

December 14, 2009

A Regular meeting of the Chocolay Township Board was held on Monday, December 14, 2009 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Seppanen called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Greg Seppanen, Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Ken Tabor, Susan Carlson.

ABSENT: None.

STAFF PRESENT: Jennifer Thum, Mary Sanders, Brad Johnson, Gary Johnson, Denny Magadanz, Greg Zyburt, Deb Heinzelman, Gary Heinzelman, Pat Beck and Tom Murray.

MINUTES –NOVEMBER 5, 2009 SPECIAL BOARD MEETING AND NOVEMBER 9, 2009.

Greenberg moved, Carlson second that the minutes of the November 5, 2009 Special Township Board meeting be approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Trudeau moved, Tabor second that the November 9, 2009 Township Board meeting be approved with one change.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

AGENDA ADDITIONS/DELETIONS.

Supervisor Seppanen requested adding an item at the end of the meeting to discuss a request for Township Board agenda packets.

Hill moved, Tabor second to accept the agenda as presented.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PUBLIC HEARING – PROPOSED ZONING AMENDMENTS.

Trustee Maki commented that amendment # 34-09-13 is not necessary because it is addressed in the zoning ordinance.

PUBLIC COMMENT.

Treasurer Greenberg thanked Pat Beck for the hot chocolate and baked goods.

Fire Chief Gary Johnson informed the Board that Jeff Trudeau, Fire Department Lieutenant is resigning after being on the department for 14 years.

ACCOUNTS PAYABLE.

Hill moved, Trudeau second that bills totaling \$15,458.32 checks numbered 15903– 15939 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

Tabor moved, Trudeau second that bills totaling \$27,697.08 checks numbered 15940– 15957 be approved for payment.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PAYROLL.

Hill moved, Carlson second that the payroll for November 12, 2009 in the amount of \$25,974.91 and November 26, 2009 in the amount of \$29,421.96 be approved.

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

FINANCIAL AND TREASURER’S REPORTS.

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

AYES: 7 **NAYS:** 0 **MOTION CARRIED.**

PRESENTATION – MUNICIPAL EMPLOYEES’ RETIREMENT SYSTEM OF MICHIGAN.

Mike Tackett, MERS representative presented information to the Board addressing the concerns the Board had at the Special MERS meeting on November 5th. Concerns were value of assets, updated census of employees interested in participating in MERS, and calculating costs based on a 7% rate of return vs. the assumed 8% figure.

SUPERVISORS REPORT.

- Ron Wick, a resident of Chocolay Township has a 19 acre parcel of property that he would like to donate to the Township. Staff will review information on this property and will report back to the Board in January or February.

ROLL CALL.

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

NAYS: Maki

MOTION CARRIED

RESOLUTION FOR OFFICERS' SALARIES

Supervisor's Salary

Tabor moved, Carlson second that the salary for the office of Supervisor shall be set in the amount of \$15,025.00 for the Fiscal Year 2010, which begins January 1, 2010, and ends December 31, 2010.

AYES: 7 NAYS: 0

MOTION CARRIED.

Treasurer's Salary

Carlson moved, Hill second that the salary for the office of Treasurer shall be set in the amount of \$8,739.00 for the Fiscal Year 2010, which begins January 1, 2010, and ends December 31, 2010.

AYES: 7 NAYS: 0

MOTION CARRIED.

Clerk's Salary

Tabor moved, Trudeau second that the salary for the office of Clerk shall be set in the amount of \$11,852.00 for the Fiscal Year 2010, which begins January 1, 2010, and ends December 31, 2010.

AYES: 7 NAYS: 0

MOTION CARRIED.

Trustee's Per Diem

Carlson moved, Hill second that the per diem for the office of Trustee shall be set in the amount of \$60.00 per meeting for the Fiscal Year 2010, which begins January 1, 2010, and ends December 31, 2010.

AYES: 5 NAYS: 2 (Maki, Trudeau).

MOTION CARRIED.

PROPOSED ZONING AMENDMENTS.

#34-09-03

1. AGRICULTURE/FORESTRY (AF); Section 4.7:

Proposed addition:

1. Add to section 4.7 (C) **11. Kennels on lots 20 acres or more.**

Tabor moved, Greenberg second to approve the second reading of Zoning Amendment #34-09-01 and will publish with the Township Clerk within 15 days after adoption, publish the amendment in the local newspaper and on the township website within 15 days of adoption and record ordinance in Township ordinance book within one week after the publication of ordinance.

AYES: 7 NAYS: 0

MOTION CARRIED.

34-09-02

2. AGRICULTURE/FORESTRY (AF); Section 4.7 & 4.4:

Proposed additions:

1. Add to AF section 4.7 (C) **11. Parks**

2. Add to WFR section 4.4 (C) **7. Parks**

Trudeau moved, Carlson second to approve the second reading of Zoning Amendment #34-09-02 and will publish with the Township Clerk within 15 days after adoption, publish the amendment in the local newspaper and on the township website within 15 days of adoption and record ordinance in Township ordinance book within one week after the publication of ordinance.

AYES: 7 NAYS: 0

MOTION CARRIED.

#34-09-03

3. AGRICULTURE/FORESTRY (AF); Section 4.7:

Proposed addition:

1. Add to section 4.7 (C) **11. Kennels on lots 20 acres or more.**

Carlson moved, Tabor second to approve the second reading of Zoning Amendment #34-09-03 and will publish with the Township Clerk within 15 days after adoption, publish the amendment in the local newspaper and on the township website within 15 days of adoption and record ordinance in Township ordinance book within one week after the publication of ordinance.

AYES: 7 NAYS: 0

MOTION CARRIED.

Maki moved, Greenberg second to table zoning amendment 34-09-07.

AYES: 4 NAYS: 3

MOTION CARRIED.

#34-09-10

4. Article II, Definitions:

Add to definition regarding "Kennels"

Chocolay Township Planning Commission – 7:30 PM

January 4	July 12
February 1	August 2
March 1	September 13
April 5	October 4
May 3	November 1
June 7	December 6

Chocolay Zoning Board of Appeals – 7:00 PM

January	July 22
February 25	August 26
March	September 23
April 22	October 28
May 27	November 18
June 24	December 16

Chocolay Township Fire Department – 7:00 PM

1st Thursday of each month – Business Meeting
2nd and 3rd Thursday of each month - Training

Maki moved, Tabor second to accept the meeting schedule for 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

UTILITY REVIEW COMMITTEE, FRANCHISE AGREEMENT, BY-LAW AND INTER-LOCAL AGREEMENT.

Greenberg moved, Trudeau second to adopt the Utility Review Franchise Agreement with the Marquette Board of Light & Power and authorize the Supervisor to sign the By-Laws and the Inter-Local Agreement.

AYES: 7 NAYS: 0 MOTION CARRIED.

SIX MONTH RESTRUCTURING PLAN.

Trudeau moved Tabor second, that Jennifer Thum is appointed to the position of Director of Planning/Zoning Administrator and descriptions for the positions of Township Manager, Community Development Coordinator, Planning Director/Zoning Administrator and Assessor be accepted by the Board.

AYES: 6 NAYS: 1 MOTION CARRIED.

ANNUAL APPOINTMENTS TO BOARD, COMMITTEES AND COMMISSIONS.

Greenberg moved, Hill second that Greg Seppanen is reappointed as Primary to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Trudeau moved, Tabor second that Dennis Magadanz is reappointed as Alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved, Hill second that Brad Johnson is appointed as Alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved, Tabor second that Brad Johnson be reappointed to the Personnel Committee for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved, Carlson second that Jennifer Thum be appointed to the Personnel Committee for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved, Carlson second that Arlene Hill be reappointed to the Marquette County Township Association for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Carlson moved, Tabor second that Jennifer Thum be appointed to the Utility Review Committee (alternate) for a term to run from January 1, 2010 to December 31, 2010.

AYES: 7 NAYS: 0 MOTION CARRIED.

Tabor moved, Carlson second that Mary Sanders be appointed as primary to the Northern Michigan Public Service Academy Board for a term to run from January 1, 2010 to December 31, 2011.
 AYES: 7 NAYS: 0 MOTION CARRIED.

Greenberg moved, Tabor second that be John Trudeau appointed as alternate to the Northern Michigan Public Service Academy Board for a term to run from January 1, 2010 to December 31, 2011.
 AYES: 7 NAYS: 0 MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2009 AMENDMENT #5 - REIMBURSEMENT FOR THE NOVEMBER 2009 ELECTION.

Greenberg moved, Trudeau second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on December 15, 2008, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous 101.698	35,000.00	+2,115.28	37,115.28
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Election Per Meeting 101.190.710	4,150.00	+1,230.75	5,380.75
Election Office Supplies 101.190.728	2,000.00	+ 37.00	2,037.00
Election Printing 101.190.728	1,000.00	+ 143.52	1,143.52
Election Postage 101.190.729	1,000.00	+ 426.45	1,426.45
Election Advertising 101.190.901	1,000.00	+ 13.00	1,013.00
Clerk Salary 101.215.702	85,965.00	+ 264.56	86,229.56

ROLL CALL.

AYES: Tabor, Carlson, Hill, Trudeau, Maki, Greenberg, Seppanen.
 NAYS: None MOTION CARRIED

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2009 AMENDMENT NO. 4 – BOARD OF REVIEW PER MEETING COMPENSATION.

Trudeau moved, Greenberg second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township in December 15, 2008, for the next fiscal year, and, Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Board of Review Per Meeting Compensation 101.247.710	1,100.00	+216.00	1,316.00
Other General Government Contingency 101.285.951	36,609.00	-216.00	36,393.00

ROLL CALL.

AYES: Trudeau, Maki, Greenberg, Tabor, Carlson, Hill, Seppanen.
 NAYS: None. MOTION CARRIED

2009 PLANNING COMMISSION ANNUAL REPORT.

Hill moved, Tabor second to accept the Planning Commission Annual Report of 2009.
 AYES: 7 NAYS: 0 MOTION CARRIED.

CAPITAL IMPROVMENT BUDGET AMENDMENT NO. 7 FY2009 KBIC 2% MONEY DISBURSEMENT.

Hill moved, Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated Capital Improvement Fund receipts within the township on December 15, 2008 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
KBIC 2% Gaming Money			
401.582	\$35,000.00	+\$61,145.65	\$96,145.65
EXPENDITURE			
Fire Department			
401.340.957	\$403,057.77	+49,395.61	\$452,453.38
Planning Department			
401.805.957	\$13,571.27	+1000.00	\$14,571.27
Police Department			
401.305.957	\$46,846.57	+10,750.00	\$57,596.57

ROLL CALL.

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

NAYS: None

MOTION CARRIED

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2009 – AMENDMENT NO. 5 – FIRE DEPARTMENT FEDERAL GRANT - AIR COMPRESSOR SYSTEM.

Trudeau moved, Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on December 15, 2008 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department			
Capital Outlay			
401.340.957	\$372,221.77	+\$30,086.00	\$402,307.77
REVENUE			
Due from Federal Grant			
401.501	\$0	+\$30,086.00	\$30,086.00

ROLL CALL.

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

NAYS: None

MOTION CARRIED

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY 2009 – AMENDMENT NO. 6 – FIRE DEPARTMENT SCBA EQUIPMENT SALE.

Carlson moved, Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on December 15, 2008 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Department			
Capital Outlay			
401.340.957	\$402,307.77	+\$750.00	\$403,057.77
REVENUE			
Miscellaneous			
401.698	\$ 2,000.00	+\$750.00	\$ 2,750.00

ROLL CALL.

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

NAYS: None

MOTION CARRIED

TOWNSHIP BOARD PACKET REQUEST.

We have had a request from a Zoning Board of Appeals board member for Township Board meeting packets. The Township Clerk will do research on how other units of government handle this and how they charge for the public. She will also look into putting the packet on the website.

PUBLIC COMMENT.

Trustee Maki would like a breakdown in the Capital Improvements Fund by department explaining what project/purchase the money is set aside for and what the dollar amount is. Trustee Maki is hopeful that the Planning Commission and the Zoning Board of Appeals will follow the law. A permit was issued for a sign after the sign was in place and he hopes that this will not happen in the future.

Treasurer Greenberg requests that the issue of hiring a manager come before the full board for discussion early in 2010 before we move forward with the hiring process.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Chocoday Township Police Quarterly States – 3rd Quarter
- B. December Assessing Updates
- C. Township Assessing Net Version and Tax Programs
- D. Marquette Area Wastewater Treatment Facility Advisory Board minutes
- E. Marquette County Solid Waste Minutes

Supervisor Seppanen adjourned the meeting at 9:35 pm.

Arlene E. Hill, CMC
Clerk

Mary L. Sanders, CMC
Deputy Clerk