

January 17, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, January 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, Arlene Hill, John Trudeau, Mark Maki, Susan Carlson.

ABSENT: (Excused) Ken Tabor.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Brad Johnson, Greg Zyburt, Tina Fuller.

MINUTES- December 13, 2010.

Carlson moved, Greenberg second that the minutes of the December 13, 2010 Township Board meeting be approved as presented.

AYES: 5 NAYS: 0 MOTION CARRIED.

Trustee Maki arrived.

AGENDA ADDITIONS/DELETIONS.

Hill moved, Greenberg second to approve the agenda as presented.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Hill moved, Carlson second that bills totaling \$109,795.44 and checks numbered 16750-16783 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Maki second that bills totaling \$37,212.31 and checks numbered 16784-16806 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Carlson second that bills totaling \$36,321.99 and checks numbered 16807-16838 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PAYROLL.

Hill moved, Carlson second that the payroll for December 22, 2010 amount \$34,917.12 checks 8254-8289, January 6, 2011 amount \$32,207.01 checks 8290-8312, January 7, 2011 amount \$6,236.14 checks 8313 - 8333 are approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Trustee Trudeau commented on M-Bank C/D being \$1,200.85 over the insurable amount. Treasurer Greenberg said it was interest from the C/D.

Carlson moved, Trudeau second to accept the Treasurer's Report.

AYES: 6 NAYS: 0 MOTION CARRIED.

PRESENTATIONS – SENIOR SERVICES.

Ruth Almen, Lori Stevens-Brown, Lisa Balko, and Mary Wilson presented a film on senior services available in Marquette County highlighting that their goal is to help seniors stay at home as long as possible. They are trying to get the word out to seniors in the outlying areas that the services are available to them also.

PRESENTATION – TINA FULLER, CHOCOLAY TOWNSHIP TAX ASSESSOR.

Tina Fuller presented information on

- Understanding property taxation
- Headlee amendment,
- Proposal A cap on taxes,
- Tax definitions,
- Process of developing assessed value AV, state equalized value SEV and taxable value TV
- Process of establishing the millage rate
- Examples of property tax calculation

Trustee Trudeau asked about Michigan Tax Tribunal and Trustee Maki asked how many foreclosures have occurred in Chocolay Township. We have had approximately 20 foreclosures in the Township.

APPOINTMENTS/RESIGNATIONS.

Trudeau moved, Hill second to re-appoint John Greenberg to the Pension Committee for a term commencing on 12/21/2010 and expiring on 12/31/2016.

AYES: 6 NAYS: 0 MOTION CARRIED.

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

February 21, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, February 21, 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 Trudeau, Mark Maki, Susan Carlson, Ken Tabor (arrived at 7:05 pm).

ABSENT: John Greenberg, Arlene Hill.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Brad Johnson, Tom Murray.

MINUTES- January 17, 2011.

Carlson moved, Trudeau second that the minutes of the January 17, 2011 Township Board meeting be approved as presented.

AYES: 4 NAYS: 0 MOTION CARRIED.

Ken Tabor arrived.

MINUTES – February 7, 2011.

Carlson moved, Trudeau second that the minutes of the February 7, 2011 Special Township Board/Planning Commission meeting be approved with one change to Mark Maki's Public Comment -*(Commented that misinformation went unchallenged on Planning and Zoning issues and minutes prior to him being an elected Trustee on the Board. There have been decisions made based on this inaccurate information.)*

AYES: 5 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Trudeau moved, Tabor second to approve adding XIV. E. Resolution to allow local residents to protest in writing to Board of Review to the agenda.

AYES: 5 NAYS: 0 MOTION CARRIED.

Maki moved, Trudeau second to approve adding XIV. F. Public Notices to the agenda.

AYES: 5 NAYS: 0 MOTION CARRIED.

Maki moved, Carlson second to approve adding XIV. G. Zoning Violations to the agenda.

AYES: 5 NAYS: 0 MOTION CARRIED.

Maki moved, Trudeau second to approve adding XIV. H. Clerk absenteeism to the agenda.

AYES: 5 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road – Asked about the clean up activity at Walt's Auto Body and if it had sold? Jennifer Thum stated that it has not sold.

ACCOUNTS PAYABLE.

Carlson moved, Tabor second that bills totaling \$106,149.52 and checks numbered 16839-16884 are approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

Maki moved, Trudeau second that bills totaling \$39,134.22 and checks numbered 16885-16897 and 16899-16915 are approved for payment.

AYES: 5 NAYS: 0 MOTION CARRIED.

PAYROLL.

Trudeau moved, Tabor second that the payroll for January 20, 2011 amount \$32,354.36 checks 8334 -8365, February 3, 2011 amount \$30,207.90 checks 8366-8388 and February 17, 2011 amount \$33,882.04 checks 8389-8421 are approved.

AYES: 4 NAYS: 1 (Maki) MOTION CARRIED.

Trustee Maki requested that we stop paying the Clerk during her absence.

Trustee Trudeau stated that our Township attorney already informed the Board that we have no control over the Clerks pay during her absence.

Trustee Maki requested that we place the long term absence of the Township Clerk on the March agenda and have a written opinion from our Township Attorney on this matter.

FINANCIAL AND TREASURER'S REPORTS.

Carlson moved, Trudeau second to accept the Financial and Treasurer's Report.

AYES: 5 NAYS: 0 MOTION CARRIED.

NATIONAL MEDAL FOR MUSEUM & LIBRARY SERVICE AWARDED TO PETER WHITE PUBLIC LIBRARY – LIBRARY DIRECTOR PAM CHRISTIANSON.

Pam Christianson, Peter White Library Director displayed the National Medal awarded to Peter White Library. Peter White Library was one of five libraries awarded this medal in 2010. She indicated that a monetary award of \$10,000.00 is given with the medal. She also stated that 48.5% of Chocolay Township residents have library cards.

RESOLUTION OF APPRECIATION FOR SILVER CREEK CHURCH AND REVEREND KEVIN TAYLOR.

Trudeau moved, Tabor second that

WHEREAS, Pastor Kevin Taylor has put together an outstanding church that offers a place that the whole community has enjoyed with the various community events like Harvest and block parties.

WHEREAS, the church has been in our community since 1991.

Now therefore be it resolved that the Chocoday Township Board does hereby acknowledge and express its deep appreciation and gratitude for the years of service rendered by Pastor Taylor and the Silver Creek Church

Be it further resolved, that this resolution be made a part of the minutes of the Chocoday Township Board meeting, and that a copy be presented to Pastor Kevin Taylor and the Silver Creek Church

On behalf of the Chocoday Township Board, and the Township residents, we do give him thanks.

AYES: 5 NAYS: 0 MOTION CARRIED.

RESOLUTION TO HONOR EARL YELLE.

Maki moved, Tabor second that the following resolution be adopted

WHEREAS, Earl L. Yelle has served over 35 years as the Sands Township Supervisor; and

WHEREAS, Earl's tireless dedication and input on the Sands Plains Aquifer, Reuse of K.I. Sawyer Airbase, Marquette County Landfill, many State and Federal Boards and Commissions and the positive impact his efforts have had on the community; and

WHEREAS, Earl's leadership and judgment as a Supervisor of the Sands Township Board has established respect for Sand's Township involvement in their commitment to Marquette County.

Now Therefore Be Resolved

That the Charter Township of Chocoday recognizes Earl L. Yelle as an outstanding Supervisor of Sands Township and presents his family with this resolution of appreciation for a job well done.

Adopted this 21st day of February, 2011, by the Charter Township of Chocoday Board.

AYES: 5 NAYS: 0 MOTION CARRIED.

APPOINTMENT OF TOWNSHIP VOTING MEMBER TO ALGER-DELTA ELECTRIC COOPERATIVE.

Carlson moved, Tabor second to appoint John Trudeau as our Alger Delta Electrical Cooperative representative effective February 22, 2011 through December 31, 2012.

SUPERVISOR REPORT.

I am delegating the duties of personnel administrator and purchasing agent to the Township Manager, Steve Lawry effective February 22, 2011. I am also reducing my salary by \$500.00 to a total annual salary of \$14,525.00 to compensate for the reduction of duties.

The Iron Ore Heritage Trail Authority was able to take out a low interest loan to help them through 2011 grant expenses. They will begin collecting millage in 2012 to repay the loan.

RZ145 – REZONING OF 425 CORNING STREET FROM HIGH DENSITY RESIDENTIAL (R-2) TO DISTRICT PLANNED UNIT DEVELOPMENT (PUD) – FIRST READING.

A letter from Janet Peterson in favor of the rezoning was read by Jennifer Thum, Planning Director.

Steve Zarkowski, the applicant from Z & P Properties presented building plans to the Board and discussed the fact that handicap housing is greatly needed in this area.

Ron Thorley, 309 Lakewood Lane spoke in favor of this independent living facility.

Frieda Waara, 309 Lakewood Lane spoke about how our community needs independent living facilities for the disabled. She hopes the Board will endorse this project.

Trustee Maki commented that this property has come full circle, in the 1970's it was zoned multi-family, and then in the 1990's clinics were added and now it is proposed back to multi-family..

Tabor moved, Maki second to concur with the Township Planning Commission and hold a second reading for Rezoning #145.

ROLL CALL.

AYES: Tabor, Carlson, Maki, Trudeau, Seppanen.

NAYS: None

MOTION CARRIED.

ENGAGEMENT OF AUDITOR FOR 2010 FISCAL YEAR AUDIT.

Steve Lawry, Manager explained that the Board voted in March of 2010 to retain Anderson, Tackman & Co. for the 2010, 2011 and 2012 audit. The motion before the Board is to authorize a signature on the letter of engagement.

Trudeau moved, Carlson second to authorize the Supervisor to sign the attached letter of engagement for Anderson, Tackman & Company PLC and to place the informational letter on file.

AYES: 5 NAYS: 0 MOTION CARRIED.

ADOPTION OF MERS HEALTH CARE SAVINGS PLAN.

Tom Jordan, MERS representative explained that the MERS Health Care Savings plan is not health insurance or a health care saving account. The plan allows employees to set aside funds through a tax free payroll deduction to be used post employment for health premiums and other allowable health expenses. The funds are also tax free when used for health costs. There will also be a cost saving to the Township because the Township will also save 7.65% on their portion of Fica. There are three ways an employee can place funds in the plan:

- As an automatic payroll deduction
- Retirement payout for sick and vacation time
- After tax deposit

There is a \$25.00 annual fee and ½ % of account balance annually taken directly from each employee's account.

Trustee Trudeau asked how long MERS has offered this plan and how many employers contribute along with the employee deduction? Most municipalities do not contribute, but there are some union municipalities that do.

Tabor moved, Maki second to adopt the prepared Health Care Savings Program resolution and authorize the Community Development Coordinator to execute the document.

AYES: 4 NAYS: 1 (Trudeau) MOTION CARRIED.

BUDGET AMENDMENT #1 FOR WASTEWATER FUND WITH AUTHORIZATION TO PURCHASE DIGITAL CHART RECORDER FOR WASTEWATER LIFT STATION.

Steve Lawry, Manager explained that the chart recorder for one of our pump stations is out of order and we can not order replacement parts. The pump stations recorders were installed in the 1970's. The capital outlay in the Wastewater Fund was rolled into the Contingency line item in the 2011 budget and will require a budget amendment to expend funds for the new recorder.

Maki moved, Carlson second that Whereas a budget was adopted by the Chocolay Township Board on November 8, 2010 to govern anticipated revenues and expenditures for the Wastewater Treatment Fund for fiscal year 2011, and Whereas equipment failure necessitates and 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	\$30,000	-\$3,500	\$26,500
EXPENDITURE			
Repair/Maint. 571.930	\$ 1,965	+\$3,500	\$ 5,465

And further be it resolved that the Board approves the expenditure of not more than \$3500.00 from the Sewer Repair and Maintenance Account to Crane Engineering for a chart recorder

ROLL CALL.

AYES: Maki, Trudeau, Tabor, Carlson, Seppanen.

NAYS: None MOTION CARRIED.

TOWNSHIP BOARD RESOLUTION TO ALLOW ALL LOCAL RESIDENTS TO PROTEST TO THE BOARD OF REVIEW IN WRITING.

Michigan tax law now allows for local residents to protest in writing to the Board of Review (out of town property owners currently can protest in writing). This can only be allowed by resolution of the Board.

Maki moved, Trudeau second to accept the Township Board Resolution #2011-1 to allow local residents to protest in writing pursuant to MCL 211.30(5) of the General Property Tax Act.

AYES: 5 NAYS: 0 MOTION CARRIED.

PUBLIC NOTICES TO RESIDENTS.

Trustee Maki indicated that historically the Township used display ads to notify residents on zoning issues. Sometime after 2000 the notices changed from display ads to being placed in the legal notice section. Display ads are much more noticeable.

Trustee Tabor noted that not a lot of people get the newspaper anymore to read any of the notices.

The Board will place this item on the March agenda to allow staff to research advertising and mailing cost. Michigan Township Association will also be contacted to look for creative ways other Townships are utilizing legally to get information out to the residents.

Trustee Trudeau would like to know how many residents would have to be notified to be considered a statistically accurate group.

ZONING VIOLATIONS.

Trustee Maki feels the system for enforcement of zoning in Chocolay Township is broken. For over a year the moving sign violation has existed at the Holiday Gas Station and that the Board directed Jennifer Thum to have the Lakenenland sign permit go back to the Planning Commission for a conditional use permit and that has not happened.

Jennifer Thum, Planning Director and Steve Lawry, Manager explained that the Lakenenland sign meets the zoning ordinance requirements and did not need a conditional use permit.

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

March 21, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, March 21, 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, Arlene Hill, Mark Maki, Susan Carlson, Ken Tabor.

ABSENT: John Trudeau.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Brad Johnson, Tom Murray.

MINUTES- February 21, 2011.

Maki moved, Carlson second that the minutes of the February 21, 2011 Township Board meeting be approved with four corrections to Trustee Maki's comments.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Tabor moved, Greenberg second to approve adding XIII. B. 1. Holiday Gas Station Sign to the agenda.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road –Commented on trying to resolve problem with Lakenen Park sign for seven years. Questioned where in the zoning ordinance is wording to allow a 100 square foot sign? In 2004 Mr. Maki applied for a 60 square foot sign and was denied and was told that the zoning ordinance needs to be changed to allow it.

ACCOUNTS PAYABLE.

Carlson moved, Hill second that bills totaling \$49,504.57 and checks numbered 16898 and 16916-16943 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Tabor moved, Carlson second that bills totaling \$26,096.32 and checks numbered 16944-16973 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PAYROLL.

Tabor moved, Greenberg second that the payroll for March 3, 2011 amount \$30,771.85 checks 8422 -8442, March 17, 2011 amount \$29,612.18 checks 8443-8465 are approved.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Maki moved, Carlson second to accept the Financial and Treasurer's Report.

AYES: 6 NAYS: 0 MOTION CARRIED.

PRESENTATIONS - CERTIFICATE OF APPRECIATION TO TOM MURRAY.

Greenberg moved, Tabor second that

FOR HIS DEDICATION to the Township and its citizens
We do express our thanks and appreciation to,

Tom Murray

For dedication as Community Development Coordinator for the
Charter Township of Chocolay,

Your willingness to take on additional duties as assistant to the Supervisor and,

Your expertise in Assessing, Zoning and Planning is greatly respected,

On this your RETIREMENT, 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.

SUPERVISOR REPORT.

1. We received a thank you note from the family of Earl Yelle for the resolution that Chocolay Township presented.
2. Supervisor Seppanen thanked Trustee Maki for representing Chocolay Township at the Historical Museum.
3. Steve Lawry, Jennifer Thum and I attended a meeting to discuss cooperative/shared efforts with local units of government.

- 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:

- The rezoning is consistent with the Township Comprehensive Plan; and
- The rezoning will allow the redevelopment of a current vacant building; and
- The applicant shall obtain all necessary State and Local permits prior to renting the units; and
- 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
- Z & P properties shall notify the Township of any new medical offices that are renting the basement to store their records; and
- 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.
- 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. Kendall 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

August 15, 2011

A Regular meeting of the Chocolay Township Board was held on Monday, August 15, 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, Arlene Hill , John Greenberg, John Trudeau, Mark Maki, Susan Carlson.

ABSENT: Ken Tabor.

STAFF PRESENT: Steve Lawry, Mary Sanders, Jennifer Thum, Brad Johnson.

MINUTES- August 8, 2011.

Carlson moved, Trudeau second that the minutes of the August 8, 2011 Special Township Board meeting be approved with three changes.

AYES: 5 NAYS: 1(Maki) MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved, Carlson second to approve the agenda as presented

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Trudeau moved, Maki second that bills totaling \$10,090.54 and checks numbered 17242 -17266 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

Maki moved, Carlson second that bills totaling \$22,594.76 and checks numbered 17267-17291 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PAYROLL.

Hill moved, Trudeau second that the payroll for July 21, 2011 for \$33,556.34 including checks 8772-8811 and ACH payments for Federal tax, State tax and MERS retirement , and August 4, 2011 for \$28,411.96, including checks 8812-8836 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, Trudeau second to accept the Financial Report.

AYES: 6 NAYS: 0 MOTION CARRIED.

Trudeau moved, Maki second to accept the Treasurer Report.

AYES: 6 NAYS: 0 MOTION CARRIED

FIRE STATION DESIGN.

Travis Hongisto, Integrated Designs Inc. and Steve Lawry, Township Manager presented design and site plan information on the proposed fire hall. At this time no funding source has been identified. The North bay of the existing fire hall will be brought down during construction. The balance of the existing building will be utilized while the new hall is being constructed. The building is designed for the trucks to enter from the back driveway and exit onto U S 41. The curb cut on the highway will be large enough to accommodate the fire trucks. The police will have a separate curb cut. There will be a 30,000 gallon underground tank to refill trucks. The building includes an entranceway off the parking area, lockers, wash bay, small equipment bay, four large truck bays, an employee area including a training room, small work out room, lounge, radio room, two offices, rest room, shower and mechanical equipment room. The preliminary estimate is 1.85 million dollars. Estimate per square foot is \$123.06.

Trustee Trudeau, Manager Lawry and fire department members were involved throughout the process working with IDI. Manager Lawry thanked the fire department for their input on the design and the fact that they were reasonable in their requests for the design. Ex-fire chief Gary Johnson stated that the current hall is too restrictive on apparatus and that we need two tankers because we do not have municipal water. The codes used when creating the plan for the fire hall were adopted in 2011, new codes could be adopted in 2014. The building design could be altered to new codes if not built before 2014.

SUPERVISOR REPORT.

If anyone has questions on the 2012 budget, please call Manager Lawry with them before the September work session. Manager Lawry highlighted the changes in the 2012 budget over the 2011 budget from his memo attached to the budget.

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. Choclay 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.

general were discussed. Marquette Township spoke of trust issues with the City of Marquette. Chocolay Township was requested to host the March 2012 meeting.

The Board agreed that we join in the Regional Recreation Authority at this point and decide later if it is still advantageous for Chocolay Township to participate. We will host the March meeting.

Greenberg moved, Maki second that Chocolay Township join the ad hoc Recreation Authority Committee with Clerk Engle, Supervisor Seppanen and Trustee Trudeau as Chocolay Township representatives.

AYES: 7 NAYS: 0 MOTION CARRIED.

Supervisor Seppanen noted that the Lake Superior Community Partnership will hold their January 2012 leadership conference at Chocolay Township Hall.

A two minute recess was called.

PROPOSED TEXT AMENDMENT #34-11-03 TO ZONING ORDINANCE SECTIONS 13.1 AND 13.2 WIRELESS COMMUNICATION FACILITY REQUIREMENTS (REVISED) – FIRST READING.

Trudeau moved, Engle second to approve the first reading of proposed text amendment #34-11-03, and bring it back to the January 16, 2012 meeting for the second reading.

Trustee Maki questioned accessory structures being 600 feet and that he wants to compare some of the language for wireless towers to original language proposed in 2000.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Maki, Trudeau, Engle, Seppanen.

NAYS: None. MOTION Carried.

PROPOSED TEXT AMENDMENT #34-11-04 TO ZONING ORDINANCE SECTION 6.5 OUTDOOR WOOD BURNING BOILERS AND APPLIANCES – SECOND READING.

Carlson moved, Tabor second to approve the second reading of Zoning Amendment #34-11-04, to amend Section 6.5 Outdoor Wood Boilers and insert language to regulate outdoor burn barrels. 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.

Treasurer Greenberg would like nuisance better defined, Marquette County Planning Commission also felt it was too vague.

Trustee Maki question 150 foot set back from structures for burning barrels.

ROLL CALL.

AYES: Tabor, Carlson, Maki, Trudeau, Engle, Seppanen.

NAYS: Greenberg. MOTION CARRIED.

PROPOSED TEXT AMENDMENT #34-11-07 TO ZONING ORDINANCE SECTION 6.7 ROAD FRONTAGE REQUIREMENTS – FIRST READING.

Trustee Maki informed the Board that in 1977 the Township approved a zoning ordinance that required frontage on an approved road with a 66 foot right of way. There have been different standards for private roads over the years. In 2005 with the comprehensive plan update, the Township looked at getting rid of private roads. There were developers that had objections to that and the Planning Commission then allowed 4 homes on a private driveway with no standards. This creates a problem for emergency vehicles. The Board should request information from police, fire and ambulance personnel on difficulty in finding homes on private roads.

Planner Thum stated that the Planning Commission is looking at addressing issues and the approval process for private roads. They are going to work on Zoning Ordinance Section 6.7 road frontage in 2012.

Trustee Trudeau commented that private roads can be created as a gravel road with a 66 foot wide easement and later can be brought up to County Road standards.

Tabor moved, Carlson second to concur with the Planning Commission action to deny the requested text amendment #34-11-07.

ROLL CALL.

AYES: Tabor, Carlson, Greenberg, Trudeau, Engle, Seppanen.

NAYS: Maki. MOTION CARRIED.

Greenberg moved, Tabor second that the Planning Commission gives the private road safety issue a high priority in 2012.

AYES: 7 NAYS: 0 MOTION CARRIED.

PROPOSED TEXT AMENDMENT #34-11-06 TO ZONING ORDINANCE SECTION 10.1 PLANNED UNIT DEVELOPMENTS – FIRST READING.

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