

April 19, 2010

A Regular meeting of the Chocoday Township Board was held on Monday, April 19, 2010 at the Chocoday 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: Tina Fuller, Tom Murray, Mary Sanders, Denny Magadanz, Brad Johnson, Gary Johnson.

MINUTES –MARCH 15, 2010.

Tabor moved, Greenberg second that the minutes of the March 15, 2010 Township Board meeting be approved with one address correction.

AYES: 7      NAYS: 0      MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Maki moved, Greenberg second to accept the agenda including an addition of zoning amendment discussion as item G. under new business.

AYES: 7      NAYS: 0      MOTION CARRIED.

PUBLIC COMMENT.

Ron Smith 401 Wildwood – Concerns about sex offenders being moved into Chocoday Township without the public being notified.

ACCOUNTS PAYABLE.

Hill moved, Carlson second that bills totaling \$38,656.90 for checks numbered 16174 -16202 are approved for payment.

AYES: 7      NAYS: 0      MOTION CARRIED.

Carlson moved, Tabor second that bills totaling \$14,562.62 for checks numbered 16203 – 16220 are approved for payment.

AYES: 7      NAYS: 0      MOTION CARRIED.

PAYROLL.

Tabor moved, Hill second that the payroll for March 18, 2010 for \$32,728.19, April 1, 2010 for \$26,508.78 and April 15, 2010 for \$38,586.28 are approved.

AYES: 7      NAYS: 0      MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

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

AYES: 7      NAYS: 0      MOTION CARRIED.

PRESENTATION FY2009 AUDIT.

Mike Grentz from Anderson Tackman presented the FY2009 audit to the Board. They gave an unqualified opinion on the audit. Mr. Grentz noted that Liabilities and Revenues are both down from 2008. The main change in numbers was due to paying off the fire truck early and the FEMA Grant that was included in the 2008 audit. State Revenue Sharing was down in 2009 and is expected to be even lower in 2010.

Tabor moved, Carlson second to accept the audit as presented.

AYES: 7      NAYS: 0      MOTION CARRIED.

SUPERVISORS REPORT.

1. We currently have two motels in Chocoday Township that have State contracts to house sex offenders. According to State rules they are legally located. The motels are still open to the public.  
Citizens asked these two questions - Are the names on the State website for sex offenders? Yes they are on the State website. Are the sex offenders on tethers and not allowed to leave their room? Some are tethered and some are not.
2. Lakeneland unattended brush fire discussed at the March board meeting. Staff checked the State Act on brush fires and the fire must be attended any time of the year. The DNR office confirmed this information.
3. Heritage Baptist Church purchased 18.9 acres on U S 41 South near Foster Creek drive in 2007. Pastor Lon Russell spoke with someone at the Township before purchasing the property to see if it was zoned properly for churches and was told that it was. The site is located in the AF District and churches are not a permitted use. This will go to the Planning Commission for

a change in the ordinance to add churches as a conditional use in this district. The process will take 2 – 4 months because it must go to the County and then back to the Township Board for approval.

4. Onota Township approached Chocolay Township to take over fire services because Onota has fire equipment but not enough firemen. Chocolay Fire chief, Chocolay Township Supervisor and Onota Township Supervisor discussed the matter and after hearing from our insurance carrier decided that it would not work. We are also looking at rescinding our mutual aid agreement. Onota will go to Alger County Sheriff for assistance.
5. Manager applications are in, we have 11 currently and they will be mailed to the Board next week. We will have a special Board meeting at 6:00 pm. on Thursday May 6, 2010 to rank the applicants for the interview process.

#### 2010-2012 AUDIT PROPOSAL.

Greenberg moved, Hill second that the Chocolay township Board concur with the Treasurer recommendation to accept the audit proposal from Anderson, Tackman and Company dated March 5, 2010 in the amounts of 2010 - \$6,300.00, 2011- \$6,500.00 and 2012 - \$6,700.00.

AYES: 7      NAYS: 0      MOTION CARRIED.

#### ZONING ORDINANCE AMENDMENT, 34-10-01, (SECOND READING).

34-10-01

1. Section 17.2

Amend Section 17.2 to state that in the event that the Zoning Administrator is absent from work for a period of more than five (5) consecutive days due to illness, vacation or for any other reason, the authority to issue Zoning Compliance Permits in accordance shall devolve upon the Township Designee and the duties shall remain with the Township Designee for the duration of such vacancy of absence.

Carlson moved, Tabor second to approve the second reading of zoning amendment #34-10-01 and will publish with the 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 the ordinance.

AYES: 7      NAYS: 0      MOTION CARRIED.

#### FIRE DEPT. RFP FOR FIRE HALL DESIGN.

Trudeau moved, Maki second to approve the modifications made to the request for proposals for hiring an architectural/engineering firm to design a new fire hall that was originally approved by the Board on March 15, 2010.

AYES: 7      NAYS: 0      MOTION CARRIED.

#### MDOT FUTURE INFRASTRUCTURE MODIFICATION.

This item will be brought back to the Board in May. We do not have firm numbers at this date.

#### TEMPORARY ZONING ADMINISTRATOR.

Tabor moved, Carlson second to appoint the Chocolay Township Assessor, Ms. Tine Fuller as the temporary Zoning Administrator to fill in for the Township Zoning Administrator, Ms. Jennifer Thum when she is absent for a period of five (5) or more consecutive days.

AYES: 7      NAYS: 0      MOTION CARRIED.

#### CABA BEAUTIFICATION FUNDS.

Trudeau moved, Hill second to expend \$1,000.00 from the Capital Improvement Fund Recreation and Grants account #401.805.957 to assist the CABA Beautification Fund with Township beautification projects.

Roll Call:

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

NAYS: None.      MOTION CARRIED.

#### 245 SILVER CREEK RD. / SEWER USER FEE REDUCTION REQUEST.

Greenberg moved, Tabor second that the equivalent use factor for Ms. Madosh at 245 Silver Creek Road be reduced to 0, effective January 1, 2010 until the property becomes active as provided for in section 9-C-2-e of ordinance #39.

AYES: 7      NAYS: 0      MOTION CARRIED.

#### MCTA BANQUET.

Hill moved, Tabor second that the Township pay the banquet cost of \$25.00 for any employee or Board member to attend the 2010 MCTA banquet on Saturday May 15, 2010.

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

#### DPW PADLOCK PURCHASE.

Tabor moved, Trudeau second that Chocolay Board approves the expenditure for a lock system for an amount of \$1,270.00. The funds for the lock system will be taken from Capital Improvements Recreation and Properties 401,756.957.

## Roll Call:

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

NAYS: None.

MOTION CARRIED.

## FIRE CHIEF CONFIRMATION.

Greenberg moved, Carlson second that the Chocolay Township Board concurs with the Supervisors recommendation by appointing Gary Johnson as Fire Chief for an additional two year term.

AYES: 7 NAYS: 0

MOTION CARRIED.

## ZONING ISSUES/TRUSTEE MAKI SUGGESTIONS FOR ZONING AMENDMENTS.

Trustee Maki addressed the Board on his suggestions for zoning amendments. He also gave a hand out to the Board addressing these issues.

- Swimming pools should not be a conditional use in R-1 & R-2
- Mini storage units in the Commercial district.
- A/F district does not allow a single family dwelling.
- A/F district – delete contractor yard/shops.
- Section 410 Mining & mineral extraction.
- Height and placement regulations.
- Lot sizes in R-2.
- Frontage on private roads.
- Section 7 Mineral extraction.
- Planned Unit Development.
- Waiving of fees by the Township Board.

## PUBLIC COMMENT.

Wayne Dees 512 Woodvale – Complaint on the March Board minutes on flashing signs comment and felt there was not enough detail in public comments. Also had a question on the no trespassing sign for Chocolay Boards on the Lakenenland property.

Tracie Henricksen 117 Dandelion – Agrees with Trustee Maki about wanting larger lots sizes in Chocolay Township.

Pete Mackin 203 Hotel Place – Is a member on the Senior Citizens Advisory Board and is looking for feedback from the Township Board on services for seniors to take back to Marquette County.

Dick Arnold 312 West Branch Road – Agrees with Trustee Maki on addressing the A/F zoning District.

Treasurer Greenberg – Was surprised to learn that the proposed tunnel under U S 41 will be closed during the winter months.

Trustee Carlson – Agreed with Wayne Dees on his comment on flashing signs in the March minutes. There was not a clear majority of the Board opposing or in favor of the flashing signs.

## INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Departmental Reports – March 2010
- B. Communication – Char McDonnell
- C. Minutes – MAWTFAB, February 18<sup>th</sup>, 2010
- D. Assessing Report
- E. Minutes – MCSWMA, January 20<sup>th</sup>, 2010
- F. Curbside Scrap Metal Collection – RFP
- G. Communications – Wayne Dees
- H. Communication – Liquor Control Commission
- I. Communication – Ronald Smith
- J. Communication – Martha Vreeland
- K. Fertilizer / Lime RFP

Supervisor Seppanen adjourned the meeting at 9:00 pm.

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Arlene E. Hill, CMC  
Clerk

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Mary L. Sanders, CMC  
Deputy Clerk