

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.

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

TREASURER'S REPORT- FUND WITHDRAWAL AND DEPOSIT REPORT.

Treasurer Zybur 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