

And the Chocoley Township Police Department.

We do hereby express our appreciation on behalf of the Township Board and its residents.

Chief Zyburt presented life saving badges to Officer Anthony Carrick and Officer Jon LeGalley. Anthony has been with the Township for 5 years and has his bachelor's degree in criminal justice. Jon has a bachelor's degree in Economics. The Township is grateful to have such professional officers.

TOWNSHIP WEBSITE DEMONSTRATION.

Dale Throenle, Community Development Coordinator gave a power point presentation with an overview of the updated website. Dale developed this web site over the summer of 2012. Each Board member has an email link on the website and Dale will provide information to Board members so they can utilize the emails for Township business.

Manager Lawry explained to the Board that the web site duties were added to the Community Development Coordinator. Prior to that we contracted for web site maintenance with limited capacity on the web site and making changes took upwards to a week. Now changes are immediate.

SUPERVISOR'S REPORT.

At the end of last month, Kelly Woodward, Steve Lawry and Gary Walker attended an Iron Ore Heritage Trail meeting. The Heritage Trail Committee discussed and passed a motion to recognize the business route and the railroad route through Chocoley Township as part of the Heritage Trail for signage and maps. They will not accept any maintenance responsibilities for the business route. We are looking into grant possibilities with MDOT to upgrade that portion of the route. The Heritage Trail association will do some facilitation with the local units of government for shared maintenance on the trail.

DISCUSSION ON TAX APPRAISALS.

Trustee Maki wanted to give the Board background on the three parcels being appealed and the Board approved contract appraisals. The Silver Creek Mobile Home Park is a \$300,000.00 property and we are spending \$7,500.00 to defend the assessment on it. We have properties up and down Lakewood Lane that are worth that much. The Moyle Property was a 3 million dollar property, and it made sense to spend money to defend it. The Wells Fargo property is a \$440,000.00 property. Trustee Maki also notice there is a delinquent tax sale for Chocoley Township. Assessor Fuller stated that is on John Sommers' property and we have a lien for trash removal on the property. That is why we are also named on the delinquent tax parcel.

PROPOSED TEXT AMENDMENT #34-12-05 TO ZONING ORDINANCE SECTION 6.9 HOME OCCUPATIONS – FIRST READING.

Trustee White asked if current home occupations would be grandfathered.

Planner Woodward indicated that it depends on when they established the home occupation and what regulations were in effect at that time and whether they previously had a permit. The Planner also noted that between 2003 and 2008 permits were not required for a home occupation.

Trustee Maki asked for a clarification on not requiring a home occupation permit for the years 2003 through 2008.

Planner Woodward said that as she reads the ordinance from that time frame, home occupations were allowed without a permit if they met all the requirements in the ordinance. If a home occupation did not meet the requirements of the ordinance; a permit was required.

Treasurer Greenberg had one change for the home occupation amendment. 6.9 (C) 3 (a) *Acceptance by the applicant of a permit to – Submission by the application and subsequent granting of a permit.*

Trustee Maki questioned whether motor vehicle repair was in the AF district in the current ordinance. Planner Woodward stated that is currently in the A/F District in the ordinance. Mr. Maki feels that this may hurt someone with a commercial business in motor vehicle repair. Allowing motor vehicle repair in A/F District as a home occupation also puts the burden on the neighbors to complain to the Planning Commission if they do not want motor vehicle repair next to them. He also wondered if anyone attended the County Planning Commission meeting to present comments. Planner Woodward attended the meeting and said that the County commented – Why would anyone want to limit someone trying to make a living in this economy?

Carlson moved Engle seconded to present the proposed home occupation text amendment #34-12-05 as modified - 6.9 (C) 3 (a) from *Acceptance by the applicant of a permit constitutes consent and permission for appropriate Chocoley Township officials to enter upon applicant's land for the purpose of determining and verifying compliance with the permit.* To – ***Submission by the application and subsequent granting of a permit constitutes consent and permission for appropriate Chocoley Township officials to enter upon applicant's land for the purpose of determining and verifying compliance with the permit.*** This will be presented to the Township Board for a second reading at their February 2013 meeting.

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Treasurer Greenberg commented that if this is adopted by the Board, that the Township should advertise it and encourage compliance and possibly offer some type of amnesty.

Trustee Maki asked if we currently allow signs for home occupation. Planner Woodward indicated that we do not.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS FOR LION'S FIELD ICE RINK MAINTENANCE AND IMPROVEMENT.

Maki moved Stanaway seconded that the Chocolay Township Board approves the expenditure of no more than \$7,000.00 for the lumber, hardware and plastic and \$14,285.00 plus using the \$10,715.00 that is already set aside for the paved pad. This will be purchased from the Recreation and Properties Capital Improvement Fund 401.756.957.

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PERFORM ASBESTOS/LEAD ASSESSMENT OF FIRE HALL BUILDING FOR DEMOLITION.

Supervisor Walker reported to the Board that we approached the architects about this assessment and their recommendation was that we do it separate from the construction bid. They felt if we add it to the bid specs it would be more costly with an overage charge being added by the general contractor. It is also important that the contractors have this information before they submit a bid for the building project.

Greenberg moved Maki seconded to accept the \$1,500.00 proposal of Trimedia Environmental and Engineering Services and proceed with an asbestos and lead assessment as quickly as possible

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

REVERSAL OF 2012 SEWER USE AND 2011 USE MODIFICATION CHARGES BILLED IN ERROR.

White moved Greenberg seconded to reverse \$250.00 delinquent use modification fee that was placed on the 2012 tax roll for the property belonging to Walt Racine located at 2801 U S 41 South Marquette, MI Tax number 52-02-251-012-00.

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Maki moved Greenberg seconded to reverse \$396.00 from the current sewer account U41S-002801-0000-02; an amount that was billed for sewer fees from October 2011 through December 2012.

ROLL CALL.

AYES: Maki, White, Greenberg, Carlson, Engle, Walker.

NAYS: Stanaway.

MOTION CARRIED.

PUBLIC COMMENT.

Dick Arnold – Is disappointed in the home occupation amendment allowing motor vehicle repair in the A/F district. The State of Michigan requires a license to repair vehicles and the parts used must be certified by the State. What protection does someone have if they get a bad vehicle repair at a home business? No one is asking to allow motor vehicle repair as a home occupation.

Paul Huebner – Inherited property on Green Garden Road and it needs to be cleaned up. Can someone direct him on how to clean it up? Planner Woodward suggested that he stop by her office tomorrow to discuss this.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, December 3rd, 2012.
- B. Minutes – Marquette County Solid Waste Management Authority Draft, November 14th, 2012.
- C. Minutes – Marquette Area Wastewater Treatment Authority, November 8th, 2012.
- D. Minutes – Recreation Authority Subcommittee Draft, November 29th, 2012.
- E. Notice – Charter Communications Change in Channel Lineup.
- F. Report – Fire Hall Plan Review by Michigan Energy Options.
- G. Communication – Wayne Dees Re: November 19th, 2012 Board Meeting Comments.

Supervisor Walker adjourned the meeting at 8:15 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

February 18, 2013

A Regular meeting of the Chocolay Township Board was held on Monday, February 18, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:15 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Susan Carlson, Bernie Stanaway, Judy White.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Brad Johnson, Tina Fuller, Kelly Woodward.

MINUTES – JANUARY 14, 2013.

Engle moved, Carlson seconded to approve the minutes of January 14, 2013.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Engle moved Greenberg seconded to accept the agenda as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Don Britton, 121 Deerview Trail is available to answer any question on Resolution of Support for EVIP Grant for Recreation Authority Study Group.

ACCOUNTS PAYABLE.

Carlson moved White seconded that bills totaling \$59,919.77 and checks numbered 18383 to 18417, bills totaling \$6,494.24 and checks numbered 18418 to 18428 and that bills totaling \$13,238.71 and checks numbered 18429 – 18451 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

PAYROLL.

Maki moved Stanaway seconded that the payroll for January 17, 2013 for \$33,951.16, including checks 9795-9800 and 20396-20426 and ACH payments for Federal tax, State tax and MERS retirement and January 31, 2013 for \$30,729.41, including checks 9801-9806 and 20427-20445, and ACH payments for Federal and State tax and MERS retirement, and February 14, 2013 for \$30,696.57, including check 9807-9812 and 20446-20463 and ACH payments for Federal tax and State tax be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Engle moved Carlson seconded to accept the December 2012 financial report.

TREASURER'S REPORT.

Treasurer Greenberg reported to the Board that because of changes in the deposit insurance regulations, we needed to diversify even more than we have in the past with our investments. Prior to 2013, for insurance purposes, there was no limit to the amount invested in non-interest bearing accounts. Now interest bearing and non-interest bearing accounts have a limit of \$250,000.00.

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

AYES: 7

NAYS: 0

MOTION CARRIED.

PRESENTATIONS.

Supervisor Walker presented a certificate of appreciation to Tavaree Kovach.

**RESOLUTION OF APPRECIATION
Tavaree Kovach**

For your generous commitment of time, support and inspiration to our staff and Township.
We do hereby express our appreciation on behalf of the Township Board.

CHOCOLAY TOWNSHIP ANNUAL REPORT FOR 2012.

The 2012 Annual Report was presented to the Board.

MERS ACTUARIAL REPORT FOR 2011.

The MERS 2011 Actuarial Report was presented to the Board. Treasurer Greenberg commented that MERS uses a 10 year smoothing for figuring the per cent that should be applied to the pension plan each year. Chocolay Township continues to contribute 10% and the employees continue to contribute 2 ½%.

SUPERVISOR'S REPORT.

- Peter White Public Library Services Demonstration March 18th, 2013. (4-7PM)
- Staff was trained in CPR, AED and First Aid this morning by the American Heart Association.

PROPOSED TEXT AMENDMENT #34-12-05 TO ZONING ORDINANCE SECTION 6.9 HOME OCCUPATIONS – SECOND READING.

Greenberg moved, Carlson seconded to approve the second reading of Zoning Ordinance Amendment #34-12-05 (34-11-05), replacement of Section 6.9 Home Occupations, as written with these noted findings of fact, to file the amendment with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance Book within one week after publication.

FINDINGS OF FACT

1. The encouragement of home occupations provides the following public benefits:
 - a. Gives more people the opportunity to earn a living and become more self-reliant.
 - b. Helps parents balance work and family, creating stronger communities.
 - c. Encourages business growth by facilitating low-overhead opportunities during the critical start-up phase.
 - d. Gives those who cannot work outside the home an opportunity to achieve economic self-sufficiency and to help alleviate social costs.
2. Recognizing the public benefits of home occupations, the Planning Commission created a process that is less time consuming and costly for home occupations presumed to have no neighborhood impacts, while retaining the opportunity for a public hearing and Planning Commission review of home occupations with more potential for impact.
3. The amendment includes enhanced operational impact standards, the enforcement of which ensures protection of the residential character of neighborhoods, quality-of-life, and purity of the environment.
4. Amended provisions provide better clarity and authority for administration and enforcement, including the ability to perform inspections and revoke permits if operational impact standards are not met.
5. Multiple public hearings were held on this amendment, the most recent on November 5 and December 3, and the Board reviewed comments from the public hearings at the January 14 meeting.
6. There have been ample opportunities for Board and citizens to provide input during the one plus year effort, and the Planning Commission has made revisions consistent with public input.
7. Overall, this amendment represents improved regulations for home occupations in Chocolay Township.

ROLL CALL.

AYES: Carlson, Engle, Greenberg, Maki, Stanaway, Walker, White.

NAYS: None.

MOTION CARRIED.

RESOLUTION OF SUPPORT FOR EVIP GRANT FOR RECREATION AUTHORITY STUDY GROUP.

Greenberg moved, seconded by Maki that

Whereas the Charter Township of Chocolay supports the concept of a sustainable Recreational Authority to meet the needs of area residents and a cooperative approach among local governments toward meeting that goal, and

Whereas we support the Recreational Authority without pledging financial support at this time; as no provision for such a large expenditure was made during the formulation of the 2013 fiscal year budget.

It is furthermore recommended that the study group draw upon the expertise of its members to develop a fundamental business plan for a Recreation Authority, if it deems such an entity feasible and in the best interests of area citizens.

AYES: 7

NAYS: 0

MOTION CARRIED.

AWARD OF FIRE HALL CONSTRUCTION CONTRACT AND AUTHORIZATION OF FIRE HALL CONSTRUCTION LOAN.

Manager Lawry reported to the Board that we are still receiving information from IDI on potential savings. The Fire Hall Committee has not had time to meet and discuss any changes and the bid amounts.

Trustee Maki would also like the Millage Committee to meet prior to the Board making a decision on the Fire Hall Construction and financing through a Bank loan or self funding.

Maki moved, Engle seconded to have a Special Board Meeting on February 25, 2013 to discuss the construction and financing of the Fire Hall. This will allow time for the Fire Hall Building Committee and Millage Committee to meet and make a recommendation to present to the Board.

AYES: 7

NAYS: 0

MOTION CARRIED.

EXTENSION OF SOLID WASTE SERVICES COLLECTION CONTRACT.

Carlson moved, Stanaway seconded to authorize the Township Supervisor and Township Clerk to sign the attached Letter of Agreement extending the solid waste services contract through December 2013.

AYES: 7

NAYS: 0

MOTION CARRIED.

2012 GENERAL FUND BUDGET AMENDMENT #11 TO REFLECT RECEIPT OF OFFICE OF HIGHWAY SAFETY PLANNING ALCOHOL ENFORCEMENT GRANT FOR POLICE OVERTIME.

Greenberg moved, Engle seconded, that Whereas a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on November 14 , 2011 for the next fiscal year, and Whereas as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to maintain a balanced budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Salary 101.305.702	\$262,155.14	+\$3,143.68	\$265,298.82

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$24,669.26	+\$3,143.68	\$27,812.94

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

PROPOSED TEXT AMENDMENT TO ZONING ORDINANCE CHAPTER XVIII SIGNS AND FENCES – FIRST READING.

Trustee Maki would like to meet with Planner Woodward, Manager Lawry and Supervisor Walker to discuss the sign ordinance. There are several points that he is concerned with such as the square footage allowed for an identification sign, where we measure the set back and time frame that banners can be displayed. The original sign ordinance was four pages and now this is a twenty six page document.

Supervisor Walker suggested that the Board approve the first reading and Mr. Maki can have his requested meeting before the second reading in March.

Engle moved, Stanaway seconded to approve the first reading of the Sign Amendment as written and to schedule a second reading for the March Board meetings.

AYES:6

NAYS: 1 (Maki)

MOTION CARRIED.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

1. Minutes – Township Planning Commission, January 7th, 2013.
2. Minutes – Marquette County Solid Waste Management Authority, Drafts of December 19th, 2012 and January 16th, 2013.
3. Minutes – Marquette Area Wastewater Treatment Authority, December 20th, 2012.
4. Notice – Charter Communications Service Tier Price Adjustments.

Supervisor Walker adjourned the meeting at 8:10 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

February 25, 2013

A Special Meeting of the Chocolay Township Board was held on Monday, February 25, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Susan Carlson, Bernie Stanaway, Judy White.

ABSENT: None.

STAFF PRESENT: Steve Lawry; Deb Heinzelman.

AGENDA ADDITIONS/DELETIONS.

None

PUBLIC COMMENT.

None

PUBLIC HEARINGS

None

PRESENTATIONS.

NONE

UNFINISHED BUSINESS

AWARD OF FIRE HALL CONSTRUCTION CONTRACT

Supervisor Walker stated that the Fire Hall Building Committee recommended proceeding with construction as included in the base bid with the low bidders as listed in the materials:

Associated Constructors – General Construction

Berger & King – Mechanical/Plumbing

Wright Electric – Electric.

The recommendation is based upon the fact that the design, as bid, reflects the input of the Board and fire department with regard to Township needs.

Trustee Maki inquired about the experience of the low bidders and if any reason not to go with them.

Supervisor Walker stated that Steve Lawry, Township Manager, and architects did due diligence to note contractors' ability to carry out project satisfactorily.

Manager Lawry stated he has personal experience with two of the three contractors and in discussion with architects, all three contractors are quite satisfactory and would have no trouble with their bonding requirements and would recommend award to all three low bidders.

Treasurer Greenberg moved, Trustee Carlson seconded to award fire hall project bids to Associated Constructors; Berger & King; and Wright Electric in the amounts of their respective base bids.

ROLL CALL:

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION OF FIRE HALL CONSTRUCTION LOAN

Supervisor Walker stated there are two avenues the Township could take; secure financing through a lending institution or self-finance.

Treasurer Greenberg stated he recommends Township self-finance \$1,500,000 with ½% interest.

Trustee Maki inquired of fire department members present if they felt this recommendation satisfactory.

Fire Chief Tom Kidd and Fireman Gary Johnson stated they agree with self-financing.

Trustee Maki inquired if self-financing was to be paid back in five years?

Treasurer Greenberg stated the \$1,500,000 is from combined funds and to pay back in 5 years with interest.

Clerk Engle asked about taking out a line of credit with a lending institution to cover any unexpected costs.

Treasurer Greenberg stated that at a meeting recently with auditors they stated the Township needed to obtain a qualifying statement to be preapproved by the State of Michigan and that should be filed before getting any concrete commitment from a lending organization.

Supervisor Walker suggested cementing line of credit with auditors first and bringing the issue back to the Board in the near future.

Trustee Maki moved, Trustee Stanaway seconded that Chocoday Township self-finance \$1,500,000 with ½ percent interest, over five years, to fund the new fire hall project.

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Carlson, Engle, Walker.

NAYS: None.

MOTION CARRIED.

NEW BUSINESS.

None

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

CORRESPONDENCE – CHOCOLAY TOWNSHIP LIONS CLUB RE: EASTER EGG HUNT

Supervisor Walker stated the Township received a letter from the Chocoday Township Lions Club requesting donations for their annual East Egg Hunt. Mr. Walker stated government entities are not allowed to give to charities, but would recommend this request be known to Township Board members and employees and anyone who wishes to donate may individually do so.

Supervisor Walker adjourned the meeting at 7:24 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

March 18, 2013

A Regular meeting of the Chocolay Township Board was held on Monday, March 18, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Mark Maki, Susan Carlson, Bernie Stanaway, Judy White.

ABSENT: Max Engle.

STAFF PRESENT: Steve Lawry, Mary Sanders, Brad Johnson, Tina Fuller, Kelly Woodward, Tony Carrick, Scott Jennings, Greg Zyburt.

MINUTES – FEBRUARY 18TH AND 25TH 2013.

Greenberg moved Carlson seconded to approve the minutes of February 18, 2013.

AYES: 6 NAYS: 0 MOTION CARRIED.

White moved Stanaway seconded to approve the minutes of February 25, 2013.

AYES: 6 NAYS: 0 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Trustee Maki requested that Budgeting for the Assessing Department summer worker be added to the agenda.

Greenberg moved Carlson seconded to accept the agenda with addition of discuss the budget for the Assessing Department summer worker.

AYES: 6 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Carlson moved Stanaway seconded that bills totaling \$69,821.79 including checks numbered 18452 to 18485 and bills totaling \$20,079.59 including checks numbered 18486 to 18509 are approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

PAYROLL.

White moved Carlson seconded that the payroll for February 28, 2013 for \$35,429.57, including checks 9813-9818 and 20464-20497 and ACH payments for Federal tax, State tax and MERS retirement and March 14, 2013 for \$33,055.28, including checks 9819-9824 and 20498-20517, and ACH payments for Federal and State tax and MERS retirement be approved for payment.

AYES: 6 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORT.

Maki moved Stanaway seconded to accept the post audit December 2012 financial report.

AYES: 6 NAYS: 0 MOTION CARRIED.

Stanaway moved Carlson seconded to accept the January 2013 financial report.

AYES: 6 NAYS: 0 MOTION CARRIED.

Maki moved White seconded to accept the February 2013 financial report.

AYES: 6 NAYS: 0 MOTION CARRIED.

TREASURER'S REPORT.

Treasurer Greenberg indicated that we have 4 different investments that are due in March. We are looking for information on the payment schedule for the fire hall. We will continue to monitor that as investments are made. Part of the fire hall funding is from the Fire Department in the Capital Improvements Fund. The auditors suggested that all payments on the fire hall come from the fire millage fund. We will need to move the money from Capital Improvement Fund over to the Fire Millage Fund.

Greenberg moved Maki seconded to transfer \$580,000.00 from the Capital Improvements Fund Fire Department Account to the Fire Millage Fund.

ROLL CALL:

AYES: Maki, Stanaway, White, Carlson, Greenberg, Walker.

NAYS: None

MOTION CARRIED.

Carlson moved White seconded to accept the Treasurer's report.

AYES: 6

NAYS: 0

MOTION CARRIED.

PRESENTATIONS.

RECOGNITION OF OFFICER TONY CARRICK AS MARQUETTE COUNTY LAW ENFORCEMENT OFFICER OF 2012.

Supervisor Walker presented Officer Tony Carrick with a plaque for Marquette County Officer of the Year. Tony is the 4th officer from Chocolay Township to receive this award since 1995. This reflects well on Chocolay Township Police Department. Tony graduated from Lake Superior State University with a bachelor's degree in Criminal Justice. Tony has been with Chocolay Township for 5 years and prior to that worked for the KBIC Tribal Council. Tony has attended and completed the homeland security rural SAR line officer training drug interdiction workshop. He also received a lifesaving medal for his role in rescuing a woman who was trapped in her car that was submerged in water. Tony just completed a drug recognition expert training in Arizona. He was recognized by MADD for his enforcement record; he had the highest number of drunken/impaired driving arrests in Marquette County.

CERTIFICATE OF APPRECIATION TO SHERRI SHAW FOR ELECTION SERVICE.

Sherri was an election worker for Chocolay Township for 25 years. We appreciate her dedicated service over a long period of time.

PETER WHITE PUBLIC LIBRARY SERVICES.

Pam Christenson, Director of the Peter White Public Library stated that Chocolay Township has 2740 residents with library cards. Township residents checked out 50,000 items in the past year. She also presented Peter White Library on line services.

- Mango – is a foreign language program including 70 languages.
- Zinio – is a digital magazine service; there are over 140 magazines available.
- Overdrive - e-books and audio books.
- Michigan e-library – access to material from most libraries in Michigan.
- Peter White offers one on one computer classes.

PROPOSED DISC GOLF COURSE EXPANSION

Tim Kopacz, representing the Upper Peninsula Disc Golf Association (UPDGA), gave a presentation on the expansion of disc golf opportunity in the Township. The UPDGA focuses on expanding recreation opportunities for residents within the entire Upper Peninsula. The "Disc the U.P." organization runs leagues, hosts tournaments and events, and works with schools to give clinics and demonstrations. This group focuses mainly on Marquette. The group wants to expand the Silver Creek course from 9 holes, which is equally split between Silver Creek Church and Chocolay Township property to 18 holes.

Chocolay Township staff reinforced that this is positive for the Township. It is a silent, passive, inexpensive recreation activity for all ages.

Trustee Maki would like to hold a public hearing on a land use agreement with the disc golf group.

Greenberg moved Carlson seconded to instruct staff to set up a land use agreement with the Disc Golf Group and schedule a Public Hearing for the April Board meeting.

AYES: 6

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

- You have all received a report put together by our current Planner Kelly Woodward, showing a number of areas where the information both in print form and on the web site detailing the zoning ordinance do not match the official proceedings. The discrepancies appear to have occurred in 2008/2009. I have instructed Kelly to bring everything in our public zoning document into conformance with what actually is supported in our records. I do not believe that any of this requires Board action although it may require Planning Commission action if they want to reopen any of the proposed amendments.

Trustee Maki requested that all Board members receive a copy of the accurate zoning ordinance as a starting point.

- Manager Lawry updated the Board on the fire hall construction. The trees were removed on Saturday and the construction company has brought equipment on site. We are still waiting for the contractor to supply a schedule of values. They plan to start excavation by April 1st. They will take the North bay off the fire station soon. We have already lost the parking lot lighting and we may need to use auxiliary lighting.

Trustee Maki asked about a zoning compliance permit and a site plan review.

PROPOSED TEXT AMENDMENT #34-12-01 TO ZONING ORDINANCE CHAPTER XVIII SIGNS AND FENCES – SECOND READING.

Trustee Maki had one change to the ordinance - changing the allowable square footage for signs in residential areas. He feels that there are a number of issues with this amendment, but the area that he would like to change is residential signage. There are 2 different size requirements for residential areas and this is too complicated. He would like one uniform size to be allowed in residential areas. Board members clarified that this will not affect signs that currently exist.

Maki moved White seconded to amend residential signage size requirement to ***allow a maximum of 8 square feet for residential signs throughout the Township.***

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson.

NAYS: Greenberg, Walker.

MOTION CARRIED.

Carlson moved White seconded to concur with the Planning Commission recommendation and approve the second reading of the Sign Amendment Case Number 34-12-01 (with formal amendment adoption number to be assigned at publication), as changed ***to allow a maximum of 8 square feet for residential signs throughout the Township*** and to file the amendment with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance book within one week after publication.

AYES: 5

NAYS: 1 (Maki)

MOTION CARRIED.

PROPOSED TEXT AMENDMENT #34-13-01 TO ZONING ORDINANCE SECTION 16.2 CONDITIONAL USE STANDARDS – FIRST READING.

Greenberg moved Stanaway seconded to approve the first reading of the proposed text amendment #34-13-01 Conditional Use Standards as changed (with one change in 16.2 standard 9. Change second sentence to read ***Failure of continued compliance may result in Planning Commission review and revocation of the Conditional Use Permit***) and to schedule a second reading for the April Board meeting.

AYES: 6

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF RECOMMENDATION OF THE PERSONNEL COMMITTEE REGARDING POLICY FOR DONATED LEAVE TIME.

Trustee Stanaway requested to abstain due to possible conflict of interest.

Maki moved Greenberg seconded to adopt section ***12.16 Donated Leave Time*** to the Personnel Policy and Procedures Manual as recommended by the Personnel Committee.

AYES: 5

NAYS: 0

ABSTAIN: 1

MOTION CARRIED.

APPROVAL OF FIRE HALL CONSTRUCTION LOAN DOCUMENTS.

Greenberg moved Maki seconded that

BE IT RESOLVED: The Charter Township of Chocloy intends the construction of a new Fire Hall serving the health, safety and welfare of its residents. The electors of the Township have approved the levy of a millage for construction. The Township further intends, and has authorized, "self financing" of the construction project as the most effective and efficient means to fulfill its purpose in the best interest of its residents. In pursuance of the same, and in order to commence such construction as soon as practicable and before the authorized millage is available, the Township shall maintain the construction cost current by borrowing 1.5 million dollars over five (5) years from three budgetary accounts maintained by the Township, being the General Fund reserve (\$600,000), the Sewer Fund reserve (\$600,000), and the Capital

Improvement Fund reserve (\$300,000). The monies borrowed shall be deposited into the Township Fire Millage Fund for payment of construction billings as these become due.

Repayment of sums borrowed from the accounts and reserves stated, shall be reimbursed by the authorized millage levy from the Fire Millage Fund. Payment shall be made once annually in an amount not less than \$300,000. The Township Board retains authority to exercise discretion by motion as to whether all funds should be repaid simultaneously, that is, \$100,000 each per year, or whether a fund with other needs should be given priority for repayment in any given year. Transfer of the millage receipts for repayment of borrowed sums shall be due June 1st of each year beginning June 1, 2014. Funding as a result of loans from budgetary accounts against the authorized millage will be reconciled on an annual basis. Repayment of the budget accounts from which monies were loaned and expended shall include principal (being the amount borrowed) plus interest in the amount of one-half percent (1/2%) per annum on the unpaid balance.

An Attorney Opinion shall be obtained to verify that the Township is a municipal corporation which qualifies for tax exempt status.

In order to cover any contingency or urgency involving the availability of funding, the Township shall proceed to obtain from a local bank a Letter of Credit (\$500,000) from which cash may be drawn should the need arise either as a consequence of a budget shortage or the result of needed cash to fulfill continuing, timely and current payment for construction of the Fire Hall. The Letter of Credit may be drawn upon only following a determination of need by the Township Board.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Walker

NAYS: None

MOTION CARRIED.

RECONSIDERATION OF BERGDAHL LEASE ON BEAVER GROVE RECREATION AREA PROPERTY.

Greenberg moved Stanaway seconded that the Board wait until the Planning Commission has an opportunity to evaluate the need for this parcel in relation to an updated Recreation Plan, with regard to the rapidly growing efforts aimed at promoting local food production and exchange, and in the long term provision of Township services before acting on the current lease. It is further recommended that the existing lease be allowed to run its course and expire next year. This recommendation requires no formal action by the Board at this time.

AYES: 6

NAYS: 0

MOTION CARRIED.

CITY OF MARQUETTE REQUEST FOR LETTER OF SUPPORT FOR MICHIGAN NATURAL RESOURCES TRUST FUND GRANT FOR RESTROOM CONSTRUCTION.

Carlson moved Stanaway seconded that the Board approve a letter of support for the Construction of permanent restroom facilities at the three City parks which serve a regional population.

AYES: 6

NAYS: 0

MOTION CARRIED.

CITY OF MARQUETTE REQUEST FOR LETTER OF SUPPORT FOR MICHIGAN LAND AND WATER CONSERVATION FUND GRANT FOR PATHWAY CONSTRUCTION.

Maki moved White seconded to provide a letter of support for the construction of a paved non-motorized pathway connecting the west end of the existing trail on Hawley Street with the trail leading out the north side of Tourist Park and the paved shoulder paths along CR 550 and North Country Trail in the area of the Dead River Bridge.

AYES: 6

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF RESOLUTION OF SUPPORT FOR A "NEXT MICHIGAN DEVELOPMENT DISTRICT" IN THE CENTRAL UPPER PENINSULA.

White moved Carlson seconded to provide a resolution of support for a "Next Michigan Development" in the central Upper Peninsula.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Walker

NAYS: None

MOTION CARRIED.

FIRE HALL CONSTRUCTION.

Manager Lawry updated the Board on the fire hall construction process. Parking will be an issue during the construction months of April through November. I would request Board authorization to allow several employees to take Township vehicles home during that time frame and drive that vehicle to work instead of their personal vehicle to conserve on parking. Brad Johnson will take the DPW pick-up truck and Mary Sanders or Pat Beck would take the Township sedan. Lee Gould, Assistant Fire Chief would park the Fire

department equipment trailer on his property. We may have to create temporary lighting in the parking lot. We may have to suspend the cardboard recycling container for a couple of months. We will try to discourage walk in traffic during construction. We may have an August election and the Clerk may be able to combine both precincts at the Prince of Peace Church. We will advertise on the website, Facebook and the township sign to keep the public advised. How does the Board want change orders handled?

Maki moved Greenberg seconded that the Supervisor and/ or Manager are allowed to approve change orders under \$5,000.00 without Board approval. The Board will be notified of all change orders.

AYES: 6 NAYS: 0 ABSTAIN: 1 (Walker) MOTION CARRIED.

Treasurer Greenberg suggested adding an insert with the summer tax bills encouraging mailing payments due to the Fire hall construction.

BUDGETING FOR ASSESSOR SUMMER WORKER.

Trustee Maki suggested that since we have only 11% of the Township to update in the 5 year cycle, maybe we do not need to hire a summer assessing person this year.

Supervisor Walker feels that since the 5 year cycle is almost complete, it would behoove us to shorten the cycle to every 3-4 years to keep the records in good order. The areas left for assessment this year are very remote and they may take more time than planned. Also we may want to send two people out to the more remote areas for safety reasons.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, February 4th, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, Draft of February 20th, 2013.
- C. Minutes – Marquette Area Wastewater Treatment Authority, January 17th, 2013.
- D. Report from Police Chief on Michigan Association of Chiefs of Police Conference February 6-8, 2013.

Supervisor Walker adjourned the meeting at 9:35 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

FY2012 AUDIT PRESENTATION.

Mike Greutz, Anderson Tackman and Company presented the FY2012 draft audit. He noted that they presented an unmodified opinion. He presented a five year analysis of statement of assets, statement of activities, revenues, expenditures and fund equity. The Township has remained fairly consistent over the past five years other than in 2010 and that included the bridge on M-28 and the tunnel on U S 41 South. Auditors recommend that Fund Balance should be able to cover three to six months of expenditures. Chocolate could cover nine months of expenditures in Fund Balance. That is considered healthy; but not too high of a Fund Balance. The Sewer Fund had a loss of \$41,000.00 in 2012 which was due to the double bond payment on the Wastewater Treatment Plant. They did not find any deficiencies while working on the FY2012 audit.

Trustee Maki had a question on a pension statement on page 33 of the audit.

Our three year audit cycle is up and Treasurer Greenberg suggested that Anderson Tackman and Company present a proposal for a three year extension to be presented to the Board for the May meeting.

Supervisor Walker suggested that the Board wait to entertain a motion on the FY2012 audit at the May meeting; when the final audit will be available.

SUPERVISOR'S REPORT.

Fire hall construction update – Work that has been completed is the clearing of trees, demolition of the north bay and the picnic pavilion, removal of site lighting and associated poles, construction of temporary electric service, we have secured the County soil erosion control permit, the topsoil has been stripped, leveling of the building site has occurred, 50% of the footings have been poured, 30% of the of the foundation walls have been poured and soil density tests and concrete strength tests are being performed. We had some difficulty when underground water lines supplying the hose tap near the pavilion were not configured as shown on township plans and we could not find the shut off valve. We found an alternate location but it did cause a leak under the existing fire hall and we shut the line off and have provided a temporary feed of water to the fire hall. We have processed the first payment to the contractor. We decided to remove the full generator package from the bid award; we have requested costs for a change order to install the switch gear, fuel lines, conduit and mounting pad to make the space available for a generator at the time we decide to put one in. A final design change was made to move the tanker filling pump from a room in the station to a mounting inside the cistern and credits are being pursued to combine the pump room with the adjacent SCBA compressor and use extra space for storage.

PROPOSED TEXT AMENDMENT #34-13-01 TO ZONING ORDINANCE SECTION 16.2 CONDITIONAL USE STANDARDS – SECOND READING.

Lee Blondeau, 1002 Tracy Lane made comments at the Planning Commission about his concerns on whether there would be requirements retroactive on conditional uses that have presently been approved. After reading the memo from the Planning Director, Mr. Blondeau is concerned that the Township can go back to a previously approved conditional use permit and add new requirements.

Supervisor Walker stated that his memory from the Planning Commission's purpose was that it not require any retroactive change in the conditional use and that he believes that would be the way the ordinance would be interpreted.

Treasurer Greenberg moved White seconded to provide a change to clarify the intent by changing 16.2 Basis of determination and general standards to: (change 9. To 9. An 10. and 10 becomes 11.)

9. The conditional use shall be shown by the applicant to be compliant with all other applicable federal, state or local statutes regulations and ordinances.

10. Failure of continued compliance with those federal, state or local statutes, regulations and ordinances as they existed at the time the conditional use was issued may result in Planning Commission review and revocation of the Conditional Use Permit.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Engle seconded to approve the second reading of Zoning Ordinance Amendment Case #34-13-01, revision of Section 16.2 Basis of Determination and General Standards of Article 16 Conditional Use Permits, **as changed**, with these noted findings of fact, to file the amendment with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of

adoption, and record the amendment in the Township Zoning Ordinance book within one week after publication.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF LAND USE AGREEMENT AND FUNDING FOR DISC GOLF COURSE EXPANSION AT SILVER CREEK RECREATION AREA.

Treasurer Greenberg had questions on the proposed Land Use Agreement for the Disc Golf Course extinguishing the previous agreement.

Trustee Maki questioned the funding for the expansion. He also asked if the baskets could be put in, in such a way to make them removable. The reply from the Disc Golf personnel was yes, they are removable. The Board will want to know the activity level once the expansion is in place.

White moved Stanaway seconded to authorize the Supervisor to execute the attached Land Use Agreement with Disc Golf for use of the Silver Creek Recreation Area for an expanded 18 hole disc golf course.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Treasurer Greenberg suggested that the Township purchase the baskets as our monetary support for the disc golf course.

Trustee White does not want to commit any money to this project until we know how much money is available in Recreation and Properties in the Capital Improvement Fund.

Treasurer Greenberg explained that we can not donate money to the disc golf course. We have to make a purchase for the disc golf course or contract for services.

Mike Grentz stated that the Township could buy the baskets from the Disc Golf group.

Treasurer Greenberg asked the Board if they would commit today whether they are or are not in favor of allocating money for the disc golf course if the funds are available. The majority of the Board was in favor of this. We will have the financial information for the Board at the May meeting.

AUTHORIZE A CONTRACT WITH LAKESHORE ENVIRONMENTAL FOR ABATEMENT OF ASBESTOS IN THE CURRENT FIRE STATION.

Carlson moved Stanaway seconded that the Chocalay Township Board approves the expenditure of \$849.00 to Lake Shore Environmental Industries INC. for the removal and disposal of the sheeting containing asbestos from the current fire station.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE LEIN ACCESS SOFTWARE FOR THE POLICE DEPARTMENT USING CAPITAL IMPROVEMENT FUND AND GENERAL FUND DOLLARS.

Greenberg moved Carlson seconded to approve the purchase of Core Talon software from Core Technologies for \$6,550. This will be paid from the Capital Improvement Fund-Electronics from the KBIC 2012 Contribution, Account #401.305.957 for the amount of \$4500 and General Fund-Contractual Services 305.800 for the amount \$2,050.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION OF PAYROLL DEDUCTION PLAN FOR AFLAC INSURANCE PROGRAM.

Maki moved Stanaway seconded that the Board authorize payroll deduction for payment of AFLAC insurance policies of qualifying employees with the understanding that the Township does not contribute financially toward the cost of any premiums.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road – Commented on the Planning Commission minutes and feels that the Planning Commission is doing a good job.

Dale Throenle – Commented that the hold up on the Recreation Plan is not the Planning Commission, they are waiting for information from him.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, March 4th, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, March 20th, 2013 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, February 21st, 2013.

Supervisor Walker adjourned the meeting at 8:30 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

SUPERVISOR'S REPORT.

- Update on the fire hall construction prepared by the manager is in the agenda packet.
- Tax Appeal was discussed above.
- Donating to 501(c) 3 is not allowed, we can purchase goods and services from any vendor including a charitable organization.

Trustee Maki asked when the appraisals will be complete. Tina Fuller, Assessor answered that they are currently being worked on and we do not have a date for completion.

RECONSIDERATION OF LAND USE AGREEMENT FOR DISC GOLF COURSE EXPANSION AT SILVER CREEK RECREATION AREA.

Greenberg moved Stanaway seconded to rescind the April 15, 2013 approval of an agreement with Disc da UP and authorize the Supervisor to execute the attached Land Use Agreement with the U.P. Disc Golf Association for use of the Silver Creek Recreation Area for an expanded 18 hole disc golf course. With one change to the last sentence in 6. Terms - The equipment owned by the U. P. Disc Golf Association shall remain property of the U. P. Disc Golf Association.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

RECONSIDERATION OF FUNDING FOR DISC GOLF COURSE EXPANSION.

Carlson moved Engle seconded to authorize the expenditure of up to \$7,645.23 from account 401.756.957 for the purchase of 19 disc golf baskets and associated installation hardware for installation at the Silver Creek recreation area course and authorize the use of Public Works Department labor and equipment to chip brush and dispose of other wastes removed from the course areas.

Trustee Maki had concerns about the tree cutting/trimming management. He also observed people throwing the discs and thought it was quite loud. Did we notify people within 300 feet of the public hearing on the project? Kelly Woodward, Planner indicated that we did notify the residents within 300 feet and the disc golf people will work with Brad Johnson from our D.P.W on any tree removal.

Trustee White asked what the Board would do with 19 baskets that we are purchasing if this venture failed. The disc golf group responded that they would be interested in purchasing them from us for other courses.

Trustee Maki questioned what recreation project would not get done if we spend \$7,000.00 on baskets for disc golf.

ROLL CALL.

AYES: Stanaway, Carlson, Greenberg, Engle, Walker.

NAYS: Maki, White.

MOTION CARRIED.

DISTRIBUTION OF MATERIALS FOR TOWNSHIP MANAGER PERFORMANCE EVALUATION.

The Board discussed having questions dealing more specifically management skills on the evaluation form. Manager Lawry will provide more sample evaluation forms to the Board. Supervisor Walker requested that the Board make suggested changes in the evaluation form prior to the next Board meeting. The new evaluation form will be available to the Board for the June meeting.

ALLOCATION OF JULY 4TH CELEBRATION FUNDING.

Supervisor Walker stated that the budget allocated \$1,000.00 for the 4th of July celebration. Now we have a separate donation request for the 4th of July parade celebration.

Greenberg moved Engle seconded to continue to allocate the full \$1,000.00 to the 4th of July fireworks portion of the celebration.

AYES: 7

NAYS: 0

MOTION CARRIED.

RECONSIDERATION OF FUNDING FOR RECREATION AUTHORITY PLAN.

Don Britton, recreation authority representative indicated that the City of Marquette will still put in \$12,500.00 and the DNR will put in 25% of the City portion. If both Chocolay and Marquette Township put

in \$1,000.00 each we will be close enough to the \$18,000.00 needed to be able to proceed with plans to hire a consultant to assist with the business plan.

2013 GENERAL FUND BUDGET AMENDMENT #3 REGIONAL RECREATION AUTHORITY STUDY GROUP FOR PROFESSIONAL CONSULTANT ASSISTANCE.

Maki moved Greenberg seconded to authorize the expenditure of \$1,000 by the Regional Recreation Authority Study Group for professional consultant assistance in the development of an authority business plan with the funds to come from the Professional Services Account of the Recreation and Properties Department. Further to modify the 2013 General Fund Budget, whereas the budget adopted by the Chocolay Township Board on November 19, 2012 to govern General Fund expenditures for the 2013 fiscal year did not anticipate the need for this expenditure, and whereas expenditures cannot be made directly from the contingency account, now therefore be it resolved that the aforesaid budget be modified as follows to transfer contingency funds to the Professional Services Account:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
Other Gen. Gov't. Dept. Contingency Account 101.285.951	\$22,475.00	-\$1,000.00	\$21,475.00
Recreation & Properties Professional Services 101.756.801	\$ 200.00	+\$1,000.00	\$ 1,200.00

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE POLICE PATROL VEHICLE WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Carlson moved Stanaway seconded to approve the purchase of a 2013 patrol car for the Police Department. Cost of the vehicle will not exceed \$29,200. Cost for transfer of equipment, graphics and pick-up costs for the new vehicle will not exceed \$2,800 for a total amount not to exceed \$32,000. This will be paid from the 2013 Capital Improvement Fund, Account 401.305.957.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

APPROVAL OF REVISIONS TO FIRE DEPARTMENT BYLAWS AND STANDARD OPERATING GUIDELINES.

Greenberg moved Carlson seconded to approve recommendation of the Volunteer Fire Rescue Department for the changes to their constitution and bylaws and standard operating guidelines as presented to the Board.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF PROPOSED CHANGE IN FIRE DEPARTMENT PAY STRUCTURE.

White moved Greenberg seconded to approve the change in compensation to \$15.00 per two hour call out, \$15.00 per hour for additional hours and \$15.00 per meeting for all Chocolay Township Volunteer Fire and Rescue personnel effective with the second quarter of 2013.

AYES: 7

NAYS: 0

MOTION CARRIED.

2013 GENERAL FUND BUDGET AMENDMENT #1 TO REFLECT RECEIPT OF MICHIGAN MUNICIPAL RISK MANAGEMENT ASSOCIATION RISK AVOIDANCE GRANT FOR POLICE TASER REPLACEMENT.

Greenberg moved White seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on November 19, 2012 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
Police Department Equipment Maintenance	\$10,540.00	+\$ 400.00	\$10,940.00

101.305.778

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous	\$15,000.00	+\$ 400.00	\$15,400.00

101.698

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

2013 GENERAL FUND BUDGET AMENDMENT #2 TO REFLECT RECEIPT OF MICHIGAN MUNICIPAL RISK MANAGEMENT ASSOCIATION RISK AVOIDANCE GRANT FOR POLICE VIDEO MIC REPLACEMENT.

Stanaway moved Carlson seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on November 19, 2012 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
Police Department Equipment Maintenance	\$10,940.00	+\$ 375.00	\$11,315.00

101.305.778

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous	\$15,400.00	+\$ 375.00	\$15,775.00

101.698

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

PROPOSED TEXT AMENDMENT #ZA0002-13 TO ZONING ORDINANCE SECTIONS 2 DEFINITIONS, 8.1 OFF STREET PARKING REQUIREMENTS, 9.1 SITE PLAN REVIEW PROCEDURES, AND 11.12 OUTSIDE LIGHTING TO INCORPORATE DARK SKY STANDARDS – FIRST READING.

Carlson moved White seconded to approve the first reading of the proposed text amendment case #ZA0002-13 Outside Lighting as written and to schedule a second reading for the June Board meeting.

AYES: 7

NAYS: 0

MOTION CARRIED.

PROPOSED TEXT AMENDMENT ZA0001-13 TO ZONING ORDINANCE SECTION 1.6 ADMINISTRATIVE STANDARDS AND PROCEDURES TO INCREASE THE NOTIFICATION DISTANCE IN SECTION B.6.A. FROM 300 FEET TO 500 FEET. – FIRST READING.

Trustee Maki requested that a change be made to add that a sign posting of the notification of the public hearing be placed on the property.

The Board discussed whether this is a substantial enough change to require another public hearing? The Board will send this back to the Planning Commission to explore adding posting of a sign by the Township as an additional requirement.

Maki moved Greenberg seconded to send text amendment ZA 0001-13 back to the Planning Commission to explore adding the requirement that posting of a sign on the subject property by the Township as additional notice of the public hearing. The Planning Commission should also consider size of the sign and length of time it should be posted.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION ON ORV CONNECTOR ROUTE.

Greenberg moved White seconded to accept the Planning Commission recommendation to take no action on the T.E.A.M proposal and to maintain Chocolay Township’s exemption from the County ORV ordinance that authorizes ORV access on County Roads.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Stanaway requested that the minutes show that he does believe an ORV route should be explored in the Township, he just did not agree with the route proposed by Trail Riders Enthusiast Alliance.

CONSIDERATION OF REQUEST TO WAIVE FIELD RENTAL FEES FOR CHOCOLAY LIONS CLUB TOURNAMENT.

Maki moved, White seconded to waive the \$75.00 ball field fee for the annual Lions Club soft ball tournament held July 19, 20, and 21, 2013 since this tournament is a fund raiser for bleachers for the Township recreation fields.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF TAX APPEAL CONTRIBUTION REFUNDS.

Greenberg moved Engle seconded that the Township refund 25% of each entity's contribution to the tax appeal effort, \$250 to Marquette County and \$125 to Marquette Area Public Schools, together with a note thanking each for their willingness to assist when asked. This is to be paid from Township Board Professional Services 101.103.801.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

PUBLIC COMMENT.

Pete LaRue thanked the Board for waiving the Lions Club tournament fee. The younger members of the Lions Club want to do this fund raiser for bleachers for the Township recreation area.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

1. Minutes – Township Planning Commission, April 1st, 2013.
2. Minutes – Marquette County Solid Waste Management Authority, April 17th, 2013 Regular Meeting and April 17, 2013 Annual Stockholder's Meeting Drafts.
3. Minutes – Marquette Area Wastewater Treatment Authority, March 21st, 2013.
4. Communication – Request from Mr. Dan Hakala, 101 Alderbrook Drive, for paving a Portion of South Big Creek Road (with Manager's Reply).
5. Communication – Comments from Thomas & Nancy Russo and Michael & Amanda Harl on use of Mangum Road as an ORV Connector Route.
6. Communication – Marquette 4th of July Parade Committee.
7. Communication – Iron Ore Heritage Recreation Authority 2013 First Quarter Report.
8. Communication – Alger Delta Cooperative Electric Association Notice of Opportunity to Comment on Renewable Energy Plan.

Trustee Carlson questioned the repair of erosion on U S 41 South. Manager Lawry stated that is under warranty he would expect that MDOT will be in contact with Bacco to have it repaired

Supervisor Walker adjourned the meeting at 8:20 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

June 17, 2013

A Regular meeting of the Chocolay Township Board was held on Monday, June 17, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Mark Maki, Bernie Stanaway, Judy White.

ABSENT: Susan Carlson, Max Engle.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Woodward, Greg Zyburt, Tina Fuller.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved Stanaway seconded to accept the agenda with two additions – reappointment of Michelle Wietek-Stephens to the Zoning Board of Appeals and discussion on advertising for Board of Review for July and December meetings.

AYES: 5

NAYS: 0

MOTION CARRIED.

MINUTES – May 20, 2013.

Maki moved White seconded to approve the minutes of May 20, 2013.

AYES: 5

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Maki moved Stanaway seconded that bills totaling \$39,122.22 including checks numbered 18629 to 18646 and bills totaling \$333,261.39 including checks numbered 18647 to 18672 are approved for payment.

Trustee White had a question on the amount of the SBAM health insurance bill. Deputy Clerk Sanders replied that it was a catch up bill adding a new employee.

AYES: 5

NAYS: 0

MOTION CARRIED.

PAYROLL.

White moved Greenberg seconded that the payroll for May 23, 2013 for \$34,451.65, including checks 9851-9857 and 20644-20675 and ACH payments for Federal tax, State tax and MERS retirement and June 6, 2013 for \$31,470.07 including checks 9858-9863 and 20676-20694 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 5

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

White moved Stanaway seconded to accept the May 2013 financial report.

Trustee White questioned the source of the franchise fees under revenues. Manager Lawry indicated that it is a quarterly payment from Charter Communications.

AYES: 5

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

White moved Stanaway seconded to accept the Treasurer's report.

AYES: 5

NAYS: 0

MOTION CARRIED.

PRESENTATIONS -TOWNSHIP ROLE IN LOCAL FOOD PRODUCTION EFFORT.

Woodward gave an introduction to the proposed farm incubator project, including the intent and benefits of the project, how it supports local food systems, and potential partnerships. This farm incubator would serve as a working farm, outdoor classroom, and entrepreneurial experience for multiple farmers who would lease plots. It is meant as a bridge between farm internships and farm ownership, providing a realistic experiment in costs/revenues for the participants, while supporting them with land, shared equipment, education, marketing, and business planning. It would promote sustainable use and

stewardship of the land and engage the community in local food systems. The Township would provide the land, and there would be a leadership team and mentoring/education network focused on supporting the farmers. Woodward noted supporting statements and activities from Matt Gougeon and Natasha Lantz from the Marquette Food Co-op. Gougeon said this project is a tremendous opportunity to help educate new farmers and increase the supply of locally-grown food to meet the increasing demand. Lantz said the Co-op can provide technical assistance and processing facilities to support the project and will help pull the project together. Others have come forward to help such as the AgBioResearch Center in Chatham, MSU Extension, local farmers, educators, and citizens. Valuable feedback was gained from the first visioning meeting, and Woodward hopes to have a complete proposal for the Board by the fall so that the project can be implemented in the spring. The proposal will address the mission, organizational structure, potential funding sources, capital needs, the value proposition, site plan, and related projects.

Trustee Maki felt that the Farm Incubator Project would be a change in zoning intensity and would require approval from the Zoning Board of Appeals. Trustee Maki had a question about the Bergdahl lease and why we are not going to continue with it.

Manager Lawry stated that the lease ends in 2014 and the Board voted not to renew the lease. We did contact Mr. Bergdahl and asked what the time frame for a lease would have to be for him to plant and harvest hay on the 14 acres and break even. Mr. Bergdahl stated a 10 year lease would be necessary at no revenue to the Township.

APPOINTMENTS/RESIGNATIONS.

The Board accepted the resignation letter from Gary Heinzelman from the Township Planning Commission. Gary no longer resides in Chocolay Township.

Walker moved Maki seconded to appoint Bruce Ventura to fill the vacancy of Gary Heinzelman on the Planning Commission, with an expiration date of May 24, 2014.

Trustee Maki asked Mr. Ventura what his greatest accomplishment and greatest challenge were on the Marquette City Planning Commission. Mr. Ventura stated that the best was working on the progressive form based code for the Waterfront and South Marquette zoning. The most difficult are plans altered by developers after the Planning Commission review and must be dealt with after the building has commenced.

Trustee White asked Mr. Ventura about a statement in his application that he supports reasonable recreation. Mr. Ventura replied that he is supportive of new ideas for recreation, but has no particular agenda for recreation.

AYES: 5

NAYS: 0

MOTION CARRIED.

Stanaway moved White seconded to re-appoint Michelle Wietek-Stephens as a regular member of the Zoning Board of Appeals for a term ending May 9, 2016.

AYES: 5

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

1. Update on fire hall construction presented in the Board packet.
2. MDOT will be upgrading the bike path on U S 41 South from Terrace to M-28. The Manager and Planner will be meeting with the businesses affected by the bike path project.

ACCEPTANCE OF 2012 FINAL AUDIT REPORT.

Mike Greutz, Anderson Tackman and Company, PLC presented the 2012 final audit to the Board. He indicated that the basic numbers presented in April are the same; the changes are retitling of deferred revenues and net assets due to the GASB changes. On page 61 the note on significant deficiencies is related to preparation of financial statements and footnotes. The Township will receive a letter from the State and the suggestion from Anderson, Tackman is to respond that we do not intend to change. The major affect that GASB will have in 2014 is that all pension plans will be using entry age methodology and a one year smoothing instead of a 10 year smoothing for valuation results. This will create a situation that market fluctuations will directly affect pension plan valuations.

Supervisor Walker indicated that even though the Township is 2% overfunded in the pension plan in 2012, we should continue at the present funding level.

Maki moved White seconded to accept the FY2012 audit as presented.

AYES: 5

NAYS: 0

MOTION CARRIED.

AUDIT FIRM SELECTION FOR 2013 – 2015.

Greenberg moved Stanaway seconded to execute a new contract for audit services with Anderson Tackman & Company, PLC for annual audits of the 2013-2015 Township records in accordance with the attached proposal from that firm.

AYES: 5

NAYS: 0

MOTION CARRIED.

DISTRIBUTION OF MATERIALS FOR TOWNSHIP MANAGER PERFORMANCE EVALUATION.

The Board discussed the type of evaluation form and who should complete the evaluation for the Township Manager. Supervisor Walker suggested that the Personnel Committee interview staff and present a recommendation to the Township Board. Trustee Stanaway thought that employees should be able to make an anonymous response.

White moved Maki seconded to accept the Manager performance/evaluation form presented in the packet, and instead of using a numbering system use a plus (+) or minus (-) or N/A next to each category question. The evaluations should be completed by each Board member and turned into Dale Throenle prior to July 5, 2013.

AYES: 5

NAYS: 0

MOTION CARRIED.

PROPOSED TEXT AMENDMENT CASE #ZA0001-13 TO ZONING ORDINANCE SECTION 1.6 ADMINISTRATIVE STANDARDS AND PROCEDURES TO INCREASE THE NOTIFICATION DISTANCE IN SECTION B.6.A. FROM 300 FEET TO 500 FEET AND REQUIRE ON-SITE POSTING OF PUBLIC HEARING NOTICE. – FIRST READING (CONTINUED).

White moved, and Stanaway seconded to approve the first reading of the proposed text amendment case #ZA0001-13 Public Hearing Notification distance as written and to schedule a second reading for the July Board meeting.

Trustee Maki asked if the Planning Director had made a recommendation on the additional posting of a sign on the property.

Trustee Stanaway responded that no recommendation was given by the Planning Director, but she did supply optional actions that the Planning Commission could take. The Planning Commission decided that posting a property sign was not necessary for public hearings.

Trustee Maki stated that the Planning Director should have included a recommendation.

Supervisor Walker stated that the Planning Commission was acting on a direct request from the Board and that a recommendation from the Planning Director was not necessary.

Trustee Maki asked for the Planning Director's personal opinion on this matter. Planning Director Woodward stated that she struggled to understand why a sign was needed in addition to a newspaper ad, website notification and mailed notices to surrounding residents. Trustee Maki commented that he felt that we should be using display ads instead of a legal ads in the newspaper.

AYES: 4

NAYS: 1 (Maki)

MOTION CARRIED.

PROPOSED TEXT AMENDMENT CASE #ZA0002-13 TO ZONING ORDINANCE SECTION 11.12 OUTSIDE LIGHTING. – SECOND READING.

Greenberg moved, Stanaway seconded to approve the second reading of Zoning Ordinance Amendment Case #ZA0002-13, revision to Sections II Definitions, Section 8.1 off Street Parking and Loading Requirements, Section 9.1 Site Plan Review Application and Review Procedures, and Section 11.12 Outside Lighting as written, with these noted findings of fact:

1. The proposed standards help to preserve the established rural character of the Township;
2. The proposed standards are consistent with "dark sky" policies in that they result in decreased up-lighting or dispersed lighting and preservation of the view of stars and the northern lights as stated in the Master Plan;

3. These standards are designed to positively impact the public health, safety, and welfare by protecting night drivers from the loss of visual ability associated with moving between areas of darkness and bright lights;
4. These standards support the public interest by encouraging energy conservation;
5. The Township Attorney has indicated approval of this proposed amendment;
6. The Marquette County Planning Commission, at their May 1, 2013 meeting, indicated support of this proposed amendment;

and to file the amendment with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance book within one week after publication.

AYES: 5

NAYS: 0

MOTION CARRIED.

ADOPTION OF PRINCIPLES OF GOVERNANCE.

The Principles of Governance as received from the Michigan Township Association were accepted for file.

2013 GENERAL FUND BUDGET AMENDMENT #4 TO REFLECT RECEIPT OF DEPARTMENT OF NATURAL RESOURCES GRANT FOR SNOWMOBILE ENFORCEMENT.

Greenberg moved, White seconded, that Whereas a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on November 19, 2012 for the next fiscal year, and Whereas as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to maintain a balanced budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Salaries			
101.305.702	\$262,465.00	+\$5,601.00	\$268,066.00
Capital Outlay			
101.305.957	\$ 3,375.00	+\$ 499.00	\$ 3,874.00
REVENUE	PREVIOUS	CHANGE	AMENDED
State of Michigan			
101.543	\$15,000.00	+\$6,100.00	\$ 21,100.00

ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Walker

NAYS: None.

ABSENT: Engle, Carlson.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE REPLACEMENT VIDEO CAMERA FOR POLICE PATROL VEHICLE WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Stanaway moved White seconded to expend \$3,035.00 for the purchase OF a Martel DC3 in car camera from Sharp Communications, Inc. from the Police Capital Improvement Account – Electronics 401.305.957. ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Walker

NAYS: None.

ABSENT: Engle, Carlson.

MOTION CARRIED.

AWARD OF CONTRACT FOR 2013 ROAD RESURFACING.

Stanaway moved Greenberg seconded to award the contract for 2013 street repaving to Bacco Construction of Iron Mountain, Michigan for the estimated total of \$201,727.00 at the unit prices bid. ROLL CALL.

AYES: Maki, Stanaway, White, Greenberg, Walker

NAYS: None.

ABSENT: Engle, Carlson.

MOTION CARRIED.

Manager Lawry informed the Board that Bacco Construction contacted him and indicated that they could begin the paving immediately. Past practice has been to notify the residents by mail when the paving will take place. The Board indicated that they want to inform the residents before the paving begins.

DISCUSS BOARD OF REVIEW MEETING PUBLIC AWARENESS.

Trustee Maki stated that some communities advertise for the July and December meetings. He would like Chocoday Township to advertise and have the meeting last a set number of hours.

Assessor Fuller stated that the July and December Board of Review meetings are administrative meetings dealing with homestead exemptions, clerical errors and mutual mistakes of fact. The Board of Review members can not hear assessment protests at these meetings. The meetings are not scheduled for a set number of hours because they meet for as long as necessary to handle the administrative issues.

Supervisor Walker told the Township Board that he will talk to the Board of Review members about holding a set number of hours for their July and December administrative meetings. He will talk to them when they meet this July.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, May 6th, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, May 15th, 2013 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, April 18th, 2013.
- D. Minutes – Marquette County Townships Association Meeting, May 22, 2013 Draft.

Supervisor Walker adjourned the meeting at 8:45 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

Treasurer Greenberg suggested that the Manager step increase come back to the Board at the August meeting with information on past increases and dates of increases for the Manager.

2013 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #1 TO REFLECT RECEIPT OF KBIC 2% GAMING FUNDS.

Maki moved Greenberg seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on November 19th, 2012 for fiscal year 2013, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
KBIC 2% Gaming Money 401.000.582	\$ 0.00	+\$ 51,135.40	\$ 51,135.40
401.305.957	\$ 94,883.75	+\$ 13,735.40	\$108,619.15
401.756.957	\$106,052.63	+\$ 15,100.00	\$121,152.63
401.340.957	\$696,324.12	+\$ 22,300.00	\$718,624.12

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AWARD OF CONTRACT FOR 2013 LION'S FIELD PAD PAVING.

Carlson moved White seconded that the Chocolay Township Board approves the expenditure of \$19,500 to Smith Construction for the paving of the Lions Field hockey pad. This will be purchased from the Recreation and Properties Capital Improvement Fund 401.756.957.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE FIRE STATION EQUIPMENT.

Engle moved Stanaway seconded that the Chocolay Township Board approves expenditures for a siren from West Shore Services for \$10,641.70, a chain fall from Midway Rentals for \$250.00 and a hose/gear dryer from Pomasal Fire Equipment for \$12,195.00 for a total of \$23,086.70 out of the fire station fund 206.340.957.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee Carlson asked why we were not using the old siren. It is software and compatibility issue and moving the siren would be more costly than the purchase of a new one.

CONSIDERATION OF CONTRACT EXTENSION FOR HEALTH INSURANCE COVERAGE.

Greenberg moved White seconded to authorize the Township Supervisor to file the Renewal Date Change Request Form with Blue Cross Blue Shield of Michigan with a requested renewal date of December 1, 2013 for the present plan. This, in effect, provides for an eleven month extension of the current coverage plan and is authorized based upon policy premium increases of not more than 10%, plus taxes, for the renewal period.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

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

Carlson moved, and Engle seconded to authorize the Supervisor and Township Clerk to execute the attached recycling agreement on behalf of Chocolay Township with modifications to Paragraphs #1 and #2, as shown.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF FIELD RESERVATION FEE REFUND REQUEST FROM SSA RED BULLS SOCCER.

Maki moved White seconded to refund the \$25.00 user fee for the soccer field reservation to Mrs. Phillips.

ROLL CALL.

AYES: Maki, White, Carlson, Greenberg, Engle, Walker.

NAYS: Stanaway.

MOTION CARRIED.

DISCUSSION OF WIRELESS COMMUNICATION TOWER PROPOSAL FOR SILVER CREEK RECREATION PROPERTY.

AT&T has approached the Township about the possibility of locating a communications tower on Township property. The Board was asked if they would be interested in pursuing the recreation area on Silver Creek as a potential site. The general response from the Board was even though there is an esthetic dislike of cell towers; it is out weighed by the vast majority of our citizens who enjoy wireless communication of some type. The Board agreed to send this request to the Planning Commission to explore.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, June 3rd, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, June 21st, 2013 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, May 16th, 2013 Draft.
- D. Correspondence – Thank you letter to Doug Gentz, Michigan Sales & Equipment, Inc.

Supervisor Walker adjourned the meeting at 8:30 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

Stanaway moved White seconded to accept the Treasurer’s report.
 AYES: 7 NAYS: 0 MOTION CARRIED.

SUPERVISOR’S REPORT.

1. Fire Station Progress Report – presented in the Board packet detailing the work accomplished in the past month. Supervisor Walker commended the Chocolay Township Fire department and assisting departments for doing a very good job on the Lake LeVasseur fire last Friday.
2. Trash pick up on Lakewood Lane changed last week without GAD notifying us. We received many complaints from residents. We contacted GAD instructing them to notify us in advance of any route changes so we can get the information to our residents.

AUTHORIZATION TO NEGOTIATE A LEASE WITH AT&T FOR CELL TOWER INSTALLATION AT SILVER CREEK RECREATION AREA.

AT& T is looking for Board authorization to negotiate a lease with AT&T for a cell tower. The intent is not for the Board to approve a lease tonight. AT&T is looking for an option on the property before investing in the design work necessary to secure permits from various levels of government.

The Board discussed public input on placement of a cell tower at the Silver Creek Recreation Area. A public hearing was discussed. The Board agreed to have a question added to the Comprehensive Plan/Recreation Plan survey about a cell tower being placed at the Silver Creek Recreation Area. This survey will be going out in September. The Board will revisit the option on the property with AT&T after the survey information is in.

CONSIDERATION OF TOWNSHIP MANAGER COMPENSATION.

Greenberg moved Engle seconded that the Manager’s wage be set at \$34.45 per hour retroactive to July 1, 2013.

AYES: 7 NAYS: 0 MOTION CARRIED.

2013 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #2 TO REFLECT RECEIPT OF UTILITY REVIEW COMMITTEE DISBURSEMENT.

Maki moved Greenberg seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on November 19th, 2012 for fiscal year 2013, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
REVENUE			
Miscellaneous Revenue			
401.698.000	\$ 0.00	+\$1,984.00	\$1,984.00
EXPENDITURE			
Streets 401.440.921			
-Utility Improvements	\$ 1,890.63	+\$1,984.00	\$3,874.63

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.
 NAYS: None. MOTION CARRIED.

AUTHORIZATION TO PURCHASE RIDING MOWER.

Carlson moved Stanaway seconded that the Chocolay Township Board approve the expenditure for a John Deere Zero Turn Mower from Michigan Sales in the amount of \$5,600.00 to be paid out of the Capital Improvement Fund Recreation and Properties Account 401.756.957.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.
 NAYS: None. MOTION CARRIED.

AUTHORIZATION TO PURCHASE FURNITURE AND EQUIPMENT FOR NEW FIRE STATION.

White moved Carlson seconded that the Chocolay Township Board approve expenditures of up to \$12,000.00 to provide tables, chairs and any other necessary equipment to provide furnishings for the new fire hall from the fire station millage fund 206.340.957.007.

ROLL CALL.

AYES: Maki, Stanaway, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF REQUEST FOR SEWER USE CLASSIFICATION CHANGE.

Greenberg moved Engle seconded that the Chocolay Township Board approves that as of July 1, 2013, that the sewer billing for Chocolay River Trading Company, owned by Pam Gilmore account U41S-002220-0000-01 goes from 2.9 equivalent users down to 1.0 equivalent user until the building is reoccupied.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF FIELD RESERVATION FEE REFUND REQUEST FROM JANET KOSKI OF MARQUETTE BASEBALL BOOSTERS.

White moved Maki seconded to refund MAPS baseball booster's \$150.00 user fee.

ROLL CALL.

AYES: Maki, White, Carlson, Greenberg, Engle, Walker.

NAYS: Stanaway.

MOTION CARRIED.

PROGRESS REPORT ON DEVELOPMENT OF NEW MASTER RECREATION PLAN.

Greenberg moved Stanaway seconded to accept the Recreation Plan Update report.

AYES: 7

NAYS: 0

MOTION CARRIED.

The Board discussed the process of distribution of the Planning/Recreation Survey. It will be mailed out to residents of the Township and available to respond to on our website. The Board will be sent a copy of the survey before it is mailed out to our residents.

PROGRESS REPORT ON DEVELOPMENT OF STRATEGIC COMPREHENSIVE PLAN UPDATE.

Engle moved Carlson seconded to accept the Planning Commission Comprehensive Plan update.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF DRAFT 2014 BUDGET AND BUDGET ADOPTION SCHEDULE.

Trustee Carlson is not in favor of the garbage tag increase.

Treasurer Greenberg asked if the survey will address composting and recycling in the Township. Manager Lawry replied that it is not on the survey and we are at a point trying to shorten the survey.

Trustee White presented a list of ideas to lower the 2014 budget including no pay increase or a lower pay increase for employees, employees paying 15 percent of their health insurance, eliminate the payment of incentive training compensating the police for their gym membership, the Board pension should be eliminated. There should be money budgeted for more playground equipment especially at Silver Creek Recreation Area.

Trustee Maki would like to see Board discussion on the fact that we continue to utilize fund balance as a method of balancing the budget. He would also like the Board to discuss the amount spent on legal fees, including legal fees spent on the farm animal and local food growth issues, options on a new attorney when our attorney retires, legal and appraisal expenses for tax tribunal appeals. He would also like to see information on what the Watershed Council has accomplished for the Township.

Supervisor Walker indicated that on top of the 10% increase in health care there is a new 5-6% increase in taxes on health benefits that the employees will share in the expense.

The Board agreed to have a Budget Work Session on Monday September 30, 2013 at 7:00 pm.

Clerk Engle told the Board that we are having problems with our passport camera and a new one would cost \$1,800.00. He feels that we should not replace the camera at that price and the Board agreed. We can still process passports without taking the photos.

PUBLIC COMMENT.

Jim Goodman, 140 Orchard Lane – Questioned the Treasurer on C/D's going towards payments on the Fire Station. Treasurer Greenberg replied that since we had sufficient fund balance in all our funds, we borrowed from the General, Capital and Sewer Funds for payment of Fire Station instead of borrowing from a bank. As the millage is paid over then next five years the loan will be repaid.

Mark Maki, 370 Karen Road – Questioned the validity of a farming petition that was presented to the Chocolay Planning Commission and that he wanted to point out to the Board, that in his mind it did not seem to answer the question on chickens in Chocolay Township.

Supervisor Walker and Trustee Stanaway stated that the Township is receiving many calls and questions on raising chickens in Chocolay. The Planning Commission needs to examine and address the issue.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, July 1st, 2013.
- B. Minutes – Marquette Area Wastewater Treatment Authority, June 20th, 2013.
- C. Minutes – Marquette County Solid Waste Management Authority, June 19th, 2013 and July 17th, 2013 Draft.

Supervisor Walker adjourned the meeting at 8:40 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

September 16, 2013

A Regular meeting of the Chocolay Township Board was held on Monday, September 16, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson.

ABSENT: Bernie Stanaway.

STAFF PRESENT: Steve Lawry, Mary Sanders, Tina Fuller, Greg Zyburt, Kelly Woodward.

MINUTES –August 19, 2013.

Greenberg moved Carlson seconded to approve the minutes of August 19, 2013.

Trustee Maki commented that he wanted added to his comment on page 5 of the August 19, 2013 minutes *that he wanted to point out the petition to the Board, and that in his mind it did not seem to answer the question on chickens in Chocolay Township.*

AYES: 6

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Engle moved Carlson seconded to accept the agenda as presented.

AYES: 6

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – Asked the Board when they evaluate the budget to be conscious of all costs including staff time spent on projects. Congratulated the Superior Watershed on helping us to stabilize our dunes. Commented on agenda items under the Supervisor report are not available to the public prior to the meeting, recreational authority and considering acquiring the Wahlstrom property for a Community/Senior Center.

James Gallant, Skandia – Commented on Suicide prevention and asked for support of the Marquette County Health Department strategy for suicide prevention. He requested that the Board write a resolution of support.

ACCOUNTS PAYABLE.

Engle moved Carlson seconded that bills totaling \$77,492.70 including checks numbered 18821 to 18859 and bills totaling \$78,333.25 including checks numbered 18860 to 18873 are approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

PAYROLL.

Carlson moved Maki seconded that the payroll for August 29, 2013 for \$36,328.21, including checks 9900-9906 and 20846-20881 and ACH payments for Federal tax, State tax and MERS retirement and September 12, 2013 for \$33,954.25 including checks 9907-9912 and 20882-20901 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 6

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Maki moved Greenberg seconded to accept the August 2013 financial report.

AYES: 6

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Treasurer Greenberg reported that the only investment activity this month was the CEDARS C/D and that was significantly reduced to cover the current bills for the fire hall construction.

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

AYES: 6

NAYS: 0

MOTION CARRIED.

PRESENTATIONS – LAKE SUPERIOR WATERSHED PARTNERSHIP.

Carl Lindquist from Lake Superior Watershed presented information on Chocolay Township projects. The M-28 dune restoration project was wrapped up this summer. That project included all 3 turn outs which is a 3 mile total area. The project included planting dune grass, shrubs, and native tree species and invasive plant removal. A smaller project that is ongoing is the same type of restoration and erosion control at the MDOT Visitor Center and Iron Ore Heritage Trail.

Lake Superior Watershed just completed the Regional Climate Adaptation Plan which includes Chocolay Township. This plan is important when seeking Federal grants.

Board members had questions on tree planting on M-28, who works on the watershed projects, and the update on the Chocolay River clean up that took place 10 years ago. Carl responded that pines were used in the M-28 project, a combination of staff and volunteers are used on the projects, and the Chocolay River (Big Creek) clean up resulted in a 100% increase of the fish population and it is still in good condition.

RESIGNATION OF BERNARD STANAWAY FROM BOARD OF TRUSTEES AND PLANNING COMMISSION.

Carlson moved White seconded to accept the resignation of Bernard Stanaway from the Township Board and Planning Commission.

AYES: 6

NAYS: 0

MOTION CARRIED.

The Board discussed how to make the Trustee selection. An ad has been placed in the Mining Journal and will run four times. A selection must be made within 45 days of the vacancy or a special election must be scheduled. The Board agreed that if there are 5 or fewer applicants for the Trustee position that all of them be interviewed in front of the Board at the October Board meeting. If more than 5 applications are received; the Board will narrow the number of interviews down to 5 and possibly have a special meeting if necessary.

SUPERVISOR'S REPORT.

1. Update on Anderson appeal to the tax tribunal that has to do with uncapping of property. Normally when a property is sold it becomes uncapped. This appeal concerns a property sale with the previous owner retaining 1% of the ownership. The owners of the property maintain that the property should remain capped. This will go to the Michigan Tax Tribunal on October 2, 2013. Our attorney has suggested that to save the Township expenses for travel time and mileage, that we retain the firm Fahey, Schultz, Burzych, Rhodes PLC from Lansing. They do Tax Tribunal work and will be retained for the initial appearance only. Our local firm will continue to prosecute the case from up here.

REPORT OF PLANS FOR FIRE STATION OPEN HOUSE AND DEDICATION.

Manager Lawry updated the Board on the Open House for the fire hall on September 28th and the formal Dedication Ceremony on October 10th. We will have an auction of surplus property on the day of the open house and the fire department will give tours of the building. The old building will be demolished the 1st week of October.

CONSIDERATION OF ACQUISITION OF TAX FORECLOSED PROPERTY.

Wahlstrom's Restaurant has been foreclosed by Marquette County. There was a foreclosure sale on the property and an auction with a minimum bid of \$264,012.30, but they received no bids. The land bank could acquire the property, but they would have to pay \$264,012.30. The County is considering a second auction with a reserve in the neighborhood of \$150,000.00 or \$175,000.00. If it does not sell, Chocolay Township will owe a large amount to the County for back taxes and delinquent sewer fees.

Maki moved Carlson seconded to have the County Treasurer proceed with the auction of the property.

AYES: 6

NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2013 AMENDMENT NO. 5 REIMBURSEMENTS AUGUST 6TH SCHOOL ELECTION.

Maki moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township On November 19, 2012, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	\$15,775.00	+\$3,371.92	\$19,146.92
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Elections Per Meeting 101.190.710	\$2,200.00	+\$1,750.02	\$3,950.02
Elections Office Supplies 101.190.727	\$1,000.00	+ \$ 640.53	\$1,640.53
Elections Printing 190.728	\$ 500.00	+ \$ 206.52	\$ 706.52
Elections Postage 101.190.729	\$ 600.00	+ \$ 190.08	\$ 790.08
Elections Advertising 101.190.901	\$ 50.00	+ \$ 83.36	\$ 133.36
Clerk Salaries 101.215.702	\$91,717.00	+ \$386.07	\$92,103.07
Recreation & Properties Salaries 101.756.702	\$59,400.00	+ \$115.34	\$59,515.34

ROLL CALL.

AYES: Maki, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

DECLARATION OF SURPLUS TOWNSHIP PROPERTY.

Greenberg moved White seconded that the Board declare Township property on the attached lists as surplus to Township operations and authorize its sale on written bid to the highest individual bidders, or disposal as outlined in this packet.

AYES: 6

NAYS: 0

MOTION CARRIED.

AUTHORIZATION TO PURCHASE ARCGIS SOFTWARE.

Maki moved White seconded that we approve spending \$1,500.00 to purchase the ArcGIS program from the Capital Improvement Fund account 401.805.957.

ROLL CALL.

AYES: Maki, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane – Commented on expected additional expenses with using the firm Fahey, Schultz, Burzych, Rhodes PLC from Lansing and on the foreclosure of Wahlstrom’s Restaurant.

James Gallant, Skandia – Spoke again on suicide prevention and Robert Rules of Order usage in the Township Board meeting.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, August 5th, 2013.
- B. Minutes – Township Planning Commission, Special Meeting, August 26th, 2013
- C. Minutes – Marquette Area Wastewater Treatment Authority, July 18th, 2013.

- D. Minutes – Marquette County Solid Waste Management Authority, August 21st, 2013 Draft.
- E. Correspondence – Superior Watershed Partnership Update on M 28 Dune Restoration Project.
- F. Correspondence – CUPPAD Notice of Leadership Change.
- G. Correspondence – Marquette County Townships Association Letter on MTA Annual Conference Transportation.
- H. Correspondence - Michigan Public Service Commission Notice of Opportunity to Comment on Alger Delta Cooperative Electric Association Energy Optimization Plan.

Trustee Maki commented on the Planning Commission Special Meeting; the comment made by Commissioner Meister that the primary impetus of the survey is the keeping of animals in Chocolay Township. Trustee Maki understood that the primary purpose of the survey was to gather information for the Master Plan.

Treasurer Greenberg requested information from the Manager prior to the budget work session on the replacement of the meeting room doors.

Supervisor Walker adjourned the meeting at 8:20 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

September 30, 2013
Budget Work Session

A Special Budget Work Session of the Chocolay Township Board was held on Monday, September 30, 2013 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the work session to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Tina Fuller, Kelly Woodward, Greg Zyburt, Suzanne Sundell, Mike Disch, Chris Lucas, Tony Carrick, Pat Beck, Dale Throenle.

PUBLIC COMMENT.

None.

The Board held a work session to discuss the FY2014 budget. They worked through each department in the General fund, Fire Fund, Road Fund, Capital Improvement Fund and Sewer Fund. Any formal motions for changes will be made at the October 21, 2013 Board Meeting.

PUBLIC COMMENT.

None.

Supervisor Walker adjourned the work session at 10:15 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

FINANCIAL REPORT.

Maki moved Carlson seconded to accept the September 2013 financial report.

AYES: 6 NAYS: 0 MOTION CARRIED.

TREASURER'S REPORT.

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

AYES: 6 NAYS: 0 MOTION CARRIED.

PRESENTATIONS – NONE.

REVIEW OF CANDIDATES AND APPOINTMENT TO VACANT TRUSTEE POSITION.

The Board discussed how they would make the appointment for Trustee. Supervisor Walker recommended polling the Board and the candidate with the most votes would be appointed. After further discussion the Board decided to vote on paper with their signature and the Deputy Clerk would read the votes. The vote would then be recorded in the minutes.

The three candidates for the Trustee appointment introduced themselves and made a brief statement on their background and interest in the position of Trustee. The three candidates are:

- Richard Bohjanen, 140 Edgewood Drive
- Pete Mackin, P. O. Box 904
- Bruce Ventura, 140 Timberlane

The Board then asked questions of each of the candidates and then voted. The votes cast were:

Judy White – Pete Mackin
Gary Walker – Bruce Ventura
Susan Carlson – Richard Bohjanen
Mark Maki – Richard Bohjanen
Max Engle – Richard Bohjanen
John Greenberg – Richard Bohjanen

Greenberg moved Carlson seconded to appoint Richard Bohjanen as Chocolay Township Trustee.

AYES: 6 NAYS: 0 MOTION CARRIED.

Richard Bohjanen was given the oath of office and seated at the Board table.

NOTICE OF RETIREMENT OF TOWNSHIP ATTORNEY MIKE SUMMERS.

Supervisor Walker presented a certificate of Appreciation to Mike Summers for the years of service as Chocolay Township Attorney for the past 20 years. Trustee Maki also thanked Mike Summers for his years as attorney, Township Board member and Zoning Board member.

CONSIDERATION OF LEGAL REPRESENTATION FOR THE TOWNSHIP.

The Board discussed the familiarity of the firm of Bensinger, Cotant, Menkes P.C. and the very reasonable hourly rate for services. They also discussed going out on bid for attorney services.

Greenberg moved Carlson seconded to retain the firm of Bensinger, Cotant, Menkes P. C . for legal services, specifically appointing Roger Zappa as Township Attorney.

AYES: 6 NAYS: 1 (White) MOTION CARRIED.

NOTICE OF RESIGNATION OF ASSESSOR TINA FULLER AND OF TEMPORARY APPOINTMENT OF TOWNSHIP ASSESSOR FOR TRANSITIONAL PERIOD.

Supervisor Walker presented a certificate of appreciation and thanked Tina Fuller for her 11 years of service to the Township.

The Board discussed how to proceed with filling the Assessing position. We have 5 applications for the position and application deadline is tomorrow. Trustee Maki feels that the Board should be involved in the hiring of department heads. He also feels that we should provide for an interim Assessor. Trustee Maki also offered assistance as a Trustee with assessing background.

Greenberg moved Bohjanen seconded that the Township Supervisor and Manager review the Assessor applications and present a recommendation to the Board at the November meeting for a Township Assessor.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

Comparative tax effort of local jurisdictions - A chart was presented in the agenda packet with an analysis of tax effort of local jurisdiction. Chocolay Township tax rate is the 5th lowest in Marquette County with West Branch, Wells, Skandia and Powell Township being lower.

AUTHORIZATION TO NEGOTIATE A LEASE WITH AT&T FOR CELL TOWER INSTALLATION AT SILVER CREEK RECREATION AREA.

Trustee Maki requested a staff analysis on entering into a lease with AT&T for a cell tower.

Supervisor Walker indicated that AT &T approached us for a site for a cell tower near the intersection of U S 41 South and M-28. AT&T would like to have a lease agreement in hand by the end of 2013 to build in 2014.

Manager Lawry indicated that AT&T is looking for an option on the lease on this particular parcel. If they do not get the permits, including a conditional Use Permit from the Chocolay Township Planning Commission then the lease option is dropped. They are requesting a tower in this area because this area of the Township will lose cell reception because the existing tower servicing this area will no longer be serviced or upgraded. The new tower that the equipment is being moved to, is lower and will not adequately service this area.

White moved Engle seconded that the Board designate the Township Manager to negotiate a draft agreement with Mr. Haley for use of a portion of the Silver Creek Recreation Area for a wireless communications tower to be constructed and operated by AT&T. It is further recommended that the Board identify any objectionable content in the sample agreement and list any special provisions they would like to see included in the Chocolay agreement as guidance for the designated negotiator. Once language of a draft agreement is reviewed by the Township Attorney and finalized, it would be brought back to the Board for approval and authorization for the Supervisor and Clerk to sign.

AYES: 6

NAYS: 1 (Maki)

MOTION CARRIED.

DISCUSSION OF DRAFT 2014 BUDGET AND SCHEDULING OF PUBLIC HEARINGS FOR ADOPTION.

Engle moved, White seconded to schedule public hearings for the FY2014 sewer rates and charges, the FY2014 fee schedule and FY2014 millage rates and FY2014 budget adoption.

AYES: 7

NAYS: 0

MOTION CARRIED.

The Board discussed Trustee Whites' suggestions of utilizing the Township meeting room as a senior center, looking at the CIF department balances and get clarification on the future use of that money and placing general fund revenues over expenditures at the end of the fiscal year into the road fund. The Board agreed to have Township staff look at all Township roads and create a priority list for repair. The Board will look at road funding in May 2014 when the audit is complete and the road priority list available.

Trustee Maki handed out his budget suggestions for the Board to review.

Greenberg moved White seconded review road funding and road priorities in May 2014.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF RESOLUTION AUTHORIZING THE TOWNSHIP SUPERVISOR AND TOWNSHIP CLERK TO EXECUTE AN AGREEMENT WITH MDOT FOR RECONSTRUCTION OF NON-MOTORIZED PATH ALONG US 41.

Carlson moved Maki seconded to authorize the Supervisor and Clerk to execute the attached contract with Michigan Department of Transportation (Contract #13-5216, control section STE 52042, job # 119885A).

AYES: 7

NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #3 FOR REVENUE FROM THE SALE OF SURPLUS PROPERTY.

Maki moved Greenberg seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on November 19th, 2012 for fiscal year 2013, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
REVENUE			
Miscellaneous Revenue 401.698.000	\$ 1,984.00	+\$5,067.75	\$ 7,051.75
EXPENDITURE			
Fire Dept. 401.340.957	\$718,624.12	+\$ 964.00	\$719,588.12
Police Dept. 401.305.957	\$108,619.15	+\$4,103.75	\$112,722.90

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #4 FOR STATE OF MICHIGAN REIMBURSEMENT OF RADIO REBANDING COSTS.

Maki moved Engle seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated Capital Improvements Fund receipts within the township on November 19, 2012 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
Police Department Capital Improvement 401.305.957	\$112,722.90	+\$ 450.00	\$113,172.90
Fire Department Capital Improvement 401.340.957	\$719,588.12	+\$1,050.00	\$720,638.12

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 401.698	\$ 7,051.75	+\$ 1,500.00	\$ 8,551.75

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

APPROVAL OF FIRE HALL CONSTRUCTION PROJECT CHANGE ORDERS, CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #5, AND AUTHORIZATION TO PURCHASE FURNITURE AND EQUIPMENT FOR THE NEW FIRE STATION.

Greenberg moved Maki seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated receipts and expenditures of the Capital Improvement Fund and the Fire Department Millage Fund within the Township on November 19th, 2012 for fiscal year 2013, and Whereas, as a result of contracts awarded and a desire to account for all project costs within the Fire Department Millage Fund it is appropriate to modify the aforesaid budget, Now therefore Be It Resolved that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
EXPENDITURE			
C. I. Fund Transfer Out 401.000.968	\$ 0.00	+\$33,216.05	\$ 33,216.05
REVENUE			
F. D. M. Fund Due From Capital Improvement Fund 206.000.677	\$580,000.00	+\$33,216.05	\$613,216.05

It is further recommended that the Board authorize the purchase of services from Wright Electric in an amount not to exceed \$4,000 for the wiring of the hose/bunker gear dryer and the new alert siren and from Berger & King for venting the dryer in an amount not to exceed \$1,200.

It is further recommended that the Board approve expenditures not to exceed \$30,000 for project expenses incurred to date but not previously approved by the Board, and for those items listed on the preceding page needed to complete the project but not a part of existing contracts. It is anticipated that this will result in a total project cost of just over \$2.1 million.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Greenberg moved White seconded that the Board approve fire station change orders list below.

Associated Constructors	Change Order #1 for \$ 3,306.78
Associated Constructors	Change Order #2 for \$14,965.00
Berger & King	Change Order #1 for \$ 4,037.00
Berger & King	Change Order #2 for \$ 1,885.00
Wright Electric	Change Order #1 for \$ 1,448.83

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO REPAIR BIG CREEK DRY HYDRANT WITH CAPITAL IMPROVEMENT FUNDS.

Carlson moved Engle seconded to accept the fire department request a total of \$8,650.00 for replacement of the Big Creek dry hydrant from the water department in the Capital Improvement Fund 401.591.957.

CONSIDERATION OF CHOCOLAY LIONS CLUB REQUEST FOR COMMUNITY HALLOWEEN PARTY SUPPORT.

The Board will respond individually to the Lion's Club request for Community Halloween Party support.

DISCUSSION OF SEPTEMBER STAFF REPORT AND THE RECENT SURVEY.

Trustee Maki questioned the 5.2 million increase in property assessment and the lack of staff charging the administrative enforcement cost recovery surcharge permit fee for a structure built without obtaining a permit. The answer was that this amount was accumulated over the 5 year cycle of review of the entire township. The majority of the increase is decks, garages and outbuilding that did not have permits. Staff did not charge for the additional enforcement fee because the Board did not want the fee enforced until the full 5 year cycle was completed on property review.

PUBLIC COMMENT.

Pete Mackin, P.O. Box 904 – Thanked the Board for considering him for Trustee and offered to assist the Township anyway he can. He commented on Senior Services, the Sands Aquifer, Food and Farming supply, Alger Delta rates vs. Marquette Board of Light & Power, the Chocolay River was a border between the 1836 & 1842 Treaty Areas and is interested in placing an historical marker or Treaty Park.

Chief Greg Zyburt – Chocolay Township Police Station is a drop off site for expired or unwanted prescription drugs; under a grant funded program of Marquette County Solid Waste Management Authority.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, September 9th, 2013.
- B. Minutes – Marquette Area Wastewater Treatment Authority, August 15th, 2013.
- C. Minutes – Marquette County Solid Waste Management Authority, September 18th, 2013 Draft.
- D. Minutes – Marquette County Townships Association Meeting, September 25th, 2013.
- E. Report – 2010 and 2013 Master Plan Surveys and Results.

Supervisor Walker adjourned the meeting at 9:10 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

AYES: 7

NAYS: 0

MOTION CARRIED.

APPOINTMENT OF A TOWNSHIP ASSESSOR.

Maki moved Engle seconded to approve the appointment of Don Bode as Township Assessor (under the terms listed in the Appointment of Township Assessor Memo) on a full time basis, with a starting salary of \$50,000.00 for the year 2014. This is a salary that is outside the normal pay scale, but this position does not include health insurance. This will result in an overall savings.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

None.

PUBLIC HEARING ON PROPOSED 2014 SEWER RATE.

The public hearing was opened. No public comment. The public hearing was closed.

ADOPTION OF 2014 SEWER USER FEE RESOLUTION.

Greenberg moved Bohjanen seconded that

Whereas, the revenues and expenditures for the wastewater collection and treatment system have been reviewed, and

Whereas, the current user fee of \$27.60 per month is not adequate for the projected replacement cost of the system, and

Whereas, the equivalent user fee of \$28.60 per month will be sufficient to offset the Township share of \$13.33 per equivalent user per month, to pay the O. M. & R. cost for the wastewater treatment plant.

Now, therefore be it resolved the Chocolay Township Board establishes the equivalent user fee of \$28.60 per month beginning January 1, 2014 through December 31, 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Clerk Engle agrees with the \$1.00 per month increase for this year, but feels starting in 2015 we need to look at larger increases to cover the maintenance of a 40 year old sewer system.

Trustee White feels that we should look for grant funds to help with maintenance of the system.

Trustee Maki learned in the Citizen Planner Class that the Planning Commission is supposed to participate in Capital Improvement budgeting for infrastructure. He would like their input when we deal with this matter.

PUBLIC HEARING ON PROPOSED 2014 FEE SCHEDULE.

The public hearing was opened. No public comment. The public hearing was closed.

ADOPTION OF 2014 FEE SCHEDULE.

Engle moved White seconded to accept the FY2014 Fee Schedule to take effect on January 1, 2014 with the exception of the change in garbage tag prices, which will become effective December 1, 2013.

AYES: 7

NAYS: 0

MOTION CARRIED.

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

Greenberg moved Maki seconded that no changes be made in the per diem compensation levels for all Chocolay Township Boards and Commissions.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF HEALTH CARE PREMIUMS, EMPLOYEE WAGES, AND EMPLOYEE HEALTH CARE CONTRIBUTION RATES.

Maki moved, Greenberg seconded, to exempt the Charter Township of Chocolay from the requirements of Michigan Public Act 152 of 2011 for the calendar year 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, Greenberg, Engle, Walker.

NAYS: White.

MOTION CARRIED.

Carlson moved Engle seconded, to set the employee participation rate for the cost of the medical benefit plan provided by Chocolay Township at 10% of the combined cost of health insurance premiums and Health Reimbursement Account payments for 2014.

ROLL CALL.

AYES: Bohjanen, Maki, Engle, Walker.

NAYS: White, Carlson, Greenberg.

MOTION CARRIED.

White moved Carlson seconded to amend the proposed 2% wage increase to Appendix L of the Personnel Policy and Procedures Manual by applying an increase of 1.5%.

ROLL CALL.

AYES: Carlson, White.

NAYS: Bohjanen, Maki, Greenberg, Engle, Walker.

MOTION FAILED.

Maki moved Engle seconded to amend Appendix L of the Personnel Policy and Procedures Manual by applying an increase of 2 % to wage and salary levels at all steps of the matrix.

ROLL CALL.

AYES: Bohjanen, Maki, Engle, Greenberg, Walker.

NAYS: White, Carlson.

MOTION CARRIED.

PUBLIC HEARING ON PROPOSED 2014 MILLAGE RATES, BUDGET AND GENERAL APPROPRIATIONS ACT.

The public hearing was opened. No public comment. The public hearing was closed.

ADOPTION OF 2014 GENERAL APPROPRIATIONS ACT AND BUDGET.

Greenberg moved White seconded that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1st, 2014, and ending December 31st, 2014, to the Township Board for its consideration; and

Whereas, notice of the public hearing on the budget was published in the Mining Journal, a newspaper of general circulation within the Township, on November 4th, 2013; and

Whereas, a public hearing was held on the proposed budget on November 18th, 2013 at the Chocolay Township Municipal Complex, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing;

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1st, 2014, and ending on December 31st, 2014, in the amount of \$1,684,300.00 for the General Fund, in the amount of \$0 in the Road Fund, in the amount of \$317,400.00 in the Fire Department Millage Fund, in the amount of \$310,000.00 for the Sewer Fund, and in the amount of \$34,000.00 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,718,300.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1st, 2014, and ending December 31st, 2014.
3. The Township Board does hereby appropriate the sum of \$310,000.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1st, 2014, and ending December 31st, 2014.
4. The Township Board does hereby appropriate the sum of \$0 for the repairing of the Township Roads to be used for the fiscal year beginning January 1st, 2014 and ending December 31st, 2014.
5. The Township Board does hereby appropriate the sum of \$317,400.00 for the purposes of constructing and equipping a new fire station and associated debt retirement during the fiscal year beginning January 1st, 2014 and ending December 31st, 2014.

6. The Township Board does hereby levy 3.7745 mills for general operations; extra voted are 0.7558 for library, and 1.6932 for fire department.
7. All resolutions and parts of resolutions in so far as they conflict with provisions of this resolution are rescinded.
8. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming to Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee Maki discussed the fact that we need to discuss roads. If we wait until May 2014 to discuss roads we will miss the road building season in 2014.

Trustee White stated that the Board discussed this at the October meeting and the Board agreed to wait until May 2014 when we have the audit.

Trustee Bohjanen asked if Chocolay Township has expended non-matching funds for roads over the past 5 to 10 years. Manager Lawry answered that we have expended approximated \$300,000.00 per year over the past five years with Road Millage money. The County Road Commission is not providing their 40% funding toward roads. They provide in kind engineering work.

Treasurer Greenberg feels that we should wait until the audit is provided in May 2014 to see what funds are available for funding roads.

Manager Lawry stated that it is still be possible to have road work done in 2014 if we awarded bids in July or August 2014. We are in the process of looking at Capital Improvements money by each department; any money that is not appropriated for a specific project can be used toward roads.

The Board agreed to follow that process in May of 2014, after the 2013 audit is presented.

SUPERVISOR'S SALARY

Greenberg moved Maki supported that the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2014, which begins January 1st, 2014, and ends December 31st, 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

TREASURER'S SALARY.

Carlson moved Bohjanen supported that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2014, which begins January 1st, 2014, and ends December 31st, 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CLERK'S SALARY.

White moved Greenberg supported that the salary for the office of Clerk shall be set in the amount of \$11,850.00 for the Fiscal Year 2014, which begins January 1st 2014, and ends December 31st, 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

TRUSTEE'S PER DIEM.

Greenberg moved Engle supported that the per diem for the office of Trustee shall be set in the amount of \$75.00 per meeting for the Fiscal Year 2014, which begins January 1st, 2014, and ends December 31st, 2014.

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

APPLICATION OF DELINQUENT SEWER CHARGES AS TAX LIENS.

DELINQUENT SEWER USERS FOR 2013

Name	Tax ID Number	Address	City, State, Zip	Amount Due
Marc Gilmore	52-02-490-002-00	110 Chocolay River Tr	Mqt MI 49855	\$ 350.82
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	\$ 350.82
Chocolay Childrens Center	52-02-251-006-00	324 Corning Street	Mqt MI 49855	\$ 666.55
Menhennick	52-02-254-003-00	500 Corning Street	Mqt MI 49855	\$ 164.92
Steven & Heather Shaw-Quizno's	52-02-106-043-50	505 Corning Street	Mqt MI 49855	\$ 2,034.74
Jack's IGA	52-02-440-010-00	101 Carmen Drive	Mqt MI 49855	\$ 2,324.04
Susan Racine	52-02-215-006-00	156 E. Fairbanks Street	Mqt MI 49855	\$ 350.82
Randall Goin	52-02-215-009-00	164 E. Fairbanks	Mqt MI 49855	\$ 167.28
David Hillock	52-02-216-010-00	158. E. Wright Place	Mqt MI 49855	\$ 350.82
Linda Morgan	52-02-216-015-00	161 E. Wright Place	Mqt MI 49855	\$ 350.82
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$ 350.82
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$ 350.82
Linda Bice	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 350.82
Amanda Baldwin	52-02-216-008-00	128 Kellog Street	Mqt MI 49855	\$ 342.84
Josh Howard	52-02-107-012-00	204 Silver Creek Road	Mqt MI 49855	\$ 255.06
Joe & Barb Menze	52-02-107-063-00	328 Silver Creek	Mqt MI 49855	\$ 350.82
Marc Gilmore	52-02-106-025-20	2220 U S 41 South	Mqt MI 49855	\$ 544.20
David Laurich	52-02-106-020-00	2366 U S 41 South	Mqt MI 49855	\$ 350.82
Steve & Sandra Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$ 350.82
Walt & Susan Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$ 631.46
A.J. Menhennick	52-02-254-003-00	4021 U S 41 South	Mqt MI 49855	\$ 164.92
Harvey Oil Company	52-02-254-004-00	4025 U S 41 South	Mqt MI 49855	\$ 200.22
Wahlstom Enterprise Inc.	52-02-107-007-00	5043 US 41 South	Mqt MI 49855	\$ 9,682.64
Mike & Eva Schlenkert	52-02-455-001-00	132 Veda Street	Mqt MI 49855	\$ 350.82
Dave & Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$ 350.82
Jason Bernard	52-02-107-074-00	740 Willow Road	Mqt MI 49855	\$ 350.82
Ruth & Mark Matteson	52-02-207-005-00	234 W. Main Street	Mqt MI 49855	\$ 142.84
Tonya Scott	52-02-205-003-00	341 W. Main Street	Mqt MI 49855	\$ 255.06
Matthew & Crystal Dale	52-02-251-023-10	205 W. Terrace Street	Mqt MI 49855	\$ 350.82
Gardner Bess	52-02-210-005-00	334 W. Terrace Street	Mqt MI 49855	\$ 350.82
Judith Charles/Marilyn Kramer	52-02-208-003-00	371 W. Terrace Street	Mqt MI 49855	\$ 350.82
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	\$ 350.82
Kristine & Michael Dionne	52-02-106-043-00	110 W. Wright Place	Mqt MI 49855	\$ 250.82
Tammy Riggie	52-02-253-025-00	117 W. Wright Place	Mqt MI 49855	\$ 350.82
Glen Carlson	52-02-213-004-00	350 W. Wright Place	Mqt MI 49855	\$ 350.82
Total Delinquent Amount				\$ 24,843.99

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

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF REQUEST FOR SEWER USE CLASSIFICATION CHANGE.

Greenberg moved Maki seconded that the equivalent user fee for 5043 U. S. 41 South from 27.6 down to 1 and 5045 U.S. 41 South from 1.6 downs to 1 as of October 16, 2013, until the business is reopened as provided for in Section 9D-3-a of Ordinance #39.

AYES: 7

NAYS: 0

MOTION CARRIED.

2013 GENERAL FUND BUDGET AMENDMENT #6 TO REFLECT REIMBURSEMENT OF POLICE DEPARTMENT OVERTIME COSTS FROM THE OFFICE OF HIGHWAY SAFETY PLANNING.

Resolution Amending General Fund Budget FY 2013 – Amendment No. 6 – Reimbursement for Safety Belt Overtime.

Maki moved Carlson seconded, that Whereas a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on November 19, 2012 for the next fiscal year, and Whereas as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to maintain a balanced budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Salary			

101.305.702	\$268,066.00	+\$4,911.75	\$272,977.75
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REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$19,146.92	+\$4,911.75	\$24,058.67

ROLL CALL.

AYES: Carlson, Bohjanen, Maki, White, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

PROPOSED ZONING ORDINANCE TEXT AMENDMENT ZA0003-13 PERTAINING TO OUTDOOR WOOD BOILERS, SECTION 6.5 AND SECTIONS 4.1, 4.2, 4.3, 4.5, 4.6, 4.7, AND 4.8 – FIRST READING.

Carlson moved Engle seconded to approve the proposed text amendment ZA0003-13 pertaining to Outdoor Wood Boilers as written and to present it to the Township Board for a second reading at their December meeting.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki requested a presentation by the Planning Director on this amendment. It will be fine to present this at the December meeting. He still has questions on how this simplifies the administration and why it needs to be a conditional use if someone meets all requirements.

Planning Director Woodward stated that the questions are addressed in the staff report in the packet. The Planning Commission included the conditional use provisions because then they could evaluate circumstances based on the additional standards in Section 16 of the Zoning Ordinance. This would apply everywhere except the AF district.

Supervisor Walker stated that the Planning Commission is addressing this amendment at this time because it was never officially adopted five years ago.

TOWNSHIP SURVEY.

Trustee Maki had concerns that the survey was not given to the Board for review and comment before it went out to the public.

Supervisor Walker stated that timing was the issue in getting the results in time to make it applicable to our Master Plan and Recreation Plan for completion.

PUBLIC COMMENT.

None.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, October 7th, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, October 16th, 2013 Draft.
- C. Minutes – Marquette County Townships Association, October 23, 2013, Draft.
- D. Communication – U. P. Insurance Agency Notice of Workers Compensation Insurance Dividend.

Supervisor Walker adjourned the meeting at 8:05 p.m.

Max Engle, Clerk

Gary Walker, Supervisor

ANNUAL APPOINTMENTS TO BOARDS AND COMMISSIONS.

Greenberg moved Carlson seconded to accept the nominations as presented for Board and Commission appointments

East Marquette Solid Waste Disposal Authority – 1 year term

Gary Walker 01-01-2014 to 12-31-2014
Brad Johnson (Alternate) 01-01-2014 to 12-31-2014

Personnel Committee – 2 year Board Term / 1 year employee

Chris Lucas 01-01-2013 to 12-31-2014
Scott Jennings 01-01-2013 to 12-31-2014

Planning Commission – 3 year term

Andy Smith (Vice Chair) 01-01-2014 to 12-31-2016
Bruce Ventura 05-24-2013 to 12-31-2014
Tom Mahaney 01-01-2014 to 12-31-2016
Kendell Milton 05-24-2008 to 12-31-2014

Zoning Board of Appeals – 3 year term

Michele Wietek-Stephens 01-01-2014 to 12-31-2016
Kendell Milton 05-18-2009 to 12-31-2014
Sandra Page 01-01-2014 to 12-31-2016
Geno Angeli (Alternate) 01-01-2014 to 12-31-2016

Utility Review Committee – 4 year term

Kelly Drake Woodward (Alternate) 01-01-2014 to 12-31-2017

Election Commission - 4 year term

Susan Carlson 01-01-2014 to 12-31-2016

CABA Representative

Max Engle 01-01-2014 to 12-31-2018
Dale Throenle (Alternate) 01-01-2014 to 12-31-2018

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Maki feels that the Planning Commission, Zoning Board of Appeals and Utility Review Committee members should fill out an application before being reappointed. There was Board discussion, but no action was taken.

SUPERVISOR’S REPORT.

We received a \$30,000.00 check from Keweenaw Bay Indian Community as part of their 2% distribution.

Maki moved White seconded to allocated \$10,000.00 toward fire department bunker gear, \$9,000.00 for police department replacement of laptops, peripherals & software, \$1,000.00 bicycle helmets and \$10,000.00 in the Recreation department for playground equipment.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

PROPOSED ZONING ORDINANCE TEXT AMENDMENT ZA0003-13 PERTAINING TO OUTDOOR WOOD BOILERS, SECTION 6.5 AND SECTIONS 4.1, 4.2, 4.3, 4.5, 4.6, 4.7, AND 4.8 – SECOND READING.

Carlson moved Engle seconded to waive the reading and adopt the proposed amendment ZA0003-13, formerly #34-09-06 and #34-09-16 Outdoor Wood Boilers and Appliances as written.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Maki asked why some districts have this as a conditional use and in some districts the outdoor burner is a permitted use. Supervisor Walker stated that with a conditional use, the adjoining property owners would be able to weigh in. The AF district consists generally of larger parcels and the smoke from the outside boiler should not be as much of an issue.

Reconsideration of Delinquent Sewer Charge Tax Lien and Sewer Use Rate.

Greenberg moved Engle second to amend the list of delinquent sewer charges and penalties added to the Chocolay Township December 2013 tax roll in accordance with Ordinance 39, Section 9.E.2.c by deleting Wahlstrom Enterprise, Inc. parcel #52-02-107-007-00 in the amount of \$9,682.64.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trustee Bohjanen asked if the Township is stuck with this large bill because it was turned over to the tax roll and then not followed up on. Supervisor Walker indicated that the reason this tax and sewer bill was allowed to become so large was due to the foreclosure and bankruptcy rules. This is the first time this has ever occurred in the Township. Normally a property owner pays all the back taxes and sewer charges so they do not lose their property to tax sale. Trustee White asked what the total cost to the Township from the Wahlstrom foreclosure was. Manager Lawry stated that the total to general and sewer fund is approximately \$60,000.00. An exact total will come to the Board at the January 2014 meeting. Trustee Bohjanen asked if we explored shutting off the utilities to Wahlstrom's. Manager Lawry stated that without a water system and meters, we do not have the ability to shut off service without excavating the sewer line. We would have had problems with the County Health Department if we did that. The Board will have the discussion at a future date on a possible alternative to the tax roll for collection of delinquent sewer fees.

White moved Carlson seconded to classify delinquent sewer charges of \$17,810.90 for services delivered January 1, 2012 through October 10, 2013 as bad debt of the Chocolay Sewer Utility Fund and recorded per the advice of the Township auditor.

AYES: 7 NAYS: 0 MOTION CARRIED.

Engle moved White seconded to reconsider the sewer use classification change for parcel #52-02-107-007-00 approved on November 18, 2013 and set the equivalent user fee for 5043 US 41 South and 5045 US 41 South at zero from October 11, 2013 until such time as the buildings are reopened for use as provided for in Ordinance 39, Section 9.D.3.a.

AYES: 7 NAYS: 0 MOTION CARRIED.

Maki moved Greenberg seconded to authorize repayment to the County Treasurer of delinquent tax and sewer liens not recovered through foreclosure sale of the Wahlstrom Enterprise property in the amounts of \$3,218.49 in General Fund taxes, \$1,033.40 in Road Millage Fund taxes, \$503.18 in Fire Department Millage, and \$24,045.10 in liens of the Wastewater Treatment Fund.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

ADOPTION OF 2014 MEETING CALENDAR.

Greenberg moved White seconded to approve the 2014 Chocolay Township meeting dates.

Chocolay Township Board – 7:00PM

January 20	July 21
February 17	August 18
March 17	September 15
April 21	October 20
May 19	November 17
June 16	December 15

Chocolay Township Planning Commission – 7:30PM

January 6	July 7
February 3	August 4
March 3	September 8
April 7	October 6
May 5	November 3
June 2	December 1

Chocolay Township Zoning Board of Appeals – 7:00PM

January 23	July 24
February 27	August 28
March 27	September 25
April 24	October 23
May 22	November 20
June 26	December 18

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 4th

March 4, 10, 11

July 22

December 9

AYES: 7 NAYS: 0 MOTION CARRIED.

ANNUAL REVIEW OF BOARD POLICIES.

Greenberg moved, Carlson seconded to change **Special Meetings** delete ~~creating the agenda and~~.

AYES: 7 NAYS: 0 MOTION CARRIED.

Maki moved Engle seconded to change **Board Appointments** to **November or December** Township Board meeting each year.

AYES: 7 NAYS: 0 MOTION CARRIED.

APPROVAL OF FIRE HALL CONSTRUCTION PROJECT CHANGE ORDER.

Greenberg moved White seconded to approve Fire Station contract change order #3 for Associated Constructors in the amount of \$4,489.00.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None. MOTION CARRIED.

DISCUSSION OF TOWNSHIP SENIOR CENTER.

Trustee White would like to have a committee or discussion group set up to look at utilizing the meeting room a couple of days a week for a few hours for seniors or other township residents to gather to play cards and have coffee. The Board agreed to have Trustees White and Carlson work on setting up a committee for senior gatherings.

PUBLIC COMMENT.

Trustee Maki had a comment on the Planning Commission site plan review; that the adjoining property owners are not notified of site plan reviews. Planner Woodward stated that adjoining property owners do not get notified if it is a permitted principal use, they are notified if it is a conditional use. Supervisor Walker suggested adding this item for discussion at the joint Township Board/Planning Commission meeting. The Board was in agreement.

Trustee Bohjanen asked the Board if they wanted to continue receiving the Master Plan Chapters as they are written or would they prefer to wait and receive the entire Master Plan at once. The Board preferred receiving the chapters as they are written.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, November 4th, 2013.
- B. Minutes – Marquette County Solid Waste Management Authority, November 13th, 2013 Draft.
- C. Communication – Marquette County Solid Waste Management Authority Notice of Possible Change in Tipping Fee.
- D. Communication – Charter Communications Rate Increases.
- E. Communication – Marquette Township Potential Revenue Loss Due to Commercial Tax Appeals.

Supervisor Walker adjourned the meeting at 8:15 p.m.

Max Engle, Clerk

Gary Walker, Supervisor