that a 15 foot height on detached buildings was not always enough to maintain aesthetic integrity with a home on the same property.

The Board discussed this request and decided to continue to vote on the adoption of this amendment and request that the Planning Commission consider Ms. Thieme’s request.

Tabor moved Wiese second that the Charter Township of Chocolay Board waive the reading and **ADOPT** the following amendment to **ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-01-05**

AMENDMENT #34-01-05

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

Section 101 and Section 300 (F) shall be amended to read as follows:

Section 101 - Definitions

HEIGHT, means the vertical distance between the average ground level of the grade within 10 feet of where the structure elements intersect the ground and the highest point

of the roof surface for flat roofs, to the deck line of mansard roofs, the average height between the eaves and ridge for gable, hip and gambrel roofs; and the average height between the lowest point and the highest point on a shed roof, excepting any chimney or antenna on a building, unless specifically provided elsewhere in this ordinance, and provided that two access points to the roofline less than 25 feet in height are shown.

Section 300 (F)

F. No detached accessory building shall exceed fifteen (15) feet in height nor exceed the exterior perimeter dimensions of the principal structure on the lot.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

Fende moved Hill second that the Planning Commission address the pitch on residential accessory buildings.

AYES: 7 NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - October 8, 2001
- 2) Recreation Committee - October 2 and November 6, 2001
- 3) Community Center Committee - October 24, 2001
- 4) MAWTFAB - September 11, 2001
- 5) NMPSA - September 19, 2001

SUPERVISOR'S REPORT.

- 1) Arlene Hill Appointment - I would like to congratulate Arlene on her recent appointment to the Michigan Township Association Executive Board. This is a prestigious honor and could lead to Arlene eventually becoming President of the MTA.
- 2) Mail Guidelines - In case you haven't read it, please check out Chief Zyburts excellent memorandum on guidelines for suspicious mail or packages that is included in your packet. These guidelines have been distributed to staff.
- 3) Brower Property/Hunting - Just to let the Board know, there appears to be evidence of someone hunting or preparing to hunt on the Brower property. We have taken steps to notify the person and we have posted the property. High school classes use the property, this could be a hazardous situation.
- 4) Ski Trail Completed - The re-routing and new trailhead for the Kawbawgam Cross County Ski Trail has been completed and it is published in the new County Ski Trail Guide.
- 5) Restrooms - We have obtained restrooms from the Michigan Department of Transportation for both the Marina and the Lions Park. We are only awaiting the placement of the vaults for under the toilets to have them ready for next spring. I would like to thank Don Britton for his generous help with both the ski trail and the restrooms.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY2001-AMENDMENT NO. 3 REIMBURSEMENT FOR SALE OF 1986 FORD C-8000 GRUMMAN FIRE CAT.

Greenberg moved Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October 2, 2000, 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
Fire Dept. Capital Outlay			
401.340.957	277,025.01	+45,000.00	322,025.01

REVENUE

Miscellaneous			
401.698	7,317.40	+45,000.00	52,317.40

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

WASTEWATER USER CHARGES FOR THE TRAVELODGE – EQUIVALENT USE
ADJUSTMENT – CONVERSION OF KITCHENETTES TO ROOMS.

Hill moved Britton second that The Equivalent User Factor be reduced to 18.8 for the Travelodge as provided for in section 9D – 3 – a of Ordinance #39.

AYES: 7 NAYS: 0

MOTION CARRIED.

PUBLICATION OF PENSION ORDINANCE AMENDMENT.

Greenberg moved Sherbinow second, that the Township Board publish the required amendment to Section 4 (A) of the Pension Ordinance to reflect that the Township will contribute 9% of employee's salary to pension versus the previous 7 1/2% effective as of January 1, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Sherbinow moved Wiese second, that Section 12.10 of the Personnel Policy be amended to reflect that the Township will contribute 9% of the employees salary to pension versus the previous 7 1/2% effective as of January 1, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Fende to Olson - Re: Green Bay Street Property Donation
- B. Memorandum - Zybert - Guidelines for Handling Suspicious/Threatening Mail or Packages
- C. Memorandum - Maki - Zoning Update/Enforcement Cases
- D. Correspondence - Marquette County Solid Waste Management Authority - Re: Audit
- E. Information - MCTA - Special November Meeting
- F. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:00 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

DECEMBER 17, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, December 17, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: None.

PUBLIC HEARING - PENSION ORDINANCE AMENDMENT.

Public hearing on the pension ordinance amendment was opened at 7:01 p.m. One comment was received from Clerk Hill- Is our pension in line with other units of government? Supervisor Fende responded that we are now somewhere in the middle of other pension percentages.

The public hearing was closed at 7:03 p.m.

MINUTES – November 12, 2001.

Sherbinow moved Greenberg second that the minutes of the Regular Meeting held on November 12, 2001 be approved.

AYES: 7 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Britton second that bills totaling \$25,631.31 checks numbered 11385 -11422 are approved for payment.

AYES: 7 NAYS: 0

MOTION CARRIED.

Wiese moved Britton second that bills totaling \$16,268.28 checks numbered 11423 -11453 are approved for payment.

AYES: 7 NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

C/D INVESTMENT REPORT.

AMT OF C/D	230,000.00	100,000.00
DATE PURCHASED	12/12/01	12/12/01
MATURING ON	6/12/02	4/12/02
INTEREST RATE	2.71%	2.08%
INSTITUTION	Peoples	Republic

PUBLIC COMMENT.

David Zorza – Presented a letter to the Board and asked that they read it. Supervisor Fende stated that he would comment on it after he has had time to read the letter.

AMENDMENT TO CHARTER TOWNSHIP OF CHOCOLAY PENSION PLAN
ORDINANCE NO. 36.

Hill moved Sherbinow second that the Charter Township of Chocolay Pension Plan Ordinance, designated as Ordinance No. 36, as originally adopted February 13, 1978, and as amended, shall be, and hereby is, amended to read as follows:

AMENDMENT

The first paragraph of Section 4. (A) of the Charter Township of Chocolay Pension Plan Ordinance No. 36 shall be amended to read as follows:

"Section 4. (A). The Charter Township of Chocolay shall annually contribute one hundred (100%) per centum of that portion of the premium or charges for such annuity of pension contract for each person within the class of employees enumerated in Section 3 hereof. Such contributions shall be paid from the general fund of the Township from funds appropriated and budgeted for that purpose. The total premium or charge shall not exceed ~~seven and one half (7 1/2)~~ **nine (9%)** per centum of the total salaries or wages, but excluding overtime, commissions, and bonuses, of covered employees."

This Amendment shall be published as required by law subsequent to the adoption thereof, and shall become effective immediately upon such publication.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

1. Zoning Board of Appeals - November 8 and 29, 2001
2. Community Center Committee - November 28, 2001
3. MAWTFAB - October 9 and November 19, 2001
4. Central Lake Superior Watershed Partnership - September 20, 2001

SUPERVISOR'S REPORT.

ABC Property Clean up - The clean up of the ABC property is nearing completion. Once Wells Fargo acquired the property, they contracted with Tri-Media Environmental Consultants to oversee the clean up.

Christmas Tree drop-off - We have opened the Christmas Tree Drop Off site at Beaver Grove early this year. This was due to the storm that dumped the heavy snow followed by high winds that brought down a number of trees and limbs. We hauled a large number of limbs to the site from the pines here at the Township Hall. Residents have been adding to the pile.

Census Bill (Adamini) – Representative Adamini wrote a census bill that was very detrimental to the Township. At the present time the bill is stuck in Senate sub-committee.

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

Greenberg moved Tabor second that the Charter Township of Chocolay Board send rezoning #119 back to the Planning Commission to consider the applicant's amended request.

AYES: 7 NAYS: 0

MOTION CARRIED.

A 10 MINUTES RECESS WAS TAKEN FOR THE BOARD TO GO OVER TO THE FIRE DEPARTMENT TO LOOK AT THE NEW FIRE TRUCK.

ROAD COMMISSION MILLAGE POSITION.

The Board agreed that they do not want the Road Commission to go out for a millage vote for roads. They prefer that the County budget the money for roads.

BOARD, COMMITTEE AND COMMISSION APPOINTMENTS.

Hill moved Greenberg second that Ivan Fende be re-appointed to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2002 to December 31, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Greenberg moved Sherbinow second that Denny Magadanz be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2002 to December 31, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Britton moved Greenberg second that Doug Riley be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2002 to December 31, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Hill moved Fende second that Mike Disch be appointed to the Personnel Committee for a term to run from January 1, 2002 to December 31, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Britton moved Greenberg second that Lee Snooks be appointed to the Personnel Committee for a term to run from January 1, 2002 to December 31, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Hill moved Greenberg second that Lois Sherbinow be re-appointed to the Personnel Committee for a term to run from January 1, 2002 to December 31, 2004.

AYES: 7 NAYS: 0

MOTION CARRIED.

application to the Michigan Department of Environmental Quality for a Coastal Restoration Grant in the amount of \$78,000. The Township Board agrees to pay one-half of the 25% (\$9,750.) match.

AYES: 7 NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY2001 - AMENDMENT NO.5
Zoning Board of Appeals.

Greenberg moved Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 2, 2000, 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, and Whereas, such modification will continue 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
Other General Government			
Contingency			
101.285.951	34,306.00	-900.00	33,406.00
Zoning Board of Appeals			
Per Diem			
101.815.710	1,190.00	+500.00	1,690.00
Zoning Board of Appeals			
Advertising			
101.815.901	500.00	+400.00	900.00

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2001- AMENDMENT NO. 6 OVERTIME GRANT.

Greenberg moved Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October, 2000, 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	174,998.00	+1,415.89	176,413.89
REVENUE			
Miscellaneous			
101.698	11,326.83	+1,415.89	12,742.72

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

TRANSFER TO CAPITAL IMPROVEMENTS FUND.

Hill moved Sherbinow second that \$3,000.00 be transferred from general fund recreation 101.708.957 to Capital Improvements Parks and Properties 401.756.957 for future expenditure.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

Tabor moved Sherbinow second that the \$5,000.00 budgeted in the Planning Commission's fund account #101.805.957 for Capital Outlay - Comprehensive Plan Update be transferred to Planning Commission - Capital Improvements Fund 401.805.957 for future expenditure.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Silver Creek Student Council - 3rd Grade Class - Re: Community Center Ideas
- B. Correspondence - Police Department Thank You Letters
- C. Memorandum - Road Commission - Re: Winter Plowing of County Local Roads
- D. Information - MTA - Expenditure Information
- E. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:00 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JANUARY 21, 2002

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

TOWNSHIP BOARD.

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

ABSENT: Ken Tabor.

MINUTES – DECEMBER 17, 2001.

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

AYES: 5 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

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

AYES: 5 NAYS: 0

MOTION CARRIED.

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

AYES: 5 NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

C/D INVESTMENT REPORT.

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

PUBLIC COMMENT.

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

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

Trustee Wiese arrived at 7:05 p.m.

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

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

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

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

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

Dan Chartier – Who supervises the Zoning Administrator?

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

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

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

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

PRESENTATION – CONSERVATION DISTRICT – GROUNDWATER STEWARDSHIP PROGRAM.

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

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

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

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

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

SECTION 218 LAKE SUPERIOR SHORELINE/DUNE PROTECTION OVERLAY DISTRICT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AYES: 6 NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

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

SUPERVISOR'S REPORT.

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

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

RESOLUTION – STEEL IMPORTS SECTION 201 REMEDIES.

Hill moved Sherbinow second that the following resolution be adopted:

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

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

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

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

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

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

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

AYES: 6 NAYS: 0

MOTION CARRIED.

DUSK TO DAWN LIGHTING – PLANNING COMMISSION RECOMMENDATION.

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

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

DNR VOLUNTEER FIRE ASSISTANCE GRANT.

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

AYES: 6 NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND EXPENDITURE - POLICE TRAINING.

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

ROLL CALL.

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

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

SILVER CREEK SCHOOL PAYMENT – DISCUSSION.

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

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

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

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

ROLL CALL.

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

NAYS: None.

ABSENT : Tabor

MOTION CARRIED.

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

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

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

CHOCOLAY TOWNSHIP
SPECIAL MEETING
JANUARY 29, 2002

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

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

TOWNSHIP BOARD.

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

ABSENT: None.

There were approximately 70 people in attendance.

PUBLIC COMMENT.

None.

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

Other comments:

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

- Complaints were made regarding other contractors in the Township.

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

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

CHOCOLAY TOWNSHIP
SPECIAL MEETING
FEBRUARY 4, 2002

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

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

TOWNSHIP BOARD.

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

ABSENT: Matt Wiese.

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

Mayor Jerry Irby opened the meeting and welcomed everyone.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

FEBRUARY 18, 2002

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

TOWNSHIP BOARD.

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

ABSENT: Arlene Hill.

MINUTES –JANUARY 21, 2002.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

MINUTES –JANUARY 29, 2002.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

MINUTES –FEBRUARY 4, 2002.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

C/D INVESTMENT REPORT.

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

PUBLIC COMMENT.

None.

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

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

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

AYES: 6 NAYS: 0 MOTION CARRIED.

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

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

AMENDMENT #34-02-02

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

SECTION 901 - CHOCOLAY TOWNSHIP ZONING MAP

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

AYES: 6 NAYS: 0 MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

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

SUPERVISOR'S REPORT.

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

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

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

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

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

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

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

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

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

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

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

SECTION 206 DISTRICT LS/R.

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

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

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

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

SEC. 810 SIGN ILLUMINATION.

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

AYES: 6

NAYS: 0

MOTION CARRIED.

NEWSLETTER/CABA QUARTERLY.

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

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

COMMUNITY CENTER COMMITTEE REPORT.

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

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

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

EXPENDITURE STREETS CAPITAL IMPROVEMENT FUND – FOR STREET LIGHT REPLACEMENT.

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

ROLL CALL.

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

NAYS: None.

ABSENT: Hill

MOTION CARRIED.

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

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

MARCH 18, 2002

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

TOWNSHIP BOARD.

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

ABSENT: None.

MINUTES –FEBRUARY 18, 2002.

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

AYES: 7 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

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

AYES: 7 NAYS: 0

MOTION CARRIED.

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

AYES: 7 NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

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

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

CENTRAL LAKE SUPERIOR WATERSHED PARTNERSHIP.

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

UPPER PENINSULA SUBSTANCE ENFORCEMENT TEAM.

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

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

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

AMENDMENT #34-02-01

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

SECTION 218

LAKE SUPERIOR SHORELINE/DUNE PROTECTION OVERLAY DISTRICT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ROLL CALL.

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

NAYS: Sherbinow, Britton.

MOTION CARRIED.

Prior to the vote the following items were discussed:

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

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

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

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

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

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

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

AMENDMENT #34-02-02

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

SECTION 901 - CHOCOLAY TOWNSHIP ZONING MAP

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

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

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

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

AMENDMENT #34-02-03

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

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

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

SECTION 206 DISTRICT LS/R.

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

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

SEC. 810 SIGN ILLUMINATION.

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

ROLL CALL.

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

NAYS: Britton.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

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

SUPERVISOR'S REPORT.

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

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

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

COMMUNITY CENTER MILLAGE REQUEST.

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

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

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

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

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

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

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

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

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

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

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

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

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

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

AYES: 7

NAYS: 0

MOTION CARRIED.

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

FIRE DEPARTMENT – FEMA GRANT APPLICATION.

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

AYES: 7

NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

APRIL 15, 2002

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

TOWNSHIP BOARD.

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

ABSENT: Don Britton.

MINUTES –MARCH 18, 2002.

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

AYES: 6 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

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

AYES: 6 NAYS: 0

MOTION CARRIED.

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

AYES: 6 NAYS: 0

MOTION CARRIED.

FINANCIAL AND INVESTMENT REPORTS WERE RECEIVED AND PLACED ON FILE.

C/D INVESTMENT REPORT.

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

PUBLIC COMMENT.

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

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

COMMUNITY CENTER MILLAGE BALLOT LANGUAGE.

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

MILLAGE REQUEST FOR OPERATION OF SILVER

CREEK COMMUNITY CENTER

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

YES

NO

ROLL CALL.

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

NAYS: None

ABSENT: Britton

MOTION CARRIED.

TOWNSHIP NEWSLETTER/CABA QUARTERLY.

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

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

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

SUPERVISOR'S REPORT.

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

FY2001 AUDIT WITH ANDERSON, TACKMAN AND COMPANY.

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

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

AYES: 6

NAYS: 0

MOTION CARRIED.

COMMUNITY CENTER COMMITTEE – BY-LAWS.

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

AYES: 6

NAYS: 0

MOTION CARRIED.

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

FIRE DEPARTMENT CONSTITUTION AND BY-LAWS.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

ANNUAL MCTA SPRING BANQUET.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

PLANNING COMMISSION MEMBER REAPPOINTMENT.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

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

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

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

ROLL CALL.

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

NAYS: None

ABSENT: Britton

MOTION CARRIED.

REQUEST BY CABA/TOWNSHIP TELEVISION MEETINGS AT TOWNSHIP EXPENSE.

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

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

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

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

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

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

SUPERVISOR'S REPORT.

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

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

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

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

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

AYES: 7 NAYS: 0 MOTION CARRIED.

FIRE CHIEF RE-APPOINTMENT.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

RESOLUTION HONORING BILL GOODWIN – SERVICE TO FIRE DEPARTMENT.

Hill moved Greenberg second that,

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

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

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

AYES: 7 NAYS: 0 MOTION CARRIED.

EQUIVALENT USER FEES FOR HARVEY LAUNDRY.

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

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

WASTEWATER CHARGES FOR NORTH SHORE DEVELOPMENT.

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

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND EXPENDITURE – BEAVER GROVE CMI GRANT.

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

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

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

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

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

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

June 17, 2002

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

TOWNSHIP BOARD.

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

ABSENT: None.

MINUTES –May 20, 2002.

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

AYES: 7 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

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

AYES: 7 NAYS: 0

MOTION CARRIED.

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

AYES: 7 NAYS: 0

MOTION CARRIED.

FINANCIAL AND INVESTMENT REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

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

NEWSLETTER/CABA QUARTERLY.

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

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

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

SUPERVISOR'S REPORT.

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

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Clerk Department Computer 101.215.811	\$8,235.00	+ \$2,729.00	\$10,964.00
Other General Gov. Contingency 101.285.951	\$29,500.00	- \$2,729.00	\$26,771.00

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

July 15, 2002

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

TOWNSHIP BOARD.

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

ABSENT: Don Britton.

MINUTES –JUNE 17, 2002.

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

AYES: 5 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

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

AYES: 5 NAYS: 0

MOTION CARRIED.

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

AYES: 5 NAYS: 0

MOTION CARRIED.

FINANCIAL REPORTS WERE RECEIVED AND PLACED ON FILE.

Ken Tabor arrived at 7:03 p.m.

PUBLIC COMMENT.

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

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

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

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

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

AMENDMENT #34-02-04

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

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

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

Discussion:

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

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

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

ROLL CALL:

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

NAYS: None

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

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

SUPERVISOR'S REPORT.

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

WASTEWATER FEES CREDIT – PARKWAY MOTEL.

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

ROLL CALL:

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

NAYS: None

MOTION CARRIED.

WASTEWATER FEES/DISCONNECT – PETERSON.

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

ROLL CALL:

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

NAYS: None

MOTION CARRIED.

VENDING AT RECREATION AREAS.

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

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

COMMUNITY CENTER OPEN HOUSE.

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

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

SURVEY QUESTIONS.

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

The Board agreed to wait until after the August election.

ANNUAL ROAD RANKINGS.

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

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

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

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

ROLL CALL:

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

NAYS: None

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

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

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

**BALLOT PROPOSAL
TO RENEW MILLAGE LIBRARY SERVICES**

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

Yes

No

ROLL CALL.

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

NAYS: None

ABSENT: None

MOTION CARRIED.

CABA CITIZEN(S) OF THE YEAR.

Hill moved Sherbinow second that

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

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

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

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

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

AYES: 7

NAYS: 0

MOTION CARRIED.

SNOWMOBILE ENFORCEMENT GRANT.

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

ROLL CALL.

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

NAYS: None

ABSENT: None

MOTION CARRIED.

SURVEY QUESTIONS.

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

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

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

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

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

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

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

September 11, 2002

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

TOWNSHIP BOARD.

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

ABSENT: Ken Tabor, Matt Wiese.

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

MINUTES –AUGUST 19, 2002.

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

AYES: 5 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

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

AYES: 5 NAYS: 0

MOTION CARRIED.

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

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

PUBLIC COMMENT.

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

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

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

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

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

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

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

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

SUPERVISOR’S REPORT.

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

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

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

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

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

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

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

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

AYES: 4 NAYS: 1

MOTION CARRIED.

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

JUNK VEHICLE PETITION.

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

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

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

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

ASSESSING AND ZONING POSITION.

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

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

AYES: 5 NAYS: 0

MOTION CARRIED.

FY2003 BUDGET WORKSHOP.

Revenues – No change.

Salaries – No change.

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

Supervisor - No change.

Elections - No change.

Assessor - No change.

Clerk - No change.

Board of Review - No change.

Treasurer – No change.

Township Hall and Grounds – No change.

Other General Government – No change.

Police – No change.

Fire – No change.

Streets – No change.

Sanitation – No change.

Recreation – No change.

Community Center – No change.

Parks and Properties – No change.

Zoning – No change.

Planning Commission – No change.

Zoning Board of Appeals – No change.

Capital Improvements – No change.

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

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

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

FIRE DEPARTMENT - MUTUAL AID AGREEMENT WITH MARQUETTE COUNTY RESCUE.

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

AYES: 7 NAYS: 0 MOTION CARRIED

EQUIVALENT USER FEE FOR COMMUNITY CENTER.

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

AYES: 7 NAYS: 0 MOTION CARRIED

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

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

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

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

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

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

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

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

November 11, 2002

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

TOWNSHIP BOARD.

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

ABSENT: Ken Tabor.

MINUTES –October 21, 2002.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

John Smith – Reserve time on 9A and B.

Dave Thomas – Reserve time on 9A.

Brian Crothers – Reserve time on 9A.

Mary Kaye Schaefer – Reserve time on 9A.

Bernadette Wallace – Reserve time on 9A.

Joe Holman – Reserve time on 9A.

Robert Taylor – Reserve time on 9A.

Goggi Schaub – Reserve time on 9A.

Jill Hoganson – Reserve time on 9A.

Bob Roshak – Reserve time on 9A.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

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

SUPERVISOR'S REPORT.

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

REAFFIRM CHOCOLAY TOWNSHIP BOARD POSITION ON USE OF RAILROAD GRADE.

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

Comments from the public:

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

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

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

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

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

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

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

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

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

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

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

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

Don Britton - Chocolay police can enforce snowmobile infractions.

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

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

Roll Call.

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

NAY: Britton

ABSENT: Tabor

Motion Carried.

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

Roll Call.

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

NAY: Britton

ABSENT: Tabor

Motion Carried.

COMMUNITY CENTER MILLAGE ELECTION RESULTS/DISPOSITION.

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

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

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

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

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

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

APPOINTMENT OF ZONING ADMINISTRATOR.

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

AYES: 6 NAYS: 0

MOTION CARRIED.

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

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

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

ROLL CALL.

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

NAYS: None.

ABSENT: Tabor.

MOTION CARRIED.

MCTA RECOMMENDED RESOLUTION – KAMEHAMEHA PROPERTY.

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

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

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

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

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

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

Now Therefore Be It Resolved,

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

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

AYES: 6

NAYS: 0

MOTION CARRIED.

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

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

MEETING DATES 2002.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

CHOCOLAY TOWNSHIP BOARD-7: 00 p.m.

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

PLANNING COMMISSION-7: 30 p.m.

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

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

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

VOLUNTEER FIRE DEPARTMENT:

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

COMMUNITY CENTER COMMITTEE-7: 00 p.m.

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

JOINT BOARD/PLANNING COMMISSION MEETING.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLICATION OF HEARING/AMENDMENTS ON TRAFFIC CODE ORDINANCE.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

BOARD, COMMITTEE AND COMMISSION APPOINTMENTS.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

CAPITAL EXPENDITURES.

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

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

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

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

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

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

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

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

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

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

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

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

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

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

ROLL CALL.

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

NAYS: Britton.

MOTION CARRIED.

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

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

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

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

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

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

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

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

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

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

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

ROLL CALL.

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

NAYS: MOTION CARRIED.

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

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

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

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

ROLL CALL.

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

NAYS: MOTION CARRIED.

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

ROLL CALL.

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

NAYS:None. MOTION CARRIED.

Hill moved Tabor second to come out of closed session.

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

SPECIAL MEETING
TOWNSHIP BOARD/PLANNING COMMISSION
JANUARY 13, 2003

A Special meeting of the Chocolay Township Board/Planning Commission was held on Monday, January 13, 2003 at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Fende called the Board meeting to order at 7:30 p.m. Chairman Bill Sanders called the Planning Commission meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

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

ABSENT: Matt Wiese.

PLANNING COMMISSION.

PRESENT: Bill Sanders, Mike LaPointe, Estelle DeVooght, Steven Kinnunen, Tom Shaw, Scott Emerson.

ABSENT: None.

Supervisor Fende explained that the Board and Planning Commission will be discussing three primary topics: Commercial vehicle parking in residential areas, Private roads and Election signs. Since this is a special meeting for the discussion of these items the public will be allowed to comment on each subject without reserving time.

PUBLIC COMMENT.

Herb Grenke – Wants to commend the Board for their action on the DNR railroad grade snowmobile trail. The Board is looking out for the welfare of the residents that live on the railroad grade, and it is very much appreciated.

Jude Catello – Is proud to be part of Chocolay Township. The Board was very courageous to stand up to a larger government agency for going against our local zoning.

Ralph Bennett – Thanked the Board for their stand on the snowmobile trail. Supervisor Fende presented the Township case in court very well. Chocolay Township is a model for other municipalities to look toward.

Ann Archibald – Is so pleased Chocolay Township Board took the stand they did on the snowmobile trail. She is proud to live in Chocolay Township.

DISCUSSION ON COMMERCIAL VEHICLE PARKING IN RESIDENTIAL AREAS.

Comments from the Board, Planning Commission and residents.

- The Township should not completely waive home occupation permit fee.
- We should not charge a fee if only an administrative check needs to be done on the home occupation. If it must go the Planning Commission or Zoning Board of Appeals then a fee should apply.
- There are many home occupations in Chocolay Township that are not reported. There will be many more in the future. We must make Chocolay a place that allows this to happen in a good and constructive way.
- Couldn't there be a certain level of commercial vehicle parking and home occupations that are permitted by right? That is what the Planning Director is suggesting in his memo.
- More rural zoning districts should allow more lenient rules for home occupations and commercial vehicle parking.
- Having gray areas in the zoning ordinance is what causes problems. We should have a vehicle length and height written in the ordinance. We need to come up with a size that is ok with no permit needed. No vehicles should be allowed to run all night long (such as an 18-wheeler).
- Each household should be allowed a specific number of commercial vehicles.
- A specific size and visual of allowable vehicles should be in the ordinance. Then a permit must be given for anything larger.
- What about a motor home? It is not a commercial vehicle, so it would not fall under the regulations.

- We should look at the different zoning districts for vehicle size. A smaller size vehicle could be allowed in R1 and perhaps a larger size for the more rural zoning districts. The size of a lot and distance from neighbors should be taken into consideration.
- A larger vehicle could be allowed if enclosed in a building.
- Look at a 25-foot length for commercial vehicle parking without a permit and include a visual with the size.

PRIVATE ROADS.

- We should look at calling a private road with only one dwelling a driveway.
- We need to tighten up regulation on private roads.
- We should have private road standards the same as County Road standards.
- Consider item #4 on the Planning Directors memo – Private roads are permitted under a sliding scale approach. Under 6 lots, private road standards would apply. For any larger development the road must be constructed and dedicated as a public road.
- Consider only allowing private roads in cluster developments.

ELECTION SIGNS.

- Consider allowing political signs to be put up 30 to 60 before an election.
- Consider a \$50.00 deposit before political signs can be put up. When the signs are taken down the deposit can be returned. Permission should be given from the property owner before a sign can be put up.
- Signs may be put up 30 days prior to the election and the deposit should be \$100.00 cash or cashiers check.

The Planning Commission will work on these items over the next few months.

UPDATES ON STREETLIGHTS, U S 41 CORRIDOR PLAN AND THE DUNE OVERLAY DISTRICT.

- 27 shielded streetlights have been put up in the Township.
- The corridor draft access management has been reviewed by the Planning Commission and has been forwarded to MDOT for review.
- The dune overlay district seems to be working very well. The dune owners and the neighbors seem to be happy with the process.

PUBLIC COMMENT.

Bill Sanders – Thanked the Board on behalf of the Planning Commission for the good work session.

Jude Catello – Commented on how nice the new street lights are.

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

January 20, 2003

A Regular meeting of the Chocolay Township Board was held on Monday, January 20, 2003 at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: Lois Sherbinow.

MINUTES – December 16, 2002.

Britton moved Wiese second that the minutes of the Regular Meeting held on December 16, 2002 be approved.

AYES: 6 **NAYS:** 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Britton second that bills totaling \$34,597.09 checks numbered 10325 – 10354 are approved for payment.

AYES: 6 **NAYS:** 0

MOTION CARRIED.

Tabor moved Britton second that bills totaling \$13,588.20 checks numbered 10355 – 10385 are approved for payment.

AYES: 6 **NAYS:** 0

MOTION CARRIED.

Hill moved Tabor second that bills totaling \$25,877.44 checks numbered 10386 – 10396 are approved for payment.

AYES: 6 **NAYS:** 0

MOTION CARRIED.

Wiese moved Britton second that bills totaling \$28,709.01 checks numbered 10397 – 10439 are approved for payment.

AYES: 6 **NAYS:** 0

MOTION CARRIED.

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

C/D INVESTMENT REPORT.

DATE PURCHASED	01/14/03	01/14/03
AMT OF C/D	400,000.00	100,000.00
MATURING ON	07/15/03	06/11/03
INTEREST RATE	2.00%	1.10%
INSTITUTION	PENINSULA	REPUBLIC

PUBLIC COMMENT.

Sharon Roshak – Commended the Board for keeping snowmobiles out of residential areas. Now the snowmobilers are going in other residential areas. She lives on M-28 and 200 snowmobiles crossed her driveway over the weekend. Snowmobiles are not going on the proper side of the highway. They are going against the traffic.

Trustee Wiese – Has taken a job with the prosecutor’s office and feels it is a conflict of interest to serve on the Chocolay Township Board. Effective tonight, he must submit his resignation; he will follow up with the resignation in writing.

Supervisor Fende – Is very sorry to see Mr. Wiese go, but he understands the law. Supervisor Fende thanked Mr. Wiese for serving on the Chocolay Township Board.

SURVEY QUESTIONS.

Supervisor Fende told the Board that we should finalize topics of interest for inclusion on the survey, so staff can finalize the questions and put the survey particulars in order. However, the survey should not go out until after the recall election matter is settled in order to avoid the perception of trying to influence that matter.

Survey ideas:

- Should the Board meetings be televised at taxpayer’s expense?
- Community Center without additional millage.
- Recreation areas in the Township – are locations and facilities adequate?

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - December 9, 2002
- 2) MAWTFAB - December 10, 2002
- 3) NMPSA - December 11, 2002
- 4) Chocolay River Watershed Council - June 19, 2002

SUPERVISOR’S REPORT.

1. Zoning Administrator - At the end of this month, Randy Yelle will have completed his first three months as the Zoning Administrator. Randy is doing a very good job and I will be executing another 3 month contract. Next month, I will propose whether we make Randy's position a permanent part-time position or a long term contractual position.
2. Snowmobile Warnings - The Police Department is very busy issuing warnings to snowmobilers regarding the court order banning the use of the railroad right-of- way and for other State law snowmobile violations. There is a problem at the M-28 overpass area, additional signs needs to be positioned to be effective. Snowmobilers are driving on the wrong side of the highway (against traffic), Supervisor will speak to MDOT on this problem.
3. Closed Session Discussions - It has come to my attention that there may have been a recent release of information regarding our December closed session discussion on a proposed property sale. I must remind all Board and staff members that any information discussed in closed session cannot, by law, be discussed or released to the public. Hopefully, no damage to our negotiations has been done.

FIRE DEPARTMENT – REVISED MUTUAL AID AGREEMENT WITH MARQUETTE COUNTY RESCUE.

Tabor moved, Fende second that the revised mutual aid agreement for rescue and extrication with the County be approved and may be executed following favorable insurance carrier response.

ROLL CALL:

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

NAYS: None.

ABSTAIN: Wiese.

MOTION CARRIED.

EXPENDITURE FROM POLICE DEPARTMENT CAPITAL IMPROVEMENTS FUND.

Greenberg moved Britton second to expend \$317.29 for police training supplies. This will be paid from the police training account in the Police Capital Improvement Fund 401.306.957.

ROLL CALL:

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

NAYS: None.

ABSTAIN: Wiese.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Welker to Board - Re: Thank You
- B. Information - Police Department - Fourth Quarter Statistical Report
- C. Information - Marquette County Board of Commissioners - Re: 2003 Meeting Schedule
- D. Information - Marquette County Road Commission - Re: 2003 Meeting Schedule
- E. Information - MTA - Legislative Updates

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

March 17, 2003

A Regular meeting of the Chocolay Township Board was held on Monday, March 17, 2003 at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: Arlene Hill.

PUBLIC HEARING - MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION – UPGRADES TO SILVER CREEK RECREATION AREA.

The Public Hearing was opened up at 7:01 p.m. Trustee Trudeau asked how costs for the project were established. The hearing was closed at 7:03 p.m.

MINUTES – FEBRUARY 17, 2003.

Sherbinow moved Greenberg second that the minutes of the Regular Meeting held on February 17, 2003 be approved.

AYES: 6 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Tabor moved Trudeau second that bills totaling \$33,237.28 checks numbered 10513 – 10543 are approved for payment.

AYES: 6 NAYS: 0

MOTION CARRIED.

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

DATE PURCHASED	03/12/03	03/12/03
AMT OF C/D	210,000.00	115,000.00
MATURING ON	09/12/03	09/12/03
INTEREST RATE	1.75%	1.45%
INSTITUTION	NO. MI. BANK	1 ST NAT. BANK

PUBLIC COMMENT.

None.

LOT SPLIT APPLICATION #14 – DILORETO – MAIN STREET.

Darlene Herkins – Where would driveway be placed if this lot split takes place. The Township has no set standards on where the owner places the driveway, the permit for that is approved by the Road Commission.

Trudeau moved Britton second that the Township Board approve Lot Split request #14 by Mr. Diloreto with the following conditions:

- 1) That Mr. Diloreto combine the proposed "southwesterly parcel" into the legal description for either his home site parcel to the west or the proposed parcel to the east.
- 2) That the Township Board is not making any findings as to the ownership or control of that portion of Hotel Place or Dock Street that is included in the lot split application.

AYES: 6 NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - February 10, 2003
- 2) Community Center Committee - February 26, 2003
- 3) MAWTFAB - February 11, 2003
- 4) NMPSA - February 26, 2003

SUPERVISOR'S REPORT.

- 1) US-41 Bridge over Big Creek - The Michigan Department of Transportation plans to work on the bridge over Big Creek (i.e. the bridge by the Beaver Grove Recreation Area) this summer. They have been discussing with the Road Commission that they plan to completely close US-41 while the bridge is being worked on. The plan is to detour traffic

to Cherry Creek Road. However, without question, the short section of Little Lake Road is going to see a lot of the traffic. The Road Commission is negotiating that if Little Lake Road is damaged by the increased traffic that the Michigan Department of Transportation will be responsible for fixing it. The timeframes for the closure are not known at this time.

- 2) Board of Review - The Board of Review completed their sessions last week. There were 22 petitions reviewed and 8 changes were made including 1 poverty exemption. The assessment rolls were turned over to the County this morning.
- 3) Natural Resources Commission - In your packets is a copy of the presentation I made to the Natural Resources Commission on March 6th.
- 4) Dog Sled Race – The Township assisted with the dog sled race by amending the court order to allow the trail to be groomed with snowmobiles on the day of the race. The Chocolay Police escorted the 1st dog team through the Township portion of the trail on snowmobile.
- 5) CHARTER COMMUNICATIONS – Last year Charter Communications told us that they would no longer be able to rebate the franchise fee to the customers. The Township budgeted that \$30,000.00 as 2003 revenue. Charter is now informing their customers that they can rebate them.

Sherbinow moved Britton second to mail back the franchise fee check to Charter Communications Cable Company so they can rebate the fee to Chocolay Township customers in 2003.

AYES: 6 NAYS: 0

MOTION CARRIED.

MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION – UPGRADES TO SILVER CREEK RECREATION AREA.

The recreation grant application to upgrade the Silver Creek Recreation Area was presented to the Board and accepted.

FEMA GRANT APPLICATION.

Trudeau moved Sherbinow second that the Director of Recreation and Grants Administration submit an Assistance to Firefighters Grant application to FEMA and the Township will provide the required grant match not to exceed \$19,990.00.

AYES: 6 NAYS: 0

MOTION CARRIED.

MICHIGAN UNIFORM TRAFFIC CODE REVIEW AND SCHEDULING OF PUBLIC HEARING.

Greenberg moved Tabor second that following review of draft Ordinance #53, the Township Board shall schedule a public hearing for April 21, 2003 where Ordinance #53 which adopts the new Michigan Uniform Traffic Code and other applicable State Codes as applicable to the Township Police Department will be considered for adoption and to rescind previous Ordinance #38A

AYES: 6 NAYS: 0

MOTION CARRIED.

CONSIDER DRAFT COMMUNITY SURVEY.

The survey was presented to the Board for review.

Tabor moved Trudeau second that the community survey as drafted be sent out to each Township household.

Greenberg moved Britton second that the questions on Televising Board Meeting be changed to:

- Should the Township Board use tax dollars to televise its Board meetings (estimated at \$2,000 per year).
- Should the Township Board use tax dollars to televise Planning Commission meetings (estimated at \$2,000 per year).

AYES: 6 NAYS: 0

MOTION CARRIED.

Trudeau moved Greenberg second that the third question on Community Center be changed to:

- The Township Board should sell the Community Center (Silver Creek School).

AYES: 6 NAYS: 0

MOTION CARRIED.

Tabor moved Trudeau second that the community survey as amended be sent out to each Township household.

AYES: 6 NAYS: 0

MOTION CARRIED.

CAPITAL EXPENDITURE – ENTRANCE CARPET.

Greenberg moved Sherbinow second to expend \$650.00 from 401.270.957 Buildings Capital Improvements Fund to purchase carpet and skid proof paint.

ROLL CALL.

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

NAYS: None.

ABSENT: Hill

MOTION CARRIED.

Chief Zyburt announced to the Board that Officer Maurice Neveau has taken a position with the Ishpeming City Police Department and has resigned with Chocolay Township.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Zoning Administrator to Board - Re: Travelling the Township/Enforcement
- B. Correspondence - Clerk Hill to Wiese - Re: Thank you
- C. Correspondence - Supervisor Fende to Black - Re: Letter/Article
- D. Correspondence - Township of Munising - Re: Grant
- E. Correspondence - MDOT - 2000-2025 State Long Range Plan
- F. Correspondence - Michigan Historical Commission - Re: Award Nominations
- G. Correspondence - Marquette County - Re: Housing Rehabilitation Program
- H. Information - Supervisor Fende Presentation to Natural Resources Commission - Re: Snowmobile Trails
- I. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:00 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

April 29, 2003

PUBLIC HEARING – ORDINANCE # 53 – MICHIGAN UNIFORM TRAFFIC CODE.

Supervisor Fende opened the public hearing on Ordinance #53 at 7:00 p.m. There was no public comment. The public hearing closed at 7:03p.m.

A Regular meeting of the Chocolay Township Board was held on Tuesday, April 29, 2003 at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Fende called the meeting to order at 7:04 p.m.

TOWNSHIP BOARD.

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

ABSENT:None.

MINUTES – March 17, 2003.

Sherbinow moved Greenberg second that the minutes of the Regular Meeting held on March 17, 2003 be approved.

AYES: 7 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Trudeau second that bills totaling \$69,593.08 checks numbered 10544 - 10587 are approved for payment.

AYES: 7 NAYS: 0

MOTION CARRIED.

The second set of bills will be approved after the audit has been presented.

The Board discussed that all capital expenditures from the Capital Improvements Fund must be approved by the Board before the purchase is made. Supervisor Fende will memo all departments' heads on this matter.

Trudeau moved Tabor second that bills totaling \$57,417.21 checks numbered 10615 – 10657 are approved for payment.

AYES: 7 NAYS: 0

MOTION CARRIED.

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

PUBLIC COMMENT.

Pete LaRue – Reserve time under New Business item B. Survey results.

Elry Reetz – Reserve time under New Business item B. Survey results.

Richard Harry – Reserve time under New Business item B. Survey results.

Jeff Harry - - Reserve time under New Business item B. Survey results.

Dick Arnold – Reserve time under New Business item B. Survey results.

John Smith – Reserve time under New Business item B. Survey results.

Trustee Britton – 208 Timber Lane has not been cleaned up and it looks like more junk has been added. There are fuel tanks and 55 gallon barrels upside down on the property. The Township should enforce the zoning ordinance here. We have given him time to clean up the property and it appears that he has added junk instead of removing it.

ORDINANCE #53 – MICHIGAN UNIFORM TRAFFIC CODE.

Greenberg moved Hill second that the Chocolay Township Board adopt Ordinance #53 as presented which adopts the new Michigan Uniform Traffic Code and other State codes as applicable to the Township Police Department and to rescind previous Ordinance #38A.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - March 10, 2003
- 2) Zoning Board of Appeals - March 27, 2003
- 3) MAWTFAB - March 11, 2003
- 4) NMPSA - April 9, 2003

SUPERVISOR'S REPORT.

- 1) Little Lake Road Detour - In your packets is a letter from the Road Commission detailing that Little Lake Road will be improved by the Michigan Department of Transportation when it is used as a detour while the US-41 bridge over Big Creek is worked on.
- 2) Emergency Management Team - Also in your packets is a copy of the County's Emergency Management Resolution. Article 8 of that resolution calls for the Township to designate a local Emergency Management Coordinator to act as a liaison with County officials. Fire Chief Johnson has volunteered to be this person and it makes sense with his involvement with Central Dispatch and the new 800 mega hertz radio system. Police Chief Zyburt and DPW Supervisor Magadanz are his alternates.
- 3) Agendas and Minutes on Website - We now have the Board, Planning Commission and Zoning Board of Appeals agendas and minutes on our website (www.upsell.com/choctwp). Agendas will typically be posted a couple of days prior to scheduled meetings.
- 4) Training Certificates - The Northern Michigan Public Service Academy has forwarded us the training certificates for the employees and officials that have completed training classes over the past couple of years. Here they are if the Board would like to review. They will now be distributed accordingly.
- 5) Jerry Trotochaud: Patrolman Jerry Trotochaud has been hired as the replacement for the officer who left the Police Department last month for a position with Ishpeming. Jerry has been our part-time reserve officer for the past two years. Greg and I will be interviewing for a new part time reserve officer later this week.
- 6) Railroad Grade: We have a problem with the railroad grade in Chocolay Township. The DNR has not closed the grade to ATV's and Vehicles, etc. A letter has been sent to Mr. Kool, Director of the DNR asking them to issue an executive order to close the grade.
- 7) Senior Citizen Task Force: The City of Marquette has requested that the Chocolay Township Board send a representative to be on a Senior Action Task Force. Trustee Britton offered to be the Chocolay Township liaison.

FY2002 AUDIT WITH ANDERSON TACKMAN & COMPANY.

Mike Greutz from Anderson Tackman presented the audit and gave a clean opinion on the audit. The Township does a very good job staying within budget. There were no errors noted in the audit. The Township is in good financial shape.

Trudeau moved Sherbinow second that the FY2002 audit as presented by Anderson Tackman be accepted.

AYES: 7 NAYS: 0 MOTION CARRIED.

Hill moved Trudeau second that bills totaling \$16,565.09 checks numbered 10588 - 10614 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

SURVEY RESULTS.

The Township had a response rate of 54% on the survey mailed out.

Community Center –

47% had utilized it. 54% wanted the Community Center to remain open beyond the August 2003 date if alternate funding were found. 49 % wanted the Board to sell the Community Center (compared to 41% did not want the Center sold, 10% not answering the question).

Televised Meetings –

22% have watched a Chocolay Township meeting on television. 76% did not want to use tax dollars to televise the Township Board meetings. 83% did not want to use tax dollars to televise the Planning Commission meetings.

Junk Vehicles –

70% wanted the Township to increase enforcement of junk vehicle storage. Limits on number of vehicles and duration of storage varied. The numbers will all have to be looked at by the Police Department and the Planning Commission.

Supervisor Fende – recommended selling the Community Center based on the survey results and the two elections.

Clerk Hill – asked if there was any way we could sell the Community Center to a private school? Our agreement with the Marquette Area Public Schools states that can not be done.

Trustee Trudeau – Thinks the Community Center could be a great thing for our Township and is in favor of it. He feels that since the majority of those surveyed wanted us to sell it, we should.

Trustee Tabor – Feels that the tension in the community over this center is because the votes were split close to 50/50. We still need to think creatively with the Community Center.

Trustee Britton – Feels we should go with the voters on the Community Center.

Trustee Sherbinow – Also feels we need to go with the survey results.

Clerk Hill – The Community Center could be wonderful for our Township but the results say to sell it.

Trustee Greenberg – It is a shame to sell the building but the voters want us to sell.

Pete LaRue - Disappointed in the outcome of the Community Center. Feels that it got mixed up with snowmobile trails, politics, legal fees and other problems. If we sell the building, can we keep the original money set aside for a Community Center in the Capital Improvements Fund? If we sell the facility can we keep some of the property for future building of a Community Center.

Supervisor Fende – We already have a Community Center and can't get funding to run it.

Elry Reetz – Have we pursued other funding to run the Community Center?

Richard Bohjanen – It is interesting that the Community Center is so utilized and people still want us to sell it. This appears to be because of other political reasons. Have we considered selling membership to utilize the Community Center?

Dick Arnold – Is pleased that the Board is going to sell the Community Center because the majority of the residents have indicated that is what they want.

Lee Blondeau – The Community Center should not deteriorate in one year of non-use.

Supervisor Fende – A committee from the Board will be set up to look at other funding and potential sale of the building. Trustee Trudeau; Treasurer Greenberg and Supervisor Fende will be on the committee.

Trustee Trudeau – Are we looking at locking the doors in August or keep it running until a sale is made? Are we going to actively solicit a buyer now? The Board will have to decide if we keep it open until a sale or close the doors after August and yes we will begin looking for a buyer right away.

John Smith – Junk vehicle and unlicensed vehicles are two separate items. What about unlicensed plow trucks and vehicles only licensed part of the year.

Doug Riley – The junk vehicle ordinance is a separate ordinance from the zoning ordinance. The police department enforces the junk vehicle ordinance.

Jeff Harry – What about a covered vehicle being restored?

Trustee Trudeau – The Township should have a work session on the junk vehicle ordinance before having a public hearing. That seems to work much better.

SPRING METAL PICKUP.

Greenberg moved Britton second that N& N Trucking be awarded the contract to supply manned roll offs for the spring metal pick-up from May 24 – 31, 2003. (Memo stated cost would be \$3,250.00)

AYES: 7 NAYS: 0 MOTION CARRIED.

EXPENDITURE FROM POLICE TRAINING CAPITAL IMPROVEMENTS FUND.

Sherbinow moved Tabor second to expend \$456.12 for the 2003 Police Chief Conference. This will come from the police training account in the Capital Improvements Fund 401.306.957.

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

POLICE EXPENDITURE FROM CAPITAL IMPROVEMENTS FUND DEPARTMENT.

Trudeau moved Britton second to expend \$23,351.75 for the 800 MHz radio system for police officers and patrol cars. This will come from the Capital Improvements Fund Police Department 401.305.957.

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

EXPENDITURE FROM CAPITAL IMPROVEMENTS FUND FIRE DEPARTMENT.

Tabor moved Hill second to expend \$17,134.03 for the purchase of eight (8) Motorola XTS 250 Radios and Impress Chargers. This expense will be charged to Capital Improvements Fund 401.340.957.

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY GRANT.

Greenberg moved Tabor second that the Chocoy Township Board accept the Michigan Department of Environmental Quality Coastal Management grant and the terms of the grant agreement.

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

METRO ACT RESOLUTION.

Hill moved Trudeau second to approve the attached Telecommunications right-of-way Resolution and to forward it to the state Metro Authority.

AYES: 7 NAYS: 0 MOTION CARRIED.

MARQUETTE ALGER COUNTY MEDICAL SOCIETY REQUEST FOR RESOLUTION OF SUPPORT.

The Board does not want to regulate smoking in private businesses. The Board took no action.

MARQUETTE COUNTY TOWNSHIP ASSOCIATION BANQUET.

Greenberg moved Sherbinow second that the dinner cost of \$18.00 per person be paid for all employees, Planning Commission, Zoning Board and other appointed representatives of the Township to attend the 2003 banquet on May 16, 2003.

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

PROPERTY SALE/PURCHASE DISCUSSION CLOSED SESSION.

Fende moved Sherbinow second that the Board go into closed session at 8:37 p.m.

AYES: 7 NAYS: 0

MOTION CARRIED.

Hill moved Sherbinow second that the Board come out of closed session at 9:00 p.m.

AYES: 7 NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Hill to Tasson - Re: Regrets on passing of Cliff Johnson
- B. Correspondence - MTA to Board - Re: Revenue Sharing
- C. Correspondence - Marquette County Solid Waste Management Authority to Fende/Board
- Re: Bond Payment
- D. Correspondence - Potvin to Fende/Board - Re: Landfill Authority
- E. Correspondence - Marquette County Emergency Management - Re: Emergency
Management Resolution
- F. Correspondence - Marquette County Road Commission to Fende/Board - Re: Little Lake
Road Detour Route
- G. Information - Police Department - Re: 1st Quarter Statistical Report
- H. Information - Landfill Authority - 2002 Annual Report
- I. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 9:05 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 19, 2003

A Regular meeting of the Chocolay Township Board was held on Monday, May 19, 2003 at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT:None.

MINUTES – April 29, 2003.

Greenberg moved Trudeau second that the minutes of the Regular Meeting held on April 29, 2003 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$15,678.17 checks numbered 10658 - 10688 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Sherbinow moved Tabor second that bills totaling \$24,277.78 checks numbered 10689 – 10702 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

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

DATE PURCHASED	05/13/03	05/13/03
AMT OF C/D	165,000.00	100,000.00
MATURING ON	11/11/03	11/11/03
INTEREST RATE	1.52%	1.49%
INSTITUTION	Bay Bank	North Country

PUBLIC COMMENT.

Bill Sanders – It is heartbreaking to see that the Community Center is for sale. Wants to commend the Board on the wonderful job they do. Trustee Britton should let the public know that it was his motion to keep the Community Center open for a year. Mr. Britton should show support for the Board.

John Smith – Reserve time for IX-C, IX-D and I.

Sam Mahoney - Reserve time for IX-A.

Lee Blondeau - Reserve time for IX-C.

Don Britton – Is in favor of the Community Center and does appreciate the other Board members trying to keep it open.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - April 14, 2003

SUPERVISOR'S REPORT.

- 1) Letter from Lake Superior Community Partnership - On the table is a copy of a letter we received from the Lake Superior Community Partnership regarding the County being selected as a finalist for a 2003 All America City award. They are putting a delegation together for a trip to Washington D.C. as part of the selection process.
- 2) Railroad Grade - We have received word that the DNR is recommending to the Natural Resources Commission to close the railroad grade between the Casino and the Welcome Center to motorized use during the summer time. We are supposed to receive a letter on this sometime this week. However, the word is that this action by them may still take a couple of months. I will wait to receive this letter and then see if there is anything we can do to expedite the process so the residents along the grade don't have to put up with the dust and noise all summer this year.
- 3) Scrap Metal drop-off - The scrap metal and brush drop off here at the Township Hall begins this Saturday and runs for one week.

SPECIAL USE PERMIT #3 - CARL BESOLA - MINING PERMIT (SAND) - YOUN PROPERTY AT THE END OF VALLEY ROAD

Sam Mahoney showed pictures of the mining property to the Board.

Carl Besola – Will remove the two old vehicles. The oil jugs that Mr. Mahoney showed in the pictures are currently being used on the equipment.

JoAnne Clark - The sand in the air from the mining is causing air pollution. The shaker is running a lot. Wants the Township to carry out and enforce the 11 points stated in the permit.

Supervisor Fende – Our Zoning Ordinance can't deny mining in this area. The 11 points stated in the mining permit is the best way to handle this situation.

Doug Riley – The Zoning Administrator will review the site and there is a three-year review by the Planning Commission.

Tabor moved Trudeau second, that after consideration of Special Use Permit #3 for a mineral extraction permit for sand as provided in the standards of Section 407 of the Chocolay Township Zoning Ordinance, the Township Board approves the request as recommended by the Planning Commission with the following conditions:

- 1) That the applicant complies with all elements of his application unless otherwise noted in these conditions.
- 2) That the applicant applies dust control measures as needed on the haul routes to prevent dust from impacting property owners.
- 3) That an 800' buffer be maintained along all property lines where no excavation shall take place and the buffer is left in its natural state including trees already on site.
- 4) The shaker shall only be utilized between the hours of 10:00 a.m. and 3:00 p.m. two days per week, not on weekends.
- 5) That excavated areas shall be reclaimed, per item 8 of the application, within 6 months after excavation in a particular area has ceased.
- 6) That the applicant obtains a soil erosion permit as required by the Soil Conservation District.
- 7) That the applicant have surveyed and submit to the Township once per year a certification of the volume of material removed.
- 8) That the maximum limit of material removed from the site is 1800 cubic yards per year.
- 9) The clearance to the nearest well be maintained at 1500 feet or must be approved by the Zoning Board of Appeals.
- 10) The shaker will be relocated to the approximate center of the property within 30 days after approval of the permit application.
- 11) That this permit is valid for a period of three (3) years after which time the Planning Commission shall review the permit to determine the need for new/amended conditions.

AYES: 7

NAYS: 0

MOTION CARRIED.

LOT SPLIT REQUEST #15 - DAVID BUSSIER - 401 GREEN BAY STREET

Greenberg moved Sherbinow second that, as recommended by the Planning Commission, the Chocolay Township Board approve Lot Split #15 with the following conditions:

- 1) The Township is making no findings as to actual property line locations.
- 2) That the piece of property being split is combined into the legal description of the neighbor's parcel to the south.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLICATION OF REZONING #123 - TEXT AMENDMENT - COMMERCIAL VEHICLE PARKING IN RESIDENTIAL AREAS/HOME OCCUPATIONS

Hill moved Tabor second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-03-01

AMENDMENT #34-03-01

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

Section 107 (A) - Home Occupation Provisions - The existing language shall be deleted and replaced with the following:

Section 107(A) - HOME OCCUPATIONS

Home occupations that are permitted without any Township review or approval required include any home occupation that does not have any exterior evidence, other than the permitted sign, and complies with all of the following:

- a) Is conducted entirely within an enclosed dwelling but does not occupy more than 1/4 of the floor area of the residential single family dwelling unit on the property or not more than 1/2 of the square footage of an accessory structure.
- b) Home occupations shall employ only those inhabitants residing on the premises.
- c) A sign shall not exceed four (4) sq. ft. in area and shall be attached to the building used for the home occupation or a two (2) sq. ft. sign may be placed in the yard.
- d) Commercial vehicles, or personal vehicles with signage, are permitted to be parked in association with the home occupation as long as they are of customary personal vehicle size (e.g. cars, trucks, vans, etc.). Up to one (1) 25 foot or smaller truck or van not exceeding 16,000 GVW (Gross Vehicle Weight) may be parked at a residence in the R-1, R-2, R-3 and R-4 Districts in conjunction with the home occupation. Up to one (1) 27 foot or smaller truck or van may be parked at a residence in all other residential zoning districts in conjunction with the home occupation.
- e) Specifically excluded is the storage and display of merchandise not produced by such home occupation or any activity similar to a generally recognized retail store or service establishment as permitted in any commercial district.

Any Home Occupation that does not comply with items a) through d) above requires review and approval by the Township Planning Commission under the provisions of Section 701 (Conditional Use Permits). Home Occupations reviewed by the Planning Commission shall be reviewed to assure that the use or structure does not become contrary to the public health, safety, or welfare or the spirit and purpose of this Ordinance. In completing this review, the Planning Commission shall take into account the zoning district, the size of the property, distance to adjacent land uses, screening, buffering, and other factors. The Planning Commission may attach conditions, including any time limit for future review, as warranted.

Section 107 - Add a new Section (D) - COMMERCIAL VEHICLE PARKING IN RESIDENTIAL DISTRICTS as follows:

COMMERCIAL VEHICLE PARKING IN RESIDENTIAL DISTRICTS

- 1) Commercial vehicles, or personal vehicles with signage, are permitted to be parked at a residence as long as they are of customary personal vehicle size (e.g. cars, trucks, vans, etc.) without any Township review or approval required.
- 2) Up to one (1) 25 foot or smaller truck or van not exceeding 16,000 GVW (Gross Vehicle Weight) may be parked at a residence in the R-1, R-2, R-3 and R-4 districts without any Township review or approval required.
- 3) Up to one (1) 27 foot or smaller truck or van may be parked at a residence in all other residential zoning districts without any Township review or approval required.
- 4) Any larger commercial vehicles or equipment, or for more than one (1) vehicle as specified in item 2) or 3) above requires review and approval by the Township Planning Commission under the Home Occupation provisions of the Ordinance. (This does not include equipment used for one's own snowplowing, farming, etc.).

AYES: 7 NAYS: 0

MOTION CARRIED.

PUBLICATION OF REZONING #124 - TEXT AMENDMENT - ELECTION SIGNS

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

AMENDMENT #34-03-02

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

Section 805 - Election (Political) Sign Provisions - The existing language shall be deleted and replaced with the following:

Section 805 - Election Signs

Political signs which are intended to advertise a public election, issues to be balloted upon in that election, or to promote individuals and/or parties participating in an election are permitted as follows:

- a) Approval of the landowner or occupant must be obtained prior to sign placement. Signs must be placed in accordance to Michigan Department of Transportation or County Road Commission setback rules as applicable.
- b) Signs may not exceed 32 square feet and no side may exceed 8' in length.
- c) Signs may not be placed any earlier than 45 days prior to the election and must be removed within 5 days after the election.

AYES: 7 NAYS: 0 MOTION CARRIED.

VOLUNTEER FIRE ASSISTANCE GRANT PROGRAM

Greenberg moved Britton second that the Chocolay Volunteer Fire Department submit a Volunteer Fire Assistance Grant application to the Department of Natural Resources. The Township will provide the required 50% match not to exceed \$3,000.00.

AYES: 7 NAYS: 0 MOTION CARRIED.

DNR URBAN & FORESTRY GRANT APPLICATION

Board discussed the grant and agreed that the grant was not needed. The Township will transplant trees from other Township properties.

CAPITAL EXPENDITURE - POLICE DEPARTMENT - PATROL CAR

Trudeau moved Britton second to expend \$20,524.00 for the cost of the 2003 Ford patrol car and not over \$1,600.00 for the transfer of equipment, graphics and pick-up costs for the new 2003 Ford Crown Victoria. Total cost would not exceed \$22,124.00. This will be pair from the Capital Improvements Fund, account 401.305.957.

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

CAPITAL EXPENDITURE - POLICE DEPARTMENT 800 MHz RADIOS

Britton moved Greenberg second to expend a total of \$991.83 from Capital Improvement Fund 401.305.957. \$175.00 of this is a one-time only initialization fee for the new 800 MHz radios. The remaining amount of \$816.83 will pay for seven months of subscriber fees for the police department's new 800 MHz radios.

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

PLANNING COMMISSION REAPPOINTMENTS

Fende moved Hill second to re-appoint Bill Sanders to the Planning Commission and the Zoning Board of Appeals with a term to run until May 24, 2006.

AYES: 7 NAYS: 0 MOTION CARRIED.

Fende moved Sherbinow second to re-appoint Steve Kinnunen to the Planning Commission with a term to run until May 24, 2006.

AYES: 7 NAYS: 0 MOTION CARRIED.

PERSONNEL POLICY AMENDMENTS

Greenberg moved Tabor second that the Personnel Policy be amended to reflect the changes detailed in the Personnel Administrator’s recommended amendment dated 4-16-03, with one change in section 12.10. Eliminate the sentence (Employees between the ages over the of 18 and 65 inclusive, and who have completed at least six months of continuing employment with the township are able to join the plan on January 1.)

AYES: 7 NAYS: 0 MOTION CARRIED.

Supervisor discussed with the Board that they should support each other and Board decisions. In this time of a recall election it is very important for Board members to show respect for other Board members and their opinions.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Information - Public Service Commission Hearing Notice - Alger Delta Coop Electric Refund.
- B. Information – MTA – Legislative Updates.

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

June 16, 2003

A Regular meeting of the Chocolay Township Board was held on Monday, June 16, 2003 at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT:None.

MINUTES – May 19, 2003.

Sherbinow moved Tabor second that the minutes of the Regular Meeting held on May 19, 2003 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Britton second that bills totaling \$30,490.63 checks numbered 10703 - 10747 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Hill moved Sherbinow second that bills totaling \$117,553.01 checks numbered 10748 – 10760 and 10762 – 10774 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Clerk Hill indicated that the Michigan Township Association had advised her that the County could not pass all recall expenses to the Township. She asked the Board if they would approve having our attorney look into the Township being held accountable for all of the election expenses on the recall election. The Board agreed.

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

AMT OF C/D	180,000.00
DATE PURCHASED	06/11/03
MATURING ON	12/10/03
INTEREST RATE	2.00%
INSTITUTION	Peoples

PUBLIC COMMENT.

Jan Amundsen – Can the word draft be removed from the web site minutes after they have been approved? Would like to reserve time under IX A. & IX C.

Pete LaRue - Would like to reserve time under IX C.

Lee Blondeau – Will public comment be added to the end of the meeting?

Dan Chartier – Would like public comment at beginning and end of meeting. Would like the Township to consider selling the Township Office and fire hall property and moving to the Community Center.

ADOPTION OF REZONING #123 – TEXT AMENDMENT – COMMERCIAL VEHICLE PARKING IN RESIDENTIAL AREAS/HOME OCCUPATIONS.

Trudeau moved Britton second that the Charter Township of Chocolay Board waive the reading and adopt the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-03-01

AMENDMENT #34-03-01

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

Section 107 (A) - Home Occupation Provisions - The existing language shall be deleted and replaced with the following:

Section 107(A) - HOME OCCUPATIONS

Home occupations that are permitted without any Township review or approval required include any home occupation that does not have any exterior evidence, other than the permitted sign, and complies with all of the following:

- a) Is conducted entirely within an enclosed dwelling but does not occupy more than 1/4 of the floor area of the residential single family dwelling unit on the property or not more than 1/2 of the square footage of an accessory structure.
- b) Home occupations shall employ only those inhabitants residing on the premises.
- c) A sign shall not exceed four (4) sq. ft. in area and shall be attached to the building used for the home occupation or a two (2) sq. ft. sign may be placed in the yard.
- d) Commercial vehicles, or personal vehicles with signage, are permitted to be parked in association with the home occupation as long as they are of customary personal vehicle size (e.g. cars, trucks, vans, etc.). Up to one (1) 25 foot or smaller truck or van not exceeding 16,000 GVW (Gross Vehicle Weight) may be parked at a residence in the R-1, R-2, R-3 and R-4 Districts in conjunction with the home occupation. Up to one (1) 27 foot or smaller truck or van may be parked at a residence in all other residential zoning districts in conjunction with the home occupation.
- e) Specifically excluded is the storage and display of merchandise not produced by such home occupation or any activity similar to a generally recognized retail store or service establishment as permitted in any commercial district.

Any Home Occupation that does not comply with items a) through d) above requires review and approval by the Township Planning Commission under the provisions of Section 701 (Conditional Use Permits). Home Occupations reviewed by the Planning Commission shall be reviewed to assure that the use or structure does not become contrary to the public health, safety, or welfare or the spirit and purpose of this Ordinance. In completing this review, the Planning Commission shall take into account the zoning district, the size of the property, distance to adjacent land uses, screening, buffering, and other factors. The Planning Commission may attach conditions, including any time limit for future review, as warranted.

Section 107 - Add a new Section (D) - COMMERCIAL VEHICLE PARKING IN RESIDENTIAL DISTRICTS as follows:

COMMERCIAL VEHICLE PARKING IN RESIDENTIAL DISTRICTS

- 1) Commercial vehicles, or personal vehicles with signage, are permitted to be parked at a residence as long as they are of customary personal vehicle size (e.g. cars, trucks, vans, etc.) without any Township review or approval required.
- 2) Up to one (1) 25 foot or smaller truck or van not exceeding 16,000 GVW (Gross Vehicle Weight) may be parked at a residence in the R-1, R-2, R-3 and R-4 districts without any Township review or approval required.
- 3) Up to one (1) 27 foot or smaller truck or van may be parked at a residence in all other residential zoning districts without any Township review or approval required.
- 4) Any larger commercial vehicles or equipment, or for more than one (1) vehicle as specified in item 2) or 3) above requires review and approval by the Township Planning Commission under the Home Occupation provisions of the Ordinance. (This does not include equipment used for one's own snowplowing, farming, etc.).

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

ADOPTION OF REZONING #124 – TEXT AMENDMENT – ELECTION SIGNS.

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

AMENDMENT #34-03-02

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

Section 805 - Election (Political) Sign Provisions - The existing language shall be deleted and replaced with the following:

Section 805 - Election Signs

Political signs which are intended to advertise a public election, issues to be balloted upon in that election, or to promote individuals and/or parties participating in an election are permitted as follows:

- a) Approval of the landowner or occupant must be obtained prior to sign placement. Signs must be placed in accordance to Michigan Department of Transportation or County Road Commission setback rules as applicable.
- b) Signs may not exceed 32 square feet and no side may exceed 8' in length.
- c) Signs may not be placed any earlier than 45 days prior to the election and must be removed within 5 days after the election.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Community Center Committee - May 28 & June 11, 2003
- 2) MAWTFAB - April 8 and May 13, 2003
- 3) Chocolay River Watershed Council - December 18, 2002

SUPERVISOR'S REPORT.

- 1) Update from Sub-Committee - The sub-committee overseeing the potential sale of the Community Center facility has received two formal offers. One was for the entire property and one was just for a piece of the property. The sub-committee has not recommended pursuing the two offers.
- 2) Elected Officials Weekender Class - In your packets is a brochure for an upcoming elected officials training class held by the Northern Michigan Public Service Academy. Since we are a member of the Academy the class is only \$10. Let Mary know if you have any interest in going so we can sign you up.
- 3) Corridor Improvements - I am very encouraged to see the improvements that have been occurring in the US-41 commercial corridor over the past year. Numerous businesses have made significant improvements and now most of the vacant buildings have been occupied and upgraded. Staff is also now working with some other potential new developments that will improve the corridor as well.

COMMUNITY CENTER COMMITTEE PRESENTATION.

Ann Pecotte, from the Community Center Committee presented to the Board a recommendation on considering selling the current Township Office and Fire Hall and utilizing the Community Center for administrative and fire department functions.

Due to technical problems the presentation will be completed at the end of the meeting.

FIRE DEPARTMENT – RECOMMENDED CHANGES OF CONSTITUTION AND BY-LAWS & OPERATING POLICIES AND PROCEDURES.

Greenberg moved Tabor second that the Fire Department's Constitution and By-Laws and Operating Policies and Procedures be adopted with the changes recommended by the officers of the Chocolay Township Volunteer Fire Department.

AYES: 7 NAYS: 0

MOTION CARRIED.

POLICE DEPARTMENT – AUTHORIZATION TO PLACE 2000 PATROL CAR ON BID.

Britton moved Sherbinow second that the police have authority to place out on bid the 2000 Ford Crown Victoria and to sell it to the highest bidder. The money received from the sale of the patrol car will be put back into the Capital Improvement Fund Police Department, 401.305.957 and will be used towards the purchase of the next patrol car.

AYES: 7

NAYS: 0

MOTION CARRIED.

POLICE DEPARTMENT – CAPITAL EXPENDITURE – TRAINING.

Hill moved Britton second to expend \$545.00 for police training: “The Reid Technique of Interviewing and Interrogation” and “Advanced Technique of Interviewing and Interrogation”. This will be paid from the police training account in the Capital Improvement Fund 401.305.957.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

ZONING ADMINISTRATOR – TRANSFER FROM CONTRACT TO PERMANENT PART-TIME EMPLOYEE STATUS.

Memo from Supervisor Fende explaining that Randy Yelle was appointed as Zoning Administrator in November 2002. He has been working on a contract basis until the position as part time could be assessed. It has been working out well. He will work an adjusted schedule (20-24 hours per week in the spring and summer and 14-16 hours per week in the fall and winter, not to exceed 960 hours per year). The Board agreed to this.

COMMUNITY CENTER PRESENTATION CONTINUED.

Ann Pecotte finished the presentation requesting that the Board consider selling the current township complex and moving the offices and fire department over to the Community Center Building. The Board discussed and will consider the proposal and get an appraisal on the current Township Complex property. They will only consider this if it is financially feasible.

Pete LaRue – Member of the Community Center Committee thanked the Board for listening to the proposal and thanked Ann Pecotte for a very thorough presentation.

Trustee Britton – The senior task force set up by the City of Marquette, will meet again on July 7th. They requested that Chocolay pick an alternate for the task force from the Township Board.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Zoning Administrator to Board - Re: Zoning Report
- B. Correspondence - Fende to DNR Director Kool - Re: Thank You
- C. Correspondence - Mulder to Riley - Re: Special Use Permit #3
- D. Correspondence - Hetrick and Associates/Accident Fund - Re: Work Comp. Dividend
- E. Information - Fire Department - Thank you article
- F. Information - MAWTFAB - 2002 Annual Report
- G. Information - NMPSA - Elected Officials Academy Course
- H. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:25 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

July 21, 2003

A Regular meeting of the Chocolay Township Board was held on Monday, July 21, 2003 at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT:None.

MINUTES – June 16, 2003.

Greenberg moved Trudeau second that the minutes of the Regular Meeting held on June 16, 2003 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Sherbinow moved Hill second that bills totaling \$29,702.16 checks numbered 10775 - 10831 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Hill moved Trudeau second that bills totaling \$24,777.91 checks numbered 10832 – 10858 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Hill moved Sherbinow second to pay check # 10761 in the amount of \$50.08 to Marquette County.

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AMT OF C/D	400,000.00
DATE PURCHASED	07/15/03
MATURING ON	1/13/04
INTEREST RATE	1.40%
INSTITUTION	Peninsula

PUBLIC COMMENT.

John Hubbard – Read letter to the Board on Township finances.

Supervisor Fende responded to some of his questions and will respond in writing to the rest of the questions asked in the letter.

Tom McLain – Had a zoning question on 208 Timberlane, it is an eyesore. He also wanted to know why the Township does not have a spring clean up like the City of Marquette.

Jan Amundsen – Would like a copy of Mr. Fende’s response to Mr. Hubbard.

Pat Black – Questions on the sale of the school property.

Trustee Trudeau – Explained what the committee looking at the sale of the school property/Township office property was doing.

Scott Hubbard – When was the school purchased? When did Mr. Trudeau get appointed to the Board?

Dan DiLoretto – Has the committee looked at remodeling the current Township office?

Ivan Fairfield – Who has made offers on the school property? Who paid for the postage on a letter that Arlene Hill sent out? Clerk Hill responded that she paid for the expenses related to sending the letter.

Treasurer Greenberg – The Township has been negotiating on the sale of the school since November 2002.

John Smith – Would like to speak on item 9B. Questions on school sale, the cost of the recall election and adding public comments to the end of the agenda.

Trustee Trudeau – There will be no new tax increase to remodel the school, it would only be done if the current Township property sale would cover the cost.

Trustee Britton – Can we do anything about the letters Mr. Maki is sending on our new Zoning Administrator? Noted that it will be addressed at the next Zoning Board of Appeals meeting.

Treasurer Greenberg – Presented the All-America City Award given to the Township through Marquette County.

Bill Kimmes- Read a letter to the Board on the recall. He stated his dislike for the Supervisor and called for the Board to resign.

Kenlyn Hubbard – Questioned the Board on selective zoning.

Lee Blondeau – The Township has not won all zoning issues in court. It was noted that the judge grandfathered one case, thus dismissing it.

Treasurer Greenberg – Our zoning allows home occupations with some boundaries. The Township has never ticketed a business car or truck that was parked at a home.

Trustee Sherbinow – Has been on the Zoning Board of Appeals for many years and the ZBA has only turned down one home occupation in all the years she has been involved.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - 2002 Annual Report
- 2) MAWTFAB - June 10, 2003
- 3) NMPSA - May 28 & June 25, 2003
- 4) Marquette Senior Center Task Force - June 9, 2003

SUPERVISOR'S REPORT.

- 1) Update from Sub-Committee - The sub-committee overseeing the potential sale of the Community Center facility will meet after the meeting tonight to review a new offer that has been received. We are also continuing to move forward on the evaluation of moving all township functions to the Community Center property. The appraisal on this property will be done by next Monday. We have completed a space needs study and the preliminary plans and cost estimates for necessary remodeling over at the Community Center are being worked on.
- 2) Budget - We have begun the 2004 budget preparation cycle. Department heads are putting their requests together, which have to be turned into me by the end of this month. As usual, the Board's budget workshop will be in September.
- 3) DNR Appeal - The DNR's appeal to the Michigan Court of Appeals on the snowmobile trail has been filed and is likely to be heard by that Court in October. The Township Attorney has filed his necessary brief. The Michigan Township's Association has also been granted permission by the Court to file a brief supporting the lower courts ruling and Township's position.
- 4) Summer Youth Program - The annual summer youth program is well underway. There are over 70 children signed up with a daily average attendance of about 40.

SPECIAL USE PERMIT #4 - WITTLER - U.S. 41 - MINING PERMIT FOR THE EXCAVATION OF SAND

Greenberg moved Tabor second, that after consideration of Special Use Permit #4 for a Mining and Mineral Extraction Permit for sand as provided in the standards of Section 407 of the Chocolay Township Zoning Ordinance, the Township Board approves the request as recommended by the Planning Commission with the following conditions:

- 1) That the applicant complies with all elements of his application.
- 2) That the access road be adequately treated to prevent dust from impacting US-41.
- 3) That the permit is only valid for 5 years (until 2008) and the Zoning Administrator shall check the site annually for compliance with the mining standards of the Ordinance.
- 4) That the applicant obtains a soil erosion permit as required by the Soil Conservation District.

AYES: 7

NAYS: 0

MOTION CARRIED.

COST OF THE RECALL ELECTION.

Clerk Hill explained to the Board that the law is quite vague on who pays for the recall election expenses. Attached to her memo was documentation from the Michigan Township Association Attorney and our Township Attorney stating the same. She suggested that we pay the bills on the election. After the election and all bills are known, discuss with the new County Clerk that the County consider payment of those expenses rightfully belonging to the County. The Board concurred. Clerk Hill also noted that Clerks Statewide need to approach County Clerks to pay their rightful share of special or recall elections.

John Smith had questions on the actual cost of this recall election vs. a regularly scheduled election.

SNOWMOBILE ENFORCEMENT GRANT APPLICATION

Trudeau moved Tabor second that the Director of Recreation and Grants Administration submit on a grant application to the Department of Natural Resources for a Snowmobile Enforcement Grant. The Board agrees to pay a 25% match not to exceed \$2,465.00

AYES: 7 NAYS: 0 MOTION CARRIED.

RECREATION DEPARTMENT – CAPITAL IMPROVEMENT FUND FY2003 BUDGET AMENDMENT NO.1 – BEAVER GROVE GRANT REIMBURSEMENT

Greenberg moved Hill 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 21, 2002 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
Recreation			
Capital Outlay	-\$29,850.64	+\$38,411.42	\$ 8,560.78
401.708.957			

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
401.698	\$0	+\$38,411.42	\$38,411.42

ROLL CALL:

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

NAYS: None MOTION CARRIED.

POLICE DEPARTMENT – GENERAL FUND BUDGET AMENDMENT NO. 1 FY2003 - SNOWMOBILE GRANT REIMBURSEMENT.

Sherbinow moved Tabor 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 21, 2002 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 Department	\$2,414.00	+\$2,357.24	\$4,771.24
Capital Outlay			
101.305.957			

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$35,500.00	+\$2,357.24	\$37,857.24

ROLL CALL:

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

NAYS: None MOTION CARRIED.

POLICE DEPARTMENT –CAPITAL EXPENDITURE - COMPUTER

Hill moved Greenberg second that the Police Department be authorized to purchase a new computer not to exceed the cost of \$1,400.00 including installation and conversion. This will be paid from Capital Improvement Fund 401.305.957.

ROLL CALL:

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

NAYS: None MOTION CARRIED.

POLICE DEPARTMENT – CAPITAL IMPROVEMENTS FUND BUDGET AMENDMENT NO 2- POLICE TRAINING FUNDS-STATE OF MICHIGAN.

Tabor moved Sherbinow 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 21, 2002 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 Department			
Capital Outlay	\$2,133.76	+\$418.40	\$2,552.16
401.305.957			

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$38,411.42	+\$418.40	\$38,829.82

ROLL CALL:

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

NAYS: None

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - DPW Supervisor to Board - Road Commission Call for Projects
- B. Correspondence - U.P. Children's Museum to Board - Re: Information and Thank You
- C. Correspondence - Marquette County Solid Waste Management Authority to Board - Re: Budget, Fees, Mercury Detection Program
- D. Correspondence - Charter to Fende - Re: Cable Programming Change
- E. Correspondence - Maki to Board - Re: Zoning Enforcement and Community Center
- F. Information - MTA cover of "2003-2004 Township Officials Directory"
- G. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:40 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

SPECIAL MEETING
AUGUST 13, 2003

A Special meeting of the Chocolay Township Board was held on Wednesday August 13, 2003 at the Township Hall, 5010 US 41 South, Marquette, MI. to discuss filling the Supervisor position until the October 7, 2004 election. Clerk Hill called the meeting to order at 7:00 p.m.

Hill moved Sherbinow second that Treasurer Greenberg chair the Special Board Meeting.
AYES: 6 NAYS: 0 MOTION CARRIED.

TOWNSHIP BOARD.

PRESENT: Arlene Hill, John Greenberg, Don Britton, John Trudeau, Ken Tabor, Lois Sherbinow.
ABSENT: None.

Treasurer Greenberg explained that a Special Meeting of the Board was called as Supervisor Fende was recalled from office at the August 5, 2003 Special Recall Election. The Board should decide whether to fill the vacant position until October 7, 2003 when an election will be held to select a Supervisor.

PUBLIC COMMENT.

John Smith – Spoke on the recall election and that he did not start the process. He also noted some positive things that he has done in the Township and announced that he plans on running for Supervisor.

Ava Bennet – Thanked the Board for the excellent job they do and was thankful that they were not recalled.

Scott Hubbard – Read a letter to the Board for clarification on a community center offer discussion from a previous Board meeting.

Treasurer Greenberg – Responded that there were negotiations on the community center but no offer of \$500,000. The party we were negotiating with refused to make an offer because of the recall.

Ivan Fairfield – Came away from the last meeting thinking we had an offer of \$500,000. on the community center. Wanted Trustee Trudeau to retract his statement in the newspaper.

Frank Thomas – It would be inappropriate for the Board to appoint an interim Supervisor.

Scott Emerson – The voters of the Township have spoken. Would like the committed to recall the Board to disclose where their funding came from.

Lee Blondeau – 50% of the voters in Chocolay turned out to vote on the recall because it was a big issue.

Bill Kimmes – A letter that was distributed stating that the yes recall group was against the fire and police departments is not true.

APPOINTMENT OF A SUPERVISOR.

Clerk Hill stated that the Township Board has 45 days to fill the Supervisor position or an election must be held. An election will be held on October 7, 2003 to fill that position so it is not necessary for the Board to select an interim Supervisor. The Board did not want to fill the Supervisor position. Discussion will be held on Supervisor duties to be picked up by other Board members. After that discussion the Board could still decide to appoint an interim Supervisor.

Dick Arnold – The minutes should be put out in a timelier manner.

Treasurer Greenberg – Sometimes the minutes are taken down by interested residents.

Clerk Hill – The policy now is that the minutes are not posted until after being approved.

John Smith – You can purchase a video camera for \$300.

Bill Kimmes – Editing of information in minutes causes misinformation. Comments from the public need to be in the minutes.

There being no further business, Treasurer Greenberg adjourned the meeting at 8:02 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Zybur to Board - Re: Bids on 2000 Ford Crown Victoria
- B. Memorandum - Zybur to Board - Re: Bike Registration Winners
- C. Correspondence - Sergeant Robert Maxon to Board - Re: Thank you
- D. Correspondence - Alger-Marquette County CISM Team - Re: Request for financial support
- E. Correspondence - Northern Michigan University to Snooks and Board- Re: Thank You
- F. Information - MTA - Legislative Updates

There being no further business, Treasurer Greenberg adjourned the meeting at 8:00 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

8. The Tilden Mine Tour is open to all governmental units and they would like to invite one or two Board members.
9. Habitat For Humanity is looking for property in Chocolay for home projects.

PUBLICATION OF REZONING #125 - SCHAUB - C-2 (COMMERCIAL) AND R-1 (RESIDENTIAL) TO R-3 (RESIDENTIAL - SINGLE AND MULTI-FAMILY).

Hill moved Tabor second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to Ordinance 34 of the Charter Township of Chocolay, Marquette County, Michigan: #34-03-03.

AYES: 6 NAYS: 0 MOTION CARRIED.

ALLEY ABANDONMENT - BLOCK 5 - VANNIER AND HAGARS RE-PLAT (SCHAUB PROJECT).
 Britton moved Tabor second that the Township send a letter to the Road Commission indicating the Board's support for the abandonment of the 20' alley in Block 5 of the Vannier and Hagars Replat.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT GUIDELINES.

Hill moved Britton second that the Chocolay Township Board resolves that the Public Speaking Policy of the Township shall include two (2) periods during any Regular or Special meeting of the Township Board. Public comment shall be limited to three (3) minutes at each comment session. This makes a total of six (6) minutes each person has during a meeting. Persons may address the Board only once during a public comment session. Every person has the right to speak to any agenda item for one three (3) minute period.

AYES: 6 NAYS: 0 MOTION CARRIED.

POLICE DEPARTMENT CAPITAL IMPROVEMENT EXPENDITURES - POLICE TRAINING.

Trudeau moved Britton second that the Police Department have authority (with verbal approval from the Township Supervisor or Police Chief) to utilize training money from the Capital Improvements Police Training account, 401.306.957 prior to Board approval when registration and payment are required before a Board meeting is held. A memo referencing this training would then go to the Board at the next meeting.

AYES: 6 NAYS: 0 MOTION CARRIED.

CAPITAL IMPROVEMENT FUND - BUDGET AMENDMENT NO. 3 - SALE OF USED PATROL CAR.

Greenberg moved Sherbinow 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 21, 2002 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 Department Capital Outlay 401.305.957	\$84,106.23	+\$1,828.00	\$85,934.23

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$38,829.82	+\$1,828.00	\$40,657.82

ROLL CALL:

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

GENERAL FUND BUDGET AMENDMENT NO. 2 FY2003 APPRAISAL FEE.

Sherbinow moved Trudeau second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 21, 2002 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
Township Board Miscellaneous 101.103.956	\$1,950.00	+\$3,200.00	\$5,150.00

Other General Government

Contingency

101,285.951	\$30,072.00	-\$3,200.00	\$26,872.00
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ROLL CALL:

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

NAYS: None

MOTION CARRIED.

FISCAL YEAR 2004 BUDGET WORKSHOP.

Revenues – No change.

Salaries – Deputy Treasurer salary will increase 3% as no health benefits are taken.

Township Board – No change.

Supervisor – Trustee had a question on lowering the Supervisor salary. Clerk Hill will get an opinion from Michigan Township Association for the next board meeting.

Elections - No change.

Assessor - No change.

Clerk - No change.

Board of Review - No change.

Treasurer – Salary deputy treasurer + 3%.

Township Hall and Grounds – No change.

Other General Government – No change.

Police – No change.

Fire – No change.

Streets – No change.

Sanitation – No change.

Recreation – No change.

Community Center – No change.

Parks and Properties – No change.

Zoning – No change.

Planning Commission – No change.

Zoning Board of Appeals – No change.

Capital Improvements – No change.

Sewer Fund – There will be an additional \$1,400.00 added to professional services, 571.801 for an increase in elevator testing.

PUBLIC COMMENT:

Frank Thomas – Question on Road money in the Capital Improvement Fund.

Lee Blondeau – Has the appraisal been completed on the Township Complex and what is the figure?

Doug Christenson – Are there term limits on Township officials?

Audrey Robinson – Would still like to use the Township meeting room to sell crafts.

Pastor Levesque - Her church has a bazaar and all the proceeds go to charity.

Clerk Hill – Don Hannula will no longer organize a bus trip to the Michigan Township Association conference. Marquette County Township Association will look into organizing the bus to attend the conference.

Lee Snooks – The Township has received criticism in the past for allowing sales in the meeting room which is in direct competition with commercial operations

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Magadanz to Board - Re: Elevator Inspections
- B. Memorandum - Zybert to Board - Re: Bike Registration Winners
- C. Correspondence - Sergeant Robert Maxon to Board - Re: Support
- D. Correspondence - Sheriff Lovelace to Board - Re: Potential Elimination of Road Patrol Services
- E. Information - MTA - Legislative Updates

There being no further business, Treasurer Greenberg adjourned the meeting at 8:54 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

October 20, 2003

A Regular meeting of the Chocolay Township Board was held on Monday, October 20, 2003 at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

PUBLIC HEARING – FY2004 BUDGET.

Public Hearing opened at 7:01 p.m.

Dan Chartier, CABA Representative – Letter to Board concerning lawn maintenance and flower planting on highway right-of- way.

Public Hearing closed at 7:04 p.m.

MINUTES –SEPTEMBER 15, 2003.

Greenberg moved Sherbinow second that the minutes of the Regular Meeting held on September 15, 2003 be approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Britton second that bills totaling \$34,970.04 checks numbered 10977 - 11012 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Greenberg moved Sherbinow second that bills totaling \$1,472.00 checks numbered 11013 – 11024 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved Britton second that bills totaling \$33,398.10 checks numbered 11025 – 11053 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

TREASURER’S REPORT WAS RECEIVED AND PLACED ON FILE.

AMT OF C/D	195,000.00	100,000.00
DATE PURCHASED	10/15/03	10/15/03
MATURING ON	04/14/04	04/14/04
INTEREST RATE	1.75%	1.50%
INSTITUTION	Peoples	N. Mi Bank

Sherbinow moved Britton second to accept the Treasurer’s report

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Chrys Levesque – Requested that the Board speak louder.

Jim Manyen, CABA – Requested that the Board draft a resolution for the CABA business of the year for 2004.(Blondeau Trucking)

Earl Yelle – Reserved time to speak to the Teaching Family Homes agenda item.

Gary Johnson – Tom Wahlstrom retired from the fire department after 25 years.

Clerk Hill – The actual cost of the recall election was \$5,826.95 with an additional \$200.00 paid out in wages for additional office help. The special Supervisor election cost was approximately \$4,500.00.

COUNTY ATV ORDINANCE.

The Board wants to decide which roads would be designated for ATV use and would prefer to not use signage to designate the trail. A Countywide ATV trail map could designate which roads could be traveled on with an ATV. A letter will be drafted to the Marquette County Township Association stating that Chocolay Township is not interested in incurring sign costs for ATV trails.

Doreen Takalo, MCTA President – The MCTA is just looking for township input at this point.

ADOPTION OF REZONING #125 - SCHAUB - C-2 (COMMERCIAL) AND R-1 (RESIDENTIAL) TO R-3 (RESIDENTIAL - SINGLE AND MULTI-FAMILY).

Hill moved Sherbinow second that the Charter Township of Chocoday Board waive the reading and adopt the following amendment to Ordinance 34 of the Charter Township of Chocoday, Marquette County, Michigan: #34-03-03.

AMENDMENT #34-03-03

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

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the property identified in Rezoning application #125 be rezoned from C-2 and R-1 to R-3 except that the northern section of property fronting on Fairbanks measuring 150' X 80' shall not be included and shall remain zoned R-1.

ROLL CALL:

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

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

ADOPTION OF FY2004 BUDGET.

Hill moved, Sherbinow second that the salary for the office of Supervisor shall be set in the amount of \$14,447 for the Fiscal Year 2004, which begins January 1, 2004, and ends December 31, 2004.

AYES: 6 NAYS: 0

MOTION CARRIED.

Sherbinow moved Trudeau second that the salary for the office of Treasurer shall be set in the amount of \$8,403 for the Fiscal Year 2004, which begins January 1, 2004, and ends December 31, 2004.

AYES: 6 NAYS: 0

MOTION CARRIED.

Trudeau moved Greenberg second that the salary for the office of Clerk shall be set in the amount of \$11,396 for the Fiscal Year 2004, which begins January 1, 2004, and ends December 31, 2004.

AYES: 6 NAYS: 0

MOTION CARRIED.

Greenberg moved Hill second that the per diem for the office of Trustee shall be set in the amount of \$50 for the Fiscal Year 2004, which begins January 1, 2004, and ends December 31, 2004.

AYES: 6 NAYS: 0

MOTION CARRIED.

GENERAL APPROPRIATIONS ACT

Hill moved Sherbinow second that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2004, and ending December 31, 2004, 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 October 13, 2003; and

Whereas, a public hearing on the proposed budget was held on October 20, 2003, at the Chocoday Township Municipal Complex, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing;

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2004, and ending on December 31, 2004, in the amount of \$1,326,976 for the General Fund, in the amount of \$271,902 for the Sewer Fund and in the amount of \$52,000 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,326,976 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2004, and ending December 31, 2004.
3. The Township Board does hereby appropriate the sum of \$271,902 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2004, and ending December 31, 2004.

4. The Township Board does hereby levy 4.1056 mills for general operations.
5. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution are rescinded.
6. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming with Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL:

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

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

1. Zoning Board of Appeals - September 25, 2003
2. MCTA - September 24, 2003
3. NMPSA - August 27 and September 24, 2003
4. Central Lake Superior Watershed Partnership - July 17, 2003

SUPERVISOR REPORT.

1. Will continue to do board updates as started by the Clerk.
2. Blondeau Trucking has been picked as CABA business of the year, the presentation will take place on November 6th. With the Board's permission the Clerk and I will put together a resolution to honor Blondeau Trucking.
3. The County has proposed a .20 per parcel increase for the tax rolls. Treasurer Greenberg and I met with the County on this issue. The Assessor, Treasurer and I will look into our options.
4. Ron Thorley, Superior Fast Lube called today and will be getting his written suggestions on the sewer billing issue for the next Board meeting.
5. Met with Treasurer Greenberg, Trustee Trudeau and Doug Riley on the Community Center. We should have options and numbers in the next month.
6. We've met with Attorney Mike Summers on several issues. As soon as Mr. Summers gets the decision on the court case with the DNR, he will notify us. We need to be prepared to discuss options on what the court decides.
7. We are having a bureaucratic disagreement with the State on our elevators in the sewer system. We hope to have this resolved or at least clarified by the next Board meeting.

REZONING #126 – WARD – R-1 (RESIDENTIAL) TO R-3 (RESIDENTIAL – SINGLE AND MULTI-FAMILY).

Hill moved Britton second that, as recommended by the Planning Commission, the Charter Township of Chocolay Board deny rezoning #126.

AYES: 6 NAYS: 0

MOTION CARRIED.

EXTENSION OF PRELIMINARY PLAT APPROVAL – EWING PARK NO. 2.

Britton moved Greenberg second that the Township Board approve a 1 year extension from today's date to the preliminary plat approval for Ewing Park No. 2.

AYES: 6 NAYS: 0

MOTION CARRIED.

UPDATE TO THE COMPREHENSIVE PLAN.

This will be addressed at the December Board meeting.

REINSTATEMENT OF SUPERVISOR'S DUTIES.

Hill moved Greenberg second that the duties of budget preparation, personnel administration, representation on the East Marquette Solid Waste Authority and the Community Center Sale Subcommittee be returned to the office of the Supervisor.

AYES: 6 NAYS: 0

MOTION CARRIED.

CAPITAL EXPENDITURE REQUEST - DPW TRUCK

Britton moved Trudeau second to expend up to \$33,656.00 from 401.756.957 Parks and Properties Capital Improvements Fund to purchase a ¾ ton pickup truck with a plow.

ROLL CALL:

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

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

REQUEST FOR DONATION OF GYMNAS TIC MATS

Britton moved Hill second that the Township Board donate the four portable gymnastic mats from the Community Center to the Forsyth Township Community center for use in the Gwinn Club House.

AYES: 6 NAYS: 0

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT NO. 3 FY2003 GASB #34.

Greenberg moved Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 21, 2002 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
Treasurer	\$3,113.00	+\$1,300.00	\$4,413.00
Professional Services			
101.253.801			
Other General Government			
Contingency			
101.285.951	\$26,872.00	-\$1,300.00	\$25,572.00

ROLL CALL:

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

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

DELINQUENT SEWER FEES TO TAX ROLL.

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

CHOCOLAY TOWNSHIP DELINQUENT SEWER USERS 2003				
Name	Tax ID Number	Address	City, State, Zip	Amount Due
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	267.97
Jean Kantola	52-02-207-009-00	238 Corning Street	Mqt MI 49855	\$535.92
Jeffrey Johnston	52-02-215-003-00	120 East Fairbanks	Mqt MI 49855	267.97
Susan Racine	52-02-215-006-00	156 East Fairbanks	Mqt MI 49855	267.97
Walter Besola	52-02-305-038-00	168 East Main St	Mqt MI 49855	267.97
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	267.97
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	267.97
Oliver Burns	52-02-455-046-00	225 Judy Stret	Mqt MI 49855	268.17
Mark Chudy	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	267.97
Sharon Laurich	52-02-106-035-00	338 Reservoir Street	Mqt MI 49855	267.97
Steve Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	267.97
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	482.33
Wahlstrom Enterprise	52-02-107-007-00	5043 U S 41 South	Mqt MI 49855	7,748.79
Wahlstrom Knight's Inn	52-02-107-005-00	5057 U S 41 South	Mqt MI 49855	4,435.42
Robert Vidlund	52-02-455-004-00	120 Veda Street	Mqt MI 49855	267.97
David Blackburn	52-02-106-032-00	232 Van Epps Street	Mqt MI 49855	267.97
Kevin Small	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	267.97
Jason Bernard	52-02-107-074-00	740 Willow Road	Mqt MI 49855	260.81
John Janofski	52-02-212-010-00	124 West Main Street	Mqt MI 49855	267.97
Donna Pedone Trust	52-02-212-012-00	140 West Main Street	Mqt MI 49855	40.34
Kenneth Johnson	52-02-206-006-00	320 West Main Street	Mqt MI 49855	93.22
Joseph Stanaway	52-02-208-005-00	341 West Terrace St	Mqt MI 49855	267.97
Marilyn Kremer	52-02-208-003-00	371 West Terrace St	Mqt MI 49855	267.97
Kristine Dionne	52-02-106-043-00	110 West Wright Pl	Mqt MI 49855	267.97
Janet Prevo	52-02-213-008-00	302 West Wright Pl.	Mqt MI 49855	60.38
Michael Olli	52-02-210-012-00	371 West Wright Pl	Mqt MI 49855	267.97
Total Delinquent Amount				\$18,480.87

AYES: 6

NAYS: 0

MOTION CARRIED.

TEACHING FAMILY HOMES/HONOR CAMP PROPERTY - RE: SILVER CREEK ROAD.

Earl Yelle, Sands Township Supervisor - Spoke on the Honor Camp in Sands Township and the use of Silver Creek Road.

Trudeau moved Hill second that the Chocolay Township Board supports Teaching Family Home's unrestricted use of Silver Creek Road for the development of their project.

AYES: 4

NAYS: 2

MOTION CARRIED.

PUBLIC COMMENT.

Jan Amundsen – Would like short explanation on each issue the Board deals with at meeting.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Yelle to Board - Re: Zoning Report -208 Timberlane & F.D. Training (Waselesky's)
- B. Information - Fuller to Board - Re: Assessing Office Progress
- C. Information - Police Department to Board - 2nd and 3rd Quarter Statistical Reports
- D. Correspondence - League of Women Voters to Clerk and Staff - Re: Thank You
- E. Correspondence - Charter Communications to Chocolay - Re: Billing/Marketing
- F. Information - MTA - Legislative Updates

There being no further business, Supervisor Seppanen adjourned the meeting at 8:35 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

November 10, 2003

A Regular meeting of the Chocolay Township Board was held on Monday, November 10, 2003 at the Silver Creek School Gymnasium at 219 Silver Creek Road, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: None.

EXPLANATION OF MEETING.

Supervisor Seppanen explained that this was a regular Township Board Meeting but that the public would be allowed to speak to the snowmobile trail issue under public comment or under new business item XA. Appeal of Michigan Court of Appeals Decision – MDNR v. Chocolay Township.

MINUTES –OCTOBER 20, 2003.

Greenberg moved Trudeau second that the minutes of the Regular Meeting held on October 20, 2003 be approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$14,771.46 checks numbered 11054 - 11085 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved Britton second that bills totaling \$5,569.38 checks numbered 11086 – 11100 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

Letters were read by Doug Riley from Judd Johnston, Russell LeBlanc and Dan Rydholm (unable to attend meeting).

- The Township needs to work with the DNR on the trail. Lives 65 feet from the railroad grade and never hears the snowmobiles.
- The Township should quit fighting the DNR on the snowmobile trail. It is of economic value to our community to have the trail.
- The snowmobile trail belongs in the business district where it can stimulate the economy, not near a residential area.
- This forum is democracy at its best. This decision should be made at the local level because we can vote out Township Board members, we can not vote out the DNR
- Lives on Mangum Road which used to be an alternate route for snowmobiles. Can not hear the snowmobiles when they go by his house.
- Who will enforce any restriction placed on the snowmobile trail? Encourages the Board to follow through to the Supreme Court on the trail issue.
- Has been wakened many nights by snowmobiles going by his house. Why are a the residents along the railroad grade asked to sacrifice for the snowmobilers? How much did the DNR spend of tax payers money to appeal Judge Solka's ruling?
- Lives on M-28 and is concerned for the safety of his children. Wants the snowmobiles to go on the trail so they stay off M-28 right of way.
- Her bedroom window is 32 feet from the trail. When the trail was closed last year sleds still went by and were very loud.
- Lives 50 feet from the trail, is a snowmobiler but urges the Board to follow this to the Supreme Court. An alternate trail should be found that goes through the business corridore in Chocolay Township.
- The Board should quit fighting the DNR snowmobile trail. Her daughter died while snowmobiling along the highway crossing driveways.
- Residents on M-28 got a feel last year of what the residents living near the trail will go through.
- Snowmobilers do not slow down on M-28 for driveways.
- The railroad grade is the best place for a snowmobile trail. The Township has not organized a trail since the 1980's.
- The Township has done nothing for a snowmobile trail through Chocolay Township for 21 years.
- Snowmobiles will travel through Chocolay Township whether there is a trail or not. Urges the Board to work with the DNR on the trail.
- The speed of the snowmobiles is shocking and the noise is terrible. Disappointed that the DNR is not at this meeting.

- Feels for both the snowmobilers and the residents that live along the trail. Lives near the bike path and has trees knocked down by the snowmobilers. It is too expensive for Chocolay Township to fight the DNR any further.
- Is a snowmobiler and lives near the railroad grade. Will help patrol the railroad grade and work with the Board and the DNR to make the trail work.
- Bought a home accessible to the snowmobile trail. Will also volunteer to patrol the trail.
- Is not happy about the snowmobile trail. Will snowmobiles still be allowed to go down M-28 even if there is a designated trail?
- The noise and the fumes from the snowmobiles are a health hazard. There should be a health impact done on this issue.
- The cost of fighting the DNR on the trail will be far higher than expected.
- The trail will not devalue property near it. The Board should work with the DNR on the trail.
- Supports the Township Board with going on to the Supreme Court.
- The trail is going to happen. We should use our authority to post the trail and make it safe. The MTA should pay for the appeal or our attorney should not charge us if the Township loses.
- Encourages the Township to continue on to the Supreme Court. The trail can not be effectively monitored.
- Carry this on to the Supreme Court. There are alternate ways to route snowmobiles from the East/West corridor, not through neighborhoods.
- The trail committee tried to get an alternate trail. The trail committed should be reformed to work with the DNR. Save the money on going to court and put it toward enforcement.
- Don't spend money on the Supreme Court.
- Chocolay Township took the Marquette Board of Light and Power all the way to the Supreme Court about 20 years ago and won. It has saved many residents money on their power bill over the years. Hopefully the DNR and Chocolay Township can work together on a trail. If we win at the Supreme Court level then we have leverage with the DNR.
- The DNR is trying to save the taxpayer money with the trail.'
- Opposed to the trail, in favor of the Township going to the Supreme Court.
- Is a snowmobile groomer from Marquette. There is not much traffic at night.
- It is too bad that the DNR did not work on the trail together.

Over 160 people were in attendance for this public comment. They were considerate and comments were well thought out. Attendance roster kept on file at the Clerk's office.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - October 13, 2003
- 2) Zoning Board of Appeals - October 23, 2003

SUPERVISOR REPORT.

1. Has met with the Marquette County Road Commission and there will be a reduction in service throughout the County.
2. The sewer elevator inspection problem has been taken care of with the State. Larry Gould will be hired as a part time employee to do the inspections.
3. Zoning Administrator, Randy Yelle will be back to 12 hour per week for the rest of this year. During the Summer/Fall he work more hours per week and now must work less to stay within the Board agreement. Newxt budget year we may address this again.
4. The County Tax Roll Department still plans on charging another .20 per parcel for printing tax bills. I am working with our assessor Tina Fuller and Treasure Greenberg to look into printing our own tax bills.
5. I will be looking into medical insurance costs this month.
6. I will attend the CABA dinner to present the Chocolay Township resolution to L. Blondeau and Sons Trucking.

APPEAL OF MICHIGAN COURT OF APPEALS DECISION – MDNR v. CHOCOLAY TOWNSHIP.

Mike Summers, Chocolay Township Attorney explained that one year ago the Township received information that the DNR lost their East West route in Chatham. They needed a route for the snowmobilers at the last minute and decided to use the Wisconsin Central Railroad grade. The DNR chose to use the Railroad grade whether the Township wanted it or not. Chocolay Township filed an injunction. Judge Solka granted the injunction based on the fact that our local zoning ordinance took precedence. The Appealate Court reversed the injunction.

The Board discussed the cost of continuing to the Supreme Court and the fact that we have no leverage if we do not continue on. We must move on this within 21 days of the Appellate decision.

The public was allowed to make further comment on this agenda item:

- At the appellate court hearing the DNR stated that no ATV's will be allowed on the trail. The DNR is empowered to establish trails. The MTA should pick up the tab if the Township goes on to the Supreme Court.
- Our local Board should make the decision on a trail, not the DNR,

- Supports the challenging the Court of Appeals ruling and continuing on to the Supreme Court.
- Can't think of a better way to use tax dollars than to protect zoning and property rights.
- Mr. Britton should not vote on this issue because he has a direct interest as a paid trail groomer.
- It is a waste of tax dollars to pursue this to the Supreme Court.
- The Appellate decision was unanimous, the Township should not go on.
- Urges the Board to not use the reason that we may lose at the Supreme Court level because we are going against the DNR.
- We have not give the trail on the Railroad grade a chance. Did we blow our opportunity to work with the DNR because we went to court over the trail.
- The real issue of the recall was the snowmobile trail.
- The DNR is not following the Trailways Act.
- Could we get money back from the Michigan Township Association if they assist us financially?
- Once this trail is on snowmobile maps we will have trouble stopping the snowmobiles. Read an article that 150,000 snowmobiles would be on this trail in a season.
- How can Township zoning apply to State owned land?
- The Township is fighting a battle for a minority of residents.

Letters were read by Doug Riley from Nancy Rife, Curtis Rife and Rose Gentz (unable to attend meeting).

Trustee Britton brought up question on whether he should vote on this issue as he grooms snowmobile trails. Attorney Summers stated that since he has no direct financial gain by this trail going through he should vote on the motion.

Trudeau moved Tabor second, that the Township Board authorize the Township Attorney to proceed with the appropriate appeal(s) to challenge the recent Court of Appeals ruling in the matter of the MDNR v. Chocolay Township.

ROLL CALL:

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

NAYS: Britton.

MOTION CARRIED.

SENIOR CITIZEN TASK FORCE JOINT RESOLUTION.

Trudeau moved Britton second, that the Township Board approve the provided Senior Center Task Force Joint Resolution and that Don Britton be appointed to continue to serve as Chocolay's representative on the Task Force and to recommend to the Task Force that Dave Thomas be appointed as one of the at large representatives.

AYES: 7 NAYS: 0

MOTION CARRIED.

PLANNING COMMISSION – REAPPOINTMENTS.

Seppanen moved Hill second, to re-appoint Ken Tabor as the Board member representative to the Planning Commission with a term to run from 12/4/03 to 12/4/06.

AYES: 7 NAYS: 0

MOTION CARRIED.

Seppanen moved Greenberg second, to re-appoint Tom Shaw to the Planning Commission for a term to run from 12/4/03 to 12/4/06.

AYES: 7 NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

- Appreciates that the Board accepted all the public comments on the trail but feels that the Board had make their decision before coming into the meeting.
- Did not receive letter that was mailed to residents along the trail.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Seppanen to Teaching Family Homes - Re: Silver Creek Road
- B. Correspondence - Seppanen to Road Commission - Re: Silver Creek Road and Main Street
- C. Information - MTA - Legislative Updates

There being no further business, Supervisor Seppanen adjourned the meeting at 9:55 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

ANNUAL APPOINTMENTS.

Greenberg moved Hill second that Greg Seppanen be re-appointed to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2004 to December 31, 2004.

AYES: 7 NAYS: 0 MOTION CARRIED.

Britton moved Trudeau second that Denny Magadanz be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2004 to December 31, 2004.

AYES: 7 NAYS: 0 MOTION CARRIED.

Sherbinow moved Tabor second that Doug Riley be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2004 to December 31, 2004.

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved Britton second that Lee Snooks be appointed to the Personnel Committee for a term to run from January 1, 2004 to December 31, 2004.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trudeau moved Sherbinow second that Gerald Trotochaud be appointed to the Personnel Committee for a term to run from January 1, 2004 to December 31, 2004.

AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved Hill second that Lois Sherbinow be re-appointed to the Personnel Committee for a term to run from January 1, 2004 to December 31, 2005. (Two year terms for Board Members)

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved Hill second that Denny Magadanz be re-appointed to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2004 to December 31, 2004.

AYES: 7 NAYS: 0 MOTION CARRIED.

Britton moved Sherbinow second that Doug Riley be re-appointed to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2004 to December 31, 2004.

AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved Greenberg second that Lois Sherbinow be re-appointed as the Board representative to the Zoning Board of Appeals for a term to run from December 15, 2003 to December 15, 2006.

AYES: 7 NAYS: 0 MOTION CARRIED.

MEETING DATES-2004

CHOCOLAY TOWNSHIP BOARD-7:00 p.m.

JANUARY 19, 2004	JULY 19, 2004
FEBRUARY 16, 2004	AUGUST 16, 2004
MARCH 15, 2004	SEPTEMBER 20, 2004
APRIL 19, 2004	OCTOBER 18, 2004
MAY 17, 2004	NOVEMBER 8, 2004
JUNE 21, 2004	DECEMBER 13, 2004

PLANNING COMMISSION-7:30 p.m.

JANUARY 12, 2004	JULY 12, 2004
FEBRUARY 9, 2004	AUGUST 9, 2004
MARCH 8, 2004	SEPTEMBER 13, 2004
APRIL 12, 2004	OCTOBER 11, 2004
MAY 10, 2004	NOVEMBER 1, 2004
JUNE 7, 2004	DECEMBER 6, 2004

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

JANUARY 22, 2004	JULY 22, 2004
FEBRUARY 26, 2004	AUGUST 26, 2004
MARCH 25, 2004	SEPTEMBER 23, 2004
APRIL 22, 2004	OCTOBER 28, 2004
MAY 27, 2004	NOVEMBER 11, 2004
JUNE 24, 2004	DECEMBER 16, 2004

VOLUNTEER FIRE DEPARTMENT:

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

FREEZING OF TRAVEL/CONFERENCE EXPENDITURES.

Britton moved Tabor second that the Township Board temporarily freezes all travel/conference expenditures involving out of town travel as identified in the Supervisor's memorandum unless specifically authorized by the Board after a review of the justification of the expenditure.

AYES: 5 NAYS: 2 MOTION CARRIED.

ADOPTION OF AMENDED SESC PROCEDURES.

Trudeau moved Tabor second that Chocolay Township adopts the attached soil erosion sedimentation control procedures.

AYES: 7 NAYS: 0 MOTION CARRIED.

CAPITAL EXPENDITURES – FIRE DEPARTMENT PAGERS.

Greenberg moved Britton second that the fire department is authorized to purchase 13 pagers from Anderson Communications, using funds from the Capital Improvements Fund 401.340.957 in the amount of \$5,092.75.

ROLL CALL:

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

CAPITAL EXPENDITURES – FIRE DEPARTMENT HYDRAULIC DROP TANK LIFT.

Tabor moved Hill second that the fire department is authorized to have Pomasl Fire Equipment install a hydraulic lift system for the portable water tank holder on the pumper/tanker for the quoted price of \$5,835.00. The funds for this are to come from the Capital Improvements Fund 401.340.957 budget.

ROLL CALL:

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

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #4 FY2003-POLICE TRAINING.

Greenberg moved Sherbinow 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 21, 2002, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Training 401.306.957	\$2,552.16	+\$449.84	\$3,002.00
REVENUE	PREVIOUS	CHANGE	AMENDED
401.698	\$40,657.82	+\$449.84	\$41,107.66

ROLL CALL:

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

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #5 FY2003- ELECTION EQUIPMENT REIMBURSEMENT.

Greenberg moved Hill 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 21, 2002, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Election Department 401.190.957	\$13,444.01	+\$390.00	\$13,834.01
REVENUE	PREVIOUS	CHANGE	AMENDED
401.698	\$41,107.66	+\$390.00	\$41497.66

ROLL CALL:

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

GENERAL FUND BUDGET AMENDMENT #4 FY2003-REIMBURSEMENT FOR TRAFFIC GRANTS.

Trudeau moved Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 21, 2002, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department			
Salaries			
101.305.702	\$188,973.00.	+\$1,269.68	\$190,242.68

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$37,857.24	+\$1,269.68	\$39,126.92

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT NO. 5 FY2003 LEGAL SERVICES & SURVEY.

Trudeau moved Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 21, 2002 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
Township Board	\$16,500.00	+\$3,150.00	\$19,650.00
Legal Services			
101.103.826			

Township Board	\$5,150.00	+\$1,700.00	\$6,850.00
Miscellaneous			
101.103.956			

Other General Government

Contingency

101.285.951	\$25,572.00	-\$4,850.00	\$20,722.00
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ROLL CALL:

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

NAYS: Britton.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT NO. 6 FY2003 ZONING SALARIES & MILEAGE.

Tabor moved Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 21, 2002 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
Zoning	\$8,750.00	+\$3,000.00	\$11,750.00
Salaries			
101.800.702			

Zoning	\$225.00	+\$1,000.00	\$1,225.00
Travel			
101.800.860			

Other General Government

Contingency

101.285.951	\$20,722.00	-\$4,000.00	\$16,722.00
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ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT-

Dan DiLoreto – Applauds the Board for scrutinizing expenditures for the next year.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

Correspondence - Warchol to Board - Re: Snowmobile Trail

Information - Peter White Library - Township Advisory Council Meeting Schedule

Information - MTA - Legislative Updates

There being no further business, Supervisor Seppanen adjourned the meeting at 7:54 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JOINT MEETING
TOWNSHIP BOARD/PLANNING COMMISSION
DECEMBER 15, 2003

A joint meeting of the Chocolay Township Board/Planning Commission was held on Monday, December 15, 2003 at the Township Hall, 5010 US 41 South, Marquette, MI. Supervisor Seppanen called the Board meeting to order at 8:00 p.m. Chairman Bill Sanders called the Planning Commission meeting to order at 8:00 p.m.

Supervisor Seppanen explained that the joint meeting was set to discuss the snowmobile trail and update to comprehensive plan – review of request for proposals (RFP).

TOWNSHIP BOARD.

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

PLANNING COMMISSION.

PRESENT: Bill Sanders, Scott Emerson, Mike LaPointe, Steve Kinnenen, Estelle DeVoght.
ABSENT: Tom Shaw.

PUBLIC COMMENT.

Maggie Meiss – Last week she noticed a screening fence on the Blondeau property being taken down. This screening was ordered by the Zoning Board of Appeals. She was told that this was being done for a business route for snowmobiles through Harvey.

Olive Hillier – Is against the proposed business trail for snowmobiles through Harvey.

Ava Benett – If the Board allows a business trail through Harvey it would be a contradiction.

Edwin Leach – Concerned about safety at the corner of Green Bay Street with snowmobiles.

Joe Holman – The DNR should not be able to allow a trail to commercial business through a residential area.

Dick Vivian – The yield sign on Bayou Street should be removed and replaced with a stop sign.

Ralph Bennett – The DNR has placed all enforcement of the snowmobile trail on Chocolay Township.

Karen Lynd – The snowmobiles need a safe designated trail.

Dan DiLoreto – Describe what the designated business route for the snowmobile trail is.

Robert Yuill – Concerned for safety at the sharp turns on Riverside/Lakewood and Green Bay Street.

Stan Hubert – Presented a \$2,000.00 check from several Chocolay businesses to go toward snowmobile trail enforcement.

Snowmobile trail discussion from the Township Board and Planning Commission. The Planning Commission members gave the Board an update if their recent meeting with the DNR.

- State law allows snowmobile traffic on all County Road right-of-ways.
- The sheriff department has applied for 80 more hours on snowmobile trail enforcement funds.
- The DNR came to the Planning Commission and they are trying to get more enforcement.
- It makes more sense to have one route to the business district than snowmobiles using all the roads.
- Enforcement has been laid on Chocolay Townships doorstep.
- Concerned that the Chocolay River not become a thoroughfare for snowmobiles.
- The DNR has stated that they have plenty of money for snowmobile enforcement through grants.
- The air quality issue needs to be addressed along with metering noise and speed.
- Snowmobiles are not stopping at the stop signs.
- There is still a need for a snowmobile bridge down M-28 corridor.
- The DNR is going to log all snowmobile complaints to have a record of this season.
- Why not build a trail that will not support high speeds?
- The grant process normally takes a long time. Will the DNR be able to expedite this grant?
- All vehicle laws are the same for snowmobiles.
- Police concerns are Green Bay Street and Riverside/Lakewood corners.
- There should be a cut off date for trails in residential areas, such as March 31st.
- There should be a 35 mph speed limit on the snowmobile trail.
- State law says that snowmobiles must drive with traffic.

Update to Comprehensive Plan – review of Request for Proposals (RFP) discussion from the Township Board and Planning Commission.

It has been 14 years since the comprehensive plan has been updated.

We need to look at the commercial zoning districts for expansion.

The Board concurred to direct the Planning staff to use an amount of \$40,000.00 when requesting proposals for the comprehensive plan update.

Chairman Sanders asked the Board and Planning Commission if they had a problem if his firm submitted a proposal. He noted that if his firm submits a bid on the RFP proposal he will not vote as a Planning Commission member. Both Boards did not have a problem with that. The Planning Commission appreciates the letter from the Supervisor and Township Board on doing the update to the comprehensive plan.

PUBLIC COMMENT:

Maggie Meiss – What businesses contributed to the \$2,000.00 for snowmobile grant match? When will the screening fence be put back up at Blondeau's?

Ralph Bennett – The snowmobile trail issue will not go away, we need to set speed limits and strictly enforce them. The DNR has stated that they are flush with money for snowmobile trail enforcement grants.

Joe Holman – We need speed limits and curfews. Has the DNR ever stated why they did not fully comply with the Trailways Act?

Larry Wilson – There is some speed signage on the trail.

Ava Bennett – Snowmobiles go too fast to read the speed signs.

Barb Holman – Agrees with Scott Emerson that there should be testing of air quality on the snowmobile trail. Curfews and speed limits need to be set.

Scott Emerson – Why can't there be a higher set of standards for a snowmobile trail that is in a residential area.

John Greenberg – The DNR stated that they will study the trail this winter then make changes on speed and curfew for the next year.

Bill Sanders – Why can't snowmobile clubs put up speed signs?

There being no further business, Supervisor Seppanen and Chair Sanders adjourned the meeting at 9:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JANUARY 19, 2004

A Regular meeting of the Chocolay Township Board was held on Monday, January 19, 2004 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: None.

MINUTES –DECEMBER 19, 2003 REGULAR AND JOINT PLANNING COMMISSION MEETING.

Greenberg moved Trudeau second that the minutes of the Regular Meeting held on December 15, 2003 be approved with one correction to a roll call motion

AYES: 7 NAYS: 0 MOTION CARRIED.

Britton moved Greenberg second that the minutes of the Joint Planning Commission/Township Board meeting held on December 15, 2003 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$11,237.79 checks numbered 11159 - 11182 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Sherbinow moved Trudeau second that bills totaling \$34,537.93 checks numbered 11183 – 11204 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Britton moved Trudeau second that bills totaling \$55,918.72 checks numbered 11205 - 11216 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Sherbinow moved Tabor second that bills totaling \$34,647.29 checks numbered 11217 - 11249 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AMT OF C/D	342,000.00
DATE PURCHASED	0/13/04
MATURING ON	07/13/04
INTEREST RATE	1.55%
INSTITUTION	Peninsula Bank

Greenberg moved Hill second that

BE IT RESOLVED that the Peninsula Bank of 100 S. Main Street, Ishpeming, MI 49849, is hereby designated as a legal depository of moneys belonging to the Township of Chocolay, County of Marquette and State of Michigan and deposit accounts be maintained, in the name of Chocolay Township with said Bank, subject to the rules and regulations established from time to time by said Bank and as stated on the authorized signature card filed with the Bank by the undersigned. That any two of the following, to wit: John S. Greenberg, Peggy J. Paul, Arlene E. Hill, Mary L. Sanders are authorized, on behalf of this Township, and in its name, to sign checks, receipts or orders for the payment or withdrawal of funds deposited in said accounts or deposited to the credit of said Township in the said Bank and said Bank is hereby authorized and directed to honor and pay any of said checks, receipts or orders for the payment or withdrawal of funds deposited to the credit of said Township.

“FURTHER RESOLVED that the foregoing resolution shall remain in full force and effect until written notice of its amendment or rescission shall have been received by said Bank and that receipt of such notice not affect any action taken by the Bank prior thereto.”

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Fire Chief Gary Johnson reported to the Board that 2003 was the busiest year that Chocolay Township has ever had for fire calls. The Fire Department will do quarterly reports to the Board on fire statistics.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - December 8, 2003
- 2) MAWTFAB - December 9, 2003
- 3) NMPSA - December 10, 2003

SUPERVISOR REPORT.

1. Chief Zybert gave a report on the snowmobile trail. In the 2003–04 season to date our police department has done 73 hours of patrol on the trail. There have been 589 contacts made on the trail, 16 warnings, 5 tickets issued. 38 complaints have been taken at the office.
2. The County will be logging on the Honor Camp property and using Silver Creek Road. They have agreed to limit when the logging trucks will use the road. If another access road is developed through Sands Township, the logging trucks will use that road.
3. We will have a \$60,000.00 shortfall in the 2004 budget. Half is attributed to State Revenue Sharing and the other half is our Charter Franchise fee. We hope to bring a new franchise agreement to the Board at the February meeting.
4. We are continuing to work on doing assessing in house. This will not take place until after the summer tax season. This will be significant annual savings to the Township after purchasing the equipment.
5. Fees – I will be meeting with the other nearby Township Supervisors in the near future to discuss the City’s recent decision to charge non-resident recreation fees.
6. The Township has been approached about some of our smaller parcels of property.
7. Our Zoning Administrator, Randy Yelle is in the process of completing a report to present to the Board at the February meeting.
8. A Road Commission has been meeting and will have a report for the Marquette County Township Association soon; Trustee Trudeau is a member of that committee.

CONSIDER - REQUEST FOR PROPOSALS - REALTOR SERVICES - SILVER CREEK SCHOOL AND OFFICE COMPLEX.

Trudeau moved Britton second that the Chocolay Township Board authorizes the attached “Request for Proposals – Realtor Services” (with one change splitting the number of acres at Silver Creek property), to be appropriately distributed.

AYES: 7 NAYS: 0 MOTION CARRIED.

CONSIDER - REQUEST FOR PROPOSALS - SURVEYING - SILVER CREEK SCHOOL PROPERTY.

Hill moved Trudeau second that the Chocolay Township Board authorizes the attached “Request for Proposals – Surveying Services – Silver Creek School Property” to be appropriately distributed.

AYES: 7 NAYS: 0 MOTION CARRIED.

CONSIDER - RESOLUTION - 2004 FEE SCHEDULE.

Trudeau moved Tabor second that

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

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

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

Police Department

Copies of Accident Reports	\$5.00 ea.
Copies of Incident Reports	\$5.00 ea.
Local Record Check	\$5.00
Fingerprinting	\$5.00
PBT	\$3.00
Non-Sufficient Checks	\$20.00
Kennel Inspections	\$40.00
Liquor License Inspections	\$25.00
New/Liquor License Inspections	\$100.00
Video Copies	\$50.00 ea.
False Alarm Calls	\$100.00 (on fourth and subsequent calls per year)

Fire Department

False Alarm Calls	\$100.00 plus personnel costs (on 2 nd and subsequent calls per year)
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Hazardous Material Incidents	\$ Per itemized invoice
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Department of Public Works

Garbage Tags	\$1.40 ea.
Restricted Haulers Agreements	\$2.00 ea.

Banner Permits \$25.00 ea.

Assessing

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

Zoning/Planning

Copy of Zoning Ordinance \$25.00
Copy of Comprehensive Plan \$10.00
Zoning Compliance Permit (Residential) \$20.00
Zoning Compliance Permit (Commercial) \$50.00
Conditional Use Permit \$150.00
Variance \$150.00
Nonconforming Use Permit \$150.00
Rezoning \$250.00
Site Plan Review \$75.00
Private Roads \$250.00
Plats (per plat application/step) \$400.00
Site Condominiums \$400.00
PUD - Site Plan \$250.00

Clerks

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

Miscellaneous

Special Meeting Requests \$400.00
Meeting Room Use \$10.00 per day
Meeting Room Use (Annual/1 day per week) \$100.00
AYES: 7 NAYS: 0 MOTION CARRIED.

CENTRAL LAKE SUPERIOR WATERSHED PARTNERSHIP - REQUEST FOR SITES OF CONCERN IN CHOCOLAY RIVER WATERSHED.

Larry Gould, Chairman of the Chocoday River Watershed Partnership, made a presentation to the Township Board and addressed the sites or issues that the Planning Commission had identified. The Board did not have any additional sites or issues.

PAYMENT METHOD FOR MEMBERSHIP DUES.

Greenberg moved Trudeau second that with agreement of the agencies, the Township pay its 2004 membership or association dues on a quarterly basis for the following agencies: UPSET, CUPPAD and Chocoday River Watershed Partnership.

AYES: 7 NAYS: 0 MOTION CARRIED.

CAPITAL EXPENDITURE - POLICE DEPARTMENT - 2004 PATROL CAR.

Hill moved Tabor second to approve the purchase of a 2004 Ford Crown Victoria patrol car for the Police Department. Cost of the vehicle will not exceed \$21,000. Cost for transfer of equipment, graphics and pick-up costs for the new vehicle will not exceed \$1,600.00 for a total not to exceed \$22,600.00 This will be paid from the Capital Improvement Fund Police account – 401.305.957.

ROLL CALL:

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

CAPITAL EXPENDITURE POLICE DEPARTMENT - POLICE CHIEF'S CONFERENCE.

Greenberg moved Hill second to expend \$886.32 for the Police Chief's Conference in Grand Rapids February 11-13, 2004. \$278.64 would come from police training in the general fund 101.305.715 and the remainder \$607.68 would come from Capital Improvements Fund Police Training, 401.306.957.

ROLL CALL:

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

GENERAL FUND BUDGET AMENDMENT NO. 1 FY2004 - UPSET MONEY TRANSFERRED TO PART-TIME OFFICERS SALARY.

Greenberg moved Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 20, 2003 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
Township Board Membership & Publication 101.103.802	\$11,169.00	-\$2,250.00	\$8,919.00
Police Department Temporary & Part Time 101.305.705	\$18,600.00	+\$2,250.00	\$20,850.00

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

FIRE DEPARTMENT - OJIBWA HOUSING AUTHORITY FIRE PROTECTION PAYMENT – ALLOCATION.

Trudeau moved Britton second, that the 2002 Ojibwa Housing Authority Fire Protection Payment of \$7,771.00 be placed in a special revenue account in the General Fund titled "Payment for Fire Services" with said money to be utilized to offset 2004 Fire Department operational costs.

AYES: 7 NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Township Supervisors to City of Marquette - Re: Recreation Fees
- B. Information - Police Department - Quarterly and 2003 Year End Statistical Report
- C. Information - Marquette County - County Commission and Road Commission 2004 Meeting Schedules
- D. Information - MTA - Legislative Updates

There being no further business, Supervisor Seppanen adjourned the meeting at 8:48 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

FEBRUARY 16, 2004

A Regular meeting of the Chocolay Township Board was held on Monday, February 16, 2004 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: None.

Supervisor Seppanen added two agenda items under New Business. H. Van Neste-Kawbawgam Pocket Park and I. Community Center Renovation. The closed session has been removed.

MINUTES – JANUARY 19, 2004.

Greenberg moved Britton second that the minutes of the Regular Meeting held on January 19, 2004 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$25,638.41 checks numbered 11250 – 11298 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Sherbinow moved Tabor second that bills totaling \$26,528.60 checks numbered 11299 – 11314 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AMT OF C/D	290,000.00	190,000.00	200,000.00
DATE PURCHASED	02/10/04	02/10/04	02/10/04
MATURING ON	08/10/04	06/09/04	08/10/04
INTEREST RATE	1.40%	1.0 0%	1.49%
INSTITUTION	Bay Bank	Republic	FNB Negaunee

PUBLIC COMMENT.

Dick Arnold – Would like to reserve time to speak under New Business B. & G.

Mary Jane Lynch – Snowmobiles continue to go by all hours, her family does not get a full night sleep.

Chris Yuill – The snowmobiles are tormenting at all hours. She thanked the police for patrolling the snowmobile trail.

PROPOSALS - REALTOR SERVICES - SILVER CREEK SCHOOL AND OFFICE COMPLEX.

We sent out 15 direct mailings to Realtors and an ad was placed in the newspaper. We received 6 proposals. All of the proposals complied with the application requirements of the RFP.

Trustee Britton stated that he might have a conflict of interest because he is related to one of the partners in Select Realty. He has no financial ties with the company, so it is not a conflict.

Trudeau moved Sherbinow second, that the Chocolay Township Board selects the proposal from Select Realty as contained in their proposal for Realtor Services for the Silver Creek School and Office Complex and the Township Supervisor and staff are directed to work with the agency to finalize contract details for review and execution by the Board.

AYES: 7 NAYS: 0 MOTION CARRIED.

PROPOSALS - SURVEYING - SILVER CREEK SCHOOL PROPERTY.

We sent out 9 direct mailings to surveyors and placed an ad in the newspaper. We received 5 proposals and all of them comply with the application requirements of the RFP.

Britton moved Greenberg second, that the Chocolay Township Board selects the proposal from North Country Surveying as contained in their proposal for Surveying Services for the Silver Creek School property and the Township Supervisor is authorized to execute the contract.

ROLL CALL.

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

NAYS : None.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes- January 12, 2004
- 2) MAWTFAB Minutes - January 13, 2004

SUPERVISOR REPORT.

1. Chief Zybert gave an update on the snowmobile trail patrol. Number of contacts to date are 1664, hours patrolled 232.5, tickets issued 11 & complaints from citizens 69.
2. Health insurance forms are being filled out by employees to get a quote from American Community Insurance. Hopefully by next month I will be able to report how competitive the market is.
3. Good news for our budget – no addition revenue sharing cuts. Unfortunately the PILT payments may be in jeopardy.
4. Tina Fuller, Assessor and Peggy Paul, Deputy Treasurer and I visited Negaunee City to observe the Equalizer Tax Program being run by Linda Nichols, City Treasurer. Our summer taxes will still be done through the County using the Equalizer program. Assessing will be done in house and we are looking at taxes being done in house in the future.
5. Denny Magadanz, DPW Supervisor and I attended a Road Commission Advisory Meeting bringing Township concerns to them.
6. Township Supervisors met on recreation fees. We are working on bringing reciprocity and fairness to all municipalities in the County.

Trustee Trudeau – There is a short site distance on Cherry Creek Road and Co. Road 480 from a resident plowing snow too high. The Police Department will look into this.

Trustee Britton – Our Board should consider holding off on paving Silver Creek Road until the County is done logging the Honor Camp property or a new road is built going out the other way.

DISCUSS – CITY OF MARQUETTE’S RECREATION FEES – POTENTIAL RECREATION INTERGOVERNMENTAL AGREEMENT.

A draft Inter-governmental Recreational User Fee Agreement was discussed. Trustee Trudeau feels that the Lakeview Arena should be dealt with separately as a recreation facility. Treasurer Greenberg questioned the equity between the different township’s recreation facilities. Supervisor Seppanen offered some minor changes to the plan. Trustee Britton feels it is a good agreement. There is a meeting scheduled with Township Supervisors this Friday to work further on this agreement.

RENEWAL/AMENDED FRANCHISE AGREEMENT WITH CHARTER COMMUNICATIONS.

Dick Arnold, West Branch Road wanted to know who decides where cable can be extended? The Township will contact Charter to review Mr. Arnold’s road inrelation to the new agreements criteria.

Hill moved Trudeau second, that the Chocolay Township Board approves the renewed/amended franchise agreement dated January 14, 2004 with Charter Communications for cable service within the Township and the Supervisor and Clerk are authorized to execute the same.

AYES: 7

NAYS: 0

MOTION CARRIED.

2004 SCRAP METAL COLLECTION.

Denny Magadanz, DPW Supervisor told the Board that the Township has been alternating curbside vs. roll off for scrap metal collection. This is the year that the pick up should be curbside. The Board indicated that he should get prices on picking up the metal both ways.

2004 RECREATION PLAN UPDATE.

The 2004 Recreation Plan has been completed and the Planning Commission held a public hearing on it. This plan suggests actions that should happen over the next five years.

Tabor moved Greenberg second that the Chocolay Township Board approves the 2004 Recreation Plan, as recommended by the Planning Commission.

AYES: 7

NAYS: 0

MOTION CARRIED.

MNRTF GRANT APPLICATION.

Recreation Director Lee Snooks explained the objective of the water trail grant. The request includes signage and site development, kayak lockers and tent platforms.

Tabor moved Greenberg second that the Chocolay Township Board approve the request to submit a MNRTF grant application to the Department of Natural Resources to fund the development of a Water Trail Access/Camp Site at the Chocolay Township Marina.

AYES: 7 NAYS: 0 MOTION CARRIED.

RELEASE OF PERFORMANCE BOND – ELDER PROJECT.

Greenberg moved Britton second that the Juliet Street sanitary sewer extension has been satisfactorily completed and the performance bond of \$822.80 be returned to the Elder Agency.

AYES: 7 NAYS: 0 MOTION CARRIED.

UPDATED JUNK VEHICLE ORDINANCE – PLANNING COMMISSION MOTION.

Dick Arnold approached the Planning Commission about updating the junk vehicle ordinance. The Planning Commission agreed that the junk vehicle ordinance needs to be updated. Marquette County Township Association will be meeting on this issue. The Supervisor will work with staff and report back to the Board next month on a plan for updating the ordinance.

VAN NESTE - KAWBAWGAM POCKET PARK.

Surveyor Glen Van Neste approached the Board with a concept of a land purchase of Township property on M-28/Kawbawgam Road. He is working on a condominium site plan on property near the Kawbawgam pocket park and is interested in a land trade or purchase. The Board agreed that Supervisor Seppanen would work with staff and Mr. Van Neste on this project and report back to the Board.

COMMUNITY CENTER RENOVATIONS.

Trustee Trudeau reported to the Board that the largest expense for renovation at the Community Center would be for the Fire Department. They will need a minimum of 4 bays and access to U S 41 South. The balance of renovations will be for office space and will basically be a vault and ceiling and floor covering. We will not need to renovate the last 4 rooms on the west end.

PUBLIC COMMENT.

Dan DiLoreto – There is not enough being done to get real figures on the renovation costs for the old Silver Creek School.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Yelle to Board - Re: Zoning Report/Issues
- B. Memorandum - Riley to Board - Re: Drug Forfeiture Policy
- C. Information - Marquette County Road Commission - Re: Public Utility Vehicle Exemption from Seasonal Weight Restrictions
- D. Information - MTA - Legislative Updates

Trustee Trudeau feels that Randy Yelle is doing a good job with zoning in Chocolay Township. It is important to make sure that Waselesky's junk yard is run properly.

Trustee Britton – Also feels Mr. Yelle is doing a good job.

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

MARCH 15, 2004

A Regular meeting of the Chocolay Township Board was held on Monday, March 15, 2004 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: Ken Tabor.

MINUTES – FEBRUARY 16, 2004.

Greenberg moved Britton second that the minutes of the Regular Meeting held on February 16, 2004 be approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$29,537.31 checks numbered 11315 – 11346 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Sherbinow moved Trudeau second that bills totaling \$58,417.06 checks numbered 11347 – 11367 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

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

AMT OF C/D	165,000.00	100,000.00
DATE PURCHASED	03/12/04	03/12/04
MATURING ON	09/10/04	09/10/04
INTEREST RATE	1.25%	1.25%
INSTITUTION	NMB	Republic

PUBLIC COMMENT.

None.

SELECT REALTY LISTING CONTRACTS – SILVER CREEK SCHOOL AND U.S. 41 OFFICE COMPLEX.

Trudeau moved Britton second, that the Chocolay Township Board authorizes the Supervisor and Clerk to execute the proposed listing contracts from Select Realty with a listing price of \$1,000,000.00 for the U.S. 41 Township Offices property and \$500,000.00 for the Silver Creek School property.

AYES: 4 NAYS: 2 MOTION CARRIED.

MNRTF GRANT APPLICATION – MARINA/WATER TRAIL – PUBLIC COMMENT.

Jan Amundsen – Had a question on kayak lockers.

SCRAP METAL BIDS.

We received three scrap metal bids using roll off containers on Township grounds and one bid for curbside pick-up. This is the year that we would normally do the curbside metal pickup.

Greenberg moved Sherbinow second that Chocolay Township accept the bid for curbside scrap metal pickup from N & N Trucking Inc. for \$4,000.00.

AYES: 6 NAYS: 0 MOTION CARRIED.

JUNK VEHICLE ORDINANCE.

Supervisor Seppanen spoke with Dr. Kulishick from Northern Michigan University about the possibility of using an intern to work on the junk vehicle ordinance. Dr. Kulishick is interested in the project and wants the Township to let him know the particulars so he can evaluate whether an intern or class project would be the best route to take. He feels that he could probably schedule this project to happen this fall. We are still looking into what the County of Marquette is going to do with their junk vehicle ordinance. An update will be given at our April meeting.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes- February 9, 2004
- 2) Zoning Board of Appeals - February 26, 2004
- 3) Senior Citizens Committee - February 4, 2004
- 4) NMPSA - February 4, 2004
- 5) MAWTFAB – February 10, 2004

SUPERVISOR REPORT.

1. Chief Zybert gave an update on the snowmobile trail. We have 15-20 hours of snowmobile trail patrol time left.
2. Roger Ogea is still off on short term disability. We will not know anymore on his status until the end of this month.
3. We are awaiting a quote from American Community Insurance Company for employee medical coverage.
4. We have not heard anything official from the County on the cost for processing the tax roll. We will be purchasing a new tax computer for the Treasurer Department in May.
5. The Marquette Army Reserve Unit will be returning to Marquette in mid April. The Township will assist their celebration by offering police for traffic control and not charging for the banner.
6. We will have an open house on April 28th at the Township hall for feedback on the snowmobile trail. The DNR will also have representatives at the meeting.
7. The Green Garden Bridge will be under construction this summer. Construction will start in May and be completed in September.

PRESENTATION - SUPERVISOR - RECREATION ISSUES.

Supervisor Seppanen made a presentation to the Board on Recreation issues involving the City of Marquette and surrounding townships. Using numbers derived from team rosters he showed that the number of City residents using Chocolay facilities and Chocolay residents using City facilities are almost the same. All units of government are in the same position as far as losing revenues and we should work together to manage recreational resources.

DISCUSS - ROAD COMMISSION TASK FORCE REPORT.

Trustee Trudeau was appointed as one of seven members on a task force to review the Marquette County Road Commission. Trudeau explained how the committee gathered their information by meeting with Road Commissioners, interviewing management, Board members and employees. The task force broke down into two committees, one for finances and the other for operations. The two main areas of concerns are that they should have an accountant on staff to get a handle on finances and that road maintenance should be their first priority.

The Township Board offered four suggestions to the Road Commission:

- The three appointed Board members should each have expertise in one of three categories, engineering, human resources and accounting.
- That the 50/50 match on road construction continue.
- That the private sector be brought in for road construction.
- An accountant should be on staff.

SILVER CREEK ROAD CONSTRUCTION.

We have not heard any new information on this issue; it will be placed on the April agenda.

CONSIDER - MINOR AMENDMENT TO CHOCOLAY WOODS SITE CONDOMINIUM PROJECT.

Hill moved Britton second that as recommended by the Planning Commission, the Township Board approves the minor amendments to the Chocolay Woods Site Condominium Project titled "First Amendment".

AYES: 6

NAYS: 0

MOTION CARRIED.

CONSIDER - FIRE DEPARTMENT - FEMA GRANT APPLICATION

Britton moved Hill second that the Director of Recreation and Grants Administration submit an Assistance to Firefighters Grant application to FEMA. The Township agrees to provide the required match, not to exceed \$8,000.00.

AYES: 6

NAYS: 0

MOTION CARRIED.

CONSIDER - FIXED ASSET POLICY.

Greenberg moved Hill second that Whereas the National Council on Government Accounting (NCGA), the authorized body on generally accepted accounting principles for local government, defines capital/fixed assets as “Assets of a long term character which are intended to continue to be held or used, such as land, building, machinery, furniture and other equipment” and;

Whereas the State of Michigan Budget and Accounting Act, Act 2, 1968, as amended, defines a capital outlay expenditure as “a disbursement of money which results in the acquisition of, or addition to, fixed assets” and;

Whereas the Township of Chocolay defines a capital/fixed asset as a tangible asset with an estimated useful life of five years or greater, then by adoption the Township of Chocolay shall define capital/fixed assets owned by the Township in the following manner:

Tangible assets of a long term character, which are intended to continue to be held or used, such as land, buildings, machinery, furniture and other equipment, titled to the Township having an estimated useful life of five years or greater AND having a cost of \$5,000.00 or more.

AYES: 6 NAYS: 0 MOTION CARRIED.

CONSIDER - CAPITAL EXPENDITURE - FIRE DEPARTMENT - STORAGE COMPARTMENT.
Trudeau moved Britton second that Chocolay Township authorizes the Fire Department to pay Pomasl Fire Equipment \$1,000.00 from the Capital Improvements Fund, 401.340.957 for the construction of a storage compartment on the Freightliner apparatus.

ROLL CALL.

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

NAYS: None.

ABSENT Tabor.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT NO.2 FY2004- TAX COMPUTER.

Greenberg moved Sherbinow second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 20, 2003 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
Treasurer	\$0	+\$3,500.00	\$3,500.00
Capital Outlay			
101.253.957			

Miscellaneous Revenue			
101.698	\$42,000.00	+\$3,500.00	\$45,500.00

AYES: 6 NAYS: 0

MOTION CARRIED.

CONSIDER - BUDGET AMENDMENT - BEAVER GROVE REC. AREA - GRANT REIMBURSEMENT

Sherbinow moved Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 20, 2003 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
Recreation	\$5,160.54	+\$8,453.44	\$13,613.98
Capital Outlay			
401.708.957			

Miscellaneous Revenue			
401.698	\$0	+\$8,453.44	\$8,453.44

AYES: 6 NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Jan Amundsen – Question on the Realtor selected by the Township Board to market the Township buildings

There being no further business, Supervisor Seppanen adjourned the meeting at 9:05 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - CUPPAD Re: Onota Township Notice of Intent to Plan
- B. Information - Peter White Public Library - Re: Open House
- C. Information - MTA - Legislative Updates

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

APRIL 19, 2004

A Regular meeting of the Chocolay Township Board was held on Monday, April 19, 2004 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, Ken Tabor, John Trudeau, Lois Sherbinow.

ABSENT: Don Britton.

MINUTES –MARCH 15, 2004.

Greenberg moved Tabor second, that the minutes of the Regular Meeting held on March 15, 2004 be approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second, that bills totaling \$12,594.10 checks numbered 11368 – 11402 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Sherbinow moved Tabor second, that bills totaling \$53,561.23 checks numbered 11403 – 11433 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

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

AMT OF C/D	260,000.00	100,000.00
DATE PURCHASED	04/14/04	04/14/04
MATURING ON	10/13/04	10/13/04
INTEREST RATE	1.75%	1.25%
INSTITUTION	Peoples	NMB

PRESENTATION – RESOLUTION OF APPRECIATION – 652 ENGINEERING COMPANY.

The following resolution was presented to the 652nd Engineering Company:

Seppanen moved Hill second, that on April 19, 2004 - Introduced by the Chocolay Township Board

Relating to: commending the men and women of the Army Reserve 652nd Engineering Company for serving their country in the Middle East.

Whereas, soldiers of the 652nd Engineering Company were called to active duty and demonstrated strong love of country and commitment to the values of our nation by serving in the Middle East; and

Whereas, military service requires great personal sacrifice for modest pay and long periods of separation from family, friends, and community; and

Whereas, family and friends said good-bye to loved ones of the 652nd Engineering Company with the fear and uncertainty of what lies ahead knowing that all might not return; now, therefore, be it

Resolved, That the Board of Chocolay Township, expresses its utmost appreciation to the men and women of the 652nd Engineering Company for their courage, dedication and service; and, be it further

Resolved, That Township Board members commend the families and friends of the soldiers of the 652nd Engineering Company who served in the Middle East; and express their heartfelt sorrow for those brave soldiers who did not return; and, be it further

Resolved, That the Supervisor of Chocolay Township will transmit a copy of this resolution to the men and women of the 652nd Engineering Company Detachment.

MOTION CARRIED.

PUBLIC COMMENT.

Ava Bennett – Thanked the Township Board for their stand on O.R.V.'s using the snowmobile trail during the off season.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes- March 8 and March 30, 2004
- 2) MAWTFAB - March 9, 2004

SUPERVISOR REPORT.

1. Recreation Fees – Township Supervisors continue to meet on recreation fees and with the goal of cooperation between units and shared resources.
2. Road Issues – Little Lake Road will be used as a detour this summer while work is being done on Big Creek Bridge. Main Street will be resurfaced this summer. Silver Creek Road will not be done until next summer because of the logging operation that will be on going at the Honor Camp in 2004.
3. Employee Medical Coverage – We have the numbers from American Community and will compare them with Blue Cross when we get their final figures. At this point it does not look like we will see a savings. There may be some changes in the next few weeks that may impact our rates.
4. We are looking at ways to bring our office computers up to an efficiency level that will be compatible with the software we have to run and the network need we have. We have explored leasing and are in discussions with Lasco about a method of networking called Thin Client.
5. Trails Open House – The open house will be Wednesday April 28th from 4:00 p.m. until 7:00 p.m. in the meeting room at the Township Office.
6. Personnel Issues – We will be interviewing for the Police Department Administrative Assistant this week and for the Planning Director next week. We have excellent candidates for both positions.
7. Junk Vehicles – We are still waiting to hear from Northern Michigan University.
8. Dr. English – At the expense of Dr. English, we have hired Ed Dempsey from Appraisal Associates to give a value to the Township pocket park property. We will share the information with Dr. English when we receive it.
9. Wastewater Treatment Plant – The proposed budget is available in the D.P.W. office.

UPDATE TO COMPREHENSIVE PLAN – PLANNING COMMISSION RECOMMENDATION OF CONSULTANT.

The Planning Commission unanimously voted to select Planning and Zoning Center.

Tabor moved Sherbinow second, that the Township Supervisor and Clerk be authorized to execute the contract with Planning and Zoning Center, Inc. to complete the update to the Township Comprehensive Plan as recommended by the Planning Commission.

AYES: 6 NAYS: 0 MOTION CARRIED.

FEE FOR COMMERCIAL USE OF RECREATION AREAS.

Greenberg moved Trudeau second, that the Chocolay Township Board amend the Township Fee schedule to include a \$20.00 daily fee to commercial groups using Township recreational facilities.

AYES: 6 NAYS: 0 MOTION CARRIED.

SURVEYING WORK FOR SNOWMOBILE BUSINESS ROUTE.

Trudeau moved Tabor second, that the Township Board authorize the Township Supervisor to proceed with obtaining the services of a surveying company to assist with needed plan development and easement creation in establishing an approved business route for snowmobiles to safely access the Chocolay business district with a not to exceed cost of \$2,000.00

AYES: 6 NAYS: 0 MOTION CARRIED.

PLANNING COMMISSION RE-APPOINTMENTS.

Seppanen moved Hill second, to re-appoint Mike LaPointe to the Planning Commission.

AYES: 6 NAYS: 0 MOTION CARRIED.

Seppanen moved Tabor second, to re-appoint Kendall Tabor to the Planning Commission.

AYES: 6 NAYS: 0 MOTION CARRIED.

ZBA RE-APPOINTMENTS AND APPOINTMENT OF AN ALTERNATE.

Greenberg moved Sherbinow second, to appoint Mr. Robert Pecotte, Mr. Carl Hicks and Ms. Michelle Wietek to the Zoning Board of Appeals for three terms ending May 9, 2007.

AYES: 6 NAYS: 0 MOTION CARRIED.

Greenberg moved Hill second, to appoint Mr. Albert K. Denton as an alternate of the Chocolay Township Zoning Board of Appeals. This appointment is a three- (3) year term, up for reappointment May 9, 2007, as per MCL 125.288(1) and Section 700 of the Chocolay Township Zoning Ordinance.

AYES: 6 NAYS: 0

MOTION CARRIED.

MCTA SPRING BANQUET.

Hill moved Sherbinow second, that the Township pay the dinner cost of \$21.00 for all employees, Township Board, Planning Commission and ZBA members to attend the 2004 MCTA Banquet on Friday, April 23, 2004.

AYES: 5 NAYS: 1

MOTION CARRIED.

FIRE DEPARTMENT - STAFF SIZE - 28 TO 29 MEMBERS.

Sherbinow moved Trudeau second, that the Chocolay Township Board authorize the Fire Department to increase its' staffing from 28 to 29 members.

AYES: 6 NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT - RE-APPOINTMENT OF GARY JOHNSON AS FIRE CHIEF.

Hill moved Greenberg second, that the Township Board re-appoint Gary Johnson to another two-year term as fire Chief as recommended by the Township Supervisor and Fire Department.

AYES: 6 NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki- Planning and Zoning Center is a very competent firm to complete the comprehensive plan. Zoning should be enforced in regard to Tom Waselsky to comply with the court order for his junkyard.

Clerk Hill – The MCTA banquet reservations need to be made by tomorrow morning.

Ivan Fairfield – Had questions on the marina/water trail kayaking grant.

Dan DiLoreto – Spoke with snowmobilers that came to Marquette County this past winter specifically because of the trail opening through Chocolay Township.

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

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Riley to Seppanen and Board Re: Resignation - Accepted position in Colorado
- B. Correspondence - Seppanen to County Board - Re: Road Commission Task Force Report
- C. Correspondence - Seppanen to Habitat to Humanity - Re: Housing program
- D. Correspondence - County Solid Waste Management Authority - Re: May Bond Payment
- E. Information - Police Department - Re: Snowmobile Patrol & Complaints
- F. Information - Police Department - Re: 1st Quarter Statistical Report
- G. Information - Road Commission - Re: 2004 Meeting Dates and Public Hearing Notice
- H. Information - MTA - Legislative Updates

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

SPECIAL MEETING
MAY 6, 2004

A Special Meeting of the Chocolay Township Board was held on Thursday, May 6, 2004 at the township hall, 5010 U S 41 South, Marquette, Michigan. Supervisor Seppanen called the meeting to order at 7:00 p.m. He noted that the purpose of this meeting was to consider appointment of a Director of Planning and Research.

TOWNSHIP BOARD.

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

ABSENT: John Greenberg, Lois Sherbinow.

PUBLIC COMMENT.

Mark Maki – Comments on the method of selecting a Director of Planning and Research and zoning issues.

DIRECTOR OF PLANNING AND RESEARCH.

Britton moved, Trudeau second to concur with the Chocolay Township Supervisor for the hiring of Dennis Stachewicz to fill the position of Chocolay Township Director of Planning and Research.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki – Freedom of Information to township records.

There being no other business the Supervisor adjourned the meeting at 7:15 p.m.

Arlene E. Hill, CMC
Township Clerk

MAY 17, 2004

A Regular meeting of the Chocolay Township Board was held on Monday, May 17, 2004 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

An addition has been made to the agenda – NEW BUSINESS F. Green Garden Bridge Deed.

TOWNSHIP BOARD.

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

ABSENT: None.

MINUTES –APRIL 19, 2004 AND MAY 6, 2004.

Tabor moved Trudeau second, that the minutes of the Regular Meeting held on April 19, 2004 and the Special Meeting held on May 6, 2004 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second, that bills totaling \$15,829.03 checks numbered 11434– 11472 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved Britton second, that bills totaling \$27,033.29 checks numbered 11473 – 11486 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

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

Treasurer Greenberg had a question on why the March bills were so high for the Community Center.

AMT OF C/D	120,000.00	100,000.00	120,000.00
DATE PURCHASED	05/11/04	05/11/04	05/11/04
MATURING ON	11/10/04	11/10/04	11/10/04
INTEREST RATE	1.55%	1.54%	1.45%
INSTITUTION	Bay	N. Country	Republic

PUBLIC COMMENT.

Treasurer Greenberg – Complaint on local restaurant. Police Chief Zybert will report back.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

1. Minutes - Planning Commission - April 12, 2004
2. Minutes - Zoning Board of Appeals - April 22, 2004
3. Fire Department Reports - January, February, March
4. CLSWP Committee Meeting - May 6, 2004
5. MAWTFAB - April 13, 2004

SUPERVISOR REPORT.

1. Recreation Fee - Marquette Township cancelled the meeting with the townships and the city and is in the process of re-scheduling.
2. The County Road Commission will be starting a small ditching project this week on Edgewood in the Briarwood subdivision. There was a health and safety concern with a heavy spring run off flooding a septic and drain field.
3. Audit - Anderson Tackman will be at our June meeting to give the presentation on our 2003 audit. The delay this year in giving the audit was due to the GASB34 changes.
4. Server and Computer System for the township offices - We have maxed out the system and are on the verge of a server crash due to limited memory space. Lasco will do a quick fix while we move forward on addressing the upgrade to the whole system.
5. Trail Open House - It went well with over 60 people in attendance. The DNR is compiling the results of the survey. There was one issue that became very clear, as individuals on all sides of the trail agreed on it - there needs to be a speed limit through the residential area. I wrote a letter on behalf of the township to the DNR with the intent that they will address the speed limit on the trail before the next season starts.
6. Dr. English Development - We have not received the results of the appraisal as of yet.

7. Update on the school/office sale - The signs are now up. We have several interested parties in the school but so far no expressed interest in the township hall.
8. Junk Car Ordinance - I have talked to Dr. Nelson from the NMU Political Science Department and they have a student who they would recommend to us for this project as a summer assignment.
9. Personnel Policy - There is a need to update several areas of the Personnel Policy. One area that is out of date is the disability coverage. I would propose that we authorize up to \$1000 from legal fees to hire a consultant to address our Personnel Policy. Proposed changes would then be given to our township lawyer and the Personnel Committee for review and comment before it come back to the township board for your final approval. The Board concurred with this.
10. Snowmobile Business route - We are still in the process of identifying a possible route. We have a scheduled meeting with a major property owner on the use of his land for later this week. We need to get the permission needed to schedule the surveyors to start their work so that we can show the DOT that such a trail will meet their criteria. The point of this project will be to increase the safety of our residents and snowmobilers on the trail as the usage of it increases.
11. KBIC 2% Projects – We still have not heard on the status but a tribe member has told me that it usually is announced around the beginning of June.

PRESENTATION –JAMES IWANIKI, ROAD COMMISSION ENGINEER/MANAGER.

James Iwaniki presented information in response to a letter that Chocolay Township sent to the Marquette County Road Commission.

- Marquette County has provided the road commission help with accounting needs.
- The Marquette County Commission will appoint a new member to the Marquette Road Commission. After the appointment, the commission will reorganize and work as a full board again.
- Chocolay Township’s portion of the state road funds in the last fiscal year was \$213,000.00. The 50/50 split on road contracts is the county providing 50% of the road cost in labor, material and equipment. The philosophy of the road commission is that they want full time workers. They need 20 full time employees in the winter. They use these people in the summer to do road construction; without the road construction existing personnel would be laid off in the summer. The road commission wants to do more capping, chip seal process. The winter maintenance was not done as well this winter as in the past. The State contract pays the hourly for the person doing the work and a scheduled rate for the equipment; they do not pay for benefits.
- The road commission can not do both the 50/50 match on roads and contract the road construction out. Main Street is not on this year’s schedule; it will be scheduled with Silver Creek Road for 2005.

GENERAL FUND BUDGET AMENDMENT NO. 3 FY2004 SURVEY – SILVER CREEK SCHOOL.

Greenberg moved Britton second, that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 20, 2003 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
Other General Government	\$33,751.00	-\$1,350.00	\$32,401.00
Contingency			
101.285.951			
Community Center			
Miscellaneous			
101.722.956	\$1,000.00	+\$1,350.00	\$2,350.00

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

FIRE DEPARTMENT – REQUEST FOR TRAINING FUNDS.

Trudeau moved Tabor second, that the Chocolay Township Board approve expenditures that will not exceed \$1,200.00 to partially fund room and board for approximately twelve Chocolay Township fire department members.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

CONSIDER COPIER LEASE/PURCHASE AGREEMENT.

Hill moved Sherbinow second that the bid of the U.P. Office Equipment Systems for a Sharp digital copier AR350/450 (with finisher) in the amount of \$6,372.00 be accepted and payment made through lease payments of \$207.09 with a one dollar buy out at the completion of the thirty-six month lease.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

CONSIDER MOTION OPPOSING THE CLOSURE OF ISHPEMING SECREARY OF STATE OFFICE.

Hill moved Sherbinow second that the Chocolay Township Board authorize the Township Supervisor to send a letter to Secretary of State Land requesting that they don't close the SOS branch in Ishpeming.

AYES: 6 NAYS: 1

MOTION CARRIED.

GREEN GARDEN BRIDGE QUITCLAIM DEED.

Trudeau moved Britton second that the Charter Township of Chocolay approves the quitclaim deed to the Board of County Road Commissioners for the County of Marquette.

AYES: 7 NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Seppanen to DNR - Snowmobile Speed Limits
- B. Correspondence - Seppanen to Mayor Irby - Marquette Sister City
- C. Information - Green Garden Road Bridge Construction
- D. Information - Marquette Country Recreational Trails Motion
- E. Information - Assessing Office Progress Report
- F. Information - CUPPAD - Review of Township Grant Request
- G. Information - Marquette Commissioners - Closure of SOS
- H. Information - Marquette County Clerk Association - Closure of SOS
- I. Information - MTA - Legislative Updates

There being no further business, Supervisor Seppanen adjourned the meeting at 8:25 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JUNE 21, 2004

A Regular meeting of the Chocolay Township Board was held on Monday, June 21, 2004 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: None.

MINUTES –MAY 17, 2004.

Sherbinow moved Tabor second, that the minutes of the Regular Meeting held on May 17, 2004 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second, that bills totaling \$23,745.80 checks numbered 11487– 11527 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved Britton second, that bills totaling \$38,576.67 checks numbered 11528 – 11554 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

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

PRESENTATION – PROCLAMATION SUPPORTING BAY CLIFF HEALTH CAMP AND A PROPOSED FEDERAL APPROPRIATION FROM HEALTH, LABOR, AND SOCIAL SERVICES.

Dr. Randall Johnson, Marquette County Health Department presented a resolution to the Board on Bay Cliff Health Camp. The camp has served over 11,000 children since it’s inception 70 years ago.

Hill moved Trudeau second that

WHEREAS, Bay Cliff Health Camp was established in 1934 as a voluntary non-profit organization under the leadership of officials of the Michigan Public Health Department to serve the underprivileged and undernourished children from the fifteen counties of Michigan’s Upper Peninsula; and

WHEREAS, Bay Cliff Health Camp was established in Big Bay, Michigan, in northern Marquette County, utilizing a secluded farm as a site and through special funding from the Michigan Crippled Children’s Fund initiated by Senator James Couzens, was secure in adding facilities to serve and treat children with polio beginning in the early 1940s; and

WHEREAS, Bay Cliff Health Camp, as a non-profit 501 (c) (3) organization and led by a volunteer board of directors, raises contributions to fund, at no cost to the families, the attendance of all Upper Peninsula children who attend the seven-week summer therapy camp program; and

WHEREAS, during its 70 years, Bay Cliff Health Camp has served over 11,000 children and continues to serve children from across the entire Upper Peninsula who have physical disabilities such as cerebral palsy; traumatic brain injury; spinal cord injury; degenerative neurological diseases; and various speech, hearing, and vision disabilities; and has helped these children to lead successful, productive lives; and

WHEREAS, the Bay Cliff Health Camp board of directors has set a bold vision to renovate its 70-year-old facilities in order to make them accessible by the standards of the Americans with Disabilities Act and to upgrade the facilities to make them inhabitable year round, thereby enabling the camp to offer health and therapy programs year round for more children and adults with various disabilities; and

WHEREAS, this body recognizes the significant benefit that Bay Cliff Health Camp has provided to the health of many members of this community over the years, and offers support for the proposed appropriation in the United States Health, Labor and Social Services fiscal year 2005 budget that would assist Bay Cliff Health Camp with the renovation of its facilities; now

THEREFORE, BE IT RESOLVED that the Charter Township of Chocolay proclaims that a special day of recognition be established as Bay Cliff Health Camp Day on Saturday, July 17, 2004.

AYES: 7 NAYS: 0 MOTION CARRIED.

ANDERSON, TACKMAN & COMPANY, 2003 FISCAL YEAR AUDIT.

Mike Grentz, Anderson, Tackman & Co. presented the FY2003 audit to the Board. He explained the different look to the audit this year due to changes from GASB34 accounting regulations. Chocoley Township received an unqualified opinion on the audit, which is the highest rating given.

Greenberg moved Sherbinow second that the FY2003 audit as presented by Anderson Tackman be accepted.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki –Comments on the Candee Lane private road request lot splits and filed a complaint against the Chocoley Township Zoning Administrator.

Mike Summers, Township Attorney spoke to the Waselesky zoning issue. It is not up to the court to carry out an injunction; it is up to the plaintiff (Chocoley Township) to do that. Supervisor Seppanen will set up a meeting involving Attorney Summers, Supervisor Seppanen, Mark Maki and Township staff. Our attorney stated that he would not charge hours to the Township for this meeting.

Trustee's Trudeau and Britton and Clerk Hill feel that our current zoning administrator, Randy Yelle should be at this meeting.

Treasurer Greenberg – Asked if the Township had a legal obligation to enforce the court injunction in the Waselesky case.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes- May 18, 2004
- 2) MAWTFAB- May 11, 2004
- 3) Chocoley River Watershed Council- December 10, 2003
- 4) Chocoley Area Business Association - May 19, 2004

SUPERVISOR REPORT.

1. Recreation Authority - The Lake Superior Partnership will take a leadership role in developing a regional authority. The three cities, townships, schools, NMU, and others will have representatives on the authority.
2. Fourth of July Fireworks – The township has \$1000 in the budget to help with the 4th of July fireworks celebration. The Board concurred their continued support for the program.
3. Personnel Policy – I have been working with Ruth Solinski in reviewing and updating several areas of the Personnel Policy. Proposed changes will be given to our Township lawyer and the Personnel Committee for review and comment before it comes back to the Township Board for your final approval. This review should be completed by our August meeting.
4. Budget – Just a reminder that our budget process will start at the end of August, with the Budget Workshop scheduled for November 8th, and the Public Hearing and Adoption on December 13th.
5. KBIC 2% Projects – We will be working on the request for 2% from the KBIC for the second cycle of the year. Our focus will again be to look at services and expenses that are of benefit to both of our communities.
6. Dr. English Development – We received the appraisal from Ed Dempsey for the property that Doctor English would like to incorporate into his development. The appraised value was \$31,700.
7. Junk Car Ordinance – We have Kristin Thorrington, a student from the NMU Political Science Department working on the Junk Car Ordinance. We should see a working rough draft by September.
8. Update on the school/office sale - We have several interested parties in the school but so far no one has expressed interest in the township hall.
9. Snowmobile Business route - We have identified a possible route. We had discussions with the property owners who expressed strong support. We will be scheduling a meeting with the DOT and the DNR to discuss our findings and to see what support we can get from the state to help us go forward with this effort. The point of this project will be to increase the safety of our residents and snowmobilers on the trail as the usage of it increases.
10. A Department of Public Works employee, who has been out on sick leave will be back to work on June 28, 2004.

PRIVATE ROAD REQUEST #04-01(PRIVATE ROAD #18) - ERIC KEOUGH - EAST END OF CANDEE LANE.

Dennis Stachewicz, Director of Planning and Research explained the 10 recommended standards from the Planning Commission. The private road request approval from the Planning Commission is a separate issue from the lot splits. The Township Assessor approves the lot splits.

Trustee Trudeau asked Attorney Summers if the Township unintentionally created too many splits, would they be legally liable? Attorney Summers' reply was that if we created the extra lots, we would have to be careful not to hinder the development of them.

Tabor moved Britton second that the Chocolay Township Board concur with the Planning Commission recommendation to approve Private Road request #04-01 (Private Road #18) from Eric Keough under Section 402 of Zoning Ordinance #34 with the following conditions:

1. The base of the cul-de-sac area is to be filled to meet the elevation of the road profile where it connects with Jennifer Lane.
2. The applicant shall provide access to township vehicles as well as other public/private utility companies to provide services.
3. A covenant be established on the deeds for any parcels created off from this private road identifying the private road status and which reference the Declaration of Private Road Easement which must be fully executed.
4. The road shall be named "Pine Cone Trail."
5. The applicant pay for and install a road sign identifying the private road as "Pine Cone Trail" at the intersection with Jennifer Lane and the applicant is to pay for and install a stop sign at the same intersection.
6. The applicant comply with the conditions and requirements of all other agency regulations.
7. The applicant is required to provide certification from a surveyor/engineer that the private road standards imposed by the Planning Commission indicating a twenty-four foot road width, two foot shoulders, and adjustments to the cul-de-sac entrance radii that will allow for construction of a cul-de-sac in accordance with the Marquette County Road Commission standard detail, have been achieved at the conclusion of construction.
8. A zoning compliance permit shall be issued after all of the above conditions are met.
9. The applicant is strongly encouraged to obtain Marquette County Health Department review of well and septic considerations for the proposed lots prior to road construction.
10. Land Division Approval is required from the Assessor for the creation of individual parcels off from the road and may require the modification of the lots as shown.

AYES: 7 NAYS: 0 MOTION CARRIED.

TOWNSHIP PROPERTY DONATION TO MARQUETTE COUNTY HABITAT FOR HUMANITY.

Trudeau moved Britton second that the Township Board authorizes the Township Supervisor to continue working with representatives of Marquette County Habitat for Humanity regarding the conveyance of parcel #52-02-116-019-00 to the Marquette County Habitat for Humanity and present the results to the Township Board at the July 19, 2004 meeting.

AYES: 7 NAYS: 0 MOTION CARRIED.

TOWNSHIP COMPUTER SYSTEM UPGRADE.

Dan Fezett, Lasco Inc. discussed the proposal for a computer system upgrade and the long term working relationship Chocolay Township has had with Lasco.

Sherbinow moved Hill second that the Township Supervisor be authorized to execute a contract with Lasco for the purchase and installation of a new computer system not to exceed the cost of \$27,494.00 to be paid from the following:

1. Capital Improvement Fund, 401.215.957 Clerk - \$14,744.00
2. Capital Improvement Fund, 401.340.597 Fire - \$5000.00
3. General Fund, 101.253.957 Treasurer - \$3,500.00
4. General Fund, 101.305.705 Police - \$2,250.00
5. General Fund, 101.175.860 Supervisor - \$1000.00
6. General Fund, 101.805.811 Planning Commission - \$1000.00

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT#4, KBIC 2% MONEY DISBURSAL.

Trudeau moved Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in October 2003 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed

expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
General Fund	\$45,500.00	+\$15,165.92	\$60,665.92
Miscellaneous 101.698			
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Recreation	\$5,900.00	+\$7,200.00	\$13,100.00
Temporary & Part Time 101.708.705			
Recreation	\$750.00	+\$5000.00	\$5,750.00
Miscellaneous 101.708.956			
Police	\$2,550.00	+\$1,125.00	\$3,675.00
Capital Outlay 101.305.957			
Fire	\$7,800.00	+\$1840.92	\$9,640.92
Uniforms & Accessories 101.340.745			
AYES: 7 NAYS: 0		MOTION CARRIED.	

CAPITAL EXPENDITURES COMPREHENSIVE PLAN CONTRACT PAYMENTS.

Tabor moved Sherbinow second that the Township Board authorize the monthly disbursement of funds, not to exceed the contract amount of \$39,430.00, to Planning and Zoning Center, Inc. to be paid from the following:

1. Capital Improvement Fund, 401.729.957 Economic Development - \$5,620.92
2. Capital Improvement Fund, 401.805.957 Zoning and Planning Commission - \$11,000.00
3. Capital Improvement Fund, 401.526.957 Sanitary Landfill - \$22,809.08

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

CAPITAL EXPENDITURES SHARP DIGITAL COPIER

Hill moved Greenberg second that an amount not to exceed \$1,470.00 be approved to make the lease payments on the Sharp digital copier out of 401.215.957 Clerk Department, Capital Improvements Fund.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

CAPITAL EXPENDITURES FRONT LOADER FOR KUBOTA TRACTOR

Britton moved Sherbinow second that the Department of Public Works expend \$4,450.00 from Parks and Properties Capital Improvements 401.756.957 for the purpose of installing a front loader on the Kubota tractor.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

CAPITAL EXPENDITURES MARQUETTE COUNTY ROAD COMMISSION CONTRACTS

Trudeau moved Britton second that the Township Supervisor and Clerk are authorized to sign contracts for reconstruction of Silver Creek Road and West Main Street with funds from Street Capital Improvements Fund 401.440.957.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

APPOINTMENT TO THE SOLID WASTE AND WASTEWATER BOARDS.

Hill moved Sherbinow second that Dennis Stachewicz be appointed as an alternate on the East Marquette Solid Waste Management Authority and Marquette Area Wastewater Treatment Advisory Board.

AYES: 7 NAYS: 0

MOTION CARRIED.

APPOINTMENT TO THE US 41 CORRIDOR ACCESS MANAGEMENT TEAM.

Britton moved Sherbinow second that Dennis Stachewicz is appointed as the official township representative to the U S 41 Corridor Access Management Team and that Dennis Magadanz is appointed as an alternate.

AYES: 7 NAYS: 0 MOTION CARRIED.

REALLOCATION OF FIRE DEPARTMENT GRANT FUNDS AND 2005 REQUEST FOR FUNDING.

Sherbinow moved Hill second that the fire department is authorized to purchase communications equipment with the 2004 DNR grant funding.

ROLL CALL.

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

NAYS: None. MOTION CARRIED.

Britton moved Greenberg second that the fire department is given permission to seek the 2005 DNR grant for the purchase of wild land PPE in an amount not to exceed \$2,070.00 and the Township match is not to exceed \$1,035.00

AYES: 7 NAYS: 0 MOTION CARRIED.

ADOPTION OF AMENDED FIRE DEPARTMENT CONSTITUTION & BYLAWS AND STANDARD OPERATING PROCEDURES.

Hill moved Sherbinow second that the Fire Department Constitution and by-laws and Standard Operation Procedures be adopted with the changes recommended by the officers of the Chocolay Township Volunteer Fire Department.

AYES: 7 NAYS: 0 MOTION CARRIED.

FEMA GRANT APPLICATION

Tabor moved Greenberg second that the Director of Recreation and Grants Administration submit an application for funding to the Local Law Enforcement Block Grant Program. Chocolay Township agrees to provide the required match, not to exceed \$1,000.00.

AYES: 7 NAYS: 0 MOTION CARRIED.

UPDATE ON COMPREHENSIVE PLAN.

Dennis Stachewicz, Director of Planning and Research outlined what has occurred to date on the comprehensive plan and upcoming dates over the next few months.

PUBLIC COMMENT.

Trustee Britton – Addressed the draft report from the Marquette Senior Center Board.

Jim Goodman – Felt that the Board should have used a bidding process to upgrade the server & computer system.

Clerk Hill – Contacted Michigan Township Association on our most recent hiring for a Planner and the process we followed was correct.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Stachewicz to Board: Comprehensive Plan Update
- B. Correspondence - Fuller to Board: Assessing Department Progress
- C. Information - Marquette County Solid Waste Management Authority 2004 Bond Payments
- D. Information - 2004 METRO Act Payment
- E. Information - MTA Dues
- F. Information - MTA - Legislative Updates
- G. Information - Marquette Senior Center Transition Board Draft Report

There being no further business, Supervisor Seppanen adjourned the meeting at 9:05 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JULY 19, 2004

A Regular meeting of the Chocolay Township Board was held on Monday, July 19, 2004 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: None.

MINUTES –JUNE 21, 2004.

Sherbinow moved Tabor second that the minutes of the Regular Meeting held on June 21, 2004 are approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

ACCOUNTS PAYABLE.

Hill moved Trudeau second, that bills totaling \$19,787.03 checks numbered 11555– 11583 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved Britton second that bills totaling \$29,913.20 checks numbered 11584 – 11612 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

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

RESOLUTION –MARQUETTE AREA SENIOR CENTER TRANSITION BOARD.

Britton moved Greenberg second that the following resolution is adopted

WHEREAS, In accordance with the Joint Resolution dated November 10, 2003; and

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

WHEREAS, the goal in mind is that the area senior citizens should be afforded the best possible core services and programs that can be provided at the most reasonable cost to the taxpayers now, therefore, be it hereby

RESOLVED, that the Charter Township of Chocolay continues to support the efforts of the Marquette Senior Center Transition Board and is willing to research the possibility of an intergovernmental agreement to establish a separate board that would be responsible for all non-core services and programs at the Marquette Senior Center.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

The Board thanked Don Britton and Dave Thomas for all their work on the Senior Board.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes- June 7, 2004
- 2) NMPSA Minutes – June 25, 2004

Clerk Hill indicated that Northern Michigan Public Service Academy has been in existence over 6 years and this is the first time that someone other than a City Manager was elected as chairman. Treasurer John Greenberg is the new chairman representing the County of Marquette as a representative on the NMPSA Board.

SUPERVISOR REPORT.

1. Recreation Authority –We are continuing to meet on county wide recreation. All supervisors agreed that residents of the community should all be treated in an equal manner by the host governmental body that is responsible for the recreational facility.
2. Personnel Policy – Ruth Solinski, Independent Consultant and I will be meeting to review her suggested changes and updates to several areas of the Personnel Policy this Friday. Proposed changes will be given to Attorney Summers. The package can then be given to the Personnel Committee for review and comment.

3. Snowmobile Business route – We will be meeting with the DNR later this week to further discuss the snowmobile trail business route, speed limits, and other matters of mitigation for the upcoming season. The point of these projects will be to increase the safety of our residents and snowmobilers on the trail as the usage of it increases.
4. Dr. English Development – We will be meeting with Dr. English & his team tomorrow to see how they intend to move forward on his project.
5. Junk Car Ordinance – Our NMU intern, Kristin Thorrington, has met with the Planning Commission and other major players on this issue. She is in the process of gathering information and we will keep you posted as the process shapes up.
6. Update on the school/office sale – Nothing new to report.
7. Meeting with Mark Maki – It was uneventful in its outcome. One positive aspect that did come from all this communication from Mark is an oversight in our Zoning dealing with signage for Parks. The Planning Commission will address this oversight in the near future.
8. Habitat For Humanity – The Habitat For Humanity is to pay for a survey of the property and all cost associated with the transfer of the parcel. In return they are obligated to develop low income housing on the site within a reasonable time frame.
9. Computers – Most are now up and running. As LASCO has been doing the work several modifications and changes had to take place. There was a software change for the Fire Department, a hub that needed to be put in, our backup power source was found to be inadequate etc. The final change will amount to about \$600.
10. Excess Property Policy – We have a number of CPU's, Monitors, etc. to dispose of. The Board agreed to sell these items and for future reference a policy will be drawn up for disposing of excess township equipment.

CAPITAL IMPROVEMENTS BUDGET AMENDMENT FY 2004 – AMENDMENT NO. 2 FIRE DEPARTMENT – OJIBWA HOUSING AUTHORITY

Greenberg moved, Britton second, that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 20, 2003, for the next fiscal year, and, Whereas, as a result of unanticipated changes in the revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department			
Capital Outlay			
401.340.957	\$103,556.98	+\$8,605.22	\$112,162.20
REVENUE	PREVIOUS	CHANGE	AMENDED
401.698	\$8,453.44	+\$8,605.22	\$17,058.66
AYES: 7	NAYS: 0	MOTION CARRIED.	

REQUEST FROM CLERK TO ATTEND LEGISLATIVE CONFERENCE.

A memo was received from Supervisor Seppanen supporting Clerk Hill memo requesting to attend the MTA Legislative Conference.

Sherbinow moved Tabor second that the Clerk's expenses to the MTA Legislative Seminar in Gaylord, Michigan are approved up to an amount of \$612.50.

ROLL CALL

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

NAYS: None.

MOTION CARRIED.

DOCUMENT REVIEW POLICY AND FEE STRUCTURE FOR FREEDOM OF INFORMATION ACT REQUESTS.

Charter Township of Chocolay Policy #01-04 Document Review.

Hill moved Sherbinow second that BE IT RESOLVED, that the Chocolay Township Board does hereby adopt the following policy to outline the procedures to be followed by staff when dealing with requests for public information. In order to comply with the requirements of the Freedom of Information Act (FOIA), Public Act 442 of 1976, the following office policy shall be adhered to:

1. All individuals who enter the township office shall be greeted by the front office staff and an inquiry shall be made as to their needs.
2. The public will be instructed to remain in the lobby area until such time that their request or need can be filled. If their need is:
 - a. to meet with a member of the office staff, the front office staff will contact the member of the staff being sought and either the front office staff or that staff member shall direct the individual to enter their office.
 - b. of a general nature such as paying a bill, requesting a property field card, asking general information, etc. this may be provided at the front counter by office staff.
 - c. to review township documents such requests shall be relayed on to the Township Clerk or Deputy Clerk who are the keepers of the records.
3. Requests to review records shall be dealt with by the Township Clerk or the Deputy Clerk. All requests to review records received by Township personnel shall be delivered to the Clerk or Deputy Clerk for appropriate action. The records requested need not be provided immediately if the Clerk or Deputy Clerk is not immediately available.

Township records shall be reviewed under the following provisions:

- a. Public records may be viewed by the requesting person (s) at a designated location in the office.
 - b. The requesting person (s) will be limited to viewing one file at a time.
 - c. The requesting person (s) will be limited to possessing only paper for note taking and lead pencil at the designated location.
 - d. The requesting person (s) must be monitored by the front office staff.
4. Should a request for copies of public records be made pursuant to the FOIA, such request shall be forwarded to the Township Clerk, who shall be the designated FOIA Coordinator, for determination as to whether such request for documents shall be granted and if granted, determine the proper fee to be charge in accordance with the Chocoy Township Fee Structure for Freedom of Information Act Requests.
 - a. All requests for documents pursuant to the FOIA shall be documented in writing. The written requests shall document the time and date of the request, and a specific identification of the document requested so that appropriate compliance can be assured within the time limits established by the FOIA.
 - b. Documents requested by a party involved in litigation with the Township shall be provided only pursuant to a FOIA request or a request for production for documents made pursuant to court rules.

No citizen has the right to insist upon immediate compliance with demands where such immediate compliance will result in disruption of the normal conduct of business affairs of the Township and its employees.

The above rules have been developed to protect our public records and to prevent excessive and unreasonable interference with the discharge of the duties and responsibilities of the township and its employees.

This policy shall supersede any previous office policy that regulates the viewing and copying of public records.

For staff information the type of documents that can be considered readily available for copying without written request are:

- Minutes of recent meetings
- Field cards
- Agenda cover sheets
- Copies of billings
- Police Reports not otherwise exempt by the FOIA
- Board and Commission Memberships
- Meeting Room Schedule

AYES: 7

NAYS: 0

MOTION CARRIED.

Charter Township of Chocolay Policy #02-04 Fee Structure for Freedom of Information Act Requests.

Hill moved Trudeau second that BE IT RESOLVED, that the Chocolay Township Board does hereby adopt the following fee schedule for establishing the proper charge for a Freedom of Information Act request under Public Act 442 of 1976.

I. Duplication

A. Copies

Commercial facility to be used: the actual cost of the copying; or
Township copier to be used: \$.15 per page

B. Computer Disks

Floppy Disk: \$.35 per disk
CD: \$.35 per CD

II. Mailing

A. Envelopes

Small size: \$.05 per envelope plus the cost of mailing
Large size: \$.10 per envelope plus the cost of mailing

III. Hourly Labor Wage

The hourly wage, including fringe benefits, of the lowest paid employee that is able to handle the Freedom of Information Act request.

IV. Deposit

If the anticipated charges for a requested record will exceed \$50, a good faith deposit of one half of the total anticipated charged shall be required.

V. Waiver of Fees

If an individual submits an affidavit stating that he or she is receiving public assistance or is able to state facts showing inability to pay fees because of indigency, a copy of a public record shall be furnished without charge for the first \$20.00 of the fee.

VI. Nonpayment of Fees

If an individual that has requested information has not paid the required fee, the FOIA coordinator shall notify the requester in writing that the material is prepared and can be picked up once the fee has been paid. Once the notification has been sent, the materials will not be delivered until payment is received.
AYES: 7 NAYS: 0 MOTION CARRIED.

REQUEST FROM PLANNING COMMISSION TO HOLD A JOINT MEETING.

Trudeau moved, Tabor second, that a joint Township Board and Planning Commission meeting be scheduled and advertised for Wednesday, September 8, 2004 at 5:30 p.m., to discuss the results of the Town Meeting/Visioning Session and go on a tour of key areas identified in the Township.
AYES: 7 NAYS: 0 MOTION CARRIED.

REQUEST FROM PLANNING COMMISSION TO DRAFT LETTERS REGARDING THE SNOWMOBILE TRAIL.

Trudeau moved Tabor second, to authorize the Township Supervisor to meet with the Department of Natural Resources to discuss snowmobile trail issues and to allow the Township Supervisor to develop letters to The Michigan Townships Association, Michigan Society of Planning, State Representatives, and the Governor's Office asking for support in changing the language in the Snowmobile Act to allow local governments to have zoning authority over State-owned motorized trails that are located in residential areas and asking for consideration regarding a curfew, speed limit a possible ban on after market equipment.
AYES6 NAYS: 1 MOTION CARRIED.

PUBLIC COMMENT.

Craig Thomas – Do not spend any more Township tax money on the snowmobile trail.

Mark Maki – Written complaint to the Board at the June Board meeting concerning the current zoning administrator.

Jerry Ojibway – Spoke with Mike Paluda, DNR and was told that the DNR may plant trees on the trail in designated areas to keep the snowmobiles on the grade.

Jim Goodman – Commended Trustee Britton on his work on the snowmobile trail.

Dan DiLoreto – The agendas and minutes should be posted on the web site before approved by the Board.

Joe Holman – Commended the Board for all the work on the snowmobile trail.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Yelle to Township Board - Signs in RP District
- B. Information - Memorandum from Clerk to Mark Maki
- C. Information - Fire Department Monthly Reports April - June 2004
- D. Information - Letter from Marquette County Commission on Aging
- E. Information - 2004-2005 Revenue Projections
- F. Information – MTA Legislative Updates

There being no further business, Supervisor Seppanen adjourned the meeting at 9:05 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

AUGUST 16, 2004

A Regular meeting of the Chocolay Township Board was held on Monday, August 16, 2004 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

Supervisor Seppanen informed the Board that the Clerk was absent because she had back surgery last Thursday. She is home recuperating and will be back in the office later this week and plans to go down to an MTA meeting in Lansing next week.

MINUTES –JULY 19, 2004.

Greenberg moved Trudeau second that the minutes of the Regular Meeting held on July 19, 2004 are approved.
AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Tabor moved Sherbinow second, that bills totaling \$6,510.70 checks numbered 11613– 11621 are approved for payment. Check # 11613 was voided.

AYES: 6 NAYS: 0 MOTION CARRIED.

Sherbinow moved Tabor second that bills totaling \$5,927.80 checks numbered 11622 – 11624 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Britton moved Trudeau second that bills totaling \$70,270.26 checks numbered 11625 – 11696 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

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

AMT OF C/D	265,000.00	200,000.00
DATE PURCHASED	08/11/04	08/11/04
MATURING ON	08/11/05	02/09/05
INTEREST RATE	1.90%	1.95%
INSTITUTION	Bay	1 st of Neg.

RESOLUTION TO CALL FOR LEGISLATION THAT PROVIDES FOR LOCAL ZONING AUTHORITY OVER MOTORIZED TRAILS ON STATE PROPERTY WHICH ARE LOCATED IN RESIDENTIAL AREAS.

Tabor moved Sherbinow second that the following resolution be adopted

WHEREAS, Michigan township officials are elected to represent over four million citizens; and

WHEREAS, The Township Rural Zoning Act, Public Act 184 of 1943, has been established to provide for the establishment and regulation of land use districts to promote public health, safety, and welfare; and

WHEREAS, Under the Snowmobile Act, MCL 324.82101 *et seq.*, the Michigan Department of Natural Resources is not subject to a local zoning ordinance that prohibits the operation of snowmobiles on State land ; and

WHEREAS, Because townships do not have local zoning authority over the operation of a State snowmobile trail within any land use district; and

WHEREAS, The operation of a State sponsored snowmobile, or other motorized trail, through a residential zoning district has demonstrated to be detrimental to the public health, safety, and welfare; now, therefore, be it

RESOLVED, That the Charter Township of Chocolay support legislation that provides for local zoning authority over motorized trails on State property that pass through, or are in the vicinity of residential areas that are zoned for a density of 1 or more units per acre; and be it further

RESOLVED, That a copy of this resolution be sent to Representative Adamini, Senator Prusi, Governor Granholm and the Michigan Townships Association.

AYES: 5 NAYS: 1 MOTION CARRIED.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Year 2003 Report
- 2) Planning Commission Minutes- July 12, 2004
- 3) MAWTFAB Minutes – June 8, 2004
- 4) CABA Minutes – June 16, 2004
- 5) NMPSA Minutes - July 28, 2004

SUPERVISOR REPORT.

1. Update on Recreation Authority.
2. Personnel Policy – Personnel Committee has met on recommended changes. There is a staff meeting scheduled for August 26th to discuss the changes.
3. Update on the business route for the snowmobile trail.
4. Update on the Dr. English development on M-28.
5. The Planning Commission will have a work session on the Junk Vehicle Ordinance at their September meeting.
6. Township Office/School sale update – no new leads from Realtor.
7. Habitat for Humanity is still working on a site in Chocolay.
8. MTA Legislative meeting update from Trustee Britton.

DEQ SHORELINE RESTORATION GRANT.

Tabor moved Greenberg second that the Township Supervisor (Greg Seppanen) and Clerk (Arlene Hill) are authorized to sign contracts for the purpose of fixing the rights and obligations of Chocolay Township and Michigan Department of Transportation in agreeing to construction improvements at three scenic turnouts located in Chocolay Township.

AYES: 6 NAYS: 0 MOTION CARRIED.

COMPUTER SYSTEM UPGRADE.

Supervisor Seppanen indicated that he spoke to the Clerk prior to the meeting and had her approval for the additional funds from the Clerk Department in the Capital Improvements Fund.

Trudeau moved Britton second that the Township Board authorizes the additional distribution of funds to Lasco for the purchase and installation of a new computer system not to exceed the cost of \$1,051.00 to be paid from Capital Improvement Fund, 401. 215.957 Clerk.

ROLL CALL

AYES: Tabor, Sherbinow, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None.

ABSENT: Hill

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2004
AMENDMENT NO. 5 REIMBURSEMENT FOR BULLET PROOF VEST

Greenberg moved, Trudeau 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 in October 20, 2003, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Uniforms			
101.305.745	\$ 1,575.00	+\$299.50	\$ 1,874.50
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$60,665.92	+\$299.50	\$60,965.42

ROLL CALL

AYES: Trudeau, Britton, Greenberg, Tabor, Sherbinow, Seppanen.

NAYS: None.

ABSENT: Hill

MOTION CARRIED.

AUTHORIZATION TO PLACE 2001 FORD PATROL CAR ON BID.

Britton moved Tabor second that the Police Department have the authority to place out on bid the 2001 Ford Crown Victoria and to sell it to the highest bidder. The money received for the sale of the patrol car will be put back into the Police Capital Improvement Fund, 401.305.957 and will be used towards the purchase of the next patrol car.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki – Comment that the M-28 overpass is an eyesore. He felt that it would be good for Chocolay Township to contact the State to have it removed.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Stachewicz to Board – Comprehensive Plan Survey Results
- B. Correspondence – Fuller to Board – Assessing Office Progress
- C. Information - Chocolay Township Summer Youth Program Overview
- D. Information – Fire Department Grant Request
- E. Information – MTA Legislative Updates

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

SEPTEMBER 20, 2004

A Regular meeting of the Chocloy Township Board was held on Monday, September 20, 2004 at the Chocloy Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

MINUTES –AUGUST 16, 2004.

Sherbinow moved Britton second that the minutes of the Regular Meeting held on August 16, 2004 are approved.
AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Tabor second, that bills totaling \$15,979.57 checks numbered 11697– 11725 are approved for payment.
AYES: 7 NAYS: 0 MOTION CARRIED.

Trudeau moved Britton second that bills totaling \$24,615.39 checks numbered 11726 – 11756 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AMT OF C/D	175,000.00
DATE PURCHASED	09/10/04
MATURING ON	03/11/05
INTEREST RATE	2.00%
INSTITUTION	Republic

PUBLIC COMMENT.

Mark Maki – Would like to reserve time to comment on rezoning #129 & the Dr. English property. He also feels that he does not get a response from the Township to his questions.

Kenlyn Hubbard – Scooters Motor Sports donated a snowmobile & money for enforcement of the snowmobile trail last year. Is the Township going to fund enforcement of the trail this year? What is happening on the business spur of the trail?

Supervisor Seppanen reminded those present that the Township was given enforcement dollars from several areas including a DNR Grant that the Township applied for.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes- August 9, 2004
- 2) MAWTFAB Minutes – June 8, 2004 and August 6, 2004
- 3) CABA Minutes – July 21, 2004 and August 18, 2004

SUPERVISOR REPORT.

Recreation Authority – The city is considering moving forward on the recreation authority. I will be meeting next week with the township & CUPPAD staff on this also.

Personnel Policy – The Personnel Committee met again to go over the final aspects of all the changes to the Policy. They will have their recommendations ready for the next meeting.

Snowmobile Business route –We have talked to the DNR as the speed limit issue is working its way through their department. The major discussion has been to set the speed limit at either 25 or 35 mph. Their recommendation will soon go to the director who will send it for review with the NRC or will make the decision herself.

Junk Car Ordinance – It is still in the Planning Commission and will be several months as they work out the details to make sure they get it right before it comes to the township board.

Update on the school/office sale – There are offers on the table and we are still trying to ascertain if they are serious. We also have been approached about a long term lease. This is being checked out to see if it is a possibility.

Solid Waste bill from the West MQT. Solid Waste Authority – We have received a bill that is based on the census population for remediation activity. We have requested documentation as to the justification for the bill and have not heard any since. I have talked to Marquette Township and their response will be the same as ours.

Budget Process – It is moving forward. Treasurer Greenberg has just given me the revenue projections. The department heads are working on their budget requests.

REZONING REQUEST #129 – MANOSKY, OS TO R-1.

Dennis Stachewicz, Planning Director gave a presentation to the Board on the rezoning request. Gail Manosky explained why they wanted the rezoning. The Comprehensive Plan that is currently being worked on will attempt to address the zoning in this area. To rezone one or two lots would be considered spot zoning and that is illegal.

Trudeau moved Tabor second that as recommended by the Planning Commission, the Charter Township of Chocolay Board deny rezoning #129. When the Comprehensive Plan is complete, this area will be looked at for rezoning.

AYES: 7

NAYS: 0

MOTION CARRIED.

LIQUOR LICENSE TRANSFER – TIM SOUCY, 330 W. TERRACE STREET.

Britton moved Greenberg second that the request from Souc’ Inc. to transfer ownership of 2004 class C licensed business with dance-entertainment permit, located at 200 W. Main, Marquette, MI 49855, Chocolay Township, Marquette County, from Harvey Inn, Inc. be considered for approval.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

SALE OF PROPERTY TO DR. ENGLISH.

Britton moved Trudeau second that the Township Board authorizes the Township Supervisor and Clerk to sign the “Option and Purchase Agreement” and complete the sale of a portion of Parcel 52-02-007-049-00.

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2004 AMENDMENT NO. 6 REIMBURSEMENT FOR SNOWMOBILE GRANT.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 20, 2003, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Capital Outlay			
101.305.957	\$ 3,675.00	+\$1,628.53	\$ 5,303.53
Salaries			
101.305.702	\$190,126.00	+\$4,478.00	\$194,604.00
Temporary/Part Time Salaries			
101.305.705	\$ 20,850.00	+\$ 867.00	\$ 21,717.00
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$ 60,965.42	+\$ 6,973.53	\$ 67,938.95

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

DNR WATER TRAIL GRANT APPLICATION.

Hill moved Sherbinow second that Chocolay Township agrees to provide a 26% (\$6,435.00) match of the total project cost of \$24,750.00.

General Funds (applicants own cash)	\$2,935.00
Force Account (applicant’s own paid labor)	\$2,500.00
Donated labor and/or materials	<u>\$1,000.00</u>
Total	\$6,435.00

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Kenlyn Hubbard – Comments on the Water Trail grant, prefers that funds go to support snowmobile enforcement.

Mark Maki – Comments on the July ZBA meeting.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Fuller to Board re: Assessing Department Progress
- B. Information – Primary Election Certificate of Determination
- C. Information – MTA Legislative Updates

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

PUBLIC COMMENT.

Trustee Trudeau commented on the poor quality of the Board packets.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes- September 13, 2004
- 2) NMPSA Minutes – September 22, 2004

SUPERVISOR REPORT.

1. Recreation Authority – I had a meeting with the townships and CUPPAD. We are sending recreation inventory to CUPPAD as they start the process of investigating the forming of a township recreation authority.

2. Snowmobile trail - Dennis and I met with Senator Prusi and Representative Adamini last week to update them on the speed limit issue. They listened and will give assistance as needed to the recommendation of the local DNR staff to their director. We also talked to them about getting their help on an official business route. They wanted to be kept abreast of our efforts and will give us their support in our efforts. The planning commission will be considering a request from CABA to help with the snowmobile traffic this year.

3. Update on the school/office sale – No activity to report. We are looking at ways to reduce our winter heating bills and are still actively pursuing the sale and lease of the property.

4. Budget- Much of my time has been working on this year's budget. I will have my recommendations to you on the 29th.

PUBLIC HEARING - TRUTH IN TAXATION – MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS.

Trudeau moved Britton second that he Township Board approves the 2004 Tax Rate request and authorizes the Township Supervisor and Clerk to sign the 2004 Tax Rate Request Form (L-4029) and forward it to the Marquette County Board of Commissioners.

AYES: 6 NAYS: 0 MOTION CARRIED.

MINOR AMENDMENT TO CHOCOLAY WOODS SITE CONDOMINIUM.

Hill moved Sherbinow second that as recommend by the Planning Commission, the Township Board approves the minor amendment to the Chocelay Woods Site Condominium Project titled “Superseding Marquette County Condominium Subdivision Plan #12, Exhibit “B” to the Superseding Master Deed of Chocelay Woods Condominium, Chocelay Township, Marquette County, Michigan,” dated September 27, 2004 with the condition that the developer must obtain private road approval for access to Unit #13.

AYES: 6 NAYS: 0 MOTION CARRIED.

PRIVATE ROAD REQUEST #19 – HUBBARD PROPERTIES.

Greenberg moved Britton second that the Chocelay Township Board concur with the Planning Commission recommendation to approve Private Road request #19 from Hubbard Properties under Section 402 of Zoning Ordinance #34 with the following conditions:

- 1) The developers shall provide an easement at the end of the private road that meets the Marquette County Road Commission standards for a cul-de-sac.
- 2) The developers shall select an alternate name for the private road and that name shall be reviewed by the Michigan State Police Central Dispatch and the Chocelay Township Fire Department before being approved. The approval of the road name shall be the responsibility of the Chocelay Township Director of Planning and Research.
- 3) The developers shall allow access to township vehicles as well as other public/private utility companies to provide services.
- 4) A covenant shall be established on the deeds for any parcels created off from this private road identifying the private road status and which reference the Declaration of Private Road Easement which must be fully executed.
- 5) The developers pay for and install a road sign identifying the approved name of the private road at the intersection with Wintergreen Trail.
- 6) The developers shall comply with the conditions and requirements of all other agency regulations.
- 7) The developers are required to provide certification from a surveyor/engineer that the private road standards of the Zoning Ordinance have been achieved at the conclusion of construction.
- 8) A zoning compliance permit shall be issued after all of the above conditions are met.
- 9) The developers are strongly encouraged to obtain Marquette County Health Department review of well and septic considerations for the proposed Unit #13 prior to road construction.

AYES: 6 NAYS: 0 MOTION CARRIED.

ANNUAL ROAD RANKINGS.

Britton moved Greenberg second to accept the staff recommendation for road ranking.

AYES: 6 NAYS: 0 MOTION CARRIED.

DELINQUENT SEWER BILLS.

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

CHOCOLAY TOWNSHIP DELINQUENT SEWER USERS 2004				
Name	Tax ID Number	Address	City, State, Zip	Amount Due
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	298.32
Jeffrey Johnston	52-02-215-003-00	120 East Fairbanks	Mqt MI 49855	298.32
Susan Racine	52-02-215-006-00	156 East Fairbanks	Mqt MI 49855	298.32
Ken Kerekes	52-02-216-014-00	131 East Wright	Mqt MI 49855	36.96
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	298.32
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	298.32
Mark Chudy	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	298.32
Larry Hoganson	52-02-305-018-00	214 Riverside Road	Mqt MI 49855	291.54
Charlyne Horvath	52-02-107-012-00	204 Silver Creek Road	Mqt MI 49855	67.80
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	536.95
Wahlstrom Enterprise	52-02-107-007-00	5043 U S 41 South	Mqt MI 49855	8,710.96
Steve Wahlstrom- Lark	52-02-107-004-00	5063 U S 41 South	Mqt MI 49855	1,265.14
Robert Vidlund	52-02-455-004-00	120 Veda Street	Mqt MI 49855	298.32
Kevin Small	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	298.32
Jason Bernard	52-02-107-074-00	740 Willow Road	Mqt MI 49855	298.32
Donna Pedone Trust	52-02-212-012-00	140 West Main Street	Mqt MI 49855	18.32
Kenneth Johnson	52-02-206-006-00	320 West Main Street	Mqt MI 49855	47.30
Renee Rintamaki	52-02-210-008-00	310 West Terrace	Mqt MI 49855	216.96
Joseph Stanaway	52-02-208-005-00	341 West Terrace St	Mqt MI 49855	298.32
Marilyn Kremer	52-02-208-003-00	371 West Terrace St	Mqt MI 49855	298.32
Kristine Dionne	52-02-106-043-00	110 West Wright Pl	Mqt MI 49855	298.32
Total Delinquent Amount				14,771.77

AYES: 6 NAYS: 0 MOTION CARRIED.

AMENDMENTS TO TOWNSHIP PERSONNEL POLICY.

Greenberg moved Trudeau second that the Charter Township of Chocolay Personnel Policies and Procedures Manual be adopted with the recommended changes and additions.

AYES: 6 NAYS: 0 MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2004 – AMENDMENT NO. 8
TREASURER DEPARTMENT SALARY.

Trudeau moved, Hill seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in October 20, 2003, 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
Treasurer Department Salary 101.253.702	\$22,802.00	+\$1,754.00	\$24,556.00
Contingency 101.285.951	\$32,401.00	-\$1,754.00	\$30,647.00

ROLL CALL.

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

NAYS: None.

ABSENT: Tabor MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2004 – AMENDMENT NO. 9
COMMUNITY CENTER UTILITIES.

Britton moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 20, 2003, 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
Community Center Utilities 101.722.920	\$7,450.00	+\$7,000.00	\$14,450.00

Contingency 101.285.951	\$30,647.00	-\$7,000.00	\$23,647.00
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ROLL CALL.

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

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENT FUND BUDGET FY 2004 –
AMENDMENT NO. 3 SALE OF 2001 PATROL CAR

Sherbinow moved Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 20, 2003, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Capital Improvement	\$48,430.33	+\$3,031.00	\$51,461.33

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$17,058.66	+\$3,031.00	\$20,089.66

ROLL CALL.

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

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2004
AMENDMENT #7 REIMBURSEMENT FOR MDOT TRAFFIC GRANT.

Greenberg moved Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on October 20, 2003, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Salaries 101.305.702	\$194,604.00	+2,272.82	\$196,876.82

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$ 67,938.95	+2,272.82	\$ 70,211.77

ROLL CALL.

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

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

POLICE DEPARTMENT – TRAINING OPPORTUNITY.

Britton moved Greenberg second to expend \$390.00 for the Taser certification training for Sgt. Gary Heinzelman, in Belaire, Michigan, November 10-11, 2004. This amount will be utilized from the Capital Improvement Police Training account # 401.306.957.

ROLL CALL.

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

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

PUBLIC COMMENT.

Frank Thomas – How many comp hours are on books?

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Yelle to Board – Court Order M03-1193-ON/X
- B. Information – Fire Department Monthly Reports – August – September 2004
- C. Information – Police Department Quarterly Statistics (Handout)
- D. Information – MTA Legislative Updates

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

November 8, 2004

A Regular meeting of the Chocolay Township Board was held on Monday, November 8, 2004 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

STAFF PRESENT: Dennis Stachewicz, Denny Magadanz, Mary Sanders, Greg Zyburt, Sharon Roshak, Gary Johnson. Trustee elect Dan Maki also present.

MINUTES –OCTOBER 18, 2004.

Sherbinow moved Greenberg second that the minutes of the Regular Meeting held on October 18, 2004 are approved.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

ACCOUNTS PAYABLE.

Hill moved Sherbinow second, that bills totaling \$657.28 checks numbered 11834– 11835 are approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved Hill second that bills totaling \$10,114.27 checks numbered 11836 – 11891 are approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATION – RECOGNITION OF SERVICE – TRUSTEE LOIS SHERBINOW.

Greenberg moved, Trudeau second that The Charter Township of Chocolay Board, on behalf of it's citizens, hereby thank our longstanding member

Lois Sherbinow

For her twenty years of dedicated service to the citizens of the Charter Township of Chocolay, where she has served as an elected member of the Township Board, as well as serving on the Zoning Board of Appeals, Personnel Committee, and Election Commission.

Her leadership has benefited each and every citizen in the Township. Her fair and thoughtful decisions have brought to our government the very best that one person can offer to their neighbors.

Lois and her husband Gerald have raised their family with a Christian lifestyle that serves our community well and they have been a model to follow.

We sincerely wish her well in all her future endeavors.

Respectfully presented this 8th day of November 2004.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

PROCLAMATION – CABA CITIZEN OF THE YEAR – STAN HUBERT.

Britton moved, Hill second it is hereby proclaimed that Thursday, November 11, 2004 is Stan Hubert day in the Charter Township of Chocolay.

Stan Hubert

He moved into Chocolay Township five years ago as owner of Stan's Dry Dock. He quickly stepped up to the plate as a contributing citizen. He has involved himself in the C.A.B.A. organization serving on their committees. Stan Hubert took an active role in facilitating a snowmobile route through the township.

Stan's family supports him in his endeavors. We congratulate him on his selection by the Chocolay Area Business Association as the 2004 Citizen of the Year.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Miscellaneous			
101.698	\$70,211.77	+\$1550.15	\$71,761.92

ROLL CALL.

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

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2004
AMENDMENT NO. 4 POLICE TRAINING FUNDS-STATE OF MICHIGAN

Britton moved Hill second that Whereas, a budget was adopted by the Chocloy Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October 20, 2003, 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, No Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training Capital Outlay 401.306.957	\$ 2,307.14	+ \$902.80	\$ 3,209.94

REVENUE	PREVIOUS	CHANGE	AMENDED
401.698	\$20,089.66	+\$902.80	\$20,992.46

ROLL CALL.

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

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

MARQUETTE SENIOR CENTER ADVISORY BOARD.

Hill moved Sherbinow second that Don Britton and Dave Thomas be appointed as the official representatives to the Marquette Senior Center Advisory Board.

AYES: 6 NAYS: 0

MOTION CARRIED.

FISCAL YEAR 2005 BUDGET WORKSHOP.

Revenues – No change.

Salaries – No change.

Township Board –No change.

Supervisor – No change.

Elections – Clerk will have numbers for two elections next year vs. four and possibly place the difference in the contingency fund.

Assessor – Question on training. No change.

Clerk - No change.

Board of Review - No change.

Treasurer – No change.

Township Hall and Grounds – No change.

Other General Government – No change.

Police – No change.

Fire – No change.

Streets – No change.

Sanitation – No change.

Recreation – No change.

Community Center – No change.

Parks and Properties – No change.

Zoning – No change.

Planning Commission – No change.

Zoning Board of Appeals – No change.

Capital Improvements – No change.

Sewer Fund – No change.

PUBLIC COMMENT.

Michelle Grzelak asked if the sale of property to Habitat for Humanity a done deal? Yes.

Jim Goodman – Should contiguous property owners be notified when the Township is going to sell property. No, that is only if the zoning is going to change.

Clerk Hill – Commented that she has enjoyed working with Trustee Sherbinow over the years. Other Board members expressed the same thought.

Jerry Sherbinow – Commented on how the Township has changed over the years. Thirty years ago he was the first full time Township employee. Chocolay Township is a progressive Township.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

A. Information – MTA Legislative Updates

There being no further business, Supervisor Seppanen adjourned the meeting at 8:40 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2005, and ending December 31, 2005, to the Township Board for its consideration; and

Whereas, notice of the public hearing on the budget was published in the Mining Journal, a newspaper of general circulation within the township, on December 3, 2004; and

Whereas, a public hearing on the proposed budget was held on December 13, 2004, at the Chocolay Township Municipal Complex, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing;

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2005, and ending on December 31, 2005, in the amount of \$1,331,163.00 for the General Fund, in the amount of \$285,585.00 for the Sewer Fund and in the amount of \$24,500.00 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,355,663.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2005, and ending December 31, 2005.
3. The Township Board does hereby appropriate the sum of \$285,585.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2005, and ending December 31, 2005.
4. The Township Board does hereby levy 4.0698 mills for general operations.
5. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution are rescinded.
6. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming with Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL

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

NAYS: None

ABSENT: Maki.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 11/01/04
- 2) NMPSA Minutes – 10/27/04
- 3) MAWTF Advisory Board Minutes – 10/12/04

SUPERVISOR REPORT.

1. Recreation Authority – We are waiting on CUPPAD for a follow-up meeting with the townships. We have not been contacted by the Lake Superior Partnership for the fall meeting that they had committed to.

2. Snowmobile trail - We are meeting with the DNR and the Rep from the SAC (Snowmobile Advisory Committee) on the 20th on the speed issue.

3. Update on the school/office sale – The staff and I are meeting later this week to look at the latest offer on the school and to come up with a counter offer. At present the offer that is on the table is much too low to consider. We are still waiting to hear from the state in regards to the possible lease of the facility.

4. KBIC – I'm meeting with the staff later this week to go over the possible uses of the funds from the KBIC. We will review the \$80,000+ in capital request that was submitted to them to help fund. I will come back to the board in January with the recommendations for use.

5. Habitat For Humanity – We have received the check and that land transfer is done.

6. Medical Coverage – Our employee coverage year is now in-line with our budgetary year. By doing this step at this time and having the employees agree to the change in their coverage we have saved over 1000 dollars per month in premiums and will not face the mid year and budget increase like we have in the past.

7. Roads and Road Repairs— Denny, Dennis, and I have started to review what we can do about Chocolay future road repair funds. The Road Commission has requested that we submit our request for 2006. Before we do this the board needs to make sure that we have the funds to pay for the repairs. We will be reviewing what other townships in the county are doing. We already know that several have a dedicated millage for this purpose. This issue will be on the January or February agenda for discussion and direction.

Trustee Maki arrived.

ORDINANCE #54 – PENSION ORDINANCE.

Greenberg moved Britton second that the Township Board adopt Ordinance #54 as presented which provides guidelines for the Township Employee Pension Plan and to rescind previous Ordinances #36, 36A, and 36B.

ORDINANCE #54

CHARTER TOWNSHIP OF CHOCOLAY PENSION PLAN ORDINANCE

An Ordinance to create, establish and maintain an annuity or pension plan for the employees of the Charter Township of Chocolay and to authorize the Township Supervisor and the Township Clerk to contract, in the name of the Township, for such plan; to define those classes of employees who shall be covered by such annuity or pension plan; to set forth the respective per centum share which the Township shall contribute to the premium or charges arising under such annuity or pension contract; to establish the time at which existing and future employees shall become eligible for such plan and to provide a method for non-coverage of an employee in the annuity or pension plan; to set forth a date wherein each person covered under the annuity or pension plan shall have a vested right or interest in such plan; to ratify and confirm the validity of any annuity or pension plan in existence on the effective date of this Ordinance; and to repeal all Ordinances or parts of Ordinances in conflict herewith.

THE CHARTER TOWNSHIP OF CHOCOLAY ORDAINS:

SECTION 1: This Ordinance shall be known and cited as the “Charter Township of Chocolay Pension Plan Ordinance.”

SECTION 2: Pursuant to Act #27 of the Public Acts of 1960, as amended, The Charter Township of Chocolay hereby creates, establishes and maintains an annuity or pension plan and program for the pensioning of certain employees, and for such purposes, also hereby authorizes the Township Supervisor and the Township Clerk to contract, in the name of the Township subject to the approval of the Township Board, with any company authorized to transact such business within the State of Michigan for annuities or pensions.

SECTION 3: All employees of the Charter Township of Chocolay who are defined as “employees” under the federal Social Security law of 1990 shall be eligible to participate in the annuity or pension plans created, established, and contracted for under this Ordinance. Any annuity or pension plans created, established, and contracted for by Ordinance or by Resolution shall be, and the same here are, ratified and fully affirmed.

SECTION 4:

- (A) The Charter Township of Chocolay shall annually contribute one hundred (100%) per centum of that portion of the premium or charges for such annuity or pension contract for each person within the class of employees enumerated in Section 3 hereof. Such contributions shall be paid from the funds of the Township appropriated and budgeted for that purpose. The total premium or charge shall not exceed ten (10%) per centum of the total salaries or wages, but excluding overtime and bonuses of covered employees and salary or wages of non-covered persons.
- (B) Every employee shall be eligible for coverage under the Township annuity or pension plan in force at the time of his or her employment, provided he or she meets the requirements stated herein to be eligible on the first policy anniversary on which he or she meets them.
- (C) Any person desiring not to be covered shall give written notice to the Township Clerk that he or she desires not to be covered, and if the notice is received before the person has become covered under the contract, he or she shall not be covered thereunder. If the notice is received after the person has become covered, his or her coverage under the contract shall cease as provided for in the contract.

SECTION 5: Each person covered under the annuity or pension plan shall have a vested right or interest in such plan upon becoming eligible to participate therein.

SECTION 6: The Charter Township of Chocoday hereby ratifies and affirms the validity of any annuity or pension plan in existence on the effective date of this Ordinance.

SECTION 7: This Ordinance shall take effect on the date of first publication. All Ordinances or parts of Ordinances and specifically prior Ordinance #36, 36A, and 36B or other Ordinances in conflict herewith are repealed.

ROLL CALL.

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

NAYS: None

MOTION CARRIED.

MONEY PURCHASE PENSION PLAN.

Britton moved Trudeau second that the Township Board authorize the Township Supervisor to sign the amendment to the Charter Township of Chocoday Money Purchase Pension Plan.

Aye: 7 Nay: 0 Absent: 1

MOTION CARRIED.

HAVA VOTING EQUIPMENT.

Hill moved Tabor second that

WHEREAS, the Charter Township of Chocoday Board wishes to apply to the Secretary of State for a grant to purchase an optical scan voting system and related Election Management System (EMS) software to comply with the Help America Vote Act (HAVA).

WHEREAS, the Charter Township of Chocoday Board has chosen to submit a grant application for a new scan voting system in 2005.

NOW, THEREFORE, BE IT RESOLVED that the Chocoday Township Clerk is authorized to submit this grant application on behalf of Chocoday Township, Marquette County on this 13th day of December 2004.

ROLL CALL.

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

NAYS: None

MOTION CARRIED.

AMENDMENT TO CABLE FRANCHISE AGREEMENT.

Trudeau moved Maki second, that WHEREAS, the Charter Township of Chocoday has entered into a franchise agreement with Charter Communications for the operation of a cable system in Chocoday Township, and

WHEREAS the definition of "Gross Revenues" is in need of amendment in response to a court decision in order to protect the subscribers in the Township from being charged an additional increase in the franchise fee.

NOW, THEREFORE, BE IT RESOLVED that the Agreement entered into by and between the Charter Township of Chocoday and CC VIII Operating LLC, I.k.a. Charter Communications on February 16, 2004, conferring upon the Company the right, franchise and privilege to construct, own, operate, extend and maintain a cable television and cable communications system throughout the Township of Chocoday is hereby amended as follows:

FIRST, Section 2 "Gross Revenues" is hereby amended and restated in its entirety to read as follows:

1. "Gross Revenues" means any revenue received by the Grantee from the operation of the Cable System to provide Cable Services in the Service Area, provided, however, that such phrase shall not include: (1) any taxes, fee or assessment of general applicability collected by the Grantee from Subscribers for pass-through to a government agency, including the FCC user fee; (2) unrecovered bad debt; (3) any PEG or I-Net amounts recovered from subscribers; (4) any advertising revenue and; (5) any franchise fees.

SECOND: Except as otherwise amended herein, the Agreement is hereby ratified and reconfirmed in its entirety; and it is

FURTHER AND FINALLY RESOLVED, that the Supervisor of the Township of Chocoday is hereby authorized to enter into, execute and deliver in the name and on behalf of the Township of Chocoday, an amendment to the Agreement incorporating the foregoing language without further act or resolution of this governing body.

Aye: 7 Nay: 0

MOTION CARRIED.

AUTHORIZATION TO ATTEND 2005 POLICE CHIEF'S CONFERENCE.

Greenberg moved Hill second to expend \$765.00 for the Police Chief's Conference in Grand Rapids, February 2 - 4, 2005. \$290.00 would come from police training account 305.715 and the remainder, \$475.00, would come from Capital Improvements Fund, Police Training, 401.306.957.

ROLL CALL

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

NAYS: None

ANNUAL BOARD APPOINTMENTS.

Hill moved Greenberg second that Denny Magadanz be re-appointed as a primary to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2005 to December 31, 2005.

Aye: 7 Nay: 0

MOTION CARRIED.

Britton moved Greenberg second that Dennis Stachewicz be re-appointed as an alternate to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2005 to December 31, 2005.

Aye: 7 Nay: 0

MOTION CARRIED.

Greenberg moved Trudeau second that Greg Seppanen be re-appointed to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2005 to December 31, 2005.

Aye: 7 Nay: 0

MOTION CARRIED.

Trudeau moved Hill second that Denny Magadanz be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2005 to December 31, 2005.

Aye: 7 Nay: 0

MOTION CARRIED.

Greenberg moved Britton that Dennis Stachewicz be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2005 to December 31, 2005.

Aye: 7 Nay: 0

MOTION CARRIED.

Britton moved Hill second that John Greenberg be re-appointed to the Pension Committee for a term to run from January 1, 2005 to December 31, 2010 (6 year term).

Aye: 7 Nay: 0

MOTION CARRIED.

Trudeau moved Greenberg second that Lee Snooks be appointed to the Personnel Committee for a term to run from January 1, 2005 to December 31, 2005.

Aye: 7 Nay: 0

MOTION CARRIED.

Trudeau moved Hill second that Tina Fuller be appointed to the Personnel Committee for a term to run from January 1, 2005 to December 31, 2005.

Aye: 7 Nay: 0

MOTION CARRIED.

Britton moved Tabor second that John Greenberg be re-appointed to the Personnel Committee for a term to run from January 1, 2005 to December 31, 2006 (Two year terms for Board Members).

Aye: 7 Nay: 0

MOTION CARRIED.

Hill moved Trudeau second that be Don Britton be appointed to the Personnel Committee for a term to run from January 1, 2005 to December 31, 2005 (Balance of Lois Sherbinow term).

Aye: 7 Nay: 0

MOTION CARRIED.

Tabor moved Hill second that Dan Maki be appointed as the Board Representative to the Zoning Board of Appeals for a term to run from January 1, 2005 to December 31, 2007 (Three year term).

Aye: 7 Nay: 0

MOTION CARRIED.

Britton moved Hill second that Albert Denton be appointed to the Zoning Board of Appeals for a term to run from January 1, 2005 to December 31, 2007 (Three year term).

Aye: 7 Nay: 0

MOTION CARRIED.

Greenberg moved Hill second that Steven Sanderson be re-appointed to the Board of Review

for a term to run from January 1, 2005 to December 31, 2006 (Two year term).
Aye: 7 Nay: 0 MOTION CARRIED.

Trudeau moved Britton second that Dennis Hickey be re-appointed to the Board of Review for a term to run from January 1, 2005 to December 31, 2006 (Two year term).
Aye: 7 Nay: 0 MOTION CARRIED.

Maki moved Greenberg second that Robert Pecotte be re-appointed to the Board of Review for a term to run from January 1, 2005 to December 31, 2006 (Two year term).
Aye: 7 Nay: 0 MOTION CARRIED.

Greenberg moved Trudeau second that Arlene Hill be re-appointed to the Marquette County Townships Association for a term to run from January 1, 2005 to December 31, 2006 (Two year term).
Aye: 7 Nay: 0 MOTION CARRIED.

Greenberg moved Hill second that Ken Tabor be re-appointed to the Election Commission for a term to run from January 1, 2005 to December 31, 2008 (Four year term).
Aye: 7 Nay: 0 MOTION CARRIED.

Hill moved Greenberg second that John Trudeau be appointed to the Election Commission for a term to run from January 1, 2005 to December 31, 2008 (Four year term).
Aye: 7 Nay: 0 MOTION CARRIED.

Greenberg moved Trudeau second that Ken Tabor be re-appointed to the Peter White Public Library Township Advisory Council for a term to run from January 1, 2005 to December 31, 2008 (Four year term).
Aye: 7 Nay: 0 MOTION CARRIED.

Britton moved Greenberg second that Arlene Hill be re-appointed as primary to the Northern Michigan Public Service Academy Board for a term to run from January 1, 2005 to December 31, 2006 (Two year term).
Aye: 7 Nay: 0 MOTION CARRIED.

Tabor moved Maki second that Mary Sanders be appointed as alternate to the Northern Michigan Public Service Academy Board for a term to run from January 1, 2005 to December 31, 2006 (Two year term).
Aye: 7 Nay: 0 MOTION CARRIED.

2005 CHOCOLAY TOWNSHIP MEETING DATES.

Britton moved Trudeau second that the Township Board approves the 2005 Township Meeting Date Schedule as proposed.

CHOCOLAY TOWNSHIP BOARD-7:00 p.m.

JANUARY 17, 2005	JULY 18, 2005
FEBRUARY 21, 2005	AUGUST 15, 2005
MARCH 21, 2005	SEPTEMBER 19, 2005
APRIL 18, 2005	OCTOBER 17, 2005
MAY 16, 2005	NOVEMBER 7, 2005
JUNE 20, 2005	DECEMBER 12, 2005

PLANNING COMMISSION-7:30 p.m.

JANUARY 10, 2005	JULY 11, 2005
FEBRUARY 14, 2005	AUGUST 8, 2005
MARCH 14, 2005	SEPTEMBER 12, 2005
APRIL 11, 2005	OCTOBER 10, 2005
MAY 9, 2005	OCTOBER 31, 2005
JUNE 13, 2005	DECEMBER 5, 2005

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

JANUARY 27, 2005	JULY 28, 2005
FEBRUARY 24, 2005	AUGUST 25, 2005
MARCH 24, 2005	SEPTEMBER 22, 2005
APRIL 28, 2005	OCTOBER 27, 2005

MAY 26, 2005
JUNE 23, 2005

NOVEMBER 17, 2005
DECEMBER 15, 2005

VOLUNTEER FIRE DEPARTMENT:

MEMBERS- 2nd THURSDAY-7:00 pm-BUSINESS MEETING
3rd & 4th THURSDAY-7:00 pm-TRAINING
FIRE DEPARTMENT MEETINGS AT FIRE HALL

FINAL PLAT OF EWING PARK #2.

Trudeau moved Greenberg second to approve the final plat of the Ewing Park Subdivision number two as presented and authorize the Township Clerk/Supervisor to certify the plat by indicating Township Board approval.

Aye: 7 Nay: 0

MOTION CARRIED.

JOINT MEETING WITH THE TOWNSHIP BOARD AND PLANNING COMMISSION.

Tabor moved Hill second that a joint Township Board and Planning Commission meeting be scheduled and advertised for Thursday, January 6, 2005 at 7:00 p.m., to discuss future land use alternatives and key recommendations and strategies.

Aye: 7 Nay: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - KBIC to Seppanen
- B. Information – Clerk to Board – Election Follow-up
- C. Information – MCRC 2005 Construction Projects
- D. Information – MTA Legislative Updates

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

Hall and Grounds Capital Improvements 401.265.957	\$0	+\$10,000.00	\$10,000.00
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Fire Capital Improvements 401.340.957	\$5,000.00	+\$4,000.00	\$9,000.00
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ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Yelle to Township Board
- B. Information – Department of Corrections Community Liaison Committee
- C. Information – Excerpts from *The Mining Journal* re: Chocolay Township Police Department
- D. Information – MTA Legislative Updates

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

February 21, 2005

A Regular meeting of the Chocolay Township Board was held on Monday, February 21, 2005 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Clerk Hill called the meeting to order in the absence of the Supervisor at 7:00 p.m.

Britton moved Trudeau second that Treasurer Greenberg chair the meeting.

TOWNSHIP BOARD.

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

ABSENT: Greg Seppanen.

STAFF PRESENT: Dennis Stachewicz, Denny Magadanz, Mary Sanders and Lee Snooks.

Two presentations will be dropped from the agenda because the presenters are not available. New business **G.** Police Enforcement on the Snowmobile Trail and **H.** Survey of Surrounding Townships Services.

MINUTES – JANUARY 17, 2005.

Tabor moved Maki second that the minutes of the Regular Meeting held on January 17, 2005 are approved.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

ACCOUNTS PAYABLE.

Hill moved Trudeau second, that bills totaling \$28,320.99 checks numbered 12050– 12085 are approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Britton moved Maki second that bills totaling \$30,531.30 checks numbered 12086 – 12107 are approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Chocolay Township Planning Commission Minutes – 12/06/04
- 2) CABA Minutes – 12/15/04
- 3) Chocolay River Watershed Council Minutes – 6/09/04
- 4) MAWTFAB – 1/10/05

SUPERVISORS REPORT.

1. Snowmobile Trail – We will not meet with the DNR until April. Supervisor Seppanen has given information on the trail to Governor Granholm.
2. Community Center – There is a meeting scheduled tomorrow with our attorney. We are very close on a sale agreement.
3. Recreation Grant – The 2003 Silver Creek recreation grant was turned down. We will reapply in 2005.

REZONING #130 – SMITH – RP TO RR-2.

Hill moved Tabor second that as recommended by the Planning Commission, the Charter Township of Chocolay Board deny rezoning #130.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

WASTEWATER FEES – MARQUETTE MOTOR LODGE.

Britton moved Trudeau second that under Ordinance #39 – 9 –2e the sewer bill for Marquette Motor Lodge be reduced to 4.9 equivalent users until May 2005 or until the units are reopened for business.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

FIRE DEPARTMENT PURCHASE OF PAGERS.

Trudeau moved Britton second to authorize the Fire Department to purchase fourteen Motorola pagers from Anderson Communications for not more than \$5,670.00, using monies from the Fire Department in the Capital Improvements Fund.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

RESOLUTION – MDOT PERFORMANCE AND INDEMNIFICATION.

Britton moved Maki second that the Charter Township of Chocoday adopt the Performance Resolution for governmental Bodies and the Department of Public Works supervisor be authorized to apply for the necessary permits.

AYES: 6 NAYS: 0

MOTION CARRIED.

RESOLUTION TO EXERCISE THE TOWNSHIP BOARD’S RIGHT TO APPROVE OR REJECT A BASIC PLAN.

Trudeau moved, Tabor second that the following resolution be adopted

WHEREAS, In accordance with the Township Planning Acts, Public Act 168 of 1959 and subsequent amendments; and

WHEREAS, The Chocoday Township Board has recognized the work of the Chocoday Township Planning Commission and the Chocoday Township Community; and

WHEREAS, The goal in mind is that Basic Plans adopted by the Chocoday Township Board exhibit complete participation and understanding of the planning process by the Chocoday Township Board now, therefore, be it hereby

RESOLVED, That the Charter Township of Chocoday hereby asserts the right to approve or reject Basic Plans.

Adopted this 21st day of February, 2005 by the Charter Township of Chocoday Board.

ROLL CALL.

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

NAYS: None

ABSENT: Seppanen.

MOTION CARRIED.

JOINT MEETING WITH CHOCOLAY TOWNSHIP PLANNING COMMISSION.

Tabor moved, Britton second that a joint Township Board and Planning Commission work session be scheduled and advertised for Thursday, March 3, 2005 at 6:00 p.m., to discuss the draft Chapters 10 through 12 of the Comprehensive Plan Update.

AYES: 6 NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Trustee Britton brought up the speed limit on the snowmobile trail. He would like our police to enforce after hours minimum speed on the snowmobile in Chocoday Township.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Seppanen to DNR Director
- B. Correspondence – Stachewicz to Board
- C. Correspondence – Yelle to Board
- D. Information – Chocoday Township Police Department Quarterly Statistics
- E. Information – MCTA Meeting
- F. Information – Chocoday River Water Trail Access Site Grant
- G. Information – 108th Congressional Report
- H. Information – MTA Legislative Updates

There being no further business, Treasurer Greenberg adjourned the meeting at 7:25.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

March 11, 2005

A Special Meeting of the Chocolay Township Board was held on Friday, March 11, 2005 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 5:30 p.m.

TOWNSHIP BOARD.

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

ABSENT: Arlene Hill, Ken Tabor, Dan Maki.

STAFF PRESENT: Dennis Stachewicz and Mary Sanders.

PUBLIC COMMENT.

None.

CONSIDER BOARD OF REVIEW APPOINTMENT.

Greenberg moved Britton second that Albert Denton be appointed to the Board of Review for a term to run from January 1, 2005 to December 31, 2006.

AYES: 4

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

Meeting adjourned at 5:35 p.m.

Arlene E. Hill, CMC
Clerk

Mary Sanders, CMC
Deputy Clerk

Police Capital Outlay
101.305.957 \$ 3,080.00 +1,000.00 \$ 4,080.00

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

APPOINTMENT – ROBERT MAXON AS ALTERNATE TO ZONING BOARD OF APPEALS.

Tabor moved Maki second to appoint Mr. Robert Maxon to fill the open alternate Zoning Board of Appeals slot for the remaining term, ending September 2006.

AYES: 7 NAYS: 0

MOTION CARRIED.

2005 FIRE ACT GRANT.

Trudeau moved Britton second to authorize the Fire Department to seek a Department of Homeland Security grant not to exceed \$30,000.00 with Township's match not to exceed \$1,500.00.

AYES: 7 NAYS: 0

MOTION CARRIED.

MICHIGAN NATURAL RESOURCES TRUST FUND GRANT – SILVER CREEK RECREATION AREA.

Hill moved Greenberg second that the Director of Recreation and Grants Administrator submit a grant application, not to exceed \$93,775.00, to the Department of Natural Resources for a MNRTF grant to develop the Silver Creek Recreation Area. If the application is successful, the Township agrees to provide the required match of funds and force account labor.

AYES: 7 NAYS: 0

MOTION CARRIED.

INTERNET AND ELECTRONIC MAIL SERVICES AGREEMENT.

Tabor moved Greenberg second that he Township Board authorizes the Township Supervisor and Clerk to sign the agreement for Internet and Electronic mail services to be provided by Charter.

AYES: 7 NAYS: 0

MOTION CARRIED.

CAPITAL EXPENDITURE – LAPTOP AND PROJECTOR.

Britton moved Maki second to authorize the expenditure of an amount not to exceed \$3,750.00 from the Capital Improvement Fund – Computer Department (401.258.957) for the purchase of a laptop and projector.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

PUBLISH AMENDMENTS TO ORDINANCE #52 AND SCHEDULE PUBLIC HEARING.

Greenberg moved Trudeau second that the Chocolay Township Board authorize the publication of an amended Ordinance #52 (with changes made at meeting) and schedule a public hearing for April 18, 2005.

AYES: 7 NAYS: 0

MOTION CARRIED.

PUBLISH ORDINANCE #55 AND SCHEDULE PUBLIC HEARING.

Tabor moved Hill second that the Township Board authorize the publication of Ordinance #55 and schedule a public hearing for April 18, 2005.

AYES: 7 NAYS: 0

MOTION CARRIED.

RESOLUTION – OPEN DEPOSIT ACCOUNTS.

Hill moved Trudeau second that BE IT RESOLVED, that the River Valley State Bank of 1140 West Washington Street, Marquette, MI 49855-4040, is hereby designated as a legal depository of moneys belonging to the Township of Chocolay, County of Marquette, and State of Michigan and deposit accounts be maintained, in the name of Chocolay Township with said Bank, subject to the rules and regulations established from time to time by said Bank and as stated on the authorized signature card filed with said Bank by the undersigned. That any two (2) of the following, to wit:

John S. Greenberg Treasurer Deputy Treasurer

Arlene E. Hill Clerk Deputy Clerk

Mary L. Sanders

Are authorized, on behalf of this Township, and in its name, to sign checks, receipts or orders for the payment or withdrawal of funds deposited in said accounts or deposited to the credit of said Township in the said Bank and said Bank is hereby authorized and directed to honor and pay any of said checks, receipts or orders for the payment or withdrawal of funds deposited to the credit of said Township when so signed or otherwise authorized.

“FURTHER RESOLVED, that the foregoing resolution shall remain in full force and effect until written notice of its amendment or recession shall have been received by said Bank and that receipt of such notice shall not affect any action taken by the Bank prior hereto.”

I further certify that there is no provision in the articles or by-laws of said Township limiting the power to pass the foregoing resolutions and that the same are in conformity with the provisions of said articles and/or by-laws.

AYES: 7 NAYS: 0 MOTION CARRIED.

TOWNSHIP ASSESSOR – PROPERTY VALUATIONS.

Tina Fuller, Township Assessor gave a presentation to the Board on Township property valuations.

PUBLIC COMMENT.

Dick Arnold had questions on Ordinance #55.

Dan Chartier requested that the Township keep CABA informed on the comprehensive plan.

Pete Larue informed the Board that the Lion’s Club is willing to assist with any Township projects.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

A. Information – MTA Legislative Updates

There being no further business, Supervisor Seppanen adjourned the meeting at 8:30.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

have experience as DPW Supervisors. We will be interviewing within the next two weeks. I will be looking for John Greenberg and Arlene Hill to give me assistance in the interviews.

3. Snowmobile Speed Limit. Greg Zyburt is heading down to Gaylord for the DNR Snowmobile Advisory Committee meeting which will be held tomorrow. They will be debating the merits of our speed limit request. Chief Zyburt will be reading a statement of our position on the need and logic for such a speed limit. He will also address our concern on the difficulty from the enforcement side of the present situation with definition of "Reasonable Speed" as the standard for that section of the trail. The MTA people will be looking at our suggested language for a proposed law that would address this issue. We, staff and I, have come up with several options to put our township in a stronger position to insure safety for next winter. We are only waiting to see what comes out of this DNR meeting before we move forward and get board approval.

4. Marquette City Meeting – We have not been invited to the joint meeting but our township will keep in close communication with our two sister townships. The outcome will have a direct impact on our relations with the city.

5. Paper Recycling – I informed you several weeks ago that the DPW staff will not be able to continue with the sorting of recycled paper as the summer approaches. Presently we use 1/8 of a FTE to do this work that was originally done by the DOC inmates. The paper is used in their facilities but because of a change in their procedure they can not do the sorting. Our Department had been providing that work for some time now. We are looking at notifying the residents after the road restrictions are lifted and the curb side recycling program can again do that collecting. For those who do not want to use that service we are fortunate that our township has Star Industries and they will take the paper for recycling. Note: Board members suggested that Star Industries be offered our recycling barn to be put where the public can have access to it.

6. Shoreline Restoration Project – The project should be complete by late June.

PRESENTATION – CONCERNED CITIZENS OF BIG BAY.

Kelly Matthew a resident of Powell Township asked the Township board if they would send a letter of support for a baseline water study for the entire Yellow Dog Plains complex (not just a site specific water study).

Trudeau moved Hill supported that Chocolay Township Board send a letter of support for a USGS water study on the entire Yellow Dog Plains.

AYES: 6 NAYS: 0 MOTION CARRIED.

PRESENTATION FY2004 AUDIT.

Mike Greutz, Anderson Tackman & Company presented the FY2004 Chocolay Township audit. The Township is financially stable. Our revenues in 2004 were again higher than expenditures. The fund balance is in good shape.

Trudeau moved Tabor second to accept the FY2004 audit as presented by Anderson Tackman and Company.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trustee Trudeau would like to go out on bid for the next audit cycle. A committee of Trustee Trudeau, Treasurer Greenberg and Clerk Hill will meet with Anderson Tackman prior to the next board meeting and this will be discussed at the May board meeting.

PROCLAMATION FOR MUNICIPAL CLERKS WEEK.

Seppanen moved Tabor second that the Chocolay Township Board recognizes the following:

Whereas, The Office of the Municipal Clerk, a time honored and vital part of government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations.

Whereas, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, therefore, the Charter Township of Chocolay Township Board recognizes the week of May 1 through May 7, 2005, as Municipal Clerks Week, and further expresses appreciation to our Municipal Clerk, Arlene E. Hill, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the community they represent.

AYES: 6 NAYS: 0 MOTION CARRIED.

Lee Blondeau – Feels that the Township will save money with the sewer camera purchase. The zoning at the school should be as attractive as possible for a sale of the property.

Dick Arnold – The house on U S 41 next to Sunrise Builders is being fixed up and looks much better already.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Supervisor to MCSWMA
- B. Correspondence – Concerned Citizens of Big Bay to Supervisor
- C. Correspondence – Mark Maki to Clerk and Board
- D. Information – Inside Michigan Politics
- E. Information – MTA Legislative Updates

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

SPECIAL BOARD MEETING
APRIL 29, 2005

A SPECIAL MEETING of the Charter Township of Chocolay was held on Friday, April 29, 2005 in the conference room at the Township Hall, 5010 U S 41 South, Marquette, Michigan.

Supervisor Seppanen called the meeting to order at 6:00 p.m. He noted that this was a Special Meeting called for the purposes:

1. Consider sale of the Silver Creek School property.
2. Consider appointment of the DPW Supervisor.

TOWNSHIP BOARD.

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

ABSENT: Don Britton, Kendal Tabor

STAFF PRESENT: Dennis Stachewicz, Lee Snooks, Martin Caceres.

PUBLIC COMMENT.

Clerk Hill noted that those who were going to attend the MCTA Banquet needed to contact her office by Monday morning. Reservations will be called in at that time.

CONSIDER PURCHASE AGREEMENT.

Supervisor Seppanen described the details of the purchase agreement for the Silver Creek School property. An offer in the amount of \$490,000.00 was given by the Faith Assembly of God. The entire 10 acres would be included in the sale. Financial arrangements will be complete in 90 days.

Pastor Taylor of the Faith Assembly of God expressed the desire of the church and its congregation to be a part of our community. He noted it was a beautiful piece of property.

RESOLUTION.

Trudeau moved, Hill second WHEREAS, the Township has a building and a parcel of property for sale located at 219 Silver Creek Road; and

WHEREAS, the Township has reviewed an offer to purchase the property and a subsequent purchase agreement prepared by the Chocolay Township Attorney;

NOW THEREFORE BE IT HEREBY RESOLVED that the Charter Township of Chocolay Board accepts the offer of purchase for the property commonly known as the Silver Creek School and associated land as outlined in the purchase agreement signed by the purchaser, Faith Assembly of God, and authorizes the Township Supervisor and Clerk to sign the purchase agreement and associated real estate documents, and further authorizes the Township Supervisor to oversee the execution of the purchase agreement.

ROLL CALL.

AYE: Seppanen, Hill, Greenberg, Trudeau, Maki.

NAY: None.

ABSENT: Britton, Tabor.

Motion Carried.

CONSIDER APPOINTMENT OF DPW SUPERVISOR

Hill moved, Maki second to concur with the Chocolay Township Supervisor for the hiring of Martin Caceres to fill the position of Chocolay Township's Department of Public Works Supervisor.

AYES: 5

NAYS: 0

Motion Carried.

PUBLIC COMMENT.

It was noted that correspondence was received requesting that funds designated for a Community Building be returned to a designated fund for that purpose when the sale is complete.

The Supervisor adjourned the meeting at 6:40 p.m.

Arlene E. Hill CMC
Township Clerk

5. KBIC 2% Funding – We received \$89,500 last week from the request that was submitted several months ago. We will be having a Department Head Meeting within the next couple of weeks in order to come up with a budget recommendation to the board for our next meeting.

AUDIT SERVICES.

Greenberg moved, Trudeau second that the Chocolay Township Board authorizes the Township Treasurer to sign a letter of understanding with Anderson, Tackman and Company, P.L.C., for audit services in 2005 and 2006 in the amount of \$5,100.00 each year.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

TREASURER’S INVESTMENT AUTHORITY.

Trudeau moved, Britton second that the Chocolay Township Treasurer is authorized to deposit Township funds in banks, saving and loans, and credit unions doing business in the State of Michigan.

AYES: 7 NAYS: 0

MOTION CARRIED.

BEAVER GROVE PAVILION ELECTRICITY.

Britton moved, Maki second that Chocolay Township accept the quote to install 4 GFCI protected duplex receptacles at the Beaver Grove recreation pavilion from JP Electric Professionals, Inc. for \$1,500.00 to be paid from Township hall and grounds, capital improvements fund 401.265.957.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

SILVER CREEK/MAIN STREET CONSTRUCTION – AMEND CAPITAL EXPENDITURE.

Trudeau moved, Hill second to authorize the Township Supervisor and Clerk to execute contracts with the Marquette County Road Commission for the re-construction of Silver Creek Road and West Main Street for an amount not to exceed \$177,936.00 to be taken from the Streets capital improvements fund.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

PUBLISH AMENDMENT TO ORDINANCE #52 AND SCHEDULE A PUBLIC HEARING FOR # 52C.

The Board discussed the amendment to this ordinance and three changes need to be made before the public hearing. Section III (G) the word *not* in the last sentence. Section VI (B) 1. delete *Chocolay Township Director of Community Development and Land Use Services* and insert *Township*. Section VII (C) change *ration* to *ratio*. The changes will come back to the Board at the July meeting for approval and a public hearing at the August meeting.

PUBLISH ORDINANCE #55 AND SCHEDULE A PUBLIC HEARING.

Hill moved Tabor second that the Township Board authorize the publication of Ordinance #55 and schedule a public hearing for July 18, 2005.

AYES: 7 NAYS: 0

MOTION CARRIED.

LETTER OF SUPPORT – NEGAUNEE TOWNSHIP CASINO.

Trudeau moved, Hill second to authorize the Township Supervisor to draft and sign a letter of support for Negaunee Township identifying that the Chocolay Township Board supports the moving of the KBIC gaming facility from Chocolay Township to Negaunee Township.

AYES: 7 NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT AMENDMENT TO STANDARD OPERATING GUIDES.

Greenberg moved, Maki second that the Chocolay Township Board approves the Fire Department’s constitution and standard operating guidelines with the changes presented.

AYES: 7 NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT – 2005 DNR GRANT APPLICATION.

Hill moved, Britton second to authorize the Fire Department to apply for the 2006 DNR volunteer fire assistance grant with the amount requested not to exceed \$2,625.00 and the township’s match not to exceed \$1,312.50.

AYES: 7 NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT – CAPITAL EXPENDITURE.

Trudeau moved, Hill second to authorize the Fire Department to purchase from West Shore Fire Equipment 1 (one) Bullard T3MAX Thermal imaging camera with suggested options for \$10,500.00 from the fire department capital improvements funds 401.340.957 (\$6,000.00 from KBIC donation).

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

FIREARMS ORDINANCE.

A request was made by a resident on the Firearms restriction zone. The Board discussed this and decided to wait until the comprehensive plan is complete in September.

Supervisor Seppanen – There is a new ambulance service in Marquette called Med ride. Marquette General Hospital now wants Chocolay Township to sign a contract with them for ambulance service. We need to set up an ad hoc committee. Trustee Tabor, Trustee Trudeau, Fire Chief Gary Johnson and Lee Snooks will be on this committee.

PUBLIC COMMENT.

Mark Maki – Wanted to know who he should talk to when he has a zoning question?

Trustee Britton – When did we have an ice rink at Silver Creek School? The answer was 20 years ago.

Treasurer Greenberg – Peggy Paul, Deputy Treasurer is resigning as of June 30, 2005.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – LSCP to Clerk
- B. Correspondence – Supervisor to CRWC
- C. Correspondence – Supervisor to Representative Casperson
- D. Correspondence – Zoning Administrator to Township Board
- E. Correspondence – Mark Maki to Township Board

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

July 18, 2005

A Regular meeting of the Chocolay Township Board was held on Monday, July 18, 2005 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m. and announced that first on the agenda were two public hearings.

1. 2005 millage rate request.
2. Ordinance #55 – vehicle and trailer parking and storage.

PUBLIC HEARING ON THE 2005 MILLAGE RATE.

An explanation of the reason for the hearing was offered. The hearing was opened at 7:01 p.m. No comments were offered. The public hearing was closed at 7:02 p.m.

PUBLIC HEARING ON Ordinance #55 was opened at 7:02 p.m. The following person offered comments:

- Richard Arnold
- Sylvia Hainstock
- Susan Hyska
- Fran Hyska
- Brad VanSlyters
- John Dawydko

They reserved time to comment when the agenda item was discussed by the Board. The Public Hearing was closed at 7:10 p.m.

The Regular meeting was called to order.

TOWNSHIP BOARD.

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

ABSENT: None.

STAFF PRESENT: Dennis Stachewicz, Martin Caceres, Lee Snooks, Gary Johnson, Greg Zyburt.

MINUTES – JUNE 20, 2005.

Trudeau moved, Greenberg second that the minutes of the regular meeting held on June 20, 2005 are approved as presented.

AYES:7NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$30,967.55 checks numbered 12331– 12363 are approved for payment.

AYES: 7 NAYS: 0

MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATION.

Hill moved Greenberg second that the following resolution be adopted

WHEREAS, “Jack” Menhennick has been recognized by the Lions Club and presented the Melvin Jones Fellowship Award; and

WHEREAS, “Jack” has been an outstanding member of the Charter Township of Chocolay Community and acted as a pillar in the community by supporting youth and adult programs and was instrumental in establishing and maintaining the Lion’s Park, even if he had to flood and snowplow the ice rink by himself; and

WHEREAS, “Jack” was one of the original members of the Charter Township of Chocolay Fire Department and dedicated countless hours to protect our community, even after he retired from the Fire Department he would volunteer to help out and run the radios; and

WHEREAS, “Jack” has exhibited an example of volunteering in the community that led him to lend anyone a hand, even if it meant his own work did not get done; Now Therefore Be It Hereby

RESOLVED, That the Charter Township of Chocolay recognizes “Jack” Menhennick as an outstanding citizen of the Charter Township of Chocolay and recognizes this day as “Jack” Menhennick Day.

Adopted this 18th day of July, 2005, by the Charter Township of Chocolay Board.

AYES: 7 NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

1) Planning Commission Minutes – 6/13/05

SUPERVISORS REPORT.

1. School Sale – We will be closing tomorrow – 3:00 p.m. at the Silver Creek School.

2. Snowmobile Trail. I have signed a letter to the DNR stating that Chocolay Township would commit \$10,000 toward the \$1,300,000 grant that they have submitted to engineer and alter the trail along the residential area with trees, contouring the trail, adding curves, and other abatement activities. The trail would also be upgrade for year-round use with 6 ½ miles of crushed limestone being laid down on the trail. We should know the results for their efforts in October of this year.

3. Marquette City Recreation Survey – Much time and effort was put forth this month in order to take that first step of a survey on Recreation needs and uses. At the last minute Marquette Township balked at working directly with the city on this. I met their Township Manager, Randy Girard, late last week and we have agreed to meet this week to see if there is another way to accomplish this goal.

ADOPTION OF ORDINANCE #55 – VEHICLE AND TRAILER PARKING AND STORAGE.

Planner Dennis Stachewicz gave an overview of the changes between the old ordinance # 46 and the new ordinance #55. Basically it tightens up the old ordinance. Written comment was received from Brad Cory and read into the record favoring an ordinance upgrade.

- Richard Arnold – not in favor of ordinance, feels it does not improve the old ordinance.
- Jack Schneider – feels that any vehicles for sale must be owned by the property owner.
- Sylvia Hainstock – agrees that for sale vehicles should be owned by property owner.
- Brad VanSlyters – indoor storage area should have a concrete floor to prevent oil or gas leaking in the ground. No contamination is acceptable.
- Susan Hyska – has a problem with 3 inoperable vehicles. Concerned with kids getting locked in car trunks.
- John Johnson – farmers do not have cement floors in their barns.
- John Dawydko – other area have too strict ordinances.
- Carol Margrif – objects to junk on back lot which is Timberlane and is the main entrance road to the subdivision.
- Kendall Tabor (Board rep. on planning commission) – We need to be continuing to update this ordinance as needs change.

Tabor moved Hill second that the Charter Township of Chocolay Board hereby adopts Ordinance #55, which provides regulations for the outdoor parking and storage of vehicles and trailers, as presented and rescinds the previous Ordinance #46.

AYES: 6

NAYS: 1

MOTION CARRIED.

2005 MILLAGE RATE REQUEST REPORT

Greenberg moved Britton second that the Charter Township of Chocolay adopts a total 2005 ad valorem tax of 4.0189 mills on \$131,184,870 taxable value for a total levy of \$527,218.87 general operating of the Charter Township of Chocolay and authorizes the Township Supervisor and Clerk to sign the 2005 Tax Rate Request Form (L-4029) and forward it the Marquette County Board of Commissioners.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

REZONING #131 – PUBLISH TEXT AMENDMENT - CHARTER TOWNSHIP OF CHOCOLAY – PL TO R-3.

Hill moved, Tabor second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-05-01

AMENDMENT #34-05-01

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

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the property known as the Silver Creek School Area located on the north side of Silver Creek Road in Section 6, T.47N-R.24W encompassing approximately 10 acres identified as tax parcel code 52-02-106-040-00 be rezoned from Public Lands to R-3.

AYES: 7

NAYS: 0

MOTION CARRIED.

expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, No Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training Capital Outlay 401.306.957	\$ 2,096.08	+ \$422.40	\$ 2,518.48

REVENUE	PREVIOUS	CHANGE	AMENDED
401.698	\$ 0	+\$422.40	\$ 422.40

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

CAPITAL EXPENDITURE – POLICE DEPARTMENT TRAINING.

Greenberg moved, Hill second to expend \$200.00 from police training for the LSI advanced workshop training at NMU. This will be paid from the police training account in the capital improvement fund 401.306.957.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

IN APPRECIATION
TO
PEGGY PAUL

Greenberg moved, Hill second

Whereas for 9 years, Peggy performed the duties of Deputy Treasurer for the Charter Township of Chocolay with accuracy and conscientious service;

And in this service treated the staff and public in a courteous considerate manner;

And whether answering the phone or responding to an inquiry used a pleasant, and kind voice,

For these services to the Township on behalf of the Chocolay Board, its staff and the township residents we do give her thanks. Our best wishes on her retirement.

Chocolay Township Board

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Carol Margrif – Noted that the County Board will consider a non-smoking ordinance at their July meeting with the final reading in August. She would like the Chocolay Township Board to go on record as being in support. The Board requested a copy of the final ordinance. They will consider it at the next Board meeting.

Jack Menhennick – spoke in favor of the Board supporting the non-smoking ordinance.

Mark Maki – had requested permission to attend this meeting. He did not attend. Supervisor Seppanen had prepared an answer to his written comments. He read the response to those present. He will read it next month if Mr. Maki attends.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Representative Casperson to Supervisor
- B. Correspondence – Zoning Administrator to Wietek
- C. Correspondence – Maki to Township Board
- D. Information – Assessing Office Report
- E. Information – Fire Department Monthly Reports – 1/2005 to 6/2005
- F. Information – Michigan Public Service Commission
- G. Information – MTA Legislative Updates
- H. Publication – Inside Michigan Politics

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

SUPERVISORS REPORT.

1. School Sold- The money has been put into the capital budget. We will need to re-start a facility needs committee to look over the changes and modifications needed for our present location to serve the residents into the far future.
2. Snowmobile Trail - The SAC has recommended to the DNR Director that the speed limit – or lack of a speed limit- not be changed. Ron Yesney from the DNR has indicated that our grant request has a good chance of making the first step with an ok for engineering work. We will know the outcome of the grant results in late October.
3. Marquette City Recreation Survey – Marquette Township will be looking at joining the city and us in this needed effort to look at our regional recreational needs. I have talked to representatives from the Lake Superior Partnership and I'm hopeful that they will be actively participating also.
4. Fire Department – Gary will be meeting with the fire chief of Marquette Township to actively explore the possibility of a Mutual Aid Agreement with them. Gary and I have also been in discussions about the fire departments need for the new truck in 2007.
5. Lee Snooks - will be retiring as of August 25th. We will be interviewing a replacement for him at the end of the month.
6. Quick Stop Oil Change – Again we had a sand build up problem in the sewer system near the Quick Stop Oil Change. Martin had documented the additional cost to the township because of the failure of the business's sand trap system or his employees not following the proper procedure to empty the trap. Mr. Thorley agreed with our numbers and will be paying off the bill through the quarterly water bill that he receives. Martin did an excellent job of presenting this complicated information in a useful manner
7. Police – Our police department received a grant for a Thermo imaging camera.
8. Budget concerns- Power point presentation.

ADOPTION OF ORDINANCE #52C LAND DIVISION ORDINANCE.

Greenberg moved, Trudeau second that the Charter Township of Chocolay Board hereby adopts Ordinance #52C, an amendment to the Charter Township of Chocolay Land Division Ordinance as presented and published.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

REZONING #131 –ADOPT TEXT AMENDMENT - CHARTER TOWNSHIP OF CHOCOLAY – PL TO R-3.

Hill moved, Britton second that the Charter Township of Chocolay Board waive the reading and adopt the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-05-01

AMENDMENT #34-05-01

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

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the property known as the Silver Creek School Area located on the north side of Silver Creek Road in Section 6, T.47N-R.24W encompassing approximately 10 acres identified as tax parcel code 52-02-106-040-00 be rezoned from Public Lands to R-3.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

ADOPTION OF THE COMPREHENSIVE PLAN.

Maki moved, Trudeau second that the Charter Township of Chocolay Board hereby concurs with the Planning Commission and adopts the Charter Township of Chocolay Comprehensive Plan with the attached list of amendments.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

JOINT RECREATION SURVEY.

Trudeau moved, Britton second to authorize the Township Supervisor to work with the City of Marquette to develop a proposal for a joint recreation survey not to exceed a cost of \$5,000.00 from the recreation department in the capital improvements fund 401.708.957.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2005 AMENDMENT NO. 2 REIMBURSEMENT FOR SNOWMOBILE GRANT

Greenberg moved, Maki second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 13, 2004, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Capital Outlay			
101.305.957	\$ 4,080.00	+ 6,921.36	\$ 11,001.36
Salaries			
101.305.702	\$170,728.00	+ 4,436.55	\$175,164.55
Temporary/Part Time Salaries			
101.305.705	\$ 46,576.64	+ 1,500.00	\$ 48,076.64
REVENUE			
Miscellaneous			
101.698	\$ 69,753.64	+12,857.91	\$ 82,611.55

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2005 – AMENDMENT NO. 4 CHARTER COMMUNICATIONS FRANCHISE FEES.

Trudeau moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 13, 2004, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$83,452.47	-\$28,000.00	\$55,452.47
Franchise Fees			
101.583	\$0.00	+\$28,000.00	\$28,000.00

AYES: 7 NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2005 – AMENDMENT NO. 3 FIRE DEPARTMENT DNR GRANT.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 13, 2004, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$82,611.55	+\$840.92	\$83,452.47
Fire Department			
	\$8,500.00	+\$840.92	\$9,340.92

Capital Outlay

101.340.957

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

HILL MOVED, GREENBERG SECOND THAT

CHARTER TOWNSHIP OF CHOCOLAY
COMMENDS MARQUETTE COUNTY
BOARD OF HEALTH

On its aggressive study and education of the public on the risks and dangers of tobacco related disease;

Whereas, their leadership has caused citizens of the County of Marquette to understand the dangers of smoking, both firsthand and secondhand;

Whereas, records show that youth and adults have decreased their use of tobacco products; significantly affecting their health and that of future generations.

The Charter Township of Chocolay Board commends the Marquette County Board of Health for its leadership in the health issues of our citizens.

We further pledge to continue to keep the Charter Township of Chocolay as a smoke-free facility and encourage our citizens in this direction.

Signed this 15th day of August 2005 by the Supervisor and Clerk of the Charter Township of Chocolay.

AYES: 7

NAYS: 0

MOTION CARRIED.

RECOGNITION OF SERVICE – CHIEF ZYBURT.

Recognition of service was given to Chief Greg Zyburt for work on locating a suicidal woman. He gave information to Gladstone Public Safety enabling them to locate her and get her to the hospital.

WASTEWATER TREATMENT PLANT UPGRADES.

Chocolay Township Board concurs with the study on the wastewater treatment plant utility master plan.

SPACE/NEEDS ASSESSMENT COMMITTEE.

All township departments will have one representative on the space /needs committee and John Trudeau and Arlene Hill will represent the board on this committee. This committee will evaluate the space requirements for future needs in the Township office.

PUBLIC COMMENT.

Cathy Peterson – Commented on the rezoning of the Silver Creek school property.

Trustee Trudeau – Concerns with the Utility Review Committee financial reports and advertising for their public meetings.

Trustee Britton – Question on tightening the R-1 restrictions in the Junk Vehicle Ordinance.

Greenberg – Commented on the controlled burn that took place at the Habitat for Humanity property.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Supervisor to DNR
- B. Correspondence – Supervisor to KBIC
- C. Correspondence – Mark Maki to Township Board
- D. Information – MTA Legislative Updates
- E. Publication – *Inside Michigan Politics*

There being no further business, Supervisor Seppanen adjourned the meeting at 8:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

September 19, 2005

A Regular meeting of the Chocolay Township Board was held on Monday, September 19, 2005 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

ABSENT: None.

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

MINUTES –AUGUST 15, 2005.

Greenberg moved, Trudeau second that the minutes of the regular meeting held on August 15, 2005 are approved as presented.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$38,723.61 checks numbered 12434– 12462 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Britton moved, Maki second that bills totaling \$16,380.66 checks numbered 12463– 12489 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

Mark Maki – Complaints on viewing public documents and Lakenen sign.

Supervisor Seppanen – Two meeting have been set up in the past month with Mr. Maki picking the date and time and he did not show up for either meeting.

Mr. Maki was asked to sit down and remain quiet because of his outbursts several times. Mr. Maki was then asked to leave the meeting because of his outbursts.

Cathy Peterson - She feels Mark Maki's right have been taken away.

Clerk Hill – Gave information to the Board on an audit seminar put on by NMPSA. She also stated that she has responded to Mr. Maki in writing and over the phone more than any other citizen in the Township. Mr. Maki calls her weekly at the office and at home.

Cathy Peterson – Is opposed to the Township becoming a passport agency.

Trustee Trudeau – NMPSA and the MTA put on good seminars, but always have during the week when a lot of Township officials are working their full time job.

Treasurer Greenberg – The elected officials academy put on by NMPSA is always held on a week end and the attendance is poor.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 08/04/05 and 08/08/05
- 2) NMPSA Minutes -08/31/05
- 3) CABA Minutes – July 20, 2005

Trustee Maki - Question on Planning Commission minutes - T21 grant 40% match.

SUPERVISORS REPORT.

1. Snowmobile Trail. We are moving forward with plans for this year snow season. I have also been informed that the DNR has formed a committee to look at the parameters for establishing speed limits on trails through residential areas. I've talked to Representative Adamini on this and Dennis has been in touch with his staff. We hope to get local representation on this committee or at least have a chance for input. The committee is meeting in Lansing. They are selecting committee members from the Lansing area.

2. Marquette City Recreation Survey – We are working with Marquette and hope to have the survey out soon.
3. Ambulance Service – The status quo at the moment. The dispatching will be Mediride/MQT/General alternating unless the person requests a certain provider.
4. Tom Murray – Has been hired to fill the position of Lee Snooks. He has worked for the City of Marquette in assessing, zoning, and planning. His schedule is Tuesday through Thursday. He is a good fit for our office staff.
5. Mutual Aid agreement for Chocolay and Marquette Township – It is still at the Mike Summers offices and we will have it on the next month agenda.
6. Police – We had an incident at the Dry Dock several weeks ago. I want to mention this to give credit to the work that Sergeant Heinzelman did in breaking the case and bringing the suspect back to the area for trial.
7. Senior Citizen Transition Board – This group has not met since June since the authority of this Board is in question. Hopefully there will be new direction for this Board and they can meet soon.

PRIVATE ROAD REQUEST – BENNETT/BUZZO – RIVERSIDE ROAD.

Staff report was given on private road request #20 – Riverside Road Bennett/Buzzo. The Planning Commission approved the application. The application and the lots meets all of the Township requirements.

Comments from public:

- John Renfrew – Concerned with building distances from top of bank going down to the Chocolay River. Waterfront set back is 100 feet from edge of water.
- Gerald Waite – Concerns about how buildable the land is. This land floods in the spring.
- Rod Smith – The soil erosion and sediment control permit has not been signed as of 1:00 p.m. today.
- Don Balmer – This area floods every spring. Each of these lots exceeds 25,000 sq. ft. but the buildable area is very small. The Township should make a change in their ordinance to be specific on a minimum buildable area on a buildable lot.
- Stuart Bennett – The septic and well permits have been approved by the County Health Department. The proposed lots are higher than many of the lots on Riverside Road.
- Jolaine Bishop – How far will the road be from her property line? Where will the snow be dropped when plowing this road in the winter?
- Joel McLaughlin – The proposed road is higher than the existing lots.
- Diane McLaughlin – There is no buffer zone.
- Rod Smith - There should be a perk test. The septic discharge could go downstream to the Chocolay River.
- Debbie Mannico – The private road will cause a lot of traffic problems. The proposed road is right behind her back yard. It could be dangerous for children playing.
- Evie Smith – A person driving on the road would be able to see into her home.
- Larry Buzzo – The right of way for the private road is 66” wide and the road is 24” wide. The trees left on the bank would not allow the snow plowed from the road to be dumped in the backyards of Riverside Road.
- Nydia Renfrew – The proposed road area has flooded before.
- Tony Landick – Township should consider the letter of the law vs. the spirit of the law.
- Sharon Marder – When she bought her property she was told the proposed property could not be built on.
- Lee Blondeau – It is always difficult to accept change on your own property .
- Don Balmer – Lots are in this area are 150 feet deep.
- Cathy Peterson – The people opposed the road and new lots should get together and purchase the property from Bennett/Buzzo.
- Brian Manniko – They have discussed purchasing the parcel but the price has gone up triple since Bennett/Buzzo purchased it.

Ken Tabor moved, Dan Maki second, that the Chocolay Township Board concur with the Planning Commission recommendation to approve Private Road request #20 from Stu Bennett and Larry Buzzo under Section 402 of Zoning Ordinance #34 with the following conditions (in this case the word “applicants” means Stu Bennett and Larry Buzzo):

- 1) The applicants shall allow access to township vehicles as well as other public/private utility companies to provide services; and
- 2) A covenant shall be established on the deeds for any parcels created off from this private road identifying the private road status and which reference the Declaration of Private Road Easement which must be fully executed; and
- 3) The applicants shall pay for and install a road sign identifying the approved name of the private road at the intersection with Riverside Road. The name of the road shall be subject to approval by the Director of Planning and Community Development pending review by the Marquette County Central Dispatch; and
- 4) The applicants shall construct the southern curve on the private road in accordance with the comments provided by the Marquette County Road Commission; and
- 5) The applicants shall obtain a driveway permit from the Marquette County Road Commission; and
- 6) The applicants are required to provide certification from a surveyor/engineer that the private road standards of the Zoning Ordinance have been achieved at the conclusion of construction; and
- 7) A zoning compliance permit shall not be issued until all of the above conditions are met; and
- 8) Land Division Approval is required from the Assessor for the creation of individual parcels off from the road and may require the modification of the lots as shown; and
- 9) The applicants shall comply with the conditions and requirements of all other agency regulations; and
- 10) The applicants are shall obtain Marquette County Health Department review of well and septic considerations for any proposed lots prior to road construction; and
- 11) A covenant shall be established on the deeds for any parcels created off from the private road mandating that all outside lighting be downwardly directed to prevent the trespass of light on adjacent property; and
- 12) The applicants shall submit a drainage plan to be approved by Township staff and the Marquette County Road Commission prior to road construction; and
- 13) The covenant shall also reflect a requirement for yearly application of dust control materials.

AYES: 7 NAYS: 0 MOTION CARRIED.

EXTENSION OF PRELIMINARY PLAT – ELDERWOOD SUBDIVISION.

John Greenberg moved, John Trudeau second that the Township Board approve a 1 year extension from today's date to the preliminary plat approval for the Elderwood Subdivision with the following conditions:

1. The preliminary plat be amended to show a 30 foot wide non-motorized pathway easement that connects Ladyslipper Lane and Trillium Circle; and
2. The revised preliminary plat is subject to review and approval by the Director of Planning and Community Development

AYES: 7 NAYS: 0 MOTION CARRIED.

APPOINTMENT OF ALTERNATE – ZONING BOARD OF APPEALS.

Hill moved, Greenberg second to appoint Joy D. Verlinden as an alternate member of the Chocolay Township zoning board of appeals. This appointment is a three year term, up for reappointment in May 2008, as per MCL 125.288(1).

AYES: 7 NAYS: 0 MOTION CARRIED.

DEVELOPING PASSPORT SERVICE.

Trudeau moved, Tabor second that the Township Clerk is authorized to establish a Passport Issuance Office in the Township office and proceed to make arrangements for the staff to be trained and the proper camera to be purchased.

ROLL CALL:

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

NAYS: Greenberg. MOTION CARRIED.

PUBLIC COMMENT.

Cathy Peterson – Is against the Township becoming a Passport Agency and is against the Township hiring another person to do grant writing.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Supervisor to Marquette Branch Prison
- B. Correspondence – Zoning Administrator to Board
- C. Correspondence – Zoning Administrator to ZBA
- D. Correspondence – Cathy Peterson to Board
- E. Correspondence – Mark Maki to Board
- F. Information – MTA Legislative Updates
- G. Publication – *Inside Michigan Politics*

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

October 24, 2005

A Regular meeting of the Chocolay Township Board was held on Monday, October 24, 2005 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m. One item was added to the agenda under New Business I. Lakeview Arena Committee.

TOWNSHIP BOARD.

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

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

MINUTES –SEPTEMBER 19, 2005.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Britton moved, Hill second that bills totaling \$38,678.04 checks numbered 12490– 12533 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Tabor second that bills totaling \$20,669.08 checks numbered 12534– 12558 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

Treasurer Greenberg asked about a Township social security privacy policy.

Clerk Hill told the Board about passport training. All supplies should be in the office within the week so that we can begin to serve the public.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

SUPERVISORS REPORT.

1. Snowmobile Trail. We are waiting for word from the DNR in regards to the grant that was submitted to reconstruct the trail through the residential area. The decision should be known within the next week. We are also following the trail speed issue and should hear on that soon.

2. Marquette Senior Center Transition Board – Don Britton reported that they are continuing to meet.

3. Budget – We will have it done by the end of the week.

4. Road Commission – They have again underestimated their/our cost. They will be talking to me about a further \$10,000 cost on our end. I will be addressing several issues about the work with them and will see where we stand by the next meeting.

5. Adjacent Property – I am approaching our neighbor on Silver Creek to see if there is an interest on their part for us to purchase a strip of land next to the township driveway. As you all know the access we presently have is not ideal. The township has in the past made an effort to acquire enough property to move our entry way further from the highway.

PRESENTATION – CABA CITIZEN OF THE YEAR – WILLIAM J. MENHENNICK.

Hill moved, Britton second that the Charter Township of Chocolay with great pleasure joins the Chocolay Area Business Association to proclaim Thursday, October 27, 2005 as William J. Menhennick day.

In the Township of Chocolay, County of Marquette, Michigan, It is most deserving that William ‘Jack’ Menhennick is given this day to be honored for this lifetime of service to his family, neighbors and friends,

Jack as he is affectionately called has lived his entire life in the community of Chocolay,

Having served as a charter member of the Chocolay Township Fire Department; a member of the School Board; Lions Club member; and served with the Bell Telephone Company.

Having committed himself to many township activities; participated in activities for the children; and contributed to growth of his community.

Having raised his family with his bride of 56 years, Betty, and in leadership presenting a strong family.

It is with thankful hearts that we extend to Jack and Betty the thanks of a grateful Township for the manner in which they have demonstrated love and grace to friends, family and neighbors alike. For this reason we proclaim Thursday, October 27, 2005 as 'Jack Menhennick Day'.

AYES: 6

NAYS: 0

MOTION CARRIED.

PRESENTATION– PETER WHITE LIBRARY.

Pam Christenson gave an annual report from the Peter White Library. Our Township Library millage will expire in 2006. She requested that Chocolay Township consider library millage at the same election in 2006 as the other surrounding Townships. Clerk Hill said that the August 2006 primary would be the preferred date.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2005 AMENDMENT NO. 5 REIMBURSEMENT FOR BYRNE GRANT.

Greenberg moved, Trudeau second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 13, 2004, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Capital Outlay 101.305.957	\$ 11,001.36	+7941.00	\$ 18,942.36

REVENUE

State of Michigan 101543	\$0	+7941.00	\$ 7,941.00
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ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2005 AMENDMENT 6 REIMBURSEMENT FOR MDOT TRAFFIC GRANT.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 13, 2004, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Salaries 101.305.702	\$175,164.55	+3,136.00	\$178,300.55

REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan 101.543	\$ 7,941.00	+3,136.00	\$ 11,077.00

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

CAPITAL EXPENDITURE – POLICE DEPARTMENT SHOTGUN PURCHASE.

Britton moved, Hill moved to approve the purchase of two new Benelli shotguns for the Police Department at a cost of \$1,900.00. This will be paid from the capital improvement fund, police department account 401.305.957.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

CAPITAL EXPENDITURE – TOWNSHIP SIGNS.

Trudeau moved, Tabor second, that the Charter Township of Chocolay Board authorize the Township Supervisor to purchase two "Municipal Complex" signs and four "Welcome" signs, incorporating the design recommended by the Charter Township of Chocolay Planning Commission, from Signs Unlimited and associated materials at a cost not to exceed \$1,290.00 to be taken from Zoning/Planning Commission Capital Improvements Fund 401.805.957, and install the signs at the locations recommended by the Charter Township of Chocolay Planning Commission.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

EMERGENCY SERVICES MUTUAL AID AGREEMENT WITH MARQUETTE TOWNSHIP.

Trudeau moved, Britton second that the Charter Township of Chocolay enters into a mutual aid agreement with Marquette Township Fire Department.

AYES: 6

NAYS: 0

MOTION CARRIED.

DELINQUENT SEWER USER LIST TO WINTER TAX ROLL.

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

CHOCOLAY TOWNSHIP DELINQUENT SEWER USERS 2005				
Name	Tax ID Number	Address	City, State, Zip	Amount Due
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	298.32
D & M Realty	52-02-440-009-00	133 Carmen Drive	Mqt MI 49855	686.12
Susan Racine	52-02-215-006-00	156 East Fairbanks	Mqt MI 49855	298.32
Ken Kerekes	52-02-216-014-00	131 East Wright	Mqt MI 49855	32.57
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	298.32
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	298.32
Mark Chudy	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	298.32
Richard Hillock	52-02-305-034-00	172 Riverside Road	Mqt MI 49855	142.38
Steve Johnson	52-02-206-012-00	2424 U S 41 South	Mqt MI 49855	155.94
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	536.96
Wahlstrom Enterprise	52-02-107-007-00	5043 U S 41 South	Mqt MI 49855	7,030.61
Wahlstom-Sweetz'N'Treatz	52-02-107-007-00	5045 U S 41 South	Mqt MI 49855	1,910.85
Steve Wahlstrom- Lark	52-02-107-004-00	5063 U S 41 South	Mqt MI 49855	1,223.24
Robert Vidlund	52-02-455-004-00	120 Veda Street	Mqt MI 49855	298.32
David Blackburn	52-02-106-032-00	232 Van Epps	Mqt MI 49855	142.38
Kevin Small	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	298.32
Jason Bernard	52-02-107-074-00	740 Willow Road	Mqt MI 49855	597.20
Kenneth Johnson	52-02-206-006-00	320 West Main Street	Mqt MI 49855	119.20
Renee Rintamaki	52-02-210-008-00	310 West Terrace	Mqt MI 49855	198.98
Joseph Stanaway	52-02-208-005-00	341 West Terrace	Mqt MI 49855	208.88
Marilyn Kremer	52-02-208-003-00	371 West Terrace	Mqt MI 49855	298.88
Jeff Bushey	52-02-208-002-00	387 West Terrace	Mqt MI 49855	80.52
Kristine Dionne	52-02-106-043-00	110 West Wright Pl	Mqt MI 49855	298.88
Total Delinquent Amount				15,751.83

AYES: 6

NAYS: 0

MOTION CARRIED.

LAKE SUPERIOR ARENA COMMITTEE.

Britton moved, Trudeau second to adopt a letter of support to the Lake Superior Arena Committee.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Trustee Trudeau – Commented on Lake Superior Partnership and signage in Harvey and Beaver Grove.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Supervisor to DNR Director
- B. Correspondence – Yelle to LaJuenesse/Township Board
- C. Information – MDEQ Violations
- D. Information – Fire Department Monthly Reports – July, August, and September 2005
- E. Information – MTA Legislative Updates
- F. Publication – *Inside Michigan Politics*

There being no further business, Supervisor Seppanen adjourned the meeting at 7:55 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

November 7, 2005

A Regular meeting of the Chocolay Township Board was held on Monday, November 7, 2005 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

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

STAFF PRESENT: Mary Sanders, Dennis Stachewicz, Martin Caceres, Greg Zyburt, Gary Johnson, Sharon Roshak, Mike Disch.

MINUTES – OCTOBER 24, 2005.

Greenberg moved, Trudeau second that the minutes of the regular meeting held on October 24, 2005 are approved as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$35,221.59 checks numbered 12559– 12608 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

Supervisor Seppanen stated that he wanted to bring item X.B up for discussion at this point in the meeting. Trustee Britton would have some comments. Trustee Britton requested that the Board table this item until the December meeting to allow the DNR to have their meeting in November that would deal with speed limits on the snowmobile trail.

Britton moved, Trudeau second to table the snowmobile ordinance until the December 12, 2005 Board meeting.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki – Complaints on sign violations - Cathy Peterson property on U S 41 and Van Buren property on County Road 480. Also had a complaint on his freedom of information request addressed by the Clerk.

Joe Holman – Disappointed with the Board for tabling the snowmobile ordinance.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 10/10/05
- 2) CABA Minutes – 09/21/05

SUPERVISORS REPORT.

1. Ron Yesney, DNR was in the audience and explained to the Board that the DNR has applied for a grant to resurface the bike path. He also commented that the DNR will meet at the end of November to discuss state owned trail and speed limits on the trails. Any decisions will be passed on to the NRC in December and action could take place in January 2006.

CENTRAL LAKE SUPERIOR WATERSHED PARTNERSHIP.

Carl Lindquist and Larry Gould representing the Central Lake Superior Watershed discussed projects and grants the partnership has worked on that affect Chocolay Township. The partnership appreciates Chocolay Township's financial participation.

ANNUAL ROAD RANKINGS.

Dennis Stachewicz explained the annual road inspection and road rankings memo to the Board.

Britton moved, Hill second to accept the annual road ranking as presented by staff and forward the list to the Chocolay Township Planning Commission.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Maki commented on two small road projects that he feels should be addressed. Riverside Road hill going onto Lakewood Lane and a low spot in South Big Creek near a cul-de-sac.

DESIGNATION OF PRIME PROFESSIONAL – MARINA WATER TRAIL ACCESS SITE.

Trudeau moved, Britton second that the Chocolay Township Board concurs with staff and designates Upper Peninsula Architects and Engineers to act as the Prime Professional for the development of the Chocolay Township Water Trail Access Site.

AYES: 7 NAYS: 0 MOTION CARRIED.

ARBOR DAY MINI GRANT.

Tabor moved, Hill second that the Chocolay Township Board hereby supports the enhancement of recreational facilities within the Township and therefore supports the application of a DNR Arbor Day Grant.

AYES: 7 NAYS: 0 MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT NO. 3 FY2005 – STATE OF MICHIGAN SHORELINE RESTORATION GRANT.

Hill moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the Township in December 2004 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan			
401.543	\$0	+\$71,481.88	\$71,481.88

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Recreation	\$18,828.48	+\$71,481.88	\$90,310.36
Capital Outlay			
401.708.957			

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

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT NO. 4 FY2005.

Maki moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the Township in December 2004 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan			
401.543	\$71,481.88	+\$476.64	\$71,958.52

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training			
401.306.957	\$2,518.48	+\$476.64	\$ 2,995.12

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

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2005
AMENDMENT 7 ALCOHOL GRANT.

Greenberg moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 13, 2004, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Salaries			
101.305.702	\$178,300.55	+\$220.82	\$178,521.37

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$ 11,077.00	+\$220.82	\$11,297.82

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

CAPITAL EXPENDITURE – POLICE DEPARTMENT TRAINING.

Greenberg moved, Maki second to expend \$113.50 from police training for the defensive tactics training manuals. This will be paid from the police training account in the Capital Improvements Fund 401.306.957.

ROLL CALL.

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

NAYS: None.

MOTION CARRIED.

FIRE DEPARTMENT – VOLUNTEER FIRE ASSISTANCE GRANT AWARD.

Tabor moved, Maki second to authorize the Fire Department to accept the Volunteer Fire Assistance Grant with the Township's match not to exceed \$1,300.00.

AYES: 7 NAYS: 0

MOTION CARRIED.

FISCAL YEAR 2006 BUDGET WORKSHOP.

General Fund

Revenues – No change.

Salaries – No change.

Township Board – No change.

Supervisor – No change.

Election – No change.

Assessor – No change.

Clerk – No change.

Board of Review – No change.

Treasurer – No change.

Township Hall & Grounds – No change.

Other General government – No change.

Police – No change.

Fire – No change.

Streets – No change.

Sanitation – No change.

Recreation & Grants – No change.

Community Center – No change.

Recreation & Property – No change.

Zoning – No change.

Planning Commission – No change.

Zoning Board of Appeals – No change.

Capital Improvements Fund

Expenditures – No change.

Wastewater Fund

Revenues – No change.

Expenditures – No change.

PUBLIC COMMENT.

Joe Holman – Commented on the snowmobile ordinance.

Sally Lynch – Feels that speeders on the snowmobile trail are from out of town and a posted speed limit would stop that problem. Agrees that the hill on Riverside going down to Lakewood Lane is a problem.

Sharon Roshak – Locals do speed on the snowmobile trail.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Supervisor to Save The Lakeview Arena Committee
- B. Correspondence – DNR to Larry Merrill
- C. Correspondence – Mark Maki to Township Board
- D. Information – Police Department Monthly Reports – April-September 2005
- E. Information – Marquette County 2006 Budget Adopted Local Unit Tax Rates
- F. Information – MTA Legislative Updates
- G. Publication – *Inside Michigan Politics*

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

2. The Township Board does hereby appropriate the sum of \$1,387,096.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2006, and ending December 31, 2006.

3. The Township Board does hereby appropriate the sum of \$284,806.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2006, and ending December 31, 2006.

4. The Township Board does hereby levy 4.8185 mills for general operations.

5. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution are rescinded.

6. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming with Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL.

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

NAYS: None ABSENT: None.

Supervisor Salary.

Hill moved, Tabor second that the salary for the office of Supervisor shall be set in the amount of \$14,447.00 for the Fiscal Year 2006, which begins January 1, 2006, and ends December 31, 2006.

AYES: 7 NAYS: 0 MOTION CARRIED.

Treasurer Salary

Trudeau moved, Britton second that the salary for the office of Treasurer shall be set in the amount of \$8,403.00 for the Fiscal Year 2006, which begins January 1, 2006, and ends December 31, 2006.

AYES: 7 NAYS: 0 MOTION CARRIED.

Clerk Salary

Tabor moved, Maki second that the salary for the office of Clerk shall be set in the amount of \$11,396.00 for the Fiscal Year 2006, which begins January 1, 2006, and ends December 31, 2006.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee's Per Diem

Britton moved, Greenberg second that the per diem for the office of Trustee shall be set in the amount of \$50.00 per meeting for the Fiscal Year 2006, which begins January 1, 2006, and ends December 31, 2006.

AYES: 7 NAYS: 0 MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

Planning Commission Minutes – 10/31/05.

NMPA Minutes – 10/26/05.

CABA Minutes – 10/19/05 and 10/27/05.

SUPERVISORS REPORT.

1. Snowmobile Trail. The NRC will be meeting in early January with our Trail Speed on their agenda.

2. Road Commission – They have not contacted me about the new cost for the last summer road construction. Dennis, Martin, and I have walked part of Silver Creek and have concerns about the quality of work. We will not pay the bill until without further discussion. I have contacted our attorney and I am prepared to address the issues with them once we get the bill.

3. Adjacent Property – I have contacted the adjacent property owner about our driveway concerns and about a possible purchase. There has been no further contact and I suspect that this indicates that they are not interested in selling.

4. KBIC 2% - We received a smaller check than the last one that covers the Fire contract and leaves about \$10,000 for our other capital concerns. Mary has deposited the money in the appropriate capital accounts till we decide what the money will be used for.

5. Recreational Survey – This has just gone out to the Marquette City, Chocolay, and KBIC Housing residents. Board members requested a copy of the survey.

6. Partnership - We have met with the Partnership and they have started the process of working on opening up more communication with the townships. No specific action is planned for at this moment.

PUBLICATION AND SCHEDULE PUBLIC HEARING FOR ORDINANCE #56 – SNOWMOBILE ORDINANCE.

Britton moved, Trudeau second, that the Chocolay Township Board authorizes the publication of Ordinance #56 – Regulation of Snowmobiles and schedule a public hearing for Thursday, January 19, 2006, with one

fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan 101.543	\$11,077.00	+\$1,157.09	\$12,234.09
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Election Department Postage 101.190.728	\$1,000.00	+\$1,157.09	\$2,157.09

ROLL CALL.

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

NAYS: None

ABSENT: None.

MOTION CARRIED.

ANNUAL APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS.

Seppanen moved, Hill second that Martin Caceres be re-appointed as a primary to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2006 to December 31, 2006.

AYES: 7

NAYS: 0

MOTION CARRIED.

Seppanen moved, Greenberg second that Dennis Stachewicz be re-appointed as an alternate to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2006 to December 31, 2006.

AYES: 7

NAYS: 0

MOTION CARRIED.

Seppanen moved, Trudeau second that Greg Seppanen be re-appointed to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2006 to December 31, 2006.

AYES: 7

NAYS: 0

MOTION CARRIED.

Seppanen moved, Greenberg second that Martin Caceres be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2006 to December 31, 2006.

AYES: 7

NAYS: 0

MOTION CARRIED.

Seppanen moved, Britton second that Dennis Stachewicz be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2006 to December 31, 2006.

AYES: 7

NAYS: 0

MOTION CARRIED.

Seppanen moved, Greenberg second that Tina Fuller be re-appointed to the Personnel Committee for a term to run from January 1, 2006 to December 31, 2006.

AYES: 7

NAYS: 0

MOTION CARRIED.

Seppanen moved, Maki second that Mary Kratzke be re-appointed to the Personnel Committee for a term to run from January 1, 2006 to December 31, 2006.

AYES: 7

NAYS: 0

MOTION CARRIED.

Seppanen moved, Hill second that Don Britton be re-appointed to the Personnel Committee for a term to run from January 1, 2006 to December 31, 2007 (Two year terms for Board Members).

AYES: 7

NAYS: 0

MOTION CARRIED.

Seppanen moved, Greenberg second that Martin Caceres be appointed as an alternate to the Utility Review Committee for a term to run January 1, 2006 to December 31, 2009 (Four year term).

AYES: 7

NAYS: 0

MOTION CARRIED

2006 TOWNSHIP MEETING DATES.

Greenberg moved, Britton second that the Township Board approves the 2006 Township meeting dates schedule as proposed.

AYES: 7

NAYS: 0

MOTION CARRIED.

MDOT – TOWNSHIP SIGN REQUEST.

Britton moved, Tabor second that

WHEREAS, The Charter Township of Chocolay Board is attempting to make an investment in our community; and

WHEREAS, The Charter Township of Chocolay Board is attempting to make improvements to the physical appearance of the US-41/M-28 Corridor through the Village of Harvey as outlined in the Charter Township of Chocolay Comprehensive Plan and the US-41/M-28 Comprehensive Corridor and Access Management Plan; and

WHEREAS, the signs will be placed in an area that has been identified by the Michigan Department of Transportation as an “Aesthetic Project Opportunities Area”; and

WHEREAS, the goal in mind is to match the goals of the Michigan Department of Transportation and the Charter Township of Chocolay Comprehensive Plan, be it hereby

RESOLVED, that the Charter Township of Chocolay Board supports the permit application, installation and maintenance of Township owned and designed "Welcome" signs in the Michigan Department of Transportation right of way for US-41 and M-28 in Chocolay Township

Adopted this 19th day of December, 2005, by the Charter Township of Chocolay Board.
AYES: 7 NAYS: 0 MOTION CARRIED.

US-41/M-28 CORRIDOR ENHANCEMENT GRANT.

Britton moved, Greenberg second that

WHEREAS, The Charter Township of Chocolay has adopted a Township Comprehensive Plan and the US-41/M-28 Comprehensive Corridor and Access Management Plan; and

WHEREAS, the recommendations in these plans support the program goals of the Michigan Department of Transportation – Transportation Enhancement Program; and

WHEREAS, The Charter Township of Chocolay is interested in implementing these goals to provide for continued economic development while also providing for a multi-modal transportation system which is safe, functional, and attractive; and

WHEREAS, these goals can be accomplished through a partnership with the Michigan Department of Transportation through the joint submission of a Transportation Enhancement Grant Application; now, therefore, be it hereby

RESOLVED, That the Charter Township of Chocolay Board supports the submission of a Transportation Enhancement Grant to achieve the goals outlined in the Charter Township of Chocolay Comprehensive plan and the US-41/M-28 Comprehensive Corridor and Access Management Plan.

AYES: 7 NAYS: 0 MOTION CARRIED.

SPACE/NEEDS ASSESSMENT COMMITTEE RECOMMENDATIONS.

Supervisor Seppanen will meet with Trustees Trudeau and Maki to further discuss the space needs for the Township buildings and bring the information back to the Board.

LETTER TO ELECTED OFFICIALS – CABLE FRANCHISING.

Trudeau moved, Britton second that the Township Board authorizes the Township Supervisor to sign and send a letter regarding the BITS legislation to our elected officials as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Joe Holman - Thanked the Board for going forward on the snowmobile trail speed limit. He is still very concerned with the DNR and their ideas on running the trail.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

Correspondence – DNR to Greg Seppanen

Correspondence – Mark Maki to Township Board

Information – MTA Legislative Updates

Publication – *Inside Michigan Politics*

There being no further business, Supervisor Seppanen adjourned the meeting at 8:35 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JANUARY 19, 2006

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

PUBLIC HEARING – ORDINANCE #56 – SNOWMOBILES.

PUBLIC COMMENT:

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

BOARD COMMENTS:

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

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

TOWNSHIP BOARD.

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

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

MINUTES –December 19, 2005.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

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

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

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

PRESENTATION - SENIOR SERVICES TRANSITION BOARD.

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

ORDINANCE #56 – SNOWMOBILES.

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

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

ANNUAL APPOINTMENTS.

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

AYES: 7 NAYS: 0

MOTION CARRIED.

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

AYES: 7 NAYS: 0

MOTION CARRIED.

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

AYES: 7 NAYS: 0

MOTION CARRIED.

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

AYES: 7 NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

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

SUPERVISORS REPORT.

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

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

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

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

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

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

FY2006 FEE SCHEDULE.

Trudeau moved, Tabor second that

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

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

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

Police Department

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

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

Department of Public Works

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

Assessing

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

Zoning/Planning

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

Clerks

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

Passports

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

Miscellaneous

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

ROLL CALL:

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

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

Hill moved, Trudeau seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 13, 2004, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

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

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

ROLL CALL:

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

NAYS: None.

MOTION CARRIED.

ZONING ORDINANCE UPDATE – RFP REVIEW.

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

AYES: 7 NAYS: 0

MOTION CARRIED.

UTILITY REVIEW COMMITTEE.

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

PUBLIC COMMENT.

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

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

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

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

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

INFORMATIONAL REPORTS AND COMMUNICATIONS.

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

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

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

FEBRUARY 20, 2006

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

TOWNSHIP BOARD.

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

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

MINUTES –January 19, 2006.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 01/09/06
- 2) NMPSA Minutes – 01/18/06
- 3) CABA Minutes – 12/14/05

SUPERVISORS REPORT.

1. Business Spur – snowmobile trail – Dennis and I met with Tom Casperson, Representative 108th District, this morning to elicit his support for funding of a snowmobile business spur. This would have the benefit of reducing the traffic through the residential portion of the trail and bring more of the traffic to our business section of Harvey.
2. KBIC 2% - We are still looking to have a meeting with the department heads to discuss the allocation of the small check from the tribe.
3. Job Descriptions – The job descriptions are done and the personnel committee will be meeting at the end of the month to review the information. Barring any surprises, I would expect that we will see the recommendations at our March meeting.
4. Landfill Authority – I had a call from the Director of the Landfill that I had indicated that the tag increase for this year was partially due to the fact that the landfill would be increasing their tipping fees. He indicated that no such decision has yet been made to that effect. I did apologize and stated that I should have stated that it was an anticipated increase and we would correct it on any communication that we have with the public. I asked him if he would assure me that the authority would not increase the tipping fee and he stated that he could not promise that at all. We do know that their expenses are up and that they will in all likelihood have to be making decisions that will have an impact on our residents cost of land filling our waste.

RESOLUTION OF APPRECIATION – ARLENE HILL.

Seppanen moved Trudeau second that the following resolution be adopted

WHEREAS, Arlene Hill has been elected President of the Michigan Townships Association; and

WHEREAS, Arlene has been an outstanding member of the Charter Township of Chocolay Board and served in the capacity of Township Clerk for more than 20 years; and

March 27, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, March 27, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m. Item H. under new business added to the agenda - Local control of cable franchise.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor.

ABSENT: Dan Maki.

STAFF PRESENT: Dennis Stachewicz, Martin Caceres, Tom Murray, Gary Johnson.

MINUTES –February 20, 2006.

Greenberg moved, Britton second that the minutes of the regular meeting held on February 20, 2006 are approved as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$22,418.34 checks numbered 12844– 12886 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 02/13/06
- 2) NMPSA Minutes – 02/22/06

SUPERVISORS REPORT.

1. Business Spur – recreational trail – We have had several follow-up meetings with Senator Prusi and Representative Adamini. We will be having a further meeting with both of them and representatives from the DOT and the DNR in early April. We hope that a more formal direction for funding this part of the business spur for our trail system will come out of this meeting.

2. KBIC 2% - We have put in another request for funds. We hope that our funding amount will be higher than the last award.

3. Solid Waste cost – We hope to have RFP’s in this week to review. We are hoping that the projected increases will not be as high as anticipated at budget time. If this is so we may be able to lower the price of the tags for this year.

4. Waste Water Treatment Plant Bonding –We have been looking over the contract, our flow numbers (use of the facility) and the overall flow numbers to see if Chocolay Township should remain such a large partner in the ownership of that facility. We are looking at our projected growth in the future and will be meeting with the City and Marquette Township to discuss the present levels of responsibility.

5. Utility Review Committee – We have been reviewing the by-laws and other information on this committee. I still need to sit down with Marquette Township to see who will handle the checkbook for the committee.

6. Emergency Management Meeting – County officials, Our Police Chief, Fire Chief, Dennis, and I had a meeting at the township hall last week. We are part of a county wide effort to “get the Chain of Command” established on what to do in case of a major event. I will be required to take some on-line training and testing as part of that effort to comply with state and federal requirements.

7. Road Commission Billing – I meet with Jim Iwaniki from the Road Commission. I agreed to pay the bill that the board had originally agreed to. Trustees Britton, Trudeau and I will meet to discuss the rest of the bill and bring our recommendation back to the board within the next two months.

STATE OF MICHIGAN INCREASE TO THE FUEL TAX.

John Trudeau Moved, Don Britton Second, that the following resolution be adopted

WHEREAS, it is and has been obvious for many years that the Michigan Transportation Fund does not provide adequate funding for the road systems in the State of Michigan; and

April 17, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, April 17, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Dan Maki, Ken Tabor.

ABSENT: None .

STAFF PRESENT: Martin Caceres, Tom Murray, Gary Johnson, Mary Sanders.

Item N. under new business added to the agenda – Wastewater Engineering.

MINUTES –March 27, 2006.

Maki moved, Greenberg second that the minutes of the regular meeting held on March 27, 2006 are approved as presented.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$29,595.35 checks numbered 12904– 12923 are approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Tabor arrived 7:03 p.m.

Maki moved, Britton second that bills totaling \$206,319.95 checks numbered 12924– 12973 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 2/13/06 and 3/16/06 Meetings

SUPERVISORS REPORT.

1. Business Spur – recreational trail – We meet with representatives from the DOT, the DNR Senator Prusi and Representative Adamini in early April. The DNR will be getting back to us about what type of grant we will need to pursue to further develop a multi-use business spur to the present trail system.

2. Waste Water Treatment Plant Bonding – I've met with Marquette Township and City officials to inform them of our concern on Chocolay's share of the bonding cost for the new Treatment Plant projects. I also meet with the Plants Advisory Board and expressed our concern and presented a short power point that I put together with the numbers supplied by the Plant supervisor.

Supervisor Seppanen gave a presentation to the Board on our usage vs. our ownership of the Wastewater Treatment Plant. The Board concurred with the Supervisor. Chocolay Township will not pay this percentage of the bill.

PRESENTATION – FY2005 AUDIT.

Mike Grentz, Anderson Tackman presented the FY2005 audit to the Board. Trustee Trudeau had a question on the road payment for Main Street and Silver Creek and where it was shown in the FY2005 audit.

Britton moved, Hill second to accept the audit as presented with the Main Street/Silver Creek Road payment noted as a long term payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PUBLISH ZONING ORDINANCE AMENDMENT #34-06-01 – REZONING #133 – JSN PROPERTIES.

Greenberg moved, Britton second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to **ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-06-01**

BALLOT PROPOSAL
TO RENEW MILLAGE LIBRARY SERVICES

Shall the previously voted millage for library services to the residents of the Charter Township of Chocoday be renewed, authorizing an ad valorem tax levy within the Charter Township of Chocoday, in an amount not to exceed 0.8299 mills (\$0.8299 per \$1,000.00 of taxable valuation), for a period of five (5) consecutive years, from 2007 to 2011 inclusive, which if levied, would raise an estimated \$116,628.00 in the first year.

- Yes
 No

ROLL CALL:

AYES: Britton, Tabor, Greenberg, Trudeau, Hill, Seppanen, Maki

NAYS: None.

MOTION CARRIED

Hill moved Tabor second that Arlene Hill contact the Peter white Library urging them to move in the direction of a district library so that Townships will have a voice in the use of their tax monies.

AYES: 7 NAYS: 0

MOTION CARRIED.

AMENDMENT TO 2006 FEE SCHEDULE – REDUCTION IN GARBAGE TAG FEE.

Hill moved Maki second to amend the FY2006 fee schedule and lower the garbage tag price to \$1.50 per tag or \$7.50 per sheet beginning May 1, 2006.

AYES: 7 NAYS: 0

MOTION CARRIED.

CAPITAL EXPENDITURE – GIS SOFTWARE AND DATA.

Tabor moved Greenberg second that the Charter Township of Chocoday Board authorizes capital fund expenditure for GIS software and data not to exceed the cost of \$2,885.00 to be paid from the following account 401.805.957.

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Hill, Maki, Seppanen,

NAYS: None.

MOTION CARRIED

AWARD BID REQUEST FOR FIRE EQUIPMENT.

Maki moved, Greenberg that the Chocoday Township Board award the bid request for a portable foam unit and wild land fire fighting coveralls to Pomasl Fire Equipment in the amount of \$2,202.80 plus the cost of shipping with the total not to exceed \$2,600.00 to be paid from account # 401.340.957.

ROLL CALL:

AYES: Tabor, Hill, Maki, Greenberg, Trudeau, Britton, Seppanen,

NAYS: None.

MOTION CARRIED

CONTRACTING FOR SCRAP METAL COLLECTION.

Greenberg moved, Hill second to accept the bid from Hawes Hauling and Disposal for the spring metal pick up for the amount of \$2,100.00 to be paid from account #101.526.870.

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Hill, Maki, Seppanen,

NAYS: None.

MOTION CARRIED

FUNDING FOR MCTA ANNUAL BANQUET.

Hill moved, Trudeau second that the Township pay the dinner cost of \$25.00 for all employees, Township Board, Planning Commission and ZBA members to attend the 2006 MCTA Banquet on Saturday April 29, 2006.

AYES: 6 NAYS: 1

MOTION CARRIED.

HIRING OF ARCHITECTURAL FIRM FOR PROGRAMMING PLAN.

Trudeau moved, Maki second that the Charter Township of Chocoday Board authorizes the Township Supervisor and Clerk to sign a contract with Integrated Designs for the development of a municipal complex programming plan in an amount not to exceed \$4,920.00 to be taken from Capital Improvements Fund 401.270.957.

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Hill, Maki, Seppanen,

NAYS: None.

MOTION CARRIED

TOWNSHIP LICENSE PLATE PURCHASE PROGRAM.

Hill moved, Britton second that the Township Clerk is authorized to purchase a minimum of 200 booster license plates at a cost not to exceed \$4.50 each and to amend the budget with the following budget amendment.

GENERAL FUND BUDGET AMENDMENT #1 FY2006 - LICENSE PLATES.

That Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Clerk Department			
Miscellaneous	\$200.00	+\$900.00	\$1,1 00.00
101.215.956			
Contingency			
101.285.951	\$35,000.00	-\$900.00	\$34,100.00

ROLL CALL:

AYES: Tabor, Hill, Greenberg, Maki, Trudeau, Britton, Seppanen,

NAYS: None.

MOTION CARRIED

WASTEWATER ENGINEERING.

Trudeau moved, Maki second to authorize Supervisor Seppanen to enter into an agreement with Mike Pond, STS Consultants to review our sewage treatment capacity in the Marquette Area Wastewater Treatment Facility for an amount not to exceed \$3,000.00.

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Hill, Maki, Seppanen,

NAYS: None.

MOTION CARRIED

PUBLIC COMMENT.

Clerk Hill – Reminded Board members to make their reservation this week for the Marquette County Township Association Banquet.

Trustee Britton –Question on Lakenen Land. There are no current zoning violations.

- A. INFORMATIONAL REPORTS AND COMMUNICATIONS.
- B. Correspondence – Karen Alholm re: Tom Lakenen FOIA Request
- C. Correspondence – Mark Maki to Township Board

There being no further business, Supervisor Seppanen adjourned the meeting at 8: 50 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 4, 2006
SPECIAL MEETING

A Special meeting of the Chocolay Township Board was called for the purpose of considering a response to the ownership of the wastewater treatment facility and the meeting notice was duly published. The meeting was held on Thursday, May 4, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m. The Supervisor noted the purpose of the special meeting.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau.

ABSENT: Ken Tabor, Don Britton, Dan Maki.

STAFF PRESENT: Martin Caceres, Dennis Stachewicz, Mary Sanders.

PUBLIC COMMENT.

None.

CONSIDER RESPONSE TO QUESTIONS ASKED BY MARQUETTE AREA TREATMENT FACILITY ADVISORY BOARD REGARDING CHOCOLAY TOWNSHIP'S OWNERSHIP INTEREST IN THE WASTEWATER TREATMENT PLANT.

Mike Summers, Township attorney explained the 1977 contract and the 1993 contracts that we entered into with the City of Marquette and Marquette Township. Chocolay currently holds 12.45 % ownership in the wastewater plant. The plant will be purchasing a bond for facility renovations and Chocolay Township currently would be liable for 12.45% of that. Discussions have been ongoing with the City of Marquette and Marquette Township about lowering Chocolay Township's percent of the bond due to the fact that we currently use less than 3% of our allowed maximum flow.

Mike Pond, Engineer STS Consultants, prepared a study for the Township based on a 20 year projection and showed the Township only going up to 3.88 % of the projected future wastewater flow for the Marquette Area Wastewater Treatment Facilities.

Trudeau moved, Greenberg second to send the proposal as presented by attorney Mike Summers to the Marquette Area Treatment Facility Advisory Board.

Roll Call:

AYES: Trudeau, Greenberg, Hill, Seppanen.

NAYS: None.

ABSENT: Britton, Maki & Tabor.

MOTION CARRIED.

PUBLIC COMMENT.

- What portion of Chocolay Township is in the sewer district? The Harvey area including the business section is connected to the sewer system.

There being no further business, Supervisor Seppanen adjourned the meeting at 7:50 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 15, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, May 15, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Clerk Hill called the meeting to order at 7:00 p.m. and the Board voted Clerk Hill to chair the meeting in the Supervisor's absence.

TOWNSHIP BOARD.

PRESENT: Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor.

ABSENT: Greg Seppanen, Dan Maki.

STAFF PRESENT: Martin Caceres, Gary Johnson, Mary Sanders, Dennis Stachewicz.

MINUTES – April 17, 2006 and Special Meeting May 4, 2006.

Britton moved, Trudeau second that the minutes of the regular meeting held on April 17, 2006 with one correction and special meeting May 4, 2006 are approved as presented.

AYES: 5 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Britton moved, Trudeau second that bills totaling \$29,154.34 checks numbered 12974– 13005 are approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

Tabor moved, Britton second that bills totaling \$62,689.07 checks numbered 13006– 13040 are approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

Fire Chief Gary Johnson – Updated the Board on the Chocolay River flooding last week. Flood stage is 9 feet and the Chocolay River was at 12 feet over the weekend. There were several roads in Chocolay that flooded.

Ginger Winn – Had a complaint on Lakenen Land. She lives next to it and does not want a campground there.

Dennis Stachewicz – Currently Tom Lakenen has permits for everything he is doing, he has not made a request for a campground yet.

Clerk Hill – The Chocolay Township license plates are ready for sale. Tomorrow is the last date to file for precinct delegate.

Trustee Trudeau – Comments on minutes posting and payroll approval.

ZONING ORDINANCE AMENDMENT #34-06-01 – REZONING #133 – JSN PROPERTIES.

Greenberg moved Tabor second that the Charter Township of Chocolay Board waive the reading and ADOPT the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-06-01

AMENDMENT #34-06-01

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the properties commonly known as 351 W. Main Street and 2401 US-41 South located on the north side of Main Street and the east side of US-41 South in Section 6, T.47N-R.24W encompassing approximately 1.56 acres in total comprised of tax parcel code 52-02-201-001-01 to be rezoned from R-1 to R-3 and tax parcel code 52-02-201-001-00 to be rezoned from C-2/R-1 to R-3.

Roll Call:

AYES: Trudeau, Britton, Greenberg, Tabor, Hill.

NAYS: None.

ABSENT: Seppanen, Maki.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 4/10/06
- 2) CABA Minutes – 3/15/06
- 3) MAWTFAB Minutes – 4/18/06

PUBLISH ZONING ORDINANCE AMENDMENT #34-06-02 – REZONING #134 – ENGLISH.
Tabor moved, Trudeau second that the Charter Township of Chocolay Board waive the reading and PUBLISH the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-06-02

AMENDMENT #34-06-02

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the properties located in Section 7, T47N – R23W, more commonly known as 1988 M-28 East (Tax Parcel Code 52-02-007-041-00), 1992 M-28 East (Tax Parcel Code 52-02-007-042-00), 1996 M-28 East (Tax Parcel Code 52-02-007-030-00) 2010 M-28 East (Tax Parcel Code 52-02-007-019-00), 2016 M-28 East (Tax Parcel Code 52-02-007-052-10) and a portion of the property more commonly known as 277 Kawbawgam Road (Tax Parcel Code 52-02-007-046-00) further described as: *PART OF THE SW ¼ OF SEC 7, T47N, R23W, CHOCOLAY TOWNSHIP, MARQUETTE COUNTY, MICHIGAN MORE FULLY DESCRIBED AS COMMENCING AT THE W ¼ CORNER OF SAID SEC 7; THENCE S 00 DEG 28'22" E, 492.42' ALONG THE W LINE OF SAID SEC 7 TO THE SOUTHERLY RIGHT OF WAY (R/W) LINE OF AN ABANDONED RAILROAD (100' R/W); THENCE S 88 DEG 58'47" E, 1,654.97' ALONG SAID RAILROAD R/W LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S 88 DEG 58'47" E, 813.59' ALONG SAID RAILROAD R/W LINE TO THE NORTH-SOUTH ¼ LINE OF SAID SEC 7; THENCE S 00 DEG 27'09" E, 326.38' ALONG SAID NORTH-SOUTH ¼ LINE; THENCE N 88 DEG 58'47" W, 813.42'; THENCE N 00 DEG 28'57" W, 326.38' TO THE POINT OF BEGINNING* be rezoned from RR-2 to R-1 and a portion of the property more commonly known as 131 Kawbawgam Road (Tax Parcel Code 52-02-007-049-00) further described as *THAT PART OF THE NW ¼ OF THE SW ¼, SEC 7, T47N, R23W, LYING N OF THE SOO LINE RAILROAD RIGHT OF WAY AND 350 FEET EAST OF THE CENTERLINE OF COUNTY ROAD "BI"; INCLUDING THE SOUTH 66 FEET OF THE WEST 350 FEET* be rezoned from PL to R-1.

Attached to this amendment to the Charter Township of Chocolay Zoning Ordinance is a Statement of Conditions setting forth, as authorized under MCL 125.286i, conditions attached to the rezoning of the properties described above. The Statement of Conditions shall be fully enforceable and binding in the same manner as any other provision of the Charter Township of Chocolay Zoning Ordinance.

Roll Call:

AYES: Tabor, Britton, Trudeau, Greenberg, Hill.

NAYS: None.

ABSENT: Seppanen, Maki.

MOTION CARRIED.

PUBLISH ZONING ORDINANCE AMENDMENT #34-06-03 – REZONING #135 – WENNERBERG
Trudeau moved, Hill second to table this item until the June meeting to allow the applicant or representative of the applicant to be present.

AYES: 5

NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT NO. 2 FY2006 –KBIC MONEY.

Greenberg moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the Township in December 2005 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	REVIIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$1,500.00	+\$15,481.21	\$16,981.21
EXPENDITURE			
Clerk Department Capital Outlay 401.215.957	\$6,562.38	+\$1,000.00	\$7,562.38
Treasurer Department Capital Outlay 401.253.957	\$300.00	+\$1,500.00	\$1,800.00
Zoning/Planning Capital Outlay 401.805.957	\$30,816.16	+\$1,500.00	\$32,316.16
Fire Department Capital Outlay 401.340.957	\$149,318.47	+\$9,481.21	\$158,799.68
Recreation Department Capital Outlay 401.708.957	\$26,460.65	+\$2,000.00	\$28,460.65

AYES: Trudeau, Britton, Greenberg, Tabor, Hill.

NAYS: None.

ABSENT: Seppanen, Maki.

MOTION CARRIED.

RE-APPOINTMENT OF ZBA MEMBERS

Trudeau moved, Greenberg second to reappoint Ms. Joy Verlinden to a three (3) year term on the Chocolay Township Zoning Board of Appeals, and Ms. Lois Sherbinow to a three (3) year term as an Alternate on the Chocolay Township Zoning Board of Appeals, terms ending May 2009.

AYES: 5

NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT REQUEST FOR ADDITIONAL OFFICER POSITION.

Britton moved, Tabor second to authorize the Fire Department to add a second Captain to their officer's corps.

AYES: 5

NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT BID AWARD FOR DROP-IN SKID UNIT.

Britton moved, Trudeau second that the Chocolay Township Board award the bid for the drop in skid unit to Pomasl Fire Equipment with the addition of the listed options for an amount not to exceed \$8,911. The funds for this purchase shall come from the Fire Department's Capital Improvement Fund 401.340.957.

Roll Call:

AYES: Tabor, Britton, Trudeau, Greenberg, Hill.

NAYS: None.

ABSENT: Seppanen, Maki.

MOTION CARRIED.

RESOLUTION SUPPORTING GRANT APPLICATION FOR WASTEWATER TREATMENT PLANT UPGRADE.

Trudeau moved, Greenberg second to authorize the Supervisor and Clerk to sign the S2 grant agreement for the wastewater treatment plant upgrade.

AYES: Trudeau, Britton, Greenberg, Tabor, Hill.

NAYS: None.

ABSENT: Seppanen, Maki.

MOTION CARRIED.

BUDGET AMENDMENT - ADMINISTRATIVE ASSISTANT SALARY UPGRADE.

Greenberg moved, Britton second to refer the salary request for the administrative assistant in the Clerk's Department to the personnel committee and that they meet before the June 19th Board meeting and bring a recommendation to the Board at that time.

AYES: 5

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Treasurer Greenberg – Informed the Board that his Deputy will be working 6 additional hours per week on her non full time portion of the year and he will bring a budget amendment to the June 19th Board meeting.

Dennis Stachewicz – Reminded the Board of the citizen forum on the Wastewater Treatment Plant Upgrade to be held June 5th at the Lakeview Arena.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Township Clerk and Various Parties re: Thomas Lakenen
- B. Correspondence – Mark Maki to Township Board
- C. Information – Notice of Public Hearing for Wastewater Treatment Plant Upgrade

There being no further business, Clerk Hill adjourned the meeting at 8: 15 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

June 19, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, June 19, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.

ABSENT: None.

STAFF PRESENT: Martin Caceres, Gary Johnson, Mary Sanders, Dennis Stachewicz.

MINUTES – MAY 15, 2006.

Greenberg moved, Trudeau second that the minutes of the regular meeting held on May 15, 2006 are approved as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$15,952.61 checks numbered 13041– 13073 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Maki moved, Tabor second that bills totaling \$9,455.07 checks numbered 13074– 13091 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Hill moved, Britton second that bills totaling \$28,085.12 checks numbered 13092– 13113 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

None.

PUBLISH ZONING ORDINANCE AMENDMENT #34-06-02 – REZONING #134 – ENGLISH.

Greenberg moved, Hill second that the Charter Township of Chocolay Board waive the reading and ADOPT the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-06-02

AMENDMENT #34-06-02

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the properties located in Section 7, T47N – R23W, more commonly known as 1988 M-28 East (Tax Parcel Code 52-02-007-041-00), 1992 M-28 East (Tax Parcel Code 52-02-007-042-00), 1996 M-28 East (Tax Parcel Code 52-02-007-030-00) 2010 M-28 East (Tax Parcel Code 52-02-007-019-00), 2016 M-28 East (Tax Parcel Code 52-02-007-052-10) and a portion of the property more commonly known as 277 Kawbawgam Road (Tax Parcel Code 52-02-007-046-00) further described as: *PART OF THE SW ¼ OF SEC 7, T47N, R23W, CHOCOLAY TOWNSHIP, MARQUETTE COUNTY, MICHIGAN MORE FULLY DESCRIBED AS COMMENCING AT THE W ¼ CORNER OF SAID SEC 7; THENCE S 00 DEG 28'22" E, 492.42' ALONG THE W LINE OF SAID SEC 7 TO THE SOUTHERLY RIGHT OF WAY (R/W) LINE OF AN ABANDONED RAILROAD (100' R/W); THENCE S 88 DEG 58'47" E, 1,654.97' ALONG SAID RAILROAD R/W LINE TO THE POINT OF BEGINNING; THENCE CONTINUING S 88 DEG 58'47" E, 813.59' ALONG SAID RAILROAD R/W LINE TO THE NORTH-SOUTH ¼ LINE OF SAID SEC 7; THENCE S 00 DEG 27'09" E, 326.38' ALONG SAID NORTH-SOUTH ¼ LINE; THENCE N 88 DEG 58'47" W, 813.42'; THENCE N 00 DEG 28'57" W, 326.38' TO THE POINT OF BEGINNING* be rezoned from RR-2 to R-1 and a portion of the property more commonly known as 131 Kawbawgam Road (Tax Parcel Code 52-

02-007-049-00) further described as *THAT PART OF THE NW ¼ OF THE SW ¼ , SEC 7, T47N, R23W, LYING N OF THE SOO LINE RAILROAD RIGHT OF WAY AND 350 FEET EAST OF THE CENTERLINE OF COUNTY ROAD "BI"; INCLUDING THE SOUTH 66 FEET OF THE WEST 350 FEET* be rezoned from PL to R-1.

Attached to this amendment to the Charter Township of Chocolay Zoning Ordinance is a Statement of Conditions setting forth, as authorized under MCL 125.286i, conditions attached to the rezoning of the properties described above. The Statement of Conditions shall be fully enforceable and binding in the same manner as any other provision of the Charter Township of Chocolay Zoning Ordinance.

Roll Call:

AYES: Tabor, Britton, Trudeau, Greenberg, Hill, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

PUBLISH ZONING ORDINANCE AMENDMENT #34-06-03 – REZONING #135 – WENNERBERG
Trudeau moved, Tabor second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN:

AMENDMENT #34-06-03

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the property commonly known as 1440 M-28 East (Tax Parcel Code 52-02-110-083-95) in Section 10, T.47N-R.24W be rezoned from C-3 to C-2.

Roll Call:

AYES: Tabor, Hill, Maki, Britton, Trudeau, Greenberg Seppanen.

NAYS: None.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 5/8/06 and 5/17/06
- 2) MCTA Minutes – 4/26/06

SUPERVISORS REPORT.

1. Sewer Project Public Meeting – Martin and I went to the public meeting for the joint sewer project on June 5th. The meeting went well with only several questions asked. We expect to move this project along and with the assistance of the treasurer, to develop the new rate to offset part of the cost for this large capital project.

2. Building Meeting – On June 7th Dennis, John Trudeau, and I met with the architect Dax Richer to discuss the building and layout concerns of the township complex. We expect that personnel from Integrated Design will be going through and inspecting the township buildings over the next month. We will meet next in early August and should be able to give the board a progress report during the August meeting. We will not be at a point of doing construction this year. It is my intent NOT to consider any upgrades, changes, or modifications to our facilities until we have a plan approved by this board.

3. Business Loop Snowmobile Trail – We have been informed that there is discussion within the DOT at the Lansing level on this project. We will be trying to work with them so that any state approved business loop will complement our most important planned joint DOT/township corridor enhancement. This business corridor enhancement project is scheduled for review for funding later this year and, if approved, the work would begin in 2009.

4. We received a check from KBIC and are working on the distribution.

LETTER OF RECOGNITION – SHARON ROSHAK.

Seppanen moved, Greenberg second that IN APPRECIATION

OF DEDICATED SERVICE

THE CHOCOLAY TOWNSHIP BOARD

hereby resolves

That upon her retirement from the

CHARTER TOWNSHIP OF CHOCOLAY that

SHARON ROSHAK

Be commended for her 23 years of dedicated service she has
Given to the POLICE DEPARTMENT

She treated staff and the public in a courteous considerate manner.
Her endless contributions have made the police department what it is today.

FOR HER DEDICATED SERVICE we do
Unanimously resolve to commend SHARON ROSHAK and wish
She and her husband, Bob, a happy retirement.

Adopted this 19th day of June, 2006 by the Charter Township of Chocolay Board.

AYES: 7

NAYS: 0

MOTION CARRIED.

BILL SANDERS – OUTSTANDING CITIZEN.

Seppanen moved, Britton second that the following resolution be adopted

WHEREAS, Bill Sanders has served 14 years on the Charter Township of Chocolay Planning Commission; and

WHEREAS, Bill's tireless dedication and input on the update to the Chocolay Township Comprehensive Plan and other major projects have had a positive impact on the development of the community; and

WHEREAS, Bill's leadership and judgment as Chairman of the Planning Commission have built respect for the Township's involvement in land use planning; Now Therefore Be It Hereby

RESOLVED, that the Charter Township of Chocolay recognizes Bill Sanders as an outstanding citizen of the Charter Township of Chocolay and presents him with this resolution of appreciation for a job well done.

Adopted this 19th day of June, 2006, by the Charter Township of Chocolay Board.

AYES: 7

NAYS: 0

MOTION CARRIED.

CHOCOLAY CONDOMINIUMS PRELIMINARY PLAN.

Trudeau moved, Tabor second that as recommended by the Planning Commission, the Township Board approves of the preliminary site plan for the proposed Chocolay Condominiums with the following conditions:

- 1) That the development comply with the submittal requirements of Sections 525 and 503 of Zoning Ordinance 34, and Condominium Act 59 for the Final Condominium Plans; and
- 2) Approval is required from the agency with jurisdiction over the storm sewer located on Main Street before a connection can be established.

AYES: 7

NAYS: 0

MOTION CARRIED.

PLANNING COMMISSION APPOINTMENTS.

Seppanen moved, Tabor second, to appoint Dennis Magadanz to the Planning Commission with a term to run until May 24, 2009.

AYES: 7

NAYS: 0

MOTION CARRIED.

Seppanen moved, Hill second, to re-appoint Steve Kinunnen to the Planning Commission with a term to run until May 24, 2009.

AYES: 7

NAYS: 0

MOTION CARRIED.

RE-APPOINTMENT OF FIRE CHIEF.

Tabor moved, Maki second to concur with the Township Supervisor's recommendation and re-appoint Gary Johnson as a Fire Chief for a two year term.

AYES: 7

NAYS: 0

MOTION CARRIED.

SALE OF KAWBAWGAM PROPERTY TO DR. ENGLISH.

Britton moved, Maki second to authorize the Township Supervisor to execute the sale of Kawbawgam property in accordance with the "option and purchase" agreement dated January 5, 2004.

AYES: 7 NAYS: 0 MOTION CARRIED.

CAPITAL EXPENDITURE – ZONING ORDINANCE UPDATE CONTRACT.

Tabor moved Britton second that the Township Supervisor and Clerk be authorized to execute the contract with U.P. Engineers and Architects to perform and update of the Township Zoning Ordinance for an amount not to exceed \$14,000.00 to be taken from account #401.805.957 Zoning/Planning Commission.

Greenberg moved Hill second to change the terms and conditions of the Zoning Update Contract under Indemnification to read:

INDEMNIFICATION

To the fullest extent permitted by law, each of the parties agree to indemnify, pay on behalf of, defend, and hold harmless the other party from and against any and all actions or causes of action, claims, demands, liabilities, lawsuits, or damages of whatsoever kind and nature, and from all losses, costs, and expenses arising out of any liability, or claim of liability, or injuries or damage to persons or property sustained or claimed to have been sustained by anyone whomsoever arising, on account of, or by reason of the acts or omissions of the indemnifying party, or any employee of the indemnifying party. This indemnification obligation shall be limited to the same extent, and in the same proportion, that the negligent act or omission of the indemnifying party bears to the total liability for such claims, losses or damages.

And delete the paragraph under RISK ALLOCATION.

AYES: 7 NAYS: 0 MOTION CARRIED.

Roll Call (for zoning ordinance update contract):

AYES: Tabor, Britton, Trudeau, Greenberg, Hill, Maki, Seppanen.

NAYS: None.

GENERAL FUND BUDGET AMENDMENT NO. 3, FY 2006 – ARBOR DAY MINI GRANT.

Greenberg moved Hill second that whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on December 19th, 2005, for fiscal year 2006 and, Whereas, as a result of changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be it Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
REVENUE			
State of Michigan			
101.543.	\$0	+\$200.00	\$200.00

Roll Call:

AYES: Greenberg, Britton, Trudeau. Hill, Maki, S Tabor, Seppanen.

NAYS: None. MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2006 AMENDMENT NO. 3 POLICE TRAINING FUNDS-STATE OF MICHIGAN

Hill moved, Britton seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on December 19, 2005, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training Capital Outlay 401.306.957	\$ 2,087.10	+ \$460.40	\$ 2,547.50

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 401.543	\$ 0	+\$460.40	\$ 460.40

Roll Call:

AYES: Tabor, Britton, Trudeau, Greenberg, Hill, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT #2 FY2006 – Salary adjustment Administrative Assistant Clerk Department, retroactive to June 1, 2006.

Trudeau moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Clerk Department Salary 101.215.702	\$77,525.00	+\$2,189.00	\$79,714.00

Contingency 101.285.951	\$34,100.00	-\$2,189.00	\$31,911.00
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Roll Call:

AYES: Greenberg, Britton, Trudeau, Hill, Maki, S Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT #4 FY2006 – Deputy Treasurer Salary adjustment for additional hours from sanitary landfill account.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Sanitation Department Salary 101.526.702	\$0	+\$1,215.00	\$1,215.00

Sanitation Department Contractual Services 101.526.800	\$167,123.00	-\$1,215.00	\$165,908.00
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Roll Call:

AYES: Tabor, Britton, Trudeau, Greenberg, Hill, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

SEMCO SETTLEMENT REQUEST.

Hill moved, Greenberg second to agree with the settlement terms presented by SEMCO Energy and authorize the Township Attorney to move forward with the settlement.

Roll Call:

AYES: Trudeau, Britton, Greenberg, Tabor, Hill, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

MAWTF PROJECT – LETTER OF UNDERSTANDING AND RESOLUTION TO ADOPT PROJECT PLAN.

Tabor moved, Maki second, to authorize the Township Supervisor and Clerk to sign the Letter of Understanding which defines the future changes that will be made to the agreement for the Marquette Area Wastewater Treatment Facility.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved, Britton second a resolution adopting a final project plan for the secondary treatment improvements and High Street sewer replacement project and designating an authorized project representative

Whereas, the Charter Township of Chocolay recognizes the need to make improvements to its existing wastewater system; and

Whereas, the Charter Township of Chocolay authorizes Donohue & Associates, Inc. to prepare a Project Plan, which recommended the replacement of the High Street sanitary sewer as well as the replacement of the wastewater treatment plant's rotating biological contactors (RBCs) with activated sludge with associated system upgrades; and

Whereas, said Project Plan was presented at a Public Hearing held on June 5, 2006 and all public comments have been considered and addressed;

Now therefore be it resolved, that Charter Township of Chocolay formally adopts said Project Plan and agrees to implement the selected Secondary Treatment Alternative #3 (Activated Sludge).

Be it further resolved, that the Marquette City Manager, a position currently held by Judy Akkala, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a State revolving Fund Loan to assist in the implementation of the selected alternative.

AYES: 7 NAYS: 0 MOTION CARRIED.

RECREATION AUTHORITY ENDORSEMENT.

Britton moved, Greenberg second that the Charter Township of Chocolay Board supports the development of a plan to implement a County-wide Recreation Authority.

AYES: 7 NAYS: 0 MOTION CARRIED.

ZONING OF MARINA.

Greenberg moved, Tabor second, that the Charter Township of Chocolay Board supports the efforts of the Planning Commission to review the zoning classifications of Township owned property and subsequently allows the Township Supervisor to submit any rezoning applications if necessary.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Trustee Trudeau – Lake Superior Partnership membership.

Clerk Hill – Suggest a resolution for Tom Thomas resigning from the Utility Review Committee.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Planning Commission to Board – ORV Use on Snowmobile Trail
- B. Correspondence – Planning Commission to Supervisor – Snowmobile Business Loop
- C. Correspondence – Stupak to Supervisor
- D. Correspondence – Tom Thomas to Township Board

There being no further business, Supervisor Seppanen adjourned the meeting at 8: 10 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

July 17, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, July 17, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Clerk Hill called the meeting to order at 7:00 p.m. in the absence of the Supervisor.

Trudeau moved, Britton second that Treasurer Greenberg chair the meeting.

AYES: 6 NAYS: 0 MOTION CARRIED.

TOWNSHIP BOARD.

PRESENT: Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.

ABSENT: Greg Seppanen.

STAFF PRESENT: Martin Caceres, Gary Johnson, Mary Sanders, Dennis Stachewicz.

MINUTES – June 19, 2006.

Britton moved, Trudeau second that the minutes of the regular meeting held on June 19, 2006 are approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Trudeau second that bills totaling \$9,359.03 checks numbered 13114– 13130 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

Britton moved, Tabor second to receive the Treasurer Report.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

ADOPT ZONING ORDINANCE AMENDMENT #34-06-03 – REZONING #135 – WENNERBERG.

Trudeau moved, Tabor second that the Charter Township of Chocolay Board waive the reading and adopt the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN:

AMENDMENT #34-06-03

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1966 and as amended, be further amended as follows:

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the property commonly known as 1440 M-28 East (Tax Parcel Code 52-02-110-083-95) in Section 10, T.46N-R.24W be rezoned from C-3 to C-2.

Roll Call:

AYES: Tabor, Hill, Maki, Britton, Trudeau, Greenberg.

NAYS: None. MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Annual Report.
- 2) Planning Commission Minutes – 6/12/06.
- 3) CABA Minutes – 04/19/06 and 06/24/06.

SEMCO GAS SETTLEMENT.

Britton moved, Tabor second that the Charter Township of Chocolay Board authorizes the Charter Township of Chocolay to issue a refund to SEMCO Energy in the amount of \$26,220.91 as per the Order for Consent Judgment from the Michigan Tax Tribunal.

Roll Call:

AYES: Britton, Trudeau, Tabor, Hill, Maki, Greenberg.

NAYS: None. MOTION CARRIED.

APPOINTMENT TO UTILITY REVIEW COMMITTEE.

Hill moved, Britton second to appoint John Trudeau as primary representative to the Township Utility Review Committee to a term that expires on 12/31/06.

AYES: 6 NAYS: 0 MOTION CARRIED.

FIRE DEPARTMENT – SALE OF RADIOS TO SANDS TOWNSHIP.

Maki moved, Britton second authorizing the fire Department to sell two (2) used Motorola Radios for the total price of \$150.00 to the Sands Township Fire Department.

AYES: 6

NAYS: 0

MOTION CARRIED.

LETTER OF SUPPORT TO MCRC AND MDNR – SUPERIOR PINES DEVELOPMENT.

Tabor moved, Trudeau second that the Charter Township of Chocolay Board concurs with the recommendation of the Planning Commission and authorizes the Township Supervisor to send a letter of support, as requested by Dr. John English, to the Marquette County Road Commission and Michigan Department of Natural Resources as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

JOINT MEETING WITH PLANNING COMMISSION – CORRIDOR GRANT/SNOWMOBILE BUSINESS SPUR.

Britton moved Trudeau second that the Charter Township of Chocolay Board schedule and notice a Special Joint Meeting with the Planning Commission to be held at 7:00 p.m. on July 31, 2006 at the Chocolay Township Hall to discuss the possible development of a snowmobile business spur.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Yelle to Sands Township Board

There being no further business, Treasurer Greenberg adjourned the meeting at 7:20 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

July 31, 2006

A Special meeting of the Chocolay Township Board and Chocolay Planning Commission was held on Monday, July 31, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton.

ABSENT: Ken Tabor, Dan Maki.

PLANNING COMMISSION.

PRESENT: Tom Shaw, Al Denton, Estelle DeVooght, Denny Magadanz, Scott Emerson.

ABSENT: Ken Tabor, Steve Kinnenen.

STAFF PRESENT: Tom Murray, Mary Sanders, Dennis Stachewicz.

PUBLIC COMMENT.

None.

Presentation by Dennis Stachewicz on the proposed Chocolay Township Multiple Use Trail and Corridor Enhancement. The proposed multi use trail would be used for biking/walking in the summer and for snowmobile use in the winter. The proposed trail would begin at the railroad overpass on the South side of M-28 for two way snowmobile traffic and terminate at the intersection of M-28 & U S 41 and from that point forward the motorized vehicles will be able to move with the flow of traffic. The non-motorized use will tie in with the existing bike trail. Other corridor improvements include landscaping, lighting and the trail and physical separation from traffic.

Comments from Township Planning Commission and Board members:

- The trail will provide a safe way for snowmobiles to go through Chocolay Township.
- The trail will separate snowmobile traffic from residential areas.
- The only reason for a snowmobile trail through Chocolay Township is economic. The trail has to go in the business section for that to be accomplished.
- There will be many families on M-28 affected by the trail.
- The trail will provide safety for crossing at the intersection.
- Biking and walking on the trail in the summer will have a positive effect on the economy in Harvey.
- We have been trying for years to accommodate snowmobiles through Chocolay Township; this trail may be the answer.
- Economic benefits for Chocolay businesses and this is a solution to our snowmobile trail problem.
- CABA has been asking for a business spur on the snowmobile trail for years. Representatives Casperson, Prusi and Adamini have all been involved in making this proposed trail a priority.

PUBLIC COMMENT.

- Lives by the Chocolay River on M-28 and just heard about this meeting today. Who will benefit from this trail? This is a bedroom community not a business community.
- Will the sound from the snowmobiles be shielded when they go over the bridge?
- Will this trail really have an economic impact on the Chocolay businesses?
- Snowmobiles already have access to Chocolay Township businesses. We should just make this trail non-motorized.
- It is already legal to travel on M-28 on a snowmobile. Why do we have to make a special trail for them? The snowmobiles can already get to gas stations and motels in Harvey. What will the cost be to the taxpayers?
- CABA wants to thank MDOT, the Township Board and the Township Planning Commission for the enhancements in the Township. Safety on the trail should be a top priority.
- The township residents should be able to vote on this issue. We should put it on the ballot.
- most of this situation.
- M-28 already has a lot of traffic including truck traffic. It makes sense to have the trail on a high traffic highway rather than a residential area.
- This would establish a legitimate trail for snowmobiles.

The next step in this process would be for the Board to take action on the trail by motion.

Hill moved, Trudeau second to move forward with applying for the Non-Motorized and Motorized Multiple Use Trail and Corridor Enhancement.

AYES: 5

NAYS: 0

MOTION CARRIED.

There being no further business, Supervisor Seppanen adjourned the meeting at 8:05 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

August 21, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, August 21, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Ken Tabor, Dan Maki.
ABSENT :Don Britton.

STAFF PRESENT: Martin Caceres, Mary Sanders, Dennis Stachewicz.

MINUTES – July 17 & 31, 2006.

Trudeau moved, Greenberg second that the minutes of the Regular meeting held on July 17, 2006 and the Special meeting on July 31, 2006 are approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Trudeau moved, Greenberg second that bills totaling \$66,029.75 checks numbered 13131– 13171 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Maki second that bills totaling \$41,250.96 checks numbered 13172– 13208 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Tabor second that bills totaling \$1,889.00 checks numbered 13209– 13235 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

Clerk Hill brought a letter on the Lakenen property to the Board's attention.

Supervisors Report.

1. Road Commission – 480 Project- The Road Commission is starting a new type of maintenance project in the county, chip sealing. They did this on the section of 480 with-in Chocolay Township. From our township line to the crossroads they will be putting down ¼ inch sealer. They will then compare which wears better as the season progresses. They are doing this experiment due to cost issues.

2. Fire Truck – Gary and I started discussions on the financing of the needed new fire truck. We will start working on the details and give you more information shortly.

3. Building Meeting – On June 7th Dennis, John Trudeau, and I met with the architect Dax Richer to review the first set of drawings of options for the modifications to the township complex. Dax will now be meeting with the office personnel to get a better idea of the specific needs of the staff work station placement. He will also be meeting with our fire chief Gary Johnson to review those departments needs. John Trudeau suggested that we also consider the option of a new fire department building. This will also be viewed as an option and costed out for review by this board.

4. Sewer Project Public – Martin, Dennis, and Mike Summers are working with Marquette Township and the city through the Waste Water Treatment Committee on the upgrade project and the agreement that will go with it. We hope to have all the lawyers involved to have the review of the documents completed soon.

5. FEMA On-Line Courses – I have successfully completed the IS-700 National Incident Management System (NIMS), and will be taking the IS-800 National Response Course in the next week. These courses need to be taken to keep our township and county eligible for federal emergency grants.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 7/10/06
- 2) CABA Minutes – 7/19/06

GENERAL FUND BUDGET AMENDMENT #5 FY2006 – REIMBURSEMENT FOR SNOWMOBILE GRANT.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005,

for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan 101.543	200.00	+15,861.06	16,061.06
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Capital Outlay 101.305.957	5,297.00	+8,411.26	13,708.26
Police Department Salaries 101.305.702	186,332.00	+5,812.06	192,144.06
Police Department Part Time Salaries 101.305.705	56,247.00	+1,637.74	57,884.74

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Greenberg, Seppanen.

NAYS: None.

ABSENT: Britton.

MOTION CARRIED

CAPITAL IMPROVEMENTS FUND BUDGET AMENDMENT NO. 4 FY2006 KBIC 2% MONEY DISBURSEMENT

Trudeau moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township in December 19, 2005 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	16,981.21	+107,920.85	124,902.06
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Clerk Department 401.215.957	7,562.38	+1,500.00	9,062.38
Treasurer Department 401.253.957	1,800.00	+ 250.00	2,050.00
Police Department 401.305.957	63,242.81	+15,000.00	78,242.81
Fire Department 401.340.957	158,799.68	+15,000.00	173,799.68
Recreation & Grants 401.722.957	28,460.65	+75,670.85	104,131.50
Planning & Zoning	32,316.16	+500.00	32,816.16

ROLL CALL:

AYES: Trudeau, Greenberg, Tabor, Maki, Hill, Seppanen.

NAYS: None.

ABSENT: Britton.

MOTION CARRIED

CAPITAL IMPROVEMENTS FUND BUDGET AMENDMENT NO. 5 FY2006 SALE OF KAWBAWGAM PROPERTY.

Tabor moved, Maki second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005 for the next fiscal year, and Whereas, as a result of unanticipated changes in

revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	124,902.06	+26,175.00	151,077.06
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Recreation & Grants 401.708.957	104,131.50	+26,175.00	130,306.50

ROLL CALL:

AYES: Trudeau, Greenberg, Tabor, Maki, Hill, Seppanen.

NAYS: None.

ABSENT: Britton.

MOTION CARRIED

LETTER OF SUPPORT – MDOT/MARQTRAN GRANT APPLICATION.

Hill moved, Greenberg second that the Charter Township of Chocoy Board hereby supports the efforts of the Marquette Area Transit Authority and the Michigan Department of Transportation and authorizes the Township Supervisor to sign the letters of support as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Dick Arnold – Comments on junk car ordinance and the minutes posting.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Information – Police Department Quarterly Report
- B. Correspondence – CLSWP to MCRC
- C. Correspondence – Zoning Administrator to Township Board

There being no further business, Supervisor Seppanen adjourned the meeting at 7:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

September 18, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, September 18, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the PUBLIC HEARING on the 2006 Millage Rate – Truth in Taxation to order at 7:00 p.m. There was no public comment.

Supervisor Seppanen called the meeting to order at 7:02 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.
ABSENT : Arlene Hill.

STAFF PRESENT: Martin Caceres, Mary Sanders, Dennis Stachewicz, Greg Zyburt.

MINUTES –August 21, 2006.

Greenberg moved, Trudeau second that the minutes of the Regular meeting held on August 21, 2006 are approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Trudeau moved, Britton second that bills totaling \$48,245.70 checks numbered 13236– 13267 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor, Maki second that bills totaling \$5,578.73 checks numbered 13268– 13283 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Maki second that bills totaling \$ 28,877.45 checks numbered 13284– 13323 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

TREASURER REPORT WAS RECEIVED AND PLACED ON FILE.

PRESENTATION – TOM THOMAS – OUTSTANDING CITIZEN.

Seppanen moved, Greenberg second that

THE CHARTER TOWNSHIP OF CHOCOLAY BOARD moved that the following resolution be adopted

WHEREAS, Tom Thomas has previously served 12 years on the Charter Township of Chocolay Board and 5 years on the Charter Township of Chocolay Planning Commission; and

WHEREAS, Tom’s dedication to the citizens of Chocolay Township led to the creation of the Utility Review Committee, which he has been a member of since 1989; and

WHEREAS, Tom has been instrumental in assisting many area residents throughout his life including 31 years of service with the Great Lakes Recovery Program, 11 years of service with Pathways, and 6 years of service on the MARQTRAN Board; Now Therefore Be It Hereby

RESOLVED, That the Charter Township of Chocolay recognizes Tom Thomas as an outstanding citizen of the Charter Township of Chocolay and presents him with this resolution of appreciation for a job well done.

Adopted this 18th day of September, 2006, by the Charter Township of Chocolay Board.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

SUPERVISORS REPORT.

1. Building Meeting –The architect has met with the office employees but still needs to meet with the Fire Department.

2. Sewer Project Public – We are getting closer to the final draft on an agreement with Marquette Township and the city.
3. Recreational Trail Business Loop – The DNR will be looking at their grant programs at the end of the month for the funding of their end of the project. That would be the bridge over the Chocloy River.
4. Federal Courthouse – I went to one of the County budget sessions to urge the county to work with the federal officials and the county jail so that the Federal Courthouse is not jeopardized in the future.
5. Budget Process – Is moving forward.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission Minutes – 8/14/06
- 2) NMPSA Minutes – 8/23/06

2006 MILLAGE REQUEST REPORT – TRUTH IN TAXATION

Britton moved, Greenberg second that the Charter Township of Chocloy adopts a total 2006 ad valorem tax of 3.9353 mills on \$139,919,722.00 taxable value for a total levy of \$550,626.08 general operating of the Charter Township of Chocloy and authorizes the Township Supervisor and Clerk to sign the 2006 Tax Rate Request Form (L-4029) and forward it the Marquette County Board of Commissioners.

AYES: 6

NAYS: 0

MOTION CARRIED.

RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM

Trudeau moved, Britton second that

WHEREAS, the Charter Township of Chocloy Board, does hereby find as follows:

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, and local organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the city's/county's ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes;

WHEREAS, the Incident Command System components of NIMS are already an integral part of various city/county incident management activities, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Charter Township of Chocoday Board, that the National Incident Management System (NIMS) is established as the Township standard for incident management.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLISH AND SCHEDULE A PUBLIC HEARING – ORDINANCE #56 – EMERGENCY MANAGEMENT.

Maki moved, Greenberg second that the Chocoday Township Board authorizes the publication of Amendment #56, Emergency Management Ordinance, and schedule a public hearing for October 16, 2006.

AYES: 6

NAYS: 0

MOTION CARRIED.

LETTER TO PETER WHITE PUBLIC LIBRARY BOARD – DISTRICT LIBRARY CREATION.

Greenberg moved, Britton that the Charter Township of Chocoday Board authorizes the Township Supervisor to sign the letter requesting that the Peter White Public Library Board research the idea of a District Library as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

EXTENSION OF PRELIMINARY PLAT OF THE EWING PINES (FORMERLY ELDERWOOD) SUBDIVISION.

Tabor moved, Maki second that the Township Board approve a 30 day extension from today's date to the preliminary plat approval for the Ewing Pines (formerly) Elderwood Subdivision.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Treasurer Greenberg – Interest due to Semco on personal property tax refund.

Greenberg moved, Britton second that Chocoday Township pay the full interest due to Semco in the amount of \$523.23.

AYES: 6

NAYS: 0

MOTION CARRIED.

Trustee Britton – Recreation authority is continuing to meet. The Senior Citizen advisory Board is looking for new members.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – LSCP to Township Board

There being no further business, Supervisor Seppanen adjourned the meeting at 7:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

October 16, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, October 16, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. It was agreed by the Board to reverse the order on the agenda and hold the public hearing after the Regular Meeting was opened.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.

ABSENT :None.

STAFF PRESENT: Tom Murray, Martin Caceres, Mary Sanders, Greg Zyburt.

PUBLIC HEARING ON ORDINANCE #56 EMERGENCY MANAGEMENT ORDINANCE.

There was no public comment.

Tabor moved, Britton second that the Chocolay Township Board has held the required public hearing and adopts Ordinance #56, titled "Emergency Management Ordinance."

THE CHARTER TOWNSHIP OF CHOCOLAY,
MARQUETTE COUNTY, MICHIGAN
EMERGENCY MANAGEMENT ORDINANCE

This ordinance is to provide the general policy and organization for effective mitigation, preparedness, response, and recovery from natural and human-caused emergencies and disasters within the Charter Township of Chocolay, as a component jurisdiction of the Marquette County Emergency Management Program; to designate the position of Township Emergency Management Coordinator who shall serve at the general direction of County Emergency Management officials in coordinating the emergency management activities of the Township and providing liaison between the Township and County officials on all matters pertaining to emergency management; to provide a means of coordinating resources and support of the Township with those of the County in the event of an emergency or disaster situation; and to provide a means through which the Charter Township of Chocolay Board, the Chief Executive Official, and Emergency Management officials may exercise the authority and discharge the responsibilities vested in them by their resolution and Michigan Emergency Management Act, Act No. 390 of the Public Acts of 1976, as amended.

THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN, ORDAINS:
Article 1 – Short Title.

Section 101. This ordinance shall be known as the "The Charter Township of Chocolay Emergency Management Ordinance."

Article 2 – Definitions.

Section 201. For the purpose of this ordinance certain words used herein are defined as follows:

- (a) "Act" means the Michigan Emergency Management Act, Act No. 390 of the Public Acts of 1976, as amended.
- (b) "Central Dispatch Manager" means the person who serves as the Manager for the Marquette County Central Dispatch Center and supervises the Emergency Management Coordinator.
- (c) "Chief Executive Official" means:
 - 1. in the case of a Township, the township supervisor.
 - 2. in the case of a City, the mayor or individual specifically identified in the municipal charter.
 - 3. in the case of Marquette County, the Board chairperson.
- (d) "Township Emergency Management Coordinator" means the person assigned by the Board in accordance with Section 9 (1) of Public Act 390 of 1976, as amended, to coordinate emergency management activities within the Township and serve as a liaison with the County.
- (e) "Board" shall mean the Charter Township of Chocolay Board.
- (f) "County Emergency Management Coordinator" shall mean the person appointed pursuant to Section 9 of Public Act 390 of 1976, as amended, to coordinate emergency management activities within the County.

- (g) “Disaster” means an occurrence or threat of widespread or severe damage, injury, or loss of life or property, resulting from a natural or human made cause, including but not limited to, fire, flood, snowstorm, ice storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure, hazardous peacetime radiological incident, major transportation accident, hazardous materials incident, epidemic, air contamination, blight, drought, infestation, explosion, or hostile military action or paramilitary action, or similar occurrences resulting from terrorist activities, riots, or civil disorders.
- (h) “Disaster Relief Force” means all agencies of the state, county, and municipal government, private and volunteer personnel, public officers and employees, all persons or groups of persons identified in the Emergency Operations Plan, those called into duty or working at the direction of a party identified in the Plan, to perform specific disaster or emergency related tasks and those having duties or responsibilities under the Michigan Emergency Management Act or pursuant to a lawful order or directive authorized by the Act.
- (i) “District Coordinator” means the state police, emergency management division district coordinator.
- (j) “Emergency Management Program” means a program established to coordinate mitigation, preparedness, response, and recovery activities for all emergency and disaster situations within the County and fulfill the requirements of the Act. The Program shall be managed through the Central Dispatch Department by an Emergency Management Program Coordinator and meet the program standards and requirements established by the Department of State Police, Emergency Management Division.
- (k) “Emergency” means any occasion or instance in which assistance is needed to save lives, protect property and the public health and safety, or to lessen or avert the threat of a disaster.
- (l) “Emergency Operations Plan”/“Emergency Action Guidelines” means the plan and necessary support material developed and maintained by the County and those political subdivisions included in the Emergency Management Program for the purpose of guiding local response to emergency and disaster situations, including provisions for the safe and efficient use of the Disaster Relief Force.
- (m) “Governor’s State of Disaster” means an executive order or proclamation by the Governor that implements the disaster response and recovery aspects of the Michigan Emergency Management Plan and applicable local plans of county or municipal programs affected.
- (n) “Governor’s State of Emergency” means an executive order or proclamation by the Governor that implements the emergency response and recovery aspects of the Michigan Emergency Management Plan and applicable local plans of the county or municipal programs affected.
- (o) “Local State of Emergency” means a declaration by the Chairperson or other Chief Executive Official, pursuant to the Act and this resolution, which implements the appropriate response and recovery aspects of the County Emergency Action Guidelines and authorizes certain actions as described in this resolution.
- (p) “Vital Records” means those records that contain information needed to continue effective functioning of a governmental entity in the event of an emergency or disaster situation, including those records necessary to recreate the legal position of government and those necessary to preserve the rights of government, its employees, and the residents it serves.
- (q) “Volunteer” means any person registered with the Emergency Management Program Coordinator and assigned to participate in emergency management related activities. The individual will contribute services, equipment, and/or facilities to the Emergency Management Program without remuneration or without a formal agreement or contract of hire.

Article 3 – Marquette County Emergency Management Organization.

Section 301. In accordance with the Act and this ordinance, the County has established and maintains an Emergency Management Program. The functions of the Program shall be handled by the Emergency Management Program Coordinator, who shall serve under the supervision of the Marquette County Central Dispatch Manager. He/she shall have the personal attributes, training, experience, and certification necessary to carry out the duties and responsibilities of this position.

Section 302. In addition, the Chairperson with approval of the Board shall designate a minimum of two qualified persons as successors to the Emergency Management Program Coordinator in the

event the Coordinator is not immediately available or is unable to perform the duties or responsibilities of the position. The designated line of succession shall be listed in the County Emergency Action Guidelines.

Section 303. Such assistants, professional, and support employees deemed necessary by the Board for the proper functioning of the Emergency Management Program will be employed or assigned.

Article 4 – Marquette County Emergency Management Program; Responsibilities.

Section 401. The Emergency Management Program Coordinator shall be responsible for the planning, coordinating, and operation of all emergency management related activities in Marquette County. The Emergency Management Program Coordinator and designated staff shall maintain ongoing coordination and liaison with municipal, county, state, and federal authorities as well as the private and volunteer sector to ensure safe, effective, and coordinated emergency operations. County emergency management officials and staff shall comply with the standards and requirements of the County and the Department of State Police Emergency Management Division, under the authority of the Act, in performing the following:

- a. Coordinate emergency management planning, disaster preparedness, and recovery assistance with local, state, and federal agencies and appropriate private entities. Participate in the development and negotiation of mutual aid agreements and other emergency management related contracts. Provide staff assistance to and coordinate activities of the Local Emergency Planning Committee. Develop professional working relationships to facilitate networking to help ensure the success of the Emergency Management Program.
- b. Develop, author, and update the County Emergency Action Guidelines and necessary support plans for review and approval by County, state and federal authorities as required. Ensure that the Plan is responsive to all state and federal regulations.
- c. Develop, collect, and maintain emergency resource information and ensure that information is readily available when needed.
- d. Ensure effective and efficient methods of communication are in place so that staff may be contacted at any time in the event of an emergency. Ensure that key elected officials are notified of an emergency situation. Responsible for notifying the State Police Emergency Management Division as required in the event of a disaster.
- e. Respond to calls for assistance as needed. Serve as principal emergency management advisor to the Chairperson and/or public officials from local entities. Activate the Emergency Operations Center when necessary and coordinate those activities. May be required to respond to the scene of an emergency situation to help coordinate needed resources. Coordinate with Central Dispatch Manager if planning to be absent from the area so an alternate coordinator can be made available.
- f. Submit accurate, concise, and well-written reports in a timely manner that are requested by state and federal agencies and County staff on both a routine basis and as needed in the event of a major emergency or disaster. Ensure proper reporting to secure disaster recovery assistance for the County and local jurisdictions. Serve as the official applicant agent for all units of government for state and federal emergency management assistance grants and funding for special emergency service projects.
- g. Conduct hazard identification, capability assessments, and vulnerability analyses to identify and prioritize community risks. Coordinate with local and state officials to develop hazard mitigation strategies. Physically survey and assesses various sites such as hazardous material locations (including facilities subject to Superfund Amendments and Reauthorization Act of 1986 (S.A.R.A.) Title III planning requirements), dams, reception and care facilities, medical facilities, schools, and businesses.
- h. Develop contingency plans to include hazard monitoring, public warnings, emergency notifications, personal safety measures, and population protection measures. Identify special populations in the County such as the homebound, to ensure adequate transportation in an evacuation or other emergency.
- i. Develop, coordinate, schedule, and participate in drills and operational exercises to ensure that involved agencies are able to fulfill their responsibilities and functions in an emergency. Identifies and documents strengths and deficiencies in emergency plans, response, implementation, and resources to assist in an evaluation of the County's level of disaster preparedness.
- j. Develop and implement a public information and education program to provide updated emergency management information to the media, communities, citizens, etc.

- k. Research possible grant opportunities and oversee grant programs as assigned. Keep abreast of issues and information related to responsibilities in the Emergency Management Program. Attend training as assigned to maintain and improve proficiency and comply with current and/or future standards/certifications.
- l. Assist Manager is responding to complaints regarding Emergency Management Program. This may include discussing with the complainant, reviewing information, discussing with staff, and responding to and resolving complaint.
- m. Perform other duties as assigned.

Article 5 – Township Emergency Management Coordinator; Appointment.

Section 501. By the authority of this ordinance, there is hereby established a Township Emergency Management Coordinator within the Charter Township of Chocoday for the purpose of coordinating emergency mitigation, preparedness, response, and recovery activities within the Township. He/she shall receive administrative supervision from the Chief Executive Official for the Township and according to the Act, serve at the direction of the County Emergency Management Coordinator on matters pertaining to emergency management. He/she shall have the personal attributes and experience necessary to carry out the duties and responsibilities of this position.

The Chief Elected Official, with the approval of the Township Board, shall appoint a minimum of two persons as successors to the position of Township Emergency Management Coordinator. The line of succession shall be provided to the Emergency Management office. In the absence of an appointed Emergency Management Coordinator, the Chief Executive Official for the Township shall serve in this capacity.

Article 6 – Township Emergency Management Coordinator; Duties.

Section 601. The Township Emergency Management Coordinator would be responsible for the following:

- a. Preparation and updating of the Township Emergency Operations Plan and other contingency plans. Township emergency planning shall supplement and be consistent with the County Emergency Action Guidelines, provide for interagency coordination, and guide the emergency response activities for the jurisdiction. Develop Standard Operating Procedures (SOP's) or checklists to accomplish emergency notification, assign emergency tasks, and guide emergency operations. Emergency planning documents shall generally be in the form prescribed by the Emergency Services Division.
- b. Promptly notify County Emergency Management officials of any condition or situation that threatens or has reached the proportions of a community emergency or disaster.
- c. Coordinate with Township emergency management efforts and response measures with those of the County and adjacent jurisdictions. Serve as the Township contact for damage assessment information.
- d. Participate in recommended emergency management training programs and ensure that Township personnel are adequately trained for assigned emergency functions. Coordinate with the County Emergency Management office to obtain or enroll in emergency management training programs.
- e. Assist in providing information and education to the Township residents as to actions necessary for the protection of life and property in an emergency or disaster situation.
- f. Participate in periodic exercises to enhance the Township emergency response capability.
- g. Provide County Emergency Management officials with a roster of personnel and resources available within the jurisdiction and a list of those services that may be needed during times of emergency.
- h. Assist in identification and protection of Vital Records of the Township.
- i. Cooperate with County Emergency Management officials in implementing the directives of the Township and County Chief Executive Officials under a local "State of Emergency."

Article 7 – Chief Executive Official of the Township; Powers; Duties:

Section 701. The Chief Executive Official of the Township shall monitor the activities of the Township Emergency Management Coordinator and County Emergency Management Program, working through

County Emergency Management officials. With the advice of County Emergency Management officials and the consent of the Township/township Board, the Chief Executive Official may formulate, review, and approve policy and operational guidelines for the Township Emergency Management Coordinator as needed.

Section 702. On an annual basis, the Chief Executive Official shall review the status of the County Emergency Program and associated work activities with Township and County Emergency Management officials.

Section 703. The Chief Executive Official shall review for adequacy and authenticate the Township Emergency Management Operations Plan at least every two years.

Section 704. When circumstances within the Township indicate that the occurrence or threat of occurrence of widespread or severe damage, injury, or loss of life or property from a natural or human caused exists, the Chief Executive Official may declare a Local State of Emergency in accordance with provisions contained in the Act. Such a declaration shall be promptly filed with the Emergency Management office. This declaration shall not be continued or renewed for a period in excess of seven days, except with the consent of the Township Board.

Section 705. If the Chief Executive Official invokes such power and authority, he/she shall, as soon as reasonably expedient, convene the Township Board for one or more emergency meetings in accordance with the Open Meetings Act to perform its normal legislative and administrative duties as the situation demands, and will report to that body relative to emergency activities. Nothing in this ordinance shall be construed as abridging or curtailing the powers of the Township Board unless specifically provided herein.

Section 706. The Chief Executive Official may do one or more of the following under a “State of Emergency:”

- a. Establish an Incident Command System/NIMS, activate the Township Emergency Operations Plan and/or other applicable emergency procedures for the Township. Consistent with the emergency plans and this (resolution/ordinance), initiate measures deemed immediately necessary for the protection of the health and safety of persons and property in the Township.
- b. Request County Emergency Management officials to implement the County Emergency Action Guidelines or other appropriate contingency plans and directives to the extent needed.
- c. Issue directives for travel restrictions on Township streets/roads within the jurisdiction.
- d. Relieve Township employees of normal duties and work schedules and temporarily reassign them to other duties.
- e. Authorize and activate mutual aid agreements.
- f. Oversee disaster relief efforts within the Township, in accordance with the Emergency Operations Plan.
- g. Advise the public of emergency or disaster situations and any recommended public protection measures.
- h. Request a local “State of Emergency” declaration and any required County assistance from the Chief Executive Official of the County.
- i. Assign available Township personnel and resources to the County Disaster Relief Force in the event a Local State of Emergency is declared in Marquette County by the Chief Executive Official for the County.
- j. Request a State of Disaster or Emergency declaration from the Governor through the County Emergency Management office.
- k. When obtaining normal approvals would result in undue injury or damage, the Chief Executive Official may, until the Township Board convenes, waive procedures and formalities otherwise required pertaining to the following:
 - i. For a period of up to seven days, appropriate and expend funds from the Township Disaster Contingency Fund created in Article 10 up to \$5,000.00, and thereafter with the consent of the Township Board.

- ii. For a period of up to seven days, make contracts, obtain and distribute equipment, materials, and supplies for disaster purposes, and thereafter with the consent of the Township Board.
- iii. Employ temporary emergency workers and services.
- iv. Make, amend, or rescind ordinances or rules necessary for emergency management purposes which supplement a rule, order, or directive issued by the Governor or a State agency. Such an ordinance or rule shall be temporary and, upon the Governor's declaration that a State of Disaster or State of Emergency is terminated, shall no longer be in effect.
- v. For a period of up to seven days, send the Township employees and resources to the temporary aid of other communities within Marquette County upon an official request from the affected jurisdiction(s).
- vi. Authorize other emergency activities as provided for in the Act.

Section 707. If a State of Disaster or Emergency is declared by the Governor, assign and make available for duty the employees, property, or equipment of the Township within or without the physical limits of the Township, as ordered by the Governor or the Director of the Michigan Department of State Police, in accordance with the Act.

Section 708. In the event the Township Executive Official is not immediately available or unable to exercise the powers and duties of the position, the following line of succession shall be established:

- a. Township Fire Chief
- b. Township Police Chief
- c. Township Director of Planning and Community Development

Article 8 – Governor Declaration Request.

Section 801. If a disaster or emergency occurs that has not yet been declared to be a State of Disaster or a State of Emergency by the Governor, the Township Board hereby delegates to the Chief Executive Official the authority to determine if the situation is beyond the control of the Township. If the disaster or emergency is considered to be beyond the Township's control, the Chief Elected Official may request state assistance. The Township Emergency Management Coordinator shall immediately contact the County Emergency Management Coordinator. The District Coordinator shall then be notified by County Emergency Management officials. Once notified, the District Coordinator, in conjunction with the Township and County Emergency Management officials, shall assess the nature and scope of the disaster or emergency. They shall recommend the personnel, services, and equipment that will be required for its mitigation or relief.

Section 802. The Chief Executive Official for the County shall not request state assistance or a declaration of a State of Disaster or a State of Emergency for an emergency which has occurred or is occurring solely within the confines of the Township, unless requested to do so by the Chief Executive Official for the Township.

Article 9 – Township Departments, Boarders, Board, or Other Services; Liaisons; Duties.

Section 901. Each department, Board, board, or other agency of Township government shall assign an emergency management liaison who shall coordinate the emergency management and emergency planning activities of the respective department, Boarder, board, agency, or service and act as a liaison between his/her organization and the Township Emergency Management Coordinator, and the County Emergency Management Coordinator, on all matters pertaining to emergency management activities.

Section 902. The organization's emergency management liaison should have a minimum of two people designated to serve as successors in the event the emergency management liaison is not immediately available or requires supplemental assistance. Successors shall be listed in the Township Emergency Operations Plan or the organization's standard operating procedures (SOP's) and be on file with the Township Emergency Management Coordinator and County Emergency Management Coordinator. In the absence of an appointed emergency management liaison, the service chief or agency head will serve in this capacity.

Section 903. Each department, Board, board, or other agency of county government, as well as other designated services are responsible for the following:

- a. Prepare or assist in the preparation and maintaining the Township Emergency Operations Plan, applicable portions of the Marquette County Emergency Action Guidelines, or other emergency plans deemed necessary to guide emergency management activities of that department, Board, board, agency, or service, including Standard Operating Procedures (SOP's) or checklists necessary to accomplish emergency notification, assigned emergency tasks, and define concepts of operation.

Emergency planning documents shall generally be in the form prescribed by the County Emergency Management Coordinator.

- b. Promptly notify Township and County Emergency Management official of any condition or situation that threatens to become or has reached the proportions of a community emergency or disaster.
- c. As part of the Disaster Relief Force and the County Emergency Management Program, perform specific duties as assigned in the Township Emergency Operations Plan and County Emergency Action Guidelines or other appropriate contingency plans.
- d. Coordinate the organization's emergency management efforts with those of other services, as well as Township and County Emergency Management officials. Provide necessary information for incident and damage assessment activities.
- e. Participate in such emergency management training as recommended by the Township Emergency Management Coordinator and the County Emergency Management office. Arrange for training relevant to the emergency responsibilities and functions of the organization to ensure that personnel are trained to be able to implement assigned emergency activities.
- f. Participate in periodic emergency exercises to enhance the adequacy of the organization's response and recovery capability.
- g. Provide the Township Emergency Management Coordinator and County Emergency Management office with a list of personnel and resources available within the agency, department, or service, as well as lists of resources, which may be needed during times of emergency.
- h. Identify and provide for the protection of the organization's vital records.
- i. Cooperate with Township and County Emergency Management officials in implementing directives of the Chief Executive Official for the Township and County or his/her designee under a Local State of Emergency.

Article 10 – Disaster Contingency Fund.

Section 1001. A disaster contingency fund is hereby created in the Township budget of not less than \$5,000.00 Money may be expended from the fund when a "Local State of Emergency" has been declared by the Chief Executive Official of the Township for the purpose of paying the disaster relief force, purchase of supplies and services, repair costs, or other needs required specifically for mitigating the effects of, in response to, or recovery from an emergency or disaster situation.

Article 11 – Volunteers; Appointment; Reimbursement.

Section 1101. Each department, Board, board, or other agency of Township government is authorized to appoint volunteers to augment regular personnel during implementation of the Township Emergency Operations Plan and County Emergency Action Guidelines. Such volunteer personnel shall be part of the disaster relief force and shall be subject to the rules and operational controls set forth by the respective department, Board, board, or agency through which the appointment was made, and shall be reimbursed for all actual and necessary travel and subsistence expenses incurred during this appointment. All volunteers used for emergency management purposes shall be registered with the Township Emergency Management Coordinator, the Township Clerk, and the County Emergency Management office.

Article 12 – Rights of Disaster Relief Force.

Section 1201. In accordance with Section 11 of the Act, personnel of the disaster relief force, while on duty shall:

- a. If they are employees of a county, municipality, or other governmental agency, regardless of where serving, have the powers, duties, and rights, privileges, and immunities, and receive the compensation incidental to their employment.
- b. If they are not employees of the county, municipality, or other governmental agency, be entitled to the same rights and immunities as are provided for by law.

Article 13 – Temporary Seat of Government.

Section 1301. The Township Board shall provide for the temporary movement and reestablishment of essential government offices and services in the event that existing facilities cannot be used.

Article 14 – Liability.

Section 1401. As provided for in the Act and this ordinance, the county or any political subdivision, or the agents or representatives of any political subdivision shall not be liable for personal injury or property damage sustained by volunteer disaster relief workers. In addition, any member of the disaster relief force engaged in disaster relief activity shall not be liable in a civil action for damages resulting from an act or omission arising out of and in the course of the person's good faith rendering of that activity, unless the person's act or omission was the result of that person's gross negligence or willful misconduct. The right of a person to receive benefits or compensation to which he or she may otherwise be entitled to under the worker's compensation law, any pension law, or act of Congress will not be effected as a result of said activity.

Section 1402. As provided for in the Act, any person owning or controlling real estate or other premises, who voluntarily and without compensation, grants the county the right to inspect, designate, and use the whole or any part of such real estate or premises for the purpose of sheltering persons or for any other disaster related function during a declared local state of emergency or during an authorized practice disaster exercise, shall not be civilly liable for the death of, or injury to, any person on or about such real estate or premises under such license, privilege, or other permission, or for loss of, or damage to, the property of such person.

Article 15 – Sovereignty.

Section 1501. Should any section, clause, or provision of this ordinance be declared by the courts invalid for any reason, such declaration shall not affect the validity of this ordinance as a whole or any part thereof, other than the section, clause, or provision so declared to be invalid.

Article 16 – Repeals.

Section 1601. All resolutions or parts of a resolution inconsistent herewith are hereby repealed.

Article 17 – Annual Review.

Section 1701. This ordinance shall be reviewed as required by the Township Board, and changes shall be made if necessary.

Article 18 – Effective Date.

Section 1801. This ordinance shall have immediate effect.

ROLL CALL:

AYES: Trudeau, Britton, Greenberg, Hill, Tabor, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

MINUTES –September 18, 2006.

Maki moved, Tabor second that the minutes of the Regular meeting held on September 18, 2006 are approved as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Trudeau second that bills totaling \$54,930.43 checks numbered 13324– 13382 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

1. MCTA Executive Board - June 24th, 2006
2. CABA – August 16th, 2006
3. Planning Commission – September 11th, 2006

SUPERVISORS REPORT.

1. Director of Planning and Research – We are going to be interviewing this Thursday for that position. Tom is doing an excellent job of filling in.

2. Recreational Authority – I went to the presentation meeting in Marquette on September 26th. Many municipalities were represented. The proposed authority would only be for a linking trail system. The building and maintenance of the system would be by a very small millage of .1 to .2 for the cities and township where the residents have agreed to participate by voting for this millage. The millage in Chocolay would amount to about \$3.50 to \$6.00 per year for the average homeowner. I have included the slide show in your packet. The authority language and by-laws have been sent to our lawyer for his review.

3. Sewer Project Public – The final draft is in the hands of our legal council. We will see it at our November meeting. We are on schedule for the project.

4. Recreational Trail Business Loop and Corridor Enhancement Grant – We received the \$1,000,000 check and hope for another \$800,000 soon.

GENERAL FUND BUDGET AMENDMENT #6 FY2006 –SEMCO TAX SETTLEMENT.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous	45,000.00	+22,767.39	67,767.39
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Treasurer Department			
Tax Tribunal			
101.253.963	0	+26,744.15	26,744.15
Other General Government			
Contingency			
101.285.951	\$31,911.00	-3,976.76	27,934.24

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT #7 FY2006 –ELECTION DEPARTMENT.

Hill moved, Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Election Department			
Per Meeting Comp.	\$ 1,700.00	+\$1,700.00	\$ 3,400.00
101.190.710			
Equipment Maintenance	\$ 100.00	+\$1,000.00	\$ 1,100.00
101.190.778			
Other General Government			
Contingency			
101.285.951	\$27,934.24	-\$2,700.00	\$25,234.24

ROLL CALL:

AYES: Trudeau, Britton, Greenberg, Tabor, Maki, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT #8 REIMBURSEMENT FOR MDOT TRAFFIC GRANT.

Britton moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 19, 2005, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department			
Salaries	192,144.06	+2,845.08	194,989.14

101.305.702

REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan 101.543	16,061.06	+2,845.08	18,906.14

ROLL CALL:

AYES: Hill, Tabor, Maki, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENT FUND BUDGET FY
2006 – AMENDMENT NO. 6 - MANUFACTURE’S REBATE FOR NEW CAR.

Greenberg moved, Maki second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on Dec. 19, 2005, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Capital Improvement 401.305.957	78,242.81	+\$570.36	78,813.17

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	124,902.06	+\$570.36	125,472.42

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Maki, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND BUDGET AMENDMENT NO. 7 FY2006 FIRE DEPARTMENT
GRANT.

Trudeau moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan 401.543	460.40	+1,116.76	1,577.16

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department 401.340.957	173,799.68	+1,116.76	174,916.44

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

CHOCOLAY DOWNS LIQUOR LICENSE ISSUANCE RECOMMENDATION

Trudeau moved, Britton second that the Charter Township of Chocolay recommends issuance of a new on premise license to Chocolay Downs Golf Course, (C.G.C. LLC).

AYES: 7

NAYS: 0

MOTION CARRIED.

REZONING # 136 - PUBLISH MAP AMENDMENT.

Tabor moved, Greenberg second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to Ordinance 34 of the Charter Township of Chocolay, Marquette, County, Michigan: #34-06-05.

AMENDMENT #34-06-05

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

SECTION 902 - CHOCOLAY TOWNSHIP ZONING MAP

That the property commonly known as 137 W. Main Street (Tax Parcel Code 52-02-203-010-00) in Section 6, T.47N-R.24W be rezoned from R-1 to PL.

ROLL CALL:

AYES: Greenberg, Trudeau, Britton, Tabor, Maki, Hill, Seppanen.
NAYS: None. MOTION CARRIED.

REZONING # 138 - PUBLISH TEXT AMENDMENT

Tabor moved, Britton second that the Charter Township of Chocoday Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-06-04

AMENDMENT #34-06-04

The Board of Chocoday Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocoday Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

Section 214 – Provisions for the Public Lands Zoning District be deleted and replaced with the following:

SECTION 214 PUBLIC LANDS ZONING DISTRICT

INTENT. To establish and preserve areas for certain public purpose and functions conducted by Chocoday Township

PERMITTED PRINCIPAL USES. Offices and related buildings, Police and Fire Stations, Community Centers, Indoor Sports Facilities, Libraries, Parks, Township controlled utility infrastructure, Recycling drop offsite, Maintenance and Storage facilities, Marinas

CONDITIONAL USES. Wireless Communication Facilities subject to the conditions of Section 527, Solid Waste Transfer Stations, Cemeteries and Campgrounds.

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Britton, Greenberg, Seppanen.
NAYS: None. MOTION CARRIED.

EWING PINES SUBDIVISION / FINAL PLAT

Tabor moved, Maki second that the Charter Township of Chocoday Board concur with the Planning Commission and approve the final plat of the Ewing Pines subdivision as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

AGREEMENT FOR COLLECTION AND DISPOSAL OF REFUSE CONTRACT EXTENSION.

Trudeau moved, Britton second that the proposal letter dated September 8, 2006 from Great American Disposal Company to extend the agreement for collection and disposal of refuse for an additional five (5) years be accepted with the provision of the contract extension.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

David Dousey – Thanked the Board and staff for all of their assistance with the Ewing Pines subdivision project.

Trustee Trudeau – Requested that payroll totals be approved by the Board along with the Accounts Payable list.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

1. KBIC Funding Requests
2. Iron Ore Heritage Area Publications
3. Police Department / Quarterly Status Report

There being no further business, Supervisor Seppanen adjourned the meeting at 7:42 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

Special Meeting
October 25, 2006

A Special meeting of the Chocolay Township Board was held on Thursday, October 25, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 5:15 p.m. The reason for the Special Meeting was to consider the final plat of the Bayou Court Site Condominium Project.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, Ken Tabor, John Trudeau, Don Britton.

ABSENT: Dan Maki.

STAFF PRESENT: Tom Murray, Mary Sanders.

PUBLIC COMMENT.

Dave Thomas – Concerns on the short notice of the meeting.

BAYOU COURT SITE CONCOMINIUMS – FINAL PLAT.

Tom Murray, Community Development Coordinator - explained the site condo plan; it has been to the Planning Commission and has their approval.

Clerk Hill – Asked why this was not on the last regular meeting agenda.

Supervisor Seppanen - The request for approval was brought to the Township the day after the last regular meeting and the project developer requested a special meeting because it is late in the building season and they just completed their other approvals needed to bring it to the Township Board. They want to start the project as soon as they get Board approval.

Trustee Britton – What is the size of the fence between the project and the neighbor? The plan has a fence, but the material and size have yet to be decided.

Dave Thomas – Concerns about the fence.

Bethany French – Wants to make sure the fence goes up between the project and her property.

Tim Hunt – Why is the fence on only one side of the property? He is against the project, considers it urban sprawl.

Britton moved, Tabor second that the Chocolay Township Board approve the Final Plan for the Bayou Condominium Project as presented including a six foot solid fence adjacent to the French property.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

There being no further business, Supervisor Seppanen adjourned the meeting at 5:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

Special Meeting
November 2, 2006

A Special meeting of the Charter Township of Chocolay Board was held on Thursday, November 2, 2006 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 5:15 p.m. The purpose for the Special Meeting was to consider Board concurrence for employing Jason K Laumann as the director of Planning and Community Development.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, Don Britton.

ABSENT: Ken Tabor, John Trudeau, Dan Maki.

STAFF PRESENT: Tom Murray, Mary Sanders.

PUBLIC COMMENT.

None.

HIRING OF DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT.

Hill moved Britton second to concur with the Chocolay Township Supervisor for the hiring of Jason Laumann to fill the position of Chocolay Township's Director of Planning and Community Development.

AYES: 4 ABSENT: 3 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

There being no further business, Supervisor Seppanen adjourned the meeting at 5:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

AMENDMENT #34-06-04

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

Section 214 – Provisions for the Public Lands Zoning District be deleted and replaced with the following:

SECTION 214 PUBLIC LANDS ZONING DISTRICT

INTENT. To establish and preserve areas for certain public purpose and functions conducted by Chocolay Township

PERMITTED PRINCIPAL USES. Offices and related buildings, Police and Fire Stations, Community Centers, Indoor Sports Facilities, Libraries, Parks, Township controlled utility infrastructure, Recycling drop offsite, Maintenance and Storage facilities, Marinas

CONDITIONAL USES. Wireless Communication Facilities subject to the conditions of Section 527, Solid Waste Transfer Stations, Cemeteries and Campgrounds.

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None. MOTION CARRIED.

RESOLUTION MARQUETTE COUNTY RECREATIONAL AUTHORITY.

Trudeau moved, Britton second that the following resolution be adopted.

WHEREAS, the Charter Township of Chocolay endorses the concept of the Recreation Authority to develop, manage, and maintain the Iron Ore Heritage Trail; and

WHEREAS, the Charter Township of Chocolay will work with its neighbors for the development of a connected trail system; and

WHEREAS, the Charter Township of Chocolay endorses the Iron Ore Heritage Trail as an interpretative trail with signage and interpretation of our region’s mining heritage; and

WHEREAS, the Charter Township of Chocolay endorses the Iron Ore Heritage Trail as a tool for economic development through the preservation of our history and traditions.

NOW THEREFORE IT BE RESOLVED that the Township of Chocolay supports the formation of the Recreation Authority for the development, management, and maintenance of the Iron Ore Heritage Trail.

Adopted this 13th day of November 2006, by the Charter Township of Chocolay Board.

AYES: 7 NAYS: 0 MOTION CARRIED.

MARQUETTE AREA WASTEWATER TREATMENT FACILITY, 3 PARTY CONTRACT.

Tabor moved, Maki second that the Township Supervisor and Clerk are authorized to sign the agreement for the Marquette Area Wastewater Treatment Facility.

AYES: 7 NAYS: 0 MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2006 AMENDMENT NO. 8 POLICE TRAINING FUNDS-STATE OF MICHIGAN

Hill moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on December 19, 2005, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training			
Capital Outlay			
401.306.957	\$2,547.50	+490.36	\$3,037.86
REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI			
401.543	\$1,577.16	+490.36	\$2,067.52

ROLL CALL:

AYES: Tabor, Maki, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

DELINQUENT SEWER ACCOUNTS TO TAX ROLL.

Greenberg moved, Britton second that the list of delinquent sewer charges and penalties as received from the Deputy Clerk, to be added to the December tax roll.

CHOCOLAY TOWNSHIP DELINQUENT SEWER USERS 2006				
Name	Tax ID Number	Address	City, State, Zip	Amount Due
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	298.02
Harvey Laundry	52-02-106-043-50	505 Corning Street	Mqt MI 49855	5,131.16
Susan Racine	52-02-215-006-00	156 East Fairbanks	Mqt MI 49855	298.02
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	298.02
Robert & Judy Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	142.08
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	298.02
Mark Chudy	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	298.02
Kim Brugman	52-02-216-009-00	130 Kellog Street	Mqt MI 49855	17.50
Richard Hillock	52-02-305-034-00	172 Riverside Road	Mqt MI 49855	298.02
Charlyne Horvath	52-02-107-012-00	204 Silver Creek Road	Mqt MI 49855	298.02
Steve Johnson	52-02-206-012-00	2424 U S 41 South	Mqt MI 49855	298.02
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	536.42
Harvey Oil Company	52-02-254-003-00	4025 U S 41 South	Mqt MI 49855	209.26
Wahlstrom Enterprise	52-02-107-007-00	5043 U S 41 South	Mqt MI 49855	8,755.56
Wahlstom-Sweetz N Treatz	52-02-107-007-00	5045 U S 41 South	Mqt MI 49855	476.84
Steve Wahlstrom- Lark	52-02-107-004-00	5063 U S 41 South	Mqt MI 49855	1,013.62
Robert Vidlund	52-02-455-004-00	120 Veda Street	Mqt MI 49855	298.02
David Blackburn	52-02-106-032-00	232 Van Epps	Mqt MI 49855	298.02
Scott Henry	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	298.02
Dr. Jean Elder	52-02-107-067-00	612 Willow Road	Mqt MI 49855	1,076.98
Dave/ Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	249.64
Pedone Trust	52-02-212-012-00	140 West Main Street	Mqt MI 49855	46.34
Renee Rintamaki	52-02-210-008-00	310 West Terrace	Mqt MI 49855	97.36
Joseph Stanaway	52-02-208-005-00	341 West Terrace	Mqt MI 49855	297.46
Marilyn Kremer	52-02-208-003-00	371 West Terrace	Mqt MI 49855	297.46
Kristine Dionne	52-02-106-043-00	110 West Wright Place	Mqt MI 49855	297.46
Glen Carlson	52-02-213-004-00	350 West Wright Place	Mqt MI 49855	74.28
Michael Olli	52-02-210-012-00	371 West Wright Place	Mqt MI 49855	291.24
Total Delinquent Amount				22,288.88

AYES: 7

NAYS: 0

MOTION CARRIED.

2006 ROAD RANKINGS.

Tabor moved, Maki second that the Chocolay Township Board concur with the Planning Commission and forward these rankings to the Marquette County Road Commission for consideration in their planning and road repair/reconstruction rankings.

AYES: 7

NAYS: 0

MOTION CARRIED.

FISCAL YEAR 2007 BUDGET WORKSHOP.

Salaries –

Greenberg moved, Trudeau second that the employee salary increase be set at 3 1/2 % for 2007.

AYES: 7

NAYS: 0

MOTION CARRIED.

General Fund

Revenues – No change.

Salaries – No change.

Township Board – No change.

Supervisor – No change.

Election – No change.

Assessor – No change.

Clerk – No change.
Board of Review – No change.
Treasurer – No change.
Township Hall & Grounds – No change.
Other General government – No change.
Police – No change.
Fire – No change.
Streets – No change.
Sanitation – No change.
Recreation & Grants – No change.
Community Center – No change.
Recreation & Property – No change.
Zoning – No change.
Planning Commission – No change.
Zoning Board of Appeals – No change.

Capital Improvements Fund

Expenditures – No change.

Wastewater Fund

Revenues – No change.

Expenditures – No change.

PUBLIC COMMENT.

Janet Amudsen – Hopes the Board will continue to charge for garbage with the tag system rather than a monthly amount.

Treasurer Greenberg – If Chocolay Township coordinates a spring clean up with the City of Marquette, we should consider a general household pick up instead of metal only.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. CABA Minutes of September 20th, 2006
- B. Besola Contracting Class A designation and agreement
- C. 2007 Z.B.A. meeting schedule
- D. Zoning Administrator Correspondence / 125 Kawbawgam Rd.
- E. Zoning Administrator Correspondence / Robert LaJeunesse
- F. MTA Correspondence dated October 9th, 2006

There being no further business, Supervisor Seppanen adjourned the meeting at 8:10 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

December 18, 2006

A Regular meeting of the Chocolay Township Board was held on Monday, December 18, 2006 at 7:00 p.m. at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.

ABSENT : None.

STAFF PRESENT: Jason Laumann, Martin Caceres, Mary Sanders, Tom Murray, Greg Zyburt, Gary Johnson.

MINUTES –NOVEMBER 13, 2006.

Greenberg moved, Trudeau second that the minutes of the Regular meeting held on November 13, 2006 are approved as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

FISCAL YEAR 2007 BUDGET- PUBLIC HEARING AND ADOPTION.

The public hearing was opened at 7:03 p.m. There was no public comment. The public hearing was closed at 7:05 p.m.

GENERAL APPROPRIATIONS ACT

Greenberg moved, Britton second, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2007, and ending December 31, 2007, to the Township Board for its consideration; and

Whereas, notice of the public hearing on the budget was published in the Mining Journal, a newspaper of general circulation within the township, on December 1, 2006; and

Whereas, a public hearing on the proposed budget was held on December 18, 2006, at the Chocolay Township Municipal Complex, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing;

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2007, and ending on December 31, 2007, in the amount of \$1,564,293.00 for the General Fund, in the amount of \$269,313.00 for the Sewer Fund and in the amount of \$100,900.00 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,564,293.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2007, and ending December 31, 2007.
3. The Township Board does hereby appropriate the sum of \$269,313.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2007, and ending December 31, 2007.
4. The Township Board does hereby levy 4.7235 mills for general operations.
5. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution are rescinded.
6. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming to Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL.

AYES: Hill, Maki, Tabor, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None

MOTION CARRIED.

Hill moved, Tabor second, that the salary for the office of Supervisor shall be set in the amount of \$14,447.00 for the Fiscal Year 2007, which begins January 1, 2007, and ends December 31, 2007.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trudeau moved, Britton second, that the salary for the office of Treasurer shall be set in the amount of \$8,403.00 for the Fiscal Year 2007, which begins January 1, 2007, and ends December 31, 2007.

AYES: 7

NAYS: 0

MOTION CARRIED.

Britton moved, Greenberg second, that the salary for the office of Clerk shall be set in the amount of \$11,396.00 for the Fiscal Year 2007, which begins January 1, 2007, and ends December 31, 2007.

AYES: 7

NAYS: 0

MOTION CARRIED.

Hill moved, Greenberg second, that the per diem for the office of Trustee shall be set in the amount of \$50.00 per meeting for the Fiscal Year 2007, which begins January 1, 2007, and ends December 31, 2007.

AYES: 7

NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$1,797.00 checks numbered 13420– 13434 be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

Maki moved, Tabor second that bills totaling \$59,393.05 checks numbered 13435– 13474 be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trudeau moved, Britton second that bills totaling \$15,805.59 checks numbered 13475– 13506 be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

Hill moved, Seppanen that payrolls Nov. 16th \$24,697.77, Nov. 30th \$18,874.05, Dec. 4th \$2,120.73, Dec. 14th \$20,695.68 be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS WERE RECEIVED AND PLACED ON FILE.

PUBLIC COMMENT.

None.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

None.

SUPERVISORS REPORT.

1. Jason Laumann, Director of Planning and Community Development – He is on board. We will get back into the mid-month updates for the board. I owe a big thanks to Tom for all his efforts in covering the bases for the last two months.

2. PW Library – I will be looking for several individuals for the board to appoint to the District Library Exploratory Committee at our January meeting. The committee will be forming and have it's first meeting in February. The hope is that they will finish their charge by the coming December.

3. KBIC 2% -We are happy to accept the 2% money from the KBIC. This check was for \$60,000.

4. The upcoming year – 2007, several major actions by this board will be acted on:

Fire Truck – I have meet with our Fire Chief Gary Johnson about the purchasing of the new fire truck. The total cost should be slightly under \$500,000. We are looking at offsetting some of the cost through the sale of our two fire trucks and using money that has be set aside in the Capital Improvement Fund for this purchase. It will still leave us with the need to raise about \$350,000. As I have stated at earlier meetings, we will be looking at using a dedicated millage to cover this part of the purchase. In the discussion with the Chief, the time frame for the purchase and delivery would be about 2 years from now if we went with an August election.

Road funding – We have been discussing the problems associated with our county roads for several years and like most of the other communities we lack the funds to do the necessary repairs. We are also unsure of what the Road Commission will be doing to cover their part of this responsibility. If we are looking at a millage for the fire truck this year we may want to also discuss the possibility of seeing if there is public support for a dedicated millage for township road repair, as a number of other townships have.

Building Upgrade – We will need to have our committee bring a recommendation to the board before spring on the remodeling needs of the office area and the fire department building.

5. Don Britton was CABA Citizen of the Year. The following Board resolution was presented to Don.

RESOLUTION

TO DONALD BRITTON

THE CHARTER TOWNSHIP OF CHOCOLAY BOARD
Commends its member Donald Britton
On his selection as the Chocolay Area Business Association's
2006 Citizen of the Year.
Don's dedication comes from a sincere desire
to assist residents and encourage full participation
in the activities of the area.
Duly noted and presented this 30th day of November, 2006.

ANNUAL APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES.

Maki moved, Tabor second to appoint the following representatives to the named boards and committees with the prescribed terms of office.

BOARD OF REVIEW

Albert Denton 01/01/07 to 12/31/09
Dennis Hickey 01/01/07 to 12/31/09
Robert Pecotte 01/01/07 to 12/31/09

CHOCOLAY RIVER WATERSHED COUNCIL

Larry Gould 05/31/06 to 05/31/09

EAST MARQUETTE SOLID WASTE DISPOSAL AUTHORITY

Greg Seppanen 01/01/07 to 12/31/07
Martin Caceres 01/01/07 to 12/31/07
Brad Johnson 01/01/07 to 12/31/07

MARQUETTE AREA WASTEWATER TREATMENT ADVISORY BOARD

Martin Caceres 01/01/07 to 12/31/07
Brad Johnson 01/01/07 to 12/31/07

NORTHERN MICHIGAN PUBLIC SERVICE ACADEMY

Arlene Hill 01/01/07 to 12/31/07
Mary Sanders 01/01/07 to 12/31/07

PENSION COMMITTEE

Greg Zyburt 01/01/07 to 12/31/12

PERSONNEL COMMITTEE

Tina Fuller 01/01/07 to 12/31/07
Mary Kratzke 01/01/07 to 12/31/07
John Greenberg 01/01/07 to 12/31/08

PLANNING COMMISSION

Kendal Tabor 01/01/07 to 12/31/09

UTILITY REVIEW COMMITTEE

John Trudeau 01/01/07 to 12/31/10
AYES: 7 NAYS: 0

MOTION CARRIED.

2007 MEETING DATES.

Tabor moved, Maki second that the Township Board approve the 2007 township meeting dates schedule as proposed.

CHOCOLAY TOWNSHIP BOARD-7:00 p.m.

JANUARY 15 JULY 16
FEBRUARY 19 AUGUST 20
MARCH 19 SEPTEMBER 17
APRIL 16 OCTOBER 15
MAY 21 NOVEMBER 12
JUNE 18 DECEMBER 17

PLANNING COMMISSION-7:30 p.m.

JANUARY 8 JULY 9
FEBRUARY 12 AUGUST 13
MARCH 12 SEPTEMBER 10
APRIL 9 OCTOBER 8
MAY 14 NOVEMBER 5
JUNE 11 DECEMBER 10

ZONING BOARD OF APPEALS-7:30 p.m.

JANUARY – NO MEETING JULY 26
FEBRUARY – NO MEETING AUGUST 23
MARCH 22 SEPTEMBER 27
APRIL 26 OCTOBER 25
MAY 24 NOVEMBER – NO MEETING
JUNE 28 DECEMBER – NO MEETING

VOLUNTEER FIRE DEPARTMENT:

MEMBERS- 2nd THURSDAY-7:00 p.m.-BUSINESS MEETING

3rd & 4th THURSDAY-7:00 p.m.-TRAINING

AYES: 7 NAYS: 0

MOTION CARRIED.

SCOTT EMERSON RESOLUTION.

Seppanen moved Greenberg second that the following resolution be adopted

WHEREAS, Scott Emerson has served 16 years on the Charter Township of Chocolay Planning Commission; and

WHEREAS, Scott’s tireless dedication and input on the issues brought before the Chocolay Township Planning Commission and other major projects have had a positive impact on the development of the community; and

WHEREAS, Scott’s judgment as a member of the Planning Commission has built respect for the Township’s involvement in land use planning; Now Therefore Be It Hereby

RESOLVED, that the Charter Township of Chocolay recognizes Scott Emerson as an outstanding citizen of the Charter Township of Chocolay and presents him with this resolution of appreciation for a job well done.

AYES: 7

NAYS: 0

MOTION CARRIED.

GENERAL FUND FY2006 BUDGET AMENDMENT #9 REIMBURSEMENT FOR BULLET PROOF VEST.

Trudeau moved, Britton seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on Dec. 19, 2005, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Uniforms 101.305.745	1,575.00	+201.50	1,776.50

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	67,767.39	+201.50	67,968.89

ROLL CALL.

AYES: Hill, Maki, Tabor, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None

MOTION CARRIED.

GENERAL FUND FY2006 BUDGET AMENDMENT #10 – PC ADVERTISING EXPENDITURES.

Tabor moved, Maki seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 19, 2005 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Planning Commission Advertising 101.805.901	\$1,200.00	+\$2,787.00	\$3,987.00

Other General Government

Contingency 101.285.951	\$25,234.24	-\$2,787.00	\$22,447.24
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ROLL CALL.

AYES: Greenberg, Britton, Trudeau, Hill, Maki, Tabor, Seppanen.

NAYS: None

MOTION CARRIED.

CAPITOL IMPROVEMENT EXPENDITURES – POLICE DEPT. EQUIPMENT.

Tabor moved, Hill second to approve the purchase of the above items at a total cost of \$14,774.93. This will be paid from the Capital Improvements Fund, account #401.305.957.

ROLL CALL.

AYES: Hill, Maki, Tabor, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None

MOTION CARRIED.

CAPITOL IMPROVEMENT EXPENDITURES – POLICE DEPARTMENT CHIEFS CONFERENCE.

Greenberg moved, Britton second to expend \$654.44 for the Police Chief conference in Grand Rapids January 31 – February 2, 2007. This would come from the Capital Improvement Training Fund 401.306.357.

ROLL CALL.

AYES: Greenberg, Britton, Trudeau, Hill, Maki, Tabor, Seppanen.

NAYS: None

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT NO. 9 FY2006 KBIC 2% MONEY DISBURSEMENT.

Trudeau moved, Britton seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated Capital Improvement Fund receipts within the township on December 19, 2005 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$151,647.42	+\$60,000.00	\$211,647.42

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department Capital Outlay 401.340.957	\$174,916.44	+\$53,000.00	\$227,916.44

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Capital Outlay 401.305.957	\$78,813.17	+\$5,000.00	\$83,813.17

Recreation & Parks Capital Outlay 401.756.957	\$99,219.94	+\$1,000.00	\$100,219.94
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Clerk Department Capital Outlay 401.215.957	\$9,062.38	+\$1,000.00	\$10,062.38
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ROLL CALL.

AYES: Hill, Maki, Tabor, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None

MOTION CARRIED.

SEWER FUND BUDGET AMENDMENT NO.1 FY2006 – PROFESSIONAL SERVICES.

Trudeau moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated sewer fund receipts within the township in December 19, 2005 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Wastewater Professional Services 571.571.901	\$5,816.00	+\$6,000.00	\$11,816.00

Contingency 571.571.951	\$7,500.00	-\$6,000.00	\$1,500.00
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ROLL CALL.

AYES: Greenberg, Britton, Trudeau, Hill, Maki, Tabor, Seppanen.

NAYS: None

MOTION CARRIED.

EWING PINES SUBDIVISION – SANITARY SEWER PLAN REVIEW AND INSTALLATION INSPECTION.

Greenberg moved, Trudeau second that Green Ventures Development submits the amount of \$5,367.35 to cover the cost of plan review and on site inspection of the construction of the sanitary sewer for Ewing Pines Subdivision.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Clerk Hill – Marquette County Township Association held a roast for Arlene as out going President of Michigan Township Association. There is a picture board here that was presented to her.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Township Clerk's Correspondence to the MAPS Board
- B. Assessing Office Progress Report
- C. A2Z – Peter White Public Library

There being no further business, Supervisor Seppanen adjourned the meeting at 7:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

January 15, 2007

A Regular meeting of the Chocolay Township Board was held on Monday, January 15, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.

ABSENT : None.

STAFF PRESENT: Jason Laumann, Martin Caceres, Mary Sanders, Greg Zybur.

MINUTES –December 18, 2006.

Maki moved, Greenberg second that the minutes of the Regular meeting held on December 18, 2006 are approved as presented.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$35,455.31 checks numbered 13507 - 13541 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Maki moved, Tabor second that bills totaling \$20,670.64 checks numbered 13542-13548 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATION – INTEGRATED DESIGNS – BUILDING RENOVATIONS.

Dax Richer, Architect with Integrated Designs, Inc. presented plans to the Board for renovations and an addition to the Township Municipal Complex. Included in the presentation were renovations to the Fire hall, estimate of \$72,000. to \$112,000. DPW bay addition to storage building, estimate of \$50,000. to \$63,000. Office addition and renovation, estimate of \$227,000. to 290,000. Proposed architectural fee \$21,600. Total estimated project cost \$370,000. to \$486,600. The proposed time frame is design and development phase; February 2007, construction drawing; March 2007 and the bid process in April 2007.

Britton moved, Trudeau second to extend the contract with Integrated Design, Inc. to enter into the design and development phase with additional architectural, engineering and project management fees of \$21,600.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PUBLIC COMMENT. None.

SUPERVISORS REPORT.

1. Fire Truck Millage Proposal– I have had further discussions with Fire Chief Gary Johnson about the purchasing of the new fire truck. We will be looking at the March meeting for a formal presentation of the proposed truck and the cost. In the discussion with the Chief, the time frame for the purchase and delivery would be about 2 years from now if we went with an August election.

2. PW Library – Kendal Tabor and Joe Holman have agreed to represent Chocolay Township on the PWPL AdHoc Committee on a District Library. I have contacted Mike Summers and he will meet with them later this month to fill them in on the history of this effort from the time of the original millage proposal.

3. Road Commission- Martin and I met with Jim Iwanicki from the Road Commission. We asked for his assessment of the county roads within the township and how much would it cost to get them into acceptable shape if we were to ask the residents for a Road Millage. The cost is almost ten million dollars. I’ve asked him to come and present information at our next meeting.

PLANNING COMMISSION APPOINTMENT.

Seppanen moved, Tabor second to appoint David H. Cotton to the Chocolay Township Planning Commission to fulfill the unexpired term of Scott Emerson which expires on May 24, 2007.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2006 - AMENDMENT NO. 11 REIMBURSEMENT FOR ALCOHOL GRANTS

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 19, 2005, for

the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to 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	194,989.14	+4008.25	198,997.39
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	67,968.89	+4008.25	71,977.14

ROLL CALL.

AYES: Tabor, Maki, Hill, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None.

MOTION CARRIED.

CAPTIAL IMPROVEMENTS FUND EXPENDITURE – POLICE COMPUTER.

Britton moved, Greenberg second to approve the purchase of a desktop computer at a total cost of \$1,375.80. This will be paid from the Capital Improvement Fund, Account #401.305.957.

ROLL CALL.

AYES: Britton, Trudeau, Greenberg, Tabor, Maki, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

2007 WASTEWATER RATES.

Hill moved, Greenberg second,

WHEREAS, the revenues and expenditures for the wastewater collection and treatment system have been reviewed, and

WHEREAS, the current user fee of \$23.60 is not adequate for the projected replacement cost of the system, therefore a rate of \$24.60 will be necessary and

WHEREAS, the equivalent user fee of \$24.60 per month will be sufficient to offset the Township's share to pay the OM&R cost for the wastewater treatment plant, and

WHEREAS, the equivalent user fee of \$24.60 will be adequate for the collection system OM&R cost, now therefore

BE IT RESOLVED, the Chocolay Township Board establishes the equivalent user fee of \$24.60 for the fiscal year of 2007.

ROLL CALL.

AYES: Tabor, Maki, Hill, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None.

MOTION CARRIED.

APPOINTMENT TO PETER WHITE LIBRARY COMMITTEE.

Trudeau moved, Britton second to appoint Joe Holman and Ken Tabor to serve on an Ad Hoc committed to review the formation of a district library concept .

AYES: 7

NAYS: 0

MOTION CARRIED.

MULTI PURPOSE TRAIL SUPPORT.

Hill moved, Britton second to authorize the Township Supervisor to submit a letter of support for the establishment of a multi purpose recreational trail and bridge crossing over the Chocolay River.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT. None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Wastewater Treatment Plant / Tour Invitation
- B. Multi Purpose Trail Letter of Support
- C. United Way Campaign Letter
- D. NMPSA Minutes of December 6th, 2006
- E. 2006 Zoning Administrator's Report
- F. 2007 Budget Adoption Resolutions

There being no further business, Supervisor Seppanen adjourned the meeting at 8:15 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

February 19, 2007

A Regular meeting of the Chocolay Township Board was held on Monday, February 19, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m. .

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Ken Tabor.

ABSENT: Don Britton, Dan Maki.

STAFF PRESENT: Jason Laumann, Mary Sanders, Brad Johnson, Gary Johnson.

MINUTES –January 15, 2007.

Greenberg moved, Trudeau second that the minutes of the Regular meeting held on January 15, 2007 are approved as presented.

AYES: 5 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT. None.

ACCOUNTS PAYABLE.

Greenberg moved, Trudeau second that bills totaling \$21,344.80 checks numbered 13605 - 13636 be approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

Hill moved, Tabor second that bills totaling \$22,970.35 checks numbered 13637-13672 be approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

Trudeau moved, Tabor second that bills totaling \$23,755.27 checks numbered 13673-13683 be approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

Hill moved, Trudeau second that payrolls for December 28, 2006 totaling \$26,941.13, January 11, 2007 totaling \$30,794.99, January 25, 2007 totaling \$26,125.65, and February 8, 2007 totaling \$21,780.10 be approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATION – JIM IWANICKI, MARQUETTE COUNTY ROAD COMMISSION.

Jim Iwanicki gave a presentation to the Board on the status of the roads in Chocolay Township and road funding information. Approximately 20% of Chocolay Township roads are in poor condition, 70% are in fair condition and 10% are in good to excellent condition. Jim Iwanicki has been presenting information to all of the Townships in Marquette County to alert them to road work that needs to be considered. The Marquette County Road Commission is not guaranteeing that they will be able to do a 50% match on road repair and construction depending on the amount.

SUPERVISORS REPORT.

1. Fire Truck Millage Proposal– Fire Chief Gary Johnson, Clerk Arlene Hill, Mary, Jason and I met to discuss the calendar issues of this possible millage. Arlene pointed out that if the board approved of the millage election at the November election date that the expense it could run with the school issues. Fire Chief Johnson agreed with that the November election would work for the fire department. Mary stated that a successful November election would work on collection of taxes for the following year.
2. Recreation - Bill Kiple of the Volunteer Outdoor Hockey Assn. will be meeting with Martin, Jason and I in March about the possibility of more rinks in Chocolay.
3. GIS Update – Jason Laumann, Director of Planning and Community Development presented to the Board the Township mapping he has been working on with the GIS program.

WASTEWATER TREATMENT SERVICE CONTRACT AND RESOLUTION.

Trudeau moved, Tabor second to approve the Resolution Approving Wastewater Treatment Service Contract between the City of Marquette and Charter Township of Chocolay.

AYES: 5 NAYS: 0 MOTION CARRIED.

FIRE DEPARTMENT – BIDS FOR TURN OUT GEAR AND SCBA UNITS.

Tabor moved, Trudeau second to authorize the fire department to seek price quotations for turn out gear and SCBA.

AYES: 5

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT. None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Police Department – 2006 Statistics
- B. Zoning Compliance – Court Update
- C. Assessing Office – 2006 Statistics
- D. MCTA Minutes – October 25th, 2006 and January 31st, 2007

There being no further business, Supervisor Seppanen adjourned the meeting at 8:10 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

March 19, 2007

A Regular meeting of the Chocolay Township Board was held on Monday, March 19, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Don Britton, Dan Maki, Ken Tabor.

ABSENT: Arlene Hill.

STAFF PRESENT: Jason Laumann, Mary Sanders, Brad Johnson, Gary Johnson, Martin Caceres.

MINUTES –February 19, 2007.

Greenberg moved, Maki second that the minutes of the Regular meeting held on February 19, 2007 are approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Item # XIII. B Zoning Compliance Authorization Form will be deleted and the Treasurer's resolution of To Open Deposit Accounts and Transfer Certificates of Deposits will replace it on the agenda.

PUBLIC COMMENT. None.

ACCOUNTS PAYABLE.

Tabor moved, Maki second that bills totaling \$42,116.62 checks numbered 13684 - 13709 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved Britton second to approve the expenditure of \$8,896.81 to the Marquette County Road Commission to complete payments for the construction of W. Main Street and Silver Creek Road from the Capital Improvements Fund Streets account # 401.440.957.

ROLL CALL:

AYES: Maki, Tabor, Britton, Trudeau, Greenberg, Seppanen.

NAY: None. ABSENT: Hill MOTION CARRIED.

Trudeau moved, Maki second that bills totaling \$62,129.99 checks numbered 13710-13746 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Britton second that payrolls for February 22, 2007 totaling \$26,402.34 and March 8, 2007 totaling \$22,203.65 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATION – DAX RICHER, INTEGRATED DESIGNS.

Updated designs on the building renovation were presented to the Board with options with a flat roof design and a pitched roof. The consensus of the Board was to go with the pitched roof. We need to look at Township set back requirements and the survey of our property.

Trudeau moved, Maki second to approve the programming plans and direct Integrated Designs to proceed with construction plans and the bidding process.

AYES: 6 NAYS: 0 MOTION CARRIED.

PRESENTATION – FIRE CHIEF GARY JOHNSON/VEHICLE PROPOSAL & MILLAGE REQUEST.

Fire Chief Gary John presented to the Board the need for a new fire vehicle. The request is for one unit to replace the 1987 tanker and the 1996 mini-pumper rescue unit. The department has \$125,000.00 set aside in the Capital

Improvements Fund for vehicle replacement. The new vehicle will cost \$495,000.00. The request is for millage over the next three years to total an additional \$350,000.00. The balance will come from the sale of the two vehicles.

Trudeau moved, Britton second to authorize a millage election for the purpose of collecting up to \$350,000.00 over three years for the purchase of a new Rescue/Tanker for the fire department.

AYES: 6 NAYS: 0 MOTION CARRIED.

The Board also discussed road millage. The Board agreed that the Supervisor and Clerk should work on wording for road millage. This will be brought back to the April board meeting.

Britton moved, Tabor second to bring millage wording back to the Board that would raise \$250,000.00 per year for a five year period.

AYES: 6 NAYS: 0 MOTION CARRIED.

SUPERVISORS REPORT.

- 1. The Department of Transportation is looking at a round-about for the intersection of U S 41 and M-28 when the corridor improvements are done.

IRON ORE HERITAGE RECREATION AUTHORITY/ARTICLES OF INCORPORATION.

The Board agreed to table the item until the April meeting to allow our insurance carrier to look at the Articles of Incorporation.

TREASURER’S RESOLUTION TO OPEN DEPOSIT ACCOUNTS AND TRANSFER CERTIFICATES OF DEPOSIT.

Greenberg moved, Britton second to approve the following:

I HEREBY CERTIFY, that I am the duly elected and qualified Clerk of the Township of Chocolay, County of Marquette, and State of Michigan and the keeper of the records of the proceedings of said Township as authorized by its Township Board, and that the following is a true and correct copy of a Resolution duly adopted by a majority vote at a regular meeting of the Township Board of said Township held on March 19, 2007 and at which a quorum was present.

BE IT RESOLVED, that the Treasurer, John Greenberg and Deputy Treasurer Pat Beck are hereby designated as a legal depository of moneys belonging to the Township of Chocolay, County of Marquette, and State of Michigan and deposit accounts be maintained, in the name of Chocolay Township with said Bank, subject to the rules and regulations established from time to time by said Bank and as stated on the authorized signature card filed with said Bank by the undersigned. That any one (1) of the following, to wit:

John S. Greenberg Treasurer Patricia A. Beck Deputy Treasurer

Are authorized, on behalf of the Charter Township of Chocolay, and in its name, to transfer funds from bank to bank for investing money in certificates of deposit for the Charter Township of Chocolay in the said Bank and that said Bank is hereby authorized and directed to honor transferring of such certificates of deposit for said Township when so signed or otherwise authorized by the Treasurer or Deputy Treasurer.

“FURTHER RESOLVED, that the foregoing resolution shall remain in full force and effect until written notice of its amendment or recession shall have been received by said Bank and that receipt of such notice shall not affect any action taken by the Bank prior hereto.”

I further certify that there is no provision in the articles or by-laws of said Township limiting the power to pass the foregoing resolutions and that the same are in conformity with the provisions of said articles and/or by-laws.

AYES: 6 NAYS: 0 MOTION CARRIED.

DISCUSSION - AUDIT SERVICES BID/PROPOSAL.

Trudeau moved, Maki second to place the Charter Township of Chocolay audit out for bid for the FY2007, 2008 and 2009.

AYES: 6 NAYS: 0 MOTION CARRIED.

ASSISTANCE TO FIRE DEPARTMENT GRANT REQUESTS.

Tabor moved, Greenberg second that the Township Board authorizes the Fire Department to participate in three separate AFG requests; if any are successful the Fire Department will present them to the Board for final approval.
AYES: 6 NAYS: 0 MOTION CARRIED.

SCBA BID AWARD.

Tabor moved, Maki second that the Township Board awards the bid for the purchase of SCBA to Pomasl Fire Equipment for the amount of \$59,600.00. The Board further authorizes the fire department to seek approval from DHS to add SCBA equipment to this purchase in order to spend down the grant funds; this is not to exceed \$66,400.00. The required 5% match shall come from the fire departments capital Improvement Fund 401.340.957.

ROLL CALL:

AYES: Britton, Trudeau, Greenberg, Maki, Tabor, Seppanen.
NAY: None. ABSENT: Hill MOTION CARRIED.

TURNOUT GEAR BID AWARD.

Trudeau moved, Greenberg second that the township accept the bid for turnout gear made by Emergency Vehicle Service for the amount of \$46,872.60. The funds for this shall come from the Fire Department Capital Improvements Fund 401.340.957.

ROLL CALL:

AYES: Maki, Tabor, Britton, Trudeau, Greenberg, Seppanen.
NAY: None. ABSENT: Hill MOTION CARRIED.

PORTABLE GENERATOR – GRANT REQUEST.

Britton moved Maki second that the township accepts a grant with no match required, from the Marquette County Emergency Management Department for the purchase of a portable generator and accessories, which the Fire Department will then assume ownership and responsibility for the generator.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Trustee Trudeau and Trustee Britton – Dr. English property.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. CABA Minutes of January 17th, 2007
- B. Peter White Public library, Correspondence, Meeting Schedule, Minutes

There being no further business, Supervisor Seppanen adjourned the meeting at 8:50 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

April 16, 2007

A Regular meeting of the Chocolay Township Board was held on Monday, April 16, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Dan Maki, Ken Tabor.

ABSENT: Don Britton.

STAFF PRESENT: Mary Sanders, Martin Caceres, Tom Murray, Greg Zyburt.

MINUTES –March 19, 2007.

Greenberg moved, Trudeau second that the minutes of the Regular meeting held on March 19, 2007 are approved with one correction in the treasurer's resolution to open deposit accounts and transfer certificates of deposit.

.AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Move item XIII.D. Scrap Metal Pick-Up to the next item on the agenda and add one item under new business Zoning Enabling Act.

SCRAP METAL PICK-UP.

Keary Ecklund, owner of Keweenaw Scrap Metal in Painesdale, Michigan explained his proposal to the Board to pick up scrap metal door to door in Chocolay at no cost to the Township. The only items that would be charged to the residents are items with Freon in them at \$10.00 per item and tires at \$1.00 each; if the rim is on the tire then there is no charge. They will also pick up whole automobiles at the residence and pay the resident \$50.00 per vehicle. He will send a contract to Chocolay for the Clerk to sign.

Trudeau moved, Hill second to accept the contract with Keweenaw Scrap Metal to pick up scrap metal in Chocolay in 2007.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Lee Blondeau – Was looking for a copy of the agenda (it was in the meeting room).

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$28,715.40 checks numbered 13747 - 13790 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Tabor second that payrolls for March 22, 2007 totaling \$25,102.16 and April 5, 2007 totaling \$23,229.93 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS WERE RECEIVED AND PLACED ON FILE.

SUPERVISORS REPORT.

1. Community Development Director – Jason left to pursue his consulting business. We are in the process of re-advertising the position. The Personnel Committee met several weeks ago to address my concern over the wage level of that position as well as several other issues. Their recommendation was to raise the Community Development Director's wage to \$44,742. That would have been the wage for Dennis if he were still here. I expect to start fielding questions about the position from applicants soon. With that in mind I would like to clarify how I view what the top wage that we could offer a candidate for this position. The amount I came up with after reviewing the Personnel Committee's recommendation would be \$43,439. What I asked Tom to do was to take the wage that the Personnel Committee was recommending for Jason and then subtracting 3% from that wage to represent a "new" hire. I would like the board approval to have that amount as the top wage I could offer as we go the hiring process.

2. Millage Language – We have draft language that we will be getting it to the attorney for review and then to this board for approval soon. The proposed language followed what was discussed at the March meeting, to collect a total of \$350,000 over a three year period for the needed fire truck and to collect \$250,000 a year for five years to do road repairs and maintenance. We should be able to look at that ranking at our next meeting. Clerk Hill suggested that we hold the fire election in November 2007 and the road millage in August 2008.

3. Audit – I had a quick meeting with our auditor Mike Grentz from Anderson and Tackman about his general overview of our audit. He said that there were no surprises and that all look good. He was delaying to May his report to the board because of the need for clarification of an auditing change to the standards. It has to do with the fact that our auditor is also doing the financial statement.

4. Building Upgrade – Tom has put together a schedule for getting the board into the position of hiring a contractor for the building project at our May meeting. Dax said it is doable. Also Dax has slightly modified/shifted the building addition to comply with our setback requirements. We will not need to go through the variance process.

With the Police Department looking at their evidence room staying in the meeting area we will be able to put the heating utilities in the open part of the basement saving the expense of a roof mounted unit. This will save money and make the maintenance of the units easier. The cooling units will be installed outside next to the building. We will also have our DPW employees doing the staining of the addition and the rest of the building.

The only other new matter is a very small item. We are looking at the possible emergency connection of the new county donated generator to the complex. Before we see how that would fit in we will need the technical information on the unit. This will provide backup power most likely to the Fire Department building. We do not have that information yet.

5. Recreation Facility Use – We have been going through a rough time in scheduling and collection of fees for our soccer fields. Martin and I have met and are looking at solutions to some of these issues that have been increasing in frequency over the last several years. Our form/contract is generic for our facilities and they should be tailored for the activity and facility. We have an increase of commercial demands for our fields that are coming into conflict with (what I would consider) the primary use of our fields. That would be for the use of the facilities by the leagues and individual residents of our community. Our \$20 daily use fee for commercial use has been in place for since we first established the fee. The city charges \$75 for residents and \$150 for non-residents for the use of their fields.

I plan to review the present policy, practices, and fees with Martin and to come back to the board with our findings and recommendations. If the board agrees we could be looking at implementing changes for next year.

- Basic guidelines:
1. No cost for non-profits/leagues
 2. Keep times open for non-structured use – general public use
 3. Priority to residents and leagues over that of commercial use
 4. Tailor policy and contracts to the facility and activities

DISCUSSION ON THE IRON ORE RECREATION AUTHORITY.

The Board was informed that the Townships attorney has reviewed and made recommendations which will be incorporated in the final draft. This will be presented to the Township Board in its final form at the May meeting.

MARQUETTE COUNTY TOWNSHIP ASSOCIATION BANQUET.

Hill moved Trudeau second that Township Board members, Commission members and employees be encouraged to attend the annual MCTA Spring Banquet with the dinner cost of \$26.00 paid by Chocolay Township. Guests are welcome to attend with cost paid personally.

AYES: 5 NAYS:1 MOTION CARRIED.

ZONING BOARD OF APPEALS REAPPOINTMENTS.

Trudeau moved, Tabor second to reappoint Michelle Wietek and Carol Hicks to three (3) year terms on the Chocolay Township Zoning Board of Appeals, terms ending May 2010.

AYES: 6 NAYS: 0 MOTION CARRIED.

MARQUETTE COUNT SOLID WASTE MANAGEMENT PLAN RESOLUTION.

Greenberg moved, Tabor second that Charter Township of Chocolay approves the Marquette County Solid Waste plan amendment, prepared pursuant to Act 451 of 1994, as amended, and the rules promulgated there under.

AYES: 6 NAYS: 0 MOTION CARRIED.

SILVER CREEK RECREATIONAL AREA / SILVER CREEK CHURCH JOINT RECREATIONAL USE.

Hill moved, Trudeau second, to approve a request from the Silver Creek Church to utilize a portion of the Silver Creek Recreation Area as noted on the attached map for use as a Frisbee golf course. This motion is approved with the provision that there will be no fee to the public or costs to the Township, maintenance will be provided by Silver Creek Church, that the Township attorney draft an agreement for it's use, that confirmation is received from our insurance carrier regarding liability issues, and that if any additional insurance costs are incurred, they will be paid by the Church.

AYES: 6 NAYS: 0 MOTION CARRIED.

ASSESSING DATA – FILE DOWNLOAD FEES.

Hill moved, Maki second that a fee of \$500.00 is set for a download of our assessing data with provision that the information not be sold or given to other agencies.

AYES: 6 NAYS: 0 MOTION CARRIED.

LANDFILL REFUNDS - PROCEDURES

Trudeau moved, Hill second that the landfill deposits are held a maximum of 90 days. At that point it shall be deposited in the Trust & Agency account with a refund to the resident by check. If the check is not cashed we will apply the check as provided through the Escheatment Law.

AYES: 6 NAYS: 0 MOTION CARRIED.

ZONING ENABLING ACT.

Tabor moved, Maki second to direct the Zoning Administrator to prepare the required addition and /or deletions to the Zoning Ordinance of the Charter Township of Chocolay by incorporating by reference the Michigan Zoning Enabling Act, being Act 110 of 206.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. CABA Minutes of February 21st, 2007
- B. Correspondence to Lorraine Leidholdt
- C. Correspondence – CUPPAD Staff Activities
- D. April 26th, 2007 ZBA meeting cancellation
- E. MTA Workshop – ABC’s of ZBA’s report
- F. Zoning Enabling Act / Zoning Ordinance

There being no further business, Supervisor Seppanen adjourned the meeting at 8:10 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 21, 2007

A Regular meeting of the Chocolay Township Board was held on Monday, May 21, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Dan Maki, Ken Tabor.

ABSENT: None.

STAFF PRESENT: Tom Murray, Mary Sanders, Martin Caceres, Greg Zybur, Gary Johnson.

MINUTES –April 16, 2007.

Greenberg moved, Trudeau second that the minutes of the Regular meeting held on April 16, 2007 are approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

None.

PUBLIC COMMENT.

Barb Holman – Read letter from Scott Emerson on the Riverside Road relocation.

Gary Johnson – Riverside Road resident, feels the intersection is dangerous for vehicles.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$37,648.59 checks numbered 13791 - 13822 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Maki moved, Tabor second that bills totaling \$105,928.36 checks numbered 13823 - 13855 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved, Maki second that payrolls for April 19, 2007 totaling \$25,090.83, May 3, 2007 totaling \$21,100.78 and May 17, 2007 totaling \$21,302.14 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATIONS – AUDIT PRESENTATION, ANDERSON, TACKMAN & CO.

Mike Grentz, Anderson, Tackman & Co. presented the FY2006 audit to the board. Chocolay Township is in sound financial shape and there are no discrepancies to report.

Greenberg moved, Britton second to accept the FY2006 audit as presented by Anderson, Tackman & Co.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

SUPERVISORS REPORT.

1. We are in the process of hiring a Director of Planning and Community Development. The applications are in and interviewing will take place within the week.
2. Building renovation bids due date has changed from May 29th to May 31st.
3. The Marquette County Road Commission has put together a 17 year road resurfacing plan for Chocolay Township roads.

Robert Grove – Riverside Road is in bad shape and should be resurfaced first.

Dick Arnold – What will the Township do with road millage if it passes and the County does not come through with their portion?

Joe Holman – How many mills will the Board ask for on road millage?

IRON ORE HERITAGE RECREATION AUTHORITY.

Britton moved, Tabor second, that the Charter Township of Chocolay adopt the Articles of Incorporation for the Iron Ore Heritage Recreation Authority as amended and authorize the Supervisor and Clerk to execute the document.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION – SPECIAL MEETING TO REVIEW AND AWARD CONSTRUCTION BIDS.
The Board agreed to set a Special Board meeting for 5:30 on Friday, June 1, 2007 to review and award construction bids.

AUDIT BIDS FY2007, 2008, 2009.

Greenberg moved, Maki second, to award the audit bid for the FY2007 in the amount of \$5,400.00, FY2008 in the amount of \$5,625.00 and FY2009 in the amount of \$5,850.00 to Anderson, Tackman and Company, PLC.

AYES: 7

NAYS: 0

MOTION CARRIED.

PERSONNEL COMMITTEE RECOMMENDATIONS.

Trudeau moved, Britton second that the Charter Township of Chocoy Board concurs with the following Personnel Committee recommendations and additions to the policy manual as listed below.

1. That the Director of Planning and Community Development salary shall increase to \$44,742.00 1st year, \$46,084.00 2nd year, and \$47,467.00 in the 3rd year.

DEFINITIONS

New Hire

A person hired by the Township without previous employment history with the Township or a person previously employed by the Township without work experience in the job description.

Rehire

A person hired by the Township with previous employment history under the same job description as when employed with the Township.

Promotion

A person currently employed by the Township who receives a job advance, with a higher level of pay and responsibility.

Wage schedule for New Hire

It will be the responsibility of the Township Board to determine the final salary for the job position at the time of hire. The final salary will be reduced by 9% to be returned over the course of a 3 year training period. The training period increases will be made in addition to any wage increases as determined during the yearly budget preparation.

Rehire

It will be the responsibility of the Township Board to determine the final salary for the final job position at the time of hire. It is the assumption that the person rehired would be working under the same job classification as when previously employed by the Township. There will be no 9% reduction of the final salary and no training period. Any wage increases will be as determined during the yearly budget preparation.

Promotion

It will be the responsibility of the Township Board to determine the final salary for the job position at the time of promotion. It is the assumption that the person promoted would not be working under the same job classification and has assumed additional responsibilities. The final salary will be reduced by 9% for a 3 year training period provided that the reduction does not cause a reduction below the employee's previous rate of pay. In a situation where a training reduction caused a reduction of a previous rate of pay, the next level of training increase will be used and subtracted from the 3 year training period.

Compensation – coverage for extended leave.

It is recommended that if an employee performs a department head's duties for an extended period of time or 4 weeks minimum due to vacation or illness that employee will be compensated at a rate of ½ of the difference of the hourly wage between the department heads wage and the employee's wage.

HIAWATHA WATER TRAIL BID.

Hill moved, Tabor second, to award a bid for fabrication of a kayak storage locker to Premeau Construction Co. in the amount of \$5,943.00, award a bid to 41 Lumber in the amount of \$4,720.54 for construction materials and limestone aggregate in the amount of \$75.00 to Associated Constructors.

ROLL CALL.

AYES: Maki, Tabor, Hill, Britton, Trudeau, Greenberg, Seppanen.

NAYS: None

MOTION CARRIED.

John Wickstrom – Asked the Board to consider allowing him to operate a kayak rental at the marina.

PLANNING COMMISSION APPOINTMENT.

Seppanen moved, Hill second, to reappoint Mr. Albert Denton and Mr. Davis Cotton to three (3) year terms on the Chocolay Township Planning Commission, terms ending May of 2010.

AYES: 7

NAYS: 0

MOTION CARRIED.

SHARON TABOR RESOLUTION.

Tabor moved, Greenberg second that the following resolution be adopted

WHEREAS, Sharon L. Tabor has served 6 years on the Charter Township of Chocolay, Peter White Public Library Advisory Board; and

WHEREAS, Sharon's tireless dedication and input on the Library Advisory Board and the positive impact her efforts have had on the community; and

WHEREAS, Sharon's leadership and judgment as a member of the Peter White Public Advisory Board has built respect for the Township's involvement in the operations of the Library; Now Therefore Be Resolved

That the Charter Township of Chocolay recognizes Sharon L. Tabor as an outstanding citizen of the Charter Township of Chocolay and presents her with this resolution of appreciation for a job well done.

Adopted this 21st day of May 2007, by the Charter Township of Chocolay Board.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION – BALLOT LANGUAGE.

The Board agreed to place two millage questions on the November 2007 ballot. The first one is for a fire truck and related equipment and the second is for road millage. The language will go back to the attorney for a change in the fire millage. The language will be voted on by the Board at the July meeting and then forwarded in August to the County Clerk.

RIVERSIDE ROAD RELOCATION – MONETARY MATCH COMMITMENT.

Hill moved, Britton second to commit to relocation of Riverside Road intersecting with Lakewood Lane with an amount not to exceed \$25,000.00 from Chocolay Township.

ROLL CALL.

AYES: Britton, Trudeau, Greenberg, Maki, Tabor, Hill, Seppanen.

NAYS: None

MOTION CARRIED.

PUBLIC COMMENT.

Bob Grove – The Township should put a 3 way stop at Riverside and Lakewood Lane instead of relocation.

Jerry O'jibway – Why was the engineering fee so high for Riverside Road?

Barb Holman – How many accidents occur per year at this intersection?

Joe Holman – Can residents give input before the relocation is started on Riverside Road? He applauds the Board for looking at fixing the intersection of Riverside and Lakewood.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Arlene Hill/MTA letter.
- B. Correspondence from John English
- C. Outdoor burning ordinance draft.
- D. Police department quarterly statistics.
- E. CABA minutes – March 21, 2007.
- F. Correspondence from Tom Belt.
- G. Utility Review Committee June 2007.

Supervisor Seppanen adjourned the meeting at 8:30 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

June 1, 2007

A Special meeting of the Chocolay Township Board was held on Friday, June 1, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. The Special Meeting was called to award the construction bid for the municipal complex. This meeting was published in the Mining Journal and posted at the Township Hall. Supervisor Seppanen called the meeting to order at 5:30 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Don Britton, Dan Maki, Ken Tabor.

ABSENT: Arlene Hill.

STAFF PRESENT: Tom Murray, Mary Sanders, Martin Caceres.

PUBLIC COMMENT.

None.

REVIEW AND AWARD OF CONSTRUCTION BIDS FOR THE MUNICIPAL COMPLEX.

Dax Richer, Integrated Designs Architect, reviewed the bids with the Township Board. Discussion took place on the difference between the two low bids of Closner and Premeau.

Pete Premeau, Premeau Construction – Alternate #4 should have been a dollar amount on Closners bid; the Township should not accept it as a complete bid.

Gary Revord, Premeau Construction – Construction costs are tight right now and he feels that Closner’s bid did not follow procedure.

Brad Adams, Closner Construction – Did not feel that enough information was provided for item #4, that was why he put time and materials for his answer instead of a dollar amount.

Trudeau moved, Greenberg second , that the Charter Township of Chocolay accept the bid from Closner Construction for construction and renovation of the Chocolay Township municipal complex in the amount of \$488,625.00 which reflects the elimination of the alternates #1 through #4.

ROLL CALL.

AYES: Tabor, Maki, Greenberg, Britton, Trudeau, Seppanen.

NAYS: None.

ABSENT: Hill

MOTION CARRIED.

Supervisor Seppanen adjourned the meeting at 5:50 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

June 18, 2007

A Regular meeting of the Chocolay Township Board was held on Monday, June 18, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor.

ABSENT: Dan Maki.

STAFF PRESENT: Tom Murray, Martin Caceres, Jennifer Thumb, Gary Johnson, Gary Heinzelman.

MINUTES –May 21, 2007 and June 1, 2007.

Greenberg moved, Britton second that the minutes of the Regular meeting held on May 21, 2007 are approved.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Britton moved, Trudeau second that the minutes of the Special meeting held on June 1, 2007 are approved.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

None.

PUBLIC COMMENT.

Tom Lakenen – Offered land for a dry hydrant.

It was noted that this action requires Board authority. The Township Board will bring a resolution to be approved at the July 2007 meeting.

Pat Stevens – Realtor for Chocolay Downs Golf Course and the requested liquor license be moved to top of agenda. The Supervisor moved that item up on the agenda to A. under new business.

Look into the value of the ICE program for emergency help in Chocolay Township

Admundson – complained about heavy trucks hauling sand on M-28 in Chocolay Township.

ACCOUNTS PAYABLE.

Trudeau moved, Britton second that bills totaling \$11,421.27 checks numbered 13856 - 13875 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Hill moved, Tabor second that bills totaling \$23,355.09 checks numbered 13876 - 13910 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved, Britton second that payrolls for May 31, 2007 totaling \$25,149.81 and June 14, 2007 totaling \$22,090.46 are approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATIONS –HIRING NEW PLANNING/COMMUNITY DEVELOPMENT DIRECTOR.

Britton moved, Greenberg second to employ Jennifer Thum as the Planning/Community Development Director for the Charter Township of Chocolay.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

SUPERVISORS REPORT.

1. Waterway Trails – Tom and I met with Commissioner Bergdahl about our end of the proposed water trail grant. The trail is part of a larger project that will involve the Big Bay Harbor that is owned by the County. The cost of our end of the project has gone up since it was first estimated three years ago. The additional cost comes out to about \$12,000. I asked Commissioner Begdahl for help in getting the county to help with this additional cost. The project is a “regional” in scope and it would be appropriate for assistance from the county besides what Chocolay Township and the state are putting into it.

2. Ground Breaking at the Waste Water Treatment Plant – I participated with the City of Marquette and Marquette Township in the official groundbreaking for the upgrade on the Waste Water Treatment Plant last week. Everyone was smiling and happy for the progress in this area. I think we accomplished much in

getting to this point and we did it without having to go to court. It was accomplished by face to face meetings and the give and take on all sides.

3. KBIC – We received a check last week for \$60,021.37 from the 2% grants. We had several items in the renovations that some of these funds were to address. I will be meeting with the department heads by the next meeting and we will come up with recommendations for their use.

4. Building Upgrade – As noted in the last item we are developing some options to address the parts of the building upgrade project that we were concerned about the cost. The 2% money could not be counted on when we awarded the contract. I would like to meet with the building committee and review the deleted parts of the project and to look at our funding options. We would then come back to the board with our recommendations.

5. July 4th Parade – I will be out of the area on the 4th. We have been invited by the Mayor of Marquette to have a representative with the mayor on the city float. John Greenberg will represent Chocolay Township on the float.

LIQUOR LICENSE – CHOCOLAY DOWNS GOLF COURSE RESOLUTION.

At a Regular meeting of the Charter Township of Chocolay, called to order by Supervisor Seppanen on June 18, 2007 at 7:00 PM. the following resolution was offered.

Moved by Trudeau and supported by Britton

That a request from CGC Development for a new entity to be known as, Royal English, LLC (Application for name pending) for a new full year Class C License to be located at 129 Brewer Drive, Marquette, Michigan, Marquette County

Be considered for Approval “Above all others”

Yeas: 6 Nays: 0 Absent: 1 MOTION CARRIED.

It is the consensus of the legislative body that the application be RECOMMENDED for issuance.

APPOINTMENT OF JANALEE RASKIN TO THE PETER WHITE PUBLIC LIBRARY TOWNSHIP ADVISORY COUNCIL.

Trudeau moved, Tabor second, to appoint Janalee Raskin to serve as a Chocolay Township representative on the Peter White Public Library Advisory Board.

AYES: 6 NAYS: 0 MOTION CARRIED.

JOB DESCRIPTION UPDATES

Trudeau moved, Britton second that the Charter Township of Chocolay Board concurs with the revised job descriptions for the Assessor, Zoning Administrator and Planning/Community Development Director.

AYES: 6 NAYS: 0 MOTION CARRIED.

APPOINTMENT OF THE GOVERNING BOARD OF THE IRON ORE HERITAGE RECREATION AUTHORITY.

Tabor moved, Hill second, to appoint Donald Britton to serve as the Chocolay Township representative on the Iron Ore Heritage Authority for a 3 year term beginning May 31, 2007 through May 31, 2010.

AYES: 6 NAYS: 0 MOTION CARRIED.

FIRE DEPT. CONSTITUTION AND STANDARD OPERATING GUIDELINES.

Hill moved, Greenberg second that the Chocolay Township Board approved the changes as presented to the Fire Departments Constitution and their Standard Operating Guidelines.

AYES: 6 NAYS: 0 MOTION CARRIED.

RECREATION AND PROPERTIES CAPITAL OUTLAY EXPENDITURE REQUEST.

Britton moved, Tabor second that the Supervisor of the Department of Public Works with the concurrence of the Township Supervisor, be authorized to expend from 401.756. 957, not to exceed the amount of \$ 19,500.00 for the resurfacing of the tennis courts, parking lots and driveways and replacement of equipment for the maintenance of Township Grounds with funds to come from the Recreation and Properties Capital Outlay.

ROLL CALL:

AYES: Tabor, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None ABSENT: Maki MOTION CARRIED.

SUPERIOR PINES CONDOMINIUMS – REQUEST FOR FORMAL ACTION.

Glen Van Neste, representing Dr. English passed out new information to the Board.

Public Comment on Superior Pines Condominiums –

- Planner Stachewicz in 2004 had a different concept on homes per acre.
- Planner Laumann in 2007 would allow 1 unit per 5 acres.
- This will be a unique housing situation with trails and access to Lake Superior and affordable housing in the \$150,000.00 to \$200,000.00 range.
- Dr. English has trespassed on 232 Kawbawgam property.
- Density issues on the 40 acres.
- The Township Board is subverting the Planning Commission and the comprehensive plan. This is a dangerous precedent.
- State law provides that the Township Board has the final authority in this matter.
- Questions on 6.5 acres sold to Dr. English, was the property open to sale to the public?
- If the Planning Commission said no to the project, why is the Board considering it?
- There are water problems in this area already, without high density of homes.
- The comprehensive plan is a vision of what's going to happen in the Township. It should not override the zoning ordinance. We need to follow the zoning ordinance.
- Is the property R-1 or R-2 currently?
- Township staff changed the rules in the middle of the game.

Trudeau moved, Hill second to schedule a public hearing on July 16, 2007 to consider rezoning request #139, direct staff to send notice to the affected property owners and place the required display ad in the Mining Journal.

ROLL CALL:

AYES: Tabor, Hill, Trudeau, Britton, Greenberg,.

NAYS: Seppanen

ABSENT: Maki

MOTION CARRIED.

PUBLIC COMMENT.

Gary Loher – It is clear what is going on.

Linda Remsberg – How did Dr. English buy the property from the Township without anyone else having the opportunity to purchase it?

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. CABA Minutes of April 18th, 2007
- B. Marquette Area 4th of July Committee
- C. MTA / Township Correspondence – State Budget Issues
- D. NMPSA Invoice / Membership List
- E. Zoning Administrator Correspondence / Private Business within the Public Lands Zoning District.
- F. Bids received for the Police Departments 2003 Ford Crown Victoria
- G. 2006 Audit Report

Supervisor Seppanen adjourned the meeting at 8:55 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

Tabor – Supports the Planning Commission decision.

Greenberg moved, Tabor second to concur with the Planning Commission’s recommendation of May14, 2007 to deny the proposed preliminary development plan and rezoning request #139 as presented.

ROLL CALL:

AYES: Tabor, Hill, Trudeau, Britton, Maki, Greenberg, Seppanen

NAYS: None.

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$42,495.74 checks numbered 13911 - 13947 be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

Britton, moved Tabor second that bills totaling \$9,522.67 checks numbered 13948 - 13975 be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

Tabor moved, Trudeau second that payroll for June 28, 2007 for \$26,422.06 and July 12, 2007 for \$23,043.92 be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

SUPERVISORS REPORT.

1. Centers for Regional Excellence - Collaboration Teleconferences and the Seminar for Land Use Planning and Community Development – I went to two conferences put on by the state and the Partnerships for Change. With the state efforts to foster collaboration and the need for regional approaches to solve community problems these educational sessions offered a good step. After the session last week I was able to stay and talk with the City of Marquette and Marquette Township representatives about community needs. Both the city and the township expressed a need for better recycling. CUPPAD’s community planner, Jason McCarthy was also present to offer CUPPAD’s help in facilitating such an effort. CUPPAD will be doing some research and will get back to our communities.

2. Metal Pickup – The pile is now gone from the marina and should be gone from our back parking lot at the township hall by the end of the week.

3. Recreation - Bill Kiple of the Volunteer Outdoor Hockey Assn. met with Martin, Jennifer, and I about upgrading the townships skating rinks. They will be looking to put up a warming shed at the Lions Fields as a start.

4. Building Upgrade – The construction is moving along. We will be looking at the first set of bills at our August meeting.

5. 41/28 Light – MDOT crews did an excellent job in getting the light up and running after the accident last week. I will be writing a letter of appreciation on behalf of the township to MDOT, the Sheriff, and the State police for their quick assistance at that busy and dangerous intersection.

6. Superior Fast Lube – DPW has again spent much time cleaning out the sewer of sand coming from the car wash. In the last four years this has happened twice before with the result of an additional billing to the car wash to offset the clean up cost. Martin and I will be meeting with the owner tomorrow to discuss this latest problem and possible solutions.

BALLOT ISSUES.

Greenberg moved, Tabor second that the township clerk be authorized to provide the following ballot language to the county clerk to be placed on the General Election ballot for the November 6, 2007 election:

FIRE TRUCK PURCHASE

Shall the authorized millage of ad valorem taxes within the Charter Township of Chocolay as reduced by the required millage rollback which resulted in a levy of less than 5 mills (\$.005 per \$1,000.00 of taxable value) be increased by an amount not to exceed .78 mills (\$.00078 per \$1,000.00 of taxable value) for the three years 2007 through 2009 inclusive, for the purchasing of a fire truck and related fire fighting equipment which, if levied, will raise in the first year of levy an estimated \$117,800.00.

YES _____ NO _____

AYES: 7

NAYS: 0

MOTION CARRIED.

Britton moved, Maki second, that the township clerk be authorized to provide the following ballot language to the county clerk to be placed on the general election ballot for the November 6, 2007 election:

ROAD IMPROVEMENT FUNDS

Shall the authorized millage of ad valorem taxes within the Charter Township of Chocolay as reduced by the required millage rollback which resulted in a levy of less than 5 mills (\$.005 per \$1,000.00 of taxable value), be increased by an amount not to exceed 1.7 mills (\$.0017 per \$1,000.00 of taxable value) for the five years 2007 through 2011 inclusive, for the purpose of funding road maintenance and improvement within the Charter Township of Chocolay, which, if levied will raise in the first year of levy an estimated \$256,000.00.

YES _____ NO _____

AYES: 7 NAYS: 0 MOTION CARRIED.

CONSIDERATION OF A PERPETUAL DRY HYDRANT EASEMENT.

Maki moved, Tabor second, that
This indenture, made on this 16TH day of July , 2007 between Tom Lakenen, LLC of 108 Timber Lane , Marquette, Michigan 49855 (“Grantor” herein), and the Charter Township of Chocolay, a Michigan public body corporate, of 5010 US 41 South, Marquette, Michigan 49855 (“Grantee” herein),

Witness, Grantor for and in no consideration paid by the Grantee, do by these presents, grant, bargain, sell, remise and convey to Grantee a perpetual easement, in, on, over, under and across a parcel of real property located in the Charter Township of Chocolay, County of Marquette, and State of Michigan, more particularly described as follows:

That part of Section 11 Township 47 North, Range 23 West, Described as the N.E. ¼ of the N.W. ¼, except the Department of Natural Resources right of way, containing 37.42 acres, and identified as parcel ID # 52-02-011-005-00.

Which easement is granted for the purpose to the Grantee for the purpose of constructing, maintaining, repairing, replacing, accessing, servicing, using, operating, and / or removing a dry hydrant to be utilized by the Grantees, their Fire Department, Mutual Aid Municipalities, successors, and assigns to draw water from the pond located thereon to provide a water supply for firefighting as may from time to time be necessary, with such right of ingress and egress consistent with the purposes of this easement.

Together with all and singular hereditaments and appurtenances thereunto belonging or in any wise appertaining; to have and to hold the said premises to the Grantees, their respective fire departments, Mutual Aid Municipalities, successors, and assigns, for the purposes set forth herein, forever.

ROLL CALL:

AYES: Tabor, Hill, Trudeau, Britton, Maki, Greenberg, Seppanen
NAYS: None. MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENT FUND BUDGET FY 2007 – AMENDMENT NO. 1 SALE OF FIREARMS.

Hill moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 18, 2006, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Capital Improvement 401.305.957	\$55,191.44	+\$1095.00	\$56,276.44

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	0	+\$1095.00	\$1095.00

ROLL CALL:

AYES: Trudeau, Britton, Tabor, Hill, Maki, Greenberg, Seppanen
NAYS: None. MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2007 AMENDMENT NO. 2 POLICE TRAINING FUNDS-STATE OF MICHIGAN

Tabor moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on December 18, 2006, 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, No Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training Capital Outlay 401.306.957	\$ 2,222.74	+ \$433.36	\$2,656.10

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 401.543	\$ 0	+\$433.36	\$433.36

ROLL CALL:

AYES: Tabor, Hill, Trudeau, Britton, Maki, Greenberg, Seppanen

NAYS: None.

MOTION CARRIED.

**KBIC ALLOCATION AND STORAGE BUILDING CHANGE TO BUILDING RENOVATION.
CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT NO. 3 FY2007 KBIC 2% MONEY
DISBURSEMENT.**

Seppanen moved, Hill seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated Capital Improvement Fund receipts within the township on December 18, 2006 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
KBIC 2% MONEY 401.582	\$ 0.00	+\$60,021.37	\$60,021.37

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Clerk Department Capital Outlay 401.215.957	\$18,562.38	+\$ 1,500.00	\$20,062.38

Twp. Hall & Grounds Capital Outlay 401.265.957	\$33,734.32	+\$ 800.00	\$34,534.32
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Buildings Capital Outlay 401.270.957	\$24,952.94	+\$20,121.37	\$45,074.31
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Fire Department Capital Outlay 401.340.957	\$267,405.26	+\$10,000.00	\$277,405.26
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Police Department Capital Outlay 401.305.957	\$56,276.44	+\$7,000.00	\$63,276.44
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Recreation & Parks Capital Outlay 401.756.957	\$100,719.94	+\$16,600.00	\$117,319.94
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Zoning/Planning Commission Capital Outlay 401.805.957	\$20,323.53	+\$ 4,000.00	\$24,323.53
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ROLL CALL:

AYES: Trudeau, Britton, Tabor, Hill, Maki, Greenberg, Seppanen

NAYS: None.

MOTION CARRIED.

STORAGE BUILDING ADDITION.

Trudeau moved, Maki second, that the Township Board permits Dax Richer of Integrated Design to instruct Closner Construction and Sales Company to construct the DPW storage building addition in-conjunction with the Township Hall Renovations. The money will come from the following sources; \$20,121.37 from the KBIC 2% funds and \$54,678.63 from the Townships fund balance. The project would cost at the most \$74,800.

ROLL CALL:

AYES: Tabor, Hill, Trudeau, Britton, Maki, Greenberg, Seppanen

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Frank Ward – Disappointed that his private road was not on the Board agenda.

Lee Blondeau – Would like to have more work sessions before the new Zoning Ordinance is adopted.

Trustee Trudeau – How did the Dr. English project become so confusing when the Zoning Ordinance is clear on PUD's?

Trustee Britton – Would like a joint meeting with the Planning Commission and Township Board for the workshop on the Zoning Ordinance.

Dick Arnold – Complimented the Board on the metal clean up in the township.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Zoning Ordinance – August 13th, 2007 public hearing
- B. July 26th, 2007 ZBA meeting cancellation

Supervisor Seppanen adjourned the meeting at 9:00 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

August 20, 2007

A Regular meeting of the Chocolay Township Board was held on Monday, August 20, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Dan Maki.

ABSENT: Don Britton, Ken Tabor .

STAFF PRESENT: Tom Murray, Jennifer Thum, Mary Sanders, Martin Caceres, Greg Zybert, Gary Johnson.

MINUTES –July16, 2007.

Greenberg moved, Trudeau second that the minutes of the Regular meeting held on July 16, 2007 are approved as presented.

AYES: 5 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Add Charter Communications as agenda item XIII. J.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$34,150.75 checks numbered 13976 - 14005 be approved for payment.

AYES: 5 **NAYS:** 0 **MOTION CARRIED.**

Trudeau, moved Maki second that bills totaling \$ 21,877.17 checks numbered 14006 - 14025 be approved for payment.

AYES: 5 **NAYS:** 0 **MOTION CARRIED.**

Hill moved, Trudeau second that bills totaling \$115,756.26 checks numbered 14026 - 14049 be approved for payment.

AYES: 5 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved, Maki second that payroll for July 26, 2007 for \$27,825.01 and August 9, 2007 for \$23,302.09 be approved for payment.

AYES: 5 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

SUPERVISORS REPORT.

1. Meeting with Mayor Tourville- I had a good meeting with Tom and we discussed a number of mutual issues from solid waste to traffic control. I did bring forth the concerns that we would have in the development of alternative truck routes through Chocolay Township. I also discussed the conversations that we are having with Bill Kiple of the Volunteer Outdoor Hockey Association about more outdoor rinks in our township. It was made clear that our rinks are and will be open for use by all including Marquette City residents.

2. Metal Pickup – It went well and we will go forward with it next year.

3. Building Upgrade – The construction is moving along. We did look at the roof over this section of the complex. The shingles need to be replaced. They are over 29 years old and have been patched in several places. Since the roofing for the rest of the complex is being done I have asked for a price to include this section. I will bring this to the board at our next meeting.

4. 41/28 Light – MDOT has informed us that the round-about may not be included in the upgrades because of cost.

5. Superior Fast Lube – The owner had agreed that the sand/sewer problem was again caused by his establishment. He not only will be paying for the extra labor and cost for the cleanout but will also be putting into a new trap in hopes to solve this yearly problem.

PROPOSED GIS FEES.

Hill moved, Maki second to approve the following base map fee schedule

Pre-Prepared Map Charges (color)

8 ½ x 11	\$3.00
8 ½ x 14	\$4.00
11 x 17	\$5.00
24 x 36	\$20.00

Pre-Prepared Map Charges (black and white)

8 ½ x 11	\$1.00
8 ½ x 14	\$2.00
11 x 17	\$3.00

GIS Digital Data Files

Per layer	\$55.00 (excluding parcel data)
Base Map	\$100.00
Parcel Layer	\$600.00

AYES: 5 NAYS: 0 MOTION CARRIED.

PLANNING AND ASSESSING DEPARTMENTS REQUEST FOR NEW COMPUTERS.

Maki moved, Greenberg second that the Township Board approves the purchase of two new workstations for the Planning and Assessing Department for a total cost up to \$5500.00. This will be paid from the Planning and Zoning, Account #401.805.957

ROLL CALL:

AYES: Hill, Trudeau, Maki, Greenberg, Seppanen

NAYS: None. MOTION CARRIED.

WARD TRAIL.

Greenberg moved, Trudeau second, that the Chocolay Township Board concurs with the Planning Commission recommendation to approve Private Road request #23 from Francis Ward and APS Properties under Section 402 of Zoning Ordinance #34 with the following conditions (in this case the word "applicant" means Francis Ward and APS Properties):

1. The applicant shall allow access to township vehicles as well as other public/private utility companies to provide services; and
2. A covenant shall be established on the deeds for any parcels created off from this private road identifying the private road status and which reference the Declaration of Private Road Easement which must be fully executed; and
3. Francis Ward will pay for and install a road sign identifying the private road as "Ward Trail" at the intersection with Willow Road and the applicant is to pay for and install a stop sign at the same intersection; and
4. The applicant is required to provide certification from a surveyor/engineer that the private road standards of the Zoning Ordinance have been achieved at the conclusion of construction; and
5. The applicant shall comply with the conditions and requirements of all other agency regulations; and
6. A zoning compliance permit shall not be issued until all of the above conditions are met.
7. Land Division Approval is required from the Assessor for the creation of individual parcels off from the road and may require the modification of the lots as shown.

AYES: 5 NAYS: 0 MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENT FUND BUDGET FY 2007 – AMENDMENT NO. 5 - FIRE ACT GRANT REIMBURSEMENT.

Hill moved, Greenberg seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township in December 18, 2006 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
Fire Department			
401.340.957	\$277,405.26	+\$61,240.00	\$338,645.26
REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan			
401.543	\$ 0	+\$61,240.00	\$61,240.00

ROLL CALL:

AYES: Trudeau, Hill, Maki, Greenberg, Seppanen

NAYS: None. MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENT FUND BUDGET FY 2007 – AMENDMENT NO. 4 - SALE OF 2003 PATROL CAR

Trudeau moved, Hill seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township in December 18, 2006 for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department 401.305.957	\$63,276.44	\$2,327.00	\$65,603.44

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$ 1,095.00	\$2,327.00	\$ 3,422.00

ROLL CALL:

AYES: Hill, Trudeau, Maki, Greenberg, Seppanen

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2007 – AMENDMENT NO. 1 - DRY HYDRANT LAKEKEN LAND.

Greenberg moved, Maki second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 18, 2006 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
Fire Department Capital Outlay 101.340.957	\$7,140.00	+900.00	\$8,040.00

Fire Department Contingency 101.285.951	\$41,346.00	-\$900.00	\$40,446.00
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ROLL CALL:

AYES: Trudeau, Hill, Maki, Greenberg, Seppanen

NAYS: None.

MOTION CARRIED.

SEWER BILLING HARVEY OIL COMPANY.

Greenberg moved, Trudeau second that under Ordinance #39-9-2e the sewer bill for Harvey Oil Co., account U41S-004025-0000-01, the former Uncle Donuts Chocolay Café be reduced to 1 equivalent user retroactive to January 1, 2007.

AYES: 5 NAYS: 0

MOTION CARRIED.

CHOCOLAY DOWNS GOLF COURSE LIQUOR LICENSE.

Maki moved, Greenberg second that the resolution authorizing a liquor permit for the Chocolay Golf Course at the June 2007 regular meeting be rescinded and a new resolution be passed with the correct street address.

AYES: 5 NAYS: 0

MOTION CARRIED.

Maki moved, Hill second that a request from a new entity known as, Royal English, LLC for a new full year Class C Quota Liquor License to be located at 125 Chocolay Downs Golf Drive, Marquette, Michigan, Marquette County. It is the consensus of this legislative body that the application be RECOMMENDED for issuance.

AYES: 5 NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENT FUND BUDGET FY 2007 – AMENDMENT NO. 6 - BUILDING RENOVATION.

Greenberg moved, Maki seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township in December 18, 2006 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
Building Capital Outlay 401.270.957	\$45,074.31	+\$446,625.00	\$491,699.31

Unencumbered
Fund Balance
401.393 \$765,010.91 -446,625.00 \$318,385.91

ROLL CALL:

AYES: Hill, Trudeau, Maki, Greenberg, Seppanen

NAYS: None.

MOTION CARRIED.

CHARTER COMMUNICATIONS.

Trudeau moved, Hill second, to approve the current Charter Communications franchise fees of 5% except for the public, educational and government channels which shall be at 0%.

AYES: 5 NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Lee Blondeau – Question on Supervisor report – discussion with Tourville from the City of Marquette on truck routes.

Clerk Hill – Informed the board that she will put an informational article on the web page and in the CABA quarterly on the two November millages. The articles were written by the Fire Chief and the D.P.W. Supervisor.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Iron Ore Heritage Trail Recreational Authority Minutes, June 27th, 2007
- B. Marquette Solid Waste Management Authority, June 2007 Quantities and Minutes
- C. Police Department Quarterly Statistics
- D. B S & A Software correspondence

Supervisor Seppanen adjourned the meeting at 7:50 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

SPECIAL MEETING
SEPTEMBER 6, 2007

A Special meeting of the Chocolay Township Board was called to discuss construction change orders and modifications for the Township Municipal Complex. The meeting was held on Thursday September 6, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 5:30 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Trudeau, Don Britton, Ken Tabor (arrived at 5:45).

ABSENT: John Greenberg, Dan Maki .

STAFF PRESENT: Mary Sanders, Martin Caceres.

PUBLIC COMMENT.

None.

CONSTRUCTION CHANGE ORDERS AND MODIFICATIONS.

Britton moved, Hill second that whereas, the original school house roof needs to be replaced and with the work currently being done on the building, now is the time to replace the roof. Now Therefore Be It hereby resolved, that the aforesaid capital improvements fund building account 401.270.957 be expended not to exceed \$9,430.00 to cover the cost of a new roof.

ROLL CALL.

AYES: Trudeau, Britton, Hill, Seppanen.

NAYS: None.

ABSENT: Greenberg, Maki, Tabor.

MOTION CARRIED.

Trustee Tabor arrived.

Trudeau moved, Britton second to accept Bulletin #1,2,3,and 4 as presented in the amount of \$96,726.21.
Bulletin #1

Item #1:	\$510.29	exhaust fan in network room
Item #2:	\$876.93	heater in front entrance
Item #3:	\$539.73	external waterline & faucet
Item #4:	\$1,147.55	add door #38
Item #5	\$7,000.00	add back bullet proof glass in police dept.
Item #6:	<u>\$3,036.34</u>	security door front office/hallway
	\$13,110.84	

Bulletin #2

Item #1 and #2	\$1250.13	removal old septic tank & old dry well
Item #3	<u>Credit \$1850.00</u>	reduce corridor between new & old building
	\$599.87 Credit	

Bulletin #3

Item #1:	\$6,811.20	add back work in fire hall
Item #2A	\$1,542.46	new windows in main entrance
Item #2B:	\$583.00	new door in main entrance
Item #3:	<u>\$74,800.00</u>	add back addition to storage bldg.
	\$83,736.66	

Bulletin #4

Item #1	\$231.01	modify ductwork
Item #2	No cost	relocate 2 lights in corridor ceiling
Item #3	No cost	delete door grill in door B03
Item #4	No cost	drop corridor ceiling to match bulkhead height
Item #5	<u>\$247.57</u>	fire dampers
	\$478.58	

Grand Total \$96,726.21

ROLL CALL.

AYES: Trudeau, Britton, Hill, Tabor, Seppanen.

NAYS: None.

ABSENT: Greenberg, Maki.

MOTION CARRIED.

The Board concurred that any change order under \$3,000.00 may be at the Supervisor's discretion without calling a special board meeting for approval.

PUBLIC COMMENT.

None.

Supervisor Seppanen adjourned the meeting at 6:15 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

September 17, 2007

A Regular meeting of the Chocolay Township Board was held on Monday, September 17, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor.

ABSENT: Dan Maki.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Martin Caceres, Greg Zybert.

MINUTES –August 23, 2007 and September 6, 2007.

Trudeau moved, Britton second that the minutes of the regular meeting held on August 23, 2007 and the special meeting held on September 6, 2007 are approved as presented.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Add bills dated September 13, 2007 under accounts payable. Add Peter White Library – District Library under presentations.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Hill moved, Trudeau second that bills totaling \$15,351.73 checks numbered 14050 - 14077 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Britton moved, Trudeau second that bills totaling \$ 203,315.67 checks numbered 14078 - 14098 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Hill moved, Tabor second that payroll for August 23, 2007 for \$27,755.75 and September 6, 2007 for \$23,541.48 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATIONS.

Joe Holman explained to the Board that he feels it feasible for Peter White Library to become a district library. At this point the west end units of government have not shown an interest in joining with Peter White. All units involved would have to have a new millage election because all the units involved must have the same millage rate. Currently the City of Marquette is 1.5 mills and the townships are less than 1 mill.

SUPERVISORS REPORT.

1. Truck Traffic- I have contacted the County Road Commission in an effort to clarify what role the township would play in the concerns over increased truck traffic through residential areas. They answered that we have very little to say in regards to this issue. It is an issue that we will monitor as best we can.

2. Chocolay Garden Club - I wrote a letter to Carol LaBine of the Chocolay Garden Club thanking them for their efforts in taking care of the Chocolay Township Firemen’s Memorial Park. It is a great enhancement to the appearance of the community. Their community spirit is gratefully appreciated.

3. Building Upgrade – The contractors and Martin are going to pull the old school bell from the cupola. We can start thinking of an appropriate type of use or display for the bell.

4. Iron Ore Heritage Trail – Don Britton stated that the trail committee is going to request \$500.00 from each municipality for trail work.

HOLD HARMLESS AGREEMENT AND FEE.

Trudeau moved, Tabor second to approve the attached hold harmless agreement to be issued by the zoning administrator and revise the township fee schedule to include the \$20.00 processing fee.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2007
 AMENDMENT NO. 2 REIMBURSEMENT FOR SNOWMOBILE GRANT.

Hill moved, Greenberg second, that Whereas a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 18, 2006 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Capital Outlay			
101.305.957	\$3,912.00	+ 2,737.35	\$6,649.35
Salaries			
101.305.702	\$222,411.00	+ 5,850.27	\$228,261.27
Temporary/Part time Salaries			
101.305.705	\$22,400.00	+ 308.75	\$22,708.75
REVENUE			
State of MI			
101.543	0	+ 8,896.37	\$8,896.37

ROLL CALL.

AYES: Tabor, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

APPOINTMENT OF KAREN ALHOLM TO THE ZONING BOARD OF APPEALS.

Tabor moved, Britton second to appoint Karen Alholm to complete the vacated position on the Chocolay Township Zoning Board of Appeals, term ending May 2009.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Chief Zybert – Informed the Board that over the past month and a half 100- 150 were vandalized in Chocolay Township. Four juveniles were apprehended.

Treasurer Greenberg – Questioned how the well testing went at some local businesses.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. September 10th, 2007 Planning Commission meeting was canceled
- B. September 27th, 2007 Zoning Board of Appeals meeting was canceled
- C. Resignation of Joy Verlinden from the Zoning Board of Appeals
- D. Letter from Zoning Administrator Randy Yelle
- E. Letter from Wayne Dees, with regards to truck traffic on Cherry Creek
- F. Iron Ore Heritage Recreational Authority Meeting, Minutes from August 22nd, 2007
- G. Water Test results from the Chocolay Downs Golf Course and Gentz Golf Course
- H. Chocolay Downs Fertilizer information
- I. Building Renovation Update

Supervisor Seppanen adjourned the meeting at 7:50 pm.

 Arlene E. Hill, CMC
 Clerk

 Mary L. Sanders, CMC
 Deputy Clerk

October 15, 2007

A Regular meeting of the Chocolay Township Board was held on Monday, October 15, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Trudeau, Don Britton, Dan Maki, Ken Tabor.

ABSENT: John Greenberg.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Tom Murray, Martin Caceres, Greg Zyburt.

MINUTES – September 17, 2007.

Maki moved, Britton second that the minutes of the regular meeting held on September 17, 2007 are approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Add Iron Ore Heritage Trail under new business H. and there is one addition to the building addition update.

PUBLIC COMMENT.

Mark Maki –Claims that he has written letters to the Board and does not get a response, he calls the Township office and is told that he can not speak to employees. He has many complaints with the Board and the Township Supervisor. He asked the Board if he had to go to each of their homes to get a response from them.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$15,351.73 checks numbered 14050 - 14077 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Britton second that bills totaling \$ 10,754.13 checks numbered 14133 - 14157 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Maki second that payroll for September 20, 2007 for \$23,541.48 and October 4, 2007 for \$27,425.27 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

SUPERVISORS REPORT.

MDOT update on US41/M28 intersection and a new park and ride in front of the Jack’s superserve.

TELEPHONE SYSTEM PROPOSALS.

A memo from Supervisor Seppanen and a presentation from staff explained the three proposals for a new telephone system. The three companies are SPS, Superior Eagle and A-1. All three proposed the same system and all three had good recommendations.

Trudeau moved, Maki second to approve the A-1 Communications Solutions proposal for an Avaya IP500 phone system in the amount of \$7,970.00 including installation and staff training on the system. This expenditure will be coming from the Capital Improvements Fund building department 401.270.957.

ROLL CALL.

AYES: Tabor, Hill, Trudeau, Britton, Maki, Seppanen.

NAYS: None. MOTION CARRIED.

AT&T METRO ACT PERMIT.

Maki moved, Tabor second that the Chocolay Township Board authorizes Greg Seppanen to sign the METRO Act Permit on behalf of Chocolay Township.

AYES: 6 NAYS: 0 MOTION CARRIED.

ROAD RANKINGS.

Tabor moved, Hill second that the Chocolay Township Board concur with the Planning Commission and forward these rankings to the Marquette County Road Commission for consideration in their planning and road repair/reconstruction rankings.

AYES: 6 NAYS: 0 MOTION CARRIED.

BUILDING ADDITION UPDATE.

Bulletin #8 Replace four (4) existing windows with new windows. Two conference room windows to be double hung operable replacement windows. Two storage room windows to be fixed units with center horizontal mullion to mimic double hung, aluminum clad exterior, stain and finish interior to match existing.
For a total of \$5293.57

Bulletin #10 Remove existing windows from Men and Women’s Restrooms. Provide two new windows. The windows were supposed to stay in, but due to further research by Closner, they now have to be removed. The windows would add natural light to the bathrooms and fresh air.
To remove and install new windows it will cost \$2,422.27

Bulletin #11 Infill existing flat room area between Police Station and the Township Office area with a 4:12 pitched shingled roof. Provide a new attic access hatch at ceiling of Storage Room 23 to gain access to roof area. Re-route existing gas line thru new-pitched roof to existing RTU’s and provide boot for watertight condition.
For a total of \$10,651.19.

Bulletin #12 This bulletin is for removing existing tile and carpet from the Police Department and provide for new carpet and flooring. Since they would be the only department with our new paint, we requested a quote to see how much it would be to repaint the police department with the same colors as the meeting room. For a total of \$5,734.30

Hill moved, Tabor second that the Chocoday Township Board approves Bulletin #8 for a total of \$5293.57, Bulletin #10 for a total of \$2,422.27, Bulletin #11 for a total of \$10,651.19, and Bulletin #12 for a total of \$5,734.30.

ROLL CALL.

AYES: Tabor, Hill, Trudeau, Britton, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

SUPERIOR WATERSHED PARTNERSHIP.

Trudeau moved Hill second to table this issue until the November Board meeting when Superior Watershed Partnership can do a presentation on what the Watershed does in Chocoday Township and how our \$5,000.00 is spent.

AYES: 6 NAYS: 0

MOTION CARRIED.

APPOINTMENT OF ZONING BOARD OF APPEALS MEMBER.

Maki moved, Tabor second to appoint Wayne T. Dees to complete the vacated position on the Chocoday Township zoning board of appeals with a term ending May 2010.

AYES: 6 NAYS: 0

MOTION CARRIED.

WAGE STUDY.

Trustee Britton informed the Board that the personnel committee has two proposals for the wage study. The personnel committee is recommending going with the lower proposal from Northern Initiatives. Clerk Hill had some concern with Ruth Solinski from Northern Initiatives doing the study. She was not happy with the job description work that Ruth did for the Township. Clerk Hill was concerned that the work would not get done in 90 days. Clerk Hill proposed another candidate to consider for the wage study; a retired township supervisor that has done wage studies at Northern Michigan University. Supervisor Seppanen has worked with Ruth Solinski and feels she is very competent and will complete the study in the 90 day time frame.

Britton moved Tabor second to table the study until the November Board meeting and have the personnel committee further explore the two current proposals and include a proposal from Bob Herman.

AYES: 6 NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2007 – AMENDMENT NO. 3 - IRON ORE HERITAGE TRAIL.

Britton moved, Tabor second that Whereas, a budget was adopted by the Chocoday Township Board to govern the expenditures of anticipated general fund receipts within the township in December 18, 2006 for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Recreation & Properties			
Capital Outlay			
101.756.957	\$5,500.00	+500.00	\$6,000.00

Other General Government

Contingency

101,285.951	\$40,446.00	-\$500.00	\$39,946.00
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ROLL CALL.

AYES: Tabor, Hill, Trudeau, Britton, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki – Questioned the Board on their ignoring his requests to speak directly to individual employees during working hours. Mark walked up to each board member individually and started questioning them. Mark was asked to sit down and make his public comment from his seat. Mark did not move from the board table and Chief Zyburt was asked to assist. Chief Zyburt asked Mark to return to his seat and make public comment from there. Mark would not sit down and Chief Zyburt escorted Mark from the meeting.

Stephanie Gencheff - Informed the Board that she would take Chocoday Township Zoning Board of Appeals decision on 601Lakewood Lane to circuit court.

Ev-Ann Johnson – Read a letter to the board with her concerns about zoning in Chocoday Township.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

1. Planning Commission minutes from August 13, 2007
2. Resignation letter from Carol Hicks
3. Chocoday Township Election Commission Minutes from October 2nd, 2007
4. Violations addressed in 2007
5. Update from Zoning Administrator
6. Iron Ore Heritage Recreational Authority Meeting, Minutes from September 26th, 2007
7. Marquette County Solid Waste Management Minutes from August 15, 2007

Supervisor Seppanen adjourned the meeting at 8:15 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

November 19, 2007

A Regular meeting of the Chocolay Township Board was held on Monday, November 19, 2007 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Dan Maki.

ABSENT: Ken Tabor.

STAFF PRESENT: Jennifer Thum, Martin Caceres, Greg Zyburn, Gary Johnson.

MINUTES –October 15, 2007.

Britton moved, Trudeau second that the minutes of the regular meeting held on October 15, 2007 are approved with one correction - add the word ‘would’ to Gencheff statement under 2nd public comment.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

None.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$164,587.71 checks numbered 14158 - 14184 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Britton moved, Maki second that bills totaling \$128,914.86 checks numbered 14185 - 14218 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Trudeau second that bills totaling \$1,821.00 checks numbered 14219 - 14236 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Britton second that payroll for October 18, 2007 for \$25,477.87, November 1, 2007 for \$22,180.93 and November 15, 2007 for \$25,141.81 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATION – SUPERIOR WATERSHED PARTNERSHIP.

Carl Lindquist, Superior Watershed Partnership gave a brief history of the 15 years they have been in existence. Over the past two years they have done field projects correcting erosion and stabilization problems. Chocolay projects have included Riverside Road erosion, placing native species to stabilize dune on M-28, clear ski trail on Kawbawgam & Big Creek. The watershed does public service information including climate change, energy conservation sediment in water system. The Partnership received an award for being good stewards of the land which was written up in the ‘Lake Superior Magazine’.

SUPERVISORS REPORT.

1. Chocolay Township December Board meeting will be changed to the 2nd Monday, December 10th to have the Truth in Taxation hearing done by the appropriate date.
2. Zoning Ordinance – The Planning Commission is continuing to work on private roads in the Zoning Ordinance.
3. Road Millage- The County portion of road maintenance is now 40% with the Township portion at 60%. We will look into private contracting and Marquette County Road Commission when doing road maintenance.
4. Chocolay History book – Elizabeth Deleen will present a plan and formal contract for work on a Chocolay Township history booklet to the Board at the December meeting.
Trudeau moved, Britton second that a sum of \$200.00 be set aside to begin work on this history of Chocolay Township project with a formal contract to be considered at the December 10, 2007 meeting.

AYES: 6

NAYS: 0

MOTION CARRIED.

TOWNSHIP EMPLOYEE COMPENSATION STUDY.

The Personnel Committee met to review the options for the wage study prior to this meeting. The recommendation from the Personnel Committee was to hire the MML for a total compensation study. The Board wants the work to be done in a 90 day time frame.

Trudeau moved, Britton second to employ Michigan Municipal League to do a total compensation study for Chocolay Township for an amount of \$6,000.00.

Roll Call.

AYES: Hill, Greenberg, Britton, Seppanen.

NAYS: Trudeau, Maki.

MOTION CARRIED.

PLANNING COMMISSION/ZONING BOARD OF APPEALS RECORDING SECRETARY.

The recording secretary for both the Planning Commission and Zoning Board of Appeals is not being fairly paid for attending the meeting and spending hours transcribing them. Both commissions want verbatim minutes which makes the minutes quite lengthy. Supervisor Seppanen will talk to both commissions about this matter.

Trudeau moved, Maki second to pay the Planning Commission and Zoning Board of Appeals secretary \$50.00 per meeting and \$10.00 per hour for typing the minutes after each meeting.

ROLL CALL.

AYES: Hill, Trudeau, Britton, Maki, Seppanen.

NAYS: Greenberg.

MOTION CARRIED.

DELINQUENT SEWER ACCOUNTS.

Greenberg moved, Trudeau second that the list of delinquent sewer charges and penalties as received from the Deputy Clerk be added to the tax roll.

CHOCOLAY TOWNSHIP DELINQUENT SEWER USERS 2007				
Name	Tax ID Number	Address	City, State, Zip	Amount Due
Anna Wahlstrom	52-02-106-048-30	167 Baker Street	Mqt MI 49855	77.88
Richard Ryan	52-02-490-004-00	114 Chocolay River Trail	Mqt MI 49855	225.85
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	318.60
Harvey Laundry	52-02-106-043-50	505 Corning Street	Mqt MI 49855	5,702.92
Susan Racine	52-02-215-006-00	156 East Fairbanks	Mqt MI 49855	318.60
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	318.60

Robert & Judy Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	318.60
Oliver Burns	52-02-455-046-00	225 Judy Stret	Mqt MI 49855	318.60
Mark Chudy	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	318.60
Richard Hillock	52-02-305-034-00	172 Riverside Road	Mqt MI 49855	318.60
Charlene Horvath	52-02-107-012-00	204 Silver Creek Road	Mqt MI 49855	318.60
Steve Johnson	52-02-206-012-00	2424 U S 41 South	Mqt MI 49855	318.60
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	573.45
Wahlstrom Enterprise	52-02-107-007-00	5043 U S 41 South	Mqt MI 49855	8,793.36
Wahlstom-Sweetz N Treatz	52-02-107-007-00	5045 U S 41 South	Mqt MI 49855	509.76
Steve Wahlstrom- Lark	52-02-107-004-00	5063 U S 41 South	Mqt MI 49855	1,433.70
Scott Henry	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	318.60
Dave/ Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	318.60
Jason Bernard	52-02-107-074-00	740 Willow Road	Mqt MI 49855	310.90
Terry Huffman	52-02-204-028-00	165 W. Main Street	Mqt MI 49855	155.76
Bayou Bar & Grill	52-02-207-007-00	200 West Main Street	Mqt MI 49855	732.06
Gardner Bess	52-02-210-005-00	334 West Terrace Street	Mqt MI 49855	59.88
Joseph Stanaway	52-02-208-005-00	341 West Terrace	Mqt MI 49855	318.60
Marilyn Kremer	52-02-208-003-00	371 West Terrace	Mqt MI 49855	318.60
Kristine Dionne	52-02-106-043-00	110 West Wright Place	Mqt MI 49855	318.60
Tammy Greenleaf	52-02-253-025-00	117 W. Wright Place	Mqt MI 49855	233.64
Glen Carlson	52-02-213-004-00	350 West Wright Place	Mqt MI 49855	318.60
Michael Olli	52-02-210-012-00	371 West Wright Place	Mqt MI 49855	318.60
Total Delinquent Amount				23,906.76

AYES: 6 NAYS: 0 MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND EXPENDITURE REQUEST FOR HIAWATHA WATER TRAIL GRANT.

Trudeau moved, Britton second to expend \$16,600.00 from the Recreation and Parks Department in CIF 401.756.957 to Marquette Fence Company, Inc. to cover invoice #24380.

Roll Call.

AYES: Hill, Greenberg, Britton, Seppanen.

NAYS: Trudeau, Maki.

MOTION CARRIED.

BUILDING UPDATE.

Bulletin #13 Saw cut and remove existing concrete floor in order to install new under slab sanitary lines. Re-pour floor patch after mechanical contractor completes installation of rough-ins.

For a total of \$3625.69

Bulletin #14 Item 1: Provide a cost to provide a new thermostat, equal to the new stats on the addition, in place of relocating the existing stat referenced in Bulletin #9, Item 1. The stat location is still to change per Bulletin #9. Item 2: Eliminate the work associated with generator wiring. Item #3: Provide battery operated combination LED exit sign/ emergency lighting unit. Item #4: Provide receptacle for condensate pump in basement mechanical room.

For a total of \$910.73

Bulletin #15 Make changes to work room #10, mirror mail center cabinet unit and relocate door to Office 13.

For a total of \$247.50

Bulletin #16 Item #1: Drywall under the windowsill in Vestibule 01 had water damage, this had to be replaced and the existing wood chair rail and base has to be reinstalled.

Item #2: When Closner was removing the existing vinyl wall covering from below chair rail as directed by Addendum #3, they discovered drywall paper that was damaged, that will have to be repaired and re-primed.

Item #3: The door and frame to Existing Well Room 16 was removed per demolition, but with the existing Well-X-Trol tank remaining, it will be impossible to install a new door. We will actually get a credit for this. Item #4: Current ductwork in the restrooms is below the concrete slab. The mechanical code does not allow for supply or return grills in restrooms to be flush with floors. The contractor will have to remove three sections of the existing concrete floor in order to gain access to the under slab network. However, talking with the foreman they might only have to take out two, so we could get some money back.

For a total of \$4,895.70

Trudeau moved, Britton second, that the Chocolay Township Board approves Bulletin #13, Bulletin #14, Bulletin #15 and Bulletin #16 for a grand total of \$9679.62.

Roll Call.

AYES: Trudeau, Maki, Hill, Greenberg, Britton, Seppanen.

NAYS: None.

MOTION CARRIED.

RESOLUTION EILEEN URBANIAK DAY.

Hill moved, Trudeau second that the Charter Township of Chocolay designate October 25, 2007 as Eileen Urbaniak Day. It is with gratitude that we commend Eileen Urbaniak on her selection as the Chocolay Area Business Association's 2007 Citizen of the Year; for her generous contributions to the township, its citizens, and the many programs she has promoted and encouraged. Her selfless spirit and encouraging attitude have promoted many good causes. Her commitment to the community is evident with the local Jack's Superstore grocery store and her contributions toward a soccer field in Chocolay Township. We thank you for your positive actions in the Township.

AYES: 6 NAYS: 0

MOTION CARRIED.

FISCAL YEAR 2008 BUDGET WORKSHOP.

General Fund

Revenues – No change.

Salaries – No change.

Township Board – Trustee per diem change.

Supervisor – No change.

Election – No change.

Assessor – No change.

Clerk – No change.

Board of Review – No change.

Treasurer – No change.

Township Hall & Grounds – No change.

Other General government – No change.

Police – No change.

Fire – No change.

Streets – No change.

Sanitation – No change.

Recreation & Property – No change.

Zoning – No change.

Planning Commission – No change.

Zoning Board of Appeals – No change.

Capital Improvements Fund

Expenditures – No change.

Wastewater Fund

Revenues – No change.

Expenditures – No change.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Planning Commission minutes from October 8th, 2007 and October 29th, 2007 (Special Meeting to hear the final draft of the new zoning ordinance).
- B. Police Quarterly Stats
- C. Letter from Greg Seppanen to Marquette County Road Commissioners
- D. Letter from Bob Pecotte, of the Marquette County Road Commissioners
- E. Letter from Michigan Township Association, about House Bill 4780
- F. Marquette County Township Association, Christmas Potluck and Short Program
- G. Marquette County Solid Waste Management Authority, Annual Audit
- H. Marquette County Solid Waste Financial Statements Ending September, 2007
- I. Marquette County Solid Waste Management Minutes from September 19, 2007 and October 17, 2007 and Monthly Quantities from September and October.

Supervisor Seppanen adjourned the meeting at 10:00 pm.

Arlene E. Hill, CMC
Clerk

Whereas, a public hearing on the proposed budget was held on December 10, 2007, at the Chocoday Township Municipal Complex, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing;

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2008, and ending on December 31, 2008, in the amount of \$1,541,373.00 for the General Fund, in the amount of \$284,056.00 for the Sewer Fund and in the amount of \$65,900.00 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,541,373.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2008, and ending December 31, 2008.
3. The Township Board does hereby appropriate the sum of \$284,056.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2008, and ending December 31, 2008.
4. The Township Board does hereby appropriate the sum of \$256,000.00 for the repairing of the Township Roads to be used for the fiscal year beginning January 1, 2008 and ending December 31, 2008.
5. The Township Board does hereby appropriate the sum of \$117,800.00 for the purchase of a new fire truck beginning January 1, 2008 and ending December 31, 2008.
6. The Township Board does hereby levy 3.8636 mills for general operations; extra voted are 1.7000 for roads and .7800 for fire.
7. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution are rescinded.
8. 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: Trudeau, Britton, Hill, Tabor, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

Supervisor's Salary

Hill moved, Tabor second that the salary for the office of Supervisor shall be set in the amount of \$14,447.00 for the Fiscal Year 2008, which begins January 1, 2008, and ends December 31, 2008.

AYES: 6 NAYS: 0

MOTION CARRIED.

Treasurer's Salary

Trudeau moved, Britton second that the salary for the office of Treasurer shall be set in the amount of \$8,403.00 for the Fiscal Year 2008, which begins January 1, 2008, and ends December 31, 2008.

AYES: 6 NAYS: 0

MOTION CARRIED.

Clerk's Salary

Britton moved, Greenberg second that the salary for the office of Clerk shall be set in the amount of \$11,396.00 for the Fiscal Year 2008, which begins January 1, 2008, and ends December 31, 2008.

AYES: 6 NAYS: 0

MOTION CARRIED.

Trustee's Per Diem

Tabor moved, Trudeau second that the per diem for the office of Trustee shall be set in the amount of \$50.00 per meeting for the Fiscal Year 2008, which begins January 1, 2008, and ends December 31, 2008.

AYES: 6 NAYS: 0

MOTION CARRIED.

LIABILITY AND PROPERTY INSURANCE.

A memo from Tom Murray, Community Development Coordinator outlined the two proposals for liability and property insurance for FY2008. The two companies are Michigan Municipal League, serviced by Meadowbrook and Michigan Municipal Risk Management Authority. The Board discussed the two companies and their proposals. John Katona, representative of MMRMA explained that currently there is a \$10,000.00 deductible on sewer back ups which will be expected to be reduced to no deductible in April 2008.

Greenberg moved, Hill second to accept a proposal from the Michigan Municipal Risk Management Authority for liability and property coverage with a \$5,000,000.00 per occurrence liability limit with no aggregate with an annual premium of \$29,719.00

Roll Call.

AYES: Hill, Tabor, Greenberg, Trudeau, Britton, Seppanen.

NAYS:None.

MOTION CARRIED.

BUILDING UPDATE.

Bulletin #17 Item 1: For support of existing ceiling joint framing at Vault 12 removal, install 3 ½ x 9 ¼ LVL beam along Corridor 08. Support new beam at new partition stud walls for Corridor 08 and at midspan with new 4x4 column at partial wall. Item 2: provide and install 2 x 4 ceiling joints at 16' o.c. with mid-span support to existing ceiling at Men's 14 for new gyp. board ceiling. Item 3: Remove existing 6" concrete vault slab at Work Room 10 and pour new 4" concrete slab with welded fabric, to match adjacent finished floor elevation. Item 4 Leave existing floor registers where they are. Item 5 Floor registers are not to be relocated.

For a total of \$2480.81

Bulletin #18 Provide estimate for reorganization of the General office cabinets and countertops. Countertop and base cabinet laminate to match work room laminate.

For a total of \$2,252.23

Bulletin #19 Item #1: Provide estimate for removing soffits above main reception counter. Item #2: Provide estimate for reinstalling the ceiling fan in the fire hall and provide new electrical service to fan as necessary. Item #3: Provide estimate for adding attic insulation to the original portion of the building. Item #4: Provide estimate for removing ceiling fans discovered in the ceiling. Item #5: General Clarification, Network outlet shall on north wall of general office area may be expanded to 6 spaces and therefore eliminate the need for an additional outlet added below the window.

For a total of \$2,701.50

Invoice #5 Billing number 5 from original contract in the amount of \$59,252.89.

Britton moved, Trudeau second, that the Chocolay Township Board approves Bulletin #17, Bulletin #18, Bulletin #19 (\$7,434.54 add on) and Invoice #5 for a grand total of \$65,687.33.

Roll Call.

AYES: Trudeau, Britton, Hill, Tabor, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

SEWER FUND BUDGET AMENDMENT NO. 1 FY 2007 PROFESSIONAL SERVICES.

Britton moved, Trudeau second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated sewer fund receipts within the township in December 18, 2006 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Wastewater			
Professional Services			
571.571.801	\$5,537.00	+\$600.00	\$6,137.00
Contingency			
571.571.951	\$7,500.00	-\$600.00	\$6,900.00

Roll Call.

AYES: Hill, Tabor, Greenberg, Trudeau, Britton, Seppanen.

NAYS:None.

MOTION CARRIED.

ANNUAL APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS.

Tabor moved, Britton second that Martin Caceres be re-appointed as a primary to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2008 to December 31, 2011.

AYES: 6 NAYS: 0

MOTION CARRIED.

Britton moved, Tabor second that Brad Johnson be re-appointed as an alternate to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2008 to December 31, 2011.

AYES: 6 NAYS: 0

MOTION CARRIED.

Tabor moved, Britton second that Tina Fuller be appointed to the Personnel Committee for a term to run from January 1, 2008 to December 31, 2008.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Britton second that Brad Johnson be appointed to the Personnel Committee for a term to run from January 1, 2008 to December 31, 2008.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Britton second that John Greenberg be re-appointed to the Personnel Committee for a term to run from January 1, 2008 to December 31, 2008.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Greenberg second that Don Britton be re-appointed to the Personnel Committee for a term to run from January 1, 2008 to December 31, 2008.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Tabor second that Greg Seppanen be re-appointed to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2008 to December 31, 2008.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Britton second that Martin Caceres be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2008 to December 31, 2008.

AYES: 6 NAYS: 0 MOTION CARRIED.

Britton moved, Hill second that Brad Johnson be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2008 to December 31, 2008.

AYES: 6 NAYS: 0 MOTION CARRIED.

Greenberg moved, Britton second that Arlene Hill be re-appointed to the Marquette County Townships Association for a term to run from January 1, 2008 to December 31, 2009 (two year term).

AYES: 6 NAYS: 0 MOTION CARRIED.

Britton moved, Greenberg second that Arlene Hill be re-appointed as primary to the Northern Michigan Public Service Academy Board for a term to run from January 1, 2008 to December 31, 2009 (two year term).

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Britton second that Mary Sanders be re-appointed as alternate to the Northern Michigan Public Service Academy Board for a term to run from January 1, 2008 to December 31, 2009 (two year term).

AYES: 6 NAYS: 0 MOTION CARRIED.

POLICE DEPARTMENT CAPITAL IMPROVEMENTS EXPENDITURE.

Greenberg moved, Britton second to expend \$668.38 from 401.306.957 police training for the Police chief's Conference in Grand Rapids February 5-8, 2008.

Roll Call.

AYES: Trudeau, Britton, Hill, Tabor, Greenberg, Seppanen.

NAYS: None. MOTION CARRIED.

MEETING DATES 2008.

Chocolay Township Board 7:00pm

January 21	July 21
February 18	August 18
March 17	September 15
April 21	October 20
May 19	November 10
June 16	December 15

Planning Commission 7:30pm

January 14	July 14
February 11	August 11
March 10	September 8
April 14	October 13
May 12	November 3
June 9	December 8

Zoning Board of Appeals – 7:30

January – no meeting	July 24
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January 21, 2008

A Regular meeting of the Chocolay Township Board was held on Monday, January 21, 2008 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen was absent. Trudeau moved, Britton second that John Greenberg, chair the meeting.

AYES: 4 NAYS: 0 MOTION CARRIED.

John Greenberg, Treasurer called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: John Greenberg, John Trudeau, Don Britton, Dan Maki.

ABSENT: Greg Seppanen, Arlene Hill, Ken Tabor.

STAFF PRESENT: Tom Murray, Mary Sanders, Martin Caceres, Randy Yelle, Gary Johnson.

MINUTES –December 10, 2007.

Britton moved, Trudeau second that the minutes of the regular meeting held on December 10, 2007 are approved.

AYES: 4 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Add item XIII H. – Harvey Laundry Sewer User Fee.

PUBLIC COMMENT.

Kevin Koch – Introduced himself to the Board, he is running for circuit court judge in Marquette County.

Lee Blondeau – Wants to address the Board on the Zoning Ordinance. He will make comment when it comes up on the agenda.

ACCOUNTS PAYABLE.

Maki moved, Trudeau second that bills totaling \$43,339.23 checks numbered 14278 - 14318 be approved for payment.

AYES: 4 NAYS: 0 MOTION CARRIED.

Britton moved, Maki second that bills totaling \$8,842.14 checks numbered 14319 – 14336 be approved for payment.

AYES: 4 NAYS: 0 MOTION CARRIED.

Maki moved, Trudeau second that bills totaling \$121,670.26 checks numbered 14337 - 14400 be approved for payment.

AYES: 4 NAYS: 0 MOTION CARRIED.

Trudeau moved, Britton second that payroll for December 7, 2007 for \$2,200.00, December 13, 2007 for \$23,472.84, December 27, 2007 for \$26,279.50 and January 10, 2008 for \$29,005.33 be approved for payment.

AYES: 4 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

SUPERVISORS REPORT.

None.

PRESENTATION – ZONING ORDINANCE.

Randy Yelle presented the zoning ordinance to the Township Board. The maps that go along with the zoning ordinance will not be available in small form to hand out until later in the week.

Trustee Trudeau wanted the presentation tabled until the maps are available. There are people in the audience that wish to make public comment on the zoning ordinance so the Board will take comments but will not have the first reading of the ordinance until the February meeting. We will publish an ad in the Mining Journal indicating the locations that the zoning ordinance will be available to the public, including the township office and the web site.

Comments on the new zoning ordinance:

- Private roads should have a better description in the ordinance and the county road standards for private road maintenance should be present in the ordinance.
- Commercial District 4.5 off street parking should be addressed.
- Light Industrial Uses 4.6c2 should be just Industrial Use. What would constitute Light Industrial Use?

- Light manufacturing 4.9bs should be just Manufacturing. What would constitute Light Manufacturing?
- Who has authority to waive penalties?
- Has the Township done everything possible to make non-conforming properties conforming?
- Owner of Blondeau Trucking is currently a conditional use and would like to become permitted use or rezone to Industrial.
- If zoning on a property changes with the new ordinance can the property be grandfathered in for the zoning use?
- Would like clear reference in the ordinance that current private roads are grandfathered in as is?
- RR2 zoning district to RR1 is very restrictive.

Britton moved, Trudeau second that the February 18, 2008 Board meeting be the first reading of the Zoning Ordinance

AYES: 4 NAYS: 0 MOTION CARRIED.

BUILDING ADDITION.

Invoice #6 and bulletin #20 accepted by the Board.

TOM SHAW RESIGNATION FROM THE PLANNING COMMISSION.

Trudeau moved, Maki second to accept Tom Shaw's resignation from the Planning Commission and a resolution to that fact will be presented at the February 18, 2008 Board meeting.

AYES: 4 NAYS: 0 MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND EXPENDITURE REQUEST – FIRE DEPARTMENT.

Trudeau moved, Britton second that the Fire Department is authorized to purchase Holmatro extrication equipment from Rescue Sales and Service of Traverse City with the amount not to exceed \$34,000.00 from the Capital Improvements Fund Fire Department 401.340.957.

ROLL CALL.

AYES: Trudeau, Britton, Maki, Greenberg.

NAYS: None.

ABSENT: Seppanen, Hill, Tabor. MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENT FUND BUDGET FY 2007 – AMENDMENT NO. 7 - FIRE GRANT REIMBURSEMENT CO DETECTORS.

Britton moved, Maki second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township in December 18, 2006 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
Fire Department 401.340.957	\$338,645.26	+\$1,425.00	\$340,070.26
REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan 401.543	\$ 61,273.00	+\$1,425.00	\$ 62,698.00

ROLL CALL.

AYES: Maki, Trudeau, Britton, Greenberg.

NAYS: None.

ABSENT: Seppanen, Hill, Tabor. MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENT FUND BUDGET FY 2007 – AMENDMENT NO. 8 FY2007. KBIC 2% MONEY DISBURSEMENT.

Trudeau moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated Capital Improvement Fund receipts within the Township on December 18, 2006 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows.

REVENUE	PREVIOUS	CHANGE	AMENDED
KBIC 2% Money 401.582	\$60,021.37	+\$35,000.00	\$95,021.37
EXPENDITURE	PREVIOUS	CHANGE	AMENDED

Clerks Department Capital Outlay 401.215.957	\$20,062.38	+\$3,000.00	\$23,062.38
Buildings Capital Outlay 401.270.957	\$491,699.31	+\$1,300.00	\$492,999.31
Fire Department Capital Outlay 401.340.957	\$338,645.26	+\$21,500.00	\$360,145.26
Police Department Capital Outlay 401.305.957	\$65,613.44	+\$1,200.00	\$66,813.44
Recreation and Parks Capital Outlay 401.756.957	\$117,319.94	+\$8,000.00	\$125,319.94

ROLL CALL.

AYES: Trudeau, Britton, Maki, Greenberg.

NAYS: None.

ABSENT: Seppanen, Hill, Tabor.

MOTION CARRIED.

MAINTENANCE AGREEMENT – SCI CLEANING & MAINTENANCE.

Britton moved, Maki second that the Township Supervisor be authorized to sign the contract with SCI Cleaning & Maintenance for the janitorial maintenance of the Township office.

AYES: 4 NAYS: 0

MOTION CARRIED.

EQUIVALENT SEWER USER FEE FOR HARVEY LAUNDRY.

Maki moved, Britton second that under Ordinance #39-9-D-2a the sewer bill for the building located at 505 Corning Street, Harvey Laundry which is currently closed, be reduced to 1 equivalent user until the building is open and occupied.

AYES: 4 NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Tom Thomas – Questions on the process for accepting the new zoning ordinance. He also wanted to thank Supervisor Seppanen for being so quick to respond to his question on the zoning ordinance.

Treasurer Greenberg- Wants the proposed zoning ordinance on our web site.

Lee Blondeau – Requests that the Board consider rezoning the Trucking property to make it conforming.

Trustee Trudeau- Wants all Township meeting dates on the web site.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Planning Commission - Minutes November 12th, 2007, January 3rd, 2008
- B. Correspondence - Superior Watershed Partnership
- C. Correspondence – U.P.S.E.T.
- D. Minutes – MCSWMA, November 7th, 2007
- E. Zoning Update – Zoning Administrator
- F. Meeting Packet - MCSWMA / December 2007

Supervisor Seppanen adjourned the meeting at 8:40 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

Capital Outlay			
401.306.957	\$2,656.10	+485.28	\$3,141.38

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI			
401.543	\$62,698.00	+485.28	\$63,183.28

ROLL CALL.

AYES: Greenberg, Trudeau, Britton, Tabor, Maki, Seppanen.

NAYS: None.

ABSENT: Hill. MOTION CARRIED.

Trudeau moved, Britton second

WHEREAS, the State of Michigan Emergency Management Act, Act 390 of the Public Acts of 1976, as amended M.C.L. 30.401 et.seq; authorizes the State and it's political subdivisions to provide emergency aid and assistance in the event of a disaster or emergency; and

WHEREAS, the statutes also authorize the State to coordinate the provision of any equipment, services, or facilities owned or organized by the State or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area; and

WHEREAS, this Resolution authorizes the request, provision, and receipt of interjurisdictional mutual assistance in accordance with the Emergency Management Act, Act 390 of the Public Acts of 1976, as amended among political subdivisions within the State;

NOW, THEREFORE, be it resolved by The Charter Township of Chocoday that in order to maximize the prompt, full and effective use of resources of all participating governments in the event of an emergency or disaster we hereby adopt the Michigan Emergency Management Assistance Compact which is attached hereto and incorporated by reference.

AYES: 6 NAYS: 0 MOTION CARRIED.

PLANNING COMMISSION APPOINTMENT.

Tabor moved, Greenberg second that the Chocoday Township Board appoints Kendall Milton to fill the currently vacant seat on the Planning Commission to fulfill the unexpired term of Tom Shaw which began on May 24, 2005 and will expire on May 24, 2008.

AYES: 5 NAYS: 1 MOTION CARRIED.

Trudeau moved, Maki second that the Township has reviewed operations and expenses associated with said services; and the following charges for services shall be established:

Police Department

Copies of Accident Reports	\$5.00 ea.
Copies of Incident Reports	\$5.00 ea.
Local Record Check	\$5.00
PBT	\$3.00
Non-Sufficient Checks	\$20.00
Kennel Inspections	\$40.00
Liquor License Inspections	\$25.00
New/Liquor License Inspections	\$100.00
Video Copies	\$50.00 ea.
False Alarm Calls	\$100.00 (on fourth and subsequent calls per year)
Audio CD's	\$10.00
Photo's	\$10.00 per page

Fire Department

False Alarm Calls	\$100.00 plus personnel costs (on 2 nd and subsequent calls per year)
Hazardous Material Incidents (Set by Ordinance)	\$ Per itemized invoice

Department of Public Works

Garbage Tags	\$1.50 ea.
Restricted Haulers Agreements	\$3.00 ea.

Assessing

Land Division Applications	\$50.00 per application
Lot Split Applications	\$50.00 per application
Address Labels	.10 per label or .50 per envelope
Faxes to Appraisal Companies	1.00 per page

Public Computer Copies	.25 cents per page
Data Base Downloads	\$500.00

Zoning/Planning

Copy of Zoning Ordinance	\$25.00
Copy of Comprehensive Plan	\$65.00
Zoning Compliance Permit (Residential)	\$25.00
Zoning Compliance Permit (Commercial)	\$50.00
Conditional Use Permit	\$250.00
Variance	\$250.00
Nonconforming Use Permit	\$250.00
Rezoning	\$375.00
Site Plan Review	\$125.00
Private Roads	\$250.00
Plats (per plat application/step)	\$400.00
Site Condominiums	\$400.00
PUD - Site Plan	\$500.00
Zoning/Land Division Appeal	\$250.00
Hold Harmless Regulation	\$20.00

Clerks

Voting Labels	.015 per label
Voting List (on disk or e-mail)	\$30.00
Voting List (on paper)	.15 per page
Freedom of Information Copying	.15 per page (copying)
Freedom of Information Research	Per hour charge of lowest paid office staff (by law)
General Copy Charge	.15 per page
Double sided copies	.25 per page
Certified Copies of Documents	\$3.00 per page

Passports

All Ages	\$25.00 (plus U. S. Dept of State fee)
Passport Photos	\$10.00

Miscellaneous

Special Meeting Requests	\$400.00
Meeting Room Use	\$10.00 per day
Meeting Room Use (Annual/1 day per week)	\$100.00
AYES: 6 NAYS: 0	MOTION CARRIED.

FIRE GRANT ACT.

Britton moved, Tabor seconds to authorize the fire department to purchase needed radios from El-Com Services of Marquette for the total of \$22,488.00 80% of these funds will come from a Fire Act Grant totaling \$17,990.00 and a 20% match will come from KBIC Funds in the Capital Improvements Fund fire department capital outlay 401.340.957.

ROLL CALL.

AYES: Trudeau, Britton, Maki, Greenberg, Seppanen, Tabor.

NAYS: None.

ABSENT: Hill.

MOTION CARRIED.

BONDEAU TRUCKING REQUEST TO WAIVER THE REZONING FEE.

Seppanen moved, Britton second that after reviewing the available information including input from staff and the public in attendance, I hereby recommend the Chocolay Township Board waive the Chocolay Township's required rezoning fee of \$375.00 as it applies to the Blondeau Trucking requested conditional rezoning. This is a one time only waiver and does not apply to any future requests.

ROLL CALL.

AYES: Tabor, Greenberg, Trudeau, Britton, Maki, Seppanen.

NAYS: None.

ABSENT: Hill.

MOTION CARRIED.

PUBLIC COMMENT.

Jan Admonson – Question on applications for Boards and Commissions.

Bob Cambensy – The Board is correct in holding off on adopting the zoning ordinance until April.

Genscheff – Question on definition for slope as it pertains to the zoning ordinance.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Correspondence – C.U.P.A.D.
- B. Correspondence – M.D.O.T.
- C. 1985 John Deer Tractor – Bid Award
- D. Police Department – 2007 Statistics
- E. Correspondence – District Library Exploration Committee

Supervisor Seppanen adjourned the meeting at 8:45 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

Tabor moved, Greenberg second, to purchase the listed items for the township's departmental use and expenditures be made from the following accounts. Assessing 401.202.957 \$701.00, Clerk 401.215.957 \$1,288.00, Treasurer 401.253.957 \$1,019.00, Twp. Hall & Grounds 401.265.957 \$1,798.00 and Planning 401.805.957 \$483.00.

ROLL CALL.

AYES: Maki, Tabor, Hill, Trudeau, Greenberg, Seppanen.

NAYS: None.

ABSENT: Britton.

MOTION CARRIED.

RESOLUTION AMENDING CAPITOL IMPROVEMENTS FUND BUDGET FY 2008 AMENDMENT #1

Greenberg moved Hill seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the Township on December 10th, 2007, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and / or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Recreation and Grants			
Capitol Improvements			
401.708.957	\$96,742.81	+ \$15,767.69	\$112,510.50
REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan			
401.453	\$-0-	+\$15,767.69	+\$15,767.69

ROLL CALL.

AYES: Trudeau, Greenberg, Maki, Tabor, Hill, Seppanen.

NAYS: None.

ABSENT: Britton.

MOTION CARRIED.

SPRING BANQUET.

Hill moved, Trudeau second that Township Board members, Commission members and employees are encouraged to attend the annual MCTA spring banquet with the dinner cost of \$25.00 paid by Chocolay Township. Guests are welcome to attend with cost paid personally.

AYES: 5 NAYS: 1

MOTION CARRIED.

PLANNING COMMISSION APPOINTMENT.

Seppanen moved, Maki second that Andy Smith be appointed to the Chocolay Township Planning Commission to fill the vacancy left by Dave Cotton for a term to run through May 24, 2010.

AYES: 6 NAYS: 0

MOTION CARRIED.

PRESENTATION – MICHIGAN MUNICIPAL LEAGUE WAGE STUDY – HEATHER VAN POUCKER.

Heather Van Poucker presented a wage study to the Township Board prepared by the Michigan Municipal League. After her presentation Heather answered questions from the board. The Chocolay Township board will further review the wage study and it will be brought back at the May meeting for a decision on implementation.

PUBLIC COMMENT.

Chief Zyburt informed the Board that one of our part time officers has accepted full time employment with Negaunee City Police Department.

Stephanie Gencheff – Would like the Planning Commission to hold a public hearing on the proposed ORV trail east of the Casino.

Clerk Hill – Elizabeth DeLene has the Chocolay History Book ready for publication. Clerk Hill will bring fee options back to the Board in May.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Communication – Sheriff Mike Lovelace
- B. Communication – Solid Waste Management Authority Board of Trustees
- C. Communication – Chocolay Fire Department officers

Supervisor Seppanen adjourned the meeting at 8:40 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 19, 2008

A Regular meeting of the Chocolay Township Board was held on Monday, May 19, 2008 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Dan Maki.

ABSENT: Ken Tabor.

STAFF PRESENT: Tom Murray, Jennifer Thum, Mary Sanders, Martin Caceres, Gary Johnson.

MINUTES –April 21, 2008.

Greenberg moved, Maki second that the minutes of the regular meeting held on April 21, 2008 are approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

None.

PUBLIC COMMENT.

Stephanie Gencheff – Read a letter containing her concerns about the Planning Commission action with Blondeau Trucking.

ACCOUNTS PAYABLE.

Hill moved, Maki second that bills totaling \$80,638.11 checks numbered 14581 – 14629 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Maki moved, Britton second that bills totaling \$10,333.33 checks numbered 14630 - 14648 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Greenberg moved, Maki second that bills totaling \$25,886.00 checks numbered 14649 - 14677 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Trudeau second that payroll for April 22, 2008 for \$3,751.43, May 1, 2008 for \$23,756.56 and May 15, 2008 for \$23,422.68 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

AUDIT PRESENTATION FY2008.

Mike Grentz, Anderson, Tackman & Co. presented the FY2007 audit to the Board. Chocolay Township is in great financial shape and there are no reportable concerns or discrepancies.

Trudeau moved, Britton second to accept the FY2008 audit as presented by Anderson, Tackman & Co.

AYES: 6 NAYS: 0 MOTION CARRIED.

SUPERVISORS REPORT.

1. The Magnum prison farm reopening in Chocolay Township to be used as a minimum security facility by Marquette County will be addressed on the June agenda.

WAGE STUDY RECOMMENDATION.

The Board discussed accepting the 95% of the average medium wage for those that fall below that percent. The wage progression chart will be deferred to the personnel committee.

Trudeau moved, Britton second to move employees up to 95% of the median wage chart as prepared in the classification and compensation study by Michigan Municipal League in March 2008.

ROLL CALL.

AYES: Maki, Hill, Britton, Trudeau, Greenberg, Seppanen.

NAYS: None.

ABSENT: Tabor.

MOTION CARRIED.

FIRE DEPARTMENT NEW RESCUE TANKER BID.

Greenberg moved, Hill second that Chocolay Township Board awards the contract of the Fire Department Rescue/Tanker to Pierce Manufacturing and Pomasl Fire Equipment for the proposed amount of \$483,024.00.

Any changes in the contract price shall be approved by the Supervisor.

ROLL CALL.

AYES: Greenberg, Britton, Trudeau, Maki, Hill, Seppanen.

NAYS: None.

ABSENT: Tabor.

MOTION CARRIED.

FIRE DEPARTMENT BY-LAWS AND STANDARDS.

Hill moved, Maki second that the Chocolay Township Board approve the changes made to the Fire Departments Constitution and By-Laws and their Standard Operating Guidelines.

AYES: 6 NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT OFFICERS.

Trudeau moved, Britton second to concur with the Township Supervisor's recommendation and re-appoint Gary Johnson as a fire Chief for a two year term.

AYES: 6 NAYS: 0

MOTION CARRIED.

EWING PINES SANITARY SEWER.

Trudeau moved, Maki second to accept the bid from Smith Paving for the amount of \$5,075.00 for the repairs of Ewing Pines Sanitary Sewer according to STS Consultant's specifications.

ROLL CALL.

AYES: Maki, Hill, Britton, Trudeau, Greenberg, Seppanen.

NAYS: None.

ABSENT: Tabor.

MOTION CARRIED.

LIQUOR LICENSE FOR GENTZ HOMESTEAD GOLF.

Maki moved, Hill second that the Charter Township of Chocolay rescinds the recommendation for an on premise Class C license for Chocolay Downs Golf Course (C.G.C. LLC.).

AYES: 6 NAYS: 0

MOTION CARRIED.

Maki moved, Britton second that the Charter Township of Chocolay recommends issuance of a new on premise Class C license to Gentz's Homestead Golf.

AYES: 6 NAYS: 0

MOTION CARRIED.

PLANNING COMMISSION BY-LAWS AND STANDARDS.

Britton moved, Greenberg second that the Chocolay Township Board approves the changes to the Planning Commission Procedures and By-Laws made by the Planning Commission.

AYES: 6 NAYS: 0

MOTION CARRIED.

June 16, 2008

A Regular meeting of the Chocolay Township Board was held on Monday, June 16, 2008 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor.
ABSENT: Dan Maki.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Gary Johnson, Greg Zyburt.

MINUTES –May 19, 2008.

Trudeau moved, Britton second that the minutes of the regular meeting held on May 19, 2008 are approved with one correction on the motion maker (Greenberg to Trudeau) on the third list of bills payable.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Under Presentations - Mangum Prison Farm Update.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Trudeau moved, Tabor second that bills totaling \$42,872.89 checks numbered 14678 – 14714 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Hill moved, Tabor second that bills totaling \$44,378.70 checks numbered 14715 - 14756 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved, Britton second that payroll for May 29, 2008 for \$27,722.40, June 12, 2008 for \$24,166.84 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATIONS – MANGUM PRISON FARM.

Marquette County Sheriff Mike Lovelace and Planner Jim Kippela presented an update on the Mangum Prison Farm. The County has secured the zoning permit through Chocolay Township. They are working on the lease with the State to utilize the property. The County jail is overcrowded and this will release space for more serious offenders. The prison farm will only house people with misdemeanors. It will be a working farm. The target date for opening is January 2009.

SUPERVISORS REPORT.

1. Marquette County Solid Waste Authority – Starting July 1 of 2008 the Authority will be charging a minimum \$10 per load fee on all haulers bringing waste to the county landfill. They felt that is the break even point for the verification, tracking, and processing of the paperwork for the waste haulers. This is not a fee that we have assessed and there is no benefit to the townships budget by this increase.
2. Motion from the last meeting – This is to set the record straight, if I would have consulted the clerks dept at the time we were looking for the motion on the accepting of the audit they would have found it.
3. Open House and Bike Registration – This took place last Friday and was a big success. About 60 bikes were registered and about 200 Chocolay history books were handed out to our residents. The weather was great and attendance was good.
4. KBIC 2% check – We received a check for \$70,000 from the 2% request we submitted earlier in the year. Approximately \$9,803.13 will be credited to the fire protection service for their property while the rest will be used for requested township projects. The Departments met last week and we will be bringing you the suggested projects at our July meeting.

LIQUOR LICENSE FOR CHOCOLAY DOWNS.

The Township attorney will draw up a motion to be brought to the July board meeting. The Township did not want to rescind the motion from the May meeting because the motion maker was not in attendance at this meeting. Supervisor Seppanen will send a letter to the Liquor Control Commission explaining how the Township is handling this license procedure.

UP ENGINEERS AND ARCHITECTS ZONING ORDINANCE CONTRACT.

Hill moved, Tabor second to approve giving an additional \$2,500.00 to UP Engineering and Architects for their work on updating our township's zoning ordinance to be paid from professional services in the Planning Department 101.805.801.

ROLL CALL.

AYES: Britton, Trudeau, Hill, Greenberg, Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

MUNICIPAL ENGINEERING CONSULTANT.

Tabor moved, Greenberg second to concur with the Planning Commission and hire UP Engineers and Architects and STS Consultants on an as needed basis for site plan review and private road inspections.

AYES: 6 NAYS: 0

MOTION CARRIED.

POLICE SURVEILLANCE CAMERA.

Greenberg moved, Hill second to approve the purchase of a surveillance camera at a total cost of \$600.00. This will be paid from the Capital Improvement Fund police account 401.305.957.

ROLL CALL.

AYES: Hill, Tabor, Britton, Trudeau, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

PURCHASE 2009 PATROL CAR.

Britton moved, Greenberg second to approve the purchase of a 2009 patrol car for the Police Department. The cost of the vehicle will not exceed \$23,000.00 and the cost for transfer of equipment, graphics and pick-up costs for the new vehicle will not exceed \$6,125.00 for a total amount not to exceed \$28,168.00. This will be paid from the Capital Improvements Fund police department account 401.305.957.

ROLL CALL.

AYES: Britton, Trudeau, Hill, Tabor, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

FIRE HALL BUILDING RENOVATION COMMITTEE.

Tabor moved, Hill second to form a committee to handle the fire hall alteration work and to develop and review bid documents. To appoint Trustees John Trudeau and Don Britton, D.P.W. Supervisor Martin Caceres and four fire department members; Gary Johnson, Jeff Johnson, Jeff Trudeau and Brad Johnson.

AYES: 6 NAYS: 0

MOTION CARRIED.

WORKERS COMP INSURANCE.

Trudeau moved, Britton second to request that Workers Compensation Insurance coverage be provided by the Accident Fund through U.P. Insurance Agency for the period 7/1/08 through 6/30/09 based on the annual premium of \$9,122.00.

AYES: 6 NAYS: 0

MOTION CARRIED.

CHOCOLAY TOWNSHIP ACCEPTABLE USE POLICY.

Greenberg moved, Britton second to approve the adoption of the Chocolay Township Acceptable Use Policy for computer usage.

AYES: 6 NAYS: 0

MOTION CARRIED.

MEETING ROOM CARPET, BULLETIN #21.

Trudeau moved, Tabor second that the Chocolay Township Board approves Bulletin #21 in the amount of \$245.30 from the Capital Improvement Fund building account 401.270.957.

ROLL CALL.

AYES: Hill, Tabor, Britton, Trudeau, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Communication – Planning Commission Minutes, May 12, 2008

Supervisor Seppanen adjourned the meeting at 8:15 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

NAYS: None.

MOTION CARRIED.

REQUEST FOR CAPITAL IMPROVEMENTS FUND EXPENDITURE – POLICE DEPARTMENT.

Britton moved, Hill second to approve purchase of 3 VIDMIC’S at a total cost of \$2,100.00 this will be paid from the Capital Improvements Fund Police account 401.305.957.

ROLL CALL.

AYES: Hill, Tabor, Maki, Britton, Trudeau, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2008 AMENDMENT NO. 1
REIMBURSEMENT FOR BULLET PROOF VESTS.

Tabor moved, Maki seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on Dec. 17, 2007 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Uniforms 101.305.745	2,100.00	+639.00	2,739.00

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	35,000.00	+639.00	35,639.00

ROLL CALL.

AYES: Trudeau, Greenberg, Maki, Hill, Tabor, Britton, Seppanen.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY2008 AMENDMENT NO. 2
REIMBURSEMENT FOR SNOWMOBILE GRANT

Britton moved, Maki second, that Whereas a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 17, 2007 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Capital Outlay 101.305.957	4,830.00	+2,160.89	6,990.89

Salaries 101.305.702	228,493.00	+6,356.92	234,849.92
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Temporary/Part time Salaries 101.305.705	22,400.00	+ 622.12	23,022.12
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REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 101.543	0	+9,139.93	9,139.93

ROLL CALL.

AYES: Hill, Tabor, Maki, Britton, Trudeau, Greenberg, Seppanen.
NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2008 **AMENDMENT NO. 2 POLICE TRAINING FUNDS-STATE OF MICHIGAN.**

Trudeau moved, Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on **December 17, 2007**, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training Capital Outlay 401.306.957	1,563.62	+447.96	2,011.58

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 401.543	15,767.69	+447.96	16,215.65

ROLL CALL.

AYES: Trudeau, Greenberg, Maki, Hill, Tabor, Britton, Seppanen.
NAYS: None.

MOTION CARRIED.

REAPPOINTMENT OF ESTELLE DEVOOGHT TO THE PLANNING COMMISSION.

Seppanen moved, Hill second to re-appoint Estelle DeVooght to the Planning Commission with a term to run until May 24, 2011.

AYES: 7 NAYS: 0

MOTION CARRIED.

PURCHASE OF EXTRICATION EQUIPMENT – FIRE DEPARTMENT.

Tabor moved, Hill second to authorize the Fire Department to purchase vehicle stabilization cribbing from Pomals Fire Equipment for \$2,585.00 and purchase stabilization struts from Fire Rescue Supply for \$3,189.00 plus \$600.00 shipping. For a total amount of \$6,374.00 and will be expended from the Capital Improvements Fund Fire Department 401.340.957.

ROLL CALL.

AYES: Hill, Tabor, Maki, Britton, Trudeau, Greenberg, Seppanen.
NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2008 **AMENDMENT NO. 3 FEDERAL GRANT FIRE FIGHTERS GRANT.**

Tabor moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on **December 17, 2007**, 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
Fire Department Capital Outlay 401.340.957	\$248,880.51	\$28,421.00	\$277,301.51

REVENUE	PREVIOUS	CHANGE	AMENDED
Federal Grant			
401.501	\$0.00	\$28,421.00	\$28,421.00

ROLL CALL.

AYES: Trudeau, Greenberg, Maki, Hill, Tabor, Britton, Seppanen.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2008 AMENDMENT NO. 3
REIMBURSEMENTS FOR PRESIDENTIAL PRIMARY.

Greenberg moved, Hill second, that Whereas a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 17, 2007 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI			
101.543	9,139.93	+3,939.05	13,078.98

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Elections			
Per Meeting			
101.190.710	6,300.00	+1,415.25	7,715.25

Elections			
Office Supplies			
101.190.727	4,000.00	+1,000.00	5,000.00

Elections			
Printing			
190.728	1,000.00	+ 119.06	1,119.06

Elections			
Postage			
101.190.729	1,200.00	+ 186.73	1,386.73

Elections			
Advertising			
101.190.901	1,000.00	+ 65.04	1,065.04

Clerk			
Salaries			
101.215.702	82,283.00	+ 1,070.73	83,353.73

Recreation & Properties			
Salaries			
101756.702	48,275.00	+ 82.24	48,357.24

ROLL CALL.

AYES: Hill, Tabor, Britton, Trudeau, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Dick Arnold – 312 County Road 545 zoning violation concerns.

Clerk Hill – Chocloy History Book has been well received.

Trustee Britton – The letter on the Iron Ore Heritage Trail that went out with taxes needs clarification. The last paragraph misquoted on the non-motorized portion of the trail.

Trustee Maki - Information on joint meeting with Marquette Township

INFORMATIONAL REPORTS AND COMMUNICATIONS.

1. Informational - Quarterly Stats from Police Department
2. Informational – Map of the proposed Marquette County Community Correction Detention Center
3. Communication - Planning Commission Minutes, June 9, 2008
4. Communication - Chocloy River Watershed Council meeting of stakeholders
5. Communication - Election Minutes, June 16, 2008
6. Communication - Northern Michigan Public Service Academy Minutes, May 30, 2008
7. Communication - Letter from Zoning administrator dealing with the clean up at 662 Lakewood Lane
8. Communication from the Marquette county Solid Waste Management Authority

Supervisor Seppanen adjourned the meeting at 8:20 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Informational – Special Meeting Notice from the Marquette County Road Commission.
- B. Election Results.

Supervisor Seppanen adjourned the meeting at 8:03 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

trail allowing snowmobiles to go through residential neighborhoods. He will not vote for this trail without a guarantee of it being strictly non-motorized.

Jude Catalo – Can not cross country ski on a trail that also allows snowmobiles. There are safety factors and the fumes from snowmobiles are intolerable.

Trustee Britton – The taxpayers are not paying for the upgrade or maintenance on the snowmobile trail. That is separate private funding.

Supervisor Seppanen – Chocolay Township is still working on a business spur for snowmobiles in Chocolay to alleviate the traffic in the residential neighborhood.

Brad Cory – His bedroom window is 50 feet from the snowmobile trail. A motorized trail through a residential neighborhood is outrageous.

Barb Holman – Will exact locations of Iron Ore trails in Chocolay Township be determined before the November millage election? Who will police the Iron Ore Trail and with what resources?

Randy Gentz – If the millage passes, how soon will the trail construction begin in Chocolay Township?

Trustee Britton – The Iron Ore Heritage Trail has nothing to do with the D.N.R. snowmobile trail.

PRESENTATION - RECOGNITION OF ESTELLE DEVOOGHT'S LONGEVITY ON THE CHOCOLAY TOWNSHIP PLANNING COMMISSION.

Jennifer Thum, Planning Director presented a plaque to Estelle DeVooght from the Chocolay Township Board. Estelle has been on the Chocolay Township Planning Commission for 35 years. According to our research she has the most longevity as a Planning Commission member in the State of Michigan.

PRESENTATION - HEALTH INSURANCE.

Ryan Whitley, Hetrick and Associates gave a power point presentation to the board on a proposed change to the Chocolay Township Health Plan. This is a Health Reimbursement Arrangement. If the Township goes in this direction, our premiums should not increase over last year. If we continue with the current coverage as is, there will be a 10% increase. The Board will continue this discussion along with several other personnel issues at special board meeting in October.

SUPERVISORS REPORT.

1. Township Position on ORV Use – I will be writing a letter to the county restating the position of the Township Board that there are no roads designated for ORV use in our township.

2. DPW Restructuring – At our October meeting I should have a candidate ready for the board to consider for the ½ time DPW Supervisor position. This is to be a temporary two year position. At the same time the Personnel Committee should have had time to act on my proposal for the other changes to the department. Their recommendations should also be ready for your action at our next meeting.

3. Road Paving to Grinder Station- I met with several residents whose private road we share for access to one of our grinder/pump stations. There are ongoing erosion issues and we will be working with them in an effort to have the road paved. Don Britton, Brad Johnson, and I have each walked the road. We will come with the paving plan with our share of the cost for the next meeting. This expense will be paid for from the sewer fund.

PROPOSED NEW CLASS C LIQUOR LICENSE.

The liquor license request for one Class C liquor license with two applicants; Royal English LLC (Chocolay Downs) and Gentz Homestead Golf Course Inc. went to the Planning Commission in September and no motion was made. A staff report by Jennifer Thum, Planning Director was presented to the board explaining each step in the request process from both applicants since October 2006.

Dennis Kargela, Chocolay Downs spoke on the proposed expansion planned by Chocolay Downs to the Clubhouse/restaurant and lot expansion for new condos and homes. Chocolay Downs works with many community groups.

Neil Jandron, Chocolay Downs business manager and has 40 years experience in running a business. The back taxes will be paid by Friday of this week.

Randy Gentz – The Gentz family has been on this property and in business for four generations. The Gentz Golf Course has been located on this property for 13 years. They also have worked with many community groups throughout the years.

Trustee Trudeau – If Chocolay Downs had worked toward getting their liquor license in 2006 after the Board gave approval; we would not be discussing this tonight at the Board meeting.

Special Board Meeting
October 8, 2008

A Special meeting of the Chocolay Township Board was held on Wednesday October 8, 2008 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 6:30 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor, Dan Maki.
ABSENT: None.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Tom Murray, Brad Johnson, Mike Summers, Greg Zybur.

MINUTES – None.

AGENDA ADDITIONS/DELETIONS.

Delete MIOSHA – this will be on the October 20th agenda.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE – None.

PERSONNEL POLICY REVISIONS.

Trudeau moved, Greenberg second to concur with the recommendations of the personnel committee, by implementing the restructuring plan of the Department of Public Works, adopt the proposed pay grid and the proposed changes to the personnel policy as presented (with one change in 5.2 Compensation – Starting salaries or wages shall be based upon “Appendix L” and as determined by the Personnel Administrator and Township Board).

AYES: 7 NAYS: 0 MOTION CARRIED.

Trudeau moved, Britton second to create a new position of DPW Foreman to assist the DPW Supervisor, act in his/her behalf during his/her absence and provide supervision to the full time and seasonal maintenance workers. One addition to the new job description-

19. This position is a working foreman and will perform all the duties of a general maintenance worker.

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved, Trudeau second to start the DPW foreman wage at pay grade 3 - \$16.72 per hour.

AYES: Trudeau, Britton, Greenberg, Maki, Tabor, Hill, Seppanen.

NAYS: None MOTION CARRIED.

DPW SUPERVISOR HIRING/SELECTION.

Trudeau moved Britton second, to hire Steve Lawry to fill the position of Chocolay Township Department of Public Works Supervisor.

AYES: 3 NAYS: 4 MOTION FAILED.

Greenberg moved, Maki second to concur with the Chocolay Township Supervisor for the hiring of Denny Magadanz to fill the position of Chocolay Township Department of Public Works Supervisor.

AYES: 4 NAYS: 3 MOTION CARRIED.

EWING PINES SEWER REPAIR.

Britton moved, Maki second to pay A & A Drain a total of \$3,500.00 to repair the sewer lines at Ewing Pines.

AYES: Maki, Tabor, Hill, Trudeau, Britton, Greenberg, Seppanen.

NAYS: None MOTION CARRIED.

HEALTH INSURANCE.

Supervisor Seppanen gave a presentation to the Board on how the health insurance budget and insurance rates in Chocolay Township have not changed from 2004 to 2008 because of changes the Township has made to the insurance package throughout the years. In 2009 we will again make a change (to an HRA with a higher deductible) to keep the rates down.

PUBLIC COMMENT.

Pat Martin, 621 Lakewood Lane – asked the Board if the Township has an ethics policy. Does the Board have a policy on concealed weapons?

Supervisor Seppanen adjourned the meeting at 8:30 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

October 20, 2008

A Regular meeting of the Chocolay Township Board was held on Monday, October 20, 2008 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor.

ABSENT: Dan Maki.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Denny Magadan, Brad Johnson, Tina Fuller, Mike Disch.

MINUTES –September 15, 2008 and October 8, 2008.

Greenberg moved, Tabor second that the minutes of the regular meeting held on September 15, 2008 and the special meeting held on October 8, 2008 are approved.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Tabor moved, Britton second to change item XIII.A Employee recognition to Supervisor's report. Under Presentations add Art Loren, Marquette County Work Crew Director – Chocolay Township Marina project.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

PUBLIC COMMENT.

Theresa Scram, 256 Shot Point Drive – Spoke against the Iron Ore Heritage Trail.

Cathy Church – Running for Prosecutor in Marquette County as an independent candidate and wanted to introduce herself to the Board.

Sharon Kivikko, 1490 Knudson Road, Gwinn, Mi.- Manages a house Chocolay Township at 101 Timberlane and represents the owner of the home. She had a complaint about the zoning administrator in Chocolay Township.

PUBLIC HEARING- FY2009 BUDGET.

The public hearing opened at 7:20 pm. There was no comment from the public and the public hearing closed at 7:23 pm.

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$38,518.86 checks numbered 14966– 15001 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved, Britton second that bills totaling \$38,826.24 checks numbered 15002 – 15035 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Britton moved, Trudeau second that payroll for September 18, 2008 for \$27,561.52, October 2, 2008 for \$24,492.57 and October 16, 2008 for \$34,082.51 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER'S REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATION – ART LAUREN, MARQUETTE COUNTY WORK CREW PROGRAM. The work crew from the Marquette Department of Corrections has nearly completed the work at the Chocolay Township Marina public access for boardwalk fishing pier. He gave a slide presentation showing the work completed at the Marina.

SUPERVISORS REPORT.

1. Employee recognition – Micheal Disch, D.P.W. Maintenance Worker.
2. Discussing the Senior Center issue, Trustee Britton is on the Board.
3. Still working on a Chocolay Township ethics policy.
4. Zoning Administrator/Reprimand for home invasion.

ZONING ORDINANCE AMENDMENT 34-08-01 HOME OCCUPATION.

HOME OCCUPATION:

1. II. DEFINITIONS: (PAGE 9)

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on **December 17, 2007**, 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
Fire Department Capital Outlay 401.341.957	\$4,557.00	+\$281,060.60	\$285,617.60
REVENUE	PREVIOUS	CHANGE	AMENDED
Federal Grant 401.501	\$32,978.00	+\$281,060.60	\$314,038.60

ROLL CALL.

AYES: Britton, Trudeau, Greenberg, Hill, Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

PURCHASE OF NEW COMPUTER, POLICE DEPARTMENT.

Trudeau moved, Britton second to approve the purchase of a desktop computer, including installation from Lasco at a total cost of \$1,009.15. This will be paid from the Capital Improvement Fund account 401 305.957.

ROLL CALL.

AYES: Britton, Trudeau, Greenberg, Hill, Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

GUIDELINES FOR POVERTY EXEMPTIONS FROM PROPERTY TAXES.

Trudeau moved, Britton second to establish guidelines for granting of poverty exemptions from property taxes pursuant to MCL 211.7u.

AYES: 6

NAYS: 0

MOTION CARRIED.

WASTEWATER FEE REDUCTION FOR A & W RESTAURANT.

Britton moved, Trudeau second that under Ordinance #39-9-D-2a the sewer bill for the building located at 6040 U S 41 South (A & W Restaurant) be reduced to 1 equivalent user as of October 1, 2008, until the building is sold or occupied by someone else.

AYES: 6

NAYS: 0

MOTION CARRIED.

EAST MAIN STREET DRIVEWAY PAVING.

Britton moved, Tabor second that Chocolay Township pay \$1,613.00 out of the sewer fund capital outlay 571.957 to Superior Paving toward the work done at 167 East Main Street.

ROLL CALL.

AYES: Hill, Tabor, Britton, Trudeau, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

WATER TRAIL EXPENDITURE REQUEST.

Britton moved, Tabor second to acquire the additional building materials and provide the additional labor by the Marquette County Community Correction Department to complete the work on the water trail boardwalk and fishing pier with the expenditure being taken from the Capital Improvements Fund Recreation account 401.708.957 for a total not to exceed \$2,563.14.

ROLL CALL.

AYES: Britton, Trudeau, Greenberg, Hill, Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

MIOSHA SETTLEMENT AGREEMENT.

Tabor moved, Hill second to agree to submit \$2,500.00 in reduced fines to the State of Michigan resulting from accepted violations with expenditures being taken from the Other General Government Insurance account #101.285.910.

ROLL CALL.

AYES: Hill, Tabor, Britton, Trudeau, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

SPECIAL ZONING BOARD OF APPEALS MEETING FEE.

The Board discussed waiving the Special Meeting Fee for Kenlyn Hubbard, 121 Wintergreen Trail, because there is no regularly scheduled meeting until March 2009. The Board did not feel waiving the fee was appropriate. The Board also felt that six months between meetings was too long.

Greenberg moved, Trudeau second that the Zoning Board of Appeals schedules a Regular meeting for December 2008.

AYES: 6 NAYS: 0

MOTION CARRIED.

BUDGET WORKSHOP FY2009.

The Board discussed the Road millage and whether the Marquette County Road Commission or the private sector will do road work for Chocolay Township next year. The Board discussed the structure change in the Department of Public Works, 4% salary increase for officers and boards and commissions and the change in our health insurance. The board will go through the individual departments at the November 10, 2008 regular board meeting.

PUBLIC COMMENT.

Treasurer Greenberg – Comment on a new federal act for “identity theft protection program” for townships that provide utility services.

Trustee Trudeau – Commented on the Township policy on computer usage.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Police Department Quarterly Stats
- B. Iron Ore Heritage Trail Authority Minutes
- C. Communication from the Marquette County Solid Waster Management

Supervisor Seppanen adjourned the meeting at 8:45 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

November 10, 2008

A Regular meeting of the Chocolay Township Board was held on Monday, November 10, 2008 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Don Britton, Ken Tabor.
ABSENT: Dan Maki.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Tom Murray, Denny Magadanz, Gary Johnson, Greg Zyburt and Pat Beck.

MINUTES –October 20 2008.

Tabor moved, Greenberg second that the minutes of the regular meeting held on October 20, 2008 are approved.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Hill moved, Greenberg second to correct the August 18, 2008 minutes to reflect \$1,000.00 for the firehall modification.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Add swearing in of newly elected officers.

PUBLIC COMMENT.

None.

PUBLIC HEARINGS- TRUTH IN TAXATION AND FY2009 BUDGET.

The Truth in Taxation public hearing opened and there was no public comment. The public hearing was closed.

Greenberg moved Britton second that the Township board does hereby levy 3.8257 mills for general operations; extra voted are .7662 for library, 1.6833 for roads and .7723 for fire.

ROLL CALL.

AYES: Hill, Tabor, Britton, Trudeau, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

ABSENT: Maki.

The FY2009 budget public hearing opened and there was no public comment. The public hearing was closed.

ACCOUNTS PAYABLE.

Trudeau moved, Britton second that bills totaling \$29,064.85 checks numbered 15037– 15075 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Hill moved, Britton second that bills totaling \$26,028.81 checks numbered 15076 – 15095 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

Tabor moved, Hill second that payroll for October 30, 2008 for \$23,571.32 be approved for payment.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

PRESENTATION –

Recognition of Trustee Don Britton and Trustee Dan Maki, outgoing Trustees.

**THE CHARTER TOWNSHIP OF CHOCOLAY
UNITES WITH ITS TOWNSHIP CITIZENS TO THANK
DONALD BRITTON JR.**

For his commitment of time to serve the citizens of the

**CHARTER TOWNSHIP OF CHOCOLAY as a
Trustee on its governing board. His
ability as a businessman and commitment
of time permitted him to serve on committees**

where his wisdom, and leadership abilities brought out the appreciation the board shared in making decisions for all.

THE CHARTER TOWNSHIP OF CHOCOLAY
UNITES WITH ITS TOWNSHIP CITIZENS TO THANK
D A N M A K I

For his commitment of time to serve the citizens of the
CHARTER TOWNSHIP OF CHOCOLAY as
a TRUSTEE on its governing board.

For a four year term of office beginning in
2004 and ending in 2008.

His expertise as a local businessman was called on often to lend
his advice and wisdom in making decisions for all.

Trustee Sue Carlson, Treasurer John Greenberg, Deputy Treasurer Pat Beck, and Trustees Ken Tabor and John Trudeau were sworn into office by Clerk Hill.

SUPERVISORS REPORT.

1. We met with the contractor Arne Harris about the Ewing Pines subdivision work. The Township Board will consider the additional \$750.00.
2. Trustee Britton and Supervisor Seppanen are continuing to meet with the Marquette Commission on Aging with Chocolay resident needs.
3. Brad Johnson was hired as the new foreman for the Department of Public Works.
4. The Iron Ore Heritage Trail Authority is going to reorganize. They will reorganize without the two Townships that voted the millage down (Humbolt and Ely).
5. Someone will need to take Trustee Britton's place at the CABA meetings.

POLICE CHIEF CONFERENCE.

Tabor moved, Hill second to expend \$649.72 for the Police Chief's conference in Grand Rapids February 3 – 7 2009. This would come from the capital improvement police training fund 401.306.957.

ROLL CALL.

AYES: Britton, Trudeau, Greenberg, Hill, Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

2009 MEETING DATES.

Britton moved, Greenberg second that the following dates for the Chocolay Township Board, Planning Commission, Zoning Board of Appeals and Fire Department be approved for 2009.

Chocolay Township Board 7:00pm

January 19	July 20
February 16	August 17
March 16	September 21
April 20	October 19
May 18	November 9
June 15	December 14

Chocolay Township Planning Commission – 7:30

January – no meeting	July 13
February 9	August 10
March 9	September 14
April 13	October 12
May 11	November 2
June 8	December - no meeting

Zoning Board of Appeals – 7:30

January – no meeting	July 23
February 19	August – no meeting
March - no meeting	September 24
April 23	October 22
May 28	November- no meeting
June 25	December 17

Volunteer Fire Department:

Members – 2nd Thursday – 7:00pm business meeting
3rd and 4th Thursday 7:00pm training
Fire Department meetings at Fire Hall

AYES: 6

NAYS: 0

MOTION CARRIED.

DELINQUENT SEWER ROLL.

Greenberg moved, Britton second that the list of delinquent sewer charges and penalties as received from the Deputy Clerk, to be added to the December tax roll.

CHOCOLAY TOWNSHIP DELINQUENT SEWER USERS 2008				
Name	Tax ID Number	Address	City, State, Zip	Amount Due
Richard Ryan	52-02-490-004-00	114 Chocolay River Trail	Mqt MI 49855	324.72
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	324.72
Chocolay Children's Cen. Travis & Lisa Bera	52-02-251-006-00	324 Corning Street 197 Terrace Street	Mqt MI 49855	154.23
Quiznos	52-02-106-043-50	505 Corning Street	Mqt MI 49855	4565.27
Edie Dauphinais	52.02-215-005-00	144 East Fairbanks	Mqt MI 49855	162.36
Susan Racine	52-02-215-006-00	156 East Fairbanks	Mqt MI 49855	324.72
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	324.72
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	324.72
Anthony Rabitaille	52-02-455-038-00	214 Jean Street	Mqt MI 49855	162.36
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	324.72
Linda Bice	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	324.72
Richard Hillock	52-02-305-034-00	172 Riverside Road	Mqt MI 49855	324.72
Charlene Horvath	52-02-107-012-00	204 Silver Creek Road	Mqt MI 49855	324.72
Joseph & Barb Menze	52-02-107-063-00	328 Silver Creek Road	Mqt MI 49855	258.36
Steve Johnson	52-02-206-012-00	2424 U S 41 South	Mqt MI 49855	324.72
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	584.49
Wahlstrom Enterprise	52-02-107-007-00	5043 U S 41 South	Mqt MI 49855	8,962.29
Wahlstom-Sew It Seams	52-02-107-007-00	5045 U S 41 South	Mqt MI 49855	519.57
Steve Wahlstrom- Lark	52-02-107-004-00	5063 U S 41 South	Mqt MI 49855	1461.24
A & W Restaurant	52-02-440-002-00	6040 U S 41 South	Mqt MI 49855	42.08
Mike & Eva Schlenkert	52-02-455-001-00	132 Veda Street	Mqt MI 49855	162.36
Scott Henry	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	324.72
Dave/ Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	324.72
Jason Bernard	52-02-107-074-00	740 Willow Road	Mqt MI 49855	324.72
Kenneth Johnson	52-02-206-006-00	320 W. Main Street	Mqt MI 49855	162.36
Renee Rintimaki	52-02-210-008-00	310 W. Terrace Street	Mqt MI 49855	81.18
Gardner Bess	52-02-210-005-00	334 West Terrace Street	Mqt MI 49855	324.72
Joseph Stanaway	52-02-208-005-00	341 West Terrace	Mqt MI 49855	324.72
Marilyn Kremer	52-02-208-003-00	371 West Terrace	Mqt MI 49855	324.72
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	324.72
Kristine Dionne	52-02-106-043-00	110 West Wright Place	Mqt MI 49855	324.72
Tammy Riggie	52-02-253-025-00	117 W. Wright Place	Mqt MI 49855	124.72
Glen Carlson	52-02-213-004-00	350 West Wright Place	Mqt MI 49855	174.72
Total Delinquent Amount				23,422.55

AYES: 6 NAYS: 0 MOTION CARRIED.

ALTERNATE DATES FOR BOARD OF REVIEW.

Trudeau moved, Tabor second to accept the Township Board resolution establishing alternate start dates for the July or December Board of Review pursuant to Public Act 122 of 2008.

AYES: 6 NAYS: 0 MOTION CARRIED.

PLANNING COMMISSION APPOINTMENT.

Seppanen moved, Trudeau second that the Chocolay Township board appoints Andy Sikkema to fill the currently vacant seat on the Planning Commission to fulfill the unexpired term of Denny Magadanz which began on May 25, 2003 and will expire May 24, 2009.

AYES: 6 NAYS: 0 MOTION CARRIED.

ANNUAL APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS.

Greenberg moved, Hill second that Dennis Magadanz be appointed as a primary to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2009 to December 31, 2009.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Britton second that Mike Disch be appointed as a alternate to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2009 to December 31, 2009.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Greenberg second that Tina Fuller be appointed to the Personnel Committee for a term to run from January 1, 2009 to December 31, 2009.

AYES: 6 NAYS: 0 MOTION CARRIED.

Greenberg moved, Hill second that Brad Johnson be appointed to the Personnel Committee for a term to run from January 1, 2009 to December 31, 2009.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Britton second that John Greenberg be re-appointed to the Personnel Committee for a term to run from January 1, 2009 to December 31, 2009.

AYES: 6 NAYS: 0 MOTION CARRIED.

Britton moved, Hill second that Susan Carlson be appointed to the Personnel Committee for a term to run from January 1, 2009 to December 31, 2009.

Britton moved, Greenberg second that Greg Seppanen be re-appointed to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2009 to December 31, 2009.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Tabor second that Denny Magadanz be appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2009 to December 31, 2009.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Hill second that Mike Disch be appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2009 to December 31, 2009.

AYES: 6 NAYS: 0 MOTION CARRIED.

Britton moved, Greenberg second that Arlene E. Hill be appointed as representative to CABA for a term to run from January 1, 2009 to December 31, 2013.

AYES: 6 NAYS: 0 MOTION CARRIED.

Britton moved, Greenberg second that Jennifer Thum be appointed as an alternate to representative to CABA for a term to run from January 1, 2009 to December 31, 2013.

AYES: 6 NAYS: 0 MOTION CARRIED.

BUDGET WORKSHOP FY2009.

General Fund

Revenues – No change.

Salaries – No change.

Township Board – No change.

Supervisor – No change.

Election – No change.

Assessor – No change.

Clerk – No change.

Board of Review – No change.

Treasurer – No change.

Township Hall & Grounds – No change.

Other General government – No change in total – switch deductible to contingency.

Police – No change.

Fire – No change.

Streets – No change.

Sanitation – No change.

Recreation & Property – No change.

Zoning – No change.

Planning Commission – No change.

Zoning Board of Appeals – No change.

Capital Improvements Fund

Expenditures – No change.

Wastewater Fund

Revenues – No change.

Expenditures – No change.

PUBLIC COMMENT.

Chief Zybert – There is a problem with vehicles blocking the Township driveway on Silver Creek Road. It is dangerous for vehicles waiting to turn in our parking lot, especially noticed on election day.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

A. Magnum Farm Update

Supervisor Seppanen adjourned the meeting at 8:40 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

7. All resolutions and parts of resolutions in so far as they conflict with provisions of this resolution are rescinded.

8. 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: Tabor, Hill, Carlson, Trudeau, Greenberg, Seppanen.

NAYS: Maki

MOTION CARRIED

ZONING AMENDMENT – POLITICAL SIGNS.

Trudeau moved, Tabor second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to Ordinance 34 of the Charter Township of Chocolay, Marquette, County, Michigan: #34-08-02. (In accordance with the Michigan Zoning Enabling Act 2006)

AMENDMENT #34-08-02

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended April 21, 2008, be further amended as follows:

Sign Regulation.

Section 18.4 Sign Exemptions from Sign Regulations

(L) Political signs which are intended to advertise a public election, issues to be balloted upon in that election, promoted individuals and/or parties participating in the election are exempt providing that no sign shall have an area exceeding four square feet in area. Sign area may be increased to thirty two, provided that the sign is so located that no portion of the sign is located on the public right of way or lands of which are being used for public right of way and further provided that all political signs be removed within ten days after the election, and provide that all signs authorized are authorized for 90 days prior to any election.

AYES: 5

NAYS: 2

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2008 AMENDMENT NO. 7 - POLICE TRAINING FUNDS-STATE OF MICHIGAN.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on December 17, 2007 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training			
Capital Outlay			
401.306.957	\$2011.58	+\$448.32	\$2,459.90

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI			
401.543	\$16,215.65	+\$448.32	\$16,663.97

ROLL CALL .

AYES: Tabor, Hill, Carlson, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2008 - AMENDMENT NO. 4 REIMBURSEMENT FOR ALCOHOL GRANTS

Tabor moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 17, 2007 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	\$234,849.92	+\$9,841.44	\$244,691.36

Vehicle Operations			
101.305.742	\$21,350.00	+\$ 231.47	\$21,581.47

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			

101.698 \$35,639.00 \$10,072.91 \$45,711.91

ROLL CALL.

AYES: Trudeau, Maki, Greenberg, Tabor, Hill, Carlson, Seppanen.

NAYS: None.

MOTION CARRIED

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2008 **AMENDMENT NO. 8** FEDERAL REGIONAL GRANT.

Trudeau moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on **December 17, 2007**, 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
Fire Department Capital Outlay 401.341.957	\$285,617.60	+\$33,749.00	\$319,366.60

REVENUE	PREVIOUS	CHANGE	AMENDED
Federal Grant 401.501	\$314,038.60	+\$33,749.00	\$347,787.60

ROLL CALL .

AYES: Tabor, Hill, Carlson, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED

PURCHASE OF DRESS UNIFORMS FIRE DEPARTMENT.

Hill moved, Trudeau second to award the purchase of complete dress uniforms to Metropolitan Uniform and Equipment Company with the purchase price not to exceed \$6,000.00. The funds will come from KBIC monies in the department's Capital Improvement Fund 401.340.957.

ROLL CALL .

AYES: Trudeau, Maki, Greenberg, Tabor, Hill, Carlson, Seppanen.

NAYS: None.

MOTION CARRIED

IDENTITY THEFT PREVENTION.

Hill moved, Greenberg second to approve and enact the Identity Theft Prevention Program and to appoint Deputy Clerk, Mary Sanders as the liaison of this program.

AYES: 7 NAYS: 0

MOTION CARRIED.

IRON ORE HERITAGE RECREATION AUTHORITY RESOLUTION.

Greenberg moved, Tabor second that

WHEREAS, the Township of Chocolay endorses the Recreation Authority and its goal to develop, manage, and maintain the Iron Ore Heritage Trail.

WHEREAS, the Township of Chocolay will work with its neighbors for the development of a connected trail system.

WHEREAS, the Township of Chocolay endorses the Iron Ore Heritage Trail as an interpretative trail with signage and interpretation of our region's mining heritage.

WHEREAS, the Township of Chocolay endorses the Iron Ore Heritage Trail as a tool for economic development through the preservation of our history and traditions.

WHEREAS, the Township of Chocolay endorses the Iron Ore Heritage Recreation Authority ballot request of a millage increase in 2010.

WHEREAS, the Township of Chocolay understands that the IOHRA will continue as a Recreation Authority for the duration of the approved millage or will dissolve within sixty (60) days from and after the election date in 2010 if any of the electors in any of the participating municipalities of the Authority fail to approve a public recreation tax on all of the taxable property within each of the participating municipalities of the Authority by November 2010.

NOW THEREFORE IT BE RESOLVED that the Township of Chocolay supports the continuation of the Recreation Authority for the development, management, and maintenance of the Iron Ore Heritage Trail.

AYES: 7 NAYS: 0

MOTION CARRIED.

EWING PINES BILL BUDGET APPROPRIATION.

Trudeau moved, Tabor second to expend \$750.00 payable to A & A Drain from account 571.930 Repairs and Maintenance in the Township Sewer Fund.

ROLL CALL .

AYES: Tabor, Hill, Carlson, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED

EWING PINES BUDGET APPROPRIATION.

Trudeau moved, Hill second to expend 3,563.55 payable to STS Consultants from account 571.801 professional services from the Township Sewer Fund.

ROLL CALL .

AYES: Trudeau, Maki, Greenberg, Tabor, Hill, Carlson, Seppanen.

NAYS: None.

MOTION CARRIED

BOARD APPOINTMENTS.

Tabor moved, Hill second that Mike Summers be re-appointed to the Pension Commission for a term to run from January 1, 2009 to December 31, 2014 (6 year term).

AYES: 7 NAYS: 0

MOTION CARRIED.

Hill moved, Trudeau second that Ken Tabor be re-appointed to the Election Commission for a term to run from January 1, 2009 to December 21, 2012 (four year term).

AYES: 7 NAYS: 0

MOTION CARRIED.

Hill moved, Tabor second that John Trudeau be re-appointed to the Election Commission for a term to run from January 1, 2009 to December 21, 2012 (four year term).

AYES: 7 NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Marquette County Solid Waste Management Authority Information
- B. Board update from employee staff meeting
- C. Communication from Charter Communication
- D. Safety and Health Program
- E. Planning Commission Annual Report

Supervisor Seppanen adjourned the meeting at 8:20 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

January 19, 2009

A Regular meeting of the Chocolay Township Board was held on Monday, January 19, 2009 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Ken Tabor, Mark Maki, Susan Carlson.

ABSENT: None.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Denny Magadan, Gary Johnson, Scott Jennings and Brad Johnson.

MINUTES –December 15, 2008.

Tabor moved, Greenberg second that the minutes of the regular meeting held on December 15, 2008 are approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Trudeau moved, Hill second to one addition to the agenda – item H. Iron Ore Heritage Trail.

AYES: 6 **NAYS:** 1 **MOTION CARRIED.**

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$201,498.88 checks numbered 15189– 15217 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved, Tabor second that bills totaling \$39,869.38 checks numbered 15218 – 15237 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Tabor moved, Trudeau second that bills totaling \$7,505.49 checks numbered 15238 – 15255 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Hill moved, Tabor second that payroll for December 23, 2008 for \$29,041.10 and January 8, 2009 for \$29,240.48 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

Trustee Trudeau requested that all investment not go over \$250,000.00 per bank.

SUPERVISORS REPORT.

1. I met with Representative Lindberg on the multi-use bridge in Chocolay, he feels that financing will be difficult.
2. The Township is looking into how the donation of Chocolay Downs Golf Course to N.M.U will affect us.
3. We have received another KBIC 2% check. I met with department heads to discuss disbursement and we will bring a budget amendment to the February meeting.

TOWNSHIP REAPPRAISAL.

The Board discussed a complete reappraisal and/or a complete update on field cards. Trustee Maki questioned why his letter to the Board on this matter was not in the packet and why we would consider a reappraisal with out the State requiring it? Trustee Trudeau feels the housing market is too uncertain to do a complete reappraisal in 2009. Treasurer Greenberg feels we should look at an in house card up date. We could hire part time help for the assessor in the summer of 2009 and consider only updating 80 % of the cards in 2009. Our assessor could update the other 20% of the cards starting in 2010 and continuing updating 20% each year thereafter.

An in house proposal for updating assessment cards will be brought to the Board on the February agenda.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2008 AMENDMENT NO. 5 WAGE STUDY AND D.P.W. SALARY.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 17, 2007, 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
Township Board Legal/Consulting 101.103.826	15,000.00	+5,000.00	20,000.00
Parks and Properties Salaries 101.756.702	48,357.24	+2,000.00	50,357.24
Parks and Properties Part-Time 101.756.705	6,200.00	+1,100.00	7,300.00
Other General Government Contingency 101.285.951	50,800.00	-8,100.00	42,700.00

ROLL CALL.

AYES: Trudeau, Maki, Tabor, Carlson, Hill, Greenberg, Seppanen.

NAYS: None

MOTION CARRIED.

WASTEWATER RATES AND OM& R RESOLUTION 2009.

Tabor moved, Greenberg second that

WHEREAS, the revenues and expenditures for the wastewater collection and treatment system have been reviewed, and

WHEREAS, the current user fee of \$24.60 is not adequate for the projected replacement cost of the system, therefore a rate of \$25.60 will be necessary and

WHEREAS, the equivalent user fee of \$25.60 per month will be sufficient to offset the Township's share of the OM&R cost for the wastewater treatment plant, and

WHEREAS, the equivalent user fee of \$25.60 will be adequate for the collection system OM&R cost, now therefore

BE IT RESOLVED, the Chocolay Township Board establishes the equivalent user fee of \$25.60 for the fiscal year 2009.

ROLL CALL.

AYES: Carlson, Hill, Greenberg, Trudeau, Maki, Tabor, Seppanen.

NAYS: None

MOTION CARRIED.

ZONING BOARD OF APPEALS APPOINTMENTS.

Tabor moved, Greenberg second to appoint Chocolay Township board member John Trudeau as the Board representative to the Chocolay Township Zoning Board of Appeals as a regular member, Mr. Trudeau's term shall run in conjunction with his Township Board term ending November 20, 2012. The Board also appoints Mr. Dan Maki as an alternate to the Zoning Board of Appeals, Mr. Maki's term shall end May of 2011. The appointments are provided for the Michigan Zoning Enabling Act, Act 110 of 2006, and section XV of the Chocolay Township Zoning Ordinance.

AYES: 7 NAYS: 0

MOTION CARRIED.

MICROSOFT 2007 PROFESSIONAL PACKAGE.

Trudeau moved, Tabor second to allow the purchase of Microsoft Office 2007 for a total not to exceed \$522.55 from the Capital Improvements Fund account 401.258.957 and to be installed on Jennifer Thum's computer

ROLL CALL.

AYES: Trudeau, Maki, Tabor, Carlson, Greenberg, Seppanen.

NAYS: Hill.

Treasurer Greenberg asked that we look into the cost of putting the Microsoft office 2007 on the server before purchasing it for one machine.

VEHICLE POLICY.

Trudeau moved, Tabor second to approve the Township vehicle policy with changes from Treasurer Greenberg.

AYES: 7

NAYS: 0

MOTION CARRIED.

SAFETY AND HEALTH PROGRAM.

Trudeau moved, Hill second that the Chocolay Township Board adopts a Safety and Health program dated January 2009 and appoint Greg Seppanen, Supervisor, Brad Johnson, DPW Foreman, Tom Murray, Community Development Coordinator and Mary Kratzke, Police Administrative Assistant as Township representatives.

AYES: 7

NAYS: 0

MOTION CARRIED.

IRON ORE HERITAGE TRAIL.

Don Britton, representing the Iron Ore Heritage Trail spoke to the Board on the reorganization of the Heritage Trail group. After the November 2008 election the Heritage Trail reorganized with 9 governmental units (not including Humbolt Township). They are requesting \$1,000.00 from Chocolay Township in place of the original request of \$500.00.

Greenberg moved, Tabor second to authorize the originally budgeted \$500.00 to the Iron Ore Heritage Trail Authority and have the I.O.H.T. bring a copy of their budget to our next Board meeting and the Board will discuss the additional \$500.00.

ROLL CALL.

AYES: Carlson, Hill, Greenberg, Trudeau, Maki, Tabor, Seppanen.

NAYS: None

MOTION CARRIED.

PUBLIC COMMENT.

Wayne Dees, Woodvale – agrees on the \$250,000.00 investment limit per bank. Feels the Township should hire a firm to re-do the assessment cards in Chocolay. Chocolay Township should actively seek applicants for Board and Commissions. He sent a letter to the Supervisor on the Zoning Administrator.

Tim Roberts – Questioned the legality of checking employee driving records.

Trustee Maki – Request Wayne Dees letter be available for the Board. Wants a policy on how to get an item on the agenda.

Trustee Trudeau – His understanding is that the Supervisor sets the agenda. If two board members request an item be on the agenda.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Board update from employee staff meeting
- B. Communication from Charter Communication
- C. Summary of Changes to the Michigan Zoning Enabling Act (PA 110 of 2006) Made by PA12 of 2008
- D. Political Sign Amendment Clarification

Supervisor Seppanen adjourned the meeting at 8:15 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

Fire Department			
401.340.957	\$344,601.51	+ \$35,654.89	\$380,256.40
Recreation & Property			
401.756.957	\$93,358.39	+ \$6,000.00	\$99,358.39

ROLL CALL.

AYES: Trudeau, Tabor, Carlson, Hill, Greenberg, Seppanen.

NAYS : Maki. *

MOTION CARRIED.

*Voted no on the \$4,000.00 for Township Hall and Grounds.

MARQUETTE AREA WASTEWATER TREATMENT ADVISORY BOARD.

Tabor moved, Maki second that Dennis Magadanz be re-appointed to the Marquette Area Wastewater Treatment Advisory Board for a term to run from January 1, 2009 to December 31, 2010.

AYES: 7 NAYS: 0

MOTION CARRIED.

ZONING AMENDMENT PROCEEDURES.

Trudeau moved, Greenberg second to not concur with staff and the township attorney and to have the Township Board do first and second readings of a proposed zoning amendment before it's adoption by the Township Board. The Township Board will accept the procedure that was done for the political sign zoning amendment, but for any future zoning amendments the Township Board will follow the new procedure.

AYES: 7 NAYS: 0

MOTION CARRIED.

MUNICIPAL SIGNAGE.

Tabor moved, Hill second, that the Chocolay Township Board approves the expenditure of \$4,000.00 from the Township Hall and Grounds Capital Improvement Fund #401.265.957 to Cook Sign Service for municipal signage.

ROLL CALL.

AYES: Trudeau, Tabor, Carlson, Hill, Greenberg, Seppanen.

NAYS : Maki.

MOTION CARRIED.

2009 MICHIGAN MUNICIPAL TREASURERS INSTITUTE.

Maki moved, Tabor second to expend \$1,346.00 for the Michigan Municipal Treasurers Institute program in Mount Pleasant April 26 through May 1, 2009. This would come from the Other General Government training and education account # 101.285.840.

ROLL CALL.

AYES: Hill, Greenberg, Maki, Trudeau, Tabor, Carlson, Seppanen.

NAYS : None.

MOTION CARRIED.

HIGHWAY OVERPASS ON M-28.

Trustee Maki feels that it is an eyesore and the Township should work on getting rid of it. Supervisor Seppanen said that the DNR owns it and they do not want to spend any money on it. If the Iron Ore Heritage Trail takes the overpass over with the trail system, it is possible that we will have leverage with them. Treasurer Greenberg feels that we should contact the DNR about the overpass. Supervisor Seppanen will contact the D N R on this matter.

JOINT MEETING CHOCOLAY TOWNSHIP BOARD /PLANNING COMMISSION.

Chocolay Township Board will set up the annual meeting with the Planning Commission to discuss the master comprehensive plan, trails, corridor enhancement and landscaping.

PUBLIC COMMENT.

Wayne Dees, 512 Woodvale – Questioned the Township investment policy.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Board update from employee staff meeting
- B. Letter about Lakenenland
- C. 2009 Assessing Roll and Assessor's Comments
- D. Marquette Area Wastewater Treatment Facility Advisory Board
- E. Police Stats for 2008
- F. Charter Communication
- G. Iron Ore Heritage Trail Budget

Supervisor Seppanen adjourned the meeting at 8:05 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

ZONING BOARD OF APPEALS ALTERNATE.

Maki moved, Tabor second to appoint Mr. Lee Snooks as the second alternate to the Zoning Board of Appeals, Mr. Snooks term shall end May of 2012. This appointment is provided for by the Michigan Zoning Enabling Act, Act 110 of 2006 and section XV of the Chocolay Township Zoning Ordinance.

AYES: 7 NAYS: 0 MOTION CARRIED.

MARQUETTE CRIME LAB.

Hill moved, Greenberg second that we find the letter concerning the Marquette Crime Lab acceptable and authorize Greg Seppanen, Township Supervisor to sign the letter on behalf of Chocolay Township.

AYES: 7 NAYS: 0 MOTION CARRIED.

DEFICIT ELIMINATION RESOLUTION.

Trudeau moved, Greenberg second that WHEREAS, the Charter Township of Chocolay Fire Millage Fund has a \$(143,624.00) deficit fund balance on December 31, 2008; 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:

	2008	2009	2010
Fund Balance (Deficit) January 1	0	(143,624.00)	(129,048.00)
Revenue Property Tax	117,616.00	122,383.00	129,048.00
Revenue Other	595.00	0	0
Revenue Total	118,211.00	122,383.00	129,048.00
Expenditure Capital Outlay	261,835.00	107,807.00	0
Expenditure Total	261,835.00	107,807.00	0
Fund Balance (Deficit) December 31	(143,624.00)	(129,048.00)	0

BE IT FURTHER RESOLVED that the Charter Township of Chocolay Supervisor, Greg Seppanen submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

Ayes: 7 Nays: 0 MOTION CARRIED.

FIRE DEPARTMENT EXPENDITURE REQUEST – TURN OUT GEAR RACKS.

Trudeau moved, Tabor second allow the fire department to purchase turn out gear racks using funds from the departments 2009 budget line items capital outlay and uniforms and accessories. This purchase will not exceed \$4,500.00 from 101.340.745 uniforms and accessories and \$3,000.00 from 101.340.957 capital outlay. The fire department will bring an estimate to the Township Supervisor for approval before ordering the turn out gear rack.

ROLL CALL.
AYES: Maki, Trudeau, Tabor, Carlson, Hill, Greenberg, Seppanen.
NAYS: None. MOTION CARRIED.

PUBLIC COMMENT.

Wayne Dees- Commented on the agenda, ZBA minutes and the Planning Commission.

Ken Hill – Question on the Township compost location and availability to residents.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Board update from employee staff meeting
- B. Minutes from the Marquette County Townships Association - January 21, 2009
- C. Senior involvement at Marquette Public Schools
- D. Audit Correspondence
- E. Marina sign

Supervisor Seppanen adjourned the meeting at 7:55 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

ADDITIONAL HOURS DEPUTY TREASURER.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2009 AMENDMENT NO. 1 WAGE AND FRINGE BENEFIT FOR DEPUTY TREASURER INCREASE IN HOURS.

Greenberg moved, Trudeau second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 15, 2008, 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
Treasurer Department Salary 101.253.702	32,007.00	+2,508.00	34,515.00
Other General Government Health Insurance 101.285.925	176,381.00	+2,390.00	178,771.00
Other General Government Pension 101.285.926	64,425.00	+ 251.00	64,676.00
Other General Government Social Security 101.285.945	50,292.00	+ 192.00	50,484.00
Other General Government Contingency 101.285.951	41,950.00	-5,341.00	36,609.00

ROLL CALL:

AYES: Tabor, Carlson, Hill, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

ZONING BOARD OF APPEALS PLANNING COMMISSION APPOINTEE.

Tabor moved, Greenberg second that we the Chocolay Township Board concur with the Planning Commission and appoint Kendal Milton to serve on the Zoning Board of Appeals as their representative. Mr. Milton's term will be from April 13, 2009 to May 24, 2009.

AYES: 7 NAYS: 0

MOTION CARRIED.

ASSISTANCE TO FIRE FIGHTERS GRANT REQUEST.

Tabor moved, Hill second to authorize the Fire Department to apply for two AFG grant requests; one for replacement of the brush fire unit and the second for the purchase of a thermal imager and fit tester. The total amount of the grants will be \$198,000.00 with a department match of \$9,900.00.

AYES: 7 NAYS: 0

MOTION CARRIED.

BID SPECIFICATIONS FOR BREATHING AIR COMPRESSOR

Greenberg moved, Tabor second to authorize the Fire Department to seek bids for a complete Breathing Air Compressor System. The fire department will present the Board a bid tabulation and recommendation for award at their regular meeting on May 18, 2009.

AYES: 7 NAYS: 0

MOTION CARRIED.

EMPLOYEE POLICY MANUAL.

The Board discussed the policy manual revision and made some changes. The updated changes will be brought back to the Board at the May 18, 2009 meeting.

SCRAP METAL COLLECTION

Greenberg moved, Tabor second that the Chocolay Township Board accepts the bid from Sands Auto Salvage for scrap metal pickup in the Township.

AYES: 7 NAYS: 0

MOTION CARRIED.

TOWNSHIP ROAD RESURFACING RFP.

Bid specifications on the road resurfacing were presented to the Board for information purposes only. This will be brought back to the Board at the May 18, 2009 meeting.

FRED RYDHOLM RESOLUTION.

Maki moved, Greenberg second that

THE CHARTER TOWNSHIP OF CHOCOLAY
Board members, staff, and citizens
Join together to express to Fred Rydholm's
Family, close friends, neighbors and others who's life has been suddenly
Jarred by the call home of Fred to a better land.

As we join our hearts and hands in a solemn salute

To Fred Rydholm as his time of passing has come,
Our lives have benefited because of who he was,
What he was, and he stands a monument and
Inspiration of what a friend and neighbor should be.

In commenting on his own life Fred said "I've never considered myself a writer. I'm just a story teller"

We thank God for the stories you've told us. How alive you have made our lives. As with you we saw our streets and neighborhoods come to life. We lived through you and grew in wisdom as we joined your story telling audience.

Thank you Fred, rest
in peace. Amen.

AYES: 7

NAYS: 0

MOTION CARRIED.

MCTA SPRING BANQUET

Hill moved, Tabor second that the Township pay the dinner cost of \$25.00 for all employees, Township Board members, Planning Commission members, and ZBA members to attend the 2009 Marquette County Township Association banquet on Friday, May 28, 2009.

AYES: 6

NAYS: 1

MOTION CARRIED.

PUBLIC COMMENT.

Clerk Hill told the Board that Debra Heinzelman is the new Administrative Assistant, she took Cathy Phelps position.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Board update from employee staff meeting
- B. Police Quarterly Stats
- C. Letter from LSCP about Crime Lab
- D. Information on RR overpass over M-28
- E. Magnum Farm article
- F. Map of proposed Marquette Skate Park
- G. Chocolay Township Volunteer Fire Rescue Department Monthly Report

Supervisor Seppanen adjourned the meeting at 8:15 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 18, 2009

A joint meeting of the Chocolay Township Board and Chocolay Township Planning Commission was held on Monday, May 18, 2009 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Planning Commission Chair Denton called the Planning Commission meeting to order and Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Ken Tabor, Mark Maki, Susan Carlson.

ABSENT: None.

PLANNING COMMISSION.

PRESENT: Estelle Devooght, Ken Tabor, Al Denton, Andy Sikkema, Steve Kinnunen, Andy Smith, Kendell Milton.

ABSENT: None.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Brad Johnson, Denny Magadanz, Pat Beck, Gary Heinzelman.

The first item on the agenda was to look at the new fire truck. Both boards went out to see the truck and returned at 7:15 pm.

Discussion by both Planning and Township Boards:

- The two large projects going on in the Township currently are McDonalds and Blondeau Trucking. Both are very attractive projects with much public support.
- It would be good to have an overview of the comprehensive plan and how the zoning ordinance works with it.
- The Planning Commission and Board considered not allowing any new private roads in Chocolay. The final decision was to require that private roads use county road standards when being built. Cul-de-Sacs are only allowed to be temporary in Chocolay Township sub-divisions. All sub divisions must have two outlets.
- Shared driveways are a problem.
- The Planning Commission would like direction from the Township Board on what they want the Planning Commission to work on in the future.
- The comprehensive plan will be updated again next year.
- The Planning Commission plans for the future and still has to respond to what is currently happening.
- The 2010 census will most likely show an aging population in Chocolay. The Planning Commission should be looking into transportation and housing for the elderly and how to attract the youth.
- The Planning Commission should be looking at highway issues including the proposed tunnel.
- Water should be a concern of this Township, we should be looking at bringing water lines from the City of Marquette.
- The proposed zoning amendments 34-09-1 through 34-09-16 were looked at by the two boards.
- The Township web site was discussed; staff is looking for any changes or addition the Board would like to see.
- Andy Sikkema, Planning Commissioner and representative of MDOT explained the 2009-2010 highway improvements. The intersection at M-28 and U S 41 will be realigned in 2009. Patching and sections will be worked on from the Welcome Center to the intersection in 2009. The pedestrian bridge on M-28 and the tunnel on U S 41 will be 2010 projects. The bike trail from the Welcome Center to Carp River will be relocated away from the highway in 2010. Along with all of these projects landscaping will include planting many trees with consideration of clear vision for traffic.
- Planning Director, Jennifer Thum reported on the Coastal Grant Application with a resolution to be presented to the Board later in the meeting.

Commissioner Denton adjourned the Planning Commission portion of the meeting at 8:40 pm.

MINUTES – April 20, 2009.

Greenberg moved Trudeau second that the minutes of the regular meeting held on April 20, 2009 are approved.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

None.

NOW THEREFORE, BE IT RESOLVED, that the Charter Township of Chocolay approves the submission of the grant application to the Michigan Coastal Management Program in the amount of \$30,000.00 for the Comprehensive Plan update and other grant application elements and commits that the local match shall be provided if the project is funded.

AYES: 6 AYS: 1

MOTION CARRIED.

REQUEST FROM LION'S CLUB FOR EXEMPTION OF MEETING ROOM.

Hill moved, Trudeau second to approve the meeting room fee exemption request from the Chocolay Lion's Club due to their long history of public service to Chocolay Township.

AYES: 7 NAYS: 0

MOTION CARRIED.

ASSESSING DEPARTMENT SUMMER WORKER.

Tabor moved, Greenberg second to move \$2,500.00 from CIF Assessing 401.202.957 to general fund assessing 101.202.705.

ROLL CALL.

AYES: Trudeau, Maki, Tabor, Carlson, Hill, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Cathy Peterson commented on the Lion's Club and asked the Board to be conservative with tax dollars.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Board update from employee staff meeting
- B. Marquette Area Wastewater Treatment Facility Advisory Board minutes and annual report
- C. Correspondence from the Department of Treasury for our township financial plan

Supervisor Seppanen adjourned the meeting at 9:25 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

June 15, 2009

A Regular meeting of the Chocolay Township Board was held on Monday, June 15, 2009 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Ken Tabor, Mark Maki, Susan Carlson.

ABSENT: None.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Brad Johnson, Denny Magadanz, Gary Johnson.

MINUTES – May 18, 2009.

Tabor moved Greenberg second that the minutes of the regular meeting held on May 18, 2009 are approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Hill moved, Tabor to add Fire Department Air Compressor bid as agenda item XII C.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Hill moved, Trudeau second that bills totaling \$49,216.99 checks numbered 15524– 15558 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved, Tabor second that bills totaling \$20,343.75 checks numbered 15559– 15589 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Hill moved, Tabor second that bills totaling \$17,372.91 checks numbered 15590– 15609 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Tabor moved Maki second that payroll for May 28, 2009 for \$30,425.46 and June 11, 2009 for \$26,438.51 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

Maki moved Tabor second that the Treasurer report is accepted.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

SUPERVISORS REPORT.

- Multi use trail Chocolay River bridge construction timeline was presented to the Board.
- MDOT has confirmed the corridor enhancement.
- Utility Review Committee has been looking at updating the agreement and looking at the dollar amount that they may keep on hand for litigation. Currently, the URC has permission to keep \$100,000.00, and they are asking to increase that amount to \$200,000.00. The URC Township Board appointees have gone to their respective boards and asked the same question. Some have agreed to increase the amount. Trustee Trudeau gave a brief history of the Utility Review Committee and how it was founded 26 years ago. Trustee Trudeau explained the binding arbitration clause contained in the franchise agreement and with that there is no need to increase the funds to \$200,000.00. The URC committee will have another meeting to decide on the amount that can be held and will work on a new franchise agreement with the Marquette Board of Light and Power. The Supervisor’s of the Townships involved will meet on July 9th prior to the next URC committee meeting.

Trustee Maki had questions on the US 41 corridor pertaining to lighting, boulevards and the tunnel. The boulevards were dropped early on in the process because of maintenance and snow removal. The tunnel was chosen because the overpass will come down and there would not be a safe way to cross U S 41 for pedestrians.

BOARD MEETING POLICIES.

Greenberg moved, Tabor second to accept the Chocolay Charter Township Board Policies dated April 20, 2009 with the following changes - Regular meetings: The Chocolay Township Board will *normally* hold

their regular meeting on the third Monday of each month. Township board agenda: add new bullet **Any two board members may add an item to the agenda one week prior to the meeting.** Ethics: A public official shall make public **any material conflict** of interest the **official has** with respect to any issue under consideration by the board/commission.

AYES: 7 NAYS: 0 MOTION CARRIED.

MDOT LANDSCAPING PLAN.

Jennifer Thum, Planning Director reported to the Board the changes in the landscaping design along the U S 41 corridor. The trees and shrubs will be more spread throughout the corridor and a more salt/snow resistant and low maintenance species was selected.

Trudeau moved, Tabor second to accept the staff corridor landscape plan.

AYES: 7 NAYS: 0 MOTION CARRIED.

FIRE DEPARTMENT AIR COMPRESSOR.

Hill moved, Tabor second to award the bid for the purchase and installation of a complete air compressor refill station to Pomasl Fire Equipment for the amount of \$30,564.

- \$29,034.00 from 401.340.957 (to be reimbursed by federal grant)
- \$ 1,530.00 from 101.340.957 (budgeted)

ROLL CALL.

AYES: Carlson, Hill, Trudeau, Maki, Tabor, Greenberg, Seppanen.

NAYS: None. MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2009 – AMENDMENT NO. 1 POLICE TRAINING FUNDS – STATE OF MICHIGAN.

Greenberg moved, Maki second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on **December 15, 2008** 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	\$1,541.90	+\$399.96	\$1,941.86
REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 401.543	\$-0-	+\$399.96	\$399.96

ROLL CALL.

AYES: Trudeau, Maki, Tabor, Carlson, Hill, Greenberg, Seppanen.

NAYS: None. MOTION CARRIED.

FIRE TRUCK CAPITAL IMPROVEMENTS FUND EXPENDITURE.

Tabor moved, Hill second that the Board approve the expenditure of \$119,284.83 from the Fire Department Capital Improvement Fund #401.340.957 to pay the balance of the fire truck, covering the amount the three year fire millage did not cover.

ROLL CALL.

AYES: Carlson, Hill, Trudeau, Maki, Tabor, Greenberg, Seppanen.

NAYS: None. MOTION CARRIED.

REQUEST FOR ASSISTANCE FOR FIRE HALL CONSTRUCTION GRANT.

Trudeau moved, Tabor second to allow the fire department to submit an Assistance for Fire Hall Construction Grant in the amount of \$900,000.00 and the Township Board will commit \$400,000.00 to the project.

AYES: 7 NAYS: 0 MOTION CARRIED.

FIRE DEPARTMENT ANNUAL UPDATE TO SOG AND BYLAWS.

Hill moved, Trudeau second to approve the suggested changes to the Fire Department Standard Operating Guidelines and their Constitution and Bylaws.

AYES: 7 NAYS: 0 MOTION CARRIED.

CAPITAL IMPROVMENT BUDGET AMENDMENT NO. 2 FY2009 KBIC 2% MONEY DISBURSEMENT.

Trudeau moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated Capital Improvement Fund receipts within the township on December 15, 2008 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or

needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
KBIC 2% Gaming Money 401.582	\$0.00	+\$35,000.00	\$35,000.00
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department 401.340.957	\$335,221.77	+ \$35,000.00	\$370,221.77

ROLL CALL.

AYES: Trudeau, Maki, Tabor, Carlson, Hill, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

ROAD RESURFACING BID.

Greenberg moved, Maki second to award the bid to Superior Paving in the amount of \$235,392.50 for the resurfacing of 10,000 feet of roads as noted in the request for proposals dated May 27th, 2009.

ROLL CALL.

AYES: Carlson, Hill, Trudeau, Maki, Tabor, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Trustee Trudeau asked if the site plan fee for Blondeau Trucking paid for the engineering work that the Township had done.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Board update from employee staff meeting
- B. Marquette Area Wastewater Treatment Facility Advisory Board minutes
- C. Letter from the Chocolay Lions Club
- D. Best New Sign Award
- E. Press Release from MDOT

Supervisor Seppanen adjourned the meeting at 8:25 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

July 20, 2009

A regular meeting of the Chocolay Township Board was held on Monday, July 20, 2009 at the Chocolay Township Office, 5010 U.S. 41 South, Marquette, Michigan. Supervisor Greg Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD:

PRESENT: Greg Seppanen, Arlene Hill, John Trudeau, Ken Tabor, Mark Maki, Susan Carlson.

ABSENT: John Greenberg

STAFF PRESENT: Jennifer Thum, Denny Magadanz, Gary Johnson, Debra Heinzelman, Chief Greg Zyburt

MINUTES – June 15, 2009

Tabor moved, Trudeau second that the minutes of the regular meeting held on June 15, 2009 are approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Agenda was discussed and adjustments will be made in the future.

PUBLIC COMMENT.

Dick Arnold expressed concern for commercial vehicle parking in residential districts and junk cars parked in yards. Mr. Arnold submitted pictures to the Board of his neighbor, Don Johnson, who he believes is in violation of the Township Zoning Ordinance. Mr. Arnold stated the pictures were just taken and the dates are on the pictures.

Investment policy for township was discussed. Seppanen will follow-up with Thum.

ACCOUNTS PAYABLE.

Hill moved, Trudeau second that bills totaling \$39,789.87, checks numbered 15610-15638 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Hill second that bills totaling \$4,474.80, checks numbered 15639-15653 be approved for payment.

AYES: 6 NAYS: 0

Trudeau moved, Hill second that bills totaling \$36,361.15, checks numbered 15654-15684 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Trudeau second that payroll for June 25, 2009 for \$30,217.26; July 9, 2009 for \$34,622.90; and July 23, 2009 for \$29,813.13 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

Trudeau moved, Tabor second that the Treasurer’s report is accepted.

AYES: 6 NAYS: 0 MOTION CARRIED.

PRESENTATIONS:

None Scheduled.

SUPERVISOR’S REPORT:

- Utility Review Committee investment policy discussed
- Summer Road Work has begun and will run to October.

Trudeau moved, Hill second to authorize maximum \$10,000 repair of fire department pumper truck.

ROLL CALL.

AYES: Carlson, Hill, Trudeau, Maki, Tabor, Seppanen

NAYS: None MOTION CARRIED.

UNFINISHED BUSINESS.

Moved by Tabor and supported by Trudeau that the request from SOUC' INC. is approved to transfer stock in a 2008 Class C Licensed Business with Dance-Entertainment permit, located at 200 Main, Marquette, MI 49855, Chocolay Township, Marquette County, thru issuance of an additional 999 shares of stock from the corporation to existing stockholder, Timothy P. Soucy; add Rebecca A. LaValley as new stockholder thru transfer of 500 shares from existing stockholder, Timothy P. Soucy; and drop Rebecca A. LaValley as stockholder through transfer of 500 shares to existing stockholder, Timothy P. Soucy.

AYES: 6 NAYS: 0 MOTION CARRIED.

NEW BUSINESS.

NMU LIQUOR LICENSE

Moved by Trudeau and supported by Tabor that the Charter Township of Chocolay recommends the transfer of ownership of 2009 Class C Licensed Business, located in escrow at 1700 Presque Isle, Marquette, MI 49855, Marquette County from Keltina, Inc. to Board of Trustees Northern Michigan University; and transfer location (governmental unit) (MCL 436.1531(1) 125 Chocolay Downs Golf, Marquette, MI 49855, Chocolay Township, Marquette County and request a new dance and entertainment permit. This approval is being granted with the condition that there will be no adult entertainment allowed on site.

AYES: 6 NAYS: 0 MOTION CARRIED.

POLICE BUDGET SNOWMOBILE GRANT

Moved by Tabor and supported by Trudeau that Whereas a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 15, 2008 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Capital Outlay			
101.305.957	3,660.00	+195.10	3,855.10
Salaries			
101.305.702	240,249.00	+6,477.10	246,726.10
Temporary/Part-time Salaries			
101.305.705	22,400.00	+59.72	22,459.72
REVENUE			
State of MI			
101.543	13,000.00	+6,731.92	19,731.92

AYES: 6 NAYS: 0 MOTION CARRIED.

FIRST READING OF PROPOSED ZONING ORDINANCES

Draft Amendments 34-09-01 to 34-09-13 reviewed and discussed.

34-09-01

This was sent back to the Planning Commission because trustees wanted to have a narrative as to why it was being proposed.

34-09-03

Commissioners felt that kennels could only be allowed on 20 acres and under that a Conditional Use Permit was required. The trustees wanted the Planning Commission to do research on this.

34-09-04

This was sent back to the Planning Commission because trustees wanted to have a narrative as to why it was being proposed.

34-09-05

This was sent back to the Planning Commission because trustees wanted to have a narrative as to why it was being proposed.

34-09-10

The trustees wanted to know how this would work with sled dogs and to change the number from three to four.

34-09-13

Wanted more clarification as to the parcels under 5 acres.

Maki moved, Trudeau second to table the zoning amendments until the August 17, 2009 board meeting.

AYES: 6 NAYS: 0 MOTION CARRIED.

MTA RESOLUTION

Hill moved, Maki second to approve "Charter Township of Chocolay Principles of Governance" document which shall be posted in the township hall.

AYES: 6 NAYS: 0 MOTION CARRIED.

REAPPOINTMENT OF PLANNING COMMISSION MEMBERS

Seppanen moved, Trudeau second to re-appoint Mr. Andy Sikkema and Mr. Steve Kinnunen to the Planning Commission with a term to run until May 24, 2012.

AYES: 6 NAYS: 0 MOTION CARRIED.

CARMEN DRIVE, MCRC

Tabor moved, Maki second to pay the Marquette County Road Commission \$13,284.00 for the work that has been completed on Carmen Drive and for the future chip and seal.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT

Wayne Dees expressed concern over the number of signs on the public right-of-way.

Dick Arnold asked that the Township Board be receptive to petitions from the people who live on 5-10 acres in the township.

Maki expressed concern of Township Zoning Administrator not responding by letter, to his letter dated July 6, 2009.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Board update from employee staff meeting
- B. Marquette Area Wastewater Treatment Facility Advisory Board minutes
- C. Police Department Quarterly Stats 2nd quarter 2009
- D. NMPSA Dues
- E. Marquette County Solid Waste Management Minutes
- F. Peter White Library
- G. Chocolay Township History Books
- H. Community Corrections Detention Center Open House
- I. Marquette Area 4th of July Committee

Supervisor Seppanen adjourned the meeting at 8:59 p.m.

Arlene E. Hill, CMC
Clerk

Debra Heinzelman
Administrative Assistant

AYES: 7 NAYS: 0 MOTION CARRIED.

34-09-02

Maki moved, Tabor second to send 34-09-02 back to the Planning Commission to discuss minimum lot size for parks in AF District.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Maki had concerns with parks being on less than 20 acres.

34-09-03

Maki moved, Tabor second to approve the first reading of zoning amendment #34-09-03 - Add to section 4.7 (C) **11. Kennels on lots 20 acres or more** in AGRICULTURE/FORESTRY (AF) and bring it back to the Township Board next month for the second reading.

AYES: 7 NAYS: 0 MOTION CARRIED.

34-09-07

Tabor moved, Hill second to approve the first reading of zoning amendment #34-09-07 - COMMERCIAL VEHICLE PARKING IN RESIDENTAIL DISTRICTS; Section 6.11:

A. Proposed reinstatement of the previous zoning ordinance language for Commercial Vehicle Parking in Residential Districts

1. Commercial vehicles, or personal vehicles with signage, are permitted to be parked at a residence as long as they are of customary personal vehicle size (e.g. cars, trucks, vans, etc.) without any Township review or approval required.
2. Up to one (1) 25 foot or smaller truck or van not exceeding 16, 000 GVW (Gross vehicle Weight) may be parked at a residence in the R-1, R-2, MFR, WFR districts without any Township review or approval required.
3. Up to one (1) 27 foot or smaller truck or van may be parked at residence in all other residential zoning districts without any township review or approval required.
4. Any larger commercial vehicles or equipment, or for more than one (1) vehicle as specified in item 2 or 3 above requires review and approval by the Township Planning Commission under the Home Occupation provisions of the Ordinance. (This does not include equipment used for one's own snowplowing, farming, etc.)
5. In the event of a conflict or contradiction between the above provisions of the Zoning Ordinance and Ordinance Number 55, being the Vehicle and Trailer Parking and Storage Ordinance, the terms of the Zoning Ordinance shall prevail.

and bring it back to the Township Board next month for the second reading.

AYES: 7 NAYS: 0 MOTION CARRIED.

34-09-08

Hill moved, Greenberg second to drop zoning amendment 34-09-08.

AYES: 7 NAYS: 0 MOTION CARRIED.

34-09-09

Tabor moved, Greenberg second to approve the first reading of zoning amendment #34-09-09 -Article II, Definitions: Add to definitions **Park, A noncommercial, not-for-profit, parcel of land, with or without a structure, designed to serve the recreational needs of the residents, including but not limited to playgrounds, sport fields, game courts, beaches, trails, picnicking areas, and leisure time activities** and bring it back to the Township Board next month for the second reading.

AYES: 7 NAYS: 0 MOTION CARRIED.

34-09-10

Trudeau moved, Carlson second to approve the first reading of zoning amendment #34-09-10 -Article II, Definitions: Add to definition regarding Kennels **Means any activity involving the permanent or temporary keeping or treatment of four or more domestic pets, including adult dogs or cats, or any combination of such animals exceeding four in number, for other than ordinary agricultural activities** and bring it back to the Township Board next month for the second reading.

AYES: 7 NAYS: 0 MOTION CARRIED.

34-09-11

Greenberg moved, Carlson second to approve the first reading of zoning amendment #34-09-11 Article XVIII. SIGNS and FENCES: Add **18.13 FLAGS (A) Flags, other than corporate, commercial or advertising flags shall be permitted in all residential zoning districts, on developed residential lots. Flags shall be subject to the following regulations:**

1. Flags shall meet the sign setbacks within section XVIII and the height limits for structures within section VI. and bring it back to the Township Board next month for the second reading.
AYES: 7 NAYS: 0 MOTION CARRIED.

34-09-12
Greenberg moved, Tabor second to approve the first reading zoning amendment #34-09-12 - Add to Article II DEFINITIONS: After "Family Day Care Home, **Flag: Any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device or any such device attached to a building or structure for display out-of-doors.**

Flag, Business: A flag displaying the name, insignia, emblem, logo or the like, of a business and/or corporation.
and bring it back to the Township Board next month for the second reading.
AYES: 7 NAYS: 0 MOTION CARRIED.

34-09-13
Trudeau moved, Maki second to approve the first reading of zoning amendment #34-09-13 - Add to Article VI: Add 6.1 after "said structure/s. **NOTE: Lots of less than 20 acres within the AF district prior to the adoption of this Ordinance are legal nonconforming. April 21, 2008**
and bring it back to the Township Board next month for the second reading.
AYES: 7 NAYS: 0 MOTION CARRIED.

34-09-14
Maki moved, Greenberg second to approve the first reading of zoning amendment #34-09-14 - Add to Article XVIII: 18.4 **Remove (C) The flag of any state or nation respectfully displayed;**
and bring it back to the Township Board next month for the second reading.
AYES: 7 NAYS: 0 MOTION CARRIED.

34-09-15
Maki moved, Tabor second to approve the first reading of zoning amendment #34-09-15 - **Add to Section XI after Building Grades fill to increase height.**

11.12 Outside Lighting

- A. On site lighting shall be directed away from residential properties and public or private streets.
- B. Light emitted in non-residential developments which are adjacent to residential development shall be compatible with the character of the adjacent residential areas.
- C. Information shall be supplied on they style, manufacturer's part number, height, direction, location, wattage, type of bulb and intensity of outside lighting on the final site plan for final approval.
- D. Building Lighting
 - a. No building-mounted or pole mounted floodlights are allowed. Signs may be lit with floodlights provided the light is focused downward on the sign and does not spill beyond the sign. Shields or adjustable louvers shall be required on floodlights to control beam spread.
 - b. Landscape lighting shall be allowed, provided shielding and louvers are utilized to limit lighting to objects only. Lamp wattage shall be low as possible to illuminate the object without causing glare on the site or neighboring property.
 - c. Gas station canopy lights shall be provided with flat lenses to limit glare. Illuminant levels shall comply with Illuminating Engineering Society standards.
 - d. Lighting standards in parking shall have 20 foot maximum mounting height.
 - e. Searchlights, strobes, lasers or similar high intensity light for outdoor advertisement or entertainment are prohibited.
 - f. Lights mounted on buildings shall not be a flashing, moving or intermittent type.

and bring it back to the Township Board next month for the second reading.
AYES: 7 NAYS: 0 MOTION CARRIED.

PROPOSED HEIGHT AMENDMENT FOR DETACHED ACCESSORY STRUCTURES.

This amendment will be brought back to the Township Board after the County Planning Commission comments on it.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2009 AMENDMENT 3 REIMBURSEMENT FOR MDOT TRAFFIC GRANT.

Greenberg moved, Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 18, 2008, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Salaries			
101.305.702	246,726.10	+2,587.41	249,313.51
REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan			
101.543	19,731.92	+2,587.41	22,319.33

Roll Call.

AYES: Trudeau, Maki, Greenberg, Hill, Carlson, Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

POLICE DEPARTMENT CAPITAL IMPROVEMENT EXPENDITURE REQUEST.

Tabor moved, Maki second to approve the purchase of a wireless access point router, including installation, from Lasco at a total cost of \$228.28. This will be paid from the Computer Capital Improvement Fund account #401.258.957.

Roll Call.

AYES: Hill, Carlson, Tabor, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

CHOCOLAY RIVER BRIDGE REQUEST FOR PROPOSALS.

Trudeau moved, Carlson second that the Charter Township of Chocolay Board accepts the prepared request for proposals for the construction of the Chocolay River multi purpose bridge and directs staff to issue the document as proposed.

AYES: 7

NAYS: 0

MOTION CARRIED.

CARMEN DRIVE REPAIRS.

Maki moved, Trudeau second to pay the Marquette County Road Commission in the amount of \$13,284.00 from the Road Millage Fund 204.440.957 for the repairs to Carmen Drive.

Roll Call.

AYES: Trudeau, Maki, Greenberg, Hill, Carlson, Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

CHANGE ORDER SUPERIOR PAVING.

Carlson moved, Trudeau second to authorize the Supervisor to make the following change order to the Chocolay Township paving project contracted to Superior Paving – at five intersections (W. Wright Place, W. Terrace Street, Van Epps, Juliet Street and Veda Street) in an amount not to exceed \$30,225.00 from the Road Millage Fund account #204.440.957.

Roll Call.

AYES: Hill, Carlson, Tabor, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

PLANNING COMMISSION WORK PROJECTS.

Supervisor Seppanen suggested that the Planning Commission look at fire hall location and review of all township properties and check for potential property purchase. Trustee Carlson suggested drainage problem on U S 41 near rock cut. This will be on the September agenda; giving the Board time to consider additions to the list.

PUBLIC COMMENT.

Don Johnson, West Branch Road – Supervisor Seppanen and Randy Yelle walked his property with him last week and found no zoning violations. Mr. Johnson is concerned that Mr. Arnold was trespassing on his property when he took pictures.

Dick Arnold, West Branch Road – Johnson has junk cars in his driveway. Complained about another neighbor living in a tent on West Branch Road.

Fire Chief Gary Johnson – One of the fire trucks will be parked out side of the fire hall until the sale of the unit.

Police Chief Zyburt – Introduced a new part time officer Matt Beaupied.

Treasurer Greenberg – Suggested that all board members turn agenda books in so the zoning amendments do not have to be copied again for the September meeting.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Board update from employee staff meeting
- B. Marquette Area Wastewater Treatment Facility Advisory Board minutes
- C. Marquette Wastewater Open House
- D. Marquette County Solid Waste Management Minutes

Supervisor Seppanen adjourned the meeting at 9:05 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

September 21, 2009

A Regular meeting of the Chocolay Township Board was held on Monday, September 21, 2009 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Susan Carlson.
ABSENT: Ken Tabor.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Brad Johnson, Denny Magadanz.

MINUTES –July 20, 2009 and August 17, 2009.

Trudeau moved, Carlson second that the minutes of the July 20, 2009 and August 17, 2009 are approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved, Trudeau second to accept the agenda as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC HEARING – TRUTH IN TAXATION.

Trustee Maki asked how we are setting the millage rates when the Board has not seen the budget. Supervisor Seppanen stated that the millage is set based on the Supervisor recommendation section of the budget.

The Board made a request to have the budget earlier next year so they have it before the millage amount is approved.

Trudeau moved, Greenberg second to approve millage rates for the charter operating – 3.8023 mills, library - .7615 mills, roads – 1.6730 mills and fire equipment .7675 mills.

AYES: 5 NAYS: 1 MOTION CARRIED.

PUBLIC HEARING – ZONING AMENDMENT 34-09-17 PROPOSED HEIGHT FOR DETACHED ACCESSORY STRUCTURES.

No public comment.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Hill moved, Trudeau second that bills totaling \$50,240.26 checks numbered 15715– 15758 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Carlson second that bills totaling \$76,469.43 checks numbered 15759– 15796 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Maki second that payroll for August 20, 2009 \$30,643.38, September 3, 2009 \$27,172.07 and September 17, 2009 \$30,714.49 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

Maki moved, Trudeau second to accept the financial report as presented by the Treasurer.

AYES: 6 NAYS: 0 MOTION CARRIED.

Treasurer Greenberg reported to the Board that 2010 revenues are still questionable, especially State revenues including State Revenue Sharing. The outlook for 2011 and 2012 are even more concerning.

PRESENTATIONS – PETER WHITE LIBRARY.

Pam Christensen, Library Director and Claire Rose, Deputy Director gave an annual presentation on the Peter White Library. Their report included information on Chocolay Township cardholders and usage of the library. The library outreach links project was also discussed. The outreach program serves the surrounding Townships with book drop sites, mail service and online services.

SUPERVISORS REPORT.

1. Township expenditure outlook in 2010 and in the future: Major expenses are Roads, Fire Hall Grant match, Multi Use Bridge, proposed township manager, water development and health costs.
2. Township Manager discussion –

- Clerk Hill – Township managers work well in larger Township; Chocolay Township is too small. We had a manager in the past and it did not work out well. How will we pay for a new position?
- Trustee Carlson – Is fine with looking at a manager position for a 6 – 12 month trial period.
- Trustee Maki – Yes, we need a manager, especially dealing with personnel matters.
- Trustee Trudeau – A Township Manager is a reasonable thing to consider right now, but is not looking at hurrying into this for the 2010 budget.
- Treasurer Greenberg is open to exploring organizational restructuring including looking at a manager position.

This issue will be turned over to the personnel committee and will be brought back to the Board at the October meeting.

REZONING #143 – STABILE – VISTA HILLS FROM AF TO PUD.

Jennifer Thum, Planning Director presented the rezoning request to the Board and Planning Commission reasons for recommendation for denial.

Mr. Stabile withdrew the rezoning request #143 in order to proceed with rezoning request #144.

REZONING #144 – STABILE – 39.25 ACRES OF VISTA HILLS FROM AF TO PUD.

The Board had questions on the private road maintenance and the width of the access easement.

Trudeau moved, Carlson second that following the review of Rezoning #144, and the staff/File Review, the Township Board concurs with the Planning Commission and recommends Preliminary approval with the following conditions.

1. The applicant will provide a 15 ft buffer along the west side of Lot C, to ensure that the development will not be seen from the road.
2. The applicant will provide an easement between lots D and F.
3. The applicant will increase the open space lot to 3.42 acres.
4. The applicant and engineer will follow the Section 9 and 10.2, for final development requirements and procedures.
5. The applicant creates an agreement for maintenance of the road, for his lot and for any future owners of his home and the back lots.

AYES: 6

NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENT BUDGET AMENDMENT NO. 3 FY2009 SALE OF 1987 WELCH TANKER.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated Capital Improvement Fund receipts within the township on December 15, 2008 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$0.00	+\$2,000.00	\$2,000.00
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department 401.340.957	\$370,221.77	+ \$2,000.00	\$372,221.77

ROLL CALL.

AYES: Carlson, Hill, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND EXPENDITUR REQUEST – FIRE TRUCK REPAIR.

Trudeau moved, Carlson second to expend \$10,497.96 from the Capital Improvements Fund fire department account # 401.340.957 to cover the cost of repairs to the 1998 Pierce Saber unit.

ROLL CALL.

AYES: Trudeau, Maki, Greenberg, Carlson, Hill, Seppanen.

NAYS: None

MOTION CARRIED.

PROPOSED ZONING AMENDMENT #34-09-17 HEIGHT AMENDMENT FOR DETACHED ACCESSORY STRUCTURES.

Greenberg moved, Carlson second to approve the first reading of proposed zoning amendment # 34-09-17 and to concur with the Township Planning Commission to raise the maximum height of a detached accessory structures to 16 feet 6 inches In the order to prevent blocking any sun, the following formula will be attached to any building with a height over 15 feet.

R-1 District – Side and rear yard setbacks for accessory structures must be increased 2’ for every foot over 15 feet in height.

R-2 District (Harvey)- Side and rear yard setbacks for accessory structures must be increased 3’ for every foot over 15 feet in height.

After Board discussion this motion was withdrawn for further clarification that an accessory structure may not be higher than the residential structure.

PLANNING COMMISSION PROJECT SUGGESTIONS FROM THE TOWNSHIP BOARD:

- Increase public access for waterfront activities and public parks.
- Areas that Planned Unit Development should be allowed.
- Mini warehouses in Harvey.
- Private roads – look at original language.
- Develop a work plan (comprehensive plan update).
- Look at conditional zoning.
- Services for seniors
- Community center.
- Survey Township property.
- Public water project in the Township.
- Cluster development.

PROPOSED LANGUAGE FOR APPROPRIATE CONDUCT FOR EMPLOYEES AND BOARD/COMMISSION MEMBERS.

The Board discussed adding language that the Township Supervisor has the right have access to offices, desks and computers. Clarify that employees will respond to Township officers and Trustees questions within a week. Make suggested changes under Township Board Agenda, Joint Meeting, Per Diem and Mileage and Ethics. This will be brought back to the Board in October.

INVESTMENT POLICY.

The Board agreed with the policy the way it was presented with a few changes using the term Financial Institution in place of bank. The policy will be brought back at the October meeting.

PUBLIC COMMENT.

Stephanie Gencheff – Commented on the proposed height amendment to accessory structures and urged the Board to stop by and look at the height of her house built under the old height provisions.

Wayne Dees – Commented on PUD development and the Township Manager position; the Board should consider an independent contractor.

Trustee Maki – Vista Hills PUD vs. a variance to accomplish the same project.

Supervisor Seppanen – UPSET may use Chocolay Township as a flow through for 2 % money.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Board update from employee staff meeting
- B. Marquette Area Wastewater Treatment Facility Advisory Board minutes
- C. 2009 Tax Base for Budget Year 2010
- D. Marquette County Solid Waste Management Minutes

Supervisor Seppanen adjourned the meeting at 9:05 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

October 19, 2009

A Regular meeting of the Chocolay Township Board was held on Monday, October 19, 2009 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Susan Carlson, Ken Tabor.

ABSENT: None.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Brad Johnson, Gary Johnson, Denny Magadanz, Greg Zyburt.

MINUTES –SEPTEMBER 21, 2009.

Greenberg moved, Maki second that the minutes of the September 21, 2009 Township Board meeting be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Tabor moved, Trudeau second to accept the agenda as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC HEARING – PROPOSED ZONING AMENDMENT #34-09-17.

Planning Director, Jennifer Thum explained the proposed Height amendment #34-09-17. There was no public comment.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Hill moved, Carlson second that bills totaling \$243,969.94 checks numbered 15797– 15823 be approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trudeau moved, Tabor second that bills totaling \$21,471.38 checks numbered 15824– 15872 be approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Hill moved, Tabor second that payroll for October 1, 2009 \$25,616.19, October 5, 2009 \$9,216.75 and October 15, 2009 \$26,142.55 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS WERE RECEIVED AND PLACED ON FILE.

Tabor moved, Maki second to accept the financial report as presented by the Treasurer.

AYES: 7 NAYS: 0 MOTION CARRIED.

PRESENTATION - ANDY SIKKEMA DAY.

Hill moved, Trudeau second

THE CHARTER TOWNSHIP OF CHOCOLAY

ON BEHALF OF ITS CITIZENS DECLARES

THURSDAY, OCTOBER 22, 2009 as

ANDY SIKKEMA DAY

IN THE CHARTER TOWNSHIP OF CHOCOLAY

It is with gratitude that we commend Andy Sikkema on his selection as the Chocolay Area Business Association’s 2009 Citizen of the Year for his generous contributions to the township, its citizens, and the many programs he has promoted and encouraged. His selfless spirit and attitude have promoted many good causes. His commitment to the community is evident by serving on the Township Planning Commission and in securing an MDOT Enhancement grant that will help make Chocolay Township more inviting. We thank you for your positive actions in the Township.

Declared this 22nd day of October 2009 in and for the
Charter Township of Chocoday.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISORS REPORT.

1. Recently attended a meeting with MDOT, DNR, Representative Lindberg and Don Britton on the M-28 bridge and possible business spur for the snowmobile trail.
2. We received notice today that our health insurance will go up 22% in 2010. We are meeting with our insurance representative on Wednesday to discuss ways to lower that percent.
3. We have been notified that our fire hall grant request was denied.

TOWNSHIP INVESTMENT POLICY.

Greenberg moved, Trudeau second that

WHEREAS, the Board of the Charter Township of Chocoday, Marquette County, in exercising its fiduciary responsibilities desires to safeguard the funds of the Township that may be invested from time to time, and

WHEREAS, Public Act 77 of 1989, MCL 41.77, requires that the Township Board designate the banks or depositories for the money belonging to the Township, including the time for which the deposits shall be made and all details for carrying into effect the authority given in this act, and

WHEREAS, Public Act 196 of 1997, MCL 129.91, *et seq.*, requires Townships Boards, in consultation with the Township Treasurer, to adopt an investment policy, now

THEREFORE BE IT RESOLVED, That this policy is applicable to all public funds belonging to the Charter Township of Chocoday and in the custody of the Township Treasurer.

BE IT RESOLVED, That the Board approves the following financial institutions as depositories of township funds:

1st National Bank of St. Ignace
5th 3rd Bank
Bay Bank
CDARS
Citizens Bank
Ishpeming Communitize Federal Credit Union
M Bank
Marquette Community Federal Credit Union
Miners State Bank of Iron River
Northern Michigan Bank
Peninsula Bank
Peoples State Bank
Range Bank
River Valley Bank
Wells Fargo

BE IT FURTHER RESOLVED, That the Treasurer may invest Township funds in certificates of deposit, savings accounts, deposit accounts, or depository receipts of any bank, savings and loan association, or credit union but only if the bank, savings and loan association, or credit union meets all criteria as a depository of public funds contained in state law. The standard of prudence to be used shall be the "fiduciary" standard and shall be applied in context of managing an overall portfolio.

BE IT FURTHER RESOLVED, That the prior approval of the Township Board, shall be required for the Treasurer to invest in any other lawful investment instruments. The Township Board's standard of prudence shall be the "fiduciary" standard, which shall be applied in context of managing an overall portfolio.

The Township Board may authorize the Treasurer to invest in the following:

- (a) Bonds, securities, and other obligations of the United States or an agency or instrumentality of the United States.
Commercial paper rated at the time of purchase within the 2 highest classifications established by not less than 2 standard rating services and that matures not more than 270 days after the date of purchase.
- (b) Repurchase agreements consisting of instruments listed in subdivision (a).
- (c) Bankers' acceptances of United States banks.
- (d) Obligations of this state or any of its political subdivisions that at the time of purchase are rated as investment grade by not less than 1 standard rating service.

(e) Mutual funds registered under the Investment Company Act of 1940, Title I of chapter 686, 54 Stat. 789, 15 U.S.C. 80a-1 to 80a-3 and 80a-4 to 80a-64, with authority to purchase only investment vehicles that are legal for direct investment by a public corporation. However, a mutual fund is not disqualified as a permissible investment solely by reason of either of the following:

- I. The purchase of securities on a when-issued or delayed delivery basis.
- II. The ability to lend portfolio securities as long as the mutual fund receives collateral at all times equal to at least 100% of the value of the securities loaned.
- III. The limited ability to borrow and pledge a like portion of the portfolio's assets for temporary or emergency purposes.

(f) Obligations described in subdivisions (a) through (g) if purchased through an interlocal agreement under the Urban Cooperation Act of 1967, Public Act 7 of 1967 (*Ex Sess*), MCL 124.501, *et seq.*

(g) Investment pools organized under the Surplus Funds Investment Pool Act, Public Act 367 of 1982, MCL 129.111, *et seq.*

(h) The investment pools organized under the Local Government Investment Pool Act, Public Act 121 of 1985, MCL 129.141, *et seq.*

BE IT FURTHER RESOLVED, That decisions and actions involving the Township's investment portfolio shall be meet the following criteria:

Safety: Safety of principle is the foremost objective of the Charter Township of Chocolay investment practices.

Diversification: The investments shall be diversified by avoiding over concentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities and insured certificates of deposits).

Liquidity: The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

Return on Investment: Return of investment is of secondary importance compared to safety and liquidity objectives. Investments shall be selected to obtain a market average rate of return. The core of investments is limited to relatively low risk securities.

BE IT FURTHER RESOLVED, That the Treasurer may elect to have certificates and other evidence of investments held by a financial institution, provided that the financial institution presents to the Township Treasurer **on a quarterly basis**, sufficient documentation and acknowledgment of the investment instruments held on behalf of the Township. **(PA 213 of 2007 updated)**

BE IT FURTHER RESOLVED, That the Township will comply with all applicable statutes related to public fund investments. Any provisions of this resolution in conflict with applicable statutes are void.

AYES: 7 NAYS: 0 MOTION CARRIED.

CHOCOLAY TOWNSHIP BOARD POLICIES.

Maki moved, Trudeau second that

MEETINGS

Regular meetings:

- The Chocolay Township Board will hold their regular meeting on the third Monday of each month. These meetings will be held at the Chocolay Township Hall and will start at 7:00p.m. unless otherwise designated. **Regular meetings are scheduled, noticed, and posted at beginning of each year as mandated by law.**

Township board agenda

- The Supervisor and the Clerk will create the agenda for all monthly meetings.
- Tentative agendas will be distributed to the Board members one week before the meeting for their review. Final review of the agenda will be made by the Clerk and Supervisor or their designee on the Wednesdays before the scheduled Board meeting.
- The Clerk and/or Supervisor will handle the publishing and printing for any scheduled public hearings.
- The Clerk will post the agenda on the Township's website.

Special meetings

- The Clerk's department will be responsible for creating the agenda and publishing and printing the notice in the newspaper. The notice of the date, time, and location will be posted at least 18 hours prior to the meetings (Open Meetings Act requirement).
- The Supervisor or Clerk's department will notify the Board members **of a special meeting along with the date and time as required by law.**

- The Clerk shall notice a special meeting by a written request from the Supervisor or any two Board members with at least 24 hours written notice given to each Township Board member. The notice must indicate the time, place and purpose of the meeting.

Joint meetings

- Will be called by the Township Board under the direction of the Supervisor. The Supervisor will contact the Planning Commission chair concerning the meeting and setting a date. The Planning Director will put the notice in the paper and on the web about the joint meeting no less than two weeks before the joint meeting.
- There will be at least one joint meeting a year, and the Supervisor shall create the agenda.

Board Appointments

- The Clerk's department will review the annual Board and Commission appointments with the Supervisor and his/her department.
- Board and Commission appointments will be made at the November Township Board meeting each year.

Public Comment

- Public comment must await recognition of the speaker by the moderator. Comments are to be directed to the Board or Commission, not other members of the public.
- The speaker recognized shall first state his or her name and address before comment.
- Comments, opinions or questions should be directed to the issue being discussed.
- To ensure that everyone has time to speak, three minutes is allowed per person. The chair may or may not allow each person one additional time period to present questions or comments.
- Board and Commission members will take comments, but may or may not respond. If a written request is made, the response will be sent in writing to the requestor within 14 days.

Annual Calendar

- The annual calendar will be proposed by the Clerk's department. The calendar will be presented to the Township Board at their December meeting each year. Once the calendar has been approved by the Township Board, the Clerk and/or the Supervisor will publish the calendar on the Township website and the newspaper.

Per Diem and Mileage

- Mileage is payable for any travel determined by the Township Board to be "Township Business." Mileage is payable at the current rate allowed by Internal Revenue Service Regulations. Mileage should be properly recorded on the mileage log sheet showing the date, destination, reason for the trip and mileage, and be submitted to Clerk's department. Since funds are limited, every effort to economize should be made, such as carpooling, keeping meals expenses reasonable.

Ethics

- A public official, Board or Commission member shall make public any conflict of interest the member has with respect to any issue under consideration or potential vote on a motion by the Board/Commission. The nature of such conflict should be described in terms that make clear the existence of a conflict. A motion should then be offered to excuse the official, Board or Commission member from acting or voting on said issue. The motion should clearly state the conflict of interest. The Board or Commission member shall be relieved of voting only with the unanimous consent of the other members present. See Township Powers Act; MCL 42.7(6).

AYES: 7

NAYS: 0

MOTION CARRIED.

ZONING AMENDMENT #34-09-17 HEIGHT FOR DETACHED ACCESSORY STRUCTURES – FIRST READING.

Bob Cambensy – Does not think that sun being blocked from a neighbor's yard should influence the height amendment.

Stephanie Genscheff - Is against the height increase for structures in Chocolay.

Wayne Dees - What is the Board trying to accomplish by increasing height allowance for structures in Chocolay Township? We do not need the increase in height for structures in the Township.

Trudeau moved, Tabor second to approve zoning amendment # 34-09-17 to raise the maximum height of a detached accessory structure to 16'-6". The overall height of the detached accessory structure shall not exceed the height of the principal residence on the property. Detached accessory structures shall not be occupied for dwelling purposes. In order to prevent blocking any sun, the following formula will be attached to any building with a height over 15ft.

R-1 District – Side and rear yard setbacks for accessory structures must be increased 2’ for every foot over 15’.

R-2 District (Harvey) - Side and rear yard setbacks for accessory structures must be increased 3’ for every foot over 15’.

AYES: 4 NAYS: 3 MOTION CARRIED.

REZONING #144 – STABILE – 39.25 ACRES OF VISTA HILLS FROM AF TO PUD.

Tabor moved, Greenberg second, that following the review of Rezoning Request #144, and the Staff/File Review, holding a public hearing and the applicant receiving preliminary approval from both the Planning Commission and the Township Board and final approval from the Planning Commission, the Township Board concurs with the Planning Commissions and grants Final Development approval to Rezoning #144, with the following conditions.

1. The 3.42 acres of open space and the various easements and 15’ buffers shall be recorded with the Marquette County Register of Deeds.
2. The eastern lots if ever developed shall not be allowed access to Vista Hills Trail. The applicant will have to go through the PUD process again to see if the lots would be allowed to use either Vista Hills Trail or the driveway to Lot F.
3. The applicant must obtain all local and county permits that are required before construction.

AYES:7 NAYS: 0 MOTION CARRIED.

RESOLUTION AMENDING ROAD FUND BUDGET FY 2009 AMENDMENT NO. 1 – 2ND YEAR ROAD PAYMENT INCLUDING CARMEN DRIVE.

Greenberg moved, Carlson second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated road fund receipts within the Township on December 15, 2008, 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
Road Fund Capital Outlay 204.440.957	0	+225,812.27	225,812.27
Road Fund Fund Balance 204.390	371,040.17	-225,812.27	145,227.90

ROLL CALL.

AYES: Trudeau, Maki, Greenberg, Carlson, Hill, Tabor, Seppanen.
NAYS: None MOTION CARRIED.

2009/2010 ROAD RANKING.

Carlson moved, Hill second to accept the Planning Commission recommendation and approve the 2009-2010 road rankings as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

MARQUETTE BOARD OF LIGHT & POWER FRANCHISE AGREEMENT/BY-LAWS/INTER-LOCAL AGREEMENT.

The Board discussed all three contracts and made changes; all three contracts will be brought back to the November 9, 2009 Board meeting.

2010 BUDGET WORKSHOP.

The Board discussed the concept of a Township Manager/Deputy Supervisor to be included in the 2010 budget.

Trudeau – Would consider a part time manager; we are not ready for a full time manager. Does not want to rush into this in January, but would support this happening in 2010.

Maki – Feels that the Township is in need of a manager. Would consider a part-time or contract manager for the 2010 budget.

Greenberg – The Personnel Committee made a recommendation of a part-time Deputy Supervisor for the 2010 budget. We would not be in compliance with the IRS if we use an independent contractor and have this person keep regular hours, although we could consider a contract for this position. Feels that re-organization in 2010 is appropriate and would be in favor of a part-time manager or Deputy Supervisor.

Hill – We are too small for a manager right now. The revenues are questionable for the next few years and we should not be considering hiring an additional person. We should look at hiring a Deputy Supervisor for the future when the economy is more stable.

Carlson – We need some type of regular supervision/leadership at the Township. Is in favor of a manager.

Seppanen – Is not interested in a part time person for the position of manager. Would prefer to hire a manager over a Deputy Supervisor.

The Board agreed to work on a 2010 budget including a part-time manager working 24 hours a week. The position may not be filled at the beginning of the year, but the funding will be for the full year.

GENERAL FUND

Township Board – Change Township Manager Salary to \$36,000.00

Supervisor – No change.

Election – No change.

Assessor – No change.

Clerk – No change.

Board of Review – Check on the legality of meals for Board of Review members.

Treasurer – No change.

Township Hall – No change.

Other General Government – Transfer to Capital Improvements Fund change to \$146,968.00

Police – No change.

Fire Department – No change.

Streets – No change.

Sanitation – No change.

Recreation & Properties – Capital Outlay Township playground equipment upgrade -0-

Zoning – No change.

Planning Commission – No change.

Zoning Board of Appeals – No change.

Revenues – Offset the expenditure changes in Transfer from Fund Balance.

SEWER FUND

Sewer - No change.

CAPITAL IMPROVEMENT FUND

Election – No change.

Assessor – No change.

Clerk – No change.

Computers – No change.

Township Hall & Grounds – No change.

Buildings – No change.

Police - \$65,000.00 (purchase of replacement 4wd SUV will come from current balance).

Fire Department – \$22,000.00 (delete fire hall replacement \$300,000.00).

Marina – No change.

Recreation & Grants – No change.

Economic Development – No change.

Recreation & Properties - \$9,800.00 (the irrigation system for Lion's field \$8,000.00 will come from current balance).

PUBLIC COMMENT.

Clerk Hill commented on Ruth Solinski, Northern Initiatives.

Trustee Trudeau – Asked when the MERS pension meeting would be.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Board update from employee staff meeting
- B. Marquette Area Wastewater Treatment Facility Advisory Board minutes
- C. Resignation letter from Zoning Administrator
- D. Marquette County Solid Waste Management Article of Incorporation Communication
- E. Letter from a township resident

F. Correspondence from Mr. Wayne Dees with regards to Board Policies

Supervisor Seppanen adjourned the meeting at 10:15 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

SPECIAL BOARD MEETING
NOVEMBER 5, 2009

A Special meeting of the Chocolay Township Board was held on Thursday, November 5, 2009 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 5:15 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, (Susan Carlson, arrived 5:25 pm.), (Mark Maki, excused at 6:20 pm.),

ABSENT: Ken Tabor.

MINUTES –None.

AGENDA ADDITIONS/DELETIONS – None.

PUBLIC COMMENT – None.

ACCOUNTS PAYABLE – None.

PRESENTATION – MIKE TACKETT AND TONY RADJENOVICH FROM MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM.

Mike Tackett presented the Board with background information on the MERS Retirement System. His presentation included information on the defined benefit plan expense, flexibility, information on if employers are leaving the defined benefit plan and unfunded liabilities. A preliminary valuation statement was also presented to the Board.

After a lengthy discussion on the MERS Retirement Plan; including the unfunded liability, actuarial information, interest rates, and pay-out schedules, the Board decided to hold off on a vote until they had a full board present. The Board also requested the following additional information:

- MERS will present to the Board an updated valuation statement including only the employees interested in participating in the defined benefit plan. (The list of interested employees will be done on the Township level).
- Update the actuarial value of assets using the current employee pension assets.
- MERS provide a definition of how GRS (the actuaries) calculates the "Asset Valuation Factor" in developing the "Actuarial Value of Assets".
- What impact would a change in the assumed rates of return have from the 8% currently used.

PUBLIC COMMENT – NONE.

INFORMATIONAL REPORTS AND COMMUNICATIONS – NONE.

Supervisor Seppanen adjourned the meeting at 7:25 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

November 9, 2009

A Regular meeting of the Chocolay Township Board was held on Monday, November 9, 2009 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Ken Tabor, Susan Carlson.

ABSENT: None.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Brad Johnson, Gary Johnson, Denny Magadanz, Greg Zyburt.

MINUTES –October 19, 2009.

Greenberg moved, Trudeau second that the minutes of the October 19, 2009 Township Board meeting be approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Hill moved, Trudeau second to accept the agenda as presented.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Hill moved, Carlson second that bills totaling \$42,861.15 checks numbered 15873– 15902 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PAYROLL.

Tabor moved, Trudeau second that the payroll for October 29, 2009 in the amount of \$28,236.16 be approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS.

Trudeau moved, Carlson second to accept the Certificate of Deposit report as presented by the Treasurer.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

SUPERVISORS REPORT.

The Supervisor ‘s of the Townships involved with the Board of Light & Power Franchise Agreement will be setting up a meeting within the next couple of weeks. Earl Yelle from Sands was not available due to health issues.

2010 BUDGET WORKSHOP.

The Board again discussed a Township Manager position; direction of discussion was on full time/part-time and contract. The Board preferred option 3 using a contract for the Manager. Option 3 would have Tom Murray, Community Development Coordinator acting as lead office person at 40 hours a week for the first 6 months. Jennifer Thum, Director of Planning and Development will be doing Planning and Zoning 40 hours a week. The last six Tom Murray would go back to 24 hours a week and a Manager would come in at 24 hours a week. The Board is flexible on the exact month of 2010 that a Manager would begin working for Chocolay Township; and may not hold exactly to this time table. The Board wants an active roll in searching, interviewing and hiring the Manager. The Manager will report to the Board.

Hill moved, Carlson second to increase the Trustee per diem to \$60.00 per meeting.

AYES: 5 **NAYS:** 2 **MOTION CARRIED.**

Maki moved, Hill second to reduce consulting services to -0- under Township Board legal fees.

AYES: 4 **NAYS:** 3 **MOTION CARRIED.**

Maki moved, Greenberg second to reduce the Assessing and tax program up date under Assessing Capital Outlay to -0-.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Treasurer Greenberg stated that this should be reconsidered in the 2011 budget after the bugs have been worked out of the program.

Maki moved, Trudeau second to remove \$2,000.00 from Planning Commission professional services for engineering services for private roads.

Greenberg moved, Hill second to table this idea until the December meeting awaiting further information; who is paying for the engineering services for private roads.

AYES: 7 NAYS: 0 MOTION CARRIED.

The budget work session was closed. The budget will be brought back to the Board for a vote at the December meeting

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2009 – AMENDMENT NO. 4 - POLICE TRAINING FUNDS – STATE OF MICHIGAN.

Greenberg moved, Hill seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on December 15, 2008 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	\$1,941.86	+\$418.20	\$2,360.06

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 401.543	\$ 399.96	+\$418.20	\$ 818.16

ROLL CALL.

AYES: Trudeau, Maki, Greenberg, Hill, Carlson, Tabor, Seppanen.

NAYS: None. MOTION CARRIED.

DELINQUENT SEWER FEES TO TAX ROLL.

Greenberg moved, Tabor second that the list of delinquent sewer charges and penalties as received from the Deputy Clerk, to be added to the December tax roll.

CHOCOLAY TOWNSHIP DELINQUENT SEWER USERS 2009				
Name	Tax ID Number	Address	City, State, Zip	Amount Due
Richard Ryan	52-02-490-004-00	114 Chocolay River Trail	Mqt MI 49855	317.04
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	317.04
Quiznos	52-02-106-043-50	505 Corning Street	Mqt MI 49855	1821.09
Edie Halstead	52.02-215-005-00	144 East Fairbanks	Mqt MI 49855	217.04
Susan Racine	52-02-215-006-00	156 East Fairbanks	Mqt MI 49855	317.04
David Hillock	52-02-216-010-00	158 East Wright Place	Mqt MI 49855	154.68
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	317.04
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	317.04
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	317.04
Linda Bice	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	317.04
Richard Hillock	52-02-305-034-00	172 Riverside Road	Mqt MI 49855	317.04
Rease Premeau	52-02-305-022-50	204 Riverside	Mqt MI 49855	111.14
Patrick Manning	52-02-305-019-00	218 Riverside Road	Mqt MI 49855	73.50
Michael Howard	52-02-107-012-00	204 Silver Creek Road	Mqt MI 49855	240.24
Anita Madosh	52-02-107-035-00	245 Silver Creek Road	Mqt MI 49855	54.68
Joseph Menze	52-02-107-063-00	328 Silver Creek Road	Mqt MI 49855	317.04
Steve Johnson	52-02-206-012-00	2424 U S 41 South	Mqt MI 49855	317.04
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	570.66
Wahlstrom Enterprise	52-02-107-007-00	5043 U S 41 South	Mqt MI 49855	8,750.31
Wahlstrom Enterprise	52-02-107-007-00	5045 U S 41 South	Mqt MI 49855	507.27
Steve Wahlstrom- Lark	52-02-107-004-00	5063 U S 41 South	Mqt MI 49855	1,426.68
Hudson Mechanical	52-02-440-002-00	6040 U S 41 South	Mqt MI 49855	1,488.70
Mike & Eva Schlenkert	52-02-455-001-00	132 Veda Street	Mqt MI 49855	317.04
Dave/ Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	317.04
Jason Bernard	52-02-107-074-00	740 Willow Road	Mqt MI 49855	167.04

Terry Huffman	52-02-204-028-00	165 West Main Street	Mqt MI 49855	140.47
Theresa Soucy	52-02-210-004-00	330 W. Terrace Street	Mqt MI 49855	235.86
Gardner Bess	52-02-210-005-00	334 West Terrace Street	Mqt MI 49855	317.04
Joseph Stanaway	52-02-208-005-00	341 West Terrace	Mqt MI 49855	317.04
Marilyn Kremer	52-02-208-003-00	371 West Terrace	Mqt MI 49855	317.04
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	317.04
Kristine Dionne	52-02-106-043-00	110 West Wright Place	Mqt MI 49855	317.04
Glen Carlson	52-02-213-004-00	350 West Wright Place	Mqt MI 49855	317.04
Total Delinquent Amount				21,666.08

AYES: 7

NAYS: 0

MOTION CARRIED.

2010 FEE SCHEDULE.

Carlson moved, Hill second to approve the suggested increase in the police and assessing departments to be implemented into the 2010 fee schedule.

AYES: 6

NAYS: 1

MOTION CARRIED.

DISCUSSION OF THE MCDONALDS VARIANCE.

Trustee Maki lead a discussion on the McDonalds variance. Trustee Carlson had concerns about two way traffic going from Holiday to Togo's and on to McDonalds. Trustee Maki will meet with Supervisor Seppanen next week on the McDonald's variance.

DISCUSSION OF THE BESOLA PROPERTY.

Trustee Maki reviewed the variance on the Besola property and the Zoning Board of Appeals decision on it. Trustee Maki's opinion is that the ZBA did not follow the requirements of the Zoning Ordinance.

PUBLIC COMMENT.

Wayne Dees – Comment on the blinking Holiday Gas Station sign.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Marquette Area Wastewater Treatment Facility Advisory Board minutes
- B. Marquette County Solid Waste Minutes

Supervisor Seppanen adjourned the meeting at 8:45 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

December 14, 2009

A Regular meeting of the Chocolay Township Board was held on Monday, December 14, 2009 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Ken Tabor, Susan Carlson.

ABSENT: None.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Brad Johnson, Gary Johnson, Denny Magadan, Greg Zyburt, Deb Heinzelman, Gary Heinzelman, Pat Beck and Tom Murray.

MINUTES –NOVEMBER 5, 2009 SPECIAL BOARD MEETING AND NOVEMBER 9, 2009.

Greenberg moved, Carlson second that the minutes of the November 5, 2009 Special Township Board meeting be approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved, Tabor second that the November 9, 2009 Township Board meeting be approved with one change.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Supervisor Seppanen requested adding an item at the end of the meeting to discuss a request for Township Board agenda packets.

Hill moved, Tabor second to accept the agenda as presented.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PUBLIC HEARING – PROPOSED ZONING AMENDMENTS.

Trustee Maki commented that amendment # 34-09-13 is not necessary because it is addressed in the zoning ordinance.

PUBLIC COMMENT.

Treasurer Greenberg thanked Pat Beck for the hot chocolate and baked goods.

Fire Chief Gary Johnson informed the Board that Jeff Trudeau, Fire Department Lieutenant is resigning after being on the department for 14 years.

ACCOUNTS PAYABLE.

Hill moved, Trudeau second that bills totaling \$15,458.32 checks numbered 15903– 15939 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Tabor moved, Trudeau second that bills totaling \$27,697.08 checks numbered 15940– 15957 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PAYROLL.

Hill moved, Carlson second that the payroll for November 12, 2009 in the amount of \$25,974.91 and November 26, 2009 in the amount of \$29,421.96 be approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS.

Carlson moved, Trudeau second to accept the Financial and Treasurer Report.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PRESENTATION – MUNICIPAL EMPLOYEES’ RETIREMENT SYSTEM OF MICHIGAN.

Mike Tackett, MERS representative presented information to the Board addressing the concerns the Board had at the Special MERS meeting on November 5th. Concerns were value of assets, updated census of employees interested in participating in MERS, and calculating costs based on a 7% rate of return vs. the assumed 8% figure.

SUPERVISORS REPORT.

- Ron Wick, a resident of Chocolay Township has a 19 acre parcel of property that he would like to donate to the Township. Staff will review information on this property and will report back to the Board in January or February.

ROLL CALL.

AYES: Tabor, Carlson, Hill, Trudeau, Greenberg, Seppanen.

NAYS: Maki

MOTION CARRIED

RESOLUTION FOR OFFICERS' SALARIES

Supervisor's Salary

Tabor moved, Carlson second that the salary for the office of Supervisor shall be set in the amount of \$15,025.00 for the Fiscal Year 2010, which begins January 1, 2010, and ends December 31, 2010.

AYES: 7 NAYS: 0

MOTION CARRIED.

Treasurer's Salary

Carlson moved, Hill second that the salary for the office of Treasurer shall be set in the amount of \$8,739.00 for the Fiscal Year 2010, which begins January 1, 2010, and ends December 31, 2010.

AYES: 7 NAYS: 0

MOTION CARRIED.

Clerk's Salary

Tabor moved, Trudeau second that the salary for the office of Clerk shall be set in the amount of \$11,852.00 for the Fiscal Year 2010, which begins January 1, 2010, and ends December 31, 2010.

AYES: 7 NAYS: 0

MOTION CARRIED.

Trustee's Per Diem

Carlson moved, Hill second that the per diem for the office of Trustee shall be set in the amount of \$60.00 per meeting for the Fiscal Year 2010, which begins January 1, 2010, and ends December 31, 2010.

AYES: 5 NAYS: 2 (Maki, Trudeau).

MOTION CARRIED.

PROPOSED ZONING AMENDMENTS.

34-09-01

MULTI-FAMILY RESIDENTIAL DISTRICT (MFR); Section 4.3: (D) 1

Existing language:

1. Density is limited to seven homes per acre.

Proposed amended language:

2. Density is limited to *five* homes per acre

Tabor moved, Greenberg second to approve the second reading of Zoning Amendment #34-09-01 and will publish with the Township Clerk within 15 days after adoption, publish the amendment in the local newspaper and on the township website within 15 days of adoption and record ordinance in Township ordinance book within one week after the publication of ordinance.

AYES: 7 NAYS: 0

MOTION CARRIED.

34-09-02

1. AGRICULTURE/FORESTRY (AF); Section 4.7 & 4.4:

Proposed additions:

3. Add to AF section 4.7 (C) *11. Parks*

4. Add to WFR section 4.4 (C) *7. Parks*

Trudeau moved, Carlson second to approve the second reading of Zoning Amendment #34-09-02 and will publish with the Township Clerk within 15 days after adoption, publish the amendment in the local newspaper and on the township website within 15 days of adoption and record ordinance in Township ordinance book within one week after the publication of ordinance.

AYES: 7 NAYS: 0

MOTION CARRIED.

#34-09-03

2. AGRICULTURE/FORESTRY (AF); Section 4.7:

Proposed addition:

1. Add to section 4.7 (C) *11. Kennels on lots 20 acres or more.*

Carlson moved, Tabor second to approve the second reading of Zoning Amendment #34-09-03 and will publish with the Township Clerk within 15 days after adoption, publish the amendment in the local newspaper and on the township website within 15 days of adoption and record ordinance in Township ordinance book within one week after the publication of ordinance.

AYES: 7 NAYS: 0

MOTION CARRIED.

Maki moved, Greenberg second to table zoning amendment 34-09-07.

AYES: 4 NAYS: 3

MOTION CARRIED.

#34-09-10

3. Article II, Definitions:

June 21

December 13

Chocolay Township Planning Commission – 7:30 PM

January 4	July 12
February 1	August 2
March 1	September 13
April 5	October 4
May 3	November 1
June 7	December 6

Chocolay Zoning Board of Appeals – 7:00 PM

January	July 22
February 25	August 26
March	September 23
April 22	October 28
May 27	November 18
June 24	December 16

Chocolay Township Fire Department – 7:00 PM

1st Thursday of each month – Business Meeting
2nd and 3rd Thursday of each month - Training

Maki moved, Tabor second to accept the meeting schedule for 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

UTILITY REVIEW COMMITTEE, FRANCHISE AGREEMENT, BY-LAW AND INTER-LOCAL AGREEMENT.

Greenberg moved, Trudeau second to adopt the Utility Review Franchise Agreement with the Marquette Board of Light & Power and authorize the Supervisor to sign the By-Laws and the Inter-Local Agreement.

AYES: 7 NAYS: 0 MOTION CARRIED.

SIX MONTH RESTRUCTURING PLAN.

Trudeau moved Tabor second, that Jennifer Thum is appointed to the position of Director of Planning/Zoning Administrator and descriptions for the positions of Township Manager, Community Development Coordinator, Planning Director/Zoning Administrator and Assessor be accepted by the Board.

AYES: 6 NAYS: 1 MOTION CARRIED.

ANNUAL APPOINTMENTS TO BOARD, COMMITTEES AND COMMISSIONS.

Greenberg moved, Hill second that Greg Seppanen is reappointed as Primary to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trudeau moved, Tabor second that Dennis Magadanz is reappointed as Alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved, Hill second that Brad Johnson is appointed as Alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved, Tabor second that Brad Johnson be reappointed to the Personnel Committee for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved, Carlson second that Jennifer Thum be appointed to the Personnel Committee for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved, Carlson second that Arlene Hill be reappointed to the Marquette County Township Association for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Carlson moved, Tabor second that Jennifer Thum be appointed to the Utility Review Committee (alternate) for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved, Carlson second that Mary Sanders be appointed as primary to the Northern Michigan Public Service Academy Board for a term to run from January 1, 2010 to December 31, 2011.

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved, Tabor second that be John Trudeau appointed as alternate to the Northern Michigan Public Service Academy Board for a term to run from January 1, 2010 to December 31, 2011.

AYES: 7 NAYS: 0 MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2009 AMENDMENT #5 - REIMBURSEMENT FOR THE NOVEMBER 2009 ELECTION.

Greenberg moved, Trudeau second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 15, 2008, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	35,000.00	+2,115.28	37,115.28
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Election Per Meeting 101.190.710	4,150.00	+1,230.75	5,380.75
Election Office Supplies 101.190.728	2,000.00	+ 37.00	2,037.00
Election Printing 101.190.728	1,000.00	+ 143.52	1,143.52
Election Postage 101.190.729	1,000.00	+ 426.45	1,426.45
Election Advertising 101.190.901	1,000.00	+ 13.00	1,013.00
Clerk Salary 101.215.702	85,965.00	+ 264.56	86,229.56

ROLL CALL.

AYES: Tabor, Carlson, Hill, Trudeau, Maki, Greenberg, Seppanen.
NAYS: None MOTION CARRIED

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2009 AMENDMENT NO. 4 – BOARD OF REVIEW PER MEETING COMPENSATION.

Trudeau moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 15, 2008, 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
Board of Review Per Meeting Compensation 101.247.710	1,100.00	+216.00	1,316.00
Other General Government Contingency 101.285.951	36,609.00	-216.00	36,393.00

ROLL CALL.

AYES: Trudeau, Maki, Greenberg, Tabor, Carlson, Hill, Seppanen.
NAYS: None. MOTION CARRIED

2009 PLANNING COMMISSION ANNUAL REPORT.

Hill moved, Tabor second to accept the Planning Commission Annual Report of 2009.

AYES: 7 NAYS: 0 MOTION CARRIED.

CAPITAL IMPROVMENT BUDGET AMENDMENT NO. 7 FY2009 KBIC 2% MONEY DISBURSEMENT.

Hill moved, Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated Capital Improvement Fund receipts within the township on December 15, 2008 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
KBIC 2% Gaming Money			
401.582	\$35,000.00	+\$61,145.65	\$96,145.65
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department			
401.340.957	\$403,057.77	+49,395.61	\$452,453.38
Planning Department			
401.805.957	\$13,571.27	+1000.00	\$14,571.27
Police Department			
401.305.957	\$46,846.57	+10,750.00	\$57,596.57

ROLL CALL.

AYES: Tabor, Carlson, Hill, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None

MOTION CARRIED

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2009 – AMENDMENT NO. 5 – FIRE DEPARTMENT FEDERAL GRANT - AIR COMPRESSOR SYSTEM.

Trudeau moved, Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on December 15, 2008 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
Fire Department			
Capital Outlay			
401.340.957	\$372,221.77	+\$30,086.00	\$402,307.77
REVENUE	PREVIOUS	CHANGE	AMENDED
Due from Federal Grant			
401.501	\$0	+\$30,086.00	\$30,086.00

ROLL CALL.

AYES: Trudeau, Maki, Tabor, Carlson, Hill, Greenberg, Seppanen.

NAYS: None

MOTION CARRIED

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2009 – AMENDMENT NO. 6 – FIRE DEPARTMENT SCBA EQUIPMENT SALE.

Carlson moved, Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on December 15, 2008 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
Fire Department			
Capital Outlay			
401.340.957	\$402,307.77	+\$750.00	\$403,057.77
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
401.698	\$ 2,000.00	+\$750.00	\$ 2,750.00

ROLL CALL.

AYES: Tabor, Carlson, Hill, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None

MOTION CARRIED

TOWNSHIP BOARD PACKET REQUEST.

We have had a request from a Zoning Board of Appeals board member for Township Board meeting packets. The Township Clerk will do research on how other units of government handle this and how they charge for the public. She will also look into putting the packet on the website.

PUBLIC COMMENT.

Trustee Maki would like a breakdown in the Capital Improvements Fund by department explaining what project/purchase the money is set aside for and what the dollar amount is. Trustee Maki is hopeful that the Planning Commission and the Zoning Board of Appeals will follow the law. A permit was issued for a sign after the sign was in place and he hopes that this will not happen in the future.

Treasurer Greenberg requests that the issue of hiring a manager come before the full board for discussion early in 2010 before we move forward with the hiring process.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Choclay Township Police Quarterly States – 3rd Quarter
- B. December Assessing Updates
- C. Township Assessing Net Version and Tax Programs
- D. Marquette Area Wastewater Treatment Facility Advisory Board minutes
- E. Marquette County Solid Waste Minutes

Supervisor Seppanen adjourned the meeting at 9:35 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

January 18, 2010

A Regular meeting of the Chocolay Township Board was held on Monday, January 18, 2010 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Susan Carlson.
ABSENT: Ken Tabor.

STAFF PRESENT: Tom Murray, Mary Sanders, Brad Johnson, Gary Johnson, Denny Magadanz, Jennifer Thum, Greg Zyburt, Deb Heinzelman, Gary Heinzelman, Pat Beck , Scott Jennings , Tina Fuller, Mike Disch and Chris Lucas.

MINUTES –December 14, 2009.

Greenberg moved, Carlson second that the minutes of the December 14, 2009 Township Board meeting be approved. (MOTION WITHDRAWN)

Maki moved, Trudeau second that the minutes of the December 14, 2009 Township Board meeting be approved with the following changes – Trustee per diem vote add names to no vote. Add full wording to all zoning amendments. Add under public comment from Trustee Maki – A permit was issued for a sign after the sign was in place *that should not have been issued* and he hopes that this will not happen in the future.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Carlson moved, Hill second to accept the agenda as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Theresa Scram – Commented on the MERS pension program, Marquette County pension, the pension committee and hiring a township manager.

ACCOUNTS PAYABLE.

Trudeau moved, Maki second that bills totaling \$22,066.68 for checks numbered 15958– 15985 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Carlson moved, Trudeau second that bills totaling \$26,979.50 for checks numbered 15986– 16002 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Hill moved, Carlson second that bills totaling \$31,318.84 for checks numbered 16003– 16045 be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PAYROLL.

Maki moved, Greenberg second that the payroll for December 7, 2009 for \$2,271.43, December 10, 2009 for \$26,491.21, December 24, 2009 for \$29,948.94 and January 7, 2010 for \$28,273.11 be approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Trudeau moved, Carlson second to accept the CD and Treasurer's Report.

AYES: 6

NAYS: 0

MOTION CARRIED.

PRESENTATION – MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN.

Tony Radjenovich, MERS presented information to the Board on updated costs to enter into the MERS plan with actuarial value of assets as of January 1, 2010.

SUPERVISORS REPORT.

- Chocoday Township hosted the Lake Superior Partnership leadership academy.
- The utility review agreement has been signed by all governmental units.
- Reconstruction of U S 41 is slated to start in 2010 and our Township should begin discussion on the feasibility of bringing water from the City of Marquette out to Chocoday Township.
- Fire hall – Fire Chief Gary Johnson explained to the Board that one of the main reasons we were not considered for the Federal fire hall grant was due to the fact that we did not have plans ready to go on the building. The fire department will work on a RFP for a new fire hall and bring it to the Board for review at the February regular meeting.

MERS DEFINED BENEFIT PLAN/ACT 88.

The MERS defined benefit plan including ACT 88 was discussed and several motions were prepared for the board to review. Board members had additional questions/concerns on the MERS program and Tony Radjenovich suggested that a work session with MERS representatives including a MERS actuarial and the Township Board be set. The Board agreed to the work session.

TOWNSHIP MANAGER DRAFT CONTRACT, TIMELINE AND INTERVIEW PROCESS.

Trustees Trudeau and Maki feel that the application process should not go through the Personnel Committee. The Township Board should review all of the applications and do the interviewing. Treasurer Greenberg and Clerk Hill would like a committee of the Board to look at the applications. Trustee Carlson would like the use of he in the draft employment contract changed to *he/she*. Trustee Maki had questions on hiring for one year and the ability of the manager to be personnel administrator. Trustee Trudeau wants the draft employment contract changed in each place Township Board and Township Supervisor are used and replaced with *Township Board*.

Maki moved, Hill second to drop the hiring of a Township Manager.

AYES: 2 (Maki, Hill)

NAYS: 4 (Trudeau, Greenberg, Seppanen, Carlson)

MOTION FAILED.

BUDGET AMENDMENT – POLICE CHIEF CONFERENCE.

Maki moved, Carlson second to expend \$659.72 for the Police Chief Conference in Grand Rapids on February 10-12, 2010. This would come from the Capital Improvement Training Fund 401.306.957.

ROLL CALL:

AYES: Trudeau, Maki, Greenberg, Carlson, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

WICK PROPERTY DONATION.

A GIS presentation was done by Jennifer Thum, Planning Director/Zoning Administrator showing the property that Mr. Wick wants to donate to the Township.

Trudeau moved, Greenberg second to authorize the Township Supervisor to enter into agreement with the Township Attorney to do a title search on the Wick property and to start the process of transferring the parcel from Mr. Ron Wicks' name into Chocolay Township's name.

AYES: Carlson, Hill, Trudeau, Greenberg, Seppanen.

NAYS: Maki.

MOTION CARRIED.

AGENDA PACKET COST – REPORT FROM THE TOWNSHIP CLERK.

Clerk Hill indicated that the copy cost for the public is .15 per copy (approved by the Board). She feels that if a separate cost or no cost is set for any Board agenda packet, the decision should be made by the Board. We currently place the agenda and minutes on our website and a public copy of the full agenda is available at the office.

The Board would like follow up done on the ability and cost of putting the full agenda packet on our Township website for anyone to read. The Clerk will report back to the Board at the February meeting.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2009 AMENDMENT 6 REIMBURSEMENT FOR ALCOHOL GRANT.

Greenberg moved, Carlson second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 18, 2008, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Salaries			
101305.702	\$249,313.51	+\$6,465.71	\$255,779.22
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$37,115.28	+\$6,465.71	\$43,580.99

ROLL CALL:

AYES: Trudeau, Maki, Greenberg, Carlson, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

WASTEWATER EQUIVALENT USER FEE – 425 CORNING.

Hill moved, Greenberg second that the equivalent user factor for the Bell Hospital Clinic located at 425 Corning Street is reduced to 1. effective January 1, 2010, until the business is reopened. This is provided for in section 9D-3-a of Ordinance #39.

AYES: 6 NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENT EXPENDITURE REQUEST–MDOT ENHANCEMENT GRANT/DNR MULTI-PURPOSE CHOCOLAY RIVER BRIDGE.

Carlson moved, Trudeau second to expend \$75,000.00 from the Capital Improvement Fund Recreation and Grants account 401.708.957 to cover the Township required match for the grant.

ROLL CALL:

AYES: Carlson, Hill, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENT EXPENDITURE REQUEST – POLICE DEPARTMENT VIDMIC.
Maki moved, Carlson second to approve the purchase of 1 VIDMIC at a total cost of \$710.00. This will be paid from the Capital Improvement Fund Police account 401.305.957.

ROLL CALL:

AYES: Trudeau, Maki, Greenberg, Carlson, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

BID AWARD – CHOCOLAY RIVER MULTI-PURPOSE BRIDGE.

Greenberg moved, Hill second to recommend to MDOT and MDNR that the bid for the Chocolay River Multi-Use Bridge be awarded to A. Lindberg & Sons and going with alternate #3 for a price not to exceed \$281,000.00.

ROLL CALL:

AYES: Carlson, Hill, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Theresa Scram – Commented on articles in the Mining Journal about the County of Marquette and problems with the MERS pension.

Wayne Dees – Questioned on continuing to receive a no cost full copy of the Township agenda packet and that they should be available to the public if they want a copy.

John Scram – Commented on defined benefit pension plans and defined contribution pension plans and is interested in the upcoming workshop.

Wayne Dees – Questioned zoning issues/problems left by the previous zoning administrator.

Trustee Maki – Public comment language taped on the podium is not current. Did not receive a draft copy of the agenda 1 week prior to the meeting. Commented on the number of zoning amendments that we have made.

Jennifer Thum – Chocolay Township was awarded the Costal Management Grant.

Trustee Maki – Concerned about 5 acre parcels and rebuilding on them after a fire. Why was a letter from Jeff Jones in the board packet and his were not?

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Marquette Area Wastewater Treatment Facility Advisory Board minutes – 11/11/2009
- B. Marquette Area Wastewater Treatment Facility Advisory Board agenda – 11/17/2009
- C. Correspondence from CABA & Lions Club - Visit with Santa
- D. Correspondence – Jeff Jones
- E. Correspondence – Jennifer Thum – Work Plan for Comprehensive Plan
- F. Departmental Monthly Reports

Supervisor Seppanen adjourned the meeting at 9:15 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

February 15, 2010

A Regular meeting of the Chocolay Township Board was held on Monday, February 15, 2010 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Susan Carlson, Ken Tabor.

ABSENT: None.

STAFF PRESENT: Tom Murray, Mary Sanders, Denny Magadanz, Brad Johnson, Jennifer Thum.

MINUTES – January 18, 2010.

Carlson moved, Greenberg second that the minutes of the January 18, 2010 Township Board meeting be approved as presented.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Hill moved, Greenberg second to accept the agenda as presented.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$136,492.11 for checks numbered 16046 – 16077 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved, Carlson second that bills totaling \$35,898.00 for checks numbered 16078 – 16119 are approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PAYROLL.

Hill moved, Tabor second that the payroll for January 12, 2010 \$7,391.65, January 21, 2010 for \$30,032.56 and February 4, 2010 for \$26,991.15 are approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS.

Hill moved, Tabor second to accept the Financial and Treasurer’s Report.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PRESENTATION – HERITAGE TRAIL.

Carol Fulsher, Don Britton and Jim Thomas presented information on the status of the Heritage Trail in the Negaunee/Ishpeming area. They brought along examples of Historical signage that will be placed on the trail. Last summer the Negaunee/Ishpeming trail averaged 500 people per day. The trail that will go from the Brownstone Inn to Washington Street was discussed. The Heritage Trail Committee will have a millage proposal on the August ballot.

SUPERVISORS REPORT.

- We are continuing to explore placing water lines along U S 41 South between Marquette and Harvey when the highway is under construction in 2012.
- Transition of Zoning Administrator duties from Randy Yelle to Jennifer Thum occurred in January. Jennifer Thum gave the Board an up date on Lakenen Land and the permit status.

Maki moved, Tabor second to waive the conditional Use permit fee for the Lakenen Band shell.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

AGENDA PACKETS FOR BOARD AND COMMISSION MEMBERS.

Clerk Hill wrote a memo to the Board explaining that we are placing the full agenda for Boards and Commissions on the Township website. The public will be able to view and print from the web site. Currently we are using a hand fed scanner belonging to the Police Department. We are also looking at purchasing a new copier and the new copiers have the capability to scan files and put into PDF format for the web site. This will make the process quicker and easier. At this point Clerk Hill suggested keeping the FOIA cost at .15 per page.

Hill moved, Carlson second that the Clerk Department prepares a purchase request for final approval by the Board at the March meeting.

AYES: 7

NAYS: 0

MOTION CARRIED.

Wayne Dees – Commented on reasonable costs for FOIA and charging for research at the lowest hourly employee rate.

MANAGER POSTING, EMPLOYMENT CONTRACT AND TIMELINE.

Trustee Trudeau requested that all Board members should be involved in each step of the process for the Manager position.

The Board agreed to set up a Special Board meeting to discuss the Manager position within the next two weeks.

2010 FINANCIAL AUDIT AGREEMENT.

Treasurer Greenberg asked the Board if they preferred to enter an additional 3 year agreement with our current auditors or go out for bids. We have a good working relationship with our current auditors. Trustee Trudeau suggested that we do a formal renewal of contract with our current auditors at the March meeting and that will allow any other local audit firm a chance to present a contract at that time.

WOOD CHIPPER.

Hill moved, Carlson second that the Chocolay Township Board approve the expenditure of \$9,999.00 from the Sanitation Department in the Capital Improvement Fund #401.526.957 to M & M Specialties for a rebuilt Wood Chipper.

ROLL CALL.

AYES: Trudeau, Maki, Greenberg, Carlson, Tabor, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Wayne Dees – Commented on the Township, Planning Commission and the Zoning Board of Appeals working with Tom Lakenen on Lakenenland Park.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Mqt. Co. Solid Waste Mgmt. Auth. - October 21st, 2009
- B. Communication – Charter Communications
- C. Departmental Monthly Reports
- D. Minutes - Personnel Committee, February 4th, 2010 (Draft)
- E. Minutes – Mqt. Area Wastewater Treatment Facility Adv. Board, December 17th, 2009
- F. Meeting Schedule – 2010 Iron Ore Recreation Authority
- G. Communication – John Shupe

Supervisor Seppanen adjourned the meeting at 8:05 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

February 17, 2010

A Special meeting of the Chocolay Township Board was held on Wednesday, February 17, 2010 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 6:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Ken Tabor.

ABSENT: Sue Carlson.

AGENDA.

Trudeau moved, Greenberg second to approve the agenda.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

MERS DEFINED BENEFIT PENSION PLAN.

Mike Tackett and Tony Radjenovich from Municipal Employees' Retirement System of Michigan were present to answer questions on the MERS plan.

The Board had questions on:

- How the IRS looked at employee contributions
- Unfunded liability
- Employees leaving before the unfunded liability is paid off
- Pension plan enhancements
- Amortization rates

The Board agreed to move forward with the MERS Pension Plan and direct staff to prepare a resolution containing the following:

- The employer will maintain a 10% gross wage contribution rate
- Employees will contribute 2.5% of gross wages until the plan is 100% funded
- Plan changes will not be considered until the plan is 100% funded
- The unfunded liability will be amortized over a 5 year period with progress reviewed annually
- Prior to any plan change, an actuarial report shall be acquired to ensure affordability and if that assurance is not given, the enhancement will not be approved
- Plan enhancements will not be considered if the cost of the plan exceeds 12.5% of gross payroll- 10% employer/2.5% employee
- When a plan change is considered, the unfunded liability shall be paid within a 5 year period

PUBLIC COMMENT.

None.

Supervisor Seppanen adjourned the meeting at 7:15 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

February 23, 2010

A Special meeting of the Chocoday Township Board was held on Tuesday, February 23, 2010 at the Chocoday Township Office, 5010 U. S. 41 South, Marquette, MI. The Special meeting was held to discuss the Township Manager position. Supervisor Seppanen called the Township Board meeting to order at 6:00 p. m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, Sue Carlson, John Trudeau, Mark Maki, Ken Tabor.

ABSENT: John Greenberg.

AGENDA.

Trudeau moved, Tabor second to approve the agenda.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

CONSIDERATION TOWNSHIP MANAGER.

The Board reviewed and made changes to 5 documents dealing with the hiring of a manager. The documents are the proposed posting, hiring time line, organizational chart, employment agreement and job description with Personnel Committee recommendations. The following items were discussed and changed:

- Organizational Chart – delete Planning Commission and Zoning Board of Appeals boxes, add a box for D.P.W. Supervisor under manager and above D.P.W. foreman and change wording road patrol officer to police officer.
- Proposed Posting - add the word **background** after - At a minimum, the applicant must possess a Bachelors degree in public administration, engineering or equivalent. Change for to **with** 3 references.
- Hiring Time Line - MAY 1. delete **Committee and or**.
- Employment Agreement – 1. Position: Employment Period add **by the Board** after and shall be subject to annual review. Change they to **he/she** and Supervisor to **Board**. 3. Compensation change his to **he/she**.
- Job Description – Other Skills: add **Ability to gain** knowledge of the laws, ordinances and policies governing Charter Township services and operations. Physical requirements – delete **ability of operate equipment related to confined spaces**.

Maki moved Tabor second to accept the proposed posting, hiring time line, organizational chart, employment agreement and job description Township Manager documents with the above changes.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

Supervisor Seppanen adjourned the meeting at 6:45 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

March 15, 2010

A Regular meeting of the Chocolay Township Board was held on Monday, March 15, 2010 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Susan Carlson.

ABSENT: Ken Tabor.

STAFF PRESENT: Tom Murray, Mary Sanders, Denny Magadanz, Brad Johnson, Jennifer Thum, Gary Johnson.

MINUTES – FEBRUARY 15, 2010, FEBRUARY 18, 2010 AND FEBRUARY 23, 2010.

Maki moved, Trudeau second that the minutes of the February 15, 2010, February 18, 2010 and February 23, 2010 Township Board meeting be approved as presented.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Supervisor Seppanen requested that Lakenenland be moved up to the top of the agenda under public comment.

Greenberg moved, Hill second to accept the agenda as presented.

AYES: 6 **NAYS:** 0 **MOTION CARRIED.**

PUBLIC HEARING – ZONING ORDINANCE AMENDMENT 34-10-01 FIRST READING.

No public comment.

PUBLIC COMMENT.

Pam Christianson, Peter White Public Library – Currently the State of Michigan Library has no legal council and until one is appointed all library millage language will have to be dealt with on the local level.

Chocolay Township library millage does not come up for a vote until 2012. Pam thanked the Board and staff for all the assistance. Library Day in Chocolay Township is March 31, 2010.

Lakenenland Update.

Jennifer Thum, Township Zoning Administrator/Planner updated the Board on the zoning process for the band shell at Lakenenland.

Tom Lakenen – Read a rebuttal to the Township response to his Marquette Monthly editorial including information on his outhouse permit, a controlled burn at Lakenenland, letter from Randy Yelle on camping at Lakenenland, a FOIA request from March 2006, Dry Hydrant on Lakenenland and the band shell permit.

Paul Waters 43 Tracie Drive – Has spent many hours at Lakenenland and feels that it is an asset for Chocolay Township.

Tony Lakenen 108 Timberlane – Questioned how many permits has the new zoning administrator revisited since she took over. What is the difference between a zoning compliance permit and a conditional use permit? What type of conditions could the Township Planning Commission place on Lakenenland if they apply for the CUP?

Dave Bradley 151 Fassbender – Was a zoning permit ever issued for the band shell? What is AF zoning district?

Tracey Webber Fairbanks– Is a Lakenenland supporter and feels the Township Board should go to the County and support Tom Lakenen.

Robin Wiggins 239 Fairbanks – Does a signed zoning permit make all of these problems for Tom Lakenen go away?

Kate Crusher 102 Quant Trail– Supports Tom Lakenen and the band shell.

Tony Lakenen 910 Willow Road – Clarify the change in the zoning ordinance allowing parks and kennels in AF zoning district. How does a band shell fit in with parks and kennels?

Tom Lakenen – Thanked all of the people in the audience that came to support him.

Sheila Debman 244 Shot Point Drive – Hopes that the Board will help Tom Lakenen with the paperwork to get the zoning permit.

ACCOUNTS PAYABLE.

Trudeau moved, Carlson second that bills totaling \$50,292.35 for checks numbered 15385 – 15429 are approved for payment.

AYES: 5 NAYS: 1 (Maki)

MOTION CARRIED.

Hill moved, Carlson second that bills totaling \$16,974.33 for checks numbered 16120 – 16139 are approved for payment.

AYES: 6 NAYS: 0

MOTION CARRIED.

Trudeau moved, Carlson second that bills totaling \$39,058.28 for checks numbered 16140 – 16173 are approved for payment.

AYES: 6 NAYS: 0

MOTION CARRIED.

PAYROLL.

Carlson moved, Trudeau second that the payroll for February 18, 2010 for \$30,744.85, March 4, 2010 for \$26,751.50 are approved.

AYES: 6 NAYS: 0

MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Carlson moved, Hill second to accept the Financial and Treasurer's Report.

AYES: 6 NAYS: 0

MOTION CARRIED.

SUPERVISORS REPORT.

Transition –Report by Jennifer Thum on current zoning issues.

- Mini-warehouses
- Lakenenland
- Holiday gas station sign
- McDonald's signage
- Waselesky storage
- Spodec property
- Illegal signs
- Keough N. Big Creek property
- Sommers property on Timber lane
- Home occupation
- Lighting
- Private roads
- Nonconforming uses
- Planned unit development
- Contractors yards

Trustee Maki requested that street lighting for the U S 41 corridor be added to the list.

DISCUSSION 2010-2012 AUDIT.

A proposal from our current auditors will be on the April agenda.

PHOTO COPIER/PRINTER/SCANNER.

Hill moved, Carlson second to authorize the Clerk to expend \$6,689.00 from the Clerk Department capital improvement fund 401.215.957 for the purchase of a Sharp MX-4100N color copier/printer/scanner from U. P. Office Equipment Systems.

ROLL CALL.

AYES: Carlson, Hill, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None.

Motion Carried.

MUNICIPAL EMPLOYEES RETIREMENT SYSTEM – DEFINED BENEFIT PLAN.

Mike Tackett noted that he reviewed the proposed documents, and found them to be in order. It was also discussed with the Boards concurrence that all future employees must participate in the defined benefit program.

Greenberg moved, Carlson second that

WHEREAS, the Charter Township of Chocolay Township has been asked to consider the adoption of a Defined Benefit Retirement Provision for the Chocolay Township Employees; and

WHEREAS, the Charter Township of Chocolay has reviewed provisions that the Board feels applicable to the operation of said Retirement Plan; and

NOW THEREFORE BE IT RESOLVED that the following provisions shall be applicable to the adoption of said retirement plan:

- The Employer will maintain a maximum 10% gross wage contribution rate until the plan is fully funded.
- The Employees will contribute 2.5% of gross wages until the plan is 100% funded, and anytime thereafter should the required contribution rate exceed 10%.
- The unfunded liability will be amortized over a 5 year period with progress reviewed annually.
- Plan changes shall not be made if the change generates an unfunded balance.
- Prior to any future plan change, an actuarial report shall be acquired to ensure affordability and if that assurance is not given, the improved plan will not be approved.
- Plan improvements or enhancements will not be considered if the cost of the plan exceeds (10% Board / 2.5% Employees) of gross payroll.

ROLL CALL.

AYES: Hill, Carlson, Trudeau, Greenberg, Seppanen.

NAYS: Maki

MOTION CARRIED.

Hill moved Carlson second, to authorize the Township Clerk to execute the following MERS documents and resolutions on behalf of the Charter Township of Chocolay.

- Membership Agreement
- Resolution adopting a Defined Benefit program
- Resolution directing electronic payment of invoices
- Resolution to exclude temporary employees
- Resolution for defining Hours per month
- Resolution for adopting ACT 88

ROLL CALL.

AYES: Trudeau, Greenberg, Hill, Maki, Carlson, Seppanen.

NAYS: None.

MOTION CARRIED.

Greenberg moved, Hill second to rescind Chocolay Township Pension Ordinance #54 effective April 1, 2010.

AYES: 6

NAYS: 0

MOTION CARRIED.

SEWER CLEANER PURCHASE.

Bids for the sewer cleaner were presented to the Board by the Department of Public Works.

Maki moved, Greenberg second that Chocolay Township accepts the bid from Superior Equipment for the Obrien sewer cleaner, in the amount of \$17,676.00. The funds for the sewer cleaner will be taken from sewer capital improvements 571.571.970.

ROLL CALL.

AYES: Hill, Carlson, Maki, Trudeau, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

PLANNING COMMISSION TOP PRIORITIES.

Presented To the Board by Jennifer Thum, Zoning Administrator/Planning Director.

1. Sign ordinance
2. Township recreational plan update
3. Township comprehensive plan update
4. MDOT Enhancement grant
5. Intersection at U S 41/M28 (landscaping)
6. Review all the Township properties (started in 2009)
7. Brower property

Trustee Maki asked why we are looking at a sign ordinance. The Board discussed electronic signage and the majority is against flashing signs, but feels that we need to discuss signs and create regulations for them. Supervisor Seppanen requested adding street lighting to the priority list.

ELECTION PRINTER FOR THE QUALIFIED VOTER SYSTEM.

Hill moved, Maki second to authorize the Clerk to expend \$1,462.00 from the Election Department in the Capital Improvement Fund 401.190.957 for the purchase of a HP LaserJet 4015N from Lasco, Inc.

ROLL CALL.

AYES: Trudeau, Greenberg, Hill, Maki, Carlson, Seppanen.
NAYS: None. MOTION CARRIED.

IRRIGATION SYSTEM FOR LIONS, SILVER CREEK AND BEAVER GROVE BALLFIELDS.
Bids were presented to the Board by the Department of Public Works for the three Township Ball fields.

Greenberg moved, Carlson second that Chocolay Township accept the bid from Nimbus Turf Irrigation Inc., for the irrigation at the Lions, Silver Creek and Beaver Grove ball fields in the amount of \$17,737.00 contingent on Nimbus providing proof of liability, work compensation and auto insurance. The funds for the irrigation system will be taken from Recreation and Properties in the capital improvements fund 401.756.957.

ROLL CALL.

AYES: Hill, Carlson, Maki, Trudeau, Greenberg, Seppanen.
NAYS: None. MOTION CARRIED.

WASTEWATER USE CHARGE/308 SILVER CREEK ROAD.

Greenberg moved, Hill second that the equivalent use factor for Mr. & Mrs. Schirtzinger at 308 Silver Creek Road be reduced to 0, effective January 1, 2010, until the property becomes active. This is provided for in Section 9C-2-e of Ordinance #39.

AYES: 6 NAYS: 0 MOTION CARRIED.

ZONING ORDINANCE AMENDMENT 34-10-01, SECTION 17.2.

This amendment will allow a Township designee to act in the absence of the Zoning Administrator.

Maki moved, Greenberg second to approve the first reading of proposed zoning ordinance #34-10-01 language stating that in the event that the Zoning Administrator is absent from work for a period of more than five (5) consecutive days due to illness, vacation or for any other reason, the authority to issue Zoning Compliance permits in accordance shall devolve upon the Township Board designee and the duties shall remain with the Township Board designee for the duration of such vacancy or absence. The Township Board will hold the second reading at their April 19, 2010 Township Board meeting.

AYES: 6 NAYS: 0 MOTION CARRIED.

FIRE DEPARTMENT RFP'S FOR FIRE HALL DESIGN AND EQUIPMENT TRAILER.

Maki moved, Trudeau second to authorize the fire department to seek proposals for an architectural firm to design plans for the new fire hall.

AYES: 6 NAYS: 0 MOTION CARRIED.

Maki moved, Trudeau second to authorize the fire department to seek proposals for the purchase of an enclosed equipment trailer.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Ginger Winn – M-28 – Lives near Lakenenland and has concerns about Lakenenland.

Trustee Trudeau – No one can legally build a structure without a building permit from the County.

Wayne Dees- Comments on Holiday sign and sign ordinance.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Darrell Gebers
- B. Correspondence – James Thomas, Iron Ore Heritage Trail
- C. Minutes – MCSWA – October 21st, November 12th & December 16th, 2009
- D. Minutes – MAWTFAB – January 21st, 2009
- E. 2009 Police Department Statistics
- F. Departmental Reports - February 2010

Supervisor Seppanen adjourned the meeting at 9:35 pm.

Arlene E. Hill, CMC

Mary L. Sanders, CMC

Clerk

Deputy Clerk

Tabor moved, Trudeau second that Chocolay Board approves the expenditure for a lock system for an amount of \$1,270.00. The funds for the lock system will be taken from Capital Improvements Recreation and Properties 401,756.957.

Roll Call:

AYES: Hill, Carlson, Tabor, Trudeau, Maki, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

FIRE CHIEF CONFIRMATION.

Greenberg moved, Carlson second that the Chocolay Township Board concurs with the Supervisors recommendation by appointing Gary Johnson as Fire Chief for an additional two year term.

AYES: 7 NAYS: 0

MOTION CARRIED.

ZONING ISSUES/TRUSTEE MAKI SUGGESTIONS FOR ZONING AMENDMENTS.

Trustee Maki addressed the Board on his suggestions for zoning amendments. He also gave a hand out to the Board addressing these issues.

- Swimming pools should not be a conditional use in R-1 & R-2
- Mini storage units in the Commercial district.
- A/F district does not allow a single family dwelling.
- A/F district – delete contractor yard/shops.
- Section 410 Mining & mineral extraction.
- Height and placement regulations.
- Lot sizes in R-2.
- Frontage on private roads.
- Section 7 Mineral extraction.
- Planned Unit Development.
- Waiving of fees by the Township Board.

PUBLIC COMMENT.

Wayne Dees 512 Woodvale – Complaint on the March Board minutes on flashing signs comment and felt there was not enough detail in public comments. Also had a question on the no trespassing sign for Chocolay Boards on the Lakenenland property.

Tracie Henricksen 117 Dandelion – Agrees with Trustee Maki about wanting larger lots sizes in Chocolay Township.

Pete Mackin 203 Hotel Place – Is a member on the Senior Citizens Advisory Board and is looking for feedback from the Township Board on services for seniors to take back to Marquette County.

Dick Arnold 312 West Branch Road – Agrees with Trustee Maki on addressing the A/F zoning District.

Treasurer Greenberg – Was surprised to learn that the proposed tunnel under U S 41 will be closed during the winter months.

Trustee Carlson – Agreed with Wayne Dees on his comment on flashing signs in the March minutes. There was not a clear majority of the Board opposing or in favor of the flashing signs.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Departmental Reports – March 2010
- B. Communication – Char McDonnell
- C. Minutes – MAWTFAB, February 18th, 2010
- D. Assessing Report
- E. Minutes – MCSWMA, January 20th, 2010
- F. Curbside Scrap Metal Collection – RFP
- G. Communications – Wayne Dees
- H. Communication – Liquor Control Commission
- I. Communication – Ronald Smith
- J. Communication – Martha Vreeland
- K. Fertilizer / Lime RFP

Supervisor Seppanen adjourned the meeting at 9:00 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 6, 2010

A Special Meeting of the Charter Township of Chocolay Board was held on Thursday, May 6, 2010, at 6:00 pm at the Chocolay Township Office, 5010 US 41 South, Marquette, Michigan. The Special Meeting was held to discuss the Township Manager position and MDOT infrastructure improvements/US 41 South.

TOWNSHIP BOARD

PRESENT: Greg Seppanen, Arlene Hill, Sue Carlson, John Trudeau, Mark Maki, Ken Tabor, John Greenberg

STAFF PRESENT

Deb Heinzelman, Denny Magadanz, Tom Murray

AGENDA

Trudeau moved, Hill second to approve the Agenda.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT

None.

TOWNSHIP MANAGER SELECTION PROCESS

The Board reviewed ratings for each applicant for the Township Manager position. The top three candidates were discussed: Steve Lawry, Karen Chandler, and an applicant from Alaska. Trustee Mark Maki suggested the applicant be called to determine his interest in an interview with the Board.

At 6:30 p.m., a brief break in the meeting was taken and Supervisor Seppanen placed a phone call to the applicant's employment and home.

At 6:35 p.m., Greg Seppanen reconvened and stated the applicant is no longer working with employer and home phone did not have option of leaving a message for a return phone call. Supervisor Seppanen will follow up with another phone call to the applicant by next week.

Trustee Mark Maki asked if candidates met all minimum qualifications. Tom Murray stated candidates do meet all minimum qualifications.

The Board decided to interview Steve Lawry and Karen Chandler. Supervisor Seppanen will schedule those interviews.

MDOT INFRASTRUCTURE IMPROVEMENTS/US 41 SOUTH

The Board discussed two packets of information from Michael J. Pond from AECOM and Albert Mickalich of UPEA Engineers & Architects.

Trustee Trudeau moved, Hill second, to award contract to UPEA Engineers & Architects.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT

None.

Supervisor Seppanen adjourned the meeting at 6:50 p.m.

Arlene E. Hill, CMC
Clerk

Debra Heinzelman
Administrative Assistant

May 24, 2010
Special Board Meeting

A Special meeting of the Chocolay Township Board was held on Monday May 24, 2010 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 5:30 p.m. The Special Meeting was called to interview for the Manager position.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Ken Tabor, Sue Carlson.

ABSENT: None.

STAFF PRESENT: Tom Murray, Mary Sanders.

AGENDA.

Hill moved, Carlson second to approve the agenda as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

Supervisor Seppanen outlined the interview procedure and stated that the Township Board members and staff prepared a list of 10 interview questions and the Board would go in order, each asking a question from the prepared list.

INTERVIEW WITH TOWNSHIP MANAGER CANDIDATE #1.

Karen Chandler was introduced to the Board. Ms. Chandler has a Master of Public Administration from Northern Michigan University. She was Finance Director for the Women's Center, Director of Planning and Research for Chocolay Township and City Assessor for the City of Munising. Ms. Chandler responded to a set of questions from the Board.

INTERVIEW WITH TOWNSHIP MANAGER CANDIDATE #2.

Steven Lawry was introduced to the Board. Mr. Lawry has a B. S., Civil Engineering from Michigan Technological University. Mr. Lawry was Assistant City Engineer and Superintendent of Public works for the City of Marquette and Director of Public Works for the City of Negaunee. Mr. Lawry responded to a set of questions from the Board.

The Board discussed both candidates and felt that they were both uniquely qualified. The Board discussed the direction the Township wanted to go with the new position. Ms. Chandler would be able to hit the ground running with her overall knowledge and experience with municipal government. Mr. Lawry would be innovative in infrastructure, management skills and future needs of the Township.

Trudeau moved, Tabor second to hire Steven Lawry as part-time manager at 24 hours per week with a salary set at \$36,000.00.

AYES: 7

NAYS: 0

MOTION CARRIED.

Supervisor Seppanen will call Mr. Lawry after the meeting is adjourned and offer the Township Manager position to him.

PUBLIC COMMENT.

None.

Supervisor Seppanen adjourned the meeting at 6:45 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

June 21, 2010

A Regular meeting of the Chocolay Township Board was held on Monday, June 21, 2010 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Clerk Hill called the Township Board meeting to order at 7:00 p.m. in the absence of the Supervisor.

Trudeau moved, Maki second that Treasurer Greenberg chair the meeting in the absence of the Supervisor.

AYES: 6 NAYS: 0 MOTION CARRIED.

TOWNSHIP BOARD.

PRESENT: Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Ken Tabor, Susan Carlson.

ABSENT: Greg Seppanen.

STAFF PRESENT: Steve Lawry, Tina Fuller, Tom Murray, Jennifer Thum, Mary Sanders, Denny Magadanz, Greg Zybert.

MINUTES –May 17, 2010 AND MAY 24, 2010.

Trudeau moved, Carlson second that the minutes of the May 17, 2010 Township Board meeting be approved with a correction on zoning amendment 34-10-02 and 34-10-04 votes.

AYES: 6 NAYS: 0 MOTION CARRIED.

Maki moved, Tabor second that the minutes of the May 24, 2010 Special Township Board meeting be approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Maki moved, Carlson second to accept the agenda including an addition of General Property Tax Act & FOIA –Deborah Mulcahey A. under new business.

AYES: 5 NAYS: 1(Trudeau) MOTION CARRIED.

PUBLIC COMMENT.

Tom Casperson, Escanaba – Introduced himself to the Board and indicated that he is running for the 38th Senate seat.

Paul Wolfson – Indicated to the Board that he was representing Bell Medical on Zoning Ordinance Amendment 34-10-02.

Trustee Maki – Explained to the Board that he should have voted no on the Planning Commission appointment at the May 17, 2010 meeting. In the future he will expect the Supervisor to present a reason for his selection on the Planning Commission appointee. Mr. Maki commented on the Holiday Gas Station sign that has been in violation for 7 months and Lakenenland Conditional Use Permit application that was completed and signed by someone at the Township.

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$19,810.99 for checks numbered 16305 -16323 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Carlson moved, Trudeau second that bills totaling \$32,673.79 for checks numbered 16324 – 16350 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Hill second that bills totaling \$18,964.81 for checks numbered 16351 -16377 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PAYROLL.

Hill moved, Tabor second that the payroll for May 27, 2010 totaling \$31,511.89 and June 10, 2010 totaling \$25,957.92 are approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Trudeau moved, Tabor second to accept the Financial and Treasurer's Report.

AYES: 6 NAYS: 0 MOTION CARRIED.

PRESENTATIONS –

RESOLUTION OF APPRECIATION.

Hill moved, Trudeau second

RESOLUTION OF APPRECIATION

For his dedication to the Township and its citizens

We do express our thanks and appreciation to

ALBERT K. DENTON

For dedication as Chairman and member of the

Chocolay Township Planning Commission,

On this your separation from the Charter Township of Chocolay Planning Commission, we do express our appreciation on behalf of the Township Board and its residents.

AYES: 6 NAYS: 0 MOTION CARRIED.

Maki moved, Hill second

RESOLUTION OF APPRECIATION

For his dedication to the Township and its citizens

We do express our thanks and appreciation to

STEVEN D. KINNUNEN

For dedication as Vice Chairman and member of the

Chocolay Township Planning Commission,

On this your separation from the Charter Township of Chocolay Planning Commission, we do express our appreciation on behalf of the Township Board and its residents.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Carlson second

RESOLUTION OF APPRECIATION

For his dedication to the Township and its citizens

We do express our thanks and appreciation to

WAYNE T. DEES

For dedication as a member of the Zoning Board of Appeals

For the Charter Township of Chocolay,

On this your separation from the Charter Township of Chocolay Zoning Board of Appeals, we do express our appreciation on behalf of the Township Board and its residents.

AYES: 6 NAYS: 0 MOTION CARRIED.

Maki moved, Trudeau second

RESOLUTION OF APPRECIATION

For his dedication to the Township and its citizens

We do express our thanks and appreciation to

DENNIS A. MAGADANZ

For dedication as D.P.W. Superintendent for the

Charter Township of Chocolay

On this your separation from the Charter Township of Chocolay, we do express our appreciation on behalf of the Township Board and its residents.

AYES: 6 NAYS: 0 MOTION CARRIED.

SUPERVISORS REPORT.

- Presentation by Planning Director Jennifer Thum on the clean up of John Sommers property on Timberlane.
- Denny Magadanz D.P.W. Supervisor will be leaving the Township on June 30, 2010.
- There was an accident involving the fire truck and the garage door on the fire hall.

34-10-02 - ZONING ORDINANCE TEXT AMENDMENT - SECOND READING.

Trudeau moved Tabor second to approve Zoning Amendment #34-10-02 which would add the following uses as Conditional Uses under Section 4: 4.2 High Density Residential District (R-2) (Harvey), (C) Conditional uses: General Office, Nursing homes, Medical/ Veterinary Clinics.

AYES: 5 NAYS: 1(Maki) MOTION CARRIED.

34-10-03 – ZONING ORDINANCE TEXT AMENDMENT - SECOND READING.

Trudeau moved Maki second to approve Zoning Amendment #34-10-03 which would add the following definitions under Section 2 Definitions: General Office: A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations. An office shall not include a clinic or the production, distribution or sales of goods or commodities which are physically located on the premises, and Veterinary Clinics: A place used

for the diagnosis, care, and treatment of sick, injured, or infirmed animals or those in need of medical or surgical attention. Such a place may include provisions for temporary boarding of animals for treatment, observation, or recuperation.

AYES: 6 NAYS: 0 MOTION CARRIED.

34-10-04 – Zoning ORDINANCE TEXT AMENDMENT - SECOND READING.

Tabor moved, Carlson second to approve Zoning Amendment #34-10-04 which would add the following uses under Section 4: 4.7 Agriculture/ Forestry District (AF) (C) Conditional Uses: Schools and Churches.

AYES: 5 NAYS: 1(Maki) MOTION CARRIED.

GENERAL PROPERTY TAX ACT & FOIA –DEBORAH MULCAHEY.

Deborah Muhcahey issued a complaint with the Board on the \$5.00 charge for appraisal cards. She read a letter to the Board concerning correspondence between the Township Supervisor and employees and herself dealing with property assessment cards and FOIA. She asked that the Board revisit the \$5.00 charge for property assessment cards. She also had a complaint about the public computer with the assessing program on it.

Treasurer Greenberg told Ms. Mulcahey that she would receive a response in writing within 14 days.

Trustee Maki asked Ms. Mulcahey if she has ever requested to review the Township assessment record cards. Trustee Maki also stated that the Board voted for the \$5.00 charge for the property cards; he voted against the charge.

Maki moved, Tabor second to discuss the charge for property assessment cards and availability of property assessment information on the next agenda.

AYES: 6 NAYS: 0 MOTION CARRIED.

AR-15 RIFLE PURCHASE.

Tabor moved, Carlson second to approve the purchase of two AR-15 rifles for the police department. The cost will not exceed \$3,000.00 and this will be paid from the Capital Improvements Fund account 401.305.957.

ROLL CALL.

AYES: Tabor, Carlson, Maki, Hill Trudeau, Greenberg.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

SNOWMOBILE GRANT MATCH.

This item was withdrawn from the agenda; Chocolay Township did not qualify for the grant.

ATV PURCHASE - FIRE DEPT. & POLICE DEPT.

Carlson moved, Tabor second to approve the purchase of a 2010 Can Am 500 XT all terrain vehicle from Marquette Powersports at a total cost of \$8,626.98. This will be paid ½ from the Police Department Capital Improvement Fund account 401.305.957 and ½ from the Fire Department Capital Improvement Fund account 401.340.957.

ROLL CALL.

AYES: Hill, Trudeau, Greenberg, Tabor, Carlson, Maki.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

ZBA RE-APPOINTMENT.

Greenberg moved, Hill second to re-appoint Michelle Wietek to a 3 year term expiring May 9, 2013.

AYES: 6 NAYS: 0 MOTION CARRIED.

DPW LAWN TRACTOR PURCHASE.

Tabor moved, Trudeau second that Chocolay Township purchase a John Deere LA 155 lawn tractor from Michigan Sales for \$1,999.00 to be paid from Recreation and Properties in the Capital Improvement Fund 401.756.957.

ROLL CALL.

AYES: Tabor, Carlson, Maki, Hill, Trudeau, Greenberg.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

FILE AND TERM SERVER REPLACEMENT.

Maki moved, Tabor second to expend \$22,590.98 from Computers account in the Capital Improvement Fund 401.258.957.

ROLL CALL.

AYES: Hill, Trudeau, Greenberg, Tabor, Carlson, Maki.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

RESURFACING BIDS.

Trudeau moved, Carlson second to award the bid to Payne and Dolan Inc., in the amount of \$310,647.00 for the resurfacing of 16,725 feet of roads in the Timberlane subdivision with funds from Road Millage Fund 204.440.957.

ROLL CALL.

AYES: Tabor, Carlson, Maki, Hill, Trudeau, Greenberg.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

WATER CROSSING.

Carlson moved, Tabor second to expend not more than \$15,000.00 from the Water account in the Capital Improvements Fund 401.591.957 for engineering, blueprints and construction of a 16 inch D.I. CL52 water pipe crossing under U S 41, when the highway is reconstructed.

ROLL CALL.

AYES: Hill, Trudeau, Greenberg, Tabor, Carlson, Maki.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

CAPITAL IMPROVEMENT BUDGET AMENDMENT NO.1 FY2010 KBIC 2% MONEY DISBURSEMENT.

Trudeau moved, Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated Capital Improvement Fund receipts within the township on December 14th,2009 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
KBIC 2% Gaming Money 401.582	\$0.00	+\$76,000.00	\$ 76,000.00
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire 401.340.957	\$309,813.50	+\$60,430.00	\$370,243.50
Elections 401.190.957	\$ 18,834.01	+\$ 800.00	\$ 19,634.01
Hall & Grounds 401.265.957	\$ 25,702.27	+\$ 2,000.00	\$ 27,702.27
Police 401.305.957	\$115,214.57	+\$ 12,770.00	\$127,984.57

ROLL CALL.

AYES: Tabor, Carlson, Maki, Hill Trudeau, Greenberg.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

CHOCOLAY RIVER BRIDGE EXPENDITURE.

Trudeau moved, Maki second to authorize payment to A. Lindberg and Sons for a bill received in the amount of \$96,187.50 from Federal/State Grant Bridge in the Capital Improvements Fund 401.708.001.957 providing the proper documentation for billing, (showing bridge storage) and insurance. We will then submit the necessary paperwork to the State of Michigan to be reimbursed for the funds.

ROLL CALL.

AYES: Hill, Trudeau, Greenberg, Tabor, Carlson, Maki.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Departmental Reports - May 2010
- B. Correspondence – Pam Christensen, Peter White Public Library
- C. Minutes – April 15th, 2010 – MAWTFAB
- D. Minutes – April 27th, 2010 – Marquette City Planning Commission
- E. Minutes – March 16th, 2010 – MCSWMA
- F. Correspondence – Marquette County Road Commission
- G. Minutes - Marquette Township Planning Commission
- H. Correspondence - Jamie Tomczyk, Planning Comm. Resignation
- I. Minutes - May 3rd, 2010 Planning Commission
- J. Correspondence – Denny Magadanz, Resignation

Treasurer Greenberg adjourned the meeting at 8:20 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

are minor and it should be complete by September. The curb cutout at Meister's will be done during the first week of August.

3. We will be meeting next week with the insurance rep to see what we will be looking at for an increase for next year. This will help Steve develop the budget that we will be seeing in September.

4. The office took a hit during the storm today. Computers and telephones were knocked off for a while in the afternoon.

AVAILABILITY OF PROPERTY ASSESSMENT CARDS.

The Board discussed the availability of assessment card information to the public. The old property assessment cards are located in the vault. They do not have the updated information on them. The updated information is on computer in the Assessors office. The Planning Director and Community Development Coordinator both have access to the information if the Assessor is not available. The pictures and sketches are also on the computer. Trustee Maki suggested printing all of the cards on paper and have them available for public viewing. Supervisor Seppanen suggested a meeting with the Assessor, Manager, Supervisor and Trustee Maki to approach a process for public viewing of the information.

Maki moved, Carlson second to have property assessment record cards, land value tables and ECF's printed for public use by Friday of this week, providing there are no privacy issues that would be violated.

AYES: 6

NAYS: 0

MOTION CARRIED.

CHARGE FOR PROPERTY ASSESSMENT CARDS.

The charge for property assessment cards will be further discussed in September with the budget process.

CAPITAL IMPROVEMENT EXPENDITURE – VERTICAL BLINDS.

Carlson moved, Tabor second that the Chocolay Township Board approves the expenditure for new blinds for the front offices not to exceed \$2,000.00 The funds for the blinds will be taken from Capital Improvements Fund Township Hall and Grounds 401.265.957.

ROLL CALL.

AYES: Seppanen, Trudeau, Greenberg, Tabor, Carlson, Maki.

NAYS: None.

ABSENT: Hill.

MOTION CARRIED.

RFP FOR FIRE HALL ARCHITECTURAL AND ENGINEERING PLANS.

Chief Johnson and Trustee Trudeau explained that the Fire Hall Committee set up appointments with the four lowest bidders on the Fire Hall RFP's to discuss the proposals. Trustee Trudeau explained to the Board that even though IDI was not the lowest bid of the four, they have electrical, mechanical, structural and civil engineering on staff. Their ability and presentation would be the most positive and professional for public approval of the project.

Trudeau moved, Tabor second that the Chocolay Township Board awards the Fire Hall Architectural and Engineering plans to IDI in the amount of \$68,310.00.

ROLL CALL.

AYES: Seppanen, Trudeau, Tabor, Carlson, Maki.

NAYS: Greenberg.

ABSENT: Hill.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – She and Mr. Ollila are not the only Township residents that have had trouble getting property assessment information. Commented on the General Property Tax Act.

Peter Ollila , 633 Lakewood Lane – Called Marquette Township for a property assessment card and it was available the next day at no charge.

Trustee Maki – Commented on not needing the minutes from the MAWTF and the Solid Waste Authority under informational reports. Trustee Trudeau wants to see them.

Trustee Maki – Commented on the Holiday Gas Station sign and will a change in the ordinance affect the sign. How did a public hearing take place on the Lakenenland permit without his signature?

Trustee Trudeau – Which Township official checks on water set backs? The Zoning Administrator does the checking. Trustee Maki indicated that most of the structures that are close to the water fronts were grandfathered in when the water front set backs were adopted.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – MAWTFAB May 20th, 2010
- B. Minutes – MCSWMA April 21st, 2010
- C. Minutes – MCSWMA Stockholders Mtg. April 21st, 2010
- D. Board Updates – June 2010
- E. Memorandum – Assessing Information / Review Request

Supervisor Seppanen adjourned the meeting at 8:40 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

Maki moved, Greenberg second to table the appointments of alternates to the Zoning Board of Appeals until the September 2010 meeting allowing time to invite the applicants to meet the Board.

AYES: 4 NAYS: 1 (Seppanen) MOTION CARRIED.

SUPERVISOR REPORT.

- Health Insurance-possible 15% increase; we are looking at options to lower that percent.
- Lake Superior Partnership Meeting- Stu Bradley, Steve Lawry and I will meet to discuss Chocolay Township joining the partnership. We will discuss lowering the participation fee and transfer of maintenance of Iron Ore Heritage Trail, tunnel and M-28 Bridge.
- Board Appointment Process – Appointments to the Planning Commission are Supervisor nominated and Board approved. Zoning Board of Appeals appointments are made by the Township Board. The Board discussed the practicality of having appointees attend Township Board meetings to be introduced and interviewed by the Board. Treasurer Greenberg suggested a sub committee of the Township Board meeting with the appointees.
- Zoning Violation Status – Planner Jennifer Thum updated the Board on Holiday Gas Station Sign, Pine Acres mini storage units, Spodek contractor yard, Ace Hardware, Lakenenland sign and zoning violation procedure policy.

Trustee Maki ask how the Iron Ore Heritage Trail appeared on the Chocolay Township August ballot. He did not remember this Board taking action on it.

AVAILABILITY OF ASSESSMENT CARDS.

Memo from Manager, Steve Lawry informing the Board of the research we have done since the July Board meeting request to print all property cards and have on file in the front office. The least costly way to have the information available to the public will be through a computer purchase to hold all the property cards and will be updated yearly.

Deborah Mulcahey 633 Lakewood Lane – Commented on assessment records and cost of printing cards.

Peter Ollila 633 Lakewood Lane – Commented on computer cost and compatible equipment.

Steve Lawry – The Board will revisit the cost of an appraisal card at budget time.

Maki moved, Carlson second to authorize the purchase of a new desktop computer for the Township Hall public access room at a cost not to exceed \$1,200.00 from LASCO Development Corporation, with funds available in the Capital Improvements Fund for Computers (401-258-957.000), and reassignment of the printer now used by the Deputy Treasurer to this use.

ROLL CALL:

AYES: Carlson, Greenberg, Maki, Trudeau Seppanen.

NAYS: None

ABSENT: Hill, Tabor.

MOTION CARRIED.

Trustee Maki suggested that we move the fire hall discussion up on the agenda since there were many people in the audience waiting to speak on that issue. The Board agreed.

MODIFICATION OF FIRE STATION DESIGN CONTRACT.

Memo and report from Manager Steve Lawry on the possibility of a fire hall site at the Bell Behavioral Clinic site. A letter was sent to surrounding homeowners inviting them to the Board meeting for input.

James and Nancy Fradette 126 W. Terrace – Sent a letter in opposition to locating a fire hall at the Bell site with concerns for safety, additional traffic and zoning.

Harold Sinave 134 W. Terrace – Against the relocation of fire hall with safety and neighbor privacy concerns.

Olive Hillier 118 W. Wright Place – Against the fire hall relocation with concerns for addition traffic, safety; especially with two day cares in the immediate area.

Jesse Greenleaf 117 W. Wright Place – Concerns for keeping the neighborhood integrity with the additional noise and traffic that would come with the fire hall relocation.

Ron Dieter 351 Green Bay Street – Opposed to the fire hall relocation for safety issues and concerned about property values.

Sue Dieter 351 Green Bay Street – Opposed to the relocation of fire hall with concerns with noise, safety and it does not belong in a residential neighborhood.

Trustee Maki – Is the property adjacent to the Township available?

Fire Chief Johnson – We need a building 3 time the size of the current fire hall. The department is going to discontinue the use of the siren. Firemen are not allowed to use lights or sirens on side streets.

Trustee Greenberg – What would be possible uses on the Bell site? Examples of allowable uses are offices, nursing homes and clinics.

Trustee Trudeau – Is on the fire hall building committee and has not heard of the possible site relocation to Bell Behavioral Clinic. He is completely opposed to the idea.

The Board requested that the Silver Creek soccer field location and the property adjacent to the Township office property be looked at.

Trustee Maki questioned how much we are spending on the design plans for the fire hall. The design plans were approved by the Board at the July meeting for a total of all phases in an amount of \$68,310.00. This will be done in phases and we will be billed and pay as each phase is complete.

REPORT FROM TOWNSHIP ATTORNEY ON THE CONDITIONAL USE PERMIT FOR LAKENENLAND.

Attorney Mike Summers gave the Board a general overview on Lakenenland. Tom Lakenen purchased the property and converted it into a park in 2003. At that time parks were a permitted use in that zoning district (RP). With the change in the zoning ordinance April 2008; the zoning district changed to AF and parks are not a permitted use. Parks have since been allowed as a conditional use in that zoning district. One and half years ago a permit was issue for a band shell by the former zoning administrator. This was issued in error, and he revoked the zoning compliance permit. In order to clear this situation up the Township completed a conditional use permit at no charge to Mr. Lakenen. After the Township filled out the permit, Mr. Lakenen refused to sign the permit. Attorney Summers advised our current zoning administrator to sign the permit as an interested party and send it to the county.

Trustee Maki assisted staff with working on the permit, but understood that Mr. Lakenen was to sign it. No one told the Board that the Township was to sign the permit. He feels that this was handled very sloppily.

Treasurer Greenberg feels that it is in the best interest of the Township to sign the permit and resolve this situation.

Trustee Maki feels that the sign at Lakenenland is still not in compliance.

Lisa Lakenen asked which sign was a problem. Trustee Maki answered the large sign with the artwork.

Maki moved, Carlson second to direct the Chocoley Township Planning Commission to hold a public hearing on the Lakenenland sign.

AYES: 4 NAYS: 1 (Trudeau)

MOTION CARRIED

CAPITAL IMPROVEMENTS FUND – REQUEST FOR EXPENDITURE ON RECREATION EQUIPMENT.

Carlson moved, Greenberg second to approve up to \$2,000.00 for a purchase of a new slide for Silver Creek Recreation Area, the funds will be taken from the Capital Improvements Fund Recreation and Grants 401.708.957.

ROLL CALL:

AYES: Maki, Trudeau Carlson, Greenberg, Seppanen.

NAYS: None

ABSENT: Hill, Tabor.

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2010 – AMENDMENT NO. 2 - POLICE TRAINING FUNDS – STATE OF MICHIGAN.

Greenberg moved, Carlson second that Whereas, a budget was adopted by the Chocoley Township Board to govern the expenditures of anticipated capital improvements fund receipts within the

township on December 14, 2009 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	1,641.34	+395.20	2,036.54

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 401.543	0	+395.20	395.20

ROLL CALL:

AYES: Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None

ABSENT: Hill, Tabor.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2010

AMENDMENT NO. 1 REIMBURSEMENT FOR SNOWMOBILE GRANT

Trudeau moved, Greenberg second, that Whereas a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 14, 2009, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Capital Outlay 101.305.957	4,262.00	+621.00	4,883.00
Salaries 101.305.702	242,907.00	+7,679.00	250,586.00

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 101.543	6,500.00	+8,300.00	14,800.00

ROLL CALL:

AYES: Maki, Trudeau Carlson, Greenberg, Seppanen.

NAYS: None

ABSENT: Hill, Tabor.

MOTION CARRIED.

ALGER DELTA ELECTRIC ASSOCIATION FRANCHISE AGREEMENT.

Maki moved, Greenberg second to authorize Supervisor Seppanen, Trustee Trudeau and Manager Lawry to open discussions with Alger Delta Cooperative Electric Association on a franchise agreement and rate disparity issues.

AYES: 5 NAYS: 0

MOTION CARRIED

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2010 AMENDMENT NO.2 – Clean up Sommers Property.

Maki moved, Carlson second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 14, 2009, 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

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Sanitary Landfill Contractual Services 101.526.800	171,517.00	+2017.86	173,534.86
Zoning Professional Services 101.800.801	800.00	+4,200.00	5,000.00

Other General Government

Contingency

101.285.951	32,000.00	-6,217.86	25,782.14
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ROLL CALL:

AYES: Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None

ABSENT: Hill, Tabor.

MOTION CARRIED.

INTERSECTION US41/M-28 CUT OUTS.

The Board discussed safety issues at the intersection and cut outs for businesses near the intersection.

Carlson moved, Trudeau second to request staff to send a letter addressing the safety issues at the corridor enhancement meeting.

AYES: 5

NAYS: 0

MOTION CARRIED

PUBLIC COMMENT.

Deborah Mulcahey 633 Lakewood Lane – applauded the Board for recording the minutes. She also commented on interviewing commission members, Lakenen permit, fire hall location, Alger Delta Electric and immunity for public employees.

Dick Arnold 312 County Road 545 – complained about a mobile home frame sitting on the right of way at 350 County Road 545.

Trustee Maki – The Board should continue to look at all options for property for a fire hall.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

A. Minutes – MAWTFAB June 17th, 2010

B. Minutes – MCSWMA June 16th, 2010 – July 1st, 2010

Supervisor Seppanen adjourned the meeting at 9:45 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

- We met with representatives of Alger Delta Electric last week to discuss their rates. Their rates are almost double those of Marquette Board of Light and Power. Chocolay Township residents consume 20% of Alger Delta's power usage. We will continue to meet with Alger Delta to work on the rate issue.
- Supervisor Seppanen will attend a Lake Superior Partnership meeting next week. We have introduced membership to Lake Superior Partnership in our 2011 budget.

PLANNING AND ZONING UPDATE.

- September 22nd is the date set for the Township visioning meeting to be held at Cherry Creek School at 6:30 pm. We are looking for Township resident input for the Planning Commission as they work on the Comprehensive Plan update.
- Holiday Gas Station – Planner will contact Holiday again about their flashing sign. The Planning Commission is discussing the issue of flashing signs in the Township. We are also looking at how the Zoning Board of Appeals 2001 decision on flashing signs affects the Holiday sign. Trustee Maki would like our attorney to look at our current zoning language for enforcement of flashing signs.

ROAD MILLAGE FUND BUDGET ADJUSTMENT NO. 1 FOR 2010 PAVING PROJECT- CANDACE ESTATES AREA.

Manager Steve Lawry informed the Board that the road project has been completed by Payne & Dolan, Inc. and has been inspected by the Township.

Greenberg moved Carlson seconded that Whereas a budget was adopted by the Chocolay Township Board on December 14, 2009, to govern expenditures of anticipated Road Millage Fund receipts for the 2010 fiscal year, and Whereas, as a result of unanticipated changes in expenditures, it is necessary to modify the aforesaid budget, Now Therefore Be It Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
2009 Fund Balance			
Carry Forward	\$145,388.33	- \$33,645.72	\$111,742.61
204.000.390			
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Streets Capital Outlay	\$279,998.00	+ \$33,645.72	\$313,643.72
204.440.957			

and that the Board authorizes payment of Check # 16563 to Payne & Dolan, Inc. in the amount of \$313,643.72.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Trudeau, Maki, Seppanen.

NAYS: None

ABSENT: Hill

MOTION CARRIED.

EXCHANGE OF SEWER CLEANING EQUIPMENT.

Manager Steve Lawry explained to the Board that the trailer mounted sewer cleaner purchased in February is not adequate to service our sewer system. The company was notified and a larger model was brought to the Township to test on our sewer system. The O'Brien model 3510-FC performed admirably on our sewer system.

Trudeau moved, Tabor second to accept the proposal from Superior Equipment Company, dated 9/2/10, to furnish an O'Brien 3515-CF sewer jetter in exchange for return of the Model 3510-FC and \$7,500 to be paid from Capital Improvement Account #571.571.970 and Capital Outlay Account 571.571.967 in the Sewer Fund.

ROLL CALL.

AYES: Trudeau, Maki, Tabor, Carlson, Greenberg, Seppanen.

NAYS: None

ABSENT: Hill

MOTION CARRIED.

SOFTWARE FOR FILE SERVER UPDATE.

Memo from Tom Murray, Community Development Coordinator explaining that Tech Soup, the government sponsored software distributor will no longer assist local government with no cost or low cost software. We now have to pay full price for our office software.

Carlson moved, Tabor second to expend \$7,739.49 from Capital Improvement Fund Acct # 401.258.957 and \$1,010.91 from Account 401.215.957 for necessary software for the file server, term server and tape back up system.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Trudeau, Maki, Seppanen.

NAYS: None

ABSENT: Hill

MOTION CARRIED.

Treasurer Greenberg requested that the next computer system upgrade be bid out.

RESEAL CONCRETE FLOORS IN STORAGE GARAGE.

Maki moved Carlson second that Chocolay Township Board approve the expenditure for concrete sealer for an amount of \$1,600.00. The funds for the concrete sealer will be taken from Capital Improvement Building account 401.270.957.

ROLL CALL.

AYES: Trudeau, Maki, Tabor, Carlson, Greenberg, Seppanen.

NAYS: None

ABSENT: Hill

MOTION CARRIED.

VIDEO SURVEILLANCE SYSTEM – TUNNEL.

Officer Scott Jennings presented information on video camera systems for the new tunnel crossing under U S 41 South in Chocolay Township. The Board discussed the merits of the more high tech system vs. a less sophisticated camera system. A motion was made and withdrawn to purchase a camera system. The Board requested that more in depth information on all of the camera options and licensing information and pricing be presented to the Board at the October meeting.

EMPLOYEE ASSISTANCE PROGRAM.

Trudeau moved, Greenberg second to secure EAP services with McLaughlin/Young Employee Services for EAP services to cover employees and fire department members, with an annual premium of \$1,900.00.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Trudeau, Maki, Seppanen.

NAYS: None

ABSENT: Hill

MOTION CARRIED.

CHOCOLAY RIVER BRIDGE MDOT GRANT. – PAYMENT REQUEST A. LINDBERG.

Memo from Jennifer Thum, Planning/Zoning updated the Board on the bridge completion and addition of rip rap due to bridge relocation of five feet to the west. The relocation was due to underground fiber optics owned by AT&T and Hiawatha Telephone Company. We are still negotiating with Hiawatha Telephone on splitting the cost of the rip rap. The following motion will allow for contract payment (-10%) to A. Lindberg and make our grant reimbursement request to the State.

Trudeau moved Tabor second to direct Township Staff to continue pursuing Hiawatha Telephone Company to pay \$6,000.00 toward the \$9,000.00 bill for the rip rap and to pay A. Lindberg and Sons \$180,930.00 of their \$211,687.50 bill including the \$9,000.00 change over. The Township staff will inspect the bridge with DNRE on September 23, 2010, if the inspection goes ok, staff will submit a final billing at the next month's meeting for the remaining portion. The remaining 10% will not be issued to the contractor until all grant parties can have a chance to approve the bridge for final completion.

ROLL CALL.

AYES: Trudeau, Maki, Tabor, Carlson, Greenberg, Seppanen.

NAYS: None

ABSENT: Hill

MOTION CARRIED.

FIRE DEPARTMENT STANDARD OPERATING GUIDELINES AND BY-LAWS.

Carlson moved Greenberg second to approve, as presented the changes to the fire department standard operating guidelines and to the fire department's constitution and by-laws

AYES: 6

NAYS: 0

MOTION CARRIED.

IN-SYBCH RMS LICENSES – CAPITAL IMPROVEMENTS EXPENDITURE REQUEST.

Tabor moved Carlson second to approve the cost of ten shared licenses at a total cost of \$3,340.00. This will be paid from the Capital Improvement Fund Police Department 401.305.957.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Trudeau, Maki, Seppanen.

NAYS: None

ABSENT: Hill

MOTION CARRIED.

2011 DRAFT FEE SCHEDULE.

The Board discussed the proposed 2011 fee schedule. The fee schedule proposed a .35 increase per garbage tag to cover all sanitary landfill costs. The majority of the Board requested a .10 increase per garbage tag and will address an additional increase in 2012 if needed. Trustee Maki questioned the charge for property record cards, data base downloads, the proposed elimination of non-conforming

use fee and suggested that a temporary sign permit should not have a fee attached. The fee schedule will be brought back to the Board for approval.

DRAFT OF 2011 BUDGET WAS PRESENTED TO THE BOARD.

Supervisor Seppanen polled the Board on three items in the 2011 budget. He question how the Board felt about three items in the proposed budget.

- The proposed 1½ % salary increase for employees. The board was in agreement with that amount of an increase.
- The proposed increase in health insurance is to be split between adding \$10,000.00 to the health insurance account and the employees accepting a decrease in health benefits.
- The proposed sewer increase is \$7.40 per month; Treasurer Greenberg suggested no increase and continue to balance the budget with a transfer from fund balance. The Board agreed with no increase to the monthly sewer rate.

A budget workshop will take place at the October 18, 2010 meeting.

PUBLIC COMMENT.

Jim Goodman 144 Orchard Lane –Everything discussed at this meeting was discussed one year ago when the Township did not have a manager.

Pete Mackin 203 Hotel Place – There is open office software that can be downloaded from the internet at no charge.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – MAWTFAB – July 15th, 2010
- B. Minutes – MCSWMA – July 21st, 2010 and August 18th, 2010
- C. Correspondence – Upper Peninsula Substance Enforcement Team
- D. Correspondence – Re: Property at 204 Silver Creek Road.

Supervisor Seppanen adjourned the meeting at 9:40 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

October 18, 2010

A Regular meeting of the Chocolay Township Board was held on Monday, October 18, 2010 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Mark Maki, Susan Carlson, Ken Tabor.

ABSENT: Arlene Hill.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Brad Johnson, Greg Zybert, Scott Jennings.

MINUTES –SEPTEMBER 20, 2010.

Maki moved, Tabor second that the minutes of the September 20, 2010 Township Board meeting be approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Supervisor Seppanen noted that Item P. under new business Consideration-Chocolay River Bridge final invoice needed to be deleted from the agenda.

Trustee Maki explained to the Board that he had given verbal and written notice to staff that he wanted to be notified when Township and County Planning Commission meetings would be held for the zoning ordinance amendments listed on this agenda. He was not notified. Trustee Maki felt that if he had been able to explain his reasons for the amendments that he had proposed, the County Planning Commission decision may have been different.

Maki moved, Greenberg second to approve the agenda with the deletion of items C. D. E. G. H. I. and J. under Public Hearings and New Business and that each of those zoning amendments be sent back to the Chocolay Township Planning Commission to begin the process over again.

AYES: 5 NAYS: 1 (Trudeau) MOTION CARRIED.

Maki moved, Tabor second that discussion on sign violations be added to the agenda under new business.

AYES: 4 NAYS: 2 (Trudeau, Greenberg) MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey 633 Lakewood Lane-Thanks our police department for their assistance and commented on FOIA requests, fee for ordinance change and using clear language when writing an ordinance.

Boyd Snyder 311 Fairbanks – Commented on the Chocolay tunnel that is in front of his house; his concerns are gating in the winter, security cameras, police monitoring and continuing maintenance.

Lee Blondeau 1002 N. Tracey Lane – The zoning text amendment should not start over again in the process. Trustee Maki had an opportunity to attend the meetings. The Board should at least work on the first 4 zoning items tonight.

PUBLIC HEARINGS.

A public hearing was held for zoning amendments 34-10-05, 34-10-06 and 34-10-12.

Trustee Maki questioned why we were holding a public hearing on the zoning amendments.

Manager Lawry stated that it is required by law for ordinance changes. The public hearing was closed.

ACCOUNTS PAYABLE.

Maki moved, Carlson second that bills totaling \$206,696.00 for checks numbered 16564-16588 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Tabor second that bills totaling \$13,728.39 for checks numbered 16589-16609 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

APPOINTMENT OF TEMPORARY ZONING ADMINISTRATOR.

Maki moved, Greenberg second to appoint Community Development Coordinator Tom Murray and Manager Steve Lawry as temporary Zoning Administrators for Chocolay Township during Ms. Thum's October 2010 absence.

AYES: 6 NAYS: 0 MOTION CARRIED.

PURCHASE OF POLICE VEHICLE.

Greenberg moved, Carlson second to approve the purchase of a 2011 patrol car for the Police Department. Cost of the vehicle will not exceed \$23,000.00. Cost for transfer of equipment, graphics and pick-up costs for the new vehicle will not exceed \$2,500.00 for a total amount not to exceed \$25,500.00. This will be paid from the 2010 capital improvements fund police account 401.305.957.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None.

ABSENT: Hill MOTION CARRIED.

PURCHASE OF FIRE HOSE.

Trudeau moved, Tabor second to authorize the payment of \$5,000.00 to Pomasl Fire Equipment for the purchase of 1,090 feet of fire supply hose using capital improvement funds fire department account 401.340.957.

ROLL CALL.

AYES: Greenberg, Maki, Trudeau, Tabor, Carlson, Seppanen.

NAYS: None.

ABSENT: Hill MOTION CARRIED.

SALE OF TOWNSHIP 1996 FIRE DEPARTMENT MINI-PUMPER.

Carlson moved, Trudeau second to reject the bid of \$2,560.00 from Mr. Eric Keough, for the purchase of the Township's 1996 fire mini-pumper and not open the late bid from Seney Township.

AYES: 6 NAYS: 0 MOTION CARRIED.

Greenberg moved, Carlson second to begin the rebid process on the 1996 mini-pumper with a 2 week turn around time and notify Seney Township and Eric Keough of the rebid. The late bid from Seney Township will remain unopened.

AYES: 6 NAYS: 0 MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET ADJUSTMENT NO. 3 FOR MDOT ENHANCEMENT GRANT M-28 BRIDGE.

Greenberg moved Carlson seconded that Whereas a budget was adopted by the Chocolay Township Board on December 14, 2009, to govern expenditures of anticipated Capital Improvements Fund receipts for the 2010 fiscal year, and Whereas, as a result of unanticipated changes in expenditures, it is necessary to modify the aforesaid budget, Now Therefore Be It Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Due From Fed Grant 401.000.501	\$0	+ \$96,187.50	\$96,187.50

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fed/State Grant 204.440.957	\$75,000.00	+ \$96,187.50	\$171,187.50

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None.

ABSENT: Hill MOTION CARRIED.

VIDEO SURVELLANCE SYSTEM FOR THE TUNNEL.

There was a lengthy discussion on how the cameras will work, instant internet transmission vs. downloading when needed, how the police will access the video and use of some of the cameras in other locations during the winter when the tunnel is closed. Further discussion on the difference between each of the bids and the fact that IP camera system is the best direction to go even if we do not have instant internet transmission right away.

Maki moved, Carlson second to approve the purchase of a surveillance security system from Mid State Security at a total cost not to exceed \$16,500.00. This will be paid from the Police capital improvement fund account 401.305.957.

ROLL CALL.

AYES: Greenberg, Maki, Trudeau, Tabor, Carlson, Seppanen.

NAYS: None.

ABSENT: Hill

MOTION CARRIED.

Supervisor Seppanen asked if a street light on each end of the tunnel would be an additional deterrent to crime at the tunnel.

Carlson moved, Maki second to add a Township street light on both ends of the tunnel at Fairbanks and U S 41 South.

AYES: 6 NAYS: 0

MOTION CARRIED.

The tunnel will be closed during the winter months.

Linda Snyder requested that trash containers be placed at each end of the tunnel and commented that the bollards do not close off the tunnel.

2011 PROPOSED FEE SCHEDULE.

The Board approved the 2011 proposed fee schedule with four changes. Mineral Extraction Permit \$250.00, Non-Conforming Use Permit \$250.00, Ordinance Amendment Requests \$250.00 and Garbage Tags \$1.60 each.

Supervisor Seppanen called for a 3 minute recess.

FY 2011 BUDGET WORKSHOP.

Trustee Maki questioned why the millage rates have not been presented to the Board for approval. The Board should vote on the millage rates before proceeding with the budget. Treasurer Greenberg feels that our fund balance will continue to decrease in the upcoming years as we are balancing the budget with use of fund balance.

GENERAL FUND.

Revenues- No change.

Salaries - No change.

Township Board - No change.

Supervisor – Trustee Maki questioned what the Community Development Coordinator position does. Trustee Maki asked to cut that position. He felt the money could be spent on employee salaries or health benefits. - No change.

Elections – No change.

Assessing – No Change.

Clerk - No change.

Board of Review- No change.

Treasurer- No change.

Township Hall & Grounds- No change.

Other General Government- No change.

Police- No change.

Fire- No change.

Streets- No change.

Sanitation- No change.

Recreation & Properties- Delete \$2,500.00 from Professional Services for a land survey.

Zoning -- No change.

Planning Commission - No change.

Zoning Board of Appeals- Lower meeting per diem total to \$2,400.00.

ROAD MILLAGE FUND.

Revenues- No change.

Road millage streets- No change.

CAPITAL IMPROVEMENT FUND.

Computers- No change.

Township Hall & Grounds- No change.

Fire- No change.

Sanitary Landfill- No change.

WASTEWATER TREATMENT FUND.

Revenues- No change.

Wastewater Treatment Expenditures- No change.

PUBLIC COMMENT.

Jim Goodman 144 Orchard Lane – Commended Trustee Maki for his questions and comments on the budget.

Debra Mulcahey 633 Lakewood Lane – Appreciates Trustee Maki and the rest of the Board for all the work they do on the budget. She feels taxpayers should feel their money is well spent.

Pete Mackin 203 Hotel Place –Commented on methods of recording minutes and open computer software.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – MAWTFAB – August 19th, 2010
- B. Correspondence – Alger-Delta Electric Cooperative
- C. Comprehensive Plan Survey

Supervisor Seppanen adjourned the meeting at 11:05 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

November 8, 2010

A Regular meeting of the Chocolay Township Board was held on Monday, November 8, 2010 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Mark Maki, Susan Carlson, Ken Tabor.

ABSENT: Arlene Hill.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Brad Johnson, Gary Johnson, Greg Zybut.

MINUTES –

October 18, 2010.

Trudeau moved, Carlson second that the minutes of the October 18, 2010 Township Board meeting be approved as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Trustee Maki commented that the Board receives the agenda one week early and any suggested changes to the agenda are not made. Trustee Maki questioned why item XIII. C. Zoning ordinance text amendment recommendations from County Planning Commission was on the agenda. Supervisor Seppanen stated that he sent the zoning items to Marquette County Planning Commission to allow Trustee Maki his chance to explain his reasons for the ordinance changes.

Greenberg moved, Trudeau second to accept the agenda as presented with two additions under New Business - G. Discussion on staff and Planning Commission response to written requests and H. Mid month Board updates.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Trustee Maki – Letter from Niemi in Board packet on lighting along U S 41.

Lee Blondeau 1002 N. Tracey Lane – Commented on Board Members speaking under public comment.

Pete Mackin 203 Hotel Place – Presented a letter on open software.

PUBLIC HEARINGS – FY2011 PROPOSED BUDGET.

Trustee Maki commented on using fund balance to balance the budget, that the assessor is not completing 20% of the Township as approved by the Board in the last budget , that we are not funding capital projects adequately and that he will vote against the budget for those reasons.

ACCOUNTS PAYABLE.

Carlson moved, Trudeau second that bills totaling \$49,279.45 and checks numbered 16110-16661 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PAYROLL.

Tabor moved, Carlson second that the payroll for October 28, 2010 and checks numbered 8124-8161 are approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Trudeau moved, Carlson second to accept the Treasurer's Report.

AYES: 6 NAYS: 0 MOTION CARRIED.

SUPERVISOR REPORT.

- Attended an MDOT meeting and was informed that the DOT budget is in bad shape. The planned road resurfacing on U S 41 South will go on as scheduled.
- Trustee Maki questioned the status of the Township Clerk. The Board wants an agenda item on the December agenda to discuss the legality of the Clerk missing so many meetings and a status report from the Clerk. Supervisor Seppanen invited the Board to submit questions to him for the Clerk.

FEE SCHEDULE.

Maki moved, Carlson second to approve the proposed fee schedule with the following changes; special meeting from \$400.00 to \$ 200.00, comp plan from \$65.00 to \$25.00, fence permit from \$25.00 to -0-, temporary sign from \$25.00 to -0- and garbage tags from \$1.60 to \$ \$1.50.

AYES: 2 NAYS: 4 (Tabor, Trudeau, Greenberg, Seppanen). MOTION FAILED.

Greenberg moved, Trudeau second that the fee for temporary signs is suspended until the sign ordinance has been completed.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Greenberg second to accept the fee schedule as presented.

AYES: 5 NAYS: 1 (Maki) MOTION CARRIED.

FY2011 BUDGET.

Trustee Maki commented that according to the Charter Township Act the draft budget must be in the hands of the Board on September 1st of each year. He also indicated that the millage rate form must be signed by the Supervisor and Clerk before October 1st each year; the Board needs a chance to discuss the millage rate before it is turned over to the County.

GENERAL APPROPRIATIONS ACT

Trudeau moved, supported by Tabor, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1st, 2011, and ending December 31st, 2011, 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 October 30, 2010;

Whereas, a public hearing was held on the proposed budget on November 8, 2010 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, 2011, and ending on December 31st, 2011, in the amount of \$1,589,112.00 for the General Fund, \$284,000.00 in the Road Fund, in the amount of \$247,000.00 for the Sewer Fund, and in the amount of \$12,500.00 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,601,612.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1st, 2011, and ending December 31st, 2011.
3. The Township Board does hereby appropriate the sum of \$247,000.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1st, 2011, and ending December 31st, 2011.
4. The Township Board does hereby appropriate the sum of \$284,000 for the repairing of the Township Roads to be used for the fiscal year beginning January 1st, 2011 and ending December 31st, 2011.
5. The Township Board does hereby levy 3.8023 mills for general operations; extra voted are 0.7615 for library, and 1.6730 for roads.
6. All resolutions and parts of resolutions in so far as they conflict with provisions of this resolution are rescinded.
7. 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: 5 NAYS: 1 (Maki) ABSENT: 1 MOTION CARRIED

RESOLUTION FOR OFFICERS' SALARIES.

Supervisor Salary.

Trudeau moved, supported by Carlson that the salary for the office of Supervisor shall be set in the amount of \$15,025.00 for the Fiscal Year 2011, which begins January 1st, 2011, and ends December 31st, 2011.

ROLL CALL.

AYES: 5 NAYS: 1 (Maki) ABSENT: 1 MOTION CARRIED

TREASURER'S SALARY.

Maki moved, supported by Trudeau that the salary for the office of Treasurer shall be set in the amount of \$8,739.00 for the Fiscal Year 2011, which begins January 1st, 2011, and ends December 31st, 2011.

ROLL CALL.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED

CLERK'S SALARY.

Greenberg moved, supported by Tabor that the salary for the office of Clerk shall be set in the amount of \$11,852.00 for the Fiscal Year 2011, which begins January 1st 2011, and ends December 31st, 2011.

AYES: 6 NAYS: 0 ABSENT: 1

MOTION CARRIED

TRUSTEE'S PER DIEM.

Carlson moved, supported by Greenberg that the per diem for the office of Trustee shall be set in the amount of \$60.00 per meeting for the Fiscal Year 2011, which begins January 1st, 2011, and ends December 31st, 2011.

AYES: 5 NAYS: 1 (Maki) ABSENT: 1

MOTION CARRIED

ZONING TEXT AMENDMENT RECOMMENDATIONS FROM MARQUETTE COUNTY PLANNING COMMISSION.

The Board discussed the motion made at the October 18th meeting and the fact that the Supervisor sent three of the amendments 34-10-07, 34-10-08 and 34-10-09 back to the County before the Chocolay Township Planning Commission started the process again.

Tabor moved, Carlson second to reconsider the motion made on October 18, 2010 and not send zoning items C. D. E. G. H. I. and J. (34-10-07, 34-10-08, 34-10-09, 34-10-13, 34-10-14, 34-10-15, 34-10-16) back to the Chocolay Township Planning Commission to begin the process over again.

AYES: 5 NAYS: 1 (Maki) ABSENT: 1

MOTION CARRIED

Tabor moved, Greenberg second to pull zonings items C. D. and E. (34-10-07, 34-10-08, 34-10-09) from going back to the Planning Commission and move them to the Township Board 1st reading at the December 2010 Board meeting. Zoning items G. H. I. and J. (34-10-13, 34-10-14, 34-10-15, 34-10-16) will be sent back to the Chocolay Township Planning Commission.

AYES: 5 NAYS: 1 (Maki) ABSENT: 1

MOTION CARRIED

ZONING AMENDMENTS SECOND READING AND ADOPTION OF 34-10-05, 34-10-06, 34-10-12.

Amendment 34-10-05

Section 4: 4.1 Single Family Residential District (R1)

(C) Conditional Uses

4. Swimming pools (delete)

Trudeau moved, Tabor second to approve the second reading of Zoning Amendment #34-10-05 to delete swimming pools as a Conditional Use in the R-1, Single Family Residential District and will publish with the Township Clerk within 15 days after adoption, publish the amendment in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in Township ordinance book within one week after the publication of ordinance.
 AYES: 6 NAYS: 0 MOTION CARRIED.

Amendment 34-10-06
 Section 4: 4.2 High Density Residential District (R2), (Harvey)
 (C) Conditional Uses
 6. Swimming pools (delete)

Tabor moved, Carlson second to approve the second reading of Zoning Amendment #34-10-06, to delete swimming pools as a Conditional Use in Section 4: 4.2, R-2, High Density Residential District and will publish with the Township Clerk within 15 days after adoption, publish the amendment in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township ordinance book within one week after the publication of ordinance.
 AYES: 6 NAYS: 0 MOTION CARRIED.

Amendment 34-10-12
 Section 16: 16.3 Fees
 Tabor moved, Greenberg second to approve the second reading of Zoning Amendment #34-10-12 to amend Section 16: 16.3 Fees to read as follows, "Neither the Township Planning Commission nor the Zoning Board of Appeals shall consider any matter until there is first paid a fee, except that such fee shall not be required where the Township Board or any official body thereof is the moving party. The Township Board, by resolution, shall set all fees. The Township Board, by resolution, may change these fees, from time to time, as they determine appropriate." and will publish with the Township Clerk within 15 days after adoption, publish the amendment in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township ordinance book within one week after the publication of ordinance.
 AYES: 6 NAYS: 0 MOTION CARRIED.

ADOPTION OF 2011 MEETING DATES.
Chocolay Township Board – 7:00 PM

January 17	July 18
February 7 (Joint meeting with Planning Commission)	
February 21	August 15
March 21	September 19
April 18	October 17
May 16	November 14
June 20	December 19

Chocolay Township Planning Commission – 7:30 PM

January 10	July 11
February 7	August 1
March 7	September 12
April 11	October 3
May 2	November 7
June 6	December 5

Chocolay Zoning Board of Appeals – 7:00 PM

January	No meeting	July 28
February 24		August 25
March	No meeting	September 22
April 28		October 27
May 26		November 17
June 23		December 15

Chocolay Township Fire Department – 7:00 PM

1st Thursday of each month – Business Meeting
 2nd and 3rd Thursday of each month - Training

Carlson moved, Trudeau second that the above dates for the Chocolay Township Board, Chocolay Township Planning Commission, Chocolay Township Zoning Board of Appeals, and the Chocolay Township Fire Department be approved for 2011.

AYES: 6 NAYS: 0 MOTION CARRIED.

DELINQUENT SEWER CHARGES AS TAX LEIN.

Greenberg moved, Trudeau second 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 tax roll.
 AYES: 6 NAYS: 0 MOTION CARRIED.

Name	Tax ID Number	Address	City, State, Zip	Amount Due
Richard Ryan	52-02-490-004-00	114 Chocolay River Tr	Mqt MI 49855	\$ 87.92
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	\$ 337.92
Steven & Heather Shaw	52-02-106-043-50	505 Corning Street	Mqt MI 49855	\$ 1,959.92

Edie & Matt Halstead	52-02-215-005-00	144 E. Fairbanks Street	Mqt MI 49855	\$ 337.92
Susan Racine	52-02-215-006-00	156 E. Fairbanks Street	Mqt MI 49855	\$ 337.92
David Hillock	52-02-216-010-00	158. E. Wright Place	Mqt MI 49855	\$ 337.92
Linda Morgan	52-02-216-015-00	161 E. Wright Place	Mqt MI 49855	\$ 337.92
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$ 337.92
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$ 337.92
Linda Bice	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 337.92
Richard Hillock	52-02-305-034-00	172 Riverside Road	Mqt MI 49855	\$ 337.92
Robin Premeau	52-02-305-022-50	204 Riverside Road	Mqt MI 49855	\$ 137.92
Patrick Manning	52-02-305-019-00	218 Riverside Road	Mqt MI 49855	\$ 337.92
Joe & Barb Menze	52-02-107-063-00	328 Silver Creek	Mqt MI 49855	\$ 337.92
Steve & Sandra Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$ 337.92
Walt & Susan Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$ 608.24
Wahlstom Enterprise Inc.	52-02-107-007-00	5043 US 41 South	Mqt MI 49855	\$ 9,326.60
Mike & Eva Schlenkert	52-02-455-001-00	132 Veda Street	Mqt MI 49855	\$ 337.92
Dave & Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$ 337.92
Jason Bernard	52-02-107-074-00	740 Willow Road	Mqt MI 49855	\$ 337.92
Terry Huffman	52-02-204-028-00	165 W. Main Street	Mqt MI 49855	\$ 337.92
Tonya Scott	52-02-205-003-00	341 W. Main Street	Mqt MI 49855	\$ 330.24
Gardner Bess	52-02-210-005-00	334 W. Terrace Street	Mqt MI 49855	\$ 337.92
Joseph Stanaway	52-02-208-005-00	341 W. Terrace Street	Mqt MI 49855	\$ 337.92
Judith Charles	52-02-208-003-00	371 W. Terrace Street	Mqt MI 49855	\$ 337.92
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	\$ 337.92
Kristine & Michael Dionne	52-02-106-043-00	110 W. Wright Place	Mqt MI 49855	\$ 337.92
Tammy Riggie	52-02-253-025-00	117 W. Wright Place	Mqt MI 49855	\$ 76.80
Glen Carlson	52-02-213-004-00	350 W. Wright Place	Mqt MI 49855	\$ 337.92
Total Delinquent Amount				\$ 19,961.88

AUTHORIZE TO PURCHASE A BACKUP ASSIST VIDEO CAMERA FOR FIRE DEPARTMENT RESCUE PUMPER.
Greenberg moved, Tabor second to authorize the payment of \$1,521.00 to Pomasl Fire Equipment from capital improvement fund account 401.340.957 for the installation of a back up assist video camera system on the Fire departments 2009 Pierce Velocity Rescue Pumper.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None.

ABSENT: Hill

MOTION CARRIED.

SALE OF MINI PUMPER.

Carlson moved, Trudeau second to declare Fire Department Unit #2146 surplus Township property and to accept the bid of \$16,123.00 and sell the truck to Alger County Sheriff Department, pending approval of the Alger County Board.

ROLL CALL.

AYES: Maki, Trudeau, Tabor, Carlson, Greenberg, Seppanen.

NAYS: None.

ABSENT: Hill

MOTION CARRIED.

AUTHORIZATION TO PURCHASE A USED 4WD SUV FOR THE POLICE DEPARTMENT.

Carlson moved, Greenberg second to grant permission to Chief Zybur to enter into a bidding process to purchase a used sport utility vehicle from Michigan State University for the police department. Cost of the vehicle will not exceed \$20,000.00. This will be paid from the 2010 Police capital improvements fund 401.305.957.

ROLL CALL.

AYES: Maki, Trudeau, Tabor, Carlson, Greenberg, Seppanen.

NAYS: None.

ABSENT: Hill

MOTION CARRIED.

RELEASE OF 10% RETENTION ON CHOCOLAY RIVER BRIDGE PROJECT.

Trudeau moved, Tabor second to authorize payment to A. Lindberg and sons for the remaining 10% of the total project cost, \$307,875, 00. in the amount of \$30,757.50 from Federal/State Grant M-28 Bridge account in the capital improvement fund 401.708.001.957. Staff will then submit the necessary paperwork to the State of Michigan.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None.

ABSENT: Hill

MOTION CARRIED.

DISCUSSION ON STAFF AND PLANNING COMMISSION RESPONSE TO WRITTEN REQUESTS.

Trustee Maki questioned why his written requests from 9/3/10 and 10/5/10 had not been responded to by the Planning Director and the Planning Commission. Planning Director Jennifer Thum provided Mr. Maki with her written response to the 10/15/10 that had been sent to him and commented that she had not received the letter dated 9/3/10 until 11/2/10.

MID MONTH BOARD UPDATES.

Trustee Maki commented that according to the department update; 20% of the assessing has not been completed this year as the Board budgeted and requested. The Supervisor will update the Board at the December meeting on the assessing updates over the past three years.

Trustee Maki commented on the Holiday Gas Station flashing sign, and that several employees have gone to training paid for by the Township and a report did not appear in the department monthly update.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Michigan Department of Transportation reply to Corridor Safety Concerns.
- B. Correspondence – Stanley and Sally Niemi Re: Street lighting
(See Attached Planning Commission Comments)
- C. Minutes – Marquette County Solid Waste Management Authority.
- D. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board
- E. CUPPAD – Staff Activities

The Board would like the Planning Commission and Zoning Board of Appeals monthly minutes to be distributed to them.

Supervisor Seppanen adjourned the meeting at 9:00 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

Teleconferencing was discussed using Skype to electronically attend a meeting. There is nothing clear in Michigan law to allow or not allow this. The Board directed Attorney Summers to work with the Supervisor to obtain an Attorney General Opinion on telecommunications as a method of being present and voting at a meeting.

Carlson moved, Trudeau second to direct the Supervisor to work with our legal counsel to obtain an Attorney General Opinion on the legality of attendance/voting at a meeting by video or electronic communication.

AYES: 5

NAYS: 0

MOTION CARRIED

DISCUSSION OF AGENDA STRUCTURE.

The Board discussed methods for agenda additions and not separating a public hearing from the action taken on that item during the same meeting. The consensus of the Board was if two board members wanted to add an item during the agenda formulation; it would be added. We will place the public hearing on an agenda item and the action together on the agenda for a smoother flow of the meeting. The agenda will still be approved at the beginning of each meeting.

CONSIDER FIRST READING OF ZONING ORDINANCE AMENDMENT

34-10-07 – Text Amendment to Zoning Ordinance Section 4: 4.5 to Delete Storage Units as a Principal Use and Contractor Yards/Shops and Uses of Same General Character as Permitted and Conditional Uses as Conditional Uses from the Commercial (C) Zoning District.

Presentation by Jennifer Thum, Planning Director, on the use of contractor's yard and storage units in the commercial district.

Lengthy discussion by the Board on the process of this amendment going to the Chocolay Township and Marquette County Planning Commission and Trustee Maki (as the applicant) felt that he was not properly notified and questioned why this information is available tonight for the first time. Trustee Trudeau stated that the Township has grown and changed over the past 20 years and the zoning ordinance needs to evolve with the Township. Trustee Maki feel that the Planning Commission is not doing their job accurately with site plan reviews.

Lee Blondeau- Attended planning meeting for the zoning ordinance and felt that changes to the ordinance were made to correct problems of the past.

Dick Arnold, Co. Road 545 – Is against allowing contractor yards all over the Township. The Board should consider the neighbors.

Trudeau moved, Greenberg second with the Township Planning Commission and DENY proposed text amendment #34-10-07, to omit storage units as a permitted use in the (C) Commercial District and omit contractor yards and other uses deemed by the Planning Commission to be of the same general character as those permitted and conditional uses from the (C) Commercial District.

AYES: 4

NAYS: 1 (Maki)

MOTION CARRIED

CONSIDER FIRST READING OF ZONING ORDINANCE AMENDMENT 34-10-08 – Text Amendment to Zoning Ordinance Section 4: 4.7 to Delete Contractor Yards/Shops from the Agriculture/Forestry (AF) Zoning District.

Trustee Maki stated that no other community allows a contractor's yard in rural residential districts. Trustee Trudeau stated that allowing it as a conditional use gives the Planning Commission control as to what is allowed and how it should look. We need to be flexible enough to have an opening for small business to start up in Chocolay Township. Trustee Carlson agrees that we need to address each issue individually through the Planning Commission and not a blanket denial. Trustee Maki is concerned about the neighbors that live down the road from the contractor yard and are not notified.

Carlson moved, Trudeau second to concur with the Planning Commission and DENY proposed text amendment #34-10-08, to omit contractor yards as a conditional use in the agricultural/forestry A/F district.
AYES: 3 NAYS: 2 (Maki, Greenberg) MOTION FAILED.

Greenberg moved, Carlson second to recommend a second reading on proposed text amendment #34-10-08.
AYES: 4 NAYS: 1 (Trudeau) MOTION CARRIED.

CONSIDER FIRST READING OF ZONING ORDINANCE AMENDMENT 34-10-09 – Text Amendment to Zoning Ordinance Section 6: 6.1 to change the required front setback in the Commercial (C) Zoning District from 30 feet to 40 feet and the Minimum Lot Width from 50 feet to 100 feet in the Residential (R-2) Zoning District.

Trustee Maki questioned how many lot size variances have been requested in the Harvey area over the past 30 years and how many 50 foot lots are in the Harvey area?

Lee Blondeau – commented on problems to homeowners with non conforming lots.

Carlson moved, Greenberg second to recommend a second reading of proposed text amendment #34-10-09, to increase the front yard setback of the commercial district from 30 ft. to 40 ft. and to increase the minimum lot width in the R-2 district from 50 ft. to 100 ft.
AYES: 3 NAYS: 2 (Trudeau, Maki) MOTION FAILED.

Maki moved, Carlson second to table amendment #34-10-09 until the January 2011 Board meeting.
AYES: 3 NAYS: 2 (Trudeau, Seppanen) MOTION FAILED.

Trudeau moved, Seppanen second to concur with the Planning Commission and DENY proposed text amendment #34-10-09, to increase front yard setback of the Commercial district from 30 ft. to 40 ft. and to increase the minimum lot width in the R-2 district from 50 ft. to 100 ft.
AYES: 2 NAYS: 3 (Maki, Carlson, Greenberg) MOTION FAILED.

This issue will come back to the Board on the January 2011 agenda because the Board was unable to arrive at 4 votes on any of the motions for 34-10-09.

AUTHORIZATION TO PURCHASE HEALTH INSURANCE FOR 2011 FROM VAST.

Greenberg moved Carlson second that Chocolay Township purchase Blue Cross Blue Shield of Michigan Plan SB 4000 HRA with the 20% employee co-pay option from VAST for the 2011 fiscal year at a premium cost of \$153,374.16, and an HRA funding contribution of \$35,184, based upon current workforce demographics and that the Supervisor and Clerk be authorized to sign the policy agreement.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Seppanen.
NAYS: None. ABSENT: Tabor, Hill. MOTION CARRIED.

AUTHORIZATION OF CAPITAL IMPROVEMENT FUND EXPENDITURE TO PURCHASE EPOXY COATINGS TO PROTECT DRIVEWAY AND STREET CROSSINGS FROM SNOWMOBILE TRAFFIC FROM MARQUETTE COUNTY ROAD COMMISSION.

Carlson moved, Greenberg second to authorize payment to the Marquette County Road Commission in the amount of \$10,615.50 from Federal/State Grant Bridge in the capital improvement fund 401.708.001.957. Staff will then submit the necessary paperwork to the State of Michigan to get reimbursed for the total amount.

ROLL CALL.

AYES: Maki, Trudeau, Carlson, Greenberg, Seppanen.
NAYS: None. ABSENT: Tabor, Hill. MOTION CARRIED.

AUTHORIZATION OF CAPITAL IMPROVEMENT FUND EXPENDITURE TO PURCHASE CLOSURE FENCING FOR US 41 PEDESTRIAN TUNNEL FROM MARQUETTE FENCE COMPANY.

Greenberg moved, second by Trudeau that the Chocolay Township Board approves the expenditure of \$2,100.00 from the recreation and properties capital improvements fund 401.756.957 to Marquette Fence for the closure fencing for the pedestrian tunnel.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None.

ABSENT: Tabor, Hill.

MOTION CARRIED.

AUTHORIZATION OF CAPITAL IMPROVEMENT FUND EXPENDITURE TO PURCHASE LIGHT BAR FOR NEW PATROL CAR.

Maki moved, Greenberg second to expend \$850.00 for the purchase of a Code 3 21P47 light bar from Midwest Public Safety Sales from the police account in the capital improvements fund 401.305.957.

ROLL CALL.

AYES: Maki, Trudeau, Carlson, Greenberg, Seppanen.

NAYS: None.

ABSENT: Tabor, Hill.

MOTION CARRIED.

AUTHORIZATION OF CAPITAL IMPROVEMENT FUND EXPENDITURE TO PURCHASE OF A DIGITAL PARTNER CAMCORDER EQUIPMENT FOR USE IN THE PATROL VEHICLES.

Trudeau moved, Carlson second to expend \$2,995.00 for the purchase of a digital partner camcorder from Sharp Communications from the police account in the capital improvements fund 401.305.3957.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None.

ABSENT: Tabor, Hill.

MOTION CARRIED.

AUTHORIZATION OF CAPITAL IMPROVEMENT POLICE DEPARTMENT TRAINING FUND EXPENDITURE TO ATTEND THE ANNUAL MICHIGAN ASSOCIATIONS OF CHIEFS OF POLICE CONFERENCE.

Greenberg moved, Trudeau second to expend \$737.48 for the Police Chief conference in Grand Rapids, February 9-11, 2011. This would come from the capital improvements fund police training account 401.306.957.

ROLL CALL.

AYES: Maki, Trudeau, Carlson, Greenberg, Seppanen.

NAYS: None.

ABSENT: Tabor, Hill.

MOTION CARRIED.

FIRE MILLAGE / CAPITAL IMPROVEMENT FUND TRANSFER.

Carlson moved, Greenberg supported that \$1,913.99 be transferred from the Fire Department in the Capital Improvement Fund to the Fire Millage Fund.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None.

ABSENT: Tabor, Hill.

MOTION CARRIED.

2010 BUDGET AMENDMENT #4 TO REFLECT RECEIPT OF MDNRE BRIDGE GRANT REIMBURSEMENT.

Greenberg moved Maki second that Whereas a budget was adopted by the Chocolay Township Board on December 14, 2009, to govern expenditures of anticipated Capital Improvements Fund receipts for the 2010 fiscal year, and Whereas, as a result of unanticipated changes in expenditures, it is necessary to modify the aforesaid budget, Now Therefore Be It Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Due from Fed Grant	\$96,187.50	+ \$180,930.00	\$277,117.50
401.000.501		+ \$ 6,000.00	\$283,117.50
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fed/State Grant	\$171,187.50	+ \$180,930.00	\$352,117.50
401.708.001.957		+ \$ 6,000.00	\$358,117.50

ROLL CALL.

AYES: Maki, Trudeau, Carlson, Greenberg, Seppanen.

NAYS: None. ABSENT: Tabor, Hill. MOTION CARRIED.

2010 BUDGET AMENDMENT #5 TO REFLECT RECEIPT OF FIRE TRUCK SALES REVENUE.

Trudeau moved Carlson second that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on December 14th, 2009 for fiscal year 2010, 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 hereby modified as follows:

ACCOUNT EXPENDITURE	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
Fire Department 401.340.957	\$370,243.50	+\$16,123.00	\$386,366.50
REVENUE Miscellaneous 401.000.698	0	+\$16,123.00	\$16,123.00

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None. ABSENT: Tabor, Hill. MOTION CARRIED.

WAIVER OF WASTEWATER USER CHARGES FOR 4067 US 41.

Maki moved, Carlson second that the equivalent user fee for 4067 U S 41 South be reduced to 0, effective December 1, 2010, until the property becomes active, as provided for in section 9C-2-e of ordinance #39.

AYES: 5 NAYS: 0 MOTION CARRIED

REPORT FROM PERSONNEL COMMITTEE ON PROMOTION OF PUBLIC WORKS FOREMAN AND REVIEW OF TOWNSHIP MANAGER EVALUATION FORM.

Carlson moved, Maki second to approve the changes that were made by the Township Manager to the DPW Foreman's job description and promote the current foreman, Mr. Johnson to pay grade 3.5 at step 2 on the Township wage chart, effective January 1, 2011. Also to remove question 3 on the evaluation form that was submitted by the Township Supervisor.

AYES: 5 NAYS: 0 MOTION CARRIED

TOWNSHIP MANAGER EVALUATION PROCESS.

Township Board members will complete the evaluation form for the Township Manager and forward them to Supervisor Seppanen.

PUBLIC COMMENT.

Pete Mackin 203 Hotel Place – Commented on a computer discussion with LASCO, the Charter Act and Robert's Rules of Order.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, October 4, 2010.
- B. Minutes – Chocolay Township Zoning Board of Appeals, October 28th, 2010.
- C. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, October 28, 2010.
- D. Minutes – Marquette County Townships Association, October 27, 2010.
- E. Police Department – NMU Intern Report

Supervisor Seppanen adjourned the meeting at 10:20 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

fiscal year 2010, 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 hereby modified as follows:

ACCOUNT REVENUE	PREVIOUS	CHANGE	AMENDED
KBIC 2% Gaming Money			
401.000.582	\$ 76,000.00	+\$75,600.00	\$151,600.00
EXPENDITURE			
Police Department			
401.305.957	\$127,984.57	+\$ 9,000.00	\$136,984.27
Fire Department			
401.340.957	\$386,366.50	+\$57,000.00	\$443,366.50
Recreation and Properties			
401.756.957	\$103,571.58	+\$ 9,600.00	\$113,171.58

Roll Call.

AYES: Hill, Trudeau, Carlson, Greenberg, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

CONSIDERATION – 2010 GENERAL FUND BUDGET AMENDMENT #3 TO REFLECT REIMBURSEMENT OF OVERTIME COSTS THROUGH OFFICE OF HIGHWAY SAFETY PLANNING.

Greenberg moved, Carlson second that Whereas a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 14, 2009 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	\$250,586.00	+\$6,884.81	\$257,470.81
REVENUE			
Miscellaneous			
101.698	\$ 14,000.00	+\$6,884.81	\$20,884.81

Roll Call.

AYES: Carlson, Greenberg, Maki, Hill, Trudeau, Seppanen.

NAYS: None.

MOTION CARRIED.

CONSIDERATION – AUTHORIZATION OF CAPITAL IMPROVEMENT FUND EXPENDITURE TO PURCHASE REPLACEMENT AIR COMPRESSOR FOR THE FIRE STATION.

Carlson moved, Greenberg second that the Chocolay Township Board approves the expenditure of \$1,945.00 from the Fire Department Capital Improvements Fund account #401.340.957 to Midway Rentals for the purchase of an Ingersoll Rand air compressor.

Roll Call.

AYES: Hill, Trudeau, Carlson, Greenberg, Maki, Seppanen.

NAYS: None.

MOTION CARRIED.

TOWNSHIP MANAGER EVALUATION.

Supervisor Seppanen presented the Manager evaluation completed by Board members and indicated that all comments were extremely positive. The Board discussed the fact that the position was created 6 months ago and is still evolving.

Seppanen moved, Maki second to increase the Township Manager salary for 2011 to \$29.65 per hour or \$37,003.00 per year. In addition \$1,000.00 has been allocated in the budget for overtime pay for after hours meetings, as an alternative to the award of compensatory time.

Roll Call.

AYES: Carlson, Greenberg, Maki, Hill, Trudeau, Seppanen.

NAYS: None.

MOTION CARRIED.

Steve Lawry, Township Manager thanked the Board for the positive evaluation and the pay increase.

Trustee Trudeau wants the Board to look into moving the responsibilities of personnel administration from the Supervisor to the Manager.

PROPOSED AGENDA FOR JOINT MEETING WITH PLANNING COMMISSION.

The Board approved the presented agenda for the joint Planning Commission/Township Board Meeting on February 7, 2011 with two additions; 1. minimum lot size and 2. breaking the A/F District into different size lots.

Two of the Planning Commissioners will not be available for the meeting. The Zoning Board of Appeals will be invited to observe the meeting, but not as participating members of a Board.

PUBLIC COMMENT.

Dick Arnold, 312 Co. Road 545 commented on the rezoning of A/F District.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, November 1, 2010.
- B. Minutes – Marquette County Solid Waste Management Authority, November 10th, 2010.
- C. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, November 18, 2010.
- D. Minutes – Chocolay Township Zoning Board of Appeals, November 18th, 2010

Supervisor Seppanen adjourned the meeting at 9::25 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

SPECIAL MEETING
CHOCOLAY TOWNSHIP BOARD
CHOCOLAY TOWNSHIP PLANNING COMMISSION

February 7, 2011

A Special meeting of the Chocolay Township Board and Chocolay Township Planning Commission was held on Monday, February 7, 2011 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:30 p.m.

Planning Vice Chair Andy Smith called the Planning Commission meeting to order at 7:30 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Mark Maki, Ken Tabor, Susan Carlson.

ABSENT: Arlene Hill.

TOWNSHIP PLANNING COMMISSION.

PRESENT: Andy Smith, Andy Sikkema, Tom Mahaney, Estelle DeVooght, Ken Tabor (also on Township Board).

ABSENT: Kendall Milton, Eric Meister.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum.

The purpose of the Special Township Board/ Planning Commission meeting was to discuss and coordinate direction for the Planning Commission 2011 priorities and goals.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road - Commented that misinformation went unchallenged on Planning and Zoning issues prior to him being a Trustee on the Board. There have been decisions made based on this inaccurate information. Examples are Blondeau Trucking stipulated agreement, zoning for the church on Green Garden Hill, and the Sign Ordinance/Holiday Station sign.

PLANNING COMMISSION 2010 ANNUAL REPORT.

Jennifer Thum, Planning Director summarized the 11 page annual report; Including descriptions of 18 text amendments, Sign and Junk Car Ordinances and various permits.

Comments made by Planning Commission members and Township Board members on the annual report:

- When the Sign Ordinance is complete the Planning Commission will test it on at least 5 business locations to check compliance of current signs.
- Technology is rapidly changing and the Sign Ordinance needs the ability to evolve with it.
- Discussed the difference between flashing light vs. lighted sign (Holiday Sign).
- The change on the Holiday Sign is not noticeable when driving past it.
- The entrance lighting at the Holiday Station is poor and should be addressed.
- Planning Commission feels the assessment of all of the Township parks is important, but they did not have time to complete it in 2010.
- The Planning Commission worked mainly on text amendments and the Sign Ordinance in 2010.
- Judy Vonck – 559 Little Lake Road, concerns about lack of access to wireless communication towers in the agricultural district. How do we move forward in that direction?
- The demand for wireless communications continues to grow and the tower demand will grow with that.
- Page 10 of the 2010 annual report stated that the Planning Commission made several changes to the Sign Ordinance and should have read *the Planning Commission suggested many changes to the Sign Ordinance*.

Greenberg moved, Trudeau second to accept the Planning Commission annual report with the changes addressed above.

AYES: 6

NAYS: 0

MOTION CARRIED.

PLANNING COMMISSION 2011 PRIORITIES AND GOALS.

Dick Arnold, 312 Co. Road 545 commented that the rezoning of A/F District rezoned 13,000 acres into agricultural district that currently contains 3 active farmers, 6 or 7 part time farmers and 300 single family homes.

The Planning Commission proposed top priorities for 2011 are:

- Sign Ordinance
- Junk Car Ordinance
- Comprehensive Plan
- Attract new business to Chocolay Township
- Playground in Harvey
- Underground utilities along U S 41 S.
- DDA in Chocolay Township

- Recreational sub-committee
- Look into creating an additional AF zoning district that has a 5 acre minimum

Comments from Township Board and Planning Commission:

- Farming area should stay at 20 acres or larger.
- Industrial and commercial zoning districts are needed in the Township.
- DDA district would have to be initiated by the business community
- We need an area designated as transitional for commercial and industrial.
- The market should decide on when and where additional commercial and industrial zoning should be.
- Zoning should be flexible enough to allow for adding commercial and industrial when the need arises in the future.
- The Comprehensive plan would be a good place to indicate locations for future commercial and industrial development.
- The Board is not interested in setting up a Township Industrial Park area; that should be driven by the market.
- The Township should notify the residents through larger display ads and larger mailing areas when we change zoning.

Tabor moved, Carlson second to accept the Planning Commission 2011 priorities with the Sign Ordinance, Comprehensive Plan, transitional commercial zoning and a playground in Harvey as top priorities.

AYES: 6

NAYS: 0

MOTION CARRIED.

SIGN ORDINANCE.

Considerations when writing the Sign Ordinance:

- The Holiday sign is set at a lighting change every 20 seconds. That seems an appropriate amount of time and is not distracting to drivers.
- Changeable LED lighting is appropriate on signs; scrolling text/flashing on signs is too distracting.
- We need to think about multiple businesses in the Township with lighted signs possibly being a hazard to driving.
- The Planning Commission should get input from sign companies while writing the Sign Ordinance.
- We need to consider camp signs on M-28 and Lakewood Lane when writing the Sign Ordinance.

PUBLIC COMMENT.

Trustee Maki is concerned with absences of Planning Commission and Zoning Board of Appeals members.

Supervisor Seppanen thanked the Planning Commission for all the work they do for the Township.

Supervisor Seppanen adjourned the meeting at 9:15 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

TOWNSHIP CLERK'S ABSENCE.

Trustee Maki noted that the Clerk is still not showing up for meetings; does she live in the Township? We should not pay her if she can not fulfill her duties.

Supervisor Seppanen stated that she is at home now, but was unable to get out of her home for this meeting. We will have our Township Attorney attend the March meeting to answer if we are obligated to pay the Clerk if she has no office hours and does not attend meetings.

Trustee Trudeau stated that our attorney already explained that we have no recourse with the Clerk's lack of attendance at meetings.

Trustee Carlson feels that Arlene would resign if she felt that she could no longer do her job.

Trustee Tabor would like to see the Clerk come back if she is able.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road – Attended a Board of Review workshop that our Chocoy Board of Review members also attended. They told him that the Township would not pay for their lunch at the workshop today because Mr. Maki took it out of the budget.

Supervisor Seppanen said that our Board of Review members like to tease and he is sure they were teasing him, because we paid for the workshop which included lunch.

Trustee Maki wanted the Supervisor to write a letter to the Board of Review members on this issue, stating that he did not take their food allowance out of the budget.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocoy Township Planning Commission, January 10th, 2011.
- B. Minutes – Marquette County Solid Waste Management Authority
December 15th, 2010 & January 19th, 2011.
- C. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board
December 16th, 2010.
- D. Minutes – Marquette County Townships Association, January 19th, 2010
- E. 2010 Annual Report from Superior Watershed Partnership

Supervisor Seppanen adjourned the meeting at 9:00 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

4. The Alger-Delta Co-op annual meeting will be held on March 22, 2011 at 6:30 pm. at the Onota Township Hall.

RZ145 – REZONING OF 425 CORNING STREET FROM HIGH DENSITY RESIDENTIAL (R-2) TO DISTRICT PLANNED UNIT DEVELOPMENT (PUD) – SECOND READING.

Planning Director Jennifer Thum presented background information and a timeline on rezoning #145.

Trustee Maki asked if the application was for the Bell building only. Ms. Thum answered yes it was.

Jo Foley, 308 Corning – Feels that this an excellent use of the vacant building and property.

Tabor moved, Greenberg second that the property known as 425 Corning Street, in Section 6, T.47N-R.24W encompassing approximately 1.7 acres in total comprised of tax parcel code #52-02-253-017-00, be rezoned from R-2 (High-Density Residential) to Planned Unit Development (PUD). After review of Rezoning #145, and the staff/File Review, the Township Board concurs with the Planning Commission and recommends final approval be given with the following conditions:

1. The rezoning is consistent with the Township Comprehensive Plan; and
2. The rezoning will allow the redevelopment of a current vacant building; and
3. The applicant shall obtain all necessary State and Local permits prior to renting the units; and
4. If Z & P Properties are unable to rent the apartments, then the building and lot shall revert back to the R-2 (High Density Residential) the original zoning district; and
5. Z & P properties shall notify the Township of any new medical offices that are renting the basement to store their records; and
6. The applicant shall contact the Department of Public Works after the building has received their certificate of occupancy from the County Building Codes to determine the sewer modification permit.
7. The applicant shall complete a zoning compliance permit and pay the necessary fee.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Hill, Maki, Seppanen

NAYS: None

MOTION CARRIED.

DISCUSSION – ATTORNEY OPINION ON CLERK’S ATTENDANCE AND SALARY

Trustee Maki stated his only question to the attorney is if someone is elected to an office and is absent for a year, is the Township obligated to pay this person.

Mike Summers, Township Attorney stated that there is no limitation in the State law on how much time a person does or does not spend in office. State law requires that a salary of an elected official can not be lowered during their time in office. A successful recall is the only way to not pay the official. It is a violation of the law to withhold pay from an official for any other reason.

Clerk Hill stated that she has been in the Clerk business for 50 years and she was aware that the Board could not remove her from office. She plans on fulfilling her term.

HOLIDAY GAS STATION STORE SIGN.

Attorney Summers gave the Board a brief history on the sign at the Holiday Gas Station. Zoning Administrator Randy Yelle called Mike Summers after the sign had been put up at Holiday and asked Mike Summers to prepare a probable cause letter on the sign. Mike Summers did not issue a probable cause letter on the sign because he had serious doubts that it would hold up in court with our current sign ordinance. The Township is now looking at a new sign ordinance that will include language on electronic signs. Attorney Summers is not willing to go to court under the old sign ordinance while the new one is being written.

Trustee Maki questioned if we change the sign ordinance 15 months after the sign has been in place; can we make the sign comply? The Township has a pattern of ignoring or changing rules and ordinances.

Attorney Summers again stated that he feels the current sign ordinance is not enforceable on this sign.

Supervisor Seppanen stated the new sign ordinance will address the timing/frequency factor on the lighting of signs. The sign ordinance will be on the May Township Board agenda.

GENERAL FUND BUDGET AMENDMENT #1 – SALARY CONTINGENCY, POLICE DEPT.

Maki moved, Greenberg second that whereas a budget was adopted by the Chocolay Township Board on November 8, 2010 to govern anticipated revenues and expenditures for the General Fund for fiscal year 2011, and whereas , a result of an unanticipated retirement expenditure requiring modification of the aforesaid budget, now, therefore, be it resolved that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
EXPENDITURE			

Other General Government Salary/Benefit Contingency			
101.285.952	\$33,000.00	-\$9,005.00	\$23,995.00

Other General Government Pension			
101.285.926	\$67,170.00	+\$ 819.00	\$67,989.00

Police Department Salary			
101.305.702	\$253,224.00	+\$8,186.00	\$261,410.00

ROLL CALL.

AYES: Maki, Hill, Greenberg, Tabor, Carlson, Seppanen.

NAYS: None

MOTION CARRIED.

Trustee Maki congratulated Gary Heinzelman on his 25 years of service.

ADVERTISING / MAILING COSTS.

Steve Lawry, Manager presented the costs on display and legal ads, mailing costs and alternative notification utilizing email.

Maki moved, Tabor second that Chocolay Township use display advertising in the local newspaper to notify Township residents of ordinances, ordinance changes and public notices and also utilize NIXLE for public notices. The Board will revisit this process in one year.

AYES: 5

NAYS: 1 (Hill)

MOTION CARRIED.

PERSONNEL COMMITTEE RECOMMENDATION.

Carlson moved, Greenberg second to concur with the personnel Committee recommendations and accept the revised description for Police Sergeant.

AYES: 6

NAYS: 0

MOTION CARRIED.

REPORT ON COOPERATIVE EFFORTS WITH LOCAL JURISDICTIONS.

Steve Lawry, Manager presented a four page list of cooperative efforts among local jurisdictions that Chocolay Township participates in.

Treasurer Greenberg was impressed with the list and felt that if we could place a dollar value on the savings to the Township; we would be one step ahead of what the Governor is looking for.

LANDSCAPE CONTRACT WITH CHOCOLAY AREA BUSINESS ASSOCIATION.

Greenberg moved, Tabor second to approve and sign the contract dated March 9, 2011 with the Chocolay Township Business Association to assist with planting of shrubbery and flowers and maintaining the intersection of US 41S/M28E/Cherry Creek road in the amount of \$1,000.00.

ROLL CALL.

AYES: Tabor, Carlson, Maki, Hill, Greenberg, Seppanen.

NAYS: None

MOTION CARRIED.

FUNDING AGREEMENT FOR CYBER CRIME DETECTIVE POSITION

Carlson moved, Greenberg second to provide \$500.00 to the City of Marquette in support of an officer to staff the local FBI cyber crime task force.

ROLL CALL.

AYES: Maki, Hill, Greenberg, Tabor, Carlson, Seppanen.

NAYS: None

MOTION CARRIED.

TOWNSHIP POLICY REVIEW.

The Township Board reviewed:

- The Employee Pension Policy – no change.
- Personnel Policy - Hiring decision of Planner, Zoning Administrator and Assessor - add the interview process will include a sub-committee of the Board and include appropriate commission chair.
- Board Policy - Township Board agenda creation by Supervisor (delete Clerk).
- Board Appointments – no change.
- Public Comment – no change.

Trustee Maki requested that they waive discussion on the other policy changes he suggested.

- Personnel Policy – Under Snow Day change the word ‘compensatory’ to ‘equivalent time’.
- The Zoning Violation Enforcement Policy will appear on the April agenda.

METH LAB CLEAN UP FUNDING.

Maki moved, Carlson second that the Township Board contact U.S. Senators Levin and Stabenow to express the urgent need to approve the funding of Meth lab clean up as part of FY11 CR.

AYES: 6

NAYS: 0

MOTION CARRIED.

LOWES FOUNDATION GRANT

Carlson moved, Tabor second to support the submission of a Lowe's Foundation Grant for enhancing the Chocolay Charter Township Marina and providing a community wide benefit for Chocolay Township residents and whereas the Harvey area is in need of a local playground. The Township will provide a match not to exceed \$9,500.00 from, Capital Improvement Fund Account # 401.544.957, and marina and will work with local organizations to construct the playground equipment. If awarded the Township will work with our insurance company to ensure that all safety precautions are taken.

AYES: 6

NAYS: 0

MOTION CARRIED.

The Board had safety concerns about playground equipment being so close to the river and requested that the Planning Commission hold a public hearing on the grant and include a mailing of the public hearing to residents near the Marina.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – MAWTFAB, January 20th, 2011
- B. Notes – Marquette County Townships Association, February 23rd, 2011
- C. Minutes – Planning Commission, February 15th, 2011
- D. Correspondence – Theresa Guiliani
- E. MCSWMA – Minutes – January 19th, 2011
- F. MAWTFAB – February 17th, 2011

Supervisor Seppanen adjourned the meeting at 8:55 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

April 18, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, April 18, 2011 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Clerk Hill called the Township Board meeting to order at 7:00 p.m. and called for nominations of a Board member to run the meeting in the Supervisor's absence.

Trudeau moved, Carlson second to nominate Treasurer Greenberg to preside over the meeting in the Supervisor's absence.
AYES: 5 NAYS: 0 MOTION CARRIED.

TOWNSHIP BOARD.

PRESENT: John Greenberg, Arlene Hill, John Trudeau, Mark Maki, Susan Carlson.
ABSENT: Greg Seppanen, Ken Tabor.

STAFF PRESENT: Steve Lawry, Mary Sanders, Brad Johnson, Greg Zybert.

MINUTES-MARCH 21, 2011.

Hill moved, Maki second that the minutes of the March 21, 2011 Township Board meeting be approved as presented.
AYES: 5 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Trudeau moved, Carlson second to approve the agenda as presented.
AYES: 5 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Carlson moved, Trudeau second that bills totaling \$36,422.48 and checks numbered 16974-17000 are approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

Trudeau moved, Carlson second that bills totaling \$11,831.15 and checks numbered 17001-17027 are approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

PAYROLL.

Trudeau moved, Hill second that the payroll for March 31, 2011 amount \$35,189.37 checks 8466 -8502, April 5, 2011 amount \$6,151.95 checks 8503-8528 and April 14, 2011 checks 8529-8551 are approved.

AYES: 5 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Trudeau moved, Maki second to accept the Financial and Treasurer's Report.

AYES: 5 NAYS: 0 MOTION CARRIED.

PRESENTATIONS - CERTIFICATE OF APPRECIATION TO GARY HEINZELMAN.

FOR HIS DEDICATION to the Township and its citizens
We do express our thanks and appreciation to,
Gary Heinzelman

For dedication as Police Sargent for the
Charter Township of Chocolay,

For your 32 years dedicated to law enforcement and 25 of those years spent with Chocolay Township Police Department,
Your expertise as Evidence Technician, Firearms and Taser Instructor, School Liaison Officer, Crime Investigator, and Grant
Writer for the Police Department is greatly respected,

For being honored as Marquette County Officer of the Year in 1995,

On this your RETIREMENT, from the Charter Township of Chocolay,

We do express our appreciation on behalf of the Township Board and its residents.

PRESENTATIONS - CERTIFICATE OF APPRECIATION TO GARY JOHNSON.

FOR HIS DEDICATION to the Township and its citizens
We do express our thanks and appreciation to,
Gary Johnson

For dedication as Fire Chief for the
Charter Township of Chocolay,

For your 20 years dedicated to Fire Protection in Chocolay Township and 12 of those years as the Fire Chief of the Chocolay
Township Volunteer Fire Department,

Your leadership abilities as Fire Chief in Chocolay Township are greatly respected throughout Marquette County,
Your grant writing ability has awarded Chocolay Fire Department and Marquette County many grants for life saving fire
equipment,

On this your RETIREMENT, from the position Fire Chief of Charter Township of Chocolay,

We do express our appreciation on behalf of the Township Board and its residents.

2010 AUDIT PRESENTATION BY ANDERSON, TACKMAN & COMPANY.

Mike Greutz, Anderson Tackman & Company presented the 2010 audit to the board. He indicated that they again presented an unqualified opinion. The Townships' net assets show an increase of 2.1 million dollars due to the grants in

2010 for the tunnel, M-28 Bridge and bike path. Even though these projects were funded by Federal and State grants the money flowed through Township accounts and the structures belong to the Township once complete. There were no deficiencies found through the audit.

Trustee Trudeau commented that it is confusing to the public when it appears that Chocolay Township had an increase of 2.1 million in revenues.

Carlson moved, Trudeau second to accept the audit as presented.

AYES: 5 NAYS: 0 MOTION CARRIED.

Mike Greutz gave a brief explanation of GASB 54 and the affect it will have on our Capital Improvement Fund budgeting. The changes need to be made by the end of 2011.

Manager Lawry invited the Board to attend a City of Marquette budget hearing on April 26th. The Wastewater Treatment budget will be discussed which will have an affect on Chocolay Township as part owner. Trustee Trudeau asked Mr. Lawry to question the PILT payment being explored.

APPOINTMENT OF FIRE CHIEF.

Maki moved, Trudeau second to appoint Brad Johnson as Chocolay Township Fire Chief through April 2012.

AYES: 5 NAYS: 0 MOTION CARRIED.

APPOINTMENT OF PERSONNEL COMMITTEE EMPLOYEE MEMBER.

Carlson moved, Maki second to appoint Scott Jennings to employee representative on the Personnel Committee for a term ending December 31, 2011.

AYES: 5 NAYS: 0 MOTION CARRIED.

SUPERVISOR REPORT – NONE.

TOWNSHIP POLICY REVIEW.

Carlson moved, Trudeau second to accept the following changes in the personnel policy

2.4 Screening

Following the deadline for submission of applications, the ~~Supervisor~~ **Manager** and / or Department Head will determine which applicants possess qualifications which meet the position's minimum qualifications. Additional information may be obtained by the ~~Supervisor~~ **Manager** and / or Department Head by checking references from former employers and requesting transcripts as provided by statute. Applicants who meet the minimum qualifications may be scheduled for personal interviews with the ~~Supervisor~~ **Manager** and applicable Department Heads, or other Township employees at the ~~Supervisor's~~ **Manager's** discretion. **Select qualified candidates for the position of Planning Director/Zoning Administrator shall submit to an interview with a subcommittee of three members of the Township Board plus the Chairs of the Planning Commission and the Zoning Board of Appeals. Select qualified candidates for the position of Assessor shall submit to an interview with a subcommittee of three members of the Township Board plus the Chair of the Board of Review.** All screening procedures for the position of Superintendent / Manager are the responsibility of the Township Board.

2.7 Hiring Decision

The Township Board makes the hiring decision concerning the Township Superintendent / Manager, **the Planning Director/Zoning Administrator, and the Assessor.** With the concurrence of the Township Board, the ~~Supervisor~~ **Manager** makes the selection decision of the Police Chief and other department heads. All other employees are selected by the Department Head with the concurrence of the Personnel Administrator, except for the Deputy Clerk and Deputy Treasurer, when filling vacancies or additions to their respective departments. All applicants who applied for a posted opening will be notified after the position is filled.

AYES: 5 NAYS: 0 MOTION CARRIED.

Trudeau moved, Carlson second to approve the following change:

Township Board Agenda

- o The Supervisor ~~and the Clerk~~ will create the agenda for all monthly meetings.
- o Tentative agendas will be distributed to the Board members one week before the meeting for their review. Final review of the agenda will be made by the ~~Clerk and~~ Supervisor or their designee on the Wednesdays before the scheduled Board meeting.
- o The Clerk and/or Supervisor will handle the publishing and printing for any scheduled public hearings.
- o The Clerk will post the agenda on the Township website.

AYES: 5 NAYS: 0 MOTION CARRIED.

Maki moved, Trudeau second to send Severe Weather language to the personnel committee.

AYES: 5 NAYS: 0 MOTION CARRIED.

Trustee Maki requested more time to discuss the Zoning Code Enforcement policy with Manager Lawry and Planner Thum before voting on it.

Maki moved, Carlson second to bring the Zoning Code Enforcement Policy back to the May 2011 meeting.

AYES: 5 NAYS: 0 MOTION CARRIED.

Trudeau moved, Carlson second to adopt the attached policy on the sale of items to the Township employees and the reimbursement of employee expenses.

AYES: 5 NAYS: 0 MOTION CARRIED.

FARM LEASE.

Carlson moved, Maki second that the Chocolay Township Board approves the lease agreement between the Township and Bergdahl's Inc. for rent revenue of \$211.00 per year for three years to go directly in the general fund and to authorize the Supervisor and Clerk to sign the lease on behalf of the Township after indemnification language is added.

ROLL CALL.

AYES: Maki, Hill, Trudeau, Greenberg.

NAYS: Carlson

MOTION CARRIED.

Trustee Carlson suggested that this would be an ideal location for a Community Garden.

Manager Lawry stated that if we continue the lease for farming this property this year it would be grandfathered as it was previously used as leased farming land. If there is a break in the current usage, zoning may not allow gardening or farming on the property. Development and implementation of a plan for Community Gardens could take some time and the lease contains provisions allowing the Township to cancel each anniversary date.

PATROL OFFICER SALARY.

Maki moved, Carlson second to concur with the Personnel Committee recommendation and start Tony Carrick at pay grade, step 2 or \$39,129.00 annually.

AYES: 5 NAYS: 0

MOTION CARRIED.

Chief Zyburt introduced Officer Tony Carrick to the Board.

CAPITAL IMPROVEMENT FUND EXPENDITURE REQUEST – VOTING BOOTHS.

Maki moved, Hill second to purchase eight X booth voting devices (a total of 32 voting spaces) from Governmental Business Systems for an amount not to exceed \$5,480.00 from the Election Department in the Capital Improvement Fund 401.190.957.

ROLL CALL.

AYES: Maki, Hill, Trudeau, Greenberg, Carlson.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE NETWORK VERSION OF ASSESSING/TAX SOFTWARE.

Maki moved, Carlson second to reschedule this item to the May 2011 Board meeting so the assessor can be available to respond to questions on the program.

AYES: 4 NAYS: 1 (Hill)

MOTION CARRIED.

PUBLIC COMMENT.

Dick Arnold – Commented that he was happy to see totals on the bottom of the C/D Investments page.

Brad Johnson- 321 Corning – Thanked Gary Johnson and Gary Heinzelman for their years of service with Chocolay Township.

Clerk Hill – Asked the Board to consider a motion to pay for the Marquette County Township Association dinner ticket for employees, Board and Commissions. Their guest would not be included.

Hill moved, Trudeau second that the Township pay the cost for any employee, Board or Commission member to attend the 2011 MCTA banquet.

AYES: 3 NAYS: 2 (Greenberg, Maki)

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette County Townships Association, February 23rd, 2011
- B. Invitation – Marquette County Townships Association Annual Dinner
- C. Minutes – Planning Commission – March 7th, 2011
- D. Communication from Wayne T. Dees – April 12, 2011

Treasurer Greenberg adjourned the meeting at 8:30 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

May 16, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, May 16, 2011 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Mark Maki.

ABSENT: Ken Tabor, Arlene Hill, Susan Carlson.

STAFF PRESENT: Steve Lawry, Mary Sanders, Brad Johnson, Jennifer Thum, Greg Zyburt.

MINUTES-APRIL 18, 2011.

Trudeau moved, Greenberg second that the minutes of the April 18, 2011 Township Board meeting be approved as presented.

AYES: 4 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved, Maki second to approve the agenda with the deletion of item XIII.C. Authorization to purchase Network Version of Assessing/Tax Software.

AYES: 4 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road – Commented on the Holiday sign issue; he felt that the Township Attorney had incorrect or incomplete information the flashing sign when stating that it would not stand up in court. Our current and previous Zoning Administrators consider it a violation. The Zoning Board of Appeals made a determination against flashing signs in 2001.

PUBLIC HEARING – ORDINANCE #57 – BICYCLE AND SNOWMOBILE ORDINANCE – FIRST READING.

Manager Lawry explained that the grant agreements on these trails limits use of trails to non motorized unless the local jurisdiction allows it by ordinance.

Don Britton, 121 Deerview Trail – Has been a lifelong snowmobile advocate and is in favor of the ordinance , but only in favor of snowmobiles going with the flow of traffic. He feels that it will help the business district and keep snowmobiles away from residential areas.

Trustee Maki asked if the ordinance designated any specific area of the Township? Answer is no, it would include any section of State Highway in Chocolay; the Board could later designate the exact locations allowed.

Greenberg moved, Trudeau second to consider the proposed Bicycle and Snowmobile Ordinance (Ordinance #57) for a second reading at the next regular meeting of the Township Board of Trustees.

ROLL CALL.

AYES: Greenberg, Trudeau, Maki, Seppanen.

NAYS: None MOTION CARRIED.

PUBLIC HEARING – ORDINANCE #58 TO ESTABLISH PLANNING COMMISSION IN COMPLIANCE WITH THE ZONING ENABLING ACT – FIRST READING.

Planner Jennifer Thum suggested that the Board go with option A in Section 12.

Trustee Maki suggested deleting that portion of the first sentence after the word “serving” in Section 3.A.

Trudeau moved, Greenberg second to hold a second reading for the Planning Commission Ordinance, #58 as read at the Township Board’s regular scheduled meeting on June 20, 2011, with option A in Section 12. and the suggested deletion from Section 3.A.

ROLL CALL.

AYES: Maki, Greenberg, Trudeau, Seppanen.

NAYS: None MOTION CARRIED.

ACCOUNTS PAYABLE.

Trudeau moved, Maki second that bills totaling \$39,818.07 and checks numbered 17028 -17060 are approved for payment.

AYES: 4 NAYS: 0 MOTION CARRIED.

Trustee Trudeau asked for clarification on the employment status of an intern receiving tuition reimbursement.

Trudeau moved, Maki second that bills totaling \$12,752.33 and checks numbered 17061-17080 are approved for payment.

AYES: 4 NAYS: 0 MOTION CARRIED.

PAYROLL.

Trudeau moved, Maki second that the payroll for April 28, 2011 for \$31,921.73 checks 8552-8589, April 29, 2011 for \$8,188.60 checks 8590-8591 and May 12, 2011 for \$28,557.36 checks 8592-8615 are approved.

AYES: 4 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Trudeau moved, Maki second to accept the Financial and Treasurer's Report.

AYES: 4 NAYS: 0 MOTION CARRIED.

PRESENTATIONS - CERTIFICATE OF APPRECIATION TO ESTELLE DEVOOGHT.

For her dedication to the Township and its citizens
We do express our thanks and appreciation to,

Estelle DeVooght
For dedication as Member of the Planning Commission
Charter Township of Chocolay,

For 34 years on the Charter Township Planning Commission with an additional 5 years served on the Township
Advisory Committee that helped to develop our Township's first Master Plan,

For your tireless dedication and input on the issues brought before the Chocolay Township Planning Commission and
other major projects that have had a positive impact on the development of the community,

Your judgment and wisdom as a member of the Planning Commission has built respect for the Township's
involvement in land use planning,

On this your Retirement from the Charter Township of Chocolay Planning Commission,
We do express our appreciation on behalf of the Township Board and its residents.

AYES: 4 NAYS: 0 MOTION CARRIED.

REAPPOINTMENT OF KENDELL MILTON TO PLANNING COMMISSION FOR A TERM ENDING 5/24/14.

Seppanen moved, Greenberg second to re-appoint Mr. Kendell Milton to the Planning Commission with a term to run
until May 24, 2014.

AYES: 4 NAYS: 0 MOTION CARRIED.

APPOINTMENT TO THE PLANNING COMMISSION TO REPLACE ESTELLE DEVOOGHT WHO DID NOT DESIRE
REAPPOINTMENT TO A TERM ENDING 5/24/14.

Three of the four candidates were in the audience and introduced themselves.

Pete Mackin, P O Box 904 – Worked in media in Marquette and Houghton area for years. Involved with many
Community Boards and has a lot of experience with researching very technical issues and relaying the information to
the general public.

Max Engle, 380 Karen Road – Has lived in the Township for 34 years and has served on the Chocolay Township
Planning Commission and the Township Board. He stepped down from both because his work schedule created a
conflict with meeting attendance. He is retired now and has time to devote to public service again.

Gary Heinzelman, 1471 M-28 East - Has lived in the Township for 9 years, worked for the Township Police Department
for over 25 years. Gary has many years with investigation experience and knows the Township inside and out. Has
time to dedicate to public service now that he is retired.

The Board commented that all three candidates were extremely qualified and difficult to pick just one. This may be a
time to look at expanding our Planning Commission. Staff will look into this.

Seppanen moved, Greenberg second that the Chocolay Township Board appoint Max Engle to fill the currently vacant
seat on the Planning Commission for the term of May 24, 2011 until May 24, 2014.

AYES: 4 NAYS: 0 MOTION CARRIED.

PROCLAMATION OF EMERGENCY MEDICAL SERVICES WEEK.

Seppanen moved, Trudeau second to recognize our local EMS workers and designate the week of May 15, 2011 as
Emergency Medical Services Week.

AYES: 4 NAYS: 0 MOTION CARRIED.

SUPERVISOR REPORT.

- Grand opening of AMCAB senior meal site at Chocolay Township last Wednesday. Supervisor Seppanen and
Trustee Maki attended. They also offer blood sugar testing and will check blood pressure for those
attending. This will be offered monthly.
- Alger Delta Co-op- Supervisor Seppanen encouraged Alger Delta to hold it's annual meeting at the Chocolay
Township hall because 80% of it's users live in Chocolay. They were not willing to move the meeting
location from Onota Township now or in the future.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road – Comments on Gateway Development sign. The ordinance allowed 443 square feet and Gateway went to the ZBA for a variance for 983 square feet and was approved. That is double the allowable amount. Special zoning orders have not been kept from 2003 to current date.

Manager Lawry – Stated that since Mr. Maki’s question on Friday about the zoning orders book; the information has been pulled from our electronic files and printed into a book that is available to the public.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, April 4th, 2011
- B. Minutes – MCSWMA, March 16th, 2011
- C. Minutes – MAWTFAB, March 17th, 2011
- D. Correspondence – Letter of Support for CUPPAD Coastal Zone Management Atlas Project.

Supervisor Seppanen adjourned the meeting at 9:00 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

June 20, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, June 20, 2011 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Mark Maki, Susan Carlson, Ken Tabor.

ABSENT: Arlene Hill.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Greg Zyburt, Tina Fuller, Pat Beck.

MINUTES- MAY 16, 2011.

Greenberg moved, Carlson second that the minutes of the May 16, 2011 Township Board meeting be approved with one correction under public comment.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Maki moved, Greenberg second to approve the agenda as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

The Board requested that three items be added to the July 2011 Board agenda:

- Discussion on A/F Zoning District
- Discussion on Clerk extended absence – pursuing options
- Recording of minutes

PUBLIC COMMENT.

Theresa Scram, Shot Point Drive – Presented written information and commented to the Board on the current Re-apportionment that would place Chocolay Township, part of Sands and part of the City of Marquette in the 6th District. Ms. Scram requested that the Board support the appeal of the apportionment plan.

Debra Mulcahey, 633 Lakewood Lane – Congratulated Manager Steve Lawry on his one year anniversary with the Township. Presented written comments and commented to the Board on the 2009 court order on the Martin garage at 632 Lakewood Lane. She would like the Township to seek a warrant to inspect the garage.

Bill Kimmes, 313 Fernwood – Would like to reserve time to address the Board on the speed study request on Timberlane.

PUBLIC HEARING – ORDINANCE AMENDMENT #34-11-02 SIGN ORDINANCE.

Trustee Maki requested that we take comments and discuss the ordinance at this meeting and hold off on the first reading until the July meeting.

Mark Maki, 370 Karen Road – Our Township Attorney did not have all of the information needed on the Holiday Sign when he determined it would not hold up in court. The Planning Commission thought they had to amend the definition of flashing signs in the sign ordinance. Questioned whether the ad in the paper on the ordinance was a legal or display ad? Answer was legal ad. Answer - We requested a display ad and the Mining Journal put the wrong type of ad in the paper. Mark Maki requested that we do a display ad for the first reading at the July 2011 meeting.

Treasurer Greenberg – We need to look at signs permitted in the commercial and industrial districts. There is a definition for monument signs but not pole signs.

Trustee Carlson – Discussed the frequency of flashing signs. Is twenty 20 seconds too long?

Trustee Trudeau – Timed the change frequency on the Holiday Sign and observed traffic flow at the same time. The duration between flashing was twenty seconds and during that time a vehicle had time to drive completely past both drives at the Holiday.

Supervisor Seppanen – We need to address the brightness of the lighting on signs. We need a way to track temporary signs and a permit seems the best way to address this.

The first reading of Ordinance 34-11-02, Sign Ordinance will be held at the July 2011 Board meeting.

ACCOUNTS PAYABLE.

Maki moved, Tabor second that bills totaling \$50,068.99 and checks numbered 17081 -17114 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Carlson second that bills totaling \$43,697.17 and checks numbered 17115-17161 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PAYROLL.

Trudeau moved, Tabor second that the payroll for May 26, 2011 for \$32,220.07 checks 8616-8652, and June 9, 2011 for \$29,588.31 checks 8653-8677 are approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Carlson moved, Trudeau second to accept the Financial and Treasurer's Certificate of Deposit Report.

AYES: 6

NAYS: 0

MOTION CARRIED.

PRESENTATION –CERTIFICATE OF APPRECIATION LION’S CLUB FOR 50 YEARS OF COMMUNITY SERVICE.

FOR THEIR DEDICATION to the Township and its citizens

We do express our thanks and appreciation to,

Chocolay Lion’s Club

For serving our community and our residents for the past 50 years

Your volunteer efforts and countless of hours improving our playgrounds, providing a recreation area on M-28, that includes a softball field and a hockey rink,

Your continued generosity to the needy, by assisting with eye exams and providing glasses for those in need, and building handicap ramps for our residents,

Your continued support of our Township’s youth by sponsoring Little League teams, Bay Cliff Health Camp and the annual Easter Egg Hunt and Halloween Party.

We do express our appreciation on behalf of the Township Board and its residents.

Trustee Maki – Would also like to recognize Pete LaRue and Larry Klaus for their dedicated involvement with the Lion’s Club.

SUPERVISOR REPORT.

- A. Update of MDOT US 41/M 28 construction Project for 2012 by Manager Steve Lawry. The 2012 project will reconfigure the highway from Carp River to Bayou Street and raise it up two feet, cover it with asphalt and allow for drainage ditches instead of curb and gutter. The bike path will be relocated on the old R.R. grade closer to the lake. There will be a temporary light put up at the prison, but no detour route is planned. Additional funding was appropriated to resurface the highway from Bayou to Cherry Creek Road in 2012.
- B. Report on County Road Commission Township Supervisors’ Planning Committee. The financial shape of the County Road Commission is quite bleak. The Road Commission will not lay any pavement in the County, they are only doing patching. Their pension is only funded at 46% and the retiree health care benefits are funded from current operating budget.

DISCUSSION OF RESEARCH WITH MTA ON ORDINANCE ENFORCEMENT OFFICER ORDINANCE.

Jennifer Thum, Planning Director, presented information from the Michigan Township Association that encourages legal counsel involvement in issuing a citation, but the law does not state that legal counsel must sign off on tickets.

Trustee Trudeau – We need to have our attorney’s confidence that a case will hold up in court.

Trustee Maki – We do not have to have the attorney involved in writing the initial ticket, but agrees that the attorney should be in the loop. If our attorney will not agree with issuing a ticket the Board should be notified.

AUTHORIZATION TO PURCHASE NETWORK VERSION OF ASSESSING/TAX SOFTWARE.

Manager Steve Lawry indicated that the Board has been looking at this program for a year and a half. The efficiency of the assessing and tax program will improve with the network version of the program.

Carlson moved, Trudeau second to purchase the software programs Equalizer Assessing.Net and Equalizer Tax.Net for a combined price of \$9,000 from BS&A Software of Bath, Michigan, from the Assessor line of the Capital Improvement Fund.

ROLL CALL.

AYES: Carlson, Tabor, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None.

MOTION CARRIED.

PROPOSED TEXT AMENDMENT #34-11-01 (FORMERLY #34-10-19) TO ZONING ORDINANCE SECTION 1.6 ADMINISTRATIVE STANDARDS – FIRST READING CONTINUED.

Jennifer Thum, Planning Director, presented changes to 34-11-01 that the Board had requested at the May 2011 meeting.

Maki moved, Greenberg second to approve the first reading of proposed text amendment #34-11-01, with the removal of letter D: Fees, and include #6 from exhibit A in #9 (***set forth in writing and in detail, any denial, approval, conditional approval, or order and the facts supporting such decision***) of the proposed ordinance. This proposed ordinance will be brought back to the July 18, 2011 Township Board meeting for the second reading.

ROLL CALL.

AYES: Maki, Trudeau, Carlson, Tabor, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

ORDINANCE #57 – BICYCLE AND SNOWMOBILE ORDINANCE – SECOND READING.

Greenberg moved, Tabor second to adopt the proposed Bicycle and Snowmobile Ordinance with the amendment recommended by the Township Planning Commission and ask the Planning Commission to forward to the Board a recommendation regarding which sections of the bike path within the Michigan Department of Transportation right-of-way should be designated for wintertime snowmobile use.

ROLL CALL.

AYES: Carlson, Tabor, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None.

MOTION CARRIED.

ORDINANCE #58 – ORDINANCE TO ESTABLISH PLANNING COMMISSION IN COMPLIANCE WITH THE ZONING ENABLING ACT – SECOND READING.

Trustee Maki – Would like Board discussion on nine members instead of seven to allow a more equal representation of the community.

Trustee Tabor – Is the Board representative on the Planning Commission and the Planning Commission feels that the current make up of seven members is a good working number.

The Board discussed allowing a range of seven to nine members on the Planning Commission.

Trustee Trudeau – Feels it is too confusing to say seven to nine members. What would be the criteria to change the number of members in the future?

Staff indicated that the Zoning Act does not allow a range of members; it must be a specific number.

Carlson moved, Tabor second to approve the second reading of Ordinance #58, Chocoley Township Planning Commission, and will publish with the Township Clerk within 15 days after adoption, publish the amendment in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township ordinance book within one week after the publication of ordinance.

ROLL CALL.

AYES: Trudeau, Carlson, Tabor, Greenberg, Seppanen.

NAYS: Maki.

MOTION CARRIED

CONSIDER REQUEST FOR SPEED STUDY ON TIMBER LANE.

A request has been made by several residents on Timberlane for a speed study. The speed limit is 35 mph. and the concern is, that is too fast considering the number of families that utilize the road for walking and biking. The Board discussed the fact that if a speed study is done by the Marquette County Road Commission and the speed utilized by the 85th percentile of drivers is over 35 mph., the speed limit could go up.

Bill Kimmes, 313 Fernwood - Told the Board that there is one inlet and one outlet to the subdivision. There are two short sight or blind spots on the rear portion of the subdivision that seems to be the biggest problem. If the speed were lowered from Candace to the back of Timberlane; that would probably take care of the problem.

Treasurer Greenberg – Could we put up advisory speed signs? The residents from the subdivision should submit a petition for a speed study to the Township. That would show that most of the residents would like this done.

Chief Zyburt – Gave history on the speed limit on Timberlane that was set back in the 80's. Suggested that the Township do an informal study to determine what the average speed is on Timberlane.

The Board agreed for Chocoley Police to do an informal speed study and request that the residents on Timberlane submit a petition on the speed study request.

CONSIDER REQUEST FOR BURN BARREL REGULATIONS.

Richard Kierzek, 55 Edgewood – Requested that our Board do an ordinance regulating burn barrels in Chocoley Township. He is concerned with neighbor's burn barrels because of fire safety and smell.

Trudeau moved, Tabor second to recommend that the Planning Commission and Township Fire Department look at a need for a local ordinance regulating burn barrels.

AYES: 6

NAYS: 0

MOTION CARRIED.

CONSIDER CHANGE IN PROVIDER FOR DISABILITY, ACCIDENTAL DEATH & DISMEMBERMENT, AND LIFE INSURANCE COVERAGE.

Greenberg moved, Carlson second to give the Clerk authorization to sign appropriate documentation to change our long term, short term, accidental and life insurance from Harleysville to Municipal Employees' retirement system of Michigan for a savings of \$1,026.00 per year. We will give the current carrier, Harleysville a 30 day notice as of June 21, 2011.

AYES: 6

NAYS: 0

MOTION CARRIED.

2011 BUDGET AMENDMENT #2 FOR WASTEWATER FUND – SEWER FORCEMAIN LOCATION FOR MDOT.

Manager Steve Lawry informed the Board that MDOT will pay for moving the Township sewer pipes during the 2012 road construction if we can provide exact location and depth of the pipes that occupy the right-of-way. The following budget amendment will pay for the expense of locating the pipes.

Maki moved, Greenberg second that Whereas a budget was adopted by the Chocoley Township Board on November 8, 2010 to govern anticipated revenues and expenditures for the Wastewater Treatment Fund for fiscal year 2011, and Whereas compliance with MDOT right-of-way permit requirements resulted in an unanticipated expenditure requiring modification of the aforesaid budget, Now therefore be it resolved that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
EXPENDITURE			
Contingency 571.951	\$26,500	-\$5,300	\$21,200
Repair/Maint. 571.930	\$ 5,465	+\$5,300	\$10,765

ROLL CALL.

AYES: Carlson, Tabor, Greenberg, Maki, Trudeau, Seppanen.
NAYS: None.

MOTION CARRIED.

AWARD OF BID FOR 2011 STREET PAVING PROGRAM.

Trudeau moved, Carlson second to award a contract for 2011 street reconstruction and repaving to Payne & Dolan, Inc. of Gladstone, Michigan for the estimated total of \$286,554.35 at the unit prices bid and to direct staff to identify additional street footage from the future road program to include in this years project at the same unit price up to \$100,000.00 from Fund Balance in the Road Fund.

ROLL CALL.

AYES: Carlson, Tabor, Greenberg, Maki, Trudeau, Seppanen.
NAYS: None.

MOTION CARRIED.

PERSONNEL COMMITTEE RECOMMENDATION ON SEVERE WEATHER POLICY.

Greenberg moved, Tabor second to amend Section 4.3 of the Personnel Policy and Procedures Manual to substitute "equivalent time" for "compensatory time" in two places in the first paragraph of Section 4.3 of the Personnel Policy and Procedures Manual. Also change the current language regarding payment for hours which the employee is unable to take off within the same pay period as the weather-related closure, that the policy be changed to read "If the last day of the pay period is worked and equivalent time cannot be taken within the same pay period, the equivalent hours will be added to the employee's comp bank."

AYES: 6 NAYS: 0

MOTION CARRIED.

PERSONNEL COMMITTEE RECOMMENDATION ON ADVERTISING JOB VACANCIES.

Greenberg moved, Carlson second that paragraph 2.2.b of the Personnel Policy and Procedures Manual be amended to read as follows:

"All position vacancies will be listed with the responsible state agency except where it is the intent of the Township to promote qualified employees from within the same department or to combine or alter existing employment positions without increasing the overall size of the work force. The Township is not required to advertise a vacancy if applications of qualified candidates remain on file from a posting of this or a similar job vacancy less than 12 months prior."

AYES: 6 NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Debra Mulcahey, 633 Lakewood Lane – Commented on the State regulation of burn barrels, the Township should record 'as built plans' with the Register of Deeds and ask MDOT if they have hydrogeological people working on the MDOT2012 highway project.

Trustee Maki – Someone should look over the Planning Commission and Zoning Board of Appeals minutes; there are many typos in them. The Township needs to look at the twenty acre zoning district, especially the areas that have caused problems for residents that were in 5 acre zoning district before the change took place.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

1. Minutes – Township Planning Commission, May 2nd, 2011
2. Minutes – Township Zoning Board of Appeals, May 3rd, 2011
3. Minutes – MAWTFAB, April 21st and May 19th, 2011

Supervisor Seppanen adjourned the meeting at 10:00 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

July 18, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, July 18, 2011 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Mark Maki, Susan Carlson, Ken Tabor, Arlene Hill arrived at 7:05 pm.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Greg Zybert, Brad Johnson.

MINUTES- JUNE 20, 2011.

Tabor moved, Greenberg second that the minutes of the June 20, 2011 Township Board meeting be approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved, Maki second to approve the agenda with an additional list of Accounts Payable dated July 15, 2011, a motion to accept the Township Clerk resignation, additional information on filling the soon to be vacant Clerk position and item XIV. J. Moyle tax appeal.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Debra Mulcahey, 633 Lakewood Lane - Requested that the Board make sure our Township Attorney feels the Sign Ordinance is defensible in court before approving the ordinance. She also asked the Board to hold a public forum before paving Lakewood Lane. It would be better to plan bike trails etc. before the paving project begins.

Clerk Hill arrived at 7:05 pm.

ACCOUNTS PAYABLE.

Trudeau moved, Carlson second that bills totaling \$37,950.59 and checks numbered 17162 -17192 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Hill moved, Tabor second that bills totaling \$63,158.39 and checks numbered 17193-17241 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

PAYROLL.

Carlson moved, Tabor second that the payroll for June 23, 2011 for \$32,689.38 including checks 8678-8619 and ACH payments for Federal tax, State tax and MERS retirement, and July 7, 2011 for \$36,070.42 including checks 8620-8671 and ACH payments for Federal tax, State tax and MERS retirement are approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Tabor moved, Trudeau second to accept the Financial and Treasurer's Certificate of Deposit Report.

AYES: 7 NAYS: 0 MOTION CARRIED.

SUPERVISOR REPORT.

1. Chocolay Township Volunteer Fire Department participated in the firemen races on the 4th of July in Marquette and took 2nd place. Fire Chief Brad Johnson presented the trophies to the Board.

2. The paving portion of this year's street reconstruction project is scheduled for completion by August 13th. This will include ditching and earth moving on the North end of Riverside Road.

PROPOSED TEXT AMENDMENT #34-11-01 TO ZONING ORDINANCE SECTION 1.6 ADMINISTRATIVE STANDARDS – SECOND READING.

Maki moved. Tabor second to approve the second reading and adopt proposed text amendment #34-11-01, Administrative Standards and Procedures and publish the amendment in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township zoning ordinance book, within one week after publication of the ordinance.

ROLL CALL

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

Trustee Maki commented that the Marquette County Planning Commission had no problem with the content of ordinance yet they voted 7-0 not to support it.

ORDINANCE AMENDMENT #34-11-02 – SIGN ORDINANCE – FIRST READING.

Trustee Maki would like to submit his list of 20-30 questions in writing to staff. He also requested that this item be moved to the end of the agenda due to the lengthy discussion that will be attached to this item.

The Board agreed to move the Sign Ordinance to the last item under New Business.

DISCUSSION OF AGRICULTURE FORESTRY ZONING DISTRICT REGULATIONS.

Trustee Maki stated that this issue has been an ongoing discussion of this Board for two years. We should give the Planning Commission a time frame to return this item to the Board. Trustee Maki finds it strange that three years after the Planning Commission changed rural zoning to 20 acres, they are looking at changing part of it back to 5 acres.

Carlson moved, Tabor second to support the Planning Commission option to explore the creation of an AF-2 Zoning District, with smaller lot size requirements than 20 acres. The Planning Commission should bring forward their recommended language and map once completed, to the Township Board by the December 2011 Township Board meeting.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF RESIGNATION OF TOWNSHIP CLERK.

Carlson moved, Tabor second to accept the resignation of Arlene Hill from the position of Chocolay Township Clerk effective October 1, 2011.

AYES: 7

NAYS: 0

MOTION CARRIED.

The Board discussed filling the vacancy of the Township Clerk.

Trustee Trudeau feels that part of the process should include a writing sample from the applicants.

Trustee Maki discussed lowering the Clerk salary before the appointment was made and requested that staff contact Michigan Township Association to determine if we can change the salary mid election cycle.

Maki moved, Carlson second to approve the timeline process for filling the vacancy in the office of Township Clerk.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF AUDIO RECORDING BOARD OF TRUSTEE MEETINGS.

The Board requested that staff further research the cost for recording the Township meetings with digital capability including microphones at the Board table, podium and staff table. This will be on the August agenda.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #2 TO REFLECT RECEIPT OF POLICE TRAINING FUNDS-STATE OF MICHIGAN.

Trudeau Moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on November 8, 2010 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training Capital Outlay 401.306.957	\$1,251.86	+\$375.16	\$1,627.02

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 401.543 ROLL CALL	\$10,615.50	+\$375.16	\$10,990.66

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #3 TO REFLECT RECEIPT OF MANUFACTURER’S REBATE ON POLICE PATROL VEHICLE.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on November 8, 2010 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or 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 Improvement 401.305.957	\$108,535.08	+\$1,007.00	\$109,542.08

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698 ROLL CALL	0-	+\$1,007.00	\$1,007.00

AYES: Maki, Trudeau, Hill, Tabor, Carlson, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT #2 TO REFLECT RECEIPT OF SNOWMOBILE ENFORCEMENT GRANT FUNDS.

Tabor moved Carlson second that a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on November 8, 2010 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or 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 101.305.957	\$3,375.00	+\$768.62	\$4,143.62

Police Department

Salaries

101.305.702	\$261,410.00	+\$7,631.38	\$269,041.38
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REVENUE

PREVIOUS

CHANGE

AMENDED

State of MI.

101.543	\$10,000.00	+\$8,400.00	\$18,400.00
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ROLL CALL

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Hill, Seppanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO EXPEND FUNDS FROM CAPITAL IMPROVEMENT FUND FOR REQUIRED POLICE OFFICER TRAINING.

Greenberg moved, Tabor second to expend \$240.00 from police training in the Capital Improvements Fund 401.306.957 for Officers' Advance Law Enforcement and Legal Update training held at Northern Michigan University.

ROLL CALL

AYES: Maki, Trudeau, Hill, Tabor, Carlson, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE POLICE PATROL SUV.

Maki moved, Greenberg second to purchase a new 2012 Chevrolet Tahoe from Shaheen Fleet Operations at a cost not to exceed \$33,099.00. This will be paid from the 2011 Police Department Capital Improvements Fund account 401.305.957.

ROLL CALL

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Hill, Seppanen.

NAYS: None.

MOTION CARRIED

DISCUSSION OF RESOLUTION TO URGE GOVERNOR'S VETO OF HB 4746 (S-4) PROVIDING FOR INVALIDATION OF TOWNSHIP MASTER PLAN AND ZONING RELATED TO MINERAL EXTRACTION.

Trustee Trudeau explained to the Board that this involves controlling mining more than gravel pits. The Governor is moving this on a fast tract to stop groups from using local zoning to slow down mining permits that have State approval.

Supervisor presented a resolution to the Governor; no Board action was taken.

MOYLE RETAIL CENTERS TAX APPEAL.

Manager Lawry explained Moyle Retail Centers filed a petition with the State Tax Tribunal to protest their 2011 assessment. The State Tax Commission advises that all parties involved should be represented by legal council to avoid being thrown out on a technicality. This will be brought back to the Board in August with a cost estimate.

Trustee Maki requested that we contact all units of government that we collect taxes for to assist Chocoley with legal fees.

Trustee Trudeau questioned the net tax amount collected for the Township from the Moyle property and what is the amount that we are collecting for other units of government. The other units should assist with the Tax Tribunal case.

FIRST READING OF PROPOSED SIGN ORDINANCE, TEXT AMENDMENT #34-11-02.

Trustee Maki commented that the current sign ordinance went into effect in 1977. Amendments have been made to the sign ordinance over the years and the current ordinance is only four pages long. The proposed sign ordinance is 17 pages long and much of it unnecessary.

Maki moved, Hill second to reject the sign ordinance text amendment #34-11-02 and keep the present sign ordinance.

Trustee Maki stated that the current sign ordinance is useable. Attorney Summers stated that it is not defensible in court. Trustee Maki feels that it is defensible and our attorney did not have all of the information needed to defend it. Major issues with the current sign ordinance are regulation of electronic signs, size and set backs on signs, warning signs, temporary signs, commercial signs, billboards and real estate signs. A 60% increase in the allowable size in signs in the updated ordinance is too much.

The Board discussed direction for the Planning Commission if 34-11-02 is rejected. Possibly sending it back to the Planning Commission with specific direction and a time frame to be brought back to the Board.

ROLL CALL.

AYES: Carlson, Maki.

NAYS: Tabor, Greenberg, Trudeau, Hill, Seppanen.

MOTION FAILED.

Maki moved, Greenberg second to set up a Special Board meeting to discuss the sign ordinance.

ROLL CALL

AYES: Tabor, Carlson, Greenberg, Maki, Hill.

NAYS: Trudeau, Seppanen.

MOTION CARRIED

The date for the Special Board meeting is Monday August 8, 2011 at 7:00 pm. We will advertise the meeting date and time. Items to be discussed, but not limited to; temporary signs and a permit process to allow tracking of temporary signs, 20 second change timeframe for electronic signs, realtor signs, M-28 non-conforming signs, and the increased allowable size of signs. Trustee Maki will send a list of sign issues to staff.

PUBLIC COMMENT.

Debra Mulcahey, 633 Lakewood Lane – Agrees with Supervisor Seppanen on the proposed resolution to the Governor on mining and gravel pits. She feels that many will suffer if local units do not try to save local zoning control on this issue.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, June 6th, 2011.
- B. 2011 Update to Municipalities – Iron Ore Heritage Trail Authority.
- C. Communication from Trustee Mark Maki re: Funds for Tax Tribunal Appeal.

Supervisor Seppanen adjourned the meeting at 9:05 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

Special Board Meeting
August 8, 2011

A Special meeting of the Chocolay Township Board was held on Monday, August 8, 2011 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Mark Maki, Susan Carlson, Kendal Tabor.

ABSENT: Arlene Hill.

STAFF PRESENT: Jennifer Thum, Mary Sanders.

MINUTES- JULY 18, 2011.

Greenberg moved, Carlson second that the minutes of the July 18, 2011 Township Board meeting be approved.

AYES: 5 NAYS: 0 MOTION CARRIED.

Kendal Tabor arrive 7:03.

PUBLIC COMMENT.

Lois Ellis, 44 Heritage Drive - representing Lake Superior Community Partnership. She indicated that she was attending this meeting to observe and share with the business community what the Board accomplishes on the sign ordinance tonight.

Bill Finkbiner, 20 Steven Lee Drive – representing Holiday Station Store. He requested that the Board give the business community time for input on the sign ordinance.

Supervisor Seppanen indicated that the reason for this special meeting was to give the Planning Commission direction on what the Township Board wanted in the Sign Ordinance. The items outlined on the agenda were concerns that the Board brought up at the July meeting. If there are extensive changes to the sign ordinance; it will be sent back to the Planning Commission before a first reading.

REVIEW OF PROPOSED TOWNSHIP SIGN ORDINANCE, #34-11-02.

TEMPORARY SIGNS- LENGTH OF TIME AND PERMIT PROCESS.

- Banners for events should be allowed.
- Banners must be secured to a pole or post for safety reasons if they are not affixed to a building. The Board felt that the safety concern was met by just having the banners securely attached to an object such as a post, pole or a building. The sign shall not be located in the right of way. (Section 19.1: Temporary Signs, #4).
- Banners must stay within allowed square footage. (Section 19.1: Temporary Signs, #4).
- A temporary sign/ banner should be allowed up for 15 days within a 90 day time period without requiring a permit. If the banners become a problem then the Township should revisit the permit process.
- A permit should be required for a second temporary banner/sign with in that same 90 day time period. (Section 19.1: Temporary Signs, #4).
- 40 square feet is reasonable for a temporary sign/banner .
- 40 square feet could be reasonable if it does not counts toward the total signage that is permitted for that particular business.

ELECTRONIC MESSAGE SIGNS - ILLUMINATION, MESSAGE CYCLE AND ANIMATION/FLASHING.

- An electronic message sign with change duration of 20 seconds is acceptable. (Section 18.5 General Provisions, #7).
- Animations/video would require a shorter frequency change than 20 seconds, so would not be allowed. (Section 18.5 General Provisions, #7).
- There is a need to specify a measuring distance from the face of an illuminated sign. (section 18.5 #7,e.)

REALTOR SIGNS – LOCATION AND NUMBER OF SIGNS.

- Need to address 'locate on property' statement for realty signs; because directional signs (showing location of property) need to be off property to accomplish giving directions. (Section 19.1: Temporary Signs #3)
- Small realty signs in residential zoning districts should be allowed closer to the road so they can be read.
- Realty signs in a commercial area on the highway should be allowed to be larger because the set backs on the highway area greater.
- The Planning Commission should look at adding language about the number of directional realtor signs at an intersection and entrances to subdivisions.

RESIDENTIAL SIGNS – HEIGHT, NON-CONFORMING, SIZE/ZONING DISTRICT AND WARNING SIGNS.

- The size of camp identification signs in the residential area of M-28 should be regulated. The signs in the A/F should be regulated, but allowed to be larger than the residential area.
- The established signs would be grandfathered.
- New signs will fall within restrictions.
- Residential signs should have the same square footage requirement regardless if they are in the Waterfront Residential District.
- A limit needs to be established because of the concerns of the size of property identification signs.

COMMERCIAL SIGNS – BILLBOARDS AND SQUARE FOOTAGE.

- Billboards fall under Michigan Department of Transportation regulations. The State reserves the right to regulate the billboards.
- The Planning Commission needs to address the language in Section 19.0: Signs permitted in C and I Districts, #1 to allow only one 100 square foot sign per building no matter how large the commercial building is. The language

could be read to state that if you have 200 feet of frontage then you can have a total of 200 square feet, a business could have two – one hundred square foot signs and still meet the ordinance because each sign would not be larger than 100 square foot.

- One 100 square foot sign per business unit, that has separated walls in a shopping center with connected businesses. (Section 19.0: Signs permitted in C and I Districts).

POLITICAL SIGNS.

- 6 1/2 square feet should be allowed for political signs.

Trustee Maki moved to review the meeting minutes at the August 18, 2011 Board meeting to better formulate their position to give the Planning Commission better direction to modify the ordinance. Motion is not considered due to lack of support.

Tabor moved, Greenberg second to refer the Board comments from this meeting to the Planning Commission for changes to the sign ordinance.

AYES: 5

NAYS: 1 (Maki)

MOTION CARRIED.

The Board requested that the draft minutes be sent to them when complete.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road, stated that he cannot believe that the Board will not wait one more week to send comments on the sign ordinance to the Planning Commission. He also commented on the advertisement for Township Clerk and indicated that the current Clerk does not have office hours.

Supervisor Seppanen adjourned the meeting at 8:40 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

Trustee Maki requested that Board salaries for the 2013 budget be discussed and passed by May 2012 so that anyone running for office will know the salary before they have to file.

Trustee Maki noted that the position of Community Development Coordinator was in the 2012 budget, he did not think it was going to be refilled. Manager Lawry indicated that the position is necessary and changes to the job description will go to the personnel committee.

Trustee Maki wanted the Board to discuss this position before we go any further with changing the description or filling the position.

Treasurer Greenberg stated that the Board has no past practice of bringing a vacant position to the Personnel Committee before refilling the position.

INTERVIEW SELECTION FOR THE CLERK POSITION.

The Township Board received nine eligible applications for the position of Township Clerk.

Trustee Maki moved, Greenberg second to interview all nine applicants.

AYES: Maki, Greenberg, Carlson. NAYS: Trudeau, Seppanen. ABSTAIN: Hill MOTION CARRIED.
(Clerk Hill voted yes on this motion at the 8/15/11 meeting and it was brought to the Board's attention at the 8/29/11 Special Board meeting that she should not have participated in the process. Clerk Hill changed her vote to abstain and then the motion passed.)

Trudeau moved, Carlson second to choose four candidates this evening to be interviewed at a Special Board meeting.
AYES: 4 NAYS: 1 (Maki) ABSTAIN: 1(Hill) MOTION CARRIED.

Trustee Carlson will not vote to select the candidates to be interviewed because she applied for the Clerk position.

Trustee Maki withdrew his application to be able to participate in the selection process. Trustee Maki then decided to keep his application in the process and will not vote during the selection process.

Supervisor Seppanen, Treasurer Greenberg and Trustee Trudeau participated in the interview selection process. Each selected four names to be interviewed. Supervisor Seppanen read the selected names out loud and Deputy Clerk, Mary Sanders tallied. The four selected to be interviewed are Max Engle, Gary Heinzelman, Noreen Heitman and Dennis Magadanz.

A Special meeting will be set for Monday August 29, 2011 at 7:00 pm. to interview the four candidates for the Clerk position. The candidates will be notified and the meeting posted.

Maki moved, Seppanen second to obtain a legal opinion from Michigan Township Association on the issue of three Board members of a seven member Board making the selection on the interview for the Clerk position.
AYES: 6 NAYS: 0 MOTION CARRIED

DISCUSS AUDIO RECORDING OF BOARD OF TRUSTEE MEETINGS.

Maki moved, Carlson second to go with option #5 and purchase a Zoom H4 to record Board of Trustee meetings.
AYES: 6 NAYS: 0 MOTION CARRIED

AUTHORIZATION TO CONTRACT FOR APPRAISAL OF GATEWAY PLAZA FOR TAX APPEAL.

Trustee Maki feels that the Township should do nothing until we know if other municipalities will assist in the funding of the tax appeal.

The Township will contact the other jurisdictions and request assistance financially with this appeal.

Trudeau moved, Greenberg second to accept the proposal submitted by Closser Associates to conduct an appraisal of Gateway Plaza, located 1001 M-28 East for an initial cost of \$4,250.00 to be funded from the Township Board professional services 101.103.826.

ROLL CALL.

AYES: Carlson, Greenberg, Trudeau, Hill, Seppanen.
NAYS: Maki MOTION CARRIED.

ESTABLISH SALARY FOR POLICE SERGEANT.

Carlson moved, Maki second to approve the compensation increase to pay grade 4, step 4 of Appendix L. Chocolay Township pay grid, effective 07/17/2011, for Scott Jennings for assuming the duties of sergeant within the police department. This would be an increase of \$1,613.00 to an annual salary of \$47,143.00.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Hill, Seppanen.
NAYS: None. MOTION CARRIED.

RECOMMENDATION FROM THE PERSONNEL COMMITTEE REGARDING FINANCIAL RECORDS CLERK POSITION.

Trustee Maki would like to make this separation of duties by reducing the Financial Records Clerk by \$500.00 and making the Deputy Clerk position a salary of \$500.00.

Treasurer Greenberg stated that legally we must give a salary equal to the responsibility level of a part time Deputy Clerk and \$500.00 would not be equal to the position.

Trustee Trudeau stated no one would take a part time job with supervising responsibilities for \$500.00.

Supervisor Seppanen felt we must keep the integrity of our pay scale at Chocolay Township.

Maki moved Carlson second to adopt the recommendation of the Personnel Committee and approve the attached new job descriptions for Financial Records Clerk at the 3 pay grade and Deputy Clerk at the annual salary of \$500.00, both equaling the current salary of the Deputy Clerk.

AYES: 1 Maki NAYS: 5 MOTION FAILED.

Greenberg moved, Trudeau second to adopt the recommendation of the Personnel Committee and approve the attached new job descriptions for Financial Records Clerk at the 2.5 pay grade and Deputy Clerk at the annual salary of \$5,200.

AYES: 5 NAYS: 1 (Maki) MOTION CARRIED

PUBLIC COMMENT.

Jim Goodman, 140 Orchard Lane requested to spend one eight hour day with the Township Manager at work.
Pete Mackin, 203 Hotel Place - Thanked Arlene for her years of service as Township Clerk. Thanked the Board for considering his application for Township Clerk and indicated that he is still available to assist as a resource person.

Mark Maki, 370 Karen Road - was in Ashland Wisconsin recently and checked with a Holiday Gas Station in Ashland and their sign changed every one minute and thirty seconds, unlike the one in Chocolay that changes every 20 seconds. Our Board wants 20 seconds minimum change frequency, which oddly enough is the exact frequency of the sign in Chocolay Township.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, July 11th, 2011.
- B. Minutes – Marquette Area Wastewater Treatment Authority, June 16th, 2011
- C. Communication – Sands Township Master Plan Notice.
- D. Communication – Michigan Public Service Commission Notice of Review Period for Alger Delta Cooperative Clean Renewable Energy Plan.
- E. Communication – Marquette Area 4th of July Committee Thank You.

Supervisor Seppanen adjourned the meeting at 9:30 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

Special Board Meeting
August 29, 2011

A Special meeting of the Chocolay Township Board was held on Monday, August 29, 2011 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m. The Special Meeting was called to interview candidates for the Clerk position.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, Arlene Hill, John Trudeau, Mark Maki, Susan Carlson, Kendal Tabor.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders.

MINUTES- AUGUST 15, 2011.

Hill moved, Carlson second that the minutes of the August 15, 2011 Township Board meeting be approved with two changes.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Noreen Heitman, 105 Country Lane – Asked how the interviews would be conducted and if they interviewed all nine applicants would the four present be interviewed tonight?

INTERVIEW PROCESS.

Supervisor Seppanen explained that the Board set a process for filling the vacant Township Clerk position. Michigan Township Association approved the set process.

Trustee Maki stated that after reading the Open Meetings Act, he questions whether we had a quorum to vote on who would be interviewed at the August 15, 2011 meeting.

Trustee Trudeau stated that the majority of the quorum voted on interviewing and the vote is good.

Greenberg moved, Carlson second to rescind the motion from August 15, 2011 meeting to interview all nine applicants.

AYES: 5

NAYS: 1 (Maki)

ABSTAIN: 1 Hill

MOTION CARRIED.

Tabor moved, Trudeau second to confirm actions taken at the regular board meeting of August 15, 2011 to select Max Engle, Gary Heinzelman, Noreen Heitman and Dennis Magadanz as the four applicants for Township Clerk to be interviewed at this evening's Special Board meeting and the selection to be made at the September 19, 2011 meeting.

AYES: 5

NAYS: 0

ABSTAIN: 2 (Hill, Maki)

MOTION CARRIED.

Trustee Trudeau requested to interview the four candidates independently.

Trustee Maki requested to interview all four candidates at the same time.

Treasurer Greenberg suggested that if we interview all four candidates at the same time we should alternate who answers the question first and rotate with each question.

Trustee Trudeau would like each of the candidates to do a writing sample tonight including two paragraphs with a total of 100 words. The Board felt the cover letter on each resume covered this aspect.

Gary Heinzelman, Denny Magadanz, Max Engle and Noreen Heitman each introduced themselves to the Board and were then asked interview questions from the Board members and took turns answering them in alternating order. After the interviewing process was complete, Supervisor Seppanen indicated that references and bonding will be checked before the Board meets on September 19, 2011 to make their selection for Township Clerk.

PUBLIC COMMENT.

None.

Supervisor Seppanen adjourned the meeting at 8:20 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

September 19, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, September 19, 2011 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, John Trudeau, Mark Maki, Susan Carlson, Ken Tabor.

ABSENT: Arlene Hill.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Brad Johnson.

MINUTES- AUGUST 29, 2011 SPECIAL BOARD MEETING.

Maki moved, Greenberg second that the minutes of the August 29, 2011 Special Township Board meeting be approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Carlson moved, Tabor second to approve the agenda with one addition under New Business - Superior Watershed Application for Marquette County Sustainability Planning Initiative Grant.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Debra Mulcahey, 633 Lakewood Lane – Encouraged the Board to include more items to be recycled when writing the RFP for solid waste collection.

ACCOUNTS PAYABLE.

Trudeau moved, Carlson second that bills totaling \$58,256.20 and checks numbered 17292 -17318 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Maki second that bills totaling \$49,668.56 and checks numbered 17319-17348 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PAYROLL.

Tabor moved, Trudeau second that the payroll for August 18, 2011 for \$32,516.42 including checks 8737-8872 and ACH payments for Federal tax, State tax and MERS retirement, September 1, 2011 for \$29,833.20, including checks 8873-8898 and ACH payments for Federal tax, State tax and MERS retirement and September 15, 2011 for \$27,716.51, including checks 8899-8921 and ACH payments for Federal tax, State tax and MERS retirement are approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS.

Maki moved, Tabor second to accept the financial and Treasurer ‘s report.

AYES: 6 NAYS: 0 MOTION CARRIED.

APPOINTMENT OF TOWNSHIP CLERK.

The Board discussed the method of appointing the Township Clerk and decided that each Board member would write their selection on a signed ballot and the information would be read by the Deputy Clerk. After that a motion will be made.

Selections on the written ballots were - Trustee Maki, Trustee Tabor, Treasurer Greenberg and Supervisor Seppanen voted for Max Engle. Trustee Trudeau and Trustee Carlson voted for Noreen Heitman.

Trudeau moved, Maki second to appoint Max Engle as Township Clerk.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trustee Tabor commented that we will need to replace Max Engle on the Planning Commission.

SUPERVISOR REPORT.

We are seeking financial assistance on the Moyle Tax Appeal from other affected units of government. Chocolay Township and the City of Negaunee have jointly approached the County on this issue and it is on the County agenda for discussion on Wednesday March 21, 2011. Michigan Township Association feels that the County can assist monetarily in the appeal.

Trustee Maki asked if the appraisal had a specific due date.

Supervisor Seppanen attended a Road Commission Supervisors meeting and learned that there will be fewer resources available for all other roads in the County if the new County Road 595 is built.

2012 BUDGET INFORMATION AND WORK SESSION.

Manager Lawry gave a power point presentation showing a six year projection on Capital Improvements Fund. If the Board likes the layout of this work sheet, the format will be used in future budget print outs. A new GASB rule takes effect January 2012 that states that all money in capital project funds must be designated in dollar amount and use.

Manager Lawry also presented graphs to the Board for the years 2007 through 2012 showing Total Township revenues, franchise fees, building permits, State revenue sharing, tax revenue, road millage, landfill tipping fees and revenues, sewer fund revenues, general fund interest, health care costs, salaries, total general fund expenses and transfer from fund balance.

Trustee Maki asked for information on what the millage rate would need to be if we wanted to collect the same amount of tax dollars in 2012 as 2011? Would that affect our revenue sharing? That information will be available at the October Board meeting.

Carlson moved, Greenberg second to move the budget work session to the end of the agenda.

AYES: 6 NAYS: 0 MOTION CARRIED.

SNOWMOBILE TRAIL DESIGNATION/RECOMMENDATION PLANNING COMMISSION.

Greenberg moved, Carlson second to designate the portion of the Township bike path lying within the Michigan Department of Transportation (MDOT) highway right-of-way for M-28 E as a snowmobile route from December 1st to March 31st as posted by the erection of appropriate signage. The bike path lying East of the MDOT highway right-of-way on U S 41 South may be designated as an approved snowmobile route if MDOT and MDNR approve the application for one-way with the flow of traffic.

AYES: 6 NAYS: 0 MOTION CARRIED.

SOLID WASTE COLLECTION SERVICES REQUEST FOR PROPOSALS.

Manager Lawry informed the Board that the solid waste service contract expires December 31, 2011. He asked the Board for direction in writing the RFP for solid waste collection. Is the Board interested in expanding the recycling program or interested in maintaining the status quo?

Trustee Carlson asked if a drop off site for recycling would save on the cost.

Trustee Trudeau said that he has had complaints from residents watching GAD put recycling in the regular trash portion of the truck. We want to make sure the contractor actually does recycle.

Treasurer Greenberg likes the idea of Chocolay Township talking with local collection firms on different types of recycling and would like to see a weekly organics collection for composting.

Supervisor Seppanen would like to have our contract match up with the City of Marquette. We should also promote recycling in general. We may have a short term increase in cost, but the long term savings is in extending the life time of the landfill.

Trustee Tabor suggested drop off sites for recycling.

Manager Lawry told the Board he understands that they want to include as much recycling as possible in the RFP for solid waste collection. Sometimes recycling is not actual recycling but reused locally in other ways.

PROVISION FOR FUTURE U S 41 WATERMAIN CROSSINGS.

Manager Lawry explained that it was recently brought to his attention that when the sewer system was installed, three water main crossings were put under the highway. He also feels that technology is changing so rapidly that it would most likely not result in a cost savings to place the water mains in today for a future use.

Greenberg moved Tabor second that Chocolay Township has not identified a benefit to be realized from installation of a crossing pipe for future water main use at this time, has decided not to proceed with the construction in 2012, and will not need a construction agreement with MDOT's contractor.

AYES: 6 NAYS: 0 MOTION CARRIED.

SUPERIOR WATERSHED PARTNERSHIP APPLICATION FOR MARQUETTE COUNTY SUSTAINABILITY INITIATIVE GRANT.

Tabor moved Carlson second that Chocolay Township authorizes the Supervisor to send a letter of support for the Superior Watershed Partnership application for a regional sustainability planning initiative grant for Marquette County with an in-kind contribution of up to 30 hours per year of Township Planner participation in the planning process, valued at \$2,500.00. Also \$2,500.00 of our \$5,000.00 annual payment to Superior Watershed may be designated toward this grant.

Roll Call.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None. MOTION CARRIED.

2012 BUDGET INFORMATION AND WORK SESSION.

TOWNSHIP BOARD – Trustee Maki questioned the number of meetings for the personnel committee and whether the annual meeting was being held? The majority of the personnel committee meetings over the past couple of years have been related to job description changes. Trustee Maki asked what justification exists for \$13,000.00 in professional services. That account covers Township attorney fees and other professional (i.e. survey) services. No change to account.

SUPERVISOR – Trustee Maki questioned funding for Community Development Coordinator position. Supervisor Seppanen stated the job description is being restructured and going to the personnel committee. Trustee Trudeau would like to see justification for this position. No change to account.

Trustee Maki would like to have the budget worksheet show the previous year's actual expenditure.

ELECTION – No change to account.

ASSESSOR – No change to account.

CLERK – No change to account.

BOARD OF REVIEW – No change to account.

TREASURER – No change to account.

TOWNSHIP HALL AND GROUNDS – No change to account.

OTHER GENERAL GOVERNMENT – A lengthy discussion on the proposed 2012 health insurance cost and 10% of the insurance premium proposed to be paid by employees. No change to account.

POLICE – No change to account.

FIRE – No change to account.

STREETS – No change to account.

SANITATION – No change to account.

RECREATION AND PROPERTIES – No change to account.

ZONING – No change to account.

PLANNING COMMISSION – No change to account.

ZONING BOARD OF APPEALS – No change to account.

WASTEWATER FUND – No change to account.

Treasurer Greenberg suggested that we ease into the employee share of health insurance by 7 or 8% in 2012. Supervisor Seppanen asked Treasurer Greenberg to develop the language for that. Treasurer Greenberg suggested the wording be - the employee share is 40% to 50% of the insurance increase up to a 20% increase in 2012.

PUBLIC COMMENT.

Debra Mulcahey, 633 Lakewood Lane – Spoke on U S 41 road grade, hydrogeology and drainage issues, snowmobile trail, employees' cost of health insurance vs. a pay increase, risk management, tax appeal issue, appraisal contract date and recycling included in waste services.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, August 1st, 2011.
- B. Minutes – Marquette Area Wastewater Treatment Authority, July 28th, 2011 and August 18, 2011.
- C. Minutes – Marquette County Solid Waste Management Authority, July 20th, 2011.
- D. Invitation – Retirement Open House for Clerk Arlene Hill, October 3rd, 2011.

Supervisor Seppanen adjourned the meeting at 10:00 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk

October 17, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, October 17, 2011 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, Max Engle, John Trudeau, Mark Maki, Susan Carlson, Ken Tabor.
ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Brad Johnson.

MINUTES- SEPTEMBER 19, 2011 BOARD MEETING.

Carlson moved, Tabor second that the minutes of the September 19, 2011 Township Board meeting be approved.
AYES: 7 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved, Tabor second to approve the agenda as presented.
AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane –Commented that Mary Kratzke is professional and kind as secretary in the police department and thanked Chocolay police and fire departments for work during the storm. Commented on Alger Delta Cooperative as a rural power cooperative and that the Township should consider burying power lines in the future. North Country lease should be at no charge..

ACCOUNTS PAYABLE.

Trudeau moved, Carlson second that bills totaling \$364,714.48 and checks numbered 17349 -17368 are approved for payment.
AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved, Trudeau second that bills totaling \$9,380 .61 checks numbered 17369-17390 are approved for payment.
AYES: 7 NAYS: 0 MOTION CARRIED.

PAYROLL.

Carlson moved, Tabor second that the payroll for September 29, 2011 for \$32,096.51 including checks 8922-8954 and ACH payments for Federal tax, State tax and MERS retirement, October 13, 2011 for \$37,968.33, including checks 8955-9009 and ACH payments for Federal tax, State tax and MERS retirement are approved.
AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER’S REPORTS.

Maki moved, Engle second to accept the financial and Treasurer ‘s report.
AYES: 7 NAYS: 0 MOTION CARRIED.

APPOINTMENTS AND RESIGNATIONS.

Greenberg moved, Carlson second to accept the resignation of Max Engle from the Planning Commission.
AYES: 7 NAYS: 0 MOTION CARRIED.

Seppanen moved, Tabor second to appoint Mr. Gary Heinzelman to the Chocolay Township Planning Commission to fill in the vacancy, with a term to end on May 24, 2014.
AYES: 7 NAYS: 0 MOTION CARRIED.

SUPERVISOR’S REPORT.

Wind Storm Damage – Brad Johnson, D.P.W. Foreman reported that we did not have to report any insurance claims from the storm damage; the D.P.W. crew has been able to do the required maintenance in house. There was overtime used in the Sewer Department, Police Department and 26 fire calls due to the storm. Treasurer Greenberg thanked the Chocolay police, fire and D.P.W. for their effort to keep the Township safe during the storm.

Armed Robbery at Northern Michigan Bank – A federal warrant has been authorized in the armed robbery in Chocolay Township. Sergeant Jennings handled the case in Chocolay Township and worked with Detective Lieutenant Steve Kangas from the County, Michigan State Police, Marquette City Police and the Sheriff department.

PROPOSED 2012 FEE SCHEDULE.

RESOLUTION VERIFYING USER FEE SUFFICIENT TO COVER O. M. & R. OF THE WASTEWATER SYSTEM

Greenberg moved, Trudeau second that
WHEREAS, the revenues and expenditures for the wastewater collection and treatment system have been reviewed, and

WHEREAS, the current user fee of \$25.60 per month is not adequate for the projected replacement cost of the system, and

WHEREAS, the equivalent user fee of \$26.60 per month will be sufficient to offset the Township's share of \$10.44 per equivalent user per month, to pay the Operation, Maintenance, & Replacement Cost of the wastewater treatment plant,

NOW, THEREFORE, BE IT RESOLVED, the Chocolay Township Board establishes the equivalent user fee of \$26.60 per month for the period beginning January 1, 2012, through December 31, 2012.

AYES: 7 NAYS: 0 MOTION CARRIED.

Discussion of Proposed 2012 Budget and General Appropriations Act.

Property Tax Revenue-

Trustee Maki stated that it appears that by holding a public hearing we would gain \$9,000.00 in tax revenue. Would we lose state revenue sharing or would the tax loss compound by not increasing the millage in 2011?

Treasurer Greenberg feels it would have a compounding effect.

Trustee Maki feels his questions were answered and no further research is necessary.

Community Development Coordinator-

Manager Lawry reminded the Board that he did not want to fill the position immediately when Tom Murray retired. Mr. Lawry has found it difficult to keep up with daily activities without having someone in that position. Risk management and technical support are the two areas that we are lacking the most in right now. He asked the Board to consider leaving this position in the 2012 budget.

Supervisor Seppanen indicated that when he started as Supervisor in 2003 we had 16.14 full time employees, currently we have 14.58 and by adding back in the part time Community Development Coordinator we would be at 15.18.

Treasurer Greenberg appreciates that the level of service to our citizens and professionalism has risen since Steve began as manager and wants to give Steve the help that he needs to keep this up.

Trustee Maki feels it may be difficult to fill a position for three days a week. He would like the Board to consider a contract with a technical company or hiring for two days a week instead of three or look at three days a week and add recreation back into the position as it was originally.

Medical Insurance –

Supervisor Seppanen indicated that we are looking at status quo on our 2012 health insurance rates.

Scott Jennings represented the employee group asked the Board to consider an employee contribution of 4% (to cover the HRA increase) toward the cost of our health insurance rather than the 10% budgeted.

Treasurer Greenberg noted that the employees have helped keep health costs down over the past few years by making changes to the health benefits and feels that 4% in 2012 is a reasonable start in easing into the 20% payment over time.

Trustee Trudeau commented that we need to consider that others in our community do not have health insurance or jobs and still pay property taxes. There has to be some sacrifice on the part our employees and is in favor of employees paying 10% of the health benefits in 2012.

Greenberg moved, Engle second that Chocolay Township opt out of Act 152, S.B. 7.

AYES: 7 NAYS: 1 (Trudeau) MOTION CARRIED.

Maki moved, Greenberg second that the employee participation in the 2012 budget for health insurance be set at 4%.

AYES: 7 NAYS: 1 (Trudeau) MOTION CARRIED

Capital Improvements Fund -

The draw down of fund balance in the general fund is primarily to fund the Capital Improvements Fund and most of that is dedicated to the sinking fund for the fire station. The \$15,000.00 for the water line under U S 41 has not been funded.

Trustee Maki questioned the \$19,000.00 in economic development to purchase right of way. Manager Lawry indicated that is for realignment of driveway to the Silver Creek recreation area so we have our own access to our recreation area. This is considered a safety issue.

Trustee Maki questioned part time hours in the Board of Review, Supervisor and Clerk budgets. The description in each of the departments was written to show that the same position is in all three departments for different types of work. Each department pays for their own usage of this person.

PUBLIC HEARING – PROPOSED PROPERTY TAX MILLAGE RATES.

Proposed millage rates are general operating 3.7897, and extra voted are library .7589 and roads 1.6674.

Deborah Mulcahey, 633 Lakewood Lane – Commented on the cost sharing of health care and feels that we want healthy Township employees with health benefits.

RECOMMENDATION OF THE PERSONNEL COMMITTEE ON REVISED JOB DESCRIPTION FOR COMMUNITY DEVELOPMENT COORDINATOR.

Trustee Maki would like to remove number 11. from the job description as he feels that only the zoning administrator should answer zoning questions.

Manager Lawry stated that number 11. is in the job description as part of the business continuation plan.

Carlson moved, Trudeau second to adopt the recommendation of the personnel committee and approve the revised job description dated 9/14/2011 for the position of Community Development Coordinator.

AYES: 5 (Tabor, Carlson, Greenberg, Maki, Seppanen)

NAYS: 2 (Engle, Trudeau)

MOTION CARRIED.

Maki moved, Greenberg second to amend the above motion - that number 11. In the Community Development Coordinator job description read: In the absence of the Planning Director/Zoning Administrator, answers questions from citizens and others regarding the Comprehensive Plan.

AYES: 4 (Tabor, Carlson, Greenberg, Maki)

NAYS: 3 (Seppanen, Trudeau, Engle)

MOTION CARRIED.

APPROVAL OF AMENDMENTS TO FIRE DEPARTMENT CONSTITUTION, BY-LAWS, AND STANDARD OPERATING PROCEDURES, INCLUDING NEW JOB DESCRIPTIONS.

Greenberg moved, Maki second that the Chocolay Township Board accepts the proposed corrections to the Fire Departments Constitution, By-Laws, and Standard Operating procedures as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

RECOMMENDATION OF THE PERSONNEL COMMITTEE ON PERSONAL LEAVE TIME POLICY CHANGE.

Greenberg moved, Carlson second to adopt the recommendations of the Personnel Committee and amend Section 12.1.a.3 of the Personnel Policy and Procedures Manual to read as follows:

Personal hours shall be scheduled by the employee’s Department Head or Personnel Administrator on the basis of employee preference for the time off and the needs of the Township. Personal hours may be taken as accrued. Employees shall make their personal hour’s preference known to the Personnel Administrator as far in advance as possible. Personal hours are lost if not taken by the last day of the year or upon termination.

AYES: 7

NAYS: 0

MOTION CARRIED.

ROAD MILLAGE FUND BUDGET ADJUSTMENT #1 FOR 2011 PAVING PROJECT

Maki moved Greenberg seconded that Whereas a budget was adopted by the Chocolay Township Board on November 8, 2010, to govern expenditures of anticipated Road Millage Fund receipts for the 2011 fiscal year, and Whereas, as a result of unanticipated changes in expenditures, it is necessary to modify the aforesaid budget, Now Therefore Be It Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
2010 Fund Balance			
Carry Forward	\$111,561.90	- \$74,242.04	\$37,319.86
204.000.390			

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Streets Capital Outlay	\$284,000.00	+\$74,242.04	\$358,242.04
204.440.957			

and that the Board authorizes payment of Check # 17361 to Payne & Dolan, Inc. in the amount of \$358,242.04.

ROLL CALL.

AYES: Tabor, Carlson, Trudeau, Engle, Maki, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE SUPPLIES FOR CLERK’S OFFICE.

Engle moved, Greenberg second that we expend up to \$200.00 from the Capital Improvement Fund 401.258.957 for a replacement battery for the computer server.

ROLL CALL.

AYES: Trudeau, Engle, Maki, Greenberg, Carlson, Tabor, Seppanen.

NAYS: None.

MOTION CARRIED.

Engle moved, Carlson second that the Clerk’s office expend up to \$2,120.00 from the Clerk Department in the Capital Improvement Fund 401.215.957 for a laptop computer, monitor, computer desk, additional electronics, programs and three chairs.

ROLL CALL.

AYES: Tabor, Carlson, Trudeau, Engle, Maki, Greenberg, Seppanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION FOR SUPERVISOR TO EXECUTE LEASE WITH NORTH COUNTRY TRAIL HIKERS FOR USE OF KAWBAWGAM POCKET PARK.

Carlson moved, Tabor second to authorize Mr. Greg Seppanen to sign the lease on behalf of Chocolay Township And to authorize Mr. Steve Lawry to handle any negotiations that might arise.

AYES: 7

NAYS: 0

MOTION CARRIED.

Treasurer Greenberg questioned fiscal effects in the memo on the lease agreement and for clarity in the lease agreement delete the words 'and substantial' in the first sentence of number 2. Maintenance

DISCUSSION OF DRAFT MDOT AGREEMENT FOR WELCOME CENTER WATER SERVICE.

There are no fiscal effects for the Township associated with MDOT extending this private water line from the City of Marquette to the Welcome Center. No official action is needed on the part of Chocolay Township Board, this has been presented to the Board for information only.

PUBLIC COMMENT.

Mark Maki 370 Karen Road – Looking at tax records and noticed that the Moyle Property information shows 877,000 square feet for the parking lot and he thinks it probably should be 87,000 square feet. Mark questioned the Planning Commission minutes on waterfront rental property, road frontage issues with hold harmless and joint driveways. Why did the Zoning Board meet two times in September and did not make a decision at the first meeting?. Jennifer Thum answered that the ad did not appear in the Mining Journal within the legal time frame so the ZBA had to meet on September 29th for their decision.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, September 12th, 2011.
- B. Minutes – Township Zoning Board of Appeals, May 26, 2011 and September 22th, 2011.
- C. Minutes – Marquette County Solid Waste Management Authority, August 17th, 2011.
- D. Report from Police Chief on Timber Lane Speed Study.

Supervisor Seppanen adjourned the meeting at 8:35 pm.

Max Engle, Clerk

Greg Seppanen, Supervisor

November 14, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, November 14, 2011 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, Max Engle, John Trudeau, Mark Maki, Susan Carlson, Ken Tabor.
ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum.

MINUTES-October 17, 2011 BOARD MEETING.

Carlson moved, Trudeau second that the minutes of the October 17, 2011 Township Board meeting be approved.
AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Maki commented on the Moyle tax appeal; there was a mistake on the assessment changing it from 1.5 million to approximately 850,000. Has this change had any impact on the Moyle appeal? Answer - The change will go to the December Board of Review for correction and Moyle has been notified and has not responded.

AGENDA ADDITIONS/DELETIONS.

Tabor moved, Greenberg second to approve the agenda as presented.
AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Maki commented on building in a discussion mechanism for Board policies, the Township sign, the Clerk appointment process and the MTA News article on the Supervisor swearing in the Clerk. Supervisor Seppanen responded that if a Trustee wants an item on the agenda, the request should be made a week and a half prior to the Board meeting.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Tabor moved, Carlson second that bills totaling \$37,883.36 and checks numbered 17391 -17419 are approved for payment.
AYES: 7 NAYS: 0 MOTION CARRIED.

Carlson moved, Trudeau second that bills totaling \$24,994.78 checks numbered 17420-17468 are approved for payment.
AYES: 7 NAYS: 0 MOTION CARRIED.

PAYROLL.

Trudeau moved, Tabor second that the payroll for October 23, 2011 for \$33,036.66 including checks 9010-9050 and ACH payments for Federal tax, State tax and MERS retirement, November 10, 2011 for \$27,955.96, including checks 9051-9075 and ACH payments for Federal tax, State tax and MERS retirement are approved.
AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Maki moved, Tabor second to accept the financial and Treasurer's report.
AYES: 7 NAYS: 0 MOTION CARRIED.

SUPERVISOR'S REPORT.

1. There was a high speed chase that occurred this morning involving Chocolay Township Police. There was minor damage to our squad car during the chase and no injuries.
2. The State of Michigan is currently debating elimination of personal property tax. If this did pass, the effect on Chocolay Township would be a revenue loss of approximately \$15,000.00 per year. At this point it appears that the Utilities would continue to pay personal property tax.

PROPOSED 2012 FEE SCHEDULE.

The Board was provided with the 2012 fee schedule with no changes from the 2011 schedule with the exception of the sewer rate change approved by the Board in October. We will be looking at a possible change in the garbage tag fee and landfill hauler fee once the refuse collection contract has been set.

Trustee Maki indicated that the fees for the comprehensive plan, site condo and PUD were too high.

ASSESSOR'S REPORT ON MILLAGE OPTIONS.

Trustee Trudeau asked if we have done the "Truth in Taxation" hearing in the past. Answer - yes, we have.

Trustee Maki commented that the system makes it difficult to reduce the millage amount in any given year because of the compounding effect of the loss of revenue.

Treasurer Greenberg commented that the option that we have is to continue to fund our Capital Improvement Fund each year, so we do not have to request millage for capital projects.

FY 2012 BUDGET AND GENERAL APPROPRIATIONS ACT.

Manager Lawry presented the Board with the final changes to the FY2012 budget in the blue corrected pages.

Trustee Maki brought up the fact that Tom Murray has been brought back under a 40 hour contract and this did not come before the Board.

Trustee Trudeau also commented that he did not know that Tom was working for us through a contract. He would like the Board to be made aware in the monthly update when personnel changes take place.

Trustee Maki feels that the Community Development Coordinator position should answer directly to the Board.

Trustee Trudeau stated that this is not a department head and should be under the direction of the Manager.

Manager Lawry indicated that applications were being accepted until today at 5:00 pm. We will review the 17 applications and select approximately 5 to interview next week. Hopefully a decision will be made by Thanksgiving and possibly have someone hired in December. Manager Lawry and Tom Murray will interview the applicants.

Trustee Maki requested that the Clerk also take part in the interview process.

Trudeau moved, Tabor second that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1st, 2012, and ending December 31st, 2012, 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 October 7, 2011;

Whereas, a public hearing was held on the proposed budget on October 17, 2011 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, 2012, and ending on December 31st, 2012, in the amount of \$1,754,350.00 for the General Fund, \$320,000.00 in the Road Fund, in the amount of \$303,500.00 for the Sewer Fund, and in the amount of \$165,000.00 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,919,350.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1st, 2012, and ending December 31st, 2012.
3. The Township Board does hereby appropriate the sum of \$303,500.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1st, 2012, and ending December 31st, 2012.
4. The Township Board does hereby appropriate the sum of \$320,000 for the repairing of the Township Roads to be used for the fiscal year beginning January 1st, 2012 and ending December 31st, 2012.
5. The Township Board does hereby levy 3.7897 mills for general operations; extra voted are 0.7589 for library, and 1.6674 for roads.
6. All resolutions and parts of resolutions in so far as they conflict with provisions of this resolution are rescinded.
7. 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: Tabor, Carlson, Greenberg, Trudeau, Engle, Seppanen.

NAYS: Maki.

MOTION CARRIED.

Trustee Maki indicated that he still feels that the Assessing budget should not include a part time field inspection technician; the Assessor should be doing the field work.

RESOLUTION FOR OFFICERS' SALARIES.

Trustee Carlson asked that the Board look at an increase for the Trustees in the 2013 budget. All of the Townships around us pay their Trustees at a much high rate.

Trustee Maki commented that surrounding Townships pay their Trustees \$250.00 to \$300.00 per meeting. Some Planning Commissioners are paid \$250.00 per meeting. The Board should show their intention for officers and Trustee salaries for the 2013 budget prior to the office filing date in May 2012. Trustee Maki also asked if we were going to appoint a replacement for Arlene on the MCTA Board. Supervisor Seppanen stated that will take place at the December meeting with the other appointments. Clerk Engle is willing to represent Chocolay Township at the MCTA meetings.

SUPERVISOR'S SALARY.

Maki moved, supported by Trudeau, which the salary for the office of Supervisor shall be set in the amount of \$14,525.00 for the Fiscal Year 2012, which begins January 1st, 2012, and ends December 31st, 2012.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED

TREASURER'S SALARY.

Tabor moved, supported by Carlson, which the salary for the office of Treasurer shall be set in the amount of \$8,739.00 for the Fiscal Year 2012, which begins January 1st, 2012, and ends December 31st, 2012.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED

CLERK'S SALARY.

Greenberg moved, supported by Tabor, which the salary for the office of Clerk shall be set in the amount of \$11,852.00 for the Fiscal Year 2012, which begins January 1st 2012, and ends December 31st, 2012.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED

TRUSTEE'S PER DIEM.

Carlson moved, supported by Greenberg, which the per diem for the office of Trustee shall be set in the amount of \$60.00 per meeting for the Fiscal Year 2012, which begins January 1st, 2012, and ends December 31st, 2012.

ROLL CALL.

AYES: Tabor, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: Carlson.

MOTION CARRIED.

ADOPTION OF 2012 MEETING SCHEDULES FOR TOWNSHIP BOARD, TOWNSHIP PLANNING COMMISSION, ZONING BOARD OF APPEALS, BOARD OF REVIEW, AND TOWNSHIP FIRE DEPARTMENT.

Tabor moved, Greenberg second that the below 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 are approved for 2012.

Chocolay Township Board – 7:00PM

January 16	July 16
February 20	August 20
March 19	September 17
April 16	October 15
May 21	November 19
June 18	December 17

Chocolay Township Planning Commission – 7:30PM

January 9	July 2
February 6	August 6
March 5	September 10
April 2	October 1
May 7	November 5
June 4	December 3

Chocolay Township Zoning Board of Appeals – 7:00PM

January None	July 26
February 23	August 23
March None	September 27
April 26	October 25
May 24	November 22
June 28	December 20

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 – Times to be set March 6

- March 6, 12, and 13
- July 17
- December 11

Clerk Engle stated that he did not set a date for the joint Planning Commission/Township Board meeting. He wanted to have a flexible date as needed. The Board agreed to set a date next year to hold the joint meeting by May 2012..

Trustee Trudeau questioned the November 2012 Board meeting date.

AYES: 7 NAYS: 0 MOTION CARRIED.

APPLICATION OF DELINQUENT SEWER CHARGES AS TAX LIENS.

Greenberg moved, Engle second 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 tax roll.

DELINQUENT SEWER USERS FOR 2011

Name	Tax ID Number	Address	City, State, Zip	Amount Due
Mark Gilmore	52-02-490-002-00	110 Chocolay River Tr	Mqt MI 49855	\$ 103.78
Richard Ryan	52-02-490-004-00	114 Chocolay River Tr	Mqt MI 49855	\$ 337.92
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	\$ 337.92
Menhennick	52-02-254-003-00	500 Corning Street	Mqt MI 49855	\$ 76.80
Steven & Heather Shaw-Quizno's	52-02-106-043-50	505 Corning Street	Mqt MI 49855	\$ 1,959.92
Jack's IGA	52-02-440-010-00	101 Carmen Drive	Mqt MI 49855	\$ 622.12
Susan Racine	52-02-215-006-00	156 E. Fairbanks Street	Mqt MI 49855	\$ 337.92
Travis Westra	52-02-203-001-00	145 East Main Street	Mqt MI 49855	\$ 328.70
David Hillock	52-02-216-010-00	158. E. Wright Place	Mqt MI 49855	\$ 337.92
Linda Morgan	52-02-216-015-00	161 E. Wright Place	Mqt MI 49855	\$ 337.92
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$ 337.92
Anthony & Karri Rabitaille	52-02-455-038-00	214 Jean Street	Mqt MI 49855	\$ 330.24
Daniel & Laura Clements	52-02-455-056-00	208 Judy Street	Mqt MI 49855	\$ 61.28
Kimberly Randell Kronschnabel	52-02-455-042-00	209 Judy Street	Mqt MI 49855	\$ 23.36
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$ 337.92
Linda Bice	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 137.92
Robin & Rease Premeau	52-02-305-022-50	204 Riverside Road	Mqt MI 49855	\$ 337.92
Joe & Barb Menze	52-02-107-063-00	328 Silver Creek	Mqt MI 49855	\$ 337.92
Steve & Sandra Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$ 337.92
Walt & Susan Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$ 608.24
A.J. Menhennick	52-02-254-003-00	4021 U S 41 South	Mqt MI 49855	\$ 76.80
Harvey Oil Company	52-02-254-003-00	4025 U S 41 South	Mqt MI 49855	\$ 76.80
Wahlstom Enterprise Inc.	52-02-107-007-00	5043 US 41 South	Mqt MI 49855	\$ 9,326.60
Mike & Eva Schlenkert	52-02-455-001-00	132 Veda Street	Mqt MI 49855	\$ 337.92
Dave & Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$ 337.92
Jason Bernard	52-02-107-074-00	740 Willow Road	Mqt MI 49855	\$ 337.92
Jennifer Stanaway	52-02-207-004-00	240 W. Main Street	Mqt MI 49855	\$ 330.24
Gardner Bess	52-02-210-005-00	334 W. Terrace Street	Mqt MI 49855	\$ 337.92
Joseph Stanaway	52-02-208-005-00	341 W. Terrace Street	Mqt MI 49855	\$ 337.92
Judith Charles/Marilyn Kramer	52-02-208-003-00	371 W. Terrace Street	Mqt MI 49855	\$ 337.92
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	\$ 337.92
Kristine & Michael Dionne	52-02-106-043-00	110 W. Wright Place	Mqt MI 49855	\$ 337.92

Tammy Riggie	52-02-253-025-00	117 W. Wright Place	Mqt MI 49855	\$ 337.92
Glen Carlson	52-02-213-004-00	350 W. Wright Place	Mqt MI 49855	\$ 137.92
Total Delinquent Amount				\$ 20,621.20

AYES: 7 NAYS: 0 MOTION CARRIED.

2011 GENERAL FUND BUDGET AMENDMENT #3 TO REFLECT RECEIPT OF COASTAL ZONE MANAGEMENT GRANT FOR COMPREHENSIVE PLAN UPDATE.

Tabor moved, Carlson seconded that Whereas a budget was adopted by the Chocolay Township Board on November 8, 2010 to govern anticipated revenues for the General Fund revenues and expenditures for the 2011 fiscal year, and Whereas, as a result of unanticipated changes in expenditures it is necessary to modify the aforesaid budget, Now Therefore Be It Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Due from State	\$18,400.00	+\$7,807.47	\$26,207.27
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Planning Comm. Misc			
101.805.956	\$400.00	+\$2,839.97	\$3,239.97
Rec and Properties Capital Outlay			
101.756.957	\$6,500.00	+2,831.00	\$9,331.00
Planning Commission Professional			
101.805.801	\$2,000.00	+\$2,136.50	\$4,136.50

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED

2011 CAPITAL IMPROVEMENT BUDGET AMENDMENT #4 TO REFLECT DISBURSEMENT OF TOWNSHIP UTILITY REVIEW COMMITTEE FUNDS.

Trustee Trudeau is the Chocolay Township representative on the Utility Review Committee. The Committee is made up of representatives from Chocolay, Marquette, Negaunee, Sands, Skandia and West Branch Townships. The committee agreed that any amount over \$142,000.00 in the Utility Review Account will be distributed by percentage to the Townships. The distribution percentage is based on the number of BLP electrical users in the Township.

Trudeau moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board on November 8th, 2010 to govern the anticipated Capital Improvement Fund receipts within the Township for fiscal year 2011, 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 hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
401.698.000	\$1,007.00	+\$3,537.38	\$4,544.38
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Streets-Utility Improvements			
401.440.957	\$ 414.54	+\$3,537.38	\$3,951.92

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED

Supervisor Seppanen wanted the Board to remember that Chocolay Township owns 46% of the Utility Review Fund money.

PROPOSED TEXT AMENDMENT #34-11-03 TO ZONING ORDINANCE SECTIONS 13.1 AND 13.2 WIRELESS COMMUNICATION FACILITY REQUIREMENTS – FIRST READING.

Greenberg moved, Tabor second to approve the first reading for proposed text amendment #34-11-03 and to hold a second reading at our December 19, 2011 meeting.

Trustee Trudeau feels that page 4 #17 is contradictory and should be removed completely because cell towers have to be placed at a high point in the Township. Page 4 B 1. is identical to wording on page 2. Page 5 B 4. does not make sense for cell towers.

Planner Thum stated that on page 5 b 4. Is intended for personal towers and wi-fi.

Clerk Engle stated that this is a conditional use and must be approved by the Planning Commission before a tower can go in.

ROLL CALL.

AYES: None.

NAYS: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen. MOTION FAILED.

Trudeau moved, Tabor second that The Board send text amendment 34-11-3 back to the Planning Commission with the following direction:

- Make a higher distinction between cell towers and wi-fi towers in the ordinance.
- Eliminate #17 – and just rely on the conditions attached to a conditional use permit to provide adequate protection of scenic areas.
- Eliminate the redundant part of the text amendment.

AYES: 7

NAYS: 0

MOTION CARRIED.

PROPOSED TEXT AMENDMENT #34-11-04 TO ZONING ORDINANCE SECTION 6.5 OUTDOOR WOOD BURNING BOILERS AND APPLIANCES – FIRST READING.

Carlson moved, Trudeau second to approve the first reading of the proposed text amendment #34-11-04, and bring it back to the December 19, 2011 Township Board meeting for the second reading.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF SOLID WASTE COLLECTION SERVICES REQUEST FOR PROPOSALS.

Manager Lawry informed the Board that our current refuse collection contract will be up in December and we need to move forward with a new contract. The County has not approved their plan for organic recycling. The City is under a contract with Waste Management until June 2013. We could look at a joint bid with the City at that time, or look to Sands Township for refuse collection. There is a private hauler that has requested selling subscriptions privately to residents.

Clerk Engle feels that we should explore going back into the refuse collection business ourselves.

Greenberg moved, Tabor second that the Township attempt to negotiate an extension of the current refuse collection contract for 18 months and pursue joint bidding with the City of Marquette for service beyond that point. That we explore the costs of “buy in” to an existing service such as Sands Township or Waste Management’s contract with the City of Marquette.

AYES: 6

NAYS: 1 (Engle)

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, October 3rd, 2011.
- B. Minutes – Marquette County Township Association, September 28th, 2011.
- C. Minutes – Township Utility Review Committee, October 26th, 2011.
- D. Minutes – Marquette Area Wastewater Treatment Authority, September 15th, 2011.
- E. Correspondence – Invitation to Participate in Discussions of a Heartwood Regional Recreational Authority.

Supervisor Seppanen adjourned the meeting at 9:15 pm.

Max Engle, Clerk

Greg Seppanen, Supervisor

December 19, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, December 19, 2011 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, Max Engle, John Trudeau, Mark Maki, Susan Carlson, Ken Tabor.
ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Brad Johnson, Scott Jennings, Pat Beck.

MINUTES-NOVEMBER 14, 2011.

Tabor moved, Greenberg second that the minutes of the November 14, 2011 Township Board meeting be approved.
AYES: 7 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Tabor moved, Greenberg second to approve the agenda with one deletion – XIV. I. Revised lease with North Country Trail Hikers.
AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Carlson moved, Tabor second that bills totaling \$77,119.66 and checks numbered 17469 -17504 are approved for payment.
AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved, Carlson second that bills totaling \$57,256.54 checks numbered 17505-17538 are approved for payment.
AYES: 7 NAYS: 0 MOTION CARRIED.

PAYROLL.

Tabor moved, Maki second that the payroll for November 24, 2011 for \$31,075.12 including checks 9076-9110 and ACH payments for Federal tax, State tax and MERS retirement, December 6, 2011 for \$2,682.43, including checks 9111-9119 and ACH payments for Federal tax, State tax and MERS retirement and December 8, 2011 for \$29,710.41 including checks 9120-9144 and ACH payments for Federal tax, State tax and MERS retirement are approved.
AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORT.

Trustee Carlson had a question on the Community Center account.
Maki moved, Engle second to accept the financial report.
AYES: 7 NAYS: 0 MOTION CARRIED.

TREASURER’S REPORT.

Tabor moved, Carlson second to accept the Treasurer’s report.
AYES: 7 NAYS: 0 MOTION CARRIED.

RECOGNITION OF MR. TOM LAKENEN AS CHOCOLAY AREA BUSINESS ASSOCIATION 2011 CITIZEN OF THE YEAR.

Trudeau moved, Greenberg second that it is with gratitude that we commend Mr. Tom Lakenen on his selection as the Chocolay Area Business Association’s 2011 Citizen for the Year.

Mr. Lakenen is recognized for his generous contributions to the Township, our citizens, and the wonderful sculpture park that he has created in our Township. His selfless spirit and attitude have promoted many good causes. His commitment to the community is evident by hosting numerous community events, such as an annual Halloween party and summer concerts. His sculpture park, Lakenenland, has become a tourist destination and has put our Township on the snowmobile maps. Declared this 20th day of December, 2011 in and for the Charter Township of Chocolay.

AYES: 7 NAYS: 0 MOTION CARRIED.

INTRODUCTION OF NEW TOWNSHIP COMMUNITY DEVELOPMENT COORDINATOR.

Dale Throenle, newly hired Community Development Coordinator was introduced to the Board. Originally from Ohio and vacationed in the U.P. as a child. In 2004 the company he worked for downsized and he decided to come to the U.P. to complete his education and has lived here since.

Treasurer Greenberg thanks Pat Beck for the refreshments served at the meeting.

FIRE DEPARTMENT PRESENTATION ON NEW FIRE STATION.

Lt. Lee Gould from the Chocolay Township Volunteer Fire Department gave a PowerPoint presentation on the proposed new fire hall. The current fire hall was built in the early 1970's and was built by fire department members. Over the years the maintenance and renovations were also done by members. The current fire hall does not meet building codes. The ceiling caught fire last year due to faulty wiring. The current hall is no longer functional; the roof leaks, it is too small and does not meet MIOSHA requirements.

The proposed fire hall will cost 1.8 million dollars. As of the 2012 budget we will have approximately \$580,000.00 set aside in the Capital Improvements Fund for the fire hall. The balance would have to come from millage.

Trudeau moved, Maki second to accept the plan dated July 25, 2011 from Integrated Designs, Inc. presented by the fire department for a new fire hall.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Carlson asked if the fire department has plans for fund raising for the fire hall.

Trustee Trudeau feels that this is too large an amount to raise through fund raisers, the only way to raise it is through millage.

Trustee Maki stated that the residents need to be informed that part of the reason for the new hall is safety and to lower the ISO rating and lower home insurance.

Treasurer Greenberg wants to see other cost options.

APPOINTMENT OF AD HOC MILLAGE COMMITTEE.

Seppanen moved, Tabor second to appoint Treasurer Greenberg, Clerk Engle and Trustee Maki as an ad hoc committee to study millage for roads, fire hall and library.

AYES: 7 NAYS: 0 MOTION CARRIED.

Supervisor Seppanen commented that this committee will bring back information to the Board in March 2012. These will be open meetings and a per diem will be paid to the Trustee attending.

APPOINTMENTS TO STANDING COMMITTEES.

Tabor moved, Greenberg second that Greg Seppanen be reappointed as Primary to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2012 to December 31, 2012.

AYES: 7 NAYS: 0 MOTION CARRIED.

Carlson moved, Maki second that Brad Johnson be reappointed as Alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2012 to December 31, 2012.

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved, Maki second that Scott Jennings be reappointed to the Personnel Committee for a term to run from January 1, 2012 to December 31, 2012.

AYES: 7 NAYS: 0 MOTION CARRIED.

Maki moved, Trudeau second that Chris Lucas be appointed to the Personnel Committee for a term to run from January 1, 2012 to December 31, 2012.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trudeau moved, Greenberg second that Max Engle be appointed to the Marquette County Townships Association to fill out the term from January 1, 2011 to December 31, 2012.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trudeau moved, Engle second that Pete Mackin be appointed to the Chocolay River Watershed Council to run from December 1, 2011 to December 1, 2014.

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved, Maki second that Mary Sanders be reappointed, as primary, to the Northern Michigan Public Service Academy Board for a term to run from January 1, 2012 to December 31, 2012.

AYES: 7 NAYS: 0 MOTION CARRIED.

Carlson moved, Maki second that Max Engle be appointed as primary CABA Representative to fill out the term of January 1, 2009 to December 31, 2013.

AYES: 7 NAYS: 0 MOTION CARRIED.

SUPERVISOR'S REPORT.

- A. Report of Work Session on Regional Recreational Authority. The Marquette City Commissioners, Marquette Township, Chocolay Township and Sands Township Board of Trustees met November 30, 2011 to pursue the goal of a Recreation Authority. Heartwood Forest and a recreation authority in

Greenberg moved, Maki second to approve the first reading of proposed text amendment #34-11-06, and bring it back to the January 16, 2012 meeting for the second reading.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION Carried.

DISCUSSION OF TOWNSHIP HALL MESSAGE SIGN POLICY.

Clerk Engle indicated that this is on the agenda because there have been some questions on the current sign policy.

Clerk Engle feels the sign policy is adequate; the main problem is sign users requesting messages that are too lengthy for the sign.

Trustee Trudeau suggested adding to the policy the actual number of letters allowable per line on the sign.

Trustee Maki questioned other groups using the Township sign for advertising and the safety of northbound traffic reading the sign while driving.

AWARD OF BIDS FOR SALE OF SURPLUS EQUIPMENT AND CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #5.

The Board discussed the method of handling two identical bids for the lawn mower. The Board agreed to contact both bidders and allow them a chance to rebid.

Greenberg moved Trudeau seconded to award sale of the Dodge Charger to Chicago Motors for \$3,207.00, sale of the Chevy Tahoe to Arvid Niemi for \$1,900.00 and the sale of 5 humidifiers to Larry Gould at \$15.00 each for a total of \$75.00.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION Carried.

2011 GENERAL FUND BUDGET AMENDMENT #4 TO REFLECT POLICE DEPARTMENT OVERTIME REIMBURSEMENT FROM THE OFFICE OF HIGHWAY SAFETY PLANNING.

Trudeau moved, Engle second, that Whereas a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on November 8, 2010 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	\$269,041.38	+\$4,355.27	\$273,396.65
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$ 12,000.00	+\$4,355.27	\$ 16,355.27

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION Carried.

2011 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #6 TO REFLECT RECEIPT OF KBIC 2% MONEY.

Tabor moved, Carlson second that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on November 8th, 2010 for fiscal year 2011, 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	+\$105,714.93	\$105,714.93
EXPENDITURE			
Police 401.305.957	\$114,649.08	+\$ 5,000.00	\$119,649.08
Fire Dpt. 401.340.957	\$428,633.20	+\$80,000.00	\$508,633.20
Econ Dev. 401.729.957	\$ 4,000.00	+\$10,000.00	\$ 14,000.00
Rec Prop 401.756.957	\$ 92,180.39	+\$10,714.93	\$102,895.32

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION Carried.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND POLICE TRAINING ACCOUNT DOLLARS TO ATTEND CHIEFS OF POLICE CONFERENCE.

Greenberg moved, Tabor second to expend \$797.07 for the Police Chiefs conference in Grand Rapids, February 8-10, 2012. This will be paid from the Capital Improvements Fund Police Training 401.306.957.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION Carried.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND POLICE DEPARTMENT ACCOUNT DOLLARS TO PURCHASE AN ADDITIONAL SURVEILLANCE CAMERA FOR PEDESTRIAN TUNNEL.

The Board discussed the excessive cost to bring someone up from down State to install the tunnel camera. The Board feels that we should look for a local person to install the camera.

Carlson moved, Tabor second to approve the purchase of one additional surveillance security camera from Mid State Security at a total cost not to exceed \$1,106.45 and look for someone local to install the camera. This will be paid from the Capital Improvements Fund Police account 401.305.957.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION Carried.

CONSIDERATION DIRECT DEPOSIT RESOLUTION.

Engle moved, Greenberg second that Whereas, from time to time, customer wishes to request Range Bank N.A. ("bank") by written instruction, telephone, terminal communication device, or otherwise, to originate ACH transactions to other financial institutions or to other accounts at Range Bank N.A. as provided in an ACH agreement;

Now therefore, be it resolved, that any one of those persons listed, (Max L. Engle, Clerk, John Greenberg, Treasurer, Mary L. Sanders, Deputy Clerk, Patricia Beck, Deputy Treasurer) are hereby authorized to execute the ACH agreement.

Further resolved, that the authority conferred hereby will continue in full force and effect until written notice of modification or revocation of this resolution by a duly appointed official of the customer will be received by Range Bank N.A., and Range Bank will be protected in acting upon any form of written notice that it in good faith believed to be genuine and what it purports to be.

In witness whereof, I have hereunto set my hand and the seal of said corporation this 20th day of December, 2011. Supervisor Seppanen requested that in 6 months this issue be brought back to the Board to decide if all employees must participate in the Direct Deposit program.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Pam Basal, 200 S. Big Creek Road – Agrees with Trustee Maki on rules not allowing four homes on one driveway. She lived on a private road and there were problems with being wide enough for emergency vehicle use.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

1. Minutes – Township Planning Commission, November 7th, 2011.
2. 2011 Annual Report – Township Planning Commission
3. Minutes – Marquette County Solid Waste Management Authority, September 21, 2011.
4. Minutes – Marquette Area Wastewater Treatment Authority, October 20th, 2011.

Supervisor Seppanen adjourned the meeting at 9:15 pm.

Max Engle, Clerk

Greg Seppanen, Supervisor

January 16, 2012

A Regular meeting of the Chocolay Township Board was held on Monday, January 16, 2012 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, Max Engle, John Trudeau, Mark Maki, Susan Carlson.

ABSENT: Ken Tabor.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Brad Johnson, Dale Throenle.

MINUTES-DECEMBER 19, 2011.

Trudeau moved, Carlson seconded that the minutes of the December 19, 2011 Township Board meeting be approved with two changes (further definition on the fire hall motion and adding a vote to the direct deposit motion).

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved, Engle seconded to approve the agenda with one deletion – item XIV. K. Agreement with North Country Trail Hikers for Use of Kawbawgam Park.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road – The sign Ordinance amendment on the agenda tonight includes Township Board recommendations made at the August 8, 2011 Special Board Meeting. The Planning Commission also incorporated some of their own changes into this document. This is a completely revised document from the one the Board looked at in August. It is difficult to extract what the Board talked about and what the Planning Commission did. It would be easier to work on the sign ordinance if the Board could look at the document showing the Board recommendations separate from the Planning Commission recommendations. I also filed a request with the Township Clerk a request to hold a public hearing on the sign ordinance.

ACCOUNTS PAYABLE.

Maki moved, Trudeau seconded that bills totaling \$64,180.00 and checks numbered 17539 -17594 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PAYROLL.

Trudeau moved, Maki seconded that the payroll for December 22, 2011 for \$33,757.25 including checks 9145-9187 and ACH payments for Federal tax, State tax and MERS retirement, January 5, 2012 for \$39,516.37, including checks 9188-9238 and ACH payments for Federal tax, State tax and MERS retirement and January 6, 2012 for \$1,850.75 including check 9239 and ACH payments for Federal tax, and State tax are approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

TREASURER'S REPORT.

Carlson moved, Trudeau seconded to accept the Treasurer's report.

AYES: 6 NAYS: 0 MOTION CARRIED.

ANNUAL REPORT OF THE MARQUETTE AREA WASTEWATER TREATMENT AUTHORITY.

Brad Johnson, D.P.W. Foreman, presented the annual report from the Marquette Area Wastewater Treatment Facility. Chocolay Township owns 5% of the capacity of the plant; Marquette Township owns 10%; and the City of Marquette 85%. The authority was established in 1977 and Chocolay has been represented on the authority board since that time.

Supervisor Seppanen questioned whether the operational and regulatory capacities of the Wastewater Plant are the same. The two measurements are somewhat close at this time for the new plant, but that could change with the renewal of the NPDES permit.

MARQUETTE COUNTY SOLID WASTE AUTHORITY CONTACT.

Sam Elder, Chocolay representative on the Marquette County Solid Waste Authority introduced himself to the Board. The Authority is working on an environmentally sound way to extend the life of the landfill. They are looking at major recycling of all biodegradables. The authority is working toward 90% of items entering the landfill as renewable and recyclable and 10% as garbage. The authority would like Chocolay Township, Marquette Township and the City of Marquette to look at a joint collection contract as a money saver for all of the units and leverage for more recycling to be picked up by the contractor.

SUPERVISOR'S REPORT.

1. Supervisor Seppanen, Clerk Engle and Trustee Trudeau updated the Board on Area Ad Hoc Recreation Authority committee meeting. The Heartwood Forest should be resolved between the City and Township of Marquette; not part of the recreation authority. The authority talked about what the recreational assets are. The next meeting is at the end of February and items for discussion will be what the Recreation Authority wants to accomplish and funding for the Authority.

2. The Board will discuss the evaluation of our Township Manager at the February Township Board meeting.

PROPOSED TEXT AMENDMENT #34-12-04 (#34-11-03) TO ZONING ORDINANCE SECTIONS 13.1 AND 13.2 WIRELESS COMMUNICATION FACILITY REQUIREMENTS (REVISED) – SECONDED READING.

Trudeau moved, Carlson seconded to approve the second reading of Zoning Amendment #34-12-04 (34-11-03) to amend Section 13: Wireless Communication Towers of the Township Zoning Ordinance. The Township Clerk will publish within 15 days after adoption, publish the amendment in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township ordinance book within one week after the publication of ordinance.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

PROPOSED TEXT AMENDMENT #34-12-02 (#34-11-06) TO ZONING ORDINANCE SECTION 10.1 PLANNED UNIT DEVELOPMENTS – SECONDED READING.

Maki moved, Greenberg seconded to approve the seconded reading of Zoning Amendment #34-12-02 (#34-11-06) to amend Section 10: Planned Unit Development, to delete the Agricultural/Forestry Zoning District from the permitted zoning district list. The Township Clerk will publish within 15 days after adoption, publish the amendment in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township ordinance book within one week after the publication of ordinance.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

PROPOSED TEXT AMENDMENT #34-11-02 TO ZONING ORDINANCE SECTION 18 SIGNS AND FENCES (REVISED) – FIRST READING.

Maki moved, Greenberg seconded to take the August Township Board suggested updates to the sign ordinance and the Planning Commission changes to the sign ordinance and compare side by side at the March 2012 Township Board meeting and also hold a public hearing and First Reading at the same time.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

DISCUSSION OF SOLID WASTE SERVICES OPTIONS.

Greenberg moved, Trudeau seconded to follow the Manager’s recommendations to approve a one year extension of the current collection contract with Great American Disposal per the terms outlined in Mr. Spears’ e-mail of December 13, 2011 and authorize the Supervisor and Clerk to sign a formal letter of agreement to accomplish this.

AYES: 6

NAYS: 0

MOTION CARRIED.

Trudeau moved, Carlson seconded to follow the Managers recommendation and contract with Country Mile Document Destruction for destruction of dated confidential or sensitive municipal documents.

AYES: 6

NAYS: 0

MOTION CARRIED.

Supervisor Seppanen indicated that there is no Board action required on the other three points in the Manager memo; they are informational and will be brought back to the Board when action is needed.

AUTHORIZATION TO EXECUTE A NEW CONTRACT FOR COMPUTER SUPPORT SERVICES.

Carlson moved, Greenberg seconded that the maintenance contract with LASCO, Inc. be approved that provides support for in-house computer equipment and software. Duration of the contract is from January 1, 2012 through December 31, 2012, and the contract amount is \$4,600.00.

AYES: 6

NAYS: 0

MOTION CARRIED.

AWARD OF BID FOR SALE OF SURPLUS LAWN MOWER.

Greenberg moved, Carlson seconded to award sale of the 21” Lawnboy push mower to Mr. Ken Maki for \$33.50.

AYES: 6

NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT FY 2011 #5 TO ACCOUNT FOR REVENUE FROM THE SALE OF SURPLUS EQUIPMENT.

Greenberg moved, Trudeau seconded that whereas, a budget was adopted by the Chocoday Township Board on November 8th, 2010 to govern the anticipated Capital Improvement Fund receipts within the Township for fiscal year 2011, and whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Resolved, that the aforesaid budget be hereby modified as follows:

ACCOUNT	PREVIOUS	CHANGE	AMENDED
REVENUE			

Miscellaneous Revenue

401.698.000	\$ 4,544.38	+\$5,215.60	\$ 9,759.98
EXPENDITURE			
Township Hall & Grounds			
401.265.957	\$ 27,251.74	+\$ 108.60	\$ 27,360.34
Police Department			
401.305.957	\$109,542.08	+\$5,107.00	\$114,649.08

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT FY2011 #7 TO ACCOUNT FOR REVENUE FROM THE MICHIGAN COMMISSION ON LAW ENFORCEMENT TRAINING.

Maki moved, Greenberg 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 November 8, 2010 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	\$ 1,627.02	\$378.56	\$ 2,005.58
401.306.957			

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI			
401.543	\$10,990.66	\$378.56	\$11,369.22

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT FY2011 #8 TO ACCOUNT FOR GRANT REVENUE FROM THE MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY FOR POLICE EQUIPMENT.

Greenberg moved, Engle seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the Township on November 8, 2010 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department			
Capital Outlay			
401.305.957	\$ 119,649.08	+\$725.00	\$120,374.08

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
401.698	\$ 9,759.98	+\$725.00	\$ 10,484.98

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT FY2011 #5 TO ACCOUNT FOR REVENUE FROM A MICHIGAN COASTAL ZONE MANAGEMENT GRANT.

Greenberg moved, Carlson 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 8, 2010, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Due From State			
101.543	\$26,207.47	+\$3,442.53	\$29,650.00

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Recreation & Properties			
Capital Outlay			
101.756.957	\$ 9,331.00	+\$3,442.53	\$12,773.53

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT FY2012 #6 TO ACCOUNT FOR MARQUETTE AREA PUBLIC SCHOOLS REIMBURSEMENT FOR NOVEMBER 2011 EXPENSES.

Maki moved, Engle 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 8, 2010, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$16,355.27	+\$ 2,965.35	\$19,320.62
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Elections Per Meeting 101.190.710	\$ 4,200.00	+\$1,431.00	\$ 5,631.00
Elections Office Supplies 101.190.727	\$ 1,000.00	+ \$ 643.74	\$ 1,643.74
Elections Printing 190.728	\$ 1,000.00	+ \$ 143.52	\$ 1,143.52
Elections Postage 101.190.729	\$ 1,200.00	+ \$ 401.88	\$ 1,601.88
Elections Advertising 101.190.901	\$ 200.00	+ 58.88	\$ 258.88
Clerk Salaries 101.215.702	\$84,556.00	+\$ 286.33	\$84,842.33

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND POLICE DEPARTMENT ACCOUNT DOLLARS TO INSTALL AN ADDITIONAL SURVEILLANCE CAMERA FOR PEDESTRIAN TUNNEL.

Carlson moved, Trudeau seconded to approve the installation of the additional surveillance security camera from Wright Electric with a cost of \$440.00. This will be paid from the police capital improvement fund account #401.305.957.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF ACCEPTANCE OF SANITARY SEWER ON WINDMILL LANE, EWING PINES SUBDIVISION.

Maki moved, Engle seconded that the Chocolay Township Board accepts the ownership of the sanitary sewer line on Windmill Lane.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, December 5th, 2011.
- B. Minutes – Marquette County Solid Waste Management Authority, November 9th, 2011.
- C. Minutes – Marquette Area Wastewater Treatment Authority, November 17th, 2011.
- D. Correspondence – Letter from Mr. Wayne Dees.

Supervisor Seppanen adjourned the meeting at 8:35 pm.

Max Engle, Clerk

Greg Seppanen, Supervisor

February 20, 2012

A Regular meeting of the Chocolay Township Board was held on Monday, February 20, 2012 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:03 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Max Engle, Mark Maki, Susan Carlson.

ABSENT: Ken Tabor, John Greenberg, John Trudeau.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Dale Throenle, Greg Zybert.

MINUTES-JANUARY 16, 2012.

Carlson moved, Maki seconded that the Minutes of the January 16, 2012 Township Board meeting be approved.

AYES: 4 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Maki moved, Carlson seconded to approve the agenda with one addition under Informational Items – CABA February 15, 2012 minutes, one deletion – Extension of Solid Waste Agreement and moving proposed text amendment #34-12-02 from item XIV. J. to XIV. A.

AYES: 4 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Chief Zybert – Sergeant Scott Jennings has been selected as the Marquette County Law Enforcement Officer of the Year.

Trustee Maki – Congratulated Sergeant Jennings on this accomplishment. Sergeant Gary Heinzelman and Officer Mark Kassuba also received this recognition years ago. It is quite an accomplishment that Chocolay Township has had three officers achieve this distinction.

Pete Mackin, P.O Box 904 – Thanked the Board for appointing him to the Watershed Committee. They are currently working on water crossing mini grants. He also noted that he was appointed to the Marquette County Planning Commission.

ACCOUNTS PAYABLE.

Maki moved, Carlson seconded that bills totaling \$53,179.40 and checks numbered 17595 -17632 are approved for payment.

AYES: 4 NAYS: 0 MOTION CARRIED.

Carlson moved, Maki seconded that bills totaling \$21,876.49 and checks numbered 17633 -17659 are approved for payment.

AYES: 4 NAYS: 0 MOTION CARRIED.

Maki moved, Engle seconded that bills totaling \$33,322.22 and checks numbered 17660 -17692 are approved for payment.

AYES: 4 NAYS: 0 MOTION CARRIED.

PAYROLL.

Engle moved, Carlson seconded that the payroll for January 19, 2012 for \$33,065.08, including checks 9240-9278 and ACH payments for Federal tax, State tax and MERS retirement and February 2, 2012 for \$30,075.17 including checks 9279-9304 and ACH payments for Federal tax, and State tax and MERS are approved.

AYES: 4 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORTS – DECEMBER 2011 AND JANUARY 2012.

Carlson moved, Engle seconded to approve the financial reports.

AYES: 4 NAYS: 0 MOTION CARRIED.

TREASURER’S REPORT.

Maki moved, Engle seconded to accept the Treasurer’s report.

AYES: 4 NAYS: 0 MOTION CARRIED.

PRESENTATIONS - CHOCOLAY TOWNSHIP 2012 COMPREHENSIVE PLAN.

Jennifer Thum, Planning Director gave a presentation on the Chocolay Township Master Plan. The Michigan Planning Enabling Act states that the Master Plan must be updated every 5 years. A sub-committee was set up to work on the Master Plan. Looking for resident input; 1200 surveys were sent out to Township residents with 2010 summer tax bills. 552 surveys were returned. Next visioning sessions were held including the sub-committee and residents. The Planning Commission will review the whole document and then it will be brought to the Township Board for comment and review.

CHOCOLAY TOWNSHIP 2012 RECREATION PLAN.

AYES: Carlson, Maki, Engle, Seppanen.

NAYS: None

ABSENT: Greenberg, Trudeau, Tabor.

MOTION CARRIED.

DISCUSSION OF PROCESS FOR ANNUAL EVALUATION OF THE TOWNSHIP MANAGER.

The Board made no changes to the Manager evaluation form. The Board will complete the evaluation form and return the form to Dale Throenle, Community Development Coordinator, by March 8, 2012. He will compile the information for presentation to the Board.

DISCUSSION OF PARAMETERS FOR REGIONAL RECREATIONAL AUTHORITY.

Supervisor Seppanen asked the Board to consider what direction they wanted the Recreation Authority to head. Trustees Maki and Carlson would like to share field scheduling and trail usage, but want to keep local control of our soccer and ball fields and recreation facilities. Supervisor Seppanen and Clerk Engle would like the Chocoday Recreation Area to be more inclusive with the authority.

The next Recreation sub-committee meeting is scheduled for February 29th and the Recreation Authority meeting including full Boards of all the governmental entities involved will be held at Chocoday Township on March 14th.

PUBLIC COMMENT.

Pete Mackin, P.O Box 904 – Senior service providers will be meeting with Senator Casperson on Senior Services. He is concerned that the State may be considering taking the full 10% of the casino money. There is legislation being discussed to change the use of the Michigan Natural Trust Fund money. He would like to see some of it used for local remediation and mitigation.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Letter from Anderson, Tackman & Company re: Township 2011 Audit.
- B. Minutes – Township Planning Commission, January 9th, 2012.
- C. Minutes – Chocoday Area Business Association, December 21st, 2011 and February 15, 2012.
- D. Minutes – Marquette County Solid Waste Management Authority, December 21st, 2011, and January 18th, 2012.
- E. Minutes – Marquette Area Wastewater Treatment Authority, December 15th, 2011 and January 19th, 2012.

Supervisor Seppanen adjourned the meeting at 8:35 pm.

Max Engle, Clerk

Greg Seppanen, Supervisor

March 19, 2012

A Regular meeting of the Chocolay Township Board was held on Monday, March 19, 2012 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, Max Engle, Mark Maki, Susan Carlson, Ken Tabor.

ABSENT: John Trudeau.

STAFF PRESENT: Steve Lawry, Debra Heinzelman, Dale Throenle, Tina Fuller, Sgt. Scott Jennings.

MINUTES - FEBRUARY 20, 2012 AND SPECIAL RECREATION MARCH 14, 2012.

Carlson moved, Tabor seconded that the Minutes of the February 20, 2012 Township Board and Special Joint Meeting of March 14, 2012 be approved.

AYES: 6

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved, Carlson seconded to approve the agenda with additions under Informational Reports and Communications, add communication email from Deborah Mulcahey to Deputy Clerk Mary Sanders and Clerk Max Engle regarding zoning changes and to move up presentation from Pam Christensen from the Peter White Public Library.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey's email to Clerk Engle was given to the Board and to the public.

Tina Hall, 140 Timber Lane has worked with the Marquette Breakfast Rotary Club on community gardens in City of Marquette. Local organizations garnered a grant and applied \$5,000 of the grant to Chocolay Township for their community garden. Ms. Hall inquired if the Township Board could contribute \$500 to \$800 for extra features to the community garden. Ms. Hall thanked Jennifer Thum and Dale Throenle for their cooperation and hard work and looks forward to working with the new Township Planner.

Supervisor Seppanen directed Dale Throenle to follow up on the Community Garden for April agenda as budget item.

PUBLIC HEARINGS.

Manager Lawry stated that the Township Board had a first reading in January for 34-12-02 to Zoning Ordinance Section 10.1 Planned Unit Developments. Further research on the initial public hearing at the Planning Commission level showed that the Public Hearing was held 2010 and not 2011. This is being brought back to board for a Public Hearing before moving forward with the Zoning Ordinance change.

No public comment regarding – Proposed Text Amendment #34-12-02 to Zoning Ordinance Section 10.1 Planned Unit Developments. The Public Hearing was closed.

Manager Lawry stated that last August the Planning Commission sent the Board a draft of the revised sign ordinance. The Board referred it back to the Planning Commission with suggested revisions. The Planning Commission made extensive changes and sent it back to the Board in January. Trustee Maki asked that a public hearing be held before the Board considers a first reading because of the extensive revision to the sign ordinance.

Public Comment- Mark Maki, 370 Karen Road, addressed his concerns regarding Proposed Text Amendment #34-12-01 to Zoning Ordinance Section 18, Signs. The draft sign ordinance had so many revisions that it becomes difficult to track what was added and what was taken out. Also has concern regarding square footage increases. The Public Hearing was closed.

ACCOUNTS PAYABLE.

Maki moved, Carlson seconded that bills totaling \$22,341.17 and checks numbered 17693 to 17728 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

Tabor moved, Engle seconded that bills totaling \$31,985.39 and checks number 17729 to 17761 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

PAYROLL.

Tabor moved, Carlson seconded that the payroll for February 16, 2012 for \$30,275.23, including checks 9304-9329 and ACH payments for Federal tax, State tax and MERS retirement, February 24, 2012 for \$3,291.26, including checks 9330-9340 and ACH payments for Federal tax, State tax and MERS retirement, March 1, 2012 \$32,896.04, including checks 9341-9364 and ACH payments for Federal tax, State tax and MERS retirement and March 15, 2012 \$27,663.07, including checks 9365-9389 and ACH payments for Federal tax, State tax and MERS retirement.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORTS – March 13, 2012.

Engle moved, Tabor seconded to approve the financial reports.

AYES: 6 NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Carlson moved, Tabor seconded to accept the Treasurer's report.

AYES: 6 NAYS: 0

MOTION CARRIED.

PRESENTATIONS.

Supervisor Seppanen presented Sgt. Scott Jennings with award for Marquette County Officer of the Year.

Rick Aho, Director and Brad Austin, from the Marquette Solid Waste Authority presented Board with new options available to the Township for trash pick up and recycling.

Pam Christensen made a presentation on the library millage. This is fourth renewal; the first millage passed in 1991 and has been serving the Township since 1991. The Library has 5 millage renewals this year and would like all of them on the August 2012 ballot.

Supervisor Seppanen stated Township has an Ad Hoc Committee to address millage issues.

Wayne Dees inquired about library usage per household in Chocolay. Ms. Christensen stated they do not have a break down by household but close to 3,000 township residents are registered for library cards. Chocolay residents have checked out 52,603 items over the years.

APPOINTMENT OF PLANNING DIRECTOR.

Manager Lawry stated that Kelly Drake Woodward was selected by the interview committee as the new Planning Director/Zoning Administrator. If approved by the Board she begins her employment Thursday, March 22.

Maki stated he had different thoughts on process and felt rushed through whole process. He wanted to save money through reorganization and not hire another full-time person. One of applicants had 15 years planning background and GIS experience, Trustee Maki thought he would bring better understanding of zoning and planning based on his experience. The Committee voted 2-1 for Ms. Drake Woodward.

Seppanen moved, Carlson seconded to confirm the appointment of Kelly Drake Woodward of 951 Highland Drive as Chocolay Township Planning Director/Zoning Administrator, effective March 22, 2012.

AYES 6

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

Seppanen stated he attended two meetings dealing with recreation. All units agreed that the best way to deal over next 18 months is to put a committee together with two individuals from each municipality and create a business plan. This will be placed on the April Board meeting to recommend good candidates from Chocolay Township to sit on ad hoc Recreation Committee.

Trustee Maki is glad that there is no real plan to turn over city recreation land or Township recreation land to an authority.

Clerk Engle suggested getting new people looking at it that aren't involved in the politics.

Treasurer Greenberg suggest approaching NMU see if a class will take on a survey project measuring usage of recreation areas.

AUTHORIZATION TO EXECUTE EXTENSION SOLID WASTE COLLECTION CONTRACT.

Greenberg moved, Tabor seconded that the Supervisor and Clerk are authorized to execute a revised letter of agreement with Great American Disposal for an extension of the solid waste collection contract.

AYES: 6

NAYS: 0

MOTION CARRIED.

PROPOSED TEXT AMENDMENT #34-12-02 TO ZONING ORDINANCE SECTION 10.1 PLANNED UNIT DEVELOPMENTS – SECOND READING.

Greenberg moved, Carlson seconded to approve the second reading of proposed Text Amendment #34-12-02 and to adopt Text Amendment #34-12-02.

Roll call:

AYES: Seppanen, Carlson, Engle, Greenberg, Maki, Tabor

NAYES: None.

ABSENT: Trudeau

MOTION CARRIED.

PROPOSED TEXT AMEND #34-12-01 TO ZONING ORDINANCE SECTION 18, SIGNS AND FENCES – FIRST READING (CONTINUED).

Trustee Maki finds the enclosed sign document difficult to follow. The Planning Commission changed language and submitted it with the changes highlighted. Trustee Maki wants to see the final document with highlighted changes.

The sign ordinance started out allowing 20 sq. ft. signs and then two 40 sq. ft. signs and now four 20 sq. ft. signs. Also question on how many days a banner will be allowed without a permit and give clarity to those issues. Trustee Maki has questions about residential signs.

Trustee Tabor stated that Planning Commissioner Andy Sikkema who also works for MDOT feels the sign size depends on road right of way. It makes sense to simplify things by tying sign sizes to speed limits and right of way.

Trustee Maki wants to know why increasing size 400 %.

Trustee Carlson is comfortable with 2 x 4 sign in the residential area.

Treasurer Greenberg stated that 2 x 4 seems large in residential area.

Clerk Engle stated that on M-28 some signs are not in compliance and are residential signs. A 16 sq. ft. sign is too large. A 2 x 4 is 8 sq. ft. and that is acceptable, especially along M 28. Subdivision should be looked at separately.

Planning Commissioner Andy Smith commented that beach house signs on Lakewood Lane would be noncompliant.

Supervisor Seppanen stated a 2 x 4 sign is fine.

Seppanen suggested give the new Planner time to work through these issues and questions regarding illuminated signs and to place on this on the May Agenda.

Greenberg moved, Carlson seconded to continue the first reading of zoning ordinance amendment #34-12-01 section 18, signs and fences in May and to place on May Board Agenda

AYES: 6 NAYS: 0 MOTION CARRIED.

ADVERTISING COSTS.

Greenberg moved, Carlson seconded, to use combination of legal and display advertising depending on the advertising category.

AYES: 6 NAYS: 0 MOTION CARRIED.

EVALUATION EXISTING FIRE STATION.

Manager Lawry presented a report from Integrated Design, Inc. on estimated costs for repairing the most glaring deficiencies and safety concerns with the current fire hall.

Treasurer Greenberg stated that costs for doors seems extravagant.

EVALUATION TOWNSHIP MANAGER.

Manager Lawry thanked Board for taking time to complete evaluation and kind remarks and encouraged the Board let him know if he is off track and if picking up on all Board's objectives.

RECOMMENDATION OF THE AD HOC COMMITTEE ON MILLAGE ISSUES.

Greenberg moved, Engle seconded, to agree with recommendations of the Millage Ad Hoc Committee to develop ballot language to seek renewal of Library millage on the August ballot.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Carlson seconded to accept recommendations of Millage Ad Hoc Committee to not renew the Road Millage in 2012, to meet again and bring draft language to the Board for Fire Hall Millage.

AYES: 6 NAYS: 0 MOTION CARRIED.

PURCHASE OF PIPELINE LOCATOR.

Maki moved, Engle seconded to purchase Inspector all material locator from SubSurface Instruments of DePere, Wisconsin for \$5,500 with the purchase to be funded from the contingency fund account of the Sewer Fund 571.571.951.

ROLL CALL:

AYES: Seppanen, Engle, Maki, Greenberg, Carlson, Tabor

NAYS: None

ABSENT: Trudeau

MOTION CARRIED.

AUTHORIZATION TO PURCHASE COMPUTER NETWORK FUNDING.

Carlson moved, Greenberg second to authorize the purchase of a HP ProCurve 2510-24 network switch for \$420.35, with the purchase to be funded from the Capital Improvement Fund – Computers (401.258.957).

ROLL CALL:

AYES: Seppanen, Engle, Maki, Greenberg, Carlson, Tabor

NAYS: None

ABSENT: Trudeau

MOTION CARRIED.

RESOLUTION AUTHROIZE BANK DEPOSITORIES.

Greenberg moved, Tabor seconded, to support the resolution to authorize bank depositories.

AYES: 6

NAYS: 0

MOTION CARRIED.

LETTER OF SUPPORT FOR MICHIGAN TRUST FUND GRANT FOR MCCARTHY'S COVE RESTROOM FACILITY.

Maki moved, Engle seconded, to send letter to endorse Michigan Natural Resources Trust Fund Grant for permanent restroom facility at McCarthy's Cove Park in the City of Marquette.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, February 6th, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority, February 15th, 2012.
- C. Correspondence – Comments on Agenda Items from Mark Maki.
- D. Correspondence – Comments on Millage Issues from Rob and Jen Beaudry.
- E. Correspondence – Thank you from the Marquette City Police Department.

Meeting adjourned at 9:39 p.m.

Max Engle, Clerk

Greg Seppanen, Supervisor

April 16, 2012

A Regular meeting of the Chocolay Township Board was held on Monday, April 16, 2012 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, Max Engle, Mark Maki, Susan Carlson, John Trudeau, Ken Tabor (arrived at 7:03).

ABSENT: None.

STAFF PRESENT: Steve Lawry, Dale Throenle, Mary Sanders, Kelly Drake Woodward, Brad Johnson, Tom Kidd.

MINUTES – March 19, 2012.

Carlson moved, Greenberg seconded that the Minutes of the March 19, 2012 Township Board be approved with one change on a comment from Trustee Maki.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Trudeau moved, Maki seconded to approve the agenda with two additions under New Business F. Discussion on setting Board salaries and G. Lighting plan on U S 41 and Township addresses.

PUBLIC COMMENT.

Anna LaBreshe, 617 Brookfield representing the American Legion Auxiliary unit 44 requested that the Board consider a "Poppy Proclamation" during the month of May.

ACCOUNTS PAYABLE.

Trustee Maki questioned check # 17765 for legal fees. The bill included \$1321.00 for assessing issues concerning uncapping property. Manager Lawry explained that this was sent to the attorney per request by our Board of Review. This may become a statewide test issue and we will look toward other organizations to assist. The Board will be updated on this issue.

Tabor moved, Carlson seconded that bills totaling \$26,653.20 and checks numbered 17762 to 17793 are approved for payment.

AYES: 6

NAYS: 1

MOTION CARRIED.

Maki moved, Tabor seconded that bills totaling \$35,474.72 and checks number 17794 to 17831 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

PAYROLL.

Tabor moved, Maki seconded that the payroll for March 29, 2012 for \$31,990.50, including checks 9390-9432 and ACH payments for Federal tax, State tax and MERS retirement, April 5, 2012 for \$7,810.65, including checks 9433-9458 and ACH payments for Federal tax, State tax and MERS retirement, and April 12, 2012 \$28,749.56, including checks 9359-9382 and ACH payments for Federal tax, State tax and MERS retirement.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORTS – March 2012.

Maki moved, Tabor seconded to approve the financial reports.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Engle moved, Trudeau seconded to accept the Treasurer's report.

AYES: 7

NAYS: 0

MOTION CARRIED.

PRESENTATIONS.

None.

APPOINTMENTS/RESIGNATIONS.

AREA RECREATION AUTHORITY WORK GROUP.

Trudeau moved, Tabor seconded that the Board appoint Don Britton and Dave Thomas as the Chocolay Township representatives to the Area Recreation Authority work group and appoint Denny Magadanz as our alternate.

AYES: 7

NAYS: 0

MOTION CARRIED.

Supervisor Seppanen has concerns that recreation assets of each governmental unit are true traditional recreation assets and assets should be debt free that are accepted by the authority. All units' recreation assets should be capped at the time the authority commences and in the future that is the percent they will put in. Future assets should be picked up by millage.

Treasurer Greenberg sees this issue as a more complicated version of sharing the Peter White Library through millage.

Trustee Trudeau feels we need to talk about financing right at the beginning of the process.

Trustee Maki does not want to turn over our recreation assets to a third party.

FIRE CHIEF.

Trudeau moved, Maki seconded to appoint Tom Kidd as Chocolay Township Fire Chief.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

- It appears that Sands Township will not be part of the recreation authority discussions. They may consider joining later.
- There will be a temporary draw down of Lake LaVasseur for the summer.

LIBRARY MILLAGE RENEWAL.

Greenberg moved, Carlson seconded that the Board approves the following language for submittal to the County Clerk for inclusion on the August 2012 primary ballot pending approval of the Township Attorney:

"Shall the previously voted millage for library services to the residents of the Charter Township of Chocolay be renewed, authorizing an ad valorem tax levy within the Charter Township of Chocolay, in an amount not to exceed 0.7589 mills (\$0.7589 per \$1,000.00 of taxable valuation) for a period of five (5) consecutive years, from 2012 to 2016 inclusive, which if levied would raise an estimated \$132,007.00 in the first year?"

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

FIRE STATION MILLAGE.

Trustee Maki questioned 5 years verses 6 years for millage.

The Township Board discussed that we need the flexibility of a 6 year millage. If the full 6 years is not necessary then we will not collect the final year. The bank payments were based on the amount of money 1.7 mills would allocate.

Maki moved, Greenberg seconded that the Board approves the following language for submittal to the County Clerk for inclusion on the August 2012 primary ballot pending approval of the Township Attorney:

"Shall the authorized millage of ad valorem taxes within the Charter Township of Chocolay, as reduced by the required millage rollback which resulted in a levy of less than 5 mills (\$5.00 per \$1,000.00 of taxable value), be increased by an amount not to exceed 1.66 mills (\$1.6600 per \$1,000.00 of taxable value) for the six years 2012 through 2017 inclusive, for the purpose of constructing and equipping a new fire station, which, if levied will raise an estimated \$(to be determined) in the first year?"

ROLL CALL.

AYES: Carlson, Greenberg, Maki.

NAYS: Tabor, Trudeau, Engle, Seppanen.

MOTION FAILED.

Trudeau moved, Tabor seconded that the Board approves the following language for submittal to the County Clerk for inclusion on the August 2012 primary ballot pending approval of the Township Attorney:

"Shall the authorized millage of ad valorem taxes within the Charter Township of Chocolay, as reduced by the required millage rollback which resulted in a levy of less than 5 mills (\$5.00 per \$1,000.00 of taxable value), be increased by an amount not to exceed 1.7000 mills (\$1.7000 per \$1,000.00 of taxable value) for the six years 2012 through 2017 inclusive, for the purpose of constructing and equipping a new fire station, which, if levied will raise an estimated \$295,708.00 in the first year?"

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

COMMUNITY GARDEN.

Kelly Drake Woodward, Planning Director, presented Community Garden project information to the Board. We are continuing to work on locating a site for the Community Garden. We will need assistance with a water source for the garden wherever it is located.

The Board had questions on fencing, Township involvement and other costs to the Township for the garden. The garden size will be 73' x 54' and will be fenced in. There will be a need for approximately 10 hours of D.P.W. workers time to put in a point water supply.

Maki moved, Carlson seconded that the Township authorize \$400 toward the cost of water supply for the community garden, payable to the garden host property owner. Funds for this project would come from the Capital Improvement Budget, account 401.708.957 Recreation & Grants.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

Trudeau moved, Tabor seconded to allocate up to 10 hours of D.P.W. time to put in a point water system.

AYES: 7 NAYS: 0

MOTION CARRIED.

Carlson moved, Greenberg seconded to authorize the Township Supervisor and Clerk to sign the lease for the Chocoley Community Garden site.

AYES: 7 NAYS: 0

MOTION CARRIED.

WEB SITE PROPOSAL.

Dale Throenle gave a presentation to the Board on the Township website proposed changes. The options presented are having Township staff develop and maintain the website, sign a contract with our current vendor to update and maintain the website or request RFP's to redesign our website.

Carlson moved, Tabor seconded that the design, maintenance and ongoing updates for the Township website be provided by current Township staff, which includes the purchase of the web design software.

AYES: 7 NAYS: 0

MOTION CARRIED.

WEB SITE HOSTING AND EMAIL UPGRADE.

Maki moved, Tabor seconded that the Township upgrade to the Advance Web and e-mailing hosting plan with 906 Technologies at an increased rate of \$108.26 to be paid from 101.215.715 computer in the Clerk Department.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

SCRAP METAL CONTRACT.

Brad Johnson, D.P.W. Foreman informed the Board that we received three bids for the scrap metal pick up. He recommended that we go with the bid from Sawyer Iron and Metal.

Carlson moved, Tabor seconded that the Chocoley Township Board award the contract to Sawyer Iron and Metal per the following terms included in their bid for 2012.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

WILD LAND GEAR FOR FIRE DEPARTMENT.

Trudeau moved, Carlson seconded that the Chocoley Township Board approves the expenditure of up to \$2,025.00 from the Fire Department Capital Improvements Fund 401.340.957 for wild land fire fighting gear.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

TOWNSHIP BOARD SALARIES FOR FY2013.

Trustee Maki feels that we should set Township Board salaries prior to the May 14th petition deadline so those running for office have this information.

Trustee Trudeau feels salaries should discourage Board members from staying in a position for too long.

Maki moved, Trudeau seconded to set the salary for Township Supervisor from \$14,525.00 to \$12,000.00 for the term beginning November 2012.

ROLL CALL.

AYES: Maki, Carlson, Trudeau, Greenberg.

NAYS: Engle, Tabor, Seppanen.

MOTION CARRIED.

Maki moved, Trudeau seconded to set the salary for the Township Clerk from \$11,852.00 to \$11,850.00 for the term beginning November 2012.

ROLL CALL.

AYES: Maki, Carlson, Tabor, Trudeau, Greenberg.

NAYS: Engle, Seppanen.

MOTION CARRIED.

Seppanen moved, Tabor seconded to set the salary for the Township Treasurer from \$8,739.00 to \$10,000.00 for the term beginning November 2012.

ROLL CALL.

AYES: Engle, Tabor, Carlson, Seppanen.

NAYS: Trudeau, Maki, Greenberg.

MOTION CARRIED.

Greenberg moved, Tabor seconded to set the salary for the Township Trustee from \$60.00 per meeting tot \$75.00 per meeting for the term beginning November 2012.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki.

NAYS: Trudeau, Engle, Seppanen.

MOTION CARRIED.

LIGHTING ON U S 41 AND ADDRESSES.

Trustee Maki stated that the Board has discussed lighting near the intersection on U S 41 and have not come forward with a recommendation. He also wondered if there is a staff position in charge of creating addresses and enforcing the address ordinance. Manager Lawry responded that the assessor does both.

Staff will gather information on street addressing and this will be on the June Board agenda. Staff will contact the Road Commission and MDOT to partner up on painting the driveway cut outs with reflective paint. This will be brought back to the Board.

PUBLIC COMMENT.

Trustee Carlson updated the Board on Marquette County Solid Waste Authority work on recycling. She also asked if anything can be done about the loose gravel on U S 41 now that road construction has commenced.

Clerk Engle indicated that he had petitions available for anyone interested in running for the Board.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, March 5th, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority, March 21st, 2012.
- C. Minutes – Marquette Area Wastewater Treatment Authority, February 16th, 2012.
- D. Minutes – Marquette County Township Association, February 22nd, 2012.
- E. Invitation – Marquette County Township Association.
- F. Minutes – Chocoley Area Business Association, March 21st, 2012.

Meeting adjourned at 9:00 p.m.

Max Engle, Clerk

Greg Seppanen, Supervisor

May 21, 2012

A Regular meeting of the Chocolay Township Board was held on Monday, May 21, 2012 at the Chocolay Township Office, 5010 US 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:01 p.m.

TOWNSHIP BOARD

PRESENT: Greg Seppanen, John Greenberg, Max Engle, Mark Maki, Susan Carlson, John Trudeau, Ken Tabor.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Township Manager; Debra Heinzelman, Administrative Assistant; Kelly Drake Woodward, Planning and Zoning Administrator.

MINUTES – April 16, 2012

Trustee Carlson moved, Trudeau seconded that the Minutes of the April 16, 2012 Township Board be approved with one change on Page 4 regarding the Board’s salaries for the current year and for 2013.

AYES: 7 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS:

Treasurer Greenberg moved, Tabor seconded to approve the agenda with no additions or deletions.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT:

Theresa Scram of 256 Shot Point Drive, Marquette, encouraged Township Trustees to approve the cost of education and updates for those responsible for electoral process in Chocolay Township to avoid problems in the voting process. Ms. Scram also suggested a change to the April 16, 2012 Board Minutes to compare the Board’s 2012 salaries to the 2013 salaries.

Cheryl Hill, 510 Garfield, Marquette introduced herself and talked about her candidacy for Marquette County Probate Judge.

Cheryl Sherony of 1781 State Highway M 28 spoke regarding beehives from neighbor’s property and bees flying over to her property. Ms. Sherony requested this matter be referred to the Township Planning Commission to establish setbacks for beehives on residential properties.

Rob Powelson of 1861 US 41 introduced himself and talked about his candidacy for Marquette County Probate Judge.

Pete Mackin of Chocolay Township stated he has officially filed for the August 7, 2012 primary election for Chocolay Township Supervisor.

ACCOUNTS PAYABLE:

Trustee Trudeau moved, and Tabor seconded that bills totaling \$21,698.65 and checks number 17832 to 17849 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED

Trustee Tabor moved, Carlson seconded that bills totaling \$11,983.36 and checks number 17850 to 17863 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

PAYROLL:

Trustee Carlson moved, Engle seconded that the payroll for April 26, 2012, for \$32,811.89, including checks 9483-9517 and ACH payments for Federal Tax, State tax and MERS retirement; May 10, 2012, \$27,952.44, including checks 9518-9541 and ACH payments for Federal tax, State tax, and MERS retirement.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORTS

None.

TREASURER’S REPORT

Trustee Tabor moved, Trudeau seconded to accept the Treasurer’s report.

AYES: 7 NAYS: 0 MOTION CARRIED.

PRESENTATIONS:

2011 Audit presentation by Mike Greutz with Anderson, Tackman, & Company.

Greenberg moved, Maki seconded to accept the 2011 Audit.

AYES: 7 NAYS: 0 MOTION CARRIED.

APPOINTMENTS/RESIGNATIONS

Supervisor Seppanen stated that Lee Snooks has resigned from the Zoning Board of Appeals and that the matter of replacement be put on the June Board Agenda.

Trustee Carlson moved, Maki seconded to accept the resignation of Lee Snooks from the Zoning Board of Appeals.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Maki moved, Greenberg seconded to appoint Kelly Drake Woodward as Alternate Delegate to the Utility Review Committee to fill an unexpired term ending December 31, 2013.

AYES: 7 NAYS: 0 MOTION CARRIED.

Treasurer Greenberg moved, Tabor seconded to appoint Clerk Max Engle as Alternate Delegate to the Northern Michigan Public Service Academy to fill an unexpired term ending December 31, 2012.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Tabor moved, Carlson seconded to appoint Dale Throenle as Alternate Delegate to the Chocolay Area Business Association Board to fill an unexpired term ending December 31, 2013.

AYES: 7 NAYS: 0 MOTION CARRIED.

SUPERVISOR'S REPORT

- Kelly Drake Woodward stated that the Community Garden is up and running at Harvey Baptist Church. Fence has not been installed yet, but a number of residents have signed up for planting beds. St. Louis the King will be the location of a second community garden.
- Supervisor Seppanen gave an update on US 41 Project. The bike path has been completed and the project is a week and a half ahead of schedule. No complaints have been received except one regarding gravel and debris on the road, which has been resolved. The Township has to be aware of interruptions to our sewer system. Pumps will have to be turned off for 45 minutes. Another potential problem may be when the asphalt is placed on the road in early fall.

Chief Zyburst stated there have been a few minor accidents during the project. The Seat Belt Enforcement Grant, multi-jurisdictional, is taking place in the Township and today 16 tickets were issued.

PROPOSED TEXT AMENDMENT #34-12-03 TO ZONING ORDINANCE SECTION 18, SIGNS AND FENCES – CONTINUATION OF FIRST READING.

Ms. Drake Woodward stated she prepared a comparison chart and ran past Planning Commission in their last meeting.

Trustee Maki suggested having sign ordinance go back to Planning Commission and they hold a public hearing.

Trudeau interested in political signs and what may be unconstitutional in our current ordinance.

Trustee Tabor moved, Carlson seconded to send the proposed sign ordinance language back to the Planning Commission to continue to address the irregularities and concerns and to hold a public hearing on the revised language.

AYES: 7 NAYS: 0 MOTION CARRIED.

RECONSIDERATION OF AWARD OF CONTRACT FOR SCRAP METAL COLLECTION.

Steve Lawry, Township Manger, states three bids were received when advertised and Board awarded to Sawyer Iron and Metal. The Township requires contractor to provide worker's comp certificate of insurance. Sawyer Iron and Metal are not able to provide certificate nor is A-1 Hauling. Options are to go back and re-bid or award to third bidder, Eric Keough, who would charge Township \$2,000, but Township does not have funds budgeted and insurance not in place. An option for a scrap metal drop off at Township Complex was explored, but could be problems and risks with what dropped off on Township property. Recommend refer Township residents to contract directly with dealers on list of haulers provided.

Trustee Trudeau moved, Tabor seconded to discontinue with scrap metal bid collection for residents and allow Township residents to contract directly with scrap metal businesses for service and Township will provide names of those businesses.

AYES: 7 NAYS: 0 MOTION CARRIED.

PROCLAMATION OF MAY 21-28, 2012, AS "BUDDY POPPY WEEK" IN CHOCOLAY TOWNSHIP TO HONOR MILITARY VETERANS.

Trustee Tabor moved, Greenberg seconded to proclaim May 21-28 as Buddy Poppy Week in Chocolay Township to Honor Military Veterans:

AYES: 7 NAYS: 0 MOTION CARRIED.

PROCLAMATION

At a regular meeting of the Charter Township of Chocolay Board of Trustees held at the Township Hall, 5010 U.S. 41 South, Marquette, Michigan on the 21st day of May 2012 at 7:00 p.m. the following motion was offered by Trustee Ken Tabor and seconded by Treasurer John Greenberg,

WHEREAS, the poem "In Flanders Field," which movingly describes a battlefield of crosses dotted with red poppies, has led to the poppy becoming a symbol of lives lost in wartime; and

WHEREAS, the Veterans of Foreign Wars organized its first sale of replica poppies in 1922 and adopted the poppy as its official memorial flower soon after; and

WHEREAS, VFW "Buddy Poppies" are assembled by disabled and needy veterans and distributed for donations to pay for services to veterans, their families, and other important community services, and

WHEREAS, the VFW and the American Legion Auxiliary annually distribute "Buddy Poppies" in the week preceding Memorial Day;

NOW THEREFORE BE IT RESOLVED that the Chocolay Township board of Trustees proclaims the dates of May 21 through May 28 "BUDDY POPPY WEEK" in the Township of Chocolay and encourages its citizens to support veterans and their loved ones through purchase of a poppy.

PROPOSED TEXT AMENDMENT #34-12-04 TO ZONING ORDINANCE SECTION 6.9 HOME OCCUPATIONS – FIRST READING AND SCHEDLING OF PUBLIC HEARING.

Kelly Drake Woodward stated she prepared comparison of documents.

Board discussed language in text amendment and to send back to Planning Commission to put in the same format as sign ordinance.

Trustee Tabor moved, Trudeau seconded to send Text Amendment #34-12-04 to Zoning Ordinance Section 6.9 Home Occupations back to the Planning Commission.

AYES: 7 NAYS: 0 MOTION CARRIED.

Mr. Waynes Dees inquired if this will be on next month's Agenda.

Trustee Maki stated to send back for June meeting and hold another meeting in July or August.

REPORT ON RECYCLING PROGRAM CHANGES

Steve Lawry, Township Manager, advised of changes in recycling program and the positive response from Township residents.

RECOMMENDATION FROM THE PERSONNEL COMMITTEE ON JOB DESCRIPTION CHANGES.

Treasurer Greenberg stated there were five items before the Personnel Committee.

MAY 14, 2012 PERSONNEL COMMITTEE AGENDA ITEM VI (A) – ADMINISTRATIVE ASSISTANT JOB DESCRIPTION
Clerk Engle moved to accept recommendation regarding change to add additional language and compensation to current Administrative Assistant job description in case of Deputy Clerk absence.

Treasurer Greenberg recommended Board first discuss Administrative Assistant Job Description, as Personnel Committee did not have a recommendation.

Trustee Trudeau voiced concerns regarding this position and should consider cross-training existing employees.

Trustee Carlson suggested that whoever steps into Deputy Clerk job should get same pay.

Treasurer Greenberg stated that the Clerk is responsible to cover in the absence of the Deputy Clerk as would the Treasurer in the absence of the Deputy Treasurer.

Supervisor Seppanen suggested procedure could be the same as when Department Head absent, another employee takes over those job responsibilities during their absence and is compensated during that time.

Clerk Engle noted that the positions of Clerk and Deputy Clerk can change every four years and it would make sense to train existing employee to do Deputy Clerk's job in case of an absence.

Supervisor Seppanen moved, Carlson seconded to send Administrative Assistant Job Description- Clerk's Office, back to Personnel Committee to discuss additional job responsibilities, compensation, and other details.

AYES: 5 NAYS: 2 (Engle; Maki) MOTION CARRIED.

PERSONNEL COMMITTEE MAY 14, 2012 MEETING, ITEM VI (B), Change to Personnel Policy Section 7.1
Board discussed change to Personnel Policy Section 7.1 under "Political Activities" which states that "Employees who are elected to a *Township* Board are required to resign." Under this language it could be interpreted as any employee who is elected to any Township Board, even outside Chocolay Township, will need to resign from his or her position.

Trustee Maki moved, Greenberg seconded to change language to: "Employees who are elected to the *Chocolay* Township Board are required to resign."

AYES: 7 NAYS: 0 MOTION CARRIED.

PERSONNEL COMMITTEE MAY 14, 2012 MEETING, ITEM VI (C), ADMINSTRATIVE ASSISTANT ON-CALL PART-TIME NEW JOB DESCRPTION

Clerk Engle stated this new job description would eliminate the current part-time police department and Elections Records Clerk jobs and replace with one Administrative Assistant On Call Part-Time position to fill in and assist both the Clerk and Police Department.

Trustee Maki moved, Carlson seconded to eliminate the two positions and create new job description for Administrative Assistant On-Call Part-Time and advertise for position.

AYES: 6 NAYS: 1 (Trudeau) MOTION CARRIED.

APRIL 30, 2012 PERSONNEL COMMITTEE AGENDA ITEM VI (A), MINOR CHANGE TO POSITION QUALIFICATIONS FOR ADMINISTRATIVE ASSISTANT-CLERK DEPARTMENT.

Discussion regarding the job description, under "POSTIONS AND QUALIFICATIONS" – under Experience: "Minimum" and "Preferred" headings.

Treasurer Greenberg moved, Maki seconded to accept changes in current job description for Administrative Assistant-Clerk's Office, to read: "Experience: Minimum: 3 years experience in an administrative clerical position" and "Experience: Preferred 3 years of experience as Elections Records Clerk".

AYES: 7 NAYS: 0 MOTION CARRIED.

APRIL 30, 2012 PERSONNEL COMMITTEE AGENDA ITEM VII (A), APPENDIX L CLASSIFICATION FOR PLANNING DIRECTOR/ZONING ADMINSTRATOR POSITION.

Treasurer Greenberg moved, Engle seconded to accept the change in the Planning Director/Zoning Administrator Appendix L pay grade level from a pay grade Level 5 to Level 4.

AYES: 7 NAYS: 0 MOTION CARRIED.

FUNDING REQUEST FROM MARQUETTE 4TH OF JULY PARADE COMMITTEE.
Board will consider request for 2013 budget.

APPROVAL OF REVISIONS TO FIRE DEPARTMENT BYLAWS AND STANDARD OPERATING GUIDELINES.
Treasurer Greenberg moved, Tabor seconded to accept changes to the Charter Township of Chocolay Volunteer Fire Rescue Department Bylaws and Standard Operating Guidelines.

AYES: 7 NAYS: 0 MOTION CARRIED.

CONSIDERATION OF REVISION TO ARTICLES OF INCORPORATION FOR MARQUETTE COUNTY SOLID WASTE MANAGEMENT AUTHORITY

Trustee Trudeau expressed concern that Chocolay Township not listed in "Article Six".

Trustee Maki moved, Greenberg seconded to accept revision to Articles of Incorporation for Marquette County Solid Waste Management Authority.

AYES: 6 NAYS: 1 (Trudeau) MOTION CARRIED.

PUBLIC COMMENT

Ms. Theresa Scram spoke regarding her conversations with retired Clerk Arlene Hill regarding the 2008 school board election as a write-in candidate.

Mr. Pete Mackin asked Township Board to consider next year supporting the 4th of July Parade. Mr. Mackin spoke regarding his discussions with Lake Superior Partnership, Chocolay River Partnership and his position on the Marquette County Planning Commission.

Mr. Jim Goodman of 140 Orchard Lane suggested the Township Board look at making sure there is proper coverage when an employee is absent.

Ms. Cheryl Hill apologized for her leaving the board room and coming back throughout the meeting. Ms. Hill continued presentation of her candidacy for Marquette Probate Judge.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, April 2nd, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority, April 12th, 2012.
- C. Minutes – Marquette Area Wastewater Treatment Authority, March 15th, 2012.
- D. Minutes – Marquette County Township Association, March 28th, 2012.
- E. Communication – April 2012 Update from the Iron Ore Heritage Recreation Authority.
- F. Communication – Marquette County Road Commission Response to Township Relations Committee.

Meeting adjourned at 9:28 p.m.

Max L. Engle, Clerk

Greg Seppanen, Supervisor

FINANCIAL REPORT

Trustee Tabor moved, Carlson seconded to accept the Financial Report.

AYES: 7 NAYS: 0 MOTION CARRIED

TREASURER’S REPORT

Trustee Trudeau moved, Engle seconded to accept the Treasurer’s Report.

AYES: 7 NAYS: 0 MOTION CARRIED

PRESENTATIONS

NONE

APPOINTMENTS/RESIGNATIONS

Trustee Carlson moved, Tabor seconded to appoint Ms. Sandra Page to the Zoning Board of Appeals to fill an unexpired term ending August 16th, 2013.

AYES: 7 NAYS: 0 MOTION CARRIED

Trustee Maki moved, Engle seconded to re-appoint Ms. Karen Alholm to the Zoning Board of Appeals for a 3 year term expiring May 9th, 2015.

AYES: 7 NAYS: 0 MOTION CARRIED

Trustee Tabor moved, Greenberg seconded to re-appoint Mr. Andrew Sikkema to the Planning Commission for a 3 year term expiring May 24th, 2015.

AYES: 7 NAYS: 0 MOTION CARRIED

Supervisor Seppanen moved, Carlson seconded to re-appoint Mr. Eric Meister to the Planning Commission for a 3 year term expiring May 24th, 2015.

AYES: 7 NAYS: 0 MOTION CARRIED

SUPERVISOR’S REPORT

A. Update of US 41 Project

Brad Johnson, DPW Supervisor, stated the project is two weeks ahead of schedule and sewer pipes are in. There will be four night shifts set up for storm sewer placement. Traffic light by prison will be raised. Patching potholes. Blacktop in mid July.

B. Update on Changes to Township Website and Facebook Pages

Steve Lawry, Township Manager stated Dale Throenle, Community Development Coordinator, has added updates to website. The site is averaging 50 hits per day and there is a link to the Township Facebook page. Mr. Throenle is working on more website projects.

UNFINISHED BUSINESS

ADMINISTRATIVE ASSISTANT ON CALL PART-TIME POSITION

Trustee Trudeau stated he is not in favor of opening a new position. Clerk Engle stated this is an existing position combining two existing part-time positions into one administrative assistant position, on call part-time. Does not require more hours than what previously paying and will be more structured.

NEW BUSINESS

A. AWARD OF CONTRACT FOR 2012 ROAD RESURFACING

Trustee Trudeau moved, Engle seconded to award a contract for 2012 street repaving to Payne & Dolan, Inc. of Gladstone, Michigan for the estimated total of \$171,446.25 at the unit prices bid.

ROLL CALL.

AYES: Seppanen, Engle, Trudeau, Maki, Greenberg, Carlson, Tabor

NAYS: None MOTION CARRIED

B. AUTHORIZATION TO PURCHASE A UTILITY TRAILER FOR PARK MAINTENANCE

Trustee Carlson moved, Tabor seconded that the Chocolay Township Board approves the expenditure of no more than \$2,000.00 for a utility trailer from Midway Rental. This will be purchased from the Recreation and Properties Capital Improvement Fund 401.756.957.

AYES: 7 NAYS: 0 MOTION CARRIED

2011 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	\$10,937.50	+187.50	\$11,125.00
101.305.715			
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous	\$12,087.50	+187.50	\$12,275.00
101.698			

ROLL CALL:

AYES: Seppanen, Engle, Trudeau, Maki, Greenberg, Carlson, Tabor

NAYS: None

MOTION CARRIED

G. CONSIDERATION OF LETTER OF SUPPORT FOR CARP RIVER BRIDGE REHABILITATION PROJECT

Trustee Tabor moves, Greenberg seconded to authorize a letter of support for the efforts of the local MDOT to provide for restoration and painting of the bridge carrying the current non-motorized trail and snowmobile trail over the Carp River in the City of Marquette.

AYES: 7

NAYS: 0

MOTION CARRIED

H. CONSTRUCTION PROJECT OF US 41 SEWER LINE

Trustee Trudeau moved, Tabor seconded to authorize the expenditure of up to \$4,500 from the contingency account of the Wastewater Treatment Fund for the emergency cleaning of a 30:" diameter sewer under US 41.

ROLL CALL:

AYES: Seppanen, Engle, Trudeau, Maki, Greenberg, Carlson, Tabor

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

Dick Arnold, County Road 535, stated he is opposed to way the Township sign is being used by businesses who are not paying taxes.

Judy White, 370 Lakewood Lane, stated no one knows that Township website exists and there is a lack of communication by this Township.

Deb Mulcahey, 633 Lakewood Lane, stated Township needs better means of communication and commented on problems with BS&A website.

Theresa Scram, 256 Shot Point Drive, reminded people to vote for her candidate of choice for Chocolay Township Supervisor, Pete Mackin.

Pete Mackin, PO Box 904, Chocolay Township, made additional comments regarding mining and taxes.

INFORMATIONL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, May 7th, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority, April 25th, 2012.
- C. Minutes – Marquette Area Wastewater Treatment Authority, April 19th, 2012.
- D. Correspondence – Marquette Area 4th of July Committee.

Meeting adjourned at 8:00 p.m.

Max L.. Engle, Clerk

Greg Seppanen, Supervisor

JULY 16, 2012

A Regular meeting of the Chocolay Township Board was held on Monday, July 16, 2012 at the Chocolay Township Office, 5010 US 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD

PRESENT: Greg Seppanen, John Greenberg, Max Engle, Mark Maki, Susan Carlson, John Trudeau, Ken Tabor.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Township Manager; Debra Heinzelman, Administrative Assistant; Kelly Drake Woodward, Planning and Zoning Administrator.

PLEDGE OF ALLIGENCE

MINUTES – JUNE 18, 2012

Trustee Tabor moved, Trustee Carlson seconded that the Minutes of the June 18, 2012 Township Board meeting be approved.

AYES: 7 NAYS: 0 MOTION CARRIED

AGENDA ADDITIONS/DELETIONS

None.

Trustee Greenberg moved, Engle seconded to accept the Agenda as presented.

AYES: 7 NAYS: 0 MOTION CARRIED

PUBLIC COMMENT

Nick Smaby, 229 Jean Street, stated he is a candidate for the 6th District County Commission running as an Independent.

Cathy Church, 630 Forest Park Drive, Marquette, stated she is a candidate for Marquette County Probate Court Judge.

PUBLIC HEARING

NONE

ACCOUNTS PAYABLE

Trustee Trudeau moved, Tabor seconded that bills totaling \$35,748.28 and checks numbered 17933 – 17969 are approved for payment.

Treasurer Greenberg inquired regarding employees who are on the Ameriprise Plan.

AYES: 7 NAYS: 0 MOTION CARRIED

Trustee Carlson moved, Engle seconded that bills totaling \$9,455.46 and checks numbered 17970 - 17984 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED

PAYROLL

Trustee Tabor moved, Carlson seconded that the payroll for June 21, 2012 in the amount of \$36,924.67, including checks 9605 - 9644 and ACH payments for Federal Tax, State Tax and MERS retirement, and July 5, 2012 for \$38,294.543 including checks 9645 – 9697 and ACH payments for Federal Tax, State Tax and MERS retirement are approved.

AYES: 7 NAYS: 0 MOTION CARRIED

FINANCIAL REPORT

Trustee Greenberg moved, Engle seconded to accept the Financial Report.

AYES: 7 NAYS: 0 MOTION CARRIED

TREASURER'S REPORT

Trustee Trudeau moved, Tabor seconded to accept the Treasurer's Report.

AYES: 7 NAYS: 0 MOTION CARRIED

PRESENTATIONS

NONE

APPOINTMENTS/RESIGNATIONS

None.

SUPERVISOR'S REPORT

A. UPDATE OF US 41 PROJECT.

Steve Lawry, Township Manager, stated that northbound lanes are being paved. Next week traffic will shift to move work to other side of highway. Work in Harvey has begun and the storm drains are being raised to meet the elevation. Milling and paving will be done at night. Will be keeping three lanes in use throughout project. The asphalt is being placed in multiple layers and will be a final surface.

B. UPDATE ON TOWNSHIP STREET RESURFACING PROJECT.

Steve Lawry, Township Manager, stated that the Briarwood project began today. Paver will be there tomorrow morning. The paving portion of the project will be done by first of next week with restoration to follow soon thereafter.

Trustee Maki inquired about future road projects.

Manager Lawry stated that money collected with last year's millage that wasn't spent this year, along with a needed supplement from the general fund budget, would allow for the rest of what was originally scheduled for paving this year to be completed next year. Will be working with the road commission rating system in developing a different priority plan for Board approval and a millage renewal for the following year. Priorities will be based on pavement condition versus population.

Trustee Maki stated he wants to make sure that roads that need fixing are addressed.

C. REMINDER OF AUGUST PRIMARY AND MILLAGE ELECTION.

Clerk Engle stated this election will be using the new E-Poll Book, a laptop computer, to look up names and swipe driver's licenses and assign ballot numbers to voters. Fire Hall millage is on ballot and asked people to vote on August 7th.

UNFINISHED BUSINESS

A. CONSIDERATION OF POLICY FOR MANDATORY DIRECT DEPOSIT.

Clerk Engle moved, Trustee Tabor seconded to recommend that paragraph 1 of section 5.3 of the Personnel Policy and Procedures Manual be amended to read as follows: "The pay period is two weeks and begins on Sunday and ends on Saturday. Paychecks will be distributed by direct deposit only by the Thursday following the end of the pay period." Eligible individuals will be notified in writing with their next paycheck and required to enroll by September 28, 2012.

AYES: 7 NAYS: 0 MOTION CARRIED

NEW BUSINESS

A. CONSIDERATION OF LEVEL OF SUPPORT FOR BIKEPATH RESURFACING PROJECT.

Treasurer Greenberg moved, Trustee Carlson seconded to authorize a letter of support for the efforts of the local MDOT TSC to obtain grant funds for repaving the non-motorized pathway along the east side of US 41 between Bayou Street and the M 28/Cherry Creek Road intersection and pledge Township participation of 5% in the project costs, up to \$10,000 to be paid from the Recreation and Grants account of the Capital Improvement Fund.

AYES: 7 NAYS: 0 MOTION CARRIED

B. SCHEDULE A JOINT MEETING WITH THE PLANNING COMMISSION TO DISCUSS THE PROPOSED SIGN AND HOME OCCUPATION ORDINANCE AMENDMENTS AND OBJECTIVE PRIORITIES

Trustee Maki moved, Trustee Tabor seconded to hold Joint Planning Commission and Board meeting for Wednesday, August 22, 2012 at 7 PM at the Township Hall Meeting Room.

C. 2012 GENERAL FUND BUDGET AMENDMENT #3 TO REFLECT RECEIPT OF ALCOHOL ENFORCEMENT GRANT FUNDS FROM THE OFFICE OF HIGHWAY SAFETY PLANNING.

Trustee Tabor moved, Treasurer Greenberg seconded, that Whereas a budget was adopted by the Chocoley Township Board to govern the expenditures of anticipated general fund receipts within the township on November 14, 2011 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
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Police Salary			
101.305.702	\$252,505.00	+\$1,220.13	\$253,725.13
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$ 12,275.00	+\$1,220.13	\$ 13,495.13

ROLL CALL:

AYES: Seppanen; Engle; Trudeau; Maki; Greenberg; Carlson; Tabor

NAYS: None

MOTION CARRIED

D. 2012 GENERAL FUND BUDGET AMENDMENT #4 TO REFLECT RECEIPT OF SEATBELT ENFORCEMENT GRANT FUNDS FROM THE OFFICE OF HIGHWAY SAFETY PLANNING

Trustee Carlson moved, Treasurer Greenberg 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 14, 2011 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	\$253,725.13	+\$985.74	\$254,710.87
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$13,495.13	+\$985.74	\$14,480.87

ROLL CALL:

AYES: Seppanen; Engle; Trudeau; Maki; Greenberg; Carlson; Tabor

NAYS: None

MOTION CARRIED

E. 2012 GENERAL FUND BUDGET AMENDMENT #5 TO REFLECT RECEIPT OF SNOWMOBILE ENFORCEMENT GRANT FUNDS FROM THE DEPARTMENT OF NATURAL RESOURCES.

Treasurer Greenberg moved, Trustee Tabor 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 14, 2011 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	\$254,710.87	+\$7,444.27	\$262,155.14
Equipment Maintenance			
101.305.778	\$10,728.00	+\$1,143.12	\$11,871.12
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$14,480.87	+\$8,587.39	\$23,068.26

ROLL CALL:

AYES: Seppanen; Engle; Trudeau; Maki; Greenberg; Carlson; Tabor

NAYS: None

MOTION CARRIED

F. 2012 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #4 TO REFLECT RECEIPT OF MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS TRAINING FUNDS

Trustee Maki moved, Clerk Engle seconded, Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township

on November 14, 2011 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	\$939.82	\$378.80	\$1,318.62
401.306.957			

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI			
401.543	\$0.00	\$378.80	\$ 378.80

ROLL CALL:

AYES: Seppanen; Engle; Trudeau; Maki; Greenberg; Carlson; Tabor

NAYS: None

MOTION CARRIED

G. AUTHORIZATION TO PURCHASE A RADAR SYSTEM FOR THE POLICE TAHOE UTILIZING CAPITAL IMPROVEMENT FUNDS

Trustee Trudeau moved, Trustee Carlson seconded, to approve the purchase of the BEE III Radar from MPH Industries at a cost of \$1,670. 00 This will be paid from the Capital Improvement Fund-Vehicles, Account #401.305.957

ROLL CALL:

AYES: Seppanen; Engle; Trudeau; Maki; Greenberg; Carlson; Tabor

NAYS: None

MOTION CARRIED

H. AUTHORIZATION TO PURCHASE A STOP STICK KIT FOR THE POLICE TAHOE UTILIZING CAPITAL IMPROVEMENT FUNDS

Clerk Engle moved, Treasurer Greenberg seconded, to approve the purchase of the 9' Stop Stick Rack Kit from Stop Tech at a cost not to exceed \$450. This will be paid from the Capital Improvement Fund-Vehicles, Account #401.305.957.

ROLL CALL:

AYES: Seppanen; Engle; Trudeau; Maki; Greenberg; Carlson; Tabor

NAYS: None

MOTION CARRIED

I. AUTHORIZATION TO PURCHASE MEDICAL RESPONSE EQUIPMENT FOR THE POLICE TAHOE UTILIZING CAPITAL IMPROVEMENT FUNDS

Trustee Tabor moved, Trustee Carlson seconded to approve the purchase of the Dyna Med Mini Medic First Response Bag and Oxygen Delivery bag/kit from Gall at a cost not to exceed \$420. This will be paid from the Capital Improvement Fund-Vehicles, Account #401.305.957.

ROLL CALL:

AYES: Seppanen; Engle; Trudeau; Maki; Greenberg; Carlson; Tabor

NAYS: None

MOTION CARRIED

J. AUTHORIZATION TO PURCHASE GUN-MOUNT FLASHLIGHTS FOR THE POLICE DEPARTMENT UTILIZING CAPITAL IMPROVEMENT FUNDS

Trustee Carlson moved, Trustee Tabor seconded to approve the purchase of 9 LD20 R5 Black Fenix Flashlights at a cost not to exceed \$540. This will be paid from the Capital Improvement Fun-Electronics, Account #401.305.957.

ROLL CALL:

AYES: Seppanen; Engle; Trudeau; Maki; Greenberg; Carlson; Tabor

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

Theresa Scram, 256 Shot Point Drive, stated 60 percent of 6,000 population in Chocolay Township are retirees and urge to make announcement on message board that Township will be open to issue absentee ballots for the August 7, 2012 election and requested posting of Election Commission meeting on Township message board.

Deborah Mulcahey, 633 Lakewood Lane, stated her concerns regarding no road millage on absente ballot; public notices and meeting notices from Planning Commission; public access for BS&A photos on website; and concern regarding the public not having access to password for public computer in the Township Office.

Jim Goodman, 140 Orchard Lane, inquired of Treasurer John Greenberg regarding Township CDs and funding of new fire station.

INFORMATIONL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, June 4th, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority, May 16th, 2012, May 24th, 2012, and June 20th, 2012.
- C. Minutes – Marquette Area Wastewater Treatment Authority, May 17th, 2012.

Meeting adjourned at 8:05 p.m.

Max L. Engle, Clerk

Greg Seppanen, Supervisor

August 20, 2012

A Regular meeting of the Chocolay Township Board was held on Monday, August 20, 2012 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLIGENCE.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, Max Engle, Mark Maki, Susan Carlson, John Trudeau, Ken Tabor.
ABSENT: None.

STAFF PRESENT: Steve Lawry, Dale Throenle, Mary Sanders.

MINUTES – July 16, 2012.

Greenberg moved, Maki seconded that the minutes of the July 16, 2012 Township Board be approved with one change under public comment by Theresa Scram – last sentence add the word *requested* posting of Election Commission meeting on the Township message board .

AYES: 7 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Tabor moved Engle seconded to accept the agenda as corrected.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Don Britton, 121 Deerview Trail requested time to speak on Item XIV. B Reconsideration of support for bike path resurfacing.

ACCOUNTS PAYABLE.

Trudeau moved Tabor seconded that bills totaling \$43,169.54 and checks numbered 17985 to 18027 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved Carlson seconded that bills totaling \$9,876.18 and checks numbered 18028 to 18044 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Maki question \$300.00 bill to Michigan Assessors Association and where it is funded in the budget. This is to pay for Dale Throenle to attend Assessing training and was paid from Supervisor training account.

Carlson moved Trudeau seconded that bills totaling \$190,835.70 and checks number 18045 to 18070 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

PAYROLL.

Tabor moved, Trudeau seconded that the payroll for July 19, 2012 for \$34,886.39, including checks 9678-9707 and 20000-20035 and ACH payments for Federal tax, State tax and MERS retirement, August 2, 2012 for \$29,519.33, including checks 9708-9713 and 20036-20055, and ACH payments for Federal tax, State tax and MERS retirement, and August 16, 2012 \$31,248.47, including checks 9714-9719 and 20056-20076 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORTS – July 2012.

Carlson moved Greenberg seconded to approve the financial reports.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Tabor moved Engle seconded to accept the Treasurer's report.

AYES: 7

NAYS: 0

MOTION CARRIED.

PRESENTATIONS.

RESOLUTION OF APPRECIATION – JEAN HANNEMAN, ELECTION CHAIRPERSON.

Engle moved Greenberg seconded the RESOLUTION OF APPRECIATION to Jean Hanneman for her dedication to the Township and its citizens as Election Inspector Chairperson for the past 16 years. We do express our appreciation on behalf of the Township Board and its residents. Signed this 20th day of August 2012.

AYES: 7

NAYS: 0

MOTION CARRIED.

FY2013 DRAFT BUDGET.

Manager Lawry presented the highlights of the FY2013 Budget from his memo dated August 1st under the introduction tab in the FY2013 budget.

Treasurer Greenberg asked Manager Lawry to present a cost projection for rebuilding a pump station. Trustee Trudeau discussed depreciation and actual cash in the Wastewater Treatment Fund.

Trustee Trudeau presented information he found on the internet on employment cost index including 3 month seasonally adjusted rates and a 12 month rate for wages and benefits. He feels that the pay increase should be discussed. The Township pay grade wage chart was discussed. Treasurer Greenberg indicated that the final step on the chart is a reasonable salary for fully trained person in the position. The employee works their way through the chart over a three year period. The FY2013 budget allows for a 3% pay increase for employees, but at the same time the employees will go from paying 4% to 10% on health benefits. The employees will only realize a 1.13% pay increase.

Sergeant Jennings representing the employee group stated that we need to at least maintain the pay from the year before and not go backward.

The Board all agreed in general with the salary and benefit portion of the FY2013 budget.

Trustee Maki commented on the Township utilizing fund balance to balance the budget, needing to do a full analysis on roads before we approve any expenditures, and does not agree with the allocation in the assessing department for appraisals for the State Tax Tribunal. He also commented that he found an error on the Moyle assessment.

SUPERVISOR'S REPORT.

- Traffic Safety- presented a video with a near miss with Officer Trotochaud at a traffic stop in Beaver Grove.
- Update of U S 41 Projects. Brad Johnson, DPW Foreman stated that driveway approaches were finished today and the road construction in Harvey should be complete tomorrow. The portion into Marquette should be completed by October 1st. There were complaints on the work that was done at 4:00 am, but this was done for safety reasons.

DISCUSSION OF FIRE STATION CONSTRUCTION PLANS.

The fire hall millage has passed and the building committee should begin to meet again to look at the most updated plans with the most current building codes. Sands Township is interested in using one of the bays in the new fire hall. Trustee Trudeau stated that Sands Township was not in the equation at any point when the millage was discussed. If there is additional space in the fire hall it should be utilized by our police department. Treasurer Greenberg is not opposed to the Township Manager having conversation with Sands Township on the space. The building committee

will have the RFP's ready by November or December of 2012 and look at putting out bids in January 2013 for the spring 2013 construction season. We also need to work on our financing plans. Manager Lawry indicated that we need to decide what level of involvement we want from the architectural firm. The committee will look at that issue also.

RECONSIDERATION OF SUPPORT FOR BIKEPATH RESURFACING.

Don Britton representing the Iron Ore Heritage Trail encouraged the Board's financial support on repaving of the bike path from M/28 intersection to Bayou Street. That portion of the bike path is in very poor condition.

Treasurer Greenberg asked if the path will be upgraded with the paving or are the going to pave over past water problems. Manager Lawrey stated that they will make elevation corrections to eliminate the water problems.

Carlson moved, Tabor seconded to amend Township support for repaving the non-motorized pathway along the east side of US 41 between Bayou Street and the M 28/Cherry Creek Road intersection and pledge Township participation of a total of 10% of project costs, up to \$20,000 to be paid from the Recreation and Grants account of the Capital Improvement Fund.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen

NAYS: None.

MOTION CARRIED.

2012 CAPITAL IMPROVEMENT FUND BUDGET ADJUSTMENT #5 TO REFLECT RECEIPT OF UTILITY REVIEW COMMITTEE FUNDS.

Greenberg moved Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on November 14th, 2011 for fiscal year 2012, 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 Revenue			
401.698.000	\$8,073.00	+\$1,890.63	\$9,963.63
EXPENDITURE			
Streets 401.440.921			
-Utility Improvements	\$ 0.00	+\$1,890.63	\$1,890.63

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE TRAFFIC SAFETY EQUIPMENT FOR THE POLICE TAHOE UTILIZING CAPITAL IMPROVEMENT FUNDS.

Trudeau moved Engle seconded to approve the purchase of 36 Road Flares, Container and Fire Extinguisher at a cost not to exceed \$200. This will be paid from the Capital Improvement Fund-Vehicles, Account #401.305.957

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Chief Zybur commented on the Silver Creek Block Party/ National Night Out /Bike Safety registration program held last week end was a huge success.

Deborah Mulcahey, 633 Lakewood Lane – Commented on FY2013 budget tax tribunal legal fees and feels an audit on assessments is needed. Park & Recreation risk management liability suggestion should be followed for safety issues. The highway construction on U S 41 South is asphalt replacing concrete and asphalt will not last long in this climate. Night work on this project should have been addressed in the contract and the lack of guard rails on the project should be addressed. The Township should mail information on recycling along with tax assessment notices. The recycling signs should appear on both sides of the Township sign.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, July 2nd, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority, July 18th, 2012.
- C. Minutes – Marquette Area Wastewater Treatment Authority, June 21st, 2012.
- D. Minutes – Utility Review Committee, June 8, 2011 and October 26, 2011.
- E. Election Results – August 7, 2012.

Trustee Maki encourage everyone to read the July 2nd 2012 Planning Commission meeting minutes especially dealing with the sign ordinance. Issues are still being discussed on fee and permit language that was created in 2008 that now needs correction. We have never discussed electronic signs in residential neighborhood as indicated in the minutes. Trustee Maki questioned what was the discussion on warning and security signs? Our sign ordinance has gone from a 4 page document to a 20 page document and it is very confusing.

Meeting adjourned at 9:05 p.m.

Max Engle, Clerk

Greg Seppanen, Supervisor

August 22, 2012

A Special meeting of the Chocolay Township Board and Chocolay Township Planning Commission was held on Wednesday, August 22, 2012 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Township Clerk Engle called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

TOWNSHIP BOARD

PRESENT: John Greenberg, Max Engle, Mark Maki, Susan Carlson, John Trudeau, Ken Tabor.

ABSENT: Greg Seppanen.

PLANNING COMMISSION

PRESENT: Kendell Milton, Andy Smith, Andy Sikkema, Eric Meister, Tom Mahaney, Ken Tabor.

ABSENT: Gary Heinzelman.

STAFF PRESENT: Steve Lawry, Kelly Drake Woodward.

Planning Commission Chair Milton called the Planning Commission meeting to order at 7:01 p.m.

ELECTION OF CHAIR

Maki moved Greenburg seconded to elect Engle as Chair for the meeting.

AYES: 6

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Maki recommended two additions to the agenda, including accommodating Don Britton if he arrives, regarding the route of the Iron Ore Heritage Trail, and consolidating all agenda items dealing with Home Occupations and Signs separately. Woodward said she thought the Iron Ore Heritage Trail item was to be included on the next Planning Commission agenda, and agreed she would like to separate the two presentations to be shown in New Business along with their respective topic. The Agenda would first include public comment on non-agenda items, then (having no public hearings or unfinished business) proceed to New Business of Home Occupations Amendment (presentation, public comment, discussion) and then to New Business Sign Amendment (presentation, public comment, discussion), and then to Upcoming Priorities (public comment and discussion), and finally public comment and adjournment. Greenberg also proposed a one hour time limit on the Home Occupation discussion to leave time for other agenda items.

Maki moved Greenberg seconded to accept the agenda as corrected.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT

None. Public comment closed.

PUBLIC HEARINGS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

A. Home Occupation Amendment #34-12-04

Presentation

Woodward gave a brief presentation about the initiation and progress of the Home Occupation amendment, and a summary of the proposed regulatory change. The project began with a concern that the conditional use process and fee would discourage some home occupations, or at least the Township’s knowledge of some home occupations. The goal is to create a two-tiered system that makes it easier for low impact home occupations. The current provisions require a conditional use permit for all home occupations, and prohibit the repair, assembly, or any other work related to motor vehicles and their parts among other uses. Only one home occupation is allowed per parcel. The proposed amendment has a two-tier system that permits some home occupations as permitted uses, and requires a conditional use permit for others (such as the repair, assembly, or any other work related to motor vehicles and their parts). The proposed provisions allow more than one home occupation per parcel (but still limit permitted area). The new provisions are supported by periodic inspections and ordinance provisions that elevate other governmental laws, rules, and restrictions.

Public Comment

Deborah Mulcahey of 633 Lakewood Lane said she has been dealing with the issue of home occupations since 2008 and feels the proposed ordinance does not protect the public or the public water supply. She

cited the March 2012 attorney comments regarding the “substantial liberalization” of home occupation provisions that could weaken enforcement. She feels the permitting process is too cumbersome for revoking permits, and recommends a licensing process. She reiterated that she would like to see an increased notification distance for public hearings above the state requirement of 300 feet. Putting notices in the Mining Journal is expensive, and the \$250 fee may not cover it. She doesn’t feel the Township should have to subsidize the cost of home occupations. She recommends considering use of e-mail and phone communications for notifications. She feels the proposed home occupation provisions do not conform with the Choccolay Township Master Plan, will result in larger home occupations, and do not adequately define operational impacts such as increased traffic. She agrees the prohibited use list is not all inclusive. She clarified that the Motor Vehicle Act does not repress work on motor vehicle parts. Mulcahey said that in 2009 there was a cease and desist order to shut down a transmission repair business in her neighborhood. She had previously mentioned the issue of hazardous materials (mineral spirits) to Woodward, who commented that anyone can have these types of materials in their home. Mulcahey says this is different than having the large quantity associated with businesses. She thinks it is short-sighted to expect other agencies to help with enforcement of hazardous substance because they don’t have the necessary staff to enforce their regulations. She said Choccolay Township should not create issues for other regulatory agencies. She thinks Choccolay needs to make regulations easier to enforce. She doesn’t want to live in a business district. Mulcahey claimed that in March Smith proposed the idea of permitting motor vehicle repair as a conditional use. She questioned Smith’s motives in introducing ideas for the changes that she thinks are very different from what we have. She wants to protect well water and quality of life in the Township.

Maki asked Mulcahey for clarification on the traffic provision, and the court order for abatement in the case she mentioned. He also questioned her assertion that Smith proposed the home occupation amendment. She clarified that she meant that Smith proposed a provision to allow auto repair as a conditional use instead of a prohibited use at the March 2012 meeting. Mulcahey said that the court deemed the transmission repair operation a nuisance per se. Mulcahey and other residents claim that the transmission repair operation has not closed down, although there have been no deliveries in the last two months. They can’t say what is going on in the garage. Mulcahey claims that Township staff feels their hands are tied in enforcement – the previous planner was not allowed on the property. She claims the Township can knock and ask to inspect the property pursuant to the court order. Police and the prosecutor say there is no probable cause to get a search warrant for a knock-and-talk inspection such as Mulcahey has proposed. Mulcahey says you don’t need the documentation that someone is doing something illegal if you have the documentation of the activity that is being brought to the place. She claims there has been continued violation since 2009, and the Township felt they had no proof. She said this has created enforcement difficulties for staff.

Lorraine Leidholdt of 196 Brookside Drive said there is an illegal operation on South Big Creek Road behind a fence, which is an auto repair home occupation run by a non-resident of Choccolay Township. She doesn’t want to live in a business district, and thinks the ordinance changes will allow more businesses to crop up in neighborhoods.

Peter Ollila of 633 Lakewood Lane said that he discussed the rationale and enforceability of the Home Occupation provisions with Sikkema, who said that ordinance design and enforcement are two separate issues. Ollila feels you can’t separate the two, and should not have regulations if you can’t enforce them. He feels the scope of these provisions has been broadened beyond the original intent, and industrial equipment and chemicals do not belong in residential neighborhoods. He wants to scale the provisions back to allow only “mom and pop” operations and get away from uses with impacts that are not enforceable. He noted a circular argument in that the attorney claims that probable cause (criminal standard) must be shown for entry, but you can’t get probable cause without entry.

Stephanie Gencheff of 597 Lakewood Lane and her husband are also opposed to the Home Occupation amendment. Public comment was closed for this item.

Discussion Home Occupation #34-12-04

Sikkema noted that this issue came up because a person wanted to report a home occupation, and felt they wouldn’t have enough income from the home occupation to cover the required conditional use fee of \$250. It was deemed unnecessary to require a conditional use permit for all home occupations. There is also a concern that there are many unreported home occupations. It was thought that a simplified process would be less likely to deter notification of the existence of home occupations. The original intent of the amendment was to make home occupations a permitted use. During discussion, the commission addressed the issue of non-resident employees, and came back to the belief that home occupations should be for residents only. The commission questioned the relevance of the prohibitions against all types of vehicle repair because they do not all have the same impacts. The commission hoped to create a fair permitting system that discriminates based on operational impacts and not type of operation. For example, someone doing repairs on starters may not create any adverse impacts and could earn income in retirement. The commission questioned the logic behind allowing lawn mower repair but not repair of automobile parts. The conditional use process includes a possibility for additional special requirements based on anticipated impacts.

Sikkema explained that the planning commission felt it was not fair or logical to limit home occupations to 25% of the area of one story, because this would give an unfair advantage to someone living in a ranch home with the same square footage as a two-story home but a larger footprint. They also discussed home occupations in accessory buildings, and felt they did not want to encourage people to build accessory structures strictly for home occupations. After listening to public comment, the planning commission decided to limit the size of home occupations to 25% of the area of one structure.

Sikkema also noted that the Planning Commission didn't feel the limit of one home occupation per parcel was fair if both husband and wife want a home occupation, such as a home office and craft business. Meister noted that they strengthened enforcement with inspection provisions. Sikkema said that under the current provisions, there are probably very few conditional use permits and many unreported operations. They want to make it easier for residents to report legitimate home occupations, and easier for the Township to know what is going on.

Mahaney commented on the home occupation provisions of neighboring jurisdictions as provided in the packet. He said they are all different with few commonalities except the intent to allow home occupations without impacts. He said it's a complicated issue that has been discussed quite a bit, and there is not one specific way to do it. It's important to listen to public feedback.

Sikkema addressed the sensitivity to auto repair as a home occupation and said the concerns are probably well justified. But he didn't feel you should write an ordinance based on one case that wasn't enforced. The ordinance should be reasonable for the community, and then it should be enforced. You shouldn't fail to write an ordinance because you don't think it will be enforced.

Carlson asked Lawry about Marquette Township's provisions. He stated that he could only speak to the City of Marquette's provisions. The City revised their home occupation provisions a couple of times and are currently rewriting the entire zoning ordinance. He can't speak in detail because the project is being done by a consultant who has not provided the Planning Commission with anything for review. He does not think home occupations are a big issue in Marquette, and suspects the majority are not registered even though they are supposed to.

Maki commented on enforcement related to contractor yards that led to a previous amendment and the two-tiered system in the 2007 home occupation language. Under that system, a home occupation that met all the standards was permitted, and if not, then could only be permitted by conditional use permit. He feels the permits that were issued and termed out are not being put through the re-application process or being enforced. Some of the proposed language mirrors the 2007 language with the exception of the motor vehicle repair. He noted the original prohibitions came from uses with anticipated problems with impacts or enforcement. He said that residents don't usually want to speak out against their neighbor because it creates problems with relationships. He thinks we should structure a lower fee and go back to a two-tier system. Tabor noted that he thinks this is what the Planning Commission has proposed. Engle noted that the \$250 cost for the permit doesn't cover the entire cost of the conditional use process, so he doesn't think it is justified to lower the fee.

Greenberg gave an example of his own home business that consists of a desk, file cabinet, and telephone. He went to the ZBA for permission for a home occupation and sign, but it was simple back then. He likes the Planning Commission's thoughts and thinks the two-tier approach makes sense. He said the fee should be set so as not to discourage registration but to cover expenses. Sikkema said that currently all home occupations must go through the conditional use process and pay the \$250 fee, and there is no guarantee they will get their permit. The \$250 probably does not even cover the notification costs. This is why a change is needed.

Engle suggested we move the "Permitting and Approval" section from (D) to (B). He also noted a text change that "1) ALL PERSONS conducting a home occupation . . ." instead of "ANY PERSON conducting a home occupation". He suggested making C.5.b (any type of repair, assembly, etc) as a separate section C.6 labeled "Conditional Use". Item C.7 would then include "Prohibited Uses".

Maki wants to get rid of the provision in "Permitting and Approval" that encourages people to start a home occupation without having first gotten the relevant permit. He thinks they should not be able to come in 30 days after they start a home occupation for approval. They should get a Zoning Compliance Permit or Conditional Use Permit as appropriate and then start. Sikkema said that some people experiment with these activities before really committing to a home occupation. He doesn't want people to feel they are committing a violation. Maki noted there would be no penalty if people didn't come in for the permit first – they would just be informed they needed a permit.

Trudeau said that most people want to try something first before they get serious about a home business. Then if they get serious, they can get a permit. But they might register first. He said that you wouldn't even know that many home businesses are there and they don't have permits. Sikkema noted that when the home occupation gets to the point that it creates operational impacts, it should be required to move to the commercial area, but this process would allow them to get a start first before making that commitment.

Greenberg asked if we could say that no permit is required for certain home occupations, and conditional use permits are required only for the ones with operational impacts? Trudeau asked if the proposed language will take care of all the uses that should be prohibited due to operational impacts. Sikkema said that if the neighborhood knows about the home occupation, then it is probably in violation of proposed operational impact standards. Maki wanted to know if there have been any conditional use permits granted in the last 10 years. Smith remembered a sawmill on Willow Road. Maki wondered why the change was made in 2008 to make all home occupations conditional uses. Carlson noted that the Governor is trying to eliminate licensing for barbers so they can do this from their home, and this should be considered. Meister noted that home occupations with operational impacts would not be granted the conditional use permit. Mulcahey disputed the effectiveness of depending on this approach.

Woodward proposed not mentioning specific uses since a list could never be all-inclusive, but clarifying levels of operational impacts as the basis for tiered approval. As an alternative, she proposed a language change that would broaden the definition of uses that could be considered through the conditional use process based on anticipated operational impacts. She suggested a Zoning Compliance Permit (currently \$25) for Tier 1 approval, and the Conditional Use Permit (currently \$250) for Tier 2 approval. She suggested that when operational impacts are questionable, the Planning Commission could determine the proper permit required. Milton said the Zoning Administrator should have the authority to determine the appropriate permit required. Sikkema suggested this needs to be more clear. Trudeau asked for clarification of whether Tier 1 would be a registration process or a Zoning Compliance Permit approval process?

Maki asked what would be the trigger for the second tier approval – for example, would there be different size requirements for Tier 1 and Tier 2 permits? Sikkema thought the conditions would be the same – he noted this question made things get complicated in earlier discussions. Mahaney noted the amendment currently lists the conditions as applicable to ALL home occupations. Sikkema discussed an example of someone creating a sawmill on 20 acres where there is noise but no real impacts because there are no nearby neighbors. Neighbor input would be taken in the public hearing for the conditional use. Smith and Maki wanted to know what kinds of home occupations have been approved under the current ordinance. Maki wants to include the conditional use standards from Section 16.1 in the Home Occupation section to make it clear that all those standards also have to be met for the conditional use to be approved. It was generally agreed that there may be other uses besides auto repair that could be approved through the conditional use process, so the language should reflect this. Woodward reiterated her opinion that it is problematic to try to list specific uses into one of three categories – permitted by right (administrative approval), conditional use permit (planning commission approval), or not permitted. It should not be determined by type of use, but by the operational impact. Sikkema asked if the Board wants to see the prohibition against all automobile repair as a home occupation?

Maki wants separate language for the two tiers. Smith said that if a home occupation couldn't meet all the required conditions, then they could try for approval through the conditional use permit process that would explore the actual operational impacts. In this case, Maki thinks there should be different conditions for the conditional use than the permitted use. Woodward said you can have specific conditions that are different for each tier, and conditional use provisions that apply only to the second tier. She reminded participants of former versions of the amendment that followed this method. Sikkema thinks this much detail in regulation is problematic, and thinks some decisions can be left to the discretion of the Planning Commission after public comment and within reason. Greenberg appreciates the Planning Commission and the job they do. He is concerned that the conditional use is approved by a public body that is not elected, since the Board does not have final approval. So he likes to see black and white provisions. Woodward thinks it is important to strengthen the inspection and administrative provisions, and suggested that the more black and white the provisions can be, the more defensible they are.

Maki feels we should still deal with whether motor vehicle repair would be allowed in residential areas. He doesn't want to see this, but doesn't mind if someone works on parts (although it was noted that a transmission is a part). He reiterated that we shouldn't encourage problems between neighbors by depending on a discretionary process. Sikkema asked if full vehicle repair should be prohibited, with parts repair potentially permitted through the conditional use process. Smith believes that if the operational impacts had been enforced, then the previously mentioned auto parts repair facility wouldn't have been approved or would have been found in violation. Sikkema suggested that certain conditions such as size, location, and exterior appearance could be varied in the conditional use approval process while allowing no relaxation of operational impact provisions. However, it was noted that the noisy sawmill on the large acreage that wasn't bothering anyone would not have been approved under such a system.

There was agreement on the following:

- The Board doesn't necessarily want a ban on all auto repair uses, but they want to prohibit the repair of whole vehicles while allowing some flexibility for parts repair as long as there are no operational impacts.

- The Board would allow other conditional uses with some variance. For example, it might be appropriate to allow a sign, outdoor storage, additional space, etc. depending on the situation.

Then there was a question about whole tractor or boat repair? Sikkema said that's why the Planning Commission made vehicle repair a conditional use. As Mahaney said, when you get into planning for every possible scenario, you could spend a whole year on it.

Maki made a motion that the proposed home occupation amendment go back to a two-tier system similar to the 2007 language, retain current prohibited use language (3 items), require an administrative permit for Home Occupation 1 (meeting the conditions from 2007) and Conditional Use permit for other home occupations (Home Occupation 2), keep current size provisions, require a conditional use permit for a sign, and let the Board address the conditional use fees for home occupations. Support by Carlson. During discussion Trudeau said the motion was too confusing, and should be structured as a recommendation. Maki withdrew the motion, Carlson withdrew, and the above provisions were structured as a recommendation to the Planning Commission.

B. Sign Amendment #34-12-01

Presentation

Woodward gave a brief presentation about the initiation and progress of the Sign amendment, and a summary of the proposed regulatory change. In researching the minutes from meetings and other documents, it appeared the sign ordinance amendment began with a question regarding LED digital signs that staff was asked to research. Planning Commissioners said that the Board of Trustees were concerned about a number of nonconforming signs which might either indicate a lack of enforcement or difficulties with interpretation. Maki disputed the information about nonconforming signs and lack of enforcement (except with the Holiday Sign which the attorney said couldn't be enforced because of lack of ordinance clarity). Maki didn't remember any other problems with signs being mentioned in discussion. Others mentioned discussion on political signs, banners, temporary signs, Lakeneland signs, etc.

Woodward outlined challenges including administrative difficulties, inequitable provisions, and lack of clarity. The Planning Commission was concerned that many signs were approved through a variance and are therefore nonconforming. The commission argues that standards should reflect what is reasonable so that variances are not needed. Some current provisions are hard to enforce, or are in conflict with other regulations. The nonconforming policy needs to be updated to reflect recent case law that has determined that amortization or removal of nonconforming uses is not allowed in regulations adopted in accord with the Michigan Zoning Enabling Act. There are many omissions in the current provisions, which, if added, would provide clarity.

Goals for new standards include a user-friendly format, increased clarity, provisions to accommodate new sign technology, greater equity, and more defensibility supported by a reliance on model codes and national standards for guidance. Improved corridor safety achieved through appropriate sign size and less visual distraction was noted as a high priority.

Woodward explained the changes in sign area provisions. The current provisions prescribe a total sign allowance (all sign types) based on lot frontage length. The proposed standards have separate area allowances by sign type. Freestanding sign area is related to the speed of the adjoining roadway and the setback, therefore creating a more consistent standard with a relationship to public safety and motorist readability. Additional sign area is allowed for signs with greater setback, up to a maximum percent increase. The currently proposed freestanding sign area reflects a significant reduction from that recommended by the United States Sign Council studies. Wall sign area is related to building façade area, resulting in signs that are more in scale with the buildings. This method mirrors USSC standards.

Woodward presented findings from the sign inventory (area measurements compiled by Andy Smith). It was shown that several Township signs exceed current maximum sign area of 100 square feet. This information was disputed by Maki, as he thinks these signs would have been put up in violation if there were no variances.

Woodward presented three case studies for Family Dollar, Citgo, and Snyder's that compare allowed sign area per current vs. proposed standards, based on information on frontage length, setback, and façade area computed from Township records (retained site plan and permit records). Family Dollar is currently permitted about 275 sq ft with enlargement factor; proposed standards would permit a 120 sq ft freestanding sign and 210 sq ft wall sign for a total of 330 sq ft, or a 20% increase over current standards. Citgo is currently permitted 124 sq ft, but actually has 234 sq ft (exceeding current standards by at least 110 sq ft). Proposed standards would permit a 120 sq ft freestanding sign and 151 sq ft wall sign for a total of 271 sq ft, which is 16% over what they currently have, but would make the existing signs conforming. Snyder's is currently permitted 173 sq ft; proposed standards would permit a 120 sq ft freestanding sign and 339 sq ft wall sign for a total of 459 sq ft, which is 166% over current standards. Maki disputed these findings and computations, and doesn't believe that many signs are

nonconforming. Woodward said the Township does not maintain an up-to-date list of nonconforming signs.

Current and proposed standards for temporary signs (specifically banner signs) and electronic message signs were presented. Currently temporary signs are authorized for not more than 2 months at a time with a permit, and are only allowed for public direction or events, with no other specifications. The proposed standards would permit temporary signs for 90 days without a permit to accommodate seasonal promotions. The area of temporary signs would not be counted toward total permitted area but there are size restrictions. Banner size is limited as a percent of the area of any one building façade, and by total square footage allowed per parcel. Electronic message signs are proposed to have a size limit of 40 sq ft, a static message that doesn't change more often than once in 20 seconds, and an auto adjust mechanism to regulate brightness levels in relation to ambient light conditions. Nonconforming standards were discussed, with Woodward noting recommended changes for abandonment and amortization per her research based on the Michigan Sign Guidebook.

Public Comment

Deborah Mulcahey, 633 Lakewood Lane, said that she wants to address the fence issue for those who live on Lake Superior. She thinks current provisions that designate the road side as the "front" for purposes of fence placement, and do not address the lake side as the "front" of the property, create problems for neighbors with widely varied setbacks. She can put any fence she wants between the Lake and her house (even on the dunes) but she can't put any kind of fence she wants between her house and the road, even though, with the offset setbacks, her neighbors can have privacy fences extending along the property line nearer to the road than she can.

Regarding signs, Mulcahey wondered why the area of warning signs is being increased to six square feet, and why there are increases for residential sign area. She commented on provisions that she thinks favor political and real estate signs but make garage sale signs suspect. She wants the sign ordinance to be enforced on the Barbieri property adjacent to the Welcome Center. She says the property owner is unlawfully displaying 4' x 6' and 2' x 3' signs saying "private beach" and "no trespassing", and is harassing people who walk on the beach. She says the Township was involved in removing illegal signs from the DNR property, but they need new language to control this because there is no prohibition against people walking on the beach in Michigan. She is concerned that the traveling public visiting the Welcome Center see these uninviting signs. She encourages the Planning Commission to keep sign regulation simple so people know what is allowed.

Public comment on signs was closed at 9:23 pm.

Discussion

Smith asked for clarification from Mulcahey on the fence issue. She gave a demonstration.

Maki appreciated having information presented with clarity, even though he disputes the facts. He said that the ZBA allows increases to sign area with no basis, citing the Moyle development as an example. He knows we need to change the LED signs, but he said that for 32 years when he administered the Ordinance there was no problem with signs. He thinks the signs in the Township that were approved under the previous ordinance look nice. He doesn't hear people saying they need more signs. He agreed the effort started with LED signs, but then went on and on for three years – it gets crazy. He commented on Summer's comments of a previous draft that mention County ordinances. He questioned the recent proposed decrease of freestanding sign area from what was formerly based on national standards (which he thought were too large). Meister said they reduced the numbers because they thought a reduction would be more appropriate for the Township.

Trudeau wants to make the Ordinance less subjective so the ZBA has more guidance (more objective criteria). He said the changes the planning commission has made are based on rational discussion.

Meister said that Maki had asked them to review the sign area numbers because he thought they were excessive, so they initiated a discussion and agreed to back off the numbers. Maki said that was good, but questioned whether the discussion shows up in the minutes. Woodward offered the minutes of the August 6 meeting that were written with more detail per Maki's request. Smith said it was not arbitrary; it was all discussed in a good 3 year effort. Planning Commission members offered more information about the input and reasoning that are the basis for the provisions.

Maki is happy about the sign size reductions, but wants more reductions, although he objected to the ever-changing document. Sikkema said that's the point of the joint meeting – to try to make adjustments based on Board input, but it's been confusing to figure out what the Board wants to see and to determine how broad the consensus is across the entire Board. He said the Planning Commission has had very long discussions in their efforts to make standards more objective by basing them on national standards or reasoning based on what is applicable to the Township. Meister wants to learn more about Board objections so it can be addressed. Smith noted Woodward's influence and efforts in getting rid of problems and making the amendment read better.

Maki questioned why the size limits were changed – he said it's not based on case studies that say we need bigger sizes. He doesn't want the purpose to be making existing signs (that may be violations) conforming. Greenberg asked what Maki wants to see.

Trudeau asked if the speed limits might change, affecting the provisions. Sikkema said it is not likely and it's maxed out at 55 mph anyway.

Maki again said he doesn't agree with all the facts and will have to look at them. He said he should not have to continually be the staff and work through all these ordinances, but he will do some more homework on the last two meeting minutes. To get to specifics, he doesn't understand why residential signs are proposed to change from 2 square feet to 6 or 8 square feet, representing a large percentage increase. Woodward clarified that Maki was referring to residential name/address signs whose area is proposed to be based on speed of the adjoining roadway. Meister clarified that people can't see a 2 square foot residential sign on M-28. Maki said he suggested a larger sign area on M-28 ten or twenty years ago for the purpose of addressing homes with greater setbacks. He agrees with larger signs on M-28 due to the higher speed limit, but thinks 3 or 4 square feet is sufficient, and 16 square feet (4' x 4') is too much for name and address. Engle noted it's more visible for the person going 55 mph. Meister noted the signs that have camp names, and an effort to make this more equitable. Milton noted it was an effort to create criteria to control the camp signs. Maki suggested it was an effort to accommodate the maximum plus 20 percent.

Maki doesn't understand the increase in area for banners and changes in display time. He asked why give them another 80 square feet of free sign area for the summer? Tabor asked what is the problem with increasing it? Maki asked what is the reason for increasing it? Tabor said it seemed reasonable. Greenberg doesn't think banners have been a problem. He thinks it's somewhat self-regulating based on the length of the sale the businesses are promoting. Maki's opinion is that banners are not to be used for sales promotions, they are supposed to be for special events. Smith said this was all extensively discussed and the Planning Commission was in agreement. They did not randomly choose numbers. Meister related his experience in utilizing banners for promotions. His experience is that most businesses don't want to make their property look bad by leaving banners up for extended periods of time. He feels that banners are important tools for businesses, and are not a negative for the community. Mahaney said it is important to regulate the size and condition of banners. Maki objected to the display time. Greenberg asked what time period Maki suggests. Maki said he thinks one week is plenty of time for a sale. Trudeau said that the Planning Commission is composed of citizens who have determined that this regulation is appropriate and the process should move on. Carlson noted Snyder's and Ace Hardware's use of banners for promotions. Mahaney gave an example of a 90 day Scott's promotion, or 120 day DeWalt promotion for which he is sent banners for display. He said banners are an inexpensive way to advertise product. Maki doesn't object to banners, but thinks four-20 square feet banners per property is excessive. The Planning Commission discussed the typical size of banners, and that they can be displayed on multiple facades. Mahaney said Chocoley Township businesses won't go to the extreme to make their businesses look tacky, and praised the business corridor. Sikkema said businesses are important to the community, and the Planning Commission wants to show them support so they can be a part of the community. The Planning Commission reached a compromise on banner provisions. Tabor said they gained input on the typical size of promotional banners that are received by businesses. Sikkema said they also sought the input of business owners, CABA, sign companies, and the national standards. Smith pointed out that the size of banners is limited to 20 percent of building façade area. Maki stated it is good that banners can't be hung on poles, posts, vegetation, fences, etc.

Trudeau had a concern that the political sign standards need to accommodate the typical size of signs sent by national and state organizations, and urges staff to go measure them.

Maki again expressed concerns with the size of residential signs. He was told that the regulations were altered in consideration of existing conditions for residential signs (which were measured by Jennifer Thum) and what they thought was reasonable at different speeds. Maki wanted to be provided with evidence. Greenberg said many signs are not in compliance with the 2 square feet limit. Sikkema said no one is complaining about the signs that are out there, so why would we write an ordinance that makes them nonconforming? Again, the Planning Commission all agreed on numbers they thought were reasonable. Maki objected to the fact that the "reasonable" numbers keep changing. Engle said more information was available now than before on what is reasonable, based on standards no one ever looked at before, and the Planning Commission even chose reduced numbers from those standards based on what was right for the Township. Engle said this draft is much more readable than any others, with much better definitions. Maki extended appreciation to Woodward. Sikkema said the Planning Commission did their due diligence with careful consideration. Thum, Woodward, and the Planning Commission found issues and kept fine tuning. He really wants to know what the issue is so that adjustments can be made.

Tabor thinks we are there with this version of the amendment. Maki has learned things that make him feel a little bit better, but still feels that a change should be based on evidence. He feels better about banners; although he still thinks you should get a permit for banners because how else can you count the days? Maki doesn't think sign area should be changed just to make nonconforming signs

conforming. Sikkema said that was not their method – they took examples of signs that seemed reasonable in size (as measured by Smith), and they looked at national standards. Lawry said the fire and police departments say they have problems with the size of residential address signs when responding. They want to see signs larger than 2 square feet for better visibility. Maki said he is the one who suggested this enlargement before and they agreed with him. There is especially a need for larger numbers that may not be visible on a sign that is 2 square feet.

Staff was directed to look at the Barbieri signs (on the beach next to the Welcome Center) to see if they are in violation, and to talk with the attorney to see what can be done. The Township has done a lot of work to welcome people as a tourist area, and we shouldn't allow an illegal sign to offset this. Sikkema noted that the proposed sign provisions apply only to signs visible from the public right-of-way, public facilities, public trails, and navigable waterways, which would include Lake Superior and the public beach, but some signs on private property would not be regulated. Trudeau thinks this particular sign should be addressed. Perhaps it is on public property since it is between the high water mark and the shoreline.

Maki suggested the Board write a recommendation on their desired changes to the amendment at the September meeting, based on everyone suggesting changes and collaborating. Trudeau mentioned that the Planning Commission thinks they have a finished document. Greenberg was in agreement with passing on specific comments to the Planning Commission after the next Board meeting. Sikkema asked if they are getting there. Greenberg said, "Absolutely". Maki said they will try to quantify it and be in agreement. Sikkema said no one will get everything they want, it will take compromise. It was called a work in progress through the ages. Discussion was ended.

C. Planning Commission Priorities

Public Comment

Deborah Mulcahey, 633 Lakewood Lane, said that she would like to make the concept of "Aging in Place" a priority. Senior citizens use golf carts to get around on Lakewood Lane, and there is a safety issue. Lakewood Lane may need to be wider to accommodate walkers, bikers, and others so we don't lose senior residents.

Discussion

It was suggested that the Planning Commission give the Board a list of priorities at the September meeting, and the Board can add to the list. Items for inclusion are the junk car ordinance and private road standards. Sikkema would like to get through the ordinance issues and leave time to get back to Township planning. He mentioned a previous directive from another joint meeting to determine appropriate areas for more commercial/industrial development, and to make sure these areas are adequate for the future.

Smith asked about the Lowe's grant status. Lawry said a Lowe's grant was used for a slide at the Silver Creek Recreation Area a year ago, and picnic tables through the fire department (in the pavilion). The Township is still attempting to purchase the parcel on Silver Creek for better access to the recreation area. Some KBIC money is being put toward that purchase.

There was a discussion about the Iron Ore Heritage Trail (IOHT) route, and whether it should stay on the DNR trail or run through the business district. IOHT is talking about only including the DNR trail route. Both locations were shown on the map when the millage was passed, and the Supervisor is concerned that this should not look like a bait-and-switch situation to voters, and that the Chocolay Township voters should get a direct return on the dollars they contribute to the millage with IOHT investment in the Township trails. Sikkema thinks the Township should be part of the IOHT master planning process and have input into the route location. Woodward noted this is proposed to be on the agenda for the next Planning Commission, to work with Don Britton to determine the route, which is then advertised. Milton and others want to see the trail on the business route where it will also support the Silver Creek Recreation Area and other public access points in addition to the railroad spur. The Board is in agreement, and suggests bringing CABA in for support.

PUBLIC COMMENT

Wayne Dees, 512 Woodvale Drive, said he was going to hit specifics on these two ordinances, but doesn't think it's necessary. He thinks there needs to be a procedure and methodology for these public processes or the public bodies will keep spinning their wheels. This back and forth on issues is not effective or efficient and causes problems for the public who are trying to track government processes.

Meeting adjourned at 10:25 p.m.

Max Engle, Clerk

Greg Seppanen, Supervisor

PAYROLL.

Tabor moved Carlson seconded that the payroll for August 30, 2012 for \$35,141.16, including checks 9720-9731 and 20077-20110 and ACH payments for Federal tax, State tax and MERS retirement and September 13, 2012 for \$31,837.18, including checks 9732-9737 and 20111-20131, and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORTS – August 2012.

Trudeau moved Engle seconded to approve the financial reports.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Treasurer Greenberg told the Board that we have 3 C/D's that will mature this month and an interest rate quoted today was 0.15%.

Maki moved Tabor seconded to accept the Treasurer's report.

AYES: 7

NAYS: 0

MOTION CARRIED.

PRESENTATIONS.

In a statewide survey using 515 police agencies; Chocolay Township was ranked tenth for number of drunk driving arrests with a total 10.5 arrests per officer. A Certificate of Appreciation from Mothers Against Drunk Drivers was presented to Officer Anthony Carrick.

Sam Elder and Brad Ostyn presented a check in the amount of \$2,281.02 to Chocolay Township for recycling efforts at the Marquette County Landfill for April through June 2012.

APPOINT ZONING BOARD OF APPEALS ALTERNATE.

Applicants Adrian Abbot and Raymond Gregory introduced themselves to the Board.

Trudeau moved Engle seconded that the Chocolay Township Board appoints Raymond Gregory to fill the currently vacant seat for alternate member of the Zoning Board of Appeals for the term ending January 1, 2015.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

- Relayed to the Planning Commission that they should discuss the Iron Ore Heritage Trail Recreation Plan and how they want it configured in Chocolay Township.
- Update on U S 41 Highway project. Brad Johnson, D.P.W. Foreman reported that currently they are grading the shoulders on the south side of the highway. They had to mill out almost a full lane last week. There is still no definite completion date. The water is still not going into the storm drains at this point. There will be guard rails at the rock cut.

Trustee Maki brought up lighting near the Holiday Gas Station.

Manager Lawry indicated that Chocolay Township DPW will paint the curbs white with glass beads. MDOT is not in favor of lighting the highway in front of Holiday because when drivers leave the lighted area and enter the dark area of the highway, the contrast causes more visual problems.

Planner Kelly Drake Woodward stated that the Holiday Gas Station has a planned expansion that will go before the Corridor Advisory Committee for review, and that is another opportunity to review the safety aspects of that portion of the intersection.

FY2013 BUDGET.

PROPOSED FEE SCHEDULE.

Changes- All Mailing labels .015 per label, delete meeting on tape and change to meeting on CD \$5.00 and on flash drive \$15.00. Add - Deck Permit \$15.00 and Deck Permit after the fact (penalty) \$30.00.

Manager Lawry presented graphs on revenues, expenditures, salary, health costs and capital improvements expenditures. He indicated to the Board that with the slowing of the revenue stream; in order to be at a sustainable level we need to cut \$220,000.00 in the next year or two. The 6 year Capital Outlay Plan was also presented to the Board.

Trustee Trudeau requested that if any Board members had budget changes, state them now.

TOWNSHIP BOARD -

Trustee Maki stated that he had a total of \$32,000.00 in cuts in the general fund - Township Board \$3750.00 from committees and professional services and the MTA educational seminar and add an additional \$1219.00 for CUPPAD membership. There was no support.

No Change.

SUPERVISOR.

Maki moved Greenberg seconded to reduce training for Assessor tech course by (\$500.00).

AYES: 7

NAYS: 0

MOTION CARRIED.

ELECTIONS –

No Change.

CLERK –

No Change.

ASSESSING – Trustee Maki questioned the part-time assessing assistant pay rate increase and how many parcels the Assessor and part -time worker have looked at per year over the last 4 years excluding new construction. Why are we budgeting for attorney/appraisal costs in 2013 when we already did an appraisal on Gateway? Answer – there are several other commercial properties that will go to the State Tax Tribunal.

No Change.

BOARD OF REVIEW –

No Change.

TREASURER –

No Change.

TECHNOLOGY –

No Change.

TOWNSHIP HALL AND GROUNDS –

No Change.

OTHER GENERAL GOVERNMENT – Trustee Maki requested to lower the amount in contingency. We will check with the auditors on the amount that should be set aside for contingency.

No Change.

POLICE – Trustee Maki questioned Chief Zybert on animal control complaints in Chocolay, including improper treatment of animals..

No Change.

FIRE –

No Change.

STREETS –

No Change.

SANITARY LANDFILL –

No Change.

RECREATION AND PROPERTIES –

No Change.

ZONING – Trustee Maki questioned the increase in postage. This is for mailings sent for public education on zoning issues.

No Change.

PLANNING COMMISSION – Trustee Maki questioned the per diem increase, professional services and membership in Michigan Association of Planners.

No Change.

ZONING BOARD OF APPEALS – Trustee Maki questioned the per diem increase and budgeting for 12 meetings. The ZBA typically meets about 5 times per year.

Maki moved Greenberg seconded to change the per diem amount to \$2940.00

AYES: 7

NAYS: 0

MOTION CARRIED.

ROAD FUND –

No Change.

FIRE HALL MILLAGE FUND –

No Change.

CAPITAL IMPROVEMENTS FUND –

No Change.

A Public Hearing for the FY2013 Budget is scheduled for the Regular Board Meeting on October 15, 2012.

DISCUSSION OF PROPOSED SIGN ORDINANCE.

Trustee Maki has major problems with the proposed sign ordinance. Responses from residents are that we want to remain rural and attractive. The proposed sign ordinance will double the size of signs in many areas of the Township. We have a massive increase in the allowable sign size north of Harvey and along M-28 and U S 41 in the commercial zones. Residential signs are being increased from 2 square feet to 8 square feet. Most of the signs on U S 41 and M-28 up to Lakewood Lane are in compliance. There are probably 20 signs past Lakewood Lane on M-28 that are not in compliance and that is understandable because they are camp signs that are a distance from the highway. We need an inventory of problem signs.

Clerk Engle feels that the Sign Ordinance that the Planning Commission has provided is written well and they have given justification for the increase in sign size.

Supervisor Seppanen is still concerned that we have no way to track temporary signs with the proposed ordinance.

The majority of the Board is satisfied with the proposed sign ordinance and the Planning Commission can move forward with it.

Trustee Maki feels we should put specific sign size increases on our website.

CONSIDERATION OF BUILDING COMMITTEE RECOMMENDATION FOR CONSTRUCTION MANAGEMENT SERVICES FOR FIRE STATION PROJECT.

Manager Lawry reported that months ago IDI presented a proposal with three different levels of supervision. The building committee felt that the option of part time inspection on site during primary construction phases was appropriate amount of supervision needed.

This is not bid out because this is additional services provided by the architectural firm we already selected through the bid process.

Trudeau moved Carlson seconded to authorize the Township Supervisor and Township Clerk to execute a contract for Clerk of the Works construction supervision services for the fire station contract with Integrated Designs of Marquette in accordance with their proposal dated September 12, 2012, at a cost not to exceed \$35,000.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF PROPOSALS FROM MICHIGAN ENERGY OPTIONS FOR ENERGY AUDIT OF TOWNSHIP FACILITIES.

Mr. Ryan Engle from Michigan Energy Options presented information on an energy audit that would be performed with recommendations on changes including payback time.

Carlson moved Tabor seconded to authorize the Township Supervisor to sign acceptance of the proposal of Michigan Energy Options for performance of a Level 3 Health, Safety, and Energy Assessment of the Township facilities designated above for a fee of \$2,450.

Clerk Engle asked to be excused from the vote and discussion because Ryan is his son and there is a conflict of interest.

Maki moved Greenberg seconded to excuse Clerk Engle from discussion and voting on this item.

AYES: 7

NAYS: 0

MOTION CARRIED.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Seppanen.

NAYS: None.

MOTION CARRIED.

Elections			
Postage			
101.190.729	\$1,800.00	+ \$422.00	\$2,222.00

Clerk			
Salaries			
101.215.702	\$88,284.00	+ \$194.01	\$88,478.01

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki 370 Karen Road – One budget item I forgot to bring up was a new item for \$2700.00 for taxes on our Beaver Grove property. We lease out the property for about \$200.00 per year. Manager Lawry explained that once we leased the property, the land is no longer tax exempt. We could cancel our lease, but we would be subject to plant it ourselves by the Soil Erosion Control Act and the estimate cost of that is \$2500.00.

We need to provide information to our citizens on the changes in the sign ordinance.

Deborah Mulcahey – Suggests that the Board hold a separate meeting for budget work sessions as there is too much information when combining it with a regular Board meeting. Board members should not be cut off from speaking. She also commented on the budget information being provided to the audience, fee schedule, unfunded liability for pension, landfill, recycling energy audit and lead certification. She has worked with CUPPAD on two separate occasions and was extremely impressed by their professionalism.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, August 6th, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority, August 22nd, 2012.
- C. Minutes – Marquette Area Wastewater Treatment Authority, July 19th, 2012.
- D. Notice – Michigan Liquor Control Commission Class C & SDM License Transfer.
- E. Notice – Marquette County Solid Waste Management Authority Accepting Compostable Materials Without Charging a Tipping Fee.

Meeting adjourned at 10:35 p.m.

Max Engle, Clerk

Greg Seppanen, Supervisor

October 15, 2012

A Regular meeting of the Chocolay Township Board was held on Monday, October 15, 2012 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, John Greenberg, Max Engle, Mark Maki, Susan Carlson, John Trudeau.

ABSENT: Ken Tabor.

STAFF PRESENT: Steve Lawry, Mary Sanders.

MINUTES – September 17, 2012.

Trudeau moved, Carlson seconded that the minutes of the September 17, 2012 Township Board be approved with two changes - *on review of hiring on page 1 and add ' were there complaint on improper care of animals' to question on animal control on page 4.*

AGENDA ADDITIONS/DELETIONS.

Clerk Engle explained that the ad for the public hearing on the budget did not have a font size 11 and bold for the statement - **The property tax millage to be levied to support the proposed budget will be the subject of this hearing.** The public hearing for the budget will be held at the November 19th meeting after being properly posted.

Greenberg moved Carlson seconded to accept the agenda as changed - public comment on the FY2013 budget will be received , but approval of the budget will be deleted from the agenda.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood – Commented on the budget; do not use artificially inflated property values for tax revenue. Recycling is important, but residents must pay for true costs so the Township should charge for recycling. Put notices on line and use the tax mailing to share information with residents. Presented a FOIA request to the Clerk. The Board stated that there would be no automotive vehicle repair allowed in the Township at the joint meeting with Planning Commission in September and the Planning Commission is still considering it.

ACCOUNTS PAYABLE.

Trudeau moved Carlson seconded that bills totaling \$22,490.61 and checks numbered 18126 to 18146 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

Carlson moved Trudeau seconded that bills totaling \$22,915.28 and checks numbered 18147 to 18175 are approved for payment.

AYES: 6

NAYS: 0

MOTIONS CARRIED.

PAYROLL.

Trudeau moved Maki seconded that the payroll for September 27, 2012 for \$33,615.26, including checks 9738-9743 and 20132-20162 and ACH payments for Federal tax, State tax and MERS retirement and October 4, 2012 for \$8,209.86, including checks 9744-9745 and 20163-20186, and ACH payments for Federal and State tax, and October 11, 2012 for \$29,678.91, including checks 9746-9751 and 20187-20206 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORTS – September 2012.

Maki moved Trudeau seconded to approve the financial reports.

AYES: 6

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Maki moved Carlson seconded to accept the Treasurer's report.

AYES: 6

NAYS: 0

MOTION CARRIED.

PRESENTATIONS.

None.

SUPERVISOR'S REPORT.

None.

PUBLIC HEARING ON 2013 SEWER RATE.

The public hearing was opened, no public comment received and the public hearing was closed.

BOARD CONSIDERATION OF SEWER USER FEE RESOLUTION.

**RESOLUTION VERIFYING USER FEE SUFFICIENT TO
COVER O. M. & R. OF THE WASTEWATER SYSTEM**

Trudeau moved, Engle seconded that WHEREAS, the revenues and expenditures for the wastewater collection and treatment system have been reviewed, and

WHEREAS, the current user fee of \$26.60 per month is not adequate for the projected replacement cost of the system, and

WHEREAS, the equivalent user fee of \$27.60 per month will be sufficient to offset the Township's share of \$13.22 per equivalent user per month, to pay the Operation, Maintenance, & Replacement Cost of the Wastewater Treatment Plant,

NOW, THEREFORE, BE IT RESOLVED, the Chocolay Township Board establishes the equivalent user fee of \$27.50 per month for the period beginning January 1, 2013, through December 31, 2013.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None

MOTION CARRIED.

BOARD CONSIDERATION OF PROPOSED 2013 FEE SCHEDULE.

The Board discussed how and when to begin a penalty for construction without a permit. Our attorney said that it must be applied equally. The Board talked about setting a starting point for a penalty with a date of January 1, 2013. Delete from the fee structure (for deck construction completed without permit \$30.00) Change to **Administrative Enforcement Cost Recovery Surcharge \$25.00 (Applied to all construction & sign activity listed above erected or completed without proper zoning permit.) Effective January 1, 2013.**

The Board wants to determine a clear structure for consistent application for the administrative enforcement cost recovery surcharge prior to the 2013 construction season.

Carlson moved Maki seconded to approve the attached schedule of fees for Township services effective January 1, 2013.

AYES: 6

NAYS: 0

MOTION CARRIED.

BOARD CONSIDERATION OF COMPENSATION FOR PLANNING COMMISSION, BOARD OF ZONING APPEALS, AND BOARD OF REVIEW APPOINTEES.

Maki moved Greenberg seconded to adopt compensation rates of \$60.00 per meeting for members of the Planning Commission and the Zoning Board of Appeals, effective January 1, 2013.

AYES: 6

NAYS: 0

MOTION CARRIED.

Carlson moved, Engle seconded to adopt a compensation rate of \$100.00 per day per member for meetings of the Board of Review that are six hours or more in length and to retain the rate of \$60.00 per day for the meetings that are of shorter duration.

AYES: 6

NAYS: 0

MOTION CARRIED.

DISCUSSION OF HEALTH CARE PREMIUMS, EMPLOYEE WAGES, AND EMPLOYEE HEALTH CARE CONTRIBUTION RATES.

Greenberg moved, Carlson seconded, to exempt the Charter Township of Chocolay from the requirements of Michigan Public Act 152 of 2011 for the calendar year 2013.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None

MOTION CARRIED.

Trudeau moved, Engle seconded, to set the employee participation rate for the cost of the medical benefit plan provided by Chocolay Township at 10% of the combined cost of health insurance premiums and Health Reimbursement Account payments for 2013. The Township will pay 90% of these costs.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None

MOTION CARRIED.

Greenberg moved, Maki seconded, to amend Appendix L of the Personnel Policy and Procedures Manual by applying an increase of 3% to wage and salary levels at all steps of the matrix.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None

MOTION CARRIED.

Trustee Maki requested that we change the employee salary that will cover the (\$200.00) loss from paying 10% in health premiums.

Trustee Trudeau feels that we should stick with the formula that has been set out for health insurance premium and not alter on an individual basis.

Treasurer Greenberg suggested that in 2014 we look at reworking the health insurance pay schedule and use a scale based on salary not a flat % of the health cost for each employee.

Trustee Maki asked to discuss the Lease property in Beaver Grove. He will do that under the Public Hearing.

PUBLIC HEARING 2013 BUDGET.

We will have an additional public hearing on the budget at the November 19th meeting.

Deborah Mulcahey 633 Lakewood Lane – It appears that only 50% of the property site visits have been done and we are in the 4th year of a 5 year cycle for the site visits. Who is doing the site visits?

Supervisor Seppanen indicated that we are 90 parcels short of where we are supposed to be at this point and a part time summer position has been making the site visits collecting data for the Assessor.

Rick Aho, Marquette County Solid Waste Authority – Presented a check in the amount of \$467.00 for July recycling for Chocolay Township.

Pete Mackin had a question for Mr. Aho on the trailers for the Townships.

Rick Aho said that recycling throughout the County is going quite well and is profitable.

Deborah Mulcahey asked what Chocolay Township can do about picking up recycling when the weight restrictions are on.

Manager Lawry is working with the Marquette County Road Commission on a way to pick up recycling during the weight restriction period.

Trustee Maki – We leased the Beaver Grove property for \$200.00 per year and then found out after the fact that we had to pay \$2,700.00 in taxes. Manager Lawry said that if we did not do this it would cost us \$2,000.00 in replanting it ourselves.

Manager Lawry is working with Bergdahls on a new contract/arrangement to grow hay for a year or two and then we would not be subject to the Soil Erosion Control Act for not seeding it with a cover crop.

The public hearing was closed.

2012 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #6 TO REFLECT RECEIPT OF DEPARTMENT OF NATURAL RESOURCES GRANT FOR WILDLAND FIRE GEAR PURCHASE.

Greenberg moved, Carlson seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on November 14, 2011 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
Capital Improvement Fund			
Fire Department			
Capital Outlay			
401.340.957	\$675,223.20	+\$1,588.74	\$676,811.94
REVENUE			
Capital Improvement Fund			
State Revenue			
401.543	\$ 378.80	+\$1,588.74	\$ 1,967.04

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None

ABSENT: Tabor.

MOTION CARRIED.

2012 GENERAL FUND BUDGET AMENDMENT #8 TO REFLECT RECEIPT OF DEPARTMENT OF NATURAL RESOURCES REIMBURSEMENT FOR SNOWMOBILE ENFORCEMENT TRAINING.

Trudeau moved, Greenberg 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 14, 2011 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
Capital Outlay Snowmobile 101.305.957	\$ 3,925.00	+\$56.61	\$3,981.61
REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan 101.543	\$12,043.67	+\$56.61	\$12,100.28

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None

ABSENT: Tabor.

MOTION CARRIED.

2012 GENERAL FUND BUDGET AMENDMENT #9 TO REFLECT RECEIPT OF U. S. DEPARTMENT OF JUSTICE REIMBURSEMENT FOR BULLET-PROOF VESTS PURCHASED.

Maki moved, Greenberg 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 14, 2011 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department Police Uniforms 101.305.745	\$ 2,150.00	+\$1,051.00	\$3,201.00
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$23,618.26	+\$1,051.00	\$ 24,669.26

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None

ABSENT: Tabor.

MOTION CARRIED.

2012 GENERAL FUND BUDGET AMENDMENT #10 TO PROVIDE FOR ADDITIONAL STAFF TIME TO PROCESS ABSENTEE VOTER BALLOT APPLICATIONS.

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 14, 2011 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Clerk Department Salaries 101.215.702	\$88,478.01	+\$315.00	\$88,793.01
Other General Government Contingency 101.285.951	\$25,000.00	-\$315.00	\$ 24,685.00

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None

ABSENT: Tabor.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT FOR THE POLICE DEPARTMENT FROM THE CAPITAL IMPROVEMENT FUND.

Carlson moved Engle seconded to approve the purchase of 2 Dell workstations, 1 monitor and an external hard drive at a cost not to exceed \$2,000.00. This will be paid for from the Capital Improvements Fund Police Electronics account 401.305.957.

ROLL CALL.

AYES: Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None

ABSENT: Tabor.

MOTION CARRIED.

CONSIDERATION OF REQUEST FOR RELIEF FROM SEWER USE FEE.

Maki moved Engle seconded that the equivalent user fee for 2306 U S 41 South (Bill Lambert current owner) be reduced to 1 equivalent user, effective October 1, 2012, until the property becomes active. This provided for in section 9C-2-e of Ordinance #39.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey 633 Lakewood Lane – Suggests that we rethink the Beaver Grove lease property. She presented a letter at the September meeting and of the 8 issues only 3 have been answered. We need to put more raw data and information on the web site to become more transparent. The BSA website is not up to date. The Planning Commission is considering allowing motor vehicle repair in the Township. She feels that the Barbieri sign on Bayou has not been addressed..

Pete Mackin –The Michigan Office of Services to the Aging will be holding a hearing this Friday, October 19th at the Holiday Inn from 10:00 am – 12:00 pm. and 1:00 pm - 3:00 pm. We need to further streamline the program so more money will go directly to the seniors.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, September 10th, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority, Amended August 22nd and Draft September 19th, 2012.
- C. Minutes – Marquette Area Wastewater Treatment Authority, August 16th, 2012.
- D. Minutes – Chocoy Area Business Association, Draft September 19th, 2012.
- E. Communication – Marquette Area 4th of July Committee.

Meeting adjourned at 8:25 p.m.

Max Engle, Clerk

Greg Seppanen, Supervisor

WORKERS COMPENSATION GROUP DIVIDEND CHECK

Supervisor Seppanen presented a letter to Board from the UP Insurance Agency, Inc., congratulating the Township on a work safe year. The Township received an up-front 5% savings and a dividend check in the amount of \$461.95. Seppanen thanked Dale Throenle, Community Development Coordinator.

RECOGNITION OF OUTGOING OFFICERS/TRUSTEE

Clerk Engle presented awards on behalf of the Township and its residents for their service to the community to Supervisor Greg Seppanen; Trustee, Dr. Ken Tabor; and Trustee, John Trudeau.

APPOINTMENTS/RESIGNATIONS

None.

SUPERVISOR'S REPORT

Supervisor Seppanen spoke regarding local level information brought forth that was a harmful perception that the Township is at \$450,000 with unfunded liability in the employee retirement program. A report that just came in states funded at 98.3%. Plan of the Board was to have fully funded in 5 years. This report is where we are in 1 year 9 months. Placed into record what six items that were addressed in motion that put into defined benefit for future boards:

- (1) The Employer will maintain max 10 % growth wage contribution rate until the plan is fully funded.
- (2) The Employees will contribute 2.5% of gross wages until the plan is 100% funded, and anytime thereafter should the required contribution rate exceed 10%.
- (3) The unfunded liability will be amortized over a 5 year period with progress reviewed annually.
- (4) Plan changes shall not be made if the change generates an unfunded balance.
- (5) Prior to any future plan change, an actuarial report shall be acquired to ensure affordability and if that assurance is not given, the improved plan will not be approved.
- (6) Plan improvements or enhancements will not be considered if the cost of the plan exceeds (10% Board/2.5% Employees) of gross payroll.

UNFINISHED BUSINESS

BOARD CONSIDERATION OF 2013 BUDGET AND GENERAL APPROPRIATES ACT

GENERAL APPROPRIATIONS ACT

Treasurer Greenberg moved, seconded by Trustee Trudeau, that,

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1st, 2013, and ending December 31st, 2013, 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 8, 2012;

Whereas, a public hearing was held on the proposed budget on November 19, 2012 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, 2013, and ending on December 31st, 2013, in the amount of \$1,684,000.00 for the General Fund, in the amount of \$234,000.00 in the Road Fund, in the amount of \$1,900,000.00 in the Fire Department Millage Fund, in the amount of \$313,000.00 for the Sewer Fund, and in the amount of \$17,500.00 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,701,500.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1st, 2013, and ending December 31st, 2013.
3. The Township Board does hereby appropriate the sum of \$313,000.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1st, 2013, and ending December 31st, 2013.
4. The Township Board does hereby appropriate the sum of \$234,000 for the repairing of the Township Roads to be used for the fiscal year beginning January 1st, 2013 and ending December 31st, 2013.
5. The Township Board does hereby appropriate the sum of \$1,900,000 for the purposes of constructing and equipping a new fire station during the fiscal year beginning January 1st, 2013 and ending December 31st, 2013.

6. The Township Board does hereby levy 3.7897 mills for general operations; extra voted are 0.7589 for library, and 1.7000 for fire department.
7. All resolutions and parts of resolutions in so far as they conflict with provisions of this resolution are rescinded.
8. 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: Seppanen, Engle, Trudeau, Greenberg, Carlson, Tabor

NAYS: Maki ABSENT: 0

MOTION CARRIED

Trustee Maki questioned Assessors' Budget and additional costs for appraisals and assume still out of 2012 budget. Mr. Lawry stated that one has been contracted for a hearing date and the other does not have information yet and arrangements not complete yet. Money coming out of 2012 if confirmation from Tax Tribunal, but will probably delay until 2013. Supervisor Seppanen stated can schedule another opportunity to discuss on next month's Agenda.

RESOLUTION FOR OFFICERS' SALARIES

SUPERVISOR'S SALARY

Trustee Maki moved, supported by Trustee Tabor, which the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2013, which begins January 1st, 2013, and ends December 31st, 2013.

Roll Call

AYES: Seppanen, Engle, Trudeau, Maki, Greenberg, Carlson, Tabor

NAY: 0 Absent: 0

Motion Carried

TREASURER'S SALARY

Trustee Tabor moved, supported by Trustee Carlson, which the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2013, which begins January 1st, 2013, and ends December 31st, 2013.

Roll Call

AYES: Seppanen, Engle, Maki, Greenberg, Carlson, Tabor

NAY: 1 (Trudeau) Absent: 0

Motion Carried

CLERK'S SALARY

Trustee Carlson moved, supported by Trustee Tabor, which the salary for the office of Clerk shall be set in the amount of \$11,850.00 for the Fiscal Year 2013, which begins January 1st 2013, and ends December 31st, 2013.

Roll Call

AYES: Seppanen, Engle, Trudeau, Maki, Greenberg, Carlson, Tabor

NAY: 0 Absent: 0

Motion Carried

TRUSTEE'S PER DIEM

Treasurer Greenberg moved, supported by Clerk Engle, which the per diem for the office of Trustee shall be set in the amount of \$75.00 per meeting for the Fiscal Year 2013, which begins January 1st, 2013, and ends December 31st, 2013.

Roll Call

AYES: Seppanen, Engle, Maki, Greenberg, Carlson, Tabor

NAY: 1 (Trudeau) Absent: 0

Motion Carried

NEW BUSINESS

APPLICATION OF DELINQUENT SEWER CHARGES AS TAX LIENS

Trudeau moved, Greenberg 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 Chocoday Township December tax roll.

AYES: 7

NAYS: 0

Motion Carried

DELINQUENT SEWER USERS FOR 2012

Name	Tax ID Number	Address	City, State, Zip	Amount Due
Marc Gilmore	52-02-490-002-00	110 Chocoday River Tr	Mqt MI 49855	\$ 137.62
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	\$ 337.62
Chocoday Childrens Center	52-02-251-006-00	324 Corning Street	Mqt MI 49855	\$ 623.96
Steven & Heather Shaw-Quizno's	52-02-106-043-50	505 Corning Street	Mqt MI 49855	\$ 1,958.18
Jack's IGA	52-02-440-010-00	101 Carmen Drive	Mqt MI 49855	\$ 4,225.30
Susan Racine	52-02-215-006-00	156 E. Fairbanks Street	Mqt MI 49855	\$ 337.62
David Hillock	52-02-216-010-00	158. E. Wright Place	Mqt MI 49855	\$ 337.62
Linda Morgan	52-02-216-015-00	161 E. Wright Place	Mqt MI 49855	\$ 337.62
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$ 337.62
Anthony & Karri Rabitaille	52-02-455-038-00	214 Jean Street	Mqt MI 49855	\$ 337.62
Kimberly Randell Kronschnabel	52-02-455-042-00	209 Judy Street	Mqt MI 49855	\$ 16.46
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$ 337.62
Linda Bice	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 337.62

Robin & Rease Premeau	52-02-305-022-50	204 Riverside Road	Mqt MI 49855	\$ 337.62
Joe & Barb Menze	52-02-107-063-00	328 Silver Creek	Mqt MI 49855	\$ 337.63
Marc Gilmore	52-02-106-025-20	2210 U S 41 South	Mqt MI 49855	\$ 359.79
Bill Lambert	52-02-106-015-00	2306 U S 41 South	Mqt MI 49855	\$ 650.00
David Laurich	52-02-106-020-00	2366 U S 41 South	Mqt MI 49855	\$ 29.94
Steve & Sandra Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$ 337.62
Walt & Susan Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$ 607.70
Kim Racine/Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$ 250.00
Wahlstom Enterprise Inc.	52-02-107-007-00	5043 US 41 South	Mqt MI 49855	\$ 9,318.32
Mike & Eva Schlenkert	52-02-455-001-00	132 Veda Street	Mqt MI 49855	\$ 337.62
Michael Hainstock	52-02-251-004-00	218 W. Fairbanks	Mqt MI 49855	\$ 76.50
Stephanie Johnston	52-02-207-014-00	227 W. Fairbanks	Mqt MI 49855	\$ 179.94
Dave & Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$ 337.62
Jason Bernard	52-02-107-074-00	740 Willow Road	Mqt MI 49855	\$ 337.62
Matthew & Crystal Dale	52-02-251-023-10	205 W. Terrace Street	Mqt MI 49855	\$ 76.50
Gardner Bess	52-02-210-005-00	334 W. Terrace Street	Mqt MI 49855	\$ 337.62
Judith Charles/Marilyn Kramer	52-02-208-003-00	371 W. Terrace Street	Mqt MI 49855	\$ 337.62
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	\$ 337.62
Kristine & Michael Dionne	52-02-106-043-00	110 W. Wright Place	Mqt MI 49855	\$ 337.62
Tammy Riggie	52-02-253-025-00	117 W. Wright Place	Mqt MI 49855	\$ 204.24
Glen Carlson	52-02-213-004-00	350 W. Wright Place	Mqt MI 49855	\$ 337.62
Total Delinquent Amount				\$ 25,129.24

AUTHORIZATION TO COMPLETE SEWER SYSTEM WET WELL CLEANING WITH CONTINGENCY FUNDS.

Tabor moved, Carlson seconded that the Chocoley Township Board accepts to spend up to \$1700.00 out of the sewer contingency 571.951 to have the wet wells cleaned.

Treasurer Greenberg asked if it should be part of ongoing maintenance. This year's budget did not contain an allocation for maintenance. Steve Lawry, Manager, stated the 2013 budget shifts some money from the contingency fund to actual maintenance account.

ROLL Call

AYES: Seppanen, Engle, Trudeau, Maki, Greenberg, Carlson, Tabor

NAYS: 0 ABSENT: 0

MOTION CARRIED

2012 SEWER FUND BUDGET AMENDMENT #1 TO REFLECT CITY OF MARQUETTE CHANGE IN BOND PAYMENT BILLING PRACTICE.

Trustee Maki inquired where the Township received the \$40,195 to put in sewer fund. Mr. Lawry stated from Fund Balance of Sewer Fund.

Trudeau moved, Tabor seconded that Whereas, a budget was adopted by the Chocoley Township Board to govern the anticipated receipts and expenditures of the Sewer Fund on November 14th, 2011 for fiscal year 2012, and Whereas, as a result of an unanticipated change in the due date for certain expenses 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 Revenue			
571.695.000	\$46,500.00	+\$40,195.00	\$86,695.00
EXPENDITURE			
Utilities S.F III			
571.964.000	\$124,000.00	+\$40,195.00	\$164,195.00

ROLL CALL

AYES: Seppanen, Engle, Trudeau, Maki, Greenberg, Carlson, Tabor

NAYS: 0 ABSENT: 0

MOTION CARRIED

AUTHORIZATION TO PURCHASE FURNITURE FOR THE POLICE DEPARTMENT FROM THE CAPITAL IMPROVEMENT FUND
 Carlson moved, Tabor seconded to approve the purchase of 2 office chairs and lateral filing cabinet with a cost not to exceed \$1000. This will be paid from the Capital Improvement Fund-Furniture, Account # 401.305.957.

ROLL CALL:

AYES: Seppanen, Engle, Trudeau, Greenberg, Maki, Carlson, Tabor

NAYS: 0 ABSENT: 0

MOTION CARRIED

CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION ON THE SPELLING OF BASIL ROAD.

Mike Basal stated he and his family appreciate this and when the sign went up he and his father starting asking about it right away. His father made request in August to fix this. Mr. Basal stated that from his research of records he is 100% sure this is clerical error. Mr. Basal has copy of original deed spelling the road B-A-S-A-L.

Maki moved, and Greenberg seconded:

NOVEMBER 19, 2012

“WHEREAS, in September of 2012 the Chocolay Township Planning Commission was presented with a citizen request to correct a supposed clerical error that resulted in a mis-spelling of Basil Road, to correct the appropriate public records, and to post a corrected road sign;

WHEREAS, the Planning Commission did hold a public hearing on November 5, 2012, and they determined that there were no significant objections to the road name change;

WHEREAS, the Planning Commission unanimously voted on November 5, 2012, to recommend that the Township Board approve the official change of spelling for Basil Road from “B-a-s-i-l” to “B-a-s-a-l” to reflect the role of early settlers in forming the Township road system;

THEREFORE BE IT RESOLVED, that the Chocolay Township Board accepts the recommendation of the Planning Commission to correct a supposed clerical error and accurately reflect the role of early settlers in forming the Township road system; that the Chocolay Township Board approves the official change of spelling for Basil Road from “B-a-s-i-l” to “B-a-s-a-l”; and that the Chocolay Township Clerk shall, within thirty (30) days of the date hereof, record a certified copy of this Resolution with the Marquette County Register of Deeds and send a certified copy of this Resolution to the State Treasurer.”

This is to certify that the resolution above is a true copy of a resolution passed by majority vote of the Board of Trustees of Chocolay Charter Township, Michigan, at a regular meeting held on the 19th day of November, 2012, and which was duly spread upon the minutes of said meeting, the record of which is on file at the office of said Board in Chocolay Charter Township, Michigan.

AYES: 7

NAYS: 0

MOTION CARRIED

CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION ON ROUTE FOR IRON ORE HERITAGE TRAIL.

Supervisor Seppanen stated he spoke with Carol Fulsher with the Iron Ore Heritage Trail and she stated that their Facebook comments show the majority want to keep in original railroad track way. She also said that if it is the railroad track they will make sure they highlight the business loop also for people to make sure they know it is there. That was her position.

Bradley Cory at 110 Lakewood Lane stated he supports the urban concept. Urged the Board to adopt the Planning Commission recommendation.

Jude Catallo of 119 Lakewood Lane stated she is in favor of Planning Commission recommendation to Board to accept this business district route.

Mike Ryan of Lakewood Lane believes the Board should seriously consider the business route.

Judy White 370 Lakewood Lane. Would like the route through the business district and support the Planning Commission recommendation.

Barb Holman of 210 Riverside supports the urban trail that the Planning Commission recommended.

Randall Hubinger of 214 Riverside supports the Planning Commission recommendation.

Trustee Tabor moved and Engle seconded that based on public input and the Planning Commission recommendation, the Chocolay Township Board recommends designation of the urban route through Chocolay Township (route from Welcome Center along the east side of US-41/M-28 through Harvey to the US-41/M-28/Cherry Creek intersection and east along M-28) as part of the Iron Ore Heritage Trail.

Trustee Trudeau reads what is in notes: “It is important to note that both trails will continued be maintained and used and this decision is not meant to create a short term change in user groups”. Correct?

Woodward stated: “That is correct”.

Treasurer Greenberg stated that one of the flaws in Planning Commission discussion regarding the urban route is that it can't be used for southbound snowmobile traffic as moving against flow of traffic on highway. Mr. Greenberg was surprised when tunnel was initially opened that it was not going to be open during wintertime. Mr. Greenberg suggested revisiting the issue.

Supervisor Seppanen stated the issue is the tunnel is one area where two way traffic isn't appropriate. More bottleneck in that area.

Supervisor Seppanen further noted that he was informed by the Planning Commission, and their minutes reflect, that Carol Fulsher of the IOHTRA who was at that meeting, that IOHTRA will abide by Chocolay Township's decision for the designation of the trail location. A message on answering machine from Carol Fulsher on Friday is that they would take into consideration what the Township requests. It is not over. Suggest people contact Don Britton, our member representative, who is in support of this. Make sure people go to the meeting where they officially adopt that section of Chocolay Township. Will have Steve contact people who gave public comment tonight to make sure they are aware of the IOHTA meeting.

Tabor stated that they stated they have the final word.

Scott Emerson of 119 Lakewood Lane stated that the information in the Charter will allow parallel and separate trails to develop for safety. There is no reason can't have both designated, which is part of their own statement. They could adopt both.

Tabor commented that they stated they will pay for one.

Engle added that the only time issue was talked about was for one way traffic that is for snowmobile traffic only.

AYES: 7 NAYS: 0 **UNANIMOUS VOTE** MOTION CARRIED

PUBLIC COMMENT

Greg Zyburt, Chief of Police for Chocolay Township stated he is speaking on behalf of Township employees in response to recent flyer:

"Everyone is entitled to their opinion. They are not entitled to their own facts.

A recent flyer placed in *'The Mining Journal'* claims that the change of the Chocolay Township employees to a defined benefit pension plan from a defined contribution pension plan has resulted in an unfunded liability of \$450,000. This is false.

FACT – The MERS pension plan for the Chocolay Township employees is currently funded at 98.3%, or an unfunded liability of \$16,778.00.

FACT – The Township percentage contribution to the employees' pension is capped at 10% of salary. The same amount that was contributed to the old defined contribution plan.

FACT – Under the current MERS pension plan, the Township's required contribution is significantly less than required under the old defined contribution plan.

The deliberate misstatement of the facts for political reasons is deplorable. Neither the Township nor the employees are engaged in anything that would result in a major liability to the Township and taxpayers now or in the future."

Gary Walker, 765 Lakewood thanked Greg Seppanen for his service and looks forward to working with everyone.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, October 1st, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority, September 19th, 2012 and Draft October 17th, 2012.
- C. Minutes – Marquette Area Wastewater Treatment Authority, September 20th, 2012.
- D. Minutes – Chocolay Area Business Association, Draft October 25th, 2012.
- E. Communication – Clerk's Report on 2012 General Election Results
- F. Communication – MidAmerica Pension Changes for IRS Compliance.
- G. Communication – Iron Ore Heritage Recreation Authority 2nd and 3rd Quarter Update.

Meeting adjourned at 7:58 p.m.

Max Engle, Clerk

Greg Seppanen, Supervisor

Whereas Bob and Barb Grove have contributed countless hours to the beautification of Chocolay Township through the collection of litter along the M28 corridor and mowing portions of the highway right-of-way, and

Whereas the Groves continue to serve their greater community in other ways such as volunteering at Marquette General Hospital, and

Whereas their community service has earned them recognition by the Chocolay Area Business Association as Chocolay Citizens of the Year for 2012,

Now Therefore Be It Resolved that the Chocolay Township Board of Trustees declares Tuesday, December 18, 2012 as Bob and Barb Grove Day in the Charter Township of Chocolay and expresses it's thanks to the Groves for their many hours of community service.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

1. Gary Walker stated that prior to being elected Supervisor he told the public that Chocolay Township was well managed and has excellent employees. After being on the job as Supervisor for one month, he has found that his statement is absolutely accurate.
2. Early Sunday morning there was an auto accident near Lindberg Gravel Pit with a car lying on its side submerged in water. Chocolay Township Police Department Officers Tony Carrick and Jon Legally were the first to respond. The City of Marquette and the Sheriff Department also responded. Officer Carrick managed to gain entry into the vehicle by breaking the window and extracted the individual who was submerged in the water up to her nose. They went back into the car to look for any other occupants and found none.

APPOINTMENTS TO BOARDS AND COMMISSIONS.

Greenberg moved Maki seconded to confirm appointments for:

- MARQUETTE WASTEWATER TREATMENT AUTHORITY - Brad Johnson and Steve Lawry.
- EAST MARQUETTE SOLID WASTE DISPOSAL AUTHORITY- Gary Walker and Brad Johnson.
- PENSION COMMITTEE - Greg Zyburt.
- PERSONNEL COMMITTEE – Chris Lucas, Scott Jennings, John Greenberg and Sue Carlson.
- PLANNING COMMISSION – Bernie Stanaway.
- ZONING BOARD OF APPEALS – Mark Maki.
- BOARD OF REVIEW – Albert Denton, Dennis Hickey and Robert Pecotte.
- ELECTION COMMISSION – Judy White and Bernie Stanaway.
- NORTHERN MICHIGAN PUBLIC SERVICE ACADEMY – Mary Sanders and Max Engle.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF TAX TRIBUNAL APPEALS AND AUTHORIZATION OF CONTRACT APPRAISALS.

Supervisor Walker stated that we are in the process of responding to tax appeals on at least two business parcels. The law changed in 2010 to allow commercial property tax appeals to go directly to the State Tax Tribunal instead of going to the local Board of Review. The parcels are the Moyle Property on M-28 and Wells Fargo. It is incumbent upon us to be prepared for the Tax Tribunal with an independent appraisal and be represented by an attorney familiar with tax law.

Manager Lawry indicated that there are four appeals involved: Gateway Plaza (Moyle) update, Wells Fargo Bank, Silver Creek Estates which is made up of two separate parcels.

Engle moved Carlson second that the Township proceed with securing independent appraisals of the subject properties at this time. Specifically, the recommendation is to employ Closser Associates to update their previous appraisal of the Gateway Plaza to include 2012 at a cost of \$3,800.00 and to accept that firm's proposal to perform an appraisal of the Wells Fargo branch bank at a cost of \$4,500 plus reasonable travel expenses. It is also recommended that the Board accept the proposal of Swanson, Mercier, & Associates to prepare appraisal reports on the two parcels that comprise Silver Creek Estates at a cost of \$7,500.

Clerk Engle feels that we need to aggressively work on the commercial appeals. It may cost more in the beginning to defend the assessments, but it will save money in the long run with tax revenue. If we do not defend the assessments now, other businesses will automatically appeal knowing that we will not do anything.

Trustee White questioned if we will have to fight the same appeals year after year?

Manager Lawry stated local units of government are working with legislator to close this loophole so we will not have to fight these appeals every year.

Trustee Maki feels that we will end up spending up to \$20,000.00 in appraisal fees. We already have an appraisal on the Moyle property and there can not be that much of a change to warrant another appraisal. He was not in favor in paying for the original appraisal and is not in favor of paying for more appraisals. We will have to pay the legal fees

to defend the appeals. He does not think that our appraisals should be that far off that we need to spend money on an independent appraisal.

Treasurer Greenberg asked about filing deadlines and what obligations we have to other taxing entities to follow up on these cases. Manager Lawry stated that Gateway (Moyle) deadline is May 2013 and October 2013 for the Anderson property. The obligation to other taxing entities is not that well defined.

ROLL CALL:

AYE: Stanaway, Carlson, Engle, Walker.

NAY: Maki, White, Greenberg.

MOTION CARRIED.

REVIEW OF HIRING POLICY.

Manager Lawry explained that several months ago Trustee Maki requested that the newly elected Board look at the Township hiring policy. In the calendar year 2012 Dale Throenle, Community Development Coordinator was hired as the part time summer assessing field technician. That position had been used in the past to assist the Assessor. Manager Lawry thought that having Dale Throenle do the summer field technician work would be a good opportunity to train him to assist the Assessor and improve the efficiency in that process. There is money in the 2013 budget for a summer field technician and no decision has been made as to hiring an outside person or utilizing the Community Development Coordinator.

Trustee Maki questioned if the Township is required to advertise an open position in the Mining Journal? His opinion is that we were required to advertise the position. His problem with the hiring is that the Board did not take part in the decision to hire from within or advertising the position to the public. The Manager made the hiring decision without the Board approval and the pay rate was higher than we previously paid for this position.

Clerk Engle stated that even though the hourly was higher; we did not go over the amount budgeted for that summer position.

Trustee Maki informed the current Board that four years ago the Board made a decision to set up a strategy to do a physical check and take measurements on 20% of the properties in the Township each year. We have not received the results that we paid for because we have not completed 20% of the parcel each year.

Supervisor Walker stated that it seems to him that there is no action necessary at this time. As the Supervisor, he will make the Board aware of hiring decisions in the future.

ADOPTION OF THE MEETING CALENDAR.

Chocolay Township Board – 7:00PM

January 14	July 15
February 18	August 19
March 18	September 16
April 15	October 21
May 20	November 18
June 17	December 16

Chocolay Township Planning Commission – 7:30PM

January 7	July 1
February 4	August 5
March 4	September 9
April 1	October 7
May 6	November 4
June 3	December 2

Chocolay Township Zoning Board of Appeals – 7:00PM

January None	July 25
February 28	August 22
March None	September 26
April 25	October 24
May 23	November 21
June 27	December 19

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 – Times to be set March 5th

March 5, 11, and 12
July 16
December 10

White moved Greenberg 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 2013.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki commented that he thought the meeting time for the July and December Board of Review organizational meetings should be held at a time that would allow more public to attend and should be posted in the newspaper.

CONSIDERATION OF TOWNSHIP MANAGER EVALUATION PROCESS.

The Supervisor requested that the Board postpone the Manager Evaluation process until the new Board members have had experience working with the Manager and undertake the evaluation in July.

Greenberg moved Maki seconded that we do the manager evaluation and review in July 2013, but the 3% salary increase be implemented in January 2013.

AYES: 7

NAYS: 0

MOTION CARRIED.

EXTENSION OF SOLID WASTE SERVICES COLLECTION CONTRACT.

Manager Lawry informed the Board that we signed a one year extension with GAD that ends on December 31, 2012. The plan was to work with the City of Marquette and Marquette Township on a joint contract that would include the recycling plans of the landfill. The City of Marquette and Marquette Township have since decided to extend their contracts and are not ready to make contract changes. We will need to extend our contract at this point and create a new set of specs for Board approval. We should set a goal of bidding the contract for garbage collection and recycling contract before the end of 2013 with a start date of January 2014.

Carlson moved Stanaway seconded to delay approval of a formal extension agreement with GAD until the January 2013 Board meeting and receive written clarification that GAD will continue services until then and include a cost to the Township.

AYES: 7

NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2012 – AMENDMENT NO. 7 - POLICE TRAINING FUNDS – STATE OF MICHIGAN.

Greenberg moved White 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 November 14, 2011 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	\$1,318.62	\$374.68	\$1,693.30
401.306.957			

REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI			
401.543	\$1,967.04	\$ 374.68	\$2,341.72

ROLL CALL:

AYE: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAY: None

MOTION CARRIED.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2012 – AMENDMENT NO. 8 - RECEIPT OF KBIC 2% MONEY.

Maki moved Carlson 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 14th, 2011 for fiscal year 2012, 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:

REVENUE	PREVIOUS	CHANGE	AMENDED
KBIC 2% Gaming Money			
401.000.582	\$106,000.00	+\$ 27,916.05	\$133,916.05
EXPENDITURE			
Police			
401.305.957	\$ 89,275.93	+\$ 4,000.00	\$ 93,275.93
Fire Department			
401.340.957	\$676,811.94	+\$ 23,916.05	\$700,727.99

ROLL CALL:

AYE: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAY: None

MOTION CARRIED.

UPDATE ON LEGISLATIVE TAX REFORM PROPOSALS.

The Michigan State Legislature is currently working on several proposals for a revision of the Michigan property tax structure. The Personal Property tax reform is on the house floor and will be sent to the Senate in January. It looks like the personal property tax for businesses will disappear. Chocolay Township will most likely not receive anything from the State to replace the loss of revenue.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road – Informed the new Board members that the seminar that NMPSA will provide on January 22, 2013 for new public officials is a great introduction to the job.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, November 5th, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority, October 17th, 2012.
- C. Minutes – Marquette Area Wastewater Treatment Authority, Draft October 18th, 2012.
- D. Minutes – Chocolay Area Business Association, 2012 Year in Review.
- E. Correspondence – CUPPAD Annual Report.

Supervisor Walker adjourned the meeting at 8:30 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

And the Chocoley Township Police Department.
We do hereby express our appreciation on behalf of the Township Board and its residents.

Chief Zyburt presented life saving badges to Officer Anthony Carrick and Officer Jon LeGalley. Anthony has been with the Township for 5 years and has his bachelor's degree in criminal justice. Jon has a bachelor's degree in Economics. The Township is grateful to have such professional officers.

TOWNSHIP WEBSITE DEMONSTRATION.

Dale Throenle, Community Development Coordinator gave a power point presentation with an overview of the updated website. Dale developed this web site over the summer of 2012. Each Board member has an email link on the website and Dale will provide information to Board members so they can utilize the emails for Township business.

Manager Lawry explained to the Board that the web site duties were added to the Community Development Coordinator. Prior to that we contracted for web site maintenance with limited capacity on the web site and making changes took upwards to a week. Now changes are immediate.

SUPERVISOR'S REPORT.

At the end of last month, Kelly Woodward, Steve Lawry and Gary Walker attended an Iron Ore Heritage Trail meeting. The Heritage Trail Committee discussed and passed a motion to recognize the business route and the railroad route through Chocoley Township as part of the Heritage Trail for signage and maps. They will not accept any maintenance responsibilities for the business route. We are looking into grant possibilities with MDOT to upgrade that portion of the route. The Heritage Trail association will do some facilitation with the local units of government for shared maintenance on the trail.

DISCUSSION ON TAX APPRAISALS.

Trustee Maki wanted to give the Board background on the three parcels being appealed and the Board approved contract appraisals. The Silver Creek Mobile Home Park is a \$300,000.00 property and we are spending \$7,500.00 to defend the assessment on it. We have properties up and down Lakewood Lane that are worth that much. The Moyle Property was a 3 million dollar property, and it made sense to spend money to defend it. The Wells Fargo property is a \$440,000.00 property. Trustee Maki also notice there is a delinquent tax sale for Chocoley Township. Assessor Fuller stated that is on John Sommers' property and we have a lien for trash removal on the property. That is why we are also named on the delinquent tax parcel.

PROPOSED TEXT AMENDMENT #34-12-05 TO ZONING ORDINANCE SECTION 6.9 HOME OCCUPATIONS – FIRST READING.

Trustee White asked if current home occupations would be grandfathered.

Planner Woodward indicated that it depends on when they established the home occupation and what regulations were in effect at that time and whether they previously had a permit. The Planner also noted that between 2003 and 2008 permits were not required for a home occupation.

Trustee Maki asked for a clarification on not requiring a home occupation permit for the years 2003 through 2008.

Planner Woodward said that as she reads the ordinance from that time frame, home occupations were allowed without a permit if they met all the requirements in the ordinance. If a home occupation did not meet the requirements of the ordinance; a permit was required.

Treasurer Greenberg had one change for the home occupation amendment. 6.9 (C) 3 (a) *Acceptance by the applicant of a permit to – Submission by the application and subsequent granting of a permit.*

Trustee Maki questioned whether motor vehicle repair was in the AF district in the current ordinance. Planner Woodward stated that is currently in the A/F District in the ordinance. Mr. Maki feels that this may hurt someone with a commercial business in motor vehicle repair. Allowing motor vehicle repair in A/F District as a home occupation also puts the burden on the neighbors to complain to the Planning Commission if they do not want motor vehicle repair next to them. He also wondered if anyone attended the County Planning Commission meeting to present comments. Planner Woodward attended the meeting and said that the County commented – Why would anyone want to limit someone trying to make a living in this economy?

Carlson moved Engle seconded to present the proposed home occupation text amendment #34-12-05 as modified - 6.9 (C) 3 (a) from *Acceptance by the applicant of a permit constitutes consent and permission for appropriate Chocoley Township officials to enter upon applicant's land for the purpose of determining and verifying compliance with the permit.* To – ***Submission by the application and subsequent granting of a permit constitutes consent and permission for appropriate Chocoley Township officials to enter upon applicant's land for the purpose of determining and verifying compliance with the permit.*** This will be presented to the Township Board for a second reading at their February 2013 meeting.

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Treasurer Greenberg commented that if this is adopted by the Board, that the Township should advertise it and encourage compliance and possibly offer some type of amnesty.

Trustee Maki asked if we currently allow signs for home occupation. Planner Woodward indicated that we do not.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS FOR LION'S FIELD ICE RINK MAINTENANCE AND IMPROVEMENT.

Maki moved Stanaway seconded that the Chocolay Township Board approves the expenditure of no more than \$7,000.00 for the lumber, hardware and plastic and \$14,285.00 plus using the \$10,715.00 that is already set aside for the paved pad. This will be purchased from the Recreation and Properties Capital Improvement Fund 401.756.957.

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PERFORM ASBESTOS/LEAD ASSESSMENT OF FIRE HALL BUILDING FOR DEMOLITION.

Supervisor Walker reported to the Board that we approached the architects about this assessment and their recommendation was that we do it separate from the construction bid. They felt if we add it to the bid specs it would be more costly with an overage charge being added by the general contractor. It is also important that the contractors have this information before they submit a bid for the building project.

Greenberg moved Maki seconded to accept the \$1,500.00 proposal of Trimedia Environmental and Engineering Services and proceed with an asbestos and lead assessment as quickly as possible

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

REVERSAL OF 2012 SEWER USE AND 2011 USE MODIFICATION CHARGES BILLED IN ERROR.

White moved Greenberg seconded to reverse \$250.00 delinquent use modification fee that was placed on the 2012 tax roll for the property belonging to Walt Racine located at 2801 U S 41 South Marquette, MI Tax number 52-02-251-012-00.

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Maki moved Greenberg seconded to reverse \$396.00 from the current sewer account U41S-002801-0000-02; an amount that was billed for sewer fees from October 2011 through December 2012.

ROLL CALL.

AYES: Maki, White, Greenberg, Carlson, Engle, Walker.

NAYS: Stanaway.

MOTION CARRIED.

PUBLIC COMMENT.

Dick Arnold – Is disappointed in the home occupation amendment allowing motor vehicle repair in the A/F district. The State of Michigan requires a license to repair vehicles and the parts used must be certified by the State. What protection does someone have if they get a bad vehicle repair at a home business? No one is asking to allow motor vehicle repair as a home occupation.

Paul Huebner – Inherited property on Green Garden Road and it needs to be cleaned up. Can someone direct him on how to clean it up? Planner Woodward suggested that he stop by her office tomorrow to discuss this.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, December 3rd, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority Draft, November 14th, 2012.
- C. Minutes – Marquette Area Wastewater Treatment Authority, November 8th, 2012.
- D. Minutes – Recreation Authority Subcommittee Draft, November 29th, 2012.
- E. Notice – Charter Communications Change in Channel Lineup.
- F. Report – Fire Hall Plan Review by Michigan Energy Options.
- G. Communication – Wayne Dees Re: November 19th, 2012 Board Meeting Comments.

Supervisor Walker adjourned the meeting at 8:15 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

February 18, 2013

A Regular meeting of the Chocolay Township Board was held on Monday, February 18, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:15 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Susan Carlson, Bernie Stanaway, Judy White.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Brad Johnson, Tina Fuller, Kelly Woodward.

MINUTES – JANUARY 14, 2013.

Engle moved, Carlson seconded to approve the minutes of January 14, 2013.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Engle moved Greenberg seconded to accept the agenda as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Don Britton, 121 Deerview Trail is available to answer any question on Resolution of Support for EVIP Grant for Recreation Authority Study Group.

ACCOUNTS PAYABLE.

Carlson moved White seconded that bills totaling \$59,919.77 and checks numbered 18383 to 18417, bills totaling \$6,494.24 and checks numbered 18418 to 18428 and that bills totaling \$13,238.71 and checks numbered 18429 – 18451 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

PAYROLL.

Maki moved Stanaway seconded that the payroll for January 17, 2013 for \$33,951.16, including checks 9795-9800 and 20396-20426 and ACH payments for Federal tax, State tax and MERS retirement and January 31, 2013 for \$30,729.41, including checks 9801-9806 and 20427-20445, and ACH payments for Federal and State tax and MERS retirement, and February 14, 2013 for \$30,696.57, including check 9807-9812 and 20446-20463 and ACH payments for Federal tax and State tax be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Engle moved Carlson seconded to accept the December 2012 financial report.

TREASURER'S REPORT.

Treasurer Greenberg reported to the Board that because of changes in the deposit insurance regulations, we needed to diversify even more than we have in the past with our investments. Prior to 2013, for insurance purposes, there was no limit to the amount invested in non-interest bearing accounts. Now interest bearing and non-interest bearing accounts have a limit of \$250,000.00.

White moved Engle seconded to accept the Treasurer's report.

AYES: 7

NAYS: 0

MOTION CARRIED.

PRESENTATIONS.

Supervisor Walker presented a certificate of appreciation to Tavaree Kovach.

**RESOLUTION OF APPRECIATION
Tavaree Kovach**

For your generous commitment of time, support and inspiration to our staff and Township.
We do hereby express our appreciation on behalf of the Township Board.

CHOCOLAY TOWNSHIP ANNUAL REPORT FOR 2012.

The 2012 Annual Report was presented to the Board.

MERS ACTUARIAL REPORT FOR 2011.

The MERS 2011 Actuarial Report was presented to the Board. Treasurer Greenberg commented that MERS uses a 10 year smoothing for figuring the per cent that should be applied to the pension plan each year. Chocolay Township continues to contribute 10% and the employees continue to contribute 2 ½%.

SUPERVISOR'S REPORT.

- Peter White Public Library Services Demonstration March 18th, 2013. (4-7PM)
- Staff was trained in CPR, AED and First Aid this morning by the American Heart Association.

PROPOSED TEXT AMENDMENT #34-12-05 TO ZONING ORDINANCE SECTION 6.9 HOME OCCUPATIONS – SECOND READING.

Greenberg moved, Carlson seconded to approve the second reading of Zoning Ordinance Amendment #34-12-05 (34-11-05), replacement of Section 6.9 Home Occupations, as written with these noted findings of fact, to file the amendment with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance Book within one week after publication.

FINDINGS OF FACT

1. The encouragement of home occupations provides the following public benefits:
 - a. Gives more people the opportunity to earn a living and become more self-reliant.
 - b. Helps parents balance work and family, creating stronger communities.
 - c. Encourages business growth by facilitating low-overhead opportunities during the critical start-up phase.
 - d. Gives those who cannot work outside the home an opportunity to achieve economic self-sufficiency and to help alleviate social costs.
2. Recognizing the public benefits of home occupations, the Planning Commission created a process that is less time consuming and costly for home occupations presumed to have no neighborhood impacts, while retaining the opportunity for a public hearing and Planning Commission review of home occupations with more potential for impact.
3. The amendment includes enhanced operational impact standards, the enforcement of which ensures protection of the residential character of neighborhoods, quality-of-life, and purity of the environment.
4. Amended provisions provide better clarity and authority for administration and enforcement, including the ability to perform inspections and revoke permits if operational impact standards are not met.
5. Multiple public hearings were held on this amendment, the most recent on November 5 and December 3, and the Board reviewed comments from the public hearings at the January 14 meeting.
6. There have been ample opportunities for Board and citizens to provide input during the one plus year effort, and the Planning Commission has made revisions consistent with public input.
7. Overall, this amendment represents improved regulations for home occupations in Chocolay Township.

ROLL CALL.

AYES: Carlson, Engle, Greenberg, Maki, Stanaway, Walker, White.

NAYS: None.

MOTION CARRIED.

RESOLUTION OF SUPPORT FOR EVIP GRANT FOR RECREATION AUTHORITY STUDY GROUP.

Greenberg moved, seconded by Maki that

Whereas the Charter Township of Chocolay supports the concept of a sustainable Recreational Authority to meet the needs of area residents and a cooperative approach among local governments toward meeting that goal, and

Whereas we support the Recreational Authority without pledging financial support at this time; as no provision for such a large expenditure was made during the formulation of the 2013 fiscal year budget.

It is furthermore recommended that the study group draw upon the expertise of its members to develop a fundamental business plan for a Recreation Authority, if it deems such an entity feasible and in the best interests of area citizens.

AYES: 7

NAYS: 0

MOTION CARRIED.

AWARD OF FIRE HALL CONSTRUCTION CONTRACT AND AUTHORIZATION OF FIRE HALL CONSTRUCTION LOAN.

Manager Lawry reported to the Board that we are still receiving information from IDI on potential savings. The Fire Hall Committee has not had time to meet and discuss any changes and the bid amounts.

Trustee Maki would also like the Millage Committee to meet prior to the Board making a decision on the Fire Hall Construction and financing through a Bank loan or self funding.

Maki moved, Engle seconded to have a Special Board Meeting on February 25, 2013 to discuss the construction and financing of the Fire Hall. This will allow time for the Fire Hall Building Committee and Millage Committee to meet and make a recommendation to present to the Board.

AYES: 7

NAYS: 0

MOTION CARRIED.

EXTENSION OF SOLID WASTE SERVICES COLLECTION CONTRACT.

Carlson moved, Stanaway seconded to authorize the Township Supervisor and Township Clerk to sign the attached Letter of Agreement extending the solid waste services contract through December 2013.

AYES: 7

NAYS: 0

MOTION CARRIED.

2012 GENERAL FUND BUDGET AMENDMENT #11 TO REFLECT RECEIPT OF OFFICE OF HIGHWAY SAFETY PLANNING ALCOHOL ENFORCEMENT GRANT FOR POLICE OVERTIME.

Greenberg moved, Engle 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 14 , 2011 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	\$262,155.14	+\$3,143.68	\$265,298.82

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$24,669.26	+\$3,143.68	\$27,812.94

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

PROPOSED TEXT AMENDMENT TO ZONING ORDINANCE CHAPTER XVIII SIGNS AND FENCES – FIRST READING.

Trustee Maki would like to meet with Planner Woodward, Manager Lawry and Supervisor Walker to discuss the sign ordinance. There are several points that he is concerned with such as the square footage allowed for an identification sign, where we measure the set back and time frame that banners can be displayed. The original sign ordinance was four pages and now this is a twenty six page document.

Supervisor Walker suggested that the Board approve the first reading and Mr. Maki can have his requested meeting before the second reading in March.

Engle moved, Stanaway seconded to approve the first reading of the Sign Amendment as written and to schedule a second reading for the March Board meetings.

AYES:6

NAYS: 1 (Maki)

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

1. Minutes – Township Planning Commission, January 7th, 2013.
2. Minutes – Marquette County Solid Waste Management Authority, Drafts of December 19th, 2012 and January 16th, 2013.
3. Minutes – Marquette Area Wastewater Treatment Authority, December 20th, 2012.
4. Notice – Charter Communications Service Tier Price Adjustments.

Supervisor Walker adjourned the meeting at 8:10 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

February 25, 2013

A Special Meeting of the Chocolay Township Board was held on Monday, February 25, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Susan Carlson, Bernie Stanaway, Judy White.

ABSENT: None.

STAFF PRESENT: Steve Lawry; Deb Heinzelman.

AGENDA ADDITIONS/DELETIONS.

None

PUBLIC COMMENT.

None

PUBLIC HEARINGS

None

PRESENTATIONS.

NONE

UNFINISHED BUSINESS

AWARD OF FIRE HALL CONSTRUCTION CONTRACT

Supervisor Walker stated that the Fire Hall Building Committee recommended proceeding with construction as included in the base bid with the low bidders as listed in the materials:

Associated Constructors – General Construction

Berger & King – Mechanical/Plumbing

Wright Electric – Electric.

The recommendation is based upon the fact that the design, as bid, reflects the input of the Board and fire department with regard to Township needs.

Trustee Maki inquired about the experience of the low bidders and if any reason not to go with them.

Supervisor Walker stated that Steve Lawry, Township Manager, and architects did due diligence to note contractors' ability to carry out project satisfactorily.

Manager Lawry stated he has personal experience with two of the three contractors and in discussion with architects, all three contractors are quite satisfactory and would have no trouble with their bonding requirements and would recommend award to all three low bidders.

Treasurer Greenberg moved, Trustee Carlson seconded to award fire hall project bids to Associated Constructors; Berger & King; and Wright Electric in the amounts of their respective base bids.

ROLL CALL:

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION OF FIRE HALL CONSTRUCTION LOAN

Supervisor Walker stated there are two avenues the Township could take; secure financing through a lending institution or self-finance.

Treasurer Greenberg stated he recommends Township self-finance \$1,500,000 with ½% interest.

Trustee Maki inquired of fire department members present if they felt this recommendation satisfactory.

Fire Chief Tom Kidd and Fireman Gary Johnson stated they agree with self-financing.

Trustee Maki inquired if self-financing was to be paid back in five years?

Treasurer Greenberg stated the \$1,500,000 is from combined funds and to pay back in 5 years with interest.

Clerk Engle asked about taking out a line of credit with a lending institution to cover any unexpected costs.

Treasurer Greenberg stated that at a meeting recently with auditors they stated the Township needed to obtain a qualifying statement to be preapproved by the State of Michigan and that should be filed before getting any concrete commitment from a lending organization.

Supervisor Walker suggested cementing line of credit with auditors first and bringing the issue back to the Board in the near future.

Trustee Maki moved, Trustee Stanaway seconded that Chocoday Township self-finance \$1,500,000 with ½ percent interest, over five years, to fund the new fire hall project.

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

NEW BUSINESS.

None

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

CORRESPONDENCE – CHOCOLAY TOWNSHIP LIONS CLUB RE: EASTER EGG HUNT

Supervisor Walker stated the Township received a letter from the Chocoday Township Lions Club requesting donations for their annual East Egg Hunt. Mr. Walker stated government entities are not allowed to give to charities, but would recommend this request be known to Township Board members and employees and anyone who wishes to donate may individually do so.

Supervisor Walker adjourned the meeting at 7:24 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

March 18, 2013

A Regular meeting of the Chocolay Township Board was held on Monday, March 18, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Mark Maki, Susan Carlson, Bernie Stanaway, Judy White.

ABSENT: Max Engle.

STAFF PRESENT: Steve Lawry, Mary Sanders, Brad Johnson, Tina Fuller, Kelly Woodward, Tony Carrick, Scott Jennings, Greg Zyburt.

MINUTES – FEBRUARY 18TH AND 25TH 2013.

Greenberg moved Carlson seconded to approve the minutes of February 18, 2013.

AYES: 6 NAYS: 0 MOTION CARRIED.

White moved Stanaway seconded to approve the minutes of February 25, 2013.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Trustee Maki requested that Budgeting for the Assessing Department summer worker be added to the agenda.

Greenberg moved Carlson seconded to accept the agenda with addition of discuss the budget for the Assessing Department summer worker.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Carlson moved Stanaway seconded that bills totaling \$69,821.79 including checks numbered 18452 to 18485 and bills totaling \$20,079.59 including checks numbered 18486 to 18509 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PAYROLL.

White moved Carlson seconded that the payroll for February 28, 2013 for \$35,429.57, including checks 9813-9818 and 20464-20497 and ACH payments for Federal tax, State tax and MERS retirement and March 14, 2013 for \$33,055.28, including checks 9819-9824 and 20498-20517, and ACH payments for Federal and State tax and MERS retirement be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORT.

Maki moved Stanaway seconded to accept the post audit December 2012 financial report.

AYES: 6 NAYS: 0 MOTION CARRIED.

Stanaway moved Carlson seconded to accept the January 2013 financial report.

AYES: 6 NAYS: 0 MOTION CARRIED.

Maki moved White seconded to accept the February 2013 financial report.

AYES: 6 NAYS: 0 MOTION CARRIED.

TREASURER'S REPORT.

Treasurer Greenberg indicated that we have 4 different investments that are due in March. We are looking for information on the payment schedule for the fire hall. We will continue to monitor that as investments are made. Part of the fire hall funding is from the Fire Department in the Capital Improvements Fund. The auditors suggested that all payments on the fire hall come from the fire millage fund. We will need to move the money from Capital Improvement Fund over to the Fire Millage Fund.

Greenberg moved Maki seconded to transfer \$580,000.00 from the Capital Improvements Fund Fire Department Account to the Fire Millage Fund.

ROLL CALL:

AYES: Maki, Stanaway, White, Carlson, Greenberg, Walker.

NAYS: None

MOTION CARRIED.

Carlson moved White seconded to accept the Treasurer's report.

AYES: 6

NAYS: 0

MOTION CARRIED.

PRESENTATIONS.

RECOGNITION OF OFFICER TONY CARRICK AS MARQUETTE COUNTY LAW ENFORCEMENT OFFICER OF 2012.

Supervisor Walker presented Officer Tony Carrick with a plaque for Marquette County Officer of the Year. Tony is the 4th officer from Chocolay Township to receive this award since 1995. This reflects well on Chocolay Township Police Department. Tony graduated from Lake Superior State University with a bachelor's degree in Criminal Justice. Tony has been with Chocolay Township for 5 years and prior to that worked for the KBIC Tribal Council. Tony has attended and completed the homeland security rural SAR line officer training drug interdiction workshop. He also received a lifesaving medal for his role in rescuing a woman who was trapped in her car that was submerged in water. Tony just completed a drug recognition expert training in Arizona. He was recognized by MADD for his enforcement record; he had the highest number of drunken/impaired driving arrests in Marquette County.

CERTIFICATE OF APPRECIATION TO SHERRI SHAW FOR ELECTION SERVICE.

Sherri was an election worker for Chocolay Township for 25 years. We appreciate her dedicated service over a long period of time.

PETER WHITE PUBLIC LIBRARY SERVICES.

Pam Christenson, Director of the Peter White Public Library stated that Chocolay Township has 2740 residents with library cards. Township residents checked out 50,000 items in the past year. She also presented Peter White Library on line services.

- Mango – is a foreign language program including 70 languages.
- Zinio – is a digital magazine service; there are over 140 magazines available.
- Overdrive - e-books and audio books.
- Michigan e-library – access to material from most libraries in Michigan.
- Peter White offers one on one computer classes.

PROPOSED DISC GOLF COURSE EXPANSION

Tim Kopacz, representing the Upper Peninsula Disc Golf Association (UPDGA), gave a presentation on the expansion of disc golf opportunity in the Township. The UPDGA focuses on expanding recreation opportunities for residents within the entire Upper Peninsula. The "Disc the U.P." organization runs leagues, hosts tournaments and events, and works with schools to give clinics and demonstrations. This group focuses mainly on Marquette. The group wants to expand the Silver Creek course from 9 holes, which is equally split between Silver Creek Church and Chocolay Township property to 18 holes.

Chocolay Township staff reinforced that this is positive for the Township. It is a silent, passive, inexpensive recreation activity for all ages.

Trustee Maki would like to hold a public hearing on a land use agreement with the disc golf group.

Greenberg moved Carlson seconded to instruct staff to set up a land use agreement with the Disc Golf Group and schedule a Public Hearing for the April Board meeting.

AYES: 6

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

- You have all received a report put together by our current Planner Kelly Woodward, showing a number of areas where the information both in print form and on the web site detailing the zoning ordinance do not match the official proceedings. The discrepancies appear to have occurred in 2008/2009. I have instructed Kelly to bring everything in our public zoning document into conformance with what actually is supported in our records. I do not believe that any of this requires Board action although it may require Planning Commission action if they want to reopen any of the proposed amendments.

Trustee Maki requested that all Board members receive a copy of the accurate zoning ordinance as a starting point.

- Manager Lawry updated the Board on the fire hall construction. The trees were removed on Saturday and the construction company has brought equipment on site. We are still waiting for the contractor to supply a schedule of values. They plan to start excavation by April 1st. They will take the North bay off the fire station soon. We have already lost the parking lot lighting and we may need to use auxiliary lighting.

Trustee Maki asked about a zoning compliance permit and a site plan review.

PROPOSED TEXT AMENDMENT #34-12-01 TO ZONING ORDINANCE CHAPTER XVIII SIGNS AND FENCES – SECOND READING.

Trustee Maki had one change to the ordinance - changing the allowable square footage for signs in residential areas. He feels that there are a number of issues with this amendment, but the area that he would like to change is residential signage. There are 2 different size requirements for residential areas and this is too complicated. He would like one uniform size to be allowed in residential areas. Board members clarified that this will not affect signs that currently exist.

Maki moved White seconded to amend residential signage size requirement to ***allow a maximum of 8 square feet for residential signs throughout the Township.***

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson.

NAYS: Greenberg, Walker.

MOTION CARRIED.

Carlson moved White seconded to concur with the Planning Commission recommendation and approve the second reading of the Sign Amendment Case Number 34-12-01 (with formal amendment adoption number to be assigned at publication), as changed ***to allow a maximum of 8 square feet for residential signs throughout the Township*** and to file the amendment with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance book within one week after publication.

AYES: 5

NAYS: 1 (Maki)

MOTION CARRIED.

PROPOSED TEXT AMENDMENT #34-13-01 TO ZONING ORDINANCE SECTION 16.2 CONDITIONAL USE STANDARDS – FIRST READING.

Greenberg moved Stanaway seconded to approve the first reading of the proposed text amendment #34-13-01 Conditional Use Standards as changed (with one change in 16.2 standard 9. Change second sentence to read ***Failure of continued compliance may result in Planning Commission review and revocation of the Conditional Use Permit***) and to schedule a second reading for the April Board meeting.

AYES: 6

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF RECOMMENDATION OF THE PERSONNEL COMMITTEE REGARDING POLICY FOR DONATED LEAVE TIME.

Trustee Stanaway requested to abstain due to possible conflict of interest.

Maki moved Greenberg seconded to adopt section ***12.16 Donated Leave Time*** to the Personnel Policy and Procedures Manual as recommended by the Personnel Committee.

AYES: 5

NAYS: 0

ABSTAIN: 1

MOTION CARRIED.

APPROVAL OF FIRE HALL CONSTRUCTION LOAN DOCUMENTS.

Greenberg moved Maki seconded that

BE IT RESOLVED: The Charter Township of Chocolay intends the construction of a new Fire Hall serving the health, safety and welfare of its residents. The electors of the Township have approved the levy of a millage for construction. The Township further intends, and has authorized, "self financing" of the construction project as the most effective and efficient means to fulfill its purpose in the best interest of its residents. In pursuance of the same, and in order to commence such construction as soon as practicable and before the authorized millage is available, the Township shall maintain the construction cost current by borrowing 1.5 million dollars over five (5) years from three budgetary accounts maintained by the Township, being the General Fund reserve (\$600,000), the Sewer Fund reserve (\$600,000), and the Capital

Improvement Fund reserve (\$300,000). The monies borrowed shall be deposited into the Township Fire Millage Fund for payment of construction billings as these become due.

Repayment of sums borrowed from the accounts and reserves stated, shall be reimbursed by the authorized millage levy from the Fire Millage Fund. Payment shall be made once annually in an amount not less than \$300,000. The Township Board retains authority to exercise discretion by motion as to whether all funds should be repaid simultaneously, that is, \$100,000 each per year, or whether a fund with other needs should be given priority for repayment in any given year. Transfer of the millage receipts for repayment of borrowed sums shall be due June 1st of each year beginning June 1, 2014. Funding as a result of loans from budgetary accounts against the authorized millage will be reconciled on an annual basis. Repayment of the budget accounts from which monies were loaned and expended shall include principal (being the amount borrowed) plus interest in the amount of one-half percent (1/2%) per annum on the unpaid balance.

An Attorney Opinion shall be obtained to verify that the Township is a municipal corporation which qualifies for tax exempt status.

In order to cover any contingency or urgency involving the availability of funding, the Township shall proceed to obtain from a local bank a Letter of Credit (\$500,000) from which cash may be drawn should the need arise either as a consequence of a budget shortage or the result of needed cash to fulfill continuing, timely and current payment for construction of the Fire Hall. The Letter of Credit may be drawn upon only following a determination of need by the Township Board.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Walker

NAYS: None

MOTION CARRIED.

RECONSIDERATION OF BERGDAHL LEASE ON BEAVER GROVE RECREATION AREA PROPERTY.

Greenberg moved Stanaway seconded that the Board wait until the Planning Commission has an opportunity to evaluate the need for this parcel in relation to an updated Recreation Plan, with regard to the rapidly growing efforts aimed at promoting local food production and exchange, and in the long term provision of Township services before acting on the current lease. It is further recommended that the existing lease be allowed to run its course and expire next year. This recommendation requires no formal action by the Board at this time.

AYES: 6

NAYS: 0

MOTION CARRIED.

CITY OF MARQUETTE REQUEST FOR LETTER OF SUPPORT FOR MICHIGAN NATURAL RESOURCES TRUST FUND GRANT FOR RESTROOM CONSTRUCTION.

Carlson moved Stanaway seconded that the Board approve a letter of support for the Construction of permanent restroom facilities at the three City parks which serve a regional population.

AYES: 6

NAYS: 0

MOTION CARRIED.

CITY OF MARQUETTE REQUEST FOR LETTER OF SUPPORT FOR MICHIGAN LAND AND WATER CONSERVATION FUND GRANT FOR PATHWAY CONSTRUCTION.

Maki moved White seconded to provide a letter of support for the construction of a paved non-motorized pathway connecting the west end of the existing trail on Hawley Street with the trail leading out the north side of Tourist Park and the paved shoulder paths along CR 550 and North Country Trail in the area of the Dead River Bridge.

AYES: 6

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF RESOLUTION OF SUPPORT FOR A "NEXT MICHIGAN DEVELOPMENT DISTRICT" IN THE CENTRAL UPPER PENINSULA.

White moved Carlson seconded to provide a resolution of support for a "Next Michigan Development" in the central Upper Peninsula.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Walker

NAYS: None

MOTION CARRIED.

FIRE HALL CONSTRUCTION.

Manager Lawry updated the Board on the fire hall construction process. Parking will be an issue during the construction months of April through November. I would request Board authorization to allow several employees to take Township vehicles home during that time frame and drive that vehicle to work instead of their personal vehicle to conserve on parking. Brad Johnson will take the DPW pick-up truck and Mary Sanders or Pat Beck would take the Township sedan. Lee Gould, Assistant Fire Chief would park the Fire

department equipment trailer on his property. We may have to create temporary lighting in the parking lot. We may have to suspend the cardboard recycling container for a couple of months. We will try to discourage walk in traffic during construction. We may have an August election and the Clerk may be able to combine both precincts at the Prince of Peace Church. We will advertise on the website, Facebook and the township sign to keep the public advised. How does the Board want change orders handled?

Maki moved Greenberg seconded that the Supervisor and/ or Manager are allowed to approve change orders under \$5,000.00 without Board approval. The Board will be notified of all change orders.

AYES: 6 NAYS: 0 ABSTAIN: 1 (Walker) MOTION CARRIED.

Treasurer Greenberg suggested adding an insert with the summer tax bills encouraging mailing payments due to the Fire hall construction.

BUDGETING FOR ASSESSOR SUMMER WORKER.

Trustee Maki suggested that since we have only 11% of the Township to update in the 5 year cycle, maybe we do not need to hire a summer assessing person this year.

Supervisor Walker feels that since the 5 year cycle is almost complete, it would behoove us to shorten the cycle to every 3-4 years to keep the records in good order. The areas left for assessment this year are very remote and they may take more time than planned. Also we may want to send two people out to the more remote areas for safety reasons.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, February 4th, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, Draft of February 20th, 2013.
- C. Minutes – Marquette Area Wastewater Treatment Authority, January 17th, 2013.
- D. Report from Police Chief on Michigan Association of Chiefs of Police Conference February 6-8, 2013.

Supervisor Walker adjourned the meeting at 9:35 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

FY2012 AUDIT PRESENTATION.

Mike Greutz, Anderson Tackman and Company presented the FY2012 draft audit. He noted that they presented an unmodified opinion. He presented a five year analysis of statement of assets, statement of activities, revenues, expenditures and fund equity. The Township has remained fairly consistent over the past five years other than in 2010 and that included the bridge on M-28 and the tunnel on U S 41 South. Auditors recommend that Fund Balance should be able to cover three to six months of expenditures. Chocolate could cover nine months of expenditures in Fund Balance. That is considered healthy; but not too high of a Fund Balance. The Sewer Fund had a loss of \$41,000.00 in 2012 which was due to the double bond payment on the Wastewater Treatment Plant. They did not find any deficiencies while working on the FY2012 audit.

Trustee Maki had a question on a pension statement on page 33 of the audit.

Our three year audit cycle is up and Treasurer Greenberg suggested that Anderson Tackman and Company present a proposal for a three year extension to be presented to the Board for the May meeting.

Supervisor Walker suggested that the Board wait to entertain a motion on the FY2012 audit at the May meeting; when the final audit will be available.

SUPERVISOR'S REPORT.

Fire hall construction update – Work that has been completed is the clearing of trees, demolition of the north bay and the picnic pavilion, removal of site lighting and associated poles, construction of temporary electric service, we have secured the County soil erosion control permit, the topsoil has been stripped, leveling of the building site has occurred, 50% of the footings have been poured, 30% of the of the foundation walls have been poured and soil density tests and concrete strength tests are being performed. We had some difficulty when underground water lines supplying the hose tap near the pavilion were not configured as shown on township plans and we could not find the shut off valve. We found an alternate location but it did cause a leak under the existing fire hall and we shut the line off and have provided a temporary feed of water to the fire hall. We have processed the first payment to the contractor. We decided to remove the full generator package from the bid award; we have requested costs for a change order to install the switch gear, fuel lines, conduit and mounting pad to make the space available for a generator at the time we decide to put one in. A final design change was made to move the tanker filling pump from a room in the station to a mounting inside the cistern and credits are being pursued to combine the pump room with the adjacent SCBA compressor and use extra space for storage.

PROPOSED TEXT AMENDMENT #34-13-01 TO ZONING ORDINANCE SECTION 16.2 CONDITIONAL USE STANDARDS – SECOND READING.

Lee Blondeau, 1002 Tracy Lane made comments at the Planning Commission about his concerns on whether there would be requirements retroactive on conditional uses that have presently been approved. After reading the memo from the Planning Director, Mr. Blondeau is concerned that the Township can go back to a previously approved conditional use permit and add new requirements.

Supervisor Walker stated that his memory from the Planning Commission's purpose was that it not require any retroactive change in the conditional use and that he believes that would be the way the ordinance would be interpreted.

Treasurer Greenberg moved White seconded to provide a change to clarify the intent by changing 16.2 Basis of determination and general standards to: (change 9. To 9. An 10. and 10 becomes 11.)

9. The conditional use shall be shown by the applicant to be compliant with all other applicable federal, state or local statutes regulations and ordinances.

10. Failure of continued compliance with those federal, state or local statutes, regulations and ordinances as they existed at the time the conditional use was issued may result in Planning Commission review and revocation of the Conditional Use Permit.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Engle seconded to approve the second reading of Zoning Ordinance Amendment Case #34-13-01, revision of Section 16.2 Basis of Determination and General Standards of Article 16 Conditional Use Permits, **as changed**, with these noted findings of fact, to file the amendment with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of

adoption, and record the amendment in the Township Zoning Ordinance book within one week after publication.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF LAND USE AGREEMENT AND FUNDING FOR DISC GOLF COURSE EXPANSION AT SILVER CREEK RECREATION AREA.

Treasurer Greenberg had questions on the proposed Land Use Agreement for the Disc Golf Course extinguishing the previous agreement.

Trustee Maki questioned the funding for the expansion. He also asked if the baskets could be put in, in such a way to make them removable. The reply from the Disc Golf personnel was yes, they are removable. The Board will want to know the activity level once the expansion is in place.

White moved Stanaway seconded to authorize the Supervisor to execute the attached Land Use Agreement with Disc Golf for use of the Silver Creek Recreation Area for an expanded 18 hole disc golf course.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Treasurer Greenberg suggested that the Township purchase the baskets as our monetary support for the disc golf course.

Trustee White does not want to commit any money to this project until we know how much money is available in Recreation and Properties in the Capital Improvement Fund.

Treasurer Greenberg explained that we can not donate money to the disc golf course. We have to make a purchase for the disc golf course or contract for services.

Mike Grentz stated that the Township could buy the baskets from the Disc Golf group.

Treasurer Greenberg asked the Board if they would commit today whether they are or are not in favor of allocating money for the disc golf course if the funds are available. The majority of the Board was in favor of this. We will have the financial information for the Board at the May meeting.

AUTHORIZE A CONTRACT WITH LAKESHORE ENVIRONMENTAL FOR ABATEMENT OF ASBESTOS IN THE CURRENT FIRE STATION.

Carlson moved Stanaway seconded that the Chocoday Township Board approves the expenditure of \$849.00 to Lake Shore Environmental Industries INC. for the removal and disposal of the sheeting containing asbestos from the current fire station.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE LEIN ACCESS SOFTWARE FOR THE POLICE DEPARTMENT USING CAPITAL IMPROVEMENT FUND AND GENERAL FUND DOLLARS.

Greenberg moved Carlson seconded to approve the purchase of Core Talon software from Core Technologies for \$6,550. This will be paid from the Capital Improvement Fund-Electronics from the KBIC 2012 Contribution, Account #401.305.957 for the amount of \$4500 and General Fund-Contractual Services 305.800 for the amount \$2,050.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION OF PAYROLL DEDUCTION PLAN FOR AFLAC INSURANCE PROGRAM.

Maki moved Stanaway seconded that the Board authorize payroll deduction for payment of AFLAC insurance policies of qualifying employees with the understanding that the Township does not contribute financially toward the cost of any premiums.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road – Commented on the Planning Commission minutes and feels that the Planning Commission is doing a good job.

Dale Throenle – Commented that the hold up on the Recreation Plan is not the Planning Commission, they are waiting for information from him.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, March 4th, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, March 20th, 2013 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, February 21st, 2013.

Supervisor Walker adjourned the meeting at 8:30 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

SUPERVISOR'S REPORT.

- Update on the fire hall construction prepared by the manager is in the agenda packet.
- Tax Appeal was discussed above.
- Donating to 501(c) 3 is not allowed, we can purchase goods and services from any vendor including a charitable organization.

Trustee Maki asked when the appraisals will be complete. Tina Fuller, Assessor answered that they are currently being worked on and we do not have a date for completion.

RECONSIDERATION OF LAND USE AGREEMENT FOR DISC GOLF COURSE EXPANSION AT SILVER CREEK RECREATION AREA.

Greenberg moved Stanaway seconded to rescind the April 15, 2013 approval of an agreement with Disc da UP and authorize the Supervisor to execute the attached Land Use Agreement with the U.P. Disc Golf Association for use of the Silver Creek Recreation Area for an expanded 18 hole disc golf course. With one change to the last sentence in 6. Terms - The equipment owned by the U. P. Disc Golf Association shall remain property of the U. P. Disc Golf Association.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

RECONSIDERATION OF FUNDING FOR DISC GOLF COURSE EXPANSION.

Carlson moved Engle seconded to authorize the expenditure of up to \$7,645.23 from account 401.756.957 for the purchase of 19 disc golf baskets and associated installation hardware for installation at the Silver Creek recreation area course and authorize the use of Public Works Department labor and equipment to chip brush and dispose of other wastes removed from the course areas.

Trustee Maki had concerns about the tree cutting/trimming management. He also observed people throwing the discs and thought it was quite loud. Did we notify people within 300 feet of the public hearing on the project? Kelly Woodward, Planner indicated that we did notify the residents within 300 feet and the disc golf people will work with Brad Johnson from our D.P.W on any tree removal.

Trustee White asked what the Board would do with 19 baskets that we are purchasing if this venture failed. The disc golf group responded that they would be interested in purchasing them from us for other courses.

Trustee Maki questioned what recreation project would not get done if we spend \$7,000.00 on baskets for disc golf.

ROLL CALL.

AYES: Stanaway, Carlson, Greenberg, Engle, Walker.

NAYS: Maki, White.

MOTION CARRIED.

DISTRIBUTION OF MATERIALS FOR TOWNSHIP MANAGER PERFORMANCE EVALUATION.

The Board discussed having questions dealing more specifically management skills on the evaluation form. Manager Lawry will provide more sample evaluation forms to the Board. Supervisor Walker requested that the Board make suggested changes in the evaluation form prior to the next Board meeting. The new evaluation form will be available to the Board for the June meeting.

ALLOCATION OF JULY 4TH CELEBRATION FUNDING.

Supervisor Walker stated that the budget allocated \$1,000.00 for the 4th of July celebration. Now we have a separate donation request for the 4th of July parade celebration.

Greenberg moved Engle seconded to continue to allocate the full \$1,000.00 to the 4th of July fireworks portion of the celebration.

AYES: 7

NAYS: 0

MOTION CARRIED.

RECONSIDERATION OF FUNDING FOR RECREATION AUTHORITY PLAN.

Don Britton, recreation authority representative indicated that the City of Marquette will still put in \$12,500.00 and the DNR will put in 25% of the City portion. If both Chocolay and Marquette Township put

in \$1,000.00 each we will be close enough to the \$18,000.00 needed to be able to proceed with plans to hire a consultant to assist with the business plan.

2013 GENERAL FUND BUDGET AMENDMENT #3 REGIONAL RECREATION AUTHORITY STUDY GROUP FOR PROFESSIONAL CONSULTANT ASSISTANCE.

Maki moved Greenberg seconded to authorize the expenditure of \$1,000 by the Regional Recreation Authority Study Group for professional consultant assistance in the development of an authority business plan with the funds to come from the Professional Services Account of the Recreation and Properties Department. Further to modify the 2013 General Fund Budget, whereas the budget adopted by the Chocolay Township Board on November 19, 2012 to govern General Fund expenditures for the 2013 fiscal year did not anticipate the need for this expenditure, and whereas expenditures cannot be made directly from the contingency account, now therefore be it resolved that the aforesaid budget be modified as follows to transfer contingency funds to the Professional Services Account:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
Other Gen. Gov't. Dept. Contingency Account 101.285.951	\$22,475.00	-\$1,000.00	\$21,475.00
Recreation & Properties Professional Services 101.756.801	\$ 200.00	+\$1,000.00	\$ 1,200.00

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE POLICE PATROL VEHICLE WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Carlson moved Stanaway seconded to approve the purchase of a 2013 patrol car for the Police Department. Cost of the vehicle will not exceed \$29,200. Cost for transfer of equipment, graphics and pick-up costs for the new vehicle will not exceed \$2,800 for a total amount not to exceed \$32,000. This will be paid from the 2013 Capital Improvement Fund, Account 401.305.957.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

APPROVAL OF REVISIONS TO FIRE DEPARTMENT BYLAWS AND STANDARD OPERATING GUIDELINES.

Greenberg moved Carlson seconded to approve recommendation of the Volunteer Fire Rescue Department for the changes to their constitution and bylaws and standard operating guidelines as presented to the Board.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF PROPOSED CHANGE IN FIRE DEPARTMENT PAY STRUCTURE.

White moved Greenberg seconded to approve the change in compensation to \$15.00 per two hour call out, \$15.00 per hour for additional hours and \$15.00 per meeting for all Chocolay Township Volunteer Fire and Rescue personnel effective with the second quarter of 2013.

AYES: 7

NAYS: 0

MOTION CARRIED.

2013 GENERAL FUND BUDGET AMENDMENT #1 TO REFLECT RECEIPT OF MICHIGAN MUNICIPAL RISK MANAGEMENT ASSOCIATION RISK AVOIDANCE GRANT FOR POLICE TASER REPLACEMENT.

Greenberg moved White seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on November 19, 2012 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 Equipment Maintenance	\$10,540.00	+\$ 400.00	\$10,940.00

101.305.778

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous	\$15,000.00	+\$ 400.00	\$15,400.00

101.698

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

2013 GENERAL FUND BUDGET AMENDMENT #2 TO REFLECT RECEIPT OF MICHIGAN MUNICIPAL RISK MANAGEMENT ASSOCIATION RISK AVOIDANCE GRANT FOR POLICE VIDEO MIC REPLACEMENT.

Stanaway moved Carlson seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on November 19, 2012 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			
Equipment Maintenance	\$10,940.00	+\$ 375.00	\$11,315.00

101.305.778

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous	\$15,400.00	+\$ 375.00	\$15,775.00

101.698

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

PROPOSED TEXT AMENDMENT #ZA0002-13 TO ZONING ORDINANCE SECTIONS 2 DEFINITIONS, 8.1 OFF STREET PARKING REQUIREMENTS, 9.1 SITE PLAN REVIEW PROCEDURES, AND 11.12 OUTSIDE LIGHTING TO INCORPORATE DARK SKY STANDARDS – FIRST READING.

Carlson moved White seconded to approve the first reading of the proposed text amendment case #ZA0002-13 Outside Lighting as written and to schedule a second reading for the June Board meeting.

AYES: 7

NAYS: 0

MOTION CARRIED.

PROPOSED TEXT AMENDMENT ZA0001-13 TO ZONING ORDINANCE SECTION 1.6 ADMINISTRATIVE STANDARDS AND PROCEDURES TO INCREASE THE NOTIFICATION DISTANCE IN SECTION B.6.A. FROM 300 FEET TO 500 FEET. – FIRST READING.

Trustee Maki requested that a change be made to add that a sign posting of the notification of the public hearing be placed on the property.

The Board discussed whether this is a substantial enough change to require another public hearing? The Board will send this back to the Planning Commission to explore adding posting of a sign by the Township as an additional requirement.

Maki moved Greenberg seconded to send text amendment ZA 0001-13 back to the Planning Commission to explore adding the requirement that posting of a sign on the subject property by the Township as additional notice of the public hearing. The Planning Commission should also consider size of the sign and length of time it should be posted.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION ON ORV CONNECTOR ROUTE.

Greenberg moved White seconded to accept the Planning Commission recommendation to take no action on the T.E.A.M proposal and to maintain Chocolay Township’s exemption from the County ORV ordinance that authorizes ORV access on County Roads.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Stanaway requested that the minutes show that he does believe an ORV route should be explored in the Township, he just did not agree with the route proposed by Trail Riders Enthusiast Alliance.

CONSIDERATION OF REQUEST TO WAIVE FIELD RENTAL FEES FOR CHOCOLAY LIONS CLUB TOURNAMENT.

Maki moved, White seconded to waive the \$75.00 ball field fee for the annual Lions Club soft ball tournament held July 19, 20, and 21, 2013 since this tournament is a fund raiser for bleachers for the Township recreation fields.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF TAX APPEAL CONTRIBUTION REFUNDS.

Greenberg moved Engle seconded that the Township refund 25% of each entity's contribution to the tax appeal effort, \$250 to Marquette County and \$125 to Marquette Area Public Schools, together with a note thanking each for their willingness to assist when asked. This is to be paid from Township Board Professional Services 101.103.801.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Pete LaRue thanked the Board for waiving the Lions Club tournament fee. The younger members of the Lions Club want to do this fund raiser for bleachers for the Township recreation area.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

1. Minutes – Township Planning Commission, April 1st, 2013.
2. Minutes – Marquette County Solid Waste Management Authority, April 17th, 2013 Regular Meeting and April 17, 2013 Annual Stockholder's Meeting Drafts.
3. Minutes – Marquette Area Wastewater Treatment Authority, March 21st, 2013.
4. Communication – Request from Mr. Dan Hakala, 101 Alderbrook Drive, for paving a Portion of South Big Creek Road (with Manager's Reply).
5. Communication – Comments from Thomas & Nancy Russo and Michael & Amanda Harl on use of Mangum Road as an ORV Connector Route.
6. Communication – Marquette 4th of July Parade Committee.
7. Communication – Iron Ore Heritage Recreation Authority 2013 First Quarter Report.
8. Communication – Alger Delta Cooperative Electric Association Notice of Opportunity to Comment on Renewable Energy Plan.

Trustee Carlson questioned the repair of erosion on U S 41 South. Manager Lawry stated that is under warranty he would expect that MDOT will be in contact with Bacco to have it repaired

Supervisor Walker adjourned the meeting at 8:20 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

June 17, 2013

A Regular meeting of the Chocolay Township Board was held on Monday, June 17, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Mark Maki, Bernie Stanaway, Judy White.

ABSENT: Susan Carlson, Max Engle.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Woodward, Greg Zyburt, Tina Fuller.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved Stanaway seconded to accept the agenda with two additions – reappointment of Michelle Wietek-Stephens to the Zoning Board of Appeals and discussion on advertising for Board of Review for July and December meetings.

AYES: 5

NAYS: 0

MOTION CARRIED.

MINUTES – May 20, 2013.

Maki moved White seconded to approve the minutes of May 20, 2013.

AYES: 5

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Maki moved Stanaway seconded that bills totaling \$39,122.22 including checks numbered 18629 to 18646 and bills totaling \$333,261.39 including checks numbered 18647 to 18672 are approved for payment.

Trustee White had a question on the amount of the SBAM health insurance bill. Deputy Clerk Sanders replied that it was a catch up bill adding a new employee.

AYES: 5

NAYS: 0

MOTION CARRIED.

PAYROLL.

White moved Greenberg seconded that the payroll for May 23, 2013 for \$34,451.65, including checks 9851-9857 and 20644-20675 and ACH payments for Federal tax, State tax and MERS retirement and June 6, 2013 for \$31,470.07 including checks 9858-9863 and 20676-20694 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 5

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

White moved Stanaway seconded to accept the May 2013 financial report.

Trustee White questioned the source of the franchise fees under revenues. Manager Lawry indicated that it is a quarterly payment from Charter Communications.

AYES: 5

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

White moved Stanaway seconded to accept the Treasurer's report.

AYES: 5

NAYS: 0

MOTION CARRIED.

PRESENTATIONS -TOWNSHIP ROLE IN LOCAL FOOD PRODUCTION EFFORT.

Woodward gave an introduction to the proposed farm incubator project, including the intent and benefits of the project, how it supports local food systems, and potential partnerships. This farm incubator would serve as a working farm, outdoor classroom, and entrepreneurial experience for multiple farmers who would lease plots. It is meant as a bridge between farm internships and farm ownership, providing a realistic experiment in costs/revenues for the participants, while supporting them with land, shared equipment, education, marketing, and business planning. It would promote sustainable use and

stewardship of the land and engage the community in local food systems. The Township would provide the land, and there would be a leadership team and mentoring/education network focused on supporting the farmers. Woodward noted supporting statements and activities from Matt Gougeon and Natasha Lantz from the Marquette Food Co-op. Gougeon said this project is a tremendous opportunity to help educate new farmers and increase the supply of locally-grown food to meet the increasing demand. Lantz said the Co-op can provide technical assistance and processing facilities to support the project and will help pull the project together. Others have come forward to help such as the AgBioResearch Center in Chatham, MSU Extension, local farmers, educators, and citizens. Valuable feedback was gained from the first visioning meeting, and Woodward hopes to have a complete proposal for the Board by the fall so that the project can be implemented in the spring. The proposal will address the mission, organizational structure, potential funding sources, capital needs, the value proposition, site plan, and related projects.

Trustee Maki felt that the Farm Incubator Project would be a change in zoning intensity and would require approval from the Zoning Board of Appeals. Trustee Maki had a question about the Bergdahl lease and why we are not going to continue with it.

Manager Lawry stated that the lease ends in 2014 and the Board voted not to renew the lease. We did contact Mr. Bergdahl and asked what the time frame for a lease would have to be for him to plant and harvest hay on the 14 acres and break even. Mr. Bergdahl stated a 10 year lease would be necessary at no revenue to the Township.

APPOINTMENTS/RESIGNATIONS.

The Board accepted the resignation letter from Gary Heinzelman from the Township Planning Commission. Gary no longer resides in Chocolay Township.

Walker moved Maki seconded to appoint Bruce Ventura to fill the vacancy of Gary Heinzelman on the Planning Commission, with an expiration date of May 24, 2014.

Trustee Maki asked Mr. Ventura what his greatest accomplishment and greatest challenge were on the Marquette City Planning Commission. Mr. Ventura stated that the best was working on the progressive form based code for the Waterfront and South Marquette zoning. The most difficult are plans altered by developers after the Planning Commission review and must be dealt with after the building has commenced.

Trustee White asked Mr. Ventura about a statement in his application that he supports reasonable recreation. Mr. Ventura replied that he is supportive of new ideas for recreation, but has no particular agenda for recreation.

AYES: 5

NAYS: 0

MOTION CARRIED.

Stanaway moved White seconded to re-appoint Michelle Wietek-Stephens as a regular member of the Zoning Board of Appeals for a term ending May 9, 2016.

AYES: 5

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

1. Update on fire hall construction presented in the Board packet.
2. MDOT will be upgrading the bike path on U S 41 South from Terrace to M-28. The Manager and Planner will be meeting with the businesses affected by the bike path project.

ACCEPTANCE OF 2012 FINAL AUDIT REPORT.

Mike Greutz, Anderson Tackman and Company, PLC presented the 2012 final audit to the Board. He indicated that the basic numbers presented in April are the same; the changes are retitling of deferred revenues and net assets due to the GASB changes. On page 61 the note on significant deficiencies is related to preparation of financial statements and footnotes. The Township will receive a letter from the State and the suggestion from Anderson, Tackman is to respond that we do not intend to change. The major affect that GASB will have in 2014 is that all pension plans will be using entry age methodology and a one year smoothing instead of a 10 year smoothing for valuation results. This will create a situation that market fluctuations will directly affect pension plan valuations.

Supervisor Walker indicated that even though the Township is 2% overfunded in the pension plan in 2012, we should continue at the present funding level.

Maki moved White seconded to accept the FY2012 audit as presented.

AYES: 5

NAYS: 0

MOTION CARRIED.

AUDIT FIRM SELECTION FOR 2013 – 2015.

Greenberg moved Stanaway seconded to execute a new contract for audit services with Anderson Tackman & Company, PLC for annual audits of the 2013-2015 Township records in accordance with the attached proposal from that firm.

AYES: 5

NAYS: 0

MOTION CARRIED.

DISTRIBUTION OF MATERIALS FOR TOWNSHIP MANAGER PERFORMANCE EVALUATION.

The Board discussed the type of evaluation form and who should complete the evaluation for the Township Manager. Supervisor Walker suggested that the Personnel Committee interview staff and present a recommendation to the Township Board. Trustee Stanaway thought that employees should be able to make an anonymous response.

White moved Maki seconded to accept the Manager performance/evaluation form presented in the packet, and instead of using a numbering system use a plus (+) or minus (-) or N/A next to each category question. The evaluations should be completed by each Board member and turned into Dale Throenle prior to July 5, 2013.

AYES: 5

NAYS: 0

MOTION CARRIED.

PROPOSED TEXT AMENDMENT CASE #ZA0001-13 TO ZONING ORDINANCE SECTION 1.6 ADMINISTRATIVE STANDARDS AND PROCEDURES TO INCREASE THE NOTIFICATION DISTANCE IN SECTION B.6.A. FROM 300 FEET TO 500 FEET AND REQUIRE ON-SITE POSTING OF PUBLIC HEARING NOTICE. – FIRST READING (CONTINUED).

White moved, and Stanaway seconded to approve the first reading of the proposed text amendment case #ZA0001-13 Public Hearing Notification distance as written and to schedule a second reading for the July Board meeting.

Trustee Maki asked if the Planning Director had made a recommendation on the additional posting of a sign on the property.

Trustee Stanaway responded that no recommendation was given by the Planning Director, but she did supply optional actions that the Planning Commission could take. The Planning Commission decided that posting a property sign was not necessary for public hearings.

Trustee Maki stated that the Planning Director should have included a recommendation.

Supervisor Walker stated that the Planning Commission was acting on a direct request from the Board and that a recommendation from the Planning Director was not necessary.

Trustee Maki asked for the Planning Director's personal opinion on this matter. Planning Director Woodward stated that she struggled to understand why a sign was needed in addition to a newspaper ad, website notification and mailed notices to surrounding residents. Trustee Maki commented that he felt that we should be using display ads instead of a legal ads in the newspaper.

AYES: 4

NAYS: 1 (Maki)

MOTION CARRIED.

PROPOSED TEXT AMENDMENT CASE #ZA0002-13 TO ZONING ORDINANCE SECTION 11.12 OUTSIDE LIGHTING. – SECOND READING.

Greenberg moved, Stanaway seconded to approve the second reading of Zoning Ordinance Amendment Case #ZA0002-13, revision to Sections II Definitions, Section 8.1 off Street Parking and Loading Requirements, Section 9.1 Site Plan Review Application and Review Procedures, and Section 11.12 Outside Lighting as written, with these noted findings of fact:

1. The proposed standards help to preserve the established rural character of the Township;
2. The proposed standards are consistent with "dark sky" policies in that they result in decreased up-lighting or dispersed lighting and preservation of the view of stars and the northern lights as stated in the Master Plan;

3. These standards are designed to positively impact the public health, safety, and welfare by protecting night drivers from the loss of visual ability associated with moving between areas of darkness and bright lights;
4. These standards support the public interest by encouraging energy conservation;
5. The Township Attorney has indicated approval of this proposed amendment;
6. The Marquette County Planning Commission, at their May 1, 2013 meeting, indicated support of this proposed amendment;

and to file the amendment with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance book within one week after publication.

AYES: 5

NAYS: 0

MOTION CARRIED.

ADOPTION OF PRINCIPLES OF GOVERNANCE.

The Principles of Governance as received from the Michigan Township Association were accepted for file.

2013 GENERAL FUND BUDGET AMENDMENT #4 TO REFLECT RECEIPT OF DEPARTMENT OF NATURAL RESOURCES GRANT FOR SNOWMOBILE ENFORCEMENT.

Greenberg moved, White 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 19, 2012 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
Salaries			
101.305.702	\$262,465.00	+\$5,601.00	\$268,066.00
Capital Outlay			
101.305.957	\$ 3,375.00	+\$ 499.00	\$ 3,874.00
REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan			
101.543	\$15,000.00	+\$6,100.00	\$ 21,100.00

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Walker

NAYS: None.

ABSENT: Engle, Carlson.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE REPLACEMENT VIDEO CAMERA FOR POLICE PATROL VEHICLE WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Stanaway moved White seconded to expend \$3,035.00 for the purchase OF a Martel DC3 in car camera from Sharp Communications, Inc. from the Police Capital Improvement Account – Electronics 401.305.957. ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Walker

NAYS: None.

ABSENT: Engle, Carlson.

MOTION CARRIED.

AWARD OF CONTRACT FOR 2013 ROAD RESURFACING.

Stanaway moved Greenberg seconded to award the contract for 2013 street repaving to Bacco Construction of Iron Mountain, Michigan for the estimated total of \$201,727.00 at the unit prices bid. ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Walker

NAYS: None.

ABSENT: Engle, Carlson.

MOTION CARRIED.

Manager Lawry informed the Board that Bacco Construction contacted him and indicated that they could begin the paving immediately. Past practice has been to notify the residents by mail when the paving will take place. The Board indicated that they want to inform the residents before the paving begins.

DISCUSS BOARD OF REVIEW MEETING PUBLIC AWARENESS.

Trustee Maki stated that some communities advertise for the July and December meetings. He would like Chocoday Township to advertise and have the meeting last a set number of hours.

Assessor Fuller stated that the July and December Board of Review meetings are administrative meetings dealing with homestead exemptions, clerical errors and mutual mistakes of fact. The Board of Review members can not hear assessment protests at these meetings. The meetings are not scheduled for a set number of hours because they meet for as long as necessary to handle the administrative issues.

Supervisor Walker told the Township Board that he will talk to the Board of Review members about holding a set number of hours for their July and December administrative meetings. He will talk to them when they meet this July.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, May 6th, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, May 15th, 2013 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, April 18th, 2013.
- D. Minutes – Marquette County Townships Association Meeting, May 22, 2013 Draft.

Supervisor Walker adjourned the meeting at 8:45 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Carlson moved Greenberg seconded to accept the June 2013 financial report.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

We have been gradually reducing our investment balances as we fund our road expenses and the fire hall expenses. There are some signs that interest rates may be increasing in the future.

Stanaway moved Maki seconded to accept the Treasurer's report.

AYES: 7

NAYS: 0

MOTION CARRIED.

PRESENTATIONS –MARQUETTE AREA PUBLIC SCHOOLS OPERATING MILLAGE RENEWAL ELECTION.

Bill Saunders, Marquette Area Public Schools interim Superintendent, presented the request by the Marquette Area Public Schools for operating millage renewal. We are a destination school system, the largest school system in the Upper Peninsula with 3150 students. We have an outstanding staff and 170 students received scholarships this past year. Our fine arts, sports and special needs classes are outstanding, we need the operating millage renewal to continue to fund all of the above. This millage is for non-homestead properties and businesses. This millage provides for 1/3 of the MAPS overall budget.

SUPERVISOR'S REPORT.

1. Fire Station Progress Report – presented in the Board packet. The water tank has been delivered and the hole for it is taking up a large portion of the parking lot; parking is an issue at this point of the construction. We are looking at September 13th for moving from the old fire station to the new fire station.
2. Fire Station Dedication - We need a three person committee to look at the dedication of the fire hall. The Township Manager, Fire Chief and Trustee White will do the honors. Manager Lawry suggested an open house and holding an old equipment sale before the old building has been demolished, so the public can see the old and new hall side by side.

Trustee Maki had a question on the old police driveway and if it will have a curb cut. He also had a question on the additional \$6,000.00 to remove and replace the concrete gutter.

PROPOSED TEXT AMENDMENT CASE #ZA0001-13 TO ZONING ORDINANCE SECTION 1.6 ADMINISTRATIVE STANDARDS AND PROCEDURES TO INCREASE THE NOTIFICATION DISTANCE IN SECTION B.6.A. FROM 300 FEET TO 500 FEET AND REQUIRE ON-SITE POSTING OF PUBLIC HEARING NOTICE. – SECOND READING.

White moved, and Stanaway seconded to approve the second reading of Zoning Ordinance Amendment Case #ZA0001-13, revision to the Administrative Standards and Procedures, Section 1.6 (B) 6.a. Notification distance, as written, with these noted findings of fact:

1. The change promotes transparency in government and public participation in the decision process.
2. The Township Planning Commission recommended approval of the change.
3. The County Planning Commission recommended approval of the change.
4. The Township Attorney indicated approval of this proposed amendment.

And to file the amendment with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance book within one week after publication.

AYES: 7

NAYS: 0

MOTION CARRIED.

TOWNSHIP MANAGER PERFORMANCE EVALUATION.

A summary of the Township Manager evaluation was presented to the Board. Supervisor Walker noted that the average of the ranking was in the 90 percentile range. The Board put off the evaluation and the pay step increase for six months until the three new Board member had a period to work with the manager.

Trustee Maki asked if there were annual employee evaluations and do we have regular staff meetings? He also commented that he feels that the Manager provides ample education opportunity for staff. Trustee Maki wanted to know when the Master Plan and Recreation Plan will be updated. Also commented on the number of parcels that are being updated each year.

Treasurer Greenberg suggested that the Manager step increase come back to the Board at the August meeting with information on past increases and dates of increases for the Manager.

2013 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #1 TO REFLECT RECEIPT OF KBIC 2% GAMING FUNDS.

Maki moved Greenberg 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 19th, 2012 for fiscal year 2013, 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
KBIC 2% Gaming Money 401.000.582	\$ 0.00	+\$ 51,135.40	\$ 51,135.40
401.305.957	\$ 94,883.75	+\$ 13,735.40	\$108,619.15
401.756.957	\$106,052.63	+\$ 15,100.00	\$121,152.63
401.340.957	\$696,324.12	+\$ 22,300.00	\$718,624.12

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AWARD OF CONTRACT FOR 2013 LION'S FIELD PAD PAVING.

Carlson moved White seconded that the Chocolay Township Board approves the expenditure of \$19,500 to Smith Construction for the paving of the Lions Field hockey pad. This will be purchased from the Recreation and Properties Capital Improvement Fund 401.756.957.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE FIRE STATION EQUIPMENT.

Engle moved Stanaway seconded that the Chocolay Township Board approves expenditures for a siren from West Shore Services for \$10,641.70, a chain fall from Midway Rentals for \$250.00 and a hose/gear dryer from Pomasal Fire Equipment for \$12,195.00 for a total of \$23,086.70 out of the fire station fund 206.340.957.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee Carlson asked why we were not using the old siren. It is software and compatibility issue and moving the siren would be more costly than the purchase of a new one.

CONSIDERATION OF CONTRACT EXTENSION FOR HEALTH INSURANCE COVERAGE.

Greenberg moved White seconded to authorize the Township Supervisor to file the Renewal Date Change Request Form with Blue Cross Blue Shield of Michigan with a requested renewal date of December 1, 2013 for the present plan. This, in effect, provides for an eleven month extension of the current coverage plan and is authorized based upon policy premium increases of not more than 10%, plus taxes, for the renewal period.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF RECYCLING AGREEMENT WITH MARQUETTE COUNTY SOLID WASTE MANAGEMENT AUTHORITY.

Carlson moved, and Engle seconded to authorize the Supervisor and Township Clerk to execute the attached recycling agreement on behalf of Chocolay Township with modifications to Paragraphs #1 and #2, as shown.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF FIELD RESERVATION FEE REFUND REQUEST FROM SSA RED BULLS SOCCER.

Maki moved White seconded to refund the \$25.00 user fee for the soccer field reservation to Mrs. Phillips.

ROLL CALL.

AYES: Maki, White, Carlson, Greenberg, Engle, Walker.

NAYS: Stanaway.

MOTION CARRIED.

DISCUSSION OF WIRELESS COMMUNICATION TOWER PROPOSAL FOR SILVER CREEK RECREATION PROPERTY.

AT&T has approached the Township about the possibility of locating a communications tower on Township property. The Board was asked if they would be interested in pursuing the recreation area on Silver Creek as a potential site. The general response from the Board was even though there is an esthetic dislike of cell towers; it is out weighed by the vast majority of our citizens who enjoy wireless communication of some type. The Board agreed to send this request to the Planning Commission to explore.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, June 3rd, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, June 21st, 2013 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, May 16th, 2013 Draft.
- D. Correspondence – Thank you letter to Doug Gentz, Michigan Sales & Equipment, Inc.

Supervisor Walker adjourned the meeting at 8:30 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF REQUEST FOR SEWER USE CLASSIFICATION CHANGE.

Greenberg moved Engle seconded that the Chocolay Township Board approves that as of July 1, 2013, that the sewer billing for Chocolay River Trading Company, owned by Pam Gilmore account U41S-002220-0000-01 goes from 2.9 equivalent users down to 1.0 equivalent user until the building is reoccupied.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF FIELD RESERVATION FEE REFUND REQUEST FROM JANET KOSKI OF MARQUETTE BASEBALL BOOSTERS.

White moved Maki seconded to refund MAPS baseball booster's \$150.00 user fee.

ROLL CALL.

AYES: Maki, White, Carlson, Greenberg, Engle, Walker.

NAYS: Stanaway.

MOTION CARRIED.

PROGRESS REPORT ON DEVELOPMENT OF NEW MASTER RECREATION PLAN.

Greenberg moved Stanaway seconded to accept the Recreation Plan Update report.

AYES: 7

NAYS: 0

MOTION CARRIED.

The Board discussed the process of distribution of the Planning/Recreation Survey. It will be mailed out to residents of the Township and available to respond to on our website. The Board will be sent a copy of the survey before it is mailed out to our residents.

PROGRESS REPORT ON DEVELOPMENT OF STRATEGIC COMPREHENSIVE PLAN UPDATE.

Engle moved Carlson seconded to accept the Planning Commission Comprehensive Plan update.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF DRAFT 2014 BUDGET AND BUDGET ADOPTION SCHEDULE.

Trustee Carlson is not in favor of the garbage tag increase.

Treasurer Greenberg asked if the survey will address composting and recycling in the Township. Manager Lawry replied that it is not on the survey and we are at a point trying to shorten the survey.

Trustee White presented a list of ideas to lower the 2014 budget including no pay increase or a lower pay increase for employees, employees paying 15 percent of their health insurance, eliminate the payment of incentive training compensating the police for their gym membership, the Board pension should be eliminated. There should be money budgeted for more playground equipment especially at Silver Creek Recreation Area.

Trustee Maki would like to see Board discussion on the fact that we continue to utilize fund balance as a method of balancing the budget. He would also like the Board to discuss the amount spent on legal fees, including legal fees spent on the farm animal and local food growth issues, options on a new attorney when our attorney retires, legal and appraisal expenses for tax tribunal appeals. He would also like to see information on what the Watershed Council has accomplished for the Township.

Supervisor Walker indicated that on top of the 10% increase in health care there is a new 5-6% increase in taxes on health benefits that the employees will share in the expense.

The Board agreed to have a Budget Work Session on Monday September 30, 2013 at 7:00 pm.

Clerk Engle told the Board that we are having problems with our passport camera and a new one would cost \$1,800.00. He feels that we should not replace the camera at that price and the Board agreed. We can still process passports without taking the photos.

PUBLIC COMMENT.

Jim Goodman, 140 Orchard Lane – Questioned the Treasurer on C/D's going towards payments on the Fire Station. Treasurer Greenberg replied that since we had sufficient fund balance in all our funds, we borrowed from the General, Capital and Sewer Funds for payment of Fire Station instead of borrowing from a bank. As the millage is paid over then next five years the loan will be repaid.

Mark Maki, 370 Karen Road – Questioned the validity of a farming petition that was presented to the Chocolay Planning Commission and that he wanted to point out to the Board, that in his mind it did not seem to answer the question on chickens in Chocolay Township.

Supervisor Walker and Trustee Stanaway stated that the Township is receiving many calls and questions on raising chickens in Chocolay. The Planning Commission needs to examine and address the issue.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, July 1st, 2013.
- B. Minutes – Marquette Area Wastewater Treatment Authority, June 20th, 2013.
- C. Minutes – Marquette County Solid Waste Management Authority, June 19th, 2013 and July 17th, 2013 Draft.

Supervisor Walker adjourned the meeting at 8:40 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

September 16, 2013

A Regular meeting of the Chocolay Township Board was held on Monday, September 16, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson.

ABSENT: Bernie Stanaway.

STAFF PRESENT: Steve Lawry, Mary Sanders, Tina Fuller, Greg Zyburt, Kelly Woodward.

MINUTES –August 19, 2013.

Greenberg moved Carlson seconded to approve the minutes of August 19, 2013.

Trustee Maki commented that he wanted added to his comment on page 5 of the August 19, 2013 minutes *that he wanted to point out the petition to the Board, and that in his mind it did not seem to answer the question on chickens in Chocolay Township.*

AYES: 6

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Engle moved Carlson seconded to accept the agenda as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – Asked the Board when they evaluate the budget to be conscious of all costs including staff time spent on projects. Congratulated the Superior Watershed on helping us to stabilize our dunes. Commented on agenda items under the Supervisor report are not available to the public prior to the meeting, recreational authority and considering acquiring the Wahlstrom property for a Community/Senior Center.

James Gallant, Skandia – Commented on Suicide prevention and asked for support of the Marquette County Health Department strategy for suicide prevention. He requested that the Board write a resolution of support.

ACCOUNTS PAYABLE.

Engle moved Carlson seconded that bills totaling \$77,492.70 including checks numbered 18821 to 18859 and bills totaling \$78,333.25 including checks numbered 18860 to 18873 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

PAYROLL.

Carlson moved Maki seconded that the payroll for August 29, 2013 for \$36,328.21, including checks 9900-9906 and 20846-20881 and ACH payments for Federal tax, State tax and MERS retirement and September 12, 2013 for \$33,954.25 including checks 9907-9912 and 20882-20901 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Maki moved Greenberg seconded to accept the August 2013 financial report.

AYES: 6

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Treasurer Greenberg reported that the only investment activity this month was the CEDARS C/D and that was significantly reduced to cover the current bills for the fire hall construction.

Engle moved Carlson seconded to accept the Treasurer's report.

AYES: 6

NAYS: 0

MOTION CARRIED.

PRESENTATIONS – LAKE SUPERIOR WATERSHED PARTNERSHIP.

Carl Lindquist from Lake Superior Watershed presented information on Chocolay Township projects. The M-28 dune restoration project was wrapped up this summer. That project included all 3 turn outs which is a 3 mile total area. The project included planting dune grass, shrubs, and native tree species and invasive plant removal. A smaller project that is ongoing is the same type of restoration and erosion control at the MDOT Visitor Center and Iron Ore Heritage Trail.

Lake Superior Watershed just completed the Regional Climate Adaptation Plan which includes Chocolay Township. This plan is important when seeking Federal grants.

Board members had questions on tree planting on M-28, who works on the watershed projects, and the update on the Chocolay River clean up that took place 10 years ago. Carl responded that pines were used in the M-28 project, a combination of staff and volunteers are used on the projects, and the Chocolay River (Big Creek) clean up resulted in a 100% increase of the fish population and it is still in good condition.

RESIGNATION OF BERNARD STANAWAY FROM BOARD OF TRUSTEES AND PLANNING COMMISSION.

Carlson moved White seconded to accept the resignation of Bernard Stanaway from the Township Board and Planning Commission.

AYES: 6

NAYS: 0

MOTION CARRIED.

The Board discussed how to make the Trustee selection. An ad has been placed in the Mining Journal and will run four times. A selection must be made within 45 days of the vacancy or a special election must be scheduled. The Board agreed that if there are 5 or fewer applicants for the Trustee position that all of them be interviewed in front of the Board at the October Board meeting. If more than 5 applications are received; the Board will narrow the number of interviews down to 5 and possibly have a special meeting if necessary.

SUPERVISOR'S REPORT.

1. Update on Anderson appeal to the tax tribunal that has to do with uncapping of property. Normally when a property is sold it becomes uncapped. This appeal concerns a property sale with the previous owner retaining 1% of the ownership. The owners of the property maintain that the property should remain capped. This will go to the Michigan Tax Tribunal on October 2, 2013. Our attorney has suggested that to save the Township expenses for travel time and mileage, that we retain the firm Fahey, Schultz, Burzych, Rhodes PLC from Lansing. They do Tax Tribunal work and will be retained for the initial appearance only. Our local firm will continue to prosecute the case from up here.

REPORT OF PLANS FOR FIRE STATION OPEN HOUSE AND DEDICATION.

Manager Lawry updated the Board on the Open House for the fire hall on September 28th and the formal Dedication Ceremony on October 10th. We will have an auction of surplus property on the day of the open house and the fire department will give tours of the building. The old building will be demolished the 1st week of October.

CONSIDERATION OF ACQUISITION OF TAX FORECLOSED PROPERTY.

Wahlstrom's Restaurant has been foreclosed by Marquette County. There was a foreclosure sale on the property and an auction with a minimum bid of \$264,012.30, but they received no bids. The land bank could acquire the property, but they would have to pay \$264,012.30. The County is considering a second auction with a reserve in the neighborhood of \$150,000.00 or \$175,000.00. If it does not sell, Chocolay Township will owe a large amount to the County for back taxes and delinquent sewer fees.

Maki moved Carlson seconded to have the County Treasurer proceed with the auction of the property.

AYES: 6

NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2013 AMENDMENT NO. 5 REIMBURSEMENTS AUGUST 6TH SCHOOL ELECTION.

Maki moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township On November 19, 2012, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$15,775.00	+\$3,371.92	\$19,146.92
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Elections Per Meeting 101.190.710	\$2,200.00	+\$1,750.02	\$3,950.02
Elections Office Supplies 101.190.727	\$1,000.00	+ \$ 640.53	\$1,640.53
Elections Printing 190.728	\$ 500.00	+ \$ 206.52	\$ 706.52
Elections Postage 101.190.729	\$ 600.00	+ \$ 190.08	\$ 790.08
Elections Advertising 101.190.901	\$ 50.00	+ \$ 83.36	\$ 133.36
Clerk Salaries 101.215.702	\$91,717.00	+ \$386.07	\$92,103.07
Recreation & Properties Salaries 101.756.702	\$59,400.00	+ \$115.34	\$59,515.34
ROLL CALL.			
AYES: Maki, White, Carlson, Greenberg, Engle, Walker.			
NAYS: None			MOTION CARRIED.

DECLARATION OF SURPLUS TOWNSHIP PROPERTY.

Greenberg moved White seconded that the Board declare Township property on the attached lists as surplus to Township operations and authorize its sale on written bid to the highest individual bidders, or disposal as outlined in this packet.

AYES: 6 NAYS: 0 MOTION CARRIED.

AUTHORIZATION TO PURCHASE ARCGIS SOFTWARE.

Maki moved White seconded that we approve spending \$1,500.00 to purchase the ArcGIS program from the Capital Improvement Fund account 401.805.957.

ROLL CALL.

AYES: Maki, White, Carlson, Greenberg, Engle, Walker.

NAYS: None MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – Commented on expected additional expenses with using the firm Fahey, Schultz, Burzych, Rhodes PLC from Lansing and on the foreclosure of Wahlstrom’s Restaurant.

James Gallant, Skandia – Spoke again on suicide prevention and Robert Rules of Order usage in the Township Board meeting.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, August 5th, 2013.
- B. Minutes – Township Planning Commission, Special Meeting, August 26th, 2013
- C. Minutes – Marquette Area Wastewater Treatment Authority, July 18th, 2013.

- D. Minutes – Marquette County Solid Waste Management Authority, August 21st, 2013 Draft.
- E. Correspondence – Superior Watershed Partnership Update on M 28 Dune Restoration Project.
- F. Correspondence – CUPPAD Notice of Leadership Change.
- G. Correspondence – Marquette County Townships Association Letter on MTA Annual Conference Transportation.
- H. Correspondence - Michigan Public Service Commission Notice of Opportunity to Comment on Alger Delta Cooperative Electric Association Energy Optimization Plan.

Trustee Maki commented on the Planning Commission Special Meeting; the comment made by Commissioner Meister that the primary impetus of the survey is the keeping of animals in Chocolay Township. Trustee Maki understood that the primary purpose of the survey was to gather information for the Master Plan.

Treasurer Greenberg requested information from the Manager prior to the budget work session on the replacement of the meeting room doors.

Supervisor Walker adjourned the meeting at 8:20 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

September 30, 2013
Budget Work Session

A Special Budget Work Session of the Chocolay Township Board was held on Monday, September 30, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the work session to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Tina Fuller, Kelly Woodward, Greg Zyburt, Suzanne Sundell, Mike Disch, Chris Lucas, Tony Carrick, Pat Beck, Dale Throenle.

PUBLIC COMMENT.

None.

The Board held a work session to discuss the FY2014 budget. They worked through each department in the General fund, Fire Fund, Road Fund, Capital Improvement Fund and Sewer Fund. Any formal motions for changes will be made at the October 21, 2013 Board Meeting.

PUBLIC COMMENT.

None.

Supervisor Walker adjourned the work session at 10:15 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

FINANCIAL REPORT.

Maki moved Carlson seconded to accept the September 2013 financial report.

AYES: 6 NAYS: 0 MOTION CARRIED.

TREASURER'S REPORT.

Engle moved White seconded to accept the Treasurer's report.

AYES: 6 NAYS: 0 MOTION CARRIED.

PRESENTATIONS – NONE.

REVIEW OF CANDIDATES AND APPOINTMENT TO VACANT TRUSTEE POSITION.

The Board discussed how they would make the appointment for Trustee. Supervisor Walker recommended polling the Board and the candidate with the most votes would be appointed. After further discussion the Board decided to vote on paper with their signature and the Deputy Clerk would read the votes. The vote would then be recorded in the minutes.

The three candidates for the Trustee appointment introduced themselves and made a brief statement on their background and interest in the position of Trustee. The three candidates are:

- Richard Bohjanen, 140 Edgewood Drive
- Pete Mackin, P. O. Box 904
- Bruce Ventura, 140 Timberlane

The Board then asked questions of each of the candidates and then voted. The votes cast were:

Judy White – Pete Mackin
Gary Walker – Bruce Ventura
Susan Carlson – Richard Bohjanen
Mark Maki – Richard Bohjanen
Max Engle – Richard Bohjanen
John Greenberg – Richard Bohjanen

Greenberg moved Carlson seconded to appoint Richard Bohjanen as Chocolay Township Trustee.

AYES: 6 NAYS: 0 MOTION CARRIED.

Richard Bohjanen was given the oath of office and seated at the Board table.

NOTICE OF RETIREMENT OF TOWNSHIP ATTORNEY MIKE SUMMERS.

Supervisor Walker presented a certificate of Appreciation to Mike Summers for the years of service as Chocolay Township Attorney for the past 20 years. Trustee Maki also thanked Mike Summers for his years as attorney, Township Board member and Zoning Board member.

CONSIDERATION OF LEGAL REPRESENTATION FOR THE TOWNSHIP.

The Board discussed the familiarity of the firm of Bensinger, Cotant, Menkes P.C. and the very reasonable hourly rate for services. They also discussed going out on bid for attorney services.

Greenberg moved Carlson seconded to retain the firm of Bensinger, Cotant, Menkes P. C. for legal services, specifically appointing Roger Zappa as Township Attorney.

AYES: 6 NAYS: 1 (White) MOTION CARRIED.

NOTICE OF RESIGNATION OF ASSESSOR TINA FULLER AND OF TEMPORARY APPOINTMENT OF TOWNSHIP ASSESSOR FOR TRANSITIONAL PERIOD.

Supervisor Walker presented a certificate of appreciation and thanked Tina Fuller for her 11 years of service to the Township.

The Board discussed how to proceed with filling the Assessing position. We have 5 applications for the position and application deadline is tomorrow. Trustee Maki feels that the Board should be involved in the hiring of department heads. He also feels that we should provide for an interim Assessor. Trustee Maki also offered assistance as a Trustee with assessing background.

Greenberg moved Bohjanen seconded that the Township Supervisor and Manager review the Assessor applications and present a recommendation to the Board at the November meeting for a Township Assessor.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

Comparative tax effort of local jurisdictions - A chart was presented in the agenda packet with an analysis of tax effort of local jurisdiction. Chocolay Township tax rate is the 5th lowest in Marquette County with West Branch, Wells, Skandia and Powell Township being lower.

AUTHORIZATION TO NEGOTIATE A LEASE WITH AT&T FOR CELL TOWER INSTALLATION AT SILVER CREEK RECREATION AREA.

Trustee Maki requested a staff analysis on entering into a lease with AT&T for a cell tower.

Supervisor Walker indicated that AT &T approached us for a site for a cell tower near the intersection of U S 41 South and M-28. AT&T would like to have a lease agreement in hand by the end of 2013 to build in 2014.

Manager Lawry indicated that AT&T is looking for an option on the lease on this particular parcel. If they do not get the permits, including a conditional Use Permit from the Chocolay Township Planning Commission then the lease option is dropped. They are requesting a tower in this area because this area of the Township will lose cell reception because the existing tower servicing this area will no longer be serviced or upgraded. The new tower that the equipment is being moved to, is lower and will not adequately service this area.

White moved Engle seconded that the Board designate the Township Manager to negotiate a draft agreement with Mr. Haley for use of a portion of the Silver Creek Recreation Area for a wireless communications tower to be constructed and operated by AT&T. It is further recommended that the Board identify any objectionable content in the sample agreement and list any special provisions they would like to see included in the Chocolay agreement as guidance for the designated negotiator. Once language of a draft agreement is reviewed by the Township Attorney and finalized, it would be brought back to the Board for approval and authorization for the Supervisor and Clerk to sign.

AYES: 6

NAYS: 1 (Maki)

MOTION CARRIED.

DISCUSSION OF DRAFT 2014 BUDGET AND SCHEDULING OF PUBLIC HEARINGS FOR ADOPTION.

Engle moved, White seconded to schedule public hearings for the FY2014 sewer rates and charges, the FY2014 fee schedule and FY2014 millage rates and FY2014 budget adoption.

AYES: 7

NAYS: 0

MOTION CARRIED.

The Board discussed Trustee Whites' suggestions of utilizing the Township meeting room as a senior center, looking at the CIF department balances and get clarification on the future use of that money and placing general fund revenues over expenditures at the end of the fiscal year into the road fund. The Board agreed to have Township staff look at all Township roads and create a priority list for repair. The Board will look at road funding in May 2014 when the audit is complete and the road priority list available.

Trustee Maki handed out his budget suggestions for the Board to review.

Greenberg moved White seconded review road funding and road priorities in May 2014.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF RESOLUTION AUTHORIZING THE TOWNSHIP SUPERVISOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH MDOT FOR RECONSTRUCTION OF NON-MOTORIZED PATH ALONG US 41.

Carlson moved Maki seconded to authorize the Supervisor and Clerk to execute the attached contract with Michigan Department of Transportation (Contract #13-5216, control section STE 52042, job # 119885A).

AYES: 7

NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #3 FOR REVENUE FROM THE SALE OF SURPLUS PROPERTY.

Maki moved Greenberg 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 19th, 2012 for fiscal year 2013, 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 Revenue			
401.698.000	\$ 1,984.00	+\$5,067.75	\$ 7,051.75
EXPENDITURE			
Fire Dept. 401.340.957	\$718,624.12	+\$ 964.00	\$719,588.12
Police Dept. 401.305.957	\$108,619.15	+\$4,103.75	\$112,722.90

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #4 FOR STATE OF MICHIGAN REIMBURSEMENT OF RADIO REBANDING COSTS.

Maki moved Engle 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 November 19, 2012 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 Improvement	\$112,722.90	+\$ 450.00	\$113,172.90
401.305.957			
Fire Department	\$719,588.12	+\$1,050.00	\$720,638.12
Capital Improvement			
401.340.957			

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous	\$ 7,051.75	+\$ 1,500.00	\$ 8,551.75
401.698			

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

APPROVAL OF FIRE HALL CONSTRUCTION PROJECT CHANGE ORDERS, CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #5, AND AUTHORIZATION TO PURCHASE FURNITURE AND EQUIPMENT FOR THE NEW FIRE STATION.

Greenberg moved Maki seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated receipts and expenditures of the Capital Improvement Fund and the Fire Department Millage Fund within the Township on November 19th, 2012 for fiscal year 2013, and Whereas, as a result of contracts awarded and a desire to account for all project costs within the Fire Department Millage Fund it is appropriate to modify the aforesaid budget, Now therefore Be It Resolved that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
EXPENDITURE			
C. I. Fund Transfer Out 401.000.968	\$ 0.00	+\$33,216.05	\$ 33,216.05
REVENUE			
F. D. M. Fund Due From Capital Improvement Fund 206.000.677	\$580,000.00	+\$33,216.05	\$613,216.05

It is further recommended that the Board authorize the purchase of services from Wright Electric in an amount not to exceed \$4,000 for the wiring of the hose/bunker gear dryer and the new alert siren and from Berger & King for venting the dryer in an amount not to exceed \$1,200.

It is further recommended that the Board approve expenditures not to exceed \$30,000 for project expenses incurred to date but not previously approved by the Board, and for those items listed on the preceding page needed to complete the project but not a part of existing contracts. It is anticipated that this will result in a total project cost of just over \$2.1 million.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Greenberg moved White seconded that the Board approve fire station change orders list below.

Associated Constructors	Change Order #1 for \$ 3,306.78
Associated Constructors	Change Order #2 for \$14,965.00
Berger & King	Change Order #1 for \$ 4,037.00
Berger & King	Change Order #2 for \$ 1,885.00
Wright Electric	Change Order #1 for \$ 1,448.83

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO REPAIR BIG CREEK DRY HYDRANT WITH CAPITAL IMPROVEMENT FUNDS.

Carlson moved Engle seconded to accept the fire department request a total of \$8,650.00 for replacement of the Big Creek dry hydrant from the water department in the Capital Improvement Fund 401.591.957.

CONSIDERATION OF CHOCOLAY LIONS CLUB REQUEST FOR COMMUNITY HALLOWEEN PARTY SUPPORT.

The Board will respond individually to the Lion's Club request for Community Halloween Party support.

DISCUSSION OF SEPTEMBER STAFF REPORT AND THE RECENT SURVEY.

Trustee Maki questioned the 5.2 million increase in property assessment and the lack of staff charging the administrative enforcement cost recovery surcharge permit fee for a structure built without obtaining a permit. The answer was that this amount was accumulated over the 5 year cycle of review of the entire township. The majority of the increase is decks, garages and outbuilding that did not have permits. Staff did not charge for the additional enforcement fee because the Board did not want the fee enforced until the full 5 year cycle was completed on property review.

PUBLIC COMMENT.

Pete Mackin, P.O. Box 904 – Thanked the Board for considering him for Trustee and offered to assist the Township anyway he can. He commented on Senior Services, the Sands Aquifer, Food and Farming supply, Alger Delta rates vs. Marquette Board of Light & Power, the Chocolay River was a border between the 1836 & 1842 Treaty Areas and is interested in placing an historical marker or Treaty Park.

Chief Greg Zyburt – Chocolay Township Police Station is a drop off site for expired or unwanted prescription drugs; under a grant funded program of Marquette County Solid Waste Management Authority.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, September 9th, 2013.
- B. Minutes – Marquette Area Wastewater Treatment Authority, August 15th, 2013.
- C. Minutes – Marquette County Solid Waste Management Authority, September 18th, 2013 Draft.
- D. Minutes – Marquette County Townships Association Meeting, September 25th, 2013.
- E. Report – 2010 and 2013 Master Plan Surveys and Results.

Supervisor Walker adjourned the meeting at 9:10 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

AYES: 7

NAYS: 0

MOTION CARRIED.

APPOINTMENT OF A TOWNSHIP ASSESSOR.

Maki moved Engle seconded to approve the appointment of Don Bode as Township Assessor (under the terms listed in the Appointment of Township Assessor Memo) on a full time basis, with a starting salary of \$50,000.00 for the year 2014. This is a salary that is outside the normal pay scale, but this position does not include health insurance. This will result in an overall savings.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

None.

PUBLIC HEARING ON PROPOSED 2014 SEWER RATE.

The public hearing was opened. No public comment. The public hearing was closed.

ADOPTION OF 2014 SEWER USER FEE RESOLUTION.

Greenberg moved Bohjanen seconded that

Whereas, the revenues and expenditures for the wastewater collection and treatment system have been reviewed, and

Whereas, the current user fee of \$27.60 per month is not adequate for the projected replacement cost of the system, and

Whereas, the equivalent user fee of \$28.60 per month will be sufficient to offset the Township share of \$13.33 per equivalent user per month, to pay the O. M. & R. cost for the wastewater treatment plant.

Now, therefore be it resolved the Chocolay Township Board establishes the equivalent user fee of \$28.60 per month beginning January 1, 2014 through December 31, 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Clerk Engle agrees with the \$1.00 per month increase for this year, but feels starting in 2015 we need to look at larger increases to cover the maintenance of a 40 year old sewer system.

Trustee White feels that we should look for grant funds to help with maintenance of the system.

Trustee Maki learned in the Citizen Planner Class that the Planning Commission is supposed to participate in Capital Improvement budgeting for infrastructure. He would like their input when we deal with this matter.

PUBLIC HEARING ON PROPOSED 2014 FEE SCHEDULE.

The public hearing was opened. No public comment. The public hearing was closed.

ADOPTION OF 2014 FEE SCHEDULE.

Engle moved White seconded to accept the FY2014 Fee Schedule to take effect on January 1, 2014 with the exception of the change in garbage tag prices, which will become effective December 1, 2013.

AYES: 7

NAYS: 0

MOTION CARRIED.

BOARD CONSIDERATION OF COMPENSATION FOR PLANNING COMMISSION, ZONING BOARD OF APPEALS, AND BOARD OF REVIEW APPOINTEES.

Greenberg moved Maki seconded that no changes be made in the per diem compensation levels for all Chocolay Township Boards and Commissions.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF HEALTH CARE PREMIUMS, EMPLOYEE WAGES, AND EMPLOYEE HEALTH CARE CONTRIBUTION RATES.

Maki moved, Greenberg seconded, to exempt the Charter Township of Chocolay from the requirements of Michigan Public Act 152 of 2011 for the calendar year 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, Greenberg, Engle, Walker.

NAYS: White.

MOTION CARRIED.

Carlson moved Engle seconded, to set the employee participation rate for the cost of the medical benefit plan provided by Chocolay Township at 10% of the combined cost of health insurance premiums and Health Reimbursement Account payments for 2014.

ROLL CALL.

AYES: Bohjanen, Maki, Engle, Walker.

NAYS: White, Carlson, Greenberg.

MOTION CARRIED.

White moved Carlson seconded to amend the proposed 2% wage increase to Appendix L of the Personnel Policy and Procedures Manual by applying an increase of 1.5%.

ROLL CALL.

AYES: Carlson, White.

NAYS: Bohjanen, Maki, Greenberg, Engle, Walker.

MOTION FAILED.

Maki moved Engle seconded to amend Appendix L of the Personnel Policy and Procedures Manual by applying an increase of 2 % to wage and salary levels at all steps of the matrix.

ROLL CALL.

AYES: Bohjanen, Maki, Engle, Greenberg, Walker.

NAYS: White, Carlson.

MOTION CARRIED.

PUBLIC HEARING ON PROPOSED 2014 MILLAGE RATES, BUDGET AND GENERAL APPROPRIATIONS ACT.

The public hearing was opened. No public comment. The public hearing was closed.

ADOPTION OF 2014 GENERAL APPROPRIATIONS ACT AND BUDGET.

Greenberg moved White seconded that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1st, 2014, and ending December 31st, 2014, 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 4th, 2013; and

Whereas, a public hearing was held on the proposed budget on November 18th, 2013 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, 2014, and ending on December 31st, 2014, in the amount of \$1,684,300.00 for the General Fund, in the amount of \$0 in the Road Fund, in the amount of \$317,400.00 in the Fire Department Millage Fund, in the amount of \$310,000.00 for the Sewer Fund, and in the amount of \$34,000.00 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,718,300.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1st, 2014, and ending December 31st, 2014.
3. The Township Board does hereby appropriate the sum of \$310,000.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1st, 2014, and ending December 31st, 2014.
4. The Township Board does hereby appropriate the sum of \$0 for the repairing of the Township Roads to be used for the fiscal year beginning January 1st, 2014 and ending December 31st, 2014.
5. The Township Board does hereby appropriate the sum of \$317,400.00 for the purposes of constructing and equipping a new fire station and associated debt retirement during the fiscal year beginning January 1st, 2014 and ending December 31st, 2014.

6. The Township Board does hereby levy 3.7745 mills for general operations; extra voted are 0.7558 for library, and 1.6932 for fire department.
7. All resolutions and parts of resolutions in so far as they conflict with provisions of this resolution are rescinded.
8. 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: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee Maki discussed the fact that we need to discuss roads. If we wait until May 2014 to discuss roads we will miss the road building season in 2014.

Trustee White stated that the Board discussed this at the October meeting and the Board agreed to wait until May 2014 when we have the audit.

Trustee Bohjanen asked if Chocolay Township has expended non-matching funds for roads over the past 5 to 10 years. Manager Lawry answered that we have expended approximated \$300,000.00 per year over the past five years with Road Millage money. The County Road Commission is not providing their 40% funding toward roads. They provide in kind engineering work.

Treasurer Greenberg feels that we should wait until the audit is provided in May 2014 to see what funds are available for funding roads.

Manager Lawry stated that it is still be possible to have road work done in 2014 if we awarded bids in July or August 2014. We are in the process of looking at Capital Improvements money by each department; any money that is not appropriated for a specific project can be used toward roads.

The Board agreed to follow that process in May of 2014, after the 2013 audit is presented.

SUPERVISOR'S SALARY

Greenberg moved Maki supported that the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2014, which begins January 1st, 2014, and ends December 31st, 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

TREASURER'S SALARY.

Carlson moved Bohjanen supported that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2014, which begins January 1st, 2014, and ends December 31st, 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CLERK'S SALARY.

White moved Greenberg supported that the salary for the office of Clerk shall be set in the amount of \$11,850.00 for the Fiscal Year 2014, which begins January 1st 2014, and ends December 31st, 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

TRUSTEE'S PER DIEM.

Greenberg moved Engle supported that the per diem for the office of Trustee shall be set in the amount of \$75.00 per meeting for the Fiscal Year 2014, which begins January 1st, 2014, and ends December 31st, 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

APPLICATION OF DELINQUENT SEWER CHARGES AS TAX LIENS.

DELINQUENT SEWER USERS FOR 2013

Name	Tax ID Number	Address	City, State, Zip	Amount Due
Marc Gilmore	52-02-490-002-00	110 Chocolay River Tr	Mqt MI 49855	\$ 350.82
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	\$ 350.82
Chocolay Childrens Center	52-02-251-006-00	324 Corning Street	Mqt MI 49855	\$ 666.55
Menhennick	52-02-254-003-00	500 Corning Street	Mqt MI 49855	\$ 164.92
Steven & Heather Shaw-Quizno's	52-02-106-043-50	505 Corning Street	Mqt MI 49855	\$ 2,034.74
Jack's IGA	52-02-440-010-00	101 Carmen Drive	Mqt MI 49855	\$ 2,324.04
Susan Racine	52-02-215-006-00	156 E. Fairbanks Street	Mqt MI 49855	\$ 350.82
Randall Goin	52-02-215-009-00	164 E. Fairbanks	Mqt MI 49855	\$ 167.28
David Hillock	52-02-216-010-00	158. E. Wright Place	Mqt MI 49855	\$ 350.82
Linda Morgan	52-02-216-015-00	161 E. Wright Place	Mqt MI 49855	\$ 350.82
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$ 350.82
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$ 350.82
Linda Bice	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 350.82
Amanda Baldwin	52-02-216-008-00	128 Kellog Street	Mqt MI 49855	\$ 342.84
Josh Howard	52-02-107-012-00	204 Silver Creek Road	Mqt MI 49855	\$ 255.06
Joe & Barb Menze	52-02-107-063-00	328 Silver Creek	Mqt MI 49855	\$ 350.82
Marc Gilmore	52-02-106-025-20	2220 U S 41 South	Mqt MI 49855	\$ 544.20
David Laurich	52-02-106-020-00	2366 U S 41 South	Mqt MI 49855	\$ 350.82
Steve & Sandra Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$ 350.82
Walt & Susan Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$ 631.46
A.J. Menhennick	52-02-254-003-00	4021 U S 41 South	Mqt MI 49855	\$ 164.92
Harvey Oil Company	52-02-254-004-00	4025 U S 41 South	Mqt MI 49855	\$ 200.22
Wahlstom Enterprise Inc.	52-02-107-007-00	5043 US 41 South	Mqt MI 49855	\$ 9,682.64
Mike & Eva Schlenkert	52-02-455-001-00	132 Veda Street	Mqt MI 49855	\$ 350.82
Dave & Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$ 350.82
Jason Bernard	52-02-107-074-00	740 Willow Road	Mqt MI 49855	\$ 350.82
Ruth & Mark Matteson	52-02-207-005-00	234 W. Main Street	Mqt MI 49855	\$ 142.84
Tonya Scott	52-02-205-003-00	341 W. Main Street	Mqt MI 49855	\$ 255.06
Matthew & Crystal Dale	52-02-251-023-10	205 W. Terrace Street	Mqt MI 49855	\$ 350.82
Gardner Bess	52-02-210-005-00	334 W. Terrace Street	Mqt MI 49855	\$ 350.82
Judith Charles/Marilyn Kramer	52-02-208-003-00	371 W. Terrace Street	Mqt MI 49855	\$ 350.82
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	\$ 350.82
Kristine & Michael Dionne	52-02-106-043-00	110 W. Wright Place	Mqt MI 49855	\$ 250.82
Tammy Riggie	52-02-253-025-00	117 W. Wright Place	Mqt MI 49855	\$ 350.82
Glen Carlson	52-02-213-004-00	350 W. Wright Place	Mqt MI 49855	\$ 350.82
Total Delinquent Amount				\$ 24,843.99

Greenberg moved White 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 tax roll.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF REQUEST FOR SEWER USE CLASSIFICATION CHANGE.

Greenberg moved Maki seconded that the equivalent user fee for 5043 U. S. 41 South from 27.6 down to 1 and 5045 U.S. 41 South from 1.6 downs to 1 as of October 16, 2013, until the business is reopened as provided for in Section 9D-3-a of Ordinance #39.

AYES: 7

NAYS: 0

MOTION CARRIED.

2013 GENERAL FUND BUDGET AMENDMENT #6 TO REFLECT REIMBURSEMENT OF POLICE DEPARTMENT OVERTIME COSTS FROM THE OFFICE OF HIGHWAY SAFETY PLANNING.

Resolution Amending General Fund Budget FY 2013 – Amendment No. 6 – Reimbursement for Safety Belt Overtime.

Maki moved Carlson 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 19, 2012 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	\$268,066.00	+\$4,911.75	\$272,977.75
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REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$19,146.92	+\$4,911.75	\$24,058.67

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

PROPOSED ZONING ORDINANCE TEXT AMENDMENT ZA0003-13 PERTAINING TO OUTDOOR WOOD BOILERS, SECTION 6.5 AND SECTIONS 4.1, 4.2, 4.3, 4.5, 4.6, 4.7, AND 4.8 – FIRST READING.

Carlson moved Engle seconded to approve the proposed text amendment ZA0003-13 pertaining to Outdoor Wood Boilers as written and to present it to the Township Board for a second reading at their December meeting.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki requested a presentation by the Planning Director on this amendment. It will be fine to present this at the December meeting. He still has questions on how this simplifies the administration and why it needs to be a conditional use if someone meets all requirements.

Planning Director Woodward stated that the questions are addressed in the staff report in the packet. The Planning Commission included the conditional use provisions because then they could evaluate circumstances based on the additional standards in Section 16 of the Zoning Ordinance. This would apply everywhere except the AF district.

Supervisor Walker stated that the Planning Commission is addressing this amendment at this time because it was never officially adopted five years ago.

TOWNSHIP SURVEY.

Trustee Maki had concerns that the survey was not given to the Board for review and comment before it went out to the public.

Supervisor Walker stated that timing was the issue in getting the results in time to make it applicable to our Master Plan and Recreation Plan for completion.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, October 7th, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, October 16th, 2013 Draft.
- C. Minutes – Marquette County Townships Association, October 23, 2013, Draft.
- D. Communication – U. P. Insurance Agency Notice of Workers Compensation Insurance Dividend.

Supervisor Walker adjourned the meeting at 8:05 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

ANNUAL APPOINTMENTS TO BOARDS AND COMMISSIONS.

Greenberg moved Carlson seconded to accept the nominations as presented for Board and Commission appointments

East Marquette Solid Waste Disposal Authority – 1 year term

Gary Walker 01-01-2014 to 12-31-2014
Brad Johnson (Alternate) 01-01-2014 to 12-31-2014

Personnel Committee – 2 year Board Term / 1 year employee

Chris Lucas 01-01-2013 to 12-31-2014
Scott Jennings 01-01-2013 to 12-31-2014

Planning Commission – 3 year term

Andy Smith (Vice Chair) 01-01-2014 to 12-31-2016
Bruce Ventura 05-24-2013 to 12-31-2014
Tom Mahaney 01-01-2014 to 12-31-2016
Kendell Milton 05-24-2008 to 12-31-2014

Zoning Board of Appeals – 3 year term

Michele Wietek-Stephens 01-01-2014 to 12-31-2016
Kendell Milton 05-18-2009 to 12-31-2014
Sandra Page 01-01-2014 to 12-31-2016
Geno Angeli (Alternate) 01-01-2014 to 12-31-2016

Utility Review Committee – 4 year term

Kelly Drake Woodward (Alternate) 01-01-2014 to 12-31-2017

Election Commission - 4 year term

Susan Carlson 01-01-2014 to 12-31-2016

CABA Representative

Max Engle 01-01-2014 to 12-31-2018
Dale Throenle (Alternate) 01-01-2014 to 12-31-2018

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Maki feels that the Planning Commission, Zoning Board of Appeals and Utility Review Committee members should fill out an application before being reappointed. There was Board discussion, but no action was taken.

SUPERVISOR’S REPORT.

We received a \$30,000.00 check from Keweenaw Bay Indian Community as part of their 2% distribution.

Maki moved White seconded to allocated \$10,000.00 toward fire department bunker gear, \$9,000.00 for police department replacement of laptops, peripherals & software, \$1,000.00 bicycle helmets and \$10,000.00 in the Recreation department for playground equipment.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

PROPOSED ZONING ORDINANCE TEXT AMENDMENT ZA0003-13 PERTAINING TO OUTDOOR WOOD BOILERS, SECTION 6.5 AND SECTIONS 4.1, 4.2, 4.3, 4.5, 4.6, 4.7, AND 4.8 – SECOND READING.

Carlson moved Engle seconded to waive the reading and adopt the proposed amendment ZA0003-13, formerly #34-09-06 and #34-09-16 Outdoor Wood Boilers and Appliances as written.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Maki asked why some districts have this as a conditional use and in some districts the outdoor burner is a permitted use. Supervisor Walker stated that with a conditional use, the adjoining property owners would be able to weigh in. The AF district consists generally of larger parcels and the smoke from the outside boiler should not be as much of an issue.

Reconsideration of Delinquent Sewer Charge Tax Lien and Sewer Use Rate.

Greenberg moved Engle second to amend the list of delinquent sewer charges and penalties added to the Chocolay Township December 2013 tax roll in accordance with Ordinance 39, Section 9.E.2.c by deleting Wahlstrom Enterprise, Inc. parcel #52-02-107-007-00 in the amount of \$9,682.64.

AYES: 7 NAYS: 0 MOTION CARRIED.

Chocolay Township Tax Board of Review – Times to be set March 4th

March 4, 10, 11

July 22

December 9

AYES: 7

NAYS: 0

MOTION CARRIED.

ANNUAL REVIEW OF BOARD POLICIES.

Greenberg moved, Carlson seconded to change **Special Meetings** delete ~~creating the agenda and~~.

AYES: 7

NAYS: 0

MOTION CARRIED.

Maki moved Engle seconded to change **Board Appointments** to **November or December** Township Board meeting each year.

AYES: 7

NAYS: 0

MOTION CARRIED.

APPROVAL OF FIRE HALL CONSTRUCTION PROJECT CHANGE ORDER.

Greenberg moved White seconded to approve Fire Station contract change order #3 for Associated Constructors in the amount of \$4,489.00.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

DISCUSSION OF TOWNSHIP SENIOR CENTER.

Trustee White would like to have a committee or discussion group set up to look at utilizing the meeting room a couple of days a week for a few hours for seniors or other township residents to gather to play cards and have coffee. The Board agreed to have Trustees White and Carlson work on setting up a committee for senior gatherings.

PUBLIC COMMENT.

Trustee Maki had a comment on the Planning Commission site plan review; that the adjoining property owners are not notified of site plan reviews. Planner Woodward stated that adjoining property owners do not get notified if it is a permitted principal use, they are notified if it is a conditional use. Supervisor Walker suggested adding this item for discussion at the joint Township Board/Planning Commission meeting. The Board was in agreement.

Trustee Bohjanen asked the Board if they wanted to continue receiving the Master Plan Chapters as they are written or would they prefer to wait and receive the entire Master Plan at once. The Board preferred receiving the chapters as they are written.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, November 4th, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, November 13th, 2013 Draft.
- C. Communication – Marquette County Solid Waste Management Authority Notice of Possible Change in Tipping Fee.
- D. Communication – Charter Communications Rate Increases.
- E. Communication – Marquette Township Potential Revenue Loss Due to Commercial Tax Appeals.

Supervisor Walker adjourned the meeting at 8:15 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

There are two house bills that have been introduced that deal with assessment. Both speak of having written permission before going onto property for assessing purposes. One requires written permission to enter a structure, and that one makes sense. The second one requires prior written permission to enter the property for assessing. This bill will not allow an assessor to increase the assessment if the owner refuses access to the property. We will monitor these bills as they progress.

Trustee Maki stated that it is good that Chocolay Township continues to notify residents by mail as we prepared to assess an area. He also spoke of a pilot project in Delta County that gave building measurement from photos taken from above. This even provides side shots of the building.

DISCUSSION OF TOWNSHIP SENIOR CENTER.

Trustees Carlson and White co-chaired a meeting last week for senior services in Chocolay Township. Approximately 10 residents attended the meeting. They have already scheduled opening the Township meeting room for this purpose on February 18th from 1:00 pm – 4:00 pm and February 20th from 9:00 am – noon. Library services, computer classes, cards and games and possibly aerobics classes will be scheduled. Outside transportation was discussed and Marq-Tran will be contacted.

2013 GENERAL FUND BUDGET AMENDMENT #7 TO REFLECT END OF YEAR REVENUES & EXPENDITURES.
 Carlson moved Greenberg seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated General Fund expenditures of the Township on November 19th, 2012 for fiscal year 2013, and Whereas, as a result of unanticipated expenditures 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
EXPENDITURE			
Township Board-Professional Services			
101.103.826	\$13,000.00	+\$12,900.00	\$25,900.00
Assessor-Professional Services			
101.202.826	\$10,000.00	-\$ 3,900.00	\$ 6,100.00
Planning Commission-Professional Services			
101.805.801	\$ 2,500.00	-\$ 2,500.00	\$ 0.00
Other General Government-Contingency			
101.285.951	\$21,475.00	-\$ 6,500.00	\$14,975.00
Assessor-Salaries			
101.202.702	\$48,131.00	+\$ 4,000.00	\$52,131.00
Other General Government-Salary/Benefit Contingency			
101.285.952	\$30,000.00	-\$ 4,000.00	\$26,000.00

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

2013 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #5 TO REFLECT RECEIPT OF KBIC 2% GAMING FUNDS.

Greenberg moved Carlson 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 19th, 2012 for fiscal year 2013, 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	\$ 51,135.40	+\$ 30,000.00	\$ 81,135.40

EXPENDITURE

Police

401.305.957	\$113,172.90	+\$ 10,000.00	\$123,172.90
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Fire Dept.

401.340.957	\$720,638.12	+\$ 10,000.00	\$730,638.12
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Recreation & Grants

401.708.957	\$ 94,184.43	+\$ 10,000.00	\$104,184.43
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ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

2013 SEWER FUND BUDGET AMENDMENT #1 TO REFLECT UNCOLLECTABLE REVENUES ASSOCIATED WITH WAHLSTROM'S RESTAURANT.

Maki moved Bohjanen seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated revenues and expenditures of the Wastewater Treatment Fund within the Township on November 19th, 2012 for fiscal year 2013, and Whereas, as a result of an unanticipated expenditure 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
EXPENDITURE			
Professional Services			
571.571.801	\$10,700.00	+\$ 20,000.00	\$ 30,700.00
Contingency			
571.571.951	\$15,000.00	- \$ 12,000.00	\$ 3,000.00
Capital Outlay			
571.571.957	\$ 8,000.00	- \$ 8,000.00	\$ 0.00

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

REQUEST FOR WAGE AUDIT OF FIRE STATION MECHANICAL CONTRACT BY UP PLUMBERS AND PIPE FITTERS AND SHEETMETAL WORKERS UNION.

Engle moved White seconded to instruct the Township Manager to request payroll records for the Township Fire Station construction project from Berger & King, Inc. for the purpose of making them available to the Plumbers & Pipefitters Union and U. S. Department of Labor for audit purposes.

AYES: 7

NAYS: 0

MOTION CARRIED.

APPROVAL OF FIRE HALL CONSTRUCTION PROJECT CHANGE ORDER #2 FOR WRIGHT ELECTRIC.

Greenberg moved Carlson seconded that the Board approve Fire Station contract Change Order #2 for Wright Electric in the amount of \$7,542.86 and the other project purchases listed in the agenda.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee White asked if we have remained within our original budget for the fire station or will this project go over budget. Manager Lawry indicated that we are within the original budget and any additional purchases that the fire department makes must come from their 2014 general fund budget. There is still an outstanding bill from Berger & King that has been approved by the Board and there is a \$200.00 bill from Best Buy for installation of the T.V. in the training room that are to be paid for from the Fire Station Millage Fund. Landscaping costs are flexible and we will try to keep that at a minimal cost. Trustee Bohjanen questioned the Wright Electric labor figures.

CONSIDERATION OF CHARTER TV SERVICE FOR TOWNSHIP BUILDINGS.

White moved Carlson seconded to not fund the Charter TV cable services for the Fire Hall with Township funding this year.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF REQUEST FOR SEWER CHARGE RELIEF.

The Board discussed the request for relief of sewer charges for a vacant home in the Township. A decision was made to draft a policy on how to deal with these relief requests for vacant dwellings. The Board will not act on this request until a policy has been approved.

DISCUSSION OF DRAFT MASTER PLAN CHAPTERS 1-3.

The Board went through Chapters 1-3 of the draft Master Plan page by page. There were a few grammatical changes suggested, but no significant changes were made.

Chapter 4 of the Master Plan and the Recreation Plan were presented to the Board for discussion at the February meeting.

DISCUSS CITIZEN PLANNER CLASS HELD IN OCTOBER 2013 PRESENTED BY MICHIGAN STATE UNIVERSITY.

Trustee Maki, Dale Throenle, Eric Meister and Bruce Ventura attended a Citizen Planner series of 7 evening classes in October 2013. Trustee Maki was happy that two of the Planning Commission members attended and suggested that we pay one additional per diem for attending all seven sessions.

Maki moved Engle seconded to pay the two Planning Commission members that attended the seven Citizen Planner classes in October 2013 be compensated by one per diem of \$60.00 each.

AYES: 7

NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, December 2nd, 2013.
- B. Minutes – Marquette Area Wastewater Treatment Authority, November 21st, 2013.
- C. Communication – Marquette County Solid Waste Management Authority 2014 Board Meeting Schedule.

Supervisor Walker adjourned the meeting at 8:25 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

PRESENTATIONS – CHOCOLAY COMMUNITY FARM PROJECT.

Planner Woodward introduced Angela Johnson, Tina Hall and Gary Woodward; members of the management team for the Community Farm Collaborative Project and Gary Shaffer, resource assistance team and Natasha Lantz also involved in many of the discussions for this project.

Angela Johnson and Tina Hall presented on the Chocolay Community Farm Collaborative Project.

- There is a disconnect between people and food growth
- The average pound of food travels 1,500 miles before it reaches the table
- There is a need for local diversified food
- There are health concerns with the highly processed foods in the grocery store
- The farm project will allow citizen involvement to create stewardship
- The location for the community farm is next to the Beaver Grove Recreation Facility
- This project will encourage new farmers
- This will give a unique stamp and draw to Chocolay Township
- This is a multiple year project broken down into three phases – phase one would utilize the area bordering the recreation area including smaller gardens, a children’s garden, demonstration areas, picnic areas, wetland and you pick areas. Look for funding for a hoop house. Phase two would be larger plot gardens for single crops, build out the you pick area and the food forest. Phase three would be public food forest and continuing larger plots on the far side of the site.
- Permaculture gardens involve observation of natural systems to mimic and compliment them
- Permaculture ethics include care for the earth, care for people and fair share
- Permaculture zone zero would be the children’s garden house and zone one would be the garden site just outside the children’s garden
- There is regional a support system involved including local farmers, the Marquette Co-op, Rotary Club, NMU professor, Angela Johnson and many local residents.
- We will be able to apply for grants for a well, irrigation and hoop houses once we have this on commonly held property such as government owned property

SUPERVISOR’S REPORT.

1. Proclamation Honoring the Pigs-n-Heat Fire Relief Fund of Marquette County.

2. Report on Wells Fargo Bank Tax Tribunal Appeal and on Anderson Tax Tribunal Appeal and the St. Onge Tax Tribunal Appeal. Chocolay Township hired Bruce Closser to do an independent appraisal finding the Wells Fargo valuation between \$520,000.00 and \$650,000.00. After supplying this information to Wells Fargo, they withdrew their appeal. The Anderson and the St. OngeTax Tribunal appeals on uncapping property through transfer of ownership went to the State Tax Tribunal and the State sided with Anderson and Chocolay agreed to a settlement with the St. Onge’s.

CONSIDERATION OF POLICY CHANGE REGARDING SEWER CHARGES FOR VACANT STRUCTURES.

Carlson moved Engle seconded to schedule a public hearing at the March 17, 2014 Township Board meeting for the purpose of amending the Sewer Ordinance by incorporating provisions for rate relief for the owners of vacant buildings.

AYES: 7

NAYS: 0

MOTION CARRIED.

ADOPTION OF COMMUNITY FARM CONCEPT FOR BEAVER GROVE PROPERTY.

Greenberg moved Carlson seconded that the Charter Township of Chocolay Board of Trustees hereby approves the use of Township Property known as the Beaver Grove Agriculture Area (parcel #52-02-116-020-110) for purposes as outlined in a proposal from the Chocolay Community Farm Collaborative, and authorizes the Township Manager and a committee of the Board (to be composed of Trustees Maki and Carlson and Supervisor Walker) to negotiate a lease for final Board approval.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki commented that Cathy Peterson, prior owner of the Beaver Grove property that the Township negotiated to purchase for a public park is in the audience. Trustee Maki felt that she encouraged recreation and farming as a use for the property.

Cathy Peterson is concerned that all people are able to utilize this public property.

APPROVAL OF FIRE HALL CONSTRUCTION PROJECT CHANGE ORDER #3 FOR BERGER & KING.
Greenberg moved White seconded that the Board approve Fire Station contract change order #3 for Berger and King in the amount of \$6,227.25 and the other project purchases listed above.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee Maki commended Manager Lawry for the fine job he did overseeing the Fire Station project. This resulted in a large savings to the Township. The Board agreed in commending Manager Lawry.

AUTHORIZATION TO PURCHASE REPLACEMENT COPIER/SCANNER/FAX FOR POLICE DEPARTMENT WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Carlson moved White seconded to approve the purchase of an all-in-one printer, copier, scanner, fax machine for the Police Department. The cost will not exceed \$500.00. This will be paid from the Capital Improvement Fund Police electronics account 401.305.957.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS FOR POLICE TRAINING.

White moved Bohjanen seconded to expend \$825.00 for the NMU Public Safety Institute for the year 2014. This would come from the Capital Improvement Fund Police Training account 401.306.957.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF MULTI-JURISDICTIONAL RECREATION AUTHORITY FEASIBILITY STUDY.

Engle moved Carlson seconded to accept the report as written, with the recommendations suggested by the Chocolay Township representatives. The recommendations from the Township representatives are to form the Recreation Authority with the City of Marquette and Marquette Township only for trails (both non-motorized and motorized) in the three jurisdictions, with a concentration on the Heartwood Forest property.

AYES: 7

NAYS: 0

MOTION CARRIED.

Don Britton answered Board questions on the study. This will benefit Chocolay residents by giving them more recreation and trails even though it does not directly connect to Chocolay Township. Recreation facilities are down the road. The first priority is trails. The committee did not want to include any City of Marquette recreation property that had debt. That was the reason to work with trails. An authority creates a board that gives one seat and one vote per community in the authority.

APPROVAL OF REVISED RECREATION PLAN.

The Board discussed the Recreation Plan and commented that the document was very well written. They had one correction to the plan on page 47 and that was that Gentz Golf Course is a 9 hole golf course not 18. Trustee Maki would like to see a five year plan for costs. Dale Throenle stated that the costs are in the plan by project not by year. The Planning Commission will revisit the plan at their March 2014 meeting.

White moved Bohjanen that the Charter Township of Chocolay Board of Trustees hereby approves adoption of the Draft Charter Township of Chocolay 2014-2018 Recreation and Natural Resource Conservation Plan dated 2/14/14 as changed by way of adopting the attached resolution.

AYES: 7

NAYS: 0

MOTION CARRIED.

AUTHORIZATION TO APPLY FOR 2014 RECREATION GRANT.

Bohjanen moved Carlson seconded to pursue the collaborative 2014 recreation grant application with the Iron Ore Heritage Trail Recreation Authority to establish Lion's Field as a trailhead with appropriate amenities such as restrooms/warming shelter, improved parking, signage, and other improvements, and to retain a consultant to assist in preparing a site plan and materials for submittal.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF DRAFT MASTER PLAN CHAPTER 4.

The Board discussed Chapter 4 and had one change on page 59 under Risk Assessment of Public Health. Rewrite the statement concerning Township employees absorbing a greater portion of health expenses. The statement will be changed to - health care overall is rising in cost and when it rises for individuals it affects their disposable income and at the same time it also affects the Township budget.

PUBLIC COMMENT.

Kathy Peterson, 6341 U S 41 South – Wants it recorded in the minutes that she is opposed to anything bad and ugly and she supports anything that is good.

Mark Maki, Trustee – Curious about comments from current recreation facility users on the recreation plan. Dale Throenle, Community Development Coordinator stated that their comments are included in the recreation packet. Their comments were incorporated in developing the recreation plan.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, January 6th, 2014.
- B. Minutes – Marquette Area Wastewater Treatment Authority, December 19th, 2013.
- C. Communication – Marquette County Conservation District, et al: Firewise Planning Workshop.

Supervisor Walker adjourned the meeting at 8:45 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

March 17, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, March 17, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Woodward, Dale Throenle, Scott Jennings.

PLEDGE OF ALLEGIANCE.

MINUTES – FEBRUARY 17, 2014.

Greenberg moved Carlson seconded to approve the minutes of February 17, 2014 as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Engle seconded to accept the agenda as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

PUBLIC HEARING - CONSIDERATION OF WASTEWATER POLICY ON DEFERRING SEWER CHARGES FOR CERTAIN VACANT STRUCTURES.

The Public Hearing was opened. No public comment was received.

White moved Engle seconded to adopt the attached policy #2014-01 for Sewer Service Charges for Vacant Properties as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki questioned if a written request was required and if this applies to single family units only. The policy will add (in writing) after the word application and the policy is for single family units only.

Trustee Bohjanen felt it might be reasonable to maintain the fixed cost and defer only the flow cost. Manager Lawry stated that we do not have the fixed cost separated out in the monthly fee for sewer usage. The Board decided that making the property owner wait 12 months of building vacancy until a request for relief from sewer charges was allowed would be a fair compromise for not breaking down fixed costs.

Trustee White asked if there were disconnect/reconnect fees. There are no fees as there is no connection change.

Carlson moved Engle seconded to direct Township administrative staff to apply the new policy to the application for sewer service relief presented to the Board as a part of its January 20, 2014 agenda.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC HEARING - CONSIDERATION OF RESOLUTION FOR LIONS' FIELD RECREATION GRANT APPLICATION.

The Public Hearing was opened. The following comments were received:

- Bob Mercure, 1427 M-28 East – was at a Township goals meeting a couple of years ago and this project was discussed as a possibility in the future. He would like to thank the Board for putting this into action.
- Larry Klaus, Representing the Chocolay Lions –Attended a meeting last week and discussed this project in depth and feels that this project fits in very well with what the Lion's had intended to be done with this property when it was turned over to the Township. It was intended for youth and families of the Township. The Chocolay Lion's are in favor of this project.

- Carol Fulsher, Representing the Iron Ore Heritage Trail – The IOHT is very happy to commit to \$25,000.00 to this project. They will also do in kind match worth \$6,000.00 for a Kiosk, signage and bike rack.
- Colleen Schlumpf, 149 Riverland Drive – Their property adjoins the recreation property and they do not support the proposed location of the trail. Would request that the trail be placed on the other side of the property. Feels that the green space and blueberries should be preserved. The current placement of the trail would go right through the blueberries. She is not against the project, just against the location of the trail.
- Steve Schlumph, 149 Riverland Drive - Is concerned that the snowmobiles will utilize the trail as a snowmobile path in the winter. The more access that we give, the more the motorized vehicles will utilize. The snowmobilers have been utilizing the road on the opposite end of the property for years. He does not want the noise of motorized vehicles.
- Supervisor Walker stated that the intent of the trail is non-motorized. We will do our best to make sure that we keep the motorized vehicles off.
- Larry Klaus- The road on the opposite side of this property is a private road.

Planning Director Woodward has begun conversation with the owner of the private road next to the Lion’s Field Recreation Area on possibly having an easement on the road. We can also look at moving the trail as far from the neighborhood as possible. A three foot wide trail is ADA accessible, but a six 6 foot wide trail is universally accessible. We would get more points in a grant with the six foot wide trail.

Trustee Maki asked how the residents along the property line were notified. A letter was mailed to the residents within 500 feet of the property line and an ad was placed in the Mining Journal.

Treasurer Greenberg asked if we were locked into the plan details once the grant application is made. Planner Woodward stated that we have until August to make plan changes.

Trustee Bohjanen suggested that the trail be moved a little bit east to the edge of the ball field and the edge of the sand pit. The Board discussed this possibility, and will have the architect consider the terrain and move the trail over if possible. A tree and shrub barrier will also be considered.

The Board discussed the placement of the trail on the property, costs, unisex vault toilets, number of trees being removed, and use of barriers to discourage motorized vehicles and in kind services at length. The majority of the Board felt that we should move the trail as far east as possible on the property and that may be the only solution possible. Once the snow is gone, the architect will be able to make a plan for the trail based on the terrain. The trail revision will be brought back to the Board and adjoining residents will be notified.

Engle moved Bohjanen seconded to adopt the attached resolution to authorize submission of a Michigan Natural Resources Trust Fund Application for a \$50,000 grant, and to appropriate \$25,000 from Account #401.708.957 Recreation and Grants toward a local match, to be combined with cash and in-kind donations of \$31,000 from the Iron Ore Heritage Trail Recreation Authority and in-kind donations from the Chocolay Lion’s Club and other interested parties for a total project cost around \$116,500.

ROLL CALL.

AYES: Maki, Bohjanen, Carlson, Greenberg, Engle, Walker.

NAYS: White.

MOTION CARRIED.

ACCOUNTS PAYABLE.

Carlson moved White seconded that bills totaling \$51,811.23 including checks numbered 19249 to 19291 and bills totaling \$15,486.10 including checks numbered 19292 to 19313 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

PAYROLL.

White moved Carlson seconded that the payroll for February 27, 2014 for \$36,587.79 including check 9974-9979 and 21222-21256 and ACH payments for Federal tax, State tax and MERS and March 13, 2014 for \$31,701.04 including checks 9980-9985 and 21257-21274 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

White moved Bohjanen seconded to accept the December 2013 (after audit) financial report as presented.
AYES: 7 NAYS: 0 MOTION CARRIED.

Engle moved White seconded to accept the January 2014 financial report as presented.
AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved Engle seconded to accept the February 2014 financial report as presented.
AYES: 7 NAYS: 0 MOTION CARRIED.

TREASURER'S REPORT.

Maki moved Engle seconded to accept the Treasurer's report.
AYES: 7 NAYS: 0 MOTION CARRIED.

SUPERVISOR'S REPORT.

- CHANGE IN GARBAGE COLLECTION SCHEDULES DURING SPRING ROAD RESTRICTIONS. Great American Disposal has proposed a change during our refuse collection schedule while the road restrictions are on this year. They can not pull the recycling trailer during daytime hours while the road restrictions are on, but have negotiated with the road commission to pull the trailer during the night time hours when the temperatures are colder. They will start around midnight during the two collection days each week. We will get the word out by advertising and posting on our website and sign.
- PROGRESS REPORT ON SENIOR DROP IN CENTER. Judy White informed the Board that the senior drop in center has been operating two days a week since February. The number started out at thirty people and now average eight. The people that consistently show up really enjoy the drop in center. We may go to one day a week and continue through April. One resident has offered to pick up anyone needing a ride to the drop in center.

REVIEW OF 2014 CAPITAL IMPROVEMENT FUND BUDGET.

Trustee Maki stated that the issue is really how to fund roads. His suggestion is to set up a committee to do a comprehensive report on how to accomplish road construction.

Supervisor Walker stated that we are still working under a 2007 road plan. If we resurface a road the cost is approximately \$160,000.00 per mile. Crack filling would cost about \$4,000.00 per mile. We may only be able to afford the crack filling right now.

Treasurer Greenberg stated that we should update the road plan and utilize \$164,000.00 accumulated investment interest in the Capital Improvements Fund and \$32,000.00 revenues over expenditures in the General Fund.

Trustee Bohjanen feels that we could utilize \$45,000.00 from the Water Department in the Capital Improvements Fund.

Maki moved Greenberg seconded to have Manager Lawry present a five year road maintenance plan at the May Board meeting (if possible, taking the winter weather into consideration).

AYES: 7 NAYS: 0 MOTION CARRIED.

AWARD OF BIDS FOR THE PURCHASE OF TWO PICKUP TRUCKS.

White moved Engle seconded to award bids for the purchase of a ¾ ton Chevrolet pickup for the DPW in the amount of \$27,976.66 and a 1 ton pickup for the Fire Department in the amount of \$34,612.75 to Frei Chevrolet per the bids received, to accept the trade in value of \$1,575.00 from Frei Chevrolet for sale of the Township's 1995 pickup, to fund the purchases from the Township's Capital Improvement Fund, and to authorize the use of up to \$6,500 from the Recreation and Properties account and \$7,550 from the Fire Department account for outfitting these trucks for Township use.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

AUTHORIZATION TO PURCHASE TOWNSHIP OFFICE REPLACEMENT COMPUTERS AND MONITORS WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Engle moved Carlson seconded to authorize the required purchases and related installation of equipment from the Technology capital improvement account in an amount not to exceed \$8,000.00.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE REPLACEMENTS FOR THE POLICE DEPARTMENT IN-CAR COMPUTERS WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Bohjanen moved Maki seconded to approve the purchase of 1 Panasonic Toughpad and 1 Panasonic Toughbook with docking stations from GovDirect for the amount of \$9,143.04. This will be paid from the Capital Improvement Fund-Electronics, Account #401.305.957

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE MOBILE TICKET PRINTER FOR THE POLICE DEPARTMENT WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Maki moved Carlson seconded to approve the purchase of Printek Printer and accessories for the Police Department. Cost will not exceed \$1,164.39. This will be paid from the Capital Improvement Fund - Electronics, Account #401-305-957.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE REPLACEMENT RADIO FOR A POLICE PATROL CAR WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Carlson moved Engle seconded to approve the purchase of a Motorola Radio for the Police Department. Cost will not exceed \$4,241.25. This will be paid from the Capital Improvement Fund- Vehicle Equipment, Account #401-305-957.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

DISCUSSION OF DRAFT MASTER PLAN CHAPTER 5.

The Board did not feel it necessary to go page by page on Chapter 5 of the Master Plan.

Trustee Maki indicated that on page 76 a comment should be added that the population decline was due in part to the closure of K I Sawyer Air Force Base. Trustee Maki would like the Board to discuss the zoning in the Harvey Area and have a map available to view. Planner Woodward indicated that will occur when we get to Chapter 7 of the Master Plan. She will also have a map and presentation prepared for the April Board meeting.

CITY OF MARQUETTE REQUEST FOR LETTER OF SUPPORT FOR MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION FOR RESTROOM, STORAGE, AND MEETING SPACE CONSTRUCTION AT TOURIST PARK.

Maki moved Greenberg seconded to send a letter of support for Michigan Natural Resources Trust Fund grant application for restroom, storage, and meeting space construction at Tourist Park.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee White requested that we also request the City of Marquette to send a letter of support for our Lions' Field Recreation Grant Application.

CITY OF MARQUETTE REQUEST FOR LETTER OF SUPPORT FOR MICHIGAN RECREATION PASSPORT GRANT APPLICATION TO RENOVATE TOURIST PARK SHOWER FACILITIES.

Greenberg moved White seconded to send a letter of support for Michigan Natural Resources Trust Fund grant application for shower facility renovation at Tourist Park.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Cathy Peterson, 6341 U S 41 South – Would like the Township to provide garbage collection free or at a reduced amount. The Township used to pick up garbage at no charge. Why can't the budget cover the cost of garbage collection? Township Trustees should be frugal with tax dollars.

Dale Throenle, Community Development coordinator wanted the Board's feeling on the television screen being used instead of the projector screen. The Board like the new screen and the projector screen can go.

Steve Lawry, Manager brought up the Qualified Voter File computer was not included in the motion to replace computers. The State will not pay to upgrade the system, so it will be up to us to pay for it.

Maki move, Greenberg seconded to upgrade the QVF computer to windows 7 to be paid from the Elections Department in the CIF account 401.190.957 in an amount not to exceed \$1,000.00.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee Maki asked that a meeting date be set for the Community Farm lease committee. The committee meeting will be held on Tuesday March 25, 2014 at 5:00 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Communication – Police Chief Report on Michigan Association of Chiefs of Police Conference.
- B. Minutes – Township Planning Commission, February 10th, 2014.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meetings of January 15 and February 19, 2014 and Special Meeting of January 23, 2014 Drafts.
- D. Minutes – Marquette County Township Association, January 22nd, 2014.

Supervisor Walker adjourned the meeting at 9:20 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

April 21, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, April 21, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Woodward.

PLEDGE OF ALLEGIANCE.

MINUTES –March 17, 2014.

Carlson moved Greenberg seconded to approve the minutes of March 17, 2014 as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Engle seconded to accept the agenda as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Judy White, 370 Lakewood Lane wanted to thank the Chocolay Township Volunteer Fire Department for their professional and quick response to a fire call at her neighbors last week. The fire department was able to save the house with damage confined to the kitchen and attic above the kitchen.

Mark Maki, 370 Karen Road informed the Board that Steve Kinnenen a past Chocolay Township Planning Commission member passed away last week and asked that our Manager send a sympathy card from Chocolay Township.

ACCOUNTS PAYABLE.

White moved Carlson seconded that bills totaling \$51,369.59 including checks numbered 19314 to 19351 and bills totaling \$33,678.80 including checks numbered 19352 to 19382 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

PAYROLL.

Engle moved Maki seconded that the payroll for March 27, 2014 for \$37,722.97 including check 9986-9991 and 21275-21309 and ACH payments for Federal tax, State tax and MERS, April 3, 2014 payroll for \$6,520.42 including checks numbered 21310-21332 and April 10, 2014 for \$32,977.88 including checks 9992-9997 and 21333-21350 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Carlson moved Bohjanen seconded to accept the March 2014 financial report as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

White moved Bohjanen seconded to accept the Treasurer's report.

AYES: 7

NAYS: 0

MOTION CARRIED.

PRESENTATIONS - 2013 FISCAL YEAR AUDIT.

Mike Greutz, Anderson Tackman and Company presented the FY2013 audit to the Board. Over the past few years, there has not been much change in the Township as a whole, other than the construction of a new fire station. The net position of the Township is \$8.2 million, which is an increase of \$15,000.00 over the previous year. The Fire Millage Fund shows a deficit of \$1.2 million because the General, Capital and Wastewater Funds loaned the Fire Millage Fund the money to build the fire station. The Fire Millage Fund will pay back the other funds as the taxes are paid over the next few years. The General Fund Balance

shows \$32,901.00 revenues over expenditures. There is a new statement on page 44 concerning the pension plan, indicating the new method required by GASB regulations. The new GASB rules for pensions take effect in 2014 and they will be recorded in the books in 2015. The Fund Balance in the General Fund is capable of running the Township for a full year. The only change that Mike felt the Township could make is to create an updated Investment Policy document.

Trustee Maki requested that we move item PD14-01, Amendment to Rezoning 145 – Corning Apartments up on the agenda before the Zoning Map Presentation so the gentleman representing the Corning Apartments does not have to sit through another presentation. The Board concurred.

PD14-01, AMENDMENT TO REZONING 145 – CORNING APARTMENTS.

Planning Director Kelly Drake Woodward introduced Steve Zarkowski, owner of the Corning Street Apartments and updated the Board on the changes that he is proposing for 3 additional apartments in the basement. This area was formerly used by Bell Medical for record storage. The Board had questions on screening from nearest neighbors and handicap accessibility.

Supervisor Walker suggested that where appropriate the maker of a motion can say as presented within the recommendation instead of reading the entire motion. The entire motion will still be entered into the minutes. The Board concurred.

Maki moved, Greenberg seconded, that after consideration of application PD14-01 and staff review/analysis, and Planning Commission recommendation of approval based on a finding of compliance with all applicable terms and intent of the Ordinance, and in particular Section 10.3 Planned Unit Development Standards for Decision, the Chocloy Township Board of Trustees approves application PD14-01 which is an amendment to a Planned Unit Development called “Rezoning 145” with the following conditions:

1. Before construction, the applicant will provide proof of compliance with all other applicable statutes, regulations, and ordinances and proof that they have obtained all other necessary licenses or permits to the Zoning Administrator.

2. Applicant will provide specifications showing that all exterior lighting is in conformance with the Ordinance along with the application for a Zoning Compliance Permit.

AYES: 7

NAYS: 0

MOTION CARRIED.

White moved Carlson seconded to waive the second reading and approve PD14-01 as presented tonight.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki commented that this apartment complex is a very nice asset to our community.

ZONING MAP DISCUSSION.

Planning Director Kelly Drake Woodward stated that this is an introduction to what our zoning districts are.

Harvey Observations - MFR (Multi-Family Residential) There are currently no undeveloped parcels zoned for multi-family residential, and therefore no growth potential. All areas shown on the map as MFR are currently built out as mobile home parks or apartments. The current ordinance only permits duplexes in the R2 (Harvey), MFR, and PUD districts. There is a minimum lot size of 20 acres for the MFR district and 5 acres for a PUD. This makes it difficult to achieve density and the provision of senior housing such as duplexes anywhere except in Harvey, which is mostly built out already.

C (Commercial) There are several single-family homes in the Commercial zoning district which are now non-conforming. If they are abandoned, they cannot then be returned to single-family use, because single-family is not a permitted use in the Commercial district. Some are now suffering from disinvestment until such time as they can be redeveloped as Commercial.

There is no provision for mixed-use development in the Township, except through a PUD zoning district.

However, minimum lot size for a PUD is 5 acres. There are very few parcels in Harvey that meet this requirement. Therefore, to do mixed-use development (such as a store with apartments above) in Harvey, you would have to first get a variance from the ZBA to develop on a lot less than 5 acres, then get Planning Commission, County, and Township Board approval for the rezoning to PUD. This limits beneficial density in our sewer service district.

Township Observations:

I (Industrial) The use restrictions of the zoning ordinance and the current zoning also limit any potential for future industrial development. Most parcels are already built out with commercial uses, except for FRACO. There is no encouragement of light industrial uses such as assembly, food processing and packaging, etc even though this was a stated goal in the 2005 Master Plan.

The Board discussed updating the zoning map making sure that all the zoning districts are accurate on the map. Trustee Maki will put his zoning map questions in writing to the Planning Commission, so they can work with the Planning Director on updating the zoning map. Trustee Maki feels that mini warehouse do not belong in the Commercial District where sewer is available. This is not an appropriate way to use property in the sewer district.

APPOINTMENT OF FIRE CHIEF.

The Chocolay Township Volunteer Fire Rescue Department conducts biennial elections for officers from within its ranks. While most Department leadership positions are filled through this election process, Section 5 of the Department constitution and by-laws provides for the Department to recommend a candidate for Chief to the Supervisor who then recommends that individual for appointment by the full Township Board. Mr. Tom Kidd, a member of the Department since 1996, has guided the Department through the move from the old station to the new building and been very instrumental in transforming the new building into a functioning fire station. He also served as incident commander for the Township's largest structure fire in many years, at the Seeds & Spores Farm, and developed budgets that provided for the upgrade of the Township's drafting hydrant at Big Creek on CR 480 and the addition of an equipment transport/tow pickup to the Department fleet. Mr. Kidd decided not to seek re-election, and former Chief Gary Johnson expressed a desire to again serve in the position. Firefighters chose to recommend Mr. Gary Johnson as their candidate for Chief for 2014-15. Mr. Johnson has been a member of the Department since 1991 and has served six previous terms as Chief. He also serves as the Director of Marquette County Central Dispatch. Gary has demonstrated his leadership abilities during his previous service as Township Fire Chief and I am happy to recommend him for reappointment to that position.

I would also like to thank Mr. Tom Kidd for his service as Chief during the last two years.

Walker moved Maki seconded to appoint Gary Johnson as fire chief.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

Hours of operation for the Chocolay Senior Drop In Center have changed starting in April. The program and facility at the Township Hall will now be open on Tuesdays from 1:00 – 4:00 PM and on Thursdays from 1:00 – 4:00 PM. All seniors (55+) are encouraged to come meet their neighbors, share ideas and experiences, snack, play cards, and have an enjoyable afternoon.

Trustee Maki asked if the drop in center could be available to all ages. The Board said that everyone is welcome.

DETERMINATION OF REPAYMENT PLAN FOR FIRE STATION CONSTRUCTION LOAN.

Engle moved Maki seconded to that the Board authorize the Township auditor to prepare appropriate schedules providing for payments of \$300,000.00 and 0.5% interest to the Capital Improvement Fund and \$105,000.00 to each of the General Fund, and Wastewater Treatment Fund, plus accrued interest for 2013/2014 at the simple rate of 0.5% per annum. The remaining payments and interest for the remainder of the years will be 50/50 to the General Fund and the Wastewater Fund.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF LAND USE AGREEMENT FOR COMMUNICATIONS TOWER.

Greenberg moved White seconded that the Township Board authorize the Township Supervisor and Clerk to execute the option and lease agreement with Cingular Wireless PCS, LLC to allow construction of a wireless communications tower on a portion of the Silver Creek Recreation Area, if all required permitting conditions are met. It is further recommended that the Board allow the final site of the tower to be determined by the Planning Commission or Board of Zoning Appeals as the project proceeds through site plan review, and possibly variance, procedures. Finally, it is recommended that the administration further investigate the requirements and possible options for mitigation that may be attached to lease of a portion

of the recreation site. This option and lease agreement will only go forward if the mitigation issue is resolved successfully.

AYES: 7

NAYS: 0

MOTION CARRIED.

DEFICIT ELIMINATION PLAN FOR FIRE STATION CONSTRUCTION FUND.

White moved Greenberg seconded that

WHEREAS, the Charter Township of Chocolay Fire Millage Fund has a \$(1,211,315.87) deficit fund balance on December 31, 2013; 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:

WHEREAS, it is anticipated that the sixth year of millage collection in 2018 (for 2017 taxes) will not be needed to eliminate the deficit in the Fire Millage Fund:

NOW THEREFORE, IT IS RESOLVED that the Charter Township of Chocolay Fire Millage Fund Deficit Elimination Plan:

	2014	2015	2016	2017	2018
Fund Balance (Deficit) January 1st	\$ (1,211,315.87)	\$ (911,126.87)	\$ (602,502.87)	\$ (292,335.87)	
Revenue - Property Tax	\$ 307,089.00	\$ 308,624.00	\$ 310,167.00	\$ 292,335.87	\$ -
Residual Expenditure	\$ (6,900.00)	\$ -		\$ -	
Fund Balance (Deficit) December 31st	\$ (911,126.87)	\$ (602,502.87)	\$ (292,335.87)	\$ (0.00)	

BE IT FURTHER RESOLVED that the Charter Township of Chocolay Supervisor, Gary Walker submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

Ayes: 7

Nays: 0

Motion Carried.

SCHEDULING OF JOINT MEETING WITH PLANNING COMMISSION.

The joint Planning Commission/Township Board meeting is scheduled for June 9, 2014.

PUBLIC COMMENT.

Dick Arnold, County, 312 West Branch Road – Commented on the cell tower being placed on Municipal property instead of private property. He feels it should go on private property.

Richard Bohjanen, 140 Edgewood - It does sound like a private enterprise, but this will serve the residents of Chocolay Township.

Mark Maki, 370 Karen Road – Commented that in the 1990’s Doug Riley, Township Planner put together information regarding cell towers on municipal property. We will also be able to use the money from the cell tower lease for recreation.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, March 3rd, 2014.
- B. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of February 6th, 2014 and Regular Meeting of April 2nd, 2014 Drafts.
- C. Minutes – Marquette County Township Association, January 22nd, 2014.
- D. Communication – Michigan Department of Natural Resources Approval of Chocolay Township Recreation Plan.

- E. Communication – Iron Ore Heritage Recreation Authority re: Recreation Authority Study Group Report.
- F. Peter White Public Library Monthly Reports for January, February, and March 2014.
- G. Training Opportunity Flyer – Michigan Association of Planning.

Supervisor Walker adjourned the meeting at 9:00 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

Trustee Bohjanen wanted to make sure it is understood that the Township may or may not assist in a grant for water. 14. Terms. The Board discussed that if this is a successful project after 5 years, it would behoove the Township to continue the project. Change the wording at the end of the first sentence from approval of an additional 5-year term to approval of an extended term.

Greenberg moved White seconded to approve the form and content of the proposed licensed agreement with the Chocolay Community Farm Collaborative with the following modifications to include Section 7. Allow two enrollment periods and Section 14 scratching 5 year term and change to extended term of renewal.

AYES: 7

NAYS: 0

MOTION CARRIED.

REPORT ON FIRE STATION POWER CONSUMPTION.

The Board discussed the fact that we did not have a demand meter on the old fire building. We may have been exceeding the 25 KW without knowing it. The Board of Light and Power tested the different usage devices and found that several of them create a high usage period. If we spike over the 25 KW usage at any point in any given month we would be on the higher demand rate for the subsequent year. The building itself is very energy efficient, but the size of the motors on pieces of equipment causes the spike in consumption. The Board agreed to monitor the consumption and look for power saving suggestions without investing in new equipment.

2014 GENERAL FUND BUDGET AMENDMENT #1 TO REFLECT RECEIPT OF A MMRMA RISK AVOIDANCE PROGRAM GRANT FOR TASER REPLACEMENT.

Maki moved, Carlson 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 18, 2013 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 Equipment Maintenance 101.305.778	\$8,969.00	+\$ 400.00	\$9,369.00
REVENUE Miscellaneous 101.698	\$16,200.00	+\$ 400.00	\$16,600.00

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

2014 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #1 TO REFLECT RECEIPT OF A MMRMA RISK AVOIDANCE PROGRAM GRANT FOR PATROL CAR BUMPER GUARDS.

Engle moved, Greenberg seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on November 18, 2013 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 - Vehicles 401.305.981	\$56,156.77	+\$125.00	\$56,281.77
REVENUE Miscellaneous 401.698	\$0.00	+\$125.00	\$125.00

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.
NAYS: None.

MOTION CARRIED.

DISCUSSION OF DRAFT MASTER PLAN CHAPTER 6.

The Board made no changes.

REIMBURSEMENT OF GIRL SCOUT COMMUNITY PLANTING EXPENSES.

Greenberg moved White seconded that the Board change the payee for reimbursement from CABA to the local Girl Scout troops for the beautification projects located at the intersection of M-28 and US 41. Staff also recommends that the maximum amount for reimbursement remain at \$1,000.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF BRUSH DISPOSAL OPTIONS.

The Board discussed the needs of residents that have no means to transport brush to the brush drop off location. Trustee White is concerned that seniors and handicap residents have no way to transport brush. Treasurer Greenberg suggested that Trustee White contact the Lion's Club for assistance with brush pick up for senior and handicap residents. The Township does not have the equipment needed to pick up brush; we would have to hire a contractor. Supervisor Walker suggested that we gauge interest and need for brush pick up for seniors and handicap residents by placing the question on the Township website. Manager Lawry will get data on the cost of undertaking a brush pick up for seniors and handicap residents. He will also check with RSVP to see if they offer this service.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road – Asked if Cell Towers were a conditional Use in the Zoning Ordinance.

Mary Vertanen, 327 Corning Street – Thanked the Board for the financial assistance for the beautification project at the M-28 and U S 41 intersection.

CONSIDERATION OF CLOSED SESSION TO DISCUSS POTENTIAL PROPERTY PURCHASE.

Greenberg moved Carlson seconded to go into closed session at 8:05 pm to discuss the potential property purchase.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Greenberg moved Maki seconded to go out of closed session at 8:27 pm and back to an open meeting.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, April 7th, 2014.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of April 16th, 2014 and Special Meeting of April 29th, 2014 Drafts.
- C. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of March 20th, 2014.
- D. Minutes – Marquette County Township Association, March 26th, 2014.
- E. Peter White Public Library Monthly Reports for April 2014.

Supervisor Walker adjourned the meeting at 8:25 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

SPECIAL MEETING
CHOCOLAY TOWNSHIP BOARD
CHOCOLAY TOWNSHIP PLANNING COMMISSION

June 9, 2014

A Special meeting of the Chocolay Township Board and Chocolay Township Planning Commission was held on Monday, June 9, 2014 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLIGIANCE.

Planning Chair Andy Sikkema called the Planning Commission meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Susan Carlson, Richard Bohjanen.

ABSENT: Judy White.

TOWNSHIP PLANNING COMMISSION.

PRESENT: Andy Sikkema, Tom Mahaney, Bruce Ventura, Eric Meister, Andy Smith (arrived at 7:25 pm), Richard Bohjanen (also on Township Board).

ABSENT: Kendell Milton.

STAFF PRESENT: Steve Lawry, Kelly Woodward, Mary Sanders.

AGENDA.

The purpose of the Special Township Board/ Planning Commission meeting is to discuss future land use planning and zoning, Chocolay Community Farm license, Recreation Plan project priorities, Open Burning, Junk and Blight Ordinance revisions and Planning Commission priorities and performance.

Engle moved Carlson seconded to approve the agenda as amended and move Assignment of Chocolay Community Farm License to the first item on agenda.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

PUBLIC COMMENT.

Amy Conover, Superior Sustainability introduced herself.

ASSIGNMENT OF CHOCOLAY COMMUNITY FARM LICENSE.

Trustee Maki had questions on identification signage for the Chocolay Community Farm. He also felt that this was an increase in intensity from the past use of one person planting and harvesting the entire parcel of land. He feels this should go to the Zoning Board of Appeals as a non-conforming use of the property.

Planning Director Woodward stated that if structures were added, it would need to go to the Zoning Board of Appeals. This is still being used as farming, so the use has not changed and there is no need to go to the Zoning Board of Appeals.

Carlson moved Bohjanen seconded to approve the proposed license agreement with Superior Sustainability, which is a project sponsor for the Chocolay Community Farm Collaborative, as presented.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

FUTURE LAND USE PLANNING AND ZONING.

Planner Woodward explained to the Board that the Planning Commission is at the point in the Master Plan that focuses on the future land use plan, which is meant to be a depiction of future (20 years or more) uses of land.

Township Board and Planning Commission discussion on future land use:

- This is a long range look at zoning and we need to decide if we want to make changes in zoning or keep status quo.
- Comments from the majority of Township residents have been to preserve the rural character. There does not seem to be a large push for additional commercial.
- This is the struggle the Planning Commission faces; residents would like to see some commercial growth on M-28 and U S 41, but not change the rural feel of the Township.
- Do realtors inform us that they hear of a need for more commercial property in the Township?
- Items that discourage business in Chocolay are the size and shape of available parcels, zoning, and infrastructure (lack of a water system).
- Plan for places to allow a small amount of change, which is inevitable unless you chase it away. This is needed to support revenues.
- We should look at allowing multi-use in the existing commercial district. Allow a business on the bottom floor of a building with apartments above. Also multi-family development in the sewer district.
- Comments from the survey show a wish to retain young people and retain retirees looking to move out of the family home. This would require more apartments/condos and a zoning change.
- The City of Marquette takes a proactive approach to attract young people, such as providing transportation options.
- Clusters of small businesses supported by the residents that live nearby can be considered.
- Light industrial needs to be looked at before it happens on its own without forethought.
- Form based zoning could allow Commercial and Light Industrial in the same building near residences. This supports businesses with increased activity. It's about progress that won't change character.
- We need to control the area for an Industrial Park off a major road. See how other communities are creating these areas.
- There are different scales and types of industrial activity. Fraco is a great example of Industrial near residential. It is very well buffered.
- Revisit the Future Land Use map of the 2005 plan to determine changes.
- Government is not a great economic developer; it should be driven by the private sector.

The Board consensus was for the Planning Commission to continue to look at Mixed Use Zoning.

RECREATION PLAN PROJECT PRIORITIES.

A Recreation ranking document for the Master Plan was presented. The Board has a deadline of July 21, 2014 to make comments on the Recreation Plan Project Priorities; the comments will be forwarded to the Planning Commission for the August 4, 2014 meeting.

OPEN BURNING, JUNK AND BLIGHT ORDINANCE REVISIONS.

Supervisor Walker presented a suggested Outdoor and Open Burning Ordinance for Chocolay Township. The thought is to have a separate Ordinance dealing with Outdoor Burning separate from the Zoning Ordinance. Public Safety, Police and Fire Departments would handle the enforcement.

Township Board and Planning Commission discussion on an Outdoor and Open Burning Ordinance:

- Will campfires be allowed at the M-28 Turn outs or just private beaches?
- Buckets could be available at the turn outs for extinguishing camp fires.
- Contractors have difficulty disposing of large stands of trees from excavating at building site.
- We could add a clause that would allow commercial burning by conditional use permit in AF district on large parcels where it would not disturb the neighbors. Buffers are more important than the parcel size.

The Board concurred to add language to the ordinance to include our Police Department and Fire Department for enforcement, to allow camp fires at the M-28 Turn Outs and to add wording to allow commercial contractors to burn logs taken from development sites. This will appear on the Township Board June 16, 2014 agenda and will then be forwarded to the Planning Commission.

Township Board and Planning Commission discussion on Junk and Blight:

- The current Ordinance allows any number of vehicles on a piece of property as long as they are licensed. There is a forever license plate that can be purchased for \$75.00 and can stay on a vehicle forever. This could cause problems to our ordinance as it stands.
- Cargo trailers are also becoming a problem and are not addressed in the Ordinance.
- Damaged and deteriorated structures also need to be dealt with. How long should a non-functioning building be allowed to stand? Should we consider demolition permits to help control this?
- This ordinance is hard to enforce. We need to make it easier to enforce.
- How many times have we gone to court over vehicle issues? The Board needs to see photos of situations that the Ordinance does not address. Bring a list of specific problems pertaining to this Ordinance to the Board before we can move on this issue. This might include the storage of multiple RV's on a property, multiple licensed trailers and vehicles, etc.

DISCUSSION OF PLANNING COMMISSION PRIORITIES AND PERFORMANCE.

Andy Sikkema, Chairman of the Planning Commission said they are trying not to take on so much, so they may not be able to take action just because someone asks in public comment. He presented the following priority list to the Township Board.

- 2014 Recreation Grant application
- *Finish the Master Plan update*, including prioritization of projects
- Finish unfinished proposed zoning ordinance amendments
- Reconsider the "Accessory Homesteading Activities" regulations after evaluating public input
- *Junk car and blight ordinance updates*
- Asset Management Plan for Township roadways
- Consider need to amend burn regulations
- Necessary updates to the Lot Split and Land Division ordinances

Comments made by the Township Board to the Planning Commission:

- The Planning Commission should address Private Road regulations. There are concerns about allowing four lots off one private driveway, even with the 66' easement requirement. There are no construction requirements. This is a safety issue for Police and Fire emergencies, especially when properties are not appropriately addressed.
- Homes on private roads should have fire numbers.

- The Commission discussed concerns relating to seasonal rentals and site plan review not having a provision to notify neighbors.

Supervisor Walker thanked the Planning Commission for their thoroughness and consideration of issues. He very much appreciates their hard work. The Board agreed with his comments.

PUBLIC COMMENT.

Karen Alholm, Zoning Board of Appeals member introduced herself to the Board. She is running for County Commission District 6 (vacated by Greg Seppanen).

Tom Mahaney, Planning Commission member commented that we cannot get the Third Street business feel in Chocolay Township due to traffic speed on the business corridor.

Supervisor Walker adjourned the meeting at 9:45 pm.

Max Engle,
Clerk

Gary Walker
Supervisor

Engle moved White seconded to accept the Treasurer's report.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

Supervisor Walker has a family obligation on August 18, 2014 and will not be available for the Board meeting, would the Board consider changing the date for the August meeting to August 25, 2014. Trustee Carlson may not be available; she will check and inform the Board if she is available.

DISCUSSION OF REVISIONS TO OUTDOOR AND OPEN BURNING ORDINANCE.

Carlson moved Greenberg seconded to refer the Open and Outdoor Burning Ordinance to the Planning Commission for their review and public hearing with the following modifications : 12.1 The Fire Chief *and/* or Police Chief as the authorities having jurisdiction or his/*her* appointee is authorized to enforce the provisions of this ordinance. Also, to include a recommendation to the Planning Commission to further explore how to deal with contractors clearing wood debris from building sites and possibly disposing/burning off site.

AYES: 7

NAYS: 0

MOTION CARRIED.

AUTHORIZATION TO PURCHASE TABLES FOR HALL MEETING ROOM.

Maki moved Engle seconded that the Chocolay Township Board approve the expenditure of \$1,139.80 to Office Express U.P. for the purchase of new tables. This will be purchased from the Township Hall and Grounds Capital Improvements Fund Building Account 401.265.976.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

DISCUSSION OF BRUSH DISPOSAL OPTIONS.

The Board discussed brush disposal options for residents (especially seniors and handicapped) that do not have a way to haul brush during our spring and fall brush drop. Treasurer Greenberg suggested that we contact local service organizations and ask if they have an interest in taking care of this need. Trustee White feels that if we can afford to provide this service to people that have the capability to haul brush to the landfill all year long, and we cannot afford to do anything for those that do not have a way to haul the brush then we should not offer this service to anyone. After further discussion the Board decided to add to our brush pick up advertising that residents should consider helping their neighbors that do not have a method of hauling brush to the drop off site and to for the Township to attempt coordinate with local service organizations to assist seniors and handicapped residents with brush hauling.

CONSIDERATION OF PROPOSAL TO NAME A TRIBUTARY OF DOROW CREEK AS TWO SISTERS CREEK.

Carlson moved Engle seconded to approve the selection of "Two Sisters Creek" as the name for a presently unnamed tributary of Dorow Creek and direct the Clerk to so notify the U. S. Board of Geographic Names.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF LOCAL GOVERNMENT APPROVAL FOR SOUC' INC. CHOCOLAY RIVER BREWERY LLC.

Maki moved Carlson seconded that in the manner of the application from Souc' Inc. Chocolay River Brewery LLC. for the : Brew Pub to be located at 200 W. Main Street, Harvey, Michigan 49855, it is the consensus of this body that it recommends this application be considered for approval by the Michigan Liquor Control Commission.

AYES: 7

NAYS: 0

MOTION CARRIED.

Clerk Engle questioned if this was allowed in the commercial zoning district. This license is for sale on premise only, not to be distributed elsewhere, so nothing should change in the zoning.

CONSIDERATION OF CLOSED SESSION TO DISCUSS POTENTIAL PROPERTY PURCHASE AND APPROVAL OF THE MAY 19, 2014 CLOSED SESSION MINUTES.

White moved Carlson seconded to approve the minutes of the May 19, 2014 Closed Session as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Maki seconded to go into Closed Session at 7:47 pm. for the purpose of discussion of potential purchase of property.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED

Carlson moved Engle seconded to go out of Closed Session and back into Open Session at 8:15 pm.

PUBLIC COMMENT.

Trustee Maki had questions on the Holiday Station's proposed driveway change. Manager Lawry indicated that Holiday will be putting in additional pumps; changing traffic flow to go behind the building, closing the North driveway and add a frontage road between Snyder's and Holiday. This has been approved by the Corridor Committee and our Planning Commission. The South driveway will remain, but they will square it up. Manager Lawry informed the Board that the newly paved bike path will have to be taken out and replaced when the driveway work is done.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, May 5th, 2014.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of May 21st, 2014 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of April 17th, 2014.
- D. Minutes – Marquette County Township Association, May 28th, 2014.

Supervisor Walker adjourned the meeting at 8:25 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

- The MERS Pension System 2013 Annual Actuarial report has been completed and Chocolay Township is 104% funded.

2014 BUDGET AMENDMENT TO REFLECT ADDITION OF A LIBRARY MILLAGE FUND.

Carlson moved, White seconded that Whereas, the Chocolay Township Board is creating a Library Millage Fund and to govern the expenditures of anticipated receipts within the township for the 2014 fiscal year, it is necessary to create the aforesaid budget including revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby created as follows:

REVENUES	BUDGET
Property Taxes	
271.000.000.402.000	\$139,713.71

EXPENDITURES	BUDGET
Peter White Library	
Contracted Services	
271.790.000.800.000	\$139,713.71

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

GENERAL FUND BUDGET AMENDMENT #2 TO REFLECT RECEIPT OF RURAL PARTNERS OF MICHIGAN GRANT AND TRANSFER TO SUPERIOR SUSTAINABILITY.

Engle moved Bohjanen seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated revenues and expenditures of the General Fund of the Township on November 18th, 2013 for fiscal year 2014, and Whereas, as a result of receipt of unanticipated revenues 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 Revenue			
101.000.698	\$ 0.00	+\$ 800.00	\$ 800.00
EXPENDITURE			
Recreation & Properties			
Miscellaneous			
Rural Partners of MI Grant			
101.756.956.001	\$ 0.00	+\$ 800.00	\$ 800.00

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF DONATION OF HISTORIC FIRE ENGINE.

White moved Carlson seconded that Chocolay Township will accept the donation of the 1949 Mack fire apparatus from the Chocolay Fireman's Association and will insure, register, and house the Fire truck.

AYES: 7

NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET ADJUSTMENT #2 TO REFLECT RECEIPT OF KBIC 2% GAMING FUNDS.

Maki moved Greenberg 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 18th, 2013 for fiscal year 2014, 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	+\$ 26,328.94	\$ 26,328.94
EXPENDITURE			
Police Vehicles & Vehicle Equip. 401.305.981	\$ 56,156.77	+\$ 5,500.00	\$ 61,656.77
Fire Dept. Building Improvements 401.340.976	\$ 25,263.50	+\$ 16,000.00	\$ 41,263.50
Recreation & Grants Land Improvements 401.708.972	\$ 50,000.00	+\$ 4,828.94	\$ 54,828.94
ROLL CALL.			
AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.			
NAYS: None.			MOTION CARRIED.

AUTHORIZATION TO PURCHASE BICYCLE HELMETS WITH CAPITAL IMPROVEMENT FUND DOLLARS.
Greenberg moved Carlson seconded to approve the purchase of bicycle helmets not to exceed \$1,000.00. This will be paid from the Capital Improvement Fund – Office Equipment #401.305.977.
ROLL CALL.
AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.
NAYS: None. MOTION CARRIED.

AUTHORIZATION TO PURCHASE EXTERNAL BACKUP DRIVE AND CARTRIDGES WITH CAPITAL IMPROVEMENT FUND DOLLARS.
Carlson moved Engle seconded to approve the purchase of a HP RDX backup device and cartridges not to exceed \$2,000. This will be paid from the Clerk Department Equipment capital improvement fund #401.215.977.
ROLL CALL.
AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.
NAYS: None. MOTION CARRIED.

DISCUSSION OF DRAFT MASTER PLAN CHAPTER 7.
The Board discussed Chapter 7 of the Master Plan and made the following suggested changes.

- Strategy PS-4 add the word **consider** before the word hire.
- Strategy PS-16.1 and 16.2 Change the word purchase and the word replace with **Update as required**.
- Strategy FS-1.7 add **where appropriate** at the end of the sentence.

PUBLIC COMMENT.
None.

- INFORMATIONAL REPORTS AND COMMUNICATIONS**
- A. Minutes – Township Planning Commission, June 2nd, 2014.
 - B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of June 18th, 2014 Draft.
 - C. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of May 15th, 2014.
 - D. Peter White Public Library Monthly Report for May 2014.

- E. Attorney Opinion on Need for Zoning Board of Appeals Review of Chocolay Community Farm.
- F. Communication – Michigan Liquor Control Commission Notice of Transfer of Class C License Ownership.
- G. Report on Statewide Ballot Proposal 1 for Personal Property Tax Reform.

Supervisor Walker adjourned the meeting at 8:05 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

Treasurer Greenberg commended Manager Lawry on the presentation of the budget memo. The memo made it easy to follow all the changes implemented in the 2015 budget.

Trustee White was concerned that the increase in garbage tag price may cause residents to cut tags in half or use other means to save money. She also has concerns that employees are not paying 20% of health insurance.

Treasurer Greenberg asked if there was a way to look at health insurance as a percentage of the employees wage rather than a percentage of the health insurance premium.

Clerk Engle feels that we need to increase the monthly sewer user fee in an amount that will allow us to set aside money for capital expenditures. Our pump and lift stations are over 40 years old and will need to be replaced in the near future.

Trustee Maki commented on garbage tag fee increase, having a road analysis for road repairs, legal/professional fees under Township Board and Assessing Department. Other concerns are fees for land division application, non-conforming use application and site plan review.

Trustee Bohjanen asked if the fee for a Special Board meeting request covered the cost of the meeting.

SUPERVISOR'S REPORT.

None.

PROPOSED OUTDOOR AND OPEN BURNING ORDINANCE, ORDINANCE #59 AND REPEAL OF ZONING ORDINANCE PROVISIONS 6.5 (D) 1.-3.– FIRST READING.

Greenberg moved Carlson seconded to approve the first reading of draft Ordinance #59 Outdoor and Open Burning Ordinance as written and to schedule a second reading for the September Board meeting.

AYES: 6

NAYS: 0

MOTION CARRIED.

Treasurer Greenberg requested that in Section 10.00 Burning Permits, we use another term for curtilage that the general public will understand.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, July 7th, 2014.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of July 16th, 2014 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of June 19th, 2014.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meetings of November 12th, 2013 and June 10th, 2014.
- E. Peter White Public Library Monthly Report for June 2014.
- F. Summary of August 5th Primary Election Results.

Clerk Engle adjourned the meeting at 8:25 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

PRESENTATIONS- FUTURE LAND USE MAPS FOR NEW MASTER PLAN.

Presentation by Planning Director, Kelly Drake Woodward on the future land use maps for the new master plan. We are adding three future land use categories that are mixed use, four that are primarily residential and one that is primarily working lands and two that are recreation/conservation based.

Corridor mixed use (MU-C) is to accommodate a mix of commercial, light industrial, industrial, residential and institutional uses to create a live/work node along the highway corridor, with the primary focus on non-residential uses (residential as accessory). It is proposed to be located at the industrial area adjacent to Lion's field (Varvil Center).

The future land use map is not necessarily equal to future zoning, but is meant to guide future zoning for these areas. The Planning Commission made these future land use recommendations and the Board is seeing it for the first time today.

Trustee Maki asked how we would expect to put residential housing in an industrial park. Planner Woodward responded that there are some vacant adjacent parcels that could accommodate multi-family development, or there could be living quarters over non-residential uses. Trustee Maki was concerned about losing industrial land since there is not much available in the Township.

Trustee White suggested correcting the spelling of Basal Rd on the future land use map.

Village mixed-use (MU-V) (mostly Harvey) accommodates a mixed use of commercial, light industrial, higher density residential, civic and institutional uses adjacent to the sewer district. The goal is to support commerce near affordable housing, and increase density to support utility infrastructure. Diverse residential housing types are encouraged, and new single family housing is discouraged except as part of a compact overlay development pattern. There would be design standards for buffers between residential and non-residential uses.

Trustee Maki feels that this is too large of a district. It should not go down Cherry Creek Road to the school, or down Silver Creek Road, or another ½ mile down M-28. This may encourage strip development. He is in favor of the mixed-use designation only in existing commercial areas with no expansion. Planner Woodward said, for example, that including the Cherry Creek School in the mixed-use area would allow this large structure to be redeveloped with a variety of uses if the school use was discontinued. The plan provides more opportunity on large vacant parcels.

Trustee Bohjanen commented that future land use planning is not rezoning. Currently these lands are stable, but they may not be in the best future use for the area. For example, if Fraco shut down, only industrial type uses could be at that location. Mixed-use designation would allow the property to be redeveloped into a condominium village that would increase the population within walking distance of the commercial district, which would be more appropriate. This would be accomplished without the rezoning process.

Supervisor Walker stated that this is part of the master plan and the idea is that the master plan is a guide for future decisions that are made within the Township. This is to guide the Planning Commission in their zoning decisions. Trustee Maki feels that the zoning change will follow acceptance of the Master Plan and the Future Land Use Map.

Trustee Bohjanen said the driving force in what gets developed is property owners, and what they want to do with their land, not the Township. Trustee Engle said the idea is that these areas can be developed more heavily by giving an economic incentive to small businesses by enabling them to have the opportunity for more than one kind of income. Treasurer Greenberg said the original 1970's zoning ordinance was rejected because of a lack of flexibility – the public seemed to want something more fluid. He feels that this mixed use approach gives flexibility and fluidity to zoning. Maybe the borders are not quite right yet, but the flexibility appeals to him. Planner Woodward said the Planning Commission discussed phasing in zoning changes over certain areas over time.

The Board agreed to bring this back to either a special meeting or to be placed on the next meeting agenda. Supervisor Walker asked Planner Woodward to continue through the future land use descriptions.

Neighborhood mixed-use (MU-N) accommodates a lower intensity mix of commercial, medium density residential, civic and institutional uses that are meant to serve the neighborhoods.

Water-oriented residential (R-W) consists primarily of single family residential uses on the waterfront on Lake Superior other inland lakes or river.

Trustee Maki questioned if the current waterfront district allows resort rentals. He feels it is not allowed, and that Township residents do not want vacation rentals. Treasurer Greenburg said that it sounds like the zoning ordinance doesn't say it's permitted, but we might have a difficult time legally saying "you can't do that". Trustee Maki referenced the public survey as evidence of what people want.

Village residential (R-V) is similar to the current R-2 zoning district in the village of Harvey.

Neighborhood residential (R-N) is similar to the current R-1 zoning District.

Rural residential (R-R) is a new idea the Planning Commission had for areas that are currently non-conforming in the A/F district because they are not 20 acres, and they are less rural in character and may merit different standards for accessory buildings, for example.

Primary working lands – agriculture/forestry (A/F) is pretty much the same as the current A/F district.

Conservation recreation lands (CR) are basically properties that have so many environmental concerns that they are not really suitable for development.

Public use (P) includes Township owned and other privately owned publically used lands (i.e. Lakenenland) and state lands. These are lands that have been developed for public use and are intended to stay in public use, regardless of ownership.

Supervisor Walker asked the Board to go over the future land use plan presented by Kelly tonight and if there are areas that you wish to specifically alter; come prepared to make a motion. We will either hold a special Board meeting or this will be on the agenda at the next regular board meeting.

SUPERVISOR'S REPORT.

- Update on fire supply cistern freezing corrections. Associated Constructors replaced a section of plastic pipe with copper (so it can be thawed if needed) and added a stop and waste valve to empty water from the pipe. We may put a valve in the fire station and use a compressor to blow the line free of water.
- MDOT has started a repaving project on U S 41 South from Juliet Street to South Big Creek Road. Marquette County Road Commission contacted the Township with a suggestion that we may take advantage of Payne & Doyle working in the area to get the first few hundred feet of South Big Creek Road repaved. It is the road that we get the most complaints on. The elevation can be built up with the gravel being dumped over the existing road surface and paving over that. The estimate is \$21,800.00 to do the first 500 feet. The Road Commission needs to properly shape the drainage ditches and shoulders for the road repair to last more than a couple of years.

Greenberg moved, White seconded to expend up to \$25,000.00 from the Capital Improvements Fund Water Department to be applied to the Streets Department to pave the distance necessary on South Big Creek; contingent upon Manager Lawry's satisfaction with the proposed engineering. A budget amendment will be presented at the October meeting.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

Motion Carried.

PROPOSED OUTDOOR AND OPEN BURNING ORDINANCE, ORDINANCE #59 AND REPEAL OF ZONING ORDINANCE PROVISIONS 6.5 (D) 1.-3.– SECOND READING.

Proposed Outdoor and Open Burning Ordinance, Ordinance #59 and Repeal of Zoning Ordinance Provisions 6.5 (D) 1.-3.– Second Reading.

White moved, and Carlson seconded to approve the second reading of Ordinance #59 Outdoor and Open Burning as changed [instead of using the word curtilage change to - **area immediately surrounding a residence, including yards and closely associated buildings and structures used for domestic activities of**

the residents], and to file the ordinance with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Ordinance book within one week after publication.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

Motion Carried.

Maki moved, and Greenberg seconded to waive the second reading and adopt the proposed Zoning Amendment Case #ZA001-14 (amendment #34-14-01) to delete Section 6.5(D) items 1-3 from the Township Zoning Ordinance, such provisions having been replaced by Ordinance #59 Outdoor and Open Burning, and to file the ordinance with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance book within one week after publication.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

Motion Carried.

DISCUSSION OF DRAFT 2015 ANNUAL BUDGET.

Manager Lawry explained the additional graphs included in the Board packet. Revenues show that we have had very low growth over the past nine years. Other graphs included are employee health care cost and employee contribution to health care cost, capital expenditures and police and fire department responses. Kelly Woodward did an in depth analysis of fees related to zoning. Manager Lawry addressed all the new information presented in his memo.

Carlson moved Greenberg seconded to schedule public hearings for adoption of the Sewer User Fee Resolution for 2015, adoption of the general fee schedule of 2015, adoption of the proposed property tax millage rates and General Appropriations Act and budget for 2015 at 7:00 p.m. on October 20, 2014 in the Board Room of the Township Hall and to direct the Clerk to advertise same.

AYES: 7

NAYS: 0

MOTION CARRIED.

White moved Maki seconded to increase garbage tags in 2015 by .10, which would be \$1.80 per tag.

AYES: 6

NAYS: 1

MOTION CARRIED.

Maki moved Carlson seconded to set the zoning compliance fee for residential new structure and alterations at \$25.00

AYES: 3

NAYS: 4

MOTION FAILED.

Maki moved Carlson seconded to set the fee for variance, non-conforming Use Alteration Permit and Zoning/Land Division Appeal at \$250.00.

AYES: 2

NAYS: 5

MOTION FAILED.

White moved Bohjanen seconded to increase the sewer user fee to \$2.40 per month per equivalent user; \$1.40 per month toward costs and \$1.00 going toward the sinking fund.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki asked how much loss of revenue we would see with the garbage tag price only going up .10 per tag instead of .20. The loss in revenue would be approximately \$9,000.00.

There were no further changes in the proposed 2015 budget.

CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION ON REZONING APPLICATION ZA002-14 FOR 118 W. WRIGHT PLACE. (PARCEL ID #52-02-106-043-80).

Greenberg moved, and White seconded, to waive the second reading and approve the proposed rezoning Case #ZA002-14, to rezone Parcel #52-02-106-043-80 for 118 W. Wright Place from Commercial to R-2, 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 within one week after publication.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

Motion Carried.

CAPITAL IMPROVEMENT FUND BUDGET ADJUSTMENT #3 TO REFLECT RECEIPT OF UTILITY REVIEW COMMITTEE DISBURSEMENT.

Maki moved Carlson 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 18th, 2013 for fiscal year 2014, 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	CHANGE BUDGET	AMENDED BUDGET
REVENUE			
Miscellaneous Revenue			
401.698.000	\$ 125.00	+\$1,075.57	\$1,200.57
EXPENDITURE			
Streets			
401.440.972			
Land Improvements	\$ 7,826.55	+\$1,075.57	\$8,902.12

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

AUTHORIZATION TO PURCHASE IN-CAR TICKET PRINTERS WITH COMBINATION OF CAPITAL IMPROVEMENT AND GENERAL FUND DOLLARS.

Maki moved Greenberg seconded to approve the purchase of two Printek Printer and accessories for the Police Department. Cost will not exceed \$1700. The amount of \$1200 will be paid from the Capital Improvement Fund - Equipment, Account #401-305.977 and the remaining balance from the Police General Fund, Account #101-305-742.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

AUTHORIZATION TO PURCHASE FENCING IMPROVEMENTS FOR LIONS FIELD WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Carlson moved White seconded to authorize the purchase of ball field fence and related improvements from the Recreation and Grants Capital Improvement Fund account for a cost not to exceed \$15,000

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

AUTHORIZATION TO PURCHASE RAIN GUTTERS WITH FIRE MILLAGE FUND DOLLARS.

Greenberg moved Bohjanen seconded that up to \$2,073.00 from the Fire Millage Fund be allocated to the purchase of rain gutters for the fire station from Northern Awning & Window Company.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

AUTHORIZE WAIVER OF PARK HOURS OF OPERATION FOR UP DISC GOLF ASSOCIATION GLOW ROUND TOURNAMENT.

Greenberg moved Engle seconded to waive the park hours and approve the request of U.P. Disc Golf Association to conduct a "glow round" fun disc golf tournament on Saturday November 1, 2014 called the "Rotten Pumpkin Classic" at the Silver Creek Disc Golf Course. This event should end by 9:00 pm.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF A RESOLUTION ADOPTING AN INTERGOVERNMENTAL AGREEMENT TO CREATE THE SUPERIOR TRADE ZONE UNDER THE URBAN COOPERATION ACT.

Engle moved White seconded

WHEREAS, subject to the approval of the Michigan Strategic Fund (the "MSF"), the Next Michigan Development Act, 2010 P.A. 275, MCL, as amended by P.A. 238 and P.A. 239 of 2013, allows for the

creation of a Next Michigan Development Corporation (“NMDC”) among local government parties for economic development purposes; and

WHEREAS, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, 1967 P.A. 7, MCL 124.501-512 (“ACT 7”); and

WHEREAS, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before submitted to the MSF; and

WHEREAS, this Charter Township of Chocolay Board of Trustees has been presented an Interlocal Agreement creating the **Superior Trade Zone** Next Michigan Development Corporation (the “Interlocal Agreement”) for economic development purposes and deems it to be in the best interest of the Charter Township of Chocolay to approve the Interlocal Agreement and become a voting participant in the Superior Trade Zone; and

WHEREAS, the acceleration of business growth in Delta and Marquette counties is consistent with community goals and objectives to provide jobs for residents, make efficient use of existing resources, improve infrastructure and promote the use of regional assets as provided for in comprehensive regional plans; and

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay Board of Trustees, Michigan hereby approves the Interlocal Agreement; and

BE IT FURTHER RESOLVED that the Township Supervisor and Township Clerk are authorized to execute the Agreement on behalf of the Charter Township of Chocolay Board of Trustees and to consent to non-material adjustments and corrections to the Interlocal Agreement, as may be required by the State of Michigan officers and agencies.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

DISCUSSION OF LETTER TO CHOCOLAY TOWNSHIP PLANNING COMMISSION FROM TRUSTEE MARK MAKI. Trustee Maki explained that this was a letter that he sent to the Planning Commission with the idea that it came out of the Board’s joint meeting with the Planning Commission. He said this was a letter to the Planning Commission from the Board through himself, who offered to draft it. He got a response from the Planning Director, but not the Planning Commission. One question was how did the property on Hotel Place get rezoned from residential to multi-family residential. The second question was how the property west of Willow Road got rezoned from R-3 to residential. Planner Woodward had replied that it was changed in the 2008 Zoning Ordinance revision. Trustee Maki said there should be some record as to why the zoning was changed. The third question was why the PUD on Corning Street was not updated on the zoning map. He feels the online zoning map should be up to date. He said the Board had talked about the fact that mini warehouses were allowed in the commercial zone in Harvey and that they should be a conditional use based on the fact that we have public sewer in Harvey. He thinks the Planning Commission should have discussed this, and he proposed that the Board should make a motion to change mini storage from a permitted to a conditional use in this area. He said the Board also requested that permitted and conditional uses in the commercial zone be reviewed to see if they are appropriate. He doesn’t think the Planning Commission has done this.

Another question posed by Trustee Maki was how mini warehouses near Family Dollar were approved in a residential zone. Planner Woodward had replied that they were permitted as an accessory use to the mobile home park. Trustee Carlson said it makes sense for there to be storage for the mobile home park residents, who don’t have basements, garages, etc. Trustee Maki said he objected to the sign – why would you need to advertise if it was really for the use of the residents? The sixth point was about the variance granted to the Chocolay Apartments. On reflection, he said it was actually a nonconforming use. He expected that the Planning Commission would have had some discussion on this letter.

Supervisor Walker indicated that there was discussion on these items but he did not recollect that the Board as a whole took any action to direct the Planning Commission. There was no vote or conclusion drawn.

Treasurer Greenberg asked how much time it would take to get the zoning map on the website updated. Planner Woodward said that she could produce a zoning map based on Equalizer data tomorrow, but to do the research to make sure all the changes are correct would take longer. Treasurer Greenberg said the information should not be on the website unless it is current. Planner Woodward said it is common practice to post a zoning map with a disclaimer that it is current as of a certain date, and that people should call the office to confirm their zoning district. She will work on an update.

Trustee Bohjanen said that many of the questions raised by Trustee Maki require staff research, and that Supervisor Walker had indicated he was trying to address this, but the Planning Commission would not have those answers.

PUBLIC COMMENT.

Jill Bradford Little Lake Road – Commented on attending vision meetings a few years ago for the Master Plan, citizen apathy, and the fact that Township survey information can be distorted by input from non-residents.

Jim Goodman Orchard Lane – Asked what Township services would have to be cut if revenues do not come in.

Mark Maki 370 Karen Road – Commented on zoning changes not being recorded in Planning Commission records. Land division approvals in the Township may not have been done properly.

Judy White Lakewood Lane – Thanked the Board for the opportunity to attend the Michigan Township Association U P Summit.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, August 4th, 2014.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of August 20th, 2014 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of July 17th, 2014.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meetings of July 8th, 2014 and August 12th, 2014.

Supervisor Walker adjourned the meeting at 9:35 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

October 20, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, October 20, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Dale Throenle, Kelly Woodward, Suzanne Sundell, Pat Beck, Mike Disch, Brad Johnson, Chris Lucas, Jennifer Stanaway, Greg Zyburt, Gary Johnson.

MINUTES – SEPTEMBER 15, 2014 REGULAR MEETING.

Carlson moved Bohjanen seconded to approve the minutes of the Regular meeting of September 15, 2014 as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki commented that he appreciated the detail in the minutes regarding the Land Use and asked the Manager if the paving of the entrance of South Big Creek Road and was it a good use of Township Funds.

Manager Lawry replied that he expects to be billed on the work on South Big Creek Road it was a good use of funds. It will also help with the drainage issue in that section of South Big Creek Road.

Trustee Maki also commented on his May 1st letter to the Planning Commission. Did it ever get to the Planning Commission and did they discuss it and why have we not received an answer to the letter?

Supervisor Walker stated that it did go to the Planning Commission and they were verbally informed of the letter by the Planning Director; the Planning Commission did not discuss it.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved Carlson seconded to accept the agenda with the addition of item XIV. F. Discussion of Trustee Maki's May 1, 2014 letter to the Planning Commission.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane- Commented on transparency and record costs, documents that she has requested that could not be found. She feels that Chocolay Township Board should require Township staff to follow procedures for retaining records.

Pete Mackin, 203 Hotel Place – Commented that he is a candidate for the 109th State House Seat and also commented on the Presque Isle Power plant issue. He feels the plant closure is political not due to the plant being obsolete.

Mark Maki, 370 Karen Road – Commented on record retention, retention of voice recordings of minutes, and a letter from Scott Emerson regarding resort rentals.

PUBLIC HEARINGS.

PROPOSED CHANGES TO SEWER USE FEES FOR 2015.

The Public Hearing was opened and no public comment received.

Engle moved White seconded Whereas, the revenues and expenditures for the wastewater collection and treatment system have been reviewed, and

Whereas, the current user fee of \$28.60 per month is not adequate for the projected replacement cost of the system, and

Whereas, the equivalent user fee of \$31.00 per month will be sufficient to offset the Township share of 16.43 per equivalent user per month, to pay the O. M. & R. cost for the wastewater treatment plant.

Now, therefore be it resolved the Chocolay Township Board establishes the equivalent user fee of \$31.00 per month and a new user connection fee of \$350.00 beginning January 1, 2015 through December 31, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

ADOPTION OF THE PROPOSED 2015 FEE SCHEDULE.

The Public Hearing was opened and public comment was received from Deborah Mulcahey, questioning if we are paying taxes, why do we have to pay a fee for reports, minutes etc. We need to decrease the cost of garbage collection and increase recycling efforts, also put weekly recycling on both sides of the Township sign. When the Township sends out mailings to residents; they should include information to educate people on recycling and garbage fees. Chocolay Township Board has too much money at their disposal and charges too much for fees.

Trustee Maki feels that the increases in the zoning/planning/assessing fees are too high. He asked to amend the 2015 fee schedule for variances, nonconforming use alteration permits, private roads, zoning/land division appeal, ordinance amendment requests, land division applications and lot split applications.

Greenberg moved, Engle seconded that we adopt the 2015 fee schedule with no change/increase to the fees for Variance \$250.00, Non-conforming Use Alteration Permit \$250.00, Private Roads \$250.00, Zoning/Land Division Appeal \$250.00, Ordinance Amendment Requests \$250.00, Land Division Application \$50.00 and Lot Split Applications \$50.00.

ROLL CALL.

AYES: Maki, Carlson, White.

NAYS: Bohjanen, Greenberg, Engle, Walker.

MOTION FAILED.

Maki moved Carlson seconded to adopt the 2015 fee schedule with the following changes - the fees for Variance \$300.00, Non-conforming Use Alteration Permit \$300.00, Private Roads \$300.00, Zoning/Land Division Appeal \$300.00, Ordinance Amendment Requests \$300.00, Land Division Application \$75.00 and Lot Split Applications \$75.00.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

HEARING ON PROPOSED 2015 MILLAGE RATES, BUDGET, AND GENERAL APPROPRIATIONS ACT.

The Public Hearing was opened on proposed millage rates for the 2015 budget year; Operating 3.7526, Library (collected by the Township and paid to Peter White Library) 0.7514 and Fire Hall 1.6833.

No public comment was received.

ACCOUNTS PAYABLE.

Maki moved Bohjanen seconded that bills totaling \$84,223.80 including checks numbered 19701-19777 and bills totaling \$17,272.16 including checks numbered 19778 to 19807 and \$16,307.99 including checks numbered 19808-19829 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

PAYROLL.

Carlson moved White seconded that the payroll for September 25, 2014 for \$34,111.91 including checks numbered 10064-10069 and 21698-21736 and ACH payments for Federal tax, State tax and MERS and October 9, 2014 payroll for \$37,621.85 including checks numbered 10070-10075 and 21737-21782 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

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 Chocolay 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 Chocolay 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 December 1, 2014 through November 30, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF GENERAL APPROPRIATIONS ACT FOR 2015 BUDGET.

Greenberg moved Engle seconded, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1st, 2015, and ending December 31st, 2015, 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 October 10th, 2014; and

Whereas, a public hearing was held on the proposed budget on October 20th, 2014 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, 2015, and ending on December 31st, 2015, in the amount of \$1,700,000.00 for the General Fund, in the amount of \$0 in the Road Fund, in the amount of \$322,000.00 in the Fire Department Millage Fund, in the amount of \$144,400.00 in the Library Millage Fund, in the amount of \$31,400.00 in the Capital Improvements Fund, and in the amount of \$311,400.00 for the Sewer Fund.
2. The Township Board does hereby appropriate the sum of \$1,731,400.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1st, 2015, and ending December 31st, 2015.
3. The Township Board does hereby appropriate the sum of \$311,400.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1st, 2015, and ending December 31st, 2015.
4. The Township Board does hereby appropriate the sum of \$0 for the repairing of the Township Roads to be used for the fiscal year beginning January 1st, 2015, and ending December 31st, 2015.

5. The Township Board does hereby appropriate the sum of \$322,000 for the fiscal year beginning January 1st, 2015 and ending December 31st, 2015 for retirement of debt associated with constructing and equipping the fire station.
6. The Township Board does hereby appropriate the sum of \$144,400 for contractual services with the Peter White Public Library for the fiscal year beginning January 1st, 2015, and ending December 31st, 2015.
7. The Township Board does hereby levy 3.7526 mills for general operations; extra voted are 0.7514 for library, and 1.6833 for fire department.
8. All resolutions and parts of resolutions in so far as they conflict with provisions of this resolution are rescinded.
9. 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, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee Maki asked if anyone could remind him what our Road plan was for 2015. Manager Lawry explained that the Board had a work session and looked at dollars available in the Capital Improvement Fund that could be reallocated toward road maintenance but no action was taken at that point. No decision was made to move forward with the request to put a road millage back on the ballot until the Manager can prepare a reprioritized list of roads. That list should be complete before early winter.

RESOLUTION FOR OFFICERS' SALARIES.

SUPERVISOR'S SALARY.

White moved, Bohjanen seconded, that the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2015, which begins January 1st, 2015, and ends December 31st, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

TREASURER'S SALARY.

Carlson moved Maki seconded that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2015, which begins January 1st, 2015, and ends December 31st, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CLERK'S SALARY.

Maki moved Carlson seconded that the salary for the office of Clerk shall be set in the amount of \$11,850.00 for the Fiscal Year 2015, which begins January 1st 2015, and ends December 31st, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

TRUSTEE'S PER DIEM.

Greenberg 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 2015, which begins January 1st, 2015, and ends December 31st, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF FUTURE LAND USE MAPS AND DESCRIPTIONS FOR NEW MASTER PLAN

Supervisor Walker stated that because of the complexity of this issue, he plans on going through the written descriptions of the land use and the overlay patterns category by category and ask the Board if there are any proposed changes.

Clerk Engle stated that by statute the Planning Commission is given the Master Plan and it does not even have to go to the Township Board unless the Board makes a motion to take that away from the Planning Commission for the Board to approve. The Planning Commission is the final say on the Master Plan. He did not see anywhere in the past that the Board made a motion to that effect. We can make comment, but the Planning Commission has the final say on the Master Plan.

Corridor Mixed Use- Trustee Maki still does not understand the concept of having residential in that industrial zone. He would like to have this sent back to the Planning Commission to elaborate on why they feel this is a good idea.

Trustee and Planning Commission member Richard Bohjanen said that the reason behind this mix is to allow a business owner to have more use of his land with a dwelling above or attached to the business.

No requested change by the Board.

Village Mixed Use- No requested change by the Board.

Neighborhood Mixed Use - No requested change by the Board.

Water Oriented Residential – Trustee Maki feels that this is a major change to the zoning along the water. His primary objection is to allow vacation rentals. They have never been allowed in the past and it impacts the quiet residential neighborhoods.

Supervisor Walker said that it would only be allowed upon special review by the Planning Commission with a conditional use.

Trustee Maki feels the conditional use then puts the burden of stopping the conditional use on the neighbor that does not want to see a vacation rental allowed.

Trustee Carlson asked if the structural set back in the water oriented area would change.

Planner Woodward stated that we already have special setbacks in this area, they would not change.

Treasurer Greenberg indicated that this is a national trend to allow residents to be able to rent their homes on a part time basis (weekends or weeks at a time).

Trustee Bohjanen stated that this is not a zoning change at this time. It is enabling change for the future.

Village Residential - No requested change by the Board.

Neighborhood Residential - No requested change by the Board.

Rural Residential - No requested change by the Board.

Primary Working Lands A/F - No requested change by the Board.

Conservation Recreation Land - No requested change by the Board.

Public Use - No requested change by the Board.

Overlay Development Patterns.

Conservation Cluster - No requested change by the Board.

Development –Supported Agriculture - No requested change by the Board.

Planned Unit Development - No requested change by the Board.

Sectors.

Redevelopment/Infill Sector - No requested change by the Board.

Intended Growth Sector - No requested change by the Board.

Future Land Use Map Changes.

Agriculture Farm District – No requested change by the Board.

Conservation Recreation District - No requested change by the Board.

Mixed Use-Corridor District - No requested change by the Board.

Mixed Use-Neighborhood District - No requested change by the Board.

Mixed Use-Village District - Trustee Maki asked that the Board send this portion of the map back to the Planning Commission to explain the rather large district that includes Cherry Creek Road, M-28 and Silver Creek Road.

Trustee/Planning Commissioner Bohjanen commented that this is not a zoning change; this is an enabling plan for the future if a development heads in that direction. For example if the Cherry School closed and a new use for that land had to be found this enables mixed use village uses on the property.

No requested change by the Board.

Public Lands District - No requested change by the Board.

Residential Neighborhood District - No requested change by the Board.

Rural Residential District - No requested change by the Board.

Residential Village District - No requested change by the Board.

Residential Water Oriented - No requested change by the Board.

DISCUSSION TRUSTEE MAKI LETTER TO THE PLANNING COMMISSION.

Trustee Maki stated that this letter came about by a discussion on the Board level after Wahlstrom's Restaurant closed. We lost a lot of equivalent sewer users with the closure. We discussed allowing users of the sewer system in the commercial district instead of a business that did not use the sewer system. His thought was that by sending this letter to the Planning Commission it would produce a response from the Planning Commission recommending changes in the commercial district that would only allow businesses that would utilize the sewer system. We do not want to have mini warehouses in the commercial sewer district when they do not utilize the sewer. This was a request for the Planning Commission to do something and they did not act.

Planner Woodward said that the Planning Commission did do something on this with the Master Plan; which is what they are working on now. If you look at Village Mixed Use future land use description in the Master Plan it says **Low intensity commercial uses that do not utilize the sewer system such as single-use storage facilities will be discouraged in this area.** She thinks that the Planning Commission feels that they have addressed the first step, with the Master Plan. Later they can focus on zoning changes.

Trustee Maki asked if they ever talked about his letter at any of the Planning Commission meetings.

Trustee Bohjanen added that the letter was presented as informational reports and communications, not an agenda item for rezoning. In terms of changing the zoning, that is a process that has to be worked through.

Trustee Maki will present a letter for the next Township Board agenda (on this zoning issue).

AAAUTHORIZATION OF HEALTH INSURANCE PLAN CONTRACT WITH CONSUMERS MUTUAL INSURANCE,
DELTA DENTAL AND VISION CARE DIRECT.

White moved Carlson seconded, to authorize the Supervisor to execute the appropriate agreements with VAST and the insurance providers listed above for the plans and coverages quoted in the attached materials and to authorize the Manager to negotiate minor changes in the co-pays eligible for reimbursement under the HRA within the constraints of the 2015 budget.

AYES: 7

NAYS: 0

MOTION CARRIED.

AUTHORIZATION OF EMPLOYEE ASSISTANCE PROGRAM CONTRACT WITH NORTHSTAR.

Carlson moved Engle seconded that Northstar Employee Assistance Program be selected as the provider of Employee Assistance Program services for the Township, beginning in January, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE EXTENSION LADDER WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Maki moved Bohjanen seconded to authorize the fire department to purchase a 35 foot aluminum extension ladder from Pomasl Fire Equipment amount not to exceed \$895.00, using the Fire Department Capital Improvement Funds 401.340.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONTRACT AWARD FOR SAFETY IMPROVEMENTS TO LIONS FIELD BALL FIELD FENCING.

Carlson moved Greenberg seconded to award the bid for the fence replacement project at Lion's Field in the amount of \$15,000.00 to Marquette Fence Inc.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

RECONSIDERATION OF BRUSH COLLECTION SERVICES IN THE TOWNSHIP.

Trustee White indicated that she is the one that brought this question up because there are people in Chocolay Township that do not have a way to bring brush to the Township brush collection site. Some people have to pay to have it moved. She will bring this up again in the future.

PUBLIC COMMENT.

Pete Mackin 203 Hotel Place- He has been researching his suggestion of a Treaty Park along the Chocolay River. He will continue to look at ways to have the Township and local tribes work together on this idea.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, September 8th, 2014.

- B. Minutes – Marquette County Solid Waste Management Authority, Special Meetings of September 10th and October 1st, 2014 and Regular Meeting of September 17th, 2014 Drafts.

- C. Minutes – US 41 Corridor Advisory Group, Regular Meeting of September 9th, 2014.

- D. Minutes – Marquette County Townships Association, Meeting of May 28, 2014.

- E. Correspondence from Upper Peninsula Substance Enforcement Team.

Supervisor Walker adjourned the meeting at 9:05 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

November 17, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, November 17, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

OATH OF OFFICE.

Clerk Engle swore in Trustee Richard Bohjanen who was appointed as Chocolay Township Trustee in October 2013 and was elected to the office on the November 4, 2014 ballot.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders.

MINUTES –October 20, 2014 REGULAR MEETING.

Carlson moved White seconded to approve the minutes of the Regular meeting of October 20, 2014 as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Bohjanen moved Greenberg seconded to accept the agenda as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Greg Seppanen, 1019 Ortman Road – Requested time for himself and others in the audience to speak on Ortman Road weight restrictions when the agenda item is discussed.

ACCOUNTS PAYABLE.

White moved Carlson seconded that bills totaling \$13,591.02 including checks numbered 19830-19832 and bills totaling \$20,951.31 including checks numbered 19833 to 19856 and bills totaling \$46,894.24 including checks numbered 19857-19888 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki asked if the Township has discussed recouping some of the legal fees on the Ray zoning enforcement action. Supervisor Walker indicated that discussion has taken place, but the court has not issued an order dealing with costs. Typically even if costs are ordered, they do not tend to be the entire amount of the proceedings.

PAYROLL.

Maki moved Greenberg seconded that the payroll for October 23, 2014 for \$36,610.34 including checks numbered 10076-10081 and 21783-21815 and ACH payments for Federal tax, State tax and MERS and November 6, 2014 payroll for \$31,979.52 including checks numbered 10082-10087 and 21816-21836 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Bohjanen moved Maki seconded to accept the October 2014 financial report as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Engle moved Carlson seconded to accept the Treasurer's report as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki suggested that we move the Ortman Road agenda item up to this point in the agenda, so the Ortman Road people do not have to wait. The full Board agreed.

CONSIDERATION OF WEIGHT RESTRICTIONS FOR A PORTION OF ORTMAN ROAD.

Greg Seppanen, 1019 Ortman Road - thanked Trustee Maki for moving this up on the agenda. He also commented that there is an ongoing concern for safety and the deterioration of Ortman Road between Cherry Creek and U S 41 due to heavy truck usage. The trucks do have a viable alternate route on U S 41 South and Cherry Creek. Safety concerns are speed of trucks, school location, pedestrian traffic on foot and bike traffic without a sidewalk or trail, limited sight and blind curve at Apple Trail/Hidden Creek. The roads are also heavily damage due to the amount of truck traffic using Ortman as an alternate route.

A letter was presented; written by Gordy Worchuck, President of the Hidden Creek Association. He has safety concerns for residents that walk and bike on Ortman Road with the heavy truck traffic. Ortman Road is being used like a by-pass and steps should be taken to stop that.

Marvin Roberson, 1094 Ortman Road – The blind curve is a safety concern with truck traffic. The trucks are using it unnecessarily and the road is being damaged by the truck traffic.

Sandra Page, 1082 Ortman Road agrees with all the points that have been raised about the truck traffic and safety on Ortman Road.

Penny DeRocher, 1049 Ortman Road – Has lived on Ortman Road over 20 years and the road has disintegrated due to the heavy truck traffic. People do not walk and bike on Ortman as they did in the past because of the dangers of truck traffic. Fully supports weight restrictions on Ortman Road.

Carol Henry, 1019 Ortman Road – She has lived on Ortman Road over 30 years and there never used to be all the truck traffic. Many people walk and bike on Ortman and it is no longer safe.

Mike Stefanac, 1072 Ortman Road – Lives right on the curve on Ortman. The road has deteriorated so badly from truck traffic that the County snow blades plowed up chunks of the road. It is an extremely dangerous curve.

Bob Grimes, 1029 Ortman Road – Has lived on Ortman since 1962. He has seen the road go from gravel to being paved and it is almost like gravel again. He has safety concerns for the residents on Ortman and feels traffic moves too fast. He would also like to see more police coverage on Ortman.

Maki moved Greenberg seconded that staff be directed to develop a draft ordinance restricting the weight of trucks using certain roads in Chocolay Township and that the draft be submitted to the Township Planning Commission for review and comment, with a public hearing to be scheduled when Planning Commission input is available.

AYES: 7

NAYS: 0

MOTION CARRIED.

APPOINTMENTS TO BOARDS AND COMMITTEES.

Walker moved Greenberg seconded the reappointment of:

- Mike Summers to the Pension Committee for a term ending 12-31-2020,
- Susan Carlson to the Personnel Committee for a term ending 12-31-2016,
- John Greenberg to the Personnel Committee for a term ending 12-31-16,
- Scott Jennings to the Personnel Committee for a tem ending 12-31-15,
- Dale Throenle to the Personnel Committee for a term ending 12-31-15,
- Dr. Richard Bohjanen as Board of Trustees representative on the Planning Commission for a term ending 12-31-16,
- Kendall Milton to the Planning Commission for a term ending 12-31-17,
- Bruce Ventura to the Planning Commission for a term ending 12-31-17,
- And for the approval of term extensions on the Planning Commission from 5-24-15 to 12-31-15 for Andy Sikkema and Eric Meister.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Carlson seconded to reappoint the following individuals to the boards, committees, and councils for the specified terms:

- Gary Walker as delegate and Brad Johnson as alternate to the East Marquette County Solid Waste Disposal Authority for terms ending 12-31-15,
- Kendall Milton as Planning Commission representative to the Zoning Board of Appeals for a term ending 12-31-17,
- Paul Charboneau as Alternate to the Zoning Board of Appeals for a term ending 12-31-17,
- Approval of term extension on the Zoning Board of Appeals from 05-09-15 to 12-31-15 for Karen Alholm,
- Albert Denton, Dennis Hickey, and Robert Pecotte to the Board of Review for terms ending 12-31-16,
- Max Engle to the Marquette County Townships Association for a term ending 12-31-16,
- John Trudeau to the Utility Review Committee for a term ending 12-31-18,
- Pete Mackin to the Chocolay River Watershed Council for a term ending 12-31-17,
- Mary Sanders as delegate and Max Engle as alternate to the Northern Michigan Public Service Academy Board for a term ending 12-31-16.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR’S REPORT – None

CAPITAL IMPROVEMENT FUND BUDGET ADJUSTMENT #4 TO REFLECT EXPENDITURE OF FUNDS FOR PAVING A PORTION OF SOUTH BIG CREEK ROAD.

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 18th, 2013 for fiscal year 2014, and Whereas, as a result of changing priorities and an unforeseen opportunity to repair a badly deteriorated section of street within the Township it is necessary to modify the aforesaid budget to properly account for the street maintenance expenditure, Now Therefore, Be It Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
EXPENDITURE			
Water Department -			
Land Improvements			
401.591.972	\$45,000.00	-\$22,945.00	\$22,055.00
EXPENDITURE			
Streets – Land Improvements			
401.440.972	\$ 8,902.12	+\$22,945.00	\$31,847.12

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

APPROVAL OF 2015 MEETING SCHEDULE.

Chocolay Township Board – 5:00 PM

January 7	July 1
February 4	August 5
March 4	September 2
April 1	October 7
May 6	November 4
June 3	December 2

Chocolay Township Planning Commission – 7:00 PM

January 19	July 20
February 16	August 17

March 16	September 21
April 20	October 19
May 18	November 16
June 15	December 21

Chocolay Township Zoning Board of Appeals – 7:00 PM

January 22	July 23
February 26	August 27
March 26	September 24
April 23	October 22
May 28	November 19
June 25	December 17

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 – Times to be set March 3rd

March 3, 9, 10
 July 21
 December 15

Engle moved Greenberg 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 2015.

AYES: 6 NAYS: 1 (White) MOTION CARRIED.

CONSIDERATION OF AMENDMENTS TO THE FIRE DEPARTMENT BYLAWS AND STANDARD OPERATING PROCEDURES.

Greenberg moved Carlson seconded to approve the changes to the Fire Department By-Laws and Standard Operating Guidelines.

AYES: 7 NAYS: 0 MOTION CARRIED.

APPLICATION OF DELINQUENT SEWER CHARGES AS TAX LIENS.

Greenberg moved White 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 tax roll.

Name	Tax ID Number	Address	City, State, Zip	Amount Due
Marc Gilmore	52-02-490-002-00	110 Chocolay River Tr	Mqt MI 49855	\$ 372.60
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	\$ 372.60
Chocolay Childrens Center	52-02-251-006-00	324 Corning Street/197 Terrace	Mqt MI 49855	\$ 707.93
Menhennick	52-02-254-003-00	500 Corning Street/4021 U S 41 So.	Mqt MI 49855	\$ 372.60
Steven & Heather Shaw-Quizno's	52-02-106-043-50	505 Corning Street	Mqt MI 49855	\$ 2,161.06
Susan Racine	52-02-215-006-00	156 E. Fairbanks Street	Mqt MI 49855	\$ 372.60
Randall Goin	52-02-215-009-00	164 E. Fairbanks	Mqt MI 49855	\$ 372.60
David Hillock	52-02-216-010-00	158. E. Wright Place	Mqt MI 49855	\$ 372.60
Linda Morgan	52-02-216-015-00	161 E. Wright Place	Mqt MI 49855	\$ 372.60
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$ 372.60
Anthony & Karri Rabitaille	52-02-455-038-00	214 Jean Street	Mqt MI 49855	\$ 364.32
Kim & Randell Kronschnable	52-02-455-042-00	209 Judy Street	Mqt MI 49855	\$ 249.32
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$ 372.60
Linda Bice	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 372.60
Amanda Baldwin	52-02-216-008-00	128 Kellog Street	Mqt MI 49855	\$ 372.60
Josh Howard	52-02-107-012-00	204 Silver Creek Road	Mqt MI 49855	\$ 372.60
Joe & Barb Menze	52-02-107-063-00	328 Silver Creek	Mqt MI 49855	\$ 372.60
Marc Gilmore	52-02-106-025-20	2220 U S 41 South	Mqt MI 49855	\$ 733.59
David Laurich/Medical Benefits	52-02-106-020-00	2366 U S 41 South	Mqt MI 49855	\$ 372.60
Steve & Sandra Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$ 372.60
Walt & Susan Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$ 670.66
A.J. Menhennick	52-02-254-003-00	4021 U S 41 South	Mqt MI 49855	\$ 372.60
Harvey Oil Company	52-02-254-004-00	4025 U S 41 South/4021 U S 41 So.	Mqt MI 49855	\$ 372.60

Mike & Eva Schlenkert	52-02-455-001-00	132 Veda Street	Mqt MI 49855	\$ 372.60
Michael Hainstock	52-02-251-004-00	218 West Fairbanks	Mqt MI 49855	\$ 273.24
Jennifer Simula	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	\$ 182.16
Dave & Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$ 372.60
Tonya Scott	52-02-205-003-00	341 W. Main Street	Mqt MI 49855	\$ 372.60
Matthew & Crystal Dale	52-02-251-023-10	205 W. Terrace Street	Mqt MI 49855	\$ 372.60
Gardner Bess	52-02-210-005-00	334 W. Terrace Street	Mqt MI 49855	\$ 372.60
Judith Charles/Marilyn Kramer	52-02-208-003-00	371 W. Terrace Street	Mqt MI 49855	\$ 372.60
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	\$ 372.60
Kristine & Michael Dionne	52-02-106-043-00	110 W. Wright Place	Mqt MI 49855	\$ 372.60
Glen Carlson	52-02-213-004-00	350 W. Wright Place	Mqt MI 49855	\$ 372.60
Total Delinquent Amount				\$15,029.88

AYES: 7

NAYS: 0

MOTION CARRIED.

TOWNSHIP MANAGER'S ANNUAL EVALUATION.

The Board accepted the Manager Evaluation form as presented and will each complete by December 2, 2014 and return to Dale Throenle, Community Development Coordinator. The results will be compiled and presented to the Board at the December meeting.

PUBLIC COMMENT.

Greg Seppanen thanked the Board for their decision on Ortman Road and asked staff to keep him informed of the process.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of October 15th, 2014 and Special Meeting of October 27th, 2014 Drafts.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of September 19th, 2014.
- C. Peter White Public Library Monthly Report for September/October 2014.
- D. Correspondence from Mr. Dan Hakala Regarding Paving on South Big Creek Road.
- E. Election Results Tabulation.

Trustee White asked if we are set to bid the garbage contract. Manage Lawry stated that we are working on the final draft and we should be ready to put the bids out by the end of the year.

Trustee White asked what is going on with the Solid Waste Authority. Manager Lawry said that the minutes show that they have placed the Director on suspension while they do some investigating on the books. The Assistant Director is now doing the day to day operations with the Board becoming more involved.

Supervisor Walker adjourned the meeting at 7:55 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

December 8, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, December 8, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Susan Carlson.

ABSENT: Judy White, Richard Bohjanen.

STAFF PRESENT: Steve Lawry, Kelly Woodward, Mary Sanders.

MINUTES –November 17, 2014 REGULAR MEETING.

Greenberg moved Carlson seconded to approve the minutes of the Regular meeting of November 17, 2014 as presented.

AYES: 5

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Carlson moved Greenberg seconded to accept the agenda as presented.

AYES: 5

NAYS: 0

MOTION CARRIED.

Trustee Maki asked that the agenda item for rezoning application ZA0003-14 be moved to the first item under new business as Mr. Conrad is in the audience. The Board concurred.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Engle moved Maki seconded that bills totaling \$14,693.54 including checks numbered 19889-19905 and bills totaling \$14,180.39 including checks numbered 19906 to 19922 are approved for payment.

AYES: 5

NAYS: 0

MOTION CARRIED.

Treasurer Greenberg had a question on the bill for ammo for the police department. Manager Lawry replied that ammo must be purchased with a credit card and this is an annual purchase.

PAYROLL.

Maki moved Carlson seconded that the payroll for November 20, 2014 for \$37,486.76 including checks numbered 10088-10093 and 21837-21875 and ACH payments for Federal tax, State tax and MERS and December 4, 2014 payroll for \$32,223.38 including checks numbered 10094-10099 and 21876-21895 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 5

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

None.

TREASURER'S REPORT.

Engle moved Carlson seconded to accept the Treasurer's report as presented.

AYES: 5

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT – None

CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION ON REZONING APPLICATION ZA003-14 FOR 225 W. TERRACE STREET. (PARCEL ID #52-02-251-011-00).

Greenberg moved Engle seconded, to waive the second reading and approve the proposed rezoning Case #ZA003-14, to rezone Parcel #52-02-251-011-00 for 225 W. Terrace Street from Residential 2 (R-2) 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 within one week after publication.

Trustee Maki commented that this property was zoned commercial in the past and is was changed with the 2008 zoning ordinance adoption. He suspects there was an error on the zoning map with the 2008 change. Did we get a Marquette County Planning Commission review and any public comment on this rezoning? Director Woodward replied that the County received it the day following the Chocolay Township Planning Commission meeting and they sent their approval over today. There was no public comment. Trustee Maki also questioned if it is procedurally correct to have the conditional use hearing prior to the zoning change? Planner Woodward stated that the conditional use was approved contingent upon the rezoning approval.

Trustee Carlson asked about parking for the business. Mr. Conrad replied that they have worked out an agreement with the Racine's to get an easement on the west side of the property to utilize that driveway to get to parking behind the building.

AYES: 5

NAYS: 0

MOTION CARRIED.

TOWNSHIP MANAGER'S ANNUAL EVALUATION.

Greenberg moved Maki seconded that the Manager receive the \$0.40 per hour wage adjustment that the other employees will receive for the 2015 fiscal year.

ROLL CALL.

AYES: Maki, Carlson, Greenberg, Engle, Walker.

Nays: None

ABSENT: Bohjanen, White.

MOTION CARRIED.

Trustee Maki asked what Manager Lawry had in mind as his priorities for the next two years. Manager Lawry replied that his priorities are finishing up the garbage contract and having it ready to go out on bid; including recycling compostable materials as a deductible alternate. Other priorities are completing the rewrite of the Personnel Policy and appending Township Board policies to the manual, Master Plan completion and most importantly, the road plan. The 2007 plan needs to be reprioritized and funding must be found. He will focus on employee evaluations as the Board requested and the Communications Cell Tower and Lion's Field project will be in the forefront in 2015.

Supervisor Walker informed the Board that Manager Lawry was in the process of gathering road information when the November snow storm hit and stopped that project.

DISCUSSION OF DRAFT MASTER PLAN: A PORTION OF CHAPTER 6 AND CHAPTERS 7 & 8.

Trustee Maki asked if the Board's recommended changes went back to the Planning Commission. Planner Woodward indicated that they did go to the Planning Commission. Trustee Maki asked the Board if they were going to comment on the Master Plan and let the Planning Commission be the final approval or make a resolution to give the Board the final approval.

Supervisor Walker noted that the Board has the ability to say if we are going to publish the Master Plan or not. He is not sure what would happen if the Board was not satisfied with the Master Plan.

Planner Woodward said that The Zoning Enabling Act might say that if the Board is not satisfied with the document, they can send it back to the Planning Commission with suggestions for changes that they should consider.

Treasurer Greenberg had a question on page 115 Policy 11. What is the reason that recently resurfaced roads should have a higher priority for repair? Planner Woodward replied that the reasoning was to protect the initial investment. Trustee Maki suggested that wording be added to Policy 11 explaining that the reason is to protect the initial investment in the road.

SCHEDULING A JOINT MEETING WITH THE PLANNING COMMISSION.

The Board discussed that a January meeting would be too soon to discuss the final Master Plan. The Board agreed to have the joint Township Board/Planning Commission meeting on February 4th, 2015 along with the regularly scheduled Board meeting. Topics will be the Master Plan and Planning Commission priorities for 2015.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, October 6th, 2014.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of October 23, 2014.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of November 12th, 2014 and Special Meeting of November 6th, 2014 Drafts.
- D. Minutes – Northern Michigan Public Service Academy Regular Meeting of November 13th, 2014 Draft.
- E. Correspondence – Thank You from U. P. Child Passenger Safety Project.
- F. Correspondence – Thank You from Chocolay Lions Club.
- G. Correspondence – Thank You to Midwest Skills Development Center.
- H. Correspondence – Notice of Rate Adjustment from Charter Communications.
- I. Correspondence — Project Update from Iron Ore Heritage Trail.
- J. Correspondence –Notice of December 15th Public Hearing from Michigan Public Service Commission – Semco Energy Gas Company.

Supervisor Walker adjourned the meeting at 7:40 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

January 7, 2015

A Regular meeting of the Chocolay Township Board was held on Wednesday, January 7, 2015 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Richard Bohjanen, Susan Carlson.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle.

MINUTES –December 8, 2014 REGULAR MEETING.

Carlson moved Greenberg seconded to approve the minutes of the Regular meeting of December 8, 2014 as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Engle seconded to accept the agenda with one addition under New Business D. Discussion Township Board/Planning Commission as final approval of the Master Plan.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

White moved Engle seconded that bills totaling \$40,821.53 including checks numbered 19923-19964 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

PAYROLL.

Maki moved Carlson seconded that the payroll for December 5, 2014 for \$2,588.33 including checks numbered 21896-21903 and ACH payments for Federal tax, State tax and MERS and December 18, 2014 payroll for \$35,592.94 including checks numbered 10100-10105 and 21904-21937 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

White moved Maki seconded to approve the November financial report.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Engle moved White seconded to accept the Treasurer's report as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

PRESENTATIONS – BOB MERCURE – SENIOR SERVICES VOLUNTEER.

Supervisor Walker commended Bob Mercure for his time and energy put forth to make our Senior Center so successful. The Township offered the space available for the service but it was Bob Mercure that has turned it into a thriving program. Supervisor Walker presented a white board/bulletin board to the Senior Center dedicated to Bob Mercure Passionate Promoter of Senior Services.

Bob Mercure gave an annual report on how the Senior Center has progressed since February 2014. The seniors meet in the afternoon twice a week and over the past year activities and programs have increased based on requests of the attendees. They now have monthly pot lucks, road trips utilizing Marq-Tran bus services including a meal at a local restaurant and an activity.

APPOINTMENT AND RESIGNATIONS – TRUSTEE SUSAN CARLSON.

Susan Carlson, Trustee presented a letter to the Board giving notice of her resignation.

White moved Engle seconded to accept with regrets the resignation of Trustee Susan Carlson as of February 10, 2015.

AYES: 7

NAYS: 0

MOTION CARRIED.

Treasurer Greenberg asked that the Board reconsider the 7:00 pm meeting time.

Supervisor Walker suggested that we not make any changes at this time and review the meeting time as we move forward in the year.

SUPERVISOR’S REPORT – None.

AUTHORIZATION TO PURCHASE ADDITIONAL RAIN GUTTERS WITH FIRE MILLAGE FUND DOLLARS.

Carlson moved Greenberg seconded that \$950.00 from the Fire Millage Fund be allocated to the purchase of additional rain gutters for the fire station from Northern Awning & Window Company.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYES: None.

MOTION CARRIED.

2014 GENERAL FUND BUDGET AMENDMENT #3 TO REFLECT RECEIPT OF OFFICE OF HIGHWAY SAFETY AND PLANNING REIMBURSEMENT FOR POLICE DEPARTMENT OVERTIME WAGES.

Maki moved White 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 18, 2013 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	\$270,910.00	+\$6,036.96	\$276,946.96

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$ 17,400.00	+\$6,036.96	\$23,436.96

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYES: None.

MOTION CARRIED.

2015 GENERAL FUND BUDGET AMENDMENT #1 TO REFLECT ADDITION OF A LIQUOR LICENSE ENFORCEMENT FUND.

White moved Carlson seconded that Whereas, a budget was adopted by the Chocolay Township Board on October 20th, 2014 to govern the anticipated revenues and expenditures of the Township for fiscal year 2015, and Whereas, as a result of receipt of new information regarding accounting requirements associated with some of the budgeted revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified by the creation of a Liquor Law Enforcement Fund as follows:

LIQUOR LAW ENFORCEMENT FUND

REVENUES	BUDGET
State of Michigan 212.000.543.000	\$2,900.00

EXPENDITURE	BUDGET
Inspection Fees 212.330.805.000	\$2,900.00

GENERAL FUND ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
REVENUES			
State of Michigan 101.000.543.000	\$15,000.00	-\$2,900.00	\$12,100.00
Liquor Law Insp. Fees 101.000.545.000	\$ 0.00	+\$2,900.00	\$ 2,900.00

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYES: None.

MOTION CARRIED.

CONSIDERATION OF REQUEST FROM AUDIT FIRM FOR BOARD COMMENTS.

No comments from the Township Board. Supervisor Walker will sign and return the letter to Anderson Tackman and Company.

DISCUSSION OF ADOPTING A RESOLUTION WHICH WOULD MOVE APPROVAL OF THE MASTER PLAN FROM THE PLANNING COMMISSION TO THE TOWNSHIP BOARD.

Trustee Maki wanted the Board to look at all the options available for adopting the Master Plan.

Supervisor Walker indicated that statutorily it is the Planning Commission that approves the Master Plan. If the Township Board wanted to take that from the Planning Commission, it must be done by resolution.

Trustee Maki does not want to usurp the power from the Planning Commission. He thought that they could jointly adopt the Master Plan. He does not wish to further pursue this.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of November 20th, 2014.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of December 17th, 2014 and Special Meeting of November 26th, 2014 Drafts.
- C. Minutes – US 41 Corridor Advisory Group, Regular Meeting of October 14th, 2014.
- D. Peter White Public Library Monthly Report for November 2014.
- E. Correspondence – Michigan Department of Natural Resources Notice of Grant Award for Lion’s Field Trailhead Project.

Supervisor Walker adjourned the meeting at 5:45 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

February 4, 2015

A Regular meeting of the Chocolay Township Board was held on Wednesday, February 4, 2015 at the Chocolay Township Fire hall, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson.

ABSENT: Richard Bohjanen.

STAFF PRESENT: Steve Lawry, Mary Sanders, Brad Johnson.

MINUTES –JANUARY 7, 2015 REGULAR MEETING.

Greenberg moved Carlson seconded to approve the minutes of the Regular meeting of January 7, 2015 as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved Engle seconded to accept the agenda with two additions; Capital Improvements Fund Budget Amendment #1 as item XV. A1. And Emergency Furnace Replacement as XV. C. and to move the Trustee Candidate selection up on the agenda.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Carlson moved White seconded that bills totaling \$22,157.84 including checks numbered 19965-19983, \$64,701.90 including checks numbered 19984-20019 and \$32,587.29 including checks numbered 20020-20041 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

PAYROLL.

White moved Engle seconded that the payroll for January 1, 2015 for \$32,421.30 including checks numbered 21938-21958 and 10106-10111 and ACH payments for Federal tax, State tax and MERS, January 8, 2015 payroll for \$6,277.24 including checks numbered 21959-21983 and ACH payments for Federal tax and State tax and January 15, 2015 payroll for \$32,998.55 including checks numbered 21984-22002 and 10112-10117 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

APPOINTMENT AND RESIGNATIONS – REVIEW OF APPLICATIONS AND SELECTION OF TRUSTEE.

The four candidates for Chocolay Township Trustee introduced themselves and made a brief statement on their background and interest in the position of Trustee. The Board also asked questions of each candidate.

The four candidates are:

- Anthony J. Giorgianni
- Michael J. LaPointe
- David A. Lynch
- Andrew M. Sikkema

Supervisor Walker stated that the Board would vote by paper ballot, signed by the Board member and each vote will be recorded. A candidate will need three votes for a majority.

Vote 1.

Mark Maki - David A. Lynch

Judy White - David A. Lynch

Max Engle - Anthony J. Giorgianni

John Greenberg – Michael J. LaPointe

Gary Walker – Andrew M. Sikkema

2015 CAPITAL IMPROVEMENTS FUND BUDGET AMENDMENT #1 AND AUTHORIZATION TO USE CAPITAL IMPROVEMENT FUND DOLLARS TO PAY FOR POLICE OFFICER TRAINING.

White moved Carlson seconded to that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on October 20th, 2014 for fiscal year 2015, and Whereas, as a result of certain 2013 State receipts not being appropriately designated upon receipt 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
EXPENDITURE			
Police Training			
401.306.957	\$ 167.74	+\$ 933.80	\$ 1,101.54

The total fund balance of the Capital Improvement Fund will remain at \$815,032.46 but the undesignated total within the fund balance of \$169,887.75 will be reduced by \$933.80.

ROLL CALL.

AYES: Maki, White, Carlson, Greenberg, Engle, Walker.

NAYES: None.

ABSENT: Bohjanen.

MOTION CARRIED.

Greenberg moved Engle seconded to expend \$900.00 for the NMU Public Safety Institute for the year 2015. This expenditure will be made from the Police Training Account in the Capital Improvement Fund 401.306.957.

ROLL CALL.

AYES: Maki, White, Carlson, Greenberg, Engle, Walker.

NAYES: None.

ABSENT: Bohjanen.

MOTION CARRIED.

AUTHORIZATION TO ADVERTISE FOR BIDS FOR PURCHASE OF TRACTOR AND IMPLEMENTS WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Carlson moved Engle seconded that the Chocolay Township Board authorize Brad Johnson, DPW Foreman to advertise for sealed bids for a tractor with broom, snow blower and bucket attachments to be purchased from the Capital Improvements Fund.

AYES: 6

NAYS: 0

MOTION CARRIED.

EMERGENCY FURNACE REPLACEMENT.

Manager Lawry explained to the Board that the furnace that heats the Police Department and Meeting Room failed and is so old that replacement parts are not available. The unit that heats the main office is the same age as the one in the Police Department; they are both 24 years old. Both furnaces are roof top heating/cooling systems and building code regulations have changed since they were installed in 1991. In order to get a permit to install a rooftop furnace, a platform and walkway system with safety rails must be constructed. We are in the process of getting quotes from mechanical and general contractors for the units and railing.

White moved Carlson seconded, to authorize replacement of the two roof-top furnaces at the Township Hall, together with construction of safety platforms for code compliance, at a cost not to exceed \$28,750.00 with payment to be made from the Capital Improvement Fund Township Hall and Grounds Account 401.265.972.

ROLL CALL.

AYES: Maki, White, Carlson, Greenberg, Engle, Walker.

NAYES: None.

ABSENT: Bohjanen.

MOTION CARRIED.

PUBLIC COMMENT.

David Lynch thanked the Board for his appointment as Trustee and looks forward to working with them.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of December 18th, 2014.

- B. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of January 7th, 2015 and Regular Meeting of January 21st, 2015 Drafts.
- C. Minutes – US 41 Corridor Advisory Group, Regular Meeting of December 9th, 2014.
- D. Minutes – Northern Michigan Public Service Academy Meeting of January 8, 2015 Draft.
- E. Correspondence - Update on Superior Trade Zone Agreement.
- F. Correspondence – Notice of Public Hearing Before the Public Service Commission on Natural Gas Pricing.

Supervisor Walker adjourned the meeting at 6:05 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

SPECIAL MEETING
CHOCOLAY TOWNSHIP BOARD
CHOCOLAY TOWNSHIP PLANNING COMMISSION

February 9, 2015

A Special meeting of the Chocolay Township Board and Chocolay Township Planning Commission was held on Monday, February 9, 2015 at the Chocolay Township Fire Hall 5010 U. S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 6:40 p.m.

Planning Commission Chair Sikkema called the Planning Commission meeting to order at 6:40 p.m.

PLEDGE OF ALLIGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Judy White, Mark Maki, Susan Carlson, Richard Bohjanen.

ABSENT: Max Engle.

TOWNSHIP PLANNING COMMISSION.

PRESENT: Andy Sikkema, Tom Mahaney, Kendell Milton, Richard Bohjanen (on both boards) Andy Smith (arrived at 6:45) Bruce Ventura (arrived at 6:50 pm).

ABSENT: Eric Meister.

STAFF PRESENT: Steve Lawry, Kelly Woodward, Dale Throenle, Mary Sanders.

AGENDA.

The purpose of the Special Township Board/ Planning Commission meeting is to discuss the draft Master Plan and Planning Commission 2015 priorities.

Maki moved Bohjanen seconded to approve the agenda as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Tim Kopacz, 3 Hidden Creek Drive –His property is proposed to change from A/F to Rural Residential in the new Master Plan and he is in favor of that. He recommends maintaining the previous minimum lot size of 2 acres from the previous Rural Residential zoning district.

Jennifer Bruggink, 673 Lakewood Lane- Commented on the new Master Plan; and strongly opposes allowing waterfront property being used as resort or short term rental. She lives next to a house that was a single family home and it is now being rented by the week in the summer. There are problems with fireworks, parties, trash etc. She feels it has brought her property value down.

Tim Trobridge, 216 Timberlane - He would assume that there is a noise ordinance that would deal with fireworks or whatever it is that would bother neighbors. He thinks people purchase property to retire here later, and rent the property in the meantime. He feels that it would be almost impossible to enforce a prohibition on vacation rentals and would invite litigation.

PRESENTATIONS.

Supervisor Walker presented a Resolution of Appreciation to Susan Carlson, as she is stepping down from her duties as Chocolay Township Trustee.

For her dedication to the Township and its citizens as

Township Trustee from December 2008 to February 2015,
Her commitment to the Township included participation on the Personnel Committee, Election
Committee and assisting with the origin of the Chocolay Senior Center

SUSAN CARLSON

We do express our appreciation on behalf of the Township Board.
DATED THIS 9th DAY OF FEBRUARY, 2015 AND RECORDED IN THE OFFICIAL RECORD

PRESENTATION / DISCUSSION OF THE 2015 DRAFT MASTER PLAN.

Kelly Drake Woodward, Planning Director introduced the February 4, 2015 draft of the Master Plan. She thanked Dale Throenle for countless hours of work formatting the document. After tonight's discussion of the draft Master Plan, The Planning Commission will need to make a motion to submit the plan to the Township Board for review and comment and approval to distribute the plan to other interested parties for a 63 day comment period. After the 63 day comment period, the Planning Commission is required to hold a public hearing, and consider all comment received before officially adopting the plan. The plan can be revised before final adoption.

The Township Board and Planning Commission had a lengthy discussion on the Master Plan including allowing short term home rentals of residences, Mixed Use zoning districts and expanding the Commercial District.

Trustee Maki felt that the survey asking the question on short term rental is not conclusive because an individual could answer the survey multiple times. Short term rentals in residential areas in Chocolay Township have not been allowed in the past 38 years. We really need to quantify what short term rental means. Residents can now legally rent their house for 30 days or longer.

Trustee Carlson knows people that currently rent lakefront property in Chocolay Township for vacations and do not cause problems. There should be enforcement if renters are causing problems.

Commissioner Sikkema feels that short term rental could be disruptive in a predominately residential neighborhood. If it is not restricted, more people will own homes to rent out as a commercial enterprise.

Supervisor Walker feels that the current ordinance is not clear on short time rentals, and there is no record of past enforcement taken. He feels that there is a major difference between a resort rental and a short term rental of a private home. We would most likely be defending that portion of our zoning ordinance in court. Right now a Bed and Breakfast is a conditional use, so it might be hard to say you can't rent your home.

Trustee Carlson suggested we look at Shelter Bay's regulations.

Treasurer Greenberg suggested that we look at wording for the zoning ordinance that states the owner must live in the residence at least six months out of the year.

Trustee Maki said that in the past, enforcement was difficult unless there was a complaint. The enforcing agent can now use the internet to look for advertising for residences that are doing short term rentals. There is also a law that states if you rent out your residence for more than 14 days you lose your homestead tax classification.

Trustee Bohjanen stated that the paragraph in the Master Plan pertaining to future land use in regard to short term rentals could be considered for implementation as a conditional use. That would involve contacting the neighbors within 500 feet of the property for input on the issue. There could possibly be areas of Lakewood Lane that would not object to it.

Commissioner Sikkema said we need a detailed poll to see what people want.

Supervisor Walker feels that we should use the term short term rental not resort rental.

Commissioner Mahaney commented that he has stayed at vacation rentals across the United States and they draw beneficial tourism. All of them have a list of rules and a deposit must be paid to ensure proper behavior when staying at these places. He feels that we need to further discuss short term rentals.

Commissioner Ventura commented that people look at their home as having certain rights and they may feel that renting their home short term is a right. If we pass an ordinance that denies them that right we may open ourselves up to takings. If it went to court, we would probably lose unless the ordinance is written very carefully. The courts tend to side with the homeowner.

Trustee Maki questioned the mixed use area. He feels that it would be too difficult to monitor. Putting all the layers of protection is a great concept, but not practical. He is concerned that the lay out of the Mixed Use Zoning will create strip development.

Trustee Bohjanen does not understand what the problem is with strip development? If you have three businesses in a row with separate driveways, it is called strip development.

Commissioner Sikkema stated that it will be hard to move forward with any type of business growth without sewer and water. Does the Board want to move forward with sewer and water in the Township that will encourage business development?

Supervisor Walker said that we cannot consider sewer and water without imposing taxes to pay for that. He is not sure our residents want that.

The Planning Commission has been discussing accessory dwellings, raising of animals, planned unit development, cluster development, form based code to encourage redevelopment, what to do with the vacant commercial area in Harvey and junk car ordinance. By showing future road connections, they hope to avoid future cul-de-sac development and promote better connectivity.

Milton moved Ventura seconded, that after thorough consideration of the February 4, 2015 version of the Draft Charter Township of Chocoy Master Plan 2015 Edition and subsequent formatting edits, the Planning Commission submits the draft plan to the Township Board and recommends that the Board approve the distribution of the subsequently revised February 9, 2015 version draft plan for comment as provided in the Michigan Planning Enabling Act with pictures included.

AYES: 6

NAYS: 0

MOTION CARRIED.

White moved Carlson seconded that after review of the February 4, 2015 version of the Draft Charter Township of Chocoy Master Plan 2015 Edition and subsequent formatting edits, the Township approves the distribution of the subsequently revised February 9, 2015 version draft for comment as provided in the Michigan Planning Enabling Act.

AYES: 5

NAYS: 1 (Maki)

MOTION CARRIED.

DISCUSSION OF PLANNING COMMISSION 2015 GOALS/ PRIORITIES.

- Looking at the Junk Car Ordinance and unlimited trailers on a parcel of property

Trustee White gave accolades to Planning Director Woodward and the Planning Commission for the wonderful document they put together in the Master Plan. She also thanked Dale Throenle and Suzanne Sundell for the beautiful lay out of the 2014 Annual Report.

Supervisor Walker read comments from Township resident Jean McLean, in favor of short term rentals.

PUBLIC COMMENT.

Jennifer Bruggink, 673 Lakewood Lane- Commented again on short term rentals and the problems it causes for the neighbors.

Supervisor Walker adjourned the meeting at 9:20 pm.

Max Engle,
Clerk

Gary Walker
Supervisor

FINANCIAL REPORT.

White moved Lynch seconded to approve the January 2015 financial report.

AYES: 7 NAYS: 0 MOTION CARRIED.

TREASURER’S REPORT.

Engle moved White seconded to accept the Treasurer’s report as presented.

AYES: 7 NAYS: 0 MOTION CARRIED.

APPOINTMENT OF A BOARD MEMBER TO THE PERSONNEL COMMITTEE.

Walker moved White seconded to appoint Trustee Judy White to the Township Personnel Committee for a term ending December 31, 2016.

AYES: 7 NAYS: 0 MOTION CARRIED.

APPOINTMENT OF A BOARD MEMBER TO THE ELECTIONS COMMITTEE.

Engle moved Greenberg seconded to appoint Trustee David Lynch to the Township Elections Commission for a term ending December 31, 2016.

AYES: 7 NAYS: 0 MOTION CARRIED.

APPOINTMENT OF AN ALTERNATE TO THE BOARD OF REVIEW.

Walker moved Greenberg seconded to appoint Paul Charboneau as alternate to the Board of Review for a term ending December 31, 2016.

AYES: 7 NAYS: 0 MOTION CARRIED.

SUPERVISOR’S REPORT.

- For the past several years the Board has received a month end report from staff highlighting the department’s activities and department updates. Now that the Township Board meeting has changed to the beginning of the month, it is felt that a mid-month update would be more appropriate.
- Chief Zyburt was invited to speak in Washington DC on a panel made up of five other Police Chiefs discussing body cameras. This was quite an honor to Chief Zyburt and to Chocolay Township; all the other Police Chiefs were from major cities in the United States. Chocolay Township police have been wearing body cameras for seven years.

Chief Zyburt spoke to the Board on his positive experience participating on the body camera panel in Washington DC.

AWARD OF BIDS FOR THE PURCHASE OF A LANDSCAPE TRACTOR WITH IMPLEMENTS

Maki moved Engle seconded that the Chocolay Township Board authorize acceptance of a bid in the amount of \$34,670.00 from U.P. Tractor for the 2015 LS XR4040HC tractor and attachments. That price includes the trade in of our old tractor. This is to be purchased from the Capital Improvement Fund 401.756.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None MOTION CARRIED.

2015 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #2 TO REFLECT RECEIPT OF KBIC 2% GAMING FUNDS.

White moved Lynch 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 20th, 2014 for fiscal year 2015, 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	+\$ 80,329.94	\$ 80,329.94

EXPENDITURE

Police Equipment			
401.305.977	\$ 30,307.41	+\$ 8,500.00	\$ 38,807.41
Police Vehicles			
401.305.981	\$ 55,821.93	+\$ 15,000.00	\$ 70,821.93
Fire Dept. Equipment			
401.340.977	\$ 39,860.92	+\$ 28,329.94	\$ 68,190.86
Fire Dept. Vehicles			
401.340.981	\$ 25,007.61	+\$ 25,000.00	\$ 50,007.61
Recreation & Properties Equip.			
401.756.977	\$ 51,697.05	+\$ 3,500.00	\$ 55,197.05

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

2015 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #3 TO REFLECT RECEIPT OF AT&T OPTION PAYMENT.

Greenberg moved Bohjanen seconded that Whereas, a budget was adopted by the Chocloy Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on October 20th, 2014 for fiscal year 2015, 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			
401.000.698	\$ 0.00	+\$ 1,200.00	\$ 1,200.00

EXPENDITURE

Recreation & Properties			
Land Improvements			
401.756.972	\$ 11,002.91	+\$ 1,200.00	\$ 13,202.91

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

AUTHORIZATION TO PURCHASE ENGINEERING SERVICES FOR PURCHASE AND INSTALLATION OF A BACKUP GENERATOR FOR THE FIRE STATION.

Maki moved Engle seconded to accept the attached proposal of Integrated Designs, Inc. for engineering services and bid documents associated with the purchase of a backup generator for the Township fire station at a cost not to exceed \$3,600.00 and to fund the project from the building improvements line of the Fire Department Account within the Capital Improvements Fund 401.340.976.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

ANNUAL REVIEW OF BOARD POLICIES.

CREDIT CARD PURCHASING POLICY.

Greenberg moved Lynch seconded, that Whereas the Charter Township of Chocolay, Michigan, wishes to authorize the use of credit cards for the purchase of goods and services required in the operation of Township government and whereas it specifically wishes to comply with the requirements of Public Act 266 of 1995, as amended, (MCL 129.241-129.247),

Now therefore be it resolved that the Board of Trustees authorizes the use of a credit card issued to the Township government in compliance with the following provisions:

The Treasurer and/or Clerk shall oversee credit card issuance, accounting, monitoring, and compliance with policy;

The Township credit card shall be used only for the purchase of goods and services for the official business of the Township;

Each user of the credit card must submit documentation of what goods and services were purchased, cost, the date of purchase, and the official business for which purchased;

Each officer or employee issued a credit card shall be responsible for credit card protection and custody and must report lost or stolen cards;

Credit cards are to be returned to the Township Treasurer or Clerk at the termination of the official or employee;

Credit cards shall be kept under the control of the Treasurer and/or Clerk, or their deputies, and issued out only for specific purchases or travel. They shall be returned to the issuing officer upon completion of the specific purchase;

Credit card invoices shall be approved prior to payment by the head of each department making a purchase and by the Township Board;

All balances, including interest, must be paid within 60 days of the initial statement date;

Unauthorized use of the Township credit card shall subject the user to disciplinary action under the Township disciplinary policy up to and including dismissal, and, where warranted, to criminal prosecution;

Adopted this 4th day of March, 2015.

AYES: 7

NAYS: 0

MOTION CARRIED.

The Board discussed the current policies and had questions on the 14 day response time in writing to a written request and the 3 minute public comment time frame. There were no changes to the current Township Policies.

REQUEST FOR LETTER OF SUPPORT FOR VAN RIPER STATE PARK ACCESSIBLE PLAYGROUND IN CHAMPION AND MICHIGAMME TOWNSHIPS.

Greenberg moved Lynch seconded to provide a letter of support for a Natural Resources Trust Fund grant application filed by the Department of Natural Resources. The grant is being sought to fund construction of an accessible playground at Van Riper State Park.

AYES: 7

NAYS: 0

MOTION CARRIED.

REQUEST FOR LETTER OF SUPPORT FOR TOURIST PARK PLAYGROUND IMPROVEMENTS IN THE CITY OF MARQUETTE.

White moved Engle seconded to provide a letter of support for a Michigan Natural Resources Passport Grant to update the playground at the City's Tourist Park.

AYES: 7

NAYS: 0

MOTION CARRIED.

REQUEST FOR LETTER OF SUPPORT FOR UNIVERSAL ACCESS IMPROVEMENTS TO FATHER MARQUETTE PARK IN THE CITY OF MARQUETTE.

Lynch moved Bohjanen seconded to provide a letter of support for a Michigan Natural Resources Trust Fund Grant to update Father Marquette Park on S. Front Street to meet current Universal Access standards.

AYES: 7

NAYS: 0

MOTION CARRIED.

REQUEST FOR LETTER OF SUPPORT FOR SCHWEMWOOD PARK/IRON ORE HERITAGE TRAILHEAD PARKING AND ACCESSIBILITY IMPROVEMENTS IN MARQUETTE TOWNSHIP.

Engle moved Greenberg seconded to provide a letter of support for a Michigan Natural Resources Trust Fund Development Grant to improve access at the Township's Schwemwood Park and the park's connectivity to the Iron Ore Heritage Trail. This park and trailhead is located on County Road 492 behind the Walmart Store.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of January 15th, 2015.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meetings of January 21st, 2015 and February 18th, 2015 Drafts.
- C. Minutes – US 41 Corridor Advisory Group, Regular Meeting of January 13th, 2015.
- D. Minutes – Marquette County Township Association, Regular Meetings of October 22nd, and December 10th, 2014.
- E. Peter White Public Library Report for November/December 2014.
- F. Correspondence – Marquette County Substance Abuse Coalition Letter of Appreciation.
- G. Correspondence – Charter Communications Notice of Channel Lineup Changes.
- H. Correspondence – Michigan Department of Environmental Quality Public Notice of Intent to Reissue Wastewater Discharge Permit for Mangum Prison Farm.

Supervisor Walker adjourned the meeting at 5:55 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

APPOINTMENTS/RESIGNATIONS - IRON ORE HERITAGE TRAIL.

Greenberg moved Engle seconded that the Board reappoint Mr. Don Britton as Chocolay Township representative to the Iron Ore Heritage Trail Authority for a three year term beginning April 1, 2015, and ending March 31, 2018.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR’S REPORT.

- Chocolay Township as well as all the other governmental entities in Marquette County received notice that they will receive an audit of minimum assessing requirements from the State Tax Commission.

Trustee Maki commented that the State Tax Commission has hired a firm called Tax Management Associates to conduct the audit. Marquette, Alger and Houghton Counties have all been selected for this. Chocolay Township has been reviewing 20% of their properties per year over the past 5 years. Marquette County Equalization seems to feel that the City of Marquette and Chocolay Township are the only units that will pass the examination.

Amendment of Repayment Plan for Fire Station Construction Loan.

White moved, Greenberg seconded that;

WHEREAS, the Charter Township of Chocolay Fire Millage Fund has a \$(900,064.21) deficit fund balance on December 31, 2014; 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 is as follows:

	2015	2016	2017
Fund Balance (Deficit) January 1st	\$ (900,064.21)	\$ (577,306.21)	\$ (254,070.21)
Revenue - Property Tax	\$ 322,758.00	\$ 323,236.00	\$ 254,070.21
Fund Balance (Deficit) December 31st	\$ (577,306.21)	\$ (254,070.21)	\$ (0.00)

BE IT FURTHER RESOLVED that the Charter Township of Chocolay Supervisor, Gary Walker submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF LOT SPLIT APPLICATION #LS15-01, INVOLVING PARCELS #52-02-305-012-00 AND #52-02-305-011-00 AT 250 AND 254 RIVERSIDE DRIVE.

Maki moved Greenberg seconded that after review of Lot Split Application LS15-01; and review of the staff report dated 3/11/15; and the recommendation of approval from the Planning Commission, the lot split pertaining to Parcels #52-02-305-011-00, 254 Riverside Rd. and #52-02-305-012-00, 250 Riverside Rd. be approved as presented at the March 16, 2015 Planning Commission meeting, having met all standards of Section 42.6.B of Ordinance #42 Lot Splitting.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION REGARDING PROPOSED CHANGE TO MDNR DIRECTOR’S LAND USE ORDER FOR A PORTION OF THE MARQUETTE TO MUNISING JUNCTION TRAIL.

White moved Lynch seconded that the Chocolay Township Board submit a comment to the Michigan DNR in support of the proposed Land Use Order of the Director rule change for a portion of Marquette to Munising Junction trail located on state owned land in Alger and Marquette Counties, the effect of which would remove a prohibition against operating a wheeled motorized vehicle which is greater than 50” in width along said trail and change the designation from “State ORV Trail” to “State ORV Route”.

AYES: 7

NAYS: 0

MOTION CARRIED.

AUTHORIZATION TO USE CAPITAL IMPROVEMENT FUND DOLLARS PLEDGED AS MATCH FOR LIONS FIELD TRAIL HEAD MICHIGAN TRUST FUND GRANT.

Lynch moved Greenberg seconded to authorize \$25,000 from Capital Improvement 401.708.972 to be spent as the grant match for the Lion’s Field / IOHT DNR MNRFT grant.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

AWARD OF CONTRACT FOR ARCHITECTURAL/ENGINEERING SERVICES FOR LIONS FIELD IMPROVEMENTS.

Greenberg moved Engle seconded to award a lump sum \$11,500.00 contract for professional services, and an amount not to exceed \$275.00 for reimbursable expenses, related to the Lion’s Field DNR MNTRF grant to Sanders & Czapski Associates, PLLC Amounts will be paid from Capital Improvement Fund 401.708.002.972.000.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

AUTHORIZATION TO USE CAPITAL IMPROVEMENT FUND DOLLARS TO PURCHASE 6 BODY WORN CAMERAS FOR THE POLICE DEPARTMENT.

Maki moved White seconded to approve the purchase of 6 FirstVu HD body worn cameras at a total cost of \$4,860.00 from Digital-Ally. This will be paid from the Capital Improvement Fund - Electronics, Account #401.305.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

AUTHORIZATION TO USE CAPITAL IMPROVEMENT FUND DOLLARS TO PURCHASE A HAND HELD RADAR UNIT FOR THE POLICE DEPARTMENT.

Maki moved Lynch seconded to approve the purchase of Stalker Hand Held Lidar from Applied Concepts, Inc for \$620.00 This will be paid from the Capital Improvement Fund - Electronics, Account #401.305.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

AUTHORIZATION TO USE CAPITAL IMPROVEMENT FUND DOLLARS TO PURCHASE HOLSTERS, WEAPON LIGHTS, AND GUN CASES FOR THE POLICE DEPARTMENT.

White moved Bohjanen seconded to approve the purchase of Holsters, Weapon Lights and Gun Cases for no more than \$3,000.00 This will be paid from the Capital Improvement Fund - Electronics, Account #401.305.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS FOR DUGOUT CONSTRUCTION AT SILVER CREEK RECREATION AREA.

Greenberg moved Engle seconded to permit the Marquette Little League organization to make improvements to the Silver Creek Recreation Area ball field. Improvements would include building dugouts and preparing the field for use as an approved Little League field.

AYES: 7

NAYS: 0

MOTION CARRIED.

REQUEST FOR LETTER OF SUPPORT FOR MICHIGAN DEPARTMENT OF NATURAL RESOURCES PASSPORT GRANT FOR TRAIL AMENITIES FOR THE IRON ORE HERITAGE TRAIL AUTHORITY.

Engle moved Greenberg seconded to send a letter of support for the Iron Ore Heritage Trail Authority for the Department of Natural Resources Trust Fund Development Grant to provide

bicycle racks, benches and bike repair station adjacent to the trail at some of the newly established trailheads including Lions Field in Chocolay Township.

AYES: 7

NAYS: 0

MOTION CARRIED.

REQUEST FOR LETTER OF SUPPORT FOR MICHIGAN DEPARTMENT OF NATURAL RESOURCES PASSPORT GRANT FOR TRAIL AND AMENITIES AT MARQUETTE TOWNSHIP LIONS FIELD.

White moved Lynch seconded to send a letter of support for Marquette Township for their 2015 Michigan Department of Natural Resources Recreation Passport Grant for trail and amenities at Marquette Township Lion's Field.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF MAY BOARD MEETING DATE.

Trustee White has a conflict with the May 6, 2015 Township Board meeting date. Supervisor Walker asked if it could be moved to Monday, May 4, 2015.

Lynch moved Bohjanen seconded to move the Regular Township Board meeting in May to Monday May 4, 2015 at 5:00 pm.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF REGULATIONS FOR SHORT TERM RENTALS OF SINGLE FAMILY HOMES.

The Board discussed short term rental of single family homes in Chocolay Township.

Trustee Bohjanen commented on the Planning Commission presentation on short term rentals. We have not had a lot of formal complaints on this issue and there has been no legal action taken in the last 17 years. The Planning Commission did not come to a consensus and decided to bring it to the Township Board for a policy decision on short term rentals.

Trustee Maki asked what we tell a resident if they ask what the Township official opinion is on short term rentals.

Supervisor Walker indicated that we have an opinion from our Township attorney indicating that trying to use the current ordinance we have to apply to short term rental of single family homes, would be at best problematic, given the way it is written. Supervisor Walker will send the attorney opinion to all Board members for review.

Trustee Maki feels we should amend the ordinance if we are going to allow short term rentals. He is against allowing short term rentals.

Treasurer Greenberg is concerned that there is different criterion for State and Federal law for homestead/residence. He is not against short term rentals as long as it is at a principal residence; but he is not in favor of a business venture purchasing homes in Chocolay Township strictly for short term rentals.

The Board will read the attorney opinion on short term rentals and will revisit the discussion.

Supervisor Walker feels that we would have to have a defensible governmental reason such as health, safety and welfare for prohibition or limitation of short term rentals.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road - asked how the Township deals with email correspondence. Do we have a policy on keeping emails and having them available under FOIA?

Treasurer Greenberg asked about the Swick bill for the furnaces coming in under the amount that the Board approved.

Manager Lawry replied that we are still working on bids for the construction of the platforms. That will also come out the total that the Board approved. We may have to revisit the amount that the Board approved for the furnace project because the platform price may be higher than originally planned.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, February 16th, 2015.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of February 19th, 2015.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of February 18th, 2015 Draft.
- D. Minutes – Northern Michigan Public Service Academy, Regular Meeting of March 19th, 2015.

Supervisor Walker adjourned the meeting at 5:55 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

May 4, 2015

A Regular meeting of the Chocolay Township Board was held on Monday, May 4, 2015 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Richard Bohjanen, David Lynch.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Brad Johnson, Suzanne Sundell, Dale Throenle, Gary Johnson.

MINUTES –APRIL 1, 2015 REGULAR MEETING.

Greenberg moved Lynch seconded to approve the minutes of the Regular meeting of April 1, 2015 as presented.

MOTION CARRIED.

Trustee Maki asked when the Board will revisit the Short Term Rental issue.

AGENDA ADDITIONS/DELETIONS.

White moved Bohjanen seconded to accept the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

White moved Engle seconded that bills totaling \$41,992.34 including checks numbered 20142-20176, bills totaling \$34,191.48 including checks numbered 20177-20213 and bills totaling \$24,738.53 including checks numbered 20214-20234 are approved for payment.

MOTION CARRIED.

PAYROLL.

Bohjanen moved Lynch seconded that the payroll for April 9, 2015 for \$38,556.80 including checks numbered 22148-22191 and 10148-10153 and ACH payments for Federal tax, State tax and MERS; April 23, 2015 payroll for \$35,708.64 including checks numbered 22192-22221 and 10154-10159 and ACH payments for Federal tax, State tax and MERS be approved for payment.

MOTION CARRIED.

FINANCIAL REPORT.

Maki moved Bohjanen seconded to approve the March 2015 financial report.

MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

White moved Lynch seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

PRESENTATIONS.

2014 FISCAL YEAR AUDIT.

Mike Grentz, Anderson Tackman and Company presented the FY2014 audit to the Board. The Township received an unmodified opinion which means the Township complied with accounting principles generally accepted in the United States. The net position of the Township is \$8.4 million, which is a net gain of \$165,000.00 over the previous year. The Fire Millage Fund shows a deficit of \$900,000.00 because the Township borrowed from the General, Capital and Wastewater

Funds to build the fire station. The Fire Millage Fund will pay back the other funds as the taxes are paid over the next few years. The Fund Balance in General Fund at the end of 2014 was \$1.1 million. There were two comments in the audit 01 -assistance in preparing financial statements and 02 - Fire Millage Fund deficit spending.

Treasurer Greenberg commented that since the GASB changes the audit is far more complicated for the general public to understand.

Trustee Maki asked if the Road funding was going to be brought before the Board in 2015.

Supervisor Walker stated that the road survey will be completed now that the snow is gone and the next step is a discussion with the Marquette County Road Commission on expenses. That information will be brought to the Board.

Greenberg moved Engle seconded to accept the FY2014 audit as presented.

MOTION CARRIED.

FORMATION OF MARQUETTE CHAMBER OF COMMERCE.

Jason Schneider, Executive Director of the recently reformed Marquette Chamber of Commerce explained that are a grass roots effort and hope to grow with the local municipalities and businesses. The Chamber will allow conversation between small businesses and local government. This organization will partner the businesses in Marquette Township, Chocolay Township and the City of Marquette with the municipalities. The Chamber will work on a Welcome to Marquette Packet, agenda monitoring so local business will easily find an item that interests them, and economic impact studies. We do not want to duplicate services, just fill in the needs that are not being met. Thank you for considering a membership with the Chamber.

Trustee Bohjanen asked what happened to the previous Chamber of Commerce.

Jason answered that the previous Chambers in Marquette County dissolved in 1997 when Lake Superior Partnership formed. Five years ago Negaunee and Ishpeming reformed a Chamber of Commerce; the Marquette area has not had a Chamber since 1997.

SUPERVISOR'S REPORT

- Revisions to Poverty Exemption Application Guidelines presented to the Board to review and comment. The Board made comments on the policy, but no changes were made.

APPROVAL OF PROJECT AGREEMENT FOR LIONS FIELD MICHIGAN DEPARTMENT OF NATURAL RESOURCES TRUST FUND GRANT. A RESOLUTION ACCEPTING DNR GRANT TF14-0219 FUNDS AND COMMITMENT TO DEFINED MATCH FOR THE IRON ORE HERITAGE TRAILHEAD PROJECT AT CHOCOLAY TOWNSHIP LION'S FIELD.

Bohjanen moved Greenberg seconded that

“RESOLVED, that the Charter Township of Chocolay, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the Township does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide twenty-five thousand (\$25,000) dollars to match the grant authorized by the DEPARTMENT.
2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.

5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.”

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

CONSIDERATION OF MEMBERSHIP IN MARQUETTE CHAMBER OF COMMERCE.

Greenberg moved Lynch seconded to authorize Township membership in the new Marquette Chamber of Commerce with 2015 dues to be paid from account 101.103.802.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

2015 GENERAL FUND BUDGET ADJUSTMENT #3 TO REFLECT RECEIPT OF RISK AVOIDANCE GRANT FROM THE MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY.

Maki moved Greenberg 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 20, 2014 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
Police Department			
Equipment Maintenance 101.305.778	\$11,020.00	+\$ 800.00	\$11,820.00

REVENUE	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
Miscellaneous 101.698	\$16,000.00	+\$ 800.00	\$16,800.00

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

AWARD OF CONTRACT FOR CONSTRUCTION OF ROOF TOP SERVICE PLATFORM AND 2015 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #4 TO REFLECT ACTUAL COSTS OF FURNACE REPLACEMENT AND SAFETY PLATFORM CONSTRUCTION.

Greenberg moved Bohjanen seconded to authorize expenditure of an additional \$3,055.00 for the furnace replacement project, for a total of \$31,805.00 and award a contract for construction of a code-required service platform adjacent to the east roof top furnace on the Township Hall to Closner Construction & Sales of Marquette in the amount of \$13,025.00 in accordance with the company’s proposal of April 6, 2015, and a design prepared by Integrated Designs, Inc.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

Greenberg moved Lynch seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund expenditures within the Township on October 20th, 2014 for fiscal year 2015, and Whereas, as a result of unplanned expenditures related to the replacement of Township Hall furnaces 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
EXPENDITURE			
Township Hall & Grounds Building Improvements 401.265.976	\$21,995.55	+\$9,810.00	\$31,805.55

The total fund balance of the Capital Improvement Fund will remain at \$815,032.46 but the undesignated total within the fund balance of \$141,174.01 will be reduced by \$9,810.00.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

AWARD OF CONTRACT FOR FIRE STATION EMERGENCY GENERATOR.

Maki moved Engle seconded to award a contract to Frailing's Electric Company for their lump sum bid amount of \$28,663 to furnish and install an emergency generator for the Chocolay Township Fire Station, in accordance with the bid specifications, and to fund the project from the Fire Department Building Improvement Account of the Capital Improvement Fund 401.340.976.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

AUTHORIZATION TO PURCHASE COMMERCIAL WASHER FOR THE FIRE STATION WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Maki moved Engle seconded to authorize the fire department to purchase a Continental 40 Lbs. capacity commercial washer from the Belson Company of Green Bay, WI for a price not to exceed \$7,300 using funds from the Department's Capital Improvements Budget 401.340.976.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

AUTHORIZATION TO PURCHASE REFURBISHED AUTOMATED EXTERNAL DEFIBRILLATOR (AED) FOR THE FIRE DEPARTMENT WITH CAPITAL IMPROVEMENT DOLLARS.

White moved Greenberg seconded to authorize the fire department to purchase a refurbished LifePak 1000 AED from LifePak not to exceed \$1,319.00 using the Fire Department Capital Improvement Funds 401.340.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

AUTHORIZATION TO PURCHASE FLEET VEHICLE WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Engle moved Lynch seconded to authorize the use of up to \$16,000.00 from the Assessor and Zoning/Planning Departments of the Capital Improvement Fund, Account Numbers 401.202.981 and 401.805.981, combined with the trade-in value of the Township's 2004 Ford Crown Victoria to purchase from a local licensed auto dealer a 2010 or newer 4WD vehicle offering the best value to the Township, as determined by the Public Works Foreman, with final approval by the Township Manager.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

Trustee Lynch asked that we look for a longer warranty than 30 days if possible.

AUTHORIZATION TO PURCHASE COMPUTER SERVER AND RELATED SOFTWARE WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Lynch moved Engle seconded to authorize up to \$16,100.00 to Lasco and other related computer vendors from Capital Improvement 401.258.977 to be spent to upgrade the software and related hardware for the Township server upgrade process.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

AUTHORIZATION TO PURCHASE RIFLE SIGHT FOR POLICE DEPARTMENT WITH CAPITAL IMPROVEMENTS FUND DOLLARS.

Engle moved Maki seconded to approve the purchase of EOTech Sight for the Police Department at a cost not to exceed \$500.00 This will be paid from the Capital Improvement Fund Police Department Equipment Account #401.305.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

ADOPTION OF REVISIONS TO FOIA POLICY AND PROCEDURES.

Engle moved Maki seconded to adopt the FOIA Policy and Procedures for Charter Township of Chocolay to take effect July 1, 2015.

MOTION CARRIED.

REVIEW OF TOWNSHIP E-MAIL POLICIES AND PROCEDURES.

Maki moved Greenberg seconded to send the Township Electronic Mail Policy to the Personnel Committee for review and recommendations.

MOTION CARRIED.

PUBLIC COMMENT.

Fire Chief Gary Johnson stated that everything in the Fire Hall break room (chairs, equipment, tables and the refrigerator) and the equipment in the weight room were purchased by fire department personnel or donated. The Township tax dollars did not pay for any of it.

Jason Schneider thanked the Board for participating in the Chamber of Commerce.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, March 16th, 2015.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of March 19th, 2015.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of March 18th, 2015 Draft and April 15, 2015 Draft.
- D. Minutes – Marquette County Townships Association, Regular Meeting of March 25, 2015.
- E. Correspondence – Michigan Department of Licensing and Regulatory Affairs, Bureau of Construction Codes, Notice of Public Hearing on Proposed Changes to Residential Code and Energy Code.

Supervisor Walker adjourned the meeting at 6:15 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

JUNE 3, 2015

A Regular meeting of the Chocolay Township Board was held on Wednesday, June 3, 2015 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Judy White, Richard Bohjanen, David Lynch.

ABSENT: Mark Maki.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell.

MINUTES – MAY 4, 2015 REGULAR MEETING.

Greenberg moved Engle seconded to approve the minutes of the Regular meeting of May 4, 2015 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

No additions or deletions.

PUBLIC COMMENT.

Mona Lang, representing the Marquette Area Fireworks Committee – Thanked the Board for their support with the 4th of July Fireworks and presented a plaque to the Board. The Committee has raised \$11,000.00 this year. They are working toward an endowment fund for future fireworks. Marquette Rotary and West Rotary will be working with the Fireworks Committee on building up the endowment fund. The firework display will be with music at the lower harbor and on the radio. The cost per year to put on the fireworks is approximately \$35,000.00.

Deborah Mulcahey, 633 Lakewood Lane – Discussed short term rentals and a dumpster located on Lakewood Lane in the waterfront district. Chocolay Township should not allow commercial activities in waterfront/residential areas. Chocolay Township zoning ordinance should be enforced and stop short term rentals in waterfront/residential district. The PRE should be taken away if a home is used as a rental. The Board should be ashamed for changing their meeting time to 5:00 pm.

ACCOUNTS PAYABLE.

White moved Lynch seconded that bills totaling \$52,667.13 including checks numbered 20235-20275 and bills totaling \$23,017.23 including checks numbered 20276-20297 are approved for payment.

MOTION CARRIED.

PAYROLL.

White moved Engle seconded that the payroll for May 7, 2015 for \$32,409.02 including checks numbered 22222-22240 and 10160-10165 and ACH payments for Federal tax, State tax and MERS; May 21, 2015 payroll for \$38,273.04 including checks numbered 22241-22283 and 10166-10171 and ACH payments for Federal tax, State tax and MERS be approved for payment.

MOTION CARRIED.

FINANCIAL REPORT.

Bohjanen moved White seconded to approve the April 2015 financial report.

MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Engle moved Lynch seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

SUPERVISOR'S REPORT.

With the completion of the Master Plan, Planner Woodward has had more time to devote to zoning violations. There are currently 31 violations in progress and 6 have been forwarded to the attorney.

APPROVAL OF PROJECT AGREEMENT FOR LIONS FIELD MICHIGAN DEPARTMENT OF NATURAL RESOURCES TRUST FUND GRANT.

Greenberg moved Engle seconded to authorize the Supervisor to execute the attached Trust Fund Development Project Agreement for trail head improvements at Lions' Field on behalf of Chocolay Township and to rescind the Board's resolution of May 4, 2015 accepting grant funds and committing to a defined match.

ROLL CALL.

AYES: Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

ABSENT: Maki.

MOTION CARRIED.

A RESOLUTION ACCEPTING DNR GRANT TF14-0219 FUNDS AND COMMITMENT TO DEFINED MATCH FOR THE IRON ORE HERITAGE TRAILHEAD PROJECT AT CHOCOLAY TOWNSHIP LION'S FIELD

JUNE 3, 2015

Upon motion made by White, seconded by Engle, the following Resolution was adopted:

"RESOLVED, that the Charter Township of Chocolay, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that the Township does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide sixty-six thousand five hundred (\$66,500) dollars to match the grant authorized by the DEPARTMENT.

The amount is to be appropriated as follows:

Chocolay Township – twenty-five thousand (\$25,000) dollars

Iron Ore Heritage Trail Recreation Authority – thirty-one thousand (\$31,000) dollars

Donated labor and materials – ten thousand five hundred (\$10,500) dollars

2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.
3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.
4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution."

ROLL CALL.

AYES: Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

ABSENT: Maki.

MOTION CARRIED.

APPROVAL OF RESPONSE TO DEPARTMENT OF TREASURY NOTICE REGARDING AUDIT DEFICIENCIES.

Greenberg moved Lynch seconded that;

WHEREAS, the Charter Township of Chocolay Fire Millage Fund has a \$(990,000.00) deficit fund balance on December 31, 2014; 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 adopts the following as the Fire Millage Fund Deficit Elimination Plan:

	2015	2016	2017
Fund Balance - Restricted	\$89,936.00	\$8,811.00	\$29,097.00
Fund Balance - Unrestricted	\$(990,000.00)	\$(590,000.00)	\$(290,000.00)
Fund Balance – Total	\$(900,064.00)	\$(581,189.00)	\$(260,903.00)
Revenue – Property Tax	\$323,825.00	\$323,825.00	\$323,825.00
Expenditure – Interest	\$(4,950.00)	\$(2,950.00)	\$(1,450.00)
Net Income	\$318,875.00	\$320,875.00	\$322,375.00
Fund Balance – Restricted	\$8,811.00	\$29,686.00	\$61,472.00
Fund Balance – Unrestricted	\$(590,000.00)	\$(290,000.00)	-
Fund Balance – Total	\$(581,189.00)	\$(260,314.00)	\$61,472.00
Payments on Advances	\$400,000.00	\$300,000.00	\$290,000.00

BE IT FURTHER RESOLVED that the Charter Township of Chocolay Supervisor, Gary Walker submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.
MOTION CARRIED.

AWARD OF CONTRACT FOR SOLID WASTE SERVICES.

Engle moved Lynch seconded to award a contract to Great American Disposal at the unit prices bid for weekly curbside collection of garbage and recyclables, provision and twice weekly servicing of recyclables dumpsters at Township Hall, and provision and weekly servicing of a municipal waste container at Township Hall for the period July 1, 2015, through June 30, 2018, and that the Supervisor and Clerk be authorized to execute the contract on behalf of the Township.

ROLL CALL.

AYES: Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

ABSENT: Maki.

MOTION CARRIED.

AUTHORIZATION FOR ADDITIONAL FUNDS FOR LION’S FIELD FENCE RELOCATION PROJECT.

White moved Bohjanen seconded to authorize the expenditure of \$1,337.60 from the Recreation & Grants Land Improvement Account of the Capital Improvement Fund (401.708.972) for the completion of fence safety modifications at Chocolay Township Lions’ Field.

ROLL CALL.

AYES: Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

ABSENT: Maki.

MOTION CARRIED.

CONSIDERATION OF SOLID WASTE MANAGEMENT AUTHORITY REQUEST FOR CHANGE TO INTERGOVERNMENTAL AGREEMENT REGARDING REQUIREMENT FOR FACILITY DIRECTOR TO HAVE A BACHELOR’S DEGREE IN ENGINEERING.

Greenberg moved White seconded that the Chocolay Township Board, after due consideration, resolves to support and ratify an Amendment to the Intergovernmental Agreement of the Marquette County Solid Waste Management Authority, whereby the requirement that the Director possess a Bachelor’s Degree in Engineering be eliminated. Accordingly, the first sentence in Section of 2.3 of the Intergovernmental Agreement shall be changed from:

“The Authority Director’s qualification requirements are as follows: Bachelor’s Degree in Engineering, experience in consulting or management in public works or industrial operations (preferable five years) familiar with finance, environmental law and regulation, and good public relations and management skills.”

To: “The Authority Director’s qualification requirements, are as follows: experience in consulting or management in public works or industrial operations (preferable five years) familiar with finance, environmental law and regulation, and good public relations and management skills.”

MOTION CARRIED.

CONSIDERATION OF THE PERSONNEL COMMITTEE RECOMMENDATION ON E-MAIL POLICY AND PROCEDURE.

White moved Lynch seconded to approve the Township Electronic Mail Policy as written for immediate implementation and distribution to Township email users.

MOTION CARRIED.

CONSIDERATION OF PLANNING COMMISSION CORRESPONDENCE REGARDING SHORT TERM RENTAL OF SINGLE FAMILY HOMES.

The Planning Commission asked that Planner Drake Woodward write a brief summary to the Board explaining why the discussion of this item is being tabled following a determination that no action is necessary at the present time for the following reasons:

The majority of the Commission felt that there was not sufficient evidence of existing or anticipated problems to warrant action to revise the Ordinance for specific action at this time. This could be reconsidered when the Ordinance is being revised per the Master Plan. Neither violation records nor legal records indicate past enforcement action related to prohibiting short-term rentals of single-family homes. We know such uses exist, but there is no evidence of a preponderance of associated problems. It is also not evident that enforcement of existing nuisance and noise ordinances would fail to resolve typical problems that might be associated with home rentals, whether short or long-term rentals, or even owner-occupied residency.

The Commission discussed potential problems, such as lack of maintenance or increased proliferation of the use associated with potential negative reaction from residents. However, since the Commission was unable to identify real problems for which solutions are warranted, indicating no basis for problem resolution discussions, they delayed any further discussion or action until there is more information or a change in conditions.

Treasurer Greenberg does not have a problem with a resident renting out their home for a period of time while they are away. He does not want homes purchased for the sole purpose of short term rental in the Township.

Trustee White agreed with Treasurer Greenberg.

Trustee Bohjanen is in favor of; at the time of rewriting the land use portion of the zoning ordinance that (short term rentals) be made a conditional use as opposed to a nonuse or a permitted use. This would then require review and allow input from the neighbors. However, the one thing that struggles with is how to handle grandfathering current short term rentals.

Supervisor Walker thinks we would have to grandfather in the current short term rentals.

Supervisor Walker asked if the Board wishes to do anything with the short term rental issue.

Trustee White does not think that currently short term rental is a problem.

The Board took no action.

CONSIDERATION OF ACQUISITION OF USED TABLE FOR BOARD MEETING USE.

Manager Lawry, Supervisor Walker and Clerk Engle looked at the Board table that Marquette Township is offering for free. It is a very nice table, but far too large for our meeting room.

PUBLIC COMMENT.

Scott Emerson, 119 Lakewood Lane – agreed with Trustee Bohjanen and Treasurer Greenberg on short term rentals. Allowing them as a conditional use or for specified time frame could still embody the spirit of residential zoning in the Ordinance. There is a light aircraft that is taking off and landing from a home on Lakewood Lane. This is dangerous and should not be allowed. The Planning Commission should take a look at this. He does not understand the 5:00 pm meeting time, 7:00 pm would work better for public participation.

Jude Catello, 119 Lakewood Lane – Late night parties on the beach and noise are a problem in residential neighborhoods. The 5:00 pm meeting time is not good for public participation.

Deborah Mulcahey, 633 Lakewood Lane – The Board is being short sighted in allowing the job description for Director of the Marquette County Landfill drop the engineering degree qualification. Disagrees with Supervisor Walker on whether the zoning ordinance could be used to stop short term rentals. I understand that the Township will not enforce short term rental issues; and if not, my answer is to follow up with a writ and that will be very costly to the Township.

Joe Holman, 210 Riverside Road – How many short term rentals are there in Chocolay? How does this affect the homestead exemption? The Township should not grandfather current short term rentals.

Treasurer Greenberg – Asked that we put discussion of the Township Board meeting time on the July agenda.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, April 20th, 2015.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of April 16th, 2015.
- C. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of May 13th, 2015 Draft.
- D. Correspondence- Michigan Townships Association Regarding State of Michigan Budget.

Supervisor Walker adjourned the meeting at 5:45 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

JULY 1, 2015

A Regular meeting of the Chocolay Township Board was held on Wednesday, July 1, 2015 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Judy White, Mark Maki, Richard Bohjanen, David Lynch.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Brad Johnson, Suzanne Sundell, Dale Throenle.

MINUTES – JUNE 3, 2015 REGULAR MEETING.

Greenberg moved Bohjanen seconded to approve the minutes of the Regular meeting of June 3, 2015 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Engle moved Lynch seconded the approval of the agenda with the addition of discussion of Township Board Meeting Time, Cell Towers, Master Plan and Lion's Park Recreation Proposal.

MOTION CARRIED.

PUBLIC COMMENT.

George Ruuska, 797 Lakewood Lane – He has been driving his golf cart through the Township property to the golf course since 2008. He has approval from the neighbors that have easement on either side of the property. Last week the Township blocked it off and put signage up that only foot traffic was allowed. He asked that the Township allow golf carts and bicycles through the property from Lakewood to M-28.

Glen Poberesny, 1595 M-28 – Asked the Township to allow Mr. Ruuska to drive his golf cart through this property to the Golf Course.

Supervisor Walker commented on the Board action taken in 1981 to close the property off to vehicle traffic. He asked the Board if they would consider modifying the 1981 Board action.

Mike Ball, M-28 – For the past 20 years there have been poles to block vehicle traffic, but a space large enough for a golf cart to pass. There has not been a problem in the past 20 years with people driving a golf cart through the property. The Township recently placed sign 'foot traffic only', does that mean bikes are not allowed on the property?

JoAnne Parks, 36 Sandwood Drive, Sands Township – Commented on the shape of Chocolay Township tennis courts. She spoke with Brad Johnson and told him that she has been weeding the tennis courts, and is willing to do fund raisers or organize a work bee to get the courts in better shape. She asks that the Township start doing maintenance and upkeep on the courts and that we look into a product called Armor Crack Repair.

Scott Emerson, 119 Lakewood Lane – Agrees with Trustee Maki on the co-location of cell towers. There is an ordinance that will not allow two towers so close together.

Deborah Mulcahey, 633 Lakewood Lane – The issue of short term rentals will not go away. She 100% disagrees with Supervisor Walker on the issue of short term rentals in the waterfront district. The language is very clear on single family dwelling. You cannot grandfather an activity if it not allowed under existing zoning and if an activity is grandfathered; they may not expand. Chocolay Township already dealt with this issue with Attorney Summers and now Attorney Zappa is being consulted. She knows the property discussed above and if you are driving a golf cart on

Lakewood Lake or M-28 that is a legal issue for our police. She thanked the woman working so hard to keep the tennis courts open.

Mark Maki, 370 Karen Road- Was the Zoning Administrator for Chocolay Township from 1977-2002 and all during that period, consistently told realtors and home owners that short term rentals are not allowed in residential zoning area. In 2008 Lakewood Lane was changed from R-1 to WFR. At that time (2008) resorts which includes rental of a dwelling less than 30 days at a time was not included as uses permitted in the R-1 and or WFR zoning district, but were listed as uses authorized in other zones.

Dale Throenle, Community Development Coordinator – The final plans for the Lions Field project have not been submitted yet from the architect. When the plans are submitted, we will involve the public and their comments.

Mike Ball, Lakewood Lane - Does not want vehicle traffic allowed on the Lakewood parcel.

ACCOUNTS PAYABLE.

White moved Engle seconded that bills totaling \$58,092.51 including checks numbered 20298-20341 and bills totaling \$11,327.89 including checks numbered 20342-20367 are approved for payment.

MOTION CARRIED.

PAYROLL.

Maki moved Lynch seconded that the payroll for June 4, 2015 for \$33,452.74 including checks numbered 22284-22305 and 10172-10177 and ACH payments for Federal tax, State tax and MERS; June 18, 2015 payroll for \$37,063.34 including checks numbered 22306-22345 and 10178-10183 and ACH payments for Federal tax, State tax and MERS be approved for payment.

MOTION CARRIED.

FINANCIAL REPORT.

White moved Bohjanen seconded to approve the May 2015 financial report.

MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Lynch moved White seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

PRESENTATIONS – MARQUETTE COUNTY VETERANS AFFAIRS SERVICE OFFICER CRAIG SALO.

The Marquette County Veterans Affairs Service Office was established in February on 2015. There was an election in 2014 to establish this office. There are 6500 veterans in Marquette County, which is roughly 10% of our population. His job is to help veterans with their benefits. The main benefits are education, health compensation and spouse survivor benefits. He also asked that the Township hall be used as a host site for the Veteran's Affairs Office.

SUPERVISOR'S REPORT.

Our tennis courts are in a woeful state. Brad Johnson, DPW Foreman has information that Little League has proposed to assist in upgrading the tennis courts, utilizing one section of the court as Little League batting cages and bullpens and one section as a basketball court, with the remaining two as tennis courts.

Treasurer Greenberg wants to look at using a portion of the two percent money toward the tennis court repair.

Supervisor Walker thinks that we will most likely need to completely replace the surface.

The Board feels we should pursue working with Little League on work on the tennis courts.

TOWNSHIP BOARD MEETING TIME.

Supervisor Walker feels that the content of the agenda is what brings in public attendance at our meetings, not necessarily the time of the meeting.

Treasurer Greenberg suggested that we change the time to 5:30 to allow the public to get home from work to attend the meeting.

Greenberg moved White seconded to change the Township Board meeting to the first Wednesday of the month at 5:30 pm.

MOTION CARRIED.

BOARD DISCUSSION OF 2016 BUDGET PRIORITIES AND PARAMETERS.

Supervisor Walker feels that the memo presented by the Manager to the Board on budget priorities was as good a job as he has seen from a manager for laying out the parameters needed for our consideration on the budget.

Clerk Engle stated that there will be at least 2 elections in 2016 but most likely 3 elections.

Treasurer Greenberg feels that we need to look at requesting road millage in 2016.

The Board discussed the fact that the roads are in need of repair and are in favor of going out for road millage in 2016 and utilizing the Marquette County Road Commission however we can in the process.

Treasurer Greenberg is in favor of the employees working toward paying 20% of their health insurance by adding 1% per year. He is not in favor of increasing the compensation for elected officials. He is in favor of working in the direction of wastewater upgrades.

Trustee Lynch feels the manager is correct in his estimation of a 7-10% increase in health insurance.

Supervisor Walker ask the Board if they were interested in going to a 24 hour police department

Treasurer Greenberg and Trustee White are not willing to give up other services to go to a 24 hour police department.

Manager Lawry asked the Board what percentage the Board wanted him to use for wage increases for staff.

Treasurer Greenberg proposed 3% increase.

Trustee White proposes only the cost of living.

2015 GENERAL FUND BUDGET AMENDMENT #4 TO REFLECT DEPARTMENT OF JUSTICE GRANT FOR BALLISTIC VEST REPLACEMENT.

Maki moved White 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 20, 2014 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			
General Fund-Uniforms	\$2,150.00	+\$801.00	\$2,951.00
101.305.745			
REVENUE	PREVIOUS	CHANGE	AMENDED

The Board moved \$17,500.00 originally designated to the Fire Department to the Recreation Department toward the Tennis Courts.

Greenberg moved Maki seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern anticipated Capital Improvement Fund receipts within the Township on October 20th, 2014 for fiscal year 2015, 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
REVENUES			
KBIC 2% Gaming Money 401.582.000	\$80,329.94	+\$47,000.00	\$127,329.94
EXPENDITURES			
POLICE DEPARTMENT			
Equipment 401.305.000.977.000	\$38,807.41	+\$ 2,300.00	\$41,107.41
Vehicles 401.305.000.981.000	\$70,821.93	+\$ 4,900.00	\$75,721.93
FIRE DEPARTMENT			
Building Improvements 401.340.000.976.000	\$42,714.03	+\$ 5,500.00	\$48,214.03
Equipment 401.340.000.977.000	\$68,190.86	+\$ 6,000.00	\$74,190.86
RECREATION & PROPERTIES			
Land Improvements 401.756.000.972.000	\$12,202.91	+\$28,300.00	\$40,502.91

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

Nays: None.

MOTION CARRIED.

Trustee Maki asked if the water supply for the permaculture Park is a long term benefit for the recreation area and if the other organizations involved are applying for grants and other funding options so we do not have to use our money.

Manager Lawry indicated that they are applying for grants. The well and power service drop that would be funded with this would be required if we were to develop the additional 14 acres into parkland and service with bathrooms and irrigation.

AUTHORIZATION TO PURCHASE OFFICE DESK CHAIRS FOR THE POLICE DEPARTMENT WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Greenberg moved Lynch seconded to approve the purchase of two office chairs with a cost not to exceed \$500.00. This will be paid from the Police CIF office equipment account #401.305.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

Nays: None.

MOTION CARRIED.

AUTHORIZATION TO REPLACE POLICE PATROL CAR AND ASSOCIATED EQUIPMENT WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Lynch moved Greenberg seconded to approve the purchase of a 2015 patrol vehicle for the Police Department. Cost of the vehicle will not exceed \$34,250.00 Costs for accessories and installation will not exceed \$13,865.00 for a grand total of \$48,115.00. This will be paid from the 2015 Capital Improvement Fund, Account #401.305.981.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

Nays: None.

MOTION CARRIED.

CONSIDERATION OF SOLID WASTE MANAGEMENT AUTHORITY REQUEST FOR APPROVAL OF A NEW RECYCLING AGREEMENT.

White moved Greenberg seconded to approve the new recycling agreement with MCSWMA and authorize the Township Supervisor to execute it on behalf of the Township.

MOTION CARRIED.

CONSIDERATION OF RECOMMENDATION FROM PLANNING COMMISSION FOR NATURE PARK ON MAIN STREET.

Greenberg moved Lynch seconded to approve funding in an amount up to \$4,000 for the actual costs of an appraisal that will meet the requirements of the grant agency for the potential purchase of parcels 52-02-205-004-00 and 52-02-106-022-00 by the U.P. Land Conservancy for a public nature park.

Scott Emerson feels that we have a lot of potential players for grants in this project. This has potential use for public use and access.

Jerry Maynard stated that they are working on a potential \$100,000.00 grant at this time with the Nature Conservancy. There will be many group involved in this project.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

Nays: None.

MOTION CARRIED.

CELL TOWER DISCUSSION.

Trustee Maki is concerned with co-location, height and that the zoning district requires 20 acres. The Planning Commission years ago amended the zoning ordinance to regulate cell towers. We may need to change the language in the ordinance.

Trustee Bohjanen stated that the issue of land size was addressed by the Planning Commission and the concept involved easement to include the fall zone and necessary space for the required antenna. The communications issue has changed immensely since the ordinance was adopted in the 1990's and early 2000's.

MASTER PLAN.

Supervisor Walker indicated that the Planning Commission did make changes to the Master Plan after the Board made suggestions.

Trustee Maki was upset that at the joint meeting with the Planning Commission to discuss the Master Plan, that the Planning Commission had already finalized the Plan and had it available for distribution. It is clear that the joint meeting was a waste of time. The Planning Commission should have reviewed the issues discussed at the joint meeting and then finish the Master Plan and made it available for distribution.

PUBLIC COMMENT.

Treasurer Greenberg suggested that we remove obstacles on the Township Lakewood property until the Board has time to amend the 1980 agreement.

Greenberg moved White seconded to rescind the February 1980 Board directive on the Lakewood Lane/M-28 property along Section 10/11 line and make it available for foot traffic, bicycles and golf carts.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS

A. Minutes – Township Planning Commission, May 18th, 2015.

B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of May 21st, 2015.

- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of May 20th, 2015 and Special Meeting of May 27th, 2015 Drafts.
- D. Correspondence – Michigan Liquor Control Commission, Notice of Stock Transfer.
- E. Correspondence – American Tower Corporation, Notice of Option & Lease Assignment.

Supervisor Walker adjourned the meeting at 7:10 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

AUGUST 5, 2015

A Regular meeting of the Chocolay Township Board was held on Wednesday, August 5, 2015 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Judy White, Mark Maki, Richard Bohjanen, David Lynch.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Drake Woodward, Suzanne Sundell.

MINUTES – JULY 1, 2015 REGULAR MEETING.

Greenberg moved Lynch seconded to approve the minutes of the Regular meeting of July 1, 2015 with corrections to Trustee Maki's comments under Public Comment on page 2 - short term rentals and on page 8 - The Master Plan.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Maki moved White seconded the approval of the agenda with the addition of discussion of appraisal of property for the Nature Park on Main Street/Hotel Place and discussion on attorney bills dealing with Manthey property.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – She was disappointed Roger Zappa, Township Attorney was not in attendance at the meeting to discuss short term rentals. The short term rentals are a growing problem in Chocolay Township. She feels that no rentals are allowed in residential areas in Chocolay Township because it is not specifically permitted in the zoning ordinance. She asked that the Board direct the Planning Director to determine the actual number of short term rentals, has that number changed? Send a letter to property owners that use their property as short term rentals. Send a letter to brokers and Marquette Alger Board of real estate people that short term rentals are not allowed in Chocolay Township. She asked that the Township Attorney look at recent Supreme Court and Court of Appeals decision to zoning and single family residential.

ACCOUNTS PAYABLE.

White moved Bohjanen seconded that bills totaling \$25,398.10 including checks numbered 20368-20399 and bills totaling \$29,074.89 including checks numbered 20400-20431 are approved for payment.

MOTION CARRIED.

PAYROLL.

White moved Lynch seconded that the payroll for July 2, 2015 for \$33,761.26 including checks numbered 22346-22367 and 10184-10189 and ACH payments for Federal tax, State tax and MERS; July 11, 2015 payroll for \$8,993.55 including checks numbered 22368-22393 and ACH payments for Federal tax and State tax; July 16, 2015 payroll for \$33,997.08 including checks numbered 22394-22415 and 10190-10195 and ACH payments for Federal tax, State tax and MERS and July 30, 2015 payroll for \$38,129.74 including checks numbered 22416-22456 and 10196-10201 and ACH payments for Federal tax, State tax and MERS be approved for payment.

MOTION CARRIED.

FINANCIAL REPORT.

White moved Engle seconded to approve the June 2015 financial report.

MOTION CARRIED.

TREASURER’S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Greenberg informed the Board that we had four certificates of deposit mature in July.

Lynch moved Engle seconded to accept the Treasurer’s report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

PRESENTATIONS -DRAFT 2016 OPERATING BUDGET.

Manager Lawry presented the FY2016 proposed budget to the Board. The revenue sources are decreasing including garbage tag revenue. Some State revenue and property tax revenue is up. He reduced the budgets for some departments, cutting as much as he felt possible. We are not as able to withstand an unexpected major expense as we were in the past. We do budget contingency funds in both the General and Wastewater Funds. We do have about six months of operating money in the General Fund, which is where the auditors feel we should be. We have huge replacement costs coming up in the future for lift stations in the Wastewater Fund and a fire truck from the Capital Improvements Fund. We have a forty plus year old wastewater system. There will be a work session at the September Board meeting and he would like any Board changes to be brought to that meeting in form of a motion. We will work toward passing the Budget at the November meeting.

SUPERVISOR’S REPORT.

- A letter was sent out to residences in Chocolay Township by the State Tax Commission/Tax Management Associates audit of assessment practices in Marquette County.
- The Planning Commission dealt with an issue on a property on U S 41 and Corning (red house) with Dollar General. Dollar General told the Planning Commission that their corporate policy was to have a private drive into the business. The Planning Commission stated that due to public safety, our policy is to have businesses share driveways on U S 41 and offered three suggestions on how it could work. Supervisor Walker commended the Planning Commission for not bending to pressure and keeping safety concerns a top priority.

Trustee Maki commented that the State Tax Commission contracted with a firm called Tax Management Associates. The State is looking for properties that are not on the assessment roll. Chocolay has a regular review of all properties so it is likely that the State will not find any properties not on the roll. On the Dollar General property, the Planning Commission years ago allowed a local business have large trucks exiting on U S 41 and they are now concerned about a corporate business having cars exiting on the highway.

CONSIDERATION OF REVISED RESOLUTION FOR DEPARTMENT OF TREASURY REGARDING INTERNAL FIRE STATION CONSTRUCTION LOAN REPAYMENT SCHEDULE.

Deficit Elimination Resolution Fire Millage Fund

Greenberg moved, White seconded that;

WHEREAS, the Charter Township of Chocolay Fire Millage Fund has a \$(990,000.00) deficit fund balance on December 31, 2014; 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 adopts the following as the Fire Millage Fund Deficit Elimination Plan:

	2015	2016	2017
Fund Balance - Restricted	\$89,936.00	\$8,811.00	\$29,097.00
Fund Balance - Unrestricted	\$(990,000.00)	\$(590,000.00)	\$(290,000.00)
Fund Balance – Total	\$(900,064.00)	\$(581,189.00)	\$(260,903.00)
Revenue – Property Tax	\$323,825.00	\$323,825.00	\$323,825.00
Expenditure – Interest	\$(4,950.00)	\$(2,950.00)	\$(1,450.00)

Net Income	\$318,875.00	\$320,875.00	\$322,375.00
Fund Balance – Restricted	\$8,811.00	\$29,686.00	\$61,472.00
Fund Balance – Unrestricted	\$(590,000.00)	\$(290,000.00)	-
Fund Balance – Total	\$(581,189.00)	\$(260,314.00)	\$61,472.00
Payments on Advances–General Fund	\$200,000.00	\$150,000.00	\$145,000.00
Payments on Advances-Wastewater Fund	\$200,000.00	\$150,000.00	\$145,000.00

BE IT FURTHER RESOLVED that the Charter Township of Chocolay Supervisor, Gary Walker submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.
MOTION CARRIED.

REVISION OF THE FOIA POLICY AND FEE SCHEDULE.

White moved Bohjanen seconded to adopt the proposed revisions to the Chocolay Charter Township FOIA Procedures and Guidelines, the Public Summary thereof, and 2015 Fee Schedule for compliance with the amendments to the Michigan Freedom of Information Act that became effective July 1, 2015.

MOTION CARRIED.

REQUEST TO WAIVE SOFTBALL FIELD USER FEE.

Greenberg moved Engle seconded to waive the \$150.00 user fee for the weekend of September 18, 2015 at the Beaver Grove softball field for a benefit softball tournament.

MOTION CARRIED.

ACCESS EASEMENT MODIFICATIONS AT SILVER CREEK RECREATION AREA.

The company that is laying the conduit and pedestals for the cell tower has requested an accommodation to go beyond the easement. The Board discussed alternatives and an alternative to the drive entrance to the Recreation Area. Manager Lawry suggested the 10 foot addition to the easement that was requested, most likely would not work, and time is needed to look the property over carefully to decide just how much more easement they will need.

White moved, Engle seconded, to authorize utility construction to the Silver Creek Recreation Area tower to proceed along routes approved by the Township Manager and Public Works Foreman on the condition that an amended easement be presented for Board action within 90 days of completion of the construction.

MOTION CARRIED.

Greenberg moved, Lynch seconded, to authorize the Township Supervisor and Manager to negotiate with the Silver Creek Church for the use of Township property for snow storage and to resolve any issues associated with the recently implemented traffic flow pattern in the church lot that effects access to the Silver Creek Recreation Area, with any agreement to be returned to the Board for approval

MOTION CARRIED.

DISCUSSION ON APPRAISAL FOR NATURE PARK ON MAIN STREET/HOTEL PLACE PROPERTY .

Trustee Maki indicated that the value of the property will greatly impacted because the lot is not legal and there are some zoning issues.

Supervisor Walker stated that there was an illegal split in the past with this property. He wondered if the two parcels of property could be combined back into one parcel if one person owned both. We did inform the purchasers of the problems.

MANTHEY LEGAL FEES.

Trustee Maki asked what the zoning issues were and if the property was on Brookfield.

Planner Woodward replied that there are several issues with the property. He violated three ordinances; he built a lot of additions without permits and some of them encroached on setbacks, he had nuisance and vehicle violations. We got a judgement last November and he was given

some time to comply, he did not do that and we had to go back to court. Nothing was resolved during the second Court hearing except the judge told Manthey that the Township could legally take down the buildings. Manthey came in the next day and got his permits and moved the building. It is all resolved now.

PUBLIC COMMENT.

Lee Blondeau, North Tracy Lane – Wondered if the Board discussed the Freeman property? If so he will read the minutes when they are complete.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, Regular Meeting of June 15th, 2015 and Special Meeting of June 25, 2015.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of June 18th, 2015.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of June 17th, 2015 and July 15th, 2015 Drafts.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meetings of May 12, 2015 and June 9, 2015.
- E. Correspondence – Iron Ore Heritage Trail Authority Report of June 2015.
- F. Plans for Lions Field Trailhead Project

Supervisor Walker adjourned the meeting at 6 :40 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

SEPTEMBER 2, 2015

A Regular meeting of the Chocolay Township Board was held on Wednesday, September 2, 2015 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Judy White, Mark Maki, Richard Bohjanen, David Lynch.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Drake Woodward, Suzanne Sundell, Dale Throenle, Mike Disch, Brad Johnson, Greg Zyburt, Scott Jennings, Lee Gould.

MINUTES –AUGUST 5, 2015 REGULAR MEETING.

Greenberg moved Lynch seconded to approve the minutes of the Regular meeting of August 5, 2015 with one correction.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Supervisor Walker advised the Board that the draft agenda is emailed to them 10 days before the meeting. We should institute a practice that any changes/additions to the agenda must be presented by noon the Wednesday prior to the Board meeting. This will allow for staff input and transparency to the public. Emergency items can still be added to the agenda.

Trustee Maki feels that we can amend the current policy to state that.

This policy change will be brought back to the Board at the October meeting.

Bohjanen moved Greenberg seconded the approval of the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – Commented on population decrease in Chocolay Township, road safety, 2016 budget, sewer rate increases, decreasing property values, 100 additional hours for the Community Development Coordinator, zoning and enforcement of short term rentals.

ACCOUNTS PAYABLE AND PAYROLL.

Maki moved White seconded that bills totaling \$8,454.87 including checks numbered 20432-20459 and bills totaling \$47,983.60 including checks numbered 20460-20490 are approved for payment and that the payroll for August 13, 2015 for \$35,553.86 including checks numbered 22457-22491 and 10202-10207 and ACH payments for Federal tax, State tax and MERS; August 27, 2015 payroll for \$37,840.75 including checks numbered 22492-22529 and 10208-10212 and ACH payments for Federal tax, State tax and MERS be approved for payment.

MOTION CARRIED.

FINANCIAL REPORT.

White moved Engle seconded to approve the July 2015 financial report.

MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Greenberg informed the Board that we had two C/D's mature in August. We no longer have C/D's maturing on a monthly basis. With the interest rates so low, the investing is a little trickier and the longer time frame C/D's are providing the best rates.

Lynch moved Engle seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

PRESENTATIONS - LAKE SUPERIOR COMMUNITY PARTNERSHIP PERFORMANCE REPORT.

Amy Clickner, CEO of Lake Superior Community Partnership gave a presentation to the Board on what the Partnership offers the community; which is economic growth and development. The make-up of the business community served is 88% retention/expansion of existing businesses, 11% on startup businesses and 1% toward attracting prospective businesses. The partnership has worked with 15 clients in Chocolay Township in 2015 with 255 jobs impacted and 16 jobs projected.

SUPERVISOR'S REPORT.

- Planning Director Kelly Drake Woodward has accepted a job closer to her family in the Kansas/Missouri area. We are sorry to see her leave and wish her well.
- Progress Report on Silver Creek Recreation Area Communications Tower Project. The tower is in place and the conduit has been laid for power and cable. We are looking for completion in thirty days.

Trustee Maki commented that the Planning Director/Zoning Administrator position should be interviewed and hired by the Board. The Board discussed this idea and did not want to change the hiring process that is currently in place.

CONSIDERATION OF RECOMMENDATION FROM PLANNING COMMISSION ON COUNTY HEALTH DEPARTMENT GRANT FOR COMPLETE STREETS PROJECT.

Greenberg moved Maki seconded to pursue Marquette County Health Department "Building Healthy Communities" grant funds to design a paved extension of the existing bike path to connect existing non-motorized facilities along Cherry Creek Road with the Cherry Creek School and authorize the Township Supervisor to execute a Memorandum of Understanding on behalf of the Township.

MOTION CARRIED.

AUTHORIZATION TO REHABILITATE SILVER CREEK RECREATION AREA WELL WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Lynch moved Greenberg seconded to allow up to \$3,400.00 from the Capital Improvements Fund Recreation and Properties account 401.756.972 to have Silver Creek's well air lifted and the pump replaced.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

2015 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #8 TO REFLECT RECEIPT OF STATE DISTRIBUTION OF FINE AND PENALTY DOLLARS FOR POLICE TRAINING.

White moved Lynch supported 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 20, 2014 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training			
Capital Outlay	\$1,101.54	\$482.45	\$1,583.99
401.306.957			
REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI			
401.543	\$50,000.00	\$ 482.45	\$50,482.45

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

2015 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #9 TO REFLECT RECEIPT OF UTILITY REVIEW COMMITTEE DISTRIBUTION OF FRANCHISE FEE REVENUE.

White moved Bohjanen 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 20th, 2014 for fiscal year 2015, 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	\$ 27,650.53	+\$2,110.57	\$29,761.10
EXPENDITURE			
Streets-Land Improvements			
401.440.972	\$ 8,902.62	+\$2,110.57	\$11,013.19

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE HELMET CAM AND GO PRO CAMERAS WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Maki moved Greenberg seconded to authorize the Fire Department to purchase a helmet cam, two Go Pro cameras, mounts and external hard drive for a total cost of \$1,172.00; this is to be purchased from KBIC funds in the Capital Improvements Fund account 401.340.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

DISCUSSION OF SANDS TOWNSHIP LETTER TO MARQUETTE COUNTY SOLID WASTE AUTHORITY REGARDING CONSTITUENT MUNICIPALITIES.

The Board discussed the letter from Sands Township regarding the Marquette County Solid Waste Authority taking action to remove Marquette County from the Landfill Authority. The Board agrees with Sands that Marquette County should not be removed from the Authority. Manager Lawry will prepare a draft letter to that affect, and bring it back to our Township Board at the October meeting.

DISCUSSION OF DRAFT 2016 BUDGET.

Supervisor Walker asked the Board to bring forth any questions, comments and changes to the budget at this meeting. If there are any changes, we need to give the Manager time to make them and bring the budget back to the Board.

The Board discussed mileage for the assessor, employee wage increase of .50 per hour, employees picking up an additional percent of health costs, percent increases vs amount per hour, wage studies and the fact that finding comparables for a wage study are difficult, the fact that shrinking revenue and population does not mean shrinking work load, adding 100 hours to the Community Development Coordinator position for zoning enforcement fieldwork, summer fieldwork for the assessing department, road funding with Capital Improvements Fund dollars, future millage request for road millage, seal coating roads instead of paving roads. The Board did not make changes to the FY2016 budget presented to the Board.

Treasurer Greenberg made a suggestion that the Board may want to consider for the 2017 budget year. We have two more years of collecting the Fire millage. We may want to consider funding the last year from the general fund – fund balance and forgiving the final year of Fire Millage. We could then have time to look at numbers to propose a Road Millage. The Board was in favor of exploring this idea.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, Regular Meeting of July 20th, 2015.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of July 16th, 2015.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of August 19th, 2015 Draft.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meeting of July 14th, 2015.
- E. Minutes – Marquette County Road Commission Township Relations Committee, Regular Meeting of May 7, 2015.
- F. Minutes – Utility Review Committee, Regular Meeting of July 31, 2014.

Supervisor Walker adjourned the meeting at 7:00 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

OCTOBER 7, 2015

A Regular meeting of the Chocolay Township Board was held on Wednesday, October 7, 2015 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Judy White, Mark Maki, Richard Bohjanen, David Lynch.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Brad Johnson, Greg Zybert.

MINUTES –September 2, 2015 REGULAR MEETING.

Greenberg moved Bohjanen seconded to approve the minutes of the Regular meeting of September 2, 2015 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Engle seconded the approval of the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – Commented that Chocolay Township is not transparent because the minutes do not reflect full comments made at meetings, the use of (he) in the zoning administrator hiring (section 17), hiring the right person to do the Zoning job (someone that will stand up) and if the Township is not going to require the Zoning Administrator to do their job then we do not need a Zoning Ordinance.

ACCOUNTS PAYABLE.

Lynch moved Bohjanen seconded that bills totaling \$24,252.57 including checks numbered 20491-20511, bills totaling \$52,775.57 including checks numbered 20512-20549 and bills totaling \$50,879.49 including checks numbered 20550-20568 are approved for payment.

MOTION CARRIED.

The Board had questions on checks numbered 20509 State of Michigan and 20493 Bensinger Cotant. Manager Lawry responded to questions.

PAYROLL.

Greenberg moved Lynch seconded that the payroll for September 10, 2015 for \$34,237.30 including checks numbered 22530-22553 and 10214-10219 and ACH payments for Federal tax, State tax and MERS; September 24, 2015 payroll for \$35,537.94 including checks numbered 22554-22585 and 10220-10225 and ACH payments for Federal tax, State tax and MERS be approved for payment.

MOTION CARRIED.

FINANCIAL REPORT.

White moved Engle seconded to approve the July 2015 financial report.

MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Engle moved White seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

CERTIFICATE OF APPRECIATION TO MARQUETTE LITTLE LEAGUE FOR IMPROVEMENTS TO SILVER CREEK RECREATION AREA.

Supervisor Walker presented the certificate to Mitch Koetje, Marquette Little League for their efforts in making improvements to the Silver Creek Recreation Area ballfields. They completed a project that built covered dugouts, raised the pitcher's mound and clay tiled home base. The project that they completed with volunteer time and material donations is worth \$28,000.00. This is now a Township asset.

CERTIFICATE OF APPRECIATION TO KELLY DRAKE WOODWARD FOR DEDICATED SERVICE TO CHOCOLAY TOWNSHIP.

Supervisor Walker commented that Chocolay Township is a better place because of her involvement here and we will miss her.

APPOINTMENT OF PLANNING DIRECTOR/ZONING ADMINISTRATOR.

The Board discussed the fact that the candidate the hiring committee recommended for hiring withdrew her name from consideration. Manager Lawry put together a five step process to fill the vacant position. The process would repost the position nationwide; make an offer of irregular part-time employment up to 6 months to Mr. Tom Murray, increase the scheduled work hours of the Community Development Coordinator Dale Throenle to full time under the tutelage of Mr. Murray. Explore internal redistribution of responsibilities related to technology, risk management and grants administration and reevaluate performance and options in 3-6 months.

Trustee Maki had questions on the other applicants and why we did not offer the position to them. Manager Lawry responded for the hiring committee.

Greenberg moved Lynch seconded that the Board authorize the Manager to implement the steps outlined in his memo dated October 7, 2015 to explore options for filling the vacant Planning Director/Zoning Administrator position. It is further recommended that the appointment of Mr. Tom Murray as Planning Director/Zoning Administrator be approved for a period not to exceed six months with compensation consistent with the provisions of the Personnel Policy & Procedures Manual and as approved by the Township Supervisor be approved by the Board

Trustee Maki suggested that we should consider hiring Mr. Throenle for the position and feels that he does not need training. After three months we can evaluate how it is working. In this discussion the Board felt it prudent to bring Mr. Murray in on a temporary basis to work with Mr. Throenle through the transition period.

MOTION CARRIED. (One no vote - Maki)

DISCUSSION OF SANDS TOWNSHIP LETTER TO MARQUETTE COUNTY SOLID WASTE AUTHORITY REGARDING CONSTITUENT MUNICIPALITIES.

Greenberg moved Bohjanen seconded to send a letter in support of Sands Township in its objection to the removal of Marquette County as a constituent municipality of the Authority, to the Marquette County Solid Waste Management Authority, with copies to constituent municipalities.

MOTION CARRIED.

CONSIDERATION OF AMENDMENT TO SILVER CREEK RECREATION AREA UTILITY EASEMENT TO AMERICAN TOWER COMPANY.

White moved Engle seconded, to authorize the Township Supervisor and Township Clerk to execute on behalf of the Township the legal documents required to grant appropriate access and utility easements to American Tower for service of the communications tower leasehold at the Silver Creek Recreation Area.

MOTION CARRIED.

CONSIDERATION OF AN AMENDMENT TO BOARD POLICY ON MEETING TIMES AND AGENDA.

Greenberg moved White seconded approve the update to the Board policy on Regular meeting times and Agenda.

MOTION CARRIED.

CONSIDERATION OF A RESOLUTION TO CORRECT A MINISTERIAL ERROR IN THE TOWNSHIP ZONING MAP.

White moved Lynch second that

WHEREAS, in 2006, the Board of Trustees of the Charter Township of Chocolay, after following all statutory requirements, approved an amendment to the Chocolay Township Zoning Map as follows: *“That the properties commonly known as 351 W. Main Street and 2401 US-41 South located on the north side of Main Street and the east side of US-41 South in Section 6, T.47N-R.24W encompassing approximately 1.56 acres in total comprised of tax parcel code 52-02-201-001-01 to be rezoned from R-1 to R-3 and tax parcel code 52-02-201-001-00 to be rezoned from C-2/R-1 to R-3”*; and

WHEREAS, the Official Zoning Map was never updated to reflect this official amendment; and WHEREAS, during the 2008 Zoning Ordinance amendment, the map was also never updated to reflect this official amendment; and

WHEREAS, the Official Zoning Map is currently inconsistent with official action taken by the Charter Township of Chocolay to rezone the subject parcels, currently combined and identified and hereafter referred to as parcel #52-02-201-001-00, located at 351 W. Main St, with legal tax description of Menze Replat of Part of Block 1, Block A, Block B in Sargent’s Plat of the Village of Harvey (Lots 1 and 2); and

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay Board of Trustees, Michigan hereby reaffirms the 2006 rezoning of parcels 52-02-201-001-00 and 52-02-201-001-01 to R-3; and

BE IT FURTHER RESOLVED that the Charter Township of Chocolay Board of Trustees, Michigan hereby affirms that this action is consistent with designation of the parcel now identified as 52-02-201-001-00 as the current equivalent zoning designation of MFR; and

BE IT FURTHER RESOLVED that the Township Zoning Administrator is authorized to amend the official zoning map to reflect this official action;

AND FURTHER, that the Charter Township adopts this resolution at its meeting, held on Wednesday, October 7, 2015.

Trustee Maki feels this should go through the normal process of a rezoning including advertising and a public hearing.

Supervisor Walker stated this is not a rezoning, it was zoned properly in 2006; the zoning map was not updated properly in 2006 or 2008.

MOTION CARRIED. (One no vote - Maki)

FIRST READING OF PROPOSED AMENDMENT TO ORDINANCE #55 VEHICLE PARKING AND STORAGE.

Maki moved Greenberg seconded to postpone the first reading of Ordinance #55 until the November Board meeting.

MOTION CARRIED.

CONSIDERATION OF LETTER OF SUPPORT AND AGREEMENT TO SERVE AS PASS-THROUGH AGENCY FOR LAKESTATE INDUSTRIES REQUEST FOR KBIC 2% FUNDS.

Supervisor Walker stated that Lakestate Industries and KBIC are both making this request. The Board discussed the fact that we cannot make a direct contribution.

Greenberg moved Lynch seconded that the Board authorize a letter to the Keweenaw Bay Tribal Council supporting the request for funds by Lakestate Industries and agreeing to provide funds so designated by the Tribe to that organization. It is further recommended that after the Township receives its next disbursement of 2% funds, a separate agreement be developed between the

Township and Lakestate Industries that uses funds from KBIC to compensate Lakestate for specified improvements or maintenance at the Township Lions Field Recreation Area.
 MOTION CARRIED.

AUTHORIZATION TO PURCHASE MATERIAL SPREADER WITH CAPITAL IMPROVEMENT FUND DOLLARS.

White moved Engle seconded that the Chocolay Township Board authorize Brad Johnson, DPW Foreman to accept the bid in the amount of \$1,650.00 from Michigan Sales John Deere for the Frontier spreader and options. This is to be purchased from the Capital Improvement Fund Parks and Recreation account #401.756.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

AUTHORIZATION TO PURCHASE CASH RECEIPTING PROGRAM WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Lynch moved White seconded to purchase the Cash Receipting Program from Tyler Technology that includes installation and online training for an amount not to exceed \$2,500.00 from the Clerk Department in the Capital Improvement Fund account 401.215.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

AUTHORIZATION TO PURCHASE REPLACEMENT MODEMS FOR POLICE CARS WITH DRUG LAW ENFORCEMENT MONEY.

Maki moved Bohjanen seconded to approve the purchase of two vehicle modems including installation, for the Police Department at a cost not to exceed \$2,461.35. This will be paid from the Drug Law Enforcement Money Fund Account #265.305.957.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

DECLARATION OF SURPLUS PROPERTY. (BUNKER GEAR WASHER & SIREN.)

White moved Greenberg seconded to declare the Fire Department bunker gear, washer and siren as surplus equipment and authorize their disposal for scrap value or through transfer to another local jurisdiction in recognition of their cooperation and assistance to Chocolay Township.

MOTION CARRIED.

2015 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #10 TO REFLECT MMRMA RISK AVOIDANCE PROGRAM REIMBURSEMENT FOR LIONS FIELD FENCE SAFETY IMPROVEMENTS.

Greenberg moved White 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 20th, 2014 for fiscal year 2015, and Whereas, as a result of the award of an unbudgeted MMRMA RAP grant 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	\$29,761.10	+\$ 5,000.00	\$34,761.10
EXPENDITURE			
Recreation & Grants			
Land Improvements			

401.708.972 \$29,828.94 +\$ 5,000.00 \$34,828.94

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

CONSIDERATION OF LETTER OF SUPPORT FOR CHARTER COMMUNICATIONS ACQUISITION OF TIME WARNER CABLE AND BRIGHT HOUSE NETWORKS.

Lynch moved Bohjanen seconded that the Board send a letter in support of the proposed merger of Charter Communications, Time Warner Cable and Bright House Networks.

MOTION CARRIED.

REQUEST FOR ADOPTION OF MARQUETTE COUNTY HAZARD MITIGATION PLAN.

Greenberg moved White seconded that the Board approve the attached resolution to adopt the Marquette County Hazard Mitigation Plan, as updated in 2015 and to use the plan as a resource in developing public education materials for Township residents.

MOTION CARRIED.

CONSIDERATION OF 2016 BUDGET ADOPTION CALENDAR AND DISCUSSION OF CHANGES TO PROPOSED BUDGET.

Engle moved Lynch seconded, to schedule all public hearings required for approval of the 2016 budget for 5:30 p.m., November 4, 2015, and to advertise for a combined Truth-in-Taxation and budget approval hearing.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane –In regard to your resignation of Planning Director; suggested that the Township utilize CUPPAD. She had less than positive interaction with Mr. Murray. She is glad the Board postponed Ordinance #55 and would like the Board to consult Dick Arnold on the Ordinance. Rear yard definition should be looked at, especially on Waterfront property.

Treasurer Greenberg - commented on the Hazard Mitigation Plan showed Chocolay Township's greatest risks were flood and fire and we are doing a great job managing those.

Trustee Maki – We have Planning issues to deal with; resort rentals, land division ordinance and updating zoning maps. We are not going to get the work accomplished with a part time or temporary person in the Planning/Zoning position.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, Regular Meeting of August 17th, 2015.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of August 20th, 2015.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of September 16th, 2015 Draft.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meeting of August 11th, 2015.
- E. Minutes – Northern Michigan Public Service Academy September 17th, 2015.
- F. Correspondence – Charter Communications Notice of Price Adjustment.

Supervisor Walker adjourned the meeting at 6:35 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

NOVEMBER 4, 2015

A Regular meeting of the Chocolay Township Board was held on Wednesday, November 4, 2015 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Judy White, Mark Maki, Richard Bohjanen, David Lynch.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle, Mike Disch.

MINUTES –October 7, 2015 REGULAR MEETING.

Greenberg moved Engle seconded to approve the minutes of the Regular meeting of October 7, 2015 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Lynch seconded the approval of the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Dan Freberg, 112 Orchard Lane – Representing the Marquette Area 4th of July Celebration Committee; would like to thank Chocolay Township for their annual support to the celebration.

Richard Arnold, 312 County Road 545 - Made comments on proposed amendments to Ordinance #55. He chose Chocolay Township 30 years ago because it was a nice looking area; he feels it has slipped away from that. Section 4.C. states that vehicles over 8 feet tall have to be stored at least 10 feet from the lot line and another section does not allow storage of vehicles. Section 4.D.3 gives authority to grant waivers to the Zoning Administrator; he feels that waivers should be made by the Appeals Board. Section 5.D. agricultural vehicles should not be allowed to be stored on Lakewood Lane. Three pieces of agricultural vehicles could be allowed in a yard; he does not agree with that. Section 6 allows up to 3 inoperable vehicles to be stored for a period not to exceed 14 days. Section 7 allows up to 3 recreation vehicles or trailers to be stored at one time and temporary occupancy of a trailer for 90 days. The Ordinance allows any number of vehicles in the rear yard. He feels that vehicle stored on the property should be owned by the property owner.

PUBLIC HEARING ON AND CONSIDERATION OF PROPOSED 2016 SEWER RATES AND CHARGES.

The public hearing was opened and the following comments were made:

Clerk Engle is concerned that we are not close to having enough money in the sinking fund; we need to increase rates today and then raise them to what the engineering study finds after the study is complete.

Treasurer Greenberg feels we need the study to have facts to back up a raise in rates.

Trustee Lynch feels we need to fund appreciated assets.

Manager Lawry plans on having the study done in 2016 and did not want to raise the rates twice in 2016. If the Board chose to raise the rates now, we would have to advertise for a separate public hearing with the change in rate.

The Public hearing was closed.

After conducting a public hearing on the proposed rates, Greenberg moved, Lynch seconded to adopt the following rate resolution as specified by the Township Sewer Ordinance:

Whereas, the revenues and expenditures for the wastewater collection and treatment system have been reviewed, and

Whereas, the current user fee of \$31.00 per month is adequate for the projected 2016 system replacement cost, and

Whereas, the equivalent user fee of \$31.00 per month will be sufficient to offset the Township share of 15.73 per equivalent user per month, to pay the O. M. & R. cost for the wastewater treatment plant.

Now, therefore be it resolved the Chocolay Township Board establishes the equivalent user fee of \$31.00 per month and a new user connection fee of \$350.00 beginning January 1, 2016 through December 31, 2016, or until amended by resolution.

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Walker.

NAYS: Engle.

MOTION CARRIED.

The Board will keep the rates at the 2015 level until the Engineering Study is done in 2016; with appropriate rate increases to be put in place with information gathered by the study.

PUBLIC HEARING ON AND CONSIDERATION OF PROPOSED 2016 FEE SCHEDULE.

The public hearing was opened and no comment was made. Public hearing closed.

Greenberg moved White seconded to adopt the 2016 fee schedule as presented.

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

PUBLIC HEARING ON PROPOSED 2015 MILLAGE RATES AND GENERAL APPROPRIATIONS ACT FOR 2016.

The public hearing was opened and no comment was made. Public hearing closed.

ACCOUNTS PAYABLE.

Bohjanen moved Engle seconded that bills totaling \$34,933.54 including checks numbered 20569-20597 and bills totaling \$27,029.27 including checks numbered 20598-20625 are approved for payment.

MOTION CARRIED.

PAYROLL.

White moved Lynch seconded that the payroll for October 8, 2015 for \$38,848.46 including checks numbered 22586-22623 and 10226-10231 and ACH payments for Federal tax, State tax and MERS; October 12, 2015 for \$273.91 including checks 22624-22625 and October 22, 2015 payroll for \$36,291.59 including checks numbered 22626-22659 and 10232-10237 and ACH payments for Federal tax, State tax and MERS be approved for payment.

MOTION CARRIED.

FINANCIAL REPORT.

Engle moved Bohjanen seconded to approve the September 2015 financial report.

MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Lynch moved Engle seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

PLANS FOR LIONS FIELD IRON ORE HERITAGE TRAIL IMPROVEMENTS.

Bill Sanders, Sanders and Czapski Associates of Marquette, presented engineering plans for the Lions Field Trailhead Development and Park Improvement. The plans will be submitted to the DNR for a grant approval. He discussed including volunteers in the project, and the trail that connects to the Heritage Trail. The project includes public space, pavilion, bathrooms, ballfield improvements and parking area. A survey has been done to document the topography. The pavilion will be built on a new concrete slab; the old one will be demolished.

Manager Lawry informed the Board that the Township sent letters out to abutting property owners inviting them to meet with staff next week to look at plans. We have recently become aware of a DNR program that will provide funding to negotiate and establish additional snowmobile trail easements. We will pursue negotiations with the owners of Hiawatha Drive to have a snowmobile easement on Hiawatha Drive.

APPOINTMENTS TO BOARDS AND COMMITTEES.

Walker moved White seconded the reappointment of:

Scott Jennings to the Personnel Committee for a term ending 12-31-16,
Dale Throenle to the Personnel Committee for a term ending 12-31-16,
Andy Sikkema to the Planning Commission for a term ending 12-31-18,
and Eric Meister to the Planning Commission for a term ending 12-31-18,
MOTION CARRIED.

White moved Lynch seconded to appoint or reappoint the following individuals to the boards, committees, and councils for the specified terms:

Brad Johnson as delegate and Steve Lawry as Alternate to the Marquette Area Wastewater Treatment Authority for terms ending 12-31-18,
Gary Walker as delegate and Brad Johnson as alternate to the East Marquette County Solid Waste Disposal Authority for terms ending 12-31-16,
Mark Maki as Board of Trustees representative to the Zoning Board of Appeals for a term ending 12-31-18,
Karen Alholm as member of the Zoning Board of Appeals for a term ending 12-31-18,
Mary Sanders as Alternate to the Utility Review Committee for a term ending 12-31-18.
MOTION CARRIED.

BOARD CONSIDERATION OF COMPENSATION FOR PLANNING COMMISSION, BOARD OF ZONING APPEALS, AND BOARD OF REVIEW APPOINTEES.

There were no changes to the Board or Commission per diems; they remain at the 2015 rate.

CONSIDERATION OF EMPLOYEE WAGES, EMPLOYEE HEALTH CARE CONTRIBUTION RATES, AND ADOPTION OF REVISIONS TO APPENDIX L OF THE PERSONNEL POLICY MANUAL.

Greenberg moved Bohjanen seconded, to amend Appendix L of the Personnel Policy and Procedures Manual by applying an increase of \$0.50 per hour to wage and salary levels at all steps of the matrix.

Roll Call.

AYES: Maki, Bohjanen, Lynch, Greenberg, Engle, Walker.

NAYS: White.

MOTION CARRIED.

Greenberg moved Lynch seconded, to set the employee participation rate for the cost of the medical benefit plan provided by Chocolay Township at 13% of the combined cost of health insurance premiums and Health Reimbursement Account payments for 2016.

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Engle, Greenberg, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF PUBLIC ACT 152 WAIVER.

Maki moved Lynch seconded that

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 Chocolay 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 Chocolay 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 December 1, 2015 through November 30, 2016.

Upon a call of the roll, the vote was as follows:

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF GENERAL APPROPRIATIONS ACT FOR 2016 BUDGET.

Engle moved Greenberg seconded that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1st, 2016, and ending December 31st, 2016, 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 October 21st, 2015; and

Whereas, a public hearing was held on the proposed budget on November 4th, 2015 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, 2016, and ending on December 31st, 2016, in the amount of \$1,679,000.00 for the General Fund, in the amount of \$0 in the Road Fund, in the amount of \$331,000.00 in the Fire Department Millage Fund, in the amount of \$2,900.00 in the Liquor Law Enforcement Fund, in the amount of \$148,000.00 in the Library Millage Fund, in the amount of \$116,500.00 in the Capital Improvements Fund, and in the amount of \$338,400.00 for the Sewer Fund.

2. The Township Board does hereby appropriate the sum of \$1,795,500.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1st, 2016, and ending December 31st, 2016.
3. The Township Board does hereby appropriate the sum of \$338,400.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1st, 2016, and ending December 31st, 2016.
4. The Township Board does hereby appropriate the sum of \$0 for the repairing of the Township Roads to be used for the fiscal year beginning January 1st, 2016, and ending December 31st, 2016.
5. The Township Board does hereby appropriate the sum of \$331,000 for the fiscal year beginning January 1st, 2016 and ending December 31st, 2016 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, 2016, and ending December 31st, 2016.
7. The Township Board does hereby appropriate the sum of \$148,000.00 for contractual services with the Peter White Public Library for the fiscal year beginning January 1st, 2016, and ending December 31st, 2016.
8. The Township Board does hereby levy 3.7526 mills for general operations; extra voted are 0.7514 for library, and 1.6833 for fire department.
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: Bohjanen, White, Lynch, Engle, Greenberg, Walker.

NAYS: Maki.

MOTION CARRIED.

SUPERVISOR'S SALARY

Greenberg moved Bohjanen seconded that the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2016, which begins January 1st, 2016, and ends December 31st, 2016.

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Engle, Greenberg, Walker.

NAYS: None.

MOTION CARRIED.

TREASURER'S SALARY

Maki moved Engle seconded that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2016, which begins January 1st, 2016, and ends December 31st, 2016.

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Engle, Greenberg, Walker.

NAYS: None.

MOTION CARRIED.

CLERK'S SALARY

Lynch moved Greenberg seconded that the salary for the office of Clerk shall be set in the amount of \$11,850.00 for the Fiscal Year 2016, which begins January 1st 2016, and ends December 31st, 2016.

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Engle, Greenberg, Walker.

NAYS: None.

MOTION CARRIED.

TRUSTEE’S PER DIEM

Greenberg 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 2016, which begins January 1st, 2016, and ends December 31st, 2016.

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Engle, Greenberg, Walker.

NAYS: None.

MOTION CARRIED.

CONTINUATION OF FIRST READING OF PROPOSED AMENDMENT TO ORDINANCE #55 VEHICLE PARKING AND STORAGE.

Trustee Maki would like the Board to send this ordinance back to the Planning Commission with questions that the Board has and questions that Dick Arnold has. Trustee Maki asked Mr. Arnold for his specific questions in writing.

The Supervisor asked if we have enough specifics from Mr. Arnold’s comments to formulate his questions for the Planning Commission. Manager Lawry responded that we will listen to the tape and prepare a list of questions.

Trustee Lynch has questions on Section 6. A.1., A.2. and A. 3. The time frames do not make sense.

Trustee Bohjanen who is also the Board representative on the Planning Commission stated that the reason for the different time frames is it is referring to front and side yard vs. back yard. He is not totally in favor of all the changes written into this Ordinance, but the purpose of the amendment to the Ordinance was to make it clearer, more specific and enforceable. An Ordinance is meant to be written for the entire community, not solve disputes between neighbors. It is written with health, safety and general wellbeing of the populous in mind.

Bohjanen moved Lynch seconded that we postpone the first reading of Ordinance #55 until questions have been prepared to present to the Board to be reviewed for a decision to either continue on or send Ordinance #55 back to the Planning Commission.

MOTION CARRIED.

2015 GENERAL FUND BUDGET AMENDMENT #5 TO REFLECT COST AND REIMBURSEMENT FOR SPECIAL ELECTION STATE OF MICHIGAN.

Maki moved White 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 20, 2014, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan			
101.543	\$12,100.00	+\$4,004.20	\$16,104.20
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Elections			
Per Meeting			

101.190.710	\$2,100.00	+\$1,867.17	\$3,967.17
Elections Office Supplies			
101.190.727	\$1,000.00	+ \$ 560.00	\$1,560.00
Elections Printing			
190.728	\$ 500.00	+ \$ 299.90	\$ 799.90
Elections Postage			
101.190.729	\$ 600.00	+ \$ 534.18	\$1,134.18
Clerk Salaries			
101.215.702	\$91,764.00	+ \$482.61	\$92,246.61
Recreation & Properties Salaries			
101.756.702	\$62,100.00	+ \$260.34	\$62,360.34

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Engle, Greenberg, Walker.

NAYS: None.

MOTION CARRIED.

2015 GENERAL FUND BUDGET AMENDMENT #6 TO REFLECT RISK AVOIDANCE PROGRAM GRANT FOR POLICE DEPARTMENT TRAINING.

Greenberg moved Engle 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 20, 2014 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
Police Department Training	\$8,475.00	+\$ 347.50	\$8,822.50
101.305.715			

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous	\$17,601.00	+\$ 347.50	\$17,948.50
101.698			

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Engle, Greenberg, Walker.

NAYS: None.

MOTION CARRIED.

2015 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #11 TO REFLECT RECEIPT OF POLICE TRAINING FUNDS FROM STATE OF MICHIGAN.

Maki moved Greenberg 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 20, 2014 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 \$1,583.99 +\$514.90 \$2,098.89
401.306.957

REVENUE PREVIOUS CHANGE AMENDED
State of MI
401.543 \$50,482.45 +\$514.90 \$50,997.35
Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Engle, Greenberg, Walker.

NAYS: None.

MOTION CARRIED.

APPLICATION OF DELINQUENT SEWER CHARGES AS TAX LIENS.

Greenberg moved White 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 2015 tax roll.

Name	Tax ID Number	Address	City, State, Zip	Amount Due
Marc Gilmore	52-02-490-002-00	110 Chocolay River Tr	Mqt MI 49855	\$ 368.22
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	\$ 368.22
Chocolay Childrens Center	52-02-251-006-00	324 Corning Street/197 Terrace	Mqt MI 49855	\$ 693.91
Menhennick	52-02-254-003-00	500 Corning Street/4021 U S 41 So.	Mqt MI 49855	\$ 368.22
Steven & Heather Shaw-Quizno's	52-02-106-043-50	505 Corning Street	Mqt MI 49855	\$ 2,135.67
Susan Racine	52-02-215-006-00	156 E. Fairbanks Street	Mqt MI 49855	\$ 368.22
Randall Goin	52-02-215-009-00	164 E. Fairbanks	Mqt MI 49855	\$ 368.22
David Hillock	52-02-216-010-00	158. E. Wright Place	Mqt MI 49855	\$ 368.22
Linda Morgan	52-02-216-015-00	161 E. Wright Place	Mqt MI 49855	\$ 368.22
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$ 368.22
Anthony & Karri Rabitaille	52-02-455-038-00	214 Jean Street	Mqt MI 49855	\$ 368.22
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$ 368.22
Linda Bice	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 368.22
Stacy Eagle	52-02-107-013-00	208 Silver Creek Road	Mqt MI 49855	\$ 150.32
Joe & Barb Menze	52-02-107-063-00	328 Silver Creek	Mqt MI 49855	\$ 368.22
Marc Gilmore	52-02-106-025-20	2220 U S 41 South	Mqt MI 49855	\$ 368.22
David Laurich/Medical Benefits	52-02-106-020-00	2366 U S 41 South	Mqt MI 49855	\$ 368.22
Steve & Sandra Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$ 368.22
Walt & Susan Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$ 662.79
A.J. Menhennick	52-02-254-003-00	4021 U S 41 South	Mqt MI 49855	\$ 368.22
Harvey Oil Company	52-02-254-004-00	4025 U S 41 South/4021 U S 41 So.	Mqt MI 49855	\$ 368.22
Shaw's Service	52-02-254-005-00	4027 U S 41 South	Mqt MI 49855	\$ 465.54
Mike & Eva Schlenkert	52-02-455-001-00	132 Veda Street	Mqt MI 49855	\$ 368.22
Jennifer Simula	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	\$ 368.22
Dave & Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$ 368.22
Tonya Scott	52-02-205-003-00	341 W. Main Street	Mqt MI 49855	\$ 368.22
Matthew & Crystal Dale	52-02-251-023-10	205 W. Terrace Street	Mqt MI 49855	\$ 368.22
Gardner Bess	52-02-210-005-00	334 W. Terrace Street	Mqt MI 49855	\$ 368.22
Judith Charles/Marilyn Kramer	52-02-208-003-00	371 W. Terrace Street	Mqt MI 49855	\$ 368.22
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	\$ 368.22
Kristine & Michael Dionne	52-02-106-043-00	110 W. Wright Place	Mqt MI 49855	\$ 368.22
Tammy Riggie	52-02-253-025-00	117. W. Wright Place	Mqt MI 49855	\$ 340.82
Glen Carlson	52-02-213-004-00	350 W. Wright Place	Mqt MI 49855	\$ 368.22
Total Delinquent Amount				\$14,390.99

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Engle, Greenberg, Walker.

NAYS: None.

MOTION CARRIED.

MARQUETTE LITTLE LEAGUE REQUEST TO WAIVE LEAGUE AND TOURNAMENT FEES.

The Board discussed whether we can approve a waiver for a ten year period. Dale Throenle informed the Board that Little League has already put in over \$28,000.00 of improvements to the Silver Creek Ballfield. Treasurer Greenberg asked if we have sufficient field time for others to use if Little League has priority at Silver Creek. Dale Throenle stated that yes there is sufficient field time available for other groups.

Maki moved Greenberg seconded to approve the waiver of league fees for Silver Creek ball field for the Marquette Little League over the next ten years, to approve the waiver of tournament fees for up to twenty tournament days over the next ten years, to grant scheduling priority to Marquette Little League for the use of the field throughout the next ten Little League seasons and to authorize the Township Supervisor to sign a letter of agreement to this effect. These waivers

and the field priority use request would begin with the 2016 Little League season. Fees waived will be based on each year's adopted fee schedule.

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Engle, Greenberg, Walker.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Scott Emerson, 119 Lakewood Lane – Requested that the Board consider using the air raid siren for disaster/emergencies only. It is currently being used for every fire call, when all the firemen are already notified by pager and cell phones. Excess noise has adverse health effects.

Jude Catello, 119 Lakewood Lane – Asks that the Board consider people that are negatively affected by the siren sounding. She has a friend that has serious PTSD and cannot live in our community because of the negative effect the siren has on him.

Trustee Bohjanen – Feels there is a benefit to alerting citizens to emergency trucks pulling out onto the highway; but that can be accomplished with lights instead of sound.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of September 17th, 2015.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of September 16th, 2015 Draft and Special Meeting of September 28th, 2015.
- C. Minutes – US 41 Corridor Advisory Group, Regular Meeting of September 8th, 2015.
- D. Correspondence – Negaunee Township Board of Trustees Regarding Actions of the Marquette County Solid Waste Management Authority.
- E. Correspondence – Dr. Scott Emerson Regarding Continued Use of Fire Alert Siren.

Supervisor Walker adjourned the meeting at 7:05 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

NOVEMBER 19, 2015
SPECIAL BOARD MEETING

A Special meeting of the Chocolay Township Board was held on Wednesday, November 19, 2015 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 4:00 p.m. The purpose of the meeting was to discuss a change in health insurance carrier for 2016.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Judy White, Mark Maki, Richard Bohjanen, David Lynch.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle.

AGENDA – ADDITIONS/DELETIONS.

There were no changes to the agenda.

PUBLIC COMMENT.

Treasurer Greenberg wanted to apologize for his comment he made at the last meeting about the Board of Light and Power increase. What he was trying to say is that increasing our sewer rates without documentation would be difficult for our citizens on top of the Board of Light and Power increase. He wants a study completed before we increase rates.

Manager Lawry informed the Board that the State Insurance Commission will not allow Consumers Mutual to do business in Michigan after December 31, 2015. They do not have adequate reserves to continue past December 31, 2015. There is one other potential provider that we could look at, but they have not established everything that they need to within the county and we could find ourselves again scrambling to find another provider if we went with them. Vast Insurance is urging us to complete all paperwork with Blue Cross Blue Shield before Thanksgiving if we want to pick up insurance by January 1, 2016.

Trustee Bohjanen had questioned if this was a scheduled reduction in payment by the Federal Government or did it just arbitrarily come out of the sky. Manager Lawry answered that the Federal Government was supposed to pay 100% of reinsurance but only paid out 12.5% with little advance notice.

Greenberg moved White seconded, to authorize the Supervisor and/or Clerk to sign the required documents to terminate health insurance coverage with Consumers Mutual Insurance and purchase coverage through the Blue Cross Blue Shield SB HRA PPO Gold 4000 plan for the 2016 calendar year in accordance with the attached proposal from VAST Insurance

MOTION CARRIED.

Manager Lawry told the Board that he will not present a budget amendment on health insurance until well into 2016. We want to know exactly what the premium difference is and how staffing level insurance coverage changed after the Planning Director position is filled. The employee portion will also change with the difference in premium and our HRA will look different with the higher deductible.

Trustee Maki asked if there is an additional cost for employees. Manager Lawry indicated that their 13% will be a larger amount with the increased premium and their HRA portion will go up because usage will go up with the high deductible. The higher deductible is a potential additional \$400.00 out of pocket per insured person if they maxed out their \$4,000.00 deductible.

PUBLIC COMMENT.

None.

Supervisor Walker adjourned the meeting at 4:15 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

DECEMBER 2, 2015

A Regular meeting of the Chocolay Township Board was held on Wednesday, December 2, 2015 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Judy White, Mark Maki, Richard Bohjanen, David Lynch.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle, Greg Zyburt.

MINUTES –NOVEMBER 4, 2015 REGULAR MEETING AND NOVEBER 19, 2015 SPECIAL MEETING.

Bohjanen moved White seconded to approve the minutes of the Regular meeting of November 4, 2015 as presented.

MOTION CARRIED.

Lynch moved White seconded to approve the minutes of the Special meeting of November 19, 2015 as presented.

MOTION CARRIED.

Treasurer Greenberg and Trustee Maki arrived.

AGENDA ADDITIONS/DELETIONS.

Engle moved Lynch seconded the approval of the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Engle moved Maki seconded that bills totaling \$14,826.37 including checks numbered 20626-20664 and bills totaling \$42,907.14 including checks numbered 20665-20692 are approved for payment.

MOTION CARRIED.

Trustee Bohjanen had a question on the difference in rate for the December health insurance and the January health insurance bill. Manager Lawry explained that it is a combination of a rebate on the December bill and the fact that the December bill is only health and the January bill includes health, dental and vision.

PAYROLL.

White moved Lynch seconded that the payroll for November 5, 2015 for \$33,286.47 including checks numbered 22660-22679 and 10238-10243 and ACH payments for Federal tax, State tax and MERS and November 19, 2015 payroll for \$35,829.59 including checks numbered 22680-22714 and 10244-10249 and ACH payments for Federal tax, State tax and MERS be approved for payment.

MOTION CARRIED.

FINANCIAL REPORT.

Engle moved Bohjanen seconded to approve the October 2015 financial report.

MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Greenberg reported that there was no investment activity in November and we do have one C/D maturing in December.

Engle moved Lynch seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

PRESENTATION- PURCHASE OF PROPERTY FOR U. P. LAND CONSERVANCY PARK.

Chris Burnette from the Land Conservancy gave an overview of plans and requested that the Township Board continue their support of the project by signing a letter of support while the Land Conservancy tries to raise money for the parcel. The parcel is on Bayou consisting of 14 acres and three parcels; it borders on Main Street and the recreational trails. Current owners are Dan and Kim Di Loreto. The intent is that U.P Land Conservancy will own the property and would intend to form Friends of the Chocoy Bayou to help support ongoing maintenance and programs. We have an appraisal (thanks to support from Chocoy Township) and a purchase agreement that runs until May 9, 2016. We have to raise about \$175,000.00 for the parcel.

Trustee White had a question about the land being taken off the tax roll as a nonprofit. Mr. Burnett replied that is true if they requested to be exempt.

Trustee Maki had questions on the land division problems that go with this property and wondered if the Land Conservancy members aware of it. He feels that this will be a problem if they purchase the property. He is in favor of this property being a preserve not a park. The land division issue needs to be resolved.

Manager Lawry informed the Board that the Land Conservancy is aware that they currently cannot get a zoning compliance permit and that it will take a procedure to recombine the parcels

or reverse the split to nullify the court decision that prevented future zoning compliance permits to be issued on the property.

Treasurer Greenberg and Trustee Lynch wondered if this issue would prevent the Township from signing a letter of support for the project. Supervisor Walker does not feel this issue should prohibit our letter of support for the project. Both the U. P. Conservancy and the Township are aware of the issues that Trustee Maki is voicing.

Lynch moved White seconded to send a letter of support to the U.P. Land Conservancy in support of their Bayou project.

MOTION CARRIED. (1 Nay – Maki)

CONTINUATION OF FIRST READING OF PROPOSED AMENDMENT TO ORDINANCE #55 VEHICLE PARKING AND STORAGE.

Trustee Maki commented that this issue started 15 years ago. Mr. Arnold approached the Township about cleaning up some junk in the Township and handed in a petition about this issue with 150 signatures. The amended ordinance is less restrictive than the current one. He discussed the fact that the old and new ordinance both allows up to 3 inoperable vehicles on the property. Also 3 recreational vehicles are allowed on residential property. Who is the enforcement officer? How many junk cars are allowed on the property? We still need to have questions answered.

Trustee Bohjanen answered that under section 12 paragraph b. This Ordinance shall be enforced by the Supervisor of the Charter Township of Chocolay, by the Ordinance Enforcement Officer(s) of the Charter Township of Chocolay, by the Police Department of the Charter Township of Chocolay, or by other such person or persons as the Township Board may, from time to time, designate.

Clerk Engle stated that some of our enforcement problems stem from the fact that we are not allowed on the property without permission.

Treasurer Greenberg has a problem with 3 inoperable vehicles on one parcel of property, screening regulations and agricultural vehicles in a residential zone. He feels that this is not restrictive enough.

Trustee Bohjanen was against some of the numbers of vehicles and trailers allowed on a parcel, but this is an ordinance that is more enforceable than the current. The Planning Commission was tasked to drive the entire Township to look for problem lots. He found 12 parcels in the Township that he felt were unsightly and unsafe out of 2500 homesteads in the Township. This does not seem to be an overwhelming problem. This amendment is enforceable.

Trustee Lynch asked if this amendment to Ordinance #55 is more enforceable than the current one. Trustee Bohjanen answered yes.

Engle moved Bohjanen seconded to forward the proposed amendment to Ordinance #55 Vehicle Parking and Storage, as recommended by the Planning Commission, to a second formal reading by the Township Board at its January 6, 2016 meeting

ROLL CALL.

AYES: Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAY: Maki.

MOTION CARRIED.

CONSIDERATION OF 2016 MEETING SCHEDULE.

White 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 2016.

MOTION CARRIED.

Chocolay Township Board – 5:30PM

January 6 th	July 6 th
February 3 rd	August 3 rd
March 2 nd	September 7 th
April 6 th	October 5 th
May 4 th	November 2 nd
June 1 st	December 7 th

Chocolay Township Planning Commission – 7:00PM

January 18 th	July 18 th
February 15 th	August 15 th
March 21 st	September 19 th
April 18 th	October 17 th
May 16 th	November 21 st
June 20 th	December 19 th

Chocolay Township Zoning Board of Appeals – 7:00PM

January 28 th	July 28 th
February 25 th	August 25 th
March 24 th	September 22 nd
April 28 th	October 27 th
May 26 th	November 17 th
June 23 rd	December 22 nd

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 – Times to be set March 8th

March 8th, 14th, 15th
July 19th
December 13th

Treasurer Greenberg commented that he asked to have the Board meeting later in the month so the financials would be more current when presented on the agenda. Moving the Board meeting date to later in the month would conflict with other Board members schedules and also with preparing several agenda packets at the same time now that the Planning Commission has been moved to the 3rd week in the month.

2015 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #12 TO REFLECT RECEIPT OF BUILDING HEALTHY COMMUNITIES FUNDS FROM MARQUETTE COUNTY HEALTH DEPARTMENT. White Moved Greenberg 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 20th, 2014 for fiscal year 2015, and Whereas, as a result of the award of a grant from the Building Healthy Communities Program it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS	CHANGE	AMENDED
REVENUE			
Other Grants			
401.540.000	\$ 0.00	+\$ 5,666.67	\$ 5,666.67
EXPENDITURE			
Streets			
Land Improvements			
Ortman Road Pathway			
401.440.972.001	\$ 0.00	+\$ 5,666.67	\$ 5,666.67

Roll Call.

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

2015 GENERAL FUND BUDGET AMENDMENT #7 TO REFLECT RECEIPT OF MICHIGAN OFFICE OF HIGHWAY SAFETY PLANNING ENFORCEMENT GRANT FUNDS.

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 20, 2014 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	\$276,786.00	+\$3,550.44	\$280,336.44

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698 Roll Call.	\$17,948.50	+\$3,550.44	\$21,498.94

AYES: Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

CONSIDERATION OF COMMENTS FROM PLANNING COMMISSION ON SANDS TOWNSHIP PLAN FOR EXTENSION OF SILVER CREEK ROAD.

The Board feels that this is a positive project. The Planning Commission comments will be forwarded to Sands Township.

CONSIDERATION OF REQUEST FROM SILVER CREEK CHURCH FOR SNOW STORAGE AREA ON TOWNSHIP PROPERTY.

Greenberg moved Lynch seconded to authorize the Township Supervisor to execute the attached Letter of Agreement with the Silver Creek Church to permit removal of specified trees and for use of a portion of the Township owned lot at 237 Silver Creek Road for the storage of snow plowed from the Church parking lot and entrance to the Township recreation area.

MOTION CARRIED.

DECLARATION OF SURPLUS PROPERTY FOR DISPOSAL.

Lynch moved White seconded to declare the items on the attached inventory to be surplus Township property; to authorize the Township Manager to seek competitive bids for their sale, and to authorize their reuse, recycling, or other means of disposal where no bids are received.

MOTION CARRIED.

AUTHORIZATION OF ENGINEERING EVALUATION OF SEWER COLLECTION SYSTEM.

Engle moved Lynch seconded to authorize the Supervisor to execute contract documents for engineering services to develop an asset management plan for the Township sewer collection system consistent with the attached proposal from engineering firm C2AE, subject to any cost reductions the Township Manager is able to negotiate with the firm.

MOTION CARRIED.

Trustee Lynch asked if these were not to exceed quotes and do we have the Arc GIS and ESRI software. Manager Lawry replied that they are not formulated that way. Any further work would have to be approved by the Board.

Treasurer Greenberg questioned the mapping, when we are looking at replacing pump stations not the whole system. Is there a simpler approach? Manager Lawry replied that we cannot get any funding for this project from the State without a full asset management plan. If we can find a way around the mapping we will, but it will take more exploration. To address our needs, we will need outside funding.

Treasurer Greenberg asked if we can price replacing pumps, compressors, heaters, switches, floats and check valves and do our employees have the capability of doing that work or does it have to be done by contractors? Manager Lawry replied that the City of Marquette had some pump stations that dated back to the same era as Chocolay Township's and what they found was if they rebuilt the pump stations the cost would be approximately \$300,000.00 per station. By going to a completely different design they were able to replace with completely new stations for about \$125,000.00 to \$150,000.00 each.

Trustee Lynch asked if once we build this flow model is this is a tool that we can use going forward as we look at different design changes we can do different inputs into this tool and look at what types of pumps we would need to handle any flow that would increase or decrease. Manager Lawry responded yes. We are getting some inquiries that could have a major impact on the sewer system from the Casino and the Marquette County Landfill.

TOWNSHIP MANAGER'S ANNUAL EVALUATION.

White moved Greenberg seconded that the Board use the attached evaluation tool to conduct an annual review of the performance for the position of Township Manager.

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, September 21st, 2015.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of October 15th, 2015.
- C. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of October 12, 2015, and Regular Meeting of October 21st, 2015.
- D. Correspondence – Anderson, Tackman, & Company, PLC, Regarding Audit of Township 2015 Financial Records.

E. Correspondence –John F. Peterson Commendation of Police Department & Chief.

Supervisor Walker adjourned the meeting at 6:45 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

January 6, 2016

A Regular meeting of the Chocolay Township Board was held on Wednesday, January 6, 2016 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Judy White, Mark Maki, Richard Bohjanen, David Lynch.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle, Greg Zybert.

MINUTES –DECEMBER 2, 2015 REGULAR MEETING.

Greenberg moved Lynch seconded to approve the minutes of the Regular meeting of December 2, 2015 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

There were no changes to the agenda.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Bohjanen moved White seconded that bills totaling \$58,861.62 including checks numbered 20693-20721, bills totaling \$22,061.31 including checks numbered 20722-20749 and bills totaling \$8,960.64 including checks numbered 20750-20769 are approved for payment.

MOTION CARRIED.

PAYROLL.

Lynch moved Engle seconded that the payroll for December 3, 2015 for \$32,071.58 including checks numbered 22715-22735 and 10250-10255 and ACH payments for Federal tax, State tax and MERS, December 4, 2015 longevity for \$2,858.93 including checks numbered 22736-22744 and ACH payments for Federal tax, State tax and MERS, December 17, 2015 for \$32,569.73 including checks numbered 22745-22766 and 10256-10261 and ACH payments for Federal tax, State tax and MERS, and December 31, 2015 payroll for \$37,137.53 including checks numbered 22767-22807 and 10262-10267 and ACH payments for Federal tax, State tax and MERS be approved for payment.

MOTION CARRIED.

FINANCIAL REPORT.

Bohjanen moved White seconded to approve the November 2015 financial report.

MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Greenberg reported that the hand out on account activity is an updated copy that shows the end of December totals. The one in the packet was dated December 1, 2015. This is being done as a hand out because the early meeting date in the month does not allow time for the most current to be included in the packet.

Engle moved Lynch seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

PRESENTATION- MARQUETTE BOARD OF LIGHT AND POWER.

Eric Booth, Manager of Planning Utility Compliance for the Marquette Board of Light and Power presented information to the Board on the new reciprocating internal combustion engine plant that will be built in Marquette at the Wright Street office. The new power plant is necessary to continue the reliability of electricity in the Marquette area. There were no alternatives to building a new power plant. Currently the Marquette Board of Light and Power is connected to the outside by one transmission line and transformer; if that goes down it can take up to three weeks to replace. The proposed generating facility will produce 50 megawatts. The plant can run all three units on natural gas for seven months of the year and one unit during the winter. Fuel oil can be used as a backup source in the event of a curtailment of natural gas supplies. The rates will have to go up 30% but our rates will be comparable with rates in a large city such as Lansing. Site clearing will begin in the spring of 2016 and will be operational by spring 2017.

The Board had questions on the rate increase and self-generated solar power. David Lynch, Solar Project Manager responded that the Marquette Board of Light and Power will do a Community Project with a solar garden that residents can purchase panels or shares. This is a much more cost effective way for an individual to get involved with solar power. Mr. Booth responded that the reason for the rate increase happening all at one time is due to the fact that Marquette Board of Light and Power does not have a large cash reserve that would allow a more incremental increase. They have kept their rates low over the years and that did not allow for a large cash reserve.

APPOINTMENT OF PLANNING DIRECTOR/ZONING ADMINISTRATOR.

Trustee Maki asked Dale Throenle what he hoped to accomplish during the first two years in the position. Dale Throenle responded that first he has to figure out where we are at. He wants to put things together organizationally and structurally to show what occurred in the past and to use that to know where we are going. The second priority would be to figure out how future planning fits with the proposed Master Plan and the proposed Recreation Plan making sure all those things work together in terms of direction for the Township.

Trustee Maki feels that the Master Plan is too complicated for the average citizen to understand. Dale responded that we could do a summary of the Master Plan for citizens of the Township. It would take time to accomplish, but can be done.

Trustee Maki asked Dale how he views zoning enforcement. Dale responded that he will not drive through the Township looking for violations, but will not be driving with blinders on to violations. If it is an obvious violation or there is a complaint he will take the violation on. He also plans on doing the administrative work in a timely fashion, getting notices out and follow up.

Trustee Lynch is happy to see promoting from within.

Trustee White asked Dale if he is willing to take zoning/planning classes if approved for the position. Dale responded that he has already started taking classes and will continue to do so.

Greenberg moved Engle seconded to appoint Mr. Dale Throenle to the position of Chocolay Township Planning Director/Zoning Administrator effective February 1, 2016, at a starting wage of \$23.28/hour and to direct the Township Manager to develop a proposal for presentation to the Personnel Committee that distributes the present duties and responsibilities of the Community Development Coordinator among other Township staff positions.

MOTION CARRIED.

SUPERVISOR'S REPORT.

Gary Walker told the Board that he will not be at the February Board meeting due to surgery and recuperation after the surgery.

SECOND READING OF PROPOSED AMENDMENT TO ORDINANCE #55 VEHICLE PARKING AND STORAGE.

White moved Bohjanen seconded to approve the second reading of the proposed amendment to Ordinance #55 Vehicle Parking and Storage, as recommended by the Planning Commission, and file the 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 amendment in the Township Ordinance book within one week after publication.

AYES – 6

NAYS – 1 (Maki)

MOTION CARRIED.

Trustee Bohjanen requested that in the first paragraph, line five, the word *amendment* be replaced with the word *ordinance*. This is an ordinance not an amendment. The Board concurred.

TOWNSHIP MANAGER'S ANNUAL EVALUATION.

Trustee White noted that the Board did not discuss the Manager's increase for 2016.

Greenberg moved Lynch seconded to accept the Manager evaluation with a .50 per hour increase for 2016.

MOTION CARRIED.

AWARD OF BID FOR PURCHASE OF SNOWMOBILE FOR POLICE DEPARTMENT.

Lynch moved Greenberg seconded to accept the bid submitted by Meyer Yamaha in the amount of \$10,948.00 for the snowmobile and \$1,499.99 for the trailer and up to \$500.00 for outfitting the snowmobile with light and siren to identify it as a police vehicle. This will be paid from the Police Department Vehicle line item in the Capital Improvement Fund 401.305.981.

ROLL CALL.

AYES – Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS – None. MOTION CARRIED.

AWARD OF BIDS FOR SALE OF SURPLUS EQUIPMENT.

Greenberg moved Maki seconded to declare the items with bids listed on the attached bid list as sold to the highest bidder, and to authorize the Township Manager to approve the reuse, recycling or other means of disposal for items that did not receive a bid.

ROLL CALL.

AYES – Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS – None. MOTION CARRIED.

Trustee White asked why a portion of the income from the bid was going into the Police Department in the Capital Improvement Fund. Manager Lawry explained the amount received for the snowmobile and police car would go back into the Police Capital Improvements Fund for the purchase of the next snowmobile and vehicle.

Clerk Engle said that he would purchase the last metal door for the approved bid amount of \$10.00.

RESOLUTION AMENDING GENERAL FUND FY 2015 - BUDGET AMENDMENT NO. 8 REIMBURSEMENTS AUGUST 4, 2015 COUNTY SPECIAL ELECTION.

Maki 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 November 20, 2014, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$21,498.94	+\$2,405.94	\$23,904.88
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Elections			

Per Meeting 101.190.710	\$3,967.17	+\$1,969.25	\$5,936.42
Elections Printing 190.728	\$ 799.90	+\$ 239.29	\$ 1,039.19
Elections Postage 101.190.729	\$1,134.18	+\$ 197.40	\$ 1,331.58

ROLL CALL.

AYES – Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS – None.

MOTION CARRIED

2015 GENERAL FUND BUDGET AMENDMENT #9 TO REFLECT THE TEMPORARY STAFFING OF PLANNING/ZONING FUNCTION.

Greenberg moved Engle seconded that Whereas, a fiscal year 2015 budget was adopted by the Chocolay Township Board on October 20th, 2014 to govern the anticipated expenditures of the General Fund and Whereas, as a result of unanticipated reassignment of personnel it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS	CHANGE	AMENDED
EXPENDITURE Township Supervisor Salaries 101.175.702	\$ 40,511.00	+\$3,300.00	\$43,811.00
Zoning Postage 101.800.729	\$ 2,000.00	- \$1,300.00	\$ 700.00
Zoning/Planning Comm. Professional Services 101.805.801	\$ 2,000.00	- \$2,000.00	\$ 0.00

ROLL CALL.

AYES – Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS – None.

MOTION CARRIED

2015 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #13 TO REFLECT RECEIPT OF KBIC 2% GAMING FUNDS.

Engle moved Lynch 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 20th, 2014 for fiscal year 2015, 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	CHANGE	AMENDED
REVENUE			
KBIC 2% Gaming Money			
401.000.582	\$127,329.94	+\$ 45,000.00	\$172,329.94
EXPENDITURE			
Elections Equipment			
401.190.977	\$ 13,352.43	+\$ 8,600.00	\$ 21,952.43
Township Hall & Grounds Building Improvement			
401.265.976	\$ 31,805.00	+\$ 11,500.00	\$ 43,305.55
Police Equipment			
401.305.977	\$ 41,107.41	+\$ 1,600.00	\$ 42,707.41
Police Vehicles			
401.305.981	\$ 75,721.93	+\$ 1,300.00	\$ 77,021.93
Fire Dept. Land Imp.			
401.340.972	\$ 22,850.00	+\$ 12,000.00	\$ 34,850.00
Fire Dept. Equipment			
401.340.977	\$ 74,190.86	+\$ 10,000.00	\$ 84,190.86
Fire Dept. Vehicles			
401.340.981	\$ 50,007.61	+\$ 0.00	\$ 50,007.61

ROLL CALL.

AYES – Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS – None.

MOTION CARRIED

AUTHORIZATION TO USE CAPITAL IMPROVEMENT DOLLARS TO PURCHASE FIREFIGHTER TURN OUT GEAR.

Greenberg moved Lynch seconded to authorize the fire department to use \$10,000.00 from fire department equipment in the capital improvements fund, account 401.340.977 for the purchase of ten sets of turnout gear from Jefferson Fire & Safety in the amount of \$18,555.00. The remaining balance of \$8,555.00 will be coming from the fire department "Uniform" line item in the 2015 general fund budget.

ROLL CALL.

AYES – Maki, Bohjanen, White, Lynch, Greenberg, Engle, Walker.

NAYS – None.

MOTION CARRIED

FIRE DEPARTMENT REPORT ON FIRE ALERT SIREN.

The Board feels that a survey of the residents on this issue will bring in more information on public attitude than a public hearing. Manager Lawry indicated that we will have a change of assessment mailing going out at the end of February and we could include a survey with that mailing. Staff will prepare more questions to go on the survey. The survey will ask if the current use of the fire alert siren is acceptable to the residents.

CONSIDERATION OF RESOLUTION OPPOSING ELIMINATION OF STRAIGHT TICKET VOTING OPTION.

The Board discussed the fact that the Governor has already signed the bill to eliminate straight ticket voting option. Supervisor Walker felt we should still contact the legislators on this matter, because there are other pieces of election legislation that will still be looked at and voted on.

Treasurer Greenberg and Trustee Lynch felt we should send a letter that states the facts, but eliminate the opinion part.

Maki moved Lynch seconded to send a letter to our representatives supporting the pressing elections issues including removing “dark money” from our elections and by implementing “No Reason” absentee voting.

MOTION CARRIED.

PUBLIC COMMENT.

Chief Zyburt introduced his brother Ben Zyburt, as a possible replacement in the Township Treasurer position. Ben Zyburt has been in the banking business for approximately 30 years.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, November 16th, 2015.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of November 19th, 2015.
- C. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of November 23rd, 2015, Draft.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meeting of November 10th, 2015.
- E. Correspondence – Notice from Michigan Public Service Commission Regarding Cessation of Video/Cable Franchise Operations Effective December 31, 2015.

Supervisor Walker adjourned the meeting at 6:45 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

February 3, 2016

A Regular meeting of the Chocolay Township Board was held on Wednesday, February 3, 2016 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Clerk Engle called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: John Greenberg, Max Engle, Judy White, Mark Maki, David Lynch.

ABSENT: Gary Walker, Richard Bohjanen.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Dale Throenle, Pat Beck.

ELECTION OF CHAIR.

Maki moved White seconded to elect Clerk Engle Chair of the February 3, 2016 meeting in the excused absence of Supervisor Walker.

MOTION CARRIED.

MINUTES –January 6, 2016 REGULAR MEETING.

Lynch moved Greenberg seconded to approve the minutes of the Regular meeting of January 6, 2016 with the inclusion of clarifications to the Marquette Board of Light and Power presentation.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Lynch seconded to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Jason Schneider Director of the Marquette Chamber of Commerce extended an invitation to the entire Chocolay Township Board to attend meetings set up as casual conversations between neighboring communities. It started out with the Supervisors of Chocolay and Marquette Township and the Mayor of Marquette attending the meetings and they would now like to include any board member interested in attending. Mr. Schneider asked for Board member emails to add to the group email that the Marquette Chamber of Commerce uses to send information and meeting notices.

Trustee Maki suggested that the Chamber send the emails to the Township office. Mr. Schneider would like to send the information to each board member.

Manager Lawry informed the Board that he will pass along the Chamber's first annual report in the next Board update.

ACCOUNTS PAYABLE.

White moved Lynch seconded that bills totaling \$35,849.72 including checks numbered 20770-20783, bills totaling \$56,240.06 including checks numbered 20784-20823 and bills totaling \$27,341.47 including checks numbered 20824-20846 are approved for payment.

MOTION CARRIED.

The Board had questions on bills for Tyler Technologies, City of Marquette bacterial analysis, Manager reimbursement on postage, Board of Review training and seminar attendance. Manager Lawry responded to the questions.

PAYROLL.

White moved Maki seconded that the payroll for January 7, 2016 for \$9,138.13 including checks numbered 22808-22830 and ACH payments for Federal tax and State tax, January 14, 2016 for \$31,889.11 including checks numbered 22831-22850 and 10268-10273 and ACH payments for Federal tax, State tax and MERS, January 28, 2016 for \$36,959.79 including checks numbered 22851-22883 and 10274-10279 and ACH payments for Federal tax, State tax and MERS, for payment.

MOTION CARRIED.

FINANCIAL REPORT.

Lynch moved White seconded to approve the December 2015 pre-audited financial report.

MOTION CARRIED.

Trustee Maki had two questions on the Wastewater Treatment financials; office supplies and telephone.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Greenberg reported that there was quite a bit of investment activity in January due to property tax income.

Maki moved Lynch seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

PRESENTATIONS - CASH RECEIPTING SYSTEM IMPLEMENTATION.

Dale Throenle gave a presentation to the Board on the Fund Balance Cash Receipting implementation. The Board authorized the purchase of this program in October of 2015 and it has been purchased and installed on three desktops to be utilized by Pat Beck, Suzanne Sundell and Mary Sanders. He explained the current process of receiving payments; that is basically manual. This program will change that to an electronic system with automatic entries being made to the general ledger and the tax system. We will be able to accept a single payment for multiple

accounts. The system will be able to scan utility and tax bills. Consignments will not be included in the system. Our own deposits for landfill, meeting room and recreation areas can be entered into the system. This system will allow a better audit trail. Each person using the system will have their own log on to the system showing who took in the money. The cut over for the new system will happen on March 1st; we will run parallel systems for the next 60 days. We still have to create a manual process in the event of a power outage that lasts longer than 45 minutes. Staff training is scheduled for February 10th.

Trustee Maki asked why we decided to go to the system and the price. We are going to this system to for better financial control and efficiency. The cost of the program was \$1,800.00 and an additional \$400.00 for annual maintenance.

SUPERVISOR'S REPORT.

None.

RESOLUTION TO DISSOLVE THE EAST MARQUETTE COUNTY SOLID WASTE DISPOSAL AUTHORITY. Greenberg moved Lynch seconded to dissolve the East Marquette Solid Waste Disposal Authority and authorize West Branch Township to disperse the funds In the amount of \$1,912.21 to each of the seven participating townships.

MOTION CARRIED.

PUBLIC OPINION POLL QUESTIONS.

Trustees White and Lynch felt that these are good questions and hoped that we would get a good response. Trustee Maki asked why we are asking the question on the fire department alarm system when we need the alarm to notify the firemen. Manager Lawry responded that the fire department wants to continue for safety and convenience; it is not a required item. He also indicated that at the last Board meeting the Board wanted questions prepared for a public survey, including the question on the siren. Clerk Engle indicated that the Board wanted public opinion because only three people wanted to stop the siren. Trustee Lynch feels the survey is a good idea. Trustee Maki asked why we are asking question two. Manager Lawry replied that this will help with direction of the Master Plan. Trustee Lynch suggested adding why or why not residents use local businesses. Trustee Maki questioned number 3 on vacation rentals. He feels we should inform the public that we already prohibit these rentals. We probably will not get meaningful answers. We need to enforce the ordinance. Treasured Greenberg feels that we may get skewed results on the survey, but it may spur further requests if we do the survey.

Greenberg moved White seconded to proceed with the opinion survey with the elimination of question three on vacation rentals.

MOTION CARRIED.

PLANNING COMMISSION RECOMMENDATION ON REZONING APPLICATION ZA001-15 FOR 141 MAPLE ROAD. (PARCEL ID #52-02-018-035-00).

Greenberg moved Lynch seconded, to waive the second reading and approve the proposed rezoning Case #ZA001-15, to rezone Parcel #52-02-018-035-00 located at 141 Maple Rd. from AF– Agriculture/Forestry to WFR-Waterfront Residential, 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 as Amendment 34-16-01 within one week after publication.

MOTION CARRIED.

Trustee Maki questioned the reason the property owners wanted the rezoning. Manager Lawry responded that the location of their building site would have been problematic with the A/F setbacks.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, December 21st, 2015.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of December 17th, 2015.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of December 16th, 2015.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meeting of December 8th, 2015.
- E. Memorandum - Deposit Required for Use of the Marquette County Landfill.
- F. Correspondence – CUPPAD Request for Comments on Marquette County RSVP Application for Federal Assistance.

Trustee Maki commented on the Planning Commission minutes from the December 21, 2015 meeting included in informational reports. He sent a memo to the Planning Commission and wanted the Board included in the memo. His questions were related to concerns with land divisions that are not in compliance, access provisions, private roads, and contractor yards in A/F district, contractor yards and mini ware houses in the commercial (sewer) district, flashing signs, junk cars causing ground contamination.

Clerk Engle adjourned the meeting at 6:30 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

March 2, 2016

A Regular meeting of the Chocolay Township Board was held on Wednesday, March 2, 2016 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Judy White, Mark Maki, David Lynch.

ABSENT: Richard Bohjanen.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Brad Johnson, Gary Johnson, Pat Beck.

MINUTES –FEBRUARY 3, 2016 REGULAR MEETING.

Greenberg moved White seconded to approve the minutes of the regular meeting of February 3, 2016 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Lynch moved Engle seconded to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Carol Fulsher, 916 High Street, Marquette – Introduced herself and informed the Board that she, Don Britton and Jim Thomas are here to represent the Iron Ore Heritage Trail Authority. They are available to answer any questions the Board may have on the Iron Ore Heritage Trail Authority millage renewal request.

ACCOUNTS PAYABLE.

White moved Lynch seconded that bills totaling \$43,995.02 including checks numbered 20847-20865 and bills totaling \$13,845.56 including checks numbered 20866-20887 are approved for payment.

MOTION CARRIED.

PAYROLL.

White moved Maki seconded that the payroll for February 11, 2016 for \$32,941.60 including checks numbered 22884-22902 and 10280-10285 and ACH payments for Federal tax, State tax and MERS and February 25, 2016 for \$36,662.59 including checks numbered 22903-22936 and 10286-10291 and ACH payments for Federal tax, State tax and MERS for payment.

MOTION CARRIED.

FINANCIAL REPORT- JANUARY 2016.

Engle moved Lynch seconded to approve the January 2016 financial report.

MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Greenberg reported that there was no investment activity in February.

Engle moved White seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

DESIGNATION OF TOWNSHIP DELEGATE AND ALTERNATE TO THE SUPERIOR TRADE ZONE NEXT MICHIGAN DEVELOPMENT CORPORATION

Engle moved Lynch seconded to designate John Greenberg as Chocolay Township delegate to the Superior Trade Zone.

MOTION CARRIED.

Maki moved Greenberg seconded to designate Judy White as Chocolay Township alternate to the Superior Trade Zone.

MOTION CARRIED.

SUPERVISOR'S REPORT.

- On February 29th, our Treasurer John Greenberg presented a letter indicating his retirement from the Board effective April 5, 2016. Supervisor Walker thanked Treasurer Greenberg for his long tenure on the Board.

The Board will publish a notice that we have an opening for Township Treasurer position and plan on interviewing candidates at the April 6th Board meeting.

Treasurer Greenberg informed the Board that Ben Zybert has expressed an interest in the position and with his banking experience he would be a great candidate.

Clerk Engle would like to have a photo taken of the Board with John Greenberg in it. We will not have a full Board in April, so we will do the photo at the May meeting. He asked if John Greenberg was available.

- Supervisor Walker said that it is good to be back at the Board meeting.

ANNUAL REVIEW OF BOARD POLICIES.

White moved Engle seconded to make no changes to the Board Policies as presented.

MOTION CARRIED.

DEFICIT ELIMINATION PLAN FOR FIRE STATION CONSTRUCTION LOAN.

Greenberg moved Lynch seconded that;

WHEREAS, the Charter Township of Chocolay Fire Millage Fund has a \$(581,189.00) deficit fund balance on December 31, 2015; 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:

	2016	2017
Fund Balance - Restricted	\$8,811	\$29,097
Fund Balance - Unrestricted	\$(590,000)	\$(290,000)
Fund Balance – Total	\$(581,189)	\$(260,903)
Revenue – Property Tax	\$323,825	\$323,825
Expenditure – Interest	\$(2,950)	\$(1,450)
Net Income	\$320,875	\$322,375
Fund Balance – Restricted	\$29,686	\$61,472
Fund Balance – Unrestricted	\$(290,000)	-
Fund Balance – Total	\$(260,314)	\$61,472
Payments on Advances–General Fund	\$150,000.00	\$145,000
Payments on Advances-Wastewater Fund	\$150,000.00	\$145,000

BE IT FURTHER RESOLVED that the Charter Township of Chocolay Supervisor, Gary Walker submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

MOTION CARRIED.

PERFORMANCE RESOLUTION FOR WORK PERFORMED IN MICHIGAN DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY.

White moved Lynch seconded to have the Township Supervisor execute the performance resolution for governmental agencies for purposes of issuing to a municipality an “Individual Permit for Use of State Highway Right of Way” or an “Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way” and authorizing Manager Steve Lawry and DPW Foreman Brad Johnson to apply to the Michigan Department of Transportation for the necessary permit work within State Highway Right of Way on behalf of Chocolay Township.

MOTION CARRIED.

IRON ORE HERITAGE RECREATION AUTHORITY RESOLUTION OF SUPPORT.

Engle moved Greenberg seconded to accept the Iron Ore Heritage Trail Resolution for millage renewal as presented.

MOTION CARRIED.

CONSIDERATION OF REQUEST FROM CEDAR TREE INSTITUTE FOR SUPPORT OF JOINT PROJECT USING KBIC 2% FUNDS.

Lynch moved Greenberg seconded to provide a letter to the Keweenaw Bay Tribal Council in support of implementation funding for the Zaagkii Project in Chocolay Township and to authorize the Township to serve as a fiduciary agent of the Cedar Tree Institute for any 2% gaming funds awarded by KBIC to Cedar Tree Institute's Zaagkii Project.

MOTION CARRIED.

AWARD OF BID FOR PICKUP TRUCK PURCHASE.

Maki moved Lynch seconded that the Chocolay Township Board award the 2016 sewer truck bid to Public Service Garage for option two, in the amount of \$27,924.90. This price includes all options and the trade in of the 2006 sewer truck. The Board also authorizes up to \$200.00 additional for Leutz Sign to make and install the Township decal for the doors of the truck. This is to be purchased from the Wastewater Account 571.571.970

ROLL CALL.

AYES: Maki, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

2016 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #1 TO ASSIGN REVENUE FROM THE SALE OF USED POLICE VEHICLES.

White moved Lynch 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 from the sale of surplus equipment 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	+\$1,600.97	\$1,600.97
EXPENDITURE			
Police - Vehicles			

401.305.981 \$ 45,542.30 +\$1,600.97 \$47,143.27

ROLL CALL.

AYES: Maki, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE A WATER TREATMENT SYSTEM FOR THE FIRE STATION WITH CAPITAL IMPROVEMENT FUNDS.

Maki moved Engle seconded to authorize the Fire Department to purchase and have installed a water softener system from Norway Springs Inc. In the amount of \$4,046.00 using Capital Improvement Fund account 401.340.976.

ROLL CALL.

AYES: Maki, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

AUTHORIZATION TO APPLY FOR MICHIGAN DEPARTMENT OF NATURAL RESOURCES PASSPORT GRANT FOR TENNIS COURT REHABILITATION AT SILVER CREEK RECREATION AREA.

Engle moved Greenberg seconded to authorize up to \$11,500 from Capital Improvement 401.756.972 to be spent as a match amount for a DNR Recreation Passport Grant application should the application be successful.

ROLL CALL.

AYES: Maki, White, Lynch, Greenberg, Engle, Walker.

NAYS: None.

ABSENT: Bohjanen.

MOTION CARRIED.

Joanne Parks thanked the Board for supporting the passport grant for tennis courts. There are two other grants; Community Foundation and the Michigan Fitness Foundation that need to be approved by April.

Clerk Engle asked if the other grant require matching funds.

Manager Lawry believes the two mentioned grants have no monetary request and that is why Dale Throenle did not bring them before the Board.

PUBLIC COMMENT.

Trustee Maki commented that in the past the Board set the salaries for Board positions before the election filing deadline. That would allow all interested parties knowledge of the salary for the position that they will run for. The Board agreed that this should be done at the April 6, Board meeting.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, January 18th, 2016.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of January 21st, 2016.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meetings of January 20th, 2016 and February 17th, 2016, (Draft).
- D. Minutes – US 41 Corridor Advisory Group, Regular Meeting of January 12th, 2016.
- E. Correspondence from Sands Township Re: Attorney Opinion on Marquette County Solid Waste Authority Actions.

Supervisor Walker adjourned the meeting at 6: 05 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

April 6, 2016

A Regular meeting of the Chocolay Township Board was held on Wednesday, April 6, 2016 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, David Lynch, Richard Bohjanen.

ABSENT: Judy White.

STAFF PRESENT: Steve Lawry, Mary Sanders, Suzanne Sundell, Brad Johnson, Dale Throenle, Pat Beck.

MINUTES –MARCH 2, 2016 REGULAR MEETING.

Greenberg moved Lynch seconded to approve the minutes of the regular meeting of March 2, 2016 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved Lynch seconded to approve the agenda with the addition of discussion of 2017 Township Board salaries under new business and Semco Energy Public Service Commission Hearing under Informational Reports.

MOTION CARRIED.

PUBLIC COMMENT.

None.

PUBLIC HEARINGS-ORDINANCE #60 FOR PARTICIPATION IN THE FEMA NATIONAL FLOOD INSURANCE PROGRAM.

The public hearing was opened at 5:35 and there was no public comment. The public hearing was closed.

ACCOUNTS PAYABLE.

Bohjanen moved Engle seconded that bills totaling \$10,267.91 including checks numbered 20888-20909, bills totaling \$47,012.08 including checks numbered 20910-20948 and bills totaling \$10,599.84 including checks numbered 20949-20969 are approved for payment.

MOTION CARRIED.

PAYROLL.

Lynch moved Bohjanen seconded that the payroll for March 10, 2016 for \$31,432.31 including checks numbered 22937-22954 and 10292-10297 and ACH payments for Federal tax, State tax

and MERS and March 24, 2016 for \$39,759.91 including checks numbered 22955-23006 and 10298-10303 and ACH payments for Federal tax, State tax and MERS for payment.
MOTION CARRIED.

FINANCIAL REPORT- FEBRUARY 2016.

Engle moved Maki seconded to approve the February 2016 financial report.
MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Greenberg reported that there were three investment C/D's that matured in March and were reinvested with additional tax revenue. CDARS is not an individual bank, but a group of banks and the investments meet the Federal requirements for investing.

Maki moved Engle seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.
MOTION CARRIED.

Trustee Maki asked Treasurer Greenberg if we were on target with the fire hall millage payoff in 2017. Treasurer Greenberg indicated that we are on schedule with the payoff and the amount due on the last payment allows us to collect less than the voted millage. We do not have the exact amount at this time.

SUPERVISOR'S REPORT.

None.

APPOINTMENTS / RESIGNATIONS-RESIGNATION ACCEPTANCE & APPOINTMENT OF NEW TOWNSHIP TREASURER.

Supervisor Walker presented a Certificate of Appreciation and plaque to Treasurer John Greenberg.

Certificate of Appreciation
For his dedication to the Township and its citizens as
Planning Commissioner from June 1978 to June 1981
Township Trustee from November 1980 to July 1981 and
Township Treasurer from August 1981 to April 2016
38 Years of dedicated service to Chocolay Township

John S. Greenberg

We do express our appreciation on behalf of the Township Board.

DATED THIS 6th DAY OF April 2016 AND RECORDED IN THE OFFICIAL RECORD.

Engle moved Lynch seconded to accept John Greenberg's resignation from the Treasurer position.

MOTION CARRIED.

APPOINTMENTS AND RESIGNATIONS-INTERVIEW AND APPOINTMENT OF TREASURER.

Trustee Maki asked the Board if he should sit in the audience since he is a candidate for the Treasurer position.

Clerk Engle stated that he feels the Board should not accept Trustee Maki as a candidate for the following reasons. Trustee Maki did not indicate his intention to apply for Treasurer until the day after close of accepting applications and he did not fill out an application or present a cover letter. Clerk Engle assumes that the fax that Trustee Maki sent was his resume.

Trustee Maki responded that at the last Board meeting the only thing he heard was that the Board would be interviewing for the position at the April Board meeting and the candidates had to show up at the April 6th meeting.

Clerk Engle stated that we advertised for the position with all the requirements including the deadline.

Trustee Maki commented that at the last Board meeting, that was not established.

Clerk Engle stated that if we accept his application for the position after the deadline, then we have set a precedent for future positions.

Clerk Engle moved Lynch seconded that the Board not accept Trustee Maki's application for Treasurer.

AYES : 4

NAYS : 1 (Maki)

MOTION CARRIED.

The Board discussed the interview process. This is an open meeting and the Board cannot require the applicants to leave the room while the others interview. We have in the past asked candidates if they would all agree to step out of the room while the other candidate was interviewing. The Board had no preference at this time, so all candidates will remain in the room for the complete interview process.

The order of interviewing was as follows: Ben Zyburt, Kristen Horsley and Jennifer Tousignant.

Ben Zyburt has been a resident of Chocolay for 23 years and a banker in Marquette County for 31 years and the last 17 years as department head of the Trust Department for Northern Michigan Bank. He started up that department 18 years ago. Currently he has 280 million under his management and 9 employees. He is familiar with municipal public act 20 because he has administered a half dozen of these type accounts over the years. He is familiar with the type of investing allowed municipalities. He has served as Treasurer for several civic organizations. His brother Chief Zyburt gives him a unique perspective of Chocolay Township. He looks at the Treasurer position as two pronged; dealing with the assets and dealing with the individual. He is comfortable with managing funds and sitting on the Board as a voting member. His vision of the Township is to continue with a bed and breakfast appeal, but we need a balance of growth and keeping green space. He will continue to work his full time position, but does not feel that will be an issue with being Treasurer. He has managed bond portfolios.

Kristine Horsley has spent the 24 years in the marine corp. in the finance world working military pay, fiscal and travel decks. She has deployed with the marines overseas and managed millions of dollars without loss of any funds. She has an accounting degree; a master's degree in finance and has been working toward her PhD. She has worked military accounting and auditing. She is used to dual roles in the military, so being a voting board member and the Treasurer accountable for Township finances will not be a problem. She has no investment experience. She is aware of and will plan on running for the office of Treasurer if she is selected tonight.

Jennifer Tousignant has lived in Chocolay Township for 6 years and is currently an account manager for a CPA firm in Florida and works remotely from the Township. She is in charge of accounts payable, accounts receivable, payroll and taxes on a daily basis. She travels down there once a year. She does accounting and taxes for very small companies all the way to multi-million dollar mortgage companies with millions of assets. She currently works with different clients with different needs. Does not have experience with investing, but does have tax experience. Part of her reason for applying for this position is she feels it is time to take part in government and being active in the community.

John Greenberg commented that he encouraged Ben Zybert to run but feels that any of the candidates would do a great job. He commented that Pat Beck his Deputy Treasurer makes the Treasurer Job easy and a new Treasurer would be making a mistake if they did not re-appoint her Deputy Treasurer.

The Board discussed how the selection process will work. They decided to use ballots and sign the ballot.

Tallied votes were:
Ben Zybert – 3 votes.
Kristine Horsley – 1 vote.
Mark Maki - 1 vote.

Clerk Engle swore Ben Zybert in as Chocolay Township Treasurer and Ben took his place at the Board table as a voting member.

CONSIDERATION OF ORDINANCE #60 FOR PARTICIPATION IN THE FEMA NATIONAL FLOOD INSURANCE PROGRAM – FIRST READING.

The Federal Government will no longer accept a resolution by the Board to participate in the FEMA National Flood Insurance. An ordinance is required and must be in place by April 19, 2016 if we wish to participate in the program. There are no major changes between the old flood plain maps and the new ones for Chocolay Township.

Maki moved Lynch seconded that BE IT RESOLVED, the CHARTER TOWNSHIP OF CHOCOLAY DOES HEREBY ADOPT Ordinance #60 and suspend the second reading.

ORDINANCE #60

THE CHARTER TOWNSHIP OF CHOCOLAY,

MARQUETTE, MICHIGAN
FLOODPLAIN MANAGEMENT ORDINANCE

An ordinance to designate an enforcing agency to discharge the responsibility of the Charter Township of Chocolay, Marquette County, and to designate regulated flood hazard areas under the provisions of the State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended.

The Charter Township of Chocolay ordains:

SECTION 1:

1.0 Agency Designated

Pursuant to the provisions of the State Construction Code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Resource Management/Codes Department of the County of Marquette is hereby designated as the enforcing agency to discharge the responsibility of the Charter Township of Chocolay under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The County of Marquette assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the Charter Township of Chocolay.

SECTION 2:

2.0 Code Appendix Enforced

Pursuant to the provisions of the State Construction Code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the jurisdiction of the Charter Township of Chocolay.

SECTION 3:

3.0 Designation of Regulated Flood Prone Hazard Areas

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled "Marquette County, Michigan (All Jurisdictions)" and dated April 19, 2016, and the Flood Insurance Rate Maps (FIRMS) panel numbers of 26103C, 0513D, 0545D, 0701D, 0702D, 0705D, 0706D, 0707D, 0710D, 0720D, 0726D, 0730D, 0735D, 0740D, 0745D, 0755D, and 0765D, dated April 19, 2016, are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

SECTION 4:

4.0 Repeals

All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 5:

5.0 Publication

This ordinance shall be effective April 19, 2016, after legal publication and in accordance with the provisions of the Act governing same.

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zybert, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

CONSIDERATION OF A RESOLUTION AND INTERGOVERNMENTAL AGREEMENT TO MANAGE FLOODPLAIN DEVELOPMENT FOR THE NATIONAL FLOOD INSURANCE PROGRAM.

Maki moved Zybert seconded that

Community A: Chocolay Charter Township; Community/Entity B: Marquette County

WHEREAS, Community A currently participates in the Federal Emergency Management Agency's (FEMA) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and

WHEREAS, the NFIP requires floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this resolution:

1. Flood or Flooding means:
 - a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
 - b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.
2. Flood Hazard Boundary Map (FHBM) means an official map of the community, as may have been issued by FEMA, where the boundaries of the area of flood, mudslide (i.e.,

mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.

3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.
6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

WHEREAS, the “Stille-Derossett-Hale Single State Construction Code Act”, Act No. 230 of the Public Acts of 1972, as amended, (construction code act), along with its authorization of the state construction code composed of the Michigan Residential Code and the Michigan Building Code [and its Appendices (specifically Appendix G)] contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44CFR), Section 60.3, and

WHEREAS, by the action dates of this document or an existing historical agreement dated 1987, Community/Entity B affirms/agrees on behalf of Community A to function as the designated enforcing agency to discharge the responsibility of administering, applying, and enforcing the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, and the Michigan Rehabilitation Code for Existing Buildings to all development within Community A’s political boundaries, and

WHEREAS, Community A and Community/Entity B enforce floodplain regulations of the construction code act, and Community A wishes to ensure that the administration of that code complies with the requirements of the NFIP,

NOW THEREFORE, to maintain eligibility and continued participation in the NFIP,

1. Community A and Community/Entity B agree that Community/Entity B’s officially designated enforcing agency for the construction code act, Resource Management/Codes Department, be directed to administer, apply, and enforce on Community A’s behalf the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations,
by:
 - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state or other sources pending receipt of data from the FEMA to identify the flood hazard area, and areas with potential flooding, and

- b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and
 - c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, Community/Entity B shall implement the following applicable codes according to their terms:
 - i) Appropriate portions and referenced codes and standards of the current Michigan Residential Code.
 - ii) Appropriate portions and referenced codes and standards of the current Michigan Building Code.
 - iii) Appendix G of the current Michigan Building Code.
 - iv) Appropriate portions and referenced codes and standards of the current Michigan Rehabilitation Code for Existing Buildings.
 - d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
 - e. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood proofing and lowest floor construction records, and cooperate with other officials, agencies, and persons for floodplain management.
 - f. Advising FEMA of any changes in community boundaries, including appropriate maps, and
 - g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevation to which structures have been floodproofed.
2. Community A and Community/Entity B assure the Federal Insurance Administrator (Administrator) that they intend to review, on an ongoing basis, all amended and revised FHBM's and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to assure Community A's compliant participation in the program.
 3. Community A further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBM's, and/or the FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

FURTHER BE IT RESOLVED, both communities declare their understanding that, until this resolution is rescinded or Community A makes other provision to enforce the construction code act:

1. Community/Entity B must administer and enforce the construction code act in accordance with the terms and the conditions contained herein, and

2. For Community A to continue its participation in the NFIP, the construction code act must be administered and enforced according to the conditions contained herein.

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zybert, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

CONSIDERATION OF REQUEST FROM UPPER PENINSULA LAND CONSERVANCY TO SERVE AS FIDUCIARY AGENT AND PROVIDE LETTER OF SUPPORT FOR KBIC FUNDING OF CHOCOLAY BAYOU PRESERVE PROJECT.

Lynch moved Bohjanen seconded that the Board authorize a letter to the Keweenaw Bay Tribal Council supporting the request for funds by the U. P. Land Conservancy for public access improvements and public education at the Chocolay Bayou Nature Preserve and agreeing to provide funds so designated by the Tribe to that organization.

MOTION CARRIED.

AUTHORIZATION OF BALLOT LANGUAGE FOR CONTRACT LIBRARY SERVICES MILLAGE RENEWAL.

Maki moved Lynch seconded that the Board approves the following language for submittal to the County Clerk for inclusion on the August 2016 primary ballot, pending approval of the Township Attorney:

“Shall the previously voted millage for library services to the residents of the Charter Township of Chocolay be renewed, authorizing an ad valorem tax levy within the Charter Township of Chocolay, in an amount not to exceed 0.7514 mills (\$0.7514 per \$1,000.00 of taxable valuation), as reduced by required millage rollbacks, for a period of four (4) consecutive years, from 2017 to 2020, inclusive, which if levied would raise an estimated \$152,303.00 in the first year?”

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zybert, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

AUTHORIZATION TO UTILIZE CAPITAL IMPROVEMENT FUND DOLLARS FOR POLICE TRAINING AT NMU PUBLIC SAFETY INSTITUTES.

Engle moved Bohjanen seconded to expend \$900.00 for the NMU Public Safety Institute for year 2016. This would come from the Capital Improvement Fund Police Training Account 401.306.957.

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zybert, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

AWARD A BID FOR THE PURCHASE OF A SNOWMOBILE FOR THE PUBLIC WORKS AND FIRE DEPARTMENTS AND AUTHORIZE THE PURCHASE USING CAPITAL IMPROVEMENT FUND DOLLARS. Bohjanen moved Lynch seconded that the Chocolay Township Board award the snowmobile bid to Adventure Centre, option 1, in the amount of \$13,498.95. This price includes the trade in of the 1995 Arctic cat snowmobile. Half of this purchase will come from the Recreation and Properties account 401.756.977 and the other half will come from Fire account 401.340.981

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zyburt, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

AWARD BIDS FOR THE LIONS' FIELD TRAILHEAD IMPROVEMENT PROJECT.

Maki moved Engle seconded to award the general contract for site improvements for the Lions' Field Park and trailhead improvement project to Gerou Excavating of Wetmore, Michigan in the base bid amount of \$68,092.50, including the unit prices submitted as a part of the bid and contingent upon approval of the Department of Natural Resources.

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zyburt, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

Maki moved Engle seconded to award the contract for furnishing and installing the prefab toilet building for the Lions' Field Park and trailhead improvement project to Boom Concrete of Newell, South Dakota in the amount of \$16,124.04, contingent upon approval of the Department of Natural Resources.

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zyburt, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

Maki moved Engle seconded to award the contract for furnishing picnic tables, universally accessible grills, benches, and bicycle racks for the Lions' Field Park and trailhead improvement project to Penchura of Brighton, Michigan in the amount of \$3,450.36 contingent upon approval of the Department of Natural Resources.

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zyburt, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

Maki moved Engle seconded to award the contract for furnishing materials for the construction of the new picnic pavilion as a part of the Lions' Field park and trailhead improvement project to 41 Lumber of Marquette, Michigan at the unit prices bid and listed in the attached report from project designer Bill Sanders in an estimated amount of \$5,336.16 contingent upon approval of the Department of Natural Resources.

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zyburt, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

Maki moved Engle seconded to award the contract for fabricating metal specialty pieces for the pavilion and park benches to Marquette Machining of Marquette, Michigan at the unit prices bid for an estimated contract cost of \$660.00 contingent upon approval of the Department of Natural Resources.

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zyburt, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

Maki moved Engle seconded to accept the proposal of Dan Perkins Construction to furnish and install a standing seam metal roof with an estimated value of \$4,957.02 on the new picnic pavilion as a donation to the public project and at no cost to the Township and to seek approval of the Department of Natural Resources to consider this a portion of the local match to the grant.

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zyburt, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

Maki moved Engle seconded to accept the proposal of the Iron Ore Heritage Recreation Authority to furnish and install at the park a sign kiosk similar to the those located at other IOHRA trailheads, with an estimated value of \$10,000.00 at no cost to the Township and to seek approval of the Department of Natural Resources to consider this a portion of the local match to the grant.

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zyburt, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

Trustee Lynch publically recognized Dan Perkins Construction for their generous donation of the material and labor for the roof. It is commendable.

2016 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #2 TO REFLECT RECEIPT OF EAST MARQUETTE COUNTY SOLID WASTE AUTHORITY FUNDS.

Bohjanen moved Zybert 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 from the dispersal of assets of the East Marquette County Solid Waste Disposal Authority 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	\$ 1,600.97	+\$ 1,912.21	\$ 3,513.18
EXPENDITURE			
Sanitary Landfill - Equipment			
401.526.977	\$ 57,673.92	+\$ 1,912.21	\$ 59,586.13

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zybert, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED.

PUBLIC OPINION SURVEY RESULTS.

Manager Lawry presented the public opinion survey results to the Board primarily as informational. This survey came about when a request was made to stop the use of the fire siren. The public response to the fire alarm as an alert system for the firemen was that the public does support the alarm system. The public indicated in the survey that they do a pretty good job of utilizing local businesses. There were many requests to expand the commercial area. The response was in an equal number that Township services are adequate and the Township should provide more service.

Maki moved Lynch seconded to have all department heads and the Township Manager have a meeting to discuss the survey results and come up with recommendations that the Board could address and to forward the survey results on to the Planning Commission.

MOTION CARRIED.

CONSIDERATION OF RESOLUTION OBJECTING TO REAPPOINTMENT OF MARCUS ABOOD TO THE STATE TAX TRIBUNAL WITH LETTER TO GOVERNOR SNYDER, ET AL.

Lynch moved Engle seconded to accept and presented that

Whereas, the Charter Township of Chocolay Board of Trustees has responsibility for ensuring the health safety, and welfare of Township residents and visitors; and

Whereas, the financial resources necessary for the provision of such services are derived from taxable value assessment, collection and distribution to reliant entities; and

Whereas, such tax collection and distribution generally occur after services are committed or rendered to constituents; and

Whereas, local Assessors are required to apply provisions of the formal Assessors' Manual as issued by the Michigan Tax Commission in determining said taxable values; and

Whereas, the Michigan Tax Tribunal is not required to apply the provisions of the formal Assessors' Manual in their review of appeals; and

Whereas, the Michigan Tax Tribunal has accepted and applied the "dark store" theory in their decisions regarding commercial properties since 2010; and

Whereas, the "dark store" theory has caused lasting fiscal damage to the ability of local governments and tax revenue reliant agencies to serve all constituents; and

Whereas, Marcus Abood in previous appointment to Judge of the Tax Tribunal has rendered "dark store" decisions demonstrating his bias, rejection of traditional methods of assessment, and failure to recognize the serious impacts of his acceptance of the flawed commercial property "dark store" theory and its impact on all constituents; and

Whereas, the Michigan Senate is required to approve the appointment of Marcus Abood as recommended by Governor Rick Snyder, ignoring the impacts to local governments, tax revenue reliant agencies, and all constituents,

Now Therefore Be it Resolved, the Charter Township of Chocolay Board of Trustees hereby resolves to respectfully ask the Michigan Senate to reject the appointment of Marcus Abood to the Michigan Tax Tribunal, as proposed by Governor Rick Snyder to the detriment of local governments, tax revenue reliant public agencies, and all constituent taxpayers.

ROLL CALL.

AYES: Maki, Bohjanen, Lynch, Zybert, Engle, Walker.

NAYS: None.

ABSENT: Judy White.

MOTION CARRIED

DISCUSSION ON SETTING 2017 TOWNSHIP BOARD SALARIES.

The Board discussed setting Officer salaries for 2017 ahead of the filing deadline for the Township Board positions.

Bohjanen moved Lynch seconded to fix the Chocolay Township Board compensation at the current rate for the term beginning November 2016 for the four year term.

AYES: 4 NAYS: 1 (Maki)

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, February 15th, 2016.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of February 18th, 2016.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of March 16th, 2016 and Special Meeting of March 2nd, 2016, (Drafts).
- D. Minutes – Marquette County Township Association, Regular Meeting of January 27th, 2016.
- E. State of Michigan-Notice of Second Prehearing/Semco Customers Case No. U-17942

Supervisor Walker adjourned the meeting at 6: 55 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

May 4, 2016

A Regular meeting of the Chocolay Township Board was held on Wednesday, May 4, 2016 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, Ben Zybert, Max Engle, Mark Maki, David Lynch, Richard Bohjanen, Judy White

ABSENT: None

STAFF PRESENT: Steve Lawry, Suzanne Sundell

MINUTES – APRIL 6, 2016 REGULAR MEETING.

Engle moved Lynch seconded to approve the minutes of the regular meeting of April 6, 2016 as corrected. *(Bohjanen indicated that the vote on Page 3, middle of page regarding non acceptance of Trustee Maki's application for Treasurer should reflect Ayes 4, Nays 1 (Maki)).*

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Bohjanen moved Maki seconded to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Kaitlyn Luibakka, 504 Woodvale Drive commented on road conditions by Cherry Creek Elementary School. Not asking for entire road to be paved, but there is a section that has been patch-filled for the last couple years, and it is not safe to drive that stretch of the road. On Wildwood, there is also a huge pothole section. Commended the Board for everything they do.

Supervisor Walker welcomed the seniors from the Marquette High School Government class that were in attendance.

PUBLIC HEARINGS.

None.

ACCOUNTS PAYABLE.

Lynch moved Zybert seconded that bills totaling \$52,381.88 including checks numbered 20970-21016 and bills totaling \$20,157.96 including checks numbered 21017-21039 are approved for payment.

White asked about the actual amount that was approved for the Bearcat Groomer. Bohjanen asked about the Floor Sealer for the Fire Department.

MOTION CARRIED.

PAYROLL.

White moved Engle seconded that the payroll for April 7, 2016 for \$31,530.21 including checks numbered 23007-23024 and 10304-10309 and ACH payments for Federal tax, State tax and MERS, payroll for Fire Department for April 14, 2016 for \$9,866.80 including checks numbered 23025-23046 and ACH payments for Federal tax and State tax, and April 21, 2016 for \$34,233.50 including checks numbered 23047-23079 and 10310-10315 and ACH payments for Federal tax, State tax and MERS for payment.

MOTION CARRIED.

FINANCIAL REPORT- MARCH 2016.

Bohjanen moved White seconded to approve the March 2016 financial report.

MOTION CARRIED.

TREASURER'S REPORT/FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zyburt reported one CD that matured and has been reinvested in CDARS. No other changes.

Engle moved Lynch seconded to accept the Treasurer's report and the Fund Withdrawal and Deposit report.

MOTION CARRIED.

PRESENTATIONS

2015 AUDIT REPORT

Mike Grentz, Anderson Tackman and Company presented the FY2015 audit to the Board. Supervisor Walker suggested that Grentz give an explanation to the students on what an audit is composed of. The Township received an unmodified opinion which means the Township complied with accounting principles generally accepted in the United States. The net position of the Township is \$8.7 million, of which there is a Net Pension Liability of approximately \$50,000.00. This is the first year we have had to report pension liability. This liability is based on certain assumptions that are made, including that the account should be earning 8.25% interest rate as defined by MERS. Treasurer Zyburt asked how often MERS would look at the long-term rate of return. Grentz indicated the last time would have been in 2008, and MERS is now in the process of going through an experience study from 2009 through 2013. This is the first year the Township has went into the unfunded liability. In order to run out the market fluctuations, it is preferred to be overfunded at 110%. Another portion of the pension liability is the Township's part of the Marquette Area Wastewater Treatment Facility. The Township's share of the net pension liability is roughly \$50,000 to \$60,000. This will probably not be billed anytime soon.

The Fire Millage Fund shows a deficit of \$579,000.00 because the Township borrowed from the General, Capital and Wastewater Funds to build the fire station. The Fire Millage Fund will pay

back the other funds as the taxes are paid over the next few years. In going through the various graphs, the Township has stayed fairly constant, with no large fluctuations. Significant deficiencies were (1) assisting in preparing financial statements and footnotes and (2) the Fund Balance deficit.

Manager Lawry asked for an explanation on what types of policies should be in place. Greutz indicated our investment policy is very basic. This should be brought current – look at different options, different choices, and risk factors (there are different rules pertaining to the investments). If the Township does venture towards bonds, these will need to be recorded at Fair Market Value.

Bohjanen asked about the sampling of transactions.

White moved Lynch seconded to accept the FY2015 audit as presented.

AYES: 7 NAYS: 0

MOTION CARRIED

APPOINTMENTS / RESIGNATIONS – APPOINTMENT TO PERSONNEL COMMITTEE

Supervisor Walker recommended the appointment of Clerk Engle to the Personnel Committee.

Maki moved Lynch seconded to appoint Clerk Engle to the Personnel Committee.

AYES : 7 NAYS : 0

MOTION CARRIED.

White suggested that the Personnel Committee meet a minimum of once per year. Supervisor Walker concurred.

APPOINTMENTS AND RESIGNATIONS – APPOINTMENT OF THE FIRE CHIEF

Supervisor Walker recommended the appointment of Gary Johnson as Fire Chief.

White moved Maki seconded that Johnson be appointed to the position of Fire Chief.

AYES : 7 NAYS : 0

MOTION CARRIED.

SUPERVISOR’S REPORT – COMMUNICATION FROM BRIAN ANDERSON

Supervisor Walker shared a communication that had been received praising the Chocloy Township Fire Department on their actions on a serious house fire.

CONSIDERATION OF RECREATION PASSPORT GRANT RESOLUTION FOR SILVER CREEK TENNIS COURTS.

This item had already been approved, but a resolution was required by the DNR for the Grant Application.

SILVER CREEK RECREATION AREA GRANT APPLICATION RESOLUTION

WHEREAS, the Charter Township of Chocolay Board of Trustees supports the submission of an application titled, "Silver Creek Recreation Area Tennis Court Replacement" to the Recreation Passport Grant Program for development of a multi-use recreation facility to replace the tennis courts at Silver Creek Recreation Area; and,

WHEREAS, the proposed application is supported by the Community's 5-Year Approved Parks and Recreation Plan OR Current Annual Capital Improvement Plan; and,

WHEREAS, the Charter Township of Chocolay has made a financial commitment to the project in the amount of \$17,600 matching funds, in cash and/or force account; and,

WHEREAS, if the grant is awarded the applicant commits its local match and donated amounts from the following sources:

Friends of the Silver Creek Recreational Area \$800 cash plus \$1,000 in-kind donation

Total \$1,800

NOW THEREFORE, BE IT RESOLVED that the Charter Township of Chocolay Board of Trustees hereby authorizes submission of a Recreation Passport Grant Program application for \$45,000, and further resolves to make available a local match through financial commitment and donations of \$19,400 (30%) of a total \$64,400 project cost, during the 2016-2017 fiscal year.

Moved by: Lynch

Supported by: White

AYES: Maki, Bohjanen, White, Lynch, Zyburt, Engle, Walker

NAYS: None Absent: None

Date Approved: May 4, 2016

State of Michigan

County of Marquette

CONSIDERATION OF ORDINANCE #61, REPLACEMENT ORDINANCE FOR ORDINANCE #35, FIREARMS ORDINANCE – FIRST READING.

Maki moved Engle seconded, that after review of the proposed modifications of Ordinance #35, as well as the recommendations of the Township Planning Commission and the Township Attorney, that the Board schedule a second reading and a public hearing on the proposed language of Version # 2 of Ordinance #61 at its June 1st meeting following publication of the appropriate notice in the *Mining Journal*.

ROLL CALL

AYES: Maki, Lynch, Zyburt, Engle, Walker

NAYS: Bohjanen, White

ABSENT: None

MOTION CARRIED.

PROCLAMATION OF EMERGENCY MEDICAL SERVICES WEEK

Lynch moved Zyburt seconded to proclaim the week of May 15 – 21, 2016 as national EMS Week.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS FOR SEALING THE FIRE STATION FLOOR.

Bohjanen moved Lynch seconded to authorize the Fire Department to use Capital Improvement Funds in the amount of \$4,057.57 for the purchase of concrete sealer from Midway Rentals and Sales.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Zyburt, Engle, Walker.

NAYS: None.

ABSENT: None.

MOTION CARRIED.

2016 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #3 TO REFLECT FUND INTEREST EARNINGS IN THE MISCELLANEOUS ACCOUNT.

Maki moved Engle 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 in an effort to improve fiscal management and the transparency of financial accounting records the Township wishes to assign currently undesignated fund balance dollars through modification of the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
EXPENDITURE			
Miscellaneous Operating Reserve			
401.958.957	\$ 1,949.39	+\$131,169.81	\$133,119.20

The total fund balance of the Capital Improvement Fund will remain at \$839,981.20, but the undesignated total of \$131,169.81 within the fund balance will be reduced to \$0.

It is further moved that the Board assign any future difference between the final budget and actual revenues in the Capital Improvements Fund to the Miscellaneous Operating Reserves Account 401.958.957.

ROLL CALL.

AYES: Maki, Bohjanen, White, Lynch, Zyburt, Engle, Walker

NAYS: None

ABSENT: None

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, March 21st, 2016.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of March 17th, 2016.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of April 20th, 2016 and Stock Holders Meeting of April 20th, 2016, (Drafts).
- D. Minutes – US 41 Corridor Advisory Group, Regular Meetings of January 12th, 2016 and March 15th, 2016.
- E. Communication – CUPPAD Notice of MDOT Rural Transportation Planning Meeting.

Supervisor Walker adjourned the meeting at 6:35 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

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 Chocoyay 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 Chocoley 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 Gumees RV 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 Gumees 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.

Zyburtt moved Engle seconded to approve the March 2017 financial reports.
MOTION CARRIED.

TREASURER'S REPORT- FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zyburtt 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 Gumee 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 Chocoday 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.

Zyburt 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 Chocoy 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 Chocoy River Tr	Mqt MI 49855	\$ 118.50
Chocoy 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.

MOITION 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

January 8, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, January 8, 2018 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, Judy White.

ABSENT: None.

STAFF PRESENT: Jon Kangas, Mary Sanders, Suzanne Sundell, Dale Throenle, Brad Johnson, Scott Jennings, Lisa Perry.

MINUTES – DECEMBER 11, 2017 REGULAR AND DECEMBER 18, 2017 SPECIAL MEETINGS.

Rhein moved Lynch seconded to approve the minutes of the Regular meeting of December 11, 2017 as presented.

MOTION CARRIED.

Zyburt moved Engle seconded to approve the minutes of the Special meeting of December 18, 2017 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Zyburt seconded to approve the agenda with the addition of a presentation to Steve Lawry, Retiring Township Manager.

MOTION CARRIED.

PUBLIC COMMENT.

Jude Catello, 119 Lakewood Lane – She has lived in Chocolay Township since 1978, she spoke on her dismay that we can't recycle glass any longer. She has done some research and presented information to the Board on a business in Wisconsin that will recycle glass for a fee. She asked that the Township look into Eagle River Waste and Recycling.

PRESENTATION.

Supervisor Bohjanen presented a plaque to Steve Lawry and read a letter from the Board, employees and citizens of the Township praising him for all the work accomplished during his tenure with Chocolay Township.

ACCOUNTS PAYABLE.

Engle moved Rhein seconded that bills totaling \$50,742.65 including checks numbered 22176-22211 are approved for payment.

MOTION CARRIED.

Trustee Maki had a question about Superior Watershed Partnership. The last time they attended a Chocolay Township Board meeting, Mark asked them for an update on work they had accomplished in the Township. We have not heard back from them. He thought that they were going more toward economic development by the grant request they had made.

PAYROLL.

Lynch moved Zybur seconded that payroll for December 6, 2017 for \$2,882.45 including checks numbered 24404-24413 and ACH payments for Federal tax, State tax and MERS and December 14, 2017 for \$32,467.42 including checks numbered 24414-24433 and 10581-10586 and ACH payments for Federal tax, State tax and MERS and December 28, 2017 for \$45,278.75 including checks numbered 24434-24470 and 10587-10594 and ACH payments for Federal tax, State tax and MERS and December 29, 2017 pay out for \$8,248.36 including ACH for Federal tax are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT –NOVEMBER 2017.

White moved Rhein seconded to accept the November Financial Report.

MOTION CARRIED.

TREASURER’S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zybur reported that we did not have any securities mature in the last month. We have had three Federal Reserve bumps in 2017 and we are expecting a couple more in 2018, which bodes well for the portfolio.

Lynch moved Rhein seconded to accept the Treasurer’s report.

MOTION CARRIED.

White moved Zybur seconded to accept the fund withdrawal and deposit report.

MOTION CARRIED.

CANNABINOID PROCESSING PRESENTATION.

The presentation of Cannabinoid Processing is on hold because the company has decided to place their operation in Sands Township. We should still look at considering an Ordinance that deals with Cannabinoid.

ATV USE OF PUBLIC ROADS PRESENTATION.

Tony Harry is not here to present to the Board. Is there any interest in changing the stand that Chocolay Township has had that rescinds the County rules for ATV’s on County Roads in the Township? Trustee Engle commented that Tony Harry is the only one that he has heard from that wants the Township to Opt-in to the County’s Ordinance for ORV/ATV. The Board wants to send this to the Planning Commission and allow Tony Harry a chance to make his presentation there.

Chief Jennings stated that he feels that if they had ATV rules like we have snowmobile rules, it would be much easier to deal with ATV issues.

Lynch moved White seconded to send the request for use of public roads for ATV's to the Planning Commission and request Tony Harry to present to the Planning Commission.

MOTION CARRIED.

APPOINTMENT TO PETER WHITE PUBLIC LIBRARY TOWNSHIP ADVISORY COUNCIL.

Zyburd moved Rhein seconded to appoint Judy White to the Peter White Public Library Township Advisory Council for an indefinite term.

MOTION CARRIED.

NOMINATION OF TOWNSHIP MANAGER TO LAKE SUPERIOR COMMUNITY PARTNERSHIP BOARD OF DIRECTORS.

Maki moved Lynch seconded that the Board nominate Jon Kangas to the Lake Superior Community Partnership for a seat on its Board of Directors as a representative of Chocolay Township.

MOTION CARRIED.

SUPERVISOR'S REPORT.

- Introduced Jon Kangas to the Board and the public in the audience as our new Township Manager and commented that Mr. Kangas comes highly recommended.
- Planning Commission seat held by Jon Kangas should be discussed by the Board and Jon Kangas. Trustee Maki stated that the Michigan Zoning Enabling Act does not allow an employee to be on the Planning Commission. We will research the law.
- Supervisor Bohjanen and Suzanne Sundell met with KBIC on the water reservoir. They are working on a contract that will pay the Township through 2% money to contract with Gundlach Champion to build the water tower and once complete, we would deed it back to KBIC for ownership. The one issue that could come up is that Gundlach Champion has already done the engineering work and is prepared with a not to exceed price of \$675,000 for a 75,000 gallon tank. The plan is to not go back out for bids again, but this decision will come back to the Board for approval before moving forward.
- Flooding at the Chocolay River mouth brought together a lot of people and a lot of thinking on how to deal with it. As the river was rising, plans for how to prevent it from becoming a major disaster developed slowly. A contractor was brought out to see if an excavator could be brought out to the mouth to move the ice and the answer was no. Historically it was blasted, but that caused a lot of damage in 1985 or 1986. The reason the Township was involved in blasting the river mouth in the past, was due to a flooding risk to one of our pump stations. Since then we have taken measures to elevate that pump station so it does not represent a threat during a time of flooding. Primarily the flood threat is to the homeowners now. The DNR said that the DEQ is responsible for the permitting process and DEQ was not available on New Year's Day. Sara Cambensy has been up here to look the situation over and to speak with the Township and homeowners. Ultimately a long term solution has to be found.

AWARD OF BID FOR SALE OF SURPLUS POLICE PATROL CAR.

White moved Lynch seconded to declare the 2013 Dodge Charger be sold to the highest bidder.

MOTION CARRIED.

2017 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #11 TO REFLECT PROCEEDS FROM SALE OF POLICE CAR.

Zybur moved Lynch seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on 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 Improvement Vehicle			
401.305.981	\$129,256.11	+\$3,470.00	\$132,726.11
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
401.698	\$27,664.23	+\$3,470.00	\$ 31,134.23

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zybur, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

2017 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #12 TO REFLECT RECEIPT OF KEWEENAW BAY INDIAN COMMUNITY 2% GAMING FUNDS.

White moved Lynch 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 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	\$ 70,000.00	+\$ 70,000.00	\$140,000.00

EXPENDITURE

Fire Department

Land Improvements

Ojibwa Water Reservoir 401.340.002.972	\$ 25,000.00	+\$ 25,000.00	\$ 50,000.00
Fire Dept. Vehicles 401.340.981.000	\$125,758.14	+\$ 20,000.00	\$145,758.14
Police Dept. Equipment 401.305.977.000	\$ 36,827.29	+\$ 9,000.00	\$ 45,827.29
Water/Wastewater Equipment 401.591.977.000	\$ 0.00	+\$ 9,000.00	\$ 9,000.00
Recreation & Properties Equipment 401.756.977	\$ 27,427.57	+\$ 7,000.00	\$ 34,427.57

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

2017 GENERAL FUND BUDGET AMENDMENT #5 TO ACCOUNT FOR END OF YEAR ADJUSTMENTS.

Maki moved White seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated General Fund expenditures of the Township on October 5th, 2016 for fiscal year 2017, and Whereas, as a result of unanticipated expenditures it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Township Board Salaries 101.103.702	\$46,520.00	+\$14,350.00	\$60,870.00
Election Per Meeting Compensation 101.190.710	\$3,650.00	+\$ 4,100.00	\$ 7,750.00
Election Office Supplies 101.190.727	\$ 1,775.00	+\$ 1,400.00	\$ 3,175.00
Election Postage 101.190.729	\$ 900.00	+\$ 600.00	\$ 1,500.00

Election Miscellaneous 101.190.956	\$100.00	+\$ 425.00	\$ 525.00
Treasurer Salaries 101.253.702	\$44,947.00	+\$2,166.00	\$47,113.00
Sanitary Landfill Contractual Services 101.526.800	\$151,600.00	+\$3,500.00	\$155,100.00
Zoning Salary 101.800.702	\$76,560.00	+\$5,545.00	\$82,105.00
Clerk Salary 101.215.702	\$97,425.00	-\$7,711.00	\$89,714.00
Other General Government Contingency 101.285.951	\$20,000.00	-\$10,025.00	\$ 9,975.00
Other General Government Salary/Benefit Contingency 101.285.952	\$27,150.00	-\$14,350.00	\$12,800.00

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

MANAGEMENT LETTER FROM AUDITOR.

The Board received and read the audit management letter from Anderson Tackman & Company.

Lynch moved Zyburt second that the Board agrees to the attached letter from Anderson and Tackman and that the Township Supervisor sign the attached letter.

MOTION CARRIED.

REQUEST FOR CLOSED SESSION PURSUANT TO MCL 15.268(A).

Engle moved Lynch second to go into closed session.

MOTION CARRIED.

The public attending asked if they could make their public comment before the Board went into closed session. The Board agreed to that.

PUBLIC COMMENT.

Scott Emerson, 119 Lakewood Lane – Spoke on the adverse effects of environmental noise. He presented information to the Board on this subject. He would like the Board to consider this information as they look at the Fireworks and Noise Ordinance. Exposure to environmental noise causes sleep disturbance, hearing loss, blood pressure increase, heart disease, strokes, learning impairment in children, mental health issue, PTSD and health problems with pregnant women. Low frequency or impulse noise has the greatest ability to cause adverse effects from noise. Anything over 50 decibels should be enforced.

The Board went into closed session at 6:25 pm.

OPEN SESSION.

The Board went back into open session at 7:07 PM.

Lynch moved Rhein seconded to find a proper channel for repeated questions/requests to (Chocolay Township employees); that they come to the Board and go through the Supervisor and Manager first.

MOTION CARRIED.

White moved Lynch seconded to adjourn the meeting at 7:10 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of November 27th, 2017.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of November 9th, 2017.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meetings of December 13th, 2017, Draft.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meeting of November 14th, 2017.
- E. Minutes – Northern Michigan Public Service Academy, Regular Meeting of November 16th, 2017.
- F. Communication – Iron Ore Heritage Trail Authority Annual Report.

Max Engle, Clerk

Richard Bohjanen, Supervisor

February 12, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, February 12, 2018 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, Judy White.

ABSENT: None.

STAFF PRESENT: Jon Kangas, Mary Sanders, Suzanne Sundell, Dale Throenle, Brad Johnson, Lisa Perry, Scott Jennings, Jennifer Stanaway, Chad Laurich.

MINUTES –JANUARY 8, 2018 REGULAR MEETING.

White moved Lynch seconded to approve the minutes of the Regular meeting of January 8, 2018 as presented.

MOTION CARRIED.

MINUTES –JANUARY 8, 2018 REGULAR MEETING (CLOSED SESSION).

Lynch moved Rhein seconded to approve the minutes of the Closed Session meeting of January 8, 2018 as presented.

MOTION CARRIED. (Nay - Maki)

PUBLIC COMMENT.

Mark Maki, 370 Karen Road - He considers the closed session to be held illegally because it went beyond the Act and there was no purpose stated. He considers all action taken regarding the closed session illegal.

AGENDA ADDITIONS/DELETIONS.

Zyburt moved Rhein seconded to approve the agenda as presented.

MOTION CARRIED.

Maki moved Rhein seconded to change the wording on the agenda from Resignation to Retirement of Deputy Clerk.

MOTION CARRIED.

White moved Zyburt seconded to approve the agenda as amended.

MOTION CARRIED.

ACCOUNTS PAYABLE.

Lynch moved Engle seconded that bills totaling \$66,789.35 including checks numbered

22213-22248 and totaling \$81,115.25 including checks numbered 22249-22292 are approved for payment.

MOTION CARRIED.

The Board had several questions on check amounts and descriptions. All questions were answered.

PAYROLL.

White moved Lynch seconded that payroll for January 11, 2018 for \$41,118.32 including checks numbered 24472-24513 and 10596-10602 and ACH payments for Federal tax, State tax and MERS and January 25, 2018 for \$39,324.40 including checks numbered 24514-24545 and 10603-10609 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT –DECEMBER 2017 (UNAUDITED).

Lynch moved Rhein seconded to accept the December Unaudited Financial Report.

MOTION CARRIED.

TREASURER'S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zybert reported that we did not have any securities mature in the last month. We did invest in a \$250,000. First Bank C/D 1.8% for one year with the Tax Collections.

Lynch moved Rhein seconded to accept the Treasurer's report.

MOTION CARRIED.

Rhein moved Engle seconded to accept the fund withdrawal and deposit report.

MOTION CARRIED.

RETIREMENT LETTER FROM DEPUTY CLERK.

Lynch moved Maki seconded to accept the resignation/retirement of Mary Sanders, Deputy Clerk as of April 30, 2018.

MOTION CARRIED.

Clerk Engle informed the Board that we had an internal candidate apply for the position. Suzanne Sundell will take over the Deputy Clerk position on May 1, 2018.

APPOINTMENT TO THE PLANNING COMMISSION.

Supervisor Bohjanen was pleased to tell the Board that we had nine applications to review for the Planning Commission vacant seat. After going through the applications he chose Susan Maynard. He interviewed her over the telephone and she had good answers to his questions and will be a great addition to the planning Commission.

Bohjanen moved Lynch seconded that the appointment of Susan Maynard be approved by the board to complete the term vacated by Jon Kangas, expiring 12/31/2020.

MOTION CARRIED.

Trustee Maki asked about the makeup and diversity of the Planning Commission. Supervisor Bohjanen took into consideration location within the Township and interests in the Planning process and job background skills. Clerk Engle said that if anything the Planning Commission was business heavy and adding Susan Maynard was a good balance.

APPOINTMENT TO THE IRON ORE HERITAGE RECREATION AUTHORITY.

Engle moved Zyburt seconded to reappoint Don Britton to the Iron Ore Heritage Recreation Authority.

MOTION CARRIED.

APPOINTMENT OF ALTERNATE TO MARQUETTE AREA WASTEWATER TREATMENT FACILITY ADVISORY BOARD.

White moved Rhein seconded that Brad Johnson is appointed as Chocolay Township's representative to the Marquette Area Waste Water Advisory Board for the term ending 12/31/2021.

MOTION CARRIED.

Rhein moved Lynch seconded that Jon Kangas is appointed as Chocolay Township's alternate representative to the Marquette Area Waste Water Advisory Board for the term ending 12/31/2021.

MOTION CARRIED.

SUPERVISOR'S REPORT.

- We need to consider a process for updating the Zoning Ordinance and other Township Ordinances and also Planning Commission Priorities. There are a lot of inconsistencies in the Township Zoning Ordinance and other Township Ordinances due to changing times and technical errors in the design of the Ordinances. We have discussed having a professional consultant help with the Ordinances, but we do not really know what we want our Ordinances to say and we do not want an outsider making that decision. A solution was suggested by Steve Lawry, when he was Manager and that was to have the Planning Commission go through the Ordinances and decide if they need amending, need major changes, elimination or to be rewritten before going to a consultant. The budget for that is not in 2018 but decisions on what to do can occur in 2018. The Board should give direction to the Planning Commission before they proceed.

Trustee Maki would like to set up a committee consisting of two members of the Board and two members of the Planning Commission along with staff to review the Ordinances.

Maki moved Lynch seconded to form a committee that would include two members of the Planning Commission, two members of the Board, the Supervisor, Police Chief, DPW Foreman, Planner and Manager to review the Township Ordinances.

MOTION CARRIED.

Supervisor Bohjanen, Trustee Maki and Trustee Lynch volunteered to be on the committee. The Planning Commission will meet next week and we can recruit two members of the Planning Commission at that time.

- Updated Planning Commission Procedures and Bylaws have been presented to the Board.
- Regarding the issue of glass recycling, the Landfill has not been recycling glass. Glass is only 5% of the recycling stream. There are revisions of the recycling policies coming down from the State level, so we cannot make any changes with recycling until that happens.

FIRST READING OF TEXT AMENDMENT 34-18-01 PROPOSED MIXED USED OVERLAY DISTRICT.

A draft copy of the mixed use overlay was presented to the Board by the Planning Commission. A map was shown to the Board of the proposed area. The Marquette County Planning Commission and our Township attorney have already reviewed.

Trustee White is in favor of the mixed use overlay.

Trustee Maki stated that essentially this involves rezoning of many properties. Why did we do it as an overlay instead of rezoning? Are single family dwellings allowed in this overlay district or only if they are attached to a business. How do we stop strip development with everyone having driveways out to M-28? Will this area be in the sewer district or have septic systems? Maki would like this mixed use overlay to be sent to the Corridor Committee.

Director Throenle stated that there is also an overlay district for the US 41 / M-28 Corridor that controls access points. The minimum lot width is 125 feet and the minimum lot size is roughly .67 acres. The overlay district goes down M-28 to our border with Alger. The intent of this mixed use overlay is to allow individuals to live on their business premises. People can opt in or opt out of the district. The idea of the sewer construction came in after the overlay district was discussed, but we can bring that to the Planning Commission. The area that shows up in green on the map is only proposed to become part of the overlay district. The owner of the property asked to be included in the district after the district had been established by the Planning Commission.

Engle moved Lynch seconded that after reviewing the proposed mixed use district language, updates from the Township Attorney and recommendations from the Marquette County Planning Commission, the proposed language as revised by the attorney be brought before the Board for a second reading at the March 12, 2018 meeting without the green area on the map.

MOTION CARRIED. (Nay - Maki)

White moved Rhein seconded that after reviewing the map of the proposed overlay district, the map as presented will represent the boundaries of the proposed district.

MOTION CARRIED. (Nay - Maki)

Maki moved Engle seconded to send the mixed use overlay to the Corridor group for their review and comment.

MOTION CARRIED.

FIRST READING OF PROPOSED ORDINANCE 66, NOISE.

Lynch moved Zybert seconded that after reviewing the proposed Ordinance 66, Noise language, the proposed Ordinance as written be brought before the Board for a second reading at the March 12, 2018 meeting.

MOTION CARRIED.

Trustee Maki asked what the conflict with modern practices is? Planning Director explained that some of the wording that is no longer used, and one example is the ordinance did not allow construction on the weekends. Trustee Maki also asked about fireworks. That will be a separate Ordinance.

Supervisor Bohjanen objects to the definition of "Horn". Planning Director Throenle thought that was changed. He will look into that before the second reading.

2017 GENERAL FUND BUDGET AMENDMENT #6 TO ACCOUNT FOR END OF YEAR ADJUSTMENTS.

Resolution Amending General Fund Budget FY 2017 – Amendment No. 6 – Reimbursement for Safety Belt Overtime.

Maki moved White seconded that Whereas a budget was adopted by the Chocoley Township Board to govern the expenditures of anticipated general fund receipts within the township on October 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 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	\$283,341.00	+\$3,117.58	\$286,458.58

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$26,296.25	+\$3,117.58	\$29,413.83

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zybert, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR THE REPLACEMENT OF ONE (1) DESKTOP COMPUTER IN THE POLICE DEPARTMENT.

Lynch moved Rhein seconded to approve the purchase of a desktop computer, including installation, from Lasco at a total cost of \$796.16. This will be paid from the Capital Improvement Fund-Equipment, Account #401.305.977.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR THE REPLACEMENT OF FIVE (5) LAPTOP COMPUTERS IN THE FIRE DEPARTMENT AND TOWNSHIP HALL.

Zyburt moved Lynch seconded that the Community Development Coordinator expend up to \$3,180.00 from the Technology Capital Improvement Fund 401.258.977 for upgrading four laptops for office staff and one laptop for fire staff.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO EXTEND SOLID WASTE COLLECTION CONTRACT.

Manager Kangas reported to the Board that stemming from a meeting with Eagle Waste to discuss recycling; Brad Austin, Marquette County Landfill Director informed us of a millage that the Landfill will bring for a vote to all county voters. The vote will be to go to single stream recycling including the equipment to do this. At this point renewing our contract with GAD would be appropriate until this vote takes place. Our increase with GAD is 4%.

White moved Lynch seconded for approval for Brad Johnson DPW Foreman, to extend the current solid waste collection contract with Great American Disposal for an additional year commencing through June 30, 2019.

MOTION CARRIED.

AUTHORIZATION FOR CHANGE OF SEWER USER FEE DUE TO CLOSURE OF A COMMERCIAL PROPERTY.

Lynch moved Zyburt seconded that the Equivalent User Fee for 200 East Main Street be lowered from 9.4 down to 2 as of January 1, 2018, until the business is reopened, as provided for in section 9.C.2.e, of Wastewater Ordinance #39.

MOTION CARRIED.

RECOMMENDATION FROM THE PERSONNEL COMMITTEE FOR REVISION OF JOB DESCRIPTION AND WAGES FOR POLICE ADMINISTRATIVE ASSISTANT AND REINSTATING THE TOWNSHIP ADMINISTRATIVE ASSISTANT AS A FULL-TIME POSITION.

Maki moved Zyburt seconded to change the Police Department Administrative Assistant job title to Accreditation Manager, to set the pay grade for the Accreditation Manager to pay grade 2, to accept the job description for the Accreditation Manager as submitted, and to make the changes effective with the payroll cycle beginning February 18, 2018.

MOTION CARRIED.

Maki moved Zybert seconded to change the Administrative Assistant position from part-time to full-time status effective with the payroll cycle beginning February 18, 2018.

MOTION CARRIED.

PUBLIC COMMENT.

Carol Lamirand, 452 County Road 480 - Had questions on the cost of garbage tags and if changing the contract would lower the cost for tags. She requested a copy of the garbage contract.

The meeting was adjourned at 6:50 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of December 18th, 2017.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of December 21st, 2017. (Includes 2018 Meeting Schedule.)
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of January 17th, 2018, Draft.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meeting of December 12th, 2017.
- E. Correspondence – MMRMA Distribution Excess Net Assets
- F. Correspondence – MMRMA Distribution State Pool Loss Fund
- G. Correspondence – Notice of Hearing for the Gas Customers of Semco Energy Gas Company, Case No. U-18417.

Max Engle, Clerk

Richard Bohjanen, Supervisor

March 12, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, March 12, 2018 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, Don Rhein, Mark Maki, Judy White.

ABSENT: Ben Zyburt.

STAFF PRESENT: Jon Kangas, Mary Sanders, Suzanne Sundell, Dale Throenle, Brad Johnson, Scott Jennings.

MINUTES –FEBRUARY 12, 2018 REGULAR MEETING.

Lynch moved Rhein seconded to approve the minutes of the Regular meeting of February 12, 2018 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Engle moved White seconded to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Carl Smith, 795 Willow Road –Presented his safety concerns to the Board that when making a turn from Willow Road to Silver Creek Road going east, vision is blocked by people parking at St. Louis the King Church. There is no shoulder on the road and people park in the eastbound lane. Chocolay Police told him to contact the Marquette County Road Commission on this matter. The Road Commission requested notification from the Board before the Road Commission can place ‘no parking’ signs on that corner.

Mary Pat Linck, 367 Lakewood Lane- Voiced her concerns about the Marquette County Landfill no longer accepting glass as a recycling item. She is willing to pay extra to have single stream recycling including glass.

ACCOUNTS PAYABLE.

White moved Lynch seconded that bills totaling \$30,282.62 including checks numbered 22293-22321 and bills totaling \$43,726.75 including checks numbered 22322-22360 are approved for payment.

MOTION CARRIED.

PAYROLL.

Rhein moved White seconded that payroll for February 8, 2018 for \$34,880.33 including checks numbered 24546-24566 and 10610-10615 and ACH payments for Federal tax, State tax and MERS and February 22, 2018 for \$39,008.60 including checks numbered 24567-24599 and 10616-10621 and ACH payments for Federal tax, State tax and MERS are approved for payment.
MOTION CARRIED.

FINANCIAL REPORT – JANUARY 2018.

Lynch moved Rhein seconded to accept the January Financial Report.
MOTION CARRIED.

TREASURER’S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Engle moved Rhein seconded to accept the Treasurer’s report.
MOTION CARRIED.

White moved Rhein seconded to accept the fund withdrawal and deposit report.
MOTION CARRIED.

APPOINTMENT TO THE NORTHERN MICHIGAN PUBLIC SERVICE ACADEMY BOARD EFFECTIVE MAY 1ST, 2018.

Maki moved Lynch seconded that Suzanne Sundell be appointed to serve the remainder of Mary Sanders’ term on the Northern Michigan Public Service Academy Board, to be effective May 1st, 2018.
MOTION CARRIED.

SUPERVISOR’S REPORT.

- We have again been approached by an entity that wishes to do a presentation to the Board on a marijuana facility in the Township limits. Does the Board have an interest in hearing the presentation? The Board agreed to allow the presentation. We will add this to the April agenda.

SECOND READING AND ADOPTION OF TEXT AMENDMENT 34-18-01 PROPOSED MIXED USE OVERLAY DISTRICT.

Trustee Maki had questions on how we stop strip development on M-28 if we approve this? How will the Corridor Committee handle four commercial driveways every 150 feet? Bohjanen replied that we cannot require a frontage road. Kangas replied that the US 41 corridor group reviews any project along the U S 41 and M-28 for access development. They are a very influential group and any comments made by this group have always been incorporated in the contractor’s site plan.

Trustee White asked about the public hearing that will take place at the March 19th Planning Commission. Throenle explained that the map is under consideration by the Planning Commission in March and the motion tonight is strictly about the language for Mixed Use Overlay District. A discussion ensued on why the Planning Commission is having the Public Hearing in March. Planning Director Throenle explained that the Planning Commission is holding the public hearing

because notification was not sent to the residents that were in the green area. The Planning Commission was not going to extend the mixed use to the green area on the map, however, a resident asked that his property (in the green area) be added to the mixed use and the Planning Commission agreed to look at it.

Trustee Maki asked about the zoning change from residential to commercial on the Jehovah Witness Church property on U S 41. Planning Director Throenle responded that the Planning Commission originally planned on the mixed use corridor to be 300 feet on either side of U S 41 and M-28 and a small area of Cherry Creek for the overlay district. The size of the property and wetlands did not come into play while the Planning Commission selected the area to be in the Overlay District.

Trustee Maki asked if the owner of a 100 foot lot in this area could sell as a commercial property. Response from Throenle was yes as long as they get access from MDOT. Property owners have been notified by a letter and were told about the public hearing at the Planning Commission meeting on March 19, 2018.

Trustee Maki asked why we did not do the mixed overlay to all of the commercial areas in the Township. Throenle responded that the idea was that the mixed use was only going to be in the U S 41 and M-28 corridor.

Engle moved Lynch seconded, that after reviewing the input from a public hearing, the recommendations of the Township Planning Commission and the second reading of proposed Zoning Ordinance amendment 34-18-01, that the Board adopt the language of the proposed amendment as written, with the language to take effect as part of the Township Zoning Ordinance April 12, 2018; 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 language in the Township Book of Ordinances and the Township Zoning Ordinance within one week after publication.

ROLL CALL.

AYES: Rhein, White, Lynch, Engle, Bohjanen.

NAYS: Maki.

ABSENT: Zyburt.

MOTION CARRIED.

SECOND READING AND ADOPTION OF PROPOSED ORDINANCE 66, NOISE.

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 # 66 Noise, that the Board adopt the language of the proposed ordinance as modified, (change the definition of horn to a device designed to generate a sound for the purpose of a signal or warning) with the ordinance to take effect April 12, 2018; that the Board repeals Ordinance # 45 Noise effective April 12, 2018; 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, Engle, Bohjanen.

NAYS: None.

ABSENT: Zyburt.

MOTION CARRIED.

APPROVAL OF CONTRACT EXTENSION WITH GREAT AMERICAN DISPOSAL FOR SOLID WASTE COLLECTION SERVICES.

Manager Kangas explained to the Board that there are proposed changes on the State level and at the landfill on recycling. It would be better to extend the contract for another year and give us time to understand what changes will take place for recycling.

Rhein moved Maki seconded to extend the contract with Great American Disposal an additional year (April 2018 through April 2019 - \$8,942.96 per month and April 2019 through April 2020 - \$9,300.00 per month).

MOTION CARRIED.

FIRST READING OF PROPOSED ORDINANCE 65, FIREWORKS.

Lynch moved White seconded that after reviewing the proposed Ordinance 65 Fireworks language, the proposed language as revised be brought before the Board for a second reading at the April 9, 2018 meeting.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR THE REPLACEMENT OF TWO (2) LAPTOP COMPUTERS AND TWO (2) DESKTOP COMPUTERS IN THE POLICE DEPARTMENT.

Lynch moved Engle seconded to approve the purchase of 2 notebooks and 2 desktop computers, including installation, from Lasco at a total cost of \$4,558.09. This will be paid from the Capital Improvement Fund-Equipment, Account #401.305.977.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen.

NAYS: None.

ABSENT: Zyburt.

MOTION CARRIED.

CONSIDERATION OF "AUTHORIZED PUBLIC AGENCY" STATUS FOR SOIL EROSION AND SEDIMENTATION CONTROL.

Manager Kangas explained that we currently do not have someone on staff trained in sedimentation and soil control. We have such a small DPW department that it does not make sense to have staff certified for this. Marquette County will take over this responsibility if we do not have the certification. We need to notify them that we are rescinding the status.

Maki moved Rhein seconded that Chocolay Township rescinds the SESC Procedures for operating an Authorized Public Agency Program as approved by the Township Board December 15th, 2003 and to authorize the Township Manager to notify MDEQ by letter of this voluntary action.

MOTION CARRIED.

PUBLIC COMMENT.

None.

INTRODUCTION OF TABLETS FOR BOARD AGENDA PACKETS.

The tablets were passed out to the Board and Suzanne gave instruction to the Board on usage.

The meeting was adjourned at 6:45 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of January 15th, 2018.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of January 18th, 2018.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of February 21st, 2018, Draft.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meeting of January 9th, 2018.
- E. Minutes – Northern Michigan Public Service Academy, Regular Meeting of February 15th, 2018, Draft.
- F. 2017 Chocolay Township Planning Commission Annual Report.
- G. 2017 Marquette County Treasurer’s Office Annual Reports.
- H. Marquette County Road Commission Seasonal Load and Speed Restrictions.
- I. REAL ID Compliant Driver’s License or ID Card Information.

Max Engle, Clerk

Richard Bohjanen, Supervisor

April 9, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, April 9, 2018 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, Judy White.

ABSENT: None.

STAFF PRESENT: Jon Kangas, Mary Sanders, Suzanne Sundell, Brad Johnson, Scott Jennings, Lee Gould, Lisa Perry.

MINUTES –MARCH 12, 2018 REGULAR MEETING.

Lynch moved Zyburt seconded to approve the minutes of the Regular meeting of March 12, 2018 with the deletion of the statement *Steve Lawry did have the certification*. Under – Status for Soil Erosion and Sedimentation Control.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Rhein moved Engle seconded to approve the agenda as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Brian Dixon, 123 Chocolay River Trail – Spoke in support of the Planning Commission exclusion of Chocolay River Trail in the mixed overlay district.

Jude Catello, 119 Lakewood Lane – Spoke to the Board on her distress that there currently is no glass recycling and in the past the glass set out as recycling went into the landfill. We need to continue looking at options including grants.

Supervisor Bohjanen responded that we have met with Eagle Waste and Recycling and the Marquette County Solid Waste Management Authority. We are looking into options and currently are awaiting State legislative changes with recycling that will not only affect us, but the MCSWMA also. We have a contract with MCSWMA and must bring our solid waste to the landfill.

Scott Emerson, 119 Lakewood Lane – Congratulated the Planning Director and the Planning Commission on the direction that they went with developing the Fireworks Ordinance. One typo/correction (Columbus Day is 2nd Monday in October).

ACCOUNTS PAYABLE.

Engle moved Zyburt seconded that bills totaling \$15,422.83 including checks numbered 22361-22398 and bills totaling \$44,360.12 including checks numbered 22399-22428 are approved for payment.

MOTION CARRIED.

PAYROLL.

Lynch moved Rhein seconded that payroll for March 8, 2018 for \$35,111.27 including checks numbered 24600-24619 and 10622-10627 and ACH payments for Federal tax, State tax and MERS and March 22, 2018 for \$40,751.83 including checks numbered 24620-24654 and 10628-10633 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT – FEBRUARY 2018.

Rhein moved Engle seconded to approve the February Financial Report.

MOTION CARRIED.

TREASURER’S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zyburt reported that we had no bond maturities this month; however we did purchase a \$250,000 certificate from Northpoint Bank at 2.5%, maturing in 2021. There is an additional line on the investment report to include the unrealized gain/loss.

Engle moved Rhein seconded to accept the Treasurer’s report.

MOTION CARRIED.

Zyburt moved White seconded to accept the fund withdrawal and deposit report.

MOTION CARRIED.

PRESENTATIONS – PETER WHITE PUBLIC LIBRARY.

Andrea Ingmar, Director of the Peter White Public Library presented information to the Board on the Headlee Override and the Headlee rollback. The Peter White Public Library is requesting that the Chocolay Township Board give approval to place ballot language on the November 2018 general election to allow the Peter White Public Library to override the Headlee rollback. The closing of WE Energies and the relocation of Marquette General Hospital/Duke Life point to a Brownfield site has greatly reduced their tax revenue. Additional funds are needed to prevent further cuts in library services. There are so many requests for the library to be open on Sunday, and that is one cutback the library would like to rescind.

Maki moved White seconded that the Chocolay Township Board authorize the Peter White Library to request the Headlee override on the November 6, 2018 ballot in Chocolay Township.

MOTION CARRIED.

APPOINTMENT OF FIRE CHIEF.

Maki moved Rhein seconded accept the fire departments recommendation and appoint Lee Gould as Fire Chief of the Chocloy Township Fire Department.

MOTION CARRIED.

SUPERVISOR'S REPORT.

- Should we work toward a Marijuana Ordinance or continue to opt out.

White moved Lynch seconded to have the Planning Commission delve into the possibility of a Marijuana Ordinance.

MOTION CARRIED.

- The ad hoc Ordinance committee has not met yet. Should we consider having the Planning Commission look at the Ordinances instead of an ad hoc committee? The Board chose to add Susan Maynard from the Planning Commission to the ad hoc committee and begin meeting on a regular basis, possibly on Tuesday afternoons.
- Supervisor Bohjanen presented a plant to Mary Sanders and read a letter from the Board, employees and citizens of the Township on accomplishments during her time with Chocloy Township. Clerk Engle also commented on her retirement.

SECOND READING OF PROPOSED ORDINANCE NUMBER 65, FIREWORKS.

Maki moved Lynch seconded that after reviewing the input from a public hearing, the recommendations of the Township Planning Commission and the second reading of proposed Ordinance 65 Fireworks, that the Board adopt the language of the proposed ordinance as modified, with the ordinance to take effect May 9, 2018, 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. With correction on Columbus Day.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

APPROVAL OF MIXED USE OVERLAY DISTRICT MAP.

Supervisor Bohjanen explained that that after accepting public comment on the mixed use overlay district and map, the Planning Commission withdrew the section on Terrace Street and did not include the new area on M-28.

White moved Lynch seconded, that after reviewing the input from a Planning Commission public hearing and the recommendations of the Planning Commission that the Board adopt the proposed mixed use overlay map as drawn, with the map to take effect as part of the Township Zoning Ordinance April 12, 2018, and the map be published on the Township website.

ROLL CALL.

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: Maki.

MOTION CARRIED.

Trustee Maki asked if the Corridor group made comment on the mixed use overlay district. Manager Kangas replied that they did not.

PROPOSED PURCHASE OF ZERO TURN LAWN MOWER.

Trustee Maki asked why we did not go with the lowest bidder. DPW Foreman, Brad Johnson and Manager Jon Kangas explained the difference between the other machines and the Gravely PT460 including warranty, fabricated mulching deck, larger tires and reduced driver fatigue.

Engle moved Zyburt seconded that the Chocolay Township Board approves the trade in of our John Deere LA 155 and the purchase of the Gravely PT 460 Zero Turn Mower from Northgate Equipment in the amount of \$8,800.00 to be paid out of the capital improvement fund 401.756.957.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

NAYS: None.

MOTION CARRIED.

PROPOSED ACQUISITION OF CREDIT CARD PROCESSING SYSTEM.

Rhein moved Zyburt seconded to approve the acquisition of a credit card processing system.

MOTION CARRIED.

PROPOSED GENERAL FUND BUDGET AMENDMENT #1 FOR BROADBAND INTERNET CHANGE.

Maki 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 December 11, 2017, 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,

EXPENDITURE	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
101.258.853 Technology Telephone	\$4,830.00	+\$1,000.00	\$5,830.00

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
101.285.951 Other General Government Contingency	\$20,000.00	-\$1,000.00	\$19,000.00

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.
NAYS: None.
MOTION CARRIED.

PROPOSED PROPERTY DONATION.

Zyburt moved White seconded that Chocolay Township accept the proposed donation of Parcel 52-02-206-011-00 from O'Dovero Properties and designate the parcel as park land.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.
NAYS: None.
MOTION CARRIED.

PROPOSED SEASONAL FIELD TECHNICIAN.

Manager Kangas proposed staffing adjustments to include a seasonal field technician. The field technician would have a primary focus on Zoning Enforcement, under Planning Director Throenle's supervision. It is also recommend that we allow this employee to perform additional assessing fieldwork at properties where he/she is already performing Zoning activities, assuming those properties are in the 20% of parcels scheduled for reassessment this year. This arrangement increases staff efficiency by completing multiple tasks in one visit. Finally, there are multiple other tasks related to Planning, Zoning and Community Development that could be assigned to this person if time permits, to best utilize the additional staff. It is also recommended we post this position internally first, with the expectation that we may be able to hire the same individual that performed the work last year.

Lynch moved White seconded that the Township Board authorizes the Township Manager to hire a Seasonal, Part-Time Field Technician to assist in zoning enforcement and other tasks as needed, with funds coming from unused portions of the Community Development Coordinator salary, not to exceed \$9,000.00.

ROLL CALL.

AYES: White, Lynch, Zyburt, Engle, Bohjanen.
NAYS: Maki, Rhein.
MOTION CARRIED.

Trustee Maki reminded the board that when we hired the Assessor he said that he would do his own field work. He asked that we fund this position at 400 hours instead of 600.

Trustee White asked who will supervise this part time person. Manager Kangas answered that the direct supervisor will be Planning Director Throenle.

PUBLIC COMMENT.

Trustee Maki congratulated Lee Gould as Fire Chief and Mary Sanders on her retirement.

Manager Kangas reported to the Board that he will bring to the Planning Commission next week, information on the asset management plan for roads. He and DPW Foreman Johnson will attend PASER training next week.

The meeting was adjourned at 6:30 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of February 19th, 2018.
- B. Minutes – Chocolay Township Zoning Board of Appeals, Regular Meeting of March 22nd, 2018, Draft
- C. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of February 15th, 2018.
- D. Minutes – Marquette County Road Commission, Regular Meeting of January 15th, 2018 and February 19th, 2018.
- E. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of March 21st, 2018, Draft.
- F. Press Release - MCSWMA Regarding Recycling.
- G. Correspondence - Final Road Asset Management Plan, GEI, March 15th, 2018.

Max Engle, Clerk

Richard Bohjanen, Supervisor

May 14, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, May 14, 2018 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, Don Rhein, Mark Maki, Judy White.

ABSENT: Ben Zyburt.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Dale Throenle, Scott Jennings, Lisa Perry.

MINUTES –APRIL 9, 2018 REGULAR MEETING.

Lynch moved Rhein seconded to approve the minutes of the Regular meeting of April 9, 2018 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Manager Kangas indicated that due to the timeliness of permitting with the KBIC project, MDOT has indicated they have some requirements that were not known at the time of permitting. This could be added under either New or Unfinished Business.

Engle moved Lynch seconded that the addition to the agenda be added under Unfinished Business.

MOTION CARRIED.

PUBLIC COMMENT.

Jennifer Bruggink, 673 Lakewood Lane – concerned about the first reading of the zoning changes, particularly the addition of rentals without qualification or description to all the zoning districts except Industrial. Lives in a residential district and has both types of rentals next door. She feels there is considerable difference. She is concerned that if this change goes through the Board has exceeded its authority to regulate.

Dan Trotochaud, 439 Lakewood Lane – would like to address the issue of recycling in Chocolay Township. Lots of trash along Lakewood Lane as the containers used for recycling are usually very lightweight and things blow out of them. Was wondering if the Township could require a regular recycling bin with a cover.

Scott Emerson, 119 Lakewood Lane – respectfully asking the Board to reject all proposed ordinance language on rental dwellings. He would also ask that the Board direct the Planning Commission to begin work on a more comprehensive ordinance specifically addressing short term

rentals. Feels that there is a lack of full transparency. The change lumps all rentals together. Marquette County Planning Commission was not in support of this change.

William Ezo, 781 Lakewood Lane – concerned about short term rentals. Communities are not able to enforce, and renters have no concern for their neighbors. Residents do not deserve to have behavior that diminishes their quality of life. Cited Madeira Beach as an example. Much easier to prevent problems than to try to solve the problems later.

Ruth Ziel, 734 Lakewood Lane – went online to look for changes that Chocolay Township was proposing for short term rentals. Marquette Township has a list of things required for a short term rental (permit, fire code review, business license, etc.). She would suggest Chocolay's require a PERK test for septic. She has utilized Airbnb and VRO in other areas, and those in the best repair are when there is the presence of a landlord. Also have identifying information as a rental, with a contact number.

June Rydholm, 221 Lakewood Lane – she spoke on this issue last year. What happened to the petition. Not in favor of short term rentals. Feels that Chocolay is making a big mistake.

Stephanie Gencheff, 597 Lakewood Lane – agrees with what has been said. She contacted similar communities to Chocolay Township (Acme Township and Garfield Township in the Traverse Bay area). Both communities have enforced their Zoning Ordinance concerning short term rentals, and would be happy to share with our Township.

Jude Catello, 119 Lakewood Lane – she is disturbed by the Zoning language change. This is a very hot button issue. She feels this should be pushed back to the Planning Commission – advertise clearly and go slowly.

Sally May, 425 Lakewood Lane – she echoes what the others have said. Urges the Board to tighten up the language so there are some conditions.

Mark Maki, 370 Karen Road – concerned about the public notice, as it says nothing about short term rentals, just changes to the zoning ordinance – inadequate notice. When the Planning Commission voted on this members were not present, with two of the members that were present being fairly new. The Master Plan makes reference to short term rentals in residential areas. Marquette County Planning Commission did not support.

Amadeo Sturla, 685 Lakewood Lane – recently purchased a home that was used as a rental. During his cleanup of the property, and was able to tell what type of things went on there, and would not want his children around that. Short term rentals need to be regulated.

Deborah Mulcahey, 633 Lakewood Lane – agrees with everything that has been said in regard to the opposition. Public notice was unclear on what was being discussed – no mention of short term rentals. She raised the issue of safety, especially with fires – high risk area, no dry hydrants,

dune grass, jack pine. The residents do not want commercial development, and short term rentals are commercial. Follow the Master Plan.

ACCOUNTS PAYABLE.

White moved Rhein seconded that bills totaling \$8,960.57 including checks numbered 22429-22458 and bills totaling \$56,163.60 including checks numbered 22459-22497 are approved for payment.

MOTION CARRIED.

PAYROLL.

White moved Lynch seconded that payroll for April 5, 2018 for \$42,349.21 including checks numbered 24655-24695 and 10634-10639 and ACH payments for Federal tax, State tax and MERS and April 19, 2018 for \$38,808.14 including checks numbered 24696-24733 and 10640-10645 and ACH payments for Federal tax, State tax and MERS and special payrolls for April 20, 2018 for \$3,654.24, including checks 24734 and 10646 and ACH payments for Federal tax, State tax and MERS, and special payroll for April 23, 2018 for \$8,837.09 including checks numbered 24735 and 10647 are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT – MARCH 2018.

Lynch moved Rhein seconded to approve the March Financial Report.

MOTION CARRIED.

TREASURER'S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Engle moved White seconded to accept the Treasurer's report.

MOTION CARRIED.

Rhein moved Lynch seconded to accept the fund withdrawal and deposit report.

MOTION CARRIED.

PRESENTATION - LAKESTATE INDUSTRIES.

Andrea Walsh, Director of Development – Lakestate Industries is a vocational training and job development for adults with disabilities. Lots of changes will be taking place with an organizational transformation called Employment First, which is a push for more training and jobs in the community. They will also be implementing community living supports. In order to achieve these objectives, they will need money. She is requesting Choccolay Township support and act as a pass-through agency for KBIC 2% money, in exchange for some type of community service.

Mike Grentz, Anderson Tachman - concern with pass-through monies, it still needs to be a legal Township expenditure with a benefit to the Township. Would need to look at details, and all requests are different.

Trustee Lynch suggested there be additional information to make sure it is legal before agreeing to act as a pass-through.

PRESENTATION - SPECIAL EVENT REQUEST FOR SILVER CREEK RECREATION AREA

Rita Savola, General Manager of America's Best Value Inn, M-28 and Cody Marki, Assistant Manager of America's Best Value Inn and lives at 1010 East M-28.

They made a special request to the Board on a celebration called "Harvey Dayz" that they would like to have this summer. Cody grew up in the Harvey area at the time this type of celebration existed in Harvey, and they are looking to bring this back to the area. After looking at several options, it was felt that Silver Creek Recreation area would be the best location. The day would include things such as fat tire bikes, disc golf, a car show, bounce houses, music, food vendors, display Chocoley police and fire vehicles. The hotel would cover the insurance for the event. No date has been set at this time.

Dale Throenle, Planning Director went over the logistics of how things would be set up at Silver Creek, and also looking at the parking situation for overflow. No admission would be charged.

Lynch moved White seconded to endorse the special event plan.

MOTION CARRIED

Trustee Maki would like to see a final layout once the plan is done.

PRESENTATION – 2017 AUDIT

Mike Greutz from Anderson Tachman and Company PLC presented the FY2017 audit. He indicated that this was an unmodified audit. The change in net position was \$550,000 (with \$142,000 from enterprise funds and the rest from governmental funds) and the total net position on the whole is 9.7 million. The net pension liability – most communities have a liability for their pension, but we have benefit for the plan of about \$74,000. The Township exceeded budgeted revenues and kept expenses below what was budgeted. We did not find any material weaknesses or significant deficiencies with internal control. According to auditing standards we do have to report to the State 2017-001 Assist in preparing financial statements and footnotes. There were no other significant issues.

Lynch moved Engle seconded to accept the 2017 audit report.

MOTION CARRIED

APPOINTMENTS / RESIGNATIONS – NONE.

SUPERVISOR'S REPORT – PROCLAMATION OF NATIONAL BEACH SAFETY WEEK

The Board has received a request from the Fire Department to proclaim the week of May 21-28, 2018 as National Beach Safety Week.

Lynch moved Rhein seconded to proclaim the week of May 21-28, 2018 as National Beach Safety Week.

MOTION CARRIED.

KBIC SEWER PROJECT

Manager Kangas explained that plans for permitting had been submitted to all the agencies. MDOT responded with comments regarding lift stations in the right-of-way. When official response was received, MDOT had recommended placing the lift stations out of the right-of-way, or as far away from roadway as possible. MDOT requires as a condition that if the lift stations would need to be moved at a later date, the expense would be the Townships.

There was discussion of current rate structure, and the ability to cover maintenance and future capital improvements.

Lynch moved, White seconded, to direct the Township to send a letter to MDOT agreeing that, as with most public utilities, the cost of relocation of those in case of road construction would be borne by the owner of the utility.

AYES: 5

NAYS: 1 (Maki)

ABSENT: Zyburt

MOTION CARRIED

FIRST READING OF PROPOSED ZONING ORDINANCE UPDATES.

Dale Throenle, Planning Director / Zoning Administrator, went through a lengthy discussion / timeline of rental units beginning in 2006. Throenle also explained how the language for the proposed zoning ordinance updates have been presented in the packet.

After much discussion by the Board, there was agreement that the language for short term rentals needs more work.

Maki moved, that the short term rental issue be separated from the ordinance changes, that the short term rental issue be rejected, and that at some future date the Board gives the Planning Commission specific direction.

NO SUPPORT

MOTION FAILED

Lynch moved, Engle seconded, that the Township Board approve all language changes in the proposed zoning ordinance language updates, with exception of anything relating to the rental issue, and send that back to the Planning Commission for further clarification and strengthening to allow the Township to have better control.

AYES: 5

NAYS: 1 (Maki)

ABSENT: Zyburt

MOTION CARRIED.

PROPOSED MERS HCSP AGREEMENT

Maki moved, Rhein seconded to approve the MERS Health Care Savings Program Participation Agreement for the group title "Patrolman".

MOTION CARRIED.

PROPOSED AMERICAN TOWER LEASE OPTIONS.

Lynch moved, White seconded, that the Township Board accept the one-time signing bonus of \$3,750.00 in exchange for an additional five (5) years beyond the current expiration date and options to renew for seven (7) additional five (5) year terms. This recommendation assumes all rental payments and escalations remain in full force according to the current lease terms and through the expiration of the extended term, and all revisions to the current lease agreement are approved by the Township Attorney. In addition, the Township Supervisor and Clerk are authorized to execute the revised lease agreement.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen.

NAYS: None.

ABSENT: Zyburt

MOTION CARRIED.

PROPOSED POLICY UPDATE FOR RECORDING OF MEETINGS.

Maki moved that the recordings for all Boards and Commissions meetings be posted on the website, kept for one year, and then deleted.

NO SUPPORT

MOTION FAILED

White moved, Lynch seconded, that the recordings for all Boards and Commissions meetings be posted on the website, then upon approval of the minutes they will be removed from the website and be deleted from the server.

AYES: 5

NAYS: 1 (Maki)

MOTION CARRIED.

Trustee Maki indicated that the reason for the recordings was to have something to go back on if there was a question on minutes. Clerk Engle stated that once the minutes are approved, that becomes the official record.

PROPOSED CAPITAL IMPROVEMENT EXPENDITURES FOR POLICE DEPARTMENT TRAINING.

White moved, Rhein seconded, to expend \$675 for the NMU Public Safety Institute for year 2018. This would come from the Capital Improvement Police Training Fund, 401.306.957.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen.

NAYS: None.

ABSENT: Zyburt

MOTION CARRIED.

PUBLIC COMMENT.

Scott Emerson, 119 Lakewood Lane – he would strongly advise that we take a look at short term rental ordinances in Acme Township. The Township needs to get ready and needs to learn from others. He also felt that the legal ads were very obscure – need to be very definite with these ads. He loves the community and liked the idea of Chocoday Days.

Mark Maki, 370 Karen Road – feels the ad was clearly improper. Ads used to be in the classified section, now they are in the legal section.

Stephanie Gencheff, 597 Lakewood Lane – if the Board really wants to know what the people think, it should be put on a ballot. She feels there are complaints about short term rentals, but there is no documentation. On the issue of enforcement, she cited how Garfield Township in the Traverse Bay area handle this.

Deborah Mulcahey, 633 Lakewood Lane – thanked the Board for sending the short term rental language back to the Planning Commission, but wishes they would have given a little more guidance on how to proceed. She then read an excerpt from J. Thum’s letter of 2011. WFR has a lot of property, and that is why they asked the Board to remove from short term rentals. She had talked with Police Department – no names documented on police calls.

Perry Laing, 625 Lakewood Lane – feels the discussion is not about short term rentals, but about the enforcement of short term rentals.

Ruth Ziel, 734 Lakewood Lane - she feels there are ways to deal with short term rentals, such as a permitting process. She feels that the statement that there are no issues / complaints is not true – it’s just that there isn’t ongoing mayhem when the police arrive.

The meeting was adjourned at 8:08 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocoday Township Planning Commission, Regular Meeting of April 19th, 2018, Draft.
- B. Minutes – US 41 Corridor Group, Regular Meetings of February 13th, 2018, March 13th, 2018, and April 10th, 2018.
- C. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of March 15th, 2018.
- D. Minutes – Marquette County Township Association, Regular Meeting of March 20th, 2018.

- E. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of April 18th, 2018, Draft; Stockholders Meeting of April 18th, 2018, Draft and Special Meeting of April 26th, 2018, Draft.
- F. Notice of Special Meeting, Marquette County Solid Waste Management Authority, May 30th, 2018.
- G. Notice of Tipping Fees Increase, Marquette County Solid Waste Management Authority, April 27th, 2018, effective July 1st, 2018..
- H. Notice of Construction Project(s), Marquette County Solid Waste Management Authority, May 4th, 2018.
- I. Correspondence – P. Ollila – Zoning Ordinance Changes.
- J. Correspondence – D. Mulcahey – Zoning Ordinance Changes.

Max Engle, Clerk

Richard Bohjanen, Supervisor

June 11, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, June 11, 2018 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, Judy White, Mark Maki (arrived at 5:47).

ABSENT: None.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Dale Throenle, Scott Jennings, Jennifer Stanaway, Tony Carrick.

MINUTES –MAY 14, 2018 REGULAR MEETING.

Lynch moved Rhein seconded to approve the minutes of the Regular meeting of May 14, 2018 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Rhein moved Engle seconded that the agenda be approved as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – spoke on the subject of leadership – feels the Board is constantly fighting with Trustee Maki on various issues. She feels the Board is still not dealing with short term rentals. She had submitted a letter to Supervisor Bohjanen concerning a Planning Commissioner. Asking the Board to address her concerns put forth in the letter.

ACCOUNTS PAYABLE.

White moved Lynch seconded that bills totaling \$12,802.58 including checks numbered 22498-22529, bills totaling \$2,557.80 including checks numbered 22530-22532, and bills totaling \$34,811.12 including checks numbered 22533-22552 are approved for payment.

MOTION CARRIED.

PAYROLL.

Zyburt moved Engle seconded that payroll for May 3, 2018 for \$32,185.09 including checks numbered 24736-24754 and 10648-10654 and ACH payments for Federal tax, State tax and MERS and May 17, 2018 for \$32,593.87 including checks numbered 24755-24773 and 10655-10661 and ACH payments for Federal tax, State tax and MERS and May 31, 2018 for \$36,240.91 including checks 24774-24801 and 10662-10668 and ACH payments for Federal tax, State tax and MERS, are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT – APRIL 2018.

White moved Rhein seconded to approve the April Financial Report.

MOTION CARRIED.

TREASURER’S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zyburt reported that two CDs had matured – one for \$250,000 which was a government agency paying 0.75%. This was moved to a Northpointe Bank CD at 2.5% maturing in March 2021. The second CD was a \$150,000 First Bank CD paying 0.90%. This was used to purchase a \$150,000 UP State Bank CD at 2.7%, maturing in November 2020.

Engle moved Rhein seconded to accept the Treasurer’s report.

MOTION CARRIED.

Zyburt moved Lynch seconded to accept the fund withdrawal and deposit report.

MOTION CARRIED.

PRESENTATION – LETTER OF COMMENDATION.

Police Chief Scott Jennings read a letter of commendation addressed to Sgt. Anthony Carrick concerning an assist provided on saving a family pet that had ventured on thin ice at 109 Chocoday River Trail.

PRESENTATION – VOTERS INSTEAD OF POLITICIANS – GERRYMANDERING BALLOT INITIATIVE

Ruth Ziel spoke to the Board on the organization called “Voters Instead of Politicians”. The proposal transfers the authority for drawing our voting districts from the legislature and the government to an independent citizen’s commission. With this proposal, there would be an open application system where you would request an application through the Secretary of State’s office. The Secretary of State’s office would also randomly issue 10,000 applications across the entire state to ensure that all demographic and geographic areas are in the pool. Once the commission is formed, it will consist of 4 Democrats, 4 Republicans, and 5 Independents. She then went over how the district maps will be drawn, and the criteria they will be based on. Ziel was looking for an endorsement from the Township Board on this proposal.

APPOINTMENTS / RESIGNATIONS

Supervisor Bohjanen indicated that there was one resignation – Officer Jeff Czarny. No action is required by the Board, but he would like to take the opportunity to wish him well in his new position and express our regrets to see him leave.

Lynch moved, White seconded to appoint Sergeant Tony Carrick to serve the remainder of Officer Jeff Czarny’s term on the Personnel Committee, term expiring December 31, 2019.

MOTION CARRIED

Zyburt moved, Lynch seconded to appoint Deputy Clerk, Suzanne Sundell to serve the remainder of Mary Sanders' term on the Pension Committee, term expiring December 31, 2018.

MOTION CARRIED

White moved, Rhein seconded to appoint Township Manager, Jon Kangas to serve the remainder of Mary Sanders' term as an Alternate on the Utility Review Committee, term expiring December 31, 2019.

MOTION CARRIED

SUPERVISOR'S REPORT – SCHEDULE 2018 JOINT MEETING OF TOWNSHIP BOARD AND PLANNING COMMISSION.

Supervisor Bohjanen suggested that the Joint meeting be scheduled on the same day as the July Planning Commission Meeting, Monday, July 16, with the joint meeting beginning at 5:30 PM and the Planning Commission to follow.

White moved, Lynch seconded to have a joint meeting with the Planning Commission and Township Board on Monday, July 16 starting at 5:30 PM.

MOTION CARRIED.

SECOND READING OF PROPOSED ZONING ORDINANCE UPDATES.

White moved, and Lynch seconded that after reviewing the input from a public hearing, the recommendations of the Township Planning Commission and the second reading of proposed *Text Amendment 34-18-02 Zoning Ordinance Updates*, that the Board adopt the language of the proposed updates as modified with the updates to take effect July 10, 2018, 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 revised *Zoning Ordinance* in the Township *Book of Ordinances* within one week after publication.

ROLL CALL

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

MOTION CARRIED.

Trustee Maki asked for clarification on various items, with "retail store" in the definition of "Resort" being one of them. After discussion, it was decided the language be changed to "and other retail activities". This is a minor change in wording – no need to go back for another reading.

CONSIDERATION OF DIRECTIVES TO PLANNING COMMISSION REGARDING RENTAL DWELLINGS

Lynch moved, White seconded that Item XIV.B be put on the agenda for the Joint Meeting on Monday, July 16 at 5:30 PM.

MOTION CARRIED.

APPROVAL OF AMENDMENT TO MDNR RECREATION PASSPORT GRANT FOR SILVER CREEK TENNIS COURTS.

White moved, Rhein seconded to approve the Recreation Passport Grant Program Agreement Amendment for the Silver Creek Recreation Area Multisport Court Complex project.

MOTION CARRIED.

AUTHORIZATION TO ENTER AGREEMENT WITH MARQUETTE COUNTY ROAD COMMISSION FOR 2018 OVERBAND CRACK FILLING

Lynch moved, Zyburt seconded to approve the Agreement with Marquette County Road Commission for Overband Crack Filling in the amount of \$53,961.70 with funds coming from the voter-approved Road Fund, account 204.440.957.

ROLL CALL

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR FUND BALANCE SOFTWARE TRAINING

Engle moved, White seconded, that the Clerk expend \$1,250 from the Clerk Capital Improvement Fund 401.215.977 for training for the Deputy Clerk on the Fund Balance accounting programs.

ROLL CALL.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen.

MOTION CARRIED.

REQUEST TO EXPEND FROM CAPITAL IMPROVEMENT FUNDS

Zyburt moved, Lynch seconded that the Clerk expend up to \$300.00 from the Elections Department in the Capital Improvements Fund 401.190.977 for 8 stanchions with 78" Black Retractable Belt.

ROLL CALL

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR IN-CAR CAMERA

Rhein moved, Zyburt seconded to approve the purchase of the DMV-800 In-Car Camera system from Digital-Ally in the amount of \$3,295. This will be paid from the Capital Improvement Fund – Vehicles, Account #401.305.981.

ROLL CALL

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

MOTION CARRIED.

2018 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #1 TO REFLECT POLICE TRAINING FUNDS RECEIVED FROM STATE OF MICHIGAN

Motion by White, supported by Maki, Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on December 11, 2017 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	\$ 1,120.09	\$333.08	\$ 1,453.17
REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 401.543	\$0	\$333.08	\$ 333.08

ROLL CALL

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

ADOPT RESOLUTION FOR OPENING AND USING DEPOSIT ACCOUNTS

Zyburt moved, Rhein seconded to rescind the Resolution of the Township Board to Authorize Opening and Using Deposit Accounts as adopted July 6, 2016 and adopt the revised Resolution of the Township Board to Authorize Opening and Using Deposit Accounts. This action replaces Mary Sanders with Suzanne Sundell as Deputy Clerk.

MOTION CARRIED

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – expressed her displeasure with the inaction of the Board. She feels that the short term rental issue is being delayed again. Wondering who runs the Township. She feels the meeting time of 5:30 is too early. Would like to know what type of action will be taken on her concerns with a Planning Commissioner. Feels people are continuing to buy elsewhere because of the issue with short term rentals.

Cody Monty 1010 M-28 East – gave an update of Harvey Daze preparation. The date has been set for July 21. Travel Marquette will be helping with the promotions. Plans include geocache, disc golf tournament, bouncy houses from Double Trouble (they will have their own insurance to cover these). The Americas Best Value Inn will be covering the insurance, Forever Green lawn care will do the clean up after the event. There are many different games that have been incorporated. Plans are also underway for a Classic car show. Food will be providing by various food trucks. The goal of the event is to have fun and showcase Harvey. There will also be a kick ball tournament game. Trustee White issued a challenge to other Board members to join her in participating at the dunk tank.

The meeting was adjourned at 6:30 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of April 19th, 2018.
- B. Minutes – US 41 Corridor Group, Regular Meetings of May 8th, 2018.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of May 23rd, 2018.
- D. Notice - Marquette County Solid Waste Management Authority, Recycling Rebates, June 1st, 2018.
- E. Communication – S. Emerson – Rental Dwellings / Short Term Rentals, May 14th, 2018.
- F. Communication – D. Mulcahey – Planning Commissioner Concerns, June 4th, 2018.
- G. Communication – Supervisor Bohjanen Response to D. Mulcahey, June 5th, 2018.

Max Engle, Clerk

Richard Bohjanen, Supervisor

July 9, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, July 9, 2018 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, Judy White, Mark Maki .

ABSENT: None.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Dale Throenle, Scott Jennings.

MINUTES –JUNE 11, 2018 REGULAR MEETING.

Zyburt moved Lynch seconded to approve the minutes of the Regular meeting of June 11, 2018 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Rhein seconded that the agenda be approved as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Dave Mowen, 475 Lakewood Lane – would like to see Chocolay Township recognized for the improvements made in the Township, along with specific businesses that have contributed to this. Feels the changes made to the property that Lutey’s occupies contribute to this. He recommends that there be recognition for people / businesses that are doing things to improve the area. He feels that it is good to recognize these efforts with a plaque and would like to volunteer to do this.

Deborah Mulcahey, 633 Lakewood Lane – thanked the Board for the new fireworks ordinance. Still feels that the public needs to be educated on this ordinance. The Township needs to find ways to reach out to the community to do this. She has an issue with timely notice on the Board agendas – should be a week before the meeting. She questioned other meetings / groups that were meeting at the Township (recreation and zoning). Brought up some garbage-related issues on the July 4th holiday.

Trustee Maki asked about the “recreation advisory committee” - Planner Throenle indicated that this was a group of people from the Township that were guiding the planner on the recreation plan update. No minutes, not subject to Open Meetings Act. Trustee Maki also asked about the “zoning committee”. Throenle clarified this was the committee that was looking at the ordinances, not a “zoning” committee.

Trustee White asked about the garbage collection – Manager Kangas indicated that GAD had put some ads on television, and that the Township had published it on the Message Board and the website. Manager Kangas indicated the Township is currently working with GAD to address the holiday issue.

ACCOUNTS PAYABLE.

Lynch moved Rhein seconded that bills totaling \$25,341.88 including checks numbered 22553-22579 and bills totaling \$42,944.86 including checks numbered 22580-22610 are approved for payment.

MOTION CARRIED.

PAYROLL.

Rhein moved Engle seconded that payroll for June 14, 2018 for \$36,376.97 including checks numbered 24802-24819 and 10669-10675 and ACH payments for Federal tax, State tax and MERS and June 28, 2018 for \$35,302.24 including checks numbered 24820-24853 and 10676-10682 and ACH payments for Federal tax, State tax and MERS, are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT – MAY 2018.

White moved Zybur seconded to approve the May Financial Report.

MOTION CARRIED.

TREASURER’S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zybur reported there were no maturing CDs in the past month, however they did move \$275,000 excess funds from checking to the Fidelity Government Money Market fund, which is yielding 1.80%.

Lynch moved White seconded to accept the Treasurer’s report.

MOTION CARRIED.

Zybur moved Rhein seconded to accept the fund withdrawal and deposit report.

MOTION CARRIED.

PRESENTATIONS – NONE.

APPOINTMENTS / RESIGNATIONS – NONE.

SUPERVISOR’S REPORT

- Presentation from Voters Not Politicians at last meeting. Asked the Board if they would want to give an endorsement. The Board declined.
- Harvey Daze is coming up on Saturday, July 21st from 10:00 AM to 4:00 PM. This is a community event sponsored by America’s Best Value Inn. He would encourage participation.

- Committee for review of ordinances – this committee has only met once – it was suggested by the Township attorney that there needed to be more structure and this would be subject to the Open Meetings Act.
- Joint Meeting between the Township Board and the Planning Commission is scheduled for Monday, July 16th at 5:30 PM. This meeting is to have discussion and give direction to the Planning Commission for the rest of the year. It has been suggested that this meeting would be better done at the beginning of the year.
- Business recognition / award – once CABA is established, this may be something that would fall under them. This could be done on either a quarterly or annual basis.
- D. Mulcahey has submitted a letter demanding a public hearing for the purpose of removing a member of the Planning Commission for malfeasance or misfeasance. She had cited case law, which was given to the Township attorney. There were no specifics on the charge. In order to have a public hearing, there would need to be approval by the Board. After discussion, there was no support from the Board to hold a public hearing on this matter.

ADOPT RESOLUTION TO APPROVE LIBRARY BALLOT PROPOSAL

White moved, Zyburt seconded to adopt the Resolution to Approve Library Ballot Proposal presented and read aloud, such that the Library Millage Proposal provided may be included on the Chocolay Township November 6, 2018 ballot.

ROLL CALL

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

MOTION CARRIED.

2018 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #2 TO REFLECT RECEIPT OF KEWEENAW BAY INDIAN COMMUNITY 2% GAMING FUNDS.

White moved, Lynch seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on December 11th, 2017 for fiscal year 2018, 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	\$ 50,000.00	+\$ 25,000.00	\$ 75,000.00
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Fire Dept. Vehicles

401.340.981.000	\$150,358.14	+\$ 10,000.00	\$160,358.14
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Fire Dept. Equipment

401.340.977.000	\$ 48,910.46	+\$ 11,000.00	\$ 59,910.46
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Police Dept. Equipment

401.305.977.000	\$ 42,749.80	+\$ 9,500.00	\$ 52,249.80
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Water/Wastewater

Equipment

401.591.977.000	\$ 9,000.00	+\$ 12,000.00	\$ 21,000.00
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Recreation & Properties

Equipment

401.756.977	\$ 28,127.86	+\$ 2,500.00	\$ 30,627.86
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ROLL CALL

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

MOTION CARRIED.

PROPOSED CAPITAL IMPROVEMENT EXPENDITURE FOR ALL-IN-ONE PRINTER

Lynch moved, Engle seconded to approve the purchase of All-in-One Printer, Copier, Scanner, Fax machine for the Police Department. Cost will not exceed \$500. This will be paid from the Capital Improvement Fund – Equipment, Account #401.305.977.

ROLL CALL

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – thanked the Board for supporting library ballot proposal. She was disappointed with the Board’s decision to not have a public hearing on the issues she had cited against a Planning Commissioner.

The meeting was adjourned at 6:20 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of June 28, 2018, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of May 17th, 2018.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of June 20, 2018, Draft.
- D. 2018 Fee Schedule – Marquette County Solid Waste Management Authority, July 1st, 2018.

Max Engle, Clerk

Richard Bohjanen, Supervisor

July 16, 2018

A Joint meeting of the Chocolay Township Board of Trustees and Planning Commission was held on Monday, July 16, 2018 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, Judy White, Mark Maki .

ABSENT: None.

PLANNING COMMISSION.

PRESENT: Tom Mahaney, Eric Meister, Donna Mullen-Campbell, Kendell Milton, Susan Maynard.

ABSENT: Andy Smith

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Dale Throenle, Scott Jennings, Brad Johnson, Lisa Perry.

AGENDA ADDITIONS/DELETIONS.

Maki moved to add item E. Discussion of multi-use overlay district to the agenda. No support.

MOTION FAILED.

Zyburt moved Lynch seconded that the agenda be approved as presented.

TOWNSHIP BOARD – AYES: 6 NAYS: 1 (Maki)

Meister moved Mahaney seconded that the agenda be approved as presented.

PLANNING COMMISSION – AYES: 5 NAYS: 0

MOTION CARRIED.

Maki asked whether short term rentals were going to be included in the discussion of VI.D. Discussion of Ordinance Updates. Manager Kangas stated that this would fall under VI.B. Discussion of Priorities for Remainder of 2018, as it is the number one priority on the list.

PUBLIC COMMENT.

Scott Emerson, 119 Lakewood Lane – He read Chapter 7 of the Master Plan with the new zoning designations – he feels this is very forward thinking. In regards to the Waterfront Residential, the Township needs to be careful going forward, as this is the highest property value residential area. Need to be careful not to degrade that by expanding agricultural activities on it. Also need to be careful about unregulated short term rentals, which would classify as a commercial activity. These should be in the mixed use areas. In regards to TEAM (ORV club), they have been saying they want to do a presentation for a few months – if they have something to present that hasn't been rejected, they should do it. He is opposed to any expanded use of residential streets and non-motorized trails. Should try some muscle power sports on the Iron Ore Heritage Trail.

Deborah Mulcahey, 633 Lakewood Lane – her wish list for Chocolay Township is that the Township would provide transparency, accountability, and honesty. We live in a zoning enabled community. She feels that the agendas are not timely. Would like to have the Township use money to promote the Firewise program, and deal with the issue of the brush drop off. She would like there to be a brush deposit spot that would be open from early spring to fall. She would also like the Planning Commission and Township Board to address short term rentals. She also addressed the closure of MDOT's stairwells. The Township should be working with MDOT to secure funding to make these removable. Whenever the Township creates a new ordinance or revise ordinances, they need to provide education to the public. The July 4th garbage day was confusing – there should be better communication when the day changes. Feels the Township needs to set up a schedule for the rest of the year.

Peter Ollila, 633 Lakewood Lane – spoke on short term rentals – he is opposed to them in the waterfront residential district. They need to be regulated. If the Township is not going to regulate, need to abolish the zoning ordinance.

CONSIDERATION OF CHOCOLAY BUSINESS OF THE YEAR FOR PRESENTATION AT HARVEY DAZE.

Supervisor Bohjanen stated that this type of thing used to be a function of the Chocolay Area Business Association (CABA). There are efforts at this time to revive CABA. A resident of Chocolay Township spoke to the Township Board on the improvements that Lutey's Heritage Motors had made to the property, and felt that they should be recognized. He suggested that this should be an ongoing event – either by the Township Board or CABA.

Lynch moved, White seconded to organize an annual program to recognize a business in the community for excellence in service and improvement to the community.

TOWNSHIP BOARD – AYES: 7 NAYS: 0

PLANNING COMMISSION – AYES: 5 NAYS: 0

MOTION CARRIED.

Dave Mowan spoke on the improvements and positive changes that are happening in the community. Lutey's will be at Harvey Daze for the presentation of the plaque.

DISCUSSION OF PRIORITIES FOR THE REMAINDER OF 2018

Supervisor Bohjanen suggested that there be a complaint form for short term rentals. He also felt that if this is going to be at the top of the list there needs to be a good definition. Also, if they are going to look at short term rentals, long term rentals needs to be part of the discussion.

Commissioner Maynard feels there is a lot of community concern on short term rentals. Feels there should be a separate ordinance, and maybe follow Acme Township's lead.

Planner Throenle read the beginning of the Acme Township ordinance on short term rentals, which was written in response to complaints. To date, we have had no complaints on short term rentals on Lakewood Lane. Trustee Maki commented that he feels there have been numerous

complaints, not only in Chocolay Township but in neighboring townships. Trustee White suggested that the Planning Commission come up with a definition of short term rentals. Supervisor Bohjanen suggested that the Planning Commission amend Section 3.1 in the Zoning Ordinance, which is a statement that has opposite meanings in the same paragraph. Clerk Engle felt that there needs to be a permitting process with both short term and long term rentals.

Planning Commission Chair Mahaney stated that the subject needs to be put to rest. No complaints seem to exist. The Planning Commission asked for a list of points from the Township Board that they feel need to be included in the ordinance. The Planning Commission would like this by their August meeting on August 20th, so they would need comments no later than noon on August 15th. Supervisor Bohjanen stated that the next Township Board meeting is August 6th, so there should be no issue with getting the information to the Planning Commission. Trustee Lynch asked for a clean copy of the document that the Township Board had turned down regarding short term rentals. Commissioner Meister asked if these points will come as a consensus from the Township Board. Supervisor Bohjanen stated it will.

Maki moved to amend the Zoning Ordinance to include short term rentals in all zones except for the R-1 zones as a conditional use, and that Lakewood Lane be rezoned from WFR back to R-1.

No Support

MOTION FAILED

Throenle asked if there are any more changes to the priorities listed for the Planning Commission. Manager Kangas stepped through the priority list, with #1 on short term rentals being in process, #2 being completed, #3 will need to be done before the end of the year, and #4 the Planning Commission will be working on Chapters 7 and 8.

DISCUSSION OF RECREATION PLAN AND MASTER PLAN UPDATES

The Planning Commission is in the process of updating the Recreation Plan and will be looking at Master Plan, focusing on Chapters 7 and 8.

DISCUSSION OF ORDINANCE UPDATES

Planning Commission Chair Mahaney commented that the Planning Commission had updated the Fireworks ordinance and the Noise ordinance. Mahaney commented that it always seems like it should be a rather quick process, but it does take time to work through. Mahaney thanked the Board for their support on those ordinances.

Trustee White suggested that the Planning Commission revisit the Sign ordinance.

Supervisor Bohjanen stated that there had been an ad hoc committee set up to review ordinances, not rewriting them, and then bringing them to the Planning Commission to look at. This committee met once. They were informed that they were usurping the role of the Planning Commission, and that if they were to continue with this ad hoc committee, it would fall under the

rules of the Open Meetings Act. There have been no other meetings. He feels it would be a good idea for the Planning Commission to look at, not as a priority, but review over the course of time.

PUBLIC COMMENT.

Laurie Krzymowski, 741 Lakewood Lane – was not pleased with the conflict during the meeting – felt it was a terrible representation of government. She felt a priority should be to be civil.

Peter Ollila, 633 Lakewood Lane – thanked the Board for passing an ordinance that worked. He stated that the Board should never pass an ordinance that they are not willing to enforce.

Stephanie Gencheff, 597 Lakewood Lane – she goes to a lot of the Board meetings, so she was surprised to hear that the rental dwellings language had been adopted – she thought that this had been excluded. She feels there is a difference between long term and short term rentals. Long term rentals have more of a vested interest in the community. She wondered if when the police show up at a property if they ask if the person is the owner of the property. On Lakewood Lane, there are corporations buying property for the sole purpose of short term rentals.

Perry Laing, 625 Lakewood Lane – he finds it amazing and troubling that a few people feel they have the right to demand their will be forced on others. The premise seems to be that short term rentals bring about irresponsible behavior. Complaints do not seem to be exclusively for short term rentals, as with garbage left on the curb over the July 4th holiday. These were not casual renters. He feels there is more leverage to control short term rentals than long term rentals. He also feels that landlords should either live onsite or in the area. Property owners need to be held accountable. He feels that there is a target on his back for having an opposing view as some of his neighbors.

Mark Maki, 370 Karen Road – predicted that the Board would amend the ordinance to allow short term rentals, but they have done nothing yet. First mistake was to rezone Lakewood Lane from R1 to WFR, and short term rentals should not be allowed in Residential. The Master Plan that was adopted 3 years ago doesn't seem to exist on the webpage. He also feels the Planning Commission did not follow the plan on short term rentals or mixed use district. Public ad didn't reference short term rentals. He brought up the issue of the sign at Lakenenland. He also felt there was an illegal closed session.

Sheila Laing, 625 Lakewood Lane – Lakewood Lane started as camps and small cottages. It has evolved to a very eclectic community. For many generations the camps have been rented out. Feels a select few have taken on issues, such as short term rentals, and have become the squeaky wheel, with trying to impose their own rules on the entire community. This has become a time waster and created chaos. She feels there need to be rules that make sense to the majority, and not the chosen few. There will always be differences, but issues need to be identified by both sides. The meetings have become chaotic and unproductive. Suggested the Township send out a questionnaire – feels that the map is not correct. She has talked with many on Lakewood Lane that felt pressured to sign the petition. She is against commercial companies coming in.

Deborah Mulcahey, 633 Lakewood Lane – she addressed fireworks ordinance. She stated she was one of the people that collected signatures on the petition, but never represented herself as being an employee of the Township. She does not feel that anyone was pressured. She has had some people thank her. Short term rentals are about community. She agrees the short term rental needs to be finished. She feels the Planning Commission is paralyzed.

Dale Throenle, Chocolay Township – would like to clear the record. Trustee Maki has made accusations that are false. Publication of legal ad in paper was a reference to multiple changes. There have been accusations of not responding to questions – this information has been emailed to his Township email address. The accusations made are not accurate – he is not hiding anything.

Trustee Maki asked Throenle for a hard copy of the information requested.

Lynch moved, Zyburt seconded to adjourn the meeting.
MOTION CARRIED

The meeting was adjourned at 7:26 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Communication – Jennifer Engstrom – Iron Ore Heritage Trail Concerns, 07.09.18

Max Engle, Clerk

Richard Bohjanen, Supervisor

August 6, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, August 6, 2018 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, Judy White, Mark Maki .

ABSENT: None.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Dale Throenle, Scott Jennings, Lisa Perry, Brad Johnson.

MINUTES –JULY 9, 2018 REGULAR MEETING.

Engle moved Lynch seconded to approve the minutes of the Regular meeting of July 9, 2018 as presented.

MOTION CARRIED.

MINUTES – JULY 16, 2018 JOINT MEETING WITH PLANNING COMMISSION

Engle moved Lynch seconded to approve the minutes of the Joint meeting of July 16, 2018 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Rhein moved Zyburt seconded that the agenda be approved as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – objects to the proposed contract with MDOT. She is concerned about the cost that the community may incur as a result of this contract. She feels that if there is not a contract between the Township, MDOT and the Casino, that there should be a back contract signed with the Casino. Mulcahey objects to the resolution to the wastewater collection ordinance – she feels that the public was not informed and that there wasn't an opportunity for public input. Feels short term rentals and long term rentals should not be lumped together. Concerned about fires – need to be progressive and protect our community. Joint meeting was ugly, accusations not substantiated, no police reports. Not opposed to the sewer project, opposed to the way notice was given.

Gerald Waite, 278 Riverside Road – spoke in reference to Item XV.B. He feels he should not have to connect to the sewer system when the public has not been asked if they even wanted a sewer system. Just put in a new drain field last fall.

Dale Freeman, 401 Riverside Road – the Mining Journal reported how the Township had gone to residents' homes and gave notice to residents. He did not get any kind of notice. He feels that this was planned out perfectly so that no one was notified and cannot do anything to stop it.

Rhonda Luce, 315 Riverside Road – there was a concern, and all the neighbors met last week. She talked with Brad Johnson and Jason Ayres. Why is the sewer not being put in the street? Some residents have their wells in the front and the line will be pretty close. How will the manholes be accessed when snow is covering them? Everyone is losing prized trees, flower beds and some wells. Residents did not know about this until it was too late to stop anything, and they have been told they are not stopping it now. There should have been some type of public meeting to let the residents provide input.

Maki moved to have item XV.B of the agenda discussed at this time.

NO SUPPORT

MOTION FAILED

ACCOUNTS PAYABLE.

Maki questioned the amount of legal fees. Supervisor Bohjanen stated there was a wide array of topics, including a sit down with the attorney to go over some issues, the American Tower lease as there were some issues with the amendment, and KBIC agreement regarding 2% funds.

White questioned Check no. 22616, John E. Reid and Associates, for interrogation and interview training for police. Chief Jennings stated this was a good training – new police officer will be going.

Maki asked about the Verizon bill – this includes one cell phone for DPW, two cell phones for Police, and the modems in the police cars.

Lynch moved Zybert seconded that bills totaling \$17,484.26 including checks numbered 22611-22632 and bills totaling \$41,843.35 including checks numbered 22633-22667 are approved for payment.

MOTION CARRIED.

PAYROLL.

White moved Rhein seconded that payroll for July 12, 2018 for \$42,240.50 including checks numbered 24854-24894 and 10683-10689 and ACH payments for Federal tax, State tax and MERS and July 26, 2018 for \$37,934.72 including checks numbered 24895-24930 and 10690-10695 and ACH payments for Federal tax, State tax and MERS, are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT – JUNE 2018.

Zybert moved White seconded to approve the June Financial Report.

MOTION CARRIED.

TREASURER'S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zybert reported there were no maturing CDs in the month of July, however, there was excess revenue for roads of \$200,000 which was invested into a one-year Flagstar CD at 2.15%.

Lynch moved Rhein seconded to accept the Treasurer's report.

MOTION CARRIED.

Zybert moved Engle seconded to accept the fund withdrawal and deposit report.

MOTION CARRIED.

PRESENTATIONS – SANITARY SEWER ASSET MANAGEMENT PLAN – GEI CONSULTANTS.

Scott Richards, GEI presented the sanitary sewer asset management plan. The sewer system is comprised of 60,000 lineal feet of sewer, 202 manholes, 5 lift station pumping systems and 3 grinder station pumping systems. The goal of an asset management plan is to maintain a level of service. The Township's overall condition was determined to be in good health. The focus is on the pump stations / lift stations which were constructed in the 1975 era. GEI performed a vibration analysis – it is time to be considering replacing them. They have outlived their life expectancy – it now comes down to an issue of reliability. It is felt that replacing the grinder stations would be a sound investment for the Township. Replacement cost for the lift stations is approximately \$3 million. Another recommendation is to go from a pump in a dry well to a submersible pump to eliminate the confined space entry. He also discussed some of the funding alternatives.

Maki questioned if there was any kind of projection on what the maintenance costs and long term repair costs would be on this system after construction when it is turned over to the Township.

Manager Kangas stated that the service is paid for by the rates that are charged per equivalent units. Everyone would get the same increase. Flow meters will also be established at each lift station, with the first one at KBIC Casino. \$54 per equivalent user would fully fund the sewer system. If a \$50 rate was added on top of this, it would fund the depreciation.

Lynch stated that best practice suggest that every three years the Township perform a cost of service study so that you know your rates are in line.

It was also stated that the rates will need to go up whether there's a sewer project with the Casino or not.

Lynch asked if we currently have a bond rating – Manager Kangas will check.

APPOINTMENTS / RESIGNATIONS – NONE.

SUPERVISOR'S REPORT

- Harvey Daze was rained out in August – postponed until September 8 due to rain. The Committee has made a request for \$500 support. Bohjanen stated we have the funds

available if the Board. Maki questioned if we should be spending money on this type of thing. After discussion, the Board decided not to pay for this out of Township funds – Board members made individual donations.

At this point, Trustee Maki asked if Items XIV.C, XV.A, and XV.B could be discussed to accommodate the residents that had showed up for that purpose.

SEWER EXTENSION PROJECT UPDATE.

Maki indicated that he was not aware of the sewer going down Riverside Road.

Manager Kangas indicated that there was concern during the permitting process that the proposed route would be approved. Riverside Road was determined to be the best point as a connector to the existing sewer system. Once this was decided, there were two options – either go down the old railroad grade, which would not be a good option in the winter, or go down Riverside Road. This provided three options – the north right-of-way, the south right-of-way, or the middle of the road. KBIC has a permit to install the sewer down the north right-of-way from the Marquette County Road Commission. KBIC is currently paying for a system larger than what they need. There will be three lift stations – Lift Station 6 will be at the corner of Superior, Lift Station 7 will be across from Riverland, and Lift Station 8 will be across from the Casino entrance. Connection to the sewer system will be easier for residents on the north side. Kangas addressed the issue of notice to the residents. He received notice two weeks ago, and still do not have the permits in hand from MDOT and MDEQ. When Kangas and DPW Foreman, Brad Johnson, went door to door, they were not able to talk with everyone – tried to make sure they made contact with those that will be most impacted.

Maki asked if there were any provisions for helping residents restore their property. Kangas indicated that if it is beyond normal landscaping the Township is trying to give homeowners as much time as possible to do what they wish. The Township cannot guarantee anything once the contractor has started.

Manager Kangas went over the timeline – cutting of trees is probably in progress. The contractor will be starting the stripping of black top later this week, then start laying pipe next week. Assuming all permits go through, it will move pretty fast.

Zyburt asked how many residents on Riverside this would affect – Kangas figured three dozen or so. Kangas also stated there have been several residents that have requested to connect.

CONSIDERATION OF RESOLUTION AUTHORIZING THE TOWNSHIP SUPERVISOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH MDOT FOR CONSTRUCTION OF THE PROPOSED SANITARY SEWER EXTENSION ALONG M28.

Lynch moved White seconded to authorize the Supervisor and Clerk to execute the attached contract with MDOT on behalf of Chocolay Township.

AYES: 5

NAYS: 2 (Maki, Rhein)

MOTION CARRIED

CONSIDERATION OF WAIVER TO ORDINANCE NO. 39, SECTIONS 5 AND 6 FOR PROPERTIES ABUTTING PROPOSED SEWER EXTENSION.

White moved Zybert seconded that the Chocolay Township Board authorizes staff to draft a resolution for the Township Attorney to review that waives the connection requirements of sections 5 and 6 of Ordinance No. 39 for the areas that will be affected by the new sanitary sewer line.

MOTION CARRIED

Maki suggested that there be a requirement to have approval from the MDEQ also.

REFLECTIONS OF JULY 16TH, 2018 JOINT MEETING

Throenle presented a synopsis of the joint meeting, based on his observations. Throenle went through his background and experiences in his lifetime that have shaped his decisions. He proceeded to inform the Board / audience on what his job entails, what type of training he had going into the position, and what he sees as the role of the Planning Commission. Throenle went through the Organization Chart, and the chain of command for staff reporting. Throenle also went through a discussion of the projects that he is working on for 2018 / 2019 – update Recreation Plan, Master Plan review, simplification of Zoning Ordinance, Cyber Security planning, Business Continuity Planning, website update, community communication, business corridor and tourism development, environmental assessments and position documentation. (Some projects are related to Throenle’s role as Technology Administrator.) Throenle had additional suggestions such as scheduling meeting with concerned citizens to discuss issues and find solutions. He also requested that all Board related requests be through electronic communication only.

CONTINUATION OF RENTAL DWELLING / SHORT TERM RENTAL DISCUSSION.

Supervisor Bohjanen requested written comments from Board members on rentals. He felt there were three ways the Board could go:

- Abolish rentals - Board members were not in favor of abolishing rentals
- Regulate rentals – there were mixed feelings on this
- Do nothing – Board members were not in favor of this

Suggestions regarding rentals:

- Require rentals to be registered – Board was in favor of this – Engle felt it should be a permitted use, but not a Conditional Use - YES
- Require surety deposit from renters – this is usually a requirement of the owner – YES
- Establish number of occupants in unit – YES
- Require guest registry and present to the Township office periodically – NO
- Require off-street parking and maximum vehicles on site – NO
- Post rules for garbage disposal, date of collection, garbage tags, secure storage of garbage for off days – YES
- Post a synopsis of the outdoor burning ordinance – YES

- Post a synopsis of the noise ordinance – YES
- Post a synopsis of the fireworks ordinance – YES
- Post pet rules – YES
- Fines for infractions to be the ultimate responsibility of the owner / agent – YES
- Owner / agent must have local availability to deal with problems in a timely manner – YES
- Charge a fee for paperwork – YES – minimal fee to cover administration

Rhein questioned if the Board is looking at just short term rentals, or both short and long term rentals. The Board is looking at both. The issue was brought up of trailer parks and apartment complexes – these would be registered as such. Engle also suggested there be a time frame on the permits.

Lynch moved Zyburt seconded that the list be presented to the Planning Commission for rewriting and amending the ordinance to cover the aspects on the list.

AYES: 6

NAYS: 1 (Maki)

MOTION CARRIED.

DISCUSSION OF TOWNSHIP MANAGER’S ROLE IN MICHIGAN INFRASTRUCTURE COMMISSION AND IMPACTS ON TOWNSHIP OBLIGATIONS.

Manager Kangas indicated that he is asking for the Board’s guidance on how this should be handled.

Lynch indicated that in his career he was on several boards, and there was always knowledge to be gained. Lynch felt it would be a benefit to the Township. The other Board members agreed that this would be a benefit to the Township.

White moved Lynch seconded that the Township Manager be allowed to attend the Governor’s Infrastructure Commission without taking vacation or personal time.

AYES: 7

NAYS: 0

MOTION CARRIED

PROPOSED CAPITAL IMPROVEMENT EXPENDITURE FOR POLICE DEPARTMENT – EXTERNAL DOOR KEYPAD.

Lynch moved Rhein seconded to approve the purchase of the keypad with installation from Wolverine Door Service for \$833.99. This will be paid from the Capital Improvement Fund – Equipment, Account #401.305.977.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PROPOSED CAPITAL IMPROVEMENT EXPENDITURE FOR POLICE DEPARTMENT – GUN SAFE.

Zyburt moved Engle seconded to approve the purchase of a gun safe for a cost of not more than \$1,000. This will be paid from the Capital Improvement Fund – Equipment, Account #401.305.977.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PROPOSED CAPITAL IMPROVEMENT EXPENDITURE FOR DRILLING EXTENSION OF SILVER CREEK WELL.

Engle moved Zyburt seconded that the Chocolate Township Board approves to reallocate the \$10,800 for the permaculture park, and to use up to \$5,500 on the deepening of the well at Silver Creek and the remainder of the money to be set aside for the replacement of the Township Sign. This money will remain in account #401.756.972.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT.

Nancy Holdwick, 1419 M-28 East – she has a neighbor who is a rental. There are vehicles in front and back yard. She also was not informed about the sewer, but with all the red and yellow flags she assumes it will be going through her yard.

Deborah Mulcahey, 633 Lakewood Lane – stated that the reason for the Board meeting time / date was because then supervisor, Gary Walker, had been appointed to a Governor’s committee for Indigent Defense. She would like to have the GEI presentation put online – cost of \$3 million and discussion of bond, but would like to know who’s paying – millage or bond that all pay for, or bond that just the people on the sewer system pay for? Township should make sure there is proper protection for the trees and root systems that are not cut down. Would like to know why the old rail grade is not feasible. Does the casino have the money to build? On rental issue, Maki is the lone wolf. Data on the map was marginalized. Residents did not concern themselves with long term rentals – not a weekly event.

Peter Ollila, 633 Lakewood Lane – permitting for rentals is an interesting idea. If there’s a problem, how do you revoke the permit? Under state law it is a long process.

Rhonda Luce, 315 Riverside Road – the meeting was very enlightening. In regards to the decision on where to place the sewer line, it seems like the Township is sympathetic to KBIC on the cost. She feels that KBIC does not have a problem with paying for this. Homeowners should be given more consideration. Wondered if there was a survey done to establish the right-of-way. Wondered if there could be a compromise of putting the trench next to pavement and wouldn’t

destroy so much vegetation. This is when an archeological dig was mentioned. Sewer lines belong in the road. Driveway will be torn up and then patched.

Mark Maki, 370 Karen Road – permits have not been enforced for years. Laws have been ignored – he feels that the Township is obstructing justice.

The meeting was adjourned at 7:55 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of July 26th, 2018, Draft.
- B. Minutes – Marquette County Road Commission, Regular Meeting of June 18th, 2018.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of July 18th, 2018, Draft.
- D. Minutes – US 41 Corridor Group, Regular Meeting of June 12th, 2018.
- E. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of June 21st, 2018, Draft.
- F. Committee Packet – Utility Review Committee, Annual Meeting of July 25th, 2018.
- G. Communication – Letter from Marquette County Board of Commissioners Regarding Redistricting / “Voters Not Politicians”, July 17th, 2018.
- H. Communication – Letter from William and Kath Ezo regarding “Short-term rentals”, July 12th, 2018.

Max Engle, Clerk

Richard Bohjanen, Supervisor

September 10, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, September 10, 2018 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, Judy White, Mark Maki .

ABSENT: None.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Scott Jennings, Lisa Perry, Brad Johnson, Tony Carrick

MINUTES –AUGUST 6, 2018 REGULAR MEETING.

Lynch moved Zyburt seconded to approve the minutes of the Regular meeting of August 6, 2018 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Request was made by Public Works to remove Item XV.B from New Business.

White moved Rhein seconded that the agenda be approved as revised.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – regarding short term rentals, since the Board is the final say, she wondered why they would want to change a residential community to commercial. Spoke about the difference between short term and long term rentals. Next issue was inclusiveness and transparency regarding the July 16, 2016 Planning Commission meeting where Andy Smith gave his verbal resignation, and to this date, there has been no reappointment to the Planning Commission to fill the vacancy. Mulcahey also feels that the budget for 2019 is a little late coming, and also feels that the Township has too much money, which shows in the proposal to have an MCOLES police officer to do zoning and other tasks. Also questioned the KBIC water tower, and the use of 2% money to build, using the Township as a conduit to make the payment. Wonders about the legality of this, need to make sure we are compliant.

Tammy Korp, Chocolay Coed Softball League – they have ended up with a surplus of funds and they would like to donate this money to the Township for improvements at Lions Field and Beaver Grove. She commended the staff on the good job that is done on the fields. Donated \$3,000 for field improvements.

Tensi Parsons, 300 Little Lake Road – would like to address short term rentals. She has a short term rental – took a house that was dilapidated and made improvements – and now they rent it out as a short term rental. She stated there are no raucous vacationers, no flophouses – the reviews are good. She feels short term rentals are a benefit to the community – they have had no issues with neighbors complaining about renters.

Marie Jordan, 275 Riverside Road – would like to address the sewer system going through the residential neighborhood. No one was notified about the project – they had no say in the decision. Smith Company sent out a letter stating whatever was torn up would be put back to the natural state. There have been some trees that were damaged on her personal property – she would like to know who is ultimately liable for this damage?

Stephanie Gencheff, 597 Lakewood Lane – the issue of short term rentals seems in direct opposition to the data they collected. She feels like the Township Board and Planning Commission really want to have short

term rentals in residential districts. Why do we need to change the ordinance to allow STR in a residential neighborhood. She handed out her email address to the Board members and asked that they send an email to her as to why they feel they need to allow STR in residential.

Jill Bradford, 555 Little Lake Road – she feels most people want what’s best for their neighbors – if they succeed, we succeed. No one in her family has a short term rental, but she feels if people are doing things to survive and not bothering anybody, it should be okay. Would like balance, where there doesn’t have to be rules all the time – already have enough rules on the books. Just be good neighbors!!!

David Mowen, 475 Lakewood Lane – would like to thank everyone who assisted in putting on Harvey Daze. He feels it was a great outreach to the community. It was such a positive experience. There were over 250 people that attended. Over \$4,000 was spent individuals and businesses to make this happen. He would like to ask the Board, as they go into their budgeting cycle, the possibility of making this a line item for next year in the amount of \$6,000.

Melody Wagner, 400 Mustang St., Gwinn – introduced herself as the Republican candidate for the 109th District State Representative. She briefly described how she decided to pursue seeking public office.

ACCOUNTS PAYABLE.

White moved Lynch seconded that bills totaling \$13,729.86 including checks numbered 22668-22684, bills totaling \$23,568.46 including checks numbered 22685-22710 and bills totaling \$21,686.49 including checks numbered 22711-22729 are approved for payment.

MOTION CARRIED.

PAYROLL.

Rhein moved Zyburt seconded that payroll for August 9, 2018 for \$33,508.13 including checks numbered 24931-24948 and 10696-10701 and ACH payments for Federal tax, State tax and MERS and August 23, 2018 for \$38,777.60 including checks numbered 24949-24990 and 10702-10707 and ACH payments for Federal tax, State tax and MERS, are approved for payment.

MOTION CARRIED.

White moved Engle seconded that Special payrolls for August 30, 2018 for 3,074.56 and \$5,788.37 including checks numbered 24991 and 10709 and ACH payments for Federal tax, State tax and MERS are approved for payment.

MOTION CARRIED

FINANCIAL REPORT – JULY 2018.

Zyburt moved Lynch seconded to approve the July Financial Report.

MOTION CARRIED.

TREASURER’S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zyburt reported there were no maturing CDs or government agencies in the month of August. Report is submitted as listed.

Engle moved Rhein seconded to accept the Treasurer’s report.

MOTION CARRIED.

Lynch moved Zyburt seconded to accept the fund withdrawal and deposit report.

MOTION CARRIED.

PRESENTATIONS – NONE.

APPOINTMENTS / RESIGNATIONS – NONE.

Supervisor Bohjanen stated there had been a verbal resignation from Planning Commissioner Andy Smith. Smith was asked to submit a written resignation, but we still have not received this. There is some concern with having to have a written resignation, but Supervisor Bohjanen's understanding is that this is for elected officials. Clerk Engle stated there has always been a written resignation in the past. There are also Planning Commission By-Laws that state once the Commissioner has missed at least three meetings, he can be removed from the Planning Commission. The law also allows for one member of the Planning Commission to be a non-resident of the Township.

White moved Lynch seconded to accept Planning Commissioner Andy Smith's verbal resignation.

AYES: 6

NAYS: 1 (Engle)

MOTION CARRIED

Supervisor Bohjanen handed out the application form for Planning Commission from Cory Bushong. Trustee Maki asked if there were other applications. Supervisor Bohjanen indicated this was not the only application, but this is his choice. White stated he looked very qualified.

Zybert moved Lynch seconded to approve the appointment of Cory Bushong to the Planning Commission.

AYES: 5

NAYS: 2 (Engle, Maki)

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that Harvey Daze was a success and he hopes it is the beginning of an annual event. He feels the Board should consider budgeting for this in the future, as it has enough community building qualities.

CLERK'S REPORT.

Clerk Engle stated he had received a request for information on the 2016 general election (all ballots with breakdown on in person and absentee, all envelopes for the absentee ballots which we would need to redact – this amounts to around 3300 ballots, voter list, and miscellaneous ballots). There is a second request that others have received, but Chocolay has not received yet. Clerk Engle has responded for the 10-day extension, along with an estimate of the cost to prepare the information. He plans to partially redact the signatures, so they cannot be copied and used for fraudulent purposes. He is also requesting that they wait until after the November election to be able to complete the response. At this point, he has not received anything back from them. We would not start anything until we have received 50% of the cost estimate.

UPDATE REGARDING PROPOSED WAIVER TO ORDINANCE NO. 39.

Manager Kangas stated that at the last meeting he was directed by the Board to draft a Resolution that would waive connection requirements to the new sewer extension. Kangas has been advised by the Township Attorney that adopting the proposed Resolution would not be a legally defensive way to accomplish the proposed waiver since the Sewer Ordinance would take precedence. The only option would be to amend the Ordinance (#39, Section 5).

CONSIDERATION OF CONSULTANT SELECTION PROCESS FOR SANITARY SEWER CAPITAL IMPROVMENTS.

Manager Kangas stated that because of the magnitude of the project possibly exceeding \$300,000, he was asking for direction on moving forward.

Engle moved Lynch seconded to authorize the Township Manager to prepare an RFP for submittal to local consultants for the Sanitary Sewer Capital Improvement Project. This RFP would rank all proposals received by price, scope of services and assigned personnel. The final ranking of proposals would be submitted for Board review in October or November.

MOTION CARRIED

ADOPT RESOLUTION APPROVING SECOND AMENDMENT TO SEWAGE TREATMENT PLANT CAPACITY AGREEMENT.

Lynch moved Zybert seconded to adopt the Resolution Approving the Second Amendment to the Waste Water Treatment Plant Capacity Agreement.

MOTION CARRIED

RESOLUTION APPROVING SECOND AMENDMENT TO AGREEMENT

Charter Township of Chocolay
County of Marquette, Michigan

Minutes of a regular meeting of the Township Board of the Charter Township of Chocolay, County of Marquette, Michigan (the "Township"), held in the Township on the 10th day of September, 2018, at 5:30 p.m., prevailing Eastern Time.

PRESENT: Supervisor Bohjanen, Clerk Engle, Treasurer Zybert, Trustee Lynch
Trustee White, Trustee Rhein, Trustee Maki

ABSENT: None

The following preamble and resolution were offered by Trustee Lynch

and supported by Treasurer Zybert:

WHEREAS, the City of Marquette, County of Marquette (the "City"), the Charter Township of Marquette, County of Marquette ("Marquette Township"), and the Township entered into a certain agreement dated July 1, 1993 (the "Agreement"), which, among other things, set forth the parties' respective and mutual rights and obligations relating to the financing, ownership and operation of a wastewater treatment facility (the "Facility") in the City; and

WHEREAS, the parties to the Agreement entered into an amendment to the Agreement on November 13, 2006 (the "First Amendment") to provide for the allocation of Facility costs and initiation of the process of securing financing for certain improvements to the Facility; and

WHEREAS, an amendment to the First Amendment (the "Second Amendment") between the City, Marquette Township and the Township to modify the allocation of Facility costs to reflect the sale by the City and Marquette Township of a portion of their respective shares of capacity in the Facility to the Township has been prepared and presented to this Board for its approval, a copy of which Second Amendment is attached to this resolution and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The attached Second Amendment to Agreement is hereby approved.
2. The Township Supervisor and Clerk are authorized and directed to execute the

Second Amendment to Agreement for and on behalf of the Township.

3. The drafting of the Second Amendment to Agreement by Miller, Canfield, Paddock and Stone, P.L.C. ("Miller Canfield") is hereby acknowledged, ratified and approved, notwithstanding Miller Canfield's periodic representation of other parties to the Second Amendment.

4. All resolutions and parts of resolutions insofar as the same conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Supervisor Bohjanen, Clerk Engle, Treasurer Zyburt, Trustee Lynch,
Trustee White, Trustee Rhein, Trustee Maki

NAYS: None

RESOLUTION DECLARED ADOPTED.

Max L. Engle, Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Charter Township of Chocolay, County of Marquette, Michigan, at a regular meeting held on September 10, 2018 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Max L. Engle, Clerk

CONSIDERATION OF 2019 BUDGET PRIORITIES

Items discussed:

- Possibility of budgeting for Harvey Daze, with a minimum of \$2,000.
- BS&A Accounting Programs (General Ledger, Payroll, Accounts Payable, Utility Billing, and Cash Receipting) in the amount of approximately \$50,000 – **Board was in favor of attempting to fund this in the 2019 Budget**
- Investigator position in Police Department – Chief Jennings pointed out some of the positives (would be an officer, would also do zoning and inspections, investigator, more flexibility for police, this has been a discussion item for the past 5 years, with the elimination of Community Development Coordinator position and part time personnel in police department there would be money to support) **The Board had mixed feelings on this – they would like to see how it fits in the budget.**
- Township Message Board – **The Board did not feel that this was a priority item – may want to look into KBIC funding for this.**
- Sewer system upgrade at a cost of \$3,000,000. Funding will need to come from an external source, and also a rate adjustment for 2019. **The Board felt this was a priority.**
- Manager Kangas also discussed the possibility of employees paying 20% of their health care premium in the hopes of being able to offset the expense with a raise in pay. This would eliminate the requirement to opt out.

AUTHORIZE EXPENDITURE OF CAPITAL IMPROVEMENT FUNDS FOR BALLFIELD FENCE IMPROVEMENTS AT BEAVER GROVE BALL FIELD.

Lynch moved White seconded that the Chocolay Township Board approves the expenditure of up to \$5,000 to the Marquette Fence Company Inc. to have the fence height extended to 8 feet along the 1st and 3rd base lines at Beaver Grove. This is to be paid out of Capital Improvements 401.708.972.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

AUTHORIZE EXPENDITURE OF CAPITAL IMPROVEMENT FUNDS FOR FIRE DEPARTMENT AIR CHISEL.

Zyburt moved Lynch seconded that the Chocolay Township Board authorizes the expenditure of up to \$2,000 of Capital Improvement Funds from account 401.340.977 for the purchase of a new high pressure air chisel.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

AUTHORIZE EXPENDITURE OF CAPITAL IMPROVEMENT FUNDS FOR FIRE DEPARTMENT
FLAMMABLE LIQUID STORAGE CABINET

Rhein moved Lynch seconded that the Chocolay Township Board authorizes the expenditure of up to \$1,000 of Capital Improvement Funds from account 401.340.977 for the purchase of a new flammable liquids storage cabinet.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – feels that it is difficult for residents to obtain email addresses for staff and Board members. Does not understand how an elected official can have his contact information redacted. She does not feel that the Township is short staffed. In reference to the message board, it would be nice to have the same information on both sides. Sewer issue – this will be a concern if KBIC were to put all their land in trust. Short term rental – the woman that spoke about having one is in the ag/forest area. This is different that living on Lakewood Lane.

The meeting was adjourned at 7:15 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of August 20th, 2018, Draft.
- B. Minutes – Marquette County Road Commission, Regular Meeting of July 23rd, 2018.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of August 15th, 2018, Draft.
- D. Minutes – US 41 Corridor Group, Regular Meeting of July 10th, 2018.
- E. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of July 19th, 2018.
- F. Correspondence – Marquette County Solid Waste Management Authority, Plastic Recyclables Agreement and Update of July 31st, 2018.

G. Correspondence – Landick, 271 Riverside Road.

H. Information – Notice of Hearing for Natural Gas Customers of Semco Energy Gas Company.

Max Engle, Clerk

Richard Bohjanen, Supervisor

October 8, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, October 8, 2018 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, Judy White, Mark Maki .

ABSENT: None.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Dale Throenle, Scott Jennings, Lisa Perry, Brad Johnson, Nick Carter, Zane Weaver

MINUTES – September 10, 2018 REGULAR MEETING.

Lynch moved Zyburt seconded to approve the minutes of the Regular meeting of September 10, 2018 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Rhein moved Zyburt seconded that the agenda be approved as presented.

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – suggested that the Township Board read the book “WAMPUM” on how the Indian gaming empire was created. She also felt that the Township should be keeping the 2% funds for the Township, and not other communities. Mulcahey also feels there appears to be financial improprieties in relation to the water tank being built at the casino – is this a pass thru? In regards to the 2019 budget, she was concerned to learn the police department needs additional police, although there is a likelihood for this need with the increased activity that will be associated with the Casino. She was happy to see that the police officer budget does not include zoning. Also does not feel that there is a need to have one or more police officers at the Board Meeting. She feels the Township would benefit from a police bike patrol. Mulcahey also brought up the public safety issue of the rate of speed along M-28. She is looking to the Board to support changes for the reduction of speed. Also questioned road millage money and what work has been done. Mulcahey would also like the Board to support the County Road Commission’s resolution to fight against Senator Casperson’s proposed Senate Bill.

Police Chief Scott Jennings, Chocolay Township – introduced the two new police officers – Zane Weaver and Nick Carter – to the Township Board.

ACCOUNTS PAYABLE.

Zybur moved Engle seconded that bills totaling \$23,064.16 including checks numbered 22730-22763 and bills totaling \$36,813.16 including checks numbered 22764-22787 are approved for payment.

MOTION CARRIED.

PAYROLL.

Rhein moved Zybur seconded that payroll for September 6, 2018 for \$34,386.24 including checks numbered 24993-25012 and 10710-10715 and ACH payments for Federal tax, State tax and MERS and September 20, 2018 for \$36,579.51 including checks numbered 25013-25041 and 10716-10721 and ACH payments for Federal tax, State tax and MERS, are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT – AUGUST 2018.

Lynch moved Rhein seconded to approve the August Financial Report.

MOTION CARRIED.

TREASURER’S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zybur stated there were two fixed income investments mature – the first being at 1.35%, \$250,000, Flagstar Bank. This was reinvested in a 4-year government agency call a Step-Up, where the coupons bump up each year, beginning with 2.6% the first year, 3.0% the second year, 3.5% in 2021, and 4.5% in 2022. Secondly, there was a \$225,000 agency that matured at 1.05%, and a 6-month First National Bank of East Lansing at 2.5%.

Engle moved White seconded to accept the Treasurer’s report.

MOTION CARRIED.

Zybur moved Lynch seconded to accept the fund withdrawal and deposit report.

MOTION CARRIED.

PRESENTATIONS – LIFE SAVING AWARD TO OFFICER CARTER

A letter of commendation was read by Police Chief Jennings regarding an assist to EMS by Officer Carter. The Life Saving Award was presented to Officer Carter for his efforts.

PRESENTATIONS – SENATE BILL 396, JIM IWANICKI – MR CR

Jim Iwanicki from the Marquette County Road Commission made a presentation to the Township Board regarding Senate Bill 396. The bill was introduced about 1 ½ years ago by Senator Casperson. This bill would be very detrimental to the road system. Senate Bill 396, Substitute 5 would allow all types of weight exceptions for the logging industry on roads anytime of the year. These things are very dis-concerning to the Road Commission, as it is taking control from the Road Commission. Senate Bill 396 as written is not a good thing for taxpayers. Industry is not paying their fair share, with things such as license plates. Iwanicki is asking for Township support of this Resolution. Similar resolutions have been adopted by the Marquette County Township Association, Marquette County Board, and the Marquette County Road Commission.

PRESENTATIONS – 2019 DRAFT BUDGET

Manager Kangas presented the draft budgeted. There should be an increase in taxable value moving into 2019. He is anticipating increases in some of the fees and garbage tags. Kangas is forecasting a reduction in the fund balance transfer. On the expenditure side, Kangas is recommending a salary increase of 3%. The employee share of the health care premium will go from 17.5% to 20%, which would get the Township to the State-mandated health care portion, without have to Opt-out. Based on things happening in the Township, we do believe that our wages are falling behind. Kangas is also proposing that staffing levels stay the same. Kangas proceeded to go over the rest of the budget. Highlights Kangas was looking at were the BS&A Accounting package, a new telephone system, landscaping and sign improvement, and the sewer fund, which will be the largest anticipated expenditure in the coming year.

White asked about an updated fee schedule – Kangas replied it would be forthcoming in November.

Assuming the Board has no monetary changes, it is planned that the Budget will be going to Public Hearing at the November 12 meeting. The Fee Schedule is planned to go on a separate Public Hearing.

Maki asked for a change in the Assessor budget - Professional Services for \$5,000. He feels it should read, "Professional appraisal services and attorney fees for property tax appeals before the entire Tax Tribunal **as approved by the Township Board.**" Not a change in the budget, just a changed in the narrative.

Zyburt moved Lynch seconded that the Budget be brought forward to Public Hearing and to make the necessary notifications.

MOTION CARRIED

APPOINTMENTS / RESIGNATIONS – NONE.

SUPERVISOR'S REPORT – NONE.

CLERK'S REPORT – NONE.

AWARD ENGINEERING SERVICES FOR LIFT STATION REHABILITATION PROJECT

Lynch moved Rhein seconded to award the Engineering Services for the Lift Station Rehabilitation Project to GEI Consultants of Michigan for the "as recommended" bid amount of \$227,501.00.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDERATION OF RESOLUTION IN OPPOSITION TO SENATE BILL 396

**Chocolay
TOWNSHIP BOARD
SENATE BILL 396
RESOLUTION**

WHEREAS, Roads are the backbone to the social, cultural and economic stability of Marquette County and the Upper Peninsula;and

WHEREAS, Senate Bill (SB) 396 (S-5) passed and reported out of the Senate Transportation Committee on September 6, 2018 allows exemptions from seasonal weight restrictions (aka "frost laws") to the forest product industry during the spring thaw when roads are the most vulnerable to damage from heavy loads;and

WHEREAS, It is a fact in Marquette County and throughout the northern states that roads become soft in the spring and applying unrestricted 164,000-pound truck loading on soft roads, is fool hardiness that defies common sense and a law allowing such nonsense is poor public policy; and

WHEREAS, SB-396 also grants exemptions to the forest industry that will allow the hauling of forest products and transport of equipment on the public road system without obtaining proper permits from road authorities at all times of the year;and

WHEREAS, the provisions of SB 396 WILL result in damage to the public road system;and

WHEREAS, the provisions of SB 396 WILL negatively impact the traveling public accessing the road system, resulting in burdening road authorities with expensive reactive maintenance repairs and significantly increased taxpayer costs to maintain the public road system;and

WHEREAS, the provisions in SB 396 and subsequent impacts to the local road system WILL negatively impact the health, safety and welfare of Marquette County residents and the traveling public;and

WHEREAS, the Marquette County Road Commission and the other road commissions throughout the Upper Peninsula work closely with the logging industry to keep the economic vitality of the County and the Upper Peninsula moving by continuously monitoring road conditions and permitting the logging industry to move equipment and material on roads

when the roads can structurally support such loading without negatively impacting the road system and the traveling public;

THEREFORE, BE IT RESOLVED, that the Chocolay Township Board hereby STRONGLY opposes SB 396; and

BE IT FURTHER RESOLVED, that a vote hereon be taken by aye and nay and spread at large on the minutes of the Board.

White moved Lynch seconded therefore, be it resolved, that the Chocolay Township Board hereby STRONGLY opposes SB 396; and be it further resolved, that a vote hereon be taken by aye and nay and spread at large on the minutes of the Board.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PROPOSED MERS HEALTH CARE SAVINGS PROGRAM AGREEMENT FOR PATROLMAN HIRED AFTER JULY 2018.

Maki moved, White seconded that the MERS participation agreement for "Patrolman hired after July 2018" be approved.

MOTION CARRIED

2018 CAPITAL IMPROVEMENT FUND, BUDGET AMENDMENT #3 TO REFLECT RECEIPT OF FUNDS FROM THE UTILITY REVIEW COMMITTEE.

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 December 11, 2017 for fiscal year 2018, 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	\$0	+\$1,904.23	\$1,904.23
EXPENDITURE			
Streets 401.440.972 -Land Improvements	\$32,943.23	+\$1,904.23	\$34,847.46

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None
MOTION CARRIED

2018 CAPITAL IMPROVEMENT FUND, FUND BUDGET AMENDMENT #4 TO REFLECT DONATION FROM THE CHOCOLAY COED SOFTBALL LEAGUE.

Zyburt moved Lynch seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on December 11, 2017 for fiscal year 2018, 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 401.540.000	\$ 45,000.00	+\$3,000.00	\$ 48,000.00
EXPENDITURE			
Recreation 401.708.004.972 -Beaver Grove Ballfield Improvement Project	\$ 6,500.00	+\$3,000.00	\$ 9,500.00

ROLL CALL VOTE
AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen
NAYS: None
MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – COPY MACHINE.

Zyburt moved Engle seconded that we purchase a Konica Minolta from Cooper Office Equipment for the price of \$6,578.32 and a Maintenance Agreement for approximately \$261.15 per month. This will be paid for from Capital Improvement Fund 401.215.977.

ROLL CALL VOTE
AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen
NAYS: None
MOTION CARRIED

CONSIDERATION OF 2018 MEETING ROOM AGREEMENT.

Lynch moved Rhein seconded that the meeting fees be set at \$150 per year for 1 meeting per month or \$12.50 per meeting for additional meetings.

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – BIG CREEK DRY HYDRANT.
Zyburt moved Rhein seconded to award the Big Creek dry hydrant repairs to Associated Constructors, LLC for the bid amount of \$4,185.00 with funds coming from account number 401.340.972 (Water Supply Improvements, Fire water supplies.)

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – 2018 ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION.

White moved Zyburt seconded to authorize the expenditure of Capital Improvement funds from account 401.341.957, Grant Projects in the amount of not-to-exceed \$1,000 for the 2018 Assistance to Firefighters Grant Program, specifically to assist with grant writing per Fire Chief Gould's request.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT.

Sean Beckman, 120 Little Lake Road – representing GEI Consultants. Thanked everyone for the opportunity to work on the sewer project. With their working knowledge, they will be able to start right away.

The meeting was adjourned at 6:53 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of September 24th, 2018, Draft.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of September 19th, 2018, Draft
- C. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of August 16th, 2018.
- D. Minutes – US 41 Corridor Group, Regular Meeting of August 14th, 2018.
- E. Minutes – Northern Michigan Public Service Academy, May 31st, 2018 Final and September 28th, 2018 Draft.
- F. Minutes – Marquette County Township Association, April 18th, 2018 Final.

- G. Correspondence – Marquette Area Wastewater Treatment Facility Advisory Board, 2019 Meeting Schedule.
- H. Correspondence – Marquette County Planning Commission, Notice to Prepare a Master Plan, September 25th, 2018.
- I. Press Release – Michigan Infrastructure Council, September 28th, 2018.

Max Engle, Clerk

Richard Bohjanen, Supervisor

November 12, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, November 12, 2018 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, Don Rhein, Judy White, Mark Maki.

ABSENT: Ben Zyburt.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Scott Jennings, Brad Johnson, Tony Carrick, Lee Gould, Mary Jo Buckett

MINUTES – September 10, 2018 REGULAR MEETING.

Lynch moved Rhein seconded to approve the minutes of the Regular meeting of October 8, 2018 as presented.

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Rhein moved Engle seconded that the agenda be approved as presented.

MOTION CARRIED.

PUBLIC COMMENT.

None

PUBLIC HEARINGS – 2019 FEE SCHEDULE

Manager Kangas explained the proposed changes to the Fee Schedule, which included eliminating the \$75.00 fee for Combinations and Transfer in the Assessor's schedule, an added fee of \$12.50 per day for any private meeting room used beyond the annual one meeting / month fee, a garbage tag increase of \$0.10 per tag or \$10.00 per sheet, an increase in athletic field rentals, and an increase in the sewer rate (per equivalent unit) from \$33.00 / month to \$54 / month.

Supervisor Bohjanen asked for any public input on the fee schedule.

Stephanie Gencheff, 597 Lakewood Lane, asked if there had been notification to the residents affected by this change.

Manager Kangas replied that there had been no notification at this time. Supervisor Bohjanen indicated that the reason for this increase was due to the fact that there have not been any major increases in the past decades, and due to good stewardship of our sewer facilities we have been able to maintain them for 40 years. Maki questioned if there was a notice on the website concerning this public hearing and the rate increases. Manager Kangas stated there was not – it

had been posted in the Mining Journal. Lynch indicated that this was the same thing that happened with the power plant with electric rates due to not adequately funding the depreciation. Maki suggested a phase in process for the sewer rates as this will be quite a sticker shock for residents.

Stephanie Gencheff indicated there should still be some type of notification, so that residents will understand why the increase is needed.

The Board discussed the possibility of sending out a notice with the tax bill, or possibly an article in the Mining Journal.

Public hearing closed at 5:49.

PUBLIC HEARINGS – 2018 MILLAGE RATES AND GENERAL APPROPRIATIONS ACT FOR 2019

Manager Kangas went over the highlights of the proposed 2019 Budget. In the General Fund Revenues, there is a projected increase of \$57,000, which allows for a reduction in the Fund Balance transfer. The majority of the transfer is to allow for the purchase of the BS&A software. There is a proposed 3% salary increase for employees, which will be partially offset by the 2.5% increase in the employee contributions to health care premiums.

The Road Fund Millage was approved by voters last year, and generates approximately \$350,000 per year. Only a portion of the money was spent on roads this year, so it will be combined with the 2019 amount for a planned expenditure amount of \$650,000.

The Fire Station Millage is complete.

The Liquor Law Enforcement Fund is a small fund for reimbursement to our police department for inspect of liquor establishments.

The Library Millage is paid directly to the Peter White Library.

The Capital Improvement Fund proposed a one-time purchase of accounting software in the amount of \$50,000. Other expenditures include a phone system upgrade, landscaping and sign upgrades to the Township Hall / Firehall, Silver Creek Rec Area ADA and privacy improvements to bathroom facilities, non-motorized improvements on Cherry Creek Road, and a riding lawnmower for DPW.

The Wastewater Fund is an enterprise fund and must be self-supporting. A priority for 2019 will be establishing adequate rates to fund a lift station rehabilitation projects, estimated at \$3,000,000.

Public Hearing closed at 5:53.

ACCOUNTS PAYABLE

White moved Lynch seconded that bills totaling \$24,354.04 including checks numbered 22788-22818 and bills totaling \$29,823.86 including checks numbered 22819-22850 are approved for payment.

MOTION CARRIED.

PAYROLL.

Rhein moved Engle seconded that payroll for October 4, 2018 for \$42,593.58 including checks numbered 25042-25082 and 10722-10727 and ACH payments for Federal tax, State tax and MERS and October 18, 2018 for \$36,547.89 including checks numbered 25083-25119 and 10728-10733 and ACH payments for Federal tax, State tax and MERS, are approved for payment.

MOTION CARRIED.

FINANCIAL REPORT – SEPTEMBER 2018.

White moved Rhein seconded to approve the September Financial Report.

MOTION CARRIED.

TREASURER’S REPORT AND FUND WITHDRAWAL AND DEPOSIT REPORT.

Engle moved Lynch seconded to accept the Treasurer’s report.

MOTION CARRIED.

Engle moved Lynch seconded to accept the fund withdrawal and deposit report.

MOTION CARRIED.

PRESENTATIONS – NONE

APPOINTMENTS / RESIGNATIONS – NONE.

SUPERVISOR’S REPORT

Supervisor Bohjanen reported that he had attended an MTA conference in Harris, MI. One of the sessions that he attended was on the proper running of Board meetings. Two things he took away from the meeting were (1) many townships use a consent agenda to cover things such as bills and financial statements as one item. **The Board agreed to try this.** (2) it is in good order to state clearly the motion – most items have a recommended motion which works well, but this deals more with unforeseen motions, and the need to be concise. (The minute taker should asked for clarification, if needed.)

CLERK’S REPORT.

Clerk Engle went over a sheet with the election results, which showed a combined precinct voter average of 65.83%. The numbers were very close to the 2016 Presidential election. A large number of absentee ballots went out, and we received a total of 1,216 of those ballots back (98.63%). There was discussion about the effects of “same day voter registration” and the effects it may have on the precincts.

CONSIDERATION OF COMPENSATION FOR PLANNING COMMISSION, ZONING BOARD OF APPEALS AND BOARD OF REVIEW APPOINTEES.

Engle moved Lynch seconded that no changes be made in per diem compensation levels at this time.

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.

Lynch moved Rhein seconded to amend Appendix C of the *Policies and Procedures Manual* by increasing all steps in the wage grid by 3%. It is further moved and seconded that the employee share of health care coverage, as outlined in PA 152 of 2011 be increased from 17.5% to 20% for the 2019 calendar year.

MOTION CARRIED

White indicated that she would be more in favor of a flat rate increase. Engle indicated that this had been done in the past in an effort to tighten the gaps between wages.

CONSIDERATION OF RESOLUTION TO ADOPT 80 / 20 HEALTH INSURANCE COST SHARE OPTION, PUBLIC ACT 152

White moved, Lynch seconded:

RESOLUTION NO. 2018-__
November 12, 2018

RESOLUTION TO ADOPT 80%/20% EMPLOYER/EMPLOYEE HEALTH CARE COST OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

WHEREAS, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirements of the Act;

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 by 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 Township Board has decided to adopt the 80%/20% option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the Township Board of the Charter Township of Chocolay elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the 80%/20% option for the medical benefit plan coverage year January 1, 2019 through December 31, 2019.

Upon a roll call vote, the vote was as follows:

Ayes: Maki, Rhein, White, Lynch, Engle, Bohjanen
Nays: None
Absent: Zyburt

RESOLUTION DECLARED ADOPTED.

Max Engle, Township Clerk

CONSIDERATION OF GENERAL APPROPRIATIONS ACT FOR 2019 BUDGET

CHARTER TOWNSHIP OF CHOCOLAY

FISCAL YEAR 2019

**GENERAL FUND BUDGET,
ROAD FUND
FIRE DEPARTMENT MILLAGE FUND
LIQUOR LAW ENFORCEMENT FUND
LIBRARY MILLAGE FUND
CAPITAL IMPROVEMENTS FUND
AND SEWER FUND BUDGETS**

I HEREBY CERTIFY THAT THE FISCAL YEAR 2019
BUDGETS WERE ADOPTED BY THE CHOCOLAY TOWNSHIP BOARD
ON NOVEMBER 12, 2018

MAX L. ENGLE, TOWNSHIP CLERK

GENERAL APPROPRIATIONS ACT

White moved, seconded by Engle, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2019, and ending December 31, 2019, 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 October 31, 2018; and

Whereas, a public hearing was held on the proposed budget on November 12, 2018 at the Chocoday 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 according to designated accounts for the next fiscal year, to wit, beginning January 1, 2019, and ending on December 31, 2019, in the amount of \$1,772,400.00 for the General Fund, in the amount of \$360,000.00 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 \$216,000.00 in the Library Millage Fund, in the amount of \$93,000.00 in the Capital Improvements Fund, and in the amount of \$3,510,000.00 for the Sewer Fund.
2. The Township Board does hereby appropriate the sum of \$1,999,800.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2019, and ending December 31, 2019.
3. The Township Board does hereby appropriate the sum of \$3,510,000.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2019, and ending December 31, 2019.

4. The Township Board does hereby appropriate the sum of \$655,000.00 for the repairing of the Township Roads to be used for the fiscal year beginning January 1, 2019, and ending December 31, 2019.
5. The Township Board does hereby appropriate the sum of \$0.00 for the fiscal year beginning January 1, 2019 and ending December 31, 2019 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 1, 2019, and ending December 31, 2019.
7. The Township Board does hereby appropriate the sum of \$216,000.00 for contractual services with the Peter White Public Library for the fiscal year beginning January 1, 2019, and ending December 31, 2019.
8. The Township Board does hereby levy 3.6056 mills for general operations; extra voted is 1.0000 for library and 1.6886 for roads.
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 VOTE - AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED

RESOLUTION FOR OFFICERS' SALARIES

SUPERVISOR'S SALARY

White moved, seconded by Lynch that the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2019, which begins January 1, 2019, and ends December 31, 2019.

Roll Call Vote - Ayes: 6 Nays: 0 Absent: 1 Motion Carried

TREASURER'S SALARY

Lynch moved, seconded by Rhein that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2019, which begins January 1, 2019, and ends December 31, 2019.

Roll Call Vote - Ayes: 5 Nays: 1 Absent: 1 Motion Carried

CLERK'S SALARY

Rhein moved, seconded by Lynch that the salary for the office of Clerk shall be set in the amount of \$12,000.00 for the Fiscal Year 2019, which begins January 1, 2019, and ends December 31, 2019.

Roll Call Vote - Ayes: 6 Nays: 0 Absent: 1

Motion Carried

TRUSTEE'S PER DIEM

Engle moved, seconded by Lynch that the per diem for the office of Trustee shall be set in the amount of \$75.00 per meeting for the Fiscal Year 2019, which begins January 1, 2019, and ends December 31, 2019.

Roll Call Vote - Ayes: 4 Nays: 2 Absent: 1

Motion Carried

CONSIDERATION OF FUNDING SOURCE FOR LIFT STATION REHABILITATION PROJECT.

Lynch moved Engle seconded to accept the recommendation of GEI Consultants and authorize the completion of the "Notice of Intent to Apply" for MDEQ SRF funds for the Lift Station Rehabilitation Project.

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – FIRE DEPARTMENT, THERMAL IMAGING CAMERA

Lynch moved Rhein seconded to authorize the expenditure of Capital Improvement Funds from account 401.340.977, Equipment in the amount of \$8,695.00 for the purchase of a Scott x380 thermal imaging camera.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – FIRE DEPARTMENT, TWO-WAY RADIOS

White moved Lynch seconded to authorize the expenditure of Capital Improvement Funds from account 401.340.977, Equipment in the amount of \$4,796.00 for the purchase of two Kenwood EF Johnson Viking 800mz radios and corresponding State of Michigan fees.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – POLICE DEPARTMENT, FIREARMS
Maki moved Rhein seconded to authorize the expenditure of Capital Improvement Funds from account 401.305.977, Equipment in the amount of \$3,272.00 (\$409 / weapon) for eight Glock Model 22 Gen 4 pistols and to declare the existing weapons surplus to be considered as a trade or for direct sale to the officers. (The Township cannot sell firearms as surplus equipment to the general public.)

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

APPLICATION OF DELINQUENT SEWER CHARGES AS TAX LIENS.

White moved Rhein 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 2018 tax roll.

MOTION CARRIED

NOTICE OF BCBS REBATE AND DISTRIBUTION TO HRA.

Informational item – no action required by Board.

SEWER USER FEE CHANGE.

Lynch moved Engle seconded that the Equivalent User Fee for 5057 US 41 South go from 11.9 down to 1 as of October 15, 2018, until the business is reopened in the Spring of 2019, as provided for in Section 9D.3.a of Ordinance 39.

MOTION CARRIED

ELEVATED WATER TANK – FINANCING AND TERMS OF USE AGREEMENT.

Manager Kangas went over the agreement for financing and terms of use the Casino elevated water tower facility. This has been reviewed by attorneys on both sides.

Several Board members expressed their concern over the agreement, and essentially feel that the Township is buying the water tank. Lynch indicated there doesn't appear to be a guarantee of future use – it appears we are using our 2% funds to build the tank and KBIC will be the sole owner. Supervisor Bohjanen indicated that the 2% funds are not considered "ours" until the KBIC grants them to us. KBIC has an obligation to give 2% funds to government organizations in Marquette County.

Maki indicated that he is uncomfortable with the KBIC representatives not being there to explain, and he feels there needs to be a better analysis of the agreement.

Lynch understands their urgency to move this forward, but he wishes it was written in a better manner. Manager Kangas indicated that it is written better than the first version, where it appeared that we were paying for it twice.

Maki moved Rhein seconded that the discussion be tabled until representatives from KBIC and the attorneys can be present.

MOTION CARRIED

ELEVATED WATER TANK – TRI-PARTY FUNDING AGREEMENT.

White moved Rhein seconded that this item be tabled until further discussion on the financing agreement.

MOTION CARRIED

PUBLIC COMMENT.

Stephanie Gencheff, 597 Lakewood Lane (for Deborah Mulcahey, 633 Lakewood Lane) – both feel public notice was not given on the public hearing that was held, as it was not on the Township’s website. Feel that the Township should add interest to the sewer charges before they are added to the tax lien. Regarding the elevated tank, Deborah has concerns about the potential problems with entering the agreement and acting as a pass through for the casino. She feels that the Township should not be held hostage by KBIC. Is the Tribal president allowed to enter into an agreement that is going to affect existing and future tribal members? Both are requesting that the Township Board deny the elevated water tank agreements as proposed.

Lynch moved White seconded to adjourn the meeting.

MOTION CARRIED

The meeting was adjourned at 6:59 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. November 2018 Chocolay Township Newsletter.
- B. Minutes – Chocolay Township Planning Commission; Regular Meeting of October 15, 2018, Draft.
- C. Minutes – Chocolay Township Zoning Board of Appeals; September 27, 2017, Final.
- D. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of September 20, 2018, Final.
- E. Minutes – US-41 Corridor Advisory Group; Regular Meeting of September 11, 2018.

- F. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of October 24, 2018, Draft.
- G. Minutes – Marquette County Township Association; September 26, 2018.
- H. Announcement – MCSWMA Recycling Feasibility Study Meeting.

Max Engle, Clerk

Richard Bohjanen, Supervisor

December 10, 2018

A Regular meeting of the Chocolay Township Board was held on Monday, December 10, 2018 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, Ben Zyburt, Max Engle, David Lynch, Don Rhein, Judy White, Mark Maki.

ABSENT: None.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Scott Jennings, Brad Johnson, Lisa Perry, Pat Beck, Dale Throenle

Supervisor Bohjanen indicated that this was the first time a Consent Agenda is being used. As explained the memo, if there are items that the Board feels require more discussion or consideration, they can be removed from the Consent Agenda and be addressed as separate items of discussion.

PUBLIC COMMENT.

Stephanie Gencheff, 597 Lakewood Lane for Deborah Mulcahey, 633 Lakewood Lane – Deborah questioned if the large expenditure for the Tribe was a lawful expenditure. The concept to approve this based on the firefighters would be able to use this is a farce. Under the concept of mutual aid the water would be available anyway. Deborah urged the Board to not allow the Tribe to hold the Township hostage. In regard to Manager Kangas' comment on a verbal agreement – what he reported as a verbal agreement is apparently not what the Tribe is going forward with. Study was done on providing water to help the residents in the area. Deborah was also questioning if there was a Tribal attorney present at this meeting, along with our attorney. (Both were present.)

Robert Mielke, 360 Karen Road – works for Marquette Township water department, so understands the need to upgrade. Contesting the way it is randomly charged. One equivalent user is equal to approximately 5,000 gallons. Has three tenants – two of them are at 1 EU apiece and the other is at 1.5 EU. He does not feel that they are using the amount of gallons this would be equal to. He would like to go to a meter system, so everyone would be charged fairly.

Jennifer Misegan, 16429 Beartown Road, Baraga MI – KBIC – she is here for the Elevated Water Tank discussion. She assured the Board that this will be a win-win situation for the casino, the surrounding residents, and that it will be available for fire protection. The funding and financing for this water tower will be through 2% funds - \$75,000 has already been given to the Township. They will be paying the remainder up front. No funds from the Township will be used on this

project. This does not mean the end to the Township's 2% funds – they plan on continuing the \$45,000 given to the Township bi-annually. She thanked the Board for their continued support.

Darrell Adair, 141 West Terrace Street – was wondering how many residents will be benefiting from the water tank. He feels there are plenty of sources to get water for firefighting. Wondered if everyone was going to have a water bill? Trustee Maki answered there would be no water bills. Adair feels there should be more of a study done on this – from what he's heard the reservation and the casino will get most of the benefit. Supervisor Bohjanen stated that eventually all of the Township will need a water system, but that is not happening now. Adair wondered if we need to start saving now for the water lines. Supervisor Bohjanen stated there would need to be engineering studies and feasibility studies done.

Jason Ayres, 16429 Beartown Road, Baraga MI – KBIC – he is here to answer any questions that he can on the elevated water tank.

Darrell Adair, 141 West Terrace Street – questioned the size of the water tank, how many, and where will they be. Clerk Engle answered that there would only be one at the casino for their use.

Boyd Snyder, 311 West Fairbanks – spoke on the sewer rate hikes. The way this was brought to the attention of the residents was not acceptable. The increase will basically add another 5 months to the annual sewer cost. This should have been done over the course of a few years. He has had major problems with the sewer system since the beginning. He doesn't feel that this all needs to be done in one chunk. The Township is doing no favors for any one.

Brian Miller, 217 Judy Street – agrees with previous comments – the planning was not good. If you have infrastructure you need to save for replacement. How many other increases will there be? Who's responsible for this happening? How are they held accountable? How do we keep this from happening again?

Public Comment closed at 5:50 PM.

AGENDA ADDITIONS/DELETIONS.

- A. Approve Minutes of Previous Meeting – November 12, 2018.
- B. Approve Bills Payable, Check Register Reports - November 14 (Check #'s 22851 – 22893, in the amount of \$34,233.26) and November 28 (Check #'s 22894 – 22916, in the amount of \$120,539.04).
- C. Approve Bills Payable, Regular Payroll – November 1 (Check #'s 25120 – 25136 and Check #'s 10734 – 10739, Federal, State, and MERS for a total of \$32,202.29), November 15 (Check #'s 25137 – 25169 and Check #'s 10740 – 10745, Federal, State, and MERS for a total of \$35,598.51), and November 29 (Check #'s 25170 – 25202 and Check #'s 10746 – 10751, Federal, State, and MERS for a total of \$35,991.67).
- D. Approve Financial Reports, Revenues and Expenditures – January 1 through October 31, 2018.

- E. Approve Treasurer’s Report, Certificates of Deposit and Investment Reports – October 30, 2018.
- F. Approve Treasurer’s Report, Fund Withdrawal and Deposit Report – November 30, 2018.
- G. Accept Letters of Resignation from Eric Meister (Planning Commission) and Karen Alholm (Zoning Board of Appeals).
- H. Appoint Ryan Soucy to a 3-year term on the Planning Commission, effective January 2019.
This item was removed for further discussion.
- I. Appoint Paul Charboneau to a 3-year term on the Zoning Board of Appeals, effective January 2019.
- J. Appoint Anthony Giorgianni to a 3-year term as the Alternate to the Zoning Board of Appeals, effective January 2019. **This item was removed for further discussion.**
- K. Reappointments to Boards and Commissions.

Maki indicated he would like to remove items H and J for discussion. Engle indicated that no motion would be needed.

White moved Zyburt seconded that the consent agenda be approved as modified, with Item H and Item J being removed for further discussion.

MOTION CARRIED.

Maki asked about additional applications – Bohjanen indicated that he had reviewed the applications and chose Ryan Soucy based on his experience.

Maki asked if Tony Giorgianni was in the audience, and asked him a few questions about Zoning Board of Appeals. Maki indicated that there was training available if he was interested. Giorgianni indicated he would be able to do this.

Lynch moved, Rhein seconded to appoint Ryan Soucy to a 3-year term on the Planning Commission.

AYES: 6

NAYS: 1 (Maki)

MOTION CARRIED

Lynch moved, Rhein seconded to appoint Anthony Giorgianni to a 3-year term as an Alternate to the Zoning Board of Appeals.

MOTION CARRIED

SUPERVISOR’S REPORT

In January, the Manager will be completing his first year of employment, and needs to be evaluated. Bohjanen questioned the other Board members of if they would prefer to be involved in the process. The Board agreed that they would like to be involved. Bohjanen handed out an evaluation form to be filled out and brought back for the next meeting – preferably a week prior to the meeting to be able to collate the information.

John Gehres, the Assessor, had indicated when he took the job with Chocolay Township that he would like to be able to pick up extra employment. If our needs are met, Bohjanen feels that this would be a win-win situation, and that the Township should maintain flexibility for him. Bohjanen is looking for Board consensus on Gehres being able to proceed. Maki doesn't think this seems reasonable – we are paying him for 5 days per week. Maki has no objection to him taking on other units, but his first priority is the Township. Lynch agreed that Gehres had signed on as a 40 hour per week person. White agreed that Gehres would still need to put in a 40 hour week (possibly 4 – 10 hour days). If not putting in 40 hours, benefits and wages should be reduced.

CLERK'S REPORT.

Clerk Engle reported that the November 6 election was audited by the State, with the County Clerk conducting the audit. Everything went well.

PUBLIC HEARING AND RESOLUTION ADOPTION – PUBLIC HEARING AND CONSIDERATION OF 2019 SEWER RATES AND CHARGES.

Darrell Adair, 141 West Terrace Street – asked about the new line that will be running from the casino, and if people along M-28 would be able to hook up to it. Adair also questioned the sewer rate increase, and why it took such a jump. Bohjanen indicated that this increase is needed in order to repair the problems, and it was a rate that was suggested by our engineers. Adair wondered how much was charged for the study, where did the Township get the money to pay for it, and if this was only being done due to the Casino project.

Manager Kangas took this opportunity to explain the sewer rate increase. We are looking at a project that will cost approximately \$3 million dollars. This project is not being looked at because of the casino project, and it will happen no matter what happens with KBIC. We have to do this project. Our system is small and 40 years old, and all the pumping equipment is just as old. These numbers don't come up arbitrarily. We now have an Asset Management Plan, which gives us a look at what it will cost us going forward. The reason for the increase is that we do not have the money to rebuild 5 lift stations and 3 grinder stations. We will probably not qualify for any grant money, but may be able to qualify for low interest loans.

Chris Johnson, 203 Hotel Place – questioned the Casino hooking into the sewer system, and how much they would be charged. He was also wondering if the residents along the sewer line extension would be able to connect into the sewer system, and if that would bring in additional revenue. Manager Kangas indicated that as drain fields fail, anyone within 200' would be required to connect. Johnson stated he is currently paying \$26,000 per year for sewer, which will be raised to \$42,000.

Boyd Snyder, 311 West Fairbanks – what he's hearing is that the Township does not charge as much as surrounding communities. It sounds like the Township is trying to build in a profit because others are charging more. He feels the residents are being charged for something that the Township failed to do at the beginning, which would have been saving for this project, rather than charging all at once.

Manager Kangas indicated that we are not charging based on what everyone else is charging – the Township is charging based on operating cost, our cost of a pending construction project, and our cost of depreciation based on an Asset Management Plan that was submitted in July, 2018.

Darrell Adair, 141 West Fairbanks – questioned how many people are on the sewer system. Also wondered about how the Township was able to pay the consultant.

Bohjanen explained that the consultant fees are added to the total cost of the project. He also explained that what happened 40 years ago, and that the sewer project was necessary. Going forward, the DEQ will not authorize a septic system for people that have access to a sewer system.

Ryan Ellis, 308 East Main – what are the future plans for extending the sewer line, and will it be mandatory for people to connect. He feels you cannot wait for a drain field to fail when you have PVC pipe. Are there more plans to continue to extend the sewer lines each year? He feels there needs to be a plan to get everyone connected in the Township, such as a millage.

Chris Johnson, 203 Hotel Place – wondered if it was possible to see the numbers – it would be nice to have access. Manager Kangas indicated that the Asset Management Plan and Township Budget are available on the website.

C. Johnson was also questioning how the Township is spending the money, and if the Township tax dollars are being used for this. DPW Foreman Brad Johnson indicated that the sewer budget funds itself by sewer user fees.

Rob Mielke, 360 Karen Road – wondered if there is anything in the zoning ordinance that would prevent him from putting in a dry compost system. Manager Kangas stated this would be governed by Public Health Code – Marquette County Public Health. Mielke also asked about where the Township money is invested. Manager Kangas gave an overview based on the Treasurer’s report. Mielke also questioned the believability of the consultants. Maki indicated that Mielke should put the questions in written form and submit to the Township for complete answers.

Public Hearing closed at 6:48 PM.

Maki asked about options to take some money from the General Fund to help reduce the amount. Bohjanen indicated that it is important to keep the General Fund where it is at.

After conducting a public hearing on the proposed rates, White moved, Lynch seconded to adopt the following rate resolution as specified by the Township Sewer Ordinance:

Whereas, the revenues and expenditures for the wastewater collection and treatment system have been reviewed, and

Whereas, the current equivalent user fee of \$33.00 per month is not adequate for the projected 2019 replacement cost of the system, and

Whereas, the proposed equivalent user fee of \$54.00 per month will be sufficient to offset the Township debt payments of \$14.50 per equivalent user per month, to pay the construction loan for the pump station rehabilitation project, and

Whereas, the proposed equivalent user fee of \$54.00 per month will be sufficient to fully offset the depreciation funding cost of \$6.50 per equivalent user per month, to pay for future operations, maintenance, and replacement costs.

Now, therefore be it resolved the Chocolay Township Board established the equivalent user fee of \$54.00 per month and a user connection fee of \$350.00 beginning January 1, 2019 through December 31, 2019, or until amended by resolution.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PRESENTATIONS – ELEVATED WATER TANK – FINANCING AND TERMS OF USE AGREEMENT AND TRI-PARTY FUNDING AGREEMENT.

Roger Zappa, Chocolay Township Attorney – there are two contracts that are under discussion. The first contract is a Tri-Party Agreement between Chocolay Township, Gundlach-Champion, and KBIC. This is a legitimate governmental expense, and any municipality can enter into an agreement with another municipality or interlocal agreements. This one is a little more complex as the Township is dealing with a sovereign nation. There is a State statute that permits this. The key issues that the Township Auditor, Mike Grentz, questioned were the financial and legal ramifications of this agreement. In order to engage in this type of transaction, the Township needs to be receiving a benefit. After extensive rewriting of the agreement, the Township will have the right to withdraw water from the tower, and the Township will also have a perpetual easement. In the Tri-Party agreement, the Township is acting as a conduit of funds. KBIC will pay \$695,000 to Chocolay Township, and Chocolay Township will serve as the intermediary of those funds. \$75,000 of this money has been placed in an account with the Township at this point. KBIC will pay the remaining \$620,000 up front, as a lump sum, to avoid any expenses that the Township would have to pay.

The other agreement is a Financing and Terms of Use Agreement, which is between KBIC and Chocolay Township. The general idea is that KBIC would continue to pay to Chocolay Township the 2% KBIC funds. One of the concerns of both the Attorney and the Auditor was that future payments would only consist of the repayment. It is now stated that KBIC's intent is to pay historical 2% funds, which amounts to approximately \$90,000 per year. KBIC will make their best effort to pay this amount, in addition to a repayment of approximately \$62,000 per year. Atty.

Zappa then went through different scenarios on repayments. If, at some point, there are disputes that need to be resolved, it can be arbitrated versus litigated.

Lynch questioned why the possibility of water for residents along Kawbagam Road was left out of the contract. Manager Kangas stated his interpretation was that after the study that GEI conducted, it was determined that it would be too costly and the contract was ended. Lynch felt that it was wrong to not include this in the contract, and that it was a disservice to the residents along Kawbagam Road.

Maki asked for clarification of the money we would receive. He was also questioning the amount that we are entitled to get. Atty. Zappa stated this is not an entitlement question – KBIC gets a myriad of requests and they have to decide where the funds will go based on their gaming compact.

Maki also asked for clarification on the provision stating the Township would be able to use the tank as long as it did not drop below 40,000 gallons.

Bohjanen reminded the Board that the Township is not paying for the water tank. We are getting a benefit from the water tank by cooperating with KBIC to use 2% monies to recover the cost of the tank. He doesn't feel we lose.

Danielle Webb, Attorney for KBIC – the Gaming Compact includes language to give 2% of the gaming revenue to local units of government within the surrounding area. It does not say that it has to go to specific areas of government – it is within the discretion of the Tribe as to where it goes. The actual Gaming Compact is on the State of Michigan website. It does not define the “surrounding area”. In 2022, the Gaming Compact will need to be renegotiated with the State of Michigan.

Jennifer Misegan, KBIC – At the time of the last negotiation, the State was asking for the entire 10% for themselves, but the Tribal Chair at the time stressed that 2% should be going to the local governments. The benefit of the entire project is “growth”.

ELEVATED WATER TANK – FINANCING AND TERMS OF USE AGREEMENT.

White moved, Zyburt seconded to approve the Financing and Terms of Use Agreement with KBIC as presented, according to the Township Attorney's review and approval.

AYES: 6

NAYS: 1 (Maki)

MOTION CARRIED

ELEVATED WATER TANK – TRI-PARTY FUNDING AGREEMENT.

Engle moved, Rhein seconded to approve the Tri-Party Funding Agreement with KBIC and Gundlach-Champion, Inc. as presented, according to the Township Attorney's review and approval.

AYES: 6

NAYS: 1 (Maki)
MOTION CARRIED

APPROVAL OF 2019 MEETING SCHEDULE.

Lynch moved, Zyburt seconded that the dates, as amended, 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 as indicated in document XII.A.2 be approved for 2019.

MOTION CARRIED

APPROVAL OF 2019 HOLIDAY SCHEDULE.

White moved, Rhein seconded that the 2019 Chocolay Township Holiday schedule be adopted as indicated in Item XII.B.2 and placed in a conspicuous location on the Township website, www.chocolay.org.

MOTION CARRIED

APPROVAL OF SEWER USE FEE CHANGE, 2250 US 41 SOUTH, SUITE 1

Zyburt moved, Lynch seconded that the Equivalent User Fee for 2250 US 41 South be reduced down to one (1) equivalent user effective October 1, 2018 until the building is reoccupied.

MOTION CARRIED

CONSIDERATION OF REVISED UTILITY REVIEW COMMITTEE BYLAWS.

Maki moved, White seconded to approve the Utility Review Committee By-laws as amended October 15, 2018, and authorize the Township Supervisor to sign on behalf of the Township.

MOTION CARRIED

APPROVAL OF BUDGET AMENDMENT 2-2018 FOR POLICE DEPARTMENT OVERTIME REIMBURSEMENT REVENUES.

Zyburt moved, White seconded that Whereas a budget was adopted December 11, 2017, by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues, and / or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Salary 101.305.702	\$ 284,040.00	+\$3,458.49	\$ 287,498.49

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$ 25,000.00	+\$3,458.49	\$ 28,458.49

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None
MOTION CARRIED

CONSIDERTION OF NETWORK FIREWALL REPLACEMENT.

Lynch moved, Rhein seconded to authorize up to \$1,550.00 from Capital Improvement Fund 401.258.977 to purchase a new network firewall device through Lasco.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL FUNDS TO PURCHASE UP TO TWO (2) ELECTIONS TABULATORS.

Clerk Engle stated that an Election Commission meeting was held prior to the Township Board meeting and had recommended the purchase of one (1) tabulator.

Lynch moved, White seconded that the Clerk expend up to \$6,000 from the Election Capital Improvement Fund, 401.190.977, for additional election equipment to be used in the AV County Board.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT.

None.

Lynch moved White seconded to adjourn the meeting.

MOTION CARRIED

The meeting was adjourned at 8:20 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Great American Disposal Holiday Refuse Collection Schedules for 2019 and Remainder of 2018.
- B. December 2018 Chocolay Township Letter.
- C. UP Insurance Agency / Accident Fund Dividend Notification Letter, November 27, 2018.
- D. Minutes – Chocolay Township Planning Commission, Regular Meeting of November 26, 2018, Draft.

- E. Minutes – Chocolay Township Zoning Board of Appeals, October 25, 2018, Draft.
- F. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of October 18, 2018, Final.
- G. Minutes – US-41 Corridor Advisory Group, Regular Meeting of October 9, 2018

Max Engle, Clerk

Richard Bohjanen, Supervisor

January 14, 2019

A Regular meeting of the Chocolay Township Board was held on Monday, January 14, 2019 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, Ben Zyburt, Max Engle, David Lynch, Don Rhein, Judy White, Mark Maki.

ABSENT: None.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Scott Jennings, Brad Johnson, Lisa Perry, Pat Beck, Dale Throenle

Supervisor Bohjanen stated there are three items that he would like the Board to consider adding to the agenda under "Unfinished Business":

1. Reappoint the employee members of the Personnel Committee for a one year term (Dale Throenle and Tony Carrick).
2. Office hours for the Township Assessor.
3. Pay application for the KBIC Water Tower.

White moved, Lynch seconded to move all three additions be added to Unfinished Business, and that the Consent Agenda be approved as modified.

MOTION CARRIED

PUBLIC COMMENT.

Diane Alexander, 205 West Terrace – expressed concerns about the sewer bill. She questioned if there were any usage meters. Bohjanen explained the billing system for the sewer along with the anticipated increase effective January 1, based on Equivalent Users. Alexander feels this is very unfair. She wondered about the cost of putting in meters.

Kendra Symbal, 100 Aspen Drive (and business owner) – she is very concerned about the way the Township communicates to the residents, specifically about the sewer rate change. She does not feel adequate notice was given, and that the means of communication was very old school. There was no time to absorb the information. Bohjanen indicated that the Township has been working at improving the ways of communicating. Township Manager stated that the Township is working diligently to come up with better ways to communicate. Symbal would appreciate the Township being more proactive as these types of things come up.

Public Comment closed at 5:40 pm.

CONSENT AGENDA

AGENDA ADDITIONS/DELETIONS.

- A. Approve Minutes of Previous Meeting – December 10, 2018.
- B. Approve Bills Payable, Check Register Reports – December 13 (Check #'s 22917 - 22952, in the amount of \$32,647.61), December 27 (Check #'s 22953 - 22987, in the amount of \$35,936.12) and December 31 (Check #'s 22988 – 23009, in the amount of \$55,460.14).
- C. Approve Bills Payable, Longevity Payroll (Check #'s 25203 – 25210, Federal, State, and MERS for a total of \$2,164.78, Regular Payroll – December 13 (Check #'s 25211 – 25230 and Check #'s 10752 – 10757, Federal, State, and MERS for a total of \$33,003.90), and December 27 (Check #'s 25231 – 25268 and Check #'s 10758 – 10763, Federal, State, and MERS for a total of \$36,609.36).
- D. Approve Financial Reports, Revenues and Expenditures – January 1 through November 30, 2018.
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – November 30, 2018.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – December 31, 2018.
- G. Reappoint John Trudeau to a Four-Year Term on the Utility Review Committee, Effective January 1, 2019.

Maki moved, Lynch seconded that the Consent Agenda be approved as modified.

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that the KBIC documents have been signed, which brought about the necessity for action on the first payment of the project.

CLERK'S REPORT – None.

PUBLIC HEARING – FIRST READING OF PROPOSED REVISION TO ORDINANCE NO. 39 WASTE WATER COLLECTION SYSTEM.

Manager Kangas explained the changes that are being considered resulted in an addition to Ordinance 39, Waste Water Collection System. The first change would be an addition to the Ordinance that would waive connection requirements along the KBIC sewer extension route until the existing drain field fails or until a property is developed for the first time. The second change would address the billing cycle, with a change from quarterly billing to monthly billing.

Mark Pelkie, M 28 East – he feels that the language waiving the connection makes sense.

Dave Griffin, (on behalf of mother, who owns property on Riverside Road) – questioned where the 200' is measured from. He does not recall his mother receiving any of the letters. Manager Kangas stated that without the address, he would not be able to tell for sure. Griffin indicated it was right across from Prince of Peace church. Griffin was questioning whether the connection fees would be waived at this time. Manager Kangas indicated they would not.

Brian Elenich, 308 West Main – questioned how many people would be joining the sewer system. Elenich quoted from Michigan Health Code, Section 244 regarding regulations. Elenich then addressed the billing from quarterly to monthly, and the cost associated with this. Elenich questioned if the Township would be able to get KBIC 2% money to help people hook into the system.

Boyd Snyder, 311 West Fairbanks – Snyder questioned the breakdown on the sewer bill, and what happens to the amount if not used – does it go back to General Fund. Feels there should be a breakdown on the cost of the pump stations. He feels there are too many open ends. Supervisor Bohjanen stated the current way of doing business is through an Asset Management Plan. Manager Kangas explained the Sewer Fund is an Enterprise Fund and must be used solely for wastewater.

Kendra Symbal, 100 Aspen Drive (and business owner) – question on sewer billing. Manager Kangas explained the bill that was received at the beginning of January was based on the old amount and covered a period of October 1 through December 31. The new billing amount will be on the monthly bill that should be received in the first part of February.

Trustee Maki questioned what type of documents we had received from the MDEQ on the 200' health department rules. Manager Kangas stated he had an email from the MDEQ in this regard, which he would share with the Board.

Public Hearing closed at 6:00 PM.

White moved, and Zyburt seconded that after providing required notification to the public, holding a public hearing and considering public input, the Chocolay Township Board approves the first reading of proposed amendments to Section 5 of *Ordinance 39 Waste Water Collection System* as written and to schedule a second reading for the February 11, 2019 Township Board meeting.

MOTION CARRIED.

Zyburt moved, and Lynch seconded that after providing required notification to the public, holding a public hearing and considering public input, the Chocolay Township Board approves the proposed amendment to Section 9 of *Ordinance 39 Waste Water Collection System* as written and to adopt the proposed change as an emergency amendment to allow monthly billing to commence with the January 2019 billing cycle.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PRESENTATIONS – CERTIFICATES OF APPRECIATION

Supervisor Bohjanen indicated that there are two retiring members on the Boards and Commissions – Eric Meister served on the Planning Commission for 8 years, and Karen Alholm served on the Zoning Board of Appeals for 11 years. Neither was at the meeting. Bohjannen thanked them for their years of dedicated service to the Township.

SCHEDULE JOINT MEETING OF THE TOWNSHIP BOARD AND PLANNING COMMISSION.

Supervisor Bohjanen indicated that at the last Planning Commission meeting, they had decided they would like to meet on Monday, February 18 at 5:30 for the Joint meeting, and the Planning Commission will follow after. There had also been discussion of when the meeting should be held, at the end of the year or the beginning of the year. The general consensus was the beginning of the year to make sure the Township Board and Planning Commission are on the same path for the coming year.

Engle moved, Rhein seconded, that the Joint Meeting of the Planning Commission and the Township Board be held on Monday, February 18 at 5:30.

MOTION CARRIED

ADOPT SANITARY SEWER ASSET MANAGEMENT PLAN.

Lynch moved, Rhein seconded to adopt the Sewer Asset Management Plan as prepared by GEI Consultants, dated August 1, 2018.

MOTION CARRIED

PERSONNEL COMMITTEE APPOINTMENTS

White moved, and Zyburt seconded to reappoint Dale Throenle and Tony Carrick to one-year terms on the Personnel Committee, expiring December 31, 2019.

MOTION CARRIED

PAY APPLICATION #2 – ELEVATED WATER TANK

Manager Kangas indicated that the agreements on the Elevated Water Tank have been signed by all parties. The Contractor is requesting expedited approval, as the sub-contractor completed the work in October of 2018.

Lynch moved, Engle seconded to authorize payment of Pay Application #2 using Capital Improvement Funds from account 401.340.002.972 in the amount of \$70,794.00.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

OFFICE HOURS OF THE TOWNSHIP ASSESSOR

Manager Kangas indicated that this was discussed last month with a request to modify the Assessor’s work schedule from five 8-hour days (1-hour lunch) to four 10-hour days (½-hour

lunch). The schedule would be 7:00 – 5:30 Monday thru Thursday one week, and the following week would be Tuesday thru Friday.

Maki indicated he would like to see this go to the Personnel Committee – if it is offered to one, it should be offered to everyone.

Bohjanen felt that the change in hours for the Assessor would be beneficial to the Township, and that this is a management decision, and should be based on the individual job description. Manager Kangas stated the reason that this was coming before the Board was because, at the time of hire, it was indicated that should the Assessor decide to pursue additional townships, it would have to come before the Board for approval.

Lynch indicated that he has no problem with this, but feels it should be based on the position.

White indicated that based on the current Policies and Procedures, the Board is not able to deny this. She will bring it to the Personnel Committee when they meet on January 23rd.

BUDGET AMENDMENTS MOVED TO CONSENT AGENDA.

Supervisor Bohjanen questioned the Board on their feelings about moving Budget Amendments to a Consent Agenda. A roll call vote could be done to cover any amendments requiring this. Manager Kangas stated that going forward, if there were any Budget Amendments that the Board wished to discuss further, that particular item could be removed from the Consent Agenda and discussed separately.

Maki had questions on XII.H on the Sewer Extension Project. He asked that copies of the Gaming Compact be forwarded to the entire Board. Maki asked what benefit the Township was receiving from this project. Kangas indicated three permanent generators and proper pipe material to protect wells.

Maki moved, Rhein seconded that Item XII.H be voted on by itself.

MOTION CARRIED

Engle moved, Rhein seconded to approve Items XII.A through XII.G and Item XII.I as presented.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

Engle moved, Rhein seconded to approve XII.H as presented.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

BUDGET AMENDMENT GENERAL FUND NO. 3 – RAP GRANT TASER REPLACEMENT.

Engle moved, Rhein seconded that Whereas a budget was adopted December 11, 2017, by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues, and / or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department			
Equipment Maintenance			
101.305.778	\$ 9,950.00	+\$1,000.00	\$ 10,950.00

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$ 28,458.49	+\$1,000.00	\$ 29,458.49

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

BUDGET AMENDMENT GENERAL FUND NO. 4 – RAP GRANT BODY WORN CAMERAS.

Engle moved, Rhein seconded that Whereas a budget was adopted December 11, 2017, by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues, and / or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department			
Equipment Maintenance			
101.305.778	\$ 10,950.00	+\$ 868.00	\$ 11,818.00

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$ 29,458.49	+\$ 868.00	\$ 30326.49

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

BUDGET AMENDMENT GENERAL FUND NO. 5 – ZONING TECHNICIAN WAGES

Engle moved Rhein seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated General Fund expenditures of the Township on December 11, 2017 for fiscal year 2018, and Whereas, as a result of unanticipated expenditures it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS	CHANGE	AMENDED
EXPENDITURE			
Township Board			
Salaries			
101.103.702	\$120,108.00	-\$9,000.00	\$111,108.00
Zoning			
Salary			
101.800.705	\$0	+\$9,000.00	\$ 9,000.00
ROLL CALL VOTE			
AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen			
NAYS: None			
MOTION CARRIED			

BUDGET AMENDMENT CAPITAL IMPROVEMENT FUND – AMENDMENT NO. 5 - RAP GRANT IN CAR CAMERA.

Engle moved, Rhein seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on December 11, 2017 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 - Vehicles	\$ 65,996.90	+\$823.75	\$ 66,820.65
401.305.981			
REVENUE			
Miscellaneous	\$ 1,904.23	+\$823.75	\$ 2,727.98
401.698			

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

BUDGET AMENDMENT CAPITAL IMPROVEMENT FUND – AMENDMENT NO. 6 – POLICE TRAINING FUNDS

Engle moved. Rhein seconded, Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on December 11, 2017 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	\$ 1,453.17	\$371.76	\$ 1,824.93
REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI 401.543	\$ 333.08	\$ 371.76	\$ 704.84

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

BUDGET AMENDMENT CAPITAL IMPROVEMENT FUND – AMENDMENT NO. 7 - SALE OF FIREARMS

Engle moved, Rhein seconded, that Whereas a budget was adopted December 11, 2017 by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on 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 Department Capital Improvement Equipment 401.305.977	\$ 52,249.80	+\$1,750.00	\$ 53,999.80
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$ 2,727.98	+\$1,750.00	\$ 4,477.98

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

BUDGET AMENDMENT CAPITAL IMPROVEMENT FUND – AMENDMENT NO. 8 – RAP GRANT, SECURITY UPGRADES

Engle moved, Rhein seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on December 11, 2017 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 - Equipment 401.305.977	\$ 53,999.80	+\$278.00	\$ 54,277.80
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$ 4,477.98	+\$278.00	\$ 4,755.98

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

BUDGET AMENDMENT CAPITAL IMPROVEMENT FUND – AMENDMENT NO. 9 – DISTRIBUTION OF KBIC 2% FUNDS

Engle moved, Rhein seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund and Wastewater Treatment Fund Sinking Fund receipts within the Township on December 11th, 2017 for fiscal year 2018, 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	\$ 70,000.00	+\$138,460.06	\$208,460.06
EXPENDITURE			
Fire Dept. Equipment 401.340.977.000	\$ 59,910.46	+\$ 10,444.38	\$ 70,354.84
Police Dept. Equipment 401.305.977.000	\$ 52,249.80	+\$ 10,300.00	\$ 62,549.80
Water/Wastewater Equipment 401.591.977.000	\$ 21,000.00	+\$ 2,300.00	\$ 23,300.00
Recreation & Properties Equipment 401.756.977.000	\$ 30,637.86	+\$ 8,000.00	\$ 38,637.86
Wastewater Treatment Fund Sinking Fund – Sewer Extension Project 571.571.657.000	\$ 0.00	+\$107,415.68	\$107,415.68

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL FUNDS – BS&A SOFTWARE

Engle moved, Rhein seconded to authorize up to \$51,200.00 from Capital Improvement Fund 401.253.977 to purchase BS&A software upgrades.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MANAGEMENT LETTER FROM AUDITOR

Lynch moved, Rhein seconded to designate Supervisor Bohjanen as signatory on the letter.

MOTION CARRIED

ADOPT REVISED MDOT PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES.

Lynch moved, Zyburt seconded to approve the *Performance Resolution for Governmental Agencies* as presented and to authorize the Township Supervisor to sign the resolution on behalf of the Township.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

ANNUAL REVIEW OF BOARD POLICIES.

Maki suggested that on the agenda, there be an update portion for the liaison to the Planning Commission and the liaison to the Zoning Board of Appeals. Bohjanen questioned if it should be in person or in writing, as the update would then be included in the packet material. The Board thought this would be a good idea.

Manager Kangas asked where this would be located in the agenda – it was indicated that it will be in the same area as the Supervisor Report and the Clerk Report.

White moved, Lynch seconded to accept the Board Policies as presented.

MOTION CARRIED

TOWNSHIP MANAGER'S FIRST ANNUAL PERFORMANCE REVIEW.

Bohjanen stated that at the December meeting the Board members were given evaluation sheets and asked to fill them out prior to the January meeting. Bohjanen then collated the information.

Manager Kangas stated that if any of the Board members were interested in sitting down with him and voicing their thoughts, he would be happy to listen to them. Kangas also indicated that if the Board is thinking about granting a percentage, he would like to request an additional week of vacation.

White moved, Rhein seconded that the Manager be allowed to have one extra week of vacation.

MOTION CARRIED

White moved, Lynch seconded to also give the Manager a 2% raise effective January 1, 2019.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

Mark Maki, 370 Karen Road – Short term rentals seem to have gone off the agenda for at least the past 3 months. He feels this issue needs to be resolved. Planning Director Throenle indicated that this is on the Planning Commission meeting on January 21, 2019.

Lynch moved Rhein seconded to adjourn the meeting.
MOTION CARRIED

The meeting was adjourned at 6:50 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Jude Catallo, Lakewood Lane, Sewer Ordinance Revisions.
- B. Correspondence – Ann LaChance, M 28 #, Sewer Ordinance Revisions.
- C. Correspondence – Darwin & Sue Britton, Lakewood Lane, Sewer Ordinance Revisions.
- D. Correspondence – Mariann DeRosia, Bayou Street, Private Road Garbage Collection.
- E. Correspondence – Marquette Area Fourth of July Celebration
- F. Minutes – Chocolay Township Planning Commission, Regular Meeting of December 17, 2018, Draft.
- G. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of November 8, 2018, Draft.
- H. Minutes – US-41 Corridor Advisory Group, Regular Meetings of November 13, 2018 and December 11, 2018.
- I. Information – January 2019 Chocolay Township Newsletter.
- J. Information – Notice of Intent to Apply for MDEQ SRF Funding, December 19, 2018.
- K. Information – Iron Ore Heritage Recreation Authority 2018 Municipal Updates, December 2018.
- L. Information – Marquette County Solid Waste Management Authority, Single Stream Recycling Packet, December 6, 2018.
- M. Information – MDOT Ishpeming TSC 2019 Construction Program and 2020 – 2023 Construction Programs.

Max Engle, Clerk

Richard Bohjanen, Supervisor

February 11, 2019

A Regular meeting of the Chocolay Township Board was held on Monday, February 11, 2019 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, Ben Zyburt, Max Engle, Don Rhein, Judy White, Mark Maki.

ABSENT: David Lynch (excused).

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Scott Jennings, Brad Johnson, Dale Throenle, Lee Gould

APPROVAL OF AGENDA.

Rhein moved, Engle seconded that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT. NONE

CONSENT AGENDA

AGENDA ADDITIONS/DELETIONS.

- A. Approve Minutes of Previous Meeting – January 14, 2019.
- B. Approve Bills Payable, Check Register Reports – January 14 (Check #'s 23010 - 23023, in the amount of \$36,335.99), January 15 (Check #'s 23024 - 23043, in the amount of \$23,236.38), January 17 (Check #'s 23044 - 23048, in the amount of \$73,906.56) and January 30 (Check #'s 23049 – 23072, in the amount of \$30,843.30).
- C. Approve Bills Payable, Regular Payroll – January 10 (Check #'s 25269 - 25307 and Check #'s 10764 - 10768, Federal, State, and MERS for a total of \$41,124.87), and January 24 (Check #'s 25308 - 25331 and Check #'s 10769 - 10773, Federal, State, and MERS for a total of \$36,908.78).
- D. Approve Financial Reports, Revenues and Expenditures – January 1 through December 31, 2018 (unaudited).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – December 31, 2018.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – January 31, 2019.

Trustee Maki asked that Item A (Meeting Minutes from January 14, 2019) be removed from the Consent Agenda for questions.

Maki moved, Rhein seconded that the Consent Agenda be approved as modified (exception of Item A removed for discussion).

MOTION CARRIED

Discussion of Item A – Minutes from Meeting of January 14, 2019.

Maki suggested that on the bottom of page 5, on the motion that he voted “Nay” on, that there be a clarification on what XII.H referred to.

Manager Kangas indicated that in the minutes, 3 paragraphs up from the motion, there was a reference to XII.H – Sewer Extension Project.

Maki moved, White seconded that there be a clarification added on the XII.H reference. Maki felt this clarification was no longer needed. Motion to approve.

MOTION CARRIED

SUPERVISOR’S REPORT

Supervisor Bohjanen indicated he has an appointment on February 18 (date of Joint Meeting) and felt it was very unlikely that he would be back in time for the meeting. Bohjanen asked that Clerk Engle call the meeting to order on February 18, and a chair be selected at that time.

Supervisor Bohjanen also indicated that there had been some complaints on snowmobiles in Chocoday Township, as the STOP signs on driveways have been replaced with YIELD signs and they are traveling through at a high rate of speed. This is especially true with the Raptor Center, as the driveway is partially hidden. The problem is being worked on.

CLERK’S REPORT

Clerk Engle indicated that there is some reorganizing happening in the vault, so that everyone will be able to locate the records they need.

TREASURER’S REPORT

Treasurer Zyburt stated there had been a couple CD’s that matured within the last month. A \$250,000 Mbank CD matured at a rate of 1.3% and was reinvested into the same bank for one year at 2.5%. There was also a \$250,000 First Bank CD at 1.8% that was reinvested with First Bank for 18 months at 2.8%. There was also an extra \$100,000 from taxes that was invested in the Mercantile Bank at 2.6% for 18 months. For the month of January, the Township made \$12,140 in interest in CD’s.

PLANNING COMMISSION REPORT

Trustee Rhein indicated the Planning Commission has been working on getting priorities set for the coming year and had a couple of re-zonings. Also took a look at the Marijuana laws and are planning on waiting to work on any type of ordinance until the State has figured out how they are handling it.

ZONING BOARD OF APPEALS REPORT

Trustee Maki indicated that the ZBA has not met very much – the last time they met would have been with the Casino and a height issue for the proposed casino expansion.

PUBLIC HEARING – NONE.

PRESENTATIONS – NONE.

SECOND READING OF PROPOSED REVISIONS TO ORDINANCE NO. 39 WASTE WATER COLLECTION SYSTEM.

White moved, Rhein seconded, that after providing required notification to the public, holding a public hearing and considering public input, the Chocolay Township Board approves the Second Reading of proposed amendments to Section 5 of *Ordinance 39 Waste Water Collection System* as written.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

2019 TOWNSHIP MANAGER COMPENSATION.

Kangas indicated that this was brought back to the Board because of some wrong numbers which were mentioned at the last meeting. He has included a table that shows the value of vacation and salary increase based on different percentages.

White moved, Maki seconded to increase the Township Manager's annual salary by 1.0%, effective January 1, 2019.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

2018 PLANNING COMMISSION ANNUAL REPORT.

Zyburt moved, Rhein seconded, that the *2018 Planning Commission Annual Report* be accepted as written.

MOTION CARRIED

DISCUSSION OF PLANNING COMMISSION PRIORITIES FOR 2019 / 2020.

White moved, Zyburt seconded, that the priorities for the Planning Commission for 2019 – 2020 be published as written and added to the agenda for the joint meeting scheduled on February 18, 2019 for discussion with the Planning Commission.

MOTION CARRIED

PROPOSED REZONING FROM WATERFRONT TO RESIDENTIAL – KAWBAWGAM ROAD.

Zyburt moved, and Engle seconded, that after providing required notification to the public, holding a public hearing and considering public input, the Board waives the second reading and approves changing the zoning district for twenty-seven parcels located on the south side of Kawbawgam Road above Lake Kawbawgam from Waterfront Residential (WFR) to Residential (R-

1), and 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 to record the amendment in the Township *Zoning Ordinance* book within one week after publication.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

PROPOSED REZONING FROM RESIDENTIAL TO WATERFRONT – CHOCOLAY RIVER CORRIDOR.

White moved, and Rhein seconded, that after providing required notification to the public, holding a public hearing and considering public input, the Board waives the second reading and approves changing the zoning district for one hundred twenty-one parcels located along the Chocolay River and a portion of Cherry Creek from Residential (R-1) to Waterfront Residential (WFR), and 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 to record the amendment in the Township *Zoning Ordinance* book within one week after publication.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

PROPOSED REZONING FROM MULTI-FAMILY RESIDENTIAL TO COMMERCIAL – KAWBAWGAM ROAD AT M28 EAST.

Maki moved, White seconded that this be tabled until further review can be done on the entire area.

AYES: 1 (Maki)

NAYS: 5

MOTION FAILED

Engle moved, Zyburt seconded that after providing required notification to the public, holding a public hearing and considering public input, the Board waives the second reading and approves changing the zoning district for two parcels located at the intersection of M-28 and Kawbawgam Road from Multi-Family Residential (MFR) to Commercial (C), and 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 to record the amendment in the Township *Zoning Ordinance* book within one week after publication.

Maki moved, Rhein seconded to NOT waive the second reading as an amendment to Engle's motion.

AYES: 5

NAYS: 1 (Engle)

MOTION CARRIED

Engle moved, Zyburt seconded that after providing required notification to the public, holding a public hearing and considering public input, the Board approves the first reading and recommends scheduling a second reading for the March, 2019 meeting.

AYES: 5

NAYS: 1 (Maki)

MOTION CARRIED

PROPOSED EXTENSION OF MIXED USE OVERLAY DISTRICT.

Planner Throenle asked the Board to table this item, as this would go along with the previous discussion related to the multi-family to commercial rezoning request.

Maki moved, Zyburt seconded that this item be tabled until the March, 2019 meeting.

MOTION CARRIED

AUTHORIZATION TO ENTER INTO CONTRACT WITH MCRC FOR 2019 ROAD PAVING.

Zyburt moved, Rhein seconded to enter into an agreement with Marquette County Road Commission for the 2019 Chocolay Township paving project based on the low bid price of \$428,632.50 by Bacco Construction. This agreement will also include standard administration fees charged by MCRC anticipated to equal 3% of the construction cost, or \$12,858.98.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – VAULT STORAGE.

Rhein moved, White seconded that the Clerk expend up to \$3,000 from the Clerk Capital Improvement Fund 401.215.977 for reorganization of vault materials.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

CONSENT AGENDA

Engle moved, Zyburt seconded that *Item I through Item M* be moved to a Consent Agenda, and that a Roll Call Vote be taken.

ROLL CALL VOTE

AYES: Maki, Rhein, Zyburt, Engle, Bohjanen

NAYS: White

ABSENT: Lynch

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – NMU PUBLIC SAFETY INSTITUTE.
Expend \$675 for the NMU Public Safety Institutes for year 2018. This would come from the Capital Improvement Police Training Fund, 401.306.957.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – TACTICAL ENCOUNTERS FOR PATROL OFFICERS.
Expend \$470 for the Tactical Encounters for Patrol Officers training. This would come from the Capital Improvement Police Training Fund, 401.306.957.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – GRADING SCRAPER.
Expenditure of \$1,500 to U.P. Kubota for the purchase of a grading scraper. This is to be paid out of Capital Improvements 401.756.977.000.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – EQUIPMENT HAULER / TRAILER.
Expenditure of \$3,704.08 and the trade in for our 16 ft. Maclander trailer to Bay Trailer Depot for the purchase of a new equipment hauler. This is to be paid out of Capital Improvements 401.756.977.000.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – FIRE DEPARTMENT TRAILER UPGRADES.
Authorize the Fire Department to purchase equipment for the rescue trailer in the amount of \$10,444.38 using Capital Improvement funds.

NOT ON CONSENT AGENDA

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS – KBIC WATER TOWER PAY REQUESTS 1 AND 3.
Zyburt moved, White seconded to authorize the Financial Records Clerk to pay Gundlach Champion, Inc. Pay Requests 1 and 3 in the amounts of \$215,668.05 and \$39,956.75, respectively. This authorization shall be contingent upon receipt and deposit of the remaining \$620,000 payment of 2% funds from KBIC. These expenditures shall be applied to the Capital Improvement Fund, Account 340.972.002, Ojibwa Water Reservoir.

ROLL CALL VOTE

AYES: Zyburt, Engle, Bohjanen

NAYS: Maki, Rhein, White

ABSENT: Lynch

MOTION FAILED

RECOMMENDATIONS FROM PERSONNEL COMMITTEE

White moved, Zyburt seconded to change the first sentence of Section 5.4 in the *Township Policies and Procedures* to read: “The Manager, or Department Heads with the consent of the Manager, will **temporarily** determine starting times, quitting times, and work hours for Township positions **pending Township Board approval..**”

MOTION CARRIED

Zyburt moved, White seconded to accept the draft proposal for the Financial Records Clerk to assume **all** financial responsibilities of the Utility Review Committee with compensation reimbursed by the Utility Review Committee.

MOTION CARRIED

Engle moved, White seconded to add \$2,000 into the Technology Salary, create an IT Technician job description based on the IT duties enumerated in the vacated Community Development Coordinator position, reduce Planning and Zoning Temp Employee salary by \$2,000 and retroactively apply this salary to the Planning Director and Zoning Administrator's compensation effective January 1, 2019.

ROLL CALL VOTE

AYES: Rhein, White, Zyburt, Engle, Bohjanen

NAYS: Maki

ABSENT: Lynch

MOTION CARRIED

Zyburt moved, Rhein seconded to change the last line of the Job Description for the DPW Supervisor position summary to state: "This position is expected to assist in performing the essential duties listed in General Maintenance Worker job description and will be eligible for overtime compensation for these duties as budgeted."

MOTION CARRIED

White moved, Zyburt seconded to promote Brad Johnson, DPW Foreman to DPW Supervisor, increase the salary for DPW Foreman (Supervisor) in account 756.702 by \$2,443, decrease recreation overtime in account 756.702 by \$2,443, and retroactively apply this salary to January 1, 2019.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

RESOLUTION TO WAIVE PENALTIES FOR NON-FILING OF PROPERTY TRANSFER AFFIDAVITS UNDER MCL 211.27B

Maki moved, Rhein seconded to adopt the Resolution to Waive Penalties for Non-Filing of Property Transfer Affidavits under MCL 211.27b, as presented.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

**RESOLUTION TO WAIVE PENALTIES FOR NON-
FILING OF PROPERTY TRANSFER AFFIDAVITS
UNDER MCL 211.27b**

WHEREAS, MCL 211.27a(10) requires the buyer, grantee, or other transferee of the property to notify the appropriate assessing office in the local unit of government in which the property is located of the transfer of ownership of the property within 45 days of the transfer of ownership, on a form prescribed by the state tax commission that states the parties to the transfer, the date of the transfer, the actual consideration for the transfer, and the property’s parcel identification number or legal description, and

WHEREAS, MCL 211.27b(1) requires that if the buyer, grantee, or other transferee in the immediately preceding transfer of ownership of property do not notify the appropriate assessing office of the transfer, then penalties as described in MCL 211.27b(1)(c) or (d) are levied, and

WHEREAS, MCL 211.27b(5) provides that the governing body of a local tax collecting unit may waive, by resolution, the penalty levied under MCL 211.27b(1)(c) or (d).

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay waives the penalty for failure to file the Property Transfer Affidavit following a transfer of ownership pursuant to the local unit’s authority contained in MCL 211.27b.

Vote:	Trustee Maki	<u> X </u>	YES	<u> </u>	NO
	Trustee Rhein	<u> X </u>	YES	<u> </u>	NO
	Trustee White	<u> X </u>	YES	<u> </u>	NO
	Trustee Lynch	<u> </u>	ABSENT	<u> </u>	NO
	Treasurer Zyburt	<u> X </u>	YES	<u> </u>	NO
	Clerk Engle	<u> X </u>	YES	<u> </u>	NO
	Supervisor Bohjanen	<u> X </u>	YES	<u> </u>	NO

Certification: _____ Max Engle, Clerk

PUBLIC COMMENT – NONE.

Zyburt moved Rhein seconded to adjourn the meeting.
MOTION CARRIED

The meeting was adjourned at 7:10 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of January 21, 2019, Draft.
- B. Minutes – Marquette County Solid Waste Management Authority, Informational Meeting of January 16, 2019, Draft.
- C. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of December 20, 2018, Draft.
- D. Minutes – US-41 Corridor Advisory Group, Regular Meeting of January 8, 2019.
- E. Minutes – Marquette County Township Association, Regular Meeting of October 24, 2018.
- F. Information – February 2019 Chocolay Township Newsletter.
- G. Information – LARA Notice for Electrical Plan Review and Inspection Staff (Applies to Marquette County Building Codes).

Max Engle, Clerk

Richard Bohjanen, Supervisor

February 18, 2019

A Joint meeting of the Chocolay Township Board of Trustees and Planning Commission was held on Monday, February 18, 2019 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. In the absence of Supervisor Bohjanen, the meeting was called to order by Clerk Max Engle at 5:30 pm. Appointment of Chair for the meeting was first order of discussion.

White moved, Lynch seconded that Clerk Engle be appointed chair.

MOTION CARRIED

TOWNSHIP BOARD.

PRESENT: Ben Zybert, Max Engle, David Lynch, Don Rhein, Judy White, Mark Maki.

ABSENT: Richard Bohjanen (excused)

Planning Commission Chair, Tom Mahaney, called the meeting of the Planning Commission for the Joint Meeting to order at 5:35 pm.

PLANNING COMMISSION.

PRESENT: Tom Mahaney, Susan Maynard, Donna Mullen-Campbell, Cory Bushong, Don Rhein, Kendell Milton, Ryan Soucy

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Dale Throenle

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA.

Zybert moved, Rhein seconded that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT

Stephanie Gencheff, 597 Lakewood Lane – had questions concerning the zoning maps that were presented in the February 11, 2019 Board packet, as the maps show the future rezoning of the residential along M-28 (north and south sides) to mixed-use residential. Voted down last summer – does not think it can be brought before the Board without proper notification. Seems to be a disconnect between the Master Plan and the residents of Chocolay Township.

Brian Miller, 217 Judy Street – addressed the quarterly to monthly billing on the sewer bills. He feels this does not make any sense – more cost overall. Spoke on vacation and pay raises for the Township Manager and all employees - doesn't see why anyone working at the Township should be receiving pay raises. Feels the Township should be proactive instead of reactive. Questioned the retirement plan and how the Township was handling their investments.

Mark Maki, Trustee – addressed some of Miller’s concerns. Also asked questions of S. Gencheff regarding the maps – current zoning map and the proposed zoning map (which was voted down last summer). She was questioning what is being voted on.

Dale Throenle, Staff – Planning Director Throenle indicated that the maps were not part of the discussion – the only portion that was discussed was the property on the corner of Kawbawgam and M-28. He explained they were in the packet for reference purposes only.

Public comment closed at 5:46 pm.

PUBLIC HEARING – NONE

PRESENTATIONS – NONE

UNFINISHED BUSINESS – NONE

DISCUSSION OF PLANNING COMMISSION PRIORITIES FOR 2019 / 2020.

Throenle introduced the priorities to the Board – this is the same list that was brought before the Board at regular meeting of the Board on February 11.

Trustee Maki questioned the status and strategy of the language for short term rental. Planning Commission Chair Mahaney indicated there have been several meetings regarding this, and there is language that will be brought before the Planning Commission at their meeting following the Joint Meeting. Commissioner Maynard indicated the changes made reference to all rentals without distinction between short term and long term rentals. Throenle described the process of registration of a rental. He indicated there would also be a list of rules and regulations that would be distributed to renters. This would be a yearly registration.

Trustee White asked about the review and update of the Master Plan, and when this was due. Throenle indicated that the update is required in 2020.

Clerk Engle asked about the Recreation Plan due date – Manager Kangas indicated that the Recreation Plan is being worked on. This would need to be done before we are eligible to apply for DNR grants (none are anticipated this year).

Trustee Maki questioned the update of the Township Zoning Ordinance – wondered what the problems were. Throenle indicated that an example would be some of the footnotes that are buried in the Ordinance.

Trustee Maki questioned the priority for addressing non-conformities regarding properties in the Agricultural / Forestry district. Throenle indicated this would be focusing on minimum lot sizes, and what makes sense in the long term for the Township.

Planning Commission Chair Mahaney indicated that the Planning Commission had input in putting together the list and establishing what they felt were the priorities for the Township.

Trustee Maki also voiced concern on re-zonings in the Kawbawgam area.

Zyburt moved, Lynch seconded that the priorities for the Planning Commission be forwarded to the Planning Commission as written as the recommended Planning Commission priorities for the 2019 through 2020 calendar year.

MOTION CARRIED

PUBLIC COMMENT – NONE.

Brian Miller, 217 Judy Street – feels growth is good to a point. How much is too much?

Stephanie Gencheff, 597 Lakewood Lane – brought up the rezoning of the parcels that was on the agenda for the February 11 Board meeting. She is confused about what is proposed to be rezoned along M-28. Planning Director Throenle indicated he would clarify this after the meeting with the resident.

Zyburt moved Lynch seconded to adjourn the meeting.

MOTION CARRIED

The meeting was adjourned at 6:46 pm.

Max Engle, Clerk

Richard Bohjanen, Supervisor

March 11, 2019

A Regular meeting of the Chocolay Township Board was held on Monday, March 11, 2019 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, Ben Zyburt, Max Engle, David Lynch, Don Rhein, Mark Maki.

ABSENT: Judy White (excused).

STAFF PRESENT: Jon Kangas, Lisa Perry, Scott Jennings, Brad Johnson, Dale Throenle, Lee Gould.

APPROVAL OF AGENDA.

Supervisor Bohjanen requested that an item be added to the agenda under New Business, Item I. Request from City of Marquette for a letter of support for a DNR Trust Fund Grant for building universally acceptable playground equipment at Mattson Lower Harbor Park.

Lynch moved, Zyburt seconded that the agenda be approved as modified by adding the letter from the City of Marquette.

MOTION CARRIED

PUBLIC COMMENT.

Brian Miller, 217 Judy – questioned the jump in the Township Manager’s salary from \$45,000 to \$75,000. Discussed the type of pension program the Township is in. Need to be proactive.

Supervisor Bohjanen indicated the jump was because of a change in the manager position from part time to full time. He also indicated that the Township has been looking at the pension plan and gathering information on this.

CONSENT AGENDA

AGENDA ADDITIONS/DELETIONS.

- A. Approve Minutes of Previous Meetings – February 11, 2019 Regular Meeting and February 18, 2019 Joint Meeting.
- B. Approve Bills Payable, Check Register Reports – February 12 (Check #'s 23073 - 23105, in the amount of \$38,146.51) and February 27 (Check #'s 23105 - 23135, in the amount of \$30,528.23).
- C. Approve Bills Payable, Regular Payroll – February 7 (Check #'s 25332 - 25346 and Check #'s 10774 - 10778, Federal, State, and MERS for a total of \$35,103.12), and February 21 (Check #'s 25347 - 25376 and Check #'s 10779 - 10783, Federal, State, and MERS for a total of \$40,221.95).
- D. Approve Treasurer’s Report, Certificates of Deposit and Investment Reports – January 31, 2019.

E. Approve Treasurer’s Report, Fund Withdrawal and Deposit Report – February 28, 2019.

Zybert moved, Lynch seconded that the Consent Agenda be approved as presented.

MOTION CARRIED

SUPERVISOR’S REPORT

None.

CLERK’S REPORT

None.

TREASURER’S REPORT

Treasurer Zybert stated there were no maturing CDs for the month – nothing to report.

PLANNING COMMISSION REPORT

Trustee Rhein indicated at last meeting the Planning Commission went over the rental agreement.

Trustee Maki felt there could be problems – rentals versus ownership. They are not held to same standard. Supervisor Bohjanen indicated that most issues are with ordinances, and everyone is held to that same standard.

PUBLIC HEARING – NONE.

PRESENTATIONS – FIRE DEPARTMENT RETIREMENT PRESENTATION

Lee Gould, Fire Chief, presented Brad Johnson with a plaque for his 16 years of service in the fire department.

PRESENTATIONS – FIRE DEPARTMENT APPARATUS PRESENTATION

Lee Gould, Fire Chief, discussed the need for replacement of the main front line pumper due to its age. Total replacement cost would be approximately \$650,000, and it is all custom built, so build and delivery time is approximately 2 years. Manager Kangas indicated he would like to wait until the audit is completed for 2018, and go forward from there.

Trustee Maki stated it would be good to have some financing options.

Board consensus was to proceed with exploring the options.

SECOND READING OF PROPOSED REZONING FROM MULTI-FAMILY RESIDENTIAL TO COMMERCIAL – KAWBAWGAM ROAD AT M-28 EAST.

Engle moved, Lynch seconded that after providing required notification to the public, holding a public hearing, providing a first and second reading of the material and considering public input, the Board approves changes to the zoning district for two parcels located at the intersection of M-28 and Kawbawgam Road from Multi-Family Residential (MFR) to Commercial (C) as *Zoning*

Ordinance Amendment 34-19-02. The Board files 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 to record the amendment in the Township *Zoning Ordinance* book within one week after publication.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

ABSENT: White

MOTION CARRIED

PROPOSED ZONING ORDINANCE AMENDMENT 343-19-03 – MIXED USE OVERLAY DISTRICT EXTENSION.

Lynch moved, Rhein seconded that after providing required notification to the public, holding a public hearing and considering public input, the Board waives the second reading and approves applying the mixed use overlay district to five commercial parcels located at the intersection of M-28 and Kawbawgam Road, two commercial parcels located at the intersection of County Road 480 and US 41 South, and six commercial parcels located at the intersection of Mangum Road and US 41 South as *Zoning Ordinance* amendment 34-19-03. The Board files 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 to record the amendment in the Township *Zoning Ordinance* book within one week after publication.

ROLL CALL VOTE

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

2019 GENERAL FUND BUDGET AMENDMENT TO REFLECT RECEIPT OF DEPARTMENT OF JUSTICE BALLISTIC VEST PROGRAM FUNDS

Lynch moved, Zyburt 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 12, 2018 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 General Fund-Uniforms 101.305.745	\$ 3,150.00	+\$1,374.50	\$ 4,524.50
REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$ 25,000.00	+\$1,374.50	\$ 26,374.50

ROLL CALL VOTE

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

2019 GENERAL FUND BUDGET AMENDMENT TO REFLECT ADJUSTMENT TO TOWNSHIP MANAGER SALARY.

Zyburt moved, Rhein seconded that whereas, a budget adopted by the Chocolay Township Board to govern the anticipated General Fund expenditures within the Township on November 12, 2018 for fiscal year 2019, and whereas, as a result of unanticipated expenditures, 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
EXPENDITURE			
Township Board Salaries, Township Manager 101.103.702	\$75,000.00	+\$750.00	\$75,750.00
EXPENDITURE			
Other General Government, Contingency 101.285.951	\$20,000.00	-\$750.00	\$19,250.00

ROLL CALL VOTE

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

2019 CAPITAL IMPROVEMENT BUDGET AMENDMENT TO REFLECT RECEIPT OF KBIC 2% FUNDS FOR ELEVATED WATER STORAGE TANK.

Lynch moved, and 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 November 12, 2018 for fiscal year 2019, and whereas, as a result 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 Funds 401.000.582	\$0.00	+\$620,000.00	\$620,000.00
EXPENDITURE			
Ojibwa Water Reservoir 401.340.002.972	\$75,000.00	+\$620,000.00	\$695,000.00

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

ABSENT: White

MOTION CARRIED

2019 SEWER CAPITAL IMPROVEMENT BUDGET AMENDMENT TO REFLECT RECEIPT OF KBIC WWTP CAPACITY PURCHASE FUNDS

Zyburt moved, and Lynch seconded that whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Wastewater Treatment (Sewer) Fund receipts within the Township on November 12, 2018 for fiscal year 2019, and whereas, as a result 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			
Plant Capacity Cost Reimbursement 571.658	\$0.00	+\$114,120.24	\$114,120.24
EXPENDITURE			
Sewer Capital Improvements, Plant Purchase 571.970	\$0.00	+\$114,120.24	\$114,120.24

ROLL CALL VOTE

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR PAY REQUESTS 1, 3, AND 4 FOR THE ELEVATED WATER STORAGE TANK.

Lynch moved, and Rhein seconded to authorize payment of Pay Application 1 in the amount of \$215,668.05, Pay Application 3 in the amount of \$39,956.75 and Pay Application 4 in the amount of \$91,450.91 using Capital Improvement Funds from Fire Account 401.340.972.002, Ojibwa Water Reservoir.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

ABSENT: White

MOTION CARRIED

AUTHORIZATION TO EXPEND SEWER CAPITAL IMPROVEMENT FUNDS FOR THE PURCHASE OF WASTEWATER TREATMENT CAPACITY.

Zyburt moved, and Rhein seconded that having received payment from KBIC for the necessary wastewater treatment capacity purchase, the Township Board approves payment of invoices received from the City of Marquette and Marquette Township, each in the amount of \$57,060.12 (totaling \$114,120.24) utilizing Sewer Capital Improvement funds budgeted through amendment in account 571.970, Plant Purchase.

ROLL CALL VOTE

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

AUTHORIZATION TO AMEND SEWER USER CHARGES FOR 4025 US 41 SOUTH.

Motion by Lynch, supported by Engle that the Equivalent User Fee for 4025 US 41 South be lowered from 1.0 down to 0.0 as of February 1, 2019, as provided for in section 9.C.2.e, of Wastewater Ordinance #39.

MOTION CARRIED

DISCUSSION OF ORDINANCE 39, SECTION 9.E.1, BILLING AND PAYMENT OF CHARGES.

Lynch moved, and Zyburt seconded to reduce the billing period in Section 9.E.1 of Ordinance 39 from 30 days to 25 days and to schedule a public hearing for the April 8, 2019 Township Board Meeting.

MOTION CARRIED

REQUEST FROM CITY OF MARQUETTE FOR LETTER OF SUPPORT FOR TRUST FUND GRANT.

Maki moved, Engle seconded that the Township send a letter of support to the City of Marquette for the playground equipment at Mattson Park to be signed by the Township Supervisor.

MOTION CARRIED

PUBLIC COMMENT – NONE.

Lynch moved Zybert seconded to adjourn the meeting.

MOTION CARRIED

The meeting was adjourned at 6:18 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – E. Delene, 232 Kawbawgam Road, Casino Light and Generator Concerns.
- B. Correspondence – D. Weide, 357 Mangum Road, Garbage Collection Issues.
- C. Minutes – Chocolay Township Planning Commission, Regular Meeting of February 18, 2019, Draft.
- D. Minutes – Marquette County Solid Waste Management Authority, Informational Meeting of February 20, 2019, Draft.
- E. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of January 17, 2019, Final.
- F. Information – March 2019 Chocolay Township Newsletter.
- G. Information – MCSWMA Solid Waste Tipping Fees – 10 Year Plan.
- H. Information – MMRMA Distributions of Excess Net Assets (2 Letters).

Max Engle, Clerk

Richard Bohjanen, Supervisor

April 8, 2019

A Regular meeting of the Chocolay Township Board was held on Monday, April 8, 2019 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, Ben Zyburt, Max Engle, David Lynch, Judy White, Don Rhein, Mark Maki.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Brad Johnson, Dale Throenle, Tony Carrick

APPROVAL OF AGENDA.

Lynch moved, Rhein seconded that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

None.

CONSENT AGENDA

AGENDA ADDITIONS/DELETIONS.

- A. Approve Minutes of Previous Meeting – March 11, 2019.
- B. Approve Bills Payable, Check Register Reports – March 7 (Check #'s 23136 - 23155, in the amount of \$15,848.91), March 21 (Check #'s 23156 - 23182, in the amount of \$504,100.85), and March 30 (Check #'s 23183 – 23201, in the amount of \$26,197.76).
- C. Approve Bills Payable, Regular Payroll – March 7 (Check #'s 25377 - 25392 and Check #'s 10784 - 10788, Federal, State, and MERS for a total of \$33,939.98), and March 21 (Check #'s 25393 - 25424 and Check #'s 10789 - 10793, Federal, State, and MERS for a total of \$39,471.96).
- D. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – February 28, 2019.
- E. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – February 28, 2019.

Zyburt moved, Lynch seconded that the Consent Agenda be approved as presented.

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated two items that will be addressed at the next Planning Commission meeting – the Fireworks Ordinance and a possible amendment to the ATV Ordinance.

CLERK'S REPORT

Clerk Engle reported that he had attended the MTA conference the previous week – three sessions that he attended were on the new legislation on elections – lots of changes.

TREASURER'S REPORT

Treasurer Zyburt reported a CD matured on April 4 for \$225,000 at First National of East Lansing at 2.5% - reinvested in a First National Bank of Howell 6-month CD at 2.30%.

PLANNING COMMISSION REPORT

Trustee Rhein reported that the Planning Commission had taken a look at the new Fireworks laws the State had put into place and also finalized the Marijuana proposal and the Rentals proposal. The PC also took a preliminary look at the Sign Ordinance.

ZONING BOARD OF APPEALS REPORT – NONE

PUBLIC HEARING – FIRST READING OF PROPOSED REVISION TO ORDINANCE 39 WASTE WATER COLLECTION SYSTEM, SECTION 9.E.1, BILLING AND PAYMENT OF CHARGES.

Manager Kangas stated that this issue with the current wording is that it states, *“The bill shall be payable within **30** days of the date of billing, and any bill not paid within said **30** day period shall be deemed delinquent and a penalty of ten percent (10%) of the amount of such billing shall be added thereto and shall be due and owing as part of said billing.”* As we have started billing on a monthly basis, this creates confusion on the part of the penalty. He is recommending that the wording be changed to read **25 days**, instead of the 30 days.

Zyburt moved, Lynch seconded that after providing required notification to the public, holding a public hearing and considering public input, the Chocoley Township Board approves the first reading of proposed amendments to Section 9.E.1 of Ordinance 39 Waste Water Collection System as revised and to schedule a second reading for the May 13, 2019 Township Board Meeting.

Clerk Engle suggested that the wording be changed to *“The bill shall be payable **by the 25th day of said month ... and any bill not paid by the 25th day of the month shall be deemed delinquent ...**”* to avoid any confusion on the actual due date. Manager Kangas stated that this would make it consistent.

Zyburt moved, Lynch seconded that change in the motion.

MOTION CARRIED

PRESENTATIONS – NONE.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR PAY REQUEST 5 FOR THE ELEVATED WATER STORAGE TANK.

Lynch moved, Zyburt seconded to authorized payment of Pay Application 5 in the amount of \$15,351.27 using Capital Improvement Funds from Fire Account 401.340.002.972, Ojibwa Water Reservoir.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki, White

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR THE PURCHASE OF A LAWN MOWER.

Zyburt moved, Rhein seconded that the Chocolay Township Board approves the trade in of our John Deere X475 and the purchase of the Gravely PT 460 Zero Turn Mower from Northgate Equipment in the amount of \$7,938.00 to be paid out of the capital improvement fund 401.756.977.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PROPOSED CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT 2-2019 TO REFLECT TRANSFER OF FUNDS TO TOWNSHIP SIGN.

Engle moved, Zyburt seconded that whereas, a budget adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund expenditures within the Township on November 12, 2018 for fiscal year 2019, and whereas, as a result of unanticipated authorization to reallocate Capital Improvement Funds, 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
EXPENDITURE			
Community Center, Center Development 401.722.977	\$5,215.42	-\$5,215.42	\$0
EXPENDITURE			
Township Hall & Grounds, Township Sign Replacement 401.265.972	\$5,000.00	+\$5,215.42	\$10,215.42

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

Trustee Maki asked about the possibility of getting water in the meeting room. White agreed that a little kitchenette would be good. DPW Supervisor Johnson will look into this, as there are already water lines coming into the meeting room. No change will be needed for the above amendment.

PROPOSED RESOLUTION IN SUPPORT OF / OPPOSITION TO NONPARTISAN LOCAL OFFICE ELECTIONS.

RESOLUTION

At a meeting of the Charter Township of Chocolay Board, the following resolution was offered by Trustee Maki and supported by Trustee Lynch:

*Be it resolved, that the township board is on record **in opposition to** legislation that would allow township boards the option to have its elected offices appear as nonpartisan on the ballot.*

Roll call vote:

- Supervisor Bohjanen: NO*
- Clerk Engle: NO*
- Treasurer Zyburt: NO*
- Trustee Lynch: YES*
- Trustee White: NO*
- Trustee Rhein: YES*
- Trustee Maki: YES*

*The motion was declared **not adopted**.*

Clerk's Certification

I hereby certify that the forgoing is a true statement of an action taken by the Charter Township of Chocolay Board at an official meeting of said Board on April 8, 2018.

Max Engle, Clerk

Date

PROPOSED ORDINANCE 67, MARIJUANA ESTABLISHMENTS.

Planning Director/Zoning Administrator Throenle introduced this item, and went over the background of the proposed ordinance.

Sgt. Carrick also went over the issues that law enforcement would have.

White moved, Lynch seconded that after providing required notification to the public, holding a public hearing and considering recommendations of the Township Planning Commission and the Township Attorney, the Board schedule a second reading on the proposed language as written for Ordinance 47 *Marijuana Establishments*, at its May 2019 meeting.

Supervisor Bohjanen commented that he feels that the decision is based on incomplete ideology, with reasons as follows: (1) the concept of it protecting the health, safety and welfare is fallacious as it will not prevent the use of marijuana in the community; (2) for the purpose of law enforcement having a licensed facility would make the ordinance enforceable; (3) there are several facilities that are included in the ordinance that may be an advantage to the township, such as extraction facilities, safety compliance facilities, and growing facilities; (4) income to the township should not be considered until the USDA deals with it appropriately; (5) the voters favored legalizing marijuana by a margin of 8 - 7; (6) the concept of drug sniffing dogs – the problem was already created when the law was passed; (7) he feels we should not immediately pass this ordinance.

Clerk Engle stated that if the State does not come out with legislation or rules by January 1, and we have not “opted out”, the State can license those establishments in Chocolay Township immediately without any direction on where they can be located. We are automatically “opted in” if we do not “opt out”.

Sgt. Carrick indicated that if we do not opt out, we lose control on what type, where and how many facilities are in Chocolay Township.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle

NAYS: Bohjanen

MOTION CARRIED

PROPOSED ORDINANCE 68, RENTALS, PROPOSED ZONING ORDINANCE AMENDMENT 34-19-04 AND PROPOSED RENTAL PROPERTY REGISTRATION FORM.

Trustee Maki indicated he would like to see the letter from the Marquette Planning Commission. He is also concerned about the “No Fee” registration, and the fine seems excessive at \$500.00. He would also like to see the language that was adopted by City of Marquette and Marquette Township. He is also concerned about the density issue.

Maki moved to table this for 30 days to get additional information – letter from the County, copy of City of Marquette ordinance, and a copy of Marquette Township ordinance.

No Support

MOTION FAILED

White moved, Rhein seconded to change the penalty in *Section 8 of Ordinance 68* from \$500.00 to **\$250.00.**

AYES: 6

NAYS: 1 – Maki

MOTION CARRIED

Rhein moved, White seconded to establish a cap of 6% of residential property in the Township to be rented.

AYES: 2 – Rhein, White

NAYS: 5 – Maki, Lynch, Zyburt, Engle, Bohjanen

MOTION FAILED

White moved, Rhein seconded that after providing required notification to the public, holding a public hearing and considering recommendations of the Township Planning Commission, Marquette County Planning Commission, and the Township Attorney, the Board schedule a second reading on the proposed language as revised for Ordinance 68 *Rentals* for its May 2019 meeting.

AYES: 6

NAYS: 1 - Maki

MOTION CARRIED

Zyburt moved, and Lynch seconded that after providing required notification to the public, holding a public hearing and considering recommendations of the Township Planning Commission, Marquette County Planning Commission, and the Township Attorney, the Board schedule a second reading on the proposed language as revised for *Zoning Ordinance* Amendment 34-19-04 at its May 2019 Meeting.

AYES: 6

NAYS: 1 – Maki

MOTION CARRIED

Lynch moved, and Zyburt seconded that after providing required notification to the public, holding a public hearing and considering recommendations of the Township Planning Commission, Marquette County Planning Commission, and the Township Attorney, the Board schedule a second reading on the proposed *Rental Property Registration* form as written at its May 2019 meeting.

AYES: 5

NAYS: 2 – Maki, White

MOTION CARRIED

Engle moved, and Rhein seconded that after providing required notification to the public, holding a public hearing and considering recommendations of the Township Planning Commission, Marquette County Planning Commission, and the Township Attorney, the Board schedule a second reading on the proposed *Township Information* document as written at its May 2019 meeting.

AYES: 6

NAYS: 1 – Maki

MOTION CARRIED

PUBLIC COMMENT.

Stephanie Gencheff, 597 Lakewood Lane – appreciates the diligence on waiting for more information on retail marijuana sales and ATV trails. Feels ignored on comments they have provided on short term rentals.

Mark Maki, 370 Karen Road – Spoke on instances that he feels are not addressing the health, safety, and welfare of the Township.

Lynch moved Zyburtt seconded to adjourn the meeting.

MOTION CARRIED

The meeting was adjourned at 7:20 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – Sands Township Board, Regional Recycling Project; March 19, 2018.
- B. Minutes – Chocolay Township Planning Commission, Regular Meeting of March 18, 2019, Draft.
- C. Minutes – US 41 Corridor Group, Regular Meeting of February 12, 2019; Final.
- D. Minutes – Marquette County Township Assn (MCTA), Regular Meeting of February 27, 2019; Final.
- E. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of February 21, 2019, Final.
- F. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of February 20, 2019, Draft and Special Meeting of March 27, 2019, Draft.
- G. Information – April 2019 Chocolay Township Newsletter.
- H. Information – CUPPAD Rural Transportation Planning Process Notice.
- I. Information – US 41 Corridor 2019 Law Enforcement Meeting Notice.

Max Engle, Clerk

Richard Bohjanen, Supervisor

May 13, 2019

A Regular meeting of the Chocolay Township Board was held on Monday, May 13, 2019 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, Ben Zyburt, Max Engle, David Lynch, Judy White, Don Rhein, Mark Maki.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Dale Throenle, Lisa Perry, Pat Beck, Lee Gould, Tony Carrick, Scott Jennings

APPROVAL OF AGENDA.

White moved, Lynch seconded that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

June Rydholm, 221 Lakewood Lane – spoke against short term rentals. Short term rentals change the character of the neighborhood and Chocolay Township. Also spoke on the petition that had been submitted to the Board.

Howard Harding, 169 East Main – he is opposed to short term rentals. He used the analogy that “nobody washes a rental car”. He suggested that whatever is decided, it be revisited in a year and see what’s working and what’s not. Also suggested there be no grandfather clause.

Chris Hendrick, 470 Lakewood Lane – she feels that a property that is bought to make money makes it a commercial property and not a residential property. Also concerned about the lack of accountability for the owners of the properties. Asked why the Board is so interested in pressing on with this ordinance when there seems to be so much concern from residents.

Pat Black, 3015 M-28 – has lived there for 30 years, and landowners have been doing short term rentals all the time. Has always had good experience with short term renters. When she and her husband travel, they use short term rentals. The contracts for these make you aware of what you can and can’t do. If she was doing a short term rental on her property, she would expect that she would need to come to the Township and fill out a permit for both the Township and law enforcement. This is a new part of tourism. All comes down to accountability.

Stephanie Gencheff, 597 Lakewood Lane – she is a short term renter when she travels. Once short term rentals are allowed, there is no going back. Opposed to short term rentals – okay with long term rentals and B&B’s. She also expressed concern on the retail sales of marijuana.

Connie Barto, 1951 M-28 East – has lived there since the mid-70's, and it is very peaceful. A couple of years ago, there was a short term renter next door. Does not feel that she should have to be the police and watch / stop what they may be doing – fireworks, walking on her beach, making fires in her sand – and she ends up having to clean up after them. Opposed to short term rentals.

Hal Pawley, 643 Lakewood Lane – has had bad experiences with short term renters – confrontations. Most recently, there was a fire pit on the dune with a fire going and nobody watching it. He has seen this more than once. He is opposed to short term rentals.

Tim Trowbridge, no address given – resident in Chocolay for 5 years – previously from Manitowac - has rented his home out as a short term rental and uses short term rentals when he travels. Does not have a problem with short term rentals and feels that people have some rights on what they can do on their own property. In Manitowac County, they have requirements that focus on the health, safety, and welfare of the residents. They require yearly water testing, yearly inspections, smoke detectors and carbon monoxide detectors. They also needed to get a permit. Urged the Board to be concerned about the health, safety and welfare.

Carl Lindquist, 496 County Road 550 – previous 10-year resident of Lakewood Lane. For many decades there were more short term rentals on Lakewood Lane than anywhere else in the Township. We are fortunate to have miles of sand beach. Feels we should not discourage tourists from coming here. Tourism is a crucial component of our local sustainable economy. He feels that some of the opinions that he is hearing border on xenophobic (unwarranted fears and exaggerations). He applauds the Planning Commission on taking the whole Township into account on this issue. Fully supports the Board on this.

Sally May, Lakewood Lane – have lived there for 50 years. Opposed to short term rentals for reasons that have previously been stated. Her concern is privacy, and treating her private property as access to the beach. People may not understand the rules / regulations. If passed, the Township should provide something that lists where the public access to the beach are.

Bruce Ward, 137 County Line Road, Skandia – has four rental units in Chocolay Township that are on one-year leases. He feels that the Township Board has over reached – this is not what the small group of people is asking for. He feels the fines are extreme, and should not be levied against the owner until reasonable time has been given to correct the situation. He feels the article in the paper is grasping for straws. Chocolay has mutual aid agreements with other emergency personnel (police and fire). He spoke on special interest groups and how the authors of the article in the paper could also be considered a special interest group.

Mark Maki, 370 Karen Road – Feels there is a lot of confusion in the community. Petition was ignored. Stated that short term rentals not allowed during the time he was Zoning Administrator (1977 – 2002). Also spoke on signs in the Township.

Deborah Mulcahey, 633 Lakewood Lane – Questioned that she was part of the “special interest group”. Would like the Board to get microphones. She has had continue objections since 2010, both written and oral. Feels that the Board chooses to ignore what the residents want. Questioned how the residents receive notice on issues. She would like 4 issues addressed: (1) animal control / reasonable control, (2) outdoor and open burning, (3) fireworks, and (4) noise.

Sally May’s husband, Lakewood Lane – in past years he has had to go down to the beach to quiet people. Questioned the distinction between short term and long term rentals.

PUBLIC COMMENT CLOSED.

CONSENT AGENDA

AGENDA ADDITIONS/DELETIONS.

- A. Approve Minutes of Previous Meeting – April 8, 2019 Regular Meeting.
- B. Approve Revenue and Expenditure Reports – January 2, 2019 through March 31, 2019.
- C. Approve Bills Payable, Check Register Reports – April 11 (Check #'s 23202 - 23221, in the amount of \$15,905.11), and April 23 (Check #'s 23222 - 23248, in the amount of \$62,430.77).
- D. Approve Bills Payable, Regular Payroll – April 4 (Check #'s 25425 – 25460 and Check #'s 10794 - 10798, Federal, State, and MERS for a total of \$43,729.03), and April 18 (Check #'s DD37 – DD64 and Check #'s 10799 - 10803, Federal, State, and MERS for a total of 35,856.02).
- E. Approve Treasurer’s Report, Certificates of Deposit and Investment Reports – April 30, 2019.
- F. Approve Treasurer’s Report, Fund Withdrawal and Deposit Report – April 30, 2019.

Maki had questions on the minutes (page 6) – would like to motions (4) to read: “... after considering recommendations of the Township Planning Commission, **and not considering recommendations** of the Marquette County Planning Commission, **and not considering recommendations** of the Township Attorney,”

Maki moved, White seconded that the changes be made to the minutes.

AYES: 3

NAYS: 4

MOTION FAILED

Lynch moved, Rhein seconded that the Consent Agenda be approved as presented.

AYES: 5

NAYS: 2 (Rhein, Maki)

MOTION CARRIED

SUPERVISOR’S REPORT

Proposed Alternate Marijuana Ordinance – suggested that if we are absolutely against any type of marijuana establishments in the Township, then the amendment we have covers it.

Maki moved, Zyburt seconded that this be sent to the Planning Commission for review and comment.

AYES: 6

NAYS: 1

MOTION CARRIED

CLERK'S REPORT

Clerk Engle reported that there will be an election in August for a renewal millage for the Marquette County Medical Care Facility (Valenti Center).

TREASURER'S REPORT

Treasurer Zyburt reported there were no CD's that matured this month.

ZONING BOARD OF APPEALS REPORT

Trustee Maki indicated that the Zoning Board of Appeals had not met.

PRESENTATIONS – NONE.

SECOND READING OF PROPOSED REVISION TO ORDINANCE 39 WASTE WATER COLLECTION SYSTEM, SECTION 9.E.1, BILLING AND PAYMENT OF CHARGES..

White moved, Rhein seconded that after providing required notification to the public, holding a public hearing and considering the public input, the Chocoy Township Board approves the second reading of proposed amendments to Section 9.E.1 of Ordinance 39 Waste Water Collection System as written and to publish said revisions in the Mining Journal.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SECOND READING OF PROPOSED ORDINANCE 67, MARIJUANA ESTABLISHMENTS.

Throenle indicated that this proposed ordinance would allow the Township to "opt out" at this time, which would allow the Planning Commission to discuss the alternate ordinance presented by Supervisor Bohjanen.

Lynch moved, Zyburt seconded that after a second reading on the proposed language for Ordinance 67 *Marijuana Establishments* the Board adopt the language of the proposed ordinance as written, 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 Ordinance in the Township *Book of Ordinances* within one week after publication. **The ordinance will take effect seven days after publication.**

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki, White

MOTION CARRIED

Supervisor Bohjanen suggested that it was not necessary for the ordinance to take effect immediately, and that it be changed to publication within 15 days and adoption 7 days after publication. This was accepted as a modification by both Lynch and Zyburt.

SECOND READING OF PROPOSED ORDINANCE 68, RENTALS; AND PROPOSED ZONING ORDINANCE AMENDMENT 34-19-04.

Engle moved and Zyburt seconded that after second reading on the proposed language for Ordinance 68 *Rentals*, the Board adopt the language of the proposed ordinance as written with the ordinance to take effect June 13, 2019, 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 Ordinance in the Township *Book of Ordinances* within one week after publication.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki, White

MOTION CARRIED

Lynch moved and Rhein seconded that after second reading on the proposed *Zoning Ordinance* Amendment 34-19-04, the Board adopt the language of the proposed amendment as written, with the amendment to take effect June 13, 2019, 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 revised *Zoning Ordinance* in the Township *Book of Ordinances* within one week after publication.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki, White

MOTION CARRIED

Zyburt moved and Lynch seconded that after second reading on the proposed *Rental Property Registration* form, the Board adopt the language of the proposed registration form as written.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki, White

MOTION CARRIED

Lynch moved and Rhein seconded that after second reading on the proposed *Township Information* document, the Board adopt the language of the proposed document as written.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

FIRST READING OF PROPOSED REVISIONS TO ORDINANCE 65, FIREWORKS.

Planning Director Throenle explained the changes to the ordinance are based on bills passed by the State Legislature.

White moved and Zyburt seconded that after providing required notification to the public, holding a public hearing and considering recommendations of the Township Planning Commission and the Township Attorney, the Board waive the second reading of the ordinance and adopt the language of proposed Ordinance 65 *Fireworks* as written, with the ordinance to take effect upon publication, 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 Ordinance in the Township *Book of Ordinances* within one week after publication.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

AWARD BID FOR SOLID WASTE RECYCLING COLLECTION SERVICES CURBSIDE RESIDENTIAL.

Zyburt moved and Lynch seconded to award the seven-year Solid Waste Collection Services Curbside Residential contract to Waste Management of Michigan and to select the alternate bid proposed which eliminates the current tag system and replaces it with a combination bag and / or cart system. First year customer costs would be \$2.85 / bag without carts, or \$13.00 / month for the cart system.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

At the end of May, the Township will be holding two informational meetings for residents.

APPROVE EXPENDITURE OF CAPITAL IMPROVEMENT FUNDS FOR PAY REQUEST NO. 6 FOR THE ELEVATED WATER STORAGE TANK.

Engle moved and Zyburt seconded to authorize payment of Pay Application 6 in the amount of \$105,757.33 using Capital Improvement Funds from Fire Account 401.340.972.002, Ojibwa Water Reservoir.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

APPROVE EXPENDITURE OF CAPITAL IMPROVEMENT FUNDS FOR THE REMOVAL OF DANGEROUS TREES ON TOWNSHIP HALL PROPERTY.

Lynch moved and Rhein seconded that the Chocolay Township Board approves the expenditure of \$1,200.00 to have the trees removed. This is to be paid out of Capital Improvements 401.265.972.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

DECLARE 12Kw GENERATOR AND 56 GALLON PROPANE TANK AS SURPLUS AND AUTHORIZE DONATION TO FORSYTH THOWNSHIP FIRE DEPARTMENT FOR EMERGENCY SHELTER USE.

Zyburt moved and Lynch seconded to authorize the Fire Department to donate our 12 kw generator and 56 gallon propane tank to run the generator to Forsyth Township Fire Department for their use as a backup power in the event of an emergency shelter situation.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

APPROVE WASTEWATER TREATMENT FUND BUDGET AMENDMENT 2-2019 TO REFLECT TRANSFER OF REVENUES FROM USER FEES TO SINKING FUND FEES.

White moved, Zyburt seconded that whereas, a budget adopted by the Chocolay Township Board to govern the anticipated Revenues of the Wastewater Treatment Fund within the Township on November 12, 2018 for fiscal year 2019, and whereas, as a result of delayed construction of the Lift Station Rehabilitation project, it is necessary to modify User Fee Revenues and Sinking Fund Revenues in the aforesaid budget.

Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
REVENUE			
User Fees			
571.656	\$500,000.00	-\$220,000.00	\$280,000.00
REVENUE			
Sinking Fund Fees			
571.657	\$0.00	\$220,000.00	\$220,000.00

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

APPROVE SEWER USER FEE REFUND FOR HARVEY OIL.

Zyburt moved and White seconded that Harvey Oil Company be reimbursed \$2,475.54 in overpaid sewer user fees for the vacant parcel that the Township billed the Company for the past six years, as limited by the statute of limitations for a claim of Unjust Enrichment.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDERATION OF RECOMMENDATIONS FROM PERSONNEL COMMITTEE.

White moved, Rhein seconded to approve the increased longevity rate for the fiscal year 2020, as proposed.

AYES: 7

NAYS: 0

MOTION CARRIED

White moved, Engle seconded to approve the hiring of a part-time employee (#2) as proposed. *(If a supervisor / manager is made aware that an employee is vacating his / her position, either by resignation or retirement, the supervisor / manager has an option to hire a part time employee for training purposes up to 30 days prior to the employee's end date. Extenuating circumstances beyond 30 days may be approved by the manager. Section 10.1.5 of Manual.)*

AYES: 7

NAYS: 0

MOTION CARRIED

White moved, Rhein seconded to approve the requirement to physically work the last two weeks of employment (#3) as proposed. *(That all employees that give notice of resignation or retirement shall work their last two weeks of employment unless otherwise approved by the supervisor / manager. Section 10.1.6 of Manual.)*

AYES: 7

NAYS: 0

MOTION CARRIED

Lynch moved, Zyburt seconded to approve the removal of the phrase "and the public" from sections 2.20 and 2.21 of the Policy and Procedures Manual.

AYES: 7

NAYS: 0

MOTION CARRIED

CONSIDERATION OF LETTER OF SUPPORT FOR COUNTY-WIDE SINGLE STREAM RECYCLING, INCLUDING GLASS.

Lynch moved, Zyburt seconded to send a letter of support to Marquette County Solid Waste Management Authority to proceed in their efforts to secure grant funding and addition cost options for the single stream recycling system with the sample letter provided.

AYES: 7

NAYS: 0

MOTION CARRIED

SCHEDULE SRF PUBLIC HEARING FOR A SPECIAL TOWNSHIP BOARD MEETING PROPOSED FOR JUNE 25, 2019.

Sean Beckman, GEI Consultants, explained the timeline that is necessary to meet the final deadline for the SRF application of July 1, 2019.

White moved, Lynch seconded to schedule a Township Board Special Meeting and Public Hearing regarding the SRF Project Plan (Lift Station Rehabilitation Project) for Tuesday, June 25th at 5:30 pm in the Board room.

AYES: 7

NAYS: 0

MOTION CARRIED

Lynch moved, Zyburt seconded to move Public Comment prior to the Closed Session.

AYES: 7

NAYS: 0

MOTION CARRIED

PUBLIC COMMENT.

Carol Peterson, 281 Lakewood Lane – lives on Lakewood Lane during the summer. Voiced concerns on violations. How do you deal with advertising on the internet, without being registered? Is it considered offering to rent? Must be enforceable.

Stephanie Gencheff, 597 Lakewood Lane – the decision that the Board made on rentals is unconscionable. She supports tourism – she is not xenophobic. Just does not want short term rentals in residential zones.

Elizabeth Delene, 232 Kawbawgam Road – wanted a clarification on if she is afforded the same luxuries as others in the Township. When fireworks are going off, who should she call? Sgt. Carrick indicated that she could call 911, and the Tribal Police would be able to respond. She is still getting garbage in her yard and is not able to use her easement.

Mark Maki, 370 Karen Road – spoke on the junk vehicle ordinance.

Pat Black, 3015 M-28 – wanted to clarify that her statements earlier were not in the interest of tourism (as related to her previous job), but to the fact that she is a property owner and feels that if she is not going to be in her house for 6 months that she should be able to rent it. She feels that short term rentals done right with the proper rules and regulations work. She does not want to rent it and then have to worry about neighbors getting all riled up. Short term rentals are never going to go away.

Janice Simpson, 231 Kawbawgam Road – feels that Kawbawgam is starting to look like a junk yard with cars without license plates. Feels that nothing is being done. This is a real problem.

Nancy Holdwick, 1419 M-28 – complimented the Township on their response whenever she voice a problem. With the construction of the sewer project, there were times when they were not able to get through. Regarding the garbage bag fees – she feels this is a good thing, and hopes it will get more people to recycle. On the rental issue – she has a long term renter that has junk cars and dumpsters in the yard.

Bruce Ward, 137 County Line Road, Skandia – minutes are a matter public record and should be accurate. He feels that the Board over-reacted to the rental ordinance. Doesn't know for sure how violations on rentals will affect him – has long term rentals.

Perry Laing, 635 Lakewood Lane – short term rentals are a contentious issue. He has property that he would like to rent (there is a second residence on his property and was there when he bought the property). Does not want a long term rental, but would like the option to be able to rent at his option throughout the year to help with his taxes. The real problem is enforcement, and the problems are not just renters, most are people that actually live there. He thinks the Township has a good start on regulating rentals. Property owners need to be responsible for anyone that they are renting to.

Sunday Walden, 2052 M-28 – wanted to know if there are any penalties on the new regulations for rentals. People who don't own something don't always treat things with respect.

Zyburd moved, and White seconded to enter into Closed Session under Section 8(h) of the Open Meetings Act and Section 13(1)(g) of the Freedom of Information Act to discuss Attorney-Client privileged information.

AYES: Maki, Rhein, White, Lynch, Zyburd, Engle, Bohjanen

NAYS: None

MOTION CARRIED

Went into closed session at 8:45 PM.

Zyburd moved, White seconded to return to regular meeting.

AYES: 7

NAYS: 0

MOTION CARRIED

Zyburt moved White seconded to adjourn the meeting.

MOTION CARRIED

The meeting was adjourned at 8:50 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence – M. Maki, 370 Karen Road, Rental Registration Fees
- B. Correspondence – E. Gencheff, 597 Lakewood Lane, Short Term Rental Concerns.
- C. Correspondence – S. Gencheff, 597 Lakewood Lane, Short Term Rental Concerns.
- D. Correspondence – A. Gencheff, 597 Lakewood Lane, Short Term Rental Concerns.
- E. Correspondence – G. Feliz, No address provided, Short Term Rental Concerns.
- F. Correspondence – D. Mulcahey, 633 Lakewood Lane, Rental Zoning/Ordinance Changes.
- G. Correspondence – P. Ollila, 633 Lakewood Lane, Rental Zoning / Ordinance Changes.
- H. Minutes – Chocolay Township Planning Commission, Regular Meeting of April 15, 2019, Draft.
- I. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of March 21, 2019, Final.
- J. Minutes – Marquette County Township Assn (MCTA), Regular Meeting of March 27, 2019; Final.
- K. Minutes – US 41 Corridor Group, Regular Meeting of March 12 and April 9, 2019, Final.
- L. Information – May 2019 Chocolay Township Newsletter.
- M. Information – Cover Letter, Marquette County Solid Waste Management Authority Annual Report, April 22, 2019. (Full report available in front office.
- N. Information – MDEQ Letter Confirming SESC Program Status Change, April 4, 2019
- O. Information – Transportation Funding Data from Representative Cambensy's Office.

Max Engle, Clerk

Richard Bohjanen, Supervisor

June 10, 2019

A Regular meeting of the Chocolay Township Board was held on Monday, June 10, 2019 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, Ben Zyburt, Max Engle, David Lynch, Judy White, Don Rhein, Mark Maki.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Dale Throenle, Scott Jennings, Brad Johnson

APPROVAL OF AGENDA.

Rhein moved, Zyburt seconded that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – has three issues she would like to address – (1) sign ordinance – not in support of it becoming a police enforceable ordinance; (2) minutes – has a strong concern that there is no record of the letter from the Marquette County Planning Commission regarding rentals and she feels it needs to be part of the record; and (3) Master Plan and its relation to rentals and the Marquette County Planning Commission.

Mark Maki, 370 Karen Road – spoke on the sign ordinance language. Maki also addressed the minutes and his public comment not being in detail. Also commented on the Marquette County Planning Commission letter.

Elizabeth Delene, 232 Kawbawgam Road – she still is having issues with the casino about garbage in her yard. Has tried dealing with the casino with no success. Called the Township and was not satisfied with the answers she received from the Zoning Administrator, and felt he was rude to her. Delene gave a handwritten note to Manager Kangas explaining the comments.

Tom Mahaney, Ortman Road – commented on the road construction on Ortman Road. Has a parcel of property that he is not able to access due to the drainage ditch. He would like to request a culvert. Manager Kangas spoke on the cost to do this (approximately \$3,000). This is an undeveloped lot, so there is not an official driveway. Trustee Maki suggested this be added to the agenda for the special meeting on June 25.

White moved and Rhein seconded to put this item on the agenda for the June 25, 2019 Special Meeting, to be presented with a cost analysis and a budget amendment.

MOTION CARRIED

Mahaney also addressed the issue of speeding on Ortman Road – there are a lot of people that walk and bike on this road, and it is a residential area.

Paul Daignault, 136 Brewer Drive – he is a new home owner in the Township. Asked about the Association By-laws, and one home not meeting the conditions. He has also noticed a new road that's being built, and wondered if the Township was aware. He has made a significant investment, and is not looking for a trailer park / campground situation. Concerned about the length of stay at the campground and if this area is being policed. Supervisor Bohjanen stated they would need to research the issues. Planner Throenle explained the zoning and permitting process, and stated the campground is not a year round facility. Chief Jennings indicated that policing of the area is happening.

Dave Mowan, 475 Lakewood Lane – starting preparation for Harvey Daze. They are looking at holding this on September 14 at Silver Creek Recreation Area. He also thanked the Board for their participation. The Board decided this item could be added to the agenda for the June 25 Special Meeting.

PUBLIC COMMENT CLOSED AT 5:55 pm.

CONSENT AGENDA

AGENDA ADDITIONS/DELETIONS.

- A. Approve Minutes of Previous Meeting – May 13, 2019 Regular Meeting.
- B. Approve Revenue and Expenditure Reports – January 2, 2019 through April 30, 2019.
- C. Approve Bills Payable, Check Register Reports – May 8, 2019 (Check #'s 23249 - 23268, in the amount of \$17,383.04), and May 22, 2019 (Check #'s 23269, in the amount of \$105,757.33).
- D. Approve Bills Payable, Regular Payroll – May 2, 2019 (Check #'s DD65 – DD80 and Check #'s 10804 - 10808, Federal, State, and MERS for a total of \$32,465.61), May 16, 2019 (Check #'s DD81 – DD98 and Check #'s 10809 - 10813, Federal, State, and MERS for a total of 33,286.72), and May 30, 2019 (Check #'s DD99 – DD129 and Check #'s 10814 – 10818, Federal, State, and MERS for a total of \$38,432.14).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – April 30, 2019.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – May 31, 2019.

Trustee Maki had questions on the minutes and his comments on three different issues and how they were reflected in the minutes. Supervisor Bohjanen explained there are certain things that cannot be changed.

Trustee Maki also had a question on the attorney bill. Supervisor Bohjanen stated that he reviews the bills and most recently it would involve the review of ordinances by the attorney.

White moved, Lynch seconded that the Consent Agenda be approved as presented.

AYES: 5

NAYS: 2 (Rhein, Maki)

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated he will be attending the U.P. Energy Summit on Friday, June 14 at Northern. He will also be attending a professional development seminar for township supervisors on July 11 and 12.

CLERK'S REPORT

None.

TREASURER'S REPORT

Treasurer Zyburt reported a \$250,000 CD matured at Southern MI Bank at 2.1%. With the proceeds a 2-year CD was purchased at Flagstar Bank at 2.45%.

PLANNING COMMISSION REPORT

Trustee Rhein indicated that the Planning Commission had started to look at the Sign Ordinance.

ZONING BOARD OF APPEALS REPORT

Trustee Maki indicated that the Zoning Board of Appeals has not met, but there is an upcoming meeting on June 27. He has asked for follow up on past decisions.

LIBRARY ADVISORY COMMITTEE – Trustee White reported last Wednesday there was a ribbon cutting at the library on the new renovations.

PRESENTATIONS – 2019 AUDIT.

Mike Greutz from Anderson Tachman and Company PLC presented the FY2018 audit. He indicated that this was an unmodified audit. The change in net position was \$404,574 (with \$147,817 from enterprise funds and the rest from governmental funds) and the total net position on the whole is 9.79 million. The net pension liability is at \$132,150, which is 93% funded. The Township exceeded budgeted revenues and kept expenses below what was budgeted. We did not find any material weaknesses or significant deficiencies with internal control. According to auditing standards we do have to report to the State 2018-001 Assist in preparing financial statements and footnotes. There was one instance of non-compliance, with a budget amendment not made in a timely manner. This will be more closely monitored. There were no other significant issues.

Greutz also discussed upcoming changes on how some transactions are handled (especially with the Trust and Agency account).

Trustee Maki questioned the underfunding on the pension plan. Greutz explained that it has to do with ups and downs in the market, and that at 93% funded, we are still in a good position,

even though our liability is \$132,150. Engle asked what percentage should be going into the pension at this point. Grentz indicated 11% - 12% would be ideal.

APPROVE ADDENDUM FOR SOLID WASTE / RECYCLING COLLECTION SERVICES CURBSIDE RESIDENTIAL TO REFLECT SELECTED BID ALTERNATE AND NOVEMBER 1, 2019 INCREASE IN LANDFILL TIPPING FEES.

Lynch moved, Zyburt seconded to approve the bid addendum for the July 2019 through June 2026 Curbside Residential Solid Waste Collection contract to reflect price increases caused by the \$6.00/ton tipping fee increase at the county landfill and to authorize the Township Supervisor to sign the provided Addendum.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

APPROVE BUDGET AMENDMENT 3-2019, CAPITAL IMPROVEMENTS TO REFLECT RECEIPT OF MCOLES FUNDING.

Motion by White, supported by Rhein, Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the Township on November 12, 2018 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	\$ 1,529.69	\$395.75	\$ 1,925.44
401.306.957			
REVENUE	PREVIOUS	CHANGE	AMENDED
State of MI			
401.543	\$ 0	\$395.75	\$ 395.75

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR PAY REQUESTS 7 AND 8 FOR THE ELEVATED WATER STORAGE TANK.

Lynch moved and Zyburt seconded to authorize payment of Pay Applications 7 and 8 in the amounts of \$26,527.56 and \$78,707.17, respectively, using Capital Improvement Funds from Fire Account 401.340.002.972, Ojibwa Water Reservoir

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki, White
MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR ENGINEERING ANALYSIS AND DESIGN OF REPAIRS TO MARINA BOARDWALK.

Engle moved and Rhein seconded that the Chocolay Township Board approves the expenditure of no more than \$4,200.00 to GEI Consultants for the design details to have the boardwalk repaired to today's standards. This is to be paid out of Marina Capital Improvements 401.544.972.000.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

AUTHORIZATION TO EXPEND WASTEWATER CAPITAL IMPROVEMENT FUNDS FOR PAY REQUEST 1 FOR SEWER SYSTEM EXPANSION (USING 2% FUNDS PREVIOUSLY RECEIVED).

Lynch moved and Zyburt seconded to approve Pay Application 1 for the additional sewer costs due to permit review in the amount of \$5,761.53 with funds coming from account 571.571.657.000.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

AUTHORIZATION TO ENTER INTO CONTRACT WITH MCRC FOR 2019 CRACK FILLING (RIVERSIDE ROAD AREA).

Zyburt moved and Lynch seconded to enter into a contract with MCRC to perform overband crack filling utilizing the low bidder, Wolverine Sealcoating LLC, for the bid amount of \$5,355.00 and with funds coming from the road millage account 204.440.957.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

DISCUSSION OF 2% PASS-THROUGH FUNDS REQUEST FOR THE NEW FREE STORE.

White moved and Lynch seconded to not approve the request to serve as a 2% pass-through for the New Free Store, because of the fact that although it does provide benefit to the people of the Township and also others in the County, it does not provide a direct benefit to Chocolay Township.

MOTION CARRIED

DISCUSSION OF TOWNSHIP ORGANIZATIONAL CHART / CHAIN OF COMMAND.

Supervisor Bohjanen indicated the reason for this was to go over the chain of command when it comes to who gets to direct who on what to do. The feeling is that since there is a Township Manager, directives should be going through him. In some cases, this is tending to be overlooked

by certain members of the Board. Manager Kangas indicated that he needed to know that the Board was sending the directive and not individual Board members.

Lynch moved and White seconded to utilize and enforce the chain of command as presented.

AYES: 6

NAYS: 1 (Maki)

MOTION CARRIED

Supervisor Bohjanen indicated that at some time in the future, there will be a directive coming to the Board on the chain of command.

PUBLIC COMMENT

None

Lynch moved Engle seconded to adjourn the meeting.

MOTION CARRIED

The meeting was adjourned at 7:06 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of May 20, 2019, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of April 18, 2019, Final.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of May 22, 2019, Draft.
- D. Information – June 2019 Chocolay Township Newsletter.

Max Engle, Clerk

Richard Bohjanen, Supervisor

June 25, 2019

A Special meeting of the Chocolay Township Board was held on Tuesday, June 25, 2019 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, Ben Zyburt, Max Engle, David Lynch, Judy White, Don Rhein, Mark Maki.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Dale Throenle, Brad Johnson, Tony Carrick, Lee Gould

OTHERS: Natalia Rutkowski, Rutkowski Court Reporting, LLC

APPROVAL OF AGENDA.

Lynch moved, Engle seconded that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – feels that the Board needs to set policy on public comment and what gets included in the packet. This is in reference to a letter she sent to the Board last week regarding her opposition to the culvert request on undeveloped land by T. Mahaney. Mulcahey read her comments to the Board, and also showed the Board a picture of the property. She feels there should also be a policy regarding these types of requests and how taxpayer money is spent. In regards to the Township Manager vacancy, she questioned where the letter of resignation was, as it was not in the packet. Urged the Board to decide what they really need in a manager. Board needs to make decisions on issues.

PUBLIC COMMENT CLOSED AT 5:55 pm.

PRESENTATIONS – EGLE SRF PROJECT PLAN – LIFT STATION REPLACEMENT PROJECT.

Sean Beckman, GEI Consultants, Project Manager for the Lift Station Replacement Project.

Beckman stated that the presentation is a requirement for application for the funding that is necessary to proceed with the project. Beckman will present a brief background, plan improvements, project funding, and anticipated project schedule.

Background: originally constructed in 1975 and is almost 45 years old. Usual life for a sewer system is 20 years. In 2018, Chocolay Township undertook a Sewer Asset Management Plan performed by GEI Consultants. GEI performed an inventory of the entire system, an assessment of the assets, and condition ratings.

As part of the Asset Management Plan, GEI identified capital improvements, which included replacement of the five existing lift stations, the three existing grinder stations, required addition

of SCATA (Supervisory Control and Data Acquisition) real time reporting, and addition of 5 standby (permanent) generators at the lift stations and 3 portable generators for the grinder stations.

Alternatives to consider: Rehabilitation, Replacement, or do nothing. The estimate for the project is \$2.9 million

Project funding – evaluated three types of funding:

- Open market bonds, which is the most expensive.
- US Rural Utility Service Rural Loan Program
- EGLE (former DEQ) State Revolving

The EGLE State Revolving was the best option. After a meeting with Township Staff, the Township Treasurer, and the Township Auditor, the plan is to use \$1 million from the Sewer Fund (current Fund Balance amount is approximately \$1.75 million and anticipate borrowing \$1 million from the General Fund and pay the interest to the General Fund, rather than paying the State. The terms of the loan from the State are 2% for 20 years, and we would be borrowing \$910,000.

Anticipated Schedule: The paperwork is to be submitted to EGLE July 1. Based on EGLE review, GEI should be able to start design work in the Summer / Fall of 2019, with bid documents prepared around January 2020, loan closing in the first quarter of 2020, and construction would begin Spring of 2020.

PUBLIC HEARING – EGLE SRF PROJECT PLAN – LIFT STATION REPLACEMENT PROJECT

Public Hearing was opened at 6:50 pm.

Deborah Mulcahey, 633 Lakewood Lane – asked that the pictures that were included in the packet be pulled up on screen. She felt it was confusing on how it was presented, as all the lift stations were showing (old and new), which makes it seem like all the stations are in need of repair. She also addressed the issue of user fees, the increase, and base fees. Feels that upgrading the sewer system is a prudent thing to do, but does not want everyone to bear the cost when not all receive the benefit.

Trustee Maki indicated that his understanding was that the cost of the project is being paid by the sewer fund and users. He also asked about a letter from public health – Beckman indicated that this was not available at time of publication, but they have received a letter from EGLE saying they are in support of the replacement, based on the age of the stations.

Jill Vessels, 646 Cherry Creek Road - wondered if global warming had been taken into account.

RESOLUTION ADOPTING FINAL PROJECT PLAN FOR WASTEWATER SYSTEM IMPROVEMENTS AND DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE.

1. PROJECT PLAN

Lynch moved, and Zyburt seconded that having presented the Project Plan to the public and conducted a Public Hearing, the Project Plan be adopted as presented.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

2. AUTHORIZED REPRESENTATIVE

Zyburt moved, and White seconded that the Township Manager be designated as the Authorized Representative for the proposed project and to authorize the representative to sign all required documents for the funding application and subsequent loan.

ROLL CALL VOTE

AYES: Maki, White, Lynch

NAYS: Rhein, Zyburt, Engle, Bohjanen

MOTION FAILED

Alternate Motion:

Zyburt moved, and Rhein seconded that the Township Supervisor be designated as the Authorized Representative for the proposed project and to authorize the representative to sign all required documents for the funding application and subsequent loan.

ROLL CALL VOTE

AYES: Maki, Rhein, yburt, Engle, Bohjanen

NAYS: White, Lynch

MOTION CARRIED

3. RESOLUTION

White moved, and Lynch seconded to adopt the Resolution Adopting a Final Project Plan for Wastewater System Improvements, as presented, and to authorize GEI Consultants to submit the plan to EGLE on behalf of the Township.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER PURCHASE AND PLACEMENT OF DRIVEWAY CULVERT AT UNDEVELOPED LOT ON ORTMAN ROAD.

White moved, and Engle seconded to deny payment for the culvert for an undeveloped lot on Ortman Road owned by Tom Mahaney.

MOTION CARRIED

ACCEPT LETTER OF RESIGNATION FROM TOWNSHIP MANAGER AND CONSIDER REPLACEMENT SEARCH OPTIONS.

Engle moved, and Lynch seconded to accept the Township Manager's letter of resignation.

MOTION CARRIED

White moved, and Lynch seconded that applications for the Township Manager position be received by July 31, 2019 at 4:00 p.m.

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – questions on general supervision versus direct supervision.

Lynch moved Zybert seconded to adjourn the meeting.

MOTION CARRIED

The meeting was adjourned at 6:28 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. MPSC Notice of Hearing for the Gas Customers of Semco Energy Gas Company
(included due to deadlines prior to regular July meeting).

Max Engle, Clerk

Richard Bohjanen, Supervisor

July 8, 2019

A Regular meeting of the Chocolay Township Board was held on Monday, July 8, 2019 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Township Clerk Engle called the meeting to order at 5:30 p.m.

White moved, Rhein seconded to have Clerk Engle chair the meeting in the absence of Supervisor Bohjanen.

MOTION CARRIED

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen (arrived at 5:37p.m.), Ben Zyburt, Max Engle, David Lynch, Judy White, Don Rhein, Mark Maki.

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Brad Johnson

APPROVAL OF AGENDA.

Zyburt moved, Lynch seconded that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – disappointed on communications and how they are handled for the packet. Read Township policy – stated there is not a word about correspondence. Documents on website are not dated, which makes it very hard to know if there has been any type of change. In regards to meeting time and dates for all boards and commissions, it makes it difficult to plan when the Township is changing times and dates.

Supervisor Bohjanen arrived and took over chair responsibilities.

Scott Emerson, 119 Lakewood Lane - presented material that is informational for Board, and would ask that it be included in the next Planning Commission packet. He is concerned with the proposed firearms range in the commercial zone. Read toxicology review to Township Board regarding lead. He asks that the Board carefully consider before allowing any firing ranges in Chocolay Township. Feels this is a public health and safety issue.

Jude Catello, 119 Lakewood Lane – concerned about the new sewer rates. She feels that things are being done with no notification to the residents. Allowing for ACH payments may make it easier for some people.

Mark Maki, 370 Karen Road – feels the Planning Commission is making things up to allow people to do things. If there is a question on the zoning ordinance, it should be going to the Zoning Board of Appeals, as they interpret the Zoning Ordinance.

PUBLIC COMMENT CLOSED AT 5:49 pm.

CONSENT AGENDA

AGENDA ADDITIONS/DELETIONS.

- A. Approve Minutes of Previous Meeting – June 10, 2019 Regular Meeting.
- B. Approve Minutes of Previous Meeting – June 25, 2019 Special Meeting.
- C. Approve Revenue and Expenditure Reports – January 1, 2019 through May 31, 2019.
- D. Approve Bills Payable, Check Register Reports – May 25, 2019 (Check #'s 23270 - 23306, in the amount of \$65,260.87), June 4, 2019 (Check #'s 23307 – 23326, in the amount of \$19,211.77), June 18, 2019 (Check #'s 23327 – 23354, in the amount of \$154,688.37), and June 28, 2019 (Check #'s 23355 – 23374, in the amount of \$22,748.42).
- E. Approve Bills Payable, Regular Payroll – June 13, 2019 (Check #'s DD130 – DD145 and Check #'s 10819 - 10823, Federal, State, and MERS for a total of \$34,026.85), and June 27, 2019 (Check #'s DD146 – DD174 and Check #'s 10824 - 10828, Federal, State, and MERS for a total of 37,662.56).
- F. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – May 31, 2019.
- G. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – June 27, 2019.

Lynch moved, Rhein seconded that the Consent Agenda be approved as presented.

MOTION CARRIED

SUPERVISOR'S REPORT

None.

CLERK'S REPORT

Clerk Engle reported there is an election coming up on Tuesday, August 6. At this time, we have sent out 1,100 absentee voter applications, and have issued 794 ballots, which is pretty normal. Asked about discussion the Board had at the June meeting on moving the date of the meeting to August 8, as we will have to use the Board Room for Precinct 1, since the fire hall will not be available.

Lynch moved, White seconded to move the August Board meeting from August 5 to August 8 at 5:30, due to the Election.

AYES: 5

NAYS: 2 (Maki, Rhein)

MOTION CARRIED

TREASURER'S REPORT

Treasurer Zyburt reported a \$250,000 CD matured at Northstar Bank at 1.5%. This was redeemed and transferred to the Money Market fund in anticipation of the sewer reparations.

PLANNING COMMISSION REPORT

Trustee Rhein indicated that the Planning Commission discussed the gun range, with major concerns being the lead content and the zoning issue. The resident was given the option of

requesting a Site Plan review and bringing it before the Planning Commission. The Planning Commission also started going through the Fence Ordinance.

ZONING BOARD OF APPEALS REPORT

Trustee Maki indicated that the Zoning Board of Appeals did meet, and spent a considerable amount of time talking about the minutes. The issue before the ZBA was very complicated, and it was not clear on what the ZBA was being asked to consider. There were setback issues. The issue was tabled, and will be looked at again at the ZBA meeting on July 25.

PUBLIC HEARINGS – NONE.

PRESENTATIONS – NONE.

APPROVE BUDGET AMENDMENT 4-2019, CAPITAL IMPROVEMENTS TO REFLECT RECEIPT OF KBIC 2% FUNDS.

Maki moved, and Lynch 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 12, 2018 for fiscal year 2019, 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
REVENUES			
KBIC 2% Gaming Money 401.000.582	\$0.00	+\$45,000.00	\$45,000.00
EXPENDITURES			
Fire Department Equipment 401.340.977.000	\$59,910.46	+\$17,000.00	\$76,910.46
Police Department Vehicles 401.305.981.000	\$62,701.90	+\$17,000.00	\$79,701.90
Township Hall and Grounds 401.265.976.000	\$6,975.07	+\$11,000.00	\$17,975.07

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

DECLARE TOWNSHIP PROPERTY SURPLUS AND AUTHORIZE STAFF TO SELL SURPLUS PROPERTY TO HIGHEST BIDDER.

Lynch moved, Rhein seconded to declare the attached list of Township property as “surplus” and to sell the items to the highest bidder at a location, time and date to be determined. Any items not receiving a bid shall then be recycled or sent to the landfill.

MOTION CARRIED

Manager Kangas discussed Municibid – he does not feel that this would be appropriate for the few things that we have on surplus. May consider this in the future.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS FOR PAY REQUEST 9 FOR THE ELEVATED WATER STORAGE TANK.

Zyburt moved and Engle seconded to authorize payment of Pay Application 9 in the amount of \$16,036.94, using Capital Improvement Funds from Fire Account 401.340.002.972, Ojibwa Water Reservoir.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki, White

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS, REPLACEMENT OF TOWNSHIP SIGN.

Engle moved, Lynch seconded that the Chocolay Township Board approve the purchase of a new Township sign and electronic message board from Cook Sign for no more than \$19,000. \$10,000 will be paid out of Township Hall and Grounds Capital Improvements 401.265.972, and up to \$9,000 out of Economic Development Capital Improvements 401.729.972.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki, White

MOTION CARRIED

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUNDS, SEWER ORDINANCE REWRITE.

White moved, Zyburt seconded that the Chocolay Township Board approve the expenditure of no more than \$9,250 to Davis & Davis Law Firm to prepare a new sewer use ordinance. This is to be paid out of Waste Water Treatment Fund, Professional Services, 571.801.000.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

Trustee Maki questioned if it was possible to take a look at Marquette City or Marquette Township’s Sewer Ordinance, as theirs had just been redone. DPW Supervisor Brad Johnson stated that this would be the same firm doing ours, and that there are many different laws that have to be met in the wastewater industry. The rewrite of our ordinance would reflect standards for the City’s Wastewater Treatment Plant.

CONSIDERATION OF BID RECEIVED FOR SILVER CREEK RECREATION AREA PROJECT.

Manager Kangas stated that the project was bid out, only one bid was received, and it was significantly over budget. He believes we can possibly get this lowered by sacrificing some of the “extras”. Lynch asked if the reason for only one bid was due to the contractors being so busy. Manager Kangas stated that it was a late bid and a small project. Trustee Maki asked about the rent money that is being received from the tower. Manager Kangas will check into this.

Lynch moved, Zyburt seconded to authorize staff to negotiate a reduced project scope with Oberstar, Inc., such that project costs will not exceed the budgeted amount of \$75,000 and required project scope items are not eliminated. Upon successful completion of negotiations, the Supervisor shall be authorized to sign the contract with Oberstar, Inc.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDERATION OF CUPPAD MEMBERSHIP.

Maki moved, White seconded to authorize membership in CUPPAD for 2020, and to authorize staff to include the required \$1,181 in the 2020 Budget.

AYES: 5

NAYS: 2 (Rhein, White)

MOTION CARRIED

PUBLIC COMMENT

None

Lynch moved Engle seconded to adjourn the meeting.

MOTION CARRIED

The meeting was adjourned at 6:27 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocloy Township Planning Commission, Regular Meeting of June 17, 2019, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of May 16, 2019, Final.
- C. Minutes – US 41 Corridor Advisory Group, May 14, 2019, Final.
- D. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of June 6, 2019, Draft.

- E. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of June 19, 2019, Draft.
- F. Minutes – Marquette County Planning Commission, Regular Meeting of April 3, 2019, Final.
- G. Information – MCSWMA Single Stream Recycling Business Plan.
- H. Information – MCSWMA Response to MCTA Regarding Single Stream Plan.
- I. Information – MCSWMA Response to Michigamme Township Regarding Single Stream Plan.
- J. Information – MCSWMA New Fee Schedule.
- K. Information – July 2019 Chocolay Township Newsletter.
- L. Correspondence – Elizabeth Delene, July 2, 2019
- M. Correspondence – Deborah Mulcahey, July 3 and June 9, 2019.

Max Engle, Clerk

Richard Bohjanen, Supervisor

August 8, 2019

A Regular meeting of the Chocolay Township Board was held on Thursday, August 8, 2019 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, Ben Zyburt, Max Engle, David Lynch, Judy White, Don Rhein

ABSENT: Mark Maki

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Brad Johnson, Lee Gould, Chad Laurich

APPROVAL OF AGENDA.

Lynch moved, Zyburt seconded that the agenda be approved with the deletion of *Item XV.C Interview Township Manager Candidate 3* and the addition of *Schedule a second meeting for the purpose of interview two other candidates.*

MOTION CARRIED

PUBLIC COMMENT.

Barney Banton, 148 Poplar Trail – lives at the end of Poplar Trail. Also known as County Road BA. Spoke on the agreement with the County Road Commission to maintain the road. The last 1/10 of the road is now very bad and has become a safety issue. Emergency vehicles would be unable to get down the road. Looking for help on this issue.

PUBLIC COMMENT CLOSED AT 5:36 pm.

CONSENT AGENDA

AGENDA ADDITIONS/DELETIONS.

- A. Approve Minutes of Previous Meeting – July 8, 2019 Regular Meeting.
- B. Approve Revenue and Expenditure Reports – January 1, 2019 through June 30, 2019.
- C. Approve Bills Payable, Check Register Reports – July 15, 2019 (Check #'s 23375 - 23400, in the amount of \$39,232.39), and July 27, 2019 (Check #'s 23401 – 23423, in the amount of \$22,939.56).
- D. Approve Bills Payable, Regular Payroll – July 11, 2019 (Check #'s DD175 – DD211 and Check #'s 10829 - 10833, Federal, State, and MERS for a total of \$43,177.10), and July 25, 2019 (Check #'s DD212 – DD246 and Check #'s 10834 - 10838, Federal, State, and MERS for a total of \$38,126.96).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – June 30, 2019.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – June 30, 2019.

White moved, Rhein seconded that the Consent Agenda be approved as presented.

MOTION CARRIED

SUPERVISOR'S REPORT – NONE.

CLERK'S REPORT

Clerk Engle reported that there had been a county-wide election on August 6 for the millage renewal for the Marquette County Medical Care Facility (Valente Center). Precinct 1 had a vote of 316 yes and 60 no, and Precinct 2 had a vote of 382 yes and 71 no. Most of these were due to the absentee voters. Walk in voters on Election Day were 47 for each precinct. Total of 17% turnout for the election.

TREASURER'S REPORT

Treasurer Zybert reported that over the past month there have been 3 maturities of CDs, for a total of \$695,000. This has been put into a money market fund and will be used on improvements for the sewer.

PLANNING COMMISSION REPORT

Trustee Rhein reported that the Planning Commission has been pretty busy – (1) O'Reilly's has been approved and will be on the old Wahlstrom's site, (2) Lake Michigan Armory was looking at putting in an indoor gun range, which was denied, and (3) storage units on Kawbawgam Road, which will be coming back to the Commission at the next meeting for updates to the site plan.

ZONING BOARD OF APPEALS REPORT – NONE.

PUBLIC HEARINGS – NONE.

PRESENTATIONS – CHOCOLAY AREA GIRL SCOUTS – POLLINATOR GARDENS.

As part of their Silver Award project, Elaina Lundquist and Isabella Forslund of Chocoday Township Troop 5081 gave a presentation on the gardens they have been taking care of for seven years at the corner of US 41 and M-28. There were a lot of issues with the previous gardens, such as the weeding and watering. Two years ago, they were approached by the Marquette Conservation District on the idea of turning the beds into pollinator gardens. They have now been turned into pollinator gardens with a variety of native plants that attract butterflies, bees & hummingbirds.

INTERVIEW WITH TOWNSHIP MANAGER CANDIDATE # 1.

Lois Bressette introduced herself to the Board. Ms. Bressette has a MPA in Public Administration and a B.S. in Health Education, both from Northern Michigan University. She is employed by the City of Clintonville, WI as the Mayor, and also is self-employed as owner and race director for Great Lakes Endurance, LLC. She responded to a set of questions from the Board.

INTERVIEW TOWNSHIP MANAGER CANDIDATE 2 – DAVID BOYLE

David Boyle introduced himself to the Board. Mr. Boyle has a BSCE in Civil Engineering and an AASCE in Civil Engineering Technology, both from Michigan Technological University. He is currently employed by OHM – Advisors/Northwest Design Group in Petosky, MI, as Project

Manager / Sr. Engineer / Civil, Municipal, Transportation Section. He responded to a set of questions from the Board.

DISCUSS TOWNSHIP MANAGER INTERVIEWS, EMPLOYMENT AGREEMENT AND PROPOSED COMPENSATION

Manager Kangas discussed the Manager Employment agreement, and the need to have a formal action in the minutes that would adopt this agreement as the formal document.

Lynch moved and Rhein seconded to approve and adopt the agreement as the official contract with the Township Manager.

MOTION CARRIED

SCHEDULE SPECIAL MEETING FOR THE PURPOSE OF INTERVIEW THE REMAINING TWO CANDIDATES

Manager Kangas stated that only two of the four candidates would be interviewed at this meeting, with the remaining two being interviewed at a special meeting, which would need to be scheduled. One of the candidates would be via Skype.

Zybert moved and Lynch seconded that a meeting be scheduled for Monday, August 19 to interview the remaining two candidates.

Supervisor Bohjanen called for a Special Meeting of the Board on August 19, 2019 at 6:00 PM.

MOTION CARRIED.

PRELIMINARY DISCUSSION OF 2020 BUDGET

Manager Kangas presented the budget discussion in the form of a memo to the Board. This discussion included (1) Revenues (with the biggest impact being the elimination of the Refuse Collection revenues); (2) Fees (no significant changes projected); (3) Wages (CPI for past 12 months was 1.6%, recommending a \$0.40 / hour increase for full time employees, along with changes in the Fire Department hourly pay and officer pay); (4) Expenses (budget for three elections, departure of Police Department administrative assistance mid-year and the need to be double staffed for 6 months, changes in other governmental which includes health insurance, and the projected shortfall); (5) Road Fund; (6) Capital Improvements; and (7) Sewer Fund (lift station reconstruction / rehabilitation project).

Kangas intends to present a final budget to the Board in September.

CONSIDER CONTRACT PROPOSAL FOR ASSESSOR POSITION

Supervisor Bohjanen stated that the Township Assessor has presented to him a proposal for going forward in a contract position. Supervisor Bohjanen feels that the options are limited. Jackie Lykins, County Equalization Director, spoke on behalf of Mr. Gehres. The County is not able to take on another township, and assessors are limited. Full time assessors are a thing of the past, as more have gone to contracting. Lykins stated that contract assessors can be more flexible with their time, and tend to accomplish more.

Paul Charboneau, 174 Riverside Road – Chair of Board of Review. Charboneau feels the Township would lose if we lost John Gehres. Feels that the Board should make this accommodation and retain Mr. Gehres.

Manager Kangas indicated that the agreement is a draft for consideration. His recommendation is that the agreement be reviewed by our attorney. Instead of paying benefits, it is suggested that we hire a field person.

The subject of remote access was discussed. Officer Carrick indicated that the Police Department needs to be taken into account, and make sure that the remote access is not connected to the Police in any form.

Lynch moved and Zyburt seconded to execute an appropriate agreement with Mr. Gehres, including a legal assessment.

AYES: 5

NAYS: 1 (Engle)

MOTION CARRIED

CONSIDER FUNDING OPTIONS FOR REPLACEMENT OF FIRE DEPARTMENT PUMPER NO. 2142, 1998 PIERCE SABER.

Manager Kangas introduced the topic of funding options of Pumper No. 2142. He feels that what the Fire Department is asking for is a modern version of their current truck.

Lee Gould, Fire Chief, stated that trucks are usually replaced every 20 years. The trucks are built specific (customized) to each fire department, and have a delivery time of 2 years.

Kangas indicated that we are already behind, and the next replacement will be coming up in 3 years. One of the suggestions is to propose a millage. Lynch feels there needs to be a plan in place for future purchases. Engle suggested that there be a millage out there for a 15 – 20 year period.

The Board instructed Kangas to proceed with looking at options for financing, and be prepared to present them at the September meeting.

CONSIDER NOMINATIONS FOR CHOCOLAY TOWNSHIP 2019 BUSINESS OF THE YEAR.

Lynch moved and Zyburt seconded to name Kassel's Korner in Beaver Grove as the 2019 Chocolay Township Business of the Year and award their plaque at the 2019 Chocolay Area Days festival.

MOTION CARRIED

CONSIDER EXPENDITURE OF ROAD MILLAGE FUNDS FOR GRAVEL ROAD IMPROVEMENTS.

Manager Kangas stated that all property owners in the township are currently paying the road millage, however the Road Asset Management Plan does not address gravel roads. In order to be able to improve gravel roads, the Road Asset Management Plan would need to be updated.

Lynch asked if there were any other funds that could be used to update Poplar Trail. Kangas indicated that there would be money in the General Fund Contingency that would be able to be used.

White moved and Zyburt seconded that funds from the Contingency Fund (101.285.951) be used to repair the section of Poplar Trail. No more than ½ of the existing funds will be used (limited to \$10,000).

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Maki

MOTION CARRIED

APPROVE EXPENDITURE OF SEWER FUNDS FOR PAY APPLICATION NO. 2 FOR KBIC SANITARY SEWER EXTENSION.

Lynch moved and Zyburt seconded to approve Pay Application 2 for the additional sewer costs due to permit review in the amount of \$90,912.58 with funds coming from account 571.571.957.000.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: White

ABSENT: Maki

MOTION CARRIED

APPROVE EXPENDITURE OF CAPITAL IMPROVEMENT FUNDS FOR THE PURCHASE OF 2-WAY RADIOS FOR FIRE DEPARTMENT.

Zyburt moved and Lynch seconded to authorize the Fire Department to spend \$17,000 of 2% funding for 800mz radios with funds from Capital Improvement Fund 401.340.977.000.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: White

ABSENT: Maki

MOTION CARRIED

APPROVE EXPENDITURE OF CAPITAL IMPROVEMENT FUNDS FOR THE INSTALLATION OF MAN DOOR ON DPW GARAGE, DRINKING FOUNTAIN IN TOWNSHIP HALL, AND PURCHASE OF REPLACEMENT DPW TOOLS.

Engle moved and Zyburt seconded that the Chocolay Township Board approves the installation of a man door in the DPW garage, a drinking fountain installed in the Township Hall and the purchase of new tools. This is to be paid out of Township Hall and Grounds Capital Improvement Fund 401.265.976 at a cost of no more than \$11,000.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Maki
MOTION CARRIED

PUBLIC COMMENT

Kendra Symbal, 100 Aspen Drive – feels it is very important for the Board to ask how much the fire department is spending on repairs. Ask the questions. She is not against millages.

Public comment closed 8:32 pm.

Engle moved and Zyburt seconded to go into Closed Session.

MOTION CARRIED

REQUEST FOR CLOSED SESSION UNDER SECTION 8(h) OF THE OPEN MEETINGS ACT AND SECTION 13(1)(g) OF THE FREEDOM OF INFORMATION ACT TO DISCUSS ATTORNEY-CLIENT PRIVILEGED INFORMATION.

Reopened regular session.

Zyburt moved and Lynch seconded to assign to Michigan Municipal Management Risk Authority (MMRMA) the right and ability to assert and recover all available amounts relative to a loss that occurred February 28, 2019, resulting in damages to the Chocolay Township Fire Hall located at 5010 US 41 South, Marquette, Michigan 49855, including any deductible and uncovered amounts. This assignment is given for good and valuable consideration, including, but not limited to, MMRMA including any Township amounts in any claim or lawsuit made by MMRMA against Associated Contractors, IDI, or Wendricks Truss Company. Township Manager, Jon Kangas, will sign on behalf of Chocolay Township.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Maki

MOTION CARRIED

Lynch moved Engle seconded to adjourn the meeting.

MOTION CARRIED

The meeting was adjourned at 8:40 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of June 27, 2019, Final.
- B. Minutes – US 41 Corridor Advisory Group, June 11, 2019, Final.

- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of July 17, 2019, Draft.
- D. Information – August 2019 Chocolay Township Newsletter.
- E. Information – MPSC Semco Rate Hearing for August 12, 2019.
- F. Correspondence – Jean Morrison, regarding Sewer Bill Due Date.

Max Engle, Clerk

Richard Bohjanen, Supervisor

September 9, 2019

A Regular meeting of the Chocolay Township Board was held on Monday, September 9, 2019 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, Ben Zyburt, Max Engle, David Lynch, Judy White, Don Rhein, Mark Maki (arrived at 5:32)

ABSENT: None

STAFF PRESENT: Jon Kangas, Suzanne Sundell, Brad Johnson, Scott Jennings, Dale Throenle, Mary Jo Bucket, Tony Carrick, Janelle Ruff (Firefighter), Chad Laurich (Firefighter), Tom Mahaney (Planning Commission), Susan Maynard (Planning Commission)

APPROVAL OF AGENDA.

Lynch moved, Zyburt seconded that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

Tom Mahaney, 1175 Ortman Road and Chair of Planning Commission – received an email last week from Supervisor Bohjanen in regards to charging Mahaney with malfeasance as chair. Mahaney stated he would like to be included in that conversation when the issue is discussed to defend himself and his character. Trustee Maki questioned if that was a part of the agenda, and Supervisor Bohjanen stated it was not. Supervisor Bohjanen indicated that in order to take any action in regard to malfeasance, misfeasance, or nonfeasance there would have to be a public hearing, and he would defer the decision of the public hearing to the Board, and this would not be before the next meeting. Supervisor Bohjanen clarified that there were several votes of the Planning Commission regarding storage units, and it was felt that the Planning Commission chair should have recused himself from those votes, and it has been suggested that he be charged with nonfeasance (failure or omission to do something that should be done, or something that someone is under a duty or obligation to do). Bohjanen went on to say that the Zoning Enabling Act that the legislative body shall provide for the removal of a member for misfeasance, malfeasance, or nonfeasance in an office upon written charges and a public hearing. Trustee Maki asked if there were any written charges. Supervisor Bohjanen indicated that what he is bringing to the Board at this time is whether there is desire or interest in pursuing this. PC Chair Mahaney asked what the charges were. Supervisor Bohjanen indicated it was “nonfeasance”, because of failure to recuse himself in the votes. PC Chair Mahaney indicated that he feels that this is not totally true.

Mark Maki, 370 Karen Road – stated that there are no written charges, but yet PC Chair Mahaney is being charged with this. He feels that this is unprecedented. He also questioned the way the

minutes reflected his comments at the August 19 Board meeting, and requested a copy of the minutes on a CD so that he can review his comments.

Dave Mowen, Chocolay Area Festival – commented that it was great to see so many people in the audience. He reminded everyone that the Chocolay Area Festival is on Saturday, September 14, and they are still looking for volunteers. He also thanked the Board for approving money in the budget to help make this happen.

Kendra Symbal, 100 Aspen Drive – on the shirt tails of the Chocolay Area Festival, she felt this would be a great opportunity to utilize email and send out a blast to Township residents to invite them.

Mark Maki stated he had a “Point of Order”. On the agenda, there is nothing about the charges against PC Chair Mahaney, so he wondered how the Board is allowed to talk about the charge. Supervisor Bohjanen indicated that the agenda was approved with the Supervisor’s report. Maki questioned what could be added under the Supervisor’s report, and protested adding this to the agenda and that he considers it a secretive item. Bohjanen indicated that whatever falls under the Supervisor’s report is not considered an “action item”. This is just to decide whether or not there is any interest in pursuing a public hearing based on the charge.

PUBLIC COMMENT CLOSED AT 5:41 pm.

CONSENT AGENDA

AGENDA ADDITIONS/DELETIONS.

- A. Approve Minutes of Previous Meetings – August 8, 2019 Regular Meeting and August 19, 2019 Special Meeting.
- B. Approve Revenue and Expenditure Reports – January 1, 2019 through July 31, 2019.
- C. Approve Bills Payable, Check Register Reports – August 14, 2019 (Check #'s 23424 - 23456, in the amount of \$134,594.88), and August 28, 2019 (Check #'s 23457 - 23472, in the amount of \$21,207.49).
- D. Approve Bills Payable, Regular Payroll – August 8, 2019 (Check #'s DD247 – DD264 and Check #'s 10839 - 10843, Federal, State, and MERS for a total of \$33,402.90), and August 22, 2019 (Check #'s DD265 – DD316 and Check #'s 10844 - 10848, Federal, State, and MERS for a total of \$42,375.45).
- E. Approve Treasurer’s Report, Certificates of Deposit and Investment Reports – July 31, 2019.
- F. Approve Treasurer’s Report, Fund Withdrawal and Deposit Report – July 31, 2019.

Zyburt moved, Rhein seconded to approve the Consent Agenda as changed.

Maki requested, Lynch supported that “A. Approve Minutes of Previous Meetings – August 8, 2019 Regular Meeting and August 19, 2019 Special Meeting” be removed from the consent agenda for specific action.

MOTION CARRIED

Lynch moved, Rhein seconded to approve the August 8, 2019 Regular Meeting minutes and the August 19, 2019 Special Meeting minutes as presented.

Trustee Maki indicated that he was not here on the August 8 meeting so did not know for sure what happened, so he will vote no on those minutes and he does not feel that the August 19 minutes reflect what he said. He will vote no, but will come back to the next meeting with a written copy of what he actually said.

AYES: 6

NAYS: 1 (Maki)

MOTION CARRIED

SUPERVISOR'S REPORT

There was a request / demand from one of the applicants of the storage units that PC Chair Mahaney be removed from Planning Commission for not recusing himself. Bohjanen indicated that one allegation is not enough reason to take that kind of action. Bohjanen indicated that in the minutes from the August 26 Planning Commission, Mahaney had asked if he should recuse himself and was told that it was too late at that point, as he had already participated in the discussion. PC Chair Mahaney was also asked to have a Special Meeting of the Planning Commission so that the projects could move forward. The reason for this was because of further information derived from the Zoning Ordinance which indicated that Access Management Plan for the US 41 / M-28 Corridor showed that the properties in question were not in the zone. Mahaney refused, was given the further information from Bohjanen, and indicated that he would think about it. There was no response received from Mahaney, even after several phone calls. After an email to Mahaney, he declined. Mahaney is the only person that can call a Special Meeting of the Planning Commission.

PC Chair Mahaney indicated that he had conversation with Manager Kangas, and at that time he indicated that his answer was no. Mahaney also feels that he was pressured by the Supervisor to call a Special Meeting.

Maki indicated he cannot believe this is even being discussed without any documentation or written complaint. Lynch felt this should not be pursued. Rhein indicated that the Planning Commission will be meeting on September 16, and hopefully these issues will be taken care of. White indicated that without a written complaint, it would be hard to pursue. Zyburt felt it should not be pursued. Engle stated that he felt there needs to be a written complaint to pursue. Bohjanen stated that the Zoning Enabling Act states "*...upon written charges, and after public hearing...*".

Mahaney indicated that he thought this was a waste of time and petty.

CLERK'S REPORT

Clerk Engle indicated that the next election will be on March 10, 2020. This will be Presidential Primary Election.

TREASURER'S REPORT

Treasurer Zyburt reported that no securities matured.

PLANNING COMMISSION REPORT

Trustee Rhein reported that he was not able to make the meeting.

ZONING BOARD OF APPEALS REPORT

Trustee Maki indicated that the ZBA had met on a variance on a house to add a second story. It was a 3 – 2 vote. He is afraid that the impact is that anyone who wants a second floor can basically get around ordinance requirements by this decision. He feels that the Zoning Administrator has become an advocate of the applicant, rather than of the Zoning Ordinance. Has asked for documentation on past decisions, along with follow up on these decisions.

PUBLIC HEARING – LAKE MICHIGAN ARMORY APPEAL OF JULY 22, 2019 PLANNING COMMISSION DECISION.

Planning Director / Zoning Administrator Throenle gave a synopsis of the reason for the public hearing. The July 22, 2019 Planning Commission Site Plan Review for Lake Michigan Armory for a proposed shooting range was presented to the Planning Commission for consideration. After discussion, the Planning Commission denied the Site Plan on a 4-3 vote based on concerns about public health and zoning compliance.

The appeal is based on 9.3(c) of the Zoning Ordinance, under Site Plan Review Appeals, which states, "If any person shall be aggrieved by the action of the Planning commission, appeal in writing to the Township Board may be taken within five (5) days after the date of such action. The Township Board shall set a time and place for a public hearing. The appellant shall be notified in writing of the hearing and a notice shall be published in a newspaper of general circulation ten (10) days prior to the hearing. All interested parties shall be afforded the opportunity to be heard thereat. After such hearing, the Board shall affirm or reverse the action of the Planning Commission, stating its findings and the reasons for its action. A written copy of such findings, reasons, and action shall be given to the appellant."

On July 25, 2019, a letter requesting an appeal was delivered to the Township, and on August 29, 2019 the notice was published in the Mining Journal regarding the public hearing, which was consistent with the ten day notice.

Public Comment

Scott Emerson, 119 Lakewood Lane – stated he was at the July 22 meeting of the Planning Commission where this was considered, and his recollection of events is quite different, and felt that Throenle was being disingenuous. The reasons that the Planning Commission denied this

were twofold – Zoning Ordinance and public health and safety in regard to lead poisoning. He feels that the Planning Commission made the right decision. He feels that this issue should be a ZBA issue. Emerson stated that he is the lead expert in the room, as a medical toxicologist. Emerson stated he is actually supportive of allowing the shooting range, with some proposed zoning changes. He feels that the Zoning Ordinance would need to be amended to add this within **Mixed Use Commercial and Industrial Overlay Zones – Enclosed Indoor Firing Ranges**. Make it specific. In Section 1.5 of the Mixed Use Overlay Zone in the preamble part, **Relationship to Other Laws**, should remain unchanged, as this refers to the Firearms Ordinance 61. In Section 5, Exceptions, it states, **“The prohibitions against discharge of firearms contained in Section 4 hereof shall not apply to: ... (C) Firearms discharged within indoor, totally enclosed, noise mitigated, & lead free, firing ranges located within Commercial or Industrial Mixed Use Overlay Zones.”** (Italic and Bolded language is proposed by Emerson). Emerson would be willing to work with Throenle or the Board on this change in the Ordinance. Kolinsky would then need to make sure that his range was 100% lead free. Emerson stated that lead dust will continue to be a problem – would need to have an operating room scenario. There is no safe level of lead. Emerson feels that this is a complicated issue, and the rational solution would be to change the language as he has proposed.

Gary Stevens, 220 Timber Lane – he is in support of the project. He is a National Rifle Association certified CPL instructor and range safety officer. He feels that the Lake Michigan Armory proposed state of the art facility is a step in the right direction in providing a safe and environmentally sound space for individuals to shoot.

Bessie Olson, 121 Lakewood Lane – she has a rental property that is next to the proposed firing range. She is concerned about the noise, and very opposed to this project.

Jerry Maynard, 146 Lakewood Lane, Chocoley Raptor Center – they have two missions at the Chocoley Raptor Center – education (60 – 80 programs per year to educate people on raptors and the environment in general), and the second is raptor rescue and rehab. Maynard feels that he is the expert when it comes to eagle lead toxicity. Anytime you shoot, the lead is going out into the environment. A tiny fleck of lead can kill a 10 – 15 lb. eagle. A study conducted by the DNR on lead toxicity in eagles shows that the instances peak during deer hunting season. Maynard is not against hunting, not against guns, just against lead.

Mark Wert, 200 Oakbrook Lane – agrees with everything said so far. He would like a local shooting range where he could take his children in a controlled environment.

Tom Mahaney, 1175 Ortman Road – When this was first brought up at the Planning Commission, it was brought up as a permitted use under “Amusement and Entertainment”. Mahaney does not feel that discharging firearms fits under this type of use. It is very important on how this issue goes forward. This is dangerous for the future of Chocoley Township.

Jude Catello, 119 Lakewood Lane – she supports the Planning Commission having denied the firing range. The denial was based on two things – to protect the health and safety of the residents

(you cannot remove lead dust) and the Firearms Ordinance (no discharge of firearms in a commercial district).

Jordan Tachlow, 184 Krieger Drive – has done business with Lake Michigan Armory. He is a big supporter of small business. He comes from a small family owned business (Swales). He enjoys all the facts that he has learned today, and feels it is important to promote lead free if possible.

Dave Mowen, 475 Lakewood Lane – has found the comments very interesting so far. He does have concerns for safety, lead, and zoning. In regards to safety, he feels there is a real need to have a place for people to go to receive some instruction and training. The range would have a range marshall with all the credentials. It is a big advantage to have a place that people can target shoot in a closed environment. He would challenge people to go to the State level if there is a concern. In regards to the environment, the noise level has been shown to be about the same as a lawnmower. On contamination, maybe the first step is to reduce lead contamination by having enclosed shooting ranges. He feels that this is entertainment for people that shoot. He supports the proposed project.

Susan Maynard, 146 Lakewood Lane – sits on the Planning Commission, but her comments are based on being a mother and grandmother. She supports the notion of getting all the lead out everywhere, but she does not support the notion that if we can't get it all out, we do nothing. She sees this as an opportunity. The movement is away from lead. She supports hunting, but also supports public health. Maynard suggested that by the shooting range going lead free, they could be a leader by letting the process begin there.

Mark Wert, 200 Oakbrook Lane – indicated that his brother has been a police officer for many years, and that he himself checks ID all day long, and they are shocked at how many people have a concealed carry permit. From a safety standpoint, if the person with the concealed carry does not have proper training, it could do more harm than good in an emergency situation. He feels that there is a need to have somewhere to go for practice.

Gary Stevens, 220 Timber Lane – He is concealed arms instructor. He stated that anyone that is going for their permit has to take a minimum 12 hour class, which includes not only classroom training, but also time at a firing range to teach safe pistol management.

Kendra Symbal, 100 Aspen Drive – she questioned on whether a range can be considered an educational school? Also, could the container be buried?

Allan Olsen, 121 Lakewood Lane – he owns rental property that is two doors down from Lake Michigan Armory. Briefly revisited what has been said so far – would like to emphasize the fact that lead does not go away and lead does not break down. If noise is compared to a lawnmower, he would not want to listen to a lawnmower for an extended period of time. It seems like there are a number of issues to be resolved, and recommendations that are well founded. Should not be rushing to make a decision on this.

Scott Emerson, 119 Lakewood Lane – stated that the Planning Commission did question the definition of an amusement, and he feels that this is hard to qualify as an amusement. Lead presents a potential threat to public health.

Jill Bradford, 555 Little Lake Road – she feels there has been a wealth of information presented. She comes from a hospital where years ago she used to work in Hazmat inside Petosky Chemicals, with an airflow system to keep them safe. It is her understanding that the firing range will have some type of filtration system, lead trap, and other precautions. This is not just some little box. Bradford feels that she is probably going to need some chelation therapy, because after skeet shooting yesterday she feels that she is going to fall over dead based on the comments she has heard. She would rather see something controlled, and a step toward lead reduction is the indoor ranges with the ventilation systems. She stated that she thought she would drop dead from making chemotherapy IV's, but figures now it will be from lead.

Maki interjected with point of order. Usually the applicant would make a presentation, and thus far he has not.

Supervisor Bohjanen indicated that if the applicant does not wish to make a presentation he does not have to. The Board has been presented with the facts.

Kolinsky (Lake Michigan Armory) handed out information packets on who the speakers were, and then introduced those people that were on the phone to answer any questions that the Board may have. They are: Jason Smith, Firing Range Services, who is a certified professional hygienist, and Zach Snow, National Shooting Sports Foundation. They are on the line to help assist, educate, debunk myths, and try to put things in perspective regarding lead mitigation risks and education and safety and benefits of an indoor shooting range. Kolinsky is pursuing the shooting range because he wants to educate and preserve the environment. In regards to raptors, an indoor shooting range would detract from the lead poisoning. Kolinsky is putting in a state of the art apparatus.

Jason Smith stated he had sent some data to Kolinsky. They have done studies of properly managed shooting ranges, and the evidence is conclusive that there are no dangers to the customers. Shooting ranges, when properly maintained, are far below the exposure levels. Emissions are controlled by HEPA filters, mandatory controls, and the operation of the range would be subject to EPA and OSHA.

Zach Snow also stated that once you have multi-stage ventilation that includes a HEPA filter, the air being emitted is cleaner than the air coming in. It should also be noted that the design of the indoor range pushes everything towards the filtration system.

Trustee Maki asked if Kolinsky had any thoughts on the suggestion to change the zoning ordinance. Kolinsky indicated that lead free is a very complex issue. There is a considerable cost. You can mitigate by using jacketed bullets. Kolinsky also referred to a memo from Chief Jennings regarding the Firearms Ordinance. Chief Jennings stated that he feels the shooting range was

designed with the intent of the Ordinance in mind. Scott Emerson feels that pricing of lead free is very comparable to jacketed. Gary Stevens indicated that he has shot hundreds of rounds, and fully enclosed copper jacketed bullets will not disintegrate. Kolinsky argued that lead free bullets are not the same price as copper jacketed. They are more expensive. Regarding the copper jacketed bullets, they have deceleration traps for minimal lead dispersing at the end of the range. The engineering control and the ventilation system keeps the exposure down range. Emerson argued that blood lead levels are the new standard.

Public Hearing closed at 7:16 pm.

Board Discussion

Lynch indicated that when the Firearms Ordinance was written, it was for outdoor shooting, not an indoor shooting range. He supports the shooting range.

White agreed with Lynch, and supports the shooting range. She does feel that there should be something in the Ordinance that addresses the indoor shooting range.

Rhein feels there were issues on whether this was recreational. He feels that it is in a building, it's self-contained, and it's better than shooting into a hill. He is in support.

Zyburt has been a trap and skeet shooter for most of his life. He feels that this educates and allows people the ability to handle firearms in the correct way with a supervised individual overlooking.

Engle indicated that if you shoot waterfowl, you are supposed to be shooting unleaded shot. But that is only for waterfowl.

Maki indicated that in the Planning Commission minutes, it indicates that Soucy asked if this was a permitted use, and Throenle explained it was in the mixed use district and would fall under entertainment. He feels that it is not up to the Planning Commission or the Zoning Administrator to make up rules – interpretation should be going to the Zoning Board of Appeals. Maki also stated they do not have the Planning Commission minutes to look at. He wondered why the Public Hearing did not happen until September. Maki also feels that there is a need to change both ordinances.

Maki moved, White seconded that the Planning Commission proceed with amending the Zoning Ordinance and the Firearms Ordinance in accordance with the letter presented by Scott Emerson, which states:

1. Amend Zoning Ordinance: Add as a Conditional Use within **Mixed Use Commercial and Industrial** Overlay Zones – **“Enclosed Indoor Firing Ranges”**. **Section 1.5** of the Mixed Use Overlay Zone – **“Relationship to Other Laws”** that references more restrictive or higher standards referring to the Firearms Ordinance 61 (below), remains **unchanged**.

2. Add to the Firearms Ordinance 61 under "**Section 5 Exceptions: The prohibitions against discharge of firearms contained in Section 4 hereof shall not apply to:**
- (C) Firearms discharged within indoor, totally enclosed, noise mitigated and lead mitigated, firing ranges located within Commercial or Industrial Mixed Use Overlay Zones.**

AYES: 5

NAYS: 2 (Rhein, Bohjanen)

MOTION CARRIED

Lynch moved, Zyburt seconded to approve the site plan as presented tonight to the Board.

AYES: 5

NAYS: 2 (Maki, Engle)

MOTION CARRIED

PRESENTATIONS – 2020 PROPOSED BUDGET

Manager Kangas went over the highlights of the proposed budget. Revenues will remain relatively the same, with the most significant impact being the elimination of Refuse Collection revenues. The equivalent expenditure goes with this, with the net impact being \$147,000. There is a shortfall in Capital Improvement funding necessary to purchase a replacement fire truck. He is projecting additional interest revenue from a proposed loan from General Fund to Sewer Fund. There are no significant changes in the sewer rates. Wages – proposed would be \$0.40/hour for full-time employees, \$0.25/hour for part-time employees, and a \$5/month increase in Fire Department Officer per diems. Kangas went over the expenditures for each department for the coming year. (Questions were asked about the Assessor contract and the \$0.40/hour indicated in the budget, which was an error. Engle also brought up the possibility that the Sewer Fund should be picking up a portion of the Financial Clerk and the Deputy Clerk wages due to time spent on the sewer billing and payment. There was also a question of re-evaluating the Lasco contract.) Road Fund – paving of Brookfield Village anticipated in 2020. Sewer Fund – busy year projected with Lift Station upgrades.

Zyburt moved, Lynch seconded to schedule the Public Hearing for the 2020 Budget.

MOTION CARRIED

CONSIDER EMPLOYMENT AGREEMENT FOR TOWNSHIP MANAGER

Supervisor Bohjanen indicated that there had been quite a few issues that have risen in the Township, which may be able to be addressed by expanding the responsibilities of the Township Manager to include his Zoning and Planning expertise, especially in terms of completing our Recreation Plan and Master Plan. Bohjanen indicated that the Employment Agreement in the packet has been changed to include a salary of \$90,000 and an increase week of vacation. Bohjanen feels that this candidate would be a real asset to our community and that we should do whatever we can to acquire him. Zyburt asked about the starting date. Both Supervisor Bohjanen and Manager Kangas agreed that he is very committed, and has already been

requesting information, with a starting date at the end of September. Manager Kangas indicated that he feels the qualifications of this candidate are what the Township needs

Lynch moved, Zyburt seconded to approve the employment agreement for William De Groot as presented.

AYES: Lynch, Zyburt, Bohjanen

NAYS: Maki, White, Rhein, Engle

MOTION FAILED

Maki moved that William De Groot be offered \$80,000 per year. No second.

MOTION FAILED

White moved, Rhein seconded to make an offer of \$85,000.

AYES: Rhein, White, Lynch, Zyburt, Bohjanen

NAYS: Maki, Engle

MOTION CARRIED

DISCUSSION OF MANUFACTURER FINANCING OPTION FOR TOWNSHIP FIRE TRUCK

Manager Kangas presented the information regarding financing by the manufacturer. This is informational only, and no action is needed.

Supervisor Bohjanen called for a short recess at 8:30 pm to call Mr. De Groot with the Board's offer on the employment contract for Township Manager.

Supervisor Bohjanen reconvened the Township Board Meeting at 8:45 pm.

Bohjanen indicated that he had talked with Mr. De Groot about the pay, and Mr. De Groot would be willing to have a starting pay of \$87,500, with a stipulation of a performance review at 6 months, and if satisfactory it would go to the \$90,000.

Lynch moved, Rhein seconded that Mr. De Groot's negotiated offer be accepted.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki, White

MOTION CARRIED

RESIDENTIAL BATTERY RECYCLING PROPOSAL

Zyburt moved, Rhein seconded to authorize Township DPW to maintain a collection location at the Township office for residents to drop off used batteries for recycling.

MOTION CARRIED

APPROVE PAY REQUEST NO. 10 (FINAL) FOR ELEVATED WATER STORAGE TANK

Lynch moved, Zyburt seconded to authorize payment of Pay Application 10 in the amount of \$34,750.02, using Capital Improvement Funds from Fire Account 401.340.002.972.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki, White

MOTION CARRIED

APPROVE CAPITAL FUND BUDGET AMENDMENT (CI 5-2019) TO REFLECT RECEIPT OF FUNDS FROM THE UTILITY REVIEW COMMITTEE

Zyburt moved, Lynch 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 12, 2018 for fiscal year 2019, 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	\$0	+\$1,925.75	\$1,925.75
EXPENDITURE			
Streets 401.440.972			
-Land Improvements	\$32,556.56	+\$1,925.75	\$34,482.31

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

APPROVE REVISION TO POLICIES AND PROCEDURES TO REQUIRE USE OF PHOTO IDENTIFICATION BY FIELD STAFF IN CERTAIN SITUATIONS

White moved, Rhein seconded that the language requiring photo identification for Township employees be accepted as written and added to the *Policies and Procedures* manual.

MOTION CARRIED

PUBLIC COMMENT

Mark Maki, 370 Karen Road – had a question about the August 8, 2019 Board Minutes, which refers to the comments of Jackie Lykins, “Lykins stated that contract assessors can be more flexible with their time, and tend to accomplish more.” He did not feel that this was a true statement.

Zyburt moved, Lynch seconded that the meeting be adjourned.

The meeting was adjourned at 8:50 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of July 22, 2019, Revised Draft
- B. Minutes – Chocolay Township Planning Commission, Regular Meeting of August 26, 2019, Draft
- C. Minutes – Chocolay Township Zoning Board of Appeals, Regular Meeting of July 25, 2019, Draft.
- D. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meetings of June 20, 2019 and July 18, 2019, Final.
- E. Minutes – US 41 Corridor Advisory Group, July 9, 2019, Final.
- F. Minutes / Information – 2019 Utility Review Committee, Annual Meeting of July 30, 2019, Draft.
- G. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of July 31, 2019.
- H. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of August 31, 2019.
- I. Information – September 2019 Chocolay Township Newsletter.
- J. Information – Marquette County Solid Waste Management Authority, Regional Recycling Facility Action, Special Meeting of August 1, 2019.
- K. Information – Semco Energy Gas Company, Energy Waste Reduction Plan Hearing, September 11, 2019.
- L. Correspondence – Matthew Prevost, 440 Foster Creek Road, Road Improvements, July 30, 2019.

Max Engle, Clerk

Richard Bohjanen, Supervisor

October 14, 2019

A Regular meeting of the Chocolay Township Board was held on Monday, October 14, 2019 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, Ben Zyburt, Max Engle, David Lynch, Judy White, Don Rhein, Mark Maki

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell, Brad Johnson, Scott Jennings, Dale Throenle, Pat Beck, Lisa Perry, Mary Jo Bucket

APPROVAL OF AGENDA.

Lynch moved, Zyburt seconded that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – welcomed Bill as the new Township Manager. She has a few concerns: (1) would like the Board to remind staff that when contact is made by the community responses are due in 10 days; (2) addressed the issue of recreation spaces (Kawbawgam Pocket Park) being used as parking by contractors; (3) concerns with the 2017 PASER ratings with regard to Lakewood Lane and sequence of when roads will get done; (4) Assessor’s position and the steady decline of in-office days, which is now down to Thursdays from 9:00 AM – 2:00 PM; and (5) the Police Department does not seem to think the contractor parking at the Kawbawgam Pocket Park is an issue.

Stephanie Gencheff, 597 Lakewood Lane – her plan was to come to advocate for the repair of roads. Lakewood Lane is a very bumpy road – urged the Board to not postpone any longer than they need to.

Evelyn Lindsey, 7 Red Fox Trail – her and her husband are new to the area – wondering what is happening on Brewer Road.

PUBLIC COMMENT CLOSED AT 5:38 pm.

CONSENT AGENDA

AGENDA ADDITIONS/DELETIONS.

- A. Approve Minutes of Previous Meeting – September 9, 2019 Regular Meeting.
- B. Approve Revenue and Expenditure Reports – January 1, 2019 through August 31, 2019.

- C. Approve Bills Payable, Check Register Reports – September 13, 2019 (Check #'s 23473 - 23499, in the amount of \$52,728.62), and September 26, 2019 (Check #'s 23500 - 23526, in the amount of \$42,939.97).
- D. Approve Bills Payable, Regular Payroll – September 5, 2019 (Check #'s DD317 – DD332 and Check #'s 10849 - 10853, Federal, State, and MERS for a total of \$33,961.36), and September 19, 2019 (Check #'s DD333 – DD365 and Check #'s 10854 - 10858, Federal, State, and MERS for a total of \$49,742.08).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – August 31, 2019.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – September 30, 2019.

Zybert moved, Rhein seconded to approve the Consent Agenda as presented.

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated that he had met with Connie Walt from the Census Bureau. She is promoting the complete census committee concept. She feels there should be a committee of 3-5 people, and will be dropping off some materials to explain the project.

CLERK'S REPORT

Clerk Engle indicated the Election Commission met prior to Board meeting – will be moving Precinct 1 (which is now located at the Township Hall / Fire Hall) to Silver Creek Church. There is not enough room at the Township. New ID cards will need to be sent out to change the precinct location for Precinct 1.

TREASURER'S REPORT

Treasurer Zybert stated proceeds had come in from two maturing CD's. One was \$225,000 at First National Bank of Howell at 2.18%, which was reinvested \$100,000 into First National Bank of America at 1.7%, and a \$125,000 13-month Government Agency at 1.99%. There was also a \$250,000 Government Agency that was called at 2.6%, and that was reinvested in the Main Street Bank of Birmingham bond at 1.75%.

PLANNING COMMISSION REPORT

Trustee Rhein indicated the Planning Commission had started working on the Recreation Plan. They also approved two storage unit – one on Kawbawgam, and one on Carmen.

ZONING BOARD OF APPEALS REPORT

Trustee Maki reported there is a meeting scheduled for Friday, November 1 at 5:30 PM.

Supervisor Bohjanen introduced Bill De Groot as the new Township Manager.

PUBLIC HEARING –

Manager De Groot introduced the 2020 Budget. He stated there had been a lot of groundwork done prior to his coming.

The Budget shows that the Township is in a strong financial position as staff has been maintaining fiscal conservancy for a long time, which will allow us to partially finance the upcoming sewer project. We have revenue of \$2,705,000, with corresponding expenditures, so the Budget is a balanced budget. There is extra budget money in the road fund, so will look at priorities as the construction season unfolds next season. This fiscal year runs out on December 31, 2019.

Public Comment

Deborah Mulcahey, 633 Lakewood Lane – the Board needs to be mindful of the community and the taxes and fees that are being placed on them. She also discussed roads and priority settings.

Public Hearing Closed 5:55 PM

PRESENTATIONS – NONE

FISCAL YEAR 2020 BUDGETS

Board Discussion

Trustee Maki commented on the road ranking that was supposedly done by the Planning Commission. On fees for the landfill, he feels that we should not be charging the \$15 for the administrative fee. Supervisor Bohjanen indicated that this is a permit fee. Manager De Groot indicated that he will be doing a review with staff of all fees during the first quarter of the year. Trustee Maki also asked about the sink / cabinet for the Meeting Room. DPW Supervisor Johnson said this would be a winter project.

Trustee Maki asked about the overlap in the Police Department. Supervisor Bohjanen indicated that the time from is 6 months.

Trustee White asked about the employee salaries – still need to update Manager De Groot's salary.

Trustee Maki asked about the Assessor – wondered why we are paying for membership and licenses if he is a contract employee. Clerk Engle indicated that the contract that was signed with the Assessor indicates that we will pay for those.

Trustee Maki asked about the Defined Benefit Pension – there seems to be different views on if we are fully funded.

Trustee White asked when the Pension Committee last had a meeting – would like them to look at going from Defined Benefit to Defined Contribution.

GENERAL APPROPRIATIONS ACT

Zybert moved, seconded by Rhein, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2020, and ending December 31, 2020, 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 October 3, 2019; and

Whereas, a public hearing was held on the proposed budget on October 14, 2019 at the Chocoday Township Municipal Complex, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing:

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2020, and ending on December 31, 2020, in the amount of \$2,705,000.00 for the General Fund, in the amount of \$365,000.00 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 \$220,000.00 in the Library Millage Fund, in the amount of \$81,000.00 in the Capital Improvements Fund, and in the amount of \$3,525,000.00 for the Sewer Fund.
2. The Township Board does hereby appropriate the sum of \$2,786,000.00 for the general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2020, and ending December 31, 2020.
3. The Township Board does hereby appropriate the sum of \$3,525,000.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2020, and ending December 31, 2020.
4. The Township Board does hereby appropriate the sum of \$365,000.00 for the repairing of the Township Roads to be used for the fiscal year beginning January 1, 2020, and ending December 31, 2020.
5. The Township Board does hereby appropriate the sum of \$0 for the fiscal year beginning January 1, 2020, and ending December 31, 2020 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 1, 2020, and ending December 31, 2020.

7. The Township Board does hereby appropriate the sum of \$220,000.00 for contractual services with the Peter White Public Library for the fiscal year beginning January 1, 2020, and ending December 31, 2020.
8. The Township Board does hereby levy 3.6284 mills for general operations; extra voted is 0.9974 for library, 1.6840 for roads.
9. All resolutions and parts of resolutions in so far as they conflict with provision of this resolution are rescinded.
10. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriations Act conforming to Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

**ROLL CALL VOTE: AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen NAYS: Maki
MOTION CARRIED**

RESOLUTION FOR OFFICER' SALARIES

SUPERVISOR'S SALARY

White moved, seconded by Lynch, that the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2020, which begins January 1, 2020 and ends December 31, 2020.

**ROLL CALL VOTE: AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen NAYS: None
MOTION CARRIED**

TREASURER'S SALARY

Lynch moved, seconded by Rhein, that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2020, which begins January 1, 2020 and ends December 31, 2020.

**ROLL CALL VOTE: AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen NAYS: None
MOTION CARRIED**

CLERK'S SALARY

Lynch moved, seconded by Zyburt, that the salary for the office of Clerk shall be set in the amount of \$12,000.00 for the Fiscal Year 2020, which begins January 1, 2020 and ends December 31, 2020.

**ROLL CALL VOTE: AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen NAYS: None
MOTION CARRIED**

TRUSTEE'S PER DIEM

Zyburt moved, seconded by Lynch, that the per diem for the office of Trustee shall be set in the amount of \$75.00 per meeting for the Fiscal Year 2020, which begins January 1, 2020 and ends December 31, 2020.

ROLL CALL VOTE: AYES: Maki, Lynch, Zyburt, Engle, Bohjanen NAYS: Rhein, White
MOTION CARRIED

2019 SERVER DISCUSSION

Manager De Groot stated that this is a staff led project. This has been reviewed, and can be done before the end of the year. The actual equipment will be funded by capital accounts, and the operating and implementation will be funded under our general fund. The cut-over time has not been established, but we do hope to be able to do this after hours, with as little disruption as possible.

Supervisor Bohjanen indicated there is also a possibility of being able to get a 50% grant reimbursement from Michigan Municipal Risk Management Authority – Risk Avoidance Program.

PUBLIC COMMENT

None

Rhein moved, Lynch seconded that the meeting be adjourned.

The meeting was adjourned at 6:25 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of September 16, 2019, Draft
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meetings August 21, 2019, Draft
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of August 21, 2019, Draft
- D. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of September 18, 2019, Draft
- E. Minutes – Marquette County Township Association, Regular Meeting of April 24, 2019, Final
- F. Minutes – Marquette County Township Association, Special Meeting of June 5, 2019, Final

- G. Minutes – US 41 Corridor Advisory Group, Regular Meeting of September 10, 2019, Final
- H. Information – October 2019 Chocolay Township Newsletter.
- I. Correspondence – Bill and Marsha Karas, 195 Lakewood Lane

Max Engle, Clerk

Richard Bohjanen, Supervisor

November 11, 2019

A Regular meeting of the Chocolay Township Board was held on Monday, November 11, 2019 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 (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell, Brad Johnson, Scott Jennings, Dale Throenle, Lee Gould

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

None

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – October 14, 2019 Regular Meeting.
- B. Approve Revenue and Expenditure Reports – January 1, 2019 through September 30, 2019.
- C. Approve Bills Payable, Check Register Reports – October 11, 2019 (Check #'s 23527 - 23555, in the amount of 14,475.76), October 24, 2019 (Check #'s 23556 - 23587, in the amount of \$36,609.55), and October 29, 2019 (Check #'s 23588 – 23593, in the amount of \$8,946.20).
- D. Approve Bills Payable, Regular Payroll – October 3, 2019 (Check #'s DD366 – DD399 and Check #'s 10859 - 10863, Federal, State, and MERS for a total of \$40,331.67), October 17, 2019 (Check #'s DD400 – DD415 and Check #'s 10864 - 10868, Federal, State, and MERS for a total of \$33,881.67), and October 31, 2019 (Check #'s DD416 – DD444 and Check #'s 10869 – 10873, Federal, State, and MERS for a total of \$36,990.09).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – September 30, 2019.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – October 31, 2019.

Rhein moved, Lynch supported to approve the Consent Agenda as presented.

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen had passed out information to the Board regarding the 2020 Census. Connie Walt (Census Bureau) had spoke with Supervisor Bohjanen on setting up a "Complete Census Committee" – a working committee to try to get the word out to residents to participate in the census. They are now requesting a partnership. The significance of the uses of the census is for distributing grants to different forms of government. Suggestions were given by the Board.

CLERK'S REPORT

Clerk Engle handed out the Secretary of State's initial list of candidates for the March 10th Presidential Primary. He also handed out a "to scale" drawing of the precinct setup over at the Silver Creek Church. Clerk Engle is planning on moving both precincts to the church for the next election, with the plan of keeping both there if it works out.

TREASURER'S REPORT

None

PLANNING COMMISSION REPORT

Trustee Rhein stated the Planning Commission worked on Ordinance 61, the Recreation Plan, and the Zoning Ordinance revisions. A public hearing is scheduled for November 18.

ZONING BOARD OF APPEALS REPORT

Trustee Maki reported that the Zoning Board of Appeals met on November 1, concerning a small lot in Harvey. The ZBA granted the variance.

PUBLIC HEARING

None

PRESENTATIONS – PETER WHITE LIBRARY – ANDREA INGMIRE

Andrea Ingmire, Peter White Library Director presented a recap on what's been going on at the library. Programming and services are a big part of what goes on at the library. To keep informed on what's going on, you can sign up for the Library Insider, which is an email newsletter that is sent out weekly, along with an edition that is sent out once a month. They have now added text notification to their services. Youth services is an important part and includes the Prime Time program. Music programming is primarily funded through a trust. The library works with many partnerships within Marquette for music, arts, etc. The library meeting room usage is up, children's program attendance is up, and the book drops are well used. Andrea went over the renovations that have been happening at the library, and steps that were taken to preserve the past while updating the present. Capitalized on the great view of Lake Superior by moving things around and opening up windows that had been hidden. PWPL will be on the ballot for the election in 2020.

POTENTIAL CLOSED SESSION – OPEN MEETINGS ACT 267 OF 1976 – ENTER INTO CLOSED SESSION UNDER SECTION 8(e) to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation. Michigan Municipal Risk Management Authority vs.

Associated Constructors, LLC, Integrated Design, Inc., Wendricks Truss, Inc; and Associated Constructors LLC Counter-Plaintiff vs Charter Township of Chocelay Counter-Defendant.

Lynch Moved; White Supported - I, move that the Chocelay Board of Trustees, the Township Manager, Township Public Works Director, and Township Fire Chief, meet in closed session under section 8(e) of the Open Meetings Act, to consult with our Attorney regarding trial or settlement strategy in connection with Michigan Municipal Risk Management Authority vs. Associated Constructors, LLC, Integrated Design, Inc., Wendricks Truss, Inc; and Associated Constructors, LLC Counter-Plaintiff vs. Charter Township of Chocelay Counter-Defendant.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

Township Board entered into Closed Session at 6:07 PM.

White moved, Lynch seconded to close the Closed Session at 6:35 PM.

Motion Carried

FIRE HALL RECONSTRUCTION DISCUSSION

Lynch Moved; Rhein Supported

Whereas, the Township will be moving forward with the reconstruction of the Township Fire Hall, and

Whereas, the Township has reviewed a proper storage location within close proximity to the existing facility, and

Whereas, the Township has worked with the insurance group for full reimbursement as part of the reconstruction project, and

Whereas, the Township Departments has inspected and recommend this facility for short term occupancy of the Township Fire Department, and

Let it be resolved, that the Charter Township Board of Trustees empower to Township Supervisor and Township Clerk to enter into a lease agreement (attached for reference) for six month and then month to month after that time, and

Let it further be resolved, that the Chocelay Supervisor and Township Clerk only enter into the lease agreement if the monthly rental costs do not exceed \$7,500 plus utilities.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

Township Manager De Groot gave a brief summary of the project. Over the winter we sustained some roof damage in the main part of the Fire Hall. We have been working with MMRMA since early spring on determining how to move forward. An engineering solution has been reached, and this will be an insurance claim. The Fire Department will be moving their vehicles across the street. The reconstruction process will start during the week of Thanksgiving. They will be shirring up the building for the winter, and there is not a safety concern at this time. There will be a rebuild of the roof in the spring. There is an internal team consisting of the Manager, DPW Supervisor, Fire Chief and Police Chief. The building across the street has been inspected.

SEWER DELINQUENCY REPORT

White moved, Lynch supported to accept the list of delinquent sewer charges and penalties as allowed in Ordinance 39, Section 9, E.2.c to be added to the Chocoley Township December tax roll.

MOTION CARRIED

2020 PUBLIC ACT 152 RESOLUTION

**RESOLUTION NO. 2020-1
November 11, 2019**

RESOLUTION TO ADOPT 80% / 20%, EMPLOYER / EMPLOYEE HEALTH CARE COST OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

WHEREAS, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirement of the Act;

WHEREAS, the three options are as follow:

1. Section 3 – "Hard Caps" Option – limits a public employer's total annual health care costs for employees based on coverage levels, as defined by 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 Township Board has decided to adopt the 80% / 20% option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the Township Board of the Charter Township of Chocolay elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the 80% / 20% option for the medical benefit plan coverage year January 1, 2020 through December 31, 2020.

Upon a roll call vote, the vote was as follows:
Ayes: Maki, Rhein, White, Lynch, Engle, Bohjanen
Nays: None
Absent: Zyburt

RESOLUTION DECLARED ADOPTED.

Max L. Engle, Township Clerk

UTILITY REVIEW COMMITTEE FINANCIAL RECORDS / SECRETARIAL PROPOSAL

Lynch Moved; Rhein Supported

Whereas, the Township was asked to maintain the financial record keeping for the Utility Review Committee in 2018, and

Whereas, the Township approved a proposal to the Utility Records Committee for additional staff time in the form of an expanded role of the Financial Records Clerk perform the services, and

Whereas, this would not place additional burden on the existing Township Staff, and

Whereas, the Utility Review Committee will be reimbursing the Township for staff time performing the tasks involved in financial record keeping, and

Let it be resolved, That the Charter Township Board of Trustees approve the Utility Review Committee Financial Records Proposal, and

Let it further be resolved, that the Chocolay Township Board empowers the Township Manager to sign the final proposal.

Roll Call Vote:
Ayes: Maki, Rhein, White, Lynch, Engle, Bohjanen
Nays: None
Absent: Zyburt
RESOLUTION CARRIED

BUDGET AMENDMENT 6-2019 – MCOLES TRAINING FUNDS

White moved Engle supported to move \$447.25 from Revenue State of Michigan line item (401.543) to the Police Training Capital Outlay Line Item (401.306.957) for future Police Training.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

SERVER PROJECT – CAPITAL EXPENSE RESOLUTION

Lynch moved, Rhein supported that

Whereas, a budget was adopted by the Chocolay Township Board on November 18, 2018 to govern the anticipated Capital Improvement Fund for 2019, 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 server upgrade equipment using funds currently designated for police and technology equipment,

Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

Account	Previous Budget	Change	Amended Budget
Expenditure			
Police Department Equipment 401.305.977	\$ 44,488.25	-\$ 11,000.00	\$ 33,488.25
Expenditure			
Technology Equipment 401.258.977	\$ 31,360.10	-\$ 4,000.00	\$ 27,360.10

and that the Board authorize the use of the allocated funds to purchase server equipment, network equipment, and staff replacement desktop personal computers.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

REJOINING MICHIGAN ASSOCIATION OF PLANNING

Lynch moved White supported to rejoin the Michigan Association of Planning at the cost of \$800.00. The membership will run from December 2019 until June 30, 2021 allowing our boards, and staff the opportunity to stay current with land use planning education, training, and

resources. The expense will be taken from the FY 2019 Other Government and Township Board training budgets.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

PUBLIC COMMENT

None

Lynch moved, Rhein supported that the meeting be adjourned.

The meeting was adjourned at 6:48 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of October 21, 2019, Draft
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meetings September 19, 2019, Draft
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of October 23, 2019, Draft
- D. Information – November 2019 Chocolay Township Newsletter.
- E. Information – Marquette Area Wastewater Treatment Facility Advisory Board 2020 Meeting Schedule.
- F. Correspondence – Battery Recycling Email
- G. Correspondence – Marquette Township Letter of Non Support for Landfill Urban Cooperation Act Funding.

Max Engle, Clerk

Richard Bohjanen, Supervisor

December 9, 2019

A Regular meeting of the Chocolay Township Board was held on Monday, December 9, 2019 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: William De Groot, Suzanne Sundell, Brad Johnson, Scott Jennings, Dale Throenle

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved as amended (*Insert as New Business, XV.H Peter White Public Library Update*).

MOTION CARRIED

PUBLIC COMMENT.

Charles _____, 54 Drive, Onota Township – spoke in support of the enclosed gun range. He feels that having a gun range Chocolay would help the economy, as there are many that would like to shoot in the wintertime. Lead levels are typically below 5% and are being controlled by air systems. There is no such thing as lead free. This would provide a place to shoot in the winter. He is a firearms instructor, and he stated that if you don't shoot on a regular basis, your skills will diminish.

Scott Emerson, 119 Lakewood Lane – wanted to address comments that were made. Lead level of 5% is lethal. Lead free is available on the internet, and the price is only marginally higher. Emerson respectfully requested that the Chocolay Township Board schedule a second reading of Ordinance 61, Firearms at its January 2020 meeting, with some suggested revisions on Section 5(C), which he proceeded to go over. Emerson stated that if anyone has questions concerning lead that he is the expert on toxicology in the room.

Tom Kolinsky, 2288 US 41 South, Lake Michigan Armory – handed out documents to the Board regarding ammunition. There had been language for indoor shooting ranges that was reasonable to all concerned, but now there seems to be language concerning “leadless” or “lead free”. He appreciates the comments from Dr. Emerson on the toxicology discussion, but Kolinsky feels that he (Kolinsky) is the expert in the retail field. He presented information on pricing of “leadless” or “lead free” ammunition from sites on the internet – almost triple the price. Leadless sounds like it should be “lead free”, but it has a solid lead core. Also discussed lead mitigating, and the need to move down range. Kolinsky is not in favor of the language – too restricting and will strangle the industry.

Scott Emerson, 119 Lakewood Lane – asked if he could respond to Kolinsky’s comments. Referred back to the Laidlaw study in an outdoor range – lead dust is a hazard. Federal (ammo manufacturer) is quickly moving to lead free. Feels that being lead free would be an advantage to Lake Michigan Armory.

Tom Kolinsky, 2288 US 41 South, Lake Michigan Armory – asked to be able to respond to Emerson’s comments. He feels Emerson’s reasoning may be a little flawed. With an outdoor range, you are at the mercy at which way the wind is blowing. In an indoor range, it is always a flow forward wind direction.

Bob Lambert, 214 Mesnard St., Marquette – born into a hunting family. As things stand right now, you can go to the gravel pits along County Road 480 and see the mess left by so-called “sportsmen”. In an indoor range, everything is one area and cleaned up. Would love to have an indoor range – if you don’t shoot, you loose your accuracy.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – November 11, 2019 Regular Meeting.
- B. Approve Revenue and Expenditure Reports – January 1, 2019 through October 31, 2019.
- C. Approve Bills Payable, Check Register Reports – November 11, 2019 (Check #'s 23594 - 23613, in the amount of \$18,467.64), and November 25, 2019 (Check #'s 23614 - 23639, in the amount of \$519,556.27).
- D. Approve Bills Payable, Regular Payroll – November 4, 2019 (Check #'s DD44 – DD458 and Check #'s 10874 - 10878, Federal, State, and MERS for a total of \$33,273.09), and November 28, 2019 (Check #'s DD459 – DD488 and Check #'s 10879 - 10883, Federal, State, and MERS for a total of \$36,594.67).
- E. Approve Treasurer’s Report, Certificates of Deposit and Investment Reports – October 31, 2019.
- F. Approve Treasurer’s Report, Fund Withdrawal and Deposit Report – November 30, 2019.

Maki questioned three of the bills payable checks – Check No. 23624 in the amount of \$463,217.30 to the Marquette County Road Commission (Manager De Groot explained that this was for road work done during the past summer), Check No. 23603 in the amount of \$1,035.20 to the Mining Journal (Manager De Groot explained this was for various legal ads placed in the paper, and Check No. 23613 in the amount of \$2,000.00 which was made out to “You People” (Manager De Groot explained that this was a 501(c) 3 that was used for the payment to the Chocloy Area Festival).

Lynch moved, Zyburt supported to approve the Consent Agenda as presented.

AYES: 6 NAYS: 1 (Maki)

MOTION CARRIED

SUPERVISOR’S REPORT

Supervisor Bohjanen brought up the subject of “Proclamation Process” and that the Township does not have a policy for making and reviewing proclamations (such as schools of choice).

CLERK'S REPORT - NONE

TREASURER'S REPORT

Treasurer Zybur reported that over the last two months there have been two maturities in the bond portfolio - \$250,000 Federal Agency bond that matured in October at 1.14%, which was reinvested into a Federal Agency like amount of \$250,000 at 1.875% for a period of two years and a \$250,000 Chemco Bank CD at 2.5%, which was called and reinvested in a Federal Agency bond at 1.6% for two years.

PLANNING COMMISSION REPORT

Trustee Rhein reported that the Planning Commission had been working on Ordinance 61, 34.19.05, and discussion on the marijuana ordinance.

ZONING BOARD OF APPEALS REPORT

Trustee Maki reported there has not been a meeting since November 1.

PUBLIC HEARING

None

PRESENTATIONS – NONE

FIRE HALL RECONSTRUCTION UPDATE

Manager De Groot reported that the shoring process has begun in the fire hall. There has also been work on a rental agreement for the building across the street. The Township is now looking for an opportunity for a snow plowing contract for across the street – we have two quotes so far, but is looking for some leniency in being able to sign a winter long contract. This may be reimbursable by MMRMA, but De Groot will need to discuss this with them. The equipment we have for snow removal is not suitable for across the street. De Groot estimates it will be under \$4,000 for the entire winter.

Lynch moved, Rhein supported to allow Manager De Groot to proceed with the plowing contracts as they come in for the plowing of the temporary firehall.

MOTION CARRIED

APPOINTMENTS TO 2020 BOARDS, COMMISSIONS, AND COMMITTEES

White moved, Engle supported to accept the appointments as presented, with the exception for Planning Commission member Tom Mahaney.

MOTION CARRIED

APPROVE 2020 TOWNSHIP MEETING DATES

Zybur moved, Rhein supported to approve the 2020 Meeting Date schedule as presented.

MOTION CARRIED

APPROVE 2020 TOWNSHIP HOLIDAY SCHEDULE

White moved, Lynch supported to approve the Chocolay Township Holiday schedule as presented.
MOTION CARRIED

REQUEST FROM THE PLANNING COMMISSION TO REVIEW REGULATORY ORDINANCE 67, MARIJUANA ESTABLISHMENTS

Manager De Groot introduced a request for guidance from the Planning Commission regarding Marijuana Establishments. De Groot went over what is happening in other places in the UP (specifically Marquette, Ironwood, and Sands Township) and pointed out that at this point, there are no production or processing facilities to support these establishments. He feels that this may present an opportunity for Chocolay Township.

Zyburt feels it is important to stay on top of this topic as it is not going away. Supervisor Bohjanen feels the ordinance should include all aspects of the licensing.

Lynch moved, White supported to direct the Planning Commission to revisit Ordinance 67 on marijuana establishments, and bring back to the Board.

AYES: 6 NAYS: 1 (Rhein)

MOTION CARRIED

PURCHASE OF DPW UNIT HEATER FOR GARAGE

White moved, Zyburt supported that the Chocolay Township Board approves the expenditure of no more than \$2,500.00 to replace the unit heater in the DPW garage.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

FIRST READING OF ORDINANCE 61 FIREARMS REVISION

Lynch moved, White supported that after providing required notification to the public, holding a public hearing, and considering recommendations of the Township Planning Commission and the Township Attorney, the Board schedule a second reading on the proposed language as revised (***Section 5.C take out the phrase "require the use of ammunition labeled as lead-free"***) for Ordinance 61 *Firearms* at its January 2020 meeting.

MOTION CARRIED

FIRST READING OF ORDINANCE REVISION 34-19-05

Lynch moved, Zyburt supported that after providing required notification to the public, holding a public hearing and consider recommendations of the Township Planning Commission and the Township Attorney, the Board schedule a second reading on the proposed language as written for *Zoning Ordinance* Amendment 34-19-05 at its January 2020 meeting.

MOTION CARRIED

PETER WHITE PUBLIC LIBRARY UPDATE

Trustee White reported on PWPL. There will be a millage on the ballot in 2020. Starting in January, they will be offering "Ident to Go" where residents can go for different types of identification. White also reported that the PWPL has now gone from MERS retirement defined benefit to defined contribution.

PUBLIC COMMENT

Scott Emerson, 119 Lakewood Lane – commented on the correspondence in the packet. He feels that the storage units are a societal disease – he feels that this is a boom and bust thing and not sustainable. We should not enable it. He also addressed the noise and light trespass from the casino into the residential zone which can produce insomnia. He was assured by previous managers that KBIC would comply with our standards. If this is not happening, there needs to be intervention.

Zyburt moved, Lynch supported that the meeting be adjourned.

The meeting was adjourned at 6:40 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of November 18, 2019, Draft
- B. Minutes – Chocolay Township Zoning Board of Appeals, November 1, 2019, Draft
- C. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meetings October 17, 2019, Draft
- D. Minutes – Northern Michigan Public Service Academy (NMPSA) Regular Meeting of November 21, 2019, Draft
- E. Information – December 2019 Chocolay Township Newsletter.
- F. Correspondence – Municipal Group Dividend Check
- G. Correspondence – D. Mulcahey, 633 Lakewood Lane
- H. Correspondence – E. Delene, 232 Kawbawgam Road

Max Engle, Clerk

Richard Bohjanen, Supervisor

January 13, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, January 13, 2020 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: William De Groot, Suzanne Sundell, Brad Johnson, Scott Jennings, Dale Throenle

APPROVAL OF AGENDA.

Zyburt moved, Lynch supported that the agenda be approved with the addition of *"I.X. Treasurer's Report"* and New Business of *"E. Proposed Agreement/Opportunity between Chocolay Fire Department and the City of Marquette Fire Department"*.

MOTION CARRIED

PUBLIC COMMENT.

Tom Kolinsky, 2280 US 41 South (Lake Michigan Armory) – Kolinsky indicated that he was at the meeting for any questions or concerns.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – December 9, 2019 Regular Meeting.
- B. Approve Bills Payable, Check Register Reports – December 6, 2019 (Check #'s 23640 - 23660, in the amount of \$99,369.67), December 16, 2019 (Check #' 23661 – 23680, in the amount of \$12,114.33), and December 26, 2019 (Check #'s 23681 - 23719, in the amount of \$156,986.00).
- C. Approve Bills Payable, Longevity Payroll – December 5, 2019 (Check #'s DD489 – DD496, and Federal, State, and MERS for a total of \$2,164.75), and Regular Payroll – December 12, 2019 (Check #'s DD497 – DD513 and Check #'s 10884 - 10888, Federal, State, and MERS for a total of \$33,657.79) and December 26, 2019 (Check #'s DD514 – DD546 and Check #'s 10889 – 10893, Federal, State, and MERS for a total of \$38,512.78).
- D. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – November 30, 2019.
- E. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – December 31, 2019.

Lynch moved, Zyburt supported to approve the Consent Agenda as presented.

AYES: 7 NAYS: 0

MOTION CARRIED

White and Maki raised questions concerning some checks in the Bills Payable. Maki also asked about Superior Watershed and if there is some type of report or update that the Township receives.

Maki also asked about the Revenue / Expenditure report not being included in packet – Manager De Groot indicated we are currently working on Month End / Year End and this will be in next packet.

SUPERVISOR’S REPORT - NONE

CLERK’S REPORT

Clerk Engle indicated that Absentee ballot applications are in the process of being sent out for the March 10, 2020 Presidential Primary.

TREASURER’S REPORT

Treasurer Zyburt indicated there had been excess funds to invest – purchase a \$250,000 CD from the Independent Bank of Grand Rapids for a 3-month period at 1.6%.

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING – PROPOSED 2020 – 2024 RECREATION AND NATURAL RESOURCE CONSERVATION PLAN

Supervisor Bohjanen opened the Public Hearing at 5:38 pm.

Dale Throenle, Planning Director, gave a brief introduction of the proposed Recreation Plan. The previous Recreation Plan expired in 2018 and is a requirement for obtaining any grant funding from the DNR, but it is also used for general direction on recreation in the Township. Throenle indicated that the budget within the plan is for proposed items, which would then come back to the Board for approval. The reason for putting it in the plan is because the DNR operates under the concept that if it is not in the Recreation Plan it will not be funded by grant money.

Supervisor Bohjanen indicated that the Recreation Plan has been available to the public on the website for 30 days. This is an important resource for people in the Township.

Public Hearing closed at 5:42 pm.

PRESENTATIONS – CERTIFICATE OF APPRECIATION

Supervisor Bohjanen stated that the Certificate of Appreciation is for Tom Mahaney, who is stepping down from the Planning Commission.

SECOND READING OF ORDINANCE 61 FIREARMS REVISIONS

Zyburt moved, Rhein supported that after providing required notification to the public, holding a public hearing, providing a first and second reading of the proposed language for Ordinance 61 *Firearms*, the Board adopt the proposed ordinance language as written, with the ordinance to take effect thirty days from January 13, 2020, 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 Ordinance in the Township *Book of Ordinances* within one week after publication.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SECOND READING OF ORDINANCE REVISION 34-19-05

Engle moved, Zyburt supported that after providing required notification to the public, holding a public hearing, providing a first and second reading of the material and considering public input, the Board approves the proposed language of *Zoning Ordinance* Amendment 34-19-05 as written, with the amendment to take effect thirty days from January 13, 2020, and that the Board 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 to record the amendment in the Township *Zoning Ordinance* book within one week after publication.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDERATION OF AN APPOINTMENT FOR THE PLANNING COMMISSION

Supervisor Bohjanen stated he had reviewed applications and has selected George Meister.

White brought up the fact that Meister works for GEI and wondered if this would be a conflict of interest.

Bohjanen moved, Lynch supported that George Meister be appointed to the Planning Commission with a term commencing January 2020.

MOTION CARRIED

REVIEW SRF SEWER IMPROVEMENT PROJECT

Manager De Groot opened with a review of the project. The sewer project for Lift Stations 1 – 5 has been under discussion for the past 2-3 years. The sewer system is over 40 years old. De Groot stated his appreciation for DPW staff that has managed to maintain this system.

A presentation was given to the Board at the end of 2018 which went over the scope of the project and ways to fund the new lift stations.

The new lift stations will be like Lift Stations 6 – 8, with Gorman Rupp pumps, alarm box and generator for each station. Lift Stations will look like these when the project is finished. This will still come to a total project cost of approximately \$3,000,000. There has also been talk about the funding, and whether this will be locally sourced or publicly sourced. At the time, the Township was not sure how much was available through the State. EGLE / DEQ has since been contacted and indicated they do have enough funding and the Township is in the pipeline. We are looking at being funded for 3rd quarter funding, with the application due by February 17, that would allow us to be able to have the money for this construction season. SRF (State Revolving Fund) is a public bond which is state backed (no prepayment). This would be a low interest government to government bond, and we would not have a prepayment option. The interest rate is 2.5 – 3.0%. At this point, we have allocated 1.5 to 2.0 million for the project. De Groot and Treasurer Zyburt had discussed this and with the rate of return we could get at reinvesting this money, there may be an advantage to fully funding with the loan. Zyburt also indicated that interest rates will not be going down and it's a 20-year commitment, and interest rates for investing money will hopefully be going up in that time frame.

There is a compressed timeline due to the need to hit the February deadline. The engineering part of the project is about 60 – 65% complete, which is the amount necessary for the EGLE application. EGLE also asks for a costing sheet, scope of project, funding mechanism. We are required to hire Bond Counsel and a Bond Financial Advisor. There are none in the local area, so we have sought out Miller Canfield as the Bond Counsel and Bendzinski & Company as Bond Financial Advisors which are both in the Metro Detroit area. Both are willing to take on this project, fees will be rolled up into the bond. Going forward, engineering consultant fees would also be rolled up into the bond.

Clerk Engle asked if we were planning to finance the entire project. De Groot indicated that we would be.

ENGAGEMENT OF PROFESSIONAL SERVICES TO APPLY FOR SRF FUNDING

White moved, Lynch supported that the Chocalay Township Board enter into a contract with Miller Canfield and Bendzinski & Company for the professional guidance of preparing, negotiating, and the selling of State Revolving Fund bonds.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

REVIEW OF 2020 – 2024 RECREATION AND NATURAL RESOURCE CONSERVATION PLAN

The Board had some discussion / questions on different areas of the budget.

Lynch moved, Rhein supported that after providing required notification to the surrounding government entities, public agencies and the public, holding a public hearing and considering recommendations of the Planning Commission, the Board approves the *2020 – 2024 Recreation & Natural Resource Conservation Plan* as written by way of adopting the attached Resolution.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

**CHARTER TOWNSHIP OF CHOCOLAY
2020 – 2024 RECREATION & NATURAL RESOURCE CONSERVATION PLAN**

Board of Trustees of the Charter Township of Chocolay, Marquette County, Michigan

WHEREAS, the Charter Township of Chocolay has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents during a five-year period covering the years 2020 through 2024, and

WHEREAS, the Charter Township of Chocolay began the process of developing a community recreation and natural resource conservation plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities, and

WHEREAS, residents of the Charter Township of Chocolay were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation and natural resource conservation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days, and

WHEREAS, a public hearing was held on January 13, 2020 at the Chocolay Township Hall to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the *2020 – 2024 Recreation & Natural Resource Conservation Plan*, and

WHEREAS, the Charter Township of Chocolay has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the Charter Township of Chocolay, and

WHEREAS, after the public hearing, the Charter Township of Chocolay voted to adopt said *2020 – 2024 Recreation & Natural Resource Conservation Plan*.

NOW, THEREFORE BE IT RESOLVED the Charter Township of Chocolay Board of Trustees hereby adopts the *2020 – 2024 Recreation & Natural Resource Conservation Plan*.

Yeas: 6 Nays: 1 Absent: 0

Date Approved: January 13, 2020

State of Michigan

County of Marquette

PROPOSED AGREEMENT / OPPORTUNITY BETWEEN CHOCOLAY FIRE DEPARTMENT AND CITY OF MARQUETTE FIRE DEPARTMENT

Manager De Groot indicated there was an opportunity with the City of Marquette. The City now has employed a mechanic who is certified to work on Pierce trucks. They would offer this service to us at \$47.00 per hour, plus parts. They have a location in their garage that is sized for our fire trucks, so we would not have to go elsewhere. Currently, we either have to go to Appleton or Saginaw. De Groot is asking that the Township Board empower either himself or Supervisor Bohjanen to enter into the agreement.

Lynch moved, White supported to allow Township Staff and Supervisor to enter into an agreement with the City of Marquette for maintenance and repairs of our fire apparatus.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

Supervisor Bohjanen read the agreement to the Township Board.

PUBLIC COMMENT

Kendra Symbal, 100 Aspen Drive - questioned if any of the trucks are still under warranty. Manager De Groot indicated there are no existing warranties.

Zyburt moved, Lynch supported that the meeting be adjourned.

The meeting was adjourned at 6:28 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of December 16, 2019, Draft
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of November 21, 2019, Draft
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of December 11, 2019, Draft
- D. Information – End of Year 2019 Chocolay Township Newsletter.

Max Engle, Clerk

Richard Bohjanen, Supervisor

February 10, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, February 10, 2020 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: William De Groot, Suzanne Sundell, Brad Johnson, Scott Jennings, Dale Throenle

APPROVAL OF AGENDA.

Lynch moved, Zyburt supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

Gail Varty, 208 Timber Lane – stated she would like to be included in the discussion of Item XII.E. She has finally received approval and would like to thank D. Throenle for seeing this through. Varty started this process in 2016. Varty spoke on how costly this project had been, and her intent at this meeting was to have the Board consider payment of her most recent Engineering bill in the amount of \$4,387.50. She feels that her experience has been a benefit to the Township, as the FEMA maps have now been corrected and are available to the public for future use.

Public Comment closed at 5:36 pm.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – January 13, 2020 Regular Meeting.
- B. Approve Revenue and Expenditures Report – Year End 2019 (Unaudited).
- C. Approve Bills Payable, Check Register Reports – January 3, 2020 (Check #'s 23720 - 23726, in the amount of \$2,437.81), January 11, 2020 (Check # 23727 – 23758, in the amount of \$51,491.55), January 13, 2020 (Check #'s 23759 - 23770, in the amount of \$22,951.30), January 23, 2020 (Check #s 23771 – 23776, in the amount of \$34,386.65), January 23, 2020 (Check #s 23777 – 23792, in the amount of \$21,720.81) and January 29, 2020 (Check #s 23793 – 23812, in the amount of \$24,790.49).
- D. Approve Bills Payable, Regular Payroll – January 9, 2020 (Check #'s DD547 – DD578 and Check #'s 10894 - 10898, Federal, State, and MERS for a total of \$49,100.27) and January 23, 2020 (Check #'s DD579 – DD606 and Check #'s 10899 – 10903, Federal, State, and MERS for a total of \$41,586.98).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – December 31, 2019.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – January 31, 2020.

Zyburt moved, Lynch supported to approve the Consent Agenda as presented.

AYES: 7 NAYS: 0

MOTION CARRIED

SUPERVISOR'S REPORT - NONE

CLERK'S REPORT

Clerk Engle stated that the Absent Voter ballots went out last week. Also reminded people to vote on March 10.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – MARQUETTE AREA WASTEWATER TREATMENT ADVISORY BOARD

The Township had received a power point presentation from the Advisory Board, but they had no one available to do the presentation. Supervisor Bohjanen went over the slides, which provided a summary of what happened in 2019. This included accomplishments, goals for 2020, projects going forward. Manager De Groot spoke about the Co-Gen units that were mentioned in the slide presentation.

REVIEW OF SRF CONTRACT WITH EGLE

A "Resolution Authorizing Notice of Intent to Issue Bonds and Declaration of Intent to Reimburse from Bond Proceeds (2020 SRF Bonds)" along with "Exhibit A" was presented to the Board for consideration.

Lynch moved, Rhein supported that the Chocolay Township Board empower Supervisor Bohjanen or Clerk Engle to sign the final SRF application before February 17th.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

POLICE TRAINING INSTITUTE FUNDING

Engle moved, Zyburt supported that the Chocolay Township Board authorize to expend \$675 for the NMU Public Safety Institutes for the year 2020. This would come from the Capital Improvement Police Training Fund, 401.306.957.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

NEW STAIRCASE INSTALLATION IN PUBLIC WORKS GARAGE

Lynch moved, Rhein supported that the Chocolay Township Board approve the expenditure of no more than \$8,000.00 to have this work completed. This is going to be paid out of Township Hall and Grounds Capital Improvement fund 401.265.976.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

TASTING ROOM REQUEST AT CAMPGROUND

Dale Throenle, Planning Director / Zoning Administrator opened with an explanation of what is being asked for by Mr. Glass. The approval would be for the request, not the actual permit, for a tasting room at Gitche Gumme RV Park. The actual permit would come from the State. Manager De Groot also stated that when the property was approved, it was approved on a resort basis, which gave him the opportunity to have a liquor license and restaurant.

Jeff Glass spoke on his own behalf – his intent is to have a tasting room, as he would like somewhere to be able to have people taste his beer. He does have approval from the Health Department. He has a 20-gallon system and has no intent to have a bar.

Lynch moved, White seconded that the application from Jeffrey Morris Glass for a new on-premises tasting room permit located at: 2048 M-28 East, Marquette, MI 49855 at Gitche Gumme RV Park be considered. It is the consensus of this Body that it recommends this application to be considered for approval by the Michigan Liquor Control Commission.

MOTION CARRIED

VARTY INVOICE REQUEST

Supervisor Bohjanen addressed the issue of payment. The first request for payment was granted as the studies would be necessary to get the map amendment done and it appeared to benefit others along the river. At this point, it appears the benefit is only for the Varty property. Supervisor Bohjanen and Manager De Groot feel it would be inappropriate to continue to pay for the benefit of one person. The most recent bill appears to have been contracted by the Varty's and not by the Township. There has also been a lot of staff time devoted to this.

Trustee Maki questioned how much had already been spent by the Township on this project.

Manager De Groot stated the original violation issued to the Township was because of the National Flood Insurance Program (NFIP) and being out of compliance. He stated that the Varty case may have alerted us to the non-compliance, but this has been corrected.

Ms. Varty indicated that the Township was out of compliance way before she came into the picture. She has gone through a lot in the past few years. She also feels that this involves more than just her property, and it is a benefit to the residents in her area.

Supervisor Bohjanen also indicated that the only involvement the Township had was the issuance of a Zoning Compliance Permit. Manager De Groot stated that the Marquette County gave a soil erosion permit in 2015. In cleaning up the site, Ms. Varty has done everything in accordance with the law based on permits she had received from Marquette County and DEQ. Manager De Groot stated we have no flood plain authority and cannot recommend approval of this payment.

Trustee White indicated that she cannot support something that is only a benefit to one resident.

White moved, Rhein supported that the Chocolay Township Board does not pay the expenditure because the project outcome is specific to the subject.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

LASCO CONTRACT

Trustee White asked if there had been any other quotes received. Supervisor Bohjanen indicated there had not been at this time, but the Township would be looking at putting together a Request for Proposal. Trustee Lynch also indicated that there is a 90-day out included in the contract. Manager De Groot stated that we are in the middle of upgrading our server due to timing.

Zyburt moved, Lynch supported that the Chocolay Township Board empower Supervisor Bohjanen or Clerk Engle to sign the final Lasco Computer Maintenance Contract.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

Jeff Glass, Gitche Gumme RV Park – would like to address the importance of a stairway at the turn-off across from the RV Park. This is a scenic view, and people like to be able to get to Lake Superior. Everything has been torn out at this point. He offered suggestions on how this could be accomplished.

Lynch moved, Zyburt supported that the meeting be adjourned.

The meeting was adjourned at 6:24 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of January 20, 2020, Draft
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of January 15 ,2020, Draft
- C. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of December 19, 2019, Draft
- D. Minutes – Marquette County Township Association, Regular Meeting of October 23, 2019.
- E. Information – Chocolay Township Newsletter, January 2020.
- F. Correspondence – Asset Management 101.
- G. Correspondence – North Country Trail Association.

Max Engle, Clerk

Richard Bohjanen, Supervisor

February 17, 2020

A Joint meeting of the Chocolay Township Board of Trustees and Planning Commission was held on Monday, February 17, 2020 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Ben Zyburt, Max Engle, David Lynch, Don Rhein, Judy White, Mark Maki.

ABSENT: None

Planning Commission Chair, Ryan Soucy, called the meeting of the Planning Commission for the Joint Meeting to order at 5:35 pm.

PLANNING COMMISSION.

PRESENT: Ryan Soucy, Cory Bushong, Donna Mullen-Campbell, Susan Maynard, Don Rhein, George Meister

ABSENT: Kendell Milton

STAFF PRESENT: William De Groot, Suzanne Sundell, Dale Throenle, Lisa Perry

APPROVAL OF AGENDA – Township Board

Zyburt moved, Lynch supported that the agenda be approved as presented.

MOTION CARRIED

APPROVAL OF AGENDA – Planning Commission

Bushong moved, Maynard supported that the agenda be approved as presented.

MOTION CARRIED

JOINT MEETING LED BY PLANNING COMMISSION - DISCUSSION OF PLANNING COMMISSION PRIORITIES FOR 2020.

Planning Commission Chair Soucy went through the issue summary presented.

Supervisor Bohjanen brought attention to the fact that there are two Planning Commission Priority sheets included in the packet – the first being the one that was approved for 2019 – 2020, indicating what has been accomplished, what is in progress, and what is suggested to move forward to the updated 2020 – 2021 priority list.

PC Chair Soucy questioned the fact that the Capital Improvements portion had been removed from the 2019 list and what the Township’s anticipated direction is in regard to capital improvements. Manager De Groot indicated that with an organization of our size, we do not need

to have a capital improvements plan. It is not required under the law the way it is presented, and how we actually budget for it. As part of the budget process, and the way we are going to present the budget, we will be itemizing out how we fund capital projects by aligning the values we find within the Master Plan and aligning the budget document to lay out a multi-year capital plan. PC Chair Soucy felt this would be a good approach, as the Planning Commission's fingerprints would still be on the document.

Trustee Maki questioned the Road funding plan, asking if there was a document that covered this. Manager De Groot indicated the Road Asset Management Plan is the document that was used, and this can be found on the Township's website. Trustee Maki asked if there was a list. Supervisor Bohjanen indicated that this was a professionally generated list, but it is subject to change based on other projects.

PC Chair Soucy asked about private roads, and if they need to be built according to Road Commission specs. Planning Director Throenle indicated that new ones would need to.

PROPOSED 2020 – 2021 PLANNING COMMISSION PRIORITIES

Items for Planning Commission Consideration for 2020 / 2021

- Review and update the Township *Master Plan*

Review the master plan with the intent of presenting it to the Township Board as the five-year master plan direction for the Township

“PC Chair Soucy indicated that he feels this is one of the highest priority items, and should be started early in the year. The Township to decide what it is the community wants, before it can proceed with the Zoning Ordinance.

Manager De Groot indicated that the best way to work a community through a Master Plan rewrite involves three things: What types of legislative changes have occurred since the last Master Plan was written; All actual action by enforcement Boards (Township Board, Planning Commission, Zoning Board of Appeals); throw a wide net to interpret what the community value sets are. Manager De Groot feels that there should be at least two more joint meetings to discuss the outcomes of the wishes by the community and make sure the Township Board and Planning Commission are in agreement of and allow staff to work with the Planning Commission to make the first draft. There are two things this year that will help us – this is a Census Year which will provide a lot of the demographic information, which then gives the Township the time and opportunity to ask questions on what the community wants.

Trustee Maki asked about the possibility of water, as he gets questioned quite a bit. Manager De Groot indicated that it would take 5 to 10 years to plan correctly. He feels that there are opportunities in the Township – but the studies are not small. De Groot indicated that we are currently going for our first SRF funding for wastewater, and this may be a way to be able to fund a water source.

Supervisor Bohjanen indicated that there was a joint study between Chocolay Township and Sands Township. This was rejected by Chocolay Township, but the information found in that study may make a good starting point. Bohjanen said there is going to be a day in the not too distant future where the Health Department will say that we need a municipal water system – we have a lot of inadequate water in our community and the only testing that gets done is usually when the house gets sold as this would be mandatory testing. Supervisor Bohjanen and Planning Director Throenle have been invited to join a group of interested parties from Marquette County looking to establish a water coalition. Things are being done, just not done quickly.

Chair Soucy indicated that we need to keep in mind that the main reason for living in Chocolay Township is affordability.”

- **Consideration for rewrite of the Township Zoning Ordinance**

Review and revise the *Zoning Ordinance* with the intent to simplify the language and to bring the ordinance up-to-date. This rewrite process will include regular review of State-legislated language that may affect the *Zoning Ordinance*.

“PC Chair Soucy indicated that the Zoning Ordinance is a living document and needs to adapt with the times. He feels that it is important to always be looking at this document to understand what needs to be updated.

Trustee Maki indicated that he wondered about the overlay zone that was done a couple of years ago. Why was this not a text amendment to the Zoning Ordinance, instead of an Overlay Zone?

Commissioner Maynard indicated that one of the intents was to support small businesses in a “live / work” benefit.

Supervisor Bohjanen indicated the original intent was to maintain status quo and look to the future.

Trustee Maki stated that he feels the simpler the ordinance is, the easier it is to understand. We need to make it clear to anyone that is looking at it. He feels the overlay zone is more complicated and confusing than it needs to be.

PC Chair Soucy asked how many have been created in the overlay zone since it was created.

Manager De Groot indicated that there are opportunities that people are starting to push. The newer Zoning Ordinances and Master Plans are going toward a character-based enforcement. There could be a character-based zoning ordinance written specifically for the village.

Trustee Maki also brought up the Sign Ordinance, and the length of it now. PC Chair Soucy

would like to go back and simplify this ordinance if the Board would like.

Supervisor Bohjanen stated that most of our ordinances have been written in trying to resolve disputes among neighbors rather than trying to make the Township better. There are three mechanisms that could be used in rewriting our ordinance: Contracting with a professional to rewrite the ordinance (planning or legal professionals), but they need to know how we want our ordinance to read; Plagiarizing from other Townships that have gone through the process; Having the Planning Commission write it themselves.

PC Chair Soucy indicated that you can borrow the text if there is no other way to word it. You may have to be careful on proprietary graphics for such things as a sign ordinance.

Manager De Groot indicated that his expertise is in planning. He feels he may be able to aid the Planning Commission and would like to volunteer to help the Planning Commission.

Commission Maynard feels that within the manager's office we have the expertise and practical experience to be able to help with the rewrite."

- **Further amend the Township ordinances to implement the Zoning Plan in the Master Plan**

Review *Master Plan* recommendations and reflect those recommendations in the Township *Zoning Ordinance* and non-zoning ordinances

- **Determine ordinance status (opt in / opt out) for marijuana regulations in the Township**

This status will determine if non-medical marijuana facilities should be permitted in the Township

"Trustee White asked about the marijuana issue. Chair Soucy indicated that the Planning Commission will be coming back to this. Manager De Groot indicated that we are in the process of working on how we may be able to fit into the supply chain that does not compete with neighboring communities. We have an intern whose sole focus is this, and he will be presenting to the Board at the April meeting (power point and white paper)."

- **Address non-conformities regarding properties in the Agriculture / Forestry (AF) district**

Determine regulations and changes required to reduce property non-conformances in the AF district

"Trustee Maki indicated that we needed to be cautious when review the agricultural zone and nonconformities that exist. There will never be conformity for some areas.

Supervisor Bohjanen thought there may be a need to have different rules for different sizes of agricultural areas. Manager De Groot indicated that this would be called sliding scale zoning. He also indicated that you can write whatever you want for a zoning ordinance, but if there is no support in the community we will not be able to enforce. We need to look at community character and community input in order to decide what should be out there. De Groot stated we need to balance State law with our community values. "

- **Develop processes for the National Flood Insurance Program (NFIP) Community Rating System implementation**

Develop processes and potential zoning regulation additions or changes to accommodate the program implementation for flood protection and flood insurance cost reduction throughout the Township

- **Update the *Chocolay River Watershed Plan* as part of the *Community Rating System* project**

Update the watershed plan to reflect changes that have occurred in the watershed since the last document was written

The last update on this plan was completed in 1999, and the plan should be updated as a regional plan with local agencies and government units

“Planning Director Throenle indicated that the last Watershed Plan was written in 1999. The watershed stretches from here to Sawyer. It also goes down the path of protecting resources. The Watershed Plan ties together with the Community Rating System and National Flood Insurance Program to help reduce the cost of overall flood insurance. This also ties into the Master Plan for potential park locations and benefit to the area as a whole.”

Trustee Maki asked about erosion and flood plain insurance. Throenle indicated that most residents in Chocolay would not be affected. At this time, FEMA, Army Corps of Engineers and EGLE are all in the process of flood plain mapping.

Commissioner Meister stated that on the environmental side, there is money available in State for restoration – need a Part 319 Approved plan – usually a 30% match on funds. Meister indicated that grant applications are due by March 14, with a 10% match.

Trustee Maki brought up the junk car ordinance and wondered why we are so worried about our water, if we are okay with allowing junk cars on property that could be seeping fluids into the groundwater.

PC Chair Soucy indicated that CUPPAD, in conjunction with LSCP, are now working on an Economic Resiliency Strategy. Soucy commented that not having blight in a community makes it more appealing.”

- **Reconsider approach to private road regulation**

Determine if existing language for private roads should be modified

- **Plan for four-season transit facility**

This Township-located facility will provide a place for the public to wait for Marq-Tran and ALTRAN public transit

“PC Chair Soucy has had conversations with other communities in the area. MarqTran does not pay for construction or maintenance. Soucy feels we need to be investing in these structures. A question was brought forward on the KBIC 2% money, and if this money could be used for something like this. This would also involve taking a look at transit planning, and coverage of the county. What does the community need, versus what can MarqTran supply.

There may be other options to consider, such as ride hailing (UBER, Lyft, etc)."

- **Consideration for Bluezone / AARP livable community design**

Research quality of life design primarily directed toward senior citizens

"PC Chair Soucy indicated that Commissioner Mullen-Campbell had brought up the idea of Blue Zones. This addresses aging in place. Mullen-Campbell indicated that there is nothing like this in Michigan right now. If you look ahead to our community in the next 15 to 20 years, as more research needs to be done. Mullen-Campbell stated there are no state funds, but it would be supported by foundation money.

Manager De Groot shared that in looking at how to approach our budgeting process and how the money is being spent. In looking for opportunities, the City of Kalamazoo has established a 501(c)3. The auditors have been asked about this, and he will be reviewing this. This would be an additional source of income that would be foundation funded for the sole purpose relieving the tax burden placed on residents.

PC Chair Soucy feels that this would be something that should be considered when looking at the Master Plan rewrite. "

- **Coordination with Marquette County on the County 2040 master plan**

Coordination with Marquette County on potential Township related items in the County 2040 master plan

"PC Chair Soucy stated that Marquette County will be holding Region Rallies, and have broken the county into four different areas: Chocolay and City of Marquette are grouped together as Borealis Beach; Ishpeming and Negaunee is the Iron Core; Western area such as Michigamee and Big Bay is Moose Hills; and Sands Township is Blueberry Fields.

Marquette County did a survey and gathered over 3,000 responses. It is a very extensive survey, and he feels that Chocolay could benefit from their results. PC Chair Soucy has volunteered to be a facilitator at their events. Soucy will forward the meeting dates to the Township."

- **Development of an education plan**

Development of an education plan for the Planning Commission both internally and externally

"PC Chair Soucy feels there are a lot of educational opportunities out there, and the Township could benefit from this. CUPPAD will be hosting a training an Asset Management 101 relating to annual budgeting."

- **Consideration for non-traditional homes**

Review of *Zoning Ordinance* language for possible inclusion of non-traditional homes (under 800 square feet) as permissible primary structures in the Township

"PC Chair Soucy indicated that this would cover things such as tiny homes – it is sometimes nice to have an option that is more affordable. Soucy stated the younger generation does not want large homes and would rather pay for a view, and this would also go along with aging in place."

PC Chair Soucy thanked the Township Board for the opportunity to present the Planning Commission priorities to them, and receive input on how they should proceed going forward.

Supervisor Bohjanen asked about the recommendation last year to rewrite the Sewer Ordinance, and where the process stood. Manager De Groot stated that we have to wait until Marquette City's Ordinance was drafted. This is done, and now we can proceed as we needed the Wastewater Treatment information before moving forward.

White moved, Rhein supported that the priorities for the Planning Commission be forwarded to the Planning Commission as written as the recommended Planning Commission priorities for the 2020 through 2021 calendar year.

MOTION CARRIED

PUBLIC COMMENT – NONE.

Zyburdt moved, Lynch supported that the Township Board portion of the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:20 pm.

PLANNING COMMISSION

Rhein moved, Bushong supported that the Planning Commission adopt the suggestions of the Township Board on Priorities for 2020 – 2021.

MOTION CARRIED

Planning Commission moved to adjourn.

MOTION CARRIED

The meeting was adjourned at 7:24 pm.

Max Engle, Clerk

Richard Bohjanen, Supervisor

March 9, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, March 9, 2020 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 (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell, Brad Johnson, Scott Jennings, Dale Throenle, Zane Weaver, Tony Carrick

APPROVAL OF AGENDA.

White moved, Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

None

Public Comment closed at 5:32 pm.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – February 10, 2020 Regular Meeting; February 17, 2020 Joint Meeting
- B. Approve Revenue and Expenditures Report – Year End 2019 (Unaudited).
- C. Approve Bills Payable, Check Register Reports – February 10, 2020 (Check #'s 23813 - 23836, in the amount of \$11,8901.93) and February 25, 2020 (Check # 23837 – 23862, in the amount of \$41,532.83).
- D. Approve Bills Payable, Regular Payroll – February 6, 2020 (Check #'s DD607 – DD622 and Check #'s 10904 - 10908, Federal, State, and MERS for a total of \$37,486.68) and February 20, 2020 (Check #'s DD623 – DD652 and Check #'s 10909 – 10913, Federal, State, and MERS for a total of \$42,420.03).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – January 31, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – February 25, 2020.

Lynch moved, Rhein supported to approve the Consent Agenda as presented.

AYES: 6 NAYS: 0 ABSENT: 1 (Zyburt)

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated we are now moving into the year of the 2020 Census, and the Census committee is hoping that everyone will participate. They have materials to distribute and are willing to have meetings, but nothing has been firmed up at this time.

CLERK'S REPORT

Clerk Engle reported on a report that came from Lansing which talks about absentee ballots – in 2016 Chocolay Township issued 358 absentee ballots. As of the time of the report, Chocolay had 822 on our permanent AV list, and at this point staff has sent out 996 ballots and have received 880 back, which is a 91.1% return. Also, in this Presidential Primary if your candidate dropped out and you had already voted, the voter is able to come in and spoil the ballot and vote for another candidate. So far, we have had 37 of these.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – POLICE OFFICER AWARD

Police Chief Jennings read a letter of commendation on Officer Zane Weaver for an EMS assist, and presented Officer Weaver with a Life-Saving Award.

PRESENTATIONS – MARQUETTE AREA WASTEWATER TREATMENT ADVISORY BOARD

Jon Kangas, Chair of the Marquette Area Wastewater Treatment Advisory Board, did a short presentation on the purpose of the Advisory Board, accomplishments in 2019, goals for 2020, and the Co-Gen system. Kangas also spoke on the process of testing that goes along with transporting biosolids to fields, and the procedure that would become necessary if materials that were dangerous and not acceptable for the landfill, along with the expense of disposal.

TOWNSHIP MANAGER SIX MONTH REVIEW

Supervisor Bohjanen indicated that when Manager DeGroot was hired, there was an agreement that DeGroot be evaluated after six months, and if satisfactory, would receive a salary adjustment. In the evaluation process, staff rather than Board, were asked to evaluate Manager DeGroot, with the reasoning being that staff have more contact with the Manager. Results are attached, and they look very favorable.

Trustee White stated that she has been pleased with her interactions with Manager DeGroot and fully supports the wage increase. Trustee Rhein is very pleased with the knowledge set that Manager DeGroot brings to the Planning Commission.

Trustee Maki asked about the phrase “this is the way we have always done it”. Manager DeGroot indicated that when he first arrived and was doing the evaluations of where everything was at and

why staff did things a certain way, and frequently would get that for an answer. If we don't know why we do certain things, then we are not asking why.

Trustee Maki asked what Manager DeGroot sees as the most unique thing we do or don't do here. Manager DeGroot stated the most unique thing done at the Township relates to the budgeting process, with the approval process and the number of times (up to 3) it goes back to the Board. This is something he has not seen anywhere else. He also sees some uniqueness in the Capital Improvement and the method being more of a year to year process than a long-term process. Trustee Maki also asked about who approves the invoices that are paid. Manager DeGroot indicated himself, the department heads, and the financial clerk.

Trustee Maki asked if there are people in the community that Manager DeGroot has met that he considers valuable resources. Manager DeGroot responded that he is in the process of trying to meet a number of people – quarterly Manager meetings, City of Negaunee Manager, Marquette Townships Manager, sits on the LSCP Board, sits on the MarqTran Board, has pathways into N.M.U. – so he feels that he is establishing himself in the community.

Maki moved, Lynch supported that the Chocolay Township Board finds the Township Manager's Six Month Review acceptable and adjusts his base salary from \$87,500 to \$90,000 per Section 3(b) the negotiated contract dated September 11, 2019. This adjustment has already been part of the general budget and would require a change to the Salary Chart to reflect the new amount.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

FINANCIAL DISCUSSION OF NEW BUDGET PROCESS AND FINAL DOCUMENT

Manager DeGroot discussed the existing budget process and how it worked, with the Manager ultimately coming up with a balanced budget. The budget would then go to the Board for approval by the end of the year. After reviewing our current budget, he feels it is very project based. He questioned if the Board would like to have more involvement from the beginning, and they agreed that they would.

Manager DeGroot went on to explain the new budget calendar and time frames, with the Board leading the direction of the budget. This would then go to the department heads to develop their business plan, which would allow for a 5 year capital plan and a 2 year operating budget. In the fall, there would be a public hearing with plans that align our work with what the Board and the public would like to see.

Manager DeGroot proceeded to go over the possible look of the new budget book, using the City of Kalamazoo Proposed Budget. He also went over the new sheet, along with graphs, that would be presented to the Board on a monthly basis. This would give the Board something that is easier

to read and understand. Manager DeGroot also explained a possible opportunity for new revenues involving a 501(c)3, which he will continue to explore.

Maki moved, Lynch supported that the Chocolay Township Board accept Manager De Groot's recommendation for establishing a new budget process.

MOTION CARRIED

AMENDED TOWNSHIP FEE SCHEDULE

Manager DeGroot stated that this is the updated version of the Fee Schedule. The meeting room charge has been changed to reflect the improvements in the meeting room and staff time required. This would also be the same for the Fire Hall meeting room.

There are also some changes in the Zoning portion due to language in the Zoning Ordinance.

Supervisor Bohjanen questioned the amount charged for Special Meetings, as he feels that it is an inadequate amount based on what an actual cost would be.

Lynch moved, Rhein supported that the Chocolay Township Board request staff to review charges on the Special Meetings request section of the Fee Schedule.

MOTION CARRIED

White moved, Rhein supported that the Chocolay Township Board adopts the following Amended Fee Schedule to defray the cost of processing, evaluating licenses and permits, request and applications pursuant to the Township Ordinances, Departmental fees for documents, the administration of infrastructure, and facility rental fees.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

FY 2019 JOURNAL ENTRIES AND AUDIT UPDATE

White moved, Lynch supported that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated General Fund expenditures of the Township on November 12, 2018 for fiscal year 2019, and Whereas as a result of unanticipated expenditures it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Clerk Overtime 101.215.713	\$ 0.00	+\$ 8,943.77	\$ 8,943.77

Salary Contingency

101.285.925	\$31,450.00	-\$ 8,943.77	\$ 22,506.23
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ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

POLICE VEHICLE FUNDING

Lynch moved, Rhein supported that the Chocolay Township Board to expend \$47,500 for the purchase of a 2020 Ford. This replaces the 2017 Dodge Charger, which is in excess of 105,000 miles. This would come from the Capital Fund, 401.305.981.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

POLICE IN-CAR COMPUTERS

Lynch moved, Rhein supported that the Chocolay Township Board expend \$5,850 for the replacement of two in-car computers and docking stations. This would come from the Capital Fund, 401.305.981.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

PUBLIC COMMENT - NONE

Rhein moved, Lynch supported that the meeting be adjourned.

The meeting was adjourned at 6:52 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of February 19 ,2020, Draft
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of January 16, 2020, Draft

Max Engle, Clerk

Richard Bohjanen, Supervisor

March 17, 2020

A Special meeting of the Chocolay Township Board was held on Monday, March 17, 2020 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 4:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein

ABSENT: Mark Maki

STAFF PRESENT: William De Groot, Suzanne Sundell, Scott Jennings, Dale Throenle, Tony Carrick

APPROVAL OF AGENDA.

Lynch moved, Zyburt supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT – None.

REVIEW CLOSURE OF PUBLIC OFFICES.

Supervisor Bohjanen stated the reason for the meeting was to have Board discussion on how the Township should conduct business going forward due to the COVID-19 pandemic.

Manager DeGroot explained the discussion to close the Township offices to the public is based on Federal Executive Orders, Center for Disease Control Directives, and Directive Orders from the Governor. These mandates require “Social Distancing” to limit the spread of COVID-19. As there is no way to be compliant with this requirement within the front office, DeGroot is suggesting the Township office be closed to the public. The offices would be staffed to answer questions received by phone, email, mail or drop box. DeGroot also indicated that if, at some point, we would need to close the office and require employees to work from home, departmental heads have been issued laptops to accomplish this.

Trustee White stated that she doesn’t believe the Township needs to shut everything down at this point, but does agree with DeGroot on closing the Township to the public.

Police Chief Jennings stated that at this point, the officers are trying to limit contact with the public as much as possible, such as limiting traffic stops. Jennings also indicated that they do have the proper PPE and would use this, if needed.

DeGroot stated he had conversations with Fire Chief Lee Gould and Gould indicated that the Fire Department is treating all responses with the PPE requirement.

Trustee White expressed concern about parolees and others. Jennings stated they are still required to report. Sergeant Carrick also stated that the officers will still be out patrolling, so their presence will be seen in the public.

Supervisor Bohjanen indicated that as of 3:00 this afternoon, there were no documented cases in the Upper Peninsula. There is enough room in the office building to maintain a safe distance. We just need to follow rules such as washing hands with soap and water frequently, staying home if sick, etc. White asked about the two-week period – Bohjanen explained this is a reasonable incubation period. Bohjanen also feels that this will go over two weeks, but will be continuously assessed.

The sale of trash bags was also discussed – originally the Township would not be selling them, but the notice was changed to include instructions on buying the bags at the Township.

The Open Meetings Act was also discussed. DeGroot indicated that even though the meetings are not allowing the public, the voice recording satisfies the OMA requirement,

White moved, Rhein supported that the notice include the Township Office, under certain requirements, to be able to sell the garbage bags.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Maki

MOTION CARRIED

PUBLIC SAFETY AND HEALTH NOTICE

Consistent with the directives and intentions of the President of the United States, the Centers for Disease Control, and the Governor of Michigan, effective at 5:00 pm today public access to the Township Hall will be closed through at least March 31, 2020.

Township office staff will continue normal functions and available to address your concerns via telephone, email, drop box, or postal delivery methods. There will no longer be general face-to-face contact with staff. Essential business contact will only be by prearranged appointment only.

Time sensitive documents, utility-payments, etc. will be processed by deposit in the Township Dropbox (located on the front entrance of the Township Offices, NOT THE LIBRARY DROPBOX) or US Postal delivery. Development site plans, engineering documents, commercial deliveries, and other similar documents deliveries shall be received by appointment only.

Trash bag purchases will be sold at the Township Hall ONLY by placing the exact amount of \$31.00 by cash or check into a self-addressed envelope and placing into the drop box. Staff will process the purchase and deliver the trash bag to your address the next day. Trash bags are also available at these stores: Synders Drugs Store, Great Lakes Fresh Market, and Kassel's Korner Store.

All Public Works sewer operations will continue as normal, fully staffed with emergency call-out after hours as normal. Police and Fire departments operations will continue as normal.

To comply with the mandated restrictions regarding Social Distancing Township Community Room will be closed to the public. All Township Board and Commission Meetings will be closed to the Public until further notice, to comply with the Governor Whitmer's Directive 2020-02 issued March 13, 2020. If Township Meetings are held, they will be live streamed from our Website to comply with the Governor's Directive. Please Note that NO Public Meetings are scheduled during this time.

We understand the hardship this creates for some, and inconvenient for all. We hope that this notice will only be for a short time. These decisions are not made lightly but are made to help ensure the safety and health of all in our community, to continue the services that are critical in serving our public.

Township Board Authorized: 3/17/2020 by Board Vote

White moved, Rhein supported that the Chocoy Township Board close the Township Offices to the Public consistent with the directives and intentions of the President of the United State, the Centers for Disease Control, and the Governor of Michigan, effective at 5:00 PM today (March 17, 2020). Public access to the Township will be closed through at least March 31, 2020.

Instruct the Manager to post the Public Notice and widely notify our residents of the operational change.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Maki

REVIEW OF WEBSITE AND STANDARD PRACTICES.

DeGroot indicated that there is now a COVID-19 area on the website which links to the news feed. There is also a Township section that gives the community updates, along with closures in the Township. At the bottom, there is also a link to the State.

Information will also be posted on the doors and windows of the Township office, along with Facebook posts (Police, Unofficial Township). This will take time – it’s moving fast and it’s not an easy process.

DeGroot indicated that he appreciates the Board’s comments.

DeGroot stated that there is a Board of Review meeting in the Board Room tomorrow. This is the last fulfillment of the Board of Review. This will be limited to 10 people at a time, and will be sanitized after.

At this point, all Planning Commission meetings have been cancelled until further notice.

PUBLIC COMMENT - NONE

Lynch moved, Zyburt supported that the meeting be adjourned.

The meeting was adjourned at 4:37 pm.

Max Engle, Clerk

Richard Bohjanen, Supervisor

April 13, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, April 13, 2020 via Zoom. 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

STAFF PRESENT: William De Groot, Suzanne Sundell, Scott Jennings, Dale Throenle

APPROVAL OF AGENDA.

Rhein moved, Engle supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT – NONE.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of March 9, 2020 and Special Meeting of March 17, 2020
- B. Approve Revenue and Expenditures Report – January and February 2020
- C. Approve Bills Payable, Check Register Reports – March 7, 2020 (Check #'s 23863 - 23882, in the amount of \$11,505.48, March 18, 2020 (Check #'s 23883 – 23918, in the amount of \$66,446.32), and March 31, 2020 (Check #' 23919 – 23939, in the amount of \$16,133.99).
- D. Approve Bills Payable, Regular Payroll – March 5, 2020 (Check #'s DD653 – DD670 and Check #'s 10914 - 10918, Federal, State, and MERS for a total of \$37,691.62) and March 19, 2020 (Check #'s DD671 – DD717 and Check #'s 10919 – 10923, Federal, State, and MERS for a total of \$44,776.56).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – February 29, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – March 31, 2020.

Zyburt moved, Rhein supported to approve the Consent Agenda as presented.

AYES: 7 NAYS: 0

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated that the Census is underway using electronic questionnaires rather than door to door.

CLERK'S REPORT

Clerk Engle reported that the due date for partisan petitions is April 21. There will need to be someone in the office on that day until 4:00 pm to receive and notarize the petitions. Non-partisan petitions are due in July.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

MOTION FOR SPECIAL MEETING TO AWARD SEWER SRF CONTRACTOR ON APRIL 17TH.

Supervisor Bohjanen stated that today (April 13) was the deadline for bids on the lift station replacement. The contracts will have to be reviewed and submitted to the State for approval by Friday (April 17), which is why he would like the Board to approve a Special Meeting on April 17, 2020 at 10:00 am to award the contract. This meeting will be

Manager DeGroot stated one compliant bid was received by Oberstar, but we will still need to review the bid to make sure it is consistent with our bid package. At the meeting on Friday, there will be a bond amount, a bond ordinance, and a tentative contract award. At this point, unless there is something that presents itself on review, the contract will be awarded to Oberstar. Their bid is within the thresholds that have been talked about. There is some negotiating of price that will occur, as there are some variations that need to be reviewed that may bring the price down. Their listed price was \$3.106 million, but they had some contingencies that could lessen the bill to around \$2.98 million, which brings us under the threshold the Board had talked about of \$3.5 million. The Bond Counsel is finishing up the bond pricing and amortization table. The Bond Attorney is finishing up the bond language and the bond ordinance. This will all be presented at the Friday Board meeting. It is advisable to have the meeting in the morning so that all the information can be submitted to EGLE by their deadline of Friday afternoon,.

Maki moved, Lynch supported to hold a special meeting for the SRF project on April 17, 2020 at 10:00 am. This meeting will discuss the new draft SRF Bond Ordinance review and the potential award of the Contractor contract.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MOTION TO CHANGE THE LANDFILL PERMIT PROCESS

Manager DeGroot stated that staff has been trying to determine what should be done with landfill permits for residents that would like to go to the landfill. With the office being closed, the initial thought was to hand deliver the permit to the residences and wait for the permit to be completed. This is putting our staff at greater risk to COVID-19. After consideration, it was felt that it may be a better option to have residents take their waste to Waste Management Transfer Station. This would be temporary solution, and would only be used until the EO 2020-21 is cancelled.

Zyburt moved, Rhein supported that the landfill process be changed according to the above conversation.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MOTION FOR TEMPORARY HIRING OF SCI CLEANING SERVICES

Supervisor Bohjanen indicated that SCI is a cleaning service that does more of a deep clean, and get to areas we may not be able to get to.

Lynch moved, Zyburt supported that the Township Board empower the Township Manager and the Public Works Supervisor to work with SCI to potentially help in sanitizing the Township Offices once a month for the next three months.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MOTION TO ENABLE TOWNSHIP SUPERVISOR, CLERK, AND TREASURER TO CONDUCT REGULAR ACTIVITIES DURING THE GOVERNOR'S DIRECTIVE ORDER TO "STAY HOME AND STAY SAFE".

Manager DeGroot indicated that the MTA is trying to keep pace with COVID-19. This is an attempt to look at what can be done without a board meeting. This is just another option for rural township to be able to conduct government.

Maki understands that some smaller townships may not have the ability to conduct Zoom meetings, but he doesn't see a problem with this resolution as it is temporary and if full Board approval was required, there would still be the option for the Zoom meeting.

Lynch indicated that he feels there is no need to approve this resolution at this time, as the Zoom meeting seemed to work fine for this meeting.

Lynch moved, Rhein supported to table this resolution at this time.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MOTION TO CANCEL MAY REGUALR MEETING

Manager DeGroot stated that this becomes irrelevant, as the Zoom meeting should meet our needs.

PUBLIC COMMENT - NONE

Zyburt moved, Rhein supported that the meeting be adjourned.

The meeting was adjourned at 6:16 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission; Regular Meeting of 03/16/20, Draft
- B. Information – Chocolay Township Newsletter – March 2020

Max Engle, Clerk

Richard Bohjanen, Supervisor

April 17, 2020

A Regular meeting of the Chocolay Township Board was held on Friday, April 17, 2020 via Zoom. Supervisor Bohjanen called the meeting to order at 10:00 a.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki

STAFF PRESENT: William De Groot, Suzanne Sundell, Brad Johnson

OTHERS PRESENT: George Meister, GEI

APPROVAL OF AGENDA.

White moved, Zyburt supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT – NONE

CONSENT AGENDA - NONE

SUPERVISOR'S REPORT - NONE

CLERK'S REPORT - NONE

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

UNFINISHED BUSINESS – NONE

MOTION TO AWARD LIFT STATION PROJECT CONTRACTOR

Supervisor Bohjanen indicated that there one was contractor bid. There is a recommendation from GEI to accept that bid. Supervisor Bohjanen asked if G. Meister (GEI) had any comments.

Meister stated that they had looked over the bid, and they also talked with Oberstar to make sure they understood the extent of the project.

Zyburt wondered if Meister was surprised that only one contractor bid on this project. Meister indicated they had been hoping to see some others. There had been some interest at the pre-bid meeting. From what he understood, there were a lot of bids coming out in March which may have come into play, along with the fact that because of the scope of the project, it requires a fair amount of subcontractors, and some may not have felt that the job looked as good once you considered in the subcontractors.

White wondered about an anticipated start date. Meister that the argument could be made that this is an essential project, as based on the age of the system, it could be deemed a health and safety issue.

Meister indicated that there is an 8 to 12 week lead time for delivery of parts, but there are other things that can be done to prepare. Oberstar would like to get out there as soon as they can.

Maki questioned the contingency amount that was quoted – according to his math this did not come out.

Steven (Benzinski and Associates) which is the company handling our Bond Account / Fiduciary took this question. The contingency is based on total project cost of \$3,565,000. The Township is limited to a \$3.5 million bond issue, there are funds on hand of \$65,000 to reduce the bond down to the \$3.5 million, therefore the contingency is calculated on the total project cost. Manager DeGroot stated that this is a requirement of EGLE to list the 6% on the entire potential capital drawdown for the bond amount as a ceiling. Steven pointed out that this is a drawdown, so the Township is only borrowing what they need – they do not have to spend the entire amount. Valerie (EGLE) was also online and stated that you only pay back what you use.

Engle moved, Rhein supported that:

**A RESOLUTION TO TENTATIVELY AWARD
A CONSTRUCTION CONTRACT
FOR WASTEWATER SYSTEM IMPROVEMENTS**

WHEREAS, the Charter Township of Chocolay wishes to construct improvements to its existing wastewater treatment and collection system; and

WHEREAS, the wastewater system improvements project formally adopted on April 17th, 2020 will be funded through Michigan’s State Revolving Fund Program; and

WHEREAS, the Charter Township of Chocolay has sought and received construction bids for the proposed improvements and has received a low bid in the amount of \$3,170,990.00 from Oberstar, Inc.; and

WHEREAS, the project engineer, GEI, Consultants, has recommended awarding the contract to the low bidder.

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay tentatively awards the contract for construction of the proposed wastewater system improvements project to Oberstar, Inc., contingent upon successful financial arrangements with the State Revolving Fund Program.

Yeas: Bohjanen, Engle, Zyburt, Lynch, White, Rhein, Maki

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by Charter Township of Chocolay Board of Trustees on April 17th, 2020.

BY: Richard Bohjanen, Township Supervisor

Signature _____ Date _____

MOTION TO APPROVE BOND ORDINANCE

Tom (Miller Canfield) walked through some of the major provisions in the ordinance. The Township will issue bonds on the approved dollar amount, which will be established by EGLE. In a drawdown account, you only pay interest on the amount that you have drawn. Once the project is done, they will be able to establish the amount of the project, and that is what the bond payments will be based on.

Under the Revenue Bond Act, the Township is required to have a flow of funds. In the Ordinance, Section 14 establishes this flow of funds. Revenues will come into a receiving fund, and operation and maintenance expenses will be paid first, then a debt service fund is established for payments – principal will be paid annually and interest semi-annually. These are called Junior Lien Bonds

Tom (Miller Canfield) also indicated that it is a requirement of the Revenue Bond Act that the entire ordinance needs to be published in the paper.

Supervisor Bohjanen asked if it would be necessary to have a public hearing. Tom (Miller Canfield) stated no as this was afforded before.

Zyburt moved, Lynch supported that:

A RESOLUTION TO APPROVE THE BOND ORDINANCE

WHEREAS, the Charter Township of Chocolay wishes to construct improvements to its existing wastewater treatment and collection system; and

WHEREAS, the wastewater system improvements project formally adopted on April 17th, 2020 will be funded through Michigan’s State Revolving Fund Program; and

WHEREAS, the Charter Township of Chocolay has sought and received construction bids for the proposed improvements and has received a low bid in the amount of \$3,170,990.00 from Oberstar, Inc.; and

WHEREAS, the Bond Council Tom Colis, Esq., has drafted a bond ordinance compliant with all of the laws pertaining to award an SRF Junior Bond in the amount of \$3,500,000.00.

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay adopts Ordinance NO. 74 a.k.a. Chocolay Township SRF Bond Ordinance.

Yeas: Bohjanen, Engle, Zybert, Lynch, White, Rhein, Maki

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by Charter Township of Chocolay Board of Trustees on April 17th, 2020.

BY: Richard Bohjanen, Township Supervisor

Signature

Date

MOTION TO APPROVE BOND AMOUNT

White moved, Lynch supported that:

**A RESOLUTION TO TENTATIVELY AWARD
BOND AMOUNT**

WHEREAS, the Charter Township of Chocolay wishes to construct improvements to its existing wastewater treatment and collection system; and

WHEREAS, the wastewater system improvements project formally adopted on April 17th, 2020 will be funded through Michigan’s State Revolving Fund Program; and

WHEREAS, the Charter Township of Chocolay has sought and received construction bids for the proposed improvements and has received a low bid in the amount of \$3,500,000.00 from Oberstar, Inc.; and

WHEREAS, the Municipal Finance agency, Bendzinski & Co., has recommended a bond sell of \$3,500,000.00.

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay approves the bond amount of \$3,500,000.00, contingent upon successful financial arrangements with the State Revolving Fund Program.

Yeas: Bohjanen, Engle, Zyburt, Lynch, White, Rhein, Maki

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by Charter Township of Chocolay Board of Trustees on April 17th, 2020.

BY: BY: Richard Bohjanen, Township Supervisor

Signature

Date

MOTION TO SUBMIT THE FINAL APPLICATION TO EGLE

White moved, Engle supported that:

A RESOLUTION TO EMPOWER THE SUPERVISOR TO SUBMIT THE PART III APPLICATION TO EGLE

WHEREAS, the Charter Township of Chocolay wishes to construct improvements to its existing wastewater treatment and collection system; and

WHEREAS, the wastewater system improvements project formally adopted on April 17th, 2020 will be funded through Michigan’s State Revolving Fund Program; and

WHEREAS, the Charter Township of Chocolay has sought and received construction bids for the proposed improvements and has received a low bid in the amount of \$3,500,000.00 from Oberstar, Inc.; and

WHEREAS, the Board previously submitted Parts I and II to the Michigan Department of Environment, Great Lakes & Energy.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is empowered to sign and submit the final State Revolving Fund/ Part 41/ Part III application to EGLE.

Yeas: Bohjanen, Engle, Zyburt, Lynch, White, Rhein, Maki

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by Charter Township of Chocolay Board of Trustees on April 17th, 2020.

BY: Richard Bohjanen, Township Supervisor

Signature

Date

MOTION TO AWARD ROAD COMMISSION CONTRACT FOR ROAD WORK 2020

Maki moved, Lynch supported that:

A RESOLUTION TO ENTER INTO A ROAD IMPROVEMENT CONTRACT WITH THE MARQUETTE COUNTY ROAD COMMISSION

WHEREAS, the Charter Township of Chocolay wishes to construct improvements to its existing local road system; and

WHEREAS, the Township residents approved a millage to pay for such improvements; and

WHEREAS, the Township has entered into previous improvement contracts with the Marquette County Road Commission (MCRC); and

WHEREAS, the MCRC has put this years work out for bid and has received a total construction price not to exceed \$360,265.68, and

WHEREAS, the Chocolay Township 2020 Adopted budget for Road Millage #204 is \$365,000.00.

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay approves the Marquette County Road Commission Construction Agreement for the not to exceed amount of \$360,265.68.

Yeas: Bohjanen, Engle, Zyburt, Lynch, White, Rhein, Maki

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by Charter Township of Chocolay Board of Trustees on April 17th, 2020.

BY: Richard Bohjanen, Township Supervisor

Signature

Date

ACCEPT THE DRAFT AUDIT AND SCHEDULE THE AUDIT PRESENTATION FOR MAY

Manager DeGroot stated that he had asked Mike Greutz (Anderson Tachman) to present the audit at the May meeting.

Zyburt moved, Rhein supported that the Chocolay Township Board accept the draft audit and schedule the audit presentation for May.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT - NONE

White moved, Lynch supported that the meeting be adjourned.

The meeting was adjourned at 10:32 am .

Max Engle, Clerk

Richard Bohjanen, Supervisor

May 11, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, May 11, 2020 via Zoom. 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

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Rhein moved, Engle supported that the agenda be approved as modified with the addition of Landfill Permits to Unfinished Business.

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – commented on the proposed expenditure of \$17,000 to stabilize along the shore of the Iron Ore Heritage Trail. The money would be transferred from the Safe Roads to School for the Cherry Creek School, and Mulcahey feels this is an inappropriate use of the money. Mulcahey feels that the way the total cost is being split is inequitable. She also feels that it fixes the problem there, but the pushes the problem to other areas.

Bill Sanders, 105 Country Lane – wanted to thank the Township for their work on providing a landfill permit, and for the quick processing of their zoning compliance permit. He feels that the Township has proven they can do this in a safe manner with email and the drop box. He supports the proposed expenditure of the money to stabilize the Iron Ore Heritage Trail.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of April 13, 2020 and Special Meeting of April 17, 2020
- B. Approve First Quarter Consolidated Financial Reports, Revenues and Expenditures.
- C. Approve Bills Payable, Check Register Reports – April 15, 2020 (Check #'s 23940 - 23978, in the amount of \$41,512.90, April 20, 2020 and April 28, 2020 (Check #'s 23979 – 23997 , in the amount of \$24,749.84)and April 30, 2020 (Check #' 23998 – 23999, in the amount of \$13,257.34).
- D. Approve Bills Payable, Special Firefighter Payroll – April 2, 2020 (Check #'s DD718 – DD733 and Federal, State, and MERS for a total of \$2,157.11), Regular Payroll - April 2, 2020 (Check #'s DD734 – DD768 and Check #'s 10924 – 10928, Federal, State, and MERS for a total of \$46,971.45), Regular Payroll – April 16, 2020 (Check #'s DD769 – DD784 and Check #'s 10929 – 10933, Federal, State, and MERS for a total of \$35,990.28), and April 30, 2020 (Check #'s DD785 – DD807 and Check #'s 10934 – 10938, Federal, State, and MERS for a total of \$39,339.79).

- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – March 31, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – April 30, 2020.

White moved, Zyburt supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that the time period to be able to hold online meetings has now been extended through the end of June. Feels the meetings have went well and that the Board should plan on conducting the June meeting online.

CLERK'S REPORT

Clerk Engle stated that the Primary Election is coming up in August. Having a problem with Bureau of Elections on getting a decision on how this election will be run.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – AUDIT PRESENTATION.

Mike Greutz from Anderson, Tackman and Company PLC presented the FY2019 audit. Greutz indicated that there was a clean opinion this year, which means the Township complied with all the General Accepted Accounting Principles. He indicated that this was an unmodified audit. The total net position for the Township is \$10,382,922 (with \$2.9 million from enterprise funds and \$7.4 million from governmental funds). There is a pension benefit this year of approximately \$48,000. In total, the Township increased the bottom line by \$184,000 for the year. The sewer fund had a gain of \$326,000 for the year, but this is due to KBIC prepaying for the sewer connection, and most of the expenses are capitalized and are expensed over the life of the system whereas the revenue is recorded in real time. The only significant deficiency was that Anderson Tackman assists in preparing the financial statements and footnotes, due to the Township not having adequate staffing and / or time to prepare all the information, which is something that is reported every year. There were no other significant issues.

AUDIT ACCEPTANCE

White moved, Lynch supported that the Chocolay Township Board formally accepts the FY 2019 Audit, performed by Anderson, Tackman & Company, PLC, as presented.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

LANDFILL DISCUSSION

Manager De Groot explained that at the last meeting, a motion was brought forth from Brad Johnson, Dept. of Public Works Supervisor, on how the Township would handle landfill permits. The original idea was to take the information to the resident's home, have them filled out, and then gather the money and take back to the Township. This proved to not be a good safety practice for staff. There is now a possibility for those residents that have the ability, to be able to do the permit online.

The daily procedure would be to contact Brad Johnson, who would then contact and request the proper documentation from the resident, and then be able to make the permit available to the resident.

Lynch moved, Maki supported to approve the above procedure.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER EXPENDITURE FOR IRON ORE HERITAGE TRAIL STABILIZATION.

Rob Katona, Trail Specialist, DNR was available to give details on the shoreline erosion. There are along the lakeshore that are eroding. There are a total of seven sites from the Welcome Center going north to the City of Marquette, with four that are considered critical. The Welcome Center site is approximately 110 feet, with 60 feet being considered critical. They are in the process of trying to secure trail grants and looking at local units of government to help. Total cost will be approximately \$200,000.

Maki moved, Zyburt supported that the Chocolay Township Board:

1. Reallocate \$19,000.00 of Capital Funds, Account 401.440.001.972.000 (Cherry Creek Bike Trail) to a new project Iron Ore Heritage Trail Erosion Prevention.
2. From this new project account commits up to \$17,000.00 to the Michigan Department of Natural Resources for the Iron Ore Heritage Erosion Stabilization project.

ROLL CALL VOTE

AYES: Maki, Lynch, Zyburt, Engle, Bohjanen

NAYS: White, Rhein

MOTION CARRIED

SET FISCAL YEAR 2021 BUDGET PRIORITIES.

Zyburt moved, Rhein supported that the Chocolay Township Board set the following priorities and definitions for Staff to start to develop the FY 2021 Budget. The priorities are:

1. Item 4 – Strengthen critical systems and public health
2. Item 7 – Integration with other jurisdictions
3. Item 9 – Sustainability or resilience over time
4. Item 13 – Renewable resources
5. Item 14 – Catalytic opportunity

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

INITIATION OF SUMMER HOURS

Zyburt moved, Lynch supported that the Chocolay Township Board set the Summer 2020 Office Hours as 8:00 a.m. to 4:30 p.m., Monday through Friday, consistent with the Chocolay Township Policy Manual.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MANAGER'S MONTHLY REPORT

1. Green Bay Street Bridge – this has been a Road Commission project for a number of years. At this time, road construction is allowed by the Governor's Executive Order. The project start date is slated for May 18, 2020.
2. Executive Orders – there is now the ability to start opening the government. De Groot has sent the Board a plan to ramp up the office in the next 5 ½ weeks. This will allow to systematically go through areas and see what needs to be addressed for safety. There will be protective screens in the front office, along with stanchions that will keep residents and staff at a safe distance.
3. SRF bond project – after submitting detailed resolutions last week, there is now the administrative ends to do. We are presently in final contract negotiations with Oberstar, and final approval from EGLE. Closing documents for the bond sale should be ready next week. Everything should be final by the week of May 25th, which will allow us to close by June 1st.
4. Fire Hall roof replacement – project is moving forward. We will receive a completely new center roof. We are also negotiating for a metal roof versus a shingled roof so that no one would need to climb. This will be fully funded by our insurance company. Signal Restoration is the primary contractor, hired by MMRMA.

PUBLIC COMMENT - NONE

Zyburt moved, Rhein supported that the meeting be adjourned.

The meeting was adjourned at 6:54 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

A. Information – Chocolay Township Newsletter – April 2020

Max Engle, Clerk

Richard Bohjanen, Supervisor

June 8, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, June 8, 2020 via Zoom. 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

STAFF PRESENT: William De Groot, Suzanne Sundell, Dale Throenle

APPROVAL OF AGENDA.

Rhein moved, Lynch supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT

Judy White, 370 Lakewood Lane – White expressed her concern over the Board approval of the \$17,000 to repair a portion of the Iron Ore Heritage Trail – the residents are already paying a millage for the Iron Ore Heritage Trail. Supervisor Bohjanen indicated that the millage money is marked for operational expenses. White felt the money was marked for trail maintenance and the DNR should not be asking us for additional funds.

Deborah Mulcahey, 633 Lakewood Lane – Mulcahey suggested that when doing the zoom meetings, it would be helpful for the phone number to be posted on the agenda rather than buried in an email. She also feels that during Zoom meetings, members of the Board should be identifying themselves. She questioned the reason for an Assessing Tech – she feels many changes have been made to the Assessor job ranging from pay to hours in office. Mulcahey was also concerned about the GEI Change Order #1 on the lift station rehabilitation requesting additional dollars which results in a 50% increase. On a separate issue, commercial vehicles parking (no license plates) at the Pocket Park on Kawbawgam. She agrees with White on the IOHT money.

Rick Stoll, 1931 M-28 East – had some concerns regarding the Planning Commission. Shoreline erosion has been a problem in the area, and people have been adding rocks and other materials to prevent this erosion. He would like the Township to consider an ordinance requiring a deeper setback for this. People keep building closer for the view, and now the beach is being destroyed. Next item dealt with structures to be built – possibly start with a smaller structure that has the possibility to grow. More than one residential owner on a parcel.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of May 11, 2020.
- B. Approve Revenue and Expenditure Reports – April and May 2020.

- C. Approve Bills Payable, Check Register Reports – May 12, 2020 (Check #'s 24000 - 24020, in the amount of \$18,292.9, May 20, 2020 (Check #'s 24021 - 24036 , in the amount of \$31,092.85),and May 29, 2020 (Check #'s 24037 - 24052, in the amount of \$24,721.44).
- D. Approve Bills Payable - Regular Payroll, May 14, 2020 (Check #'s DD808 – DD823 and Check #'s 10939 – 10943, Federal, State, and MERS for a total of \$35,947.16), and May 28, 2020 (Check #'s DD824 – DD846 and Check #'s 10944 - 10948, Federal, State, and MERS for a total of \$39,041.67).
- E. Approve Treasurer’s Report, Certificates of Deposit and Investment Reports – May 31, 2020.
- F. Approve Treasurer’s Report, Fund Withdrawal and Deposit Report – May 31, 2020.

Lynch moved, Engle supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

Maki had questions on Check #24026 – Marquette County for \$4,913.82 – this was for the Waste Treatment. Check #24025 – Konica Minolta for \$4,075.80 – this was a catch-up bill – change in their billing system

Check #24033 – State of Michigan for \$800.00 – this is part of the SRF – this check is on hold.

SUPERVISOR’S REPORT

Supervisor Bohjanen reported that the 2020 Census is now going door to door.

CLERK’S REPORT

Clerk Engle reported on elections. He will be going over the budget, partly due to COVID – will be purchasing new voting booths for social distancing. Other items playing into the budget are absent voter applications and mailings. Also looking at purchasing face shields for the election workers, along with gloves, hand sanitizer, and cleaning supplies. Clerk Engle will be bringing a better cost estimate to the Board in July. We will be getting a reimbursement for over \$8,000 from the State of Michigan for the March election.

TREASURER’S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

MOTION TO MOVE MCOLES POLICE TRAINING FUNDS FRM GENERAL FUND TO POLICE TRAINING.
Lynch moved, Engle supported that the Chocolay Township Board move funds in the amount of \$287.32 from General 401.543 to Police Training 401.306.957.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

APPOINT LARRY GOULD TO THE BOARD OF REVIEW

Maki moved, Rhein supported that the Chocolay Township Board formally appoints Mr. Larry Gould as an Alternate to the Board of Review.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MOTION FOR FIRE CHIEF ELECTION

Maki moved, Zyburt supported that the Chocolay Board of Trustees concur with the Township Manager and the Fire Rescue Department Members in recognizing Lee Gould as the Fire Chief for another two-year term.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

GEI CHANGE ORDER #1

Supervisor Bohjanen indicated that this job is an engineering function, but not part of the engineering function that was contracted for in the beginning. He indicated it was a large amount of money, but it is a big project, and the Township needs to have it done right for the health, safety, and welfare of its residents.

Lynch indicated that he felt that the services that are included in this amount are actually required, and we would not want to get part of the way through this, and then find larger problems down the road – he is in support of the Change Order.

Maki asked about the billing process. Manager De Groot indicated that this was on a time and materials basis, as a not to exceed amount. The estimate is based on the worst case scenario. It is anticipated that the Public Works department and Manager will be heavily engaged in this process. There is some oversight that needs to be done.

Zyburt moved, Engle supported that the Chocolay Board of Trustees approve GEI Change Order #1 for the finalization of design fees and increase the daily construction management from part-time to full-time during the construction phase of the Sewer Improvement Project.

This change order increases the total value of the contract from \$227,501.00 to \$339,501.00. This addition will be funded by the Sewer Fund.

ROLL CALL VOTE

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: White

MOTION CARRIED

MANAGER'S MONTHLY REPORT

1. Indicated we will be 6 months through the fiscal year – the Board will be seeing the full spread of reports. Staff will also be bringing forth Budget Amendments, mostly in the sewer fund. In the 2020 Budget, there was an amount of \$1.4 million allocated from the General Fund to the Sewer Fund as the loan for the construction process. As we are now going with the SRF project, we will be returning a bulk of those funds. We will retain some funds in that line item to close out the SRF billing and the project kick-off start, of approximately \$400,000.
2. Will be working with the Clerk's Department to finalize Budget Amendment for July. As we become more proficient in our budgeting process, so are looking at doing these on a quarterly basis, rather than at the end of the year.
3. In July, we will present a response to the Board on the priorities they have set forth, and start laying out the decision-making process that the departments will be going through. This will be an opportunity for the Board to look at how the differentiation will be set between Capital Projects moving forward.
4. SRF Project is nearing its administrative conclusion. Should have final closing documents from EGLE by the end of the week. This sells the bonds from the State and does allow the State to open up the allocation for EGLE to eventually draw down, which will enable us to eventually start billing EGLE. There are also signed contracts with Oberstar as the award winner to start the construction process. This allows Oberstar to move forward with the ordering of equipment. The two large items that take a long lead time are the onsite generators for each lift station and the lift stations components (grinder pumps, pumps, enclosures). These take from 8 – 12 weeks of lead time. A letter will be sent to residents within 300' of the lift stations to let them know that this will be a construction project this summer and would hope to have the project substantially completed by November.
5. Roof Repair on Fire Hall – Gundlach Champion is the award winner for MMRMA to replace the roof. They have started taking down the shoring inside the Fire Hall and will be starting the demolition of the main roof and main bay later this month. There is no final construction timeline yet. Signal Construction will be onsite later this week, and we hope to have an update to the timeline in July.
6. De Groot will also be bringing a Budget Amendment to the Board in July on the allocation of 2% funds. There is also a grant application that has been applied for to replace the current brush truck.

White asked about the offices being closed – she was under the assumption that it is by appointment only – it does not reflect that on the Township Sign. De Groot indicated that we are open only by appointment at this time.

Rhein questioned there had been consideration of a metal roof on the firehall. De Groot indicated that because of manufacturing / supply issues there may not be availability for a job this large.

Supervisor Bohjanen asked about the July meeting and how the Board would like to conduct – Zoom or in person. Manager De Groot indicated that it is possible to set up the room for this. Clerk Engle indicated it could be difficult to understand each other with the order to wear a mask, along with the 6-foot social distancing. Supervisor Bohjanen asked if anyone is opposed to another month of Zoom.

Engle moved, Zyburt supported to schedule the meeting for July 13 via Zoom.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

Rick Stoll, 1923 M-28 East – would like to reemphasize his findings on soil erosion. The Township needs an ordinance to protect the whole shoreline.

Supervisor Bohjanen indicated that the Planning Commission will be reviewing the Ordinance over the next few years.

Zyburt moved, Lynch supported that the meeting be adjourned.

The meeting was adjourned at 6:34 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting, February 20, 2020 Final
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting, April 16, 2020, Final
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of May 20, 2020, Draft.

- D. Minutes – Marquette County Solid Waste Management Authority, Stockholder’s Meeting of May 20, 2020, Draft.
- E. Information – Chocolay Township Newsletter – May 2020.

Max Engle, Clerk

Richard Bohjanen, Supervisor

July 13, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, June 13, 2020 via Zoom. 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

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT – NONE.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of June 8, 2020.
- B. Approve Revenue and Expenditure Reports – June 2020.
- C. Approve Bills Payable, Check Register Reports – June 11, 2020 (Check #'s 24053 - 24073, in the amount of \$29,359.34, June 25, 2020 (Check #'s 24074 - 24100 , in the amount of \$29,011.28), June 26, 2020 (EFT #1, in the amount of \$1,426.52), and June 30, 2020 (Check #'s 24101 – 24113, in the amount of \$4,328.52).
- D. Approve Bills Payable - Regular Payroll, June 11, 2020 (Check #'s DD847 – DD862 and Check #'s 10949 – 10953, Federal, State, and MERS for a total of \$34,221.83), and June 25, 2020 (Check #'s DD863 – DD892 and Check #'s 10954 - 10958, Federal, State, and MERS for a total of \$40,199.58).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – June 30, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – June 30, 2020.

Zyburt moved, Engle supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen reported that the census is progressing. Encouraged everyone to make sure they had filled out the census material.

CLERK'S REPORT

Clerk Engle reported that absentee ballots have been sent out, and are now coming back on a regular basis.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

CONSIDER SEWER ORDINANCE PUBLIC HEARING

Engle moved, Rhein supported that the Chocolay Township Board schedules a public hearing to consider the new Chocolay Township Wastewater Collection System Ordinance.

There was Board discussion on things such as accidental discharges, notification of residents in the sewer district regarding the public hearing, timing of when the ordinance would need to be in place.

Since it was anticipated that the Ordinance be in place when we take possession of the new sewer system, this would be late October to early November.

After discussion, Engle amended his prior motion to read:

Engle moved, Rhein supported that the Chocolay Township Board schedule a public hearing **at the next regular meeting in August** to consider the new Chocolay Township Wastewater Collection System Ordinance.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER NEW SEWER RESIDENTIAL EQUIVALENT RATE TABLE

Lynch moved, Zyburt supported that the Chocolay Township Board approves staff recommendation to adopt the Residential Equivalent user chart that was performed by GEI Consultants.

MOTION WITHDRAWN

There was some discussion on not having the current rate chart to compare the new numbers to. Manager De Groot indicated that if the Board chose to table this item, the needed information could be provided.

Zyburt moved, Lynch supported to table discussion of the new sewer residential equivalent rate chart until the August meeting.

MOTION CARRIED

CONSIDER FIRE DEPARTMENT TO PURCHASE UP TO \$5,000.00 PPE BY UTILIZING AN MDNR GRANT
Zyburt moved, White supported that the Chocolay Township Board authorizes the Township Manager to work with the Fire Chief to accept the grant, order the necessary protective equipment in accordance with the grant application, and draw the funds from the Fire Department’s Capital budget line item 341.957.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER ELECTION DEPARTMENT BUDGET AMOUNT

ELECTIONS DEPARTMENT BUDGET AMENDMENT - RESOLUTION

White moved, Rhein supported:

Whereas...Charter Township of Chocolay has a federal requirement to hold local elections, and

Whereas...the State Board of Elections has mandated changed to how local elections will be held to conform with COVID-19 health standards, and

Whereas... the Township has to amend the Elections Department Budget to comply with the General Appropriations Act, and

Whereas... the projected amount of the budget amendment is \$9,500.00 and reflects the best estimate to complete the next two elections:

Now Therefore Let it be Resolved...The Township Board increase the Elections Budget by \$9,500.00 through this budget amendment. The additional revenue will be allocated from the following accounts:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
EXPENDITURE			
Election			
Per Meeting Compensation			
101.190.710	\$11,400.00	\$ 5,800.00	\$ 17,200.00
Postage			
101.190.729	\$ 5,000.00	\$ 1,500.00	\$ 6,500.00

Office Supplies			
101.190.752	\$ 5,700.00	\$ 1,700.00	\$ 7,400.00
Equipment Maintenance	\$ 1,500.00	\$ 500.00	\$ 2,000.00
Other General Government			
Contingency			
101.285.951	\$ 20,000.00	\$ (3,700.00)	\$ 16,300.00
Salary / Benefit Contingency			
101.285.952	\$ 32,500.00	\$ (5,800.00)	\$ 26,700.00

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zybert, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER FUND AND GENERAL FUND AMENDMENT TO ACCOUNT FOR THE SRF SEWER AWARD

Lynch moved, Zybert supported:

Whereas...Charter Township of Chocolay has fiduciary responsibility to recognize changes in revenue and expense, and

Whereas...the Township was awarded a Bond in the amount of \$3,500,000.00 to pay for the reconstruction of a sewer improvement project, and

Whereas... the Township no longer needs the full allocation of \$1,103,000.00 reflected in the budget, and

Whereas... the Township must amend the Sewer Fund Budget to comply with the General Appropriations Act, and

Whereas... suggested changes are reflected in the attached issue brief and comply with Government Finance Officers Association (GFOA) guidelines and the General Appropriations Act:

Now Therefore Let it be Resolved...The Township Board amend the Budget to reflect the SRF Bond Award and the reallocation of the Sewer Fund to comply with the new revenue and expense lines required to receive and dispense the Bond funds.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zybert, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER A CHANGE ORDER #1 FOR THE SRF SEWER PROJECT

Engle moved, Lynch supported that the Chocolay Township Board authorizes the Township Supervisor to enter into a Change Order #1 agreement with Oberstar Inc., for the upgrade in Weather Resistant Lift Station Enclosures, in-field electronics, and additional safety fixtures at each lift station and grinder pump location totaling \$159,673.30, itemized by the Change Order Request form hereby attached.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER GEI SPECIAL INSPECTOR

Manager De Groot stated that the Marquette County Building Codes asked that because of the span of the trusses, there needs to be an independent special inspector. MMRMA will cover this expense.

Zyburt moved, Lynch supported authorizing the Township Supervisor to enter into a contract with GEI Associates for the independent review and truss placement as defined and in accordance with the Michigan Building Code. This cost will be reimbursed by the Michigan Municipal Risk Management Authority as part of the insurance coverage and reconstruction project.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – would like to make comment concerning Items XXII.A and XXII.B. She feels the Township should deal with the rates first, and then the ordinance. Mulcahey has strong objections to the rates. She feels the rates are discriminatory and should go by types (residential, commercial, industrial, etc) rather than by unit fees. Asked that the Township not set fees until there is public input. Mulcahey also had a couple concerns on the sewer ordinance and how it reads: Division 11 – is this referring to City of Marquette or Chocolay Township. She also feels that pretreatment is an issue.

White moved, Lynch supported that the meeting be adjourned.

The meeting was adjourned at 6:25 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of June 15, 2020, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting, May 21, 2020, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of June 17, 2020, Draft.
- D. Information – Chocolay Township Newsletter – June 2020

Max Engle, Clerk

Richard Bohjanen, Supervisor

August 3, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, August 3, 2020 via Zoom. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, David Lynch, Judy White, Don Rhein, Max Engle (joined at 5:40 pm), Mark Maki (joined at 5:40 pm)

ABSENT: Ben Zybert (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – had four issues she wanted to discuss. (1) Alteration of agenda prior to meeting. (2) feels the Manager's Report should be a written report which would allow the public to be better informed. (3) XII.D – the REU tables - the background information that was requested at the last meeting was not present in the packet. (4) Assessor contract extension – she is opposed to this. She stated this was not a reflection on the assessor. She was concerned about the changes that have occurred with the assessor and questioned what the Township really needs. Was also concerned about integrity.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of July 13, 2020.
- B. Approve Revenue and Expenditure Reports – July 2020.
- C. Approve Bills Payable, Check Register Reports – July 13, 2020 (Check #'s 24114 - 24136, in the amount of \$22,851.42), and July 23, 2020 (Check #'s 24137 - 24163, in the amount of \$19,250.49).
- D. Approve Bills Payable - Regular Payroll, July 9, 2020 (Check #'s DD893 – DD927 and Check #'s 10959 - 10963, Federal, State, and MERS for a total of 49,886.34), and July 23, 2020 (Check #'s DD928 – DD964 and Check #'s 10964 - 10968, Federal, State, and MERS for a total of \$40,791.12).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – June 30, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – June 30, 2020.

White moved, Rhein supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zybert

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated he will be running for another term as Supervisor.

CLERK'S REPORT

Clerk Engle reported that the precincts are set up – there will be social distancing. If a voter refuses to wear a mask, they will be able to either vote Absentee or vote in the lobby and be taken to the tabulator to run the ballot through. We are not able to force anyone to wear a mask. There have been 1,769 ballots issued, with 1,377 received back at the Township and 392 still out. This puts us at 78% which is a lower percentage than normal. This is due to the different age group, as before Absentees were 60+ years of age, and now Absentee voting is open to everyone.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

CONSIDER SEWER ORDINANCE PUBLIC HEARING

White moved, Lynch supported that the Chocolay Township Board schedules a public hearing to consider the new Chocolay Township Wastewater Collection System Ordinance for the regular Board meeting on September 14, 2020 at 5:30 pm.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

CONSIDER DRAFT REU TABLE

Lynch moved, Rhein supported that the Chocolay Township Board table the recommendation to adopt the Residential Equivalent User Chart until the Board meeting in September.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

CONSIDER PETER WHITE LIBRARY MILLAGE BALLOT LANGUAGE

White moved, Rhein supported the following resolution:

WHEREAS, the Peter White Public Library (“Library”) is a library originally organized under 1891 Act 254; and

WHEREAS, the Township contracts with the Library to provide library services to Township residents; and

WHEREAS, in support of the library services contract, the Township desires to levy a renewal of 1.0 mill, as reduced to a 0.9907 mill by required millage rollbacks, for a period of three (3) years, 2021 to 2023 inclusive, for the purpose of providing library services to the residents of the Township; and

WHEREAS, the Township Board has determined that placing the millage request on the ballot at the November 3rd, 2020 election is in the best interests of the health, safety and welfare of the Township residents.

Now Therefore Be it Resolved: that the Chocolay Township Board approves the attached ballot language for the Peter White Library Millage Renewal to be placed on the November Ballot locally within the Township.

Now Therefore be it further Resolved: that the Township Board approved the placement of the attached question on the November 3rd, 2020 ballot for the purpose of asking our residents the millage question.

Finally, it is further Resolved: that the Township Clerk is authorized and directed to submit a certified copy of this resolution with the approved ballot language to the Marquette County Clerk for inclusion in the November 3rd ballot.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

RESOLUTION ADOPTED

CONSIDER JOINING STATE OF MICHIGAN PROCUREMENT PROGRAM (MIDEALS)

Lynch moved, Rhein supported that the Chocolay Township Board approve the joining of MiDeals, the State of Michigan Procurement center for the next two years.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

CONSIDER A REVENUE BUDGET ADJUSTMENT FROM GENERAL RESERVES TO GENERAL REVENUE

White moved, Lynch supported the following resolution:

Whereas: The Township has been selling trash bags to the public since middle of last year as part of a conversion from tags to bags per the Waste Management contract;

Whereas: The Township pass through all revenues from the sales of these bags to Waste Management;

Whereas: The Township must comply with the revenue funding required to estimate the proper levels of pass through revenues for each fiscal year as required by generally accepted accounting principles;

Whereas: Township staff did not have enough information to track the proper amount of revenue required for this program;

Whereas: The proper amount of annual pass through revenues should be a total of \$30,500.00;

Whereas: The current General Fund revenue has allocated on \$5,500.00;

Now therefore let it be resolved: That the Chocolay Township Board of Trustees approve the movement of \$25,000 from the General Fund Reserves to the General Fund Revenue in order to properly recognize the revenues received for the sales of trash bags for the fiscal year of 2020.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

RESOLUTION ADOPTED

CONSIDER ASSESSOR CONTRACT EXTENSION

There was considerable discussion by the Board on this subject. There were questions from the Board regarding hours of the assessor, availability to the public, the need for the contract to be more specific in certain areas, duties, monthly / quarterly progress reports, mileage (needs to be spelled out), and the need for more accountability by the assessor to the Board.

Maki questioned if 20% of the properties were completed in 2019. Supervisor Bohjanen stated he did not. Mark also stated that legally the contract cannot extend beyond the term of office of the Board members.

Maki suggested that a committee be set up to fine tune the contract as there have been questions raised that need to be spelled out.

White questioned what happens if the Board does not extend the contract. Supervisor Bohjanen indicated that unless the Board terminates the contract it would be extended for another year.

Maki moved, Rhein supported to table the Assessor Contract discussion for a revised document which would detail hours, duties, and reporting to Board.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle

NAYS: Bohjanen

ABSENT: Zyburt

MOTION CARRIED

The issue was brought up as to what the next step would be. Rhein suggested that since the contract has now been extended for another year, that the Board should wait until after the election, and then go forward with appointing a committee to go over the contract for review.

Rhein moved, Lynch supported that the review of the Assessor's contract would be placed on the agenda for the first meeting after the November election with the new Board.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

CONSIDER EXEMPTION PROCEDURES

Maki moved, Lynch supported that the Chocolay Township Board approve the written audit procedures attached to comply with the requirements from the State Tax Commission.

Audit Procedures for Granting or Removal of Real Property Exemptions

The Township of Chocolay Assessing Department, headed by the Township Assessor, is charged with locating, identifying and valuating all taxable real property and personal property within the Township of Chocolay in order to provide a fair and equitable basis for taxation.

The assessing office maintains descriptions of real property, maintains maps showing the ownership and tax districts for the Township, and processes property tax exemptions.

Property tax exemptions are granted based on three elements:

- (1) Property ownership,

(2) Property use, and

(3) Statutory definition

Taxpayers receiving an exemption may be required to apply through the assessing office or other designated office. Michigan State Law includes a range of mandatory exemptions and optional exemptions available for residential, commercial, and industrial property.

The assessing office conducts annual reviews and maintains information for those properties that are exempt from taxation to determine whether such properties continue to qualify for an exemption. The annual review of exemptions ensures that properties are correctly assessed and validates the ownership and usage of the properties; some mandatory exemptions were not reviewed since the assessing office has no option but to grant the exemption.

Active monitoring of changes to recorded title, public information review, and periodic field inspections are included as part of the annual review of exempt property. The primary elements of an exemption determination are based on the ownership and use of the property depending on the type of exemption.

Assessing staff **reviews** property ownership as part of the first consideration for an exemption determination. Secondly, assessing staff confirms that the property is in use for nonprofit exempt purposes. In the case of senior citizen, disabled veterans and residential exemptions, there are specific requirements related to occupancy and other criteria related to each exemption.

Assessing staff annually reviews exemption determinations employing four elements depending on the type of exemption.

- First, all property ownership records are monitored to confirm continuance of ownership to the exempt entity or person through review of ownership records held at the Marquette County Register of Deeds.
- Second, annually staff inspects over 5% of properties throughout the Township of Chocolay and notes any changes to exempt properties for review.
- Third, the division monitors public information concerning exempt properties and owners.

- Finally, division staff conducts annual reviews of exempt property for ownership and use conformance to exemption programs to include cross reference to the Township of Chocolay Records, public information reviews (business licenses, articles of incorporation, web sites and periodicals), and property inspections.

The Assessing office also strives to maintain exemption files with sufficient documentation to support the decision to grant the exemption. For example, religious exemption files need to include copies of articles of incorporation, Internal Revenue Service determination of nonprofit status, usage statement, contracts for use of the property by other than the applicant organization, and financial disclosures.

Exemption records are maintained in two ways. The primary system is the Assessing.NET computerized data system that retains information regarding ownership, location, physical description, inspection dates, staff comments, and exemption status. This system is generally adequate and contains sufficient data to administer the exemptions.

The second data system is a paper file system that includes the original application and the documents and correspondence that supports the exempt status. The primary source for documenting an exemption is the paper application that is submitted along with supporting documentation.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

MANAGER'S UPDATE

1. Fire Hall project – the roof is slowly coming off. They will be starting to build on the ground a system of five trusses completed with the plywood sheeting on the top. When these are complete, they will be lifted by crane in five truss sections from front to back, with a total of 72 to be lifted this way. Completion is still on schedule for mid-September. There have been no changes or overruns so far. The MMRMA is still proceeding with legal proceedings. No updates as yet.
2. Sewer project – we are in the submittal stage. All the electrical and construction submittals have gone to the engineers. Letters have been mailed to adjoining property owners. Mid-October is target for most of the construction to be final.

Maki asked about the letter in the packet on the horses on the beach. Manager De Groot has talked with Chief Jennings and is not sure we have the authority to enforce in that area.

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – regarding the assessor contract, she would suggest that Trustee Maki be included in the committee, along with a community member and a staff member. She expressed her concern on the erosion issues at the turnouts. Many residents use the turnouts for access to the lake.

Lynch moved, Rhein supported that the meeting be adjourned.

The meeting was adjourned at 6:48 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocoday Township Planning Commission, Regular Meeting of July 20, 2020, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting, June 18, 2020, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of July 15, 2020, Draft.
- D. Correspondence – Concerned Citizens who want Sanitary Beaches.

Max Engle, Clerk

Richard Bohjanen, Supervisor

September 14, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, September 14, 2020 via Zoom. 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: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Rhein moved, Zyburt supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – Item XII.A - does not support the use of reserve funds for gravel road improvement. Item XII.D – does not support the office hours to be less friendly by cutting the workday – need to consider the needs of the public. Item XII.C – Manager as Personnel Administrator – as it is right now, this is a mess – when complaints are made not able to determine who the boss is based on conflicting interpretations in different documents. Item XII.E – open burning – was written in regard to structural buildings being combustible materials. Pointed out that dune grass is also a combustible material. The issue here is enforcement. Have to look at the intent of the ordinance.

Barney Banton, 148 Poplar Trail – lives at the end of Poplar Trail – disagrees with previous speaker – has been paying taxes. Lives on a County Road, and even though it's gravel, they do require maintenance. This is a safety hazard.

Mark Maki, Board Member – questioned who Kendra was on the screen. Supervisor Bohjanen indicated that she is a candidate for Board Trustee.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of August 3, 2020.
- B. Approve Revenue and Expenditure Reports – July and August 2020.
- C. Approve Bills Payable, Check Register Reports – July 30, 2020 (Check #'s 24164 - 24174, in the amount of \$9,334.98), August 6, 2020 (Check #'s 24175 – 24191, in the amount of \$5,575.00), August 20, 2020 (Check #'s 24192 – 24213, in the amount of \$23,430.78, August 21, 2020 (Check #'s 24124 – 24125, in the amount of \$44,000.00), and August 25, 2020 (Check #'s 24216 - 24223, in the amount of \$6,635.00).
- D. Approve Bills Payable - Regular Payroll, August 6, 2020 (Check #'s DD965 – DD981 and Check #'s 10969 - 10973, Federal, State, and MERS for a total of \$34,770.31), and August 20, 2020

(Check #'s DD982 – DD1029 and Check #'s 10974 - 10978, Federal, State, and MERS for a total of \$42,154.78).

- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – August 31, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – August 31, 2020.

Zyburt moved, Lynch supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that there are two items that will require public hearings – the 2021 Budget and the Sewer Ordinance. Since the emergency declaration had not been lifted, it is not feasible to have the hearing at the Township Hall.

Manager De Groot stated that he had checked with Pastor Kevin at Silver Creek Church, and they would be able to hold a larger crowd. Drive-thru public comment was also tested from Lions Field and Beaver Grove through an audio link. This would be staffed.

Supervisor Bohjanen also suggested that the church might work better so all can hear the comments being presented. All the Board members

Rhein moved, Lynch supported that the October 12 regular meeting and public hearing for the 2021 Budget be an in-person meeting at Silver Creek Church.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CLERK'S REPORT

To date, 2,117 absentee ballot applications have been mailed out. Of those, 1,942 have been received back in the office. Ballots are expected to be in on September 17th or 18th. There are 16 military and overseas civilian applications. Target date to have ballots out is end of September.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

CONSIDER POPLAR TRAIL GRAVEL AND GRADING RE-EVALUATION

Manager De Groot stated that this came before the Board at the end of last year. Gravel roads were not a part of the Asset Management Plan, so an alternate plan was needed. The amount needed was not in the budget, so it would be drawn from reserves. This happened at the end of last years construction season and was never completed.

Maki moved, White supported that the Chocolay Township Board approve the use of General Fund Reserve to enter into a contract with the Marquette County Road Commission for the improvements to Poplar Trail itemized in a not to exceed cost of \$10,964.66.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER SURPLUS VEHICLE AND EQUIPMENT AUCTION

Lynch moved, Rhein supported that the Chocolay Township Board approve Staff to auction surplus police vehicle and two lawn mowers.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER MANAGER RESPONSIBILITIES AS PERSONNEL ADMINISTRATOR

Supervisor Bohjanen stated that there is some confusion on what the Manager’s responsibilities actually were when it came to Staff.

As chair of the Personnel Committee, White indicated that she regrets this was overlooked, and fully agrees that the Manager should be the Personnel Administrator for day-to-day activities.

Lynch moved, White supported that the Chocolay Township Board formally recognize the Township Manager as the Personnel Administrator and require that all policies and ordinances be updated reflecting this responsibility.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER KEEPING TOWNSHIP OFFICE HOURS CONSISTENT THROUGHOUT THE YEAR

Supervisor Bohjanen indicated that the Manager believes that the hours of the Township should be consistent. Rhein suggested that possibly there be one day per week, such as 9:00 am to 5:30 pm.

Manager De Groot will look into this -

Lynch moved, Rhein supported that the Chocolay Township Board table the issue of office hours until it is further reviewed.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER OPEN BURNING ORDINANCE CLARIFICATION

Lynch moved, Engle supported that the Chocolay Township Board request the Supervisor to work with the Police Chief, Fire Chief, and Manager to draft an amendment to the open burning ordinance clarifying the “combustible materials” item referenced in Section 7.h and present that to the Board for consideration.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER PUBLIC HEARING FOR THE FISCAL YEAR 2021 BUDGET

This item was covered under “Supervisor’s Report”.

Lynch moved, Engle supported to change the location of the October 12, 2020 meeting from the Zoom platform to Silver Creek Church.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER ENABLING SUPERVISOR AND CLERK THE TASK OF SIGNING AN ADDENDUM TO THE MERS DEFINED BENEFIT

Zyburt moved, White supported that the Chocolay Township Board empower the Township Supervisor and the Clerk to sign on behalf of the board, an amendment to the MERS Defined Benefit plan changing the status of the assessor within the plan.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER PERMITTING THE FIRE CHIEF AND THE MANAGER TO DRAW DOWN THE VOLUNTEER FIRE ASSISTANCE GRANT TO THE CAPITAL FUND FOR THE MATCHING OF FIRE PERSONAL PROTECTIVE EQUIPMENT

Lynch moved, Rhein supported that the Chocolay Township Board empower the Township Manager and Fire chief to draw down grant awarded funds from the Fire Department's Capital budget line item – 401.341.957.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER AMENDING THE AGENDA TO ADD: BOARD DISCUSSION – FUTURE AGENDA ITEMS

White moved, Lynch supported that the Chocolay Township Board amend the regular Township Board Agenda to include a new section "Board Discussion – Future Agenda Items" directly after New Business.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MANAGER'S UPDATE ON THE SEWER LIFT STATION PROJECT AND THE FIRE HALL PROJECT

1. Fire Hall project – trusses are going up, but there are still mild delays due to COVID and the construction industry. Not able to get the shingles that will match the existing color. To stay on schedule, the shingles will be black. Roof should be on within the next month. The entire roof will be redone in the black shingles.
2. Sewer project – construction materials and parts for the grinder pumps are on schedule. The lead time for the lift stations and buildings is 16 – 20 weeks, which puts it into February. The grinder pumps will be replaced this year, and we are looking at a spring start for the lift stations. Will need a construction meeting with EGLE to extend permits. Will be sending a report out to the Board (along with being in the next Board packet) on extension within the contract, and what EGLE will require.

PUBLIC COMMENT

Barney Banton, 148 Poplar Trail – thanked the Board for considering Poplar Trail.

Kendra Symbal, 100 Aspen Drive - would the Board consider asking the constituents about what the hours should be. Also wondered when the email list will be running.

Mark Maki, Township Board – lack of zoning enforcement on US 41. Request information on zoning on M-28 by Casino – rezoned commercial – would like to see the map. Last time the map was updated was 2015. Feels if he can't get answers as a member of the Township Board and Zoning Board of Appeals, then how does the general public get answers.

Lynch moved, Engle supported that the meeting be adjourned.

The meeting was adjourned at 6:28 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of August 17, 2020, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting, July 16, 2020, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of August 19, 2020, Draft.
- D. Information – Chocolay Township Newsletter – July 2020
- E. Information – Chocolay Township Newsletter – August 2020
- F. Correspondence – Municipal Group Dividend Check
- G. Correspondence – Elizabeth Delene, 232 Kawbawgam Road
- H. Correspondence – Mark Maki, Chocolay Township Trustee

Max Engle, Clerk

Richard Bohjanen, Supervisor

October 12, 2020

A Regular meeting of the Chocolay Township Board was held on October 12, 2020 at Silver Creek Church, 216 Silver Creek Road. 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: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – would like to incorporate her comments regarding the budget along with other public comment. Has concerns with the Assessing contract that she feels need to be dealt with instead of proceeding forward. At the last meeting Supervisor Bohjanen and Clerk Engle had been given authority to sign something in regard to the contract. Has concerns with the budget that address inclusion / non-inclusion. We have programs for our residents that are 65 and older, but nothing for the 18 and younger residents. Discussed the drug problem in the UP, and talked about Chippewa County’s “Hope not Handcuffs” program to make the police more community friendly. Feels the Board also needs to look at the police budget very carefully – especially the “e-bike” to be used to patrol the Iron Ore Heritage Trail. Unaware of issues on the trail.

Mark Maki, Board Member, 3027 M-28 – asked D. Mulcahey what she had talked about at the beginning of her comments – the Assessing contract. She again addressed the needs that she feels need to be dealt with. Also, the authority to sign given to the Clerk and Supervisor – this had to do with the MERS pension information.

Mark Maki, Board Member, 3027 M-28 – sent a letter to Manager on August 6, 2020 addressing the Assessing contract. He feels that after the contract was approved by the Board, the attorney changed the contract and it was never brought back to the Board. He also had a letter that he asked to be included in the September correspondence – it was not included in packet, but showed up on the website as addendum after the meeting. Two issues he addressed in the meeting were that the contract had been changed to allow for renewal in August, with only that meeting to change and discuss it. Also wonders what happens if the contract is not met.

Judy White, Board Member, 370 Lakewood Lane – spoke about the police patrolling on the Iron Ore Heritage Trail – she has no idea on why the police need to patrol. She has never had a problem on it.

Kendra Symbol, 100 Aspen Drive – does not live along Lakewood Lane, but has experience on seeing things of concern on the trail – especially in the Rock Cut area – feels there are some areas that should be of concern.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of September 14, 2020.
- B. Approve Revenue and Expenditure Reports – September 2020.
- C. Approve Bills Payable, Check Register Reports – September 4, 2020 (Check #'s 24224 - 24246, in the amount of \$26,909.00), September 16, 2020 (Check #'s 24247 – 24271, in the amount of \$29,071.84), September 25, 2020 (Check #'s 24272 – 24292, in the amount of \$11,385.88), and September 30, 2020 (Check #'s 24293 – 24304, in the amount of \$50,234.87).
- D. Approve Bills Payable - Regular Payroll, September 3, 2020 (Check #'s DD1030 – DD1048 and Check #'s 10979 - 10983, Federal, State, and MERS for a total of \$36,091.64), and September 17, 2020 (Check #'s DD1049 – DD1071 and Check #'s 10984 - 10988, Federal, State, and MERS for a total of \$37,494.08). **Moved to XI. Unfinished Business**
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – September 30, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – September 30, 2020.

Rhein moved, Zyburt supported to approve the Consent Agenda as presented.

Make moved, Rhein supported that *Item D. Bills Payable – Regular Payroll* be removed for discussion. This will be moved to Item XI. Unfinished Business.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that the last meeting for the current Township Board will be November 9, 2020 with the new Board terms starting on November 20, 2020 at 12:00 PM. Board members will need to be sworn in before that date.

Also addressed the format for meetings – Supervisor Bohjanen stated he has enjoyed the ability to have the in-person format for this meeting. As things stand, the next meeting can be in the Township Hall, as the capacity is limited to 20 people. Manager De Groot indicated that after speaking with Roger Zappa, there is currently not the ability to have electronic meetings per Open Meetings Act law. The only allowable way to hold an electronic meeting is to do so because of a

member being in the military. De Groot also addressed the Health Department regulations regarding capacity.

CLERK'S REPORT

Clerk Engle discuss the Absentee Voters – we currently have 5,134 register voters, with 2,605 in Precinct One and 2,529 in Precinct Two. The Clerk's department has issued 2,306 ballots, with 1,004 of those being returned thus far.

Clerk Engle also discussed the rumors going around on social media – there is absolutely no way that a person who has received an Absentee Ballot would be able to vote in the precinct. The absentee ballot would need to be rejected before the resident would be able to vote in person. This must be in writing and signed by the voter.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING – ANNUAL BUDGET PRESENTATION AND HEARING

Manager De Groot stated that the Budget preparation had started in February, with the priority being consistency with the Master Plan, Board Priorities, and transparency to the public. At the time, the draft budget has been posted on the website for approximately 2 months.

De Groot went over the Budget book. He explained that there is a method – there is a workbook that is attached to the summary report. The reason for the summary budget is that the Board does not approve a line budget, but rather an appropriations budget.

This will reduce time with our auditor. Also, it enables monthly summaries to the Board. There are also line items for capital purchases.

Manager De Groot explained the wage increase – cost of living this year is 1.5%, and he is also recommending a 1.5% merit raise this year. Financial impact of this is \$10,000. The Assessor and the Manager would not be included in this increase as they are classified as contractors.

On the fire truck – it is a 22-year-old truck – we normally would have bonded for this. Because of the funding we received for the sewer project, we have managed to save \$2.5 million. The Fire Department will have to have it competitively bid. The not to exceed number is \$650,000. We have also joined some statewide contracts (MIDeals and Sourcewell) for some alternatives in pricing.

With respect to the bike, this is expected to be either through a grant or from KBIC 2% funds.

This is basically a transition year. If the Board would like the individual sheets back in the budget, he would be happy to do so.

Public Hearing

Maki inquired about the merit raise – just a term? Manager De Groot indicated the merit raise is based on evaluations. Maki asked if the evaluations had been conducted, and De Groot indicated they had.

White also indicated that the COLA for Social Security recipients is 1.1%, with Medicare increasing. Does not agree with the 3% raise.

PRESENTATIONS – NONE

UNFINISHED BUSINESS

Moved from Consent Agenda – Item D.

Approve Bills Payable - Regular Payroll, September 3, 2020 (Check #'s DD1030 – DD1048 and Check #'s 10979 - 10983, Federal, State, and MERS for a total of \$36,091.64), and September 17, 2020 (Check #'s DD1049 – DD1071 and Check #'s 10984 - 10988, Federal, State, and MERS for a total of \$37,494.08).

Maki's issue with the Payroll is he does not feel the Assessor is performing per his contract or that the Zoning Administrator is doing his job, so neither should not receive pay.

Lynch moved, White supported to approve the Regular Payroll as presented.

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

CONSIDER OFFICE HOURS CHANGE

Manager De Groot stated that this was a holdover from the last meeting. Staff is in favor, as this will enable them to get home in the daylight during the winter. Manager Kangas had done a survey at the front desk, and there was not a lot of activity after 4:30. Also, during the shut down portion of COVID-19, the drop box was very effective and became increasingly utilized. Supervisor Bohjanen also indicated that there is always coverage at the front desk, as lunches are staggered.

White moved, Lynch supported that the Chocolay Township Board recognize 8:00 am to 4:30 pm as the regular office hours throughout the year and eliminate summer and winter hours, effective November 2, 2020.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER ADOPTION OF THE FISCAL YEAR 2020 BUDGET IN ACCORDANCE WITH THE MICHIGAN GENERAL APPROPRIATION ACT.

Manager De Groot explained that the budget does not need to be approved this evening but would have to be approved by December 31, 2020.

Clerk Engle suggested that the Board take the extra time to go over the budget after the information that was presented by Manager De Groot.

Engle moved, Lynch supported to table the approval of the budget until the November 9, 2020 meeting.

MOTION CARRIED

Manager De Groot indicated that if there are any changes that the members of the Board have, he would like those changes to be brought to him for inclusion.

CONSIDER ADOPTION OF THE FISCAL YEAR 2021 FEE SCHEDULE

The Fee Schedule has not changed for Fiscal Year 2021.

Maki questioned the charge of \$15 for the permit fee to go to the landfill. It was explained by Supervisor Bohjanen this is a one-time fee per month.

White moved, Rhein supported to approve the 2021 Fee Schedule as presented.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

MANAGER'S UPDATE ON THE SEWER LIFT STATION PROJECT AND THE FIRE HALL PROJECT

1. Fire Hall – the fire hall is enclosed. The shingling process has begun – on the main roof they have put down a layer of ice melt. On the wings, they will be tearing off the existing shingles and laying a membrane, as they already have the ice melt layer. The interior redesign of electric, gas, and piping run is scheduled for the 3rd week of October. They are shooting for a completion date of November 15. Moving would take place shortly thereafter.
2. Sewer Project – they will start replacing the grinder stations the week of October 19. There has been talk with the State (EGLE), and we were able to get a continuance on the lift stations because of supply chain delays that would put delivery to February. They will need a change order to continue to spring build. The spring payment of the bond will be a partially accepting payment.
3. Green Bay Bridge – hopefully will be open by the end of the week. There has been talk of a ribbon cutting, but this is usually on roads that are not open yet. At this time, this will probably not happen.

PUBLIC COMMENT

Stephanie Gencheff, 570 Lakewood Lane – had some questions regarding absentee ballots based on information she has received from legal counsel on what to challenge. She is a challenger for the November General Election. There is concern about the process of spoiling ballots, and if the ballot is destroyed. Clerk Engle explained the process of spoiling a ballot.

Mark Maki, Board Member – the Agenda used to have the Planning Commission and Zoning Board of Appeals on it. Also, last month, there was the approval of adding “Board Discussion – Future Agenda Items”. Also commented on the Planning Commission minutes – page 4. He would also like a copy of the tape.

Don Rhein, Board Member, Dana Lane – thanked the Zoning Administrator for taking care of the blight issue on his street – no Subaru’s.

Zyburt moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:47 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of September 21, 2020, Draft.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of September 16, 2020, Draft.
- C. Information – Chocolay Township Newsletter – September 2020

Max Engle, Clerk

Richard Bohjanen, Supervisor

November 9, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, November 9, 2020 at Chocolay Township Hall. 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: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Rhein moved, Zyburt supported that the agenda be approved as amended (***addition of Planning Commission Report and Zoning Board of Appeals Report after Clerk's Report***).

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – feels that the Township should invest in a good recording system, with speakers and microphones, for Township meetings. She also wanted to remind staff that they need to respond to inquiries. Mulcahey is sorry to see Trustee Maki leave the Board, as she feels he was an advocate and truth seeker. He has persevered all these years in working with the Board. She asked the Board where the dialog and discussion is – it appears there are many “potted plants” on the Board.

Stephanie Gencheff, 597 Lakewood Lane – stated she loves living in Chocolay and feels that the Board does a great job. She feels the Board are truth seekers, and not just potted plants.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of October 12, 2020.
- B. Approve Revenue and Expenditure Reports – October 2020.
- C. Approve Bills Payable, Check Register Reports – October 15, 2020 (Check #'s 24305 - 24331, in the amount of \$17,741.37), and October 28, 2020 (Check #'s 24332 - 24356, in the amount of \$43,858.06).
- D. Approve Bills Payable - Regular Payroll, October 1, 2020 (Check #'s DD1072 – DD1106 and Check #'s 10989 - 10993, Federal, State, and MERS for a total of \$44,909.58), October 15, 2020 (Check #'s DD1107 – DD1121 and Check #'s 10994 - 10998, Federal, State, and MERS for a total of \$34,022.07), and October 29, 2020 (Check #'s DD1121 – DD1153 and Check #'s 10999 - 11003, Federal, State, and MERS for a total of \$38,143.65).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – October 30, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – October 30, 2020.

Lynch moved, Rhein supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that this is Trustee Maki's last meeting. There is one new member that is not present, Kendra Symbal. Board members will take office on November 20 and must be sworn in before January 1, 2021. Max Engle, Township Clerk, conducted the swearing in of all members that are present.

Supervisor Bohjanen indicated he had received a letter from Trustee Maki and has a compilation of questions and answers, which he would like the Board members to take home and look over. He asked the Board if they felt they should be dealt with as separate agenda items. These include:

1. The sign ordinance concerning Lakenenland, which has been answered numerous times. There is a contradiction in the ordinance, which makes it unenforceable.
2. Waselesky and Besola properties – historical problems with nuisance vehicles. These have been adjudicated in court and are allowed with provisions, such as yearly groundwater testing. They are in the process of cleaning things up, and the tires will be picked up soon.
3. Sign at the gun shop.
4. Complaints on staff suggesting that certain staff members should not be paid.

Supervisor asked the Board if these items should be added to the next agenda. Trustee Maki suggested the Board take it home and look it over. Trustee White feels that Lakenenland should be clarified. Supervisor Bohjanen indicated that conflicts arise when you start researching the ordinance. Need to look at what makes the ordinance unenforceable. He indicated that there is positive progress on the Waselesky land.

Engle moved, White supported to add to agenda for the December 14 meeting.

MOTION CARRIED

Supervisor Bohjanen then presented a "Proclamation of Appreciation" for ~~his~~ **Trustee Maki's** service to the Township for the past 39 years.

CLERK'S REPORT

Clerk Engle handed out the statistics on the election. Absentee ballots were at 98%, with only 41 ballots not being returned. Overall, the election went quite well. There was a glitch with one of the tabulators, but we were able to wait until the one of the other tabulators was free at the end of the evening. All ballots were able to be counted on election day.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT

Trustee Rhein stated the Planning Commission did not meet in October.

ZONING BOARD OF APPEALS REPORT

Trustee Maki indicated the ZBA did meet. He would encourage that the members receive training. Minutes from the meeting are included in the packet. Trustee Maki has been on the ZBA for 8 years.

PUBLIC HEARING – NONE

CONSIDER ADOPTION OF THE FISCAL YEAR 2021 BUDGET IN ACCORDANCE WITH THE MICHIGAN GENERAL APPROPRIATIONS ACT

Public Comment

Deborah Mulcahey, 633 Lakewood Lane – regarding the proposed budget, need to include a recording system for meetings. Mulcahey feels that merit pay is based on the capability of the employee. She still feels that more justification is needed for the e-bike. Even if we use KBIC 2% money or grant money, there are still costs associated with those bikes. Feels money would be better spent on programs concerning drugs and programs for kids. Should be looking at recent events in the community and ways to prevent things like this from happening. She feels there are many people in our community that are financially hurting.

Board Discussion

Trustee White indicated she felt that the Planning Commission deserve an increase in per diem. She would suggest a \$10 increase to \$70 / meeting. They put a lot of effort into what they do. Supervisor Bohjanen agreed.

Trustee Lynch asked if Chocolay Township had reviewed what other townships of our size are paying their boards / commissions. Manager De Groot stated he had done some checking and most are offering \$60 - \$70 per diem

White moved, Rhein supported that the Township Board add \$10 per meeting for the Planning Commission.

ROLL CALL VOTE

Ayes: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

Nays: None

MOTION CARRIED

Manager De Groot stated that with the changes we are still have a balanced budget. There has been \$3,000 incorporated in the budget for the speaker / microphone system for the Board room.

Trustee White is still against the 3% raise for the employees – cost of living is fine at 1.5%. If you are going to call it a merit raise, it should be based on individual reviews. Just wanted it on the record to make sure that the raises are justified.

Manager De Groot stated that 1.5% is cost of living, and the 1.5% is merit. Ultimately, we need to do a salary review to establish where we are at. We did have the step program, which was designed at 1.5%. For most of the staff, there are no steps left.

Supervisor Bohjanen stated that the Township has excellent employees, and we need to be able to keep our people.

Trustee Rhein wondered about kids' programs and senior programs.

Trustee White asked about the rent money for the tower at Silver Creek and where that was going. Manager De Groot stated it was going back into Recreation and Properties.

CHARTER TOWNSHIP OF CHOCOLAY

FISCAL YEAR 2021

GENERAL FUND BUDGET

ROAD FUND

FIRE DEPARTMENT MILLAGE FUND

LIQUOR LAW ENFORCEMENT FUND

LIBRARY MILLAGE FUND

CAPITAL IMPROVEMENTS FUND AND

SEWER FUND BUDGETS

I HEREBY CERTIFY THAT THE FISCAL YEAR 2021 BUDGETS
WERE ADOPTED BY THE CHOCOLAY TOWNSHIP BOARD
ON NOVEMBER 9, 2020

MAX L. ENGLE, TOWNSHIP CLERK

GENERAL APPROPRIATIONS ACT

Engle moved, Zyburt supported, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2021, and ending December 31, 2021, 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 September 25, 2020; and

Whereas, a public hearing was held on the proposed budget on October 12, 2020 at Silver Creek Church, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing:

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2021, and ending on December 31, 2021, in the amount of \$2,750,797.64 for the General Fund, in the amount of \$500,000.00 in the Road Fund, in the amount of \$0 in the Fire Department Millage Fund, in the amount of \$3,000.00 in the Liquor Law Enforcement Fund, in the amount of \$1,300.00 in the Drug Law Enforcement Fund, in the amount of \$227,225.28 in the Library Millage Fund, in the amount of \$300,500.00 in the Capital Improvements Fund, and in the amount of \$612,794.46 for the Sewer Fund.
2. The Township Board does hereby appropriate the sum of \$3,051,297.64 for the general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2021 and ending December 31, 2021.
3. The Township Board does hereby appropriate the sum of \$612,794.46 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2021 and ending December 31, 2021.
4. The Township Board does hereby appropriate the sum of \$500,000.00 for the repairing of the Township Roads to be used for the fiscal year beginning January 1, 2021 and ending December 31, 2021.

5. The Township Board does hereby appropriate the sum of \$0 for the fiscal year beginning January 1, 2021 and ending December 31, 2021 for retirement of debt associated with constructing and equipping the fire station.
6. The Township Board does hereby appropriate the sum of \$3,000.00 for the enforcement of Liquor Laws of the State of Michigan for the fiscal year beginning January 1, 2021 and ending December 31, 2021.
7. The Township Board does hereby appropriate the sum of \$1,300.00 for the enforcement of Drug Laws of the State of Michigan for the fiscal year beginning January 1, 2021 and ending December 31, 2021.
8. The Township Board does hereby appropriate the sum of \$227,961.31 for contractual services with the Peter White Public Library for the fiscal year beginning January 1, 2021 and ending December 31, 2021.
9. The Township Board does hereby levy 3.6040 mills for general operations; extra voted is 0.9907 for library, 1.6727 for roads.
10. All resolutions and parts of resolutions in so far as they conflict with provision of this resolution are rescinded.
11. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriations Act conforming to Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL VOTE:

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

RESOLUTION FOR OFFICER' SALARIES

SUPERVISOR'S SALARY

Zyburt moved, supported by Rhein, that the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2021, which begins January 1, 2021 and ends December 31, 2021.

ROLL CALL VOTE:

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

TREASURER'S SALARY

Lynch moved, supported by Zyburt, that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2021, which begins January 1, 2021 and ends December 31, 2021.

ROLL CALL VOTE:

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CLERK'S SALARY

Lynch moved, supported by Rhein, that the salary for the office of Clerk shall be set in the amount of \$12,000.00 for the Fiscal Year 2021, which begins January 1, 2021 and ends December 31, 2021.

ROLL CALL VOTE:

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

TRUSTEE'S PER DIEM

Zyburt moved, supported by Lynch, that the per diem for the office of Trustee shall be set in the amount of \$75.00 per meeting for the Fiscal Year 2021, which begins January 1, 2021 and ends December 31, 2021.

ROLL CALL VOTE:

AYES: Maki, Lynch, Zyburt, Engle, Bohjanen

NAYS: Rhein, White

MOTION CARRIED

CONSIDER EMERGENCY OFFICE CLOSURE PROCEDURE DUE TO COVID-19

Lynch moved, Rhein supported granting the Township Supervisor and the Township Manager to confer and close the office to the public for staff positive COVID test, exposure site, and cleaning per MIOSHA and Department of Health Guidelines.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER WORKING FROM HOME POLICY DUE TO EMERGENCY OFFICE CLOSURE DUE TO COVID-19

Zyburt moved, Lynch supported granting Township Manager to confer with all department heads about working remotely during a potential closure of the office for COVID-19 exposure site, and cleaning per MIOSHA and Department of Health Guidelines.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER FUTURE BOARD MEETINGS ELECTRONICALLY OR IN-PERSON

Manager De Groot explained that all motions pertaining to COVID-19 are based on the State of Emergency declared by Marquette County. Due to the State of Emergency, we would qualify to hold the Board Meetings remotely in respect to the Open Meetings Act. Clerk Engle suggested that if we were to have in-person meetings, there should be some type of process for the public to join in remotely. Manager De Groot indicated the problem would be if the Board is split, with some remote and some in person.

Lynch moved, Rhein supported to give the Township Supervisor and the Township Manager the ability to make the call on how meeting will be conducted and publish accordingly.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER THE SURPLUS EQUIPMENT BID AWARDS: POLICE VEHICLE, RIDING LAWNMOWER, MOWER DECK ATTACHMENT

Rhein moved, Lynch supported for Rhein to abstain from the vote as he is one of the bidders.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

Zyburt moved, Engle supported to declare the 2017 Ford Explorer Interceptor sold to the highest bidder (Yousef Dabbagh with a bid of \$5,268).

ROLL CALL VOTE

AYES: Maki, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSTAIN: Rhein

MOTION CARRIED

Zyburt moved, Lynch supported to declare the 2013 John Deere EZtrak Riding Lawnmower sold to the highest bidder (Don Rhein with a bid of \$529).

ROLL CALL VOTE

AYES: Maki, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSTAIN: Rhein

MOTION CARRIED

Zyburt moved, Lynch supported to declare the 2000 King Kutter Free Floating Finishing Mower Deck sold to the highest bidder (Don Rhein with a bid of \$519).

ROLL CALL VOTE

AYES: Maki, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSTAIN: Rhein

MOTION CARRIED

CONSIDER PLACING DELINQUENT SEWER PAYMENT ON WINTER TAX BILL

DELINQUENT SEWER ACCOUNTS				
Name	Tax ID Number	Address	City, State, Zip	Amount Due
Marc Gilmore	52-02-490-002-00	110 Chocolay River Tr	Mqt MI 49855	\$ 212.80
Steven & Heather Shaw-Quizno's	52-02-106-043-50	505 Corning Street	Mqt MI 49855	\$ 3,278.88
Richard & Brooke Laurich	52-02-214-006-00	105 E. Fairbanks Street	Mqt MI 49855	\$ 237.60
Susan Racine	52-02-215-006-00	156 E. Fairbanks Street	Mqt MI 49855	\$ 412.80
Matt Morgan / Eric Keough	52-02-216-017-00	111 E. Wright Place	Mqt MI 49855	\$ 712.80
Shelly Soeltner	52-02-106-045-00	116 E. Wright Place	Mqt MI 49855	\$ 112.80
Linda Morgan	52-02-216-015-00	161 E. Wright Place	Mqt MI 49855	\$ 712.80
Anthony & Karri Rabitaille	52-02-455-038-00	214 Jean Street	Mqt MI 49855	\$ 712.80
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$ 712.80
Linda Bice / Philip Elias	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 712.80
Ed Palomaki	52-02-216-011-00	146 Kellog Street	Mqt MI 49855	\$ 712.80
Brooke Laurich	52-02-106-035-00	338 Reservoir Street	Mqt MI 49855	\$ 237.60
John Premeau	52-02-305-022-50	204 Riverside Road	Mqt MI 49855	\$ 712.80
Stacy Eagle	52-02-107-013-00	208 Silver Creek Road	Mqt MI 49855	\$ 77.80
Joe & Barb Menze	52-02-107-063-00	328 Silver Creek	Mqt MI 49855	\$ 712.80
Scott Lamora/Farm Bureau	52-02-201-003-00	2315 U S 41 South	Mqt MI 49855	\$ 712.80
David Laurich/Medical Benefits	52-02-106-020-00	2366 U S 41 South	Mqt MI 49855	\$ 712.80
Shaw's Service	52-02-254-005-00	4027 U S 41 South	Mqt MI 49855	\$ 1,211.76
Hudson Mechanical Inc.	52-02-440-002-00	6040 US 41 South	Mqt MI 49855	\$ 712.80
Kevin Frankenberg	52-02-212-008-00	127 W. Fairbanks	Mqt MI 49855	\$ 712.80
Michael Anderson	52-02-251-014-00	210 W. Fairbanks Street	Mqt MI 49855	\$ 712.80
Jennifer Simula	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	\$ 712.80
Dave & Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$ 712.80
Jeffrey Libby	52-02-212-011-00	136 West Main	Mqt MI 49855	\$ 712.80
Larry Weaver	52-02-207-004-00	240 W. Main Street	Mqt MI 49855	\$ 712.80
Shane Johnston	52-02-207-002-00	264 W. Main Street	Mqt MI 49855	\$ 297.00
Tonya Scott	52-02-205-003-00	341 W. Main Street	Mqt MI 49855	\$ 712.80
Janice Lister	52-02-251-025-00	209 W. Terrace Stret	Mqt MI 49855	\$ 212.80
Gardner Bess	52-02-210-005-00	334 W. Terrace Street	Mqt MI 49855	\$ 712.80
Judith Charles/Marilyn Kramer	52-02-208-003-00	371 W. Terrace Street	Mqt MI 49855	\$ 712.80
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	\$ 712.80
Kristine & Michael Dionne	52-02-106-043-00	110 W. Wright Place	Mqt MI 49855	\$ 87.80
Moyle - Connection Permit	52-02-107-021-00	1001 M-28 East, Suite 2	Mqt MI 49855	\$ 350.00
Total Delinquent Amount				\$ 21,698.44

White moved, Rhein supported to accept the list of delinquent sewer charges and penalties as allowed in Ordinance 39, Section 9, E.2.c, along with the delinquent sewer connection permit fee for 1001 M-28 East, Suite 2, be added to the Chocolay Township December tax roll.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER PUBLIC ACT 152 EMPLOYEE INSURANCE / HEALTH CARE ANNUAL COVERAGE

RESOLUTION NO. 2021-1

November 9, 2020

RESOLUTION TO ADOPT 80% / 20%, EMPLOYER / EMPLOYEE HEALTH CARE COST OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

Lynch moved, Rhein supported that:

WHEREAS, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirement of the Act;

WHEREAS, the three options are as follow:

1. Section 3 – "Hard Caps" Option – limits a public employer's total annual health care costs for employees based on coverage levels, as defined by 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 Township Board has decided to adopt the 80% / 20% option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the Township Board of the Charter Township of Chocolay elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the 80% / 20% option for the medical benefit plan coverage year January 1, 2021 through December 31, 2021.

Upon a Roll Call Vote, the vote was as follows:

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED.

MANAGER'S UPDATE ON THE SEWER LIFT STATION PROJECT AND THE FIRE HALL PROJECT

1. Fire Hall – Manager De Groot stated that the fire hall is nearing completion. The shingling is completed. The silver objects on the top of the roof are tie downs for snow removal according to OSHA standards. Drywalling is taking place inside, along with insulation. The plan is to have the inspections done during Thanksgiving week, and the punch list done the first week of December.
2. Sewer Project – have changed out 2 of the grinder stations. The grinder station on Green Bay Street requires movement of power and Associated is not quite finished with the bridge. Once this is done, BLP can come in. The pumps have been changed in the bottom of the pit. We will then start the rest of the project as soon as possible in the spring. The reason for the delay was that the lead time went from 8 weeks to 24 weeks, due to COVID. Supervisor Bohjanen will be signing an addendum to the first change order which extends the time length with EGLE. They are aware, so this is just a paperwork issue.

Supervisor Bohjanen asked what would be the determining factor for snow shoveling – Manager De Groot indicated the architects had been talking about a measuring system versus a weight system.

BOARD MEMBER COMMENTS

Mark Maki – wished the Board good luck in the future, with lots of success.

Don Rhein – thanked Mark for his work in the community – great working with him.

Ben Zyburt – expressed appreciation to Mark for his time on the Board.

Judy White – thanked Mark – she has learned a lot from him over the past 8 years.

Dave Lynch – thanked Mark for his dedication and service over the years in supporting the Township.

Max Engle – thanked Mark for his work in the Township.

Richard Bohjanen – thanked Mark for his service.

PUBLIC COMMENT – NONE.

Rhein moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:54 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Zoning Board of Appeals, Regular Meeting of October 24, 2020, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting of September 17, 2020, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of October 21, 2020, Draft.
- D. Correspondence – Municipal Group Check.
- E. Information – Marquette County Solid Waste Management Authority; Tipping Fee Increase Notice Letter to Local Governments.

Max Engle, Clerk

Richard Bohjanen, Supervisor

December 14, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, December 14, 2020 at ~~Chocolay Township Hall~~ **via Zoom**. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle (joined at 5:45 pm), Ben Zyburt, David Lynch, Judy White, Don Rhein, Kendra Symbal

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

OTHERS ATTENDING: Eve Lindsey, Rebecca Sloan, Roger Zappa (Township Attorney)

APPROVAL OF AGENDA.

Lynch moved, White supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT - NONE

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of November 9, 2020.
- B. Approve Revenue and Expenditure Reports – November 2020.
- C. Approve Bills Payable, Check Register Reports – November 12, 2020 (Check #'s 24357 - 24378, in the amount of \$104,586.16), and November 24, 2020 (Check #'s 24379 - 24399, in the amount of \$31,182.23).
- D. Approve Bills Payable - Regular Payroll, November 12, 2020 (Check #'s DD1154 – DD1189 and Check #'s 11004 - 11008, Federal, State, and MERS for a total of \$39,465.08), and November 25, 2020 (Check #'s DD1190 – DD1219 and Check #'s 11009 - 11013, Federal, State, and MERS for a total of \$39,040.54).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – November 30, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – November 30, 2020.

Rhein moved, Lynch supported to approve the Consent Agenda as corrected on Meeting Minutes, page 2, 2nd paragraph from the bottom, "Supervisor Bohjanen then presented a "Proclamation of Appreciation" for his **Trustee Maki's** service to the Township for the past 39 years."

AYES: Symbal, Rhein, White, Lynch, Zyburt, Bohjanen

NAYS: None

ABSENT: Engle

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen welcomed Kendra Symbal as the newly elected Board Trustee. Supervisor Bohjanen also introduced Eve Lindsey and Rebecca Sloan, who are his suggestions to fill the open Planning Commission seats.

COVID update – the roll out for the COVID-19 vaccine has begun. It will probably be awhile before we see anything in Marquette. The Governor has extended the order on public meetings through December 20. On December 11, the legislature extended the ability to have remote meetings through March 31, 2021.

An email was sent out regarding education materials that are available online through our Michigan Township Association membership.

CLERK'S REPORT

PUBLIC HEARING – NONE

PRESENTATIONS – GENERAL ENFORCEMENT ZONING, POLICE POWER – ATTORNEY ROGER ZAPPA
Attorney Zappa was asked to give a refresher on how the zoning ordinance works, focusing on enforcement. The primary reason for a zoning ordinance is to allow the township to grow in a compatible manner. The zoning ordinance also needs to be consistent with the Township Master Plan. Zoning enforcement is used to correct violations not only from the past, but to foresee issues that may come up in the future. Voluntary compliance works much better than heavy-handed enforcements. Ordinances are made to promote and protect the health, safety, and welfare of its residents. There is a need to have enforcement when enforcement is necessary, but this should not be the first resort. Enforcement is not about the fine – it's about fixing the problem.

Supervisor Bohjanen summarized the steps that the Township goes through:

- Need clearly worded ordinance, protecting the health, welfare, and safety of the residents.
- Notify property owner of violation and work out a remediation plan.
- Assess the property for compliance.
- A possible citation if not complying.

Supervisor Bohjanen indicated that the Township is in the process of working on the ordinance.

REVIEW OF MAKI CONCERNS FROM NOVEMBER

Trustee Rhein indicated that the Planning Commission is in the process of looking at the sign ordinance right now. He also feels that there needs to be some type of feedback on what the Assessor is accomplishing.

Supervisor Bohjanen indicated that the Assessor is reviewed on a regular basis, along with the State assessment.

Clerk Engle apologized for being late. Engle indicated he agrees with Rhein on the sign ordinance, and that he does not feel that the signs are obtrusive or a distraction to drivers going by.

Trustee Lynch feels the Township is on the right path to simplify and clarify the sign ordinance. Mr. Maki has been asking the same questions for many years but is not getting the answer he wants.

M. Maki joined in the conversation asking Supervisor Bohjanen if he was able to comment. Supervisor Bohjanen indicated Maki could make comment at the final public comment. Maki continued to make comment. Supervisor Bohjanen called for the Board to invoke censorship on the continued rant of Maki. K. Symbal indicated she was not for censorship but did feel that the Board should stick with the agenda.

Symbal moved, Zybert supported that there was not a need for censorship, and the Board would continue with the agenda.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zybert, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER COMBINING THE PENSION AND PERSONNEL COMMITTEE

White moved, Zybert supported to combine the Personnel Committee and the Pension Committee. In this act, the Board is dissolving the personnel committee and requiring the manager to perform all the functions of personnel administrator. The Board also assigns:

Treasurer Ben Zybert

Trustee Judy White

Employee Suzanne Sundell

Township Manager (ExOfficio Member)

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zybert, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER APPOINTMENTS TO THE PLANNING COMMISSION

White moved, Lynch supported to appoint Eve Lindsey, Rebecca Sloan, and Kendell Milton to the Planning Commission serving 3- year terms.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zybert, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER APPOINTMENTS TO THE ZONING BOARD OF APPEALS

Zyburt moved, Lynch supported to appoint Kendell Milton to the Zoning Board of Appeals serving a 3-year term.

ROLL CALL VOTE

AYES: Symbal, White, Lynch, Rhein, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER APPOINTMENTS TO BOARDS AND COMMITTEES:

BOARD OF REVIEW

NEW PENSION COMMITTEE

TOWNSHIP'S ASSOCIATION

ELECTION COMMISSION

NORTHERN MICHIGAN PUBLIC SERVICE ACADEMY BOARD

PETER WHITE PUBLIC LIBRARY BOARD

Lynch moved, Rhein supported to approve the appointments presented by Supervisor Bohjanen and listed on the "Boards, Committees, Commissions – 2021" worksheet within this packet.

ROLL CALL VOTE

AYES: Symbal, White, Lynch, Rhein, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER BOARD MEETING CALENDAR FOR 2021

Lynch moved, Zyburt supported to approve the proposed Township Board Meeting Schedule for the calendar year 2021, with the change of the August meeting from August 2nd to August 16th at 5:00 p.m.

ROLL CALL VOTE

AYES: Symbal, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER TOWNSHIP OFFICE HOLIDAY CLOSURE DATES

White moved, Engle supported to approve the proposed Township Office Closure dates in recognition of major holidays within the calendar year of 2021.

ROLL CALL VOTE

AYES: Symbal, White, Lynch, Rhein, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MANAGER'S UPDATE ON THE SEWER LIFT STATION PROJECT AND THE FIRE HALL PROJECT

1. Fire Hall – did a punch list walk thru on Friday. There is a final inspection schedule for December 15th. Anticipate moving in next week.
2. Sewer Project – two lift stations have had the pumps and electronics replaced (east most and west most). There is a meeting scheduled with SCADA and the wireless team on December 15th. All equipment has been ordered for delivery as soon as we are able to start in the spring.

BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – None.

Judy White – welcomed Eve and Rebecca to the Planning Commission.

Dave Lynch – asked about the letter in the correspondence section. Manager De Groot indicated that there have been a number of correspondence with this resident. Noise and vibration have been addressed, but the answer is not being accepted by the resident. This goes back to a site plan approved by the Planning Commission in 2017.

Kendra Symbol – asked about the damage to the above person's residence. Manager De Groot indicated that the provability has not been established. Legally, the Township would not be involved – this would be an insurance claim to the neighboring property as a civil action. Symba also

indicated she has a lot to learn. She feels that the Board need to collectively move forward and not dwell on the past – focus on the future.

Max Engle – looking at getting an announcement type system for next year – email, text messages

Richard Bohjanen – February 12th meeting is a joint meeting with the Planning Commission to set priorities – what the Township Board vision is.

PUBLIC COMMENT

Mark Maki – made comments on the zoning violations in 2008, the work on the sign ordinance in the past, complaint on Lakenenland in 2017, his name is still showing on the website, Assessor' contract, made some uncomplimentary remarks against Board.

Rhein moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:06 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocloy Township Planning Commission, Meeting of November 16, 2020, Draft

- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting of October 15, 2020.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of November 18, 2020, Draft.
- D. Information – Chocolay Township Newsletter – October / November 2020.
- E. Correspondence – Elizabeth Delene, 232 Kawbawgam Road.

Max Engle, Clerk

Richard Bohjanen, Supervisor

January 11, 2021

A Regular meeting of the Chocolay Township Board was held on Monday, January 11, 2021 via Zoom. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zybert, David Lynch, Judy White, Don Rhein, Kendra Symbal

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT

Heather Saith, Lakewood Lane – curious about the ice rink at Lion’s Field – will it be open to the public this winter? Manager De Groot responded that the Township is looking at opening it when we are back to being fully staffed. Commented that ice hockey at Lakeview Arena is resuming this weekend, so she feels that it can move forward at this time.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of December 14, 2020. ***(Supervisor Bohjanen asked that the minutes be changed to reflect the meeting place as “via Zoom” rather than Chocolay Township Hall.) (Trustee Symbal indicated that she had meant to recuse herself from the approval of the Bills Payable – Check Register Reports at the last meeting, as she owns a business that had received a check.)***
- B. Approve Revenue and Expenditure Reports – December 2020 (unaudited).
- C. Approve Bills Payable, Check Register Reports – December 9, 2020 (Check #'s 24400 - 24418, in the amount of \$394,594.82), December 22, 2020 (Check #'s 24419 – 24441, in the amount of \$25,693.38) and December 29, 2020 (Check #'s 24442 - 24452, in the amount of \$8,771.42).
- D. Approve Bills Payable – Longevity Payroll, December 3, 2020 (Check #'s DD1220 – DD1226, Federal State, and MERS in the amount of \$3,058.90), Regular Payroll, December 10, 2020 (Check #'s DD1227 – DD1240 and Check #'s 11014 - 11018, Federal, State, and MERS for a total of \$33,752.80), December 14, 2020 (Reprint remittance checks, Check #'s 11019 – 11020, for a total of \$328.38) and December 23, 2020 (Check #'s DD1241 – DD1267 and Check #'s 11021 - 11025, Federal, State, and MERS for a total of \$38,181.13).
- E. Approve Treasurer’s Report, Certificates of Deposit and Investment Reports – November 30, 2020.
- F. Approve Treasurer’s Report, Fund Withdrawal and Deposit Report – November 30, 2020.

White moved, Rhein supported to approve the consent agenda as modified.

ROLL CALL VOTE

AYES: Symbal, Rhein, White, Lynch, Zyburt, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated he had no updated information on the status of COVID-19 restrictions. This is set to expire on January 15, 2021. The Township is still obligated to have Zoom meetings until the end of January.,

Supervisor Bohjanen also indicated that there was a letter from Mark Maki asking to be put on the agenda and have written answers to his questions (this can be found in the correspondence at the back of the packet). Supervisor Bohjanen stated he didn't know if it was reasonable to respond back as a Board to all correspondence received. Supervisor Bohjanen read his reply to Mr. Maki's questions in Maki's letter of January 26, 2021.

1. The letter is included in the correspondence section and is not included as part of the agenda as it was not received in the correct time frame and does not contain content considered appropriate for discussion at the Board meeting, as it was reviewed and discussed at the December Board meeting.
2. The reason Mr. Maki was not able to get into the Zoom at the onset of the last meeting was because he tried to sign in after the start of the meeting. This was not permitted by the system due to a technical problem which has since been resolved.
3. The reason Mr. Maki's issues were discussed at the December meeting was at Mr. Maki's own request which was initiated at the November Board meeting following distribution of the compilation of his complaints. This was to be added to the December meeting to give everyone a chance to go over. A motion was made by Max Engle, supported by Judy White.
4. Regarding the Assessor's completion of his contract requirements, his real requirement is to complete property assessments within a five-year cycle, and due to COVID and loss of technician assistance he is behind. His contract is being reviewed, but he is currently working under his original contract which was extended due to no renegotiations. The Assessor is answerable the Supervisor.
5. Mr. Maki's public comment was summarized in the minutes – comments in the middle of the meeting were very rude and disruptive –

Supervisor Bohjanen asked for direction from the Board on how to proceed with correspondence such as this in the future – he pointed out that in the Board Policies there is a statement on public questions submitted in writing will be responded to within 14 days. The Board felt that this was something that could be handled by the Supervisor.

Symbal moved, that the Zoning Committee work together with the Clerk and Manager to bring the discrepancies and zoning issues at Lakenenland to light for the joint meeting. There was no second.

MOTION DIED

Supervisor Bohjanen stated that the Planning Commission has the new writing of the sign ordinance as part of their priorities which will be discussed at the Joint Meeting in February. The sign ordinance that Mr. Maki is talking about has been addressed numerous times. This issue is not being ignored.

CLERK'S REPORT

Clerk Engle reported on the Risk Limiting Audit that will be performed on the election results.

TREASURER

Treasurer Zybur reported that interest rates are terrible right now. This could possibly go on for 2 – 3 years.

PUBLIC HEARING – NONE

PRESENTATIONS – NONE

CONSIDER THE PURCHASE OF A NEW PORTABLE NOXIOUS GAS MEASURING METER FOR PUBLIC WORKS.

Engle moved, Lynch supported to allocate \$5,400.00 of Township Capital Funds to the Public Works Department for the purchase of a new sewer portable noxious gas meter / monitor kit.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zybur, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER PURCHASE OF NEW LAPTOP FOR THE MANAGER

Lynch moved, Rhein supported to allocate \$2,000.00 of Township Capital Funds to the Administration Department for the purchase of a new laptop assigned to the Township Manager.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zybur, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER BUDGET AMENDMENT TO ACCEPT THE KEWEENAW BAY INDIAN COMMUNITY 2% FUNDS

Zybur moved, White supported to allocate the distribution of the Keweenaw Bay Indian Community 2% Funds in the amount of \$95,000.00 into the Recreation, Police, Fire, and Public Works Capital Budgets for 2021.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

DISCUSSION ABOUT LINE 5 IMPACTS

Supervisor Bohjanen stated that Trustee Rhein had raised the question on Line 5. Supervisor Bohjanen provided a short essay on Line 5 and is looking for input on whether the Township Board needs to do anything regarding this.

Trustee Symbal stated she had put a post on her personal Township page asking for comments. She read a few comments that she had received. She is attending a UP Clean Energy webinar on Wednesday. She personally feels that we need to focus on ways to make cleaner energy sources available and affordable.

Trustee Rhein indicated that the Township does need to work on getting cleaner and renewable energy sources, but we also need to keep in mind that the Township has an older generation that relies on propane and they live on a fixed income. He feels that the tunnel is the way to go.

Trustee White agreed with Rhein – the U.P. has an older population on fixed incomes that rely on propane as their energy source. She feels that the tunnel is needed for the UP.

Trustee Lynch stated he has decades of experience in propane, gas and electric – Lynch has renewables on his house. The BLP has renewables for the community and has switched to natural gas power plants. Lynch feels we are moving in the right direction. Lynch does not feel that it is within the UP's best interest to increase propane costs as much as they would have to if the tunnel is not approved.

Supervisor Bohjanen stated that 12.8% of Marquette County residents rely on propane. Bohjanen suggested we extend an invitation to our representatives a Board meeting to discuss this issue. Possibly a public hearing. Board members were in favor of extending an invitation to gain more information on this subject. Clerk Engle suggested it may be a good idea to see what kind of interest might be generated for this type of discussion for all of Marquette County.

DISCUSSION ON PRIORITIES FOR THE NEXT FOUR YEARS

Manager De Groot stated that these priorities will be used for planning the budget for the next four years. A new budget process was started last year – the Board now needs to talk about projects, future budgets and work plans to obtain and reflect the goals of the Board. This process will start with the joint meeting with the Planning Commission in February. As of now, our Township documents do not align with each other – a 2008 Zoning Ordinance and a 2015 Master Plan. State law requires review of those documents every five years. The Planning Commission is in the process of reviewing the Master Plan. De Groot asked that the Board familiarize themselves with the Master Plan and Zoning Ordinance.

Supervisor Bohjanen stated his priorities: (1) Water system for the Township through infrastructure grants – parts of Chocoley Township have great water, but many do not. This will become a health issue. Septic systems may also become a problem. (2) Asset Management plans for vehicles (police, fire, and DPW). We need to be able to plan for these items. (3) Melding the Master Plan with the Zoning Ordinance, especially the Agricultural, which is 60% nonconforming. (4) Community Center

– feels there is a need and desire among residents for this. (5) Public hearings – sewer ordinance, nuisance ordinance and rewrite for sign ordinance.

Trustee White agrees with many of Supervisor Bohjanen’s thoughts – community center, asset management, simplifying the Zoning Ordinance. Trustee Lynch agrees – we know we have to make purchases, and likes the direction that Manager De Groot is taking on long term planning for capital purchases.

Trustee White also stated that Marquette City gets grant money to run their Senior Center, with Chocolay Township being considered part of Marquette City. White stated it would be nice if Chocolay could be on their own and be able to get grant money to help run programs.

Trustee Symbal questioned the term Community Center, as it seems to only be applying to our senior population. She would like to explore the idea of a Community Center for all ages.

Manager De Groot thanked the Board for their comments and will now move forward with these suggestions.

MANAGER’S UPDATE ON THE SEWER LIFT STATION PROJECT AND THE FIRE HALL PROJECT

1. Fire Hall – the Fire Hall project is complete and the Fire Department is moved back in. The final punch list has been completed. We are now working on finalizing the project with MMRMR. The final walk through has been completed at the Blondeau Building. The objects on the roof of the Fire Hall that look like lightning rods are actually tie downs for being able to remove snow from the roof. The original roof was never built to plan. The new roof has now been built to plan and certified.
2. Sewer Project – two out of three grinder pumps and mechanisms have been replaced. The next part is call SCADA – all the pumps send a Verizon signal to cell phones in the Public Works Department if there is an alarm. We are currently working on what is needed for the entire system in this regard. As of now, there are no delays on lead time for the parts – majority of equipment has been ordered. Ready to start as soon as weight restrictions are removed in the spring. Looking at final completion for mid-June.

Lynch asked if a letter had been sent thanking Blondeau for coming through for us. Manager DeGroot will write the letter which will go out under Supervisor Bohjanen’s signature.

BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – None.

Judy White – None.

Dave Lynch – None.

Kendra Symbal – None.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT

Stephanie Gencheff, 597 Lakewood Lane – stated she likes the glass recycling back by the Blondeau building behind the Dry Dock. Gencheff is also in favor of Line 5, as there is no other way to move that amount of oil.

Zyburt moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:44 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Information – Iron Ore Heritage Trail Updates
- B. Correspondence – Mark Maki, 3027 M-28 East

Max Engle, Clerk

Richard Bohjanen, Supervisor

February 15, 2021

A Joint meeting of the Chocolay Township Board and Chocolay Planning Commission was held on Monday, February 15, 2021 via Zoom. 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, Kendra Symbal

ABSENT: None

A Joint meeting of the Chocolay Planning Commission was held on Monday, February 15, 2021 via Zoom. Planning Commission Chair Soucy called the meeting to order at 5:35 p.m.

PLANNING COMMISSION.

PRESENT: Ryan Soucy, George Meister, Donna Mullen-Campbell, Kendall Milton, Eve Lindsey, Rebecca Sloan

ABSENT: None

STAFF PRESENT: William De Groot, Dale Throenle, Lee Gould, Suzanne Sundell

APPROVAL OF AGENDA.

White moved, Rhein supported that the agenda be approved as modified (**Addition of Discussion of Police Department hire – between Item XII.E and XII.F**)

ROLL CALL VOTE

AYES: Symbal, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT – None.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of January 11, 2021.
- B. Approve Bills Payable, Check Register Reports – January 6, 2021 (2020 Exp) (Check #'s 24453 - 24464, in the amount of \$13,809.78), January 6, 2021 (2021 Exp) (Check #'s 24465 – 24476, in the amount of \$46,185.67), January 13, 2021 (2020 Exp) (Check #'s 24477 – 24482, in the amount of \$5,214.34), January 13, 2021 (2021 Exp) (Check #'s 24483 – 24491, in the amount of \$1,243.27), January 21, 2021 (2020 Exp) (Check #'s 24492 – 24499, in the amount of \$6,621.36), January 21, 2021 (2021 Exp) (Check #'s 24500 – 24507, in the amount of \$4,806.88), January 28, 2021 (2021 Exp) (Check #'s 24508 – 24514, in the amount of \$16,287.33), and January 28, 2021 (2020 Exp) (Check #'s 24515 - 24520, in the amount of \$6,394.61).

- C. Approve Bills Payable – Regular Payroll (Check #'s DD1268 – DD1300 and Check #'s 11026 – 11029, Federal State, and MERS in the amount of \$53,748.73), Special Payroll, January 10, 2020 (Check #'s DD1301 – DD1314 and Check # 11030, Federal, State, and MERS for a total of \$9,350.28), and January 21, 2021 (Check #'s DD1315 – DD1339 and Check #'s 11031 - 11034, Federal, State, and MERS for a total of \$36,081.34).

Lynch moved, Zyburt supported to approve the consent agenda as presented.

ROLL CALL VOTE

AYES: Symbal, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated that the Governor has extended restriction on meetings until March 29, 2021, so for the March meeting we will need to do a Zoom meeting or a hybrid meeting.

Approximately one-quarter of the people in Marquette County have had the first shot of the COVID-19 vaccination, and one-third of the people who have had their first shot, have had their second shot. Progress is being made, and the numbers in the County have been going down.

CLERK'S REPORT

Clerk Engle spoke about the Risk Limited Audit for the election. It was determined that this was not a valid sample, as not everyone pulled their ballots and gave their tally to BOE.

Reminder on the subscription that we have with Michigan Township Association. These are available to members of MTA (includes staff, Boards and Commissions, etc.). The subscription is available until mid-July 2021. There are many on-line modules to choose from.

TREASURER

PUBLIC HEARING – NONE

PRESENTATIONS – NONE

CONSIDER THE AMERICAN TOWER RENTAL AGREEMENT.

Manager De Groot was contacted by MD7 in an effort to reduce our monthly cell tower rate from American Tower from \$1,375/month to \$958/month and extend the life of the contract or to do a one-time buyout. The money we receive from the lease agreement is primarily used for improvements at the Silver Creek Rec area. De Groot was also contacted by another company, Landmark Dividend.

Trustee Symbal feels this is a waste of time and the Board should disregard. Symbal also indicated that the equipment is aging out, and it is not in our best interest to reduce the cell tower rate at this time. She feels we are somewhat protected by having the lease in place.

Clerk Engle was an employee of AT&T for 32 years and a Local Union President for 25 years. The way that AT&T runs their system is to purchase stocks in controlling amounts and then turn around and charge themselves higher fees to allow them to make more money. AT&T owns their own companies. The AT&T towers are not regulated. Engle thinks the Landmark Dividend option should be explored.

Trustee White is not willing to go forward with any of the options.

Supervisor Bohjanen also indicated that there is also the possibility of taking cash right now and use it in perpetuity for the Rec Area.

Lynch agreed with all comments made and would not adjust the rate per month.

White moved, Rhein supported to postpone this discussion until further information is available.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zybert, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER THE PURCHASE OF A REPLACEMENT PUMPER FIRE TRUCK.

Supervisor Bohjanen indicated that by having cash on hand, we will be able to save money by paying upfront. Trustee Rhein asked about any other quotes – Supervisor Bohjanen indicated that there were three proposals that went out, but two of them did not make an offer because of distance for servicing.

Engle moved, Zybert supported that the Chocolay Township Board award the request for quote and the purchase of a replacement Fire Engine to Pomasl Fire Equipment in the amount not to exceed a final total of \$650,000.00. By awarding the contract to Pomasl Fire Equipment, the Township will be receiving a Pierce Manufactured Fire Engine to replace Engine #2142.

ROLL CALL VOTE

AYES: Symbal, Lynch, Zybert, Engle, Bohjanen

NAYS: White, Rhein

MOTION CARRIED

CONSIDER THE PURCHASE OF A PUBLIC WORKS TRUCK

Supervisor Bohjanen explained that this is part of the ongoing purchase plan and will also provide a third truck which will enable all DPW to have their own truck, which will help with the social distancing required by COVID-19.

White is concerned about the cost of insurance, repairs, maintenance, etc. De Groot indicated that the insurance would go up minimally, and since it is new, the cost of repairs and maintenance would be covered under warranty. There would also be added productivity, with better utilization of DPW's time. De Groot also stated that staff is working on an Asset Management Plan for all vehicles in the Township.

Engle moved, Lynch supported that the Chocolay Township Board authorizes the purchase of a new Public Works Truck, from Fox Marquette Chevrolet, with a not to exceed total cost of \$42,000.00.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

DISCUSSION ABOUT LINE 5 IMPACTS – UPDATE.

Supervisor Bohjanen indicated that since the last meeting, EGLE has authorized the building of the tunnel. There is also legal action being taken to stop the closure of Line 5. The Board felt that there was no need to go any further with this. Supervisor Bohjanen will continue to monitor and keep the Board informed.

DISCUSSION PRIORITIES WITH THE TOWNSHIP PLANNING COMMISSION.

The consensus of the Board:

1. Completion of a Master Plan – there needs to be significant progress made, and this should be an item on Planning Commission agenda until it is complete.
2. Zoning Ordinances – Sewer Ordinance, Marijuana Ordinance, Nuisance Ordinance, Sign Ordinance, Fence Ordinance. These are all in a stage of having been discussed between Supervisor Bohjanen, Manager De Groot, and PD / ZA Dale Throenle, and are ready for Planning Commission input, and then back to the Board for approval.
3. Budgeting of things from the Recreation Plan. Need to look at what really needs to be done. There needs to be decent playground equipment.

Planning Commission Chair Soucy indicated that there are grants available for septic and clean water – approximately \$290 million available. Supervisor Bohjanen was unsure of who would request those funds. Manager De Groot indicated the existing water study is out of date, so we would not be able to apply for grants. We would need to re-evaluate the studies. At this point we would be seeking the initial administrative studies, and the draw down studies that would go into that. One of the things that could be a Planning Commission discussion later would be an ordinance discussion on abandonment of septic fields, and the dollar amount that our residents may be able to qualify for. This may be an additional addendum to sewer ordinance in the future.

PC Chair Soucy stated that the Planning Commission has touched on some of the other ordinances mentioned – marijuana, fences, sign, and they are prepared to look at those. Education may be in order for the Planning Commission for things like the sewer and nuisances.

Supervisor Bohjanen asked about creating a schedule for looking at the different priorities mentioned to produce a timeline. Along with the Board priorities, there are also the PC priorities of site plan reviews and activity like that.

Commissioner Lindsey indicated that she is very new to the Planning Commission, and there is an overwhelming amount of material to look at. She is in favor of training.

Manager De Groot indicated that he does have the background in Planning with 25 years of experience in this field in Michigan. He also pointed out that Chair Soucy is certified with AICP (American Institute of Certified Planners). Either would be a good resource if there are any questions.

Commissioner Meister feels that a lot can be accomplished this year by the Planning Commission. A schedule would help focus on what needs to be done.

Commissioner Sloan wondered about much time these things take up on the agenda, what the work behind the scenes would entail, and who would be responsible for this. Supervisor Bohjanen indicated that the person responsible for this is Dale Throenle. Throenle indicated the timeline would be dependent on what other types of issues come before the Planning Commission during the summer. Manager De Groot stated that all the priorities that have been talked about have an element of public involvement per State law, which would have to be anticipated. Commissioner Sloan asked about the order. Supervisor Bohjanen felt that the ordinances could also be done simultaneously. Chair Soucy liked the idea of taking on the different areas simultaneously.

Questions were asked about a shared or google drive. Manager De Groot indicated the Planning Commission is covered under the Open Meetings Act, which does not allow for these types of discussions. Trustee Symbal asked about using something like Trello. Manager De Groot indicated that the public needs an equal right to be able to speak.

Chair Soucy shared a screen shot of Trello for the Board. This screen shot will be added as part of the minutes.

Supervisor Bohjanen thanked the Planning Commission for joining the Board for this meeting.

The regular Planning Commission meeting is scheduled for Tuesday, March 2, 2021.

Rhein moved, Milton supported to adjourn the Planning Commission at 6:45 p.m.

MOTION CARRIED

CONSIDER THE HIRING OF AN ADDITIONAL POLICE OFFICER

Supervisor Bohjanen indicated that our part-time officer has been selected into the DNR Conservation Program. Manager De Groot indicated that in this year's budget we had budgeted for an additional part time officer. Since 2010, we have hired and trained 23 officers. At this time, we are looking to fill one full-time position. There has been a change in county structure, and the tribal police are no longer deputized. This will not result in a change in the budget.

Zyburt moved, Lynch supported to authorize the start of the hiring process.

ROLL CALL

AYES: White, Rhein, Lynch, Symbal, Zyburt, Engle, Bohjanen

MOTION CARRIED

MANAGER'S UPDATE ON THE SEWER LIFT STATION PROJECT.

1. Sewer Project – the project is moving forward with the SCADA portion, which is the electronic communication system. We are on target to begin the project in early spring as soon as the weight restrictions are lifted.

BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – None.

Judy White – None.

Dave Lynch – None.

Kendra Symbol – None.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT – None.

Lynch moved, Zyburt supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:50 pm.

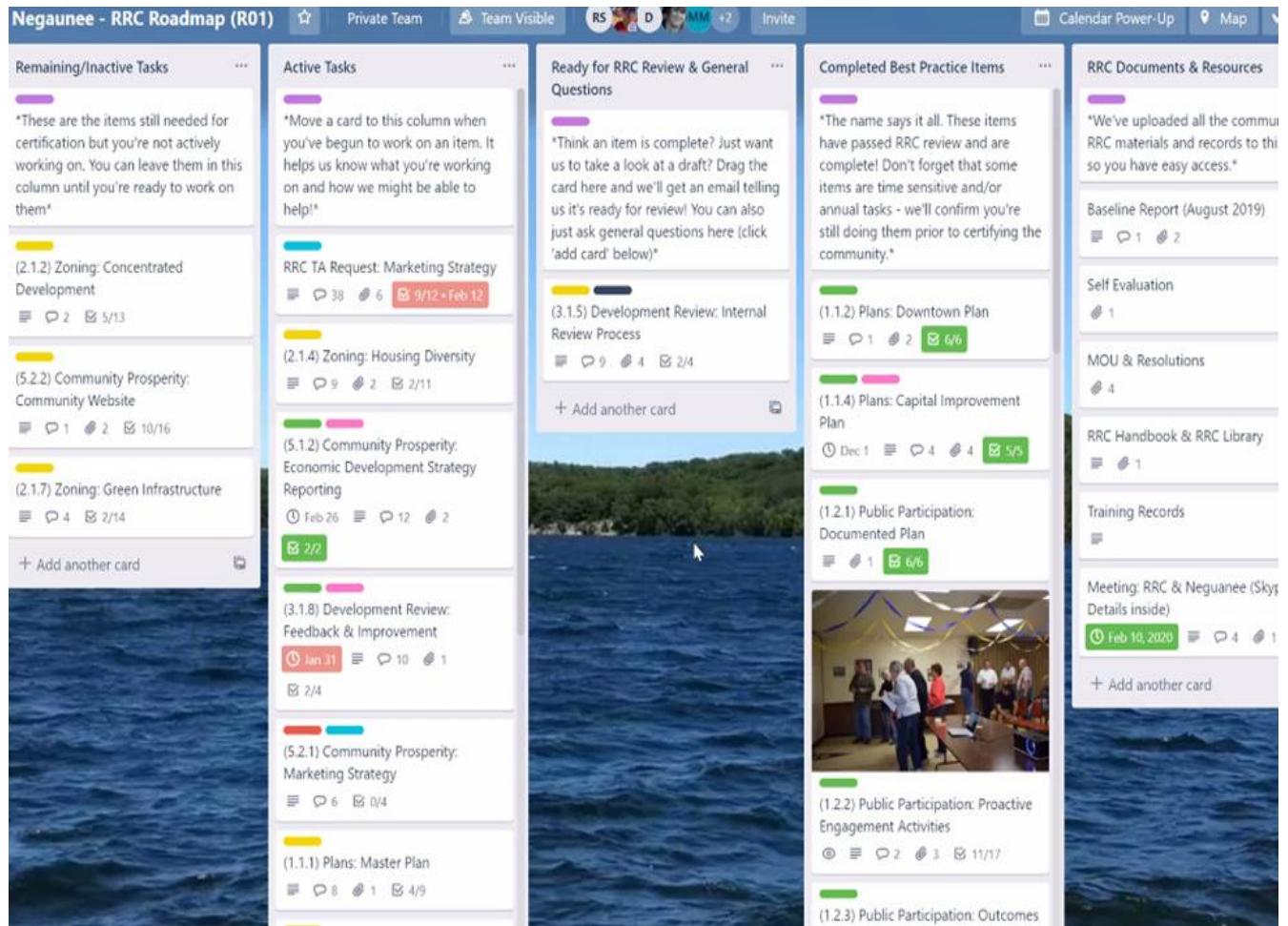
INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission; Meeting of January 18, 2021, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of December 17, 2020, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of December 16, 2020; Draft.
- D. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of January 20, 2021, Draft.

Max Engle, Clerk

Richard Bohjanen, Supervisor

Screen shot of Trello:



March 8, 2021

A regular meeting of the Chocolay Township Board was held on Monday, March 8, 2021 via Zoom. 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, Kendra Symbal

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Zyburt moved, Engle supported that the agenda be approved as presented.

ROLL CALL VOTE

AYES: Symbal, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT – None.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Joint Meeting of February 15, 2021.
- B. Approve Revenue and Expenditure Reports – February 2021.
- C. Approve Bills Payable, Check Register Reports – February 11, 2021 (Check #'s 24521 - 24544, in the amount of \$12,234.63), and February 22, 2021 (Check #'s 24545 – 24565, in the amount of \$47,748.91).
- D. Approve Bills Payable – Regular Payroll (Check #'s DD1340 – DD1369 and Check #'s 11035 – 11039, Federal State, and MERS in the amount of \$39,887.58), and February 18, 2021 (Check #'s DD1379 – DD1397 and Check #'s 11040 - 11044, Federal, State, and MERS for a total of \$38,412.12).

White moved, Rhein supported to approve the consent agenda as presented.

ROLL CALL VOTE

AYES: Symbal, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen gave an update on COVID vaccines – there have been 25,258 total doses given in Marquette County, with 9,350 second doses for a total of 16.6%. This is decent as the national percentage of completed doses is 9.9%. Anybody over 50 with medical conditions, along

with caregivers, are now eligible for the vaccine. As of March 22, anybody greater than 50, with or without medical conditions, will become eligible.

There has been a change in the regulations for in-person meetings as of March 5th, with the new capacity being up to 25 people. If over this amount, you may either move the meeting outside or reschedule the meeting. As April 12 is the next Board meeting, he feels the Board should plan on having an in-person meeting at the Township Hall.

CLERK'S REPORT

Clerk Engle reported that he has ordered another tabulator for elections. There are no scheduled elections as of yet – nothing in May.

TREASURER

Linda Poole, the new Deputy Treasurer, is working out well. If you have not had the opportunity to meet her, she is very knowledgeable and approachable – doing a great job. Interest rates are still poor. Zyburt continues to look for better yields.

PUBLIC HEARING – NONE

PRESENTATIONS – NONE

PURCHASE OF WINDOWS FOR THE TOWNSHIP MEETING ROOM / POLICE STATION.

White questioned the prior approval of a new outside door for the meeting room and was wondering where the replacement for that stood.

Manager De Groot indicated that there had been a total of 15 quotes received. After staff evaluation, the lowest price and best fit was the one chosen.

White also wondered about repurposing the old windows – Manager De Groot will look into this.

Lynch moved, Symbal supported that the Chocoley Township Board authorizes the expenditure out of the Hall and Grounds Capital budget of not more than \$45,000.00 for twenty new windows, privacy tinting, vertical blinds and other incidentals that might be hidden when the old windows are removed. (101.265.957)

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

FIRE DEPARTMENT GRANT AWARD AND PURCHASE OF PPE.

Manager De Groot explained that the grant is for wildland protection (turn out gear) that is built for summer rescue services. The grant has been approved and needs Township Board approval to move forward.

Zybert moved, Lynch supported authorizing the Township Manager to work with the Fire Chief in ordering the necessary protective equipment in accordance with the grant application and draw the funds from the Fire Department's Capital budget line item – 401.341.957.

ROLL CALL VOTE

AYES: Symbal, Lynch, Zybert, Engle, Bohjanen

NAYS: White, Rhein

MOTION CARRIED

DISCUSSION OF THE PLANNING COMMISSION'S 2021 WORK PLAN.

Supervisor Bohjanen indicated that this is the Planning Commission's proposed schedule, based on the Joint Meeting. Clerk Engle indicated it appears to be an aggressive schedule. Trustee Rhein (PC Liaison) indicated that he felt it is doable, as some of the tasks are already in motion. Supervisor Bohjanen indicated that marijuana ordinance seems to be missing. Trustee Rhein will bring this up at the next Planning Commission meeting. Supervisor Bohjanen indicated that the idea to combine the public hearing for the sign ordinance and marijuana ordinance was a good idea, but that the Township Board could also opt to schedule the readings and approval of the marijuana ordinance. Manager De Groot indicated that the marijuana ordinance has been drafted but does not have the number of research facilities to be permitted. The focus of the ordinance was the grow operation, the research operation, and the distribution mechanism and less on the dispensaries. All categories come with a permitted number of facilities which would be a Board decision.

Symbal asked if copies of the draft ordinance were available. This will be put on the April agenda for discussion.

Lynch moved, Rhein supported that the Chocoy Township Board accept the Planning Commission schedule as presented.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zybert, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MANAGER DISCUSSION ABOUT COVID-19 OFFICE OPENING PLAN.

Manager De Groot stated that some staff have received their vaccine. The police and fire are done with their vaccines. So far, the regulations have not been relaxed enough to allow for offices to be open. There are some staff that are nervous about opening to public.

There is still not an opening plan, but feels we are better positioned to do so. There are 6 employees that are not able to work from home due to the nature of their jobs and the VPN connection. Until OSHA regulations are changed, De Groot does not anticipate opening. The Township has a meeting schedule with OSHA at the end of the month. When we can move forward, De Groot would suggest a staged opening. Most phone calls are for trash bags, as only Waste Management and Kassels Korner are providing them. We have lost Great Lakes Market (Lafaro's) and Snyder Drug. Symbal asked if there is an incentive to sell the garbage bags. De Groot indicated that there was not.

Symbal wondered about going to a cart only system. De Groot stated that the trash collection issue is a much larger discussion than just bags.

Trustee White was wondering about starting up the Senior Group again. All are over 65 and have been vaccinated. Supervisor Bohjanen stated that after you have been vaccinated, you can still get the virus in or on your body, but they are not able to be replicated. The only means would be through physical contact (coughing, sneezing, etc.). Bohjanen asked that they avoid potlucks. White indicated that they would use the one entrance. Bohjanen also indicated that the seniors are not exempt from isolation.

Manager De Groot explained the implementation (if approved). For the first month, it would be offered once per week to give the opportunity to cleaning. The seniors are recognized as an extension of the Township. During the time the seniors are here, the middle door will be closed, so there would be limited interaction with staff. After the seniors leave, the cleaning could be done in the meeting room and restrooms.

White moved, Rhein supported to allow the seniors to start coming in once per week beginning March 30th.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

DISCUSSION AUDIT UPDATE.

Manager De Groot stated that the auditors were here in mid-February. After discussing the material testing they completed during that time, that there have been no material findings. The final audit packets will probably occur at the May meeting.

MANAGER UPDATE ABOUT SEWER PROJECT.

1. Sewer – staging has started at Lift Station 1. As soon as the frost laws are taken off, they will be able to start. The delivery dates have been finalized. They are planning to start digging the 1st of May, with the end being mid-June. It will be in a leapfrog pattern.

Trustee Rhein asked about delays. Manager De Groot indicated that they will be using bypass pumping to perform the last bit of cleaning. Once everything is in place, it will be taken off the bypass.

BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – None.

Judy White – None.

Dave Lynch – None.

Kendra Symbal – None.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT – None.

Lynch moved, Zyburt supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:25 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of January 21, 2021.
- B. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of February 27, 2021, Draft.
- C. Information – Chocolay Township Newsletter – January / February 2021.
- D. Correspondence – Elizabeth Delene, 232 Kawbawgam Road.

Max Engle, Clerk

Richard Bohjanen, Supervisor

April 12, 2021

A regular meeting of the Chocolay Township Board was held on Monday, April 12, 2021 via Zoom. 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, Kendra Symbal

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

White moved, Lynch supported that the agenda be approved with the addition to **XII.F of “Approve Year End 2020 Budget Amendments”**.

ROLL CALL VOTE

AYES: Symbal, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

Alex Petrin, 136 Wintergreen Trail – in support of amending the zoning ordinance requirements.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Joint Meeting of March 8, 2021.
- B. Approve Revenue and Expenditure Reports – March 2021.
- C. Approve Bills Payable, Check Register Reports – March 4, 2021 (Check #'s 24566 - 24583, in the amount of \$888,358.16), March 12, 2021 (Check #'s 24584 – 24601, in the amount of \$6,710.72), March 26, 2021 (Check #'s 24602 – 24629, in the amount of \$44,108.57) and March 31, 2021 (Check #'s 24630 – 24634, in the amount of \$3,941.35).
- D. Approve Bills Payable – Regular Payroll March 4, 2021 (Check #'s DD1398 – DD1428 and Check #'s 11045 - 11049, Federal State, and MERS in the amount of \$40,071.37), and March 18, 2021 (Check #'s DD1429 – DD1461 and Check #'s 11050 - 11054, Federal, State, and MERS for a total of \$39,794.95).

Rhein moved, Lynch supported to approve the consent agenda as presented.

ROLL CALL VOTE

AYES: Symbal, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen reported that as of April 8, Marquette County had 27,000 fully vaccinated for COVID 19. 48.7% have had their first dose.

Supervisor Bohjanen also reported he has been meeting with John Gehres (Assessor) on a regular basis. Mr. Gehres has completed and certified the tax roll. Gehres will be starting field work soon, along with the help from a field assistant.

CLERK'S REPORT

Clerk Engle indicated there are legislative bills that have been proposed for conducting elections. He would encourage the Board to take a look. Clerk Engle indicated that some of the bills are looking to eliminate or slow down things that were in place for the November election.

PUBLIC HEARING – NONE

PRESENTATIONS – NONE

CONSIDER ENTERING INTO AN ANNUAL CONTRACT WITH THE MARQUETTE COUNTY ROAD COMMISSION FOR LAKEWOOD LANE.

White indicated that the western part of Lakewood Lane, along Riverside, needs be done properly, not just a temporary fix. She feels it is a waste of the taxpayer's money.

Supervisor Bohjanen indicated that in talking with the engineers, the problem is due to inadequate side road drainage, which will be part of the fix.

There was some discussion on the normal life expectancy of the road – Manager De Groot indicated that the normal capping of a road 8 – 15 years. The bid specs include a lot of work on the shoulders and drainage issues. They will be recrowning the road at Superior Street. The Township does not run the bid specifications anymore – this is all handled by the Marquette County Road Commission.

Supervisor Bohjanen feels that we have a great opportunity to get things done at a good price. We are getting almost three times as much work done for the cost.

Clerk Engle feels its good to be able to get the whole road done at one time.

Lynch moved, Zyburt supported that the Chocolay Township Board authorizes the expenditure out of the road Millage Fund of not more than \$458,043.25 for the resurfacing of Lakewood Lane, Hiawatha Street, and Superior Street.

ROLL CALL VOTE

AYES: Symbal, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: White

MOTION CARRIED

RE-ZONING APPLICATION FOR PARCEL NUMBER – 52-02-107-002-00.

Trustee Rhein indicated the property is behind O’Reilly Auto Parts and is surrounded by commercial property. Trustee Lynch asked if there were plans on what would be going in there. Trustee Rhein indicated that those plans have not been made public yet as they are still in negotiations. Supervisor Bohjanen indicated that the use is not in question, as the rezoning would be in the mixed-use commercial.

Lynch moved, Symbal supported that the Chocolay Township Board approves the rezoning application for parcel number 52-02-107-002-00 with the following:

Findings of Fact:

1. Master Plan
2. Zoning Considerations
 - a. Mixed Use Overlay District
3. Conditions (if any): None

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

FULLY APPOINT TONY GIORGIANNI TO THE ZONING BOARD OF APPEALS.

White moved, Zyburt supported that the Chocolay Township Board appoint Mr. Giorgianni to the Zoning Board of Appeals as a full member.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

REAPPOINT DON BRITTON TO THE IRON ORE HERITAGE RECREATION AUTHORITY BOARD.

Zyburt moved, Engle supported that the Chocolay Township Board re-appoint Mr. Britton to the Iron Ore Heritage Recreational Committee.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDERATION OF A TOWNSHIP ADMINISTRATIVE POLICY FOR PURCHASING GOODS AND SERVICES.

White moved, Zyburt supported that the Chocolay Township Board approve the Purchasing of Goods and Services Policy, with the limit of \$3,500 in Section 1.3.A, and the correction of 1.3.B.a “Items or services under ~~\$1,500~~ **\$3,500** “ .

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

AUDIT UPDATE AND REVIEW OF THE ENGAGEMENT AND MANAGEMENT LETTERS.

White moved, Lynch supported that the Chocolay Township Board approve the Clerk and the Supervisor to sign the Audit Engagement and Management letters.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

Addition to Agenda – Budget Amendment for 2020 Year End Adjustment

Engle moved, Lynch supported that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated General Fund expenditures of the Township on October 14, 2019 for fiscal year 2020, and Whereas, as a result of unanticipated expenditures it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Township Board Salaries 101.103.702	\$ 89,380.00	+\$ 925.00	\$ 90,305.00
Township Board Per Meeting Compensation	\$ 4,475.00	+\$ 225.00	\$ 4,700.00
Salary Contingency 101.285.952	\$ 26,700.00	-\$1,150.00	\$ 25,550.00
Technology Salaries 101.258.702	\$ 2,000.00	-\$2,000.00	\$ 0.00
Planning / Zoning Salaries 101.800.702	\$ 57,400.00	+\$2,000.00	\$ 59,400.00

Road Fund
 Property Taxes
 271.790.402 \$220,000.00 +\$3,000.00 \$223,000.00

Road Fund
 Contractual Services
 271.790.800 \$220,000.00 \$3,000.00 \$223,000.00

Sewer Fund
 Unemployment Taxes
 571.571.927 \$ 0.00 +\$ 300.00 \$ 300.00

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

ORDINANCE REVIEW OF ACCESSORY BUILDING HEIGHT ALLOWANCES.

Symbal moved, Lynch supported that this amendment to the Zoning Ordinance be accepted as written and forwarded to public hearing and first reading at the next Board Meeting of May 10, 2021.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

DISCUSSION OF ORDINANCE PUBLIC HEARING SCHEDULE FOR SEWER, MARIJUANA, AND NUISANCE.

A proposed timetable was included in the packet material.

Ordinance	Public Hearing Month	First Reading	Second Reading/ Adoption
Marijuana Ordinance	May	May	June
Sewer Ordinance	June	June	July
Nuisance Ordinance	July June	July June	August July

There was considerable discussion on the Marijuana Ordinance – the authority has been taken from the Planning Commission and given to the Board.

The Sewer Ordinance will also require a look at the fee schedule. The language in the Sewer ordinance is similar to the language of Marquette Township and City of Marquette, as there is a three-way ownership. The only difference is that Chocolay Township bills by EU's.

It was decided that at the May meeting, the Board will hold a Public Hearing / First Reading on the Accessory Structure Ordinance and a separate Public Hearing / First Reading for the Marijuana Ordinance. At the June meeting, there will be two separate Public Hearings / First Readings - one for the Nuisance Ordinance and one for the Sewer Ordinance (which will also include a look at the fee schedule).

CONSIDER CHANGES TO THE SILVER CREEK CELL TOWER CONTRACT.

Symbal moved, Lynch supported that the Chocolay Township Board continue with American Towers in the current contract.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER THE REPLACEMENT OF A SEWER JETTER (SEWER PIPE CLEANER).

Lynch moved, Zyburt supported that the Chocolay Township Board approve the purchase of a replacement sewer jetter by spending funds that were budgeted within the Sewer Capital Fund and KBIC 2% Contingency.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MANAGER UPDATE ABOUT SEWER PROJECT.

1. Sewer – Equipment is starting to be put in place. More equipment will be delivered to the Township within the next week or so. Already have the SCADA monitoring equipment in the Public Works office. Hope to be digging by the end of May, with the project completed mid to end of July.
2. Manager would like to have a section for updates on COVID-19.

Trustee White asked about coordination of projects for road and sewer. Manager De Groot indicated we will be working with the Road Commission and the Marquette BLP with their project to upgrade their electrical system with an additional feed.

Manager De Groot also indicated that there have been a couple of things that have happened in the last couple of weeks – the Township had an OSHA inspection and we are Certified OSHA Compliant. Our internal policies are compliant and we are following all COVID guidelines. Anyone who comes in the building must sign an affidavit answering the three questions and have a temperature scan. This documentation needs to be kept for a year. Also, the Governor has extended the OSHA standard for another 6 months.

Manager De Groot also stated that some of the offices in the County are looking at June 1st to open. If the Board chooses, he can then design a ramp up plan for opening to the public.

Supervisor Bohjanen indicated that by our next meeting in June, staff that wanted to get the COVID vaccination will be fully vaccinated.

Trustee Symbal commended Township Staff on their work and following COVID guidelines.

BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – None.

Judy White – None.

Dave Lynch – None.

Kendra Symbal – expressed concern that the Manager was cleaning after the Seniors left on Tuesdays. Manager De Groot indicated that this is an employee safety issue, and he did not plan on doing this once the office is opened.

Max Engle – Would like to see the draft ordinances in advance of the packet material.

Richard Bohjanen – None.

PUBLIC COMMENT

Alex Petrin, 136 Wintergreen Trail – Thanked the Board for discussion on accessory structures.

Zyburt moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:13 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of March 2, 2021 (February Meeting).
- B. Minutes – Chocolay Township Planning Commission, Regular Meeting of March 15, 2021, Draft.
- C. Minutes – Chocolay Township Zoning Board of Appeals, Regular Meeting of February 25, 2021.
- D. Minutes – Chocolay Township Zoning Board of Appeals, Regular Meeting of March 25, 2021, Draft.
- E. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of February 18, 2021.

- F. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of February 21, 2021.
- G. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of March 24, 2021, Draft.
- H. Information – Chocolay Township Newsletter – March 2021.
- I. Correspondence – North Country Trail Hikers Chapter – North Country Trail Association.

Max Engle, Clerk

Richard Bohjanen, Supervisor

May 10, 2021

A regular meeting of the Chocolay Township Board was held on Monday, May 10, 2021 in the Chocolay Township Meeting Room, with access also available through Zoom. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, Judy White, Don Rhein, Kendra Symbal

ABSENT: Dave Lynch (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell, Linda Poole

APPROVAL OF AGENDA.

Rhein moved, White supported that the agenda be approved with the removal of **XII.C – Consider First Reading of a Revision to the Sign Ordinance as Recommended by the Planning Commission.**

ROLL CALL VOTE

AYES: Symbal, Rhein, White, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

In Person: None

Via Zoom:

Alex Petrin, 136 Wintergreen Trail – wanted to reiterate his support of the changes noted in the accessory height ordinance.

Deborah Mulcahey, 633 Lakewood Lane – had several issues to address. (1) Brush drop-off – felt that it was held too early – this is not an issue of convenience, but an issue of fire safety. (2) Roads – addressed Lakewood Lane repairs last meeting – feels the Township is throwing money away as this needs more than a temporary fix. (3) Animal control ordinance – not consistent with State law. (4) No sign at Kawbawgam Pocket Park – contractors continue to park there overnight. (5) Height of accessory building – in most cases should be able to have the building at the same height as the house. Do not want multiple buildings on property.

Public Comment closed 5:40 PM.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – April 12, 2021.
- B. Approve Revenue and Expenditure Reports – April 2021.
- C. Approve Bills Payable, Check Register Reports – April 6, 2021 (Check #'s 24635 - 24642, in the amount of \$6,214.07), April 14, 2021 (Check #'s 24643 – 24655, in the amount of \$31,507.83), and April 29, 2021 (Check #'s 24656 – 24674, in the amount of \$24,096.16).

- D. Approve Bills Payable – Regular Payroll April 1, 2021 (Check #'s DD1462 – DD1492 and Check #'s 11055 - 11059, Federal, State, and MERS in the amount of \$39,269.64), April 15, 2021 (Check #'s DD1493 – DD1506 and Check #'s 11060 - 11064, Federal, State, and MERS for a total of \$33,637.95), and April 29, 2021 (Check #'s DD1507 – DD1536 and Check #'s 11065 – 11069, Federal, State, and MERS in the amount of \$39,047.94).

Zyburt moved, Engle supported to approve the consent agenda as presented.

ROLL CALL VOTE

AYES: Symbal, Rhein, White, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

SUPERVISOR'S REPORT

We are in the process of looking at new computers for staff and Board members.

Covid Update – in Marquette County 32,538 people have received their first shot, which comes to 57.9% and 27,155 people have received both shots, which comes to 48.3%. This is in comparison to the State, where those who have received the first shot is 51.5%, and those that have received both shots is 41.4%. The rate of vaccinations is significantly dropping off, and there are many unused vaccinations left. Supervisor Bohjanen encouraged everyone to get their shots. The threshold for moving into a different category is 60%.

CLERK'S REPORT

Clerk Engle reported that we have received a new tabulator, which will enable the Clerk's office to have a backup tabulator for Elections.

PUBLIC HEARING – MARIJUANA ESTABLISHMENTS ORDINANCE

Supervisor Bohjanen opened the public comment section for this hearing. Supervisor Bohjanen indicated there was a letter in the packet from Scott Emerson which suggested that the wording under definitions of Marijuana Microbusiness be changed to add **greater than 12 but** ...to make sure the ordinance is consistent with state law. Emerson feels this is a good ordinance.

Manager De Groot indicated he had opened up the electronic portion for any public wishing to speak through Zoom. No public wished to make comment electronically.

Supervisor Bohjanen closed the Public Hearing at 5:45 pm.

PUBLIC HEARING – ACCESSORY BUILDING HEIGHT ORDINANCE

Supervisor Bohjanen opened the public comment section for this hearing.

Alex Petrin, 136 Wintergreen Trail - is in favor of the changes that are being brought forward in this ordinance. He also feels that the setbacks should be standardized.

Supervisor Bohjanen closed the Public Hearing at 5:49 pm.

PRESENTATIONS – AUDIT PRESENTATION

Mike Grentz from Anderson, Tackman and Company PLC presented the FY2020 audit. Grentz indicated that this was an unmodified opinion which means the Township complied with all the General Accepted Accounting Principles and that a sampling of transactions was done. The total net position for the Township is \$10.8 million (with \$3.1 million from the sewer fund and \$7.6 million from governmental funds). This is roughly a \$430,000 increase from the prior year. There is a pension benefit this year. The sewer fund had a gain of \$248,000 for the year. The primary reason for this is the increased income for services and the capital project which may be skewing it a bit. The only significant deficiency was that Anderson Tackman assists in preparing the financial statements and footnotes, due to the Township not having adequate staffing and / or time to prepare all the information, which is something that is reported every year. There were no other significant issues.

CONSIDER FIRST READING OF THE NEW MARIJUANA ESTABLISHMENTS ORDINANCE.

Supervisor Bohjanen indicated that the Board had a copy of the proposed ordinance.

White indicated that the residents that she had talked with are not in favor of any of this type of business – they do not want this in their community. Rhein agreed that this is the feedback he is getting from the residents that he has been in contact with. Symbal stated that she is hearing the opposite of this. She feels the community is split on this – with the vote being around 52% - 54% in favor. Symbal stated that progress happens on so many levels. She feels this is a personal choice. Supervisor Bohjanen stated that none of these establishments would be permitted in residential neighborhoods. If the ordinance is passed, someone would have to want to have that type of business. He feels it would be a benefit to the Township. White also questioned the “skunky” smell. Zyburt was concerned that looking 5 years down the road, this may no longer be a prime business and then you are left with vacant buildings. Rhein agreed. Engle stated that he knew of one person that was interested in starting a business in Chocoday.

Symbal asked about the availability of land that would be able to serve as a growing facility, and the payback mechanisms that come with growing and provisioning centers.

Manager De Groot indicated there are a number of factors that need to be considered and the type of payback mechanism that does not come through the State Treasury. A research facility (at the most intensive use) would be taxed for personal property and taxes from escalation of change over. All of the operations would not be in residential, which would put them in the 18% property tax. This transaction is dependent on someone willing to step through the door. There have been some indications from people that would like to be processors. At this point, it appears there is only one statewide processing center for processing quality control – any product that is grown up here has to be shipped there to be certified and then be shipped back. This runs about \$4,000 per trip. With the Corrections Center closing, there are approximately 300 acres that could be used. De Groot reiterated that fact that, personal beliefs aside, our community did vote for this. There are a number of permits and licensing that are required by the State.

There was discussion on the number of permitted establishments, with suggestions being anywhere from one to three permitted establishments.

Symbal moved, Engle supported that the number of permitted establishments in the Mixed Use Overlay and Industrial (I) districts be two, and the number of permitted establishments in the Agriculture / Forestry (AF) district be three.

ROLL CALL VOTE

AYES: Symbal, Rhein, Zyburt, Engle, Bohjanen

NAYS: Rhein, White

ABSENT: Lynch

MOTION CARRIED

The Board went on to discuss the subject of setback requirements for these establishments.

Rhein moved, Engle supported that setbacks be compliant with State requirements and local zoning regulations.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

After holding a public hearing and revising the draft Marijuana Establishment Ordinance, White moved, Zyburt supported that the Chocolay Township Board accept the revised draft ordinance and forward it to a second reading and approval at the next Board meeting.

ROLL CALL VOTE

AYES: Symbal, White, Zyburt, Engle, Bohjanen

NAYS: Rhein

ABSENT: Lynch

MOTION CARRIED

Symbal asked if staff could provide a visual representation of where these establishments would be. This will be supplied at the second reading.

CONSIDER FIRST READING OF A REVISION TO THE ACCESSORY BUILDING HEIGHT ORDINANCE.

Manager De Groot went over how to read the marked-up copy of the draft ordinance – yellow would be eliminated, green would be discussed, and magenta to be added.

On the definition of setback, there is a section highlighted that states: ***Except as otherwise permitted by this Ordinance, an accessory building or accessory structure shall not be used for human habitation.*** This will be left in the definition until the Planning Commission has taken a look at the Zoning Ordinance in full.

Under Height and Placement Regulations (VI.6.1) the area highlighted in yellow would be removed. ***“Where there is no rear lot line as otherwise defined herein, the required rear setback distance shall be measured from a line through the point on the lot most distant from any front lot line of the same lot, which line shall be perpendicular to a line from said point to the closest point on any front lot line. If there is more than one such line, the rear setback shall be maintained from any one of them at the option of the owner.”***

In the same paragraph (highlighted in green), ***“Where a lot fronts on two streets within 30 degrees of being parallel, but not of their intersection, no rear setback is required. The side setback requirement applies to a side lot line and also to any lot line which is neither a front, rear, or side lot line.”*** It was decided that this wording should be eliminated.

Discussion on setbacks concluded that setbacks are controlled by the Zoning Ordinance and would still need to follow those regulations.

In the footnotes section, ***#6 – No detached building shall exceed sixteen feet and six inches (16’ 6”) in average height as determined by the Zoning Administrator nor exceed the exterior perimeter dimensions of the principal structures on the lot with the following formula:***

R-1 District – Side and rear yard setbacks for accessory structures must be increased 2’ for every foot over 15’.

R-2 District - Side and rear yard setbacks for accessory structures must be increased 3’ for every foot over 15’.

(#34-09-17)

(B) In Districts R-1, R-2, MFR

This footnote will be eliminated.

Other changes included the ***addition of Accessory Structure to Permitted Uses for Single Family Residential (IV.4.1.B.4), Permitted Uses for High Density Residential District (R-2) Harvey (IV.4.2.B.4), Multi Family Residential district (MFR) (IV.4.3.B.4), Waterfront Residential District (WFR) (IV.4.4.B.3), Commercial District (C) (IV.4.5.B.13), Industrial District (I) (IV.4.36.A.10), and Agriculture / Forestry District (AF) (IV.4.7.B.7).***

After holding a public hearing and reviewing / revising the draft Revision to the building Height of Accessory Structures Ordinance, specifically the maximum height restriction, Zyburt moved, Rhein supported that the Chocoday Township Board accept the draft Ordinance and forward it for a second reading and approval at the next Board meeting.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

CONSIDER THE POSSIBILITY OF HIRING AN ADDITIONAL ADMINISTRATIVE ASSISTANT.

Manager De Groot explained that there have been some questions on how the front office really runs. We have not kept up with job descriptions or responsibility lists. We have now reached a point that we are stretched, especially once the Township Office opens to the public. A full-time staff member has retired and been filled with a part-time employee. At this point, employee vacations have not been built into the mix. If we were to hire a full-time administrative assistant there would be a realized impact of about \$20,000 over last year (inclusive of pay and benefits). This would be a new FTE to the organization.

White questioned the years that we do not have an election. What would this person do? She is willing to go with a part-time employee.

Zyburt thanked De Groot for updating the job descriptions. He explained that the newest employee (Deputy Treasurer) is a part time person, so this would be a cost savings. He also touched on the aging workforce and the need for succession planning. As this is a smaller staff, the new person would need to be a jack-of-all-trades. We need to be hiring knowledgeable staff. The other part of this is with Unemployment the way it is right now, how hard is it going to be to find someone to fill the position. The package that we are offering is generous to hopefully attract the right person.

Rhein felt that it would be easier to fill a full-time position than part time. Zyburt stated that finding a qualified person for a full-time position is easier. Symbal asked about a probationary period. De Groot stated that in the Employee Handbook there is a 6-month probationary period. Symbal indicated that she is in support of the full-time position.

Engle indicated that during elections the new person would be assisting with the election process, which would eliminate the need to hire several on call persons.

De Groot also stated that the work in the front office is cyclical – taxes are sent out twice a year, every two years there is a possibility of up to 4 elections, minute taking, website management, understanding the phone distribution. It is important to start clarifying the distribution of the duties in light of succession planning.

Engle moved, Rhein supported that the Chocolay Township Board accept the recommendation from the Township Clerk, Treasurer, and Manager to hire an additional Administrative Assistant.

ROLL CALL VOTE

AYES: Symbal, Rhein, Zyburt, Engle, Bohjanen

NAYS: White

ABSENT: Lynch

MOTION CARRIED

ACCEPTANCE OF THE AUDIT.

White moved, Zyburt supported that the Chocolay Township Board accept the Annual Audit as presented.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Lynch

MOTION CARRIED

DISCUSSION AND PLANNING COVID OFFICE PROCEDURE.

Manager De Groot indicated that COVID cases continue to flex. According to the Marquette County Health Department, between those **adults** who have had COVID and recovered, those who are sick and will recover, and those that are fully vaccinated, we have reached the magical number of herd immunity. When you take into consideration the whole population, which would include children and other populations that are not eligible yet, we are not there. We are not at the 60% yet.

The Managers in Marquette County are working on bringing people back to work. The question is opening to the public. Most are looking at June 1st for opening to the public.

If the Township Board would want to do this, there are certain factors to take into account. We currently have staff members that have not been vaccinated. De Groot suggested that at the June meeting we come back with a construction drawing – remove sneeze guards and install glass. If the resident coming in has an appointment, the questionnaire needs to be filled out and temperature checks performed, even if the resident is vaccinated.

If the Board would like to open June 1st, De Groot would suggest a 3-stage plan for minimal days open and work hours to allow for cleaning.

During this period, there has been very minimal concerns for counter work, with the main being where to find trash bags and trash pickup. We don't know for sure what the work volume is going to be like once we open. After having a staff meeting last week, if the Board desires, the staff is willing to open the doors to the public.

White feels that we should open, and that it should have been done a long time ago. Rhein feels the same way. Zyburt indicated that even with the doors open, we may not see a lot of foot traffic for a while.

Engle asked about the cost estimates for changing over the front office space. De Groot indicated there are three different designs: (1) Cut a hole in the wall for a pass-through window (least favorable option); (2) Install glass to within 2 feet of the ceiling along the entire run of the countertop (this option is approximately \$7,000); and (3) Same as #2, but with a door installed near the waiting area as a security door before going back to an office (approximately \$8,500). For security purposes and the long-term, the preferred option would be #3. This will be brought back to the Board in June for discussion.

MANAGER UPDATE – SEWER AND BUDGET

1. Sewer – will be seeing movement on Green Bay Street – have put in a trench box to protect all new paving that went on last year – will be redone either Tuesday or Wednesday, and new grinder station will go in on Wednesday. There have been some power fluctuations that are causing alarms, when there are no alarms. This will be reprogrammed this week. SCADA monitoring system – working with Verizon to get running. The tentative start date is July 21st. The pumps delivery date will be in the first two weeks of July. Will be starting at Lift Station #1 (Welcome Center). This is a 4 – 4 ½ week process, which will take us into mid-August. De Groot hopes to have a tentative construction schedule for the June meeting. Then the Township will be able to get the word out to residents. There will be bypass pumping – bypass affluent to next manhole.
2. Budget – have started meeting on the budget and will be starting to bring information to the Board, with draft form in August. Would then plan on having it for public viewing for 3 months. Next month we plan on bringing a 6-month budget amendment request.

BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – introduced the new Deputy Treasurer – Linda Poole. She brings a lot of experience from the City.

Judy White – Brush drop-off – doesn't feel we are helping the community with people who do not have a way to get their brush here. Snowbirds also did not get a chance this year as the drop off was held too early.

Kendra Symbal – participated in the MTA Conference online. In regards to White's comment, there was a portion on "Neighbors helping Neighbors". She also toured MCSWMA with B. Johnson (DPW Supervisor) and found it very interesting and impressive. Encouraged other Board members to take a tour.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT

Alex Petrin, 136 Wintergreen Trail – Thanked the Board for discussion on the two ordinances reviewed at tonight's meeting.

Zyburt moved, Rhein supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:42 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocoy Township Planning Commission, Regular Meeting of April 19, 2021, Draft.

- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of April 15, 2021, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority; Stockholder’s Meeting of April 21, 2021, Draft.
- D. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of April 21, 2021, Draft.
- E. Information – Chocolay Township Newsletter – April 2021.
- F. Correspondence – E. Delene, 232 Kawbawgam Road.

Max Engle, Clerk

Richard Bohjanen, Supervisor

June 14, 2021

A regular meeting of the Chocolay Township Board was held on Monday, June 14, 2021 in the Chocolay Township Meeting Room, with access also available through Zoom. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, Dave Lynch, Don Rhein, Kendra Symbal

ABSENT: Judy White (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved with the addition of **XI – Unfinished Business - Consider Second Reading of a Revision to the Accessory Building Height Ordinance.**

MOTION CARRIED

PUBLIC COMMENT

In Person:

Stephanie Gencheff, 597 Lakewood Lane - had two non-agenda items to comment on. Commented on the noise ordinance and construction cut off time at 10:00 pm. Asked that this be looked at when rewriting the noise ordinance. She also presented some signs that she had on her lawn – theft of signs and vandalism on other signs. Felt maybe this would be the time for public education.

Via Zoom:

Alex Petrin, 136 Wintergreen Trail – supports the changes made to the accessory building height ordinance. Also indicated he was receiving no audio feed on the Zoom link.

Public Comment closed 5:38 PM.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – May 10, 2021.
- B. Approve Revenue and Expenditure Reports – May 2021.
- C. Approve Bills Payable, Check Register Reports – May 12, 2021 (Check #'s 24675 - 24699, in the amount of \$33,044.76), and May 26, 2021 (Check #'s 24700 – 24730, in the amount of \$29,520.78).
- D. Approve Bills Payable – Regular Payroll May 13, 2021 (Check #'s DD1537 – DD1566 and Check #'s 11070 - 11074, Federal, State, and MERS in the amount of \$39,683.11), and May 27, 2021 (Check #'s DD1567 – DD1592 and Check #'s 11075 – 11079, Federal, State, and MERS in the amount of \$40,442.99).

Zyburt moved, Symbal supported to approve the consent agenda as presented.

MOTION CARRIED

SUPERVISOR'S REPORT

COVID update – Marquette County has 60.9% of the population has received their first shot, with 49.1% being fully vaccinated, as compared to the State with 55% first shot and 49% complete. The running average of new cases for Marquette County is 1 – 2.

Assessor update – Brady Hanson has been hired as our Assessing Assistant to do field work.

There has been some difficulty with the sewer project with alarms going off in some of the new equipment we have. The engineering consultants are on it and solving the problem.

Brush pickup – Brad Johnson, DPW Superintendent, contacted several businesses that would do that sort of thing, along with tree services. Three refused to bid, and the fourth gave a quote that was beyond our means.

Chocolay Daze is not going to happen this summer – hopefully will resume next year. We should still be looking at Business of the Year. Board members are asked to think about this and submit their suggestions.

CLERK'S REPORT

Clerk Engle reported there will not be an August election in Chocolay Township. Still waiting to hear if there will be a November election.

TREASURER'S REPORT

Interest rates continue to be very poor. Last year a 2-year CD was at 1.5% – 1.7%. Now a 4-year is at .3%.

PUBLIC HEARING – SEWER USAGE ORDINANCE / REU TABLE

Supervisor Bohjanen opened the Public Hearing at 5:50 pm.

There were no public comments. Supervisor Bohjanen closed the Public Hearing at 5:51 pm.

PRESENTATIONS – NONE.

CONSIDER SECOND READING OF THE A REVISION TO THE ACCESSORY BUILDING HEIGHT ORDINANCE.

Symbal Moved, Rhein Supported that the Chocolay Township Board accept the draft Revision to the Accessory Building Height Ordinance for second reading.

MOTION CARRIED

Zyburst Moved, Rhein Supported that the Chocolay Township Board formally adopt the draft Revision to the Accessory Building Height Ordinance and publish in the paper of record to become effective 15 days after publication.

ROLL CALL VOTE:

AYES: Zyburt, Symbal, Rhein, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

CONSIDER FIRST READING OF THE NEW SEWER USAGE ORDINANCE.

Supervisor Bohjanen presented the Sewer Ordinance – this ordinance is a document that was drawn up by lawyers following the City of Marquette Ordinance. We are required to participate at the same level as the City and Marquette Township.

Clerk Engle asked about the section on page 32 on the disconnecting of service – wondering why the clause on shut off is in there, as Chocolay has no means to disconnect for non-payment.

Manager De Groot explained the non-payment options – these are options that we would have, with our normal being tax lien with delinquency over 6 months. In the future, if we decide to cap, it would be a choice that we have.

Symbal asked about instances where someone has to hook up to the sewer system, if there was some type of hardship availability for the homeowner.

Manager De Groot explained in a new area, there could be a special assessment. If someone has a septic, and the system fails, the homeowner bears the burden. The homeowner would be able to come to the Township to ask for some relief. In a failing system, most lots do not have space for a new septic. Would need to work with the Township, Health Department, and State to find what may be available. This would be on a case-to-case basis.

Symbal asked if there is a map that shows the considered expansion. Manager De Groot explained we are working on a capacity study for the Township. We know we have 7% of flow, but no capacity study has been performed. Once this is done, we would be able to have mapping on future ability for expansion.

Rhein asked if any residents have tied into the M-28 expansion. Manager De Groot stated that there have not been any at this point, but after talks with the Health Department, Chocolay Township septic systems are only good for about 30 – 40 years because of our soil, so we will need to be prepared when they start to fail.

Supervisor Bohjanen also indicated that the State is looking at regulating septic systems. This will create a major change.

Manager De Groot explained the REU calculation table – this is built on a single user connection. This is the result of consultant's study in determining units.

Engle moved, Lynch supported that the Chocolay Township Board accept the draft Sewer Usage Ordinance and REU Calculation Table for first reading and public review.

MOTION CARRIED

CONSIDER SECOND READING OF THE MARIJUANA ESTABLISHMENTS ORDINANCE.

Supervisor Bohjanen indicated that the changes had been made from the discussion at last meeting.

Lynch moved, Symbal supported that the Chocolay Township Board accept the draft New Marijuana Establishments Ordinance for second reading.

MOTION CARRIED

Lynch moved, Symbal supported that the Chocolay Township board formally adopt the draft New Marijuana Establishments Ordinance and publish in the paper of record to become effective 15 days after publication.

ROLL CALL VOTE

AYES: Symbal, Lynch, Zyburt, Engle, Bohjanen

NAYS: Rhein

ABSENT: White

MOTION CARRIED

CONSIDER MARQUETTE COUNTY HAZARD MITIGATION PLAN RESOLUTION.

Marquette County Hazard Mitigation Plan

Meeting: June Board Meeting

Date: June 14, 2021

Zyburt moved, Engle supported to adopt the 2021 Marquette County Hazard Mitigation Plan as presented.

ROLL CALL VOTE

AYES: Symbal, Rhein, Lynch, Zyburt, Engle, Bohjanen

RESOLUTION ADOPTED

RESOLUTION TO ADOPT THE 2021 MARQUETTE COUNTY HAZARD MITIGATION PLAN

WHEREAS, Charter Township of Chocolay is committed to the mitigation of potential hazards and the protection of the public health, and the reduction of property damage and loss of life that can result from hazardous events;

WHEREAS, The Federal Emergency Management Agency (FEMA) requires that communities have an adopted Hazard Mitigation Plan as a requirement to receive funding under certain FEMA programs;

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Chocolay Board of Trustees, hereby adopt the Marquette County Hazard Mitigation Plan, as updated in 2021.

Recorded by Supervisor Bohjanen: _____

Date: _____

Certified by Clerk Engle: _____

Date: _____

MANAGER UPDATE – SEWER AND BUDGET

1. Marijuana – at the last meeting, there was a request for information on setback and compliance with State statues. A map was presented on screen indicating the areas that can be developed.
2. Sewer – the new grinder stations seem to be having intermittent power problems, possibly within the CPU’s. There are alarm issues – no failures at yet. There is a 4-5 hour rotation by DPW. Residents have been very patient. Mock modems are now connected to the supplier for monitoring. There is a 5-year warranty on this equipment. We now have a draft construction schedule – staging will begin the week of July 19th, with construction to begin the week of July 26th. Completion would be in mid to end of October.
3. Budget – Staff owes the Board a draft budget in August. Staff has started to work on this. There has been discussion about the American Recovery Act funding to local government stimulus payments, which will affect the budget revenues. Chocolay Township will be getting a draw from Marquette County. The 1st round shows that we would be eligible for \$200,000 to \$300,000. This will be reserved for certain allocations. Marquette County has secured a legal team to help the Township draw down funds and find out what projects this can be used for. This does require federal registration, which has been done. The draw down must be done by 2024, with funds spent by 2026. Marquette County has been allotted \$6.4 million. These funds have some strings and must be compliant.

BOARD MEMBER COMMENTS

Kendra Symbal – reported on issues brought to her by residents: 1. Having a dog park in Chocolay Township, possibly on the beach. (Manager De Groot indicated that his option had been discussed with staff and has been listed as an option in the RFP. Beach front is not owned by us, so this would be something that would need to be reviewed.) 2. Revisit safe routes to school – she is committed to finding the ways to make it happen. (Supervisor Bohjanen indicated we would need to check on what kind of money was still available.)

Dave Lynch – None.

Don Rhein – None.

Ben Zyburt – None.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT – NONE.

Rhein moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:51 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of May 17, 2021, Draft.
- B. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of May 19, 2021, Draft.
- C. Information – Chocolay Township Newsletter – May 2021.

Max Engle, Clerk

Richard Bohjanen, Supervisor

July 12, 2021

A regular meeting of the Chocolay Township Board was held on Monday, July 12, 2021 in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zybur, Dave Lynch, Judy White, Don Rhein, Kendra Symbal

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell, Dale Throenle

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT – None.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – June 14, 2021.
- B. Approve Revenue and Expenditure Reports – June 2021.
- C. Approve Bills Payable, Check Register Reports – June 15, 2021 (Check #'s 24731 - 24766, in the amount of \$52,610.61), and June 24, 2021 (Check #'s 24767 – 24790, in the amount of \$41,041.11).
- D. Approve Bills Payable – Regular Payroll June 10, 2021 (Check #'s DD1593 – DD1623 and Check #'s 11080 - 11084, Federal, State, and MERS in the amount of \$40,084.30), and June 24, 2021 (Check #'s DD1624 – DD1651 and Check #'s 11085 – 11089, Federal, State, and MERS in the amount of \$42,143.90).

Rhein moved, Lynch supported to approve the consent agenda as presented.

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen provided a brief COVID update – Marquette County has 62.1% of its residents with at least one shot, and 58.3% of those that are fully vaccinated. About 80% of these are senior citizens.

Absence of Ordinances in the packet (Nuisance, Sign, and Sewer) are due to changes by the attorney. These are scheduled to be brought back for the August meeting.

CLERK'S REPORT

Clerk Engle reported that there are no planned elections at this point. November is still subject to change.

TREASURER'S REPORT

PUBLIC HEARING – NONE.

PRESENTATIONS – NONE.

CONSIDER BUSINESS OF THE YEAR.

Supervisor Bohjanen indicated that CABA is in the process of reorganizing, so it is felt that they may want to be part of the nominating process. This year we may want to recognize all the businesses that survived during the pandemic.

Manager De Groot indicated that he had met with the owner of Michigan Made and the owner of La Dolce. They will be putting out the word. The plan is to formally meet every month. A date has not been set for meeting, as they want to make sure the website is up and running.

CONSIDER DRAFT ASSESSOR CONTRACT LANGUAGE.

Supervisor Bohjanen indicated that some of the parameters are different. We need to be keeping track and make sure we are addressing issues as they happen. As a contract employee, it is a fixed contract – 5 years / \$52,000 per year – with no COLA adjustments included.

There was discussion on what constitutes the language of one day per week.

Section 5. "... the Assessor shall maintain regular office hours for not less than one ~~eight-hour~~ **designated** day per week and also be available by appointment as needed ~~or requested.~~ "

Manager De Groot indicated that last fall he was given the task of managing the contract employee. Assessor Gehres is meeting the minimum requirements of the AMAR on the first submittal. De Groot feels the Assessor should be here at a certain set time of the week to interact with staff and residents. De Groot indicated that he is not concerned with the negotiation process – in his experience, government positions get filled. This draft contract contains more roles and responsibilities that were talked about last fall.

Supervisor Bohjanen also brought up the 20% requirement. The basic requirement of the State is to assess every 5 years, not necessarily 20% per year.

Zyburt moved, Lynch supported to make the changes to the contract as indicated and continue negotiations.

AYES: 6

NAYS: 1 (Engle)

MOTION CARRIED

CONSIDER VAST WRAP SUMMARY PLAN – RETIREMENT COMMITTEE RECOMMENDATION.

Treasurer Zyburt gave a brief overview of the Pension Committee meeting. The subject of an electronic benefits system had been discussed (Ease Central). This type of program eliminates much of the HR involvement. Trustee Lynch liked the privacy aspect. It was felt that this would be a great option for the employees to be able to go online and manage their insurance benefits. There would still be an option for manual information.

Lynch moved, Zyburt supported that the Chocolay Township Board enters into the attached Welfare Benefits Contract as recommended by the Pension Committee.

MOTION CARRIED

CONSIDER PITNEY-BOWES POSTAGE METER LEASE AGREEMENT

White moved, Symbal supported that the Chocolay township Board empower the Township Manager to enter into a renewal contract with Pitney-Bowes for the replacement of the current postage meter with the purchase of the SendPro C425.

MOTION CARRIED

CONSIDER RENTAL FEE WAIVER

Zyburt moved, White supported that the Chocolay Township Board waives the \$100.00 in user fees for the benefit softball games.

MOTION CARRIED

CONSIDER AWARD OF CRACK SEAL CONTRACTS – TOWNSHIP HALL PARKING LOT AND ICE RINK

Lynch moved, Zyburt supported that the Chocolay Township Board awards a contract to Sealer King LLC of not more than \$9,000.00 to sealcoat, crack seal and line painting for the parking lot at the Township Office Complex and not more that \$2,500.00 to sealcoat and crack seal the ice rink.

MOTION CARRIED

INFORMATION TECHNOLOGY PROJECT UPDATE

Dale Throenle, Technology gave a presentation on technology in the Township, and issues and concerns that became more apparent during the shutdown:

- Payment difficulties
- Network connections and speed
- Township communication
- Township web site
- Township Hall sound system
- Township-provided computer equipment
- Business continuity

Throenle also provided recommendations on possible solutions.

This is the Township's opportunity to modernize. This is a two-phase approach, with the first phase being the laying of groundwork – build infrastructure first. This would involve switching from cable to a fiber connection, upgrade our Township website (including electronic payment capability,

electronic signature capability, and ability for text / email communication for the public), and an improved offsite data backup plan.

The Board felt this is a good direction to be going in.

INFORMATION TECHNOLOGY PROJECT UPDATE – CONSIDER CONNECTION TO FIBER OPTIC

Lynch moved, Symbal supported to convert from cable to fiber connection for the Township. The plan for the conversion should be the 100 / 100 plan and should include the nine phone lines now supported.

MOTION CARRIED

INFORMATION TECHNOLOGY PROJECT UPDATE – CONSIDER WEBSITE DESIGN

Lynch moved, Zyburt supported to accept the Shumaker Technology Group (STG) quote for development of the Township website to include:

- a. Setup and design at a one-time cost of \$2,495.00
- b. Fully managed site at an annual cost of \$595.00,
and to include the following option:
 - a. Scanning of the website for ongoing ADA compliance for an annual cost of \$540.00.

MOTION CARRIED

INFORMATION TECHNOLOGY PROJECT UPDATE – TIMING OF NEW COMPUTER EQUIPMENT UPDATE.

INFORMATION TECHNOLOGY PROJECT UPDATE – CONSIDER OFFSITE DATA BACKUP PROPOSAL

Symbal moved, Rhein supported that the quote for offsite data backup as presented in the Lasco proposal be accepted as presented.

MOTION CARRIED

AMERICAN RESCUE PLAN ACT FUNDS UPDATE

Manager De Groot stated that our share of this at this point is \$619,324. He had applied last week for these funds, being one of the first ones to apply as soon as the portal opened. At this point, we do not know the full economic impact on our community.

Timeline for drawing down funds:

- 2024 – draw down and execute plan on how to spend the funds
- 2026 – spend

There is also a section on “lost revenue”. With this, there is a formula for what was truly lost. If you can prove this lost revenue, there are no strings attached to the money. The calculation for Chocoy Township amounts to \$251,000 in lost revenue, which can be spent in anyway the Township chooses. With the remaining dollars, we would be able to do:

- Some type of hazard pay (performance bonus pay) for **all** employees that worked during the shutdown;
- Provide for incentive bases for businesses that suffered during the shutdown, such as grant opportunities for capital improvement projects;
- Infrastructure – public water. We have a study that was updated in 1998, so some of the funds could be used for an updated study, which would allow us to be able to go out for grants or SRF funding.

This money will be distributed with half coming this year, and the other half coming next year. We will be setting up a separate account for this money.

SAFE ROUTES TO SCHOOL UPDATE

Manager De Groot indicated that the program still exists through the State of Michigan (saferoutemichigan.org). There is a lot of work that the school would have to do on their end, but the opportunities still exist.

MANAGER UPDATE – SEWER AND BUDGET

1. Sewer – we now have a construction timeline, with a preconstruction meeting scheduled for July 19 and staging starting on July 26 with Lift Station 1. Pumps and equipment are in at the contractor’s yard. The last of the construction work and restoration should be done by mid-October. Manager De Groot also extended a big “thank you” to the residents living around the grinder stations. Right now there is a power modulation happening, which is causing the low alarms to be set off. Not calibrated quite right yet.
2. Budget – Information has been handed out to department heads.

BOARD MEMBER COMMENTS

Kendra Symal – thanked staff for all the background work that was done on the information presented. Also asked if there had been any progress on a new hire. Manager De Groot indicated there has been an offer made and accepted, with their first day being August 2.

Don Rhein – None.

Judy White – thanked De Groot for his help on Lakewood Lane resurfacing questions and her disappointment in the contractor for not having started.

Dave Lynch – thanked staff for the step forward in technology

Ben Zyburt – Agreed

Max Engle – Agreed

Richard Bohjanen – None.

PUBLIC COMMENT – NONE.

Zyburt moved, Rhein supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:24 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of June 16, 2021, Draft.
- B. Minutes – Marquette Area Wastewater Advisory Board, Regular Meeting of May 20, 2021, draft.
- C. Minutes – Chocolay Township Pension Committee – June 29, 2021, draft.
- D. Information – Chocolay Township Newsletter – June 2021.

Max Engle, Clerk

Richard Bohjanen, Supervisor

August 16, 2021

A regular meeting of the Chocolay Township Board was held on Monday, August 16, 2021 in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Dave Lynch, Judy White, Don Rhein, Kendra Symbal

ABSENT: Ben Zyburt (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – commented on several subjects: (1) Nuisance Ordinance – she feels that it was a gallant effort, but there are approximately 3,200 parcels in Chocolay Township, 900 of which are on the water, and that these 900 parcels need to be evaluated in a different manner (parking of cars, RV's, etc.), (2) Master Plan – feels that the public will not have the opportunity to have any input, (3) Infrastructure – public water supply is needed. Wondered why feasibility study has not been done, and (4) commented on current Newsletter not be accessible through the main web page.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – July 12, 2021.
- B. Approve Revenue and Expenditure Reports – July 2021.
- C. Approve Bills Payable, Check Register Reports – July 9, 2021 (Check #'s 24791 - 24811, in the amount of \$6,725.10), July 22, 2021 (Check #'s 24812 – 24835, in the amount of \$49,654.88), and July 28, 2021 (Check #'s 24836 - 24848, in the amount of \$27,646.15).
- D. Approve Bills Payable – Regular Payroll July 8, 2021 (Check #'s DD1652 – DD1682 and Check #'s 11090 - 11094, Federal, State, and MERS in the amount of \$40,293.66), and July 22, 2021 (Check #'s DD1683 – DD1710 and Check #'s 11095 – 11099, Federal, State, and MERS in the amount of \$41,070.87).

Rhein moved Engle supported to approve the consent agenda as presented.

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen commented on census data – Chocolay Township has lost 4 since the 2010 census. Marquette Township gained 235 and Sands Township lost 130.

COVID – In Marquette County, 60.2% have completed immunization. Over 65 is at 84.8% fully immunized, 60 – 64 is at 70%. We are in the theoretical “herd immunity” category in the older generation.

CLERK’S REPORT

Clerk Engle indicated it does not appear there will be a November election.

TREASURER’S REPORT

PUBLIC HEARING – NONE.

PRESENTATIONS – NONE.

CONSIDER INSTALLATION OF SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) EQUIPMENT WITH THE SEWER PROJECT.

Lynch moved Symbal supported that the Chocolay township Board authorizes the expenditure out of the Sewer Capital budget of not more than \$30,000.00 for the equipment, software and installation of SCADA for the M28 lift stations.

MOTION CARRIED

CONSIDER CHOCOLAY SHORES APARTMENT REQUEST TO OPT OUT OF PUBLIC WATER SYSTEM CONTROL PER MICHIGAN ENVIRONMENT, GREAT LAKES, AND ENERGY.

Symbal asked about the benefit to the Township. Supervisor Bohjanen indicated that this is a requirement they have from the State, as we have no public water to offer. This is something that is required for them to be able to provide their own water from a communal well. In order to take on a system like this, it would require the Township to have some type of water technician to monitor the system to comply with State regulations. Manager De Groot indicated that before we could start looking into having a public water system we would need to have a water feasibility study done.

RESOLUTION

WHEREAS, Curran & Co. owns and operates a drinking water system serving Chocolay Shores Apartments, located at 203 Hotel Place, and,

WHEREAS, Curran & Co. possesses the ability and willingness to continue effective operation and maintenance of said system; and

WHEREAS, Chocolay Township recognizes the need for effective and continue operation and maintenance of said system to protect the public health; and

WHEREAS, Chocolay Township deems it impractical for the Township to own, operate, and administer this particular drinking water supply;

NOW, THEREFORE, BE IT RESOLVED that Chocolay Township refuses to accept ownership of or operation, maintenance, and administrative responsibilities for said particular drinking water supply. Chocolay Township endorses the application of Curran & Co. to continue these responsibilities under state permit.

*Moved by: Kendra Symbal, Trustee
Supported by: Don Rhein, Trustee*

ROLL CALL VOTE

AYES: Symbal, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

CERTIFICATION

I hereby certify that this is a true copy of a resolution adopted by the Township Board of Chocolay Township at its meeting held on August 16, 2021.

Max L. Engle, Township Clerk

Dated

CONSIDER FIRST READING OF THE TOWNSHIP SEWER ORDINANCE.

Manager De Groot indicated that the reason for a “second” first reading was due to a change in wording in two parts of the ordinance to include the word “gravity”. This will now define the system as a “gravity system” for better understanding on which residents are able to connect to the system.

White moved, Lynch supported that the Chocolay Township Board receive and offer the Sewer Ordinance for First Reading.

MOTION CARRIED

CONSIDER FIRST READING OF SECTION 18, TOWNSHIP ZONING ORDINANCE; SIGN ORDINANCE.

Manager De Groot indicated that the rewrite of this ordinance is based on discussions with the Board and revolves around areas of incongruency. The new ordinance is about 6 pages.

White commended the Planning Commission for the downsizing and clarifying the ordinance. Rhein indicated that

Lynch moved, White supported that the Chocolay Township Board receive and offer Section 18 Signs updated draft for review and first reading.

MOTION CARRIED

CONSIDER DRAFT TOWNSHIP WIDE COVID EMPLOYMENT PERFORMANCE ONE-TIME BONUS (AMERICAN RESCUE PLAN ACT FUNDS).

White asked if this would also include election workers – Manager De Groot stated that it would. Rhein asked if it also included the Manager. Manager De Groot stated it did not. The Board felt it should include the Township Manager.

Manager De Groot indicated that in our Policy Manual, we have no provision for “Hazard Pay” as it was never anticipated that there would be a reason. The payment amount would be around \$50,000.

Lynch moved, Engle supported that the Chocolay Township Board approve the plan to offer a 5% one-time performance bonus to employees using a small part of the American Rescue Plan Act funds. This performance bonus will also include the Township Manager.

MOTION CARRIED

CONSIDER ASSESSOR CONTRACT UPDATE.

Supervisor Bohjanen indicated there was an update to the contract, with the Assessor now asking for a cost of living allowance, which would be based on the cost of living given to staff.

White expressed concerns on the hiring of a field technician. Symbal wondered about the possibility of extending the current contract for 30 – 60 days.

Symbal moved, Rhein supported that the Chocolay Township Board table the approval of the Assessor Contract for a period of 30 – 60 days, and extend the current contract to enable further investigation.

MOTION CARRIED

CONSIDER ACCEPTANCE OF FIRE DEPARTMENT GRANT FOR PURCHASING PAGERS

White moved, Rhein supported that the Chocolay Township Board accept a grant of \$1,000.00 from the Marquette County Police and Fire Association Fund for the purchase of pagers. The funds would be received and placed into the Fire Department Capital Fund.

MOTION CARRIED

MANAGER UPDATE – SEWER AND BUDGET

Sewer – Oberstar has started and should be done about the 1st week of October, with some restoration that may need to be done next spring depending on the weather. We are doing full replacement of the lift stations. The lift stations are currently operating with 1974 parts that were designed to handle 12 million gallons per day, with our actual being 3-4 million gallons per day. We are now nearing the completion of our sewer capacity study, which will allow us to be confident on expansion of the system. The pumps will be designed for the 7% capacity. New lift stations will be above ground and sheltered. First payment is due in September.

Budget – has been working with departments to develop next years budget. The plan is to submit this to the Board at the September meeting. It can then be reviewed by the public for comment

before approval by the Board. With revenue and expenses now lining up, he is able to start looking at projections.

BOARD MEMBER COMMENTS

Kendra Symbal – had a tour of the lift and grinder stations today – very impressed. Finds it very helpful to see it in person. She has met with Travis Smith at Cherry Creek School on the Safe Routes to School. Will be discussing it further.

Don Rhein – None.

Judy White – will not be here for the October meeting

Dave Lynch – None.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT – NONE.

CABA (Chocolay Area Business Association) – Manager De Groot is working with business owners in reviving CABA. They are currently meeting once per month (Tuesday or Wednesday of the second week). Tony Beres (La Dolce) is working on getting the website up and running – making it more of a visitor’s website.

Engle moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 5:59 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of July 19, 2021, Draft.
- B. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of July 21, 2021, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of August 4, 2021, Draft.
- D. Minutes – Marquette Area Wastewater Advisory Board, Regular Meeting of June 17, 2021, Draft.
- E. Information – Chocolay Township Newsletter – July 2021.
- F. Information – Utility Review Committee Report.

Max Engle, Clerk

Richard Bohjanen, Supervisor

September 13, 2021

A regular meeting of the Chocolay Township Board was held on Monday, September 13, 2021 in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, Dave Lynch, Judy White, Don Rhein

ABSENT: Kendra Symbal (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell, Brad Johnson

APPROVAL OF AGENDA.

Supervisor Bohjanen asked if the Girl Scout presentation could be moved to follow V. Public Comment.

White moved, Lynch supported to move the presentation.

MOTION CARRIED

White moved Rhein supported that the agenda be approved as modified.

MOTION CARRIED

PUBLIC COMMENT – None.

PRESENTATION – GIRL SCOUTS SIGN PLANTERS

Mary Vertanen, who is one of the Girl Scout leaders in Harvey, gave a short talk on what the Scouts have been up to. There are currently 5 troops in Harvey, with about 50 girls. In the spring of 2020, they were approached by Brad Johnson to see if they would like to do a planting under the Township sign. This presentation is part of earning the Bronze award (highest award a junior girl scout can achieve). The garden consists of native pollinator perennial plants from UP Native Plants – who also helped with the selection of plants and layout in the garden. The glass mulch from the landfill was also used in the garden. The group then went outside for the presentation of the signs that were given to the Girl Scouts to be put in the gardens.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – August 16, 2021.
- B. Approve Revenue and Expenditure Reports – August 2021.
- C. Approve Bills Payable, Check Register Reports – August 9, 2021 (Check #'s 24849 - 24876, in the amount of \$60,525.28), August 19, 2021 (Check #'s 24877 – 24893, in the amount of \$230,065.65), and August 24, 2021 (Check #'s 24894 - 24907, in the amount of \$21,317.88).
- D. Approve Bills Payable – Regular Payroll August 5, 2021 (Check #'s DD1711 – DD1745 and Check #'s 11100 - 11104, Federal, State, and MERS in the amount of \$40,540.19), and August

29, 2021 (Check #'s DD1746 – DD1779 and Check #'s 11105 – 11109, Federal, State, and MERS in the amount of \$41,554.36).

Zyburt moved Lynch supported to approve the consent agenda as presented.

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that 61.8% of people in Marquette County are vaccinated. The case occurrence rate is going up, with an average of 25 cases per day.

The Manager Evaluation was also introduced, along with some very positive comments.

CLERK'S REPORT

Clerk Engle reported there will be no election in November.

TREASURER'S REPORT

PUBLIC HEARING – NONE.

CONSIDER SECOND READING OF THE TOWNSHIP SEWER ORDINANCE.

Engle moved, Zyburt supported that the Chocolay Township Board hear comments for the second reading of amendments to the Township Sewer Ordinance.

MOTION CARRIED

White moved, Rhein supported that the Chocolay township Board, after a second reading on the proposed amendments to the Township Sewer Ordinance, the Board adopt the full draft dated 09/13/2021, with the ordinance taking effect 15 days after publication within the local newspaper
And

That Clerk Engle file the Notice of Adoption as recommended by legal counsel.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Symbal

MOTION CARRIED

CONSIDER SECOND READING OF SECTION 18 SIGNS ORDINANCE.

Lynch moved, Zyburt supported that the Chocolay Township Board hear comments for the second reading of amendments to Section 18 of the Zoning Ordinance – Sign Ordinance.

MOTION CARRIED

Zyburt moved, Lynch supported that the Chocolay Township Board, after a second reading on the proposed amendments to Section 18 of the Township Zoning Ordinance: Sign Ordinance, the Board adopt the full draft dated 09/13/2021, with the ordinance taking effect 15 days after publication

within the local newspaper. The adopted ordinance will be incorporated into the Zoning Ordinance once effective.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Symbal

MOTION CARRIED

CONSIDER SCHEDULING A PUBLIC HEARING FOR OCTOBER 11TH FOR NUISANCE ORDINANCE.

White moved, Lynch supported that the Chocolay Township Board schedule a public hearing, along with a first reading, to hear public comment about amendments to the Township Nuisance Ordinance for the October 11, 2021 meeting.

MOTION CARRIED

CONSIDER DRAFT TOWNSHIP WIDE COVID EMPLOYMENT PERFORMANCE ONETIME BONUS (AMERICAN RESCUE PLAN ACT FUNDS).

Supervisor Bohjanen indicated that this would be an addition to last month's approval of the 5% performance bonus. After discussion, it was felt that those on the front line should receive an additional 2.5% - this would include Police, Fire, DPW, and Elections. This would be approximately an additional \$15,000, so in total it would be roughly \$65,000 - \$67,000. We could be getting the first installment (approximately \$300,000) as early as next week.

Zyburt moved, White supported that the Chocolay Township Board approve the additional percentage plan of 2.5% performance payment using a small part of the American Rescue Plan Act Funds.

MOTION CARRIED

DRAFT BUDGET REVIEW / PRESENTATION.

Township Manager De Groot stated he would like to get this out to the public for a couple months in order to allow an opportunity for discussion and questions. We are anticipating increased revenue (\$2.39 million), mostly due to property taxes. Also included are the funds that we will be receiving next year from the ARPA funds. Revenue sharing will be a little bit more than we anticipated. The State is projecting a \$3 billion increase, which means our funds will be secure. Also looking at writing for three grants this coming year. There is still the second half of the tennis court to do - \$160,000 project that we hope to secure a \$45,000 grant. There are also projects at both the Marina (bathroom facilities) and Beaver Grove (bathroom facilities), which we hope to be awarded grants for.

Capital side is showing significant investment in the Recreation side.

The proposed budget does in a potential wage increase of 3% for staff. The cost-of-living is 7% - 10% in the local area. This would not include the Assessor's wages, as his salary line item and been moved to contractual expense.

De Groot is also looking at the benefits provided to employees. This would include an adjustment to the VSP Vision Care coverage and he is looking at increasing this to a premium coverage for the employees.

De Groot also talked about the new Chart of Accounts and the ability to break out the accounts for better tracking of expenses.

Manager De Groot also informed the Board that over the next couple of months we will be working towards writing some of our own audit memos.

CONSIDER ASSESSOR CONTRACT.

Lynch moved, White supported that the Chocolay Township Board approve the contract as presented and assign the Township Supervisor to have it executed by the Assessor the next time he is in the office.

MOTION CARRIED

CONSIDER INSTALLATION AND WINTERIZATION OF THE PUBLIC WORKS GARAGE.

Lynch moved, Zyburt supported that the Chocolay Township Board awards a contract to K2 Insulation in the amount of \$4,603.00 to add proper eave vents and add insulation in the Police / DPW attic.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Symbal

MOTION CARRIED

CONSIDER SELLING THE LARGE PORTABLE GENERATOR AS SURPLUS EQUIPMENT.

Manager De Groot stated that there may not be a market for this generator due to its size and parts may not be available. He indicated that staff would act accordingly, and if there is no market for the generator we may have to scrap it.

Zyburt moved, Lynch supported that the Chocolay Township Board declares the trailer mounted Onan generator as surplus and auctioned off to the highest bidder.

MOTION CARRIED

MANAGER UPDATE – SEWER AND BUDGET

Budget – this has already been reviewed during the Draft Budget Review Presentation.

Sewer – this project is well under way. We have tried to barricade off the areas – residents should not be going into the construction zone. Lift Station 1 is fully integrated and online and operational. Lift Station 2 is fully online. Lift Station 3 is fully online. Lift Station 4 (LWL) has the wet well set, and the pumps and piping still need to be done in another week or so. Lift Station 5 (Veda) contains a wetland in the lower area, so hoping for good weather, as this is the one that handles all the flow from Cherry Creek School.

Manager De Groot also commented that there may be some questions, as a new house is going up across from the Lift Station work on Veda. This house is not a part of the project.

The Lift Station on Lakewood Lane was dug up just in time for repaving.

BOARD MEMBER COMMENTS

Don Rhein – None.

Judy White – None.

Dave Lynch – None.

Max Engle – None.

Richard Bohjanen – stated that he and Manager De Groot had attended the MTA UP North Conference.

PUBLIC COMMENT – NONE.

Rhein moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:43 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of August 18, 2021, Draft.
- B. Minutes – Marquette Area Wastewater Advisory Board, Regular Meeting of July 15, 2021, Draft.
- C. Information – Chocolay Township Newsletter – August 2021.

Max Engle, Clerk

Richard Bohjanen, Supervisor

October 11, 2021

A regular meeting of the Chocolay Township Board was held on Monday, October 11, 2021 in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, Dave Lynch, Don Rhein, Kendra Symbal

ABSENT: Judy White (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Supervisor Bohjanen requested that the Presentation by our attorney Roger Zappa be moved to accommodate Attorney Zappa's schedule.

Zyburt moved, Lynch supported to approve the agenda as modified – Presentation to be moved before first Public Comment.

MOTION CARRIED

PRESENTATION

Chocolay Township Attorney, Roger Zappa, spoke on Ordinance 69 – Noise Ordinance. He had written a letter summarizing what was previously three separate ordinances (nuisance, noise, and vehicles). One thing he wanted to address was the consideration of having a decibel meter. It is permissible, but the idea was to simplify not complicate. For decibel readings, you would need specialized equipment and someone capable of operating and calibrating the meter on a regular basis. There are things to consider – moving targets versus stationary, temperature, humidity, and distance. He does not recommend eliminating what we already have – excessively loud for a reasonable person. The benefit of what the Township has is that an enforcement officer can listen without need for extra devices. Noise ordinances are a constantly evolving area of law across the State.

Symbal wondered if we would be over complicating this. Zappa indicated this is more of a Board budget and policy issue. Generally, if a citation is issued, it is not just about the decibel level. This is not a replacement for what the Township already has.

Zappa also indicated that the Township really needs to retain the portion of being able to cite the person who generated the noise. Also need to look at if the owner is allowing this on a regular basis.

Township Manager De Groot explained the rental agreement and a clause in the agreement that would allow us to revoke the agreement after three violations.

Supervisor Bohjanen stated there are specific guidelines to be followed for nuisance violation – 1) notification; 2) Plan of abatement; and 3) Citation.

Symbal asked about the equipment for the decibel readings. Attorney Zappa explained that a moving target is different (as is vehicles) and more difficult to read. This is where a reasonable person would be able to distinguish the loudness. Decibel meters work better with stationary objects.

Attorney Zappa also addressed the definition of Yard, Waterside. With waterfront property, there is rarely a rear yard. The implication for this would be that you can't store anything there. Need to look at what can be stored and in what type of structure. This should be a discussion point.

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – thanked Township Manager De Groot for making the proposed budget available to the public earlier than normal. Mulcahey spoke on the increase in revenue due to property tax and the increase in staff over the past few years. Feels Chocolay Township has too much money. Mulcahey also spoke on a letter she had written to the Board that was not included in the packet. Asked that it be read into the comments for the public hearing. She also feels that her front yard is Lake Superior – there really needs to be a decision made.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – September 13, 2021.
- B. Approve Revenue and Expenditure Reports – September 2021.
- C. Approve Bills Payable, Check Register Reports – September 3, 2021 (Check #'s 24908 - 24922, in the amount of \$6,186.72), September 15, 2021 (Check #'s 24923 – 24943, in the amount of \$13,523.59), September 17, 2021 (ACH #2A, in the amount of \$150,795.74), and September 29, 2021 (Check #'s 24944 - 24965, in the amount of \$41,934.38).
- D. Approve Bills Payable – Regular Payroll September 2, 2021 (Check #'s DD1780 – DD1813 and Check #'s 11110 - 11114, Federal, State, and MERS in the amount of \$42,483.49), September 16, 2021 (Check #'s DD1814 – DD1829 and Check #'s 11115 – 11119, Federal, State, and MERS in the amount of \$37,883.95), and September 30, 2021 (Check #'s DD1830 – DD1855 and Check #'s 11120 – 11124, Federal, State, and MERS in the amount of \$42,406.23).

Lynch moved, Engle supported to approve the Consent Agenda as presented.

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that COVID is ramping up in Marquette County – there is now approximately 35 cases per day. Vaccination rate for Marquette County is 66.7% for individuals that have had at least one shot, and 62.3% for those that have had two shots. 98% of the people getting sick with COVID right now have not been vaccinated.

CLERK'S REPORT

None.

PUBLIC HEARING – ORDINANCE #69 – NUISANCE ORDINANCE

Public Comment:

John Wilson, 1987 M-28 East – offered some suggestions –

Section 5(I) Business Operations and Other Business Property Activities

*Except in the event of an emergency, the carrying on of any business operations, or any other business-related activities upon any property in such a manner so as to create ~~any excessive, unnecessary, or unusually loud noise, which injures or endangers the health or safety of others~~ noise that is plainly audible at a distance of fifty feet or more from the ~~edge~~ boundary line of the business property between the hours of 11:00 p.m. ad 7:00 a.m. **Wilson felt this should also include non-commercial activity in residential areas.***

*Section 6, Vehicles, Recreation Vehicles and Trailers – **Wilson asked that the language from Ordinance 55, Section 4 (D)(2) be kept in regards to “In no case shall the area of the front or side yard used for parking or storage of vehicles or vehicle parts exceed fifty percent (50%) of the total area of the front or side yard.”***

*Section 6 (G) Vehicles shall not be parked or stored in the street facing yard or side yard within the required zoning ordinance setback for structures and the lot lines, unless in a driveway. **Wilson indicated that there is not a definition for driveway in the ordinance.***

Wilson would also like to see something added to the ordinance that would address individuals parking in someone else’s driveway, such as in a shared driveway, that would make it enforceable.

Sam Mahoney, 981 Valley Road – was concerned that the purpose of the public hearing was to relax the nuisance law. This was of concern because Valley Road is a dead-end road with eight residences on it. One of the residents on Valley Road is in violation of the vehicle and noise violations. Mahoney was concerned that things would be less enforced than they are now.

Supervisor Bohjanen indicated that this ordinance was not to loosen enforcement, but to make it more enforceable. We do rely heavily on neighbors reporting. Staff does take drives and makes notes periodically.

Mahoney also stated that regarding the noise ordinance, there are eight families that live on Valley Road but there is one residence that has out of hand dogs barking for hours and gunshots late at night. Residents on the road are hesitant to report. Mahoney also questioned who the appropriate person to contact is.

Township Manager De Groot stated that there are three different ordinances combined here – Noise, Junk Vehicles, and Nuisance. The Noise Ordinance would be police enforceable. The other ordinances are enforceable by our Zoning Administrator. Because there can be a level of intimidation, residents may also call De Groot and submit an anonymous complaint.

Deborah Mulcahey, 633 Lakewood Lane (as read by Manager De Groot) –

Dear Charter Township of Chocolay Board,

Subject: Public Hearing for the Proposed Ordinance 69 to regulate Nuisance, Noise & Vehicles.

I spoke to you at the August 2021 Board meeting and shared my concerns pursuant to the proposed nuisance ordinance in regard to how parking will be allowed on waterfront properties. I do not find that my comments were addressed, or the issues clarified.

Specifically, I told you that a definition for "Yard, Waterside" is included in the draft ordinance but that it is not used in the document. Further I told you based on the fact that there are approximately 900 waterfront parcels of the 3200 parcels in the Township, "Yard, Waterside" needs to be used. The concept of protecting our water resources is crucial in a community that is heavily dependent on well water and has a number of contaminated ground water sites.

Of the 900 waterfront parcels in Chocolay Township almost 400 are on Lake Superior. These dune properties were developed as 50 foot lots and there are still a number of parcels that are only 50 or 75 feet wide. The proposed ordinance allows for parking of non seasonal vehicles in the side or back yard of a property, between the N side of a house/building and Lake Superior. The diagrams, on page 4 of the draft ordinance, for both interior and corner lots fail to consider or incorporate waterfront properties and required set backs.

Again, I hope to learn this board does not expect the property owners along the shores of Lakes Superior & Kawbawgam, Chocolay and Sand Rivers, and Cherry Creek, et. al. to put vehicles as this ordinance proposes adjacent to these bodies of water.

Sincerely,

sent to clerk & manager via email.

*Deborah Mulcahey
633 Lakewood Lane
Mqt, MI 49855*

Anonymous (as read by Kendra Symbal):

I took a close look at the ordinance changes. Nothing I can't agree with, certainly. It looks like mostly this is combining of the previous ordinances into a single, larger ordinance with some other tweaks to the language.

I am sharing info about this meeting with my neighbors. Honestly though, we would like to know why these ordinances (old or new) are not enforced. Our neighbors have been

reported multiple times. The police visit for other reasons. I think someone must have leaned on them about their barky dog because it has been debarked. But none of those things, including complaints re junk, have led to the cleanup of the junk vehicles and junk. A couple years ago complaints did lead to the building of a partial, crappy (not professional) wall to shield the view. It looked horrible... and then fell down and became part of the junk. Also honestly, everyone in town knows it's pointless to complain about this stuff because the answer is that you should "talk it out with your neighbor". Unfortunately, most of my neighbors (and me too!) are intimidated by these folks. These are the guys that regularly shoot guns in their backyards, etc. Many of them have known them for MANY years and have had dealings with them in the past. No one wants to risk personally ticking them off and we all try to stay relatively friendly with them. But we do hate all the junk. Oh, and the do actually call it "the junk yard".

Public Hearing Closed at 6:31 pm

Rhein stated he feels the waterfront front / back yards need to be addressed.

Manager De Groot stated that this is a natural feature and has a defined right of way. The question would be "What are we protecting?" The ordinance in 1977 did not recognize the lakefront as the "front yard". There is a need to decide what we are actually trying to protect. This would include establishing a true natural feature setback. He feels that it is actually the protection of erosion. There is a new normal of reassessment there.

Supervisor Bohjanen indicated that there is an overlay district that helps protect the dunes.

Supervisor Bohjanen also asked how the Board felt about chasing decibels for the noise ordinance. The Board felt that it would be hard to get accurate readings based on different factors.

CONSIDER FIRST READING OF THE TOWNSHIP NUISANCE ORDINANCE.

_____ moved, _____ supported that the Chocolay Township Board accept the draft Nuisance Ordinance for first reading and public review.

NO MOTION READ

CONSIDER RELEASE OF DRAFT TOWNSHIP MASTER PLAN

All information that is gathered over the next 63 days will go back to the Planning Commission. Rhein thanked Township staff for going through the Master Plan and working towards the draft.

Lynch moved, Zyburt supported that the Chocolay Township Board release the draft Township Master Plan for a minimum of 63 days in compliance with the Michigan Planning Enabling Act of 2008.

MOTION CARRIED

CONSIDER PUBLIC HEARING FOR THE FISCAL YEAR 2022 TOWNSHIP BUDGET ON NOVEMBER 8, 2021

Zyburt moved, Rhein supported that the Chocolay Township Board schedule the annual budget public hearing for November 8th, 2021.

MOTION CARRIED

CONSIDER FISCAL YEAR 2021 BUDGET AMENDMENTS IN PREPARATION FOR FISCAL YEAR 2021 AUDIT.

Lynch moved, Zyburt supported that the Chocolay township Board approve the budget amendments and the journal entries presented by staff in preparation for the 2021 audit.

MOTION CARRIED

MANAGER UPDATE – SEWER AND BUDGET

Manager De Groot thanked the Board for approval of the Budget Amendments and Journal Entries as we prepare for the audit.

Manager De Groot addressed the comment that was made on raising of taxes. We have an improved real estate market which is removing the capping on properties. He also addressed the comment about the increase in the number of staff, which has only increased by half a person. On the revenue line item (Ordinance enforcement) for expected revenue from zoning enforcement. This has been taken out of the budget – we have no anticipated threshold.

Budget – next month we will have the public hearing for the 2022 Budget. At that time, De Groot will be prepared to talk about salaries and anything else that the Board would like more information on. The proposed budget is currently on our website, and will be added to home page.

Sewer – De Groot commented about the big hole on Veda Street. In November, there will be a presentation by the engineers. There was an unexpected change in that site. We are now back on track – the contractor wanted to open dig which ended up becoming pretty mucky, and this brought on a cascade of events. It took about two weeks to get this resolved. There will also be a review of costs related to project. Paving is completed on Lift Station #1. Lift Station #3 is operational and road has been repaved. Lift Station #4 has some electrical needs, and then will do the final paving.

Paving on Lakewood Lane is only half done. We may be running out of time, as they planned on being out by October 15, 2021.

Symbal asked on the time frame for getting a new website. De Groot stated we will be working on this soon.

BOARD MEMBER COMMENTS

Don Rhein – None.

Kendra Symbal – had been looking up census data, which took her to Wikipedia, and there is no updated information for Chocolay Township on there. She feels this should be updated, as realtors use this information. Comments on the Master Plan – this is 2021, and she doesn't want to see

lifestyles and traditional used in the same sentence. Feels that one of the things the Board needs to do is address inclusivity and mental health. Feels that we can do better and change with the times.

Dave Lynch – None.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT

John Wilson, 1987 M-28 East - would like to thank the Board for letting him speak, and would like to make an appointment to come in and speak with someone.

Lynch moved, Zyburt supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:14 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of August 16, 2021, Approved
- B. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of September 15, 2021, Draft.
- C. Minutes – Marquette Area Wastewater Advisory Board, Regular Meeting of August 19, 2021.
- D. Information – Chocolay Township Newsletter – September 2021.

Max Engle, Clerk

Richard Bohjanen, Supervisor

November 8, 2021

A regular meeting of the Chocolay Township Board was held on Monday, November 8, 2021, in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Dave Lynch, Judy White, Don Rhein, Kendra Symbal

ABSENT: Ben Zyburt (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Rhein supported to approve the agenda as presented.

MOTION CARRIED

PUBLIC COMMENT – None.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – October 11, 2021.
- B. Approve Revenue and Expenditure Reports – October 2021.
- C. Approve Bills Payable, Check Register Reports – October 5, 2021 (Check #'s 24966 - 24972, in the amount of \$1,172,392.23), October 19, 2021 (Check #'s 24973 – 24998, in the amount of \$39,616.16), and October 28, 2021 (Check #'s 24999 - 25021, in the amount of \$35,568.62).
- D. Approve Bills Payable – Special Payroll October 8 2021 (Check #'s DD1856 – DD1945, Federal, State, and MERS in the amount of \$76,392.68), October 14, 2021 (Check #'s DD1946 – DD1980 and Check #'s 11125 – 11129, Federal, State, and MERS in the amount of \$40,939.82), and October 28, 2021 (Check #'s DD1981 – DD2007 and Check #'s 11130 – 11134, Federal, State, and MERS in the amount of \$43,064.60).

Rhein moved, Engle supported to approve the Consent Agenda as presented.

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated that the incidences of COVID are not slowing down. For the last week, the average number has been at an average of 26 cases per day.

CLERK'S REPORT

Clerk Engle provided a clarification of the policy regarding receipt of documents for the packet. In the case of a public hearing, documents would need to be into the office no later than noon on the Wednesday preceding the meeting. If received later, they would be included in the minutes.

PUBLIC HEARING – 2022 FISCAL YEAR DRAFT BUDGET

Supervisor Bohjanen opened the floor for public comment. Hearing none, public comment was closed.

PRESENTATION – PETER WHITE PUBLIC LIBRARY

Andrea Ingmire, Peter White Library Director gave a presentation on various happenings at the library and how the library has evolved during COVID. Discussed the various volunteer groups: Friends of the Library, Master Gardeners (take care of gardens), Marquette Area Sister Cities Partnership, and Queen City Seed Library. On the top floor of the library is the Adult Services which provides a variety of assistance (research, reference, technical, computer), digital resources and online databases, programming for adults, passports, and fiction and nonfiction materials. There are also new study rooms which are now seeing a lot of use due to people working from home. The library has also started a podcast. There is also an extensive Youth Services section – program kits, sensory bins, and virtual story time. In Teen Services, there are program kits available and a program on diversity and inclusion. General Services are still offered – library cards, faxing services, notary services, meeting room bookings, and art galleries. The library continues to offer curbside service. They also have a Library of Things to check out – cameras, blue ray players, and a variety of things that are a one-use type of thing residents may not want to buy. The library is funded primarily through local millage, along with Endowment funds, Friends of the Library, and fundraisers. Technology has been updated to include a Wi-Fi upgrade in parking lot and inside building, backup generator, replacement of computers and file server, and upgrade computer programs. Looking ahead the library is starting a project on the digitization and preservation of the Mining Journal. This is in partnership with NMU Archives.

Supervisor Bohjanen asked about discussion on a Library district (something he had been involved with 17 years ago when he was on the Library Board). Ingmire indicated it is not on the short-term agenda, but she feels it is worth the discussion again.

PRESENTATION – IRON ORE HERITAGE RECREATION AUTHORITY

Carol Fulsher, Administrator of the Iron Ore Heritage Recreation Authority, along with Don Britton, Chair of the IOHRA and Chocolay Township's representative provided a brief description on what is going on with the IOHT. There are 8 municipalities that are involved with the Iron Ore Heritage Trail. The trail is 47 miles long and goes from Kawbawgam Road to Republic. The State owns the portion of the trail that goes through Chocolay Township. In the summer months, the IOHRA manages the trail, and during the winter months UP Central snowmobile manages it. They recently put a counter on the trail, and there have been 55,000 visitors on the trail at the Bayou. It takes around \$500,000 to maintain the trail, with \$300,000 coming from taxes and the rest funded by grants (ORV money, DNR Passport Fund, MDOT). The IOHRA uses local labor to update the trails – kiosks, trailheads, and erosion problems. Plans for the future include adding 5 more miles of trail from Kawbawgam to Lakenenland, and they are currently working on a proposal. In 2022 the millage expires and will be up for renewal. They will also be updating their 5-year recreation plan in 2023. Fulsher also indicated they have an "Adopt-a-Mile" program for clean up on the trail – Chocolay Township has no volunteers doing this right now.

DISCUSSION - SEWER PROJECT UPDATE – GEI CONSULTANTS

George Meister gave a presentation on the sewer project. As with many other projects, supply chain issues were the biggest hold up. Construction started last fall with the installation of the three grinder stations. This summer has been installing the new lift stations, starting with Lift Station #1 at the Rock Cut through Lift Station #5 on Veda Street. Lift stations #1 – #4 are online and running, with Lift Station #5 taking a little more time. #5 is now on bypass.

De Groot indicated that on Lift Stations #2 and #4 are being worked on to down shield the light intrusions for the entry pad. SCADA (online monitoring) is up and running and is now in final programming. SCADA will be able to send a signal to the office and DPW cell phones. Meister indicated that SCADA would modernize our system. De Groot indicated that there was a complication on Lift Station #5. It was known this would be a problem area with soil positions – when they went to set the box, the soil shifted. This has been fixed but we have not received anything on what the additional cost, if any, will be. If there is a cost change, it will be coming to the Board in December.

Rhein asked about the subdivision on US 41 South – De Groot indicated that the subdivision had been approved by the Planning Commission and will be able to serve up to 12 homes. The owner of the property contracted with our contractor that was already in the area to do the necessary work to be able to connect to the sewer.

REVIEW OF THE FY 2022 GENERAL APPROPRIATIONS BUDGET

Township Manager De Groot indicated that there have been some changes made to the budget based on increases in some of the insurance numbers. Health insurance has gone up by 14%. There is also approximately a 10% increase in property and vehicle insurance. This is primarily because we are in a shared program within MMRMA that takes into account the experience rate throughout the State. The boost in revenue is due to increase in property taxes, Federal grant money as we will be receiving our 2nd allotment of the ARPA funds, and a small boost from State Revenue sharing. The Salary / Benefit package will include an upgraded Vision policy, stand alone dental coverage through Delta Dental, and a 3% cost of living increase which currently is not reflected in contractual employees (Manager and Assessor).

Manager De Groot indicated that he has contacted human resource companies in the area on doing a wage structure study and was told this was not something they would do. After the first of the year, De Groot will be writing an RFP for a wage study. He feels that this cannot wait and that we need to have a wage structure in place.

Rhein asked about Pension programs – defined benefit versus defined contribution. De Groot indicated that this is something that needs further discussion with the Pension Committee.

Symbal asked about the statement “We are not forecasting a loss in this budget but may in the future ...”. De Groot indicated that we do not know the full extent of tax foreclosures due to 2020, so we are not able to make any projections on taxes.

White moved, Rhein supported to include the Township Manager with the increases proposed for employee salary and benefits.

MOTION CARRIED

Manager De Groot indicated that at the December meeting he will be bringing the General Appropriations Act, Wage structure, Fee schedule (no changes anticipated), Public Act 152, and Sewer Fund for Board approval.

CONSIDER DELINQUENT SEWER PAYMENTS REMANDED TO THE WINTER TAX BILL

White moved, Lynch supported to accept the list of delinquent sewer charges and penalties as allowed in Ordinance 39, Division 6, 2.6.6 (B) (3) to be added to the Chocolay Township December tax roll.

ROLL CALL VOTE

AYES: Rhein, Symbal, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

DISCUSSION OF THE TOWNSHIP NUISANCE ORDINANCE

Discussion revolved around waterfront properties and establishing “front” versus “back” yards. By definition, the front yard is the street facing side of the yard. There are a lot of things at play in this – natural feature setback, dune overlay.

De Groot indicated that staff would rewrite this portion of the ordinance and bring it back for the December meeting for a first reading.

MANAGER UPDATE – SEWER AND BUDGET

As updates have been discussed in previous sections of the meeting, there is nothing new to report.

BOARD MEMBER COMMENTS

Don Rhein – None.

Judy White – has some concerns about the repaving project of Lakewood Lane and the need for the road to be milled before paving – it’s already started to crack along the shoulder. De Groot indicated that in talks with the Road Commission this is because segments get paved at 20’ width, done in 10’ passes, so it is actually paving the dirt shoulder which causes cracks. This will be a problem with a lot of roads.

Kendra Symbal – has some ideas for the looking ahead plan: community center, non-gendered and family restroom facilities, nursing facilities, playgroup area that is secure, meet up opportunities, a family transition facility for exchanging children.

Dave Lynch – None.

Max Engle – None.

Richard Bohjanen – asked about the Road Asset Management. De Groot indicated that he will be negotiating getting this done

PUBLIC COMMENT

Stephanie Gencheff, 587 Lakewood Lane – objects to extending the noise hours. She loves the new road, along with most of her neighbors. Thanked the Board.

George Meister, County Road 480 – explained that there are benefits that come with partnering with the Road Commission for paving. To bid out these projects on our own would be more costly. There may be ways to address issues prior to paving by putting a plan in place with the Road Commission.

Rhein moved, White supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:29 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of September 20, 2021, Draft.
- B. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of October 20, 2021, Draft.
- C. Minutes – Marquette Area Wastewater Advisory Board, Regular Meeting of September 16, 2021.
- D. Information – Chocolay Township Newsletter – October 2021.
- E. Information – Marquette Area Wastewater Advisory Board 2022 Meeting Dates.

Max Engle, Clerk

Richard Bohjanen, Supervisor

December 13, 2021

A regular meeting of the Chocolay Township Board was held on Monday, December 13, 2021, in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zybert, Dave Lynch, Don Rhein, Kendra Symbal

ABSENT: Judy White (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Zybert supported to approve the agenda as presented.

MOTION CARRIED

PUBLIC COMMENT – None.

Motion to go into closed session:

Engle moved, Rhein supported that we enter into closed session to discuss with the County's attorney strategy in the pending lawsuit of *Deborah Mulcahey v. the Charter Township of Chocolay*, Case No. 21-60865-CZ, pursuant to MCL 15.268(e) as a discussion on the open record would be detrimental to our position, and also to discuss material exempt from disclosure under the attorney-client privilege, MCL 15.243(1)(g) and MCL 15.268(h). I would also like to include the Deputy Clerk and the Township Manager in the closed meeting.

MOTION CARRIED

CLOSED SESSION –

Entered at 5:33 pm

Exited at 6:06 pm

Motion regarding Board Approved Action:

Engle moved Lynch supported to accept the update and advice of counsel regarding strategy discussions of the case of *Deborah Mulcahey v. the Charter Township of Chocolay*, Case No. 21-60865-CZ, discussed during the closed session. I would also like to appoint our Township Manager, Bill De Groot, as the point person for the lawsuit.

MOTION CARRIED

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – November 8, 2021.
- B. Approve Revenue and Expenditure Reports – November 2021.

- C. Approve Bills Payable, Check Register Reports – November 4, 2021 (Check #'s 25022 – 25034, in the amount of \$24,942.66), November 17, 2021 (Check #'s 25035 – 25051, in the amount of \$13,937.15), and November 29, 2021 (Check #'s 25052 - 25075, in the amount of \$115,313.72).
- D. Approve Bills Payable – Regular Payrolls of November 11, 2021 (Check #'s DD2008 – DD2040 and Check #'s 11135 - 11139, Federal, State, and MERS in the amount of \$41,279.94), and November 24, 2021 (Check #'s DD2041 – DD2063 and Check #'s 11140 – 11144, Federal, State, and MERS in the amount of \$41,190.51).

Zybert moved, Rhein supported to approve the Consent Agenda as presented.

MOTION CARRIED

SUPERVISOR’S REPORT

Supervisor Bohjanen indicated he had received a request to designate Chocolay Township as a “school of choice” from January 23 – January 29. If there is interest in this it will be brought back to the Board in January for discussion. This has been briefly discussed in the past, and the Township has passed on it. Lynch suggested that the Township continue to pass on this.

COVID update – things are not getting better in Marquette County of the State of Michigan. In Marquette County, 65.9% of the population has had their 1st shot, with 61.1% having had completion. There have been 38,853 people vaccinated in Marquette County, and 7,053 people that have had the disease. Boosters are extremely important.

CLERK’S REPORT – NONE

PUBLIC HEARING – NONE

PRESENTATION – NONE

FY 2022 ANNUAL GENERAL APPROPRIATIONS ACT BUDGET

Manager De Groot indicated that the numbers have changed slightly. After last month’s meeting we met with our insurance representatives, which caused us to adjust our salary increase to 4%. Our insurance increase by 14.9%. Based on the ARPA funds (5%) received by employees, a 4% adjustment to salary, and increased benefits available to our employees, it is felt that there should be no loss out of pocket. There should be a minimal increase in wages.

CHARTER TOWNSHIP OF CHOCOLAY

FISCAL YEAR 2022

GENERAL FUND BUDGET, ROAD

FUND

**FIRE DEPARTMENT MILLAGE FUND LIQUOR LAW
ENFORCEMENT FUND LIBRARY MILLAGE FUND
CAPITAL IMPROVEMENTS FUND AND SEWER
FUND BUDGETS**

I HEREBY CERTIFY THAT THE FISCAL YEAR 2022 BUDGETS
WERE ADOPTED BY THE CHOCOLAY TOWNSHIP BOARD
ON DECEMBER 13, 2021

MAX L. ENGLE, TOWNSHIP CLERK

GENERAL APPROPRIATIONS ACT

Zybert moved, Lynch supported, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2022, and ending December 31, 2022, 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 October 29, 2021; and

Whereas, a public hearing was held on the proposed budget on November 8, 2021 at Chocolay Township Hall, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing:

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2022, and ending on December 31, 2022, in the amount of \$2,407,226.00 for the General Fund, in the amount of \$428,935.00 in the Road Fund, in the amount of \$2,900.00 in the Liquor Law Enforcement Fund, in the amount of \$254,048.00 in the Library Millage Fund, in the amount of \$0 in the Capital Improvements Fund, and in the amount of \$579,000.00 for the Sewer Fund.
2. The Township Board does hereby appropriate the sum of ~~\$2,351,756.00~~ **\$2,353,214.60** for the general operating expenses (~~\$2,010,481.00~~) (**\$2,011,939.60**) and capital

improvements (\$341,275.00) of the Township to be used for the fiscal year beginning January 1, 2022 and ending December 31, 2022.

3. The Township Board does hereby appropriate the sum of \$772,251.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2022 and ending December 31, 2022.
4. The Township Board does hereby appropriate the sum of \$100,000.00 for the repairing of the Township Roads to be used for the fiscal year beginning January 1, 2022 and ending December 31, 2022.
5. 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 1, 2022 and ending December 31, 2022.
6. The Township Board does hereby appropriate the sum of \$254,048.00 for contractual services with the Peter White Public Library for the fiscal year beginning January 1, 2022 and ending December 31, 2022.
7. The Township Board does hereby levy 3.5657 mills for general operations; extra voted is 0.9801 for library, 1.6549 for roads.
8. All resolutions and parts of resolutions in so far as they conflict with provision of this resolution are rescinded.
9. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriations Act conforming to Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL VOTE:

AYES: Rhein, Symbal, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

Amendment to General Appropriations Act, Item 2

Zyburt moved Lynch supported "The Township Board does hereby appropriate the sum of ~~\$2,351,756.00~~ **\$2,353,214.60** for the general operating expenses (~~\$2,010,481.00~~) **(\$2,011,939.60)** and capital improvements (\$341,275.00) of the Township to be used for the fiscal year beginning January 1, 2022 and ending December 31, 2022."

ROLL CALL VOTE:

AYES: Rhein, Symbal, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

RESOLUTION FOR OFFICER' SALARIES

SUPERVISOR'S SALARY

Lynch moved, supported by Rhein, that the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.

ROLL CALL VOTE:

AYES: Rhein, Symbal, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

Amendment to Supervisor's Salary:

Symbal moved, Rhein supported that the salary for the office of Supervisor be amended by 4%, which set the amount to \$12,480.00 for the fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.

ROLL CALL VOTE:

AYES: Rhein, Symbal, Zyburt, Engle

NAYS: Lynch, Bohjanen

MOTION CARRIED

TREASURER'S SALARY

Lynch moved, supported by Engle, that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.

ROLL CALL VOTE:

AYES: Rhein, Symbal, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

Amendment to Treasurer's Salary:

Symbal moved, Rhein supported that the salary for the office of Treasurer be amended by 4%, which set the amount to \$10,400.00 for the fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.

ROLL CALL VOTE:

AYES: Rhein, Symbal, Engle, Bohjanen

NAYS: Lynch, Zyburt

MOTION CARRIED

CLERK’S SALARY

Lynch moved, supported by Zyburt, that the salary for the office of Clerk shall be set in the amount of \$12,000.00 for the Fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.

ROLL CALL VOTE:

AYES: Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: Symbal

ABSENT: White

MOTION CARRIED

Amendment to Clerk’s Salary:

Symbal moved, Zyburt supported that the salary for the office of Clerk be amended by 4%, which set the amount to \$12,480.00 for the fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.

ROLL CALL VOTE:

AYES: Rhein, Symbal, Zyburt, Engle, Bohjanen

NAYS: Lynch

MOTION CARRIED

TRUSTEE’S PER DIEM

Lynch moved, supported by Rhein, that the per diem for the office of Trustee shall be set in the amount of \$75.00 per meeting for the Fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.

ROLL CALL VOTE:

AYES: Rhein, Symbal, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

FY 2022 ANNUAL FEE SCHEDULE

Lynch moved, Rhein supported that the 2022 Proposed Fee Schedule be approved as presented.

ROLL CALL VOTE

AYES: Rhein, Symbal, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

MOTION CARRIED

**RESOLUTION NO. 2022-1
December 13, 2021**

**RESOLUTION TO ADOPT 80% / 20%, EMPLOYER / EMPLOYEE HEALTH CARE COST
OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH
INSURANCE CONTRIBUTION ACT**

Lynch moved, Zyburt supported that:

WHEREAS, 2011 Public Act 152 (the “Act”) was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirement of the Act;

WHEREAS, the three options are as follow:

1. Section 3 – “Hard Caps” Option – limits a public employer’s total annual health care costs for employees based on coverage levels, as defined by 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 Township Board has decided to adopt the 80% / 20% option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the Township Board of the Charter Township of Chocloy elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the 80% / 20% option for the medical benefit plan coverage year January 1, 2022 through December 31, 2022.

Upon a Roll Call Vote, the vote was as follows:

AYES: Rhein, Symbal, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: White

RESOLUTION DECLARED ADOPTED.

Max L. Engle, Township Clerk

CONSIDER APPOINTMENTS FOR BOARD AND COMMITTEES

Lynch moved, Rhein supported to approve the appointments presented by Supervisor Bohjanen and listed on the “Boards, Committees, Commissions – 2022” worksheet within this packet.

MOTION CARRIED

CONSIDER 2022 TOWNSHIP MEETING DATES AND TOWNSHIP HOLIDAY DATES

Zyburt moved, Lynch supported to approve the proposed Township Board Meeting Schedule, with the August meeting amended to a meeting date of August 1, for calendar year 2022.

MOTION CARRIED

Zyburt moved, Lynch supported to approved the proposed township Office Closure dates in recognition of major holidays within the calendar year of 2022.

MOTION CARRIED

CONSIDER 1ST READING OF THE UPDATED NUISANCE ORDINANCE AND SCHEDULE PUBLIC HEARING

Lynch moved, Zyburt supported that the Chocolay Township Board receive the Draft Nuisance Ordinance and schedule a public hearing for February 14, 2022 to hear public comment about amendments to the Township Nuisance Ordinance.

MOTION CARRIED

MANAGER UPDATE – SEWER AND BUDGET

Sewer – Manager De Groot indicated that we have not released ownership from Oberstar to the Township as yet. We are at the 80% completion phase. We are not planning on taking full ownership until the SCADA system is up and running, but we are experiencing some alarm issues.. Heavy construction is complete. Some of the concerns in the neighborhoods are the mandoor lights. OSHA mandates this lighting – we are trying to down shield the inside of the lens. Lynch asked about motion lights. De Groot indicated there may be lots of movement with animals, etc. De Groot indicated we have not had the meeting about Lift Station #5. We are in the negotiation phase about additional cost.

Budget – Thanked the Board for passing the budget. Capital projects will be dependent on shared revenue projections and grants. (Marina, Silver Creek bathroom upgrade) These would be a rolling grant process. Road millage is small this year, as we are doing a hiatus year and reexamine our PASER ratings. Also suggested that at some time we should be looking at the gravel road opportunities.

BOARD MEMBER COMMENTS

Don Rhein – None.

Kendra Symbal – None.

Dave Lynch – None.

Ben Zyburt – None.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT

Sheri Stegner, Greenfield Road – has some concerns on Mangum Road between US 41 and Greenfield Road.

Zyburt moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:06 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of November 17, 2021, Draft.
- B. Information – Chocolay Township Newsletter – November 2021.

Max Engle, Clerk

Richard Bohjanen, Supervisor