

**Forsyth Township Board
Regular Meeting
Gwinn Community Center
July 23, 2015**

Clerk Nordeen called the meeting to order at 6:30 p.m.

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

Board Members Absent: Supervisor Minelli, excused.

Also Present: Attorney Kevin Koch, UPEA Representatives Carr Baldwin, Matt Treado and Ken Dillinger, Assessor Henry DeGroot, Chief Gordon Warchock, Superintendent of Public Works Eric Jancsi, a number of township employees and concerned citizens.

Approval of Minutes: Motion by Roberts, supported by Adams, to approve the Minutes for June 25, 2015 Regular Board Meeting, as presented. Motion carried.

Agenda: Motion by Adams, supported by Roberts, to approve the agenda with the additions of **10h. Clock Repairs, 10i. Purchase Garbage Truck and 10j. Election Signs.** Motion carried.

Public Comment: Mavis Jancsi stated she lives at Bilsky Lake and does not have city water. She previously had a driven point, but since has had to put in a well. The cost for drilling a well was \$7000. Her water is still not good. She stated she would be happy to pay a water bill to be on city water. Bernadette Jensen asked how much would her water bill will be, as she leaves 5 months out of the year and has her water shut off. She also asked if the foreclosure properties were being charged the same per month. She asked if there was jealousy or discrimination of the few households that go on vacation for the winter. Clerk Nordeen stated that these questions would be answered during the Water Report section of the meeting. Clerk Nordeen stated that Jerry Stille could wait to speak during the clock tower portion of the meeting. Maureen Hakes asked where the outside seating furniture, which was purchased from Rodney's, was located at this time. Clerk Nordeen informed Ms. Hakes that it was being used at Banshee Park at KI Sawyer. Michael Jakubowski stated he had questions regarding the water, but would wait until that portion of the meeting to speak. Joe Freeborn and Bill Nordeen will speak during the water portion also. Neil Armatti expressed his disappointment with the Board regarding his sewer issues. His and Jerry Mottes' businesses have not had sewer for months. He believes the problem occurred when the ground shifted, causing the sewer to plug. The ordinance states that they are responsible for the repair, but the repair is on the opposite side of the highway. There are 3 businesses hooked up to the line. It will cost \$14,000 to \$16,000 to bore under the road. He does not believe they should have to pay for a fix that is not on their property. Clerk Nordeen stated that we would speak more about the issue under the Water Project Report section. Mr. Armatti questioned the fact that there are three business hooked up to the line now, paying three separate full bills. Mr. Mottes questioned that now that there are three businesses on that line, doesn't that now make it public? Doug Beauchamp asked why he had a \$6,100 fire bill when he had a fire permit. A person told him to stop driving on his gas lines. He stated he was being harassed. He would like the person that called in the fire to pay the bill. Clerk Nordeen suggested he come into the office and speak to Supervisor Minelli about these issues.

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: KI Sawyer Community Center, and Parks Committee.

Clerk Nordeen allowed UPEA Representative to give an oral report on the Water Project.

UPEA Representative Carr Baldwin updated the Board of the current Well Study. He stated the test showed abundant water. He then referred the Board to the letter regarding the study, which was mailed at an earlier date. Should a specific future customer need testing, they could provide specific data at that time. UPEA Representative Matt Treado informed the Board that the Advertisement for Bids is going out for the Water and Sewer System Improvement Project. The bids must be received by 2:00 pm on August 31, 2015 at the Forsyth Township office. He also commented on the issue that was brought up at this meeting regarding the ownership of the utilities for the sewer within the right of way. This was the issue of the amendment that was not passed at last months meeting. There was question, at that time, on costs associated with changing the Ordinance. He stated that he was going to do a house-to-house survey for sewer issues, so the Board would have more information on how best to proceed with possible changes to the current Sewer Ordinance. He also will consult with the attorney on details of what constitutes a public lateral. He will present this information to the Board at the next meeting.

Mr. Treado then moved on to the water billing concerns. Discussion ensued at length. He assured the residents that there is no discrimination regarding the "snowbirds". He explained that everyone with a livable structure will be billed. He further explained the fixed costs associated with having water service do not go away because a resident shuts off their water service. He further explained the current rates are the first step of the process that will take a few years to complete. Jean Armatti asked if there will be turn-on and turn-off fees even though pay for full water. Mr. Treado explained that the fees will still be applicable, unless the Board choses to change the fees. Bernadette Jensen questioned the vacation rate and foreclosed properties, and asked if the Board was discriminating against people that left the area for the winter. Mr. Treado stated there is no discrimination. Every person will have to pay the current rates. If the Board chooses to lower some of the current rates, then other rates would have to increase, as the loan requires income to sustain the new system's loan payments. Bill Nordeen and Mike Jakubowski objected to UPEA Representative Mr. Treado's logic, calling it flawed and unreasonable. UPEA Representative Ken Dillinger reminded the residents that this was only the first stage of the project. When meters are in, and expenses are calculated, the payments will change. Mr. Treado again explained that the income must be present to sustain the loan payments and he has performed a very detailed budget analysis to come up with the figures. It is ultimately the Boards decision on how the billing fees are to be distributed. Other residents voiced their frustration with the current billing fees.

Attorney Bill Nordeen explained that he represents Neil Armatti and Dean Mottes for their sewer issues. He explained that the main is on the opposite side of the highway from these businesses. He stated it was not fair and equal treatment for his clients. Because the sewer fix would be extensive, he suggests that the Board allow the businesses affected by the unusable sewer, be allowed to put in private sewers and drain fields. Mr. Armatti explained he had already gotten approval from the Marquette County Health Department. The only thing stopping the project was approval from the Board. He referred to a letter he wrote in February, in which he has not had a response. Attorney Nordeen explained that Mr.

Mottes agreed to an easement needed for the water project under the pretense that the Sewer Ordinance would change, making property owners responsible for problems within their property lines. Trustee Adams questioned who had told Mr. Mottes that the ordinance would change. Attorney Nordeen explained that Mr. Treado had made the statement, but he was under the impression that the amendment to the ordinance that was presented at the last meeting would pass, therefore eliminating the cost for the repair to Mr. Mottes. He also reminded the Board that these businesses have been without sewer service for months, which is unhealthy, unsanitary, and probably not legal. He suggested letting the businesses put in a temporary septic system until the situation is rectified. Trustee Adams stated that the sewer fees were suspended due to the lack of sewer. Clerk Nordeen stated the Board would be having Public Hearings regarding the Water and Sewer Projects. She encouraged everyone to come.

Trustee Adams asked Superintendent Jancsi if he had taken a look at the roof in need of repair. Superintendent stated he spoke with Bell Roofing, but needed to do some follow-up. Trustee Adams also asked if things were better at the transfer station, regarding violators. Superintendent Jancsi stated the cameras were working nicely. In fact, two "No Trespass" letters have been served.

Attorney's Report: Attorney Koch stated that the Morrison complaint has been filed. The Dunklee/Vincent violation has been filed and has to published, as several attempts to serve each person has failed. The Superior Extrusion Inc. tax appeal trial is set for September 9th and 10th. The judge has suggested that settling should be discussed. He is waiting for a report from Sharon Frischman. Attorney Koch has drafted a Memorandum of Understanding for the Museum move. He has provided each Board Members and Rick Wills a copy.

Approval of Bills & Vouchers: Motion by Roberts, supported by Bodenus, to approve the bills and vouchers totaling, \$71,630.37, as presented. Motion carried.

**Forsyth Township
Bills For Approval
7/23/15**

Vendor	Description	Amount
A Jacobson Landscaping	Mulching and 3rd Blvd Section	19,875.00
Airgas	PW Gases & Cylinder Rental	44.90
American Nameplate	Assessing Nameplate	13.00
American Welding	EMS Gases & Cylinder Rental	369.30
Anderson Communications	FD Radio Batteries	61.50
Aramark	Carpet and Uniform Service	1,775.88
Arrow Constructions	Clubhouse Concrete	716.25
Associated Constructors	Clubhouse Concrete	3,264.15
Auto Value	Parts for Various Departments	1,754.64
Beauchamp Plumbing & Heating	PD Furnace Repair	452.99
Bergdahl's	PW Trimmer and Parts	721.46
CarQuest	Dump Truck Parts	78.98
City of Marquette	FD Hose Repair	25.00

Compudyne	Computer Support	287.50
Cook Sign Services	ADA Compliant Signs	118.25
Dalco	Tourist Park, KISCC, & Clubhouse Supplies	475.01
DLP Marquette Physician Practices	PD Screening	1,020.11
Drug Screens Plus	Drug Screening	48.00
Elcom Systems	PD Service Agreement & Ambulance Repair	811.00
Emergency Medical Products	Ambulance Supplies	665.22
Galls	PD Equipment	60.25
GFC Leasing	Senior Center Copier	270.00
GINOP Sales	Kubota Parts	56.13
Iron Bay Computer Design	Domain Renewals	209.95
Jamar Company	Sewer Valves	12,988.00
Joe & Son's Service	PD Tire Repair	10.50
Kevin Koch PC	Attorney Fees	1,877.62
Lexis Nexis	PD Ebook	55.59
Menards	Supplies for Various Depts	1,804.87
Michigan Township Association	Trustee Retreat	299.00
Midway Rentals	Concrete Vibrator for Clubhouse Ramp	49.50
North Country Disposal	Transfer Station Dump Container	700.00
North Country Septic	Portable Restrooms	190.00
NMU	PD Training and Equipment	874.21
Nye Uniform	PD Uniforms	109.03
Pomasl	FD Supplies	170.44
Pomps	PD Tires	503.08
Quill	Supplies for Various Depts	952.23
Range	Miss Dig	18.50
R & R Fire Truck Repair	FD Uniforms & Parts	662.92
Snyder Drug	Supplies for Various Depts	486.54
Stenberg Sitters	Portable Restrooms	275.00
The Mining Journal	Publishing	989.55
The Office Planning Group	Copier Maintenance	356.36
The Stitch Witch	PD Uniform Alterations	89.00
UPAA	Assessing/Zoning Training	250.00
UP Health System	Ambulance Supplies	147.22
US Postal Service	Senior Center Postage	49.00

57,082.63

**Forsyth Township
Additional Bills For Approval
7/23/15**

Vendor	Description	Amount
Ace Hardware	Supplies for Various Depts	1,006.41
Compudyne	Computer Support and Software	502.50
Fraco Concrete Products	Clubhouse Ramp Concrete	189.00
Holiday 50 Minute Cleaners	PD Drycleaning	170.28
Nye Uniforms	PD Uniforms	310.35
Pacific Telemanagement	Pay Phone	50.00
Pickles Sewer Service	PD Sewer Cleaning	225.00
Standard Electric	Clubhouse Repairs	475.05
UPEA	Engineering Services	11,530.00
US Postal Service	Senior Center Newsletter Postage	89.15
		14,547.74
	Original Bill Listing	57,082.63
	Total Accounts Payable	71,630.37

Voucher Numbers for GO, Police, Clubhouse, Ambulance, Library, Water & Sewer: 69003-69239
 Voucher Numbers for Tax 1580-1581

ACTION ITEMS:

KISCC - Roofing (10a.): Treasurer Roberts asked if the repairs had been sent out on bids. Clerk Nordeen stated that Supervisor Minelli had asked for one bid, but she thought that was high, so she did ask for local contractors bid. Treasurer Roberts suggested going out for bids, following our bidding policy. Motion by Roberts, supported by Adams, to seek bids for the roofing of KISCC and reject current bids that have been received and accept all new bids. Motion carried.

Gwinn Schools Fireworks (10b.): Motion by Roberts, supported by Bodenus, to approve the application for Fireworks display for Meet the Modeltowners Night scheduled for August 23rd. Motion carried.

Water Ordinance Amendment (10c.): Clerk Nordeen explained that a resident turned on their water without letting anyone know. At that time it was discovered that the current Water Ordinance did not specifically cover this issue. Discussion ensued regarding how restrictive the amendment was written. Police Chief Warchock stated that there is currently a State Law regarding tampering with utilities. These violations could be brought through the Prosecutors office. Motion by Adams, supported by Roberts, to approve amending the Water Ordinance, as presented. Motion carried.

PROPOSAL TO AMEND WATER ORDINANCE

Section 10 (Add following sentence) No person, firm or entity of any type shall tamper with any water meter or turn on or turn off any water valve in the System without express Township written authorization or direction.

Section 9 – Billing and Enforcement (Add the following sentence) For any person firm or entity of any type who is determined to have violated Section 10 by tampering with a water meter or turning on or turning off a water valve in the System without express written Township authorization or direction, such person shall be deemed responsible for a municipal civil infraction and subject to a fine up to \$100.00 for a first offense and a fine up to \$500.00 for a second or subsequent offense.

Fire Dept – Retirement and Resignations, Pump and DOT Testing, CO2 Testing, Ladder Testing (10d-g.): Motion by Adams, supported by Roberts, to approve Pump and DOT testing for \$3,500, CO2 Detector testing for \$700, and Ladder Testing for \$450, totaling \$4,650. Motion carried.

Motion by Adams, supported by Roberts, to accept, with great regret, the retirement of Mr. Tim Rector from the Fire Department, who has served 33 years and 11 months, Mr. Eric Peterson who is resigning and moving to Grand Rapids, and Mr. Pat Jeske who is resigning due to family issues. Motion carried.

Clock Repairs (10h.): Clerk Nordeen invited Jerry Stille to inform the Board and Residents the current condition of the clock. Mr. Stille presented the Board with information and options to repair the clock. He also informed the Board of the money still available from the Clock Fund. Motion by Adams, supported by Bodenus, to approve a contract with Essence of Time of Lockport New York for up to \$10,000 for the complete repair of the clock and the bell system with a holdback of 15% upon completion and safe return of the clock, with funding coming out of the forest sale from Johnson Lake property. Treasurer Roberts would like to discuss it with her Deputy. Trustee Bodenus would like to go over the information and discuss it with the Bookkeeper. Discussion ensued further. Mr. Stille reiterated the urgency needed for the motion. Motion rescinded by Adams, support rescinded by Bodenus. Motion by Bodenus, supported by Adams, to contact Essence of Time and pay him \$2,000 for drive up, inspect, set-up and writing of the estimate for the clock tower. Motion carried.

Purchase Garbage Truck (10i.): Treasurer Roberts ask Mechanic Daryl Johnson if he had a recommendation for any of the three proposals. Discussion ensued. Mechanic Johnson gave a brief description of the proposals. He and Superintendent Jancsi explained the expenses involved with repairing the current truck and the expenses involved of not currently having a truck. Motion by Adams, supported by Roberts, to make an offer of \$75,000 to Schultz Equipment of Iron Mountain for a used International 7400 Garbage Truck. Discussion ensued further regarding repairs needed for the used truck. Motion amended by Adams, support amended by Roberts, to make an offer up to \$75,000 to Schultz Equipment of Iron Mountain for a used International 7400 Garbage Truck. Motion carried.

Election Signs (10j.): Clerk Nordeen explained the need for the election signs, and gave a brief description of the quotes. Motion by Adams, supported by Roberts, to approve purchasing election signs from Leutz Signs for \$555.00. Motion carried.

DISCUSSION ITEMS: None.

OLD BUSINESS: None.

CORRESPONDENCE: None.

Public Comment: Maureen Hakes stated it was a really good meeting and Clerk Nordeen did a nice job. She also stated that she had contact with the Police Department and was treated very professionally and had a quick response. George Bodenus, who has a well, stated he doesn't think the people on the water system know how good they have it. He has a well and would like to trade any day. Rick thanked the Board for their consideration on the Museum issue and looks forward to moving forward. John Macario asked if the Board has scheduled any meetings regarding the Water issue. Clerk Nordeen believed there would be Public Hearings, but none have been scheduled. UPEA Representative Ken Dillinger explained there were Public Hearings in the past that had very low attendance. Chief Warchock pointed out his new schedule, detailed in his report, were he would be on alternating shifts. He reiterated to the Board that, as always, he would be available 24 hours a day if they needed him. Clerk Nordeen introduced the Chief to the residents that may not have met him yet.

Board Member Comment: None.

Adjournment: Clerk Nordeen adjourned the meeting at 8:43 p.m.

Respectfully submitted,

Stacy Filizetti
Clerk/Secretary

Jane Nordeen
Forsyth Township Clerk