

**Forsyth Township Board  
Regular Meeting  
Emergency Services Building  
December 18, 2014**

Supervisor Minelli called the meeting to order at 6:30 p.m.

**Board Members Present:** Supervisor Minelli, Clerk Nordeen, Treasurer Roberts, Trustee Adams and Trustee Bodenus

**Board Members Absent:** None

**Also Present:** Attorney Kevin Koch, Public Works Superintendent Eric Jancsi, UPEA Representatives Carr Baldwin and Matt Treado, Assessor Henry DeGroot, Library Board President Donna Adams, a number of township employees and concerned citizens.

**Approval of Minutes:** Motion by Roberts, supported by Nordeen, to approve the Minutes for November 17, 2014 Special Board Meeting, November 20, 2014 Special Board Meeting and November 20, 2014 Regular Board Meeting, as presented. Motion carried.

**Public Comment:** Library Board President Donna Adams announced there were walls up on the new Library, however they had found asbestos in two of the remaining walls. The Library is selling Raffle tickets for a quilt, as part of the funding. Pat Anderegg stated her treatment by the Police Department, three years ago when she called in a complaint, was unacceptable. She stated her disapproval of Interim Chief LaFave.

**Agenda:** Motion by Nordeen, supported by Roberts, to approve the agenda with the following deletion:  
**10f. Police Dept – Body Cameras.** Motion carried.

**Department Reports:** The following reports were accepted and placed on file: Ambulance, Assessing/Zoning, Senior Citizens Director, Fire Department, Library, Police Department, Public Works and General Operating Financial Report. Reports not filed: Parks Committee. Trustee Adams asked why the EMS trailer had not been decaled yet. Clerk Nordeen stated Leutz Sign is a little behind, but is aware and will be getting to it.

**Attorney's Report:** Attorney Koch stated there is no pending litigation. The deed from the DNR needed for the Water Project has been received. There is only one parcel left with title issues. Two of the townships have responded regarding the MTA conference. Attorney Koch has been talking to Interim Police Chief Adams regarding Body Cameras.

Trustee Adams asked the status of the Zoning Violation at 241-243 Ash Street. Discussion ensued.

***Motion by Adams, supported by Nordeen, to have Attorney Koch proceed with court action for the property at 241-243 Ash Street. Motion carried.***

**Approval of Bills & Vouchers:** Motion by Roberts, supported by Nordeen, to approve bills and vouchers totaling, \$65,867.39, as presented. Motion carried.

**Forsyth Township  
Bills For Approval  
12/18/14**

<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
American Welding	Gas and Cylinder Rental EMS	172.27
Airgas	Gas and Cylinder Rental PW	21.70
Anderson Communications	FD Batteries	364.25
Aramark	Carpet and Uniform Service	1,155.44
Auto Value	Parts for Various Departments	1,637.08
Beauchamp Plumbing & Heating	PD Furnace Repair & Library Toilet	249.99
Compudyne	PD Computer Support	497.00
Cooper	Senior Center Copier	485.21
Crossroads Minimart	PW Fuel	89.75
Crossroads Truck Repair	EMS & FD Truck Repairs	1,047.26
Digital Highway Inc	PD Computer Supplies	1,062.53
Elcom Systems	PD Equipment	240.00
Fred Pryor Seminars	PD Training	398.00
Fox Negaunee	EMS Vehicle Part	114.00
Frei Chevrolet	PD Vehicle Part	73.42
GBS	Election Supplies	122.44
Hedmark Sales	Snow blower for KISCC	1,699.00
Holiday 50 Minute Cleaners	PD Dry-cleaning	96.60
Industrial Marketing & Consulting	PW Blower Part	240.47
Jim Yelle	Landfill Cedar Posts	1,380.00
Joe & Sons Plowing	Senior Center Plowing	75.00
Joe & Sons Service Center	PD & PW Tire Repair	126.00
Kevin Koch PC	Attorney Fees	2,107.50
Leutz Sign	Assessing/Zoning Office & ACTIVE Signs	712.85
Marquette County Township Assoc	Bus to 2015 MTA Conference	175.40
MAS&B Mikes Auto	EMS Tire Repair	36.84
Menards	Supplies for Various Depts	1,549.20
Michigan DEQ	Discharge Permit	400.00
Michigan State Firemen's Assoc	FD 2015 Membership Dues	75.00
National Fire Protection Assoc	FD 2015 Membership Dues	165.00
Pomps	PD, PW, & EMS Tires	1,871.42
Quill	Supplies for Various Depts	767.25
Range Telecommunications	Miss Dig Calls	18.50
Remy Battery Co.	PD Patrol Vehicle Batteries	234.70
Roger Hiironen	Senior Center Plowing	100.00
Standard Electric Company	Street Lights	564.76

The Mining Journal	Publishing	1,703.23
UP Health System	Ambulance Supplies	32.65
UP Off Road	Plow Parts	250.61
WS Darley	FD Supplies	1,045.95
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		<b>23,158.27</b>

**Forsyth Township  
Additional Bills For Approval  
12/18/14**

<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
Ace Hardware	Supplies for Various Depts	838.01
City of Marquette	Water Analysis	80.00
Compudyne	PD Computer Support	116.75
Crossroads Truck Repair	FD Truck Repair	(857.96)
Drug Screen Plus	2015 Annual Fees	159.00
Embroidery Wear House	EMS Uniforms	143.44
Fox Negaunee	PD Patrol Vehicle Parts	378.29
Harris	Water & Sewer Invoices	855.36
HD Supply	Water Parts	399.78
Kevin Koch Attorney	Deed Registrations	98.00
Marquette County ROD	Deed Registration	17.00
MERS	Additional Payment	35,000.00
Menards	Supplies for Various Depts	295.14
Michigan State Police	PD Token	330.00
Miss Dig System	Annual Membership Fee	746.98
MMTA	Treasurer Dues	100.00
Pomasl Fire Equipment	Radios	729.17
Quill	Supplies for Various Depts	1,150.16
Winston Benz	Senior Plowing	130.00
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		<b>40,709.12</b>
	<b>Original Bill Listing</b>	<b>25,158.27</b>
	<b>Total Accounts Payable</b>	<b>65,867.39</b>

Voucher Numbers for GO, Police, Clubhouse, Ambulance, Library, Water & Sewer: 67480-67692  
Voucher Numbers for Tax 1533-1536

**ACTION ITEMS:**

**UPEA Sewer (10a.):** Matt Treado updated the Board on the Water and Sewer Project status. He explained that the application would be submitted in January and construction was still scheduled to

start in 2015. He explained that due to the 2010 census data, Forsyth Township does not qualify for the poverty rate for the Sewer Project. He stated that if money was used out of the Sewer Fund, and things continued to go as planned, rates would probably not increase. The USDA is in agreement with doing the two projects together at this time. Motion by Adams, supported by Roberts, to agree to a \$300,000 cash contribution from the sewer fund to the sewer project pending Rural Development approval of the funding application. Roll call: Treasurer Roberts – aye, Clerk Nordeen – aye, Trustee Bodenus – aye, Trustee Adams – aye, Supervisor Minelli – aye. Motion carried.

**Fire Dept – 2015 Officers (10b.):** Motion by Bodenus, supported by Nordeen, to approve the Forsyth Fire Department Officers for 2015, as presented. Motion carried.

**Fire Dept – Purchase RIT Bag (10c.):** Motion by Adams, supported by Bodenus, to approve purchasing a Rapid Intervention Bag for the Fire Department totaling \$3,100.00. Supervisor Minelli asked Greg Orchard to explain the piece of equipment. Deputy Treasurer/Bookkeeper Rodgers stated that there was currently money in the budget for the purchase. Motion carried.

**MERS Resolution (10d.):** Motion by Bodenus, supported by Nordeen, to accept the MERS 457 plan, adopt the MERS 457 Resolution and Participation Agreement. Supervisor Minelli asked Deputy Treasurer/Bookkeeper Rodgers to explain the plan. Roll call: Trustee Adams – aye, Clerk Nordeen – aye, Treasurer Roberts – aye, Trustee Bodenus – aye, Supervisor Minelli – aye.

This Resolution, together with the MERS 457 Supplemental Retirement Program and Trust Master Plan Document and the MERS 457 Supplemental Retirement Program Participation Agreement and any Addendum thereto, constitute the entire MERS 457 Deferred Compensation Plan Document.

**WHEREAS**, the Municipal Employees Retirement Act of 1984, Section 36(2)(a), MCL 38.1536(2)(a) (MERS Plan Document (Section 36(2)(a)) authorizes the Municipal Employees' Retirement Board (the "Board") to "establish additional programs including but not limited to defined benefit, defined contribution, ancillary benefits, health and welfare benefits, and other postemployment benefit programs," and on November 8, 2011, the Municipal Employees' Retirement Board adopted the MERS 457 Deferred Compensation Plan.

**WHEREAS**, this Uniform Resolution has been approved by the Board under the authority of Section 36(2)(a), and the Board has authorized the MERS 457 Deferred Compensation Plan, which shall not be implemented unless in strict compliance with the terms and conditions of this Resolution.

**WHEREAS**, the Participating Employer, a participating "municipality" (as defined in Section 2b(2) in the Municipal Employees Retirement Act of 1984; MCL 38.1502b(2); Plan Document Section 2b(4)) or participating "court" (circuit, district or probate court as defined in Section 2a(4) – (6) of the Act, MCL 38.1502a(4) – (6); Plan Document Section 2a(4) – (6)) within the State of Michigan has determined that in the interest of attracting and retaining qualified employees, it wishes to offer a deferred compensation plan;

**WHEREAS**, the Participating Employer has also determined that it wishes to encourage

employees' saving for retirement by offering salary reduction contributions;

**WHEREAS**, the Participating Employer has reviewed the MERS 457 Supplemental Retirement Program ("Plan");

**WHEREAS**, the Participating Employer wishes to participate in the Plan to provide certain benefits to its employees, reduce overall administrative costs, and afford attractive investment opportunities;

**WHEREAS**, the Participating Employer is an Employer as defined in the Plan;

**WHEREAS**, concurrent with this Resolution, and as a continuing obligation, this Governing Body has completed and approved, and submitted to MERS and the Board documents necessary for adoption and implementation of the Plan; and

**WHEREAS**, the Governing Body for and on behalf of the Participating Employer is authorized by law to adopt this Resolution approving the Participation Agreement on behalf of the Participating Employer. In the event any alteration of the terms or conditions stated in this Resolution is made or occurs, it is expressly recognized that MERS and the Retirement Board, as sole trustee and fiduciary of the Plan and its trust reserves, and whose authority is nondelegable, shall have no obligation or duty to continue to administer (or to have administered) the MERS 457 Supplemental Retirement Program for the Participating Employer.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body adopts the MERS 457 Supplemental Retirement Program as provided below.

- I. The Participating Employer adopts the Plan for its Employees.
- II. The Participating Employer hereby adopts the terms of the Participation Agreement, which is attached hereto and made a part of this Resolution. The Participation Agreement sets forth the Employees to be covered by the Plan, the benefits to be provided by the Participating Employer under the Plan, and any conditions imposed by the Participating Employer with respect to, but not inconsistent with, the Plan. The Participating Employer reserves the right to amend its elections under the Participation Agreement, so long as the amendment is not inconsistent with the Plan or the Internal Revenue Code or other applicable law and is approved by the Board.
- III. The Participating Employer shall abide by the terms of the Plan, including amendments to the Plan made by the Board, all investment, administrative, and other service agreements of the

Plan and the Trust, and all applicable provisions of the Internal Revenue Code and other applicable law.

- IV. The Participating Employer acknowledges that the Board is only responsible for the Plan and any other plans of the Employer administered by MERS and that the Board has no responsibility for other employee benefit plans maintained by the Employer that are not part of MEAS.
- V. The Participating Employer accepts the administrative services to be provided by MERS and any services provided by a Service Manager as delegated by the Board. The Participating Employer acknowledges that fees will be imposed with respect to the services provided and that such fees may be deducted from the Participants' accounts.
- VII. The Participating Employer acknowledges that the Plan contains provisions for involuntary Plan termination.
- VIII. The Participating Employer acknowledges that all assets held in connection with the Plan, including all contributions to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights shall be held in trust for the exclusive benefit of Participants and their Beneficiaries under the Plan. No part of the assets and income of the Plan shall be used for, or diverted to, purposes other than for the exclusive benefit of Participants and their Beneficiaries and for defraying reasonable expenses of the Plan. All amounts of compensation deferred pursuant to the Plan, all property and rights acquired or purchased with such amounts and all income attributable to such amounts, property or rights held as part of the Plan, shall be transferred to the Board to be held, managed, invested and distributed as part of the Trust Fund in accordance with the provisions of the Plan. All contributions to the Plan must be transferred by the Participating Employer to the Trust Fund. All benefits under the Plan shall be distributed solely from the Trust Fund pursuant to the Plan.
- IX. This Resolution and the Participation Agreement shall be submitted to the Board for its approval. The Board shall determine whether the Resolution complies with the Plan, and, if it does, shall provide appropriate forms to the Participating Employer to implement participation in the Plan. The Board may refuse to approve a Participation Agreement by an Employer that does not

possess State statutory authority to participate in the Plan. The Governing Body hereby acknowledges that it is responsible to assure that this Resolution and the Participation Agreement are adopted and executed in accordance with the requirements of applicable law.

**BE IT FINALLY RESOLVED:** This Resolution shall have no legal effect under the Plan until a certified copy of this adopting Resolution is filed with MERS, and MERS determines that all necessary requirements under the 457 Supplemental Retirement Program Plan and Trust, the Participation Agreement, and this Resolution have been met. All dates for implementation of the Plan shall be determined by MEAS from the date of filing with MERS of this Resolution in proper form and content. Upon MERS determination that all necessary documents have been submitted to MERS, MERS shall record its formal approval upon this Resolution, and return a copy to the Employer.

In the event an amendatory Resolution or other action by the municipality is required, such Resolution or action shall be deemed effective as of the date of the initial Resolution or action where concurred by this Governing Body and MERS (and a third-party administrator, if applicable and necessary). The terms and conditions of this Resolution supersede and stand in place of any prior resolution, and its terms are controlling.

I hereby certify that the above is a true copy of a Resolution adopted at the official meeting held on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_(Signature of authorized official)

Municipality name: Forsyth Township

**Received and Approved by the Municipal Employees' Retirement System of Michigan**  
Dated: \_\_\_\_\_ (Authorized MERS signature)

**Master Agreement to Purchase Services CY2015 (10e.):** Motion by Nordeen, supported by Roberts, to approve the Marquette County Aging Services Master Agreement to Purchase Services CY2015, as presented. Motion carried.

**Police Dept – Body Cameras (10f.):** Item deleted.

**Police Dept – MCL Code (10g.):** Attorney Koch explained the township would issue, enforce and collect money for civil infractions. Revenue would increase, but attorney fees would be an added expense if the infractions were disputed. Supervisor Minelli thanked Interim Chief LaFave for bringing the subject to his attention, but would like more research. He asked Chief LaFave to check with other townships for a cost analysis. No action taken.

**Police Dept – Hire Full-Time Officer (10h.):** Supervisor Minelli and Clerk Nordeen would like to wait until a Chief of Police is hired before taking action on this topic. Trustee Adams suggested that the position may not be needed if Interim Chief LaFave goes back to his prior position. It was the consensus of the Board to postpone taking any action at this time.

**Police Dept – Locker Room (10i.):** Motion by Adams, supported by Roberts, to approve the bid from Lancour Building for \$47,140 to update the Police Department Locker Room. Discussion ensued. Supervisor Minelli does not believe that there is enough manpower in Public Works to do the project. Clerk Nordeen suggested putting showers upstairs. Supervisor Minelli explained the plans do not suggest that as an option. Motion carried 4-1.

**Police Dept – LEIN Certification for Public Works (10j.):** Supervisor Minelli asked Interim Chief LaFave to explain why the Public Works Department needs this certification. Discussion ensued. It was the consensus of the Board for Chief LaFave to proceed with the certification of the Public Works employees.

**Police Dept – Replace Light Bar (10k.):** Motion by Adams, supported by Roberts, to approve replacing the light bar on the Police Department Tahoe, totaling \$1,700.00. Interim Chief LaFave explained that the repair would cost \$1,000.00. Motion carried.

**Budget Adjustments (10l.):** Motion by Roberts, supported by Nordeen, to approve the Budget Adjustment, as presented. Motion carried.

**FORSYTH TOWNSHIP  
BUDGET ADJUSTMENTS  
18-Dec-14**

Library Fund	Original/Amended	New	Difference
Revenue	327,520	327,520	0
Expenses	802,990	805,240	2,250
<b>Estimated Beginning Fund Balance:</b>	650,502	4/1/14	



<b>Estimated Revenues:</b>	327,520
<b>Estimated Expenses:</b>	(805,240)
<b>Estimated Ending Fund Balance:</b>	172,782 3/31/15

**Transfer Station Fees (10m.):** Motion by Adams, supported by Nordeen, to increase the transfer station fee to 10 cents per pound, starting the first of the year, to cover any added costs and earmark any future profits for the purchase of a new compactor truck. Discussion ensued. Motion carried.

**Bahrmans Farm Landfill Bill (10n.):** It was the consensus of the Board to have Attorney Koch write another letter to Bahrmans Farm instructing them to make another landfill payment by January 10, 2015.

**EMS - Raise (10o.):** Motion by Nordeen, supported by Roberts, to approve increasing the Ambulance pay per run by \$5.00 this year and \$1.00 more per year up to 5 years and \$1.00 per hour more for on-call hours. Discussion ensued. Gaylord Hamm explained the request. Motion amended by Nordeen, support amended by Roberts, to approve increasing the Ambulance pay per run by \$5.00 this year and \$1.00 more per year up to 5 years. Motion carried.

**Assessing/Zoning – Rezone 112 N. Pine St. (10p.):** Motion by Roberts, supported by Adams, to approve rezoning parcel 52-05-305-008-00, 112 North Pine Street, from R-1 to C-1. This was correcting a mistake that was made years ago. Motion carried.

**Assessing/Zoning – Rezone Property Off Rice Lake Road (10q.):** Motion by Roberts, supported by Adams, to rezone parcel 52-05-126-006-10, off Rice Lake Road, from R-2 to RRP. Discussion ensued. Assessor DeGroot, and the Planning Commission, did support the change. Motion carried.

**Appoint Board of Review Members (10r.):** Motion by Adams, supported by Bodenus, to approve reappointing Dwight Sunday, Maurene Hakes and Pat Johnson to another term on the Board of Review and Bonnie Filizetti-Hartzell as an alternate. Motion carried.

**DISCUSSION ITEMS:** None.

**OLD BUSINESS:** None.

**CORRESPONDENCE:**

**Leutz Sign Thank You (13a.):** Supervisor Minelli stated the Police Department sent a Thank You letter to Leutz Sign for the decals they put on the new patrol vehicle. They did a very nice job. Assessor DeGroot commented on how nice the new Assessing and Zoning Office sign looks.

**Public Comment:** Library President Donna Adams wished everyone a Happy Holiday.

**Board Member Comment:** Trustee Adams questioned Clerk Nordeen on the status of the Photo IDs. Clerk Nordeen stated she was looking into the possibilities of Leutz Sign quoting the project. Supervisor Minelli asked the Board for dates to hold Special Meetings for upcoming interviews. He asked Clerk/Secretary Filizetti to contact the candidates and set up meeting dates. The Board Members wished everyone a Happy Holiday.

**Adjournment:** Supervisor Minelli adjourned the meeting at 7:41 p.m.

Respectfully submitted,

Stacy Filizetti  
Clerk/Secretary

Jane Nordeen  
Forsyth Township Clerk