

Negaunee Township Regular Board Meeting – January 11, 2018

Call to Order

William Carlson, Township Supervisor, called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. Other Board members present included Kathleen Carlson, Patrick Moyle, Rachel Sertich and Gary Wommer.

Absent

None

Agenda

Upon motion of Kathy Carlson, seconded by Gary Wommer, the Agenda as presented was approved. Motion Carried.

Approval of Minutes

Upon motion of Patrick Moyle, seconded by Gary Wommer, the minutes for the Regular Board meeting held on 12/31/17 were approved. Motion carried.

Public Comment

Mike Carey, candidate for State Senate to fill the position currently held by Tom Casperson, addressed the Board and audience members regarding his candidacy, including the fact he is committed to working together to create jobs while sustaining a quality of life that permanently preserves everything people enjoy about the U.P.

Old Business

Township Board Policy Board members reviewed and revised the draft Township Board Policy. Upon motion of Rachel Sertich, seconded by Gary Wommer, approval was given for revisions to be made to the Township Board Policy, for the document to be forwarded to the Township Attorney (Ted Greeley) for his review, and for the Policy to be brought back to February, 2018 Board meeting for final review and approval. Motion Carried.

New Business

2018 New Road Millage Bond Upon motion of Gary Wommer, seconded by Rachel Sertich, the following Resolution was adopted:

RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS AND DECLARING INTENT TO REIMBURSE

Township of Negaunee
County of Marquette, State of Michigan

WHEREAS, the Township Board of the Township of Negaunee, County of Marquette, State of Michigan (the "Township"), intends to issue and sell general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), in an amount not to exceed Four Million Dollars (\$4,000,000) in one or more series for the purpose of paying all or part of the cost to acquire, construct, furnish, and equip road improvements in the Township, including necessary rights-of-way, and appurtenances and attachments thereto (the "Project"); and

WHEREAS, a notice of intent to issue the bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34; and

WHEREAS, the Township intends at this time to state its intention to be reimbursed from proceeds of the bonds for any expenditures undertaken by the Township for the Project prior to issuance of the bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Township Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in *The Mining Journal*, a newspaper of general circulation in the Township.

2. Said notice of intent shall be published as a one-quarter ($\frac{1}{4}$) page display advertisement in substantially the form set forth in Appendix A hereto and by this reference made a part hereof.

3. The Township Board does hereby determine that the form of notice of intent to issue bonds set forth in Appendix A to this resolution and the manner of publication directed is the method best calculated to give notice to the Township taxpayers and electors of this Board's intent to issue the bonds, the maximum amount of bonds to be issued, the purpose of the bonds, the source of payment, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The Township makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the Township reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the Township.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were paid subsequent to sixty (60) days prior to the date hereof or which will be paid prior to the issuance of the bonds from the general fund of the Township.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$4,000,000.

5. The Township Board hereby ratifies and confirms the retention of Miller, Canfield, Paddock and Stone, P.L.C. as bond counsel in connection with the proposed bond issue.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

Appendix A

**NOTICE TO TAXPAYERS AND ELECTORS
OF THE TOWNSHIP OF NEGAUNEE
OF INTENT TO ISSUE BONDS SECURED BY THE TAXING**

POWER OF THE TOWNSHIP AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the Township Board of the Township of Negaunee, County of Marquette, State of Michigan, intends to issue and sell general obligation capital improvement bonds pursuant to Act 34, Public Acts of Michigan, 2001, as amended (“Act 34”), in an amount not to exceed Four Hundred Thousand Dollars (\$400,000), in one or more series, for the purpose of paying all or part of the cost to acquire, construct, furnish, and equip road improvements in the Township, including necessary rights-of-way, and appurtenances and attachments thereto.

BOND DETAILS

SAID BONDS shall mature in not to exceed sixteen (16) years from the date of issuance of each series, with interest rates to be determined at a public or private sale but in no event to exceeding the maximum rate permitted by law on the unpaid balance from time to time remaining outstanding on said bonds.

SOURCE OF PAYMENT OF BONDS

THE PRINCIPAL AND INTEREST OF THE BONDS shall be payable from the general funds of the Township lawfully available for such purposes including property taxes levied within applicable constitutional and statutory tax rate limitations.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A VALID PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE TOWNSHIP IS FILED WITH THE TOWNSHIP CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE TOWNSHIP VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 517, Act 34, Public Acts of Michigan, 2001, as amended.

Aye: W Carlson, K Carlson, P Moyle, R Sertich & G Wommer
Nay: None
Motion Carried

Rural Development Grant - Water Board members discussed the estimated cost of \$183,000 to extend the current water main to the proposed Michigan Regional Council of Carpenters training facility to be built on U.S. 41 East. Upon motion of Patrick Moyle, seconded by Gary Wommer, approval was given for the Water Department to apply for a \$100,000 2018 Rural Development Fund Grant from the Michigan Department of Agriculture & Rural Development. Motion Carried.

MTA 65th Annual Educational Conference – April 23-26, 2018 Information was provided to Board members for the Township Supervisor to attend the MTA Annual Conference. Upon motion of Patrick Moyle, seconded by Kathy Carlson, approval was given for the Township Supervisor to attend the MTA Annual Conference to be held at the Grand Traverse Resort April 23-26, 2018 at a cost not to exceed \$800, and with Board members to be provided with a detailed update as to sessions attended and information obtained (similar to prior years). Motion Carried.

Reports

Community Center Board Patrick Moyle, Board Liaison to the Community Center Board (CCB), highlighted the meetings held on 12/14/17 and 1/3/18.

Tractor Bid Board members reviewed the bid results for the CCB tractor. Upon motion of Gary Wommer, seconded by Patrick Moyle, the bid for a new 2018 60 hp Kubota tractor for the CCB was awarded to Ginop Sales, Inc. (Alanson, Michigan) with a Bid Price of \$54,535, Trade-In Allowance of \$20,000 and a Final Price of \$34,534. Motion Carried *with Kathy Carlson casting a negative vote due to her desire for the sale to be made to an Upper Peninsula based company.*

Fire Department Report The Township Supervisor reviewed the Fire Chief Jeff Kontio's department report dated January 11, 2018 (the Chief had to leave the meeting early due to a fire call). Highlights included: 1) 16 calls for the month of December, 2017 (140 calls year-to-date – 117 of the calls being EMS), and 2) training for the month was combined Fire/EMS annual CPR/AED refresher.

Election of Officers – 2018 Upon motion of Rachel Sertich, seconded by Kathy Carlson, the following individuals were appointed as officers of the Negaunee Township Fire Department for 2018.

<u>Name</u>	<u>Position</u>
Jeff Kontio	Fire Chief
Jim Elenbaas	Assistant Fire Chief
Marc Herring	1st Hose Captain
John Levra	2nd Hose Captain
Joe Huskey	1st Ladder Captain
Dale Rogers	2nd Ladder Captain
Michael Thomas	1st Lieutenant (Maintenance)
Kolton Klein	2nd Lieutenant (Hall)
Bill Ellerbruch	Treasurer
Reuven Romback	Secretary

Motion Carried

Water Report The Water Department report for December, 2017 was reviewed by the Township Water Department Supervisor, Russ Williams. Highlights included: 1) cross connection inspections had been conducted, 2) only one water freeze-up had taken place so far this winter, and 3) with the CCB acquiring a new tractor (prior tractor was owned 50% by the Water Department), the Department Supervisor suggested a rental policy for the Water Department to use the tractor (including fees) be implemented.

Clerk Report (Bills, Claims)

Water Fund Checks #8055 through #8067 totaling \$9,644.53 were reviewed. Upon motion of Patrick Moyle, seconded by Gary Wommer, the Water fund checks as presented were approved. Motion Carried.

General Fund MBank checks #1001 through #1145 and Wells Fargo check #27398 totaling \$639,367.64 and MBank and Wells Fargo Bank ACH information for the month of December, 2017 totaling \$13,730.09 were reviewed. Upon motion of Patrick Moyle, seconded by Gary Wommer, General Fund checks and ACH items with a grand total of \$653,097.73 as presented were approved. Motion Carried.

The Clerk noted: 1) Monthly, Quarterly and Annual Tax filings were being prepared, 2) work was beginning to process the annual employee and contractor W2 / W3 and 1099 filings, and 3) required annual training for continuing Clerk accreditation was underway.

Planning Report Gary Wommer, Board Liaison, and Nick Leach, Zoning Administrator, were in attendance and noted the most recent Planning Commission meeting held on January 9, 2018. Highlights included: 1) officers were elected for 2018 including: Al Reynolds – Chairperson, Thyra Karlstrom – Vice Chair, and Jim Thams – Secretary, 2) a Public Hearing will be held on January 16, 2018 to review two Conditional Use applications for medical marijuana, 3) work is being done to possibly develop a Township flag and emblem, and 4) a private property owner in the Township may be again looking into mineral extraction within the Wellhead Protection area which could result in litigation.

Infraction Fee – Police Powers Act Board members discussed establishing an infraction fee for the Police Powers Act. After discussion and upon motion of Kathy Carlson, seconded by Gary Wommer, the Police Powers Act infraction fee for Negaunee Township was established at \$500 per violation effective immediately. Motion Carried.

Assessor's Report Assessor, Susan Bovan, provided a written report dated December, 2017 which highlighted: 1) 2018 Roll Prep, 2) December Board of Review, 3) BS&A Software Upgrade and 4) upcoming Assessor training and Board of Review member training.

Treasurer's Report A written report from Treasurer, Kathy Carlson, was reviewed by the Board members. Highlights included: 1) continued work on the bonding process for the 2018 new road millage projects, 2) updating draft Township Board Policy, 3) work to transfer Wells Fargo Funds to MBank and transfer State of Michigan direct deposits, 4) a quote for a new computer server was being prepared by 906 Technologies and would be received in February, and 5) report of Township bank account balances as of 12/31/17.

Anti-Virus Purchase The Treasurer noted 906 Technologies was recommending an upgrade to the Township's anti-virus software. Upon motion of Rachel Sertich, seconded by Gary Wommer, approval was given for 906 Technologies to update the Township's anti-virus software at an additional cost of \$30 per month. Motion Carried.

Journal Entries to Move Combined Pooled Funds Discussion was held regarding the Combined pooled funds for the Water Department earmarked for items such as new meters, valves, tank painting, etc. On occasion there is need to reallocate funds within these holding accounts – while not changing the overall total balance. Upon motion of Gary Wommer, seconded by Patrick Moyle, approval was given for the Treasurer and Clerk to reallocate funds within the combined pooled account holding accounts as needed, with the financial updates to be able to be reviewed by Board members on the monthly report they receive from the Clerk's office. Motion Carried.

Supervisor's Report Supervisor Carlson provided an update on Township activities since the last Board meeting including: 1) CCB tractor bid, 2) Water Grant Proposals, 3) updated Census Bureau information to Lansing, and 4) reviewed training materials for Board of Review.

Brownfield Authority No meeting held.

Wellhead Protection Committee No meeting but working on scheduling a meeting for late January / February to discuss projects for 2018.

Roads Gary Wommer noted work continues to bond the 2018 new millage road projects. In addition, the Township Supervisor noted the Marquette County Road Commission (MCRC) was seeking input from municipalities regarding their HMA paving, crack sealing and chip sealing needs for 2018. Mr. Wommer noted he would forward the MCRC information to Mark Daavettila, UP Engineers & Architects, for his review.

Advisory Trial Committee No update provided.

Personnel Committee No meeting held.

Emergency Management Report Mr. Carlson noted addresses were up-to-date.

Correspondence

- FEMA – 30 Day Engineering Models Notification dated 12/15/17
- MCRC Correspondence dated 12/21/17 – HMA Paving and Crack / Chip Sealing
- MCRC

Public Comment

None

Informational Item

- US 41 Corridor Minutes – 12/12/17
- Central Dispatch Information

Board Member Comments

Patrick Moyle noted in his roll as Board Liaison to the CCB, he will be working with Township personnel, including the Clerk, regarding the groups finances including their annual budget.

Next Meeting

The next regularly scheduled Township Board Meeting will be held on Thursday, February 8, 2018, beginning at 7:00 p.m.

Adjournment

No further business appearing and upon motion of Gary Wommer, seconded by Rachel Sertich , the meeting was duly adjourned at 9:17 p.m.

Respectfully submitted,

Rachel Sertich
Negaunee Township Clerk