

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