

January 11, 2021

A Regular meeting of the Chocolay Township Board was held on Monday, January 11, 2021 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 Zybert, David Lynch, Judy White, Don Rhein, Kendra Symbal

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

Heather Saith, Lakewood Lane – curious about the ice rink at Lion’s Field – will it be open to the public this winter? Manager De Groot responded that the Township is looking at opening it when we are back to being fully staffed. Commented that ice hockey at Lakeview Arena is resuming this weekend, so she feels that it can move forward at this time.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of December 14, 2020. ***(Supervisor Bohjanen asked that the minutes be changed to reflect the meeting place as “via Zoom” rather than Chocolay Township Hall.) (Trustee Symbal indicated that she had meant to recuse herself from the approval of the Bills Payable – Check Register Reports at the last meeting, as she owns a business that had received a check.)***
- B. Approve Revenue and Expenditure Reports – December 2020 (unaudited).
- C. Approve Bills Payable, Check Register Reports – December 9, 2020 (Check #'s 24400 - 24418, in the amount of \$394,594.82), December 22, 2020 (Check #'s 24419 – 24441, in the amount of \$25,693.38) and December 29, 2020 (Check #'s 24442 - 24452, in the amount of \$8,771.42).
- D. Approve Bills Payable – Longevity Payroll, December 3, 2020 (Check #'s DD1220 – DD1226, Federal State, and MERS in the amount of \$3,058.90), Regular Payroll, December 10, 2020 (Check #'s DD1227 – DD1240 and Check #'s 11014 - 11018, Federal, State, and MERS for a total of \$33,752.80), December 14, 2020 (Reprint remittance checks, Check #'s 11019 – 11020, for a total of \$328.38) and December 23, 2020 (Check #'s DD1241 – DD1267 and Check #'s 11021 - 11025, Federal, State, and MERS for a total of \$38,181.13).
- 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.

White moved, Rhein supported to approve the consent agenda as modified.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

#### SUPERVISOR'S REPORT

Supervisor Bohjanen indicated he had no updated information on the status of COVID-19 restrictions. This is set to expire on January 15, 2021. The Township is still obligated to have Zoom meetings until the end of January.,

Supervisor Bohjanen also indicated that there was a letter from Mark Maki asking to be put on the agenda and have written answers to his questions (this can be found in the correspondence at the back of the packet). Supervisor Bohjanen stated he didn't know if it was reasonable to respond back as a Board to all correspondence received. Supervisor Bohjanen read his reply to Mr. Maki's questions in Maki's letter of January 26, 2021.

1. The letter is included in the correspondence section and is not included as part of the agenda as it was not received in the correct time frame and does not contain content considered appropriate for discussion at the Board meeting, as it was reviewed and discussed at the December Board meeting.
2. The reason Mr. Maki was not able to get into the Zoom at the onset of the last meeting was because he tried to sign in after the start of the meeting. This was not permitted by the system due to a technical problem which has since been resolved.
3. The reason Mr. Maki's issues were discussed at the December meeting was at Mr. Maki's own request which was initiated at the November Board meeting following distribution of the compilation of his complaints. This was to be added to the December meeting to give everyone a chance to go over. A motion was made by Max Engle, supported by Judy White.
4. Regarding the Assessor's completion of his contract requirements, his real requirement is to complete property assessments within a five-year cycle, and due to COVID and loss of technician assistance he is behind. His contract is being reviewed, but he is currently working under his original contract which was extended due to no renegotiations. The Assessor is answerable the Supervisor.
5. Mr. Maki's public comment was summarized in the minutes – comments in the middle of the meeting were very rude and disruptive –

Supervisor Bohjanen asked for direction from the Board on how to proceed with correspondence such as this in the future – he pointed out that in the Board Policies there is a statement on public questions submitted in writing will be responded to within 14 days. The Board felt that this was something that could be handled by the Supervisor.

Symbal moved, that the Zoning Committee work together with the Clerk and Manager to bring the discrepancies and zoning issues at Lakenenland to light for the joint meeting. There was no second.

MOTION DIED

Supervisor Bohjanen stated that the Planning Commission has the new writing of the sign ordinance as part of their priorities which will be discussed at the Joint Meeting in February. The sign ordinance that Mr. Maki is talking about has been addressed numerous times. This issue is not being ignored.

CLERK'S REPORT

Clerk Engle reported on the Risk Limiting Audit that will be performed on the election results.

TREASURER

Treasurer Zyburt reported that interest rates are terrible right now. This could possibly go on for 2 – 3 years.

PUBLIC HEARING – NONE

PRESENTATIONS – NONE

CONSIDER THE PURCHASE OF A NEW PORTABLE NOXIOUS GAS MEASURING METER FOR PUBLIC WORKS.

Engle moved, Lynch supported to allocate \$5,400.00 of Township Capital Funds to the Public Works Department for the purchase of a new sewer portable noxious gas meter / monitor kit.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

CONSIDER PURCHASE OF NEW LAPTOP FOR THE MANAGER

Lynch moved, Rhein supported to allocate \$2,000.00 of Township Capital Funds to the Administration Department for the purchase of a new laptop assigned to the Township Manager.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

CONSIDER BUDGET AMENDMENT TO ACCEPT THE KEWEENAW BAY INDIAN COMMUNITY 2% FUNDS

Zyburt moved, White supported to allocate the distribution of the Keweenaw Bay Indian Community 2% Funds in the amount of \$95,000.00 into the Recreation, Police, Fire, and Public Works Capital Budgets for 2021.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

#### DISCUSSION ABOUT LINE 5 IMPACTS

Supervisor Bohjanen stated that Trustee Rhein had raised the question on Line 5. Supervisor Bohjanen provided a short essay on Line 5 and is looking for input on whether the Township Board needs to do anything regarding this.

Trustee Symbal stated she had put a post on her personal Township page asking for comments. She read a few comments that she had received. She is attending a UP Clean Energy webinar on Wednesday. She personally feels that we need to focus on ways to make cleaner energy sources available and affordable.

Trustee Rhein indicated that the Township does need to work on getting cleaner and renewable energy sources, but we also need to keep in mind that the Township has an older generation that relies on propane and they live on a fixed income. He feels that the tunnel is the way to go.

Trustee White agreed with Rhein – the U.P. has an older population on fixed incomes that rely on propane as their energy source. She feels that the tunnel is needed for the UP.

Trustee Lynch stated he has decades of experience in propane, gas and electric – Lynch has renewables on his house. The BLP has renewables for the community and has switched to natural gas power plants. Lynch feels we are moving in the right direction. Lynch does not feel that it is within the UP's best interest to increase propane costs as much as they would have to if the tunnel is not approved.

Supervisor Bohjanen stated that 12.8% of Marquette County residents rely on propane. Bohjanen suggested we extend an invitation to our representatives a Board meeting to discuss this issue. Possibly a public hearing. Board members were in favor of extending an invitation to gain more information on this subject. Clerk Engle suggested it may be a good idea to see what kind of interest might be generated for this type of discussion for all of Marquette County.

#### DISCUSSION ON PRIORITIES FOR THE NEXT FOUR YEARS

Manager De Groot stated that these priorities will be used for planning the budget for the next four years. A new budget process was started last year – the Board now needs to talk about projects, future budgets and work plans to obtain and reflect the goals of the Board. This process will start with the joint meeting with the Planning Commission in February. As of now, our Township documents do not align with each other – a 2008 Zoning Ordinance and a 2015 Master Plan. State law requires review of those documents every five years. The Planning Commission is in the process of reviewing the Master Plan. De Groot asked that the Board familiarize themselves with the Master Plan and Zoning Ordinance.

Supervisor Bohjanen stated his priorities: (1) Water system for the Township through infrastructure grants – parts of Chocoley Township have great water, but many do not. This will become a health issue. Septic systems may also become a problem. (2) Asset Management plans for vehicles (police, fire, and DPW). We need to be able to plan for these items. (3) Melding the Master Plan with the Zoning Ordinance, especially the Agricultural, which is 60% nonconforming. (4) Community Center

– feels there is a need and desire among residents for this. (5) Public hearings – sewer ordinance, nuisance ordinance and rewrite for sign ordinance.

Trustee White agrees with many of Supervisor Bohjanen’s thoughts – community center, asset management, simplifying the Zoning Ordinance. Trustee Lynch agrees – we know we have to make purchases, and likes the direction that Manager De Groot is taking on long term planning for capital purchases.

Trustee White also stated that Marquette City gets grant money to run their Senior Center, with Chocolay Township being considered part of Marquette City. White stated it would be nice if Chocolay could be on their own and be able to get grant money to help run programs.

Trustee Symbal questioned the term Community Center, as it seems to only be applying to our senior population. She would like to explore the idea of a Community Center for all ages.

Manager De Groot thanked the Board for their comments and will now move forward with these suggestions.

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

1. Fire Hall – the Fire Hall project is complete and the Fire Department is moved back in. The final punch list has been completed. We are now working on finalizing the project with MMRMR. The final walk through has been completed at the Blondeau Building. The objects on the roof of the Fire Hall that look like lightning rods are actually tie downs for being able to remove snow from the roof. The original roof was never built to plan. The new roof has now been built to plan and certified.
2. Sewer Project – two out of three grinder pumps and mechanisms have been replaced. The next part is call SCADA – all the pumps send a Verizon signal to cell phones in the Public Works Department if there is an alarm. We are currently working on what is needed for the entire system in this regard. As of now, there are no delays on lead time for the parts – majority of equipment has been ordered. Ready to start as soon as weight restrictions are removed in the spring. Looking at final completion for mid-June.

Lynch asked if a letter had been sent thanking Blondeau for coming through for us. Manager DeGroot will write the letter which will go out under Supervisor Bohjanen’s signature.

#### BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – None.

Judy White – None.

Dave Lynch – None.

Kendra Symbal – None.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT

Stephanie Gencheff, 597 Lakewood Lane – stated she likes the glass recycling back by the Blondeau building behind the Dry Dock. Gencheff is also in favor of Line 5, as there is no other way to move that amount of oil.

Zyburt moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:44 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Information – Iron Ore Heritage Trail Updates
- B. Correspondence – Mark Maki, 3027 M-28 East

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Max Engle, Clerk

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Richard Bohjanen, Supervisor

February 15, 2021

A Joint meeting of the Chocolay Township Board and Chocolay Planning Commission was held on Monday, February 15, 2021 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, Kendra Symbal

ABSENT: None

A Joint meeting of the Chocolay Planning Commission was held on Monday, February 15, 2021 via Zoom. Planning Commission Chair Soucy called the meeting to order at 5:35 p.m.

PLANNING COMMISSION.

PRESENT: Ryan Soucy, George Meister, Donna Mullen-Campbell, Kendall Milton, Eve Lindsey, Rebecca Sloan

ABSENT: None

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

APPROVAL OF AGENDA.

White moved, Rhein supported that the agenda be approved as modified (**Addition of Discussion of Police Department hire – between Item XII.E and XII.F**)

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

PUBLIC COMMENT – None.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of January 11, 2021.
- B. Approve Bills Payable, Check Register Reports – January 6, 2021 (2020 Exp) (Check #'s 24453 - 24464, in the amount of \$13,809.78), January 6, 2021 (2021 Exp) (Check #'s 24465 – 24476, in the amount of \$46,185.67), January 13, 2021 (2020 Exp) (Check #'s 24477 – 24482, in the amount of \$5,214.34), January 13, 2021 (2021 Exp) (Check #'s 24483 – 24491, in the amount of \$1,243.27), January 21, 2021 (2020 Exp) (Check #'s 24492 – 24499, in the amount of \$6,621.36), January 21, 2021 (2021 Exp) (Check #'s 24500 – 24507, in the amount of \$4,806.88), January 28, 2021 (2021 Exp) (Check #'s 24508 – 24514, in the amount of \$16,287.33), and January 28, 2021 (2020 Exp) (Check #'s 24515 - 24520, in the amount of \$6,394.61).

- C. Approve Bills Payable – Regular Payroll (Check #'s DD1268 – DD1300 and Check #'s 11026 – 11029, Federal State, and MERS in the amount of \$53,748.73), Special Payroll, January 10, 2020 (Check #'s DD1301 – DD1314 and Check # 11030, Federal, State, and MERS for a total of \$9,350.28), and January 21, 2021 (Check #'s DD1315 – DD1339 and Check #'s 11031 - 11034, Federal, State, and MERS for a total of \$36,081.34).

Lynch moved, Zyburt supported to approve the consent agenda as presented.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated that the Governor has extended restriction on meetings until March 29, 2021, so for the March meeting we will need to do a Zoom meeting or a hybrid meeting.

Approximately one-quarter of the people in Marquette County have had the first shot of the COVID-19 vaccination, and one-third of the people who have had their first shot, have had their second shot. Progress is being made, and the numbers in the County have been going down.

CLERK'S REPORT

Clerk Engle spoke about the Risk Limited Audit for the election. It was determined that this was not a valid sample, as not everyone pulled their ballots and gave their tally to BOE.

Reminder on the subscription that we have with Michigan Township Association. These are available to members of MTA (includes staff, Boards and Commissions, etc.). The subscription is available until mid-July 2021. There are many on-line modules to choose from.

TREASURER

PUBLIC HEARING – NONE

PRESENTATIONS – NONE

CONSIDER THE AMERICAN TOWER RENTAL AGREEMENT.

Manager De Groot was contacted by MD7 in an effort to reduce our monthly cell tower rate from American Tower from \$1,375/month to \$958/month and extend the life of the contract or to do a one-time buyout. The money we receive from the lease agreement is primarily used for improvements at the Silver Creek Rec area. De Groot was also contacted by another company, Landmark Dividend.

Trustee Symbal feels this is a waste of time and the Board should disregard. Symbal also indicated that the equipment is aging out, and it is not in our best interest to reduce the cell tower rate at this time. She feels we are somewhat protected by having the lease in place.



Clerk Engle was an employee of AT&T for 32 years and a Local Union President for 25 years. The way that AT&T runs their system is to purchase stocks in controlling amounts and then turn around and charge themselves higher fees to allow them to make more money. AT&T owns their own companies. The AT&T towers are not regulated. Engle thinks the Landmark Dividend option should be explored.

Trustee White is not willing to go forward with any of the options.

Supervisor Bohjanen also indicated that there is also the possibility of taking cash right now and use it in perpetuity for the Rec Area.

Lynch agreed with all comments made and would not adjust the rate per month.

White moved, Rhein supported to postpone this discussion until further information is available.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

CONSIDER THE PURCHASE OF A REPLACEMENT PUMPER FIRE TRUCK.

Supervisor Bohjanen indicated that by having cash on hand, we will be able to save money by paying upfront. Trustee Rhein asked about any other quotes – Supervisor Bohjanen indicated that there were three proposals that went out, but two of them did not make an offer because of distance for servicing.

Engle moved, Zybert supported that the Chocolay Township Board award the request for quote and the purchase of a replacement Fire Engine to Pomasl Fire Equipment in the amount not to exceed a final total of \$650,000.00. By awarding the contract to Pomasl Fire Equipment, the Township will be receiving a Pierce Manufactured Fire Engine to replace Engine #2142.

ROLL CALL VOTE

AYES: Symbal, Lynch, Zybert, Engle, Bohjanen

NAYS: White, Rhein

MOTION CARRIED

CONSIDER THE PURCHASE OF A PUBLIC WORKS TRUCK

Supervisor Bohjanen explained that this is part of the ongoing purchase plan and will also provide a third truck which will enable all DPW to have their own truck, which will help with the social distancing required by COVID-19.

White is concerned about the cost of insurance, repairs, maintenance, etc. De Groot indicated that the insurance would go up minimally, and since it is new, the cost of repairs and maintenance would be covered under warranty. There would also be added productivity, with better utilization of DPW's time. De Groot also stated that staff is working on an Asset Management Plan for all vehicles in the Township.

Engle moved, Lynch supported that the Chocolay Township Board authorizes the purchase of a new Public Works Truck, from Fox Marquette Chevrolet, with a not to exceed total cost of \$42,000.00.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

DISCUSSION ABOUT LINE 5 IMPACTS – UPDATE.

Supervisor Bohjanen indicated that since the last meeting, EGLE has authorized the building of the tunnel. There is also legal action being taken to stop the closure of Line 5. The Board felt that there was no need to go any further with this. Supervisor Bohjanen will continue to monitor and keep the Board informed.

DISCUSSION PRIORITIES WITH THE TOWNSHIP PLANNING COMMISSION.

The consensus of the Board:

1. Completion of a Master Plan – there needs to be significant progress made, and this should be an item on Planning Commission agenda until it is complete.
2. Zoning Ordinances – Sewer Ordinance, Marijuana Ordinance, Nuisance Ordinance, Sign Ordinance, Fence Ordinance. These are all in a stage of having been discussed between Supervisor Bohjanen, Manager De Groot, and PD / ZA Dale Throenle, and are ready for Planning Commission input, and then back to the Board for approval.
3. Budgeting of things from the Recreation Plan. Need to look at what really needs to be done. There needs to be decent playground equipment.

Planning Commission Chair Soucy indicated that there are grants available for septic and clean water – approximately \$290 million available. Supervisor Bohjanen was unsure of who would request those funds. Manager De Groot indicated the existing water study is out of date, so we would not be able to apply for grants. We would need to re-evaluate the studies. At this point we would be seeking the initial administrative studies, and the draw down studies that would go into that. One of the things that could be a Planning Commission discussion later would be an ordinance discussion on abandonment of septic fields, and the dollar amount that our residents may be able to qualify for. This may be an additional addendum to sewer ordinance in the future.

PC Chair Soucy stated that the Planning Commission has touched on some of the other ordinances mentioned – marijuana, fences, sign, and they are prepared to look at those. Education may be in order for the Planning Commission for things like the sewer and nuisances.

Supervisor Bohjanen asked about creating a schedule for looking at the different priorities mentioned to produce a timeline. Along with the Board priorities, there are also the PC priorities of site plan reviews and activity like that.

Commissioner Lindsey indicated that she is very new to the Planning Commission, and there is an overwhelming amount of material to look at. She is in favor of training.

Manager De Groot indicated that he does have the background in Planning with 25 years of experience in this field in Michigan. He also pointed out that Chair Soucy is certified with AICP (American Institute of Certified Planners). Either would be a good resource if there are any questions.

Commissioner Meister feels that a lot can be accomplished this year by the Planning Commission. A schedule would help focus on what needs to be done.

Commissioner Sloan wondered about much time these things take up on the agenda, what the work behind the scenes would entail, and who would be responsible for this. Supervisor Bohjanen indicated that the person responsible for this is Dale Throenle. Throenle indicated the timeline would be dependent on what other types of issues come before the Planning Commission during the summer. Manager De Groot stated that all the priorities that have been talked about have an element of public involvement per State law, which would have to be anticipated. Commissioner Sloan asked about the order. Supervisor Bohjanen felt that the ordinances could also be done simultaneously. Chair Soucy liked the idea of taking on the different areas simultaneously.

Questions were asked about a shared or google drive. Manager De Groot indicated the Planning Commission is covered under the Open Meetings Act, which does not allow for these types of discussions. Trustee Symbal asked about using something like Trello. Manager De Groot indicated that the public needs an equal right to be able to speak.

Chair Soucy shared a screen shot of Trello for the Board. This screen shot will be added as part of the minutes.

Supervisor Bohjanen thanked the Planning Commission for joining the Board for this meeting.

The regular Planning Commission meeting is scheduled for Tuesday, March 2, 2021.

Rhein moved, Milton supported to adjourn the Planning Commission at 6:45 p.m.

MOTION CARRIED

#### CONSIDER THE HIRING OF AN ADDITIONAL POLICE OFFICER

Supervisor Bohjanen indicated that our part-time officer has been selected into the DNR Conservation Program. Manager De Groot indicated that in this year's budget we had budgeted for an additional part time officer. Since 2010, we have hired and trained 23 officers. At this time, we are looking to fill one full-time position. There has been a change in county structure, and the tribal police are no longer deputized. This will not result in a change in the budget.

Zyburt moved, Lynch supported to authorize the start of the hiring process.

ROLL CALL

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

MOTION CARRIED

MANAGER'S UPDATE ON THE SEWER LIFT STATION PROJECT.

1. Sewer Project – the project is moving forward with the SCADA portion, which is the electronic communication system. We are on target to begin the project in early spring as soon as the weight restrictions are lifted.

BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – None.

Judy White – None.

Dave Lynch – None.

Kendra Symbol – None.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT – None.

Lynch moved, Zyburt supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:50 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission; Meeting of January 18, 2021, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of December 17, 2020, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of December 16, 2020; Draft.
- D. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of January 20, 2021, Draft.

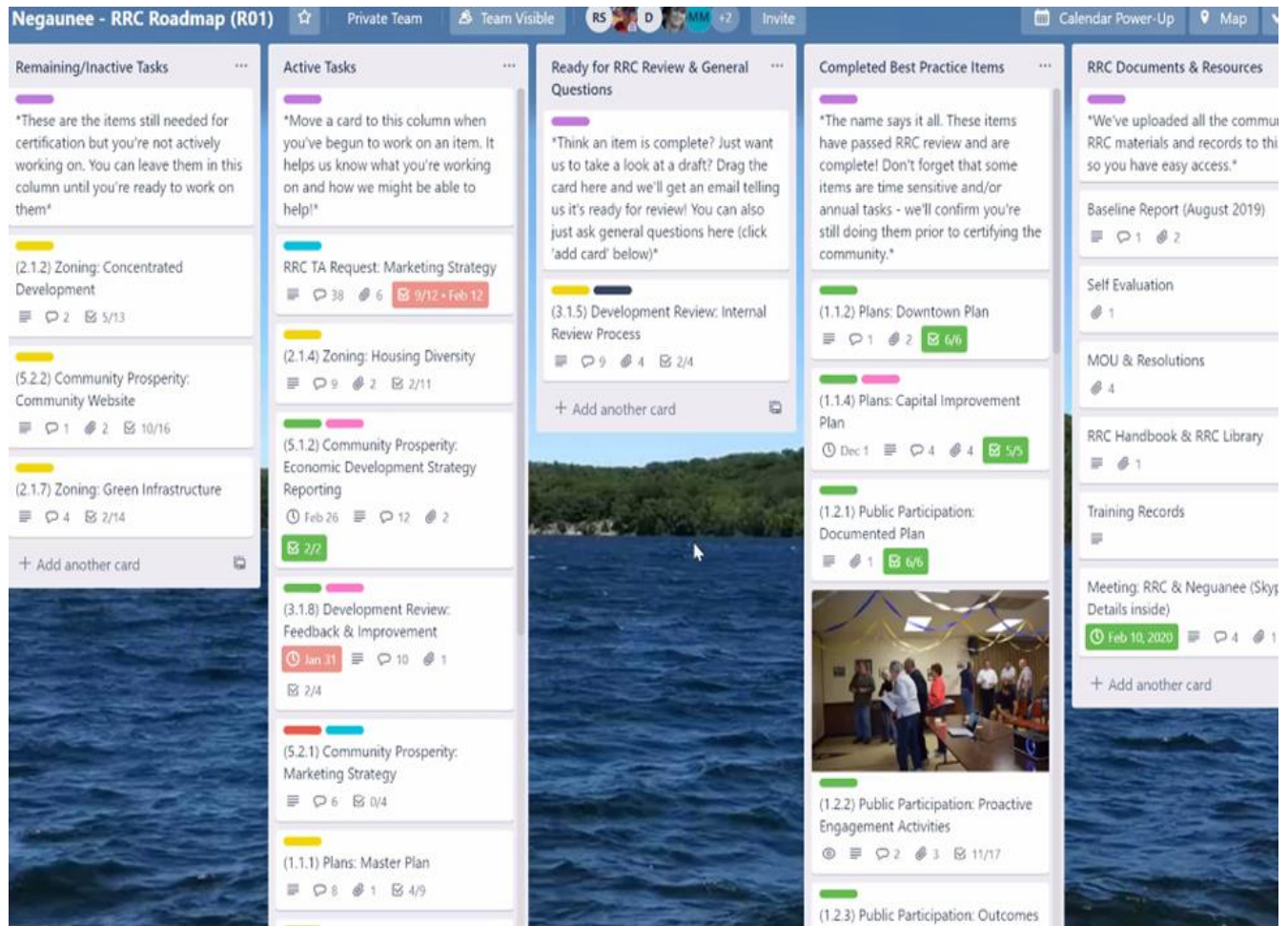
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Max Engle, Clerk

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Richard Bohjanen, Supervisor

Screen shot of Trello:



March 8, 2021

A regular meeting of the Chocolay Township Board was held on Monday, March 8, 2021 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 Zybert, David Lynch, Judy White, Don Rhein, Kendra Symbal

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

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

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

PUBLIC COMMENT – None.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Joint Meeting of February 15, 2021.
- B. Approve Revenue and Expenditure Reports – February 2021.
- C. Approve Bills Payable, Check Register Reports – February 11, 2021 (Check #'s 24521 - 24544, in the amount of \$12,234.63), and February 22, 2021 (Check #'s 24545 – 24565, in the amount of \$47,748.91).
- D. Approve Bills Payable – Regular Payroll (Check #'s DD1340 – DD1369 and Check #'s 11035 – 11039, Federal State, and MERS in the amount of \$39,887.58), and February 18, 2021 (Check #'s DD1379 – DD1397 and Check #'s 11040 - 11044, Federal, State, and MERS for a total of \$38,412.12).

White moved, Rhein supported to approve the consent agenda as presented.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen gave an update on COVID vaccines – there have been 25,258 total doses given in Marquette County, with 9,350 second doses for a total of 16.6%. This is decent as the national percentage of completed doses is 9.9%. Anybody over 50 with medical conditions, along

with caregivers, are now eligible for the vaccine. As of March 22, anybody greater than 50, with or without medical conditions, will become eligible.

There has been a change in the regulations for in-person meetings as of March 5<sup>th</sup>, with the new capacity being up to 25 people. If over this amount, you may either move the meeting outside or reschedule the meeting. As April 12 is the next Board meeting, he feels the Board should plan on having an in-person meeting at the Township Hall.

#### CLERK'S REPORT

Clerk Engle reported that he has ordered another tabulator for elections. There are no scheduled elections as of yet – nothing in May.

#### TREASURER

Linda Poole, the new Deputy Treasurer, is working out well. If you have not had the opportunity to meet her, she is very knowledgeable and approachable – doing a great job. Interest rates are still poor. Zyburt continues to look for better yields.

#### PUBLIC HEARING – NONE

#### PRESENTATIONS – NONE

#### PURCHASE OF WINDOWS FOR THE TOWNSHIP MEETING ROOM / POLICE STATION.

White questioned the prior approval of a new outside door for the meeting room and was wondering where the replacement for that stood.

Manager De Groot indicated that there had been a total of 15 quotes received. After staff evaluation, the lowest price and best fit was the one chosen.

White also wondered about repurposing the old windows – Manager De Groot will look into this.

Lynch moved, Symbal supported that the Chocoley Township Board authorizes the expenditure out of the Hall and Grounds Capital budget of not more than \$45,000.00 for twenty new windows, privacy tinting, vertical blinds and other incidentals that might be hidden when the old windows are removed. (101.265.957)

#### ROLL CALL VOTE

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

NAYS: None

#### MOTION CARRIED

#### FIRE DEPARTMENT GRANT AWARD AND PURCHASE OF PPE.

Manager De Groot explained that the grant is for wildland protection (turn out gear) that is built for summer rescue services. The grant has been approved and needs Township Board approval to move forward.

Zyburt moved, Lynch supported authorizing the Township Manager to work with the Fire Chief in ordering the necessary protective equipment in accordance with the grant application and draw the funds from the Fire Department's Capital budget line item – 401.341.957.

ROLL CALL VOTE

AYES: Symbal, Lynch, Zyburt, Engle, Bohjanen

NAYS: White, Rhein

MOTION CARRIED

#### DISCUSSION OF THE PLANNING COMMISSION'S 2021 WORK PLAN.

Supervisor Bohjanen indicated that this is the Planning Commission's proposed schedule, based on the Joint Meeting. Clerk Engle indicated it appears to be an aggressive schedule. Trustee Rhein (PC Liaison) indicated that he felt it is doable, as some of the tasks are already in motion. Supervisor Bohjanen indicated that marijuana ordinance seems to be missing. Trustee Rhein will bring this up at the next Planning Commission meeting. Supervisor Bohjanen indicated that the idea to combine the public hearing for the sign ordinance and marijuana ordinance was a good idea, but that the Township Board could also opt to schedule the readings and approval of the marijuana ordinance. Manager De Groot indicated that the marijuana ordinance has been drafted but does not have the number of research facilities to be permitted. The focus of the ordinance was the grow operation, the research operation, and the distribution mechanism and less on the dispensaries. All categories come with a permitted number of facilities which would be a Board decision.

Symbal asked if copies of the draft ordinance were available. This will be put on the April agenda for discussion.

Lynch moved, Rhein supported that the Chocoy Township Board accept the Planning Commission schedule as presented.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

#### MANAGER DISCUSSION ABOUT COVID-19 OFFICE OPENING PLAN.

Manager De Groot stated that some staff have received their vaccine. The police and fire are done with their vaccines. So far, the regulations have not been relaxed enough to allow for offices to be open. There are some staff that are nervous about opening to public.

There is still not an opening plan, but feels we are better positioned to do so. There are 6 employees that are not able to work from home due to the nature of their jobs and the VPN connection. Until OSHA regulations are changed, De Groot does not anticipate opening. The Township has a meeting schedule with OSHA at the end of the month. When we can move forward, De Groot would suggest a staged opening. Most phone calls are for trash bags, as only Waste Management and Kassels Korner are providing them. We have lost Great Lakes Market (Lafaro's) and Snyder Drug. Symbal asked if there is an incentive to sell the garbage bags. De Groot indicated that there was not.



Symbal wondered about going to a cart only system. De Groot stated that the trash collection issue is a much larger discussion than just bags.

Trustee White was wondering about starting up the Senior Group again. All are over 65 and have been vaccinated. Supervisor Bohjanen stated that after you have been vaccinated, you can still get the virus in or on your body, but they are not able to be replicated. The only means would be through physical contact (coughing, sneezing, etc.). Bohjanen asked that they avoid potlucks. White indicated that they would use the one entrance. Bohjanen also indicated that the seniors are not exempt from isolation.

Manager De Groot explained the implementation (if approved). For the first month, it would be offered once per week to give the opportunity to cleaning. The seniors are recognized as an extension of the Township. During the time the seniors are here, the middle door will be closed, so there would be limited interaction with staff. After the seniors leave, the cleaning could be done in the meeting room and restrooms.

White moved, Rhein supported to allow the seniors to start coming in once per week beginning March 30<sup>th</sup>.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

DISCUSSION AUDIT UPDATE.

Manager De Groot stated that the auditors were here in mid-February. After discussing the material testing they completed during that time, that there have been no material findings. The final audit packets will probably occur at the May meeting.

MANAGER UPDATE ABOUT SEWER PROJECT.

1. Sewer – staging has started at Lift Station 1. As soon as the frost laws are taken off, they will be able to start. The delivery dates have been finalized. They are planning to start digging the 1<sup>st</sup> of May, with the end being mid-June. It will be in a leapfrog pattern.

Trustee Rhein asked about delays. Manager De Groot indicated that they will be using bypass pumping to perform the last bit of cleaning. Once everything is in place, it will be taken off the bypass.

BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – None.

Judy White – None.

Dave Lynch – None.

Kendra Symbal – None.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT – None.

Lynch moved, Zyburt supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:25 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of January 21, 2021.
- B. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of February 27, 2021, Draft.
- C. Information – Chocolay Township Newsletter – January / February 2021.
- D. Correspondence – Elizabeth Delene, 232 Kawbawgam Road.

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Max Engle, Clerk

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Richard Bohjanen, Supervisor

April 12, 2021

A regular meeting of the Chocolay Township Board was held on Monday, April 12, 2021 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, Kendra Symbal

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

White moved, Lynch supported that the agenda be approved with the addition to **XII.F of “Approve Year End 2020 Budget Amendments”**.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

Alex Petrin, 136 Wintergreen Trail – in support of amending the zoning ordinance requirements.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Joint Meeting of March 8, 2021.
- B. Approve Revenue and Expenditure Reports – March 2021.
- C. Approve Bills Payable, Check Register Reports – March 4, 2021 (Check #'s 24566 - 24583, in the amount of \$888,358.16), March 12, 2021 (Check #'s 24584 – 24601, in the amount of \$6,710.72), March 26, 2021 (Check #'s 24602 – 24629, in the amount of \$44,108.57) and March 31, 2021 (Check #'s 24630 – 24634, in the amount of \$3,941.35).
- D. Approve Bills Payable – Regular Payroll March 4, 2021 (Check #'s DD1398 – DD1428 and Check #'s 11045 - 11049, Federal State, and MERS in the amount of \$40,071.37), and March 18, 2021 (Check #'s DD1429 – DD1461 and Check #'s 11050 - 11054, Federal, State, and MERS for a total of \$39,794.95).

Rhein moved, Lynch supported to approve the consent agenda as presented.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen reported that as of April 8, Marquette County had 27,000 fully vaccinated for COVID 19. 48.7% have had their first dose.

Supervisor Bohjanen also reported he has been meeting with John Gehres (Assessor) on a regular basis. Mr. Gehres has completed and certified the tax roll. Gehres will be starting field work soon, along with the help from a field assistant.

CLERK'S REPORT

Clerk Engle indicated there are legislative bills that have been proposed for conducting elections. He would encourage the Board to take a look. Clerk Engle indicated that some of the bills are looking to eliminate or slow down things that were in place for the November election.

PUBLIC HEARING – NONE

PRESENTATIONS – NONE

CONSIDER ENTERING INTO AN ANNUAL CONTRACT WITH THE MARQUETTE COUNTY ROAD COMMISSION FOR LAKEWOOD LANE.

White indicated that the western part of Lakewood Lane, along Riverside, needs be done properly, not just a temporary fix. She feels it is a waste of the taxpayer's money.

Supervisor Bohjanen indicated that in talking with the engineers, the problem is due to inadequate side road drainage, which will be part of the fix.

There was some discussion on the normal life expectancy of the road – Manager De Groot indicated that the normal capping of a road 8 – 15 years. The bid specs include a lot of work on the shoulders and drainage issues. They will be recrowning the road at Superior Street. The Township does not run the bid specifications anymore – this is all handled by the Marquette County Road Commission.

Supervisor Bohjanen feels that we have a great opportunity to get things done at a good price. We are getting almost three times as much work done for the cost.

Clerk Engle feels its good to be able to get the whole road done at one time.

Lynch moved, Zyburt supported that the Chocolay Township Board authorizes the expenditure out of the road Millage Fund of not more than \$458,043.25 for the resurfacing of Lakewood Lane, Hiawatha Street, and Superior Street.

ROLL CALL VOTE

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

NAYS: White

MOTION CARRIED

RE-ZONING APPLICATION FOR PARCEL NUMBER – 52-02-107-002-00.

Trustee Rhein indicated the property is behind O’Reilly Auto Parts and is surrounded by commercial property. Trustee Lynch asked if there were plans on what would be going in there. Trustee Rhein indicated that those plans have not been made public yet as they are still in negotiations. Supervisor Bohjanen indicated that the use is not in question, as the rezoning would be in the mixed-use commercial.

Lynch moved, Symbal supported that the Chocolay Township Board approves the rezoning application for parcel number 52-02-107-002-00 with the following:

Findings of Fact:

1. Master Plan
2. Zoning Considerations
  - a. Mixed Use Overlay District
3. Conditions (if any): None

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

FULLY APPOINT TONY GIORGIANNI TO THE ZONING BOARD OF APPEALS.

White moved, Zyburt supported that the Chocolay Township Board appoint Mr. Giorgianni to the Zoning Board of Appeals as a full member.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

REAPPOINT DON BRITTON TO THE IRON ORE HERITAGE RECREATION AUTHORITY BOARD.

Zyburt moved, Engle supported that the Chocolay Township Board re-appoint Mr. Britton to the Iron Ore Heritage Recreational Committee.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

CONSIDERATION OF A TOWNSHIP ADMINISTRATIVE POLICY FOR PURCHASING GOODS AND SERVICES.

White moved, Zyburt supported that the Chocolay Township Board approve the Purchasing of Goods and Services Policy, with the limit of \$3,500 in Section 1.3.A, and the correction of 1.3.B.a “Items or services under ~~\$1,500~~ **\$3,500** .... “ .

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

AUDIT UPDATE AND REVIEW OF THE ENGAGEMENT AND MANAGEMENT LETTERS.

White moved, Lynch supported that the Chocolay Township Board approve the Clerk and the Supervisor to sign the Audit Engagement and Management letters.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

**Addition to Agenda – Budget Amendment for 2020 Year End Adjustment**

Engle moved, Lynch supported that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated General Fund expenditures of the Township on October 14, 2019 for fiscal year 2020, 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:

<b>ACCOUNT EXPENDITURE</b>	<b>PREVIOUS</b>	<b>CHANGE</b>	<b>AMENDED</b>
Township Board Salaries 101.103.702	\$ 89,380.00	+\$ 925.00	\$ 90,305.00
Township Board Per Meeting Compensation	\$ 4,475.00	+\$ 225.00	\$ 4,700.00
Salary Contingency 101.285.952	\$ 26,700.00	-\$1,150.00	\$ 25,550.00
Technology Salaries 101.258.702	\$ 2,000.00	-\$2,000.00	\$ 0.00
Planning / Zoning Salaries 101.800.702	\$ 57,400.00	+\$2,000.00	\$ 59,400.00

Road Fund  
 Property Taxes  
 271.790.402                      \$220,000.00                      +\$3,000.00                      \$223,000.00

Road Fund  
 Contractual Services  
 271.790.800                      \$220,000.00                      \$3,000.00                      \$223,000.00

Sewer Fund  
 Unemployment Taxes  
 571.571.927                      \$      0.00                      +\$ 300.00                      \$      300.00

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

ORDINANCE REVIEW OF ACCESSORY BUILDING HEIGHT ALLOWANCES.

Symbal moved, Lynch supported that this amendment to the Zoning Ordinance be accepted as written and forwarded to public hearing and first reading at the next Board Meeting of May 10, 2021.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

DISCUSSION OF ORDINANCE PUBLIC HEARING SCHEDULE FOR SEWER, MARIJUANA, AND NUISANCE.

A proposed timetable was included in the packet material.

Ordinance	Public Hearing Month	First Reading	Second Reading/ Adoption
Marijuana Ordinance	May	May	June
Sewer Ordinance	June	June	July
Nuisance Ordinance	<del>July</del> June	<del>July</del> June	<del>August</del> July

There was considerable discussion on the Marijuana Ordinance – the authority has been taken from the Planning Commission and given to the Board.

The Sewer Ordinance will also require a look at the fee schedule. The language in the Sewer ordinance is similar to the language of Marquette Township and City of Marquette, as there is a three-way ownership. The only difference is that Chocolay Township bills by EU's.

It was decided that at the May meeting, the Board will hold a Public Hearing / First Reading on the Accessory Structure Ordinance and a separate Public Hearing / First Reading for the Marijuana Ordinance. At the June meeting, there will be two separate Public Hearings / First Readings - one for the Nuisance Ordinance and one for the Sewer Ordinance (which will also include a look at the fee schedule).

**CONSIDER CHANGES TO THE SILVER CREEK CELL TOWER CONTRACT.**

Symbal moved, Lynch supported that the Chocolay Township Board continue with American Towers in the current contract.

**ROLL CALL VOTE**

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

NAYS: None

MOTION CARRIED

**CONSIDER THE REPLACEMENT OF A SEWER JETTER (SEWER PIPE CLEANER).**

Lynch moved, Zyburt supported that the Chocolay Township Board approve the purchase of a replacement sewer jetter by spending funds that were budgeted within the Sewer Capital Fund and KBIC 2% Contingency.

**ROLL CALL VOTE**

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

NAYS: None

MOTION CARRIED

**MANAGER UPDATE ABOUT SEWER PROJECT.**

1. Sewer – Equipment is starting to be put in place. More equipment will be delivered to the Township within the next week or so. Already have the SCADA monitoring equipment in the Public Works office. Hope to be digging by the end of May, with the project completed mid to end of July.
2. Manager would like to have a section for updates on COVID-19.

Trustee White asked about coordination of projects for road and sewer. Manager De Groot indicated we will be working with the Road Commission and the Marquette BLP with their project to upgrade their electrical system with an additional feed.

Manager De Groot also indicated that there have been a couple of things that have happened in the last couple of weeks – the Township had an OSHA inspection and we are Certified OSHA Compliant. Our internal policies are compliant and we are following all COVID guidelines. Anyone who comes in the building must sign an affidavit answering the three questions and have a temperature scan. This documentation needs to be kept for a year. Also, the Governor has extended the OSHA standard for another 6 months.



Manager De Groot also stated that some of the offices in the County are looking at June 1<sup>st</sup> to open. If the Board chooses, he can then design a ramp up plan for opening to the public.

Supervisor Bohjanen indicated that by our next meeting in June, staff that wanted to get the COVID vaccination will be fully vaccinated.

Trustee Symbal commended Township Staff on their work and following COVID guidelines.

#### BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – None.

Judy White – None.

Dave Lynch – None.

Kendra Symbal – expressed concern that the Manager was cleaning after the Seniors left on Tuesdays. Manager De Groot indicated that this is an employee safety issue, and he did not plan on doing this once the office is opened.

Max Engle – Would like to see the draft ordinances in advance of the packet material.

Richard Bohjanen – None.

#### PUBLIC COMMENT

Alex Petrin, 136 Wintergreen Trail – Thanked the Board for discussion on accessory structures.

Zyburt moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:13 pm.

#### INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of March 2, 2021 (February Meeting).
- B. Minutes – Chocolay Township Planning Commission, Regular Meeting of March 15, 2021, Draft.
- C. Minutes – Chocolay Township Zoning Board of Appeals, Regular Meeting of February 25, 2021.
- D. Minutes – Chocolay Township Zoning Board of Appeals, Regular Meeting of March 25, 2021, Draft.
- E. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of February 18, 2021.

- F. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of February 21, 2021.
- G. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of March 24, 2021, Draft.
- H. Information – Chocolay Township Newsletter – March 2021.
- I. Correspondence – North Country Trail Hikers Chapter – North Country Trail Association.

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Max Engle, Clerk

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Richard Bohjanen, Supervisor

May 10, 2021

A regular meeting of the Chocolay Township Board was held on Monday, May 10, 2021 in the Chocolay Township Meeting Room, with access also available through 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, Judy White, Don Rhein, Kendra Symbal

ABSENT: Dave Lynch (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell, Linda Poole

APPROVAL OF AGENDA.

Rhein moved, White supported that the agenda be approved with the removal of **XII.C – Consider First Reading of a Revision to the Sign Ordinance as Recommended by the Planning Commission.**

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

PUBLIC COMMENT

In Person: None

Via Zoom:

Alex Petrin, 136 Wintergreen Trail – wanted to reiterate his support of the changes noted in the accessory height ordinance.

Deborah Mulcahey, 633 Lakewood Lane – had several issues to address. (1) Brush drop-off – felt that it was held too early – this is not an issue of convenience, but an issue of fire safety. (2) Roads – addressed Lakewood Lane repairs last meeting – feels the Township is throwing money away as this needs more than a temporary fix. (3) Animal control ordinance – not consistent with State law. (4) No sign at Kawbawgam Pocket Park – contractors continue to park there overnight. (5) Height of accessory building – in most cases should be able to have the building at the same height as the house. Do not want multiple buildings on property.

Public Comment closed 5:40 PM.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – April 12, 2021.
- B. Approve Revenue and Expenditure Reports – April 2021.
- C. Approve Bills Payable, Check Register Reports – April 6, 2021 (Check #'s 24635 - 24642, in the amount of \$6,214.07), April 14, 2021 (Check #'s 24643 – 24655, in the amount of \$31,507.83), and April 29, 2021 (Check #'s 24656 – 24674, in the amount of \$24,096.16).

- D. Approve Bills Payable – Regular Payroll April 1, 2021 (Check #'s DD1462 – DD1492 and Check #'s 11055 - 11059, Federal, State, and MERS in the amount of \$39,269.64), April 15, 2021 (Check #'s DD1493 – DD1506 and Check #'s 11060 - 11064, Federal, State, and MERS for a total of \$33,637.95), and April 29, 2021 (Check #'s DD1507 – DD1536 and Check #'s 11065 – 11069, Federal, State, and MERS in the amount of \$39,047.94).

Zyburt moved, Engle supported to approve the consent agenda as presented.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Lynch

MOTION CARRIED

SUPERVISOR'S REPORT

We are in the process of looking at new computers for staff and Board members.

Covid Update – in Marquette County 32,538 people have received their first shot, which comes to 57.9% and 27,155 people have received both shots, which comes to 48.3%. This is in comparison to the State, where those who have received the first shot is 51.5%, and those that have received both shots is 41.4%. The rate of vaccinations is significantly dropping off, and there are many unused vaccinations left. Supervisor Bohjanen encouraged everyone to get their shots. The threshold for moving into a different category is 60%.

CLERK'S REPORT

Clerk Engle reported that we have received a new tabulator, which will enable the Clerk's office to have a backup tabulator for Elections.

PUBLIC HEARING – MARIJUANA ESTABLISHMENTS ORDINANCE

Supervisor Bohjanen opened the public comment section for this hearing. Supervisor Bohjanen indicated there was a letter in the packet from Scott Emerson which suggested that the wording under definitions of Marijuana Microbusiness be changed to add **greater than 12 but** ...to make sure the ordinance is consistent with state law. Emerson feels this is a good ordinance.

Manager De Groot indicated he had opened up the electronic portion for any public wishing to speak through Zoom. No public wished to make comment electronically.

Supervisor Bohjanen closed the Public Hearing at 5:45 pm.

PUBLIC HEARING – ACCESSORY BUILDING HEIGHT ORDINANCE

Supervisor Bohjanen opened the public comment section for this hearing.

Alex Petrin, 136 Wintergreen Trail - is in favor of the changes that are being brought forward in this ordinance. He also feels that the setbacks should be standardized.

Supervisor Bohjanen closed the Public Hearing at 5:49 pm.

## PRESENTATIONS – AUDIT PRESENTATION

Mike Grentz from Anderson, Tackman and Company PLC presented the FY2020 audit. Grentz indicated that this was an unmodified opinion which means the Township complied with all the General Accepted Accounting Principles and that a sampling of transactions was done. The total net position for the Township is \$10.8 million (with \$3.1 million from the sewer fund and \$7.6 million from governmental funds). This is roughly a \$430,000 increase from the prior year. There is a pension benefit this year. The sewer fund had a gain of \$248,000 for the year. The primary reason for this is the increased income for services and the capital project which may be skewing it a bit. 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.

## CONSIDER FIRST READING OF THE NEW MARIJUANA ESTABLISHMENTS ORDINANCE.

Supervisor Bohjanen indicated that the Board had a copy of the proposed ordinance.

White indicated that the residents that she had talked with are not in favor of any of this type of business – they do not want this in their community. Rhein agreed that this is the feedback he is getting from the residents that he has been in contact with. Symbal stated that she is hearing the opposite of this. She feels the community is split on this – with the vote being around 52% - 54% in favor. Symbal stated that progress happens on so many levels. She feels this is a personal choice. Supervisor Bohjanen stated that none of these establishments would be permitted in residential neighborhoods. If the ordinance is passed, someone would have to want to have that type of business. He feels it would be a benefit to the Township. White also questioned the “skunky” smell. Zyburt was concerned that looking 5 years down the road, this may no longer be a prime business and then you are left with vacant buildings. Rhein agreed. Engle stated that he knew of one person that was interested in starting a business in Choccolay.

Symbal asked about the availability of land that would be able to serve as a growing facility, and the payback mechanisms that come with growing and provisioning centers.

Manager De Groot indicated there are a number of factors that need to be considered and the type of payback mechanism that does not come through the State Treasury. A research facility (at the most intensive use) would be taxed for personal property and taxes from escalation of change over. All of the operations would not be in residential, which would put them in the 18% property tax. This transaction is dependent on someone willing to step through the door. There have been some indications from people that would like to be processors. At this point, it appears there is only one statewide processing center for processing quality control – any product that is grown up here has to be shipped there to be certified and then be shipped back. This runs about \$4,000 per trip. With the Corrections Center closing, there are approximately 300 acres that could be used. De Groot reiterated that fact that, personal beliefs aside, our community did vote for this. There are a number of permits and licensing that are required by the State.

There was discussion on the number of permitted establishments, with suggestions being anywhere from one to three permitted establishments.

Symbal moved, Engle supported that the number of permitted establishments in the Mixed Use Overlay and Industrial (I) districts be two, and the number of permitted establishments in the Agriculture / Forestry (AF) district be three.

ROLL CALL VOTE

AYES: Symbal, Rhein, Zyburt, Engle, Bohjanen

NAYS: Rhein, White

ABSENT: Lynch

MOTION CARRIED

The Board went on to discuss the subject of setback requirements for these establishments.

Rhein moved, Engle supported that setbacks be compliant with State requirements and local zoning regulations.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Lynch

MOTION CARRIED

After holding a public hearing and revising the draft Marijuana Establishment Ordinance, White moved, Zyburt supported that the Chocolay Township Board accept the revised draft ordinance and forward it to a second reading and approval at the next Board meeting.

ROLL CALL VOTE

AYES: Symbal, White, Zyburt, Engle, Bohjanen

NAYS: Rhein

ABSENT: Lynch

MOTION CARRIED

Symbal asked if staff could provide a visual representation of where these establishments would be. This will be supplied at the second reading.

CONSIDER FIRST READING OF A REVISION TO THE ACCESSORY BUILDING HEIGHT ORDINANCE.

Manager De Groot went over how to read the marked-up copy of the draft ordinance – yellow would be eliminated, green would be discussed, and magenta to be added.

On the definition of setback, there is a section highlighted that states: ***Except as otherwise permitted by this Ordinance, an accessory building or accessory structure shall not be used for human habitation.*** This will be left in the definition until the Planning Commission has taken a look at the Zoning Ordinance in full.

Under Height and Placement Regulations (VI.6.1) the area highlighted in yellow would be removed. ***“Where there is no rear lot line as otherwise defined herein, the required rear setback distance shall be measured from a line through the point on the lot most distant from any front lot line of the same lot, which line shall be perpendicular to a line from said point to the closest point on any front lot line. If there is more than one such line, the rear setback shall be maintained from any one of them at the option of the owner.”***

In the same paragraph (highlighted in green), ***“Where a lot fronts on two streets within 30 degrees of being parallel, but not of their intersection, no rear setback is required. The side setback requirement applies to a side lot line and also to any lot line which is neither a front, rear, or side lot line.”*** It was decided that this wording should be eliminated.

Discussion on setbacks concluded that setbacks are controlled by the Zoning Ordinance and would still need to follow those regulations.

In the footnotes section, ***#6 – No detached building shall exceed sixteen feet and six inches (16’ 6”) in average height as determined by the Zoning Administrator nor exceed the exterior perimeter dimensions of the principal structures on the lot with the following formula:***

***R-1 District – Side and rear yard setbacks for accessory structures must be increased 2’ for every foot over 15’.***

***R-2 District - Side and rear yard setbacks for accessory structures must be increased 3’ for every foot over 15’.***

***(#34-09-17)***

***(B) In Districts R-1, R-2, MFR***

This footnote will be eliminated.

Other changes included the ***addition of Accessory Structure to Permitted Uses for Single Family Residential (IV.4.1.B.4), Permitted Uses for High Density Residential District (R-2) Harvey (IV.4.2.B.4), Multi Family Residential district (MFR) (IV.4.3.B.4), Waterfront Residential District (WFR) (IV.4.4.B.3), Commercial District (C) (IV.4.5.B.13), Industrial District (I) (IV.4.36.A.10), and Agriculture / Forestry District (AF) (IV.4.7.B.7).***

After holding a public hearing and reviewing / revising the draft Revision to the building Height of Accessory Structures Ordinance, specifically the maximum height restriction, Zyburt moved, Rhein supported that the Chocoday Township Board accept the draft Ordinance and forward it for a second reading and approval at the next Board meeting.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Lynch

MOTION CARRIED

CONSIDER THE POSSIBILITY OF HIRING AN ADDITIONAL ADMINISTRATIVE ASSISTANT.

Manager De Groot explained that there have been some questions on how the front office really runs. We have not kept up with job descriptions or responsibility lists. We have now reached a point that we are stretched, especially once the Township Office opens to the public. A full-time staff member has retired and been filled with a part-time employee. At this point, employee vacations have not been built into the mix. If we were to hire a full-time administrative assistant there would be a realized impact of about \$20,000 over last year (inclusive of pay and benefits). This would be a new FTE to the organization.

White questioned the years that we do not have an election. What would this person do? She is willing to go with a part-time employee.

Zyburt thanked De Groot for updating the job descriptions. He explained that the newest employee (Deputy Treasurer) is a part time person, so this would be a cost savings. He also touched on the aging workforce and the need for succession planning. As this is a smaller staff, the new person would need to be a jack-of-all-trades. We need to be hiring knowledgeable staff. The other part of this is with Unemployment the way it is right now, how hard is it going to be to find someone to fill the position. The package that we are offering is generous to hopefully attract the right person.

Rhein felt that it would be easier to fill a full-time position than part time. Zyburt stated that finding a qualified person for a full-time position is easier. Symbal asked about a probationary period. De Groot stated that in the Employee Handbook there is a 6-month probationary period. Symbal indicated that she is in support of the full-time position.

Engle indicated that during elections the new person would be assisting with the election process, which would eliminate the need to hire several on call persons.

De Groot also stated that the work in the front office is cyclical – taxes are sent out twice a year, every two years there is a possibility of up to 4 elections, minute taking, website management, understanding the phone distribution. It is important to start clarifying the distribution of the duties in light of succession planning.

Engle moved, Rhein supported that the Chocolay Township Board accept the recommendation from the Township Clerk, Treasurer, and Manager to hire an additional Administrative Assistant.

ROLL CALL VOTE

AYES: Symbal, Rhein, Zyburt, Engle, Bohjanen

NAYS: White

ABSENT: Lynch

MOTION CARRIED

ACCEPTANCE OF THE AUDIT.

White moved, Zyburt supported that the Chocolay Township Board accept the Annual Audit as presented.



ROLL CALL VOTE

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

NAYS: None

ABSENT: Lynch

MOTION CARRIED

DISCUSSION AND PLANNING COVID OFFICE PROCEDURE.

Manager De Groot indicated that COVID cases continue to flex. According to the Marquette County Health Department, between those **adults** who have had COVID and recovered, those who are sick and will recover, and those that are fully vaccinated, we have reached the magical number of herd immunity. When you take into consideration the whole population, which would include children and other populations that are not eligible yet, we are not there. We are not at the 60% yet.

The Managers in Marquette County are working on bringing people back to work. The question is opening to the public. Most are looking at June 1<sup>st</sup> for opening to the public.

If the Township Board would want to do this, there are certain factors to take into account. We currently have staff members that have not been vaccinated. De Groot suggested that at the June meeting we come back with a construction drawing – remove sneeze guards and install glass. If the resident coming in has an appointment, the questionnaire needs to be filled out and temperature checks performed, even if the resident is vaccinated.

If the Board would like to open June 1<sup>st</sup>, De Groot would suggest a 3-stage plan for minimal days open and work hours to allow for cleaning.

During this period, there has been very minimal concerns for counter work, with the main being where to find trash bags and trash pickup. We don't know for sure what the work volume is going to be like once we open. After having a staff meeting last week, if the Board desires, the staff is willing to open the doors to the public.

White feels that we should open, and that it should have been done a long time ago. Rhein feels the same way. Zyburt indicated that even with the doors open, we may not see a lot of foot traffic for a while.

Engle asked about the cost estimates for changing over the front office space. De Groot indicated there are three different designs: (1) Cut a hole in the wall for a pass-through window (least favorable option); (2) Install glass to within 2 feet of the ceiling along the entire run of the countertop (this option is approximately \$7,000); and (3) Same as #2, but with a door installed near the waiting area as a security door before going back to an office (approximately \$8,500). For security purposes and the long-term, the preferred option would be #3. This will be brought back to the Board in June for discussion.

#### MANAGER UPDATE – SEWER AND BUDGET

1. Sewer – will be seeing movement on Green Bay Street – have put in a trench box to protect all new paving that went on last year – will be redone either Tuesday or Wednesday, and new grinder station will go in on Wednesday. There have been some power fluctuations that are causing alarms, when there are no alarms. This will be reprogrammed this week. SCADA monitoring system – working with Verizon to get running. The tentative start date is July 21<sup>st</sup>. The pumps delivery date will be in the first two weeks of July. Will be starting at Lift Station #1 (Welcome Center). This is a 4 – 4 ½ week process, which will take us into mid-August. De Groot hopes to have a tentative construction schedule for the June meeting. Then the Township will be able to get the word out to residents. There will be bypass pumping – bypass affluent to next manhole.
2. Budget – have started meeting on the budget and will be starting to bring information to the Board, with draft form in August. Would then plan on having it for public viewing for 3 months. Next month we plan on bringing a 6-month budget amendment request.

#### BOARD MEMBER COMMENTS

Don Rhein – None.

Ben Zyburt – introduced the new Deputy Treasurer – Linda Poole. She brings a lot of experience from the City.

Judy White – Brush drop-off – doesn't feel we are helping the community with people who do not have a way to get their brush here. Snowbirds also did not get a chance this year as the drop off was held too early.

Kendra Symbal – participated in the MTA Conference online. In regards to White's comment, there was a portion on "Neighbors helping Neighbors". She also toured MCSWMA with B. Johnson (DPW Supervisor) and found it very interesting and impressive. Encouraged other Board members to take a tour.

Max Engle – None.

Richard Bohjanen – None.

#### PUBLIC COMMENT

Alex Petrin, 136 Wintergreen Trail – Thanked the Board for discussion on the two ordinances reviewed at tonight's meeting.

Zyburt moved, Rhein supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:42 pm.

#### INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of April 19, 2021, Draft.

- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of April 15, 2021, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority; Stockholder’s Meeting of April 21, 2021, Draft.
- D. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of April 21, 2021, Draft.
- E. Information – Chocolay Township Newsletter – April 2021.
- F. Correspondence – E. Delene, 232 Kawbawgam Road.

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Max Engle, Clerk

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Richard Bohjanen, Supervisor

June 14, 2021

A regular meeting of the Chocolay Township Board was held on Monday, June 14, 2021 in the Chocolay Township Meeting Room, with access also available through 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, Dave Lynch, Don Rhein, Kendra Symbal

ABSENT: Judy White (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Rhein supported that the agenda be approved with the addition of **XI – Unfinished Business - Consider Second Reading of a Revision to the Accessory Building Height Ordinance.**

MOTION CARRIED

PUBLIC COMMENT

In Person:

Stephanie Gencheff, 597 Lakewood Lane - had two non-agenda items to comment on. Commented on the noise ordinance and construction cut off time at 10:00 pm. Asked that this be looked at when rewriting the noise ordinance. She also presented some signs that she had on her lawn – theft of signs and vandalism on other signs. Felt maybe this would be the time for public education.

Via Zoom:

Alex Petrin, 136 Wintergreen Trail – supports the changes made to the accessory building height ordinance. Also indicated he was receiving no audio feed on the Zoom link.

Public Comment closed 5:38 PM.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – May 10, 2021.
- B. Approve Revenue and Expenditure Reports – May 2021.
- C. Approve Bills Payable, Check Register Reports – May 12, 2021 (Check #'s 24675 - 24699, in the amount of \$33,044.76), and May 26, 2021 (Check #'s 24700 – 24730, in the amount of \$29,520.78).
- D. Approve Bills Payable – Regular Payroll May 13, 2021 (Check #'s DD1537 – DD1566 and Check #'s 11070 - 11074, Federal, State, and MERS in the amount of \$39,683.11), and May 27, 2021 (Check #'s DD1567 – DD1592 and Check #'s 11075 – 11079, Federal, State, and MERS in the amount of \$40,442.99).

Zyburt moved, Symbal supported to approve the consent agenda as presented.

MOTION CARRIED

#### SUPERVISOR'S REPORT

COVID update – Marquette County has 60.9% of the population has received their first shot, with 49.1% being fully vaccinated, as compared to the State with 55% first shot and 49% complete. The running average of new cases for Marquette County is 1 – 2.

Assessor update – Brady Hanson has been hired as our Assessing Assistant to do field work.

There has been some difficulty with the sewer project with alarms going off in some of the new equipment we have. The engineering consultants are on it and solving the problem.

Brush pickup – Brad Johnson, DPW Superintendent, contacted several businesses that would do that sort of thing, along with tree services. Three refused to bid, and the fourth gave a quote that was beyond our means.

Chocolay Daze is not going to happen this summer – hopefully will resume next year. We should still be looking at Business of the Year. Board members are asked to think about this and submit their suggestions.

#### CLERK'S REPORT

Clerk Engle reported there will not be an August election in Chocolay Township. Still waiting to hear if there will be a November election.

#### TREASURER'S REPORT

Interest rates continue to be very poor. Last year a 2-year CD was at 1.5% – 1.7%. Now a 4-year is at .3%.

#### PUBLIC HEARING – SEWER USAGE ORDINANCE / REU TABLE

Supervisor Bohjanen opened the Public Hearing at 5:50 pm.

There were no public comments. Supervisor Bohjanen closed the Public Hearing at 5:51 pm.

#### PRESENTATIONS – NONE.

#### CONSIDER SECOND READING OF THE A REVISION TO THE ACCESSORY BUILDING HEIGHT ORDINANCE.

Symbal Moved, Rhein Supported that the Chocolay Township Board accept the draft Revision to the Accessory Building Height Ordinance for second reading.

#### MOTION CARRIED

Zyburdt Moved, Rhein Supported that the Chocolay Township Board formally adopt the draft Revision to the Accessory Building Height Ordinance and publish in the paper of record to become effective 15 days after publication.

ROLL CALL VOTE:

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

NAYS: None

ABSENT: White

MOTION CARRIED

CONSIDER FIRST READING OF THE NEW SEWER USAGE ORDINANCE.

Supervisor Bohjanen presented the Sewer Ordinance – this ordinance is a document that was drawn up by lawyers following the City of Marquette Ordinance. We are required to participate at the same level as the City and Marquette Township.

Clerk Engle asked about the section on page 32 on the disconnecting of service – wondering why the clause on shut off is in there, as Chocolay has no means to disconnect for non-payment.

Manager De Groot explained the non-payment options – these are options that we would have, with our normal being tax lien with delinquency over 6 months. In the future, if we decide to cap, it would be a choice that we have.

Symbal asked about instances where someone has to hook up to the sewer system, if there was some type of hardship availability for the homeowner.

Manager De Groot explained in a new area, there could be a special assessment. If someone has a septic, and the system fails, the homeowner bears the burden. The homeowner would be able to come to the Township to ask for some relief. In a failing system, most lots do not have space for a new septic. Would need to work with the Township, Health Department, and State to find what may be available. This would be on a case-to-case basis.

Symbal asked if there is a map that shows the considered expansion. Manager De Groot explained we are working on a capacity study for the Township. We know we have 7% of flow, but no capacity study has been performed. Once this is done, we would be able to have mapping on future ability for expansion.

Rhein asked if any residents have tied into the M-28 expansion. Manager De Groot stated that there have not been any at this point, but after talks with the Health Department, Chocolay Township septic systems are only good for about 30 – 40 years because of our soil, so we will need to be prepared when they start to fail.

Supervisor Bohjanen also indicated that the State is looking at regulating septic systems. This will create a major change.

Manager De Groot explained the REU calculation table – this is built on a single user connection. This is the result of consultant's study in determining units.

Engle moved, Lynch supported that the Chocolay Township Board accept the draft Sewer Usage Ordinance and REU Calculation Table for first reading and public review.

MOTION CARRIED

CONSIDER SECOND READING OF THE MARIJUANA ESTABLISHMENTS ORDINANCE.

Supervisor Bohjanen indicated that the changes had been made from the discussion at last meeting.

Lynch moved, Symbal supported that the Chocolay Township Board accept the draft New Marijuana Establishments Ordinance for second reading.

MOTION CARRIED

Lynch moved, Symbal supported that the Chocolay Township board formally adopt the draft New Marijuana Establishments Ordinance and publish in the paper of record to become effective 15 days after publication.

ROLL CALL VOTE

AYES: Symbal, Lynch, Zyburt, Engle, Bohjanen

NAYS: Rhein

ABSENT: White

MOTION CARRIED

CONSIDER MARQUETTE COUNTY HAZARD MITIGATION PLAN RESOLUTION.

### **Marquette County Hazard Mitigation Plan**

Meeting: June Board Meeting

Date: June 14, 2021

Zyburt moved, Engle supported to adopt the 2021 Marquette County Hazard Mitigation Plan as presented.

ROLL CALL VOTE

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

RESOLUTION ADOPTED

#### RESOLUTION TO ADOPT THE 2021 MARQUETTE COUNTY HAZARD MITIGATION PLAN

WHEREAS, Charter Township of Chocolay is committed to the mitigation of potential hazards and the protection of the public health, and the reduction of property damage and loss of life that can result from hazardous events;

WHEREAS, The Federal Emergency Management Agency (FEMA) requires that communities have an adopted Hazard Mitigation Plan as a requirement to receive funding under certain FEMA programs;

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Chocolay Board of Trustees, hereby adopt the Marquette County Hazard Mitigation Plan, as updated in 2021.

Recorded by Supervisor Bohjanen: \_\_\_\_\_

Date: \_\_\_\_\_

Certified by Clerk Engle: \_\_\_\_\_

Date: \_\_\_\_\_

#### MANAGER UPDATE – SEWER AND BUDGET

1. Marijuana – at the last meeting, there was a request for information on setback and compliance with State statues. A map was presented on screen indicating the areas that can be developed.
2. Sewer – the new grinder stations seem to be having intermittent power problems, possibly within the CPU’s. There are alarm issues – no failures at yet. There is a 4-5 hour rotation by DPW. Residents have been very patient. Mock modems are now connected to the supplier for monitoring. There is a 5-year warranty on this equipment. We now have a draft construction schedule – staging will begin the week of July 19<sup>th</sup>, with construction to begin the week of July 26<sup>th</sup>. Completion would be in mid to end of October.
3. Budget – Staff owes the Board a draft budget in August. Staff has started to work on this. There has been discussion about the American Recovery Act funding to local government stimulus payments, which will affect the budget revenues. Chocolay Township will be getting a draw from Marquette County. The 1<sup>st</sup> round shows that we would be eligible for \$200,000 to \$300,000. This will be reserved for certain allocations. Marquette County has secured a legal team to help the Township draw down funds and find out what projects this can be used for. This does require federal registration, which has been done. The draw down must be done by 2024, with funds spent by 2026. Marquette County has been allotted \$6.4 million. These funds have some strings and must be compliant.

#### BOARD MEMBER COMMENTS

Kendra Symbal – reported on issues brought to her by residents: 1. Having a dog park in Chocolay Township, possibly on the beach. (Manager De Groot indicated that his option had been discussed with staff and has been listed as an option in the RFP. Beach front is not owned by us, so this would be something that would need to be reviewed.) 2. Revisit safe routes to school – she is committed to finding the ways to make it happen. (Supervisor Bohjanen indicated we would need to check on what kind of money was still available.)

Dave Lynch – None.

Don Rhein – None.

Ben Zyburt – None.

Max Engle – None.

Richard Bohjanen – None.

#### PUBLIC COMMENT – NONE.

Rhein moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:51 pm.



INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of May 17, 2021, Draft.
- B. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of May 19, 2021, Draft.
- C. Information – Chocolay Township Newsletter – May 2021.

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Max Engle, Clerk

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Richard Bohjanen, Supervisor

July 12, 2021

A regular meeting of the Chocolay Township Board was held on Monday, July 12, 2021 in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zybur, Dave Lynch, Judy White, Don Rhein, Kendra Symbal

ABSENT: None

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

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 – June 14, 2021.
- B. Approve Revenue and Expenditure Reports – June 2021.
- C. Approve Bills Payable, Check Register Reports – June 15, 2021 (Check #'s 24731 - 24766, in the amount of \$52,610.61), and June 24, 2021 (Check #'s 24767 – 24790, in the amount of \$41,041.11).
- D. Approve Bills Payable – Regular Payroll June 10, 2021 (Check #'s DD1593 – DD1623 and Check #'s 11080 - 11084, Federal, State, and MERS in the amount of \$40,084.30), and June 24, 2021 (Check #'s DD1624 – DD1651 and Check #'s 11085 – 11089, Federal, State, and MERS in the amount of \$42,143.90).

Rhein moved, Lynch supported to approve the consent agenda as presented.

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen provided a brief COVID update – Marquette County has 62.1% of its residents with at least one shot, and 58.3% of those that are fully vaccinated. About 80% of these are senior citizens.

Absence of Ordinances in the packet (Nuisance, Sign, and Sewer) are due to changes by the attorney. These are scheduled to be brought back for the August meeting.

CLERK'S REPORT

Clerk Engle reported that there are no planned elections at this point. November is still subject to change.

#### TREASURER'S REPORT

PUBLIC HEARING – NONE.

PRESENTATIONS – NONE.

#### CONSIDER BUSINESS OF THE YEAR.

Supervisor Bohjanen indicated that CABA is in the process of reorganizing, so it is felt that they may want to be part of the nominating process. This year we may want to recognize all the businesses that survived during the pandemic.

Manager De Groot indicated that he had met with the owner of Michigan Made and the owner of La Dolce. They will be putting out the word. The plan is to formally meet every month. A date has not been set for meeting, as they want to make sure the website is up and running.

#### CONSIDER DRAFT ASSESSOR CONTRACT LANGUAGE.

Supervisor Bohjanen indicated that some of the parameters are different. We need to be keeping track and make sure we are addressing issues as they happen. As a contract employee, it is a fixed contract – 5 years / \$52,000 per year – with no COLA adjustments included.

There was discussion on what constitutes the language of one day per week.

Section 5. "... the Assessor shall maintain regular office hours for not less than one ~~eight-hour~~ **designated** day per week and also be available by appointment as needed ~~or requested.~~ "

Manager De Groot indicated that last fall he was given the task of managing the contract employee. Assessor Gehres is meeting the minimum requirements of the AMAR on the first submittal. De Groot feels the Assessor should be here at a certain set time of the week to interact with staff and residents. De Groot indicated that he is not concerned with the negotiation process – in his experience, government positions get filled. This draft contract contains more roles and responsibilities that were talked about last fall.

Supervisor Bohjanen also brought up the 20% requirement. The basic requirement of the State is to assess every 5 years, not necessarily 20% per year.

Zyburt moved, Lynch supported to make the changes to the contract as indicated and continue negotiations.

AYES: 6

NAYS: 1 (Engle)

MOTION CARRIED

CONSIDER VAST WRAP SUMMARY PLAN – RETIREMENT COMMITTEE RECOMMENDATION.

Treasurer Zyburt gave a brief overview of the Pension Committee meeting. The subject of an electronic benefits system had been discussed (Ease Central). This type of program eliminates much of the HR involvement. Trustee Lynch liked the privacy aspect. It was felt that this would be a great option for the employees to be able to go online and manage their insurance benefits. There would still be an option for manual information.

Lynch moved, Zyburt supported that the Chocolay Township Board enters into the attached Welfare Benefits Contract as recommended by the Pension Committee.

MOTION CARRIED

CONSIDER PITNEY-BOWES POSTAGE METER LEASE AGREEMENT

White moved, Symbal supported that the Chocolay township Board empower the Township Manager to enter into a renewal contract with Pitney-Bowes for the replacement of the current postage meter with the purchase of the SendPro C425.

MOTION CARRIED

CONSIDER RENTAL FEE WAIVER

Zyburt moved, White supported that the Chocolay Township Board waives the \$100.00 in user fees for the benefit softball games.

MOTION CARRIED

CONSIDER AWARD OF CRACK SEAL CONTRACTS – TOWNSHIP HALL PARKING LOT AND ICE RINK

Lynch moved, Zyburt supported that the Chocolay Township Board awards a contract to Sealer King LLC of not more than \$9,000.00 to sealcoat, crack seal and line painting for the parking lot at the Township Office Complex and not more that \$2,500.00 to sealcoat and crack seal the ice rink.

MOTION CARRIED

INFORMATION TECHNOLOGY PROJECT UPDATE

Dale Throenle, Technology gave a presentation on technology in the Township, and issues and concerns that became more apparent during the shutdown:

- Payment difficulties
- Network connections and speed
- Township communication
- Township web site
- Township Hall sound system
- Township-provided computer equipment
- Business continuity

Throenle also provided recommendations on possible solutions.

This is the Township's opportunity to modernize. This is a two-phase approach, with the first phase being the laying of groundwork – build infrastructure first. This would involve switching from cable to a fiber connection, upgrade our Township website (including electronic payment capability,

electronic signature capability, and ability for text / email communication for the public), and an improved offsite data backup plan.

The Board felt this is a good direction to be going in.

**INFORMATION TECHNOLOGY PROJECT UPDATE – CONSIDER CONNECTION TO FIBER OPTIC**

Lynch moved, Symbal supported to convert from cable to fiber connection for the Township. The plan for the conversion should be the 100 / 100 plan and should include the nine phone lines now supported.

MOTION CARRIED

**INFORMATION TECHNOLOGY PROJECT UPDATE – CONSIDER WEBSITE DESIGN**

Lynch moved, Zyburt supported to accept the Shumaker Technology Group (STG) quote for development of the Township website to include:

- a. Setup and design at a one-time cost of \$2,495.00
- b. Fully managed site at an annual cost of \$595.00,  
and to include the following option:
  - a. Scanning of the website for ongoing ADA compliance for an annual cost of \$540.00.

MOTION CARRIED

**INFORMATION TECHNOLOGY PROJECT UPDATE – TIMING OF NEW COMPUTER EQUIPMENT UPDATE.**

**INFORMATION TECHNOLOGY PROJECT UPDATE – CONSIDER OFFSITE DATA BACKUP PROPOSAL**

Symbal moved, Rhein supported that the quote for offsite data backup as presented in the Lasco proposal be accepted as presented.

MOTION CARRIED

**AMERICAN RESCUE PLAN ACT FUNDS UPDATE**

Manager De Groot stated that our share of this at this point is \$619,324. He had applied last week for these funds, being one of the first ones to apply as soon as the portal opened. At this point, we do not know the full economic impact on our community.

Timeline for drawing down funds:

- 2024 – draw down and execute plan on how to spend the funds
- 2026 – spend

There is also a section on “lost revenue”. With this, there is a formula for what was truly lost. If you can prove this lost revenue, there are no strings attached to the money. The calculation for Chocoy Township amounts to \$251,000 in lost revenue, which can be spent in anyway the Township chooses. With the remaining dollars, we would be able to do:

- Some type of hazard pay (performance bonus pay) for **all** employees that worked during the shutdown;
- Provide for incentive bases for businesses that suffered during the shutdown, such as grant opportunities for capital improvement projects;
- Infrastructure – public water. We have a study that was updated in 1998, so some of the funds could be used for an updated study, which would allow us to be able to go out for grants or SRF funding.

This money will be distributed with half coming this year, and the other half coming next year. We will be setting up a separate account for this money.

#### SAFE ROUTES TO SCHOOL UPDATE

Manager De Groot indicated that the program still exists through the State of Michigan ([saferoutesmichigan.org](http://saferoutesmichigan.org)). There is a lot of work that the school would have to do on their end, but the opportunities still exist.

#### MANAGER UPDATE – SEWER AND BUDGET

1. Sewer – we now have a construction timeline, with a preconstruction meeting scheduled for July 19 and staging starting on July 26 with Lift Station 1. Pumps and equipment are in at the contractor’s yard. The last of the construction work and restoration should be done by mid-October. Manager De Groot also extended a big “thank you” to the residents living around the grinder stations. Right now there is a power modulation happening, which is causing the low alarms to be set off. Not calibrated quite right yet.
2. Budget – Information has been handed out to department heads.

#### BOARD MEMBER COMMENTS

Kendra Symal – thanked staff for all the background work that was done on the information presented. Also asked if there had been any progress on a new hire. Manager De Groot indicated there has been an offer made and accepted, with their first day being August 2.

Don Rhein – None.

Judy White – thanked De Groot for his help on Lakewood Lane resurfacing questions and her disappointment in the contractor for not having started.

Dave Lynch – thanked staff for the step forward in technology

Ben Zyburt – Agreed

Max Engle – Agreed

Richard Bohjanen – None.

#### PUBLIC COMMENT – NONE.

Zyburt moved, Rhein supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:24 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of June 16, 2021, Draft.
- B. Minutes – Marquette Area Wastewater Advisory Board, Regular Meeting of May 20, 2021, draft.
- C. Minutes – Chocolay Township Pension Committee – June 29, 2021, draft.
- D. Information – Chocolay Township Newsletter – June 2021.

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Max Engle, Clerk

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Richard Bohjanen, Supervisor

August 16, 2021

A regular meeting of the Chocolay Township Board was held on Monday, August 16, 2021 in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Dave Lynch, Judy White, Don Rhein, Kendra Symbal

ABSENT: Ben Zyburt (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 – commented on several subjects: (1) Nuisance Ordinance – she feels that it was a gallant effort, but there are approximately 3,200 parcels in Chocolay Township, 900 of which are on the water, and that these 900 parcels need to be evaluated in a different manner (parking of cars, RV's, etc.), (2) Master Plan – feels that the public will not have the opportunity to have any input, (3) Infrastructure – public water supply is needed. Wondered why feasibility study has not been done, and (4) commented on current Newsletter not be accessible through the main web page.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – July 12, 2021.
- B. Approve Revenue and Expenditure Reports – July 2021.
- C. Approve Bills Payable, Check Register Reports – July 9, 2021 (Check #'s 24791 - 24811, in the amount of \$6,725.10), July 22, 2021 (Check #'s 24812 – 24835, in the amount of \$49,654.88), and July 28, 2021 (Check #'s 24836 - 24848, in the amount of \$27,646.15).
- D. Approve Bills Payable – Regular Payroll July 8, 2021 (Check #'s DD1652 – DD1682 and Check #'s 11090 - 11094, Federal, State, and MERS in the amount of \$40,293.66), and July 22, 2021 (Check #'s DD1683 – DD1710 and Check #'s 11095 – 11099, Federal, State, and MERS in the amount of \$41,070.87).

Rhein moved Engle supported to approve the consent agenda as presented.

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen commented on census data – Chocolay Township has lost 4 since the 2010 census. Marquette Township gained 235 and Sands Township lost 130.



COVID – In Marquette County, 60.2% have completed immunization. Over 65 is at 84.8% fully immunized, 60 – 64 is at 70%. We are in the theoretical “herd immunity” category in the older generation.

CLERK’S REPORT

Clerk Engle indicated it does not appear there will be a November election.

TREASURER’S REPORT

PUBLIC HEARING – NONE.

PRESENTATIONS – NONE.

CONSIDER INSTALLATION OF SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) EQUIPMENT WITH THE SEWER PROJECT.

Lynch moved Symbal supported that the Chocolay township Board authorizes the expenditure out of the Sewer Capital budget of not more than \$30,000.00 for the equipment, software and installation of SCADA for the M28 lift stations.

MOTION CARRIED

CONSIDER CHOCOLAY SHORES APARTMENT REQUEST TO OPT OUT OF PUBLIC WATER SYSTEM CONTROL PER MICHIGAN ENVIRONMENT, GREAT LAKES, AND ENERGY.

Symbal asked about the benefit to the Township. Supervisor Bohjanen indicated that this is a requirement they have from the State, as we have no public water to offer. This is something that is required for them to be able to provide their own water from a communal well. In order to take on a system like this, it would require the Township to have some type of water technician to monitor the system to comply with State regulations. Manager De Groot indicated that before we could start looking into having a public water system we would need to have a water feasibility study done.

**RESOLUTION**

*WHEREAS, Curran & Co. owns and operates a drinking water system serving Chocolay Shores Apartments, located at 203 Hotel Place, and,*

*WHEREAS, Curran & Co. possesses the ability and willingness to continue effective operation and maintenance of said system; and*

*WHEREAS, Chocolay Township recognizes the need for effective and continue operation and maintenance of said system to protect the public health; and*

*WHEREAS, Chocolay Township deems it impractical for the Township to own, operate, and administer this particular drinking water supply;*

*NOW, THEREFORE, BE IT RESOLVED that Chocolay Township refuses to accept ownership of or operation, maintenance, and administrative responsibilities for said particular drinking water supply. Chocolay Township endorses the application of Curran & Co. to continue these responsibilities under state permit.*

*Moved by: Kendra Symbal, Trustee  
Supported by: Don Rhein, Trustee*

**ROLL CALL VOTE**

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

*NAYS: None*

*ABSENT: Zyburt*

**MOTION CARRIED**

**CERTIFICATION**

*I hereby certify that this is a true copy of a resolution adopted by the Township Board of Chocolay Township at its meeting held on August 16, 2021.*

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*Max L. Engle, Township Clerk*

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*Dated*

**CONSIDER FIRST READING OF THE TOWNSHIP SEWER ORDINANCE.**

Manager De Groot indicated that the reason for a “second” first reading was due to a change in wording in two parts of the ordinance to include the word “gravity”. This will now define the system as a “gravity system” for better understanding on which residents are able to connect to the system.

White moved, Lynch supported that the Chocolay Township Board receive and offer the Sewer Ordinance for First Reading.

**MOTION CARRIED**

**CONSIDER FIRST READING OF SECTION 18, TOWNSHIP ZONING ORDINANCE; SIGN ORDINANCE.**

Manager De Groot indicated that the rewrite of this ordinance is based on discussions with the Board and revolves around areas of incongruency. The new ordinance is about 6 pages.

White commended the Planning Commission for the downsizing and clarifying the ordinance. Rhein indicated that

Lynch moved, White supported that the Chocolay Township Board receive and offer Section 18 Signs updated draft for review and first reading.

**MOTION CARRIED**

CONSIDER DRAFT TOWNSHIP WIDE COVID EMPLOYMENT PERFORMANCE ONE-TIME BONUS (AMERICAN RESCUE PLAN ACT FUNDS).

White asked if this would also include election workers – Manager De Groot stated that it would. Rhein asked if it also included the Manager. Manager De Groot stated it did not. The Board felt it should include the Township Manager.

Manager De Groot indicated that in our Policy Manual, we have no provision for “Hazard Pay” as it was never anticipated that there would be a reason. The payment amount would be around \$50,000.

Lynch moved, Engle supported that the Chocolay Township Board approve the plan to offer a 5% one-time performance bonus to employees using a small part of the American Rescue Plan Act funds. This performance bonus will also include the Township Manager.

MOTION CARRIED

CONSIDER ASSESSOR CONTRACT UPDATE.

Supervisor Bohjanen indicated there was an update to the contract, with the Assessor now asking for a cost of living allowance, which would be based on the cost of living given to staff.

White expressed concerns on the hiring of a field technician. Symbal wondered about the possibility of extending the current contract for 30 – 60 days.

Symbal moved, Rhein supported that the Chocolay Township Board table the approval of the Assessor Contract for a period of 30 – 60 days, and extend the current contract to enable further investigation.

MOTION CARRIED

CONSIDER ACCEPTANCE OF FIRE DEPARTMENT GRANT FOR PURCHASING PAGERS

White moved, Rhein supported that the Chocolay Township Board accept a grant of \$1,000.00 from the Marquette County Police and Fire Association Fund for the purchase of pagers. The funds would be received and placed into the Fire Department Capital Fund.

MOTION CARRIED

MANAGER UPDATE – SEWER AND BUDGET

Sewer – Oberstar has started and should be done about the 1<sup>st</sup> week of October, with some restoration that may need to be done next spring depending on the weather. We are doing full replacement of the lift stations. The lift stations are currently operating with 1974 parts that were designed to handle 12 million gallons per day, with our actual being 3-4 million gallons per day. We are now nearing the completion of our sewer capacity study, which will allow us to be confident on expansion of the system. The pumps will be designed for the 7% capacity. New lift stations will be above ground and sheltered. First payment is due in September.

Budget – has been working with departments to develop next years budget. The plan is to submit this to the Board at the September meeting. It can then be reviewed by the public for comment

before approval by the Board. With revenue and expenses now lining up, he is able to start looking at projections.

#### BOARD MEMBER COMMENTS

Kendra Symbal – had a tour of the lift and grinder stations today – very impressed. Finds it very helpful to see it in person. She has met with Travis Smith at Cherry Creek School on the Safe Routes to School. Will be discussing it further.

Don Rhein – None.

Judy White – will not be here for the October meeting

Dave Lynch – None.

Max Engle – None.

Richard Bohjanen – None.

#### PUBLIC COMMENT – NONE.

CABA (Chocolay Area Business Association) – Manager De Groot is working with business owners in reviving CABA. They are currently meeting once per month (Tuesday or Wednesday of the second week). Tony Beres (La Dolce) is working on getting the website up and running – making it more of a visitor’s website.

Engle moved, Lynch supported that the meeting be adjourned.

#### MOTION CARRIED

The meeting was adjourned at 5:59 pm.

#### INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of July 19, 2021, Draft.
- B. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of July 21, 2021, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of August 4, 2021, Draft.
- D. Minutes – Marquette Area Wastewater Advisory Board, Regular Meeting of June 17, 2021, Draft.
- E. Information – Chocolay Township Newsletter – July 2021.
- F. Information – Utility Review Committee Report.

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Max Engle, Clerk

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Richard Bohjanen, Supervisor

September 13, 2021

A regular meeting of the Chocolay Township Board was held on Monday, September 13, 2021 in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

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

ABSENT: Kendra Symbal (excused)

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

APPROVAL OF AGENDA.

Supervisor Bohjanen asked if the Girl Scout presentation could be moved to follow V. Public Comment.

White moved, Lynch supported to move the presentation.

MOTION CARRIED

White moved Rhein supported that the agenda be approved as modified.

MOTION CARRIED

PUBLIC COMMENT – None.

PRESENTATION – GIRL SCOUTS SIGN PLANTERS

Mary Vertanen, who is one of the Girl Scout leaders in Harvey, gave a short talk on what the Scouts have been up to. There are currently 5 troops in Harvey, with about 50 girls. In the spring of 2020, they were approached by Brad Johnson to see if they would like to do a planting under the Township sign. This presentation is part of earning the Bronze award (highest award a junior girl scout can achieve). The garden consists of native pollinator perennial plants from UP Native Plants – who also helped with the selection of plants and layout in the garden. The glass mulch from the landfill was also used in the garden. The group then went outside for the presentation of the signs that were given to the Girl Scouts to be put in the gardens.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – August 16, 2021.
- B. Approve Revenue and Expenditure Reports – August 2021.
- C. Approve Bills Payable, Check Register Reports – August 9, 2021 (Check #'s 24849 - 24876, in the amount of \$60,525.28), August 19, 2021 (Check #'s 24877 – 24893, in the amount of \$230,065.65), and August 24, 2021 (Check #'s 24894 - 24907, in the amount of \$21,317.88).
- D. Approve Bills Payable – Regular Payroll August 5, 2021 (Check #'s DD1711 – DD1745 and Check #'s 11100 - 11104, Federal, State, and MERS in the amount of \$40,540.19), and August

29, 2021 (Check #'s DD1746 – DD1779 and Check #'s 11105 – 11109, Federal, State, and MERS in the amount of \$41,554.36).

Zyburt moved Lynch supported to approve the consent agenda as presented.

MOTION CARRIED

#### SUPERVISOR'S REPORT

Supervisor Bohjanen stated that 61.8% of people in Marquette County are vaccinated. The case occurrence rate is going up, with an average of 25 cases per day.

The Manager Evaluation was also introduced, along with some very positive comments.

#### CLERK'S REPORT

Clerk Engle reported there will be no election in November.

#### TREASURER'S REPORT

PUBLIC HEARING – NONE.

#### CONSIDER SECOND READING OF THE TOWNSHIP SEWER ORDINANCE.

Engle moved, Zyburt supported that the Chocolay Township Board hear comments for the second reading of amendments to the Township Sewer Ordinance.

MOTION CARRIED

White moved, Rhein supported that the Chocolay township Board, after a second reading on the proposed amendments to the Township Sewer Ordinance, the Board adopt the full draft dated 09/13/2021, with the ordinance taking effect 15 days after publication within the local newspaper  
And

That Clerk Engle file the Notice of Adoption as recommended by legal counsel.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Symbal

MOTION CARRIED

#### CONSIDER SECOND READING OF SECTION 18 SIGNS ORDINANCE.

Lynch moved, Zyburt supported that the Chocolay Township Board hear comments for the second reading of amendments to Section 18 of the Zoning Ordinance – Sign Ordinance.

MOTION CARRIED

Zyburt moved, Lynch supported that the Chocolay Township Board, after a second reading on the proposed amendments to Section 18 of the Township Zoning Ordinance: Sign Ordinance, the Board adopt the full draft dated 09/13/2021, with the ordinance taking effect 15 days after publication

within the local newspaper. The adopted ordinance will be incorporated into the Zoning Ordinance once effective.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Symbal

MOTION CARRIED

CONSIDER SCHEDULING A PUBLIC HEARING FOR OCTOBER 11<sup>TH</sup> FOR NUISANCE ORDINANCE.

White moved, Lynch supported that the Chocolay Township Board schedule a public hearing, along with a first reading, to hear public comment about amendments to the Township Nuisance Ordinance for the October 11, 2021 meeting.

MOTION CARRIED

CONSIDER DRAFT TOWNSHIP WIDE COVID EMPLOYMENT PERFORMANCE ONETIME BONUS (AMERICAN RESCUE PLAN ACT FUNDS).

Supervisor Bohjanen indicated that this would be an addition to last month's approval of the 5% performance bonus. After discussion, it was felt that those on the front line should receive an additional 2.5% - this would include Police, Fire, DPW, and Elections. This would be approximately an additional \$15,000, so in total it would be roughly \$65,000 - \$67,000. We could be getting the first installment (approximately \$300,000) as early as next week.

Zyburt moved, White supported that the Chocolay Township Board approve the additional percentage plan of 2.5% performance payment using a small part of the American Rescue Plan Act Funds.

MOTION CARRIED

DRAFT BUDGET REVIEW / PRESENTATION.

Township Manager De Groot stated he would like to get this out to the public for a couple months in order to allow an opportunity for discussion and questions. We are anticipating increased revenue (\$2.39 million), mostly due to property taxes. Also included are the funds that we will be receiving next year from the ARPA funds. Revenue sharing will be a little bit more than we anticipated. The State is projecting a \$3 billion increase, which means our funds will be secure. Also looking at writing for three grants this coming year. There is still the second half of the tennis court to do - \$160,000 project that we hope to secure a \$45,000 grant. There are also projects at both the Marina (bathroom facilities) and Beaver Grove (bathroom facilities), which we hope to be awarded grants for.

Capital side is showing significant investment in the Recreation side.

The proposed budget does in a potential wage increase of 3% for staff. The cost-of-living is 7% - 10% in the local area. This would not include the Assessor's wages, as his salary line item and been moved to contractual expense.

De Groot is also looking at the benefits provided to employees. This would include an adjustment to the VSP Vision Care coverage and he is looking at increasing this to a premium coverage for the employees.

De Groot also talked about the new Chart of Accounts and the ability to break out the accounts for better tracking of expenses.

Manager De Groot also informed the Board that over the next couple of months we will be working towards writing some of our own audit memos.

**CONSIDER ASSESSOR CONTRACT.**

Lynch moved, White supported that the Chocolay Township Board approve the contract as presented and assign the Township Supervisor to have it executed by the Assessor the next time he is in the office.

**MOTION CARRIED**

**CONSIDER INSTALLATION AND WINTERIZATION OF THE PUBLIC WORKS GARAGE.**

Lynch moved, Zyburt supported that the Chocolay Township Board awards a contract to K2 Insulation in the amount of \$4,603.00 to add proper eave vents and add insulation in the Police / DPW attic.

**ROLL CALL VOTE**

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

**NAYS:** None

**ABSENT:** Symbal

**MOTION CARRIED**

**CONSIDER SELLING THE LARGE PORTABLE GENERATOR AS SURPLUS EQUIPMENT.**

Manager De Groot stated that there may not be a market for this generator due to its size and parts may not be available. He indicated that staff would act accordingly, and if there is no market for the generator we may have to scrap it.

Zyburt moved, Lynch supported that the Chocolay Township Board declares the trailer mounted Onan generator as surplus and auctioned off to the highest bidder.

**MOTION CARRIED**

**MANAGER UPDATE – SEWER AND BUDGET**

**Budget** – this has already been reviewed during the Draft Budget Review Presentation.

**Sewer** – this project is well under way. We have tried to barricade off the areas – residents should not be going into the construction zone. Lift Station 1 is fully integrated and online and operational. Lift Station 2 is fully online. Lift Station 3 is fully online. Lift Station 4 (LWL) has the wet well set, and the pumps and piping still need to be done in another week or so. Lift Station 5 (Veda) contains a wetland in the lower area, so hoping for good weather, as this is the one that handles all the flow from Cherry Creek School.



Manager De Groot also commented that there may be some questions, as a new house is going up across from the Lift Station work on Veda. This house is not a part of the project.

The Lift Station on Lakewood Lane was dug up just in time for repaving.

**BOARD MEMBER COMMENTS**

Don Rhein – None.

Judy White – None.

Dave Lynch – None.

Max Engle – None.

Richard Bohjanen – stated that he and Manager De Groot had attended the MTA UP North Conference.

**PUBLIC COMMENT – NONE.**

Rhein moved, Lynch supported that the meeting be adjourned.

**MOTION CARRIED**

The meeting was adjourned at 6:43 p.m.

**INFORMATIONAL REPORTS AND COMMUNICATIONS.**

- A. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of August 18, 2021, Draft.
- B. Minutes – Marquette Area Wastewater Advisory Board, Regular Meeting of July 15, 2021, Draft.
- C. Information – Chocolay Township Newsletter – August 2021.

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Max Engle, Clerk

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Richard Bohjanen, Supervisor

October 11, 2021

A regular meeting of the Chocolay Township Board was held on Monday, October 11, 2021 in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, Dave Lynch, Don Rhein, Kendra Symbal

ABSENT: Judy White (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Supervisor Bohjanen requested that the Presentation by our attorney Roger Zappa be moved to accommodate Attorney Zappa's schedule.

Zyburt moved, Lynch supported to approve the agenda as modified – Presentation to be moved before first Public Comment.

MOTION CARRIED

PRESENTATION

Chocolay Township Attorney, Roger Zappa, spoke on Ordinance 69 – Noise Ordinance. He had written a letter summarizing what was previously three separate ordinances (nuisance, noise, and vehicles). One thing he wanted to address was the consideration of having a decibel meter. It is permissible, but the idea was to simplify not complicate. For decibel readings, you would need specialized equipment and someone capable of operating and calibrating the meter on a regular basis. There are things to consider – moving targets versus stationary, temperature, humidity, and distance. He does not recommend eliminating what we already have – excessively loud for a reasonable person. The benefit of what the Township has is that an enforcement officer can listen without need for extra devices. Noise ordinances are a constantly evolving area of law across the State.

Symbal wondered if we would be over complicating this. Zappa indicated this is more of a Board budget and policy issue. Generally, if a citation is issued, it is not just about the decibel level. This is not a replacement for what the Township already has.

Zappa also indicated that the Township really needs to retain the portion of being able to cite the person who generated the noise. Also need to look at if the owner is allowing this on a regular basis.

Township Manager De Groot explained the rental agreement and a clause in the agreement that would allow us to revoke the agreement after three violations.

Supervisor Bohjanen stated there are specific guidelines to be followed for nuisance violation – 1) notification; 2) Plan of abatement; and 3) Citation.

Symbal asked about the equipment for the decibel readings. Attorney Zappa explained that a moving target is different (as is vehicles) and more difficult to read. This is where a reasonable person would be able to distinguish the loudness. Decibel meters work better with stationary objects.

Attorney Zappa also addressed the definition of Yard, Waterside. With waterfront property, there is rarely a rear yard. The implication for this would be that you can't store anything there. Need to look at what can be stored and in what type of structure. This should be a discussion point.

#### PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – thanked Township Manager De Groot for making the proposed budget available to the public earlier than normal. Mulcahey spoke on the increase in revenue due to property tax and the increase in staff over the past few years. Feels Chocolay Township has too much money. Mulcahey also spoke on a letter she had written to the Board that was not included in the packet. Asked that it be read into the comments for the public hearing. She also feels that her front yard is Lake Superior – there really needs to be a decision made.

#### CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – September 13, 2021.
- B. Approve Revenue and Expenditure Reports – September 2021.
- C. Approve Bills Payable, Check Register Reports – September 3, 2021 (Check #'s 24908 - 24922, in the amount of \$6,186.72), September 15, 2021 (Check #'s 24923 – 24943, in the amount of \$13,523.59), September 17, 2021 (ACH #2A, in the amount of \$150,795.74), and September 29, 2021 (Check #'s 24944 - 24965, in the amount of \$41,934.38).
- D. Approve Bills Payable – Regular Payroll September 2, 2021 (Check #'s DD1780 – DD1813 and Check #'s 11110 - 11114, Federal, State, and MERS in the amount of \$42,483.49), September 16, 2021 (Check #'s DD1814 – DD1829 and Check #'s 11115 – 11119, Federal, State, and MERS in the amount of \$37,883.95), and September 30, 2021 (Check #'s DD1830 – DD1855 and Check #'s 11120 – 11124, Federal, State, and MERS in the amount of \$42,406.23).

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

MOTION CARRIED

#### SUPERVISOR'S REPORT

Supervisor Bohjanen stated that COVID is ramping up in Marquette County – there is now approximately 35 cases per day. Vaccination rate for Marquette County is 66.7% for individuals that have had at least one shot, and 62.3% for those that have had two shots. 98% of the people getting sick with COVID right now have not been vaccinated.

#### CLERK'S REPORT

None.

PUBLIC HEARING – ORDINANCE #69 – NUISANCE ORDINANCE

Public Comment:

John Wilson, 1987 M-28 East – offered some suggestions –

*Section 5(I) Business Operations and Other Business Property Activities*

*Except in the event of an emergency, the carrying on of any business operations, or any other business-related activities upon any property in such a manner so as to create ~~any excessive, unnecessary, or unusually loud noise, which injures or endangers the health or safety of others~~ noise that is plainly audible at a distance of fifty feet or more from the ~~edge~~ boundary line of the business property between the hours of 11:00 p.m. ad 7:00 a.m. **Wilson felt this should also include non-commercial activity in residential areas.***

*Section 6, Vehicles, Recreation Vehicles and Trailers – **Wilson asked that the language from Ordinance 55, Section 4 (D)(2) be kept in regards to “In no case shall the area of the front or side yard used for parking or storage of vehicles or vehicle parts exceed fifty percent (50%) of the total area of the front or side yard.”***

*Section 6 (G) Vehicles shall not be parked or stored in the street facing yard or side yard within the required zoning ordinance setback for structures and the lot lines, unless in a driveway. **Wilson indicated that there is not a definition for driveway in the ordinance.***

***Wilson would also like to see something added to the ordinance that would address individuals parking in someone else’s driveway, such as in a shared driveway, that would make it enforceable.***

Sam Mahoney, 981 Valley Road – was concerned that the purpose of the public hearing was to relax the nuisance law. This was of concern because Valley Road is a dead-end road with eight residences on it. One of the residents on Valley Road is in violation of the vehicle and noise violations. Mahoney was concerned that things would be less enforced than they are now.

Supervisor Bohjanen indicated that this ordinance was not to loosen enforcement, but to make it more enforceable. We do rely heavily on neighbors reporting. Staff does take drives and makes notes periodically.

Mahoney also stated that regarding the noise ordinance, there are eight families that live on Valley Road but there is one residence that has out of hand dogs barking for hours and gunshots late at night. Residents on the road are hesitant to report. Mahoney also questioned who the appropriate person to contact is.

Township Manager De Groot stated that there are three different ordinances combined here – Noise, Junk Vehicles, and Nuisance. The Noise Ordinance would be police enforceable. The other ordinances are enforceable by our Zoning Administrator. Because there can be a level of intimidation, residents may also call De Groot and submit an anonymous complaint.

Deborah Mulcahey, 633 Lakewood Lane (as read by Manager De Groot) –

*Dear Charter Township of Chocolay Board,*

*Subject: Public Hearing for the Proposed Ordinance 69 to regulate Nuisance, Noise & Vehicles.*

*I spoke to you at the August 2021 Board meeting and shared my concerns pursuant to the proposed nuisance ordinance in regard to how parking will be allowed on waterfront properties. I do not find that my comments were addressed, or the issues clarified.*

*Specifically, I told you that a definition for "Yard, Waterside" is included in the draft ordinance but that it is not used in the document. Further I told you based on the fact that there are approximately 900 waterfront parcels of the 3200 parcels in the Township, "Yard, Waterside" needs to be used. The concept of protecting our water resources is crucial in a community that is heavily dependent on well water and has a number of contaminated ground water sites.*

*Of the 900 waterfront parcels in Chocolay Township almost 400 are on Lake Superior. These dune properties were developed as 50 foot lots and there are still a number of parcels that are only 50 or 75 feet wide. The proposed ordinance allows for parking of non seasonal vehicles in the side or back yard of a property, between the N side of a house/building and Lake Superior. The diagrams, on page 4 of the draft ordinance, for both interior and corner lots fail to consider or incorporate waterfront properties and required set backs.*

*Again, I hope to learn this board does not expect the property owners along the shores of Lakes Superior & Kawbawgam, Chocolay and Sand Rivers, and Cherry Creek, et. al. to put vehicles as this ordinance proposes adjacent to these bodies of water.*

*Sincerely,*

*sent to clerk & manager via email.*

*Deborah Mulcahey  
633 Lakewood Lane  
Mqt, MI 49855*

Anonymous (as read by Kendra Symbal):

*I took a close look at the ordinance changes. Nothing I can't agree with, certainly. It looks like mostly this is combining of the previous ordinances into a single, larger ordinance with some other tweaks to the language.*

*I am sharing info about this meeting with my neighbors. Honestly though, we would like to know why these ordinances (old or new) are not enforced. Our neighbors have been*

*reported multiple times. The police visit for other reasons. I think someone must have leaned on them about their barky dog because it has been debarked. But none of those things, including complaints re junk, have led to the cleanup of the junk vehicles and junk. A couple years ago complaints did lead to the building of a partial, crappy (not professional) wall to shield the view. It looked horrible... and then fell down and became part of the junk. Also honestly, everyone in town knows it's pointless to complain about this stuff because the answer is that you should "talk it out with your neighbor". Unfortunately, most of my neighbors (and me too!) are intimidated by these folks. These are the guys that regularly shoot guns in their backyards, etc. Many of them have known them for MANY years and have had dealings with them in the past. No one wants to risk personally ticking them off and we all try to stay relatively friendly with them. But we do hate all the junk. Oh, and the do actually call it "the junk yard".*

Public Hearing Closed at 6:31 pm

Rhein stated he feels the waterfront front / back yards need to be addressed.

Manager De Groot stated that this is a natural feature and has a defined right of way. The question would be "What are we protecting?" The ordinance in 1977 did not recognize the lakefront as the "front yard". There is a need to decide what we are actually trying to protect. This would include establishing a true natural feature setback. He feels that it is actually the protection of erosion. There is a new normal of reassessment there.

Supervisor Bohjanen indicated that there is an overlay district that helps protect the dunes.

Supervisor Bohjanen also asked how the Board felt about chasing decibels for the noise ordinance. The Board felt that it would be hard to get accurate readings based on different factors.

CONSIDER FIRST READING OF THE TOWNSHIP NUISANCE ORDINANCE.

\_\_\_\_\_ moved, \_\_\_\_\_ supported that the Chocolay Township Board accept the draft Nuisance Ordinance for first reading and public review.

NO MOTION READ

CONSIDER RELEASE OF DRAFT TOWNSHIP MASTER PLAN

All information that is gathered over the next 63 days will go back to the Planning Commission. Rhein thanked Township staff for going through the Master Plan and working towards the draft.

Lynch moved, Zyburt supported that the Chocolay Township Board release the draft Township Master Plan for a minimum of 63 days in compliance with the Michigan Planning Enabling Act of 2008.

MOTION CARRIED

CONSIDER PUBLIC HEARING FOR THE FISCAL YEAR 2022 TOWNSHIP BUDGET ON NOVEMBER 8, 2021

Zyburt moved, Rhein supported that the Chocolay Township Board schedule the annual budget public hearing for November 8<sup>th</sup>, 2021.

MOTION CARRIED

CONSIDER FISCAL YEAR 2021 BUDGET AMENDMENTS IN PREPARATION FOR FISCAL YEAR 2021 AUDIT.

Lynch moved, Zyburt supported that the Chocolay township Board approve the budget amendments and the journal entries presented by staff in preparation for the 2021 audit.

MOTION CARRIED

MANAGER UPDATE – SEWER AND BUDGET

Manager De Groot thanked the Board for approval of the Budget Amendments and Journal Entries as we prepare for the audit.

Manager De Groot addressed the comment that was made on raising of taxes. We have an improved real estate market which is removing the capping on properties. He also addressed the comment about the increase in the number of staff, which has only increased by half a person. On the revenue line item (Ordinance enforcement) for expected revenue from zoning enforcement. This has been taken out of the budget – we have no anticipated threshold.

Budget – next month we will have the public hearing for the 2022 Budget. At that time, De Groot will be prepared to talk about salaries and anything else that the Board would like more information on. The proposed budget is currently on our website, and will be added to home page.

Sewer – De Groot commented about the big hole on Veda Street. In November, there will be a presentation by the engineers. There was an unexpected change in that site. We are now back on track – the contractor wanted to open dig which ended up becoming pretty mucky, and this brought on a cascade of events. It took about two weeks to get this resolved. There will also be a review of costs related to project. Paving is completed on Lift Station #1. Lift Station #3 is operational and road has been repaved. Lift Station #4 has some electrical needs, and then will do the final paving.

Paving on Lakewood Lane is only half done. We may be running out of time, as they planned on being out by October 15, 2021.

Symbal asked on the time frame for getting a new website. De Groot stated we will be working on this soon.

BOARD MEMBER COMMENTS

Don Rhein – None.

Kendra Symbal – had been looking up census data, which took her to Wikipedia, and there is no updated information for Chocolay Township on there. She feels this should be updated, as realtors use this information. Comments on the Master Plan – this is 2021, and she doesn't want to see

lifestyles and traditional used in the same sentence. Feels that one of the things the Board needs to do is address inclusivity and mental health. Feels that we can do better and change with the times.

Dave Lynch – None.

Max Engle – None.

Richard Bohjanen – None.

#### PUBLIC COMMENT

John Wilson, 1987 M-28 East - would like to thank the Board for letting him speak, and would like to make an appointment to come in and speak with someone.

Lynch moved, Zyburt supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:14 p.m.

#### INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of August 16, 2021, Approved
- B. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of September 15, 2021, Draft.
- C. Minutes – Marquette Area Wastewater Advisory Board, Regular Meeting of August 19, 2021.
- D. Information – Chocolay Township Newsletter – September 2021.

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Max Engle, Clerk

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Richard Bohjanen, Supervisor



November 8, 2021

A regular meeting of the Chocolay Township Board was held on Monday, November 8, 2021, in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Dave Lynch, Judy White, Don Rhein, Kendra Symbal

ABSENT: Ben Zyburt (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Rhein supported to approve the agenda as presented.

MOTION CARRIED

PUBLIC COMMENT – None.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – October 11, 2021.
- B. Approve Revenue and Expenditure Reports – October 2021.
- C. Approve Bills Payable, Check Register Reports – October 5, 2021 (Check #'s 24966 - 24972, in the amount of \$1,172,392.23), October 19, 2021 (Check #'s 24973 – 24998, in the amount of \$39,616.16), and October 28, 2021 (Check #'s 24999 - 25021, in the amount of \$35,568.62).
- D. Approve Bills Payable – Special Payroll October 8 2021 (Check #'s DD1856 – DD1945, Federal, State, and MERS in the amount of \$76,392.68), October 14, 2021 (Check #'s DD1946 – DD1980 and Check #'s 11125 – 11129, Federal, State, and MERS in the amount of \$40,939.82), and October 28, 2021 (Check #'s DD1981 – DD2007 and Check #'s 11130 – 11134, Federal, State, and MERS in the amount of \$43,064.60).

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

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated that the incidences of COVID are not slowing down. For the last week, the average number has been at an average of 26 cases per day.

CLERK'S REPORT

Clerk Engle provided a clarification of the policy regarding receipt of documents for the packet. In the case of a public hearing, documents would need to be into the office no later than noon on the Wednesday preceding the meeting. If received later, they would be included in the minutes.

## PUBLIC HEARING – 2022 FISCAL YEAR DRAFT BUDGET

Supervisor Bohjanen opened the floor for public comment. Hearing none, public comment was closed.

## PRESENTATION – PETER WHITE PUBLIC LIBRARY

Andrea Ingmire, Peter White Library Director gave a presentation on various happenings at the library and how the library has evolved during COVID. Discussed the various volunteer groups: Friends of the Library, Master Gardeners (take care of gardens), Marquette Area Sister Cities Partnership, and Queen City Seed Library. On the top floor of the library is the Adult Services which provides a variety of assistance (research, reference, technical, computer), digital resources and online databases, programming for adults, passports, and fiction and nonfiction materials. There are also new study rooms which are now seeing a lot of use due to people working from home. The library has also started a podcast. There is also an extensive Youth Services section – program kits, sensory bins, and virtual story time. In Teen Services, there are program kits available and a program on diversity and inclusion. General Services are still offered – library cards, faxing services, notary services, meeting room bookings, and art galleries. The library continues to offer curbside service. They also have a Library of Things to check out – cameras, blue ray players, and a variety of things that are a one-use type of thing residents may not want to buy. The library is funded primarily through local millage, along with Endowment funds, Friends of the Library, and fundraisers. Technology has been updated to include a Wi-Fi upgrade in parking lot and inside building, backup generator, replacement of computers and file server, and upgrade computer programs. Looking ahead the library is starting a project on the digitization and preservation of the Mining Journal. This is in partnership with NMU Archives.

Supervisor Bohjanen asked about discussion on a Library district (something he had been involved with 17 years ago when he was on the Library Board). Ingmire indicated it is not on the short-term agenda, but she feels it is worth the discussion again.

## PRESENTATION – IRON ORE HERITAGE RECREATION AUTHORITY

Carol Fulsher, Administrator of the Iron Ore Heritage Recreation Authority, along with Don Britton, Chair of the IOHRA and Chocolay Township's representative provided a brief description on what is going on with the IOHT. There are 8 municipalities that are involved with the Iron Ore Heritage Trail. The trail is 47 miles long and goes from Kawbawgam Road to Republic. The State owns the portion of the trail that goes through Chocolay Township. In the summer months, the IOHRA manages the trail, and during the winter months UP Central snowmobile manages it. They recently put a counter on the trail, and there have been 55,000 visitors on the trail at the Bayou. It takes around \$500,000 to maintain the trail, with \$300,000 coming from taxes and the rest funded by grants (ORV money, DNR Passport Fund, MDOT). The IOHRA uses local labor to update the trails – kiosks, trailheads, and erosion problems. Plans for the future include adding 5 more miles of trail from Kawbawgam to Lakenenland, and they are currently working on a proposal. In 2022 the millage expires and will be up for renewal. They will also be updating their 5-year recreation plan in 2023. Fulsher also indicated they have an "Adopt-a-Mile" program for clean up on the trail – Chocolay Township has no volunteers doing this right now.

## DISCUSSION - SEWER PROJECT UPDATE – GEI CONSULTANTS

George Meister gave a presentation on the sewer project. As with many other projects, supply chain issues were the biggest hold up. Construction started last fall with the installation of the three grinder stations. This summer has been installing the new lift stations, starting with Lift Station #1 at the Rock Cut through Lift Station #5 on Veda Street. Lift stations #1 – #4 are online and running, with Lift Station #5 taking a little more time. #5 is now on bypass.

De Groot indicated that on Lift Stations #2 and #4 are being worked on to down shield the light intrusions for the entry pad. SCADA (online monitoring) is up and running and is now in final programming. SCADA will be able to send a signal to the office and DPW cell phones. Meister indicated that SCADA would modernize our system. De Groot indicated that there was a complication on Lift Station #5. It was known this would be a problem area with soil positions – when they went to set the box, the soil shifted. This has been fixed but we have not received anything on what the additional cost, if any, will be. If there is a cost change, it will be coming to the Board in December.

Rhein asked about the subdivision on US 41 South – De Groot indicated that the subdivision had been approved by the Planning Commission and will be able to serve up to 12 homes. The owner of the property contracted with our contractor that was already in the area to do the necessary work to be able to connect to the sewer.

## REVIEW OF THE FY 2022 GENERAL APPROPRIATIONS BUDGET

Township Manager De Groot indicated that there have been some changes made to the budget based on increases in some of the insurance numbers. Health insurance has gone up by 14%. There is also approximately a 10% increase in property and vehicle insurance. This is primarily because we are in a shared program within MMRMA that takes into account the experience rate throughout the State. The boost in revenue is due to increase in property taxes, Federal grant money as we will be receiving our 2<sup>nd</sup> allotment of the ARPA funds, and a small boost from State Revenue sharing. The Salary / Benefit package will include an upgraded Vision policy, stand alone dental coverage through Delta Dental, and a 3% cost of living increase which currently is not reflected in contractual employees (Manager and Assessor).

Manager De Groot indicated that he has contacted human resource companies in the area on doing a wage structure study and was told this was not something they would do. After the first of the year, De Groot will be writing an RFP for a wage study. He feels that this cannot wait and that we need to have a wage structure in place.

Rhein asked about Pension programs – defined benefit versus defined contribution. De Groot indicated that this is something that needs further discussion with the Pension Committee.

Symbal asked about the statement “We are not forecasting a loss in this budget but may in the future ...”. De Groot indicated that we do not know the full extent of tax foreclosures due to 2020, so we are not able to make any projections on taxes.

White moved, Rhein supported to include the Township Manager with the increases proposed for employee salary and benefits.

MOTION CARRIED

Manager De Groot indicated that at the December meeting he will be bringing the General Appropriations Act, Wage structure, Fee schedule (no changes anticipated), Public Act 152, and Sewer Fund for Board approval.

#### CONSIDER DELINQUENT SEWER PAYMENTS REMANDED TO THE WINTER TAX BILL

White moved, Lynch supported to accept the list of delinquent sewer charges and penalties as allowed in Ordinance 39, Division 6, 2.6.6 (B) (3) to be added to the Chocolay Township December tax roll.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Zyburt

MOTION CARRIED

#### DISCUSSION OF THE TOWNSHIP NUISANCE ORDINANCE

Discussion revolved around waterfront properties and establishing “front” versus “back” yards. By definition, the front yard is the street facing side of the yard. There are a lot of things at play in this – natural feature setback, dune overlay.

De Groot indicated that staff would rewrite this portion of the ordinance and bring it back for the December meeting for a first reading.

#### MANAGER UPDATE – SEWER AND BUDGET

As updates have been discussed in previous sections of the meeting, there is nothing new to report.

#### BOARD MEMBER COMMENTS

Don Rhein – None.

Judy White – has some concerns about the repaving project of Lakewood Lane and the need for the road to be milled before paving – it’s already started to crack along the shoulder. De Groot indicated that in talks with the Road Commission this is because segments get paved at 20’ width, done in 10’ passes, so it is actually paving the dirt shoulder which causes cracks. This will be a problem with a lot of roads.

Kendra Symbal – has some ideas for the looking ahead plan: community center, non-gendered and family restroom facilities, nursing facilities, playgroup area that is secure, meet up opportunities, a family transition facility for exchanging children.

Dave Lynch – None.

Max Engle – None.

Richard Bohjanen – asked about the Road Asset Management. De Groot indicated that he will be negotiating getting this done

PUBLIC COMMENT

Stephanie Gencheff, 587 Lakewood Lane – objects to extending the noise hours. She loves the new road, along with most of her neighbors. Thanked the Board.

George Meister, County Road 480 – explained that there are benefits that come with partnering with the Road Commission for paving. To bid out these projects on our own would be more costly. There may be ways to address issues prior to paving by putting a plan in place with the Road Commission.

Rhein moved, White supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:29 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of September 20, 2021, Draft.
- B. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of October 20, 2021, Draft.
- C. Minutes – Marquette Area Wastewater Advisory Board, Regular Meeting of September 16, 2021.
- D. Information – Chocolay Township Newsletter – October 2021.
- E. Information – Marquette Area Wastewater Advisory Board 2022 Meeting Dates.

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Max Engle, Clerk

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Richard Bohjanen, Supervisor

December 13, 2021

A regular meeting of the Chocolay Township Board was held on Monday, December 13, 2021, in the Chocolay Township Meeting Room. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zybert, Dave Lynch, Don Rhein, Kendra Symbal

ABSENT: Judy White (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, Zybert supported to approve the agenda as presented.

MOTION CARRIED

PUBLIC COMMENT – None.

**Motion to go into closed session:**

Engle moved, Rhein supported that we enter into closed session to discuss with the County's attorney strategy in the pending lawsuit of *Deborah Mulcahey v. the Charter Township of Chocolay*, Case No. 21-60865-CZ, pursuant to MCL 15.268(e) as a discussion on the open record would be detrimental to our position, and also to discuss material exempt from disclosure under the attorney-client privilege, MCL 15.243(1)(g) and MCL 15.268(h). I would also like to include the Deputy Clerk and the Township Manager in the closed meeting.

MOTION CARRIED

**CLOSED SESSION –**

Entered at 5:33 pm

Exited at 6:06 pm

**Motion regarding Board Approved Action:**

Engle moved Lynch supported to accept the update and advice of counsel regarding strategy discussions of the case of *Deborah Mulcahey v. the Charter Township of Chocolay*, Case No. 21-60865-CZ, discussed during the closed session. I would also like to appoint our Township Manager, Bill De Groot, as the point person for the lawsuit.

MOTION CARRIED

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – November 8, 2021.
- B. Approve Revenue and Expenditure Reports – November 2021.

- C. Approve Bills Payable, Check Register Reports – November 4, 2021 (Check #'s 25022 – 25034, in the amount of \$24,942.66), November 17, 2021 (Check #'s 25035 – 25051, in the amount of \$13,937.15), and November 29, 2021 (Check #'s 25052 - 25075, in the amount of \$115,313.72).
- D. Approve Bills Payable – Regular Payrolls of November 11, 2021 (Check #'s DD2008 – DD2040 and Check #'s 11135 - 11139, Federal, State, and MERS in the amount of \$41,279.94), and November 24, 2021 (Check #'s DD2041 – DD2063 and Check #'s 11140 – 11144, Federal, State, and MERS in the amount of \$41,190.51).

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

MOTION CARRIED

**SUPERVISOR’S REPORT**

Supervisor Bohjanen indicated he had received a request to designate Chocolay Township as a “school of choice” from January 23 – January 29. If there is interest in this it will be brought back to the Board in January for discussion. This has been briefly discussed in the past, and the Township has passed on it. Lynch suggested that the Township continue to pass on this.

COVID update – things are not getting better in Marquette County of the State of Michigan. In Marquette County, 65.9% of the population has had their 1<sup>st</sup> shot, with 61.1% having had completion. There have been 38,853 people vaccinated in Marquette County, and 7,053 people that have had the disease. Boosters are extremely important.

CLERK’S REPORT – NONE

PUBLIC HEARING – NONE

PRESENTATION – NONE

**FY 2022 ANNUAL GENERAL APPROPRIATIONS ACT BUDGET**

Manager De Groot indicated that the numbers have changed slightly. After last month’s meeting we met with our insurance representatives, which caused us to adjust our salary increase to 4%. Our insurance increase by 14.9%. Based on the ARPA funds (5%) received by employees, a 4% adjustment to salary, and increased benefits available to our employees, it is felt that there should be no loss out of pocket. There should be a minimal increase in wages.

**CHARTER TOWNSHIP OF CHOCOLAY**

**FISCAL YEAR 2022**

**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 2022 BUDGETS  
WERE ADOPTED BY THE CHOCOLAY TOWNSHIP BOARD  
ON DECEMBER 13, 2021

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MAX L. ENGLE, TOWNSHIP CLERK

**GENERAL APPROPRIATIONS ACT**

Zybert moved, Lynch supported, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2022, and ending December 31, 2022, 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 October 29, 2021; and

Whereas, a public hearing was held on the proposed budget on November 8, 2021 at Chocolay Township Hall, 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, 2022, and ending on December 31, 2022, in the amount of \$2,407,226.00 for the General Fund, in the amount of \$428,935.00 in the Road Fund, in the amount of \$2,900.00 in the Liquor Law Enforcement Fund, in the amount of \$254,048.00 in the Library Millage Fund, in the amount of \$0 in the Capital Improvements Fund, and in the amount of \$579,000.00 for the Sewer Fund.
2. The Township Board does hereby appropriate the sum of ~~\$2,351,756.00~~ **\$2,353,214.60** for the general operating expenses (~~\$2,010,481.00~~) (**\$2,011,939.60**) and capital



improvements (\$341,275.00) of the Township to be used for the fiscal year beginning January 1, 2022 and ending December 31, 2022.

3. The Township Board does hereby appropriate the sum of \$772,251.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2022 and ending December 31, 2022.
4. The Township Board does hereby appropriate the sum of \$100,000.00 for the repairing of the Township Roads to be used for the fiscal year beginning January 1, 2022 and ending December 31, 2022.
5. The Township Board does hereby appropriate the sum of \$2,900.00 for the enforcement of Liquor Laws of the State of Michigan for the fiscal year beginning January 1, 2022 and ending December 31, 2022.
6. The Township Board does hereby appropriate the sum of \$254,048.00 for contractual services with the Peter White Public Library for the fiscal year beginning January 1, 2022 and ending December 31, 2022.
7. The Township Board does hereby levy 3.5657 mills for general operations; extra voted is 0.9801 for library, 1.6549 for roads.
8. All resolutions and parts of resolutions in so far as they conflict with provision of this resolution are rescinded.
9. 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, Symbal, Lynch, Zyburt, Engle, Bohjanen

**NAYS:** None

**ABSENT:** White

**MOTION CARRIED**

**Amendment to General Appropriations Act, Item 2**

**Zyburt moved Lynch supported** "The Township Board does hereby appropriate the sum of ~~\$2,351,756.00~~ **\$2,353,214.60** for the general operating expenses (~~\$2,010,481.00~~) **(\$2,011,939.60)** and capital improvements (\$341,275.00) of the Township to be used for the fiscal year beginning January 1, 2022 and ending December 31, 2022."

**ROLL CALL VOTE:**

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

**NAYS:** None

**ABSENT:** White

**MOTION CARRIED**

## RESOLUTION FOR OFFICER' SALARIES

### **SUPERVISOR'S SALARY**

Lynch 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 2022, which begins January 1, 2022 and ends December 31, 2022.

#### **ROLL CALL VOTE:**

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

**NAYS:** None

**ABSENT:** White

**MOTION CARRIED**

#### ***Amendment to Supervisor's Salary:***

***Symbal moved, Rhein supported that the salary for the office of Supervisor be amended by 4%, which set the amount to \$12,480.00 for the fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.***

#### **ROLL CALL VOTE:**

**AYES:** Rhein, Symbal, Zyburt, Engle

**NAYS:** Lynch, Bohjanen

**MOTION CARRIED**

### **TREASURER'S SALARY**

Lynch moved, supported by Engle, that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.

#### **ROLL CALL VOTE:**

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

**NAYS:** None

**ABSENT:** White

**MOTION CARRIED**

#### ***Amendment to Treasurer's Salary:***

***Symbal moved, Rhein supported that the salary for the office of Treasurer be amended by 4%, which set the amount to \$10,400.00 for the fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.***

#### **ROLL CALL VOTE:**

**AYES:** Rhein, Symbal, Engle, Bohjanen

**NAYS:** Lynch, Zyburt

**MOTION CARRIED**

**CLERK’S SALARY**

Lynch moved, supported by Zyburt, that the salary for the office of Clerk shall be set in the amount of \$12,000.00 for the Fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.

**ROLL CALL VOTE:**

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

**NAYS:** Symbal

**ABSENT:** White

**MOTION CARRIED**

***Amendment to Clerk’s Salary:***

***Symbal moved, Zyburt supported that the salary for the office of Clerk be amended by 4%, which set the amount to \$12,480.00 for the fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.***

**ROLL CALL VOTE:**

**AYES:** Rhein, Symbal, Zyburt, Engle, Bohjanen

**NAYS:** Lynch

**MOTION CARRIED**

**TRUSTEE’S PER DIEM**

Lynch moved, supported by Rhein, that the per diem for the office of Trustee shall be set in the amount of \$75.00 per meeting for the Fiscal Year 2022, which begins January 1, 2022 and ends December 31, 2022.

**ROLL CALL VOTE:**

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

**NAYS:** None

**ABSENT:** White

**MOTION CARRIED**

**FY 2022 ANNUAL FEE SCHEDULE**

Lynch moved, Rhein supported that the 2022 Proposed Fee Schedule be approved as presented.

**ROLL CALL VOTE**

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

**NAYS:** None

**ABSENT:** White

**MOTION CARRIED**

**RESOLUTION NO. 2022-1  
December 13, 2021**

**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, Zyburt 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 Chocloy 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, 2022 through December 31, 2022.

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

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

NAYS: None

ABSENT: White

RESOLUTION DECLARED ADOPTED.

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Max L. Engle, Township Clerk

CONSIDER APPOINTMENTS FOR BOARD AND COMMITTEES

Lynch moved, Rhein supported to approve the appointments presented by Supervisor Bohjanen and listed on the “Boards, Committees, Commissions – 2022” worksheet within this packet.

MOTION CARRIED

CONSIDER 2022 TOWNSHIP MEETING DATES AND TOWNSHIP HOLIDAY DATES

Zyburt moved, Lynch supported to approve the proposed Township Board Meeting Schedule, with the August meeting amended to a meeting date of August 1, for calendar year 2022.

MOTION CARRIED

Zyburt moved, Lynch supported to approved the proposed township Office Closure dates in recognition of major holidays within the calendar year of 2022.

MOTION CARRIED

CONSIDER 1<sup>ST</sup> READING OF THE UPDATED NUISANCE ORDINANCE AND SCHEDULE PUBLIC HEARING

Lynch moved, Zyburt supported that the Chocolay Township Board receive the Draft Nuisance Ordinance and schedule a public hearing for February 14, 2022 to hear public comment about amendments to the Township Nuisance Ordinance.

MOTION CARRIED

MANAGER UPDATE – SEWER AND BUDGET

Sewer – Manager De Groot indicated that we have not released ownership from Oberstar to the Township as yet. We are at the 80% completion phase. We are not planning on taking full ownership until the SCADA system is up and running, but we are experiencing some alarm issues.. Heavy construction is complete. Some of the concerns in the neighborhoods are the mandoor lights. OSHA mandates this lighting – we are trying to down shield the inside of the lens. Lynch asked about motion lights. De Groot indicated there may be lots of movement with animals, etc. De Groot indicated we have not had the meeting about Lift Station #5. We are in the negotiation phase about additional cost.

Budget – Thanked the Board for passing the budget. Capital projects will be dependent on shared revenue projections and grants. (Marina, Silver Creek bathroom upgrade) These would be a rolling grant process. Road millage is small this year, as we are doing a hiatus year and reexamine our PASER ratings. Also suggested that at some time we should be looking at the gravel road opportunities.

BOARD MEMBER COMMENTS

Don Rhein – None.

Kendra Symbal – None.

Dave Lynch – None.

Ben Zyburt – None.

Max Engle – None.

Richard Bohjanen – None.

PUBLIC COMMENT

Sheri Stegner, Greenfield Road – has some concerns on Mangum Road between US 41 and Greenfield Road.

Zyburt moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:06 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of November 17, 2021, Draft.
- B. Information – Chocolay Township Newsletter – November 2021.

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Max Engle, Clerk

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Richard Bohjanen, Supervisor