

**CHIPPEWA TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
of the
FEBRUARY 19, 2014
REGULAR MONTHLY MEETING**

The Chippewa Township Board of Supervisors held their monthly Regular Meeting on Wednesday, February 19, 2014 at 7:30 p.m. Present were Manager Mark Taylor, Supervisors Nancy Lamey and Mark Hoenig, Code Enforcement Officer Dawna Pella, Solicitor George Verlihay and Administrative Assistant Cindy Clark. Supervisor Bouril was away on vacation.

Vice Chairperson Nancy Lamey called the meeting to order.

VISITORS

None.

MINUTES

Ms. Lamey had the following minutes for review:

1. Jan. 6, 2014 Board of Supervisors Combined Reorganization & Agenda Meeting
2. Jan. 15, 2014 Board of Supervisors Regular Monthly Meeting

There were no additions or corrections and the minutes were approved as submitted on a motion by Mr. Hoenig, seconded by Ms. Lamey. Carried.

The Supervisors acknowledged the minutes of the following meetings:

1. Dec. 16, 2013 Sanitary Authority Meeting
2. Jan. 13, 2014 Recreation Board Meeting

(The January Planning Commission meeting was cancelled.)

ITEMS TO BE ACTED ON

None.

REPORTS

Ms. Lamey had the following January reports for review:

1. Financial Report
2. Police Department Report
3. Road Report
4. Wage Tax/OPT Report
5. Real Estate Tax Report
6. Zoning Report
7. Code Enforcement Officer's Report
8. (No January Fire Department Report was received)

MANAGER'S REPORT

Manager Taylor had the following items for discussion:

1. Jack Delmonico:

Manager Taylor noted that the Supervisors already approved the hiring of Jack Delmonico as a part-time officer at last week's agenda meeting. He resides in Chippewa and graduated from Geneva. He will start soon and be able to fill many shifts since our staff is down in numbers right now.

2. Pavilion rental fees:

Manager Taylor has proposed raising the park shelter rental fee for non-residents to \$55.00. He said that the fee for Township residents will remain at \$35.00 because residents pay taxes and those tax dollars are used to construct and maintain these park shelters. He said people know it is cheap to rent shelters here in the Township. As an example, he said the Brady's Run weekend rate is \$60.00. He said if the Supervisors agree with his proposal, he will place the annual ad in the newspaper about reservations and he will add this new fee information to the ad. He said that it will state on the reservation sheet that the renter listed on the form must be present at the event.

MR. HOENIG MOVED TO APPROVE the proposed change to the Township's fee schedule by increasing the non-resident rental fee to \$55.00. Ms. Lamey seconded the motion and with no further discussion the motion carried.

3. Yard waste ordinance:

Manager Taylor said he would like Solicitor Verlihay to review the proposed ordinance that establishes rules and regulations for the use of the Chippewa Township yard waste composting site. This ordinance was given to the Supervisors to look over last week.

MR. HOENIG MOVED TO DIRECT Solicitor Verlihay to review the yard waste composting ordinance. Ms. Lamey seconded the motion and with no further discussion the motion carried.

4. Garbage contract:

Manager Taylor recently received a letter from Valley Waste asking that the Township extend their contract for the third year. He said he will provide the Supervisors with a copy of the letter and he asked them to think about this.

5.. Planning Commission work session:

Manager Taylor said that at a work session the Planning Commission discussed aesthetics and architectural standards and some great ideas were brought up. Jeff Pierce from Olsen Engineering will also get involved with this. He said they should come up with a draft within a few months.

PAYMENT OF BILLS

Ms. Lamey had the January 2014 bills for review

MR. HOENIG MOVED TO APPROVE payment of the January 2014 bills. With no further discussion, the motion was seconded by Ms. Lamey and carried.

SOLICITOR'S BUSINESS

1 McGuire Memorial family homes:

Attorney Verlihay spoke about the McGuire Memorial family homes. He explained that several years ago McGuire wanted to place several handicapped individuals in a house in a residential dwelling so they could live as a family unit and we were the first municipality to welcome them. He said later the State Supreme Court recognized that individuals who weren't really a family by blood

have a right to live together as a family unit. In October McGuire filed an appeal for exemption from real estate taxes. It was ruled that because McGuire was an institution of charity for non-profit purposes, they should be tax exempt. McGuire then offered to make payments in lieu of taxes (PILOT). They said they would pay on the basis of what the discount taxes would be but not during the discount period. They wanted the invoice to be sent to them after June 1st. Attorney Verlihay has a problem with this because the Township has no other single families living and using properties as single families who are tax exempt. He said if they got into the home as a single family and not an institution, they should pay taxes. He said they get the same benefits as other families living in this community, such as police and fire protection, use of roads, etc. He also is not in agreement with them paying whenever they choose to pay them. He said they should pay the discount rate when the discount rate is in effect. He said he was in Florida when he found out about this and it was too late to file an appeal. He said an appeal could be filed next year if the Supervisors choose to do this. He said if they are filing as an institution, then they are in violation of the zoning ordinance. He said McGuire wants to have its cake and eat it, too. He feels they should be held to the same standard as everyone else in the community. Mr. Taylor said he agrees with Solicitor Verlihay on this and he added that when MDIA said they needed a sprinkler system because they were an institution, they appealed and said they were residential/non-profit. Manager Taylor said that he recommends that the Supervisors direct Attorney Verlihay to write a letter to notify them that we feel there is a problem. Mr. Taylor added that an additional decision can be made in the future as to a possible appeal or a zoning violation. Attorney Verlihay said if they pay in lieu of taxes at a discount rate, when everyone else pays their taxes, that is OK, but he does not feel that they should get any additional benefits not afforded to the other Township residents.

MS. LAMEY MOVED TO DIRECT Attorney Verlihay to proceed with the letter. Mr. Hoenig seconded the motion and with no further discussion, the motion carried.

2. Oil and gas well case:

Mr. Verlihay then spoke about the case regarding oil and gas wells. He said the case is 83 pages long and he will supply a copy of this to Supervisors if they wish to read it. He explained the decision and cited the environmental protection amendment. He said that the Court decided that oil and gas having a uniform State wide type of zoning ordinance, thus taking power away from officials, was unconstitutional. The Planning Commission may want to look at this issue in the future.

SUPERVISORS' BUSINESS

1. Mr. Hoenig said he had planned to attend the tabletop emergency event on Tuesday with the Chief, but it was cancelled and is going to be rescheduled. Mark Taylor offered to go if the rescheduled date is on a day that Mr. Hoenig is unable to attend due to his work schedule.
2. Mr. Hoenig said that he attended the Supervisors' boot camp in January. He said there were good speakers on many subjects and he thanked Supervisor Bouril, Supervisor Lamey and Manager Taylor for recommending this.

ADJOURNMENT/MEETING DATES

With nothing further to come before the Board, Ms. Lamey adjourned the meeting at 7:55 p.m.

The scheduled meeting dates for March are: Agenda meeting: Wednesday, March 12th at 8:30 a.m.; Regular Meeting: Wednesday, March 19th at 7:30 p.m.

Secretary

Chairman

