

**Forsyth Township Board
Regular Meeting
Gwinn Community Center
March 26, 2015**

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: UPEA Representatives Carr Baldwin and Matt Treado, Assessor Henry DeGroot, Police Chief Gordon Warchock, Superintendent of Public Works Eric Jancsi, Bookkeeper Lynn Rodgers, Eagle Scout Jacob Brinker, a number of township employees and concerned citizens.

Truth In Taxation Hearing:

Supervisor Minelli opened the public hearing at 6:30 p.m.

Assessor DeGroot passed out an Estimated 2015-2016 Revenue document to the Board then proceeded to explain the figures. Supervisor Minelli questioned Assessor DeGroot on how much longer the IFT will be in effect. Assessor DeGroot stated that there is one year remaining, then the taxes will go to 100%. Trustee Adams asked if we had received any monies from the State for the Disabled Veterans Property Tax Exemptions. Bookkeeper Rodgers stated that, to this date, no monies have been received. Assessor DeGroot encouraged the Board to contact their Legislators.

Supervisor Minelli closed the public hearing at 6:37 p.m.

Budget Public Hearing:

Supervisor Minelli opened the public hearing at 6:37 p.m.

Supervisor Minelli asked if anyone had any questions. There was no response.

Supervisor Minelli closed the public hearing at 6:38 p.m.

Approval of Minutes: Motion by Roberts, supported by Nordeen, to approve the Minutes for February 26, 2015 Regular Board Meeting and March 14, 2015 Special Board Meeting, as presented. Motion carried.

Agenda: Motion by Nordeen, supported by Bodenus, to approve the agenda with the following changes: add **13p. Hire 2 Full Time Police Officers, 13q. Employee Comp Time Roll Over, 13r. Amend Motion, 13s. Sewer Project Bond Resolution, 13t. Performance Resolution, 13u. Contract Extension,** and amend **13i. to read Police Dept Sale of Active Van and Other Vehicles.** Motion carried.

Boy Scout Presentation: Jacob Brinker, a sophomore at Gwinn High School, has completed his Eagle Scout requirements with a project he has completed for the public. An Eagle Scout is the highest rank in the Boy Scout organization. He presented the Board with a summation of the project, which included a power point demonstration. His project consisted of a walking trail that started at the Tourist Park and ended at Second Falls. The trail was named Flat Rock, which Jacob explained was a Native American translation for Escanaba, which is the name of the river in which the trail follows. He explained that his team had cleaned up garbage, brushed back trees and bushes, put in trail markers and a picnic table.

They had put in 270 hours within 16 weeks, for the 1.5 mile trail that included 6 bridges. They also acquired \$800 in donations for the supplies needed to complete the trail. Supervisor Minelli presented Jacob with a Certificate of Appreciation for an Outstanding Community Member.

Public Comment: A resident read a letter thanking the Board for not using pesticides that are bad for the butterflies and bees. She also stated that her group has a meeting with MDOT for a garden at the corner of Ski Hill Road and M-35 for a “Pollinator Friendly” garden. Supervisor Minelli asked Superintendent Jancsi get with A Jacobson Landscaping to see that he is not using the harmful pesticides as he fertilizes the Township properties.

Department Reports: Trustee Adams commented that the recent Forestry project was very successful. He asked Assessor DeGroot if he could ask Forester Watkeys to assess three more plots that may be in need of attention. Supervisor Minelli announced that due to Assessor DeGroot’s suggestions, the recent forestry project has generated \$96,000 for the township. Trustee Adams announced that the clock was working properly now. Superintendent Jancsi stated that the parts have been fixed, and the clock is operational. Trustee Adams also stated that Public Works is doing an excellent job in the gym at the Gwinn Community Center. He felt a need for the roof to be evaluated.

Attorney’s Report: Attorney Koch stated the Bahrmans complaint has been paid and is being dismissed. The Dunklee suit is still pending and should be left in court. Mr. Vincent has not been served yet, as he is having difficulty locating him. Vultaggio is not compliant. He asked the Board if they would like to pursue legal action.

Motion by Adams, supported by Roberts, to pursue additional legal action against Mr. Vultaggio. Motion carried.

Attorney Koch has written a letter to Mr. Morrison for the violation regarding the height of his fence. Superior Extrusion is going before the Michigan Tax Tribunal, but is not on the docket as of yet. He expects that it will be seen in the fall. He has sent out a letter regarding a new claim that arose at the Hospital last year with a member of our EMS. Supervisor Minelli asked about the status of the propane company. Assessor DeGroot stated that there are minutes from Sands Township, and the tanks can be moved.

Approval of Bills & Vouchers: Motion by Roberts, supported by Nordeen, to approve the bills and vouchers totaling, \$97,539.86, as presented. Motion carried.

**Forsyth Township
Bills For Approval
3/26/15**

Vendor	Description	Amount
Ahern	Fire Extinguisher Maintenance	175.09
Airgas	PW Gases & Cylinder Rental	145.36
Anderson Communications	EMS Pagers and Batteries	2,017.00
Aramark	Carpet and Uniform Service	1,749.89
Arrow	Ambulance Supplies	241.23
Auto Value	Parts for Various Departments	1,799.06

Birmingham Receipt Book	Receipt Books	480.00
City of Marquette	Bacteriological Analysis	80.00
Compudyne	Computer Support & Software	385.25
Digital Ally	PD Chest Camera	805.00
Elcom Systems	PD Service Agreement	77.00
Emergency Medical Products	Ambulance Supplies	1,719.30
Froberg's Clothing	PD & PW Uniforms	400.00
GINOP Sales	Backhoe Parts	161.05
Harris	Checks	459.22
IDVille	ID Maker	2,637.99
Kevin Koch PC	Attorney Fees	1,785.29
Larry's Family Food	Supplies for Various Depts	736.03
Marquette County Fire Fighters Assoc	FD Class, Dues, Fines	440.00
Menards	Supplies for Various Depts	3,880.23
MERS	Extra Payment	35,000.00
Meyer Family Vision	PW Safety Glasses	317.00
Michigan State Police	LEIN Token	330.00
Pacific Telemanagement	Pay Phone	50.00
Quill	Supplies for Various Depts	90.97
R & R Fire Truck Repair	Red Arm Reel	1,119.00
Range Telecommunications	Miss Dig Calls	18.50
Randy Heidtman	Senior Plowing	60.00
Remy Battery	Batteries for PD and Backhoe	358.97
Roger Hiironen	Senior Plowing	100.00
Snyder Drug Store	PD & PW Supplies	73.90
Standard Electric	Street Light Parts	58.68
Superior Lock & Security	PD Door Repair	460.00
The Mining Journal	Publishing	619.83
UPEA	Engineering Services	33,416.28
UP Health System	Ambulance Supplies	366.30
UP Off Road	Plow Parts	233.25
Winston Benz	Senior Plowing	65.00
		92,911.67

**Forsyth Township
Additional Bills For Approval
3/26/15**

Vendor	Description	Amount
Ace Hardware	Supplies for Various Depts	468.36

Emergency Medical Products	Ambulance Supplies	20.40
Great Northern Title	Title Insurance for Water Project	1,500.00
Holiday 50 Minute Cleaners	PD Drycleaning	136.09
Joyce Styer	Senior Center Cake	25.00
Menards	Supplies for Various Depts	1,431.07
Nye Uniform	PD Uniforms	63.00
Postmaster	Senior Center Postage	85.19
Quill	Office Supplies for Various Depts	67.86
Standard Electric Company	Streetlight Repair	323.44
UP Fire Chiefs Assoc	Membership Dues	50.00
Wells Fargo	PD Supplies	457.78
		4,628.19
	Original Bill Listing	92,911.67
	Total Accounts Payable	97,539.86

Voucher Numbers for GO, Police, Clubhouse, Ambulance, Library, Water & Sewer: 68150-68353
Voucher Numbers for Tax 1564-1571

ACTION ITEMS:

Budget Adjustments (13a.): Motion by Roberts, supported by Nordeen, to approve the Budget Adjustments as presented. Bookkeeper Rodgers gave a brief description regarding the adjustments. Motion carried.

**FORSYTH TOWNSHIP
BUDGET ADJUSTMENTS
26-Mar-15**

GENERAL FUND				
Department	Department #	Original/Amended	New	Difference
Revenue		2,384,200	2,366,175	(18,025)
Expense				
Legislative	101	14,265	12,810	(1,455)
Supervisor	171	16,035	15,635	(400)
Assessing	209	208,800	206,050	(2,750)
Clerk	215	14,380	13,880	(500)
Board of Review	247	1,745	2,245	500
Treasurer	253	11,930	12,230	300
Office	260	83,900	81,280	(2,620)
Buildings & Grounds	265	100,150	107,600	7,450
Cemetery	276	22,730	21,930	(800)

Professional/Special	299	35,550	34,500	(1,050)
Fire Department	336	120,060	119,865	(195)
SOA	337	1,000	0	(1,000)
Misc Debris	421	1,165	515	(650)
NMIS	426	10,140	7,540	(2,600)
Public Work	441	145,500	149,500	4,000
Road Work	446	0	16,000	16,000
Landfill	526	1,000	0	(1,000)
Ambulance	651	131,600	140,100	8,500
Planning & Zoning	721	5,930	6,190	260
Contingency	890	50,000	0	(50,000)
Miscellaneous	895	13,500	8,500	(5,000)
Tax Rebates/Bad Debt	899	50,000	52,500	2,500
Transfers Out	965	706,230	1,039,230	333,000
			Total	302,490
Beginning Fund Balance:	1,619,102	4/1/14		
Estimated Revenues:	2,366,175			
Estimated Expenses:	(2,532,230)			
Estimated Ending Fund Balance:	1,453,047	3/31/15		

Police			
	Original/Amended	New	Difference
Revenue	926,900	923,200	(3,700)
Expenses	965,730	1,012,280	46,550
Beginning Fund Balance:	207,851	4/1/14	
Estimated Revenues:	923,200		
Estimated Expenses:	(1,012,280)		
Estimated Ending Fund Balance:	118,771	3/31/15	

Ambulance Equipment			
	Original/Amended	New	Difference
Revenue	85,375	85,205	(170)
Expenses	18,850	19,350	500
Beginning Fund Balance:	265,056	4/1/14	
Estimated Revenues:	85,205		
Estimated Expenses:	(19,350)		
Estimated Ending Fund Balance:	330,911	3/31/15	

Clubhouse/Recreation			
	Original/Amended	New	Difference
Revenue	399,250	372,905	(26,345)
Expenses	348,935	360,260	11,325
Beginning Fund Balance:	506,517	4/1/14	
Estimated Revenues:	372,905		
Estimated Expenses:	(360,260)		
Estimated Ending Fund Balance:	519,162	3/31/15	

Revolving			
	Original/Amended	New	Difference
Revenue	100,250	433,250	333,000
Expenses	250	250	0
Beginning Fund Balance:	322,206	4/1/14	
Estimated Revenues:	433,250		
Estimated Expenses:	(250)		
Estimated Ending Fund Balance:	755,206	3/31/15	

Library			
	Original/Amended	New	Difference
Revenue	337,780	341,265	3,485
Expenses	803,590	782,570	(21,020)
Beginning Fund Balance:	650,502	4/1/14	
Estimated Revenues:	341,265		
Estimated Expenses:	(782,570)		
Estimated Ending Fund Balance:	209,197	3/31/15	

Sewer			
	Original/Amended	New	Difference
Revenue	493,965	440,510	(53,455)
Expenses	529,570	525,070	(4,500)
Beginning Net Position:	1,309,619	4/1/14	

Estimated Revenues:	440,510	
Estimated Expenses:	(525,070)	
Ending Net Position:	1,225,059	3/31/15

Water	Original/Amended	New	Difference
Revenue	450,000	441,650	(8,350)
Expenses	407,850	430,600	22,750
Beginning Net Position:	2,052,639	4/1/14	
Estimated Revenues:	441,650		
Estimated Expenses:	(430,600)		
Ending Net Position:	2,063,689	3/31/15	

2015-2016 Fiscal Year Budget (13b.): Motion by Roberts, supported by Nordeen, to Pass a General Appropriations Act, consistent with the Uniform Chart of Accounts prescribed by the Department of Treasury as formal approval of the April 1, 2015 to March 31, 2016 fiscal year budget, by department, for the following funds: General Operating, Police, Ambulance Equipment, Clubhouse/Recreation, Revolving, Library, Sewer System and Water System Funds. Roll Call: Adams aye, Roberts aye, Nordeen aye, Bodenus aye, Minelli aye. Motion carried

Analysis of Well (13c.): Motion by Nordeen, supported by Bodenus, to approve UPEA completing an analysis of Well #6 Drawdown Data, not to exceed \$7,500.00. Discussion ensued at length. UPEA representative Carr Baldwin explained why the data is needed and what it will entail. He also explained some of the data that will come out of the study. Supervisor Minelli stated that there are some big companies that may be interested in the details of the data. Companies may come to KI Sawyer, and KI Sawyer may not have the water to sustain these companies. They may look to the Forsyth Township water system to support them. Trustee Bodenus asked how long the data would be accurate. Mr. Baldwin stated that, providing nothing big happened, the data would be applicable. Trustee Adams reiterated that the current well would suffice for the residents currently on the system. Mr. Baldwin stated it was sufficient. Forsyth Township resident, Dale Ackerly, asked if the local lake levels would be included in the study. Mr. Baldwin stated there would be data in the study to address that subject. Roll call: Adams nay, Roberts nay, Nordeen aye, Bodenus aye, Minelli aye. Motion carried 3-2.

Sewer Legal Services Agreement (13d.): Motion by Roberts, supported by Adams, to approve the Legal Services Agreement for the Municipal Sewer System, as presented. Motion carried.

Water Billing (13e.): Motion by Adams, supported by Roberts, to approve the request from Neil Joe Armatti, at 129 W. M-35, that they not be billed for water because the water cannot be used due to the frozen sewer lines. Discussion ensued. Superintendent Jancsi has inspected the sewer lines and they are not connected. It was disconnected when the resident tried steaming the line. Motion carried 3-2.

Police Dept – Purchase Uniforms (13f.): Motion by Adams, supported by Roberts, to approve purchasing new Police Uniforms per proposal submitted. Treasurer Roberts asked for an explanation of the prices submitted. Chief Warchock explained the options presented. Motion amended by Adams,

support amended by Roberts, to approve purchasing new Police Uniforms per proposal submitted for \$4,956. Motion carried.

Police Dept – Purchase Handguns (13g.): Trustee Bodenus asked Chief Warchock to explain the proposal. Chief Warchock thanked Corporal Kjellin for putting together the presentation for the Board, and proceeded to explain the proposal. Motion by Adams, supported by Bodenus, per the study, by the Chief with additional credit to Officer Brian, that we purchase ammunition in the amount of \$265 for training and \$465 for duty, in 9mm rounds, that we purchase or allocate \$4,230.50 for 10 Glocks and assorted holsters, lights, and necessary equipment and that we allocate \$1,269 for assorted additional gear which includes things like cuff cases and mag pouches, per the study for \$6,230, which is in the budget for 2015-2016. Clarification: to purchase various equipment necessary to the effective running of the Forsyth Township Police Department based on a Glock 9mm analysis. Treasurer Roberts asked for clarification that it will be a requirement to use the equipment along with training for everyone. Chief Warchock confirmed the requirement. Motion carried.

Police Dept – Purchasing Policy for Old Weapons (13h.): Motion by Nordeen, supported by Roberts, to approve the Police Officers buying their old weapons at the CMP trade-in value. Motion carried.

Police Dept – Sale of Active Van and Other Vehicles (13i.): Motion by Nordeen, supported by Roberts, to approve selling the Police Department Active Van and other vehicles. Discussion ensued. There are two other vehicles. Superintendent Jancsi stated that the two other vehicles are not worth anything. It is suggested that they be sold for scrap. One engine is totally inoperable. One could be used for the Prom display, then scrapped. Public Works is interested in having the Active Van. Chief Warchock explained that he was going to use the money from the sale to help fund the Active Program. It was the consensus of the Board to transfer the Active Van to the Public Works Department instead of putting it out on bids. Motion amended by Nordeen, support amended by Roberts, to sell the other vehicles. Motion carried.

Police Dept – Officer Training (13j.): No action taken.

EMS – Purchase Pager and Batteries (13k.): Motion by Nordeen, supported by Roberts, to approve the EMS purchasing three (3) pagers and five (5) 800 MHz batteries at a cost of \$2,017.00. Motion carried.

Supervisor Minelli called for a short break at 7:56 pm

Supervisor Minelli called the meeting back to order at 8:04 pm

Truth-In-Taxation Resolution (13l.): Motion by Adams, supported by Roberts, to approve the Truth In Taxation Resolution, as presented. Roll Call: Adams aye, Roberts aye, Nordeen aye, Bodenus aye, Minelli aye. Motion carried

TRUTH IN TAXATION

RESOLUTION

WHEREAS, Act 5, Public Acts of Michigan, 1982, provides that without specific action taken by the Forsyth Township Board, the Board shall not levy ad valorem an amount more than the sum of the taxes levied at the base tax rate on additions within the taxing unit for the ensuing fiscal year plus an amount equal to the taxes levied for operating purposes for the concluding fiscal year on existing property; and

WHEREAS, said Act 5 provides that the Forsyth Township Board may approve the levy of an additional millage rate, within its present authorized or proposed millage rate, only after providing certain notice to the public and holding a public hearing for the purpose of receiving testimony and discussing the levy of an additional millage rate for the ensuing fiscal year; and

WHEREAS, this Forsyth Township Board has been advised by the Township Assessor that the Taxable Value for the 2015/16 tax year of property located within the taxing unit is approximately \$181,506,697 and

WHEREAS, Act 5, based upon the Taxable Value of the taxing unit, this would limit the Forsyth Township operating tax levy to 6.0807 mills and extra voted mills of 4.7947 for the ensuing fiscal year;

NOW THEREFORE, BE IT RESOLVED THAT:

1. This Forsyth Township Board, pursuant to the said Act 5, proposes a levy not to exceed 6.0807 mills for operating purposes in 2015/16.
2. A public hearing shall be held on March 26, 2015 at 6:30 p.m. at the Gwinn Emergency Services Building for the purposes of receiving testimony and discussing the levy of an additional millage rate for the 2015/16 fiscal year.
3. The Forsyth Township Clerk has sent timely written notice of the time, date and place of the public hearing to the Marquette Mining Journal not less than six days prior to the hearing and complies with all requirements of said Act 5.
4. The Forsyth Township Clerk has posted notices of public hearing in compliance with the Michigan Open Meeting Act.

AYES: _____ NAYS: _____

Jane Nordeen, Forsyth Township Clerk

Fire Dept – Order Bunker Gear (13m.): Motion by Adams, supported by Nordeen, to approve ordering bunker gear for the Fire Department for the upcoming fiscal year, totaling \$15,000.00. Motion carried.

Fire Dept – Remove Fire Fighter (13n.): Motion by Bodenus, supported by Nordeen, to approve removing Scott Hanson from Fire Department Services. Discussion ensued. Motion carried.

Police Dept – Roof (13o.): Motion by Nordeen, supported by Adams, to approve the proposal from Bell Roofing to replace the Police Department roof, with the guarantee, totaling \$16,227. Motion carried.

Hire 2 Full Time Police Officers (13p.): Motion by Nordeen, supported by Bodenus, to approve hiring two (2) Police Officers. Discussion ensued. Chief Warchock explained that Officer Gill declined the offer

for a full time position, approved at the last meeting. He has taken a full time position at another department. Officer Wonch is also leaving. Per Attorney Koch, as long as there are only two (2) Board Members, the interviews do not need to be held in an Open Meeting. Motion carried.

Employee Compensation Time Roll Over (13q.): Motion by Bodenus, supported by Roberts, to approve Mike Jakubowski's comp-time to be used by May 1, 2015. Motion carried.

Amend Motion (13r.): Motion by Adams, supported by Nordeen, Amend the Motion from December 18, 2014 Regular Board Meeting stating "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." to omit "to cover any added costs and earmark any future profits for the purchase of a new compactor truck." Discussion ended. Bookkeeper Rodgers explained the restriction of the original motion. Motion carried.

Sewer Project Bond Resolution (13s.): Motion by Nordeen, supported by Adams, to approve the Sewer Project Bond Resolution as presented. Roll Call: Adams aye, Roberts aye, Nordeen aye, Bodenus aye, Minelli aye. Motion carried.

**RESOLUTION AUTHORIZING NOTICE OF INTENT TO ISSUE
REVENUE BONDS AND DECLARATION OF INTENT TO REIMBURSE**

TOWNSHIP OF FORSYTH
County of Marquette, State of Michigan

Minutes of a regular meeting of the Township Board of the Township of Forsyth, County of Marquette, State of Michigan, held on the 26 day of March, 2015, at 6:30 p.m., Eastern Daylight Time.

PRESENT: Members: Supervisor Joseph Minelli, Clerk Jane Nordeen, Treasurer Judith Roberts, Trustee Leonard Bodenus Jr., and Trustee Chris Adams

ABSENT: Members: None

The following preamble and resolution were offered by Member: Jane Nordeen, and supported by Member: Chris Adams:

WHEREAS, the Township of Forsyth, County of Marquette, State of Michigan (the "Township"), intends to issue and sell bonds, pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed Two Million Two Hundred Thousand Dollars (\$2,200,000) for the purpose of paying all or part of the cost to acquire, construct, furnish and equip improvements to the Township's sewage disposal system consisting generally of 12,460 feet of sewer lines, manholes and service leads, together with all interests in land, appurtenances and attachments thereto (the "Project"); and

WHEREAS, the Township expects to sell the aforesaid bonds to the U. S. Department of Agriculture's Rural Development program; and

WHEREAS, a notice of intent to issue bonds must be published before the issuance of the aforesaid bonds in order to comply with the requirements of Section 33 of Act 94, Public Acts of Michigan, 1933, as amended; and

WHEREAS, the Township intends at this time to state its intentions 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 (1/4) page display advertisement in substantially the following form:

NOTICE TO TAXPAYERS AND ELECTORS OF THE
TOWNSHIP OF FORSYTH AND THE USERS OF THE
TOWNSHIP'S SEWAGE DISPOSAL SYSTEM OF INTENT TO ISSUE BONDS
AND THE RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the Township of Forsyth, County of Marquette, State of Michigan (the "Township"), intends to issue and sell revenue bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed Two Million Two Hundred Thousand Dollars (\$2,200,000), in one or more series as shall be determined by the Township Board, for the purpose of paying all or part of the cost to acquire, construct, furnish and equip improvements to the Township's sewage disposal system consisting generally of 12,460 feet of sewer lines, manholes and service leads, together with all interests in land, appurtenances and attachments thereto.

SOURCE OF PAYMENT OF REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON SAID REVENUE BONDS SHALL BE PAYABLE solely from the revenues received by the Township from the operations of said sewage disposal system. Said revenues will consist of rates and charges that may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the system, to pay the principal of and interest on said bonds and to pay other obligations of the system.

BOND DETAILS

SAID BONDS will be payable in annual installments not to exceed forty (40) in number and will bear interest at the rate or rates to be determined at a private sale to the U.S. Government but in no event to exceed the maximum rate permitted by law on the balance of the bonds from time to time remaining unpaid.

RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS OF THE TOWNSHIP UNLESS A 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 OF THE TOWNSHIP, 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 33, Act 94, Public Acts of Michigan, 1933, as amended.

Jane Nordeen
Township Clerk

3. The Township Board of the Township does hereby determine that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is the method best calculated to give notice to the sewage disposal system's users and the electors residing in the boundaries of the Township of this Township's intent to issue the bonds, the purpose of the bonds, the security for the bonds 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 sewer fund and/or the general fund of the Township.
 - (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$2,200,000.
 - (d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the Township's use of the proceeds of the debt to be issued for the Project to reimburse the Township for a capital expenditure made pursuant to this resolution.
 - (e) The expenditures described in (b) above are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. §

1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

- (f) No proceeds of the borrowing paid to the Township in reimbursement pursuant to this resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (d) above.
 - (g) Expenditures for the Project to be reimbursed from the proceeds of the borrowing for purposes of this resolution do not include (i) costs for the issuance of the debt, (ii) an amount not in excess of the lesser of \$100,000 or five percent (5%) of the proceeds of the borrowing, or (iii) preliminary expenditures not exceeding twenty percent (20%) of the issue price of the borrowing, within the meaning of Treas. Reg. § 1.150-2(f) (such preliminary expenditures include architectural, engineering, surveying, soil testing and similar costs incurred prior to construction of the Project, but do not include land acquisition, site preparation and similar costs incident to commencement of construction).
5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Members: Supervisor Joseph Minelli, Clerk Jane Nordeen, Treasurer Judith

Roberts, Trustee Leonard Bodenus Jr., and Trustee Chris Adams

NAYS: Members: None

RESOLUTION DECLARED ADOPTED.

Jane Nordeen
Township Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township of Forsyth, County of Marquette, State of Michigan, at a regular meeting held on the 26th day of March, 2015, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Jane Nordeen
Township Clerk

Performance Resolution (13t.): Motion by Nordeen, supported by Adams, to approve the Performance Resolution, as presented. Roll Call: Adams aye, Roberts aye, Nordeen aye, Bodenus aye, Minelli aye. Motion carried.

**PERFORMANCE RESOLUTION FOR
GOVERNMENTAL AGENCIES**

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipality an "Individual Permit for Use of State Highway Right of Way" or an "Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way".

RESOLVED WHEREAS, the Township of Forsyth

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway right of way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief

or remedy, including, but not by way of limitation, a judgment for money damages.

4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract
6. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
7. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

NAME AND/OR TITLE

Joseph Minelli Supervisor

Jane Nordeen Clerk

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by the Forsyth Township Board of the Township of Forsyth of Marquette County, at a Regular meeting held on the 26th day of March A.D. 2015.

SIGNATURE	TITLE	PRINT NAME

Contract Extension (13u.): Motion by Adams, supported by Nordeen, to extending the Superintendent of Public Works, Eric Jancsi, contract until after the Steelworker’s Union Contract is renewed. At that time we will start negotiations with Mr. Jancsi. Motion carried.

DISCUSSION ITEMS:

Fire Fighter of the Year (14a.): Supervisor Minelli congratulated Tim Rector for being awarded Marquette County Fire Fighter of the Year.

OLD BUSINESS: None.

CORRESPONDENCE: None.

Public Comment: A resident expressed that she was offended by the Tax Tribunal cases that awarded corporations to be refunded three years of taxes. This effects the Library operations, among other places. Trustee Adams suggested that she write her Legislators. Nanette St. Aubin asked Tim Rector if he would apply for an open position in the Police Department. Mr. Rector stated he would not work for this Board.

Board Member Comment: Supervisor Minelli stated he had a meeting at the Library concerning the road behind the Library. There is now a drainage problem for a local business. There will be a bid request for re-grading and paving the road.

Adjournment: Supervisor Minelli adjourned the meeting at 8:24 p.m.

Respectfully submitted,

Stacy Filizetti
Clerk/Secretary

Jane Nordeen
Forsyth Township Clerk