

January 13, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, January 13, 2020 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell, Brad Johnson, Scott Jennings, Dale Throenle

APPROVAL OF AGENDA.

Zyburt moved, Lynch supported that the agenda be approved with the addition of *"I.X. Treasurer's Report"* and New Business of *"E. Proposed Agreement/Opportunity between Chocolay Fire Department and the City of Marquette Fire Department"*.

MOTION CARRIED

PUBLIC COMMENT.

Tom Kolinsky, 2280 US 41 South (Lake Michigan Armory) – Kolinsky indicated that he was at the meeting for any questions or concerns.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – December 9, 2019 Regular Meeting.
- B. Approve Bills Payable, Check Register Reports – December 6, 2019 (Check #'s 23640 - 23660, in the amount of \$99,369.67), December 16, 2019 (Check #' 23661 – 23680, in the amount of \$12,114.33), and December 26, 2019 (Check #'s 23681 - 23719, in the amount of \$156,986.00).
- C. Approve Bills Payable, Longevity Payroll – December 5, 2019 (Check #'s DD489 – DD496, and Federal, State, and MERS for a total of \$2,164.75), and Regular Payroll – December 12, 2019 (Check #'s DD497 – DD513 and Check #'s 10884 - 10888, Federal, State, and MERS for a total of \$33,657.79) and December 26, 2019 (Check #'s DD514 – DD546 and Check #'s 10889 – 10893, Federal, State, and MERS for a total of \$38,512.78).
- D. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – November 30, 2019.
- E. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – December 31, 2019.

Lynch moved, Zyburt supported to approve the Consent Agenda as presented.

AYES: 7 NAYS: 0

MOTION CARRIED

White and Maki raised questions concerning some checks in the Bills Payable. Maki also asked about Superior Watershed and if there is some type of report or update that the Township receives.

Maki also asked about the Revenue / Expenditure report not being included in packet – Manager De Groot indicated we are currently working on Month End / Year End and this will be in next packet.

SUPERVISOR’S REPORT - NONE

CLERK’S REPORT

Clerk Engle indicated that Absentee ballot applications are in the process of being sent out for the March 10, 2020 Presidential Primary.

TREASURER’S REPORT

Treasurer Zyburt indicated there had been excess funds to invest – purchase a \$250,000 CD from the Independent Bank of Grand Rapids for a 3-month period at 1.6%.

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING – PROPOSED 2020 – 2024 RECREATION AND NATURAL RESOURCE CONSERVATION PLAN

Supervisor Bohjanen opened the Public Hearing at 5:38 pm.

Dale Throenle, Planning Director, gave a brief introduction of the proposed Recreation Plan. The previous Recreation Plan expired in 2018 and is a requirement for obtaining any grant funding from the DNR, but it is also used for general direction on recreation in the Township. Throenle indicated that the budget within the plan is for proposed items, which would then come back to the Board for approval. The reason for putting it in the plan is because the DNR operates under the concept that if it is not in the Recreation Plan it will not be funded by grant money.

Supervisor Bohjanen indicated that the Recreation Plan has been available to the public on the website for 30 days. This is an important resource for people in the Township.

Public Hearing closed at 5:42 pm.

PRESENTATIONS – CERTIFICATE OF APPRECIATION

Supervisor Bohjanen stated that the Certificate of Appreciation is for Tom Mahaney, who is stepping down from the Planning Commission.

SECOND READING OF ORDINANCE 61 FIREARMS REVISIONS

Zyburt moved, Rhein supported that after providing required notification to the public, holding a public hearing, providing a first and second reading of the proposed language for Ordinance 61 *Firearms*, the Board adopt the proposed ordinance language as written, with the ordinance to take effect thirty days from January 13, 2020, and that the Board file a motion with the Township Clerk to publish a notice of adoption in the local newspaper and on the Township website within fifteen days of adoption and record the Ordinance in the Township *Book of Ordinances* within one week after publication.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SECOND READING OF ORDINANCE REVISION 34-19-05

Engle moved, Zyburt supported that after providing required notification to the public, holding a public hearing, providing a first and second reading of the material and considering public input, the Board approves the proposed language of *Zoning Ordinance* Amendment 34-19-05 as written, with the amendment to take effect thirty days from January 13, 2020, and that the Board file the amendment with the Township Clerk to publish a notice in the local newspaper and on the Township website within 15 days of adoption, and to record the amendment in the Township *Zoning Ordinance* book within one week after publication.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDERATION OF AN APPOINTMENT FOR THE PLANNING COMMISSION

Supervisor Bohjanen stated he had reviewed applications and has selected George Meister.

White brought up the fact that Meister works for GEI and wondered if this would be a conflict of interest.

Bohjanen moved, Lynch supported that George Meister be appointed to the Planning Commission with a term commencing January 2020.

MOTION CARRIED

REVIEW SRF SEWER IMPROVEMENT PROJECT

Manager De Groot opened with a review of the project. The sewer project for Lift Stations 1 – 5 has been under discussion for the past 2-3 years. The sewer system is over 40 years old. De Groot stated his appreciation for DPW staff that has managed to maintain this system.

A presentation was given to the Board at the end of 2018 which went over the scope of the project and ways to fund the new lift stations.

The new lift stations will be like Lift Stations 6 – 8, with Gorman Rupp pumps, alarm box and generator for each station. Lift Stations will look like these when the project is finished. This will still come to a total project cost of approximately \$3,000,000. There has also been talk about the funding, and whether this will be locally sourced or publicly sourced. At the time, the Township was not sure how much was available through the State. EGLE / DEQ has since been contacted and indicated they do have enough funding and the Township is in the pipeline. We are looking at being funded for 3rd quarter funding, with the application due by February 17, that would allow us to be able to have the money for this construction season. SRF (State Revolving Fund) is a public bond which is state backed (no prepayment). This would be a low interest government to government bond, and we would not have a prepayment option. The interest rate is 2.5 – 3.0%. At this point, we have allocated 1.5 to 2.0 million for the project. De Groot and Treasurer Zyburt had discussed this and with the rate of return we could get at reinvesting this money, there may be an advantage to fully funding with the loan. Zyburt also indicated that interest rates will not be going down and it's a 20-year commitment, and interest rates for investing money will hopefully be going up in that time frame.

There is a compressed timeline due to the need to hit the February deadline. The engineering part of the project is about 60 – 65% complete, which is the amount necessary for the EGLE application. EGLE also asks for a costing sheet, scope of project, funding mechanism. We are required to hire Bond Counsel and a Bond Financial Advisor. There are none in the local area, so we have sought out Miller Canfield as the Bond Counsel and Bendzinski & Company as Bond Financial Advisors which are both in the Metro Detroit area. Both are willing to take on this project, fees will be rolled up into the bond. Going forward, engineering consultant fees would also be rolled up into the bond.

Clerk Engle asked if we were planning to finance the entire project. De Groot indicated that we would be.

ENGAGEMENT OF PROFESSIONAL SERVICES TO APPLY FOR SRF FUNDING

White moved, Lynch supported that the Chocalay Township Board enter into a contract with Miller Canfield and Bendzinski & Company for the professional guidance of preparing, negotiating, and the selling of State Revolving Fund bonds.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

REVIEW OF 2020 – 2024 RECREATION AND NATURAL RESOURCE CONSERVATION PLAN

The Board had some discussion / questions on different areas of the budget.

Lynch moved, Rhein supported that after providing required notification to the surrounding government entities, public agencies and the public, holding a public hearing and considering recommendations of the Planning Commission, the Board approves the *2020 – 2024 Recreation & Natural Resource Conservation Plan* as written by way of adopting the attached Resolution.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zybert, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

**CHARTER TOWNSHIP OF CHOCOLAY
2020 – 2024 RECREATION & NATURAL RESOURCE CONSERVATION PLAN**

Board of Trustees of the Charter Township of Chocolay, Marquette County, Michigan

WHEREAS, the Charter Township of Chocolay has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents during a five-year period covering the years 2020 through 2024, and

WHEREAS, the Charter Township of Chocolay began the process of developing a community recreation and natural resource conservation plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities, and

WHEREAS, residents of the Charter Township of Chocolay were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation and natural resource conservation plan, and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days, and

WHEREAS, a public hearing was held on January 13, 2020 at the Chocolay Township Hall to provide an opportunity for all residents of the planning area to express opinions, ask questions, and discuss all aspects of the *2020 – 2024 Recreation & Natural Resource Conservation Plan*, and

WHEREAS, the Charter Township of Chocolay has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the Charter Township of Chocolay, and

WHEREAS, after the public hearing, the Charter Township of Chocolay voted to adopt said *2020 – 2024 Recreation & Natural Resource Conservation Plan*.

NOW, THEREFORE BE IT RESOLVED the Charter Township of Chocolay Board of Trustees hereby adopts the *2020 – 2024 Recreation & Natural Resource Conservation Plan*.

Yeas: 6 Nays: 1 Absent: 0

Date Approved: January 13, 2020

State of Michigan

County of Marquette

PROPOSED AGREEMENT / OPPORTUNITY BETWEEN CHOCOLAY FIRE DEPARTMENT AND CITY OF MARQUETTE FIRE DEPARTMENT

Manager De Groot indicated there was an opportunity with the City of Marquette. The City now has employed a mechanic who is certified to work on Pierce trucks. They would offer this service to us at \$47.00 per hour, plus parts. They have a location in their garage that is sized for our fire trucks, so we would not have to go elsewhere. Currently, we either have to go to Appleton or Saginaw. De Groot is asking that the Township Board empower either himself or Supervisor Bohjanen to enter into the agreement.

Lynch moved, White supported to allow Township Staff and Supervisor to enter into an agreement with the City of Marquette for maintenance and repairs of our fire apparatus.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

Supervisor Bohjanen read the agreement to the Township Board.

PUBLIC COMMENT

Kendra Symbal, 100 Aspen Drive - questioned if any of the trucks are still under warranty. Manager De Groot indicated there are no existing warranties.

Zyburt moved, Lynch supported that the meeting be adjourned.

The meeting was adjourned at 6:28 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of December 16, 2019, Draft
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of November 21, 2019, Draft
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of December 11, 2019, Draft
- D. Information – End of Year 2019 Chocolay Township Newsletter.

Max Engle, Clerk

Richard Bohjanen, Supervisor

February 10, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, February 10, 2020 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell, Brad Johnson, Scott Jennings, Dale Throenle

APPROVAL OF AGENDA.

Lynch moved, Zyburt supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

Gail Varty, 208 Timber Lane – stated she would like to be included in the discussion of Item XII.E. She has finally received approval and would like to thank D. Throenle for seeing this through. Varty started this process in 2016. Varty spoke on how costly this project had been, and her intent at this meeting was to have the Board consider payment of her most recent Engineering bill in the amount of \$4,387.50. She feels that her experience has been a benefit to the Township, as the FEMA maps have now been corrected and are available to the public for future use.

Public Comment closed at 5:36 pm.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – January 13, 2020 Regular Meeting.
- B. Approve Revenue and Expenditures Report – Year End 2019 (Unaudited).
- C. Approve Bills Payable, Check Register Reports – January 3, 2020 (Check #'s 23720 - 23726, in the amount of \$2,437.81), January 11, 2020 (Check # 23727 – 23758, in the amount of \$51,491.55), January 13, 2020 (Check #'s 23759 - 23770, in the amount of \$22,951.30), January 23, 2020 (Check #s 23771 – 23776, in the amount of \$34,386.65), January 23, 2020 (Check #s 23777 – 23792, in the amount of \$21,720.81) and January 29, 2020 (Check #s 23793 – 23812, in the amount of \$24,790.49).
- D. Approve Bills Payable, Regular Payroll – January 9, 2020 (Check #'s DD547 – DD578 and Check #'s 10894 - 10898, Federal, State, and MERS for a total of \$49,100.27) and January 23, 2020 (Check #'s DD579 – DD606 and Check #'s 10899 – 10903, Federal, State, and MERS for a total of \$41,586.98).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – December 31, 2019.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – January 31, 2020.

Zyburt moved, Lynch supported to approve the Consent Agenda as presented.

AYES: 7 NAYS: 0

MOTION CARRIED

SUPERVISOR'S REPORT - NONE

CLERK'S REPORT

Clerk Engle stated that the Absent Voter ballots went out last week. Also reminded people to vote on March 10.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – MARQUETTE AREA WASTEWATER TREATMENT ADVISORY BOARD

The Township had received a power point presentation from the Advisory Board, but they had no one available to do the presentation. Supervisor Bohjanen went over the slides, which provided a summary of what happened in 2019. This included accomplishments, goals for 2020, projects going forward. Manager De Groot spoke about the Co-Gen units that were mentioned in the slide presentation.

REVIEW OF SRF CONTRACT WITH EGLE

A "Resolution Authorizing Notice of Intent to Issue Bonds and Declaration of Intent to Reimburse from Bond Proceeds (2020 SRF Bonds)" along with "Exhibit A" was presented to the Board for consideration.

Lynch moved, Rhein supported that the Chocolay Township Board empower Supervisor Bohjanen or Clerk Engle to sign the final SRF application before February 17th.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

POLICE TRAINING INSTITUTE FUNDING

Engle moved, Zyburt supported that the Chocolay Township Board authorize to expend \$675 for the NMU Public Safety Institutes for the year 2020. This would come from the Capital Improvement Police Training Fund, 401.306.957.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

NEW STAIRCASE INSTALLATION IN PUBLIC WORKS GARAGE

Lynch moved, Rhein supported that the Chocolay Township Board approve the expenditure of no more than \$8,000.00 to have this work completed. This is going to be paid out of Township Hall and Grounds Capital Improvement fund 401.265.976.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

TASTING ROOM REQUEST AT CAMPGROUND

Dale Throenle, Planning Director / Zoning Administrator opened with an explanation of what is being asked for by Mr. Glass. The approval would be for the request, not the actual permit, for a tasting room at Gitche Gumme RV Park. The actual permit would come from the State. Manager De Groot also stated that when the property was approved, it was approved on a resort basis, which gave him the opportunity to have a liquor license and restaurant.

Jeff Glass spoke on his own behalf – his intent is to have a tasting room, as he would like somewhere to be able to have people taste his beer. He does have approval from the Health Department. He has a 20-gallon system and has no intent to have a bar.

Lynch moved, White seconded that the application from Jeffrey Morris Glass for a new on-premises tasting room permit located at: 2048 M-28 East, Marquette, MI 49855 at Gitche Gumme RV Park be considered. It is the consensus of this Body that it recommends this application to be considered for approval by the Michigan Liquor Control Commission.

MOTION CARRIED

VARTY INVOICE REQUEST

Supervisor Bohjanen addressed the issue of payment. The first request for payment was granted as the studies would be necessary to get the map amendment done and it appeared to benefit others along the river. At this point, it appears the benefit is only for the Varty property. Supervisor Bohjanen and Manager De Groot feel it would be inappropriate to continue to pay for the benefit of one person. The most recent bill appears to have been contracted by the Varty's and not by the Township. There has also been a lot of staff time devoted to this.

Trustee Maki questioned how much had already been spent by the Township on this project.

Manager De Groot stated the original violation issued to the Township was because of the National Flood Insurance Program (NFIP) and being out of compliance. He stated that the Varty case may have alerted us to the non-compliance, but this has been corrected.

Ms. Varty indicated that the Township was out of compliance way before she came into the picture. She has gone through a lot in the past few years. She also feels that this involves more than just her property, and it is a benefit to the residents in her area.

Supervisor Bohjanen also indicated that the only involvement the Township had was the issuance of a Zoning Compliance Permit. Manager De Groot stated that the Marquette County gave a soil erosion permit in 2015. In cleaning up the site, Ms. Varty has done everything in accordance with the law based on permits she had received from Marquette County and DEQ. Manager De Groot stated we have no flood plain authority and cannot recommend approval of this payment.

Trustee White indicated that she cannot support something that is only a benefit to one resident.

White moved, Rhein supported that the Chocolay Township Board does not pay the expenditure because the project outcome is specific to the subject.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

LASCO CONTRACT

Trustee White asked if there had been any other quotes received. Supervisor Bohjanen indicated there had not been at this time, but the Township would be looking at putting together a Request for Proposal. Trustee Lynch also indicated that there is a 90-day out included in the contract. Manager De Groot stated that we are in the middle of upgrading our server due to timing.

Zyburt moved, Lynch supported that the Chocolay Township Board empower Supervisor Bohjanen or Clerk Engle to sign the final Lasco Computer Maintenance Contract.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

Jeff Glass, Gitche Gumme RV Park – would like to address the importance of a stairway at the turn-off across from the RV Park. This is a scenic view, and people like to be able to get to Lake Superior. Everything has been torn out at this point. He offered suggestions on how this could be accomplished.

Lynch moved, Zyburt supported that the meeting be adjourned.

The meeting was adjourned at 6:24 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of January 20, 2020, Draft
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of January 15 ,2020, Draft
- C. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of December 19, 2019, Draft
- D. Minutes – Marquette County Township Association, Regular Meeting of October 23, 2019.
- E. Information – Chocolay Township Newsletter, January 2020.
- F. Correspondence – Asset Management 101.
- G. Correspondence – North Country Trail Association.

Max Engle, Clerk

Richard Bohjanen, Supervisor

February 17, 2020

A Joint meeting of the Chocolay Township Board of Trustees and Planning Commission was held on Monday, February 17, 2020 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Ben Zyburt, Max Engle, David Lynch, Don Rhein, Judy White, Mark Maki.

ABSENT: None

Planning Commission Chair, Ryan Soucy, called the meeting of the Planning Commission for the Joint Meeting to order at 5:35 pm.

PLANNING COMMISSION.

PRESENT: Ryan Soucy, Cory Bushong, Donna Mullen-Campbell, Susan Maynard, Don Rhein, George Meister

ABSENT: Kendell Milton

STAFF PRESENT: William De Groot, Suzanne Sundell, Dale Throenle, Lisa Perry

APPROVAL OF AGENDA – Township Board

Zyburt moved, Lynch supported that the agenda be approved as presented.

MOTION CARRIED

APPROVAL OF AGENDA – Planning Commission

Bushong moved, Maynard supported that the agenda be approved as presented.

MOTION CARRIED

JOINT MEETING LED BY PLANNING COMMISSION - DISCUSSION OF PLANNING COMMISSION PRIORITIES FOR 2020.

Planning Commission Chair Soucy went through the issue summary presented.

Supervisor Bohjanen brought attention to the fact that there are two Planning Commission Priority sheets included in the packet – the first being the one that was approved for 2019 – 2020, indicating what has been accomplished, what is in progress, and what is suggested to move forward to the updated 2020 – 2021 priority list.

PC Chair Soucy questioned the fact that the Capital Improvements portion had been removed from the 2019 list and what the Township’s anticipated direction is in regard to capital improvements. Manager De Groot indicated that with an organization of our size, we do not need

to have a capital improvements plan. It is not required under the law the way it is presented, and how we actually budget for it. As part of the budget process, and the way we are going to present the budget, we will be itemizing out how we fund capital projects by aligning the values we find within the Master Plan and aligning the budget document to lay out a multi-year capital plan. PC Chair Soucy felt this would be a good approach, as the Planning Commission's fingerprints would still be on the document.

Trustee Maki questioned the Road funding plan, asking if there was a document that covered this. Manager De Groot indicated the Road Asset Management Plan is the document that was used, and this can be found on the Township's website. Trustee Maki asked if there was a list. Supervisor Bohjanen indicated that this was a professionally generated list, but it is subject to change based on other projects.

PC Chair Soucy asked about private roads, and if they need to be built according to Road Commission specs. Planning Director Throenle indicated that new ones would need to.

PROPOSED 2020 – 2021 PLANNING COMMISSION PRIORITIES

Items for Planning Commission Consideration for 2020 / 2021

- Review and update the Township *Master Plan*

Review the master plan with the intent of presenting it to the Township Board as the five-year master plan direction for the Township

“PC Chair Soucy indicated that he feels this is one of the highest priority items, and should be started early in the year. The Township to decide what it is the community wants, before it can proceed with the Zoning Ordinance.

Manager De Groot indicated that the best way to work a community through a Master Plan rewrite involves three things: What types of legislative changes have occurred since the last Master Plan was written; All actual action by enforcement Boards (Township Board, Planning Commission, Zoning Board of Appeals); throw a wide net to interpret what the community value sets are. Manager De Groot feels that there should be at least two more joint meetings to discuss the outcomes of the wishes by the community and make sure the Township Board and Planning Commission are in agreement of and allow staff to work with the Planning Commission to make the first draft. There are two things this year that will help us – this is a Census Year which will provide a lot of the demographic information, which then gives the Township the time and opportunity to ask questions on what the community wants.

Trustee Maki asked about the possibility of water, as he gets questioned quite a bit. Manager De Groot indicated that it would take 5 to 10 years to plan correctly. He feels that there are opportunities in the Township – but the studies are not small. De Groot indicated that we are currently going for our first SRF funding for wastewater, and this may be a way to be able to fund a water source.

Supervisor Bohjanen indicated that there was a joint study between Chocolay Township and Sands Township. This was rejected by Chocolay Township, but the information found in that study may make a good starting point. Bohjanen said there is going to be a day in the not too distant future where the Health Department will say that we need a municipal water system – we have a lot of inadequate water in our community and the only testing that gets done is usually when the house gets sold as this would be mandatory testing. Supervisor Bohjanen and Planning Director Throenle have been invited to join a group of interested parties from Marquette County looking to establish a water coalition. Things are being done, just not done quickly.

Chair Soucy indicated that we need to keep in mind that the main reason for living in Chocolay Township is affordability.”

- **Consideration for rewrite of the Township Zoning Ordinance**

Review and revise the *Zoning Ordinance* with the intent to simplify the language and to bring the ordinance up-to-date. This rewrite process will include regular review of State-legislated language that may affect the *Zoning Ordinance*.

“PC Chair Soucy indicated that the Zoning Ordinance is a living document and needs to adapt with the times. He feels that it is important to always be looking at this document to understand what needs to be updated.

Trustee Maki indicated that he wondered about the overlay zone that was done a couple of years ago. Why was this not a text amendment to the Zoning Ordinance, instead of an Overlay Zone?

Commissioner Maynard indicated that one of the intents was to support small businesses in a “live / work” benefit.

Supervisor Bohjanen indicated the original intent was to maintain status quo and look to the future.

Trustee Maki stated that he feels the simpler the ordinance is, the easier it is to understand. We need to make it clear to anyone that is looking at it. He feels the overlay zone is more complicated and confusing than it needs to be.

PC Chair Soucy asked how many have been created in the overlay zone since it was created.

Manager De Groot indicated that there are opportunities that people are starting to push. The newer Zoning Ordinances and Master Plans are going toward a character-based enforcement. There could be a character-based zoning ordinance written specifically for the village.

Trustee Maki also brought up the Sign Ordinance, and the length of it now. PC Chair Soucy

would like to go back and simplify this ordinance if the Board would like.

Supervisor Bohjanen stated that most of our ordinances have been written in trying to resolve disputes among neighbors rather than trying to make the Township better. There are three mechanisms that could be used in rewriting our ordinance: Contracting with a professional to rewrite the ordinance (planning or legal professionals), but they need to know how we want our ordinance to read; Plagiarizing from other Townships that have gone through the process; Having the Planning Commission write it themselves.

PC Chair Soucy indicated that you can borrow the text if there is no other way to word it. You may have to be careful on proprietary graphics for such things as a sign ordinance.

Manager De Groot indicated that his expertise is in planning. He feels he may be able to aid the Planning Commission and would like to volunteer to help the Planning Commission.

Commission Maynard feels that within the manager's office we have the expertise and practical experience to be able to help with the rewrite."

- **Further amend the Township ordinances to implement the Zoning Plan in the Master Plan**

Review *Master Plan* recommendations and reflect those recommendations in the Township *Zoning Ordinance* and non-zoning ordinances

- **Determine ordinance status (opt in / opt out) for marijuana regulations in the Township**

This status will determine if non-medical marijuana facilities should be permitted in the Township

"Trustee White asked about the marijuana issue. Chair Soucy indicated that the Planning Commission will be coming back to this. Manager De Groot indicated that we are in the process of working on how we may be able to fit into the supply chain that does not compete with neighboring communities. We have an intern whose sole focus is this, and he will be presenting to the Board at the April meeting (power point and white paper)."

- **Address non-conformities regarding properties in the Agriculture / Forestry (AF) district**

Determine regulations and changes required to reduce property non-conformances in the AF district

"Trustee Maki indicated that we needed to be cautious when review the agricultural zone and nonconformities that exist. There will never be conformity for some areas.

Supervisor Bohjanen thought there may be a need to have different rules for different sizes of agricultural areas. Manager De Groot indicated that this would be called sliding scale zoning. He also indicated that you can write whatever you want for a zoning ordinance, but if there is no support in the community we will not be able to enforce. We need to look at community character and community input in order to decide what should be out there. De Groot stated we need to balance State law with our community values. "

- **Develop processes for the National Flood Insurance Program (NFIP) Community Rating System implementation**

Develop processes and potential zoning regulation additions or changes to accommodate the program implementation for flood protection and flood insurance cost reduction throughout the Township

- **Update the Chocolay River Watershed Plan as part of the Community Rating System project**

Update the watershed plan to reflect changes that have occurred in the watershed since the last document was written

The last update on this plan was completed in 1999, and the plan should be updated as a regional plan with local agencies and government units

“Planning Director Throenle indicated that the last Watershed Plan was written in 1999. The watershed stretches from here to Sawyer. It also goes down the path of protecting resources. The Watershed Plan ties together with the Community Rating System and National Flood Insurance Program to help reduce the cost of overall flood insurance. This also ties into the Master Plan for potential park locations and benefit to the area as a whole.”

Trustee Maki asked about erosion and flood plain insurance. Throenle indicated that most residents in Chocolay would not be affected. At this time, FEMA, Army Corps of Engineers and EGLE are all in the process of flood plain mapping.

Commissioner Meister stated that on the environmental side, there is money available in State for restoration – need a Part 319 Approved plan – usually a 30% match on funds. Meister indicated that grant applications are due by March 14, with a 10% match.

Trustee Maki brought up the junk car ordinance and wondered why we are so worried about our water, if we are okay with allowing junk cars on property that could be seeping fluids into the groundwater.

PC Chair Soucy indicated that CUPPAD, in conjunction with LSCP, are now working on an Economic Resiliency Strategy. Soucy commented that not having blight in a community makes it more appealing.”

- **Reconsider approach to private road regulation**

Determine if existing language for private roads should be modified

- **Plan for four-season transit facility**

This Township-located facility will provide a place for the public to wait for Marq-Tran and ALTRAN public transit

“PC Chair Soucy has had conversations with other communities in the area. MarqTran does not pay for construction or maintenance. Soucy feels we need to be investing in these structures. A question was brought forward on the KBIC 2% money, and if this money could be used for something like this. This would also involve taking a look at transit planning, and coverage of the county. What does the community need, versus what can MarqTran supply.

There may be other options to consider, such as ride hailing (UBER, Lyft, etc)."

- **Consideration for Bluezone / AARP livable community design**

Research quality of life design primarily directed toward senior citizens

"PC Chair Soucy indicated that Commissioner Mullen-Campbell had brought up the idea of Blue Zones. This addresses aging in place. Mullen-Campbell indicated that there is nothing like this in Michigan right now. If you look ahead to our community in the next 15 to 20 years, as more research needs to be done. Mullen-Campbell stated there are no state funds, but it would be supported by foundation money.

Manager De Groot shared that in looking at how to approach our budgeting process and how the money is being spent. In looking for opportunities, the City of Kalamazoo has established a 501(c)3. The auditors have been asked about this, and he will be reviewing this. This would be an additional source of income that would be foundation funded for the sole purpose relieving the tax burden placed on residents.

PC Chair Soucy feels that this would be something that should be considered when looking at the Master Plan rewrite. "

- **Coordination with Marquette County on the County 2040 master plan**

Coordination with Marquette County on potential Township related items in the County 2040 master plan

"PC Chair Soucy stated that Marquette County will be holding Region Rallies, and have broken the county into four different areas: Chocolay and City of Marquette are grouped together as Borealis Beach; Ishpeming and Negaunee is the Iron Core; Western area such as Michigamee and Big Bay is Moose Hills; and Sands Township is Blueberry Fields.

Marquette County did a survey and gathered over 3,000 responses. It is a very extensive survey, and he feels that Chocolay could benefit from their results. PC Chair Soucy has volunteered to be a facilitator at their events. Soucy will forward the meeting dates to the Township."

- **Development of an education plan**

Development of an education plan for the Planning Commission both internally and externally

"PC Chair Soucy feels there are a lot of educational opportunities out there, and the Township could benefit from this. CUPPAD will be hosting a training on Asset Management 101 relating to annual budgeting."

- **Consideration for non-traditional homes**

Review of Zoning Ordinance language for possible inclusion of non-traditional homes (under 800 square feet) as permissible primary structures in the Township

"PC Chair Soucy indicated that this would cover things such as tiny homes – it is sometimes nice to have an option that is more affordable. Soucy stated the younger generation does not want large homes and would rather pay for a view, and this would also go along with aging in place."

PC Chair Soucy thanked the Township Board for the opportunity to present the Planning Commission priorities to them, and receive input on how they should proceed going forward.

Supervisor Bohjanen asked about the recommendation last year to rewrite the Sewer Ordinance, and where the process stood. Manager De Groot stated that we have to wait until Marquette City's Ordinance was drafted. This is done, and now we can proceed as we needed the Wastewater Treatment information before moving forward.

White moved, Rhein supported that the priorities for the Planning Commission be forwarded to the Planning Commission as written as the recommended Planning Commission priorities for the 2020 through 2021 calendar year.

MOTION CARRIED

PUBLIC COMMENT – NONE.

Zyburdt moved, Lynch supported that the Township Board portion of the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:20 pm.

PLANNING COMMISSION

Rhein moved, Bushong supported that the Planning Commission adopt the suggestions of the Township Board on Priorities for 2020 – 2021.

MOTION CARRIED

Planning Commission moved to adjourn.

MOTION CARRIED

The meeting was adjourned at 7:24 pm.

Max Engle, Clerk

Richard Bohjanen, Supervisor

March 9, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, March 9, 2020 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, David Lynch, Judy White, Don Rhein, Mark Maki

ABSENT: Ben Zyburt (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell, Brad Johnson, Scott Jennings, Dale Throenle, Zane Weaver, Tony Carrick

APPROVAL OF AGENDA.

White moved, Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT.

None

Public Comment closed at 5:32 pm.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – February 10, 2020 Regular Meeting; February 17, 2020 Joint Meeting
- B. Approve Revenue and Expenditures Report – Year End 2019 (Unaudited).
- C. Approve Bills Payable, Check Register Reports – February 10, 2020 (Check #'s 23813 - 23836, in the amount of \$11,8901.93) and February 25, 2020 (Check # 23837 – 23862, in the amount of \$41,532.83).
- D. Approve Bills Payable, Regular Payroll – February 6, 2020 (Check #'s DD607 – DD622 and Check #'s 10904 - 10908, Federal, State, and MERS for a total of \$37,486.68) and February 20, 2020 (Check #'s DD623 – DD652 and Check #'s 10909 – 10913, Federal, State, and MERS for a total of \$42,420.03).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – January 31, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – February 25, 2020.

Lynch moved, Rhein supported to approve the Consent Agenda as presented.

AYES: 6 NAYS: 0 ABSENT: 1 (Zyburt)

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated we are now moving into the year of the 2020 Census, and the Census committee is hoping that everyone will participate. They have materials to distribute and are willing to have meetings, but nothing has been firmed up at this time.

CLERK'S REPORT

Clerk Engle reported on a report that came from Lansing which talks about absentee ballots – in 2016 Chocolay Township issued 358 absentee ballots. As of the time of the report, Chocolay had 822 on our permanent AV list, and at this point staff has sent out 996 ballots and have received 880 back, which is a 91.1% return. Also, in this Presidential Primary if your candidate dropped out and you had already voted, the voter is able to come in and spoil the ballot and vote for another candidate. So far, we have had 37 of these.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – POLICE OFFICER AWARD

Police Chief Jennings read a letter of commendation on Officer Zane Weaver for an EMS assist, and presented Officer Weaver with a Life-Saving Award.

PRESENTATIONS – MARQUETTE AREA WASTEWATER TREATMENT ADVISORY BOARD

Jon Kangas, Chair of the Marquette Area Wastewater Treatment Advisory Board, did a short presentation on the purpose of the Advisory Board, accomplishments in 2019, goals for 2020, and the Co-Gen system. Kangas also spoke on the process of testing that goes along with transporting biosolids to fields, and the procedure that would become necessary if materials that were dangerous and not acceptable for the landfill, along with the expense of disposal.

TOWNSHIP MANAGER SIX MONTH REVIEW

Supervisor Bohjanen indicated that when Manager DeGroot was hired, there was an agreement that DeGroot be evaluated after six months, and if satisfactory, would receive a salary adjustment. In the evaluation process, staff rather than Board, were asked to evaluate Manager DeGroot, with the reasoning being that staff have more contact with the Manager. Results are attached, and they look very favorable.

Trustee White stated that she has been pleased with her interactions with Manager DeGroot and fully supports the wage increase. Trustee Rhein is very pleased with the knowledge set that Manager DeGroot brings to the Planning Commission.

Trustee Maki asked about the phrase “this is the way we have always done it”. Manager DeGroot indicated that when he first arrived and was doing the evaluations of where everything was at and

why staff did things a certain way, and frequently would get that for an answer. If we don't know why we do certain things, then we are not asking why.

Trustee Maki asked what Manager DeGroot sees as the most unique thing we do or don't do here. Manager DeGroot stated the most unique thing done at the Township relates to the budgeting process, with the approval process and the number of times (up to 3) it goes back to the Board. This is something he has not seen anywhere else. He also sees some uniqueness in the Capital Improvement and the method being more of a year to year process than a long-term process. Trustee Maki also asked about who approves the invoices that are paid. Manager DeGroot indicated himself, the department heads, and the financial clerk.

Trustee Maki asked if there are people in the community that Manager DeGroot has met that he considers valuable resources. Manager DeGroot responded that he is in the process of trying to meet a number of people – quarterly Manager meetings, City of Negaunee Manager, Marquette Townships Manager, sits on the LSCP Board, sits on the MarqTran Board, has pathways into N.M.U. – so he feels that he is establishing himself in the community.

Maki moved, Lynch supported that the Chocolay Township Board finds the Township Manager's Six Month Review acceptable and adjusts his base salary from \$87,500 to \$90,000 per Section 3(b) the negotiated contract dated September 11, 2019. This adjustment has already been part of the general budget and would require a change to the Salary Chart to reflect the new amount.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

FINANCIAL DISCUSSION OF NEW BUDGET PROCESS AND FINAL DOCUMENT

Manager DeGroot discussed the existing budget process and how it worked, with the Manager ultimately coming up with a balanced budget. The budget would then go to the Board for approval by the end of the year. After reviewing our current budget, he feels it is very project based. He questioned if the Board would like to have more involvement from the beginning, and they agreed that they would.

Manager DeGroot went on to explain the new budget calendar and time frames, with the Board leading the direction of the budget. This would then go to the department heads to develop their business plan, which would allow for a 5 year capital plan and a 2 year operating budget. In the fall, there would be a public hearing with plans that align our work with what the Board and the public would like to see.

Manager DeGroot proceeded to go over the possible look of the new budget book, using the City of Kalamazoo Proposed Budget. He also went over the new sheet, along with graphs, that would be presented to the Board on a monthly basis. This would give the Board something that is easier

to read and understand. Manager DeGroot also explained a possible opportunity for new revenues involving a 501(c)3, which he will continue to explore.

Maki moved, Lynch supported that the Chocoley Township Board accept Manager De Groot's recommendation for establishing a new budget process.

MOTION CARRIED

AMENDED TOWNSHIP FEE SCHEDULE

Manager DeGroot stated that this is the updated version of the Fee Schedule. The meeting room charge has been changed to reflect the improvements in the meeting room and staff time required. This would also be the same for the Fire Hall meeting room.

There are also some changes in the Zoning portion due to language in the Zoning Ordinance.

Supervisor Bohjanen questioned the amount charged for Special Meetings, as he feels that it is an inadequate amount based on what an actual cost would be.

Lynch moved, Rhein supported that the Chocoley Township Board request staff to review charges on the Special Meetings request section of the Fee Schedule.

MOTION CARRIED

White moved, Rhein supported that the Chocoley Township Board adopts the following Amended Fee Schedule to defray the cost of processing, evaluating licenses and permits, request and applications pursuant to the Township Ordinances, Departmental fees for documents, the administration of infrastructure, and facility rental fees.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

FY 2019 JOURNAL ENTRIES AND AUDIT UPDATE

White moved, Lynch supported that Whereas, a budget was adopted by the Chocoley Township Board to govern the anticipated General Fund expenditures of the Township on November 12, 2018 for fiscal year 2019, and Whereas as a result of unanticipated expenditures it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Clerk Overtime			
101.215.713	\$ 0.00	+\$ 8,943.77	\$ 8,943.77

Salary Contingency

101.285.925	\$31,450.00	-\$ 8,943.77	\$ 22,506.23
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ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

POLICE VEHICLE FUNDING

Lynch moved, Rhein supported that the Chocolay Township Board to expend \$47,500 for the purchase of a 2020 Ford. This replaces the 2017 Dodge Charger, which is in excess of 105,000 miles. This would come from the Capital Fund, 401.305.981.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

POLICE IN-CAR COMPUTERS

Lynch moved, Rhein supported that the Chocolay Township Board expend \$5,850 for the replacement of two in-car computers and docking stations. This would come from the Capital Fund, 401.305.981.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

PUBLIC COMMENT - NONE

Rhein moved, Lynch supported that the meeting be adjourned.

The meeting was adjourned at 6:52 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of February 19 ,2020, Draft
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board, Regular Meeting of January 16, 2020, Draft

Max Engle, Clerk

Richard Bohjanen, Supervisor

March 17, 2020

A Special meeting of the Chocolay Township Board was held on Monday, March 17, 2020 at the Chocolay Township Hall, 5010 U S 41 South, Marquette, MI. Supervisor Bohjanen called the meeting to order at 4:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein

ABSENT: Mark Maki

STAFF PRESENT: William De Groot, Suzanne Sundell, Scott Jennings, Dale Throenle, Tony Carrick

APPROVAL OF AGENDA.

Lynch moved, Zyburt supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT – None.

REVIEW CLOSURE OF PUBLIC OFFICES.

Supervisor Bohjanen stated the reason for the meeting was to have Board discussion on how the Township should conduct business going forward due to the COVID-19 pandemic.

Manager DeGroot explained the discussion to close the Township offices to the public is based on Federal Executive Orders, Center for Disease Control Directives, and Directive Orders from the Governor. These mandates require “Social Distancing” to limit the spread of COVID-19. As there is no way to be compliant with this requirement within the front office, DeGroot is suggesting the Township office be closed to the public. The offices would be staffed to answer questions received by phone, email, mail or drop box. DeGroot also indicated that if, at some point, we would need to close the office and require employees to work from home, departmental heads have been issued laptops to accomplish this.

Trustee White stated that she doesn’t believe the Township needs to shut everything down at this point, but does agree with DeGroot on closing the Township to the public.

Police Chief Jennings stated that at this point, the officers are trying to limit contact with the public as much as possible, such as limiting traffic stops. Jennings also indicated that they do have the proper PPE and would use this, if needed.

DeGroot stated he had conversations with Fire Chief Lee Gould and Gould indicated that the Fire Department is treating all responses with the PPE requirement.

Trustee White expressed concern about parolees and others. Jennings stated they are still required to report. Sergeant Carrick also stated that the officers will still be out patrolling, so their presence will be seen in the public.

Supervisor Bohjanen indicated that as of 3:00 this afternoon, there were no documented cases in the Upper Peninsula. There is enough room in the office building to maintain a safe distance. We just need to follow rules such as washing hands with soap and water frequently, staying home if sick, etc. White asked about the two-week period – Bohjanen explained this is a reasonable incubation period. Bohjanen also feels that this will go over two weeks, but will be continuously assessed.

The sale of trash bags was also discussed – originally the Township would not be selling them, but the notice was changed to include instructions on buying the bags at the Township.

The Open Meetings Act was also discussed. DeGroot indicated that even though the meetings are not allowing the public, the voice recording satisfies the OMA requirement,

White moved, Rhein supported that the notice include the Township Office, under certain requirements, to be able to sell the garbage bags.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Maki

MOTION CARRIED

PUBLIC SAFETY AND HEALTH NOTICE

Consistent with the directives and intentions of the President of the United States, the Centers for Disease Control, and the Governor of Michigan, effective at 5:00 pm today public access to the Township Hall will be closed through at least March 31, 2020.

Township office staff will continue normal functions and available to address your concerns via telephone, email, drop box, or postal delivery methods. There will no longer be general face-to-face contact with staff. Essential business contact will only be by prearranged appointment only.

Time sensitive documents, utility-payments, etc. will be processed by deposit in the Township Dropbox (located on the front entrance of the Township Offices, NOT THE LIBRARY DROPBOX) or US Postal delivery. Development site plans, engineering documents, commercial deliveries, and other similar documents deliveries shall be received by appointment only.

Trash bag purchases will be sold at the Township Hall ONLY by placing the exact amount of \$31.00 by cash or check into a self-addressed envelope and placing into the drop box. Staff will process the purchase and deliver the trash bag to your address the next day. Trash bags are also available at these stores: Synders Drugs Store, Great Lakes Fresh Market, and Kassel's Korner Store.

All Public Works sewer operations will continue as normal, fully staffed with emergency call-out after hours as normal. Police and Fire departments operations will continue as normal.

To comply with the mandated restrictions regarding Social Distancing Township Community Room will be closed to the public. All Township Board and Commission Meetings will be closed to the Public until further notice, to comply with the Governor Whitmer's Directive 2020-02 issued March 13, 2020. If Township Meetings are held, they will be live streamed from our Website to comply with the Governor's Directive. Please Note that NO Public Meetings are scheduled during this time.

We understand the hardship this creates for some, and inconvenient for all. We hope that this notice will only be for a short time. These decisions are not made lightly but are made to help ensure the safety and health of all in our community, to continue the services that are critical in serving our public.

Township Board Authorized: 3/17/2020 by Board Vote

White moved, Rhein supported that the Chocoley Township Board close the Township Offices to the Public consistent with the directives and intentions of the President of the United State, the Centers for Disease Control, and the Governor of Michigan, effective at 5:00 PM today (March 17, 2020). Public access to the Township will be closed through at least March 31, 2020.

Instruct the Manager to post the Public Notice and widely notify our residents of the operational change.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: Maki

REVIEW OF WEBSITE AND STANDARD PRACTICES.

DeGroot indicated that there is now a COVID-19 area on the website which links to the news feed. There is also a Township section that gives the community updates, along with closures in the Township. At the bottom, there is also a link to the State.

Information will also be posted on the doors and windows of the Township office, along with Facebook posts (Police, Unofficial Township). This will take time – it’s moving fast and it’s not an easy process.

DeGroot indicated that he appreciates the Board’s comments.

DeGroot stated that there is a Board of Review meeting in the Board Room tomorrow. This is the last fulfillment of the Board of Review. This will be limited to 10 people at a time, and will be sanitized after.

At this point, all Planning Commission meetings have been cancelled until further notice.

PUBLIC COMMENT - NONE

Lynch moved, Zyburt supported that the meeting be adjourned.

The meeting was adjourned at 4:37 pm.

Max Engle, Clerk

Richard Bohjanen, Supervisor

April 13, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, April 13, 2020 via Zoom. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki

STAFF PRESENT: William De Groot, Suzanne Sundell, Scott Jennings, Dale Throenle

APPROVAL OF AGENDA.

Rhein moved, Engle supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT – NONE.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of March 9, 2020 and Special Meeting of March 17, 2020
- B. Approve Revenue and Expenditures Report – January and February 2020
- C. Approve Bills Payable, Check Register Reports – March 7, 2020 (Check #'s 23863 - 23882, in the amount of \$11,505.48, March 18, 2020 (Check #'s 23883 – 23918, in the amount of \$66,446.32), and March 31, 2020 (Check #' 23919 – 23939, in the amount of \$16,133.99).
- D. Approve Bills Payable, Regular Payroll – March 5, 2020 (Check #'s DD653 – DD670 and Check #'s 10914 - 10918, Federal, State, and MERS for a total of \$37,691.62) and March 19, 2020 (Check #'s DD671 – DD717 and Check #'s 10919 – 10923, Federal, State, and MERS for a total of \$44,776.56).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – February 29, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – March 31, 2020.

Zyburt moved, Rhein supported to approve the Consent Agenda as presented.

AYES: 7 NAYS: 0

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated that the Census is underway using electronic questionnaires rather than door to door.

CLERK'S REPORT

Clerk Engle reported that the due date for partisan petitions is April 21. There will need to be someone in the office on that day until 4:00 pm to receive and notarize the petitions. Non-partisan petitions are due in July.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

MOTION FOR SPECIAL MEETING TO AWARD SEWER SRF CONTRACTOR ON APRIL 17TH.

Supervisor Bohjanen stated that today (April 13) was the deadline for bids on the lift station replacement. The contracts will have to be reviewed and submitted to the State for approval by Friday (April 17), which is why he would like the Board to approve a Special Meeting on April 17, 2020 at 10:00 am to award the contract. This meeting will be

Manager DeGroot stated one compliant bid was received by Oberstar, but we will still need to review the bid to make sure it is consistent with our bid package. At the meeting on Friday, there will be a bond amount, a bond ordinance, and a tentative contract award. At this point, unless there is something that presents itself on review, the contract will be awarded to Oberstar. Their bid is within the thresholds that have been talked about. There is some negotiating of price that will occur, as there are some variations that need to be reviewed that may bring the price down. Their listed price was \$3.106 million, but they had some contingencies that could lessen the bill to around \$2.98 million, which brings us under the threshold the Board had talked about of \$3.5 million. The Bond Counsel is finishing up the bond pricing and amortization table. The Bond Attorney is finishing up the bond language and the bond ordinance. This will all be presented at the Friday Board meeting. It is advisable to have the meeting in the morning so that all the information can be submitted to EGLE by their deadline of Friday afternoon,.

Maki moved, Lynch supported to hold a special meeting for the SRF project on April 17, 2020 at 10:00 am. This meeting will discuss the new draft SRF Bond Ordinance review and the potential award of the Contractor contract.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MOTION TO CHANGE THE LANDFILL PERMIT PROCESS

Manager DeGroot stated that staff has been trying to determine what should be done with landfill permits for residents that would like to go to the landfill. With the office being closed, the initial thought was to hand deliver the permit to the residences and wait for the permit to be completed. This is putting our staff at greater risk to COVID-19. After consideration, it was felt that it may be a better option to have residents take their waste to Waste Management Transfer Station. This would be temporary solution, and would only be used until the EO 2020-21 is cancelled.

Zyburt moved, Rhein supported that the landfill process be changed according to the above conversation.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MOTION FOR TEMPORARY HIRING OF SCI CLEANING SERVICES

Supervisor Bohjanen indicated that SCI is a cleaning service that does more of a deep clean, and get to areas we may not be able to get to.

Lynch moved, Zyburt supported that the Township Board empower the Township Manager and the Public Works Supervisor to work with SCI to potentially help in sanitizing the Township Offices once a month for the next three months.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MOTION TO ENABLE TOWNSHIP SUPERVISOR, CLERK, AND TREASURER TO CONDUCT REGULAR ACTIVITIES DURING THE GOVERNOR'S DIRECTIVE ORDER TO "STAY HOME AND STAY SAFE".

Manager DeGroot indicated that the MTA is trying to keep pace with COVID-19. This is an attempt to look at what can be done without a board meeting. This is just another option for rural township to be able to conduct government.

Maki understands that some smaller townships may not have the ability to conduct Zoom meetings, but he doesn't see a problem with this resolution as it is temporary and if full Board approval was required, there would still be the option for the Zoom meeting.

Lynch indicated that he feels there is no need to approve this resolution at this time, as the Zoom meeting seemed to work fine for this meeting.

Lynch moved, Rhein supported to table this resolution at this time.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MOTION TO CANCEL MAY REGUALR MEETING

Manager DeGroot stated that this becomes irrelevant, as the Zoom meeting should meet our needs.

PUBLIC COMMENT - NONE

Zyburt moved, Rhein supported that the meeting be adjourned.

The meeting was adjourned at 6:16 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission; Regular Meeting of 03/16/20, Draft
- B. Information – Chocolay Township Newsletter – March 2020

Max Engle, Clerk

Richard Bohjanen, Supervisor

April 17, 2020

A Regular meeting of the Chocolay Township Board was held on Friday, April 17, 2020 via Zoom. Supervisor Bohjanen called the meeting to order at 10:00 a.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki

STAFF PRESENT: William De Groot, Suzanne Sundell, Brad Johnson

OTHERS PRESENT: George Meister, GEI

APPROVAL OF AGENDA.

White moved, Zyburt supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT – NONE

CONSENT AGENDA - NONE

SUPERVISOR'S REPORT - NONE

CLERK'S REPORT - NONE

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

UNFINISHED BUSINESS – NONE

MOTION TO AWARD LIFT STATION PROJECT CONTRACTOR

Supervisor Bohjanen indicated that there one was contractor bid. There is a recommendation from GEI to accept that bid. Supervisor Bohjanen asked if G. Meister (GEI) had any comments.

Meister stated that they had looked over the bid, and they also talked with Oberstar to make sure they understood the extent of the project.

Zyburt wondered if Meister was surprised that only one contractor bid on this project. Meister indicated they had been hoping to see some others. There had been some interest at the pre-bid meeting. From what he understood, there were a lot of bids coming out in March which may have come into play, along with the fact that because of the scope of the project, it requires a fair amount of subcontractors, and some may not have felt that the job looked as good once you considered in the subcontractors.

White wondered about an anticipated start date. Meister that the argument could be made that this is an essential project, as based on the age of the system, it could be deemed a health and safety issue.

Meister indicated that there is an 8 to 12 week lead time for delivery of parts, but there are other things that can be done to prepare. Oberstar would like to get out there as soon as they can.

Maki questioned the contingency amount that was quoted – according to his math this did not come out.

Steven (Benzinski and Associates) which is the company handling our Bond Account / Fiduciary took this question. The contingency is based on total project cost of \$3,565,000. The Township is limited to a \$3.5 million bond issue, there are funds on hand of \$65,000 to reduce the bond down to the \$3.5 million, therefore the contingency is calculated on the total project cost. Manager DeGroot stated that this is a requirement of EGLE to list the 6% on the entire potential capital drawdown for the bond amount as a ceiling. Steven pointed out that this is a drawdown, so the Township is only borrowing what they need – they do not have to spend the entire amount. Valerie (EGLE) was also online and stated that you only pay back what you use.

Engle moved, Rhein supported that:

**A RESOLUTION TO TENTATIVELY AWARD
A CONSTRUCTION CONTRACT
FOR WASTEWATER SYSTEM IMPROVEMENTS**

WHEREAS, the Charter Township of Chocoday wishes to construct improvements to its existing wastewater treatment and collection system; and

WHEREAS, the wastewater system improvements project formally adopted on April 17th, 2020 will be funded through Michigan’s State Revolving Fund Program; and

WHEREAS, the Charter Township of Chocoday has sought and received construction bids for the proposed improvements and has received a low bid in the amount of \$3,170,990.00 from Oberstar, Inc.; and

WHEREAS, the project engineer, GEI, Consultants, has recommended awarding the contract to the low bidder.

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocoday tentatively awards the contract for construction of the proposed wastewater system improvements project to Oberstar, Inc., contingent upon successful financial arrangements with the State Revolving Fund Program.

Yeas: Bohjanen, Engle, Zyburt, Lynch, White, Rhein, Maki

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by Charter Township of Chocolay Board of Trustees on April 17th, 2020.

BY: Richard Bohjanen, Township Supervisor

Signature	Date
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MOTION TO APPROVE BOND ORDINANCE

Tom (Miller Canfield) walked through some of the major provisions in the ordinance. The Township will issue bonds on the approved dollar amount, which will be established by EGLE. In a drawdown account, you only pay interest on the amount that you have drawn. Once the project is done, they will be able to establish the amount of the project, and that is what the bond payments will be based on.

Under the Revenue Bond Act, the Township is required to have a flow of funds. In the Ordinance, Section 14 establishes this flow of funds. Revenues will come into a receiving fund, and operation and maintenance expenses will be paid first, then a debt service fund is established for payments – principal will be paid annually and interest semi-annually. These are called Junior Lien Bonds

Tom (Miller Canfield) also indicated that it is a requirement of the Revenue Bond Act that the entire ordinance needs to be published in the paper.

Supervisor Bohjanen asked if it would be necessary to have a public hearing. Tom (Miller Canfield) stated no as this was afforded before.

Zyburt moved, Lynch supported that:

A RESOLUTION TO APPROVE THE BOND ORDINANCE

WHEREAS, the Charter Township of Chocolay wishes to construct improvements to its existing wastewater treatment and collection system; and

WHEREAS, the wastewater system improvements project formally adopted on April 17th, 2020 will be funded through Michigan’s State Revolving Fund Program; and

WHEREAS, the Charter Township of Chocolay has sought and received construction bids for the proposed improvements and has received a low bid in the amount of \$3,170,990.00 from Oberstar, Inc.; and

WHEREAS, the Bond Council Tom Colis, Esq., has drafted a bond ordinance compliant with all of the laws pertaining to award an SRF Junior Bond in the amount of \$3,500,000.00.

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay adopts Ordinance NO. 74 a.k.a. Chocolay Township SRF Bond Ordinance.

Yeas: Bohjanen, Engle, Zybert, Lynch, White, Rhein, Maki

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by Charter Township of Chocolay Board of Trustees on April 17th, 2020.

BY: Richard Bohjanen, Township Supervisor

Signature

Date

MOTION TO APPROVE BOND AMOUNT

White moved, Lynch supported that:

**A RESOLUTION TO TENTATIVELY AWARD
BOND AMOUNT**

WHEREAS, the Charter Township of Chocolay wishes to construct improvements to its existing wastewater treatment and collection system; and

WHEREAS, the wastewater system improvements project formally adopted on April 17th, 2020 will be funded through Michigan's State Revolving Fund Program; and

WHEREAS, the Charter Township of Chocolay has sought and received construction bids for the proposed improvements and has received a low bid in the amount of \$3,500,000.00 from Oberstar, Inc.; and

WHEREAS, the Municipal Finance agency, Bendzinski & Co., has recommended a bond sell of \$3,500,000.00.

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay approves the bond amount of \$3,500,000.00, contingent upon successful financial arrangements with the State Revolving Fund Program.

Yeas: Bohjanen, Engle, Zyburt, Lynch, White, Rhein, Maki

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by Charter Township of Chocolay Board of Trustees on April 17th, 2020.

BY: BY: Richard Bohjanen, Township Supervisor

Signature

Date

MOTION TO SUBMIT THE FINAL APPLICATION TO EGLE

White moved, Engle supported that:

A RESOLUTION TO EMPOWER THE SUPERVISOR TO SUBMIT THE PART III APPLICATION TO EGLE

WHEREAS, the Charter Township of Chocolay wishes to construct improvements to its existing wastewater treatment and collection system; and

WHEREAS, the wastewater system improvements project formally adopted on April 17th, 2020 will be funded through Michigan’s State Revolving Fund Program; and

WHEREAS, the Charter Township of Chocolay has sought and received construction bids for the proposed improvements and has received a low bid in the amount of \$3,500,000.00 from Oberstar, Inc.; and

WHEREAS, the Board previously submitted Parts I and II to the Michigan Department of Environment, Great Lakes & Energy.

NOW THEREFORE BE IT RESOLVED, that the Supervisor is empowered to sign and submit the final State Revolving Fund/ Part 41/ Part III application to EGLE.

Yeas: Bohjanen, Engle, Zyburt, Lynch, White, Rhein, Maki

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by Charter Township of Chocolay Board of Trustees on April 17th, 2020.

BY: Richard Bohjanen, Township Supervisor

Signature

Date

MOTION TO AWARD ROAD COMMISSION CONTRACT FOR ROAD WORK 2020

Maki moved, Lynch supported that:

A RESOLUTION TO ENTER INTO A ROAD IMPROVEMENT CONTRACT WITH THE MARQUETTE COUNTY ROAD COMMISSION

WHEREAS, the Charter Township of Chocolay wishes to construct improvements to its existing local road system; and

WHEREAS, the Township residents approved a millage to pay for such improvements; and

WHEREAS, the Township has entered into previous improvement contracts with the Marquette County Road Commission (MCRC); and

WHEREAS, the MCRC has put this years work out for bid and has received a total construction price not to exceed \$360,265.68, and

WHEREAS, the Chocolay Township 2020 Adopted budget for Road Millage #204 is \$365,000.00.

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay approves the Marquette County Road Commission Construction Agreement for the not to exceed amount of \$360,265.68.

Yeas: Bohjanen, Engle, Zyburt, Lynch, White, Rhein, Maki

Nays: None

Abstain: None

Absent: None

I certify that the above Resolution was adopted by Charter Township of Chocolay Board of Trustees on April 17th, 2020.

BY: Richard Bohjanen, Township Supervisor

Signature

Date

ACCEPT THE DRAFT AUDIT AND SCHEDULE THE AUDIT PRESENTATION FOR MAY

Manager DeGroot stated that he had asked Mike Greutz (Anderson Tachman) to present the audit at the May meeting.

Zyburt moved, Rhein supported that the Chocolay Township Board accept the draft audit and schedule the audit presentation for May.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT - NONE

White moved, Lynch supported that the meeting be adjourned.

The meeting was adjourned at 10:32 am .

Max Engle, Clerk

Richard Bohjanen, Supervisor

May 11, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, May 11, 2020 via Zoom. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Rhein moved, Engle supported that the agenda be approved as modified with the addition of Landfill Permits to Unfinished Business.

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – commented on the proposed expenditure of \$17,000 to stabilize along the shore of the Iron Ore Heritage Trail. The money would be transferred from the Safe Roads to School for the Cherry Creek School, and Mulcahey feels this is an inappropriate use of the money. Mulcahey feels that the way the total cost is being split is inequitable. She also feels that it fixes the problem there, but the pushes the problem to other areas.

Bill Sanders, 105 Country Lane – wanted to thank the Township for their work on providing a landfill permit, and for the quick processing of their zoning compliance permit. He feels that the Township has proven they can do this in a safe manner with email and the drop box. He supports the proposed expenditure of the money to stabilize the Iron Ore Heritage Trail.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of April 13, 2020 and Special Meeting of April 17, 2020
- B. Approve First Quarter Consolidated Financial Reports, Revenues and Expenditures.
- C. Approve Bills Payable, Check Register Reports – April 15, 2020 (Check #'s 23940 - 23978, in the amount of \$41,512.90, April 20, 2020 and April 28, 2020 (Check #'s 23979 – 23997 , in the amount of \$24,749.84)and April 30, 2020 (Check #' 23998 – 23999, in the amount of \$13,257.34).
- D. Approve Bills Payable, Special Firefighter Payroll – April 2, 2020 (Check #'s DD718 – DD733 and Federal, State, and MERS for a total of \$2,157.11), Regular Payroll - April 2, 2020 (Check #'s DD734 – DD768 and Check #'s 10924 – 10928, Federal, State, and MERS for a total of \$46,971.45), Regular Payroll – April 16, 2020 (Check #'s DD769 – DD784 and Check #'s 10929 – 10933, Federal, State, and MERS for a total of \$35,990.28), and April 30, 2020 (Check #'s DD785 – DD807 and Check #'s 10934 – 10938, Federal, State, and MERS for a total of \$39,339.79).

- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – March 31, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – April 30, 2020.

White moved, Zyburt supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that the time period to be able to hold online meetings has now been extended through the end of June. Feels the meetings have went well and that the Board should plan on conducting the June meeting online.

CLERK'S REPORT

Clerk Engle stated that the Primary Election is coming up in August. Having a problem with Bureau of Elections on getting a decision on how this election will be run.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – AUDIT PRESENTATION.

Mike Greutz from Anderson, Tackman and Company PLC presented the FY2019 audit. Greutz indicated that there was a clean opinion this year, which means the Township complied with all the General Accepted Accounting Principles. He indicated that this was an unmodified audit. The total net position for the Township is \$10,382,922 (with \$2.9 million from enterprise funds and \$7.4 million from governmental funds). There is a pension benefit this year of approximately \$48,000. In total, the Township increased the bottom line by \$184,000 for the year. The sewer fund had a gain of \$326,000 for the year, but this is due to KBIC prepaying for the sewer connection, and most of the expenses are capitalized and are expensed over the life of the system whereas the revenue is recorded in real time. The only significant deficiency was that Anderson Tackman assists in preparing the financial statements and footnotes, due to the Township not having adequate staffing and / or time to prepare all the information, which is something that is reported every year. There were no other significant issues.

AUDIT ACCEPTANCE

White moved, Lynch supported that the Chocolay Township Board formally accepts the FY 2019 Audit, performed by Anderson, Tackman & Company, PLC, as presented.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

LANDFILL DISCUSSION

Manager De Groot explained that at the last meeting, a motion was brought forth from Brad Johnson, Dept. of Public Works Supervisor, on how the Township would handle landfill permits. The original idea was to take the information to the resident's home, have them filled out, and then gather the money and take back to the Township. This proved to not be a good safety practice for staff. There is now a possibility for those residents that have the ability, to be able to do the permit online.

The daily procedure would be to contact Brad Johnson, who would then contact and request the proper documentation from the resident, and then be able to make the permit available to the resident.

Lynch moved, Maki supported to approve the above procedure.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER EXPENDITURE FOR IRON ORE HERITAGE TRAIL STABILIZATION.

Rob Katona, Trail Specialist, DNR was available to give details on the shoreline erosion. There are along the lakeshore that are eroding. There are a total of seven sites from the Welcome Center going north to the City of Marquette, with four that are considered critical. The Welcome Center site is approximately 110 feet, with 60 feet being considered critical. They are in the process of trying to secure trail grants and looking at local units of government to help. Total cost will be approximately \$200,000.

Maki moved, Zyburt supported that the Chocolay Township Board:

1. Reallocate \$19,000.00 of Capital Funds, Account 401.440.001.972.000 (Cherry Creek Bike Trail) to a new project Iron Ore Heritage Trail Erosion Prevention.
2. From this new project account commits up to \$17,000.00 to the Michigan Department of Natural Resources for the Iron Ore Heritage Erosion Stabilization project.

ROLL CALL VOTE

AYES: Maki, Lynch, Zyburt, Engle, Bohjanen

NAYS: White, Rhein

MOTION CARRIED

SET FISCAL YEAR 2021 BUDGET PRIORITIES.

Zyburt moved, Rhein supported that the Chocolay Township Board set the following priorities and definitions for Staff to start to develop the FY 2021 Budget. The priorities are:

1. Item 4 – Strengthen critical systems and public health
2. Item 7 – Integration with other jurisdictions
3. Item 9 – Sustainability or resilience over time
4. Item 13 – Renewable resources
5. Item 14 – Catalytic opportunity

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

INITIATION OF SUMMER HOURS

Zyburt moved, Lynch supported that the Chocolay Township Board set the Summer 2020 Office Hours as 8:00 a.m. to 4:30 p.m., Monday through Friday, consistent with the Chocolay Township Policy Manual.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MANAGER'S MONTHLY REPORT

1. Green Bay Street Bridge – this has been a Road Commission project for a number of years. At this time, road construction is allowed by the Governor's Executive Order. The project start date is slated for May 18, 2020.
2. Executive Orders – there is now the ability to start opening the government. De Groot has sent the Board a plan to ramp up the office in the next 5 ½ weeks. This will allow to systematically go through areas and see what needs to be addressed for safety. There will be protective screens in the front office, along with stanchions that will keep residents and staff at a safe distance.
3. SRF bond project – after submitting detailed resolutions last week, there is now the administrative ends to do. We are presently in final contract negotiations with Oberstar, and final approval from EGLE. Closing documents for the bond sale should be ready next week. Everything should be final by the week of May 25th, which will allow us to close by June 1st.
4. Fire Hall roof replacement – project is moving forward. We will receive a completely new center roof. We are also negotiating for a metal roof versus a shingled roof so that no one would need to climb. This will be fully funded by our insurance company. Signal Restoration is the primary contractor, hired by MMRMA.

PUBLIC COMMENT - NONE

Zyburt moved, Rhein supported that the meeting be adjourned.

The meeting was adjourned at 6:54 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

A. Information – Chocolay Township Newsletter – April 2020

Max Engle, Clerk

Richard Bohjanen, Supervisor

June 8, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, June 8, 2020 via Zoom. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki

STAFF PRESENT: William De Groot, Suzanne Sundell, Dale Throenle

APPROVAL OF AGENDA.

Rhein moved, Lynch supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT

Judy White, 370 Lakewood Lane – White expressed her concern over the Board approval of the \$17,000 to repair a portion of the Iron Ore Heritage Trail – the residents are already paying a millage for the Iron Ore Heritage Trail. Supervisor Bohjanen indicated that the millage money is marked for operational expenses. White felt the money was marked for trail maintenance and the DNR should not be asking us for additional funds.

Deborah Mulcahey, 633 Lakewood Lane – Mulcahey suggested that when doing the zoom meetings, it would be helpful for the phone number to be posted on the agenda rather than buried in an email. She also feels that during Zoom meetings, members of the Board should be identifying themselves. She questioned the reason for an Assessing Tech – she feels many changes have been made to the Assessor job ranging from pay to hours in office. Mulcahey was also concerned about the GEI Change Order #1 on the lift station rehabilitation requesting additional dollars which results in a 50% increase. On a separate issue, commercial vehicles parking (no license plates) at the Pocket Park on Kawbawgam. She agrees with White on the IOHT money.

Rick Stoll, 1931 M-28 East – had some concerns regarding the Planning Commission. Shoreline erosion has been a problem in the area, and people have been adding rocks and other materials to prevent this erosion. He would like the Township to consider an ordinance requiring a deeper setback for this. People keep building closer for the view, and now the beach is being destroyed. Next item dealt with structures to be built – possibly start with a smaller structure that has the possibility to grow. More than one residential owner on a parcel.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of May 11, 2020.
- B. Approve Revenue and Expenditure Reports – April and May 2020.

- C. Approve Bills Payable, Check Register Reports – May 12, 2020 (Check #'s 24000 - 24020, in the amount of \$18,292.9, May 20, 2020 (Check #'s 24021 - 24036 , in the amount of \$31,092.85),and May 29, 2020 (Check #'s 24037 - 24052, in the amount of \$24,721.44).
- D. Approve Bills Payable - Regular Payroll, May 14, 2020 (Check #'s DD808 – DD823 and Check #'s 10939 – 10943, Federal, State, and MERS for a total of \$35,947.16), and May 28, 2020 (Check #'s DD824 – DD846 and Check #'s 10944 - 10948, Federal, State, and MERS for a total of \$39,041.67).
- E. Approve Treasurer’s Report, Certificates of Deposit and Investment Reports – May 31, 2020.
- F. Approve Treasurer’s Report, Fund Withdrawal and Deposit Report – May 31, 2020.

Lynch moved, Engle supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

Maki had questions on Check #24026 – Marquette County for \$4,913.82 – this was for the Waste Treatment. Check #24025 – Konica Minolta for \$4,075.80 – this was a catch-up bill – change in their billing system

Check #24033 – State of Michigan for \$800.00 – this is part of the SRF – this check is on hold.

SUPERVISOR’S REPORT

Supervisor Bohjanen reported that the 2020 Census is now going door to door.

CLERK’S REPORT

Clerk Engle reported on elections. He will be going over the budget, partly due to COVID – will be purchasing new voting booths for social distancing. Other items playing into the budget are absent voter applications and mailings. Also looking at purchasing face shields for the election workers, along with gloves, hand sanitizer, and cleaning supplies. Clerk Engle will be bringing a better cost estimate to the Board in July. We will be getting a reimbursement for over \$8,000 from the State of Michigan for the March election.

TREASURER’S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

MOTION TO MOVE MCOLES POLICE TRAINING FUNDS FRM GENERAL FUND TO POLICE TRAINING.
Lynch moved, Engle supported that the Chocolay Township Board move funds in the amount of \$287.32 from General 401.543 to Police Training 401.306.957.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

APPOINT LARRY GOULD TO THE BOARD OF REVIEW

Maki moved, Rhein supported that the Chocolay Township Board formally appoints Mr. Larry Gould as an Alternate to the Board of Review.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MOTION FOR FIRE CHIEF ELECTION

Maki moved, Zyburt supported that the Chocolay Board of Trustees concur with the Township Manager and the Fire Rescue Department Members in recognizing Lee Gould as the Fire Chief for another two-year term.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

GEI CHANGE ORDER #1

Supervisor Bohjanen indicated that this job is an engineering function, but not part of the engineering function that was contracted for in the beginning. He indicated it was a large amount of money, but it is a big project, and the Township needs to have it done right for the health, safety, and welfare of its residents.

Lynch indicated that he felt that the services that are included in this amount are actually required, and we would not want to get part of the way through this, and then find larger problems down the road – he is in support of the Change Order.

Maki asked about the billing process. Manager De Groot indicated that this was on a time and materials basis, as a not to exceed amount. The estimate is based on the worst case scenario. It is anticipated that the Public Works department and Manager will be heavily engaged in this process. There is some oversight that needs to be done.

Zyburt moved, Engle supported that the Chocolay Board of Trustees approve GEI Change Order #1 for the finalization of design fees and increase the daily construction management from part-time to full-time during the construction phase of the Sewer Improvement Project.

This change order increases the total value of the contract from \$227,501.00 to \$339,501.00. This addition will be funded by the Sewer Fund.

ROLL CALL VOTE

AYES: Maki, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: White

MOTION CARRIED

MANAGER'S MONTHLY REPORT

1. Indicated we will be 6 months through the fiscal year – the Board will be seeing the full spread of reports. Staff will also be bringing forth Budget Amendments, mostly in the sewer fund. In the 2020 Budget, there was an amount of \$1.4 million allocated from the General Fund to the Sewer Fund as the loan for the construction process. As we are now going with the SRF project, we will be returning a bulk of those funds. We will retain some funds in that line item to close out the SRF billing and the project kick-off start, of approximately \$400,000.
2. Will be working with the Clerk's Department to finalize Budget Amendment for July. As we become more proficient in our budgeting process, so are looking at doing these on a quarterly basis, rather than at the end of the year.
3. In July, we will present a response to the Board on the priorities they have set forth, and start laying out the decision-making process that the departments will be going through. This will be an opportunity for the Board to look at how the differentiation will be set between Capital Projects moving forward.
4. SRF Project is nearing its administrative conclusion. Should have final closing documents from EGLE by the end of the week. This sells the bonds from the State and does allow the State to open up the allocation for EGLE to eventually draw down, which will enable us to eventually start billing EGLE. There are also signed contracts with Oberstar as the award winner to start the construction process. This allows Oberstar to move forward with the ordering of equipment. The two large items that take a long lead time are the onsite generators for each lift station and the lift stations components (grinder pumps, pumps, enclosures). These take from 8 – 12 weeks of lead time. A letter will be sent to residents within 300' of the lift stations to let them know that this will be a construction project this summer and would hope to have the project substantially completed by November.
5. Roof Repair on Fire Hall – Gundlach Champion is the award winner for MMRMA to replace the roof. They have started taking down the shoring inside the Fire Hall and will be starting the demolition of the main roof and main bay later this month. There is no final construction timeline yet. Signal Construction will be onsite later this week, and we hope to have an update to the timeline in July.
6. De Groot will also be bringing a Budget Amendment to the Board in July on the allocation of 2% funds. There is also a grant application that has been applied for to replace the current brush truck.

White asked about the offices being closed – she was under the assumption that it is by appointment only – it does not reflect that on the Township Sign. De Groot indicated that we are open only by appointment at this time.

Rhein questioned there had been consideration of a metal roof on the firehall. De Groot indicated that because of manufacturing / supply issues there may not be availability for a job this large.

Supervisor Bohjanen asked about the July meeting and how the Board would like to conduct – Zoom or in person. Manager De Groot indicated that it is possible to set up the room for this. Clerk Engle indicated it could be difficult to understand each other with the order to wear a mask, along with the 6-foot social distancing. Supervisor Bohjanen asked if anyone is opposed to another month of Zoom.

Engle moved, Zyburt supported to schedule the meeting for July 13 via Zoom.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

Rick Stoll, 1923 M-28 East – would like to reemphasize his findings on soil erosion. The Township needs an ordinance to protect the whole shoreline.

Supervisor Bohjanen indicated that the Planning Commission will be reviewing the Ordinance over the next few years.

Zyburt moved, Lynch supported that the meeting be adjourned.

The meeting was adjourned at 6:34 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting, February 20, 2020 Final
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting, April 16, 2020, Final
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of May 20, 2020, Draft.

- D. Minutes – Marquette County Solid Waste Management Authority, Stockholder’s Meeting of May 20, 2020, Draft.
- E. Information – Chocolay Township Newsletter – May 2020.

Max Engle, Clerk

Richard Bohjanen, Supervisor

July 13, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, June 13, 2020 via Zoom. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT – NONE.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of June 8, 2020.
- B. Approve Revenue and Expenditure Reports – June 2020.
- C. Approve Bills Payable, Check Register Reports – June 11, 2020 (Check #'s 24053 - 24073, in the amount of \$29,359.34, June 25, 2020 (Check #'s 24074 - 24100 , in the amount of \$29,011.28), June 26, 2020 (EFT #1, in the amount of \$1,426.52), and June 30, 2020 (Check #'s 24101 – 24113, in the amount of \$4,328.52).
- D. Approve Bills Payable - Regular Payroll, June 11, 2020 (Check #'s DD847 – DD862 and Check #'s 10949 – 10953, Federal, State, and MERS for a total of \$34,221.83), and June 25, 2020 (Check #'s DD863 – DD892 and Check #'s 10954 - 10958, Federal, State, and MERS for a total of \$40,199.58).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – June 30, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – June 30, 2020.

Zyburt moved, Engle supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen reported that the census is progressing. Encouraged everyone to make sure they had filled out the census material.

CLERK'S REPORT

Clerk Engle reported that absentee ballots have been sent out, and are now coming back on a regular basis.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

CONSIDER SEWER ORDINANCE PUBLIC HEARING

Engle moved, Rhein supported that the Chocolay Township Board schedules a public hearing to consider the new Chocolay Township Wastewater Collection System Ordinance.

There was Board discussion on things such as accidental discharges, notification of residents in the sewer district regarding the public hearing, timing of when the ordinance would need to be in place.

Since it was anticipated that the Ordinance be in place when we take possession of the new sewer system, this would be late October to early November.

After discussion, Engle amended his prior motion to read:

Engle moved, Rhein supported that the Chocolay Township Board schedule a public hearing **at the next regular meeting in August** to consider the new Chocolay Township Wastewater Collection System Ordinance.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER NEW SEWER RESIDENTIAL EQUIVALENT RATE TABLE

Lynch moved, Zyburt supported that the Chocolay Township Board approves staff recommendation to adopt the Residential Equivalent user chart that was performed by GEI Consultants.

MOTION WITHDRAWN

There was some discussion on not having the current rate chart to compare the new numbers to. Manager De Groot indicated that if the Board chose to table this item, the needed information could be provided.

Zyburt moved, Lynch supported to table discussion of the new sewer residential equivalent rate chart until the August meeting.

MOTION CARRIED

CONSIDER FIRE DEPARTMENT TO PURCHASE UP TO \$5,000.00 PPE BY UTILIZING AN MDNR GRANT
Zyburt moved, White supported that the Chocolay Township Board authorizes the Township Manager to work with the Fire Chief to accept the grant, order the necessary protective equipment in accordance with the grant application, and draw the funds from the Fire Department’s Capital budget line item 341.957.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER ELECTION DEPARTMENT BUDGET AMOUNT

ELECTIONS DEPARTMENT BUDGET AMENDMENT - RESOLUTION

White moved, Rhein supported:

Whereas...Charter Township of Chocolay has a federal requirement to hold local elections, and

Whereas...the State Board of Elections has mandated changed to how local elections will be held to conform with COVID-19 health standards, and

Whereas... the Township has to amend the Elections Department Budget to comply with the General Appropriations Act, and

Whereas... the projected amount of the budget amendment is \$9,500.00 and reflects the best estimate to complete the next two elections:

Now Therefore Let it be Resolved...The Township Board increase the Elections Budget by \$9,500.00 through this budget amendment. The additional revenue will be allocated from the following accounts:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
EXPENDITURE			
Election			
Per Meeting Compensation			
101.190.710	\$11,400.00	\$ 5,800.00	\$ 17,200.00
Postage			
101.190.729	\$ 5,000.00	\$ 1,500.00	\$ 6,500.00

Office Supplies			
101.190.752	\$ 5,700.00	\$ 1,700.00	\$ 7,400.00
Equipment Maintenance	\$ 1,500.00	\$ 500.00	\$ 2,000.00
Other General Government			
Contingency			
101.285.951	\$ 20,000.00	\$ (3,700.00)	\$ 16,300.00
Salary / Benefit Contingency			
101.285.952	\$ 32,500.00	\$ (5,800.00)	\$ 26,700.00

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zybert, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER FUND AND GENERAL FUND AMENDMENT TO ACCOUNT FOR THE SRF SEWER AWARD

Lynch moved, Zybert supported:

Whereas...Charter Township of Chocolay has fiduciary responsibility to recognize changes in revenue and expense, and

Whereas...the Township was awarded a Bond in the amount of \$3,500,000.00 to pay for the reconstruction of a sewer improvement project, and

Whereas... the Township no longer needs the full allocation of \$1,103,000.00 reflected in the budget, and

Whereas... the Township must amend the Sewer Fund Budget to comply with the General Appropriations Act, and

Whereas... suggested changes are reflected in the attached issue brief and comply with Government Finance Officers Association (GFOA) guidelines and the General Appropriations Act:

Now Therefore Let it be Resolved...The Township Board amend the Budget to reflect the SRF Bond Award and the reallocation of the Sewer Fund to comply with the new revenue and expense lines required to receive and dispense the Bond funds.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zybert, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER A CHANGE ORDER #1 FOR THE SRF SEWER PROJECT

Engle moved, Lynch supported that the Chocolay Township Board authorizes the Township Supervisor to enter into a Change Order #1 agreement with Oberstar Inc., for the upgrade in Weather Resistant Lift Station Enclosures, in-field electronics, and additional safety fixtures at each lift station and grinder pump location totaling \$159,673.30, itemized by the Change Order Request form hereby attached.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER GEI SPECIAL INSPECTOR

Manager De Groot stated that the Marquette County Building Codes asked that because of the span of the trusses, there needs to be an independent special inspector. MMRMA will cover this expense.

Zyburt moved, Lynch supported authorizing the Township Supervisor to enter into a contract with GEI Associates for the independent review and truss placement as defined and in accordance with the Michigan Building Code. This cost will be reimbursed by the Michigan Municipal Risk Management Authority as part of the insurance coverage and reconstruction project.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – would like to make comment concerning Items XXII.A and XXII.B. She feels the Township should deal with the rates first, and then the ordinance. Mulcahey has strong objections to the rates. She feels the rates are discriminatory and should go by types (residential, commercial, industrial, etc) rather than by unit fees. Asked that the Township not set fees until there is public input. Mulcahey also had a couple concerns on the sewer ordinance and how it reads: Division 11 – is this referring to City of Marquette or Chocolay Township. She also feels that pretreatment is an issue.

White moved, Lynch supported that the meeting be adjourned.

The meeting was adjourned at 6:25 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of June 15, 2020, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting, May 21, 2020, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of June 17, 2020, Draft.
- D. Information – Chocolay Township Newsletter – June 2020

Max Engle, Clerk

Richard Bohjanen, Supervisor

August 3, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, August 3, 2020 via Zoom. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, David Lynch, Judy White, Don Rhein, Max Engle (joined at 5:40 pm), Mark Maki (joined at 5:40 pm)

ABSENT: Ben Zybert (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – had four issues she wanted to discuss. (1) Alteration of agenda prior to meeting. (2) feels the Manager's Report should be a written report which would allow the public to be better informed. (3) XII.D – the REU tables - the background information that was requested at the last meeting was not present in the packet. (4) Assessor contract extension – she is opposed to this. She stated this was not a reflection on the assessor. She was concerned about the changes that have occurred with the assessor and questioned what the Township really needs. Was also concerned about integrity.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of July 13, 2020.
- B. Approve Revenue and Expenditure Reports – July 2020.
- C. Approve Bills Payable, Check Register Reports – July 13, 2020 (Check #'s 24114 - 24136, in the amount of \$22,851.42), and July 23, 2020 (Check #'s 24137 - 24163, in the amount of \$19,250.49).
- D. Approve Bills Payable - Regular Payroll, July 9, 2020 (Check #'s DD893 – DD927 and Check #'s 10959 - 10963, Federal, State, and MERS for a total of 49,886.34), and July 23, 2020 (Check #'s DD928 – DD964 and Check #'s 10964 - 10968, Federal, State, and MERS for a total of \$40,791.12).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – June 30, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – June 30, 2020.

White moved, Rhein supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zybert

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated he will be running for another term as Supervisor.

CLERK'S REPORT

Clerk Engle reported that the precincts are set up – there will be social distancing. If a voter refuses to wear a mask, they will be able to either vote Absentee or vote in the lobby and be taken to the tabulator to run the ballot through. We are not able to force anyone to wear a mask. There have been 1,769 ballots issued, with 1,377 received back at the Township and 392 still out. This puts us at 78% which is a lower percentage than normal. This is due to the different age group, as before Absentees were 60+ years of age, and now Absentee voting is open to everyone.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

CONSIDER SEWER ORDINANCE PUBLIC HEARING

White moved, Lynch supported that the Chocolay Township Board schedules a public hearing to consider the new Chocolay Township Wastewater Collection System Ordinance for the regular Board meeting on September 14, 2020 at 5:30 pm.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

CONSIDER DRAFT REU TABLE

Lynch moved, Rhein supported that the Chocolay Township Board table the recommendation to adopt the Residential Equivalent User Chart until the Board meeting in September.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

CONSIDER PETER WHITE LIBRARY MILLAGE BALLOT LANGUAGE

White moved, Rhein supported the following resolution:

WHEREAS, the Peter White Public Library (“Library”) is a library originally organized under 1891 Act 254; and

WHEREAS, the Township contracts with the Library to provide library services to Township residents; and

WHEREAS, in support of the library services contract, the Township desires to levy a renewal of 1.0 mill, as reduced to a 0.9907 mill by required millage rollbacks, for a period of three (3) years, 2021 to 2023 inclusive, for the purpose of providing library services to the residents of the Township; and

WHEREAS, the Township Board has determined that placing the millage request on the ballot at the November 3rd, 2020 election is in the best interests of the health, safety and welfare of the Township residents.

Now Therefore Be it Resolved: that the Chocolay Township Board approves the attached ballot language for the Peter White Library Millage Renewal to be placed on the November Ballot locally within the Township.

Now Therefore be it further Resolved: that the Township Board approved the placement of the attached question on the November 3rd, 2020 ballot for the purpose of asking our residents the millage question.

Finally, it is further Resolved: that the Township Clerk is authorized and directed to submit a certified copy of this resolution with the approved ballot language to the Marquette County Clerk for inclusion in the November 3rd ballot.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

RESOLUTION ADOPTED

CONSIDER JOINING STATE OF MICHIGAN PROCUREMENT PROGRAM (MIDEALS)

Lynch moved, Rhein supported that the Chocolay Township Board approve the joining of MiDeals, the State of Michigan Procurement center for the next two years.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

CONSIDER A REVENUE BUDGET ADJUSTMENT FROM GENERAL RESERVES TO GENERAL REVENUE

White moved, Lynch supported the following resolution:

Whereas: The Township has been selling trash bags to the public since middle of last year as part of a conversion from tags to bags per the Waste Management contract;

Whereas: The Township pass through all revenues from the sales of these bags to Waste Management;

Whereas: The Township must comply with the revenue funding required to estimate the proper levels of pass through revenues for each fiscal year as required by generally accepted accounting principles;

Whereas: Township staff did not have enough information to track the proper amount of revenue required for this program;

Whereas: The proper amount of annual pass through revenues should be a total of \$30,500.00;

Whereas: The current General Fund revenue has allocated on \$5,500.00;

Now therefore let it be resolved: That the Chocolay Township Board of Trustees approve the movement of \$25,000 from the General Fund Reserves to the General Fund Revenue in order to properly recognize the revenues received for the sales of trash bags for the fiscal year of 2020.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

RESOLUTION ADOPTED

CONSIDER ASSESSOR CONTRACT EXTENSION

There was considerable discussion by the Board on this subject. There were questions from the Board regarding hours of the assessor, availability to the public, the need for the contract to be more specific in certain areas, duties, monthly / quarterly progress reports, mileage (needs to be spelled out), and the need for more accountability by the assessor to the Board.

Maki questioned if 20% of the properties were completed in 2019. Supervisor Bohjanen stated he did not. Mark also stated that legally the contract cannot extend beyond the term of office of the Board members.

Maki suggested that a committee be set up to fine tune the contract as there have been questions raised that need to be spelled out.

White questioned what happens if the Board does not extend the contract. Supervisor Bohjanen indicated that unless the Board terminates the contract it would be extended for another year.

Maki moved, Rhein supported to table the Assessor Contract discussion for a revised document which would detail hours, duties, and reporting to Board.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle

NAYS: Bohjanen

ABSENT: Zyburt

MOTION CARRIED

The issue was brought up as to what the next step would be. Rhein suggested that since the contract has now been extended for another year, that the Board should wait until after the election, and then go forward with appointing a committee to go over the contract for review.

Rhein moved, Lynch supported that the review of the Assessor's contract would be placed on the agenda for the first meeting after the November election with the new Board.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

CONSIDER EXEMPTION PROCEDURES

Maki moved, Lynch supported that the Chocolay Township Board approve the written audit procedures attached to comply with the requirements from the State Tax Commission.

Audit Procedures for Granting or Removal of Real Property Exemptions

The Township of Chocolay Assessing Department, headed by the Township Assessor, is charged with locating, identifying and valuating all taxable real property and personal property within the Township of Chocolay in order to provide a fair and equitable basis for taxation.

The assessing office maintains descriptions of real property, maintains maps showing the ownership and tax districts for the Township, and processes property tax exemptions.

Property tax exemptions are granted based on three elements:

- (1) Property ownership,

(2) Property use, and

(3) Statutory definition

Taxpayers receiving an exemption may be required to apply through the assessing office or other designated office. Michigan State Law includes a range of mandatory exemptions and optional exemptions available for residential, commercial, and industrial property.

The assessing office conducts annual reviews and maintains information for those properties that are exempt from taxation to determine whether such properties continue to qualify for an exemption. The annual review of exemptions ensures that properties are correctly assessed and validates the ownership and usage of the properties; some mandatory exemptions were not reviewed since the assessing office has no option but to grant the exemption.

Active monitoring of changes to recorded title, public information review, and periodic field inspections are included as part of the annual review of exempt property. The primary elements of an exemption determination are based on the ownership and use of the property depending on the type of exemption.

Assessing staff **reviews** property ownership as part of the first consideration for an exemption determination. Secondly, assessing staff confirms that the property is in use for nonprofit exempt purposes. In the case of senior citizen, disabled veterans and residential exemptions, there are specific requirements related to occupancy and other criteria related to each exemption.

Assessing staff annually reviews exemption determinations employing four elements depending on the type of exemption.

- First, all property ownership records are monitored to confirm continuance of ownership to the exempt entity or person through review of ownership records held at the Marquette County Register of Deeds.
- Second, annually staff inspects over 5% of properties throughout the Township of Chocolay and notes any changes to exempt properties for review.
- Third, the division monitors public information concerning exempt properties and owners.

- Finally, division staff conducts annual reviews of exempt property for ownership and use conformance to exemption programs to include cross reference to the Township of Chocolay Records, public information reviews (business licenses, articles of incorporation, web sites and periodicals), and property inspections.

The Assessing office also strives to maintain exemption files with sufficient documentation to support the decision to grant the exemption. For example, religious exemption files need to include copies of articles of incorporation, Internal Revenue Service determination of nonprofit status, usage statement, contracts for use of the property by other than the applicant organization, and financial disclosures.

Exemption records are maintained in two ways. The primary system is the Assessing.NET computerized data system that retains information regarding ownership, location, physical description, inspection dates, staff comments, and exemption status. This system is generally adequate and contains sufficient data to administer the exemptions.

The second data system is a paper file system that includes the original application and the documents and correspondence that supports the exempt status. The primary source for documenting an exemption is the paper application that is submitted along with supporting documentation.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

MANAGER'S UPDATE

1. Fire Hall project – the roof is slowly coming off. They will be starting to build on the ground a system of five trusses completed with the plywood sheeting on the top. When these are complete, they will be lifted by crane in five truss sections from front to back, with a total of 72 to be lifted this way. Completion is still on schedule for mid-September. There have been no changes or overruns so far. The MMRMA is still proceeding with legal proceedings. No updates as yet.
2. Sewer project – we are in the submittal stage. All the electrical and construction submittals have gone to the engineers. Letters have been mailed to adjoining property owners. Mid-October is target for most of the construction to be final.

Maki asked about the letter in the packet on the horses on the beach. Manager De Groot has talked with Chief Jennings and is not sure we have the authority to enforce in that area.

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – regarding the assessor contract, she would suggest that Trustee Maki be included in the committee, along with a community member and a staff member. She expressed her concern on the erosion issues at the turnouts. Many residents use the turnouts for access to the lake.

Lynch moved, Rhein supported that the meeting be adjourned.

The meeting was adjourned at 6:48 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocoday Township Planning Commission, Regular Meeting of July 20, 2020, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting, June 18, 2020, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of July 15, 2020, Draft.
- D. Correspondence – Concerned Citizens who want Sanitary Beaches.

Max Engle, Clerk

Richard Bohjanen, Supervisor

September 14, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, September 14, 2020 via Zoom. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Rhein moved, Zyburt supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – Item XII.A - does not support the use of reserve funds for gravel road improvement. Item XII.D – does not support the office hours to be less friendly by cutting the workday – need to consider the needs of the public. Item XII.C – Manager as Personnel Administrator – as it is right now, this is a mess – when complaints are made not able to determine who the boss is based on conflicting interpretations in different documents. Item XII.E – open burning – was written in regard to structural buildings being combustible materials. Pointed out that dune grass is also a combustible material. The issue here is enforcement. Have to look at the intent of the ordinance.

Barney Banton, 148 Poplar Trail – lives at the end of Poplar Trail – disagrees with previous speaker – has been paying taxes. Lives on a County Road, and even though it's gravel, they do require maintenance. This is a safety hazard.

Mark Maki, Board Member – questioned who Kendra was on the screen. Supervisor Bohjanen indicated that she is a candidate for Board Trustee.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of August 3, 2020.
- B. Approve Revenue and Expenditure Reports – July and August 2020.
- C. Approve Bills Payable, Check Register Reports – July 30, 2020 (Check #'s 24164 - 24174, in the amount of \$9,334.98), August 6, 2020 (Check #'s 24175 – 24191, in the amount of \$5,575.00), August 20, 2020 (Check #'s 24192 – 24213, in the amount of \$23,430.78, August 21, 2020 (Check #'s 24124 – 24125, in the amount of \$44,000.00), and August 25, 2020 (Check #'s 24216 - 24223, in the amount of \$6,635.00).
- D. Approve Bills Payable - Regular Payroll, August 6, 2020 (Check #'s DD965 – DD981 and Check #'s 10969 - 10973, Federal, State, and MERS for a total of \$34,770.31), and August 20, 2020

(Check #'s DD982 – DD1029 and Check #'s 10974 - 10978, Federal, State, and MERS for a total of \$42,154.78).

- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – August 31, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – August 31, 2020.

Zyburt moved, Lynch supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that there are two items that will require public hearings – the 2021 Budget and the Sewer Ordinance. Since the emergency declaration had not been lifted, it is not feasible to have the hearing at the Township Hall.

Manager De Groot stated that he had checked with Pastor Kevin at Silver Creek Church, and they would be able to hold a larger crowd. Drive-thru public comment was also tested from Lions Field and Beaver Grove through an audio link. This would be staffed.

Supervisor Bohjanen also suggested that the church might work better so all can hear the comments being presented. All the Board members

Rhein moved, Lynch supported that the October 12 regular meeting and public hearing for the 2021 Budget be an in-person meeting at Silver Creek Church.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CLERK'S REPORT

To date, 2,117 absentee ballot applications have been mailed out. Of those, 1,942 have been received back in the office. Ballots are expected to be in on September 17th or 18th. There are 16 military and overseas civilian applications. Target date to have ballots out is end of September.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING - NONE

PRESENTATIONS – NONE

CONSIDER POPLAR TRAIL GRAVEL AND GRADING RE-EVALUATION

Manager De Groot stated that this came before the Board at the end of last year. Gravel roads were not a part of the Asset Management Plan, so an alternate plan was needed. The amount needed was not in the budget, so it would be drawn from reserves. This happened at the end of last years construction season and was never completed.

Maki moved, White supported that the Chocolay Township Board approve the use of General Fund Reserve to enter into a contract with the Marquette County Road Commission for the improvements to Poplar Trail itemized in a not to exceed cost of \$10,964.66.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER SURPLUS VEHICLE AND EQUIPMENT AUCTION

Lynch moved, Rhein supported that the Chocolay Township Board approve Staff to auction surplus police vehicle and two lawn mowers.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER MANAGER RESPONSIBILITIES AS PERSONNEL ADMINISTRATOR

Supervisor Bohjanen stated that there is some confusion on what the Manager’s responsibilities actually were when it came to Staff.

As chair of the Personnel Committee, White indicated that she regrets this was overlooked, and fully agrees that the Manager should be the Personnel Administrator for day-to-day activities.

Lynch moved, White supported that the Chocolay Township Board formally recognize the Township Manager as the Personnel Administrator and require that all policies and ordinances be updated reflecting this responsibility.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER KEEPING TOWNSHIP OFFICE HOURS CONSISTENT THROUGHOUT THE YEAR

Supervisor Bohjanen indicated that the Manager believes that the hours of the Township should be consistent. Rhein suggested that possibly there be one day per week, such as 9:00 am to 5:30 pm.

Manager De Groot will look into this -

Lynch moved, Rhein supported that the Chocolay Township Board table the issue of office hours until it is further reviewed.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER OPEN BURNING ORDINANCE CLARIFICATION

Lynch moved, Engle supported that the Chocolay Township Board request the Supervisor to work with the Police Chief, Fire Chief, and Manager to draft an amendment to the open burning ordinance clarifying the “combustible materials” item referenced in Section 7.h and present that to the Board for consideration.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER PUBLIC HEARING FOR THE FISCAL YEAR 2021 BUDGET

This item was covered under “Supervisor’s Report”.

Lynch moved, Engle supported to change the location of the October 12, 2020 meeting from the Zoom platform to Silver Creek Church.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER ENABLING SUPERVISOR AND CLERK THE TASK OF SIGNING AN ADDENDUM TO THE MERS DEFINED BENEFIT

Zyburt moved, White supported that the Chocolay Township Board empower the Township Supervisor and the Clerk to sign on behalf of the board, an amendment to the MERS Defined Benefit plan changing the status of the assessor within the plan.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER PERMITTING THE FIRE CHIEF AND THE MANAGER TO DRAW DOWN THE VOLUNTEER FIRE ASSISTANCE GRANT TO THE CAPITAL FUND FOR THE MATCHING OF FIRE PERSONAL PROTECTIVE EQUIPMENT

Lynch moved, Rhein supported that the Chocolay Township Board empower the Township Manager and Fire chief to draw down grant awarded funds from the Fire Department's Capital budget line item – 401.341.957.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER AMENDING THE AGENDA TO ADD: BOARD DISCUSSION – FUTURE AGENDA ITEMS

White moved, Lynch supported that the Chocolay Township Board amend the regular Township Board Agenda to include a new section "Board Discussion – Future Agenda Items" directly after New Business.

ROLL CALL VOTE

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MANAGER'S UPDATE ON THE SEWER LIFT STATION PROJECT AND THE FIRE HALL PROJECT

1. Fire Hall project – trusses are going up, but there are still mild delays due to COVID and the construction industry. Not able to get the shingles that will match the existing color. To stay on schedule, the shingles will be black. Roof should be on within the next month. The entire roof will be redone in the black shingles.
2. Sewer project – construction materials and parts for the grinder pumps are on schedule. The lead time for the lift stations and buildings is 16 – 20 weeks, which puts it into February. The grinder pumps will be replaced this year, and we are looking at a spring start for the lift stations. Will need a construction meeting with EGLE to extend permits. Will be sending a report out to the Board (along with being in the next Board packet) on extension within the contract, and what EGLE will require.

PUBLIC COMMENT

Barney Banton, 148 Poplar Trail – thanked the Board for considering Poplar Trail.

Kendra Symbal, 100 Aspen Drive - would the Board consider asking the constituents about what the hours should be. Also wondered when the email list will be running.

Mark Maki, Township Board – lack of zoning enforcement on US 41. Request information on zoning on M-28 by Casino – rezoned commercial – would like to see the map. Last time the map was updated was 2015. Feels if he can't get answers as a member of the Township Board and Zoning Board of Appeals, then how does the general public get answers.

Lynch moved, Engle supported that the meeting be adjourned.

The meeting was adjourned at 6:28 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of August 17, 2020, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting, July 16, 2020, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of August 19, 2020, Draft.
- D. Information – Chocolay Township Newsletter – July 2020
- E. Information – Chocolay Township Newsletter – August 2020
- F. Correspondence – Municipal Group Dividend Check
- G. Correspondence – Elizabeth Delene, 232 Kawbawgam Road
- H. Correspondence – Mark Maki, Chocolay Township Trustee

Max Engle, Clerk

Richard Bohjanen, Supervisor

October 12, 2020

A Regular meeting of the Chocolay Township Board was held on October 12, 2020 at Silver Creek Church, 216 Silver Creek Road. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – would like to incorporate her comments regarding the budget along with other public comment. Has concerns with the Assessing contract that she feels need to be dealt with instead of proceeding forward. At the last meeting Supervisor Bohjanen and Clerk Engle had been given authority to sign something in regard to the contract. Has concerns with the budget that address inclusion / non-inclusion. We have programs for our residents that are 65 and older, but nothing for the 18 and younger residents. Discussed the drug problem in the UP, and talked about Chippewa County’s “Hope not Handcuffs” program to make the police more community friendly. Feels the Board also needs to look at the police budget very carefully – especially the “e-bike” to be used to patrol the Iron Ore Heritage Trail. Unaware of issues on the trail.

Mark Maki, Board Member, 3027 M-28 – asked D. Mulcahey what she had talked about at the beginning of her comments – the Assessing contract. She again addressed the needs that she feels need to be dealt with. Also, the authority to sign given to the Clerk and Supervisor – this had to do with the MERS pension information.

Mark Maki, Board Member, 3027 M-28 – sent a letter to Manager on August 6, 2020 addressing the Assessing contract. He feels that after the contract was approved by the Board, the attorney changed the contract and it was never brought back to the Board. He also had a letter that he asked to be included in the September correspondence – it was not included in packet, but showed up on the website as addendum after the meeting. Two issues he addressed in the meeting were that the contract had been changed to allow for renewal in August, with only that meeting to change and discuss it. Also wonders what happens if the contract is not met.

Judy White, Board Member, 370 Lakewood Lane – spoke about the police patrolling on the Iron Ore Heritage Trail – she has no idea on why the police need to patrol. She has never had a problem on it.

Kendra Symbol, 100 Aspen Drive – does not live along Lakewood Lane, but has experience on seeing things of concern on the trail – especially in the Rock Cut area – feels there are some areas that should be of concern.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of September 14, 2020.
- B. Approve Revenue and Expenditure Reports – September 2020.
- C. Approve Bills Payable, Check Register Reports – September 4, 2020 (Check #'s 24224 - 24246, in the amount of \$26,909.00), September 16, 2020 (Check #'s 24247 – 24271, in the amount of \$29,071.84), September 25, 2020 (Check #'s 24272 – 24292, in the amount of \$11,385.88), and September 30, 2020 (Check #'s 24293 – 24304, in the amount of \$50,234.87).
- D. Approve Bills Payable - Regular Payroll, September 3, 2020 (Check #'s DD1030 – DD1048 and Check #'s 10979 - 10983, Federal, State, and MERS for a total of \$36,091.64), and September 17, 2020 (Check #'s DD1049 – DD1071 and Check #'s 10984 - 10988, Federal, State, and MERS for a total of \$37,494.08). **Moved to XI. Unfinished Business**
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – September 30, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – September 30, 2020.

Rhein moved, Zyburt supported to approve the Consent Agenda as presented.

Make moved, Rhein supported that *Item D. Bills Payable – Regular Payroll* be removed for discussion. This will be moved to Item XI. Unfinished Business.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that the last meeting for the current Township Board will be November 9, 2020 with the new Board terms starting on November 20, 2020 at 12:00 PM. Board members will need to be sworn in before that date.

Also addressed the format for meetings – Supervisor Bohjanen stated he has enjoyed the ability to have the in-person format for this meeting. As things stand, the next meeting can be in the Township Hall, as the capacity is limited to 20 people. Manager De Groot indicated that after speaking with Roger Zappa, there is currently not the ability to have electronic meetings per Open Meetings Act law. The only allowable way to hold an electronic meeting is to do so because of a

member being in the military. De Groot also addressed the Health Department regulations regarding capacity.

CLERK'S REPORT

Clerk Engle discuss the Absentee Voters – we currently have 5,134 register voters, with 2,605 in Precinct One and 2,529 in Precinct Two. The Clerk's department has issued 2,306 ballots, with 1,004 of those being returned thus far.

Clerk Engle also discussed the rumors going around on social media – there is absolutely no way that a person who has received an Absentee Ballot would be able to vote in the precinct. The absentee ballot would need to be rejected before the resident would be able to vote in person. This must be in writing and signed by the voter.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT - NONE

ZONING BOARD OF APPEALS REPORT - NONE

PUBLIC HEARING – ANNUAL BUDGET PRESENTATION AND HEARING

Manager De Groot stated that the Budget preparation had started in February, with the priority being consistency with the Master Plan, Board Priorities, and transparency to the public. At the time, the draft budget has been posted on the website for approximately 2 months.

De Groot went over the Budget book. He explained that there is a method – there is a workbook that is attached to the summary report. The reason for the summary budget is that the Board does not approve a line budget, but rather an appropriations budget.

This will reduce time with our auditor. Also, it enables monthly summaries to the Board. There are also line items for capital purchases.

Manager De Groot explained the wage increase – cost of living this year is 1.5%, and he is also recommending a 1.5% merit raise this year. Financial impact of this is \$10,000. The Assessor and the Manager would not be included in this increase as they are classified as contractors.

On the fire truck – it is a 22-year-old truck – we normally would have bonded for this. Because of the funding we received for the sewer project, we have managed to save \$2.5 million. The Fire Department will have to have it competitively bid. The not to exceed number is \$650,000. We have also joined some statewide contracts (MIDeals and Sourcewell) for some alternatives in pricing.

With respect to the bike, this is expected to be either through a grant or from KBIC 2% funds.

This is basically a transition year. If the Board would like the individual sheets back in the budget, he would be happy to do so.

Public Hearing

Maki inquired about the merit raise – just a term? Manager De Groot indicated the merit raise is based on evaluations. Maki asked if the evaluations had been conducted, and De Groot indicated they had.

White also indicated that the COLA for Social Security recipients is 1.1%, with Medicare increasing. Does not agree with the 3% raise.

PRESENTATIONS – NONE

UNFINISHED BUSINESS

Moved from Consent Agenda – Item D.

Approve Bills Payable - Regular Payroll, September 3, 2020 (Check #'s DD1030 – DD1048 and Check #'s 10979 - 10983, Federal, State, and MERS for a total of \$36,091.64), and September 17, 2020 (Check #'s DD1049 – DD1071 and Check #'s 10984 - 10988, Federal, State, and MERS for a total of \$37,494.08).

Maki's issue with the Payroll is he does not feel the Assessor is performing per his contract or that the Zoning Administrator is doing his job, so neither should not receive pay.

Lynch moved, White supported to approve the Regular Payroll as presented.

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

CONSIDER OFFICE HOURS CHANGE

Manager De Groot stated that this was a holdover from the last meeting. Staff is in favor, as this will enable them to get home in the daylight during the winter. Manager Kangas had done a survey at the front desk, and there was not a lot of activity after 4:30. Also, during the shut down portion of COVID-19, the drop box was very effective and became increasingly utilized. Supervisor Bohjanen also indicated that there is always coverage at the front desk, as lunches are staggered.

White moved, Lynch supported that the Chocolay Township Board recognize 8:00 am to 4:30 pm as the regular office hours throughout the year and eliminate summer and winter hours, effective November 2, 2020.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER ADOPTION OF THE FISCAL YEAR 2020 BUDGET IN ACCORDANCE WITH THE MICHIGAN GENERAL APPROPRIATION ACT.

Manager De Groot explained that the budget does not need to be approved this evening but would have to be approved by December 31, 2020.

Clerk Engle suggested that the Board take the extra time to go over the budget after the information that was presented by Manager De Groot.

Engle moved, Lynch supported to table the approval of the budget until the November 9, 2020 meeting.

MOTION CARRIED

Manager De Groot indicated that if there are any changes that the members of the Board have, he would like those changes to be brought to him for inclusion.

CONSIDER ADOPTION OF THE FISCAL YEAR 2021 FEE SCHEDULE

The Fee Schedule has not changed for Fiscal Year 2021.

Maki questioned the charge of \$15 for the permit fee to go to the landfill. It was explained by Supervisor Bohjanen this is a one-time fee per month.

White moved, Rhein supported to approve the 2021 Fee Schedule as presented.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

MANAGER'S UPDATE ON THE SEWER LIFT STATION PROJECT AND THE FIRE HALL PROJECT

1. Fire Hall – the fire hall is enclosed. The shingling process has begun – on the main roof they have put down a layer of ice melt. On the wings, they will be tearing off the existing shingles and laying a membrane, as they already have the ice melt layer. The interior redesign of electric, gas, and piping run is scheduled for the 3rd week of October. They are shooting for a completion date of November 15. Moving would take place shortly thereafter.
2. Sewer Project – they will start replacing the grinder stations the week of October 19. There has been talk with the State (EGLE), and we were able to get a continuance on the lift stations because of supply chain delays that would put delivery to February. They will need a change order to continue to spring build. The spring payment of the bond will be a partially accepting payment.
3. Green Bay Bridge – hopefully will be open by the end of the week. There has been talk of a ribbon cutting, but this is usually on roads that are not open yet. At this time, this will probably not happen.

PUBLIC COMMENT

Stephanie Gencheff, 570 Lakewood Lane – had some questions regarding absentee ballots based on information she has received from legal counsel on what to challenge. She is a challenger for the November General Election. There is concern about the process of spoiling ballots, and if the ballot is destroyed. Clerk Engle explained the process of spoiling a ballot.

Mark Maki, Board Member – the Agenda used to have the Planning Commission and Zoning Board of Appeals on it. Also, last month, there was the approval of adding “Board Discussion – Future Agenda Items”. Also commented on the Planning Commission minutes – page 4. He would also like a copy of the tape.

Don Rhein, Board Member, Dana Lane – thanked the Zoning Administrator for taking care of the blight issue on his street – no Subaru’s.

Zyburt moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:47 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of September 21, 2020, Draft.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of September 16, 2020, Draft.
- C. Information – Chocolay Township Newsletter – September 2020

Max Engle, Clerk

Richard Bohjanen, Supervisor

November 9, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, November 9, 2020 at Chocolay Township Hall. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, David Lynch, Judy White, Don Rhein, Mark Maki

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Rhein moved, Zyburt supported that the agenda be approved as amended (***addition of Planning Commission Report and Zoning Board of Appeals Report after Clerk's Report***).

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – feels that the Township should invest in a good recording system, with speakers and microphones, for Township meetings. She also wanted to remind staff that they need to respond to inquiries. Mulcahey is sorry to see Trustee Maki leave the Board, as she feels he was an advocate and truth seeker. He has persevered all these years in working with the Board. She asked the Board where the dialog and discussion is – it appears there are many “potted plants” on the Board.

Stephanie Gencheff, 597 Lakewood Lane – stated she loves living in Chocolay and feels that the Board does a great job. She feels the Board are truth seekers, and not just potted plants.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of October 12, 2020.
- B. Approve Revenue and Expenditure Reports – October 2020.
- C. Approve Bills Payable, Check Register Reports – October 15, 2020 (Check #'s 24305 - 24331, in the amount of \$17,741.37), and October 28, 2020 (Check #'s 24332 - 24356, in the amount of \$43,858.06).
- D. Approve Bills Payable - Regular Payroll, October 1, 2020 (Check #'s DD1072 – DD1106 and Check #'s 10989 - 10993, Federal, State, and MERS for a total of \$44,909.58), October 15, 2020 (Check #'s DD1107 – DD1121 and Check #'s 10994 - 10998, Federal, State, and MERS for a total of \$34,022.07), and October 29, 2020 (Check #'s DD1121 – DD1153 and Check #'s 10999 - 11003, Federal, State, and MERS for a total of \$38,143.65).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – October 30, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – October 30, 2020.

Lynch moved, Rhein supported to approve the Consent Agenda as presented.

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen stated that this is Trustee Maki's last meeting. There is one new member that is not present, Kendra Symbal. Board members will take office on November 20 and must be sworn in before January 1, 2021. Max Engle, Township Clerk, conducted the swearing in of all members that are present.

Supervisor Bohjanen indicated he had received a letter from Trustee Maki and has a compilation of questions and answers, which he would like the Board members to take home and look over. He asked the Board if they felt they should be dealt with as separate agenda items. These include:

1. The sign ordinance concerning Lakenenland, which has been answered numerous times. There is a contradiction in the ordinance, which makes it unenforceable.
2. Waselesky and Besola properties – historical problems with nuisance vehicles. These have been adjudicated in court and are allowed with provisions, such as yearly groundwater testing. They are in the process of cleaning things up, and the tires will be picked up soon.
3. Sign at the gun shop.
4. Complaints on staff suggesting that certain staff members should not be paid.

Supervisor asked the Board if these items should be added to the next agenda. Trustee Maki suggested the Board take it home and look it over. Trustee White feels that Lakenenland should be clarified. Supervisor Bohjanen indicated that conflicts arise when you start researching the ordinance. Need to look at what makes the ordinance unenforceable. He indicated that there is positive progress on the Waselesky land.

Engle moved, White supported to add to agenda for the December 14 meeting.

MOTION CARRIED

Supervisor Bohjanen then presented a "Proclamation of Appreciation" for ~~his~~ **Trustee Maki's** service to the Township for the past 39 years.

CLERK'S REPORT

Clerk Engle handed out the statistics on the election. Absentee ballots were at 98%, with only 41 ballots not being returned. Overall, the election went quite well. There was a glitch with one of the tabulators, but we were able to wait until the one of the other tabulators was free at the end of the evening. All ballots were able to be counted on election day.

TREASURER'S REPORT - NONE

PLANNING COMMISSION REPORT

Trustee Rhein stated the Planning Commission did not meet in October.

ZONING BOARD OF APPEALS REPORT

Trustee Maki indicated the ZBA did meet. He would encourage that the members receive training. Minutes from the meeting are included in the packet. Trustee Maki has been on the ZBA for 8 years.

PUBLIC HEARING – NONE

CONSIDER ADOPTION OF THE FISCAL YEAR 2021 BUDGET IN ACCORDANCE WITH THE MICHIGAN GENERAL APPROPRIATIONS ACT

Public Comment

Deborah Mulcahey, 633 Lakewood Lane – regarding the proposed budget, need to include a recording system for meetings. Mulcahey feels that merit pay is based on the capability of the employee. She still feels that more justification is needed for the e-bike. Even if we use KBIC 2% money or grant money, there are still costs associated with those bikes. Feels money would be better spent on programs concerning drugs and programs for kids. Should be looking at recent events in the community and ways to prevent things like this from happening. She feels there are many people in our community that are financially hurting.

Board Discussion

Trustee White indicated she felt that the Planning Commission deserve an increase in per diem. She would suggest a \$10 increase to \$70 / meeting. They put a lot of effort into what they do. Supervisor Bohjanen agreed.

Trustee Lynch asked if Chocolay Township had reviewed what other townships of our size are paying their boards / commissions. Manager De Groot stated he had done some checking and most are offering \$60 - \$70 per diem

White moved, Rhein supported that the Township Board add \$10 per meeting for the Planning Commission.

ROLL CALL VOTE

Ayes: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

Nays: None

MOTION CARRIED

Manager De Groot stated that with the changes we are still have a balanced budget. There has been \$3,000 incorporated in the budget for the speaker / microphone system for the Board room.

Trustee White is still against the 3% raise for the employees – cost of living is fine at 1.5%. If you are going to call it a merit raise, it should be based on individual reviews. Just wanted it on the record to make sure that the raises are justified.

Manager De Groot stated that 1.5% is cost of living, and the 1.5% is merit. Ultimately, we need to do a salary review to establish where we are at. We did have the step program, which was designed at 1.5%. For most of the staff, there are no steps left.

Supervisor Bohjanen stated that the Township has excellent employees, and we need to be able to keep our people.

Trustee Rhein wondered about kids' programs and senior programs.

Trustee White asked about the rent money for the tower at Silver Creek and where that was going. Manager De Groot stated it was going back into Recreation and Properties.

CHARTER TOWNSHIP OF CHOCOLAY

FISCAL YEAR 2021

GENERAL FUND BUDGET

ROAD FUND

FIRE DEPARTMENT MILLAGE FUND

LIQUOR LAW ENFORCEMENT FUND

LIBRARY MILLAGE FUND

CAPITAL IMPROVEMENTS FUND AND

SEWER FUND BUDGETS

I HEREBY CERTIFY THAT THE FISCAL YEAR 2021 BUDGETS
WERE ADOPTED BY THE CHOCOLAY TOWNSHIP BOARD
ON NOVEMBER 9, 2020

MAX L. ENGLE, TOWNSHIP CLERK

GENERAL APPROPRIATIONS ACT

Engle moved, Zyburt supported, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2021, and ending December 31, 2021, to the Township Board for its consideration; and

Whereas, notice of the public hearing on the budget was published in the Mining Journal, a newspaper of general circulation within the Township, on September 25, 2020; and

Whereas, a public hearing was held on the proposed budget on October 12, 2020 at Silver Creek Church, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing:

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2021, and ending on December 31, 2021, in the amount of \$2,750,797.64 for the General Fund, in the amount of \$500,000.00 in the Road Fund, in the amount of \$0 in the Fire Department Millage Fund, in the amount of \$3,000.00 in the Liquor Law Enforcement Fund, in the amount of \$1,300.00 in the Drug Law Enforcement Fund, in the amount of \$227,225.28 in the Library Millage Fund, in the amount of \$300,500.00 in the Capital Improvements Fund, and in the amount of \$612,794.46 for the Sewer Fund.
2. The Township Board does hereby appropriate the sum of \$3,051,297.64 for the general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2021 and ending December 31, 2021.
3. The Township Board does hereby appropriate the sum of \$612,794.46 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2021 and ending December 31, 2021.
4. The Township Board does hereby appropriate the sum of \$500,000.00 for the repairing of the Township Roads to be used for the fiscal year beginning January 1, 2021 and ending December 31, 2021.

5. The Township Board does hereby appropriate the sum of \$0 for the fiscal year beginning January 1, 2021 and ending December 31, 2021 for retirement of debt associated with constructing and equipping the fire station.
6. The Township Board does hereby appropriate the sum of \$3,000.00 for the enforcement of Liquor Laws of the State of Michigan for the fiscal year beginning January 1, 2021 and ending December 31, 2021.
7. The Township Board does hereby appropriate the sum of \$1,300.00 for the enforcement of Drug Laws of the State of Michigan for the fiscal year beginning January 1, 2021 and ending December 31, 2021.
8. The Township Board does hereby appropriate the sum of \$227,961.31 for contractual services with the Peter White Public Library for the fiscal year beginning January 1, 2021 and ending December 31, 2021.
9. The Township Board does hereby levy 3.6040 mills for general operations; extra voted is 0.9907 for library, 1.6727 for roads.
10. All resolutions and parts of resolutions in so far as they conflict with provision of this resolution are rescinded.
11. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriations Act conforming to Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL VOTE:

AYES: Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: Maki

MOTION CARRIED

RESOLUTION FOR OFFICER' SALARIES

SUPERVISOR'S SALARY

Zyburt moved, supported by Rhein, that the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2021, which begins January 1, 2021 and ends December 31, 2021.

ROLL CALL VOTE:

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

TREASURER'S SALARY

Lynch moved, supported by Zyburt, that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2021, which begins January 1, 2021 and ends December 31, 2021.

ROLL CALL VOTE:

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CLERK'S SALARY

Lynch moved, supported by Rhein, that the salary for the office of Clerk shall be set in the amount of \$12,000.00 for the Fiscal Year 2021, which begins January 1, 2021 and ends December 31, 2021.

ROLL CALL VOTE:

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

TRUSTEE'S PER DIEM

Zyburt moved, supported by Lynch, that the per diem for the office of Trustee shall be set in the amount of \$75.00 per meeting for the Fiscal Year 2021, which begins January 1, 2021 and ends December 31, 2021.

ROLL CALL VOTE:

AYES: Maki, Lynch, Zyburt, Engle, Bohjanen

NAYS: Rhein, White

MOTION CARRIED

CONSIDER EMERGENCY OFFICE CLOSURE PROCEDURE DUE TO COVID-19

Lynch moved, Rhein supported granting the Township Supervisor and the Township Manager to confer and close the office to the public for staff positive COVID test, exposure site, and cleaning per MIOSHA and Department of Health Guidelines.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER WORKING FROM HOME POLICY DUE TO EMERGENCY OFFICE CLOSURE DUE TO COVID-19

Zyburt moved, Lynch supported granting Township Manager to confer with all department heads about working remotely during a potential closure of the office for COVID-19 exposure site, and cleaning per MIOSHA and Department of Health Guidelines.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER FUTURE BOARD MEETINGS ELECTRONICALLY OR IN-PERSON

Manager De Groot explained that all motions pertaining to COVID-19 are based on the State of Emergency declared by Marquette County. Due to the State of Emergency, we would qualify to hold the Board Meetings remotely in respect to the Open Meetings Act. Clerk Engle suggested that if we were to have in-person meetings, there should be some type of process for the public to join in remotely. Manager De Groot indicated the problem would be if the Board is split, with some remote and some in person.

Lynch moved, Rhein supported to give the Township Supervisor and the Township Manager the ability to make the call on how meeting will be conducted and publish accordingly.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER THE SURPLUS EQUIPMENT BID AWARDS: POLICE VEHICLE, RIDING LAWNMOWER, MOWER DECK ATTACHMENT

Rhein moved, Lynch supported for Rhein to abstain from the vote as he is one of the bidders.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

Zyburt moved, Engle supported to declare the 2017 Ford Explorer Interceptor sold to the highest bidder (Yousef Dabbagh with a bid of \$5,268).

ROLL CALL VOTE

AYES: Maki, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSTAIN: Rhein

MOTION CARRIED

Zyburt moved, Lynch supported to declare the 2013 John Deere EZtrak Riding Lawnmower sold to the highest bidder (Don Rhein with a bid of \$529).

ROLL CALL VOTE

AYES: Maki, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSTAIN: Rhein

MOTION CARRIED

Zyburt moved, Lynch supported to declare the 2000 King Kutter Free Floating Finishing Mower Deck sold to the highest bidder (Don Rhein with a bid of \$519).

ROLL CALL VOTE

AYES: Maki, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSTAIN: Rhein

MOTION CARRIED

CONSIDER PLACING DELINQUENT SEWER PAYMENT ON WINTER TAX BILL

DELINQUENT SEWER ACCOUNTS				
Name	Tax ID Number	Address	City, State, Zip	Amount Due
Marc Gilmore	52-02-490-002-00	110 Chocolay River Tr	Mqt MI 49855	\$ 212.80
Steven & Heather Shaw-Quizno's	52-02-106-043-50	505 Corning Street	Mqt MI 49855	\$ 3,278.88
Richard & Brooke Laurich	52-02-214-006-00	105 E. Fairbanks Street	Mqt MI 49855	\$ 237.60
Susan Racine	52-02-215-006-00	156 E. Fairbanks Street	Mqt MI 49855	\$ 412.80
Matt Morgan / Eric Keough	52-02-216-017-00	111 E. Wright Place	Mqt MI 49855	\$ 712.80
Shelly Soeltner	52-02-106-045-00	116 E. Wright Place	Mqt MI 49855	\$ 112.80
Linda Morgan	52-02-216-015-00	161 E. Wright Place	Mqt MI 49855	\$ 712.80
Anthony & Karri Rabitaille	52-02-455-038-00	214 Jean Street	Mqt MI 49855	\$ 712.80
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$ 712.80
Linda Bice / Philip Elias	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 712.80
Ed Palomaki	52-02-216-011-00	146 Kellog Street	Mqt MI 49855	\$ 712.80
Brooke Laurich	52-02-106-035-00	338 Reservoir Street	Mqt MI 49855	\$ 237.60
John Premeau	52-02-305-022-50	204 Riverside Road	Mqt MI 49855	\$ 712.80
Stacy Eagle	52-02-107-013-00	208 Silver Creek Road	Mqt MI 49855	\$ 77.80
Joe & Barb Menze	52-02-107-063-00	328 Silver Creek	Mqt MI 49855	\$ 712.80
Scott Lamora/Farm Bureau	52-02-201-003-00	2315 U S 41 South	Mqt MI 49855	\$ 712.80
David Laurich/Medical Benefits	52-02-106-020-00	2366 U S 41 South	Mqt MI 49855	\$ 712.80
Shaw's Service	52-02-254-005-00	4027 U S 41 South	Mqt MI 49855	\$ 1,211.76
Hudson Mechanical Inc.	52-02-440-002-00	6040 US 41 South	Mqt MI 49855	\$ 712.80
Kevin Frankenberg	52-02-212-008-00	127 W. Fairbanks	Mqt MI 49855	\$ 712.80
Michael Anderson	52-02-251-014-00	210 W. Fairbanks Street	Mqt MI 49855	\$ 712.80
Jennifer Simula	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	\$ 712.80
Dave & Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$ 712.80
Jeffrey Libby	52-02-212-011-00	136 West Main	Mqt MI 49855	\$ 712.80
Larry Weaver	52-02-207-004-00	240 W. Main Street	Mqt MI 49855	\$ 712.80
Shane Johnston	52-02-207-002-00	264 W. Main Street	Mqt MI 49855	\$ 297.00
Tonya Scott	52-02-205-003-00	341 W. Main Street	Mqt MI 49855	\$ 712.80
Janice Lister	52-02-251-025-00	209 W. Terrace Stret	Mqt MI 49855	\$ 212.80
Gardner Bess	52-02-210-005-00	334 W. Terrace Street	Mqt MI 49855	\$ 712.80
Judith Charles/Marilyn Kramer	52-02-208-003-00	371 W. Terrace Street	Mqt MI 49855	\$ 712.80
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	\$ 712.80
Kristine & Michael Dionne	52-02-106-043-00	110 W. Wright Place	Mqt MI 49855	\$ 87.80
Moyle - Connection Permit	52-02-107-021-00	1001 M-28 East, Suite 2	Mqt MI 49855	\$ 350.00
Total Delinquent Amount				\$ 21,698.44

White moved, Rhein supported to accept the list of delinquent sewer charges and penalties as allowed in Ordinance 39, Section 9, E.2.c, along with the delinquent sewer connection permit fee for 1001 M-28 East, Suite 2, be added to the Chocolay Township December tax roll.

ROLL CALL VOTE

AYES: Maki, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER PUBLIC ACT 152 EMPLOYEE INSURANCE / HEALTH CARE ANNUAL COVERAGE

RESOLUTION NO. 2021-1

November 9, 2020

RESOLUTION TO ADOPT 80% / 20%, EMPLOYER / EMPLOYEE HEALTH CARE COST OPTION AS SET FORTH IN 2011 PUBLIC ACT 152, THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

Lynch moved, Rhein supported that:

WHEREAS, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011;

WHEREAS, the Act contains three options for complying with the requirement of the Act;

WHEREAS, the three options are as follow:

1. Section 3 – "Hard Caps" Option – limits a public employer's total annual health care costs for employees based on coverage levels, as defined by the Act;
2. Section 4 – "80% / 20%" Option – limits a public employer's share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
3. Section 8 – "Exemption" Option – a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the Township Board has decided to adopt the 80% / 20% option as its choice of compliance under the Act;

NOW, THEREFORE, BE IT RESOLVED the Township Board of the Charter Township of Chocolay elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the 80% / 20% option for the medical benefit plan coverage year January 1, 2021 through December 31, 2021.

Upon a Roll Call Vote, the vote was as follows:

AYES: Maki, Rhein, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED.

MANAGER'S UPDATE ON THE SEWER LIFT STATION PROJECT AND THE FIRE HALL PROJECT

1. Fire Hall – Manager De Groot stated that the fire hall is nearing completion. The shingling is completed. The silver objects on the top of the roof are tie downs for snow removal according to OSHA standards. Drywalling is taking place inside, along with insulation. The plan is to have the inspections done during Thanksgiving week, and the punch list done the first week of December.
2. Sewer Project – have changed out 2 of the grinder stations. The grinder station on Green Bay Street requires movement of power and Associated is not quite finished with the bridge. Once this is done, BLP can come in. The pumps have been changed in the bottom of the pit. We will then start the rest of the project as soon as possible in the spring. The reason for the delay was that the lead time went from 8 weeks to 24 weeks, due to COVID. Supervisor Bohjanen will be signing an addendum to the first change order which extends the time length with EGLE. They are aware, so this is just a paperwork issue.

Supervisor Bohjanen asked what would be the determining factor for snow shoveling – Manager De Groot indicated the architects had been talking about a measuring system versus a weight system.

BOARD MEMBER COMMENTS

Mark Maki – wished the Board good luck in the future, with lots of success.

Don Rhein – thanked Mark for his work in the community – great working with him.

Ben Zyburt – expressed appreciation to Mark for his time on the Board.

Judy White – thanked Mark – she has learned a lot from him over the past 8 years.

Dave Lynch – thanked Mark for his dedication and service over the years in supporting the Township.

Max Engle – thanked Mark for his work in the Township.

Richard Bohjanen – thanked Mark for his service.

PUBLIC COMMENT – NONE.

Rhein moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:54 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Zoning Board of Appeals, Regular Meeting of October 24, 2020, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting of September 17, 2020, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of October 21, 2020, Draft.
- D. Correspondence – Municipal Group Check.
- E. Information – Marquette County Solid Waste Management Authority; Tipping Fee Increase Notice Letter to Local Governments.

Max Engle, Clerk

Richard Bohjanen, Supervisor

December 14, 2020

A Regular meeting of the Chocolay Township Board was held on Monday, December 14, 2020 at ~~Chocolay Township Hall~~ **via Zoom**. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle (joined at 5:45 pm), Ben Zyburt, David Lynch, Judy White, Don Rhein, Kendra Symbal

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

OTHERS ATTENDING: Eve Lindsey, Rebecca Sloan, Roger Zappa (Township Attorney)

APPROVAL OF AGENDA.

Lynch moved, White supported that the agenda be approved as presented.

MOTION CARRIED

PUBLIC COMMENT - NONE

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of November 9, 2020.
- B. Approve Revenue and Expenditure Reports – November 2020.
- C. Approve Bills Payable, Check Register Reports – November 12, 2020 (Check #'s 24357 - 24378, in the amount of \$104,586.16), and November 24, 2020 (Check #'s 24379 - 24399, in the amount of \$31,182.23).
- D. Approve Bills Payable - Regular Payroll, November 12, 2020 (Check #'s DD1154 – DD1189 and Check #'s 11004 - 11008, Federal, State, and MERS for a total of \$39,465.08), and November 25, 2020 (Check #'s DD1190 – DD1219 and Check #'s 11009 - 11013, Federal, State, and MERS for a total of \$39,040.54).
- E. Approve Treasurer's Report, Certificates of Deposit and Investment Reports – November 30, 2020.
- F. Approve Treasurer's Report, Fund Withdrawal and Deposit Report – November 30, 2020.

Rhein moved, Lynch supported to approve the Consent Agenda as corrected on Meeting Minutes, page 2, 2nd paragraph from the bottom, "Supervisor Bohjanen then presented a "Proclamation of Appreciation" for his **Trustee Maki's** service to the Township for the past 39 years."

AYES: Symbal, Rhein, White, Lynch, Zyburt, Bohjanen

NAYS: None

ABSENT: Engle

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen welcomed Kendra Symbal as the newly elected Board Trustee. Supervisor Bohjanen also introduced Eve Lindsey and Rebecca Sloan, who are his suggestions to fill the open Planning Commission seats.

COVID update – the roll out for the COVID-19 vaccine has begun. It will probably be awhile before we see anything in Marquette. The Governor has extended the order on public meetings through December 20. On December 11, the legislature extended the ability to have remote meetings through March 31, 2021.

An email was sent out regarding education materials that are available online through our Michigan Township Association membership.

CLERK'S REPORT

PUBLIC HEARING – NONE

PRESENTATIONS – GENERAL ENFORCEMENT ZONING, POLICE POWER – ATTORNEY ROGER ZAPPA
Attorney Zappa was asked to give a refresher on how the zoning ordinance works, focusing on enforcement. The primary reason for a zoning ordinance is to allow the township to grow in a compatible manner. The zoning ordinance also needs to be consistent with the Township Master Plan. Zoning enforcement is used to correct violations not only from the past, but to foresee issues that may come up in the future. Voluntary compliance works much better than heavy-handed enforcements. Ordinances are made to promote and protect the health, safety, and welfare of its residents. There is a need to have enforcement when enforcement is necessary, but this should not be the first resort. Enforcement is not about the fine – it's about fixing the problem.

Supervisor Bohjanen summarized the steps that the Township goes through:

- Need clearly worded ordinance, protecting the health, welfare, and safety of the residents.
- Notify property owner of violation and work out a remediation plan.
- Assess the property for compliance.
- A possible citation if not complying.

Supervisor Bohjanen indicated that the Township is in the process of working on the ordinance.

REVIEW OF MAKI CONCERNS FROM NOVEMBER

Trustee Rhein indicated that the Planning Commission is in the process of looking at the sign ordinance right now. He also feels that there needs to be some type of feedback on what the Assessor is accomplishing.

Supervisor Bohjanen indicated that the Assessor is reviewed on a regular basis, along with the State assessment.

Clerk Engle apologized for being late. Engle indicated he agrees with Rhein on the sign ordinance, and that he does not feel that the signs are obtrusive or a distraction to drivers going by.

Trustee Lynch feels the Township is on the right path to simplify and clarify the sign ordinance. Mr. Maki has been asking the same questions for many years but is not getting the answer he wants.

M. Maki joined in the conversation asking Supervisor Bohjanen if he was able to comment. Supervisor Bohjanen indicated Maki could make comment at the final public comment. Maki continued to make comment. Supervisor Bohjanen called for the Board to invoke censorship on the continued rant of Maki. K. Symbal indicated she was not for censorship but did feel that the Board should stick with the agenda.

Symbal moved, Zyburt supported that there was not a need for censorship, and the Board would continue with the agenda.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER COMBINING THE PENSION AND PERSONNEL COMMITTEE

White moved, Zyburt supported to combine the Personnel Committee and the Pension Committee. In this act, the Board is dissolving the personnel committee and requiring the manager to perform all the functions of personnel administrator. The Board also assigns:

Treasurer Ben Zyburt

Trustee Judy White

Employee Suzanne Sundell

Township Manager (ExOfficio Member)

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER APPOINTMENTS TO THE PLANNING COMMISSION

White moved, Lynch supported to appoint Eve Lindsey, Rebecca Sloan, and Kendell Milton to the Planning Commission serving 3- year terms.

ROLL CALL VOTE

AYES: Symbal, White, Rhein, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER APPOINTMENTS TO THE ZONING BOARD OF APPEALS

Zyburt moved, Lynch supported to appoint Kendell Milton to the Zoning Board of Appeals serving a 3-year term.

ROLL CALL VOTE

AYES: Symbal, White, Lynch, Rhein, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER APPOINTMENTS TO BOARDS AND COMMITTEES:

BOARD OF REVIEW

NEW PENSION COMMITTEE

TOWNSHIP'S ASSOCIATION

ELECTION COMMISSION

NORTHERN MICHIGAN PUBLIC SERVICE ACADEMY BOARD

PETER WHITE PUBLIC LIBRARY BOARD

Lynch moved, Rhein supported to approve the appointments presented by Supervisor Bohjanen and listed on the "Boards, Committees, Commissions – 2021" worksheet within this packet.

ROLL CALL VOTE

AYES: Symbal, White, Lynch, Rhein, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER BOARD MEETING CALENDAR FOR 2021

Lynch moved, Zyburt supported to approve the proposed Township Board Meeting Schedule for the calendar year 2021, with the change of the August meeting from August 2nd to August 16th at 5:00 p.m.

ROLL CALL VOTE

AYES: Symbal, White, Lynch, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

CONSIDER TOWNSHIP OFFICE HOLIDAY CLOSURE DATES

White moved, Engle supported to approve the proposed Township Office Closure dates in recognition of major holidays within the calendar year of 2021.

ROLL CALL VOTE

AYES: Symbal, White, Lynch, Rhein, Zyburt, Engle, Bohjanen

NAYS: None

MOTION CARRIED

MANAGER'S UPDATE ON THE SEWER LIFT STATION PROJECT AND THE FIRE HALL PROJECT

1. Fire Hall – did a punch list walk thru on Friday. There is a final inspection schedule for December 15th. Anticipate moving in next week.
2. Sewer Project – two lift stations have had the pumps and electronics replaced (east most and west most). There is a meeting scheduled with SCADA and the wireless team on December 15th. All equipment has been ordered for delivery as soon as we are able to start in the spring.

BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – None.

Judy White – welcomed Eve and Rebecca to the Planning Commission.

Dave Lynch – asked about the letter in the correspondence section. Manager De Groot indicated that there have been a number of correspondence with this resident. Noise and vibration have been addressed, but the answer is not being accepted by the resident. This goes back to a site plan approved by the Planning Commission in 2017.

Kendra Symbal – asked about the damage to the above person's residence. Manager De Groot indicated that the provability has not been established. Legally, the Township would not be involved – this would be an insurance claim to the neighboring property as a civil action. Symba also

indicated she has a lot to learn. She feels that the Board need to collectively move forward and not dwell on the past – focus on the future.

Max Engle – looking at getting an announcement type system for next year – email, text messages

Richard Bohjanen – February 12th meeting is a joint meeting with the Planning Commission to set priorities – what the Township Board vision is.

PUBLIC COMMENT

Mark Maki – made comments on the zoning violations in 2008, the work on the sign ordinance in the past, complaint on Lakenenland in 2017, his name is still showing on the website, Assessor' contract, made some uncomplimentary remarks against Board.

Rhein moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:06 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Meeting of November 16, 2020, Draft

- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board Meeting of October 15, 2020.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of November 18, 2020, Draft.
- D. Information – Chocolay Township Newsletter – October / November 2020.
- E. Correspondence – Elizabeth Delene, 232 Kawbawgam Road.

Max Engle, Clerk

Richard Bohjanen, Supervisor