

## Negaunee Township Regular Board Meeting – February 13, 2014

### 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 John Ennett, Carl Nurmi and Rachel Sertich.

Absent: Duane Soine

### Agenda

The revised agenda was reviewed and item 2(i) – Olson Property on M-35 was added. Upon motion of John Ennett, seconded by Carl Nurmi, the second revision of the agenda was approved. Motion Carried.

### Approval of Minutes

Board members reviewed minutes for the Regular Board Meeting held on January 19, 2014 and the Special Board Meeting held on January 15, 2014. Upon motion of John Ennett, seconded by Carl Nurmi, the minutes as presented were approved. Motion Carried.

### Public Comment

Richard Hawes, 131 McClure Dam Road, addressed the Board to see if it would be possible for the Township to assist with the cost of plowing and/or sanding McClure Dam Road. The Supervisor noted by law Township funds cannot be used for private road maintenance. If the road was improved and turned over to the County, the local Road Commission would assist them. Mr. Hawes indicated they had approached the Township previously about a special assessment, but nothing had come of it.

Bill LaBelle, 119 McClure Dam Road, asked what options were available for an assessment - would it be divided by the number of parcels (equal assessment) or by road frontage. Carrie Heard, Assessor Assistant, indicated in the file from prior discussions on a special assessment for the road, Miller Canfield (Township bonding attorneys) noted law requires any special assessment be paid for based on road frontage. Mr. LaBelle also asked if McClure Dam is considered a Township Road, County Road or Seasonal Road. Although years ago there was discussion about the road being a County Road, it is believed a more accurate description is a private road – similar to the White Bear location.

Bonita Moisiso, 95 and 99 McClure Dam Road, indicated if an assessment was done, she would like it to keep with the aesthetics of the rural settings, including no sidewalks.

Dan Kroll, 89 McClure Dam Road, indicated he works for Payne & Dolan. He cannot understand why the road specifications provided by the Marquette County Road Commission are for a Class A road. Would the Road Commission accept the road if it was graveled vs paved? The Supervisor indicated this question would have to be posed to the MCRC.

Grace Parolini, 51 Rocky Ridge Road, indicated she was in attendance to support the people on McClure Dam Road.

### Old Business

Dead River Plat – Lot Line Issue Board members discussed seeking information from a downstate law firm regarding their recommendation on what is required to resolve the lot line issue between Lots #10 and #11 in the Dead River Assessor's Plat. While the Township Attorney doesn't believe any specific action needs to be taken, information from Miller Canfield has directed the Township otherwise. Since the Miller Canfield's fees are cost prohibitive, the Supervisor recommended the question be posed to another law firm he has provided generic information to during the annual MTA meeting and who had indicated they would be able to provide information to the Township. The Supervisor will obtain more cost information from the law firm and advise the Board of his findings.

Attorney Reimbursement – MTA Conference Expense Upon motion of John Ennett, seconded by Carl Nurmi, approval was given to reimburse the Township Attorney, Kevin Koch, for \$147.34 or 1/5 of his total expenses incurred to attend the MTA Annual Seminar, with Eagle Harbor, Forsyth, Richmond and Sands Townships also paying 1/5 of the \$736.74 total balance. Motion Carried.

## New Business

Fire Department Tanker Truck Board members discussed the Township Fire Department acquiring a new tanker truck at a cost of approximately \$250,000 to replace a vehicle with is over twenty years old. Upon motion of Carl Nurmi, seconded by Rachel Sertich, approval was given for the Negaunee Township Fire Department to acquire a new tanker truck at a cost of approximately \$250,000, with a \$48,000 down payment and the remaining balance to be secured financing by Range Bank, 2.7%. Motion Carried.

Reimbursement – DNR Meeting Attendance Upon motion of John Ennett, seconded by Carl Nurmi, approval was given to reimburse Community Center Board members Patti LaFond, Dave Rice and Tommy Spencer for their attendance at a DNR meeting on January 13, 2014 which focused on the DNR expanding trails and connecting existing trails. Motion Carried

Guardrail Contract – Kivela Road Ball Field Board members discussed installing a guardrail at Kivela Field to protect the bleachers from road traffic. Upon motion of John Ennett, seconded by Carl Nurmi, approval was given for the Township to sign documents with the Marquette County Road Commission for the installation of a guardrail at the Kivela Road ball field at a cost of \$8,718.43. Motion Carried.

Pigs and Heat Proclamation Board members were discussed the Marquette County Pigs-n-Heat Fire Relief Fund and how it has benefited those in need over the last 30 years. Upon motion of Carl Nurmi, seconded by Rachel Sertich, the following Proclamation was adopted:

### **Proclamation Honoring the Pigs-n-Heat Fire Relief Fund of Marquette County, Michigan**

**WHEREAS**, In the Winter of 1984, County police and fire personnel searched for an idea that would raise money for a family that had been burned out of their residence that year; and

**WHEREAS**, Marquette is the home of the Northern Michigan University “Wildcats”, a NCAA Division I hockey team with a large following of hockey fans; and

**WHEREAS**, It made sense to create a charity hockey contest between County police officers and firefighters with the proceeds being used to assist victims of fire; and

**WHEREAS**, A tradition of giving began, involving the whole County community; with businesses donating thousands of raffle prizes; the visual, print and electronic media generously sponsoring and publicizing the event; County residents purchasing tickets; and governmental entities providing logistical support; and

**WHEREAS**, Since 1984, \$350,000 has been disbursed to individuals and families that have experienced residential structure fires; and

**WHEREAS**, The Relief Fund supports fire victims with three days of free motel accommodations and a monetary contribution for each person affected for the purchase of clothing and essential needs; and

**WHEREAS**, Tickets to the contest are still only \$1, with the balance sheet kept viable by the many donations to the Fire Relief Fund from individuals, businesses and institutions,

**NOW THEREFORE**, the **Board of Trustees** of the **Township of Negaunee** does hereby proclaim the week of March 9, 2014, as Pigs and Heat Fire Relief week in the **Township of Negaunee** and encourages businesses and residents of the Township and Marquette County to continue their generous support as they have over the past thirty one years, which has provided such a great service to Marquette County citizens victimized by the ravages of fire.

Motion Carried

Aye: 4    Nay: 0    Absent: 1

Patient Protection & Affordable Care Act Seminar Board members reviewed information on a local seminar pertaining to the Patient Protection & Affordable Care Act. Upon motion of Carl Nurmi, seconded by Rachel Sertich, approval was given for Rita Laitinen, Office Manager, to attend a NMPSA seminar in Marquette on March 6, 2014 covering information on the Patient Protection & Affordable Care Act at a cost of \$25 (early registration). Motion Carried.

*Outdoor Wood Boiler Waiver – 49 Jylha Drive* Board members were provided with information regarding a request from Keith and Crystal Swenor, 49 Hylha Drive, to install a new wood boiler . The Swenor’s had spoken to their nearest neighbors who provided correspondence noting they were not opposed to the installation. They Swenor’s also noted it was their intention to only use the furnace from late fall through early spring annually. After further discussion and upon motion of John Ennett, seconded by Rachel Sertich, approval was given for an Outdoor Wood Boiler Waiver for Keith and Crystal Swenor to install a wood boiler at 49 Jylha Drive in Negaunee Township, with the Swenor’s to sign a Waiver with the Township noting they understood should complaints be received and the boiler not be in compliance with the Zoning Ordinance, they would be required to cease using the furnace. Motion Carried.

Poverty Resolution Upon motion of John Ennett, seconded by Carl Nurmi, the following Poverty Resolution was adopted:

**TOWNSHIP OF NEGAUNEE, MICHIGAN  
BOARD RESOLUTION REGARDING POVERTY EXEMPTION APPEALS**

**WHEREAS**, P.A. 390 of 1994, which amended Section 7u of Act 206 of the Public Acts of 1893, as amended by Act 313 of the Public Acts of 1993, being Section 211.7u of the Michigan Compiled Laws, requires the governing body of the assessing unit to determine and make available to the public the policy and guidelines for the granting of poverty exemptions under MCL 211.70;

**NOW, THEREFORE, BE IT RESOLVED**, that to be eligible for a poverty exemption pursuant to MCL 211.7u in the Township of Negaunee, Michigan, a person must be the owner and must occupy the property as a homestead, as defined, for which the exemption is requested; file a completed and notarized application; file copies of federal and state income tax returns for all persons residing in the principal residence, including property tax credit forms and/or Statement of benefits Paid from Michigan Department of Social Services or Social Security Administration; meet local (Charter Township of Marquette) poverty income standards;

**BE IT FURTHER RESOLVED**, that the applicant must have an annual adjusted income less than the amounts shown in Attachment A (shown below);

**ATTACHMENT A  
2013 Federal Poverty Income Guidelines**

Size of Family/Household	Maximum Total Income
1 .....	\$11,490
2 .....	\$15,510
3 .....	\$19,530
4 .....	\$23,550
5 .....	\$27,570
6 .....	\$31,590
7 .....	\$35,610
8 .....	\$39,630
Additional Person(s).....	\$4,020

**BE IT FURTHER RESOLVED**, that the applicant must have an annual taxable and/or non-taxable dividend income less than \$3,000;

**BE IT FURTHER RESOLVED**, that the applicant’s asset level, excluding the homestead, may not exceed \$50,000;

**Be it further resolved**, that the applicant may not have ownership interest in any real estate other than the homestead;

**BE IT FURTHER RESOLVED**, that a poverty exemption may be granted for only one year (1 year) at a time;

**BE IT FURTHER RESOLVED**, that for the 2014 tax year the Township of Negaunee, Michigan, Board of Review will begin its proceeding on Monday, March 10, 2014;

**BE IT FURTHER RESOLVED**, that the board of review shall request identification of the applicant and/or proof of ownership of the homestead under consideration for poverty exemption request;

**BE IT FURTHER RESOLVED**, that the completed poverty exemption application must be filed after January 1, but before the day prior to the last day of the Board of Review in the year for which exemption is sought;

**BE IT FURTHER RESOLVED**, that the board of review shall administer an oath wherein the applicant testifies as to the accuracy of the information provided;

**BE IT FURTHER RESOLVED**, that the Board of Review may deviate from the established policy and guidelines only for substantial and compelling reasons. The applicant will be notified, in writing, the reasons for deviating from the policy and guidelines for poverty exemption;

**BE IT FURTHER RESOLVED**, that to conform to the provisions of P.A. 390 of 1994, this resolution is hereby given immediate effect.

Motion Carried

Aye: 4    Nay: 0    Absent: 1

*Recording Cost – Planning Commission Public Hearing* Board members discussed hiring an outside firm to record the Planning Commission Public Hearing regarding the Kona Ridge gravel pit issue scheduled for March 11, 2014. Upon motion of John Ennett, seconded by Carl Nurmi, approval was given to hire Superior Productions to record the Planning Commission Public Hearing currently scheduled to be held on either March 11<sup>th</sup> or March 13<sup>th</sup>, 2014 at a cost of \$180 for the first hour, \$75 for each additional hour, with 1 hour for setup and 1 hour for equipment breakdown. Motion Carried.

*Olson Property Adjacent to Township – M-35* Board members discussed the Olson property adjacent to the Township Community Center which is for sale. Although the property is currently listed with a real estate broker, Mr. Olson indicated if the Township desired the property he would sell it directly. Upon motion of Carl Nurmi, seconded by John Ennett, approval was given for the Township to acquire 2.27 acres of land on M-35 adjacent to the Township from the Olson Trust at a cost of \$20,000, plus any necessary fees, and for the Township attorney to assist with the transaction and draw up any necessary documents. Motion Carried.

## **Reports**

*Community Center Board* Board members reviewed the minutes of a meeting held on February 6, 2014. Highlights included: 1) proposed 2014-2015 Community Center budget was presented to the Board members, 2) ice rink usage will be tracked, 3) the Winter Rec policy of being closed when schools are closed will remain as is, and 4) in the spring the building will be checked in the spring for stress fractures and pictures taken.

*Fire Department Report* Bill Carlson, Supervisor, reviewed the written Fire Department / EMS dated February 13, 2014: Items highlighted included: 1) 15 calls for the month of January, and 2) training for the month was scene safety and policies and procedures while on scene.

*Water Report* A written Water Department update for January, 2014 from Water Supervisor, Russ Williams, was reviewed. The report noted: 1) the handheld unit had been repaired and returned, 2) the Department continues to deal with frozen water lines, 3) bids on the variable speed drives for the pump house are being reviewed, 4) an empty building was found which had gone through 340,000 gallons of water during the last two months, 5) frost depth is in excess of 90 inches, and 6) required reports have been submitted to the DEQ.

## **Clerk Report(Bills, Claims)**

Water fund checks #6738 through #6760 totaling \$12,504.05 were reviewed. Upon motion of Carl Nurmi, seconded by John Ennett, the Water fund checks as presented were approved. Motion Carried.

General Fund checks #22842 through # 22927 (total \$60,830.12) and ACH items for January, 2014 (total \$23,665.00) with a grand total of \$84,495.12 were reviewed. Upon motion of John Ennett, seconded by Carl Nurmi, the General fund items presented were approved. Motion Carried.

**Planning Report** Carl Nurmi, Board Liaison, provided an updated on the Planning meeting held on February 11, 2014. He noted: 1) the Commission had discussed a new sign ordinance which would take into consideration digital signs, and 2) new state requirements.

**Assessor's Report** Kelly Laakso's written monthly Assessor's report for February, 2014 was reviewed. Items highlighted included: 1) Board of Review, Classes and Treasurers Meeting, 2) Final Inspections and Roll Preparation, and 3) Personal Property Statements.

**Treasurer's Report** John Ennett, Township Treasurer, noted ads for the Assessor opening have been posted in various locations with application deadline of March 14, 2014.

**Supervisor's Report** William Carlson, Township Supervisor, provided an update on Township activities since the last Board meeting, including: 1) transportation committee – including bypass options for Lundin mining, 2) water rate public hearing to be held April 10<sup>th</sup> and 6 p.m., 3) reviewed MCRC road projects for the next 5 years, and 4) he will speak with the MCRC regarding what road specifications would be required to upgrade McClure Dam Road to a county road (gravel vs asphalt).

**Wellhead Protection Committee** No report, however, it was noted per the DEQ, the Township's Wellhead Plan needs to be updated.

**Brownfield Authority** Township personnel had attended a Brownfield seminar which covered various topics including whether core communities could use funds to develop infrastructure and not just for demolition and asbestos abatement. Upon motion of John Ennett, seconded by Rachel Sertich, the Zoning Administrator was authorized to forward correspondence to the State of Michigan DEQ requesting consideration be given to allowing Brownfield Funds to be used for infrastructure development. Motion Carried.

**Advisory Trial Committee** No report.

**Personnel Committee** No meeting had been held.

**Personnel Committee Resignation** It was noted Dale Rogers had submitted a letter of resignation to the Personnel Committee. Upon motion of John Ennett, seconded by Carl Nurmi, Dale Rogers letter of resignation for the Personnel Committee was accepted with regret, and the Township Supervisor was authorized to forward a letter of appreciation to Mr. Rogers for her service to Negaunee Township. Motion Carried.

**Committee Openings** Board members discussed opening on several Township Committees. Upon motion of John Ennett, seconded by Carl Nurmi, approval was given to seek applicants for individuals willing to serve on either the Negaunee Township Personnel Committee (at-large member) or the Brownfield Authority. Motion Carried.

**Emergency Management Report** Mr. Carlson noted manuals and maps were up-to-date.

### **Correspondence**

- Letter from Township Attorney – Johnson / Anderson Property Issues
- Letter from Supervisor to Stephen Adamini - Johnson / Anderson Lot Line Adjustment
- Letter from MCRC – Dust Control

### **Additional Public Comment**

Karl Weber, Attorney, asked about item 1(a) – Dead River Campers Plat issue update, and why was the Township seeking additional information from another law firm. He also inquired as to how much background information was going to be forwarded to the firm. The Supervisor only noted minimal

information would be provided so as to not taint the response and / or recommendation received.

Bill LaBelle asked where the new truck route through Marquette might be. He was informed various options are being reviewed, including development of a new road which would intersect with U.S. 41 west of Marquette.

Richard Hawes asked if there was any possibility of Co.Rd. 510 being paved from Co.Rd. 502 (Midway Drive) to the new blacktop near Hardwood Lane. The Township Supervisor noted the likelihood of the Marquette County Road Commission doing this in the near future was unlikely.

### **Informational Items**

- CUPPAD letter – Transportation
- Disabled Vet Tax Exemption Refund Information

### **Board Member Comment**

Carl Nurmi noted he foresees problems with the wood boiler request on Jylha Drive.

### **Next Meetings**

The next scheduled Township Board Meetings will be scheduled for Thursday, March 27<sup>th</sup>, 2014, beginning with the Annual Budget Hearing at 6:00 p.m., followed immediately by the Township's Annual Meeting, followed immediately by the Regular monthly Board meeting. All meetings to be held at the Negaunee Township Hall. \*\*\* Note Date / Time Change \*\*\*

### **Adjournment**

No further business appearing and upon motion of John Ennett, seconded by Carl Nurmi, the meeting was duly adjourned at 8:35 p.m.

Respectfully submitted,

Rachel Sertich  
Negaunee Township Clerk