

January 10, 2022

A regular meeting of the Chocolay Township Board was held on Monday, January 10, 2022, 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, Kendra Symbal

ABSENT: Don Rhein (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Zyburt moved, Symbal supported to approve the agenda as amended (Addition under New Business – XII.E Resolution of Support for Change in the Open Meetings Act)

MOTION CARRIED

PUBLIC COMMENT – None.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – December 13, 2021.
- B. Approve Revenue and Expenditure Reports – December 2021 (unaudited).
- C. Approve Bills Payable, Check Register Reports – December 9, 2021 (Check #'s 25076 – 25089, in the amount of \$1,208,080.03), December 22, 2021 (Check #'s 25090 – 25124, in the amount of \$586,874.67), and December 29, 2021 (Check #'s 25125 - 25136, in the amount of \$15,906.24).
- D. Approve Bills Payable – Regular Payrolls of December 3, 2021 (Check #'s DD2064 - DD2069, Federal, State, and MERS in the amount of \$2,705.96), December 9, 2021 (Check #'s DD2070 – DD2103 and Check #'s 11145 – 11150, Federal State, and MERS in the amount of \$41,662.78), and December 23, 2021 (Check #'s DD2104 – DD2132 and Check #'s 11151 – 11155, Federal, State, and MERS in the amount of \$42,809.61).

Lynch moved, Engle supported to approve the Consent Agenda as modified – **Minutes – page 5, Roll Call Vote, Zyburt was listed as both AYE and NAY – should be NAY.**

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen discussed a letter he had received from our Township Attorney regarding an increase in the service rate. This is the first increase that we have seen in a few years.

Registrations for MTA (April 26 – 29 in Lansing) are now open – encouraged the Board members to look at the brochure and see if they have any interest.

COVID – averaging about 50 cases per day. He thinks this may be Omicron variant related.

CLERK'S REPORT

Clerk Engle reported that there doesn't appear to be any elections scheduled for May of 2022. There will be an August and November election.

PUBLIC HEARING – NONE

PRESENTATION – NONE

CONSIDER SUPPORT FOR SCHOOL OF CHOICE WEEK

This information had been provided at last month's meeting – No interest.

CONSIDER PARTICIPATION IN THE MARQUETTE COUNTY INTERGOVERNMENTAL TASK FORCE ON HOUSING.

Township Manager De Groot stated that he sits on this Task Force. The major focus of this task force is to consider the diversity of new residents providing workforce housing and connectivity to jobs and transportation. The region has lots of upper end housing. Most of the communities within Marquette County are considering this.

RESOLUTION OF SUPPORT

Marquette County Intergovernmental Task Force

Lynch moved, Engle supported that:

WHEREAS, the Marquette County Intergovernmental Housing Task Force is a consortium of local governments working together to advocate for state resources, identify regional solutions, leverage funding opportunities, and examine best practices related to housing challenges in Marquette County.

WHEREAS, Marquette County must address the full range of housing needs facing all income levels and household types, as documented in the 2020 Marquette County Housing Needs Assessment, including home rehabilitation, new housing development, and redevelopment. These housing needs have County-wide impacts on our economy, workforce, and infrastructure that require intergovernmental collaboration and response; and

WHEREAS, a lack of resources and programs specific to attainable housing creates additional challenges in meeting the needs of the County's workforce; and

WHEREAS, solutions may include local, County, regional, or State activities and tools such as zoning updates; development benefit agreements; tax incentives: Land Bank Authority and brownfield redevelopment incentives, consideration of innovative and diverse housing types; community awareness and educational efforts; new funding sources; and innovative partnerships.

WHEREAS, New resources and programs must feature local and regional participation and control in order to ensure the flexibility needed to address the unique challenges faced throughout the region.

Now therefore, be it resolved that Chocolay Township agrees to participate in the Intergovernmental Housing Task Force by assigning Bill De Groot, Township Manager as the township representative.

ROLL CALL VOTE

AYES: Symbal, Lynch, Zyburt, Engle, Bohjanen

NAYS: White

RESOLUTION APPROVED

Max L. Engle, MiPMC
Chocolay Township Clerk

Dated

CONSIDER WATER SYSTEM FEASIBILITY STUDY PROPOSAL OHM

Township Manager De Groot stated that one of the priorities of the Township Board was a public water system. Due to the age of the previous two studies, a new feasibility study would need to be done to qualify for public funding. OHM has reviewed our last two studies and developed a team and provided an initial study.

De Groot feels the new study may provide additional options from the older ones. He anticipates it will cost between \$100,000 and \$500,000 for the study (approximately \$120/hour). This would be covered under the ARPA funding as a qualified project. This is not a construction project – this is to decide the where, how, and when. OHM is a local company (office in Houghton). They have regional knowledge.

White was concerned about the cost of water to residents per month – last time we looked at this, it was thought it may be \$100 / month. De Groot indicated this is why we need an updated study so that these types of things can be looked at. Lynch indicated that as a resident of Kawbawgam Road – he has a large filtration system for his water – not everyone can afford this type of system.

Zyburt indicated that this is something that is going to have to be looked at eventually, so he feels if we have the funding now we should do it. De Groot indicated that at this point, we will be receiving ARPA funding of \$670,000 (projects would need to be under contract by 2024 and completed by 2026).

De Groot indicated that there would be a survey that will go out in the Assessment notices that are sent out in February for the March Board of Review.

Zyburt moved, Lynch supported that Chocolay Township should move ahead with the proposed water feasibility study utilizing OHM.

MOTION CARRIED

DISCUSSION TOWNSHIP BOARD FOUR YEAR PRIORITIES UPDATE

Township Manager De Groot stated that the information presented goes over the priorities and the progress that has been made on these priorities.

CONSIDER RESOLUTION OF SUPPORT FOR CHANGE IN THE OPEN MEETINGS ACT.

RESOLUTION OF SUPPORT

Resolution of Support for change in the Open Meetings Act

Zyburt moved, Lynch supported that:

WHEREAS, the Michigan Open Meetings Act 267 of 1976 requires participants of public boards, commissions, and committees to participate in specific ways; and

WHEREAS, a temporary change to the Act allowed for remote participation through video conference until December 31, 2021; and

WHEREAS, the need for a permanent addition of pandemic status needs to be included as remote participation within the Act; and

WHEREAS, COVID-19 still remains a significant pandemic within our Nation, our State, our County, and our Township.

Now therefore, be it resolved that, the Charter Township of Chocolay Board of Trustees, recommend to our State Legislators to permanently define video participation for pandemic reasons as a proper form of public meeting participation within the Act.

ROLL CALL

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

NAYS: None

ABSENT: Rhein

RESOLUTION APPROVED

Max L. Engle, MiPMC
Chocolay Township Clerk

Dated

MANAGER UPDATE – SEWER AND BUDGET

Township Manager De Groot indicated that the resolution will be sent out to our legislators, and suggested that the Board members do the same, using their political position.

Budget – working with department to give them their individual budgets. We are working to become more independent of our auditor, which would remove the last of the major findings in our audit. We should have a soft close by the end of January. Auditors are planning on being here mid to late February, with final reconciliation within a couple months of the audit.

Sewer – we are in the final negotiations with our contractor. At this point, we have not taken ownership of the project, as there are still some issues that have not been finalized. Our SCADA monitoring has not been finalized. We are going through the final costs primarily on Lift Stations #3 and #5. We hope to have a reconciliation of these costs for the February meeting. Lift Stations #2 and #4 are being fine-tuned – lighting is being shielded as much as possible, and we are turning off as much as we can. Operationally, things are running smoothly.

BOARD MEMBER COMMENTS

Kendra Symbal – None.

Judy White – wanted to go on record that she does not approve of the 4% salary increase for the Supervisor and the Treasurer that was discussed and approved at the December meeting. White also asked about the Pension Committee – have we received any information on defined benefit vs defined contribution. (Zyburt

Dave Lynch – glad to see we are moving forward with the water study

Ben Zyburt – agreed – glad to see we are moving forward

Max Engle – None.

Richard Bohjanen – pointed out that D. Mulcahey has sent correspondence on the Master Plan which will be reviewed at the Planning Commission meeting.

Manager De Groot offered his congratulations to Jack Vogler – he has now completed his training and is now a full-fledged member of Chocolay Township’s Police Department.

PUBLIC COMMENT

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 December 15, 2021, Draft.

- B. Minutes – Marquette Area Wastewater Advisory Board; Regular Meeting of December 16, 2021, Draft.
- C. Correspondence – Mulcahey, 633 Lakewood Lane; Comments Regarding the Draft Charter Township of Chocolay (CTC) Master Plan.
- D. Information – Toys for Tots; Letter of Thanks

Max Engle, Clerk

Richard Bohjanen, Supervisor

February 14, 2022

A Joint Meeting of the Chocolay Township Board and Planning Commission was held on Monday, February 14, 2022, 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, Kendra Symbal, Don Rhein

ABSENT: None

PLANNING COMMISSION

PRESENT: Ryan Soucy, Don Rhein, Eve Lindsey

ABSENT: Donna Mullen-Campbell, Rebecca Sloan, George Meister, Kendell Milton

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

APPROVAL OF AGENDA.

White moved, Symbal supported to approve the agenda as modified (***addition of Purchase Replacement of Police car under New Business, Item B.***)

MOTION CARRIED

PUBLIC COMMENT

Ruth Ziel, 734 Lakewood Lane – stated that she is a member of the League of Women Voters and a precinct pollworker. She is here to show support for the League of Women Voters and is in support of the resolution.

Karen Alholm, 1145 M-28 East – stated she is in attendance to show support for the League of Women Voters resolution.

Stephanie Gencheff, 587 Lakewood Lane – stated her views on voting and the requirements to receive a ballot.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting of January 10, 2022.
- B. Approve Revenue and Expenditure Reports – January 2022.
- C. Approve Bills Payable, Check Register Reports – January 4, 2022 (2021 Check #'s 25152 – 25165, in the amount of \$5,372.35), January 20, 2022 (2021 Check #'s 25166 – 25178, in the amount of \$12,471.95), January 27, 2022 (2021 Check #'s 25195 – 25200, in the amount of \$19,836.39), January 4, 2022 (2022 Check #'s 25137 – 25151, in the amount of \$45,330.97),

January 20, 2022 (2022 Check #'s 25179 – 25194, in the amount of \$26,128.64), and January 27, 2022 (2022 Check #'s 25201 - 25214, in the amount of \$4,482.74).

- D. Approve Bills Payable – Regular Payrolls of January 6, 2022 (Check #'s DD2133 – DD2165 and Check #'s 11156 – 11160, Federal, State, and MERS in the amount of \$43,083.56), and January 20, 2022 (Check #'s DD2166 – DD2192 and Check #'s 11161 – 11165, Federal State, and MERS in the amount of \$44,192.75).

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

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen has a few statistics on COVID – during the week ending February 7, the average number of cases reported was 18 per day, this week it is less than 10 per day. 67.9% of people in Marquette County are vaccinated. Bohjanen also stated that he is frustrated by the fact that the statistical information is not complete. He has received information on a program called Flash Poll. Not sure of the price, but if the Board is interested, staff will research further. It was stated that there are many platforms out there that may be worth exploring.

CLERK'S REPORT

Clerk Engle stated that we will be having a May election – Marquette Public Schools millage proposal.

PUBLIC HEARING – PROPOSED ORDINANCE 69; NUISANCE, NOISE, AND VEHICLES

- a. Written Comments Received – D. Mulcahey, 633 Lakewood Lane
- b. Written Comments Received – J. Wilson, 1987 M-28 East

Supervisor Bohjanen indicated that there has been some input received and changes made and reviewed by our Township attorney.

Pam Basal, 200 South Big Creek Road – stated that staff has done an excellent job in drafting this proposed ordinance. She has a couple areas that she would like to offer for consideration: (1) Section 5(F) – Landscaping with Motorized Equipment. Would like to see the hours of operation extended a bit during the summer in the Agricultural Zoned areas. (2) Section 6(F) – Properly licensed vehicles shall not be parked or stored in the front facing yard unless in a driveway. She would like consideration given to situational events that only happen once in a while (garage sales, etc.).

Supervisor Bohjanen also brought to the Board's attention that there had been written comments received from D. Mulcahey, 633 Lakewood Lane and J. Wilson, 1987 M-28 East, which have been included in the packet.

Bohjanen asked for Board input on any of the comments received.

White indicated that she agrees that there should be an addition to Section 5(F) indicating summer hours.

Symbal commented on the driveway information and parking violations. If no one complains, is it a violation? Bohjanen stated we choose not to “nit-pick” the definition of a driveway. Bohjanen also pointed out J. Wilson’s suggested language on parking on other’s property.

Symbal moved, Zybert supported to amend language to read **“No person shall park, store, maintain or place, or permit to be parked, stored, maintained, or placed, a vehicle or vehicle parts upon another’s property primarily zoned for residential occupancy without consent of the property owner or tenant.”**

MOTION CARRIED

Rhein moved, Engle supported that Ordinance 69: Nuisance, Noise, and Vehicles be accepted with modifications during the 1st reading and be brought forward for a 2nd reading at the March meeting of the Township Board.

MOTION CARRIED

PRESENTATION – LEAGUE OF WOMEN VOTERS

Jo Foley, 308 Corning Street – Executive Vice President to the Marquette County League of Women Voters. Foley gave a presentation on the mission of the LWV and briefly reviewed the resolution template. The resolution lays out three goals: to protect democracy, to promote policies that protect access to ballots for voters and build on the progress of the 2020 elections. The LWV is asking that Chocolay Township Board support this resolution.

CONSIDER ZONING BOARD OF APPEALS APPOINTMENTS

White moved, Rhein supported that the Chocolay Township Board appoint Dave Lynch to the Zoning Board of Appeals.

MOTION CARRIED

CONSIDER PURCHASE REPLACEMENT OF POLICE CAR.

Township Manager De Groot explained that our 2018 Dodge Charger has some very costly repairs that will have to be made (drive shaft, trans axle, CV joint, cracked transmission) at an estimated cost of \$7,000 plus downtime of at least one month after the replacement funds are received. In our budget, we are scheduled to buy a new police vehicle later this year. Currently, there is a 2022 Charger that is in Lansing that would fit our needs – it is equipped properly and our components would fit. There is an extended warranty available for purchase. To order a new vehicle, it would be 2023 before we could get on the list, with a 30-week wait time. We have \$40,000 budgeted under our capital account for a new vehicle. We are able to use ARPA funds for the purchase as this was a budgeted item. We would be able to get this vehicle for 2021 pricing. We would plan on selling the 2018 as surplus “as is”.

Lynch moved, Zyburt supported that the Chocolay Township Board enter into a contract with LaFontaine CDJR – Lansing for the emergency purchase of a 2022 Dodge Charger Police Vehicle.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

JOINT MEETING DISCUSSION WITH PLANNING COMMISSION

At 6:12 pm, Ryan Soucy called the Planning Commission to order, with the purpose of the joint meeting being to enter into a work session with the Township Board.

Roll Call: Ryan Soucy, Don Rhein, Eve Lindsey

Public Comment for Planning Commission: None

Dale Throenle, Planning Director / Zoning Administrator, provided an annual report to the Township Board on undertakings / accomplishments for 2021. The bulk of the year was focused on the Master Plan. The Planning Commission also covered some mixed-use considerations, sign ordinance, site plan reviews, housing project on US 41, original draft of Ordinance 69. Throenle also went over the various activities that he has attended.

White asked why meetings were not held in October, November, and December. Throenle indicated there was nothing outstanding. Soucy commented that the Planning Commission has been efficient with items that they have been handling.

CONSIDER MASTER PLAN SUPPORT

Supervisor Bohjanen indicated that he felt this was a well written document that contains ambitious goals, put together by Staff and the Planning Commission. White agreed that the Planning Commission had done a good job.

Manager De Groot thanked the Planning Commission for diving into the process of planning for the next 25 years. There have been some questions about the connection of Chocolay River Trail and Main Street. This somehow made it into the Master Plan in 2005 and has carried forward from that point. Staff is recommending the elimination of this connection. De Groot thanked the residents of Chocolay River Trail and Main Street for speaking out on this subject. It is recommended that Appendix E be reflective of this change and the end of this topic going forward.

Manager De Groot also indicated there is a Wetland Complex in that area – in the 1908 plat map this was showing as a park. In the master deed, this would be the open space for Chocolay River Trail. Current zoning on this wetland complex requires a 100' setback from Silver Creek.

In 2010 the Planning Enabling Act enable the Master Plan to be a Board document. Chocolay Township has chosen to delegate the responsibility of developing the document to the Planning Commission and present to the Township Board for approval.

Symbal stated that the was happy for the number of people that showed up at the meeting, along the number of letters received in response.

Soucy commented that he was happy to see the community support – it’s vitally important in putting together a Master Plan. The Master Plan is a collective vision for growth in the township, so it is important. Soucy thanked staff for doing their due diligence in putting together this document.

Manager De Groot stated that being involved in the process is what is needed as the Planning Commission moves forward with the Zoning Ordinance rewrite. Urged residents to stay informed. This will not be a quick process.

Public Comment:

Brian ??? 123 Chocolay River Trail – thanked everyone for the work that they put into this. Wants to go on record that he is opposed to any zoning changes.

Sam Elder, 125 East Main – expressed his appreciation to the Board and the staff for their work – he chose to live on a dead end road and he lives in Chocolay Township for a reason.

Jackie Calcaterra, 170 East Main – thanked the Board for their work. Also indicated that people choose to live on dead end streets for a reason.

Mike Dayton, 114 Chocolay River Trail – planning documents are not something you just spit out overnight, and he appreciates the Board and Planning Commission listening to their concerns on the extension of the road. Also thanked them for digging into the issue of the wetland parcel.

Lynch moved, Rhein supported that the Chocolay Township Board postpone action on the resolution until the Planning Commission has a chance to bring it back at the March meeting.

MOTION CARRIED

CONSIDER WATER SYSTEM FEASIBILITY STUDY PROPOSAL OHM

Manager De Groot indicated that at the January meeting the Board reviewed the scope of work that would be provided. The funding would come out of the 1st allocation of the ARPA funds that were received in 2021. This aligns with a 9 month workplan, and if we are interested in moving forward, we may be eligible for other opportunities for grant funding.

Engle moved, Zyburt supported that the Chocolay Township Board authorize the Township Supervisor and Clerk to enter into a contract with OHM to complete a Water System Feasibility Study.

MOTION CARRIED

CONSIDER RESOLUTION FROM LEAGUE OF WOMEN VOTERS

Clerk Engle wanted to clarify that ballots are not automatically sent to voters – they are sent an application which must be returned. We then verify signatures before actually issuing a ballot.

White indicated that she has a couple issues regarding the request to make Election Day a State holiday, and also believes that we have not been denying anyone to vote.

Engle suggested that this may happen in larger cities.

Rhein asked that the section on Election Day being a holiday be omitted. If people want to vote, they will find a way to vote. Engle also indicated that there are a number of ways to vote – if not able to vote on the actual day of the election, they are able to obtain an absentee ballot.

RESOLUTION *supporting the cause of protecting democracy, promoting policies that protect access to the ballot for voters and building on the progress of the 2020 elections.*

Engle moved, Symbal supported that:

WHEREAS, *access to voting and participation in free, fair and secure elections is fundamental to our system of governance; and*

WHEREAS, *Michigan’s election security protocols are among the strongest in the nation. Robust voter-ID laws prevent or intercept fraudulent attempts to impersonate voters. Multiple security checks bolster our absentee voting process. And gold-standard paper balloting ensures all our election outcomes can be verified; and*

WHEREAS, *in 2018, Michigan voters overwhelmingly supported amending the constitution to expand voting rights, make it easier to register and easier to vote, by the following percentages of votes cast on Proposition 3: 67% support among 3,064 Township voters, 68% in Marquette County, and 67% Statewide; and*

WHEREAS, *restricting voting rights and undermining the fair, nonpartisan administration of elections is harmful to all communities, but disproportionately impacts (already marginalized) voters of color, lower-income communities, the elderly, as well as disabled voters; and*

WHEREAS, *in recent months, state legislatures, including Michigan’s, have introduced dozens of bills that essentially restrict access to voting, make election administration and oversight less equitable and efficient, and undermine existing laws that maintain election security and ensure nonpartisan counting and certification of votes; and*

WHEREAS, *elections in Michigan have been conducted safely and securely and without any*

significant fraud, up to and including the 2020 election, as the Senate Oversight Committee Report concluded; and

WHEREAS, *in 2021, the Secretary of State unveiled a legislative agenda that would improve access to voting whether early, absentee, or in-person; expedite absentee ballot processing; and make voting more convenient, demanding that every valid vote is counted and accurate election outcomes upheld;*

Now, therefore, be it RESOLVED *that the Chocolay Township Board on this 14th day of February, 2022 strongly supports policies that **expand and protect equitable access to voting and that strengthen and sustain a robust election infrastructure**, including both material and human resources:*

- *Allow overseas service members and spouses to return their ballots electronically;*
- *Earmark sufficient funding for elections to recruit, train and retain needed election workers, to add sufficient election equipment such as secure drop boxes and tabulators, and to support voters with disabilities;*
- *Allow the processing of Absentee Ballots and establish Early In-Person voting the weekend prior to Election Day; Any rule governing the mailing of absentee ballot applications to registered voters by state or local election administrators should apply equally to all other organizations, including nonpartisan voter engagement groups and political parties;*
- *Mandate the same training standards for election workers and election challengers.*

The Board urges the Michigan House, Senate and Governor Whitmer to take immediate and long-term action to support the goal of preserving democracy, ensuring access to voting, and continuing to promote the integrity, security, and fairness of all elections throughout the State of Michigan; and be it further

RESOLVED, *that the Chocolay Township Board strongly opposes all legislation or other efforts that would restrict access to the ballot, undermine the nonpartisan, fair and efficient administration of elections; and restrict voting rights; and be it further*

RESOLVED, *that a copy of this Resolution be forwarded to the Office of the Secretary of State, the Governor's Offices in Lansing and Northern Michigan, and the members of the Upper Peninsula delegation to the Michigan State Legislature.*

ROLL CALL VOTE

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

NAYS: *None*

RESOLUTION APPROVED

CONSIDER AUDIT ENGAGEMENT LETTER

Zyburt moved, Lynch supported that the Chocolay Township Board support entering into an annual audit conducted by Anderson, Tackman & Company, PLC.

MOTION CARRIED

MANAGER UPDATE – SEWER AND BUDGET

Budget – State revenues are coming across higher than anticipated on the constitutional side (Chocolay Township). At this time, we are working on separating out a true capital fund and generating the opportunity of having a table showing five-year projections. We are also working on developing an Asset Management Plan for the Township. This used to be part of the regular project on what was seen as projects. There are some regulations in Capital Improvement Planning which is generated by the Planning Commission. We will be receiving our second payment of the ARPA funds of approximately \$310,000 in July. The allocation has been allocated to Premium Pay, OHM Water Study, and Redistributing in the form of small local business grants. All funds must be under contract by 2024, with completion of expenditures by 2026.

Sewer – we are still in a holding phase, as we are not at 80% completion due to supply chain issues. Wiring casing in the pump stations, conduit that goes to the pit, SCADA system is not yet fine tuned – we are still getting “ghost alarms”. Hopefully this will be resolved in the next few weeks. Staff still needs to be completely trained on the system.

Rhein asked if anyone else uses this system, and if so if they have the same problems. De Groot explained that there is a balance of power that BLP needed to fine tune, and then we needed to play with flow rates. Unfortunately, those living close to the station have had audible alarms going off. He appreciates the public’s understanding and patience as we work through this. We have not yet finalized the last billing with Oberstar.

BOARD MEMBER COMMENTS

Kendra Symbal – None

Don Rhein - None

Judy White – None

Dave Lynch – None

Ben Zyburt – None

Max Engle – None

Richard Bohjanen - None

PUBLIC COMMENT

Stephanie Gencheff, 587 Lakewood Lane – Urged everyone to dig a little deeper into the bills that were passed by the House / Senate and the language that is in those bills.

Janet Dossler – she and her husband were born and raised in Bessemer and moved to Saginaw 30 years ago. It is completely different there, and not always easy to obtain a ballot.

Karen Schmitt, 280 Shot Point – has been an election worker for the last two elections. She complimented Max Engle (Clerk) and Lisa Perry (Election Clerk) for being excellent trainers. Feels that the challengers need to be trained also. She stated that the elections are very well run and security is a major component.

Zyburdt moved, Rhein supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:25 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of January 17, 2022, Draft.
- B. Minutes – Chocolay Township Zoning Board of Appeals, Regular Meeting of December 16, 2021, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of January 19, 2022, Draft.
- D. Minutes – Marquette Area Wastewater Advisory Board; Regular Meeting of December 16, 2021, Draft.
- E. Minutes – Marquette Area Wastewater Advisory Board; Regular Meeting of January 20, 2022, Draft.
- F. Information – Chocolay Township Newsletter – December 2021.
- G. Information – Chocolay Township Newsletter – January 2022.
- H. Correspondence – D. Mulcahey, 633 Lakewood Lane.
- I. Correspondence – M. McGovern, 109 East Chocolay River Trail
- J. Correspondence – D. Rautio, 112 Chocolay River Trail
- K. Correspondence – J. Sorenson, 115 Chocolay River Trail
- L. Correspondence – M. Gephart, Chocolay River Trail
- M. Correspondence – J. Conklin, 120 Chocolay River Trail
- N. Correspondence – D. Texter, 127 Chocolay River Trail

Max Engle, Clerk

Richard Bohjanen, Supervisor

March 14, 2022

A meeting of the Chocolay Township Board was held on Monday, March 14, 2022, 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, Kendra Symbal, Don Rhein

ABSENT: None

STAFF PRESENT: William De Groot, Lisa Perry

APPROVAL OF AGENDA.

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

MOTION CARRIED

PUBLIC COMMENT

Bonnie Badour, lives in city of Marquette – presented information on why she feels the Planning Commission should reconsider the 800 sq. ft. minimum. Owns two parcels in the Brookfield subdivision and is concerned about the rising cost of housing and would like the minimum to be smaller.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Joint Meeting with Planning Commission of February 14, 2022.
- B. Approve Revenue and Expenditure Reports – December 2021 (unaudited) and February 2022.
- C. Approve Bills Payable, Check Register Reports – February 10, 2022 (Check #'s 25215 – 25238, in the amount of \$9,333.94), February 18, 2022 (Check #'s 25239 – 25254, in the amount of \$13,954.29), and February 28, 2022 (Check #'s 25255 – 25269, in the amount of \$31,360.75).
- D. Approve Bills Payable – Regular Payrolls of February 3, 2022 (Check #'s DD2193 – DD2224 and Check #'s 11166 – 11170, Federal, State, and MERS in the amount of \$45,139.60), and February 17, 2022 (Check #'s DD2225 – DD2251 and Check #'s 11171 – 11175, Federal State, and MERS in the amount of \$45,724.78).

Lynch moved, Engle supported to approve the consent agenda with the exception of Bills Payable, Check #25235 in the amount of \$60.00 to be voted on separately.

MOTION CARRIED

Lynch moved, Rhein supported to approve Check #25235 to The Stitch Witch LLC in the amount of \$60.00.

MOTION CARRIED

SUPERVISOR’S REPORT

Supervisor Bohjanen indicated that Marquette County is currently at 69.1% for one shot, 64.3% for both shots. COVID is rapidly being defeated – the average cases per day for Marquette County is down to 3.

CLERK’S REPORT

Clerk Engle indicated that there is a May 3rd election – a renewal for the sinking fund millage for MAPS. As of now, we have sent out 2,218 AV applications. Ballots will be going out at the end of March and first part of April.

PUBLIC HEARING – NONE.

PRESENTATION – NONE.

CONSIDER SECOND READING OF ORDINANCE 69: NUISANCE, NOISE, AND VEHICLES

Engle moved, Zyburt supported that after a second reading, first reading and public hearing held on February 14, 2022, the Chocolay Township Board approved proposed Ordinance #69. The proposed Ordinance shall take effect fifteen (15) days from the publication of the final draft within the Mining Journal and the posting on the Township Website.

Supervisor Bohjanen pointed out that the ordinance says it shall take effect thirty (30) days from publication.

Engle amended his motion to read thirty (30) days, Symbal supported.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

CONSIDER SUPPORT OF MILLAGE LANGUAGE FOR THE IRON ORE HERITAGE RECREATION AUTHORITY

RESOLUTION OF SUPPORT

Resolution of Support for the Iron Ore Heritage

WHEREAS, the Charter Township of Chocolay endorses the Iron Ore Recreation Authority and its goal to develop, manage and maintain the Iron Ore Heritage Trail,

WHEREAS, the Charter Township of Chocoday will continue to work with the Recreation Authority and other agencies for the development of a regional connected trail system,

WHEREAS, the Charter Township of Chocoday recognizes the efforts to develop the Iron Ore Heritage Trail as an interpretative trail with signage of our region's mining heritage,

WHEREAS, the Charter Township of Chocoday endorses the regional use of the Iron Ore Heritage Trail as a tool for economic gain and community recreational asset,

NOW THEREFORE BE IT RESOLVED, the Charter Township of Chocoday will continue to remain a member of the Iron Ore Heritage Recreation Authority and;

NOW BE IT FURTHER RESOLVED, the Charter Township of Chocoday Board of Trustees endorses the Iron Ore Heritage Recreation Authority's ballot request of a millage renewal in August 2022, with the mission to develop, manage and maintain the Iron Ore Heritage Trail.

Motioned By: Lynch

Supported By: Engle

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

NAYS: White

Adopted on March 14, 2022

RESOLUTION ADOPTED

CONSIDER THREE-YEAR CONTRACT FOR HEATING AND PLUMBING SERVICES

Lynch moved, Zyburt supported that the Chocoday Township Board authorizes the Township Manager to sign a 3-year service contract with Dressler Mechanical Inc. for plumbing / mechanical needs. The base bids are as follows: 2022 - \$4,950.00; 2023 - \$5,030.00; and 2024 - \$5,110.00.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

CONSIDER ONE-YEAR CONTRACT WITH COUNTRY MILE FOR SHREDDING SERVICES.

Zyburt moved, Rhein supported that the Chocoday Township enter into a contract for a 64-gallon container at \$47.77 every other month with Country Mile Document Destruction from Stephenson, MI for the shredding needs of the Township. Size of container subject to change per the needs of the Township. (95 gallon - \$63.22 or 35 gallon - \$52.32).

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

CONSIDER RESOLUTION OF SUPPORT FOR REPRESENTATIVE CAMBENSY FOR THE PURCHASE OF A FLOATING DREDGER FOR THE UPPER PENINSULA

RESOLUTION OF SUPPORT

Resolution of Support for the Department of Natural Resources Purchase of a Floating Dredger

WHEREAS, *the Charter Township of Chocolay has had continual problems with the siltation of the Chocolay River and Lake Superior confluence,*

WHEREAS, *the Charter Township of Chocolay has historically worked with the Michigan Department of Natural Resources, the Michigan Department of Environment, Great Lakes, and Energy, and the United States Army Corps of Engineers to remove winter ice and maintain the river corridor,*

WHEREAS, *the Charter Township of Chocolay has worked with the Federal Emergency Management Authority remap the Chocolay River Flood Plain,*

WHEREAS, *the Charter Township of Chocolay has understands that the long term solution is to continually dredge the confluence in order to reduce flooding potential each spring,*

WHEREAS, *the Charter Township of Chocolay has been working with Representative Cambensy over the past two years on a long term solution to reduce potential flooding along the river,*

NOW THEREFORE BE IT RESOLVED, *the Charter Township of Chocolay supports working with Representative Cambensy and the MDNR to have the state purchase a WaterMaster floating dredging machine to be stationed in the Upper Peninsula enabling all communities to benefit from this purchase.*

Motioned By: Symbal

Supported By: White

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

NAYS: None

Adopted on March 14, 2022

MANAGER UPDATE – SEWER AND BUDGET

Township Manager De Groot stated that the Auditors completed the in-person portion of the 2021 Audit last week, and we should be seeing results for either the May or June meeting. We will have the final entries for review in April.

We are in the final stages of closing out the sewer project – still need to do the restoration portion of the project once the snow melts. Everything seems to be operating normally and we are going through the last final checks and developing a punch list. We are anticipating project turnover from the contractor operationally to us within the next two weeks. Once this is done, we will report this

to the State DNR and Treasury office that we are the operators, which will initiate the last holdings of the funding cycle. In the next two months the contractor has been asked to prepare the closing documents for all the vendors involved in the project, their warranties and warranty timelines to be able to work on continuation agreements. We have 5-year warranty requirements, so we need to contact the companies involved to make sure that if something goes down, we know who to call.

The “ghost” in the SCADA system has been eliminated by 90%. There are some final things in the lift station PLCs that will be tested to make sure they are functioning properly.

BOARD MEMBER COMMENTS

Kendra Symbal – feels there needs to be a formalized bidding process on RFP’s. Asked that this be a discussion item for an upcoming meeting

Don Rhein - None

Judy White – None

Dave Lynch – good to hear the update on the sewer system

Ben Zyburt – None

Max Engle – None

Richard Bohjanen - None

PUBLIC COMMENT

Carol Fulsher, Administrator of the Iron Ore Heritage Trail – thanked the Township Board for their support of the IOHT. She also indicated that the extension of the IOHT to Lakenenland came from residents in Chocolay Township. Not able to use the Heritage Trail of the motorized trail, as IOHT has accessible trails. Would be building a 12 ft wide paved trail adjacent to the trails there. Indicated there is no digital signage as yet.

Individual commented on water survey – lives in Marquette and water is expensive and needs to be filtered – loaded with chemicals. Trustee Lynch commented that the water is not the same in all areas in Chocolay.

Symbal asked about water cooperatives with other local governments.

Bohjanen indicated that looking to the future, we do need to have a handle on what needs to be done.

Zyburt moved, White supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:27 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Marquette County Solid Waste Management Authority; Regular Meeting of February 16, 2022, Draft.

- B. Minutes – Marquette County Solid Waste Management Authority; Special Meeting of March 7, 2022, Draft.
- C. Minutes – Marquette Area Wastewater Advisory Board; Regular Meeting of February 17, 2022, Draft.
- D. Information – Chocolay Township Newsletter – February 2022.

Max Engle, Clerk

Richard Bohjanen, Supervisor

April 11, 2022

A meeting of the Chocolay Township Board was held on Monday, April 11, 2022, 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, Judy White, Kendra Symbal, Don Rhein

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

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

MOTION CARRIED

PUBLIC COMMENT - NONE

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting March 14, 2022.
- B. Approve Revenue and Expenditure Reports – March 2022.
- C. Approve Bills Payable, Check Register Reports – March 10, 2022 (Check #'s 25270 – 25286, in the amount of \$24,730.76), March 11, 2022 (Check #'s 25287 – 25288, in the amount of \$38,254.25), March 24, 2022 (Check #'s 25289 – 25317, in the amount of \$53,592.47), and March 30, 2022 (Check #'s 25318 – 25331, in the amount of \$15,604.23).
- D. Approve Bills Payable – Regular Payrolls of March 3, 2022 (Check #'s DD2252 – DD2284 and Check #'s 11176 – 11180, Federal, State, and MERS in the amount of \$45,819.84), March 17, 2022 (Check #'s DD2285 – DD2300 and Check #'s 11181 – 22286, Federal, State, and MERS in the amount of \$40,451.70), and March 31, 2022 (Check #'s DD2301 – DD2333 and Check #'s 11192 – 11196 (Check #'s 11187 – 11191 Voided), Federal State, and MERS in the amount of \$49,349.36).

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

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen gave an update on COVID statistics. The numbers are way down in Marquette County – averaging between 1 and 3 cases per day. The 4th vaccine from Pfizer has been approved.

The Assessor has completed and submitted the Assessor's roll successfully and on time. He had held a recent Board of Review, with approximately 35 cases of Veteran's exemptions. There is legislation that may change this, with the exemption removed from the property tax and added to the income tax deductions. This would be a benefit to the Township.

CLERK'S REPORT

Clerk Engle that 2,200 Absentee Voter applications have been sent out. At this time, 844 ballots have been sent out, with 355 received back in the office. This is a return so far of 41%. Clerk Engle also stated that he feels campaigning starts too late, as the absentee ballots tend to be sent out before some of the campaigning begins.

PUBLIC HEARING – NONE.

PRESENTATION – MARQUETTE AREA PUBLIC SCHOOLS – MILLAGE REQUEST.

Superintendent Zack Sedgwick gave a presentation on the millage renewal request. He was joined by Jim Lampman, Assistant Superintendent. He felt that it was a good point on the timing of getting information to the public. This is a pure renewal of .934 mills for the sinking fund. This amounts to \$1.1 million per year. These funds would be used for dealing with the impacts of COVID-19, along with infrastructure (construction and repairs on building), security upgrades, parking lots, indoor and outdoor playground equipment, outdoor learning spaces. The sinking fund allows the school to "pay as you go". This is not used for operating expenses. MAPS is currently working on an Asset Management Plan, along with a projects priority list.

Lampman stated that Michigan is one of the few states that does not give state aid for infrastructure, so a sinking fund is basically the only option for those types of repairs. Any KBIC 2% funds they receive goes directly into the Title VI budget.

The millage also gives MAPS the ability to use general fund dollars to support the academic / social / mental issues that are part of the COVID 19 impact.

Supervisor Bohjanen indicated that there is an agenda item for the Resolution of Support for the MAPS District.

CONSIDER MARQUETTE AREA SCHOOLS SINKING FUND MILLAGE

CHARTER TOWNSHIP OF CHOCOLAY

COUNTY OF MARQUETTE MICHIGAN

RESOLUTION OF SUPPORT

WHEREAS, the Charter Township of Chocolay is entirely within the district boundaries of the Marquette Area Public School District,

WHEREAS, the Charter Township of Chocolay recognizes that many Township children attend various schools within the district,

WHEREAS, the Charter Township of Chocolay recognizes the efforts of the Marquette Area Public School District to raise funds necessary to improve and maintain their infrastructure,

WHEREAS, and the Charter Township of Chocolay understands the need for the Marquette Area Public School District to improve a sinking fund for such maintenance and improvements,

NOW THEREFORE BE IT RESOLVED, the Charter Township of Chocolay support the placement of the millage question on the May election ballot.

Motioned By: Zyburt

Supported By: Lynch

Adopted on: April 11, 2022

Max Engle,
Clerk

ROLL CALL VOTE

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

NAYS: None

RESOLUTION APPROVED

CONSIDER TOWNSHIP MASTER PLAN 2022 SUPPORT

CHARTER TOWNSHIP OF CHOCOLAY

COUNTY OF MARQUETTE MICHIGAN

RESOLUTION OF SUPPORT

CHARTER TOWNSHIP OF CHOCOLAY MASTER PLAN 2021 EDITION

WHEREAS the Michigan Planning Enabling Act, Act 33 of 2008, as amended, authorizes the Planning Commission to prepare a master plan for the use, development, and preservation of all lands in the Township; and

WHEREAS the Charter Township of Chocolay Planning Commission has supervised an update to the Charter Township of Chocolay Master Plan, 2015 Edition, adopted on May 18, 2015, to be called the Charter Township of Chocolay Master Plan 2021 Edition; and

WHEREAS citizens were given the opportunity to provide input for the development of the Plan via public meetings held throughout the Plan development process; and

WHEREAS the Charter Township of Chocolay Planning Commission has duly reviewed the draft plan consisting of eleven sections: Introduction, Community Values, Community History and Demographics, Community Systems, Private Systems, Natural Systems, Future Land Use Plan, Zoning Plan, Strategies, Photo and Image Credits, References, and related appendices containing maps and reference materials; and accepts this plan as a guide for development of the Township pursuant to the authority of the Michigan Planning Enabling Act; and

WHEREAS the Charter Township of Chocolay Planning Commission has reviewed the draft master plan over the course of many meetings and provided comments for its refinement which have been incorporated into the Plan; and

WHEREAS on October 11, 2021, the Charter Township of Chocoday Board of Trustees approved the distribution of the plan to the notice group entities identified in the Michigan Planning Enabling Act for review, and a 63 day public comment period was duly noticed and completed; and

WHEREAS all the required notifications and draft documents were distributed per the requirements of the Michigan Planning Enabling Act; and

WHEREAS the Charter Township of Chocoday Planning Commission conducted a duly advertised public hearing on January 17, 2022, to receive public comment on this plan; and

WHEREAS Pursuant to MCL125.3843 the Township Board has not asserted by resolution its right to approve or reject the proposed Master Plan and therefore the approval granted herein is the final step for adoption of the plan as provided in MCL 125.3843;

NOW THEREFORE BE IT RESOLVED that the Charter Township of Chocoday Board of Trustees formally recognizes the Charter Township of Chocoday Planning Commission's effort to create the 2021 Charter Township of Chocoday Master Plan revision;

BE IT FURTHER RESOLVED that the Charter Township of Chocoday Board of Trustees supports the presented plan as the new Charter Township of Chocoday Master Plan;

BE IT ALSO RESOLVED that the Charter Township of Chocoday Board of Trustees supports the implementation of the plan by properly publishing the new plan consistent with all legal requirements.

The foregoing resolution was offered By Lynch, seconded offered by White

Roll Call Vote

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

Nays: None

RESOLUTION APPROVED

CONSIDER TREASURER INVESTMENT STRATEGY

Treasurer Zyburt indicated that the Township currently has \$3,050,000 in certificates and securities and another \$542,000 in money market funds. The overall yield for the portfolio is at 0.93%. In the coming months, we may be looking at short term increases of 1% - 2%. In December, the base was 0.40% and right now it is paying 2.57%, 3-year treasury was at 0.55%, and is now at 2.78%, and the 10-year was paying 1.49%, and is now at 2.75%. This is generally a precursor to a recession. Over the next 18 months, the Township has \$2,050,000 in securities maturing so we will be able to take advantage of the rising rates. The Township is in a good position.

Supervisor Bohjanen indicated that in the past the Board has been provided with a summary of investments. He feels that Zyburt has done a great job with the investment strategy.

CONSIDER PENSION COMMITTEE MEETING

Township Manager De Groot indicated that there are a few items that need to be gone over concerning the retirement benefits. De Groot will update Zyburt and White as he receives information.

Trustee Symbal asked about the letters from Mid-America they had received. This is a benefit provided to Boards, Commissions, and the Fire Department. Deputy Clerk Sundell will look into obtaining more information for those covered by this.

CONSIDER A FULL PRESENTATION FROM FLASHVOTE SURVEY TOOL

Supervisor Bohjanen indicated that at the last meeting Board members had asked for more information on this tool. Symbal stated that she felt we should look at all the options that provide this service.

Clerk Engle asked where we are at with the Township being able to send out text messages and emails. Township Manager De Groot indicated that the new website has the ability for residents to sign up for this type of service. Hoping to do a presentation on it hopefully at the May meeting.

Lynch moved, Rhein supported that FlashVote give a full presentation to the Chocolay Township Board in May of 2022. If there are other companies out there they could possibly present at a later date.

MOTION CARRIED

CONSIDER MDOT RESOLUTION FOR WORKING IN RIGHTS-OF-WAY

Supervisor Bohjanen indicated that this is an annual agreement.

Lynch moved, Rhein supported that Brad Johnson be authorized to execute the contract with MDOT regarding working in rights-of-way.

MOTION CARRIED

CONSIDER ANNUAL DUST CONTROL AGREEMENT WITH MCRC

White moved, Zyburt supported that the Chocolay Township Board approves moving forward with signing the contract with the Marquette County Road Commission for the annual dust control for those residents wishing to participate in the program.

MOTION CARRIED

CONSIDER ORDINANCE PUBLICATION OPTIONS

Supervisor Bohjanen indicated that this is brought before the Board as the price of printing ordinances in the Mining Journal have skyrocketed. Clerk Engle indicated that he felt that publishing a summary should include where the public can find the entire ordinance – we now post at Range Bank and Kassel’s Korner, along with the website.

Zyburt moved, White supported that the Chocolay Township Board approve the option of publishing summaries within the Mining Journal as part of the ordinance adoption process.

MOTION CARRIED

RECOGNITION OF BIENNIAL FIRE DEPARTMENT LEADERSHIP ELECTION

Lynch moved, Rhein supported that the Chocolay Township Board support the Chocolay Township Fire Department's biennial officers elections and recognize the new leadership elected April 8, 2022.

MOTION CARRIED

DISCUSSION OF WATER FEASIBILITY STUDY UPDATE

Supervisor Bohjanen stated that the findings thus far have been provided by OHM. It appears that the quadrant in the southeast part of the Township is the area where the most interest is. He feels that the distance between Marquette and the southeast quadrant is prohibitive. Manager De Groot indicated that based on the survey, 70% of the ones that responded have lived in the township for more than 10 years, with 99.5% owning their home. This would indicate that we are hearing from established members of the community. There were 600 respondents in total, which is right around 10%, which makes the survey valid.

De Groot feels that based on the statistics, this is not something we can ignore. Working with our consultants and refining the tasks should be our focus going forward. De Groot will work with the consultant and have OHM give presentation at the May meeting. This would still be covered under the original contract.

DISCUSSION ABOUT ZONING ORDINANCE REDRAFT

Manager De Groot spoke on the Zoning Rewrite Process. There are different options on how the rewrite can be accomplished: Planning Commission, Township Board, or small group of involved people, with the final deliverable approval by the Township Board.

De Groot indicated that his past experience found that the first two sections to be worked on should be definitions and land uses. Once these are established and understood, then the rest of the ordinance will write itself.

The consensus of the Board was to have staff prepare the initial draft to forward to Planning Commission.

MANAGER UPDATE – SEWER AND BUDGET

Budget – plan on having the audit presentation for FY 2022 at the May meeting. FY 2022 is off to a good start. The newest police car is on site and will soon be on the road. We also have the Ford Interceptor back (computer issue). Officer Weaver has been hired by the Michigan State Police, which has been a life long dream of his. We have also promoted Officer Nick Carter to Corporal – as our investigation inspector. He is now our leading investigator on crime, including computerized, CSC and capital crime situations. We are also coordinating with other agencies to reduce drug crime.

Sewer – hope to be able to close this project out soon. The work is complete and we are now in final contract negotiations and discussions. Hope to present this at the May meeting. We are hoping to sign the letter within the next week accepting the project, which would then start the

warranties. There is some concerns on the grinder warranties, as they have been in use for a while, but hope to maintain a 5 year workmanship warranty.

BOARD MEMBER COMMENTS

Don Rhein – asked about the new fire truck. De Groot stated that it is on the assembly line and we anticipate an early June delivery.

Kendra Symal – thanked Superintendent Sedgewick (MAPS) for the background information that he provided on the millage.

Judy White – concerned about the Lakewood Lane repaving – complete cracks going across the entire road. Also thought that ITEC investigates CSC crimes. De Groot indicated that with COVID, there has been an increase in crime in general, and many crimes that we are seeing are with inter-family and inter-relationship situations. The severity of the crime will dictate who is involved in the investigation.

Dave Lynch – thanked staff and De Groot for all the work on the sewer project and is happy that it is nearing completion.

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 7:16 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission; Regular Meeting of February 14, 2022.
- B. Minutes – Chocolay township Zoning Board of Appeals; Regular Meeting of February 24, 2022, Draft.
- C. Minutes - Marquette County Solid Waste Management Authority; Regular Meeting of March 23, 2022, Draft.
- D. Minutes – US41 Corridor Advisory Group; Regular Meeting of March 8, 2022.
- E. Information – Chocolay Township Newsletter – March 2022.
- F. Correspondence – Upper Peninsula Labor Hall of Fame.

Max Engle, Clerk

Richard Bohjanen, Supervisor

May 9, 2022

A meeting of the Chocolay Township Board was held on Monday, May 9, 2022, 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
Kendra Symbol (arrived at 5:38 p.m.)

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

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

MOTION CARRIED

PUBLIC COMMENT

Nancy Richards, Gwinn – indicated the property at 495 County Road 480 had been quit claimed to her and her two siblings. They would like to divide the land, which they have told they are not able to do. She is asking for guidance on what can be done. Supervisor Bohjanen indicated that the Township is in the process of reviewing the ordinance. He suggested that she make comment to the Planning Commission at their next meeting, which will be June 20.

Tim Prisk, Developer from Ewing Pines – indicated he is on the agenda tonight and there to answer any questions the Board may have.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting April 11, 2022.
- B. Approve Revenue and Expenditure Reports – April 2022.
- C. Approve Bills Payable, Check Register Reports – March 22, 2022 (Check # ACH – 3(A), in the amount of \$24,594.61), April 8, 2022 (Check #'s 25332 – 25350, in the amount of \$8,371.54), April 19, 2022 (Check #'s 25351 – 25374, in the amount of \$28,133.22), and April 28, 2022 (Check #'s 25375 – 25397, in the amount of \$34,991.15).
- D. Approve Bills Payable – Regular Payrolls of April 14, 2022 (Check #'s DD2334 – DD2366 and Check #'s 11197 – 11201, Federal, State, and MERS in the amount of \$42,406.08) and April 28, 2022 (Check #'s DD2367 – DD2398 and Check #'s 11202 – 11206, Federal State, and MERS in the amount of \$41,328.25).

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

MOTION CARRIED

SUPERVISOR'S REPORT

COVID Update – numbers have gone up to approximately 18 cases per day. Hospitalizations have gone up significantly.

Ordinance Revision – there is a lot of work to do. The Planning Commission is going to be in the process of reviewing this.

Water project – OHM feasibility study has been modified, with the study being focused on the Southeast quadrant of the Township.

Joint meetings – at the February meeting it was decided to have two joint meetings per year. He would like to schedule one on August 15, as both the Board meeting and the Planning Commission meeting are already scheduled for that day. This will be published as a joint meeting.

CLERK'S REPORT

Clerk Engle reported that we now have 5,017 registered voters in the Township. In the May election, there were 146 residents that voted in person. There were 794 absentee ballots received back in the office. Results were an overwhelming “Yes” on the proposal for the school millage renewal.

Primary election is August 2 – will be sending out the AV applications by the end of May. This will be a dual application to cover both the August and November elections.

PUBLIC HEARING – NONE.

PRESENTATION – FLASHVOTE SURVEY TOOL

Kevin Lyons, Co-Founder and Chief Survey Editor of FlashVote gave a presentation on how this survey tool works. In regular surveys, you may not be getting the true picture. The trick is to hear from the “many” and not just the “noisy”. With a tool like FlashVote, surveys ultimately become an engagement tool.

White asked about the security of taking the survey. Lyons indicated that there is a custom signup sheet, along with encryption. There is minimal information collected on demographics. Based on this information, there are many different scenarios that you can bring up.

The billing is usually done annually, no caps on the number of participants, surveys can be submitted in various ways.

Supervisor Bohjanen asked about the basic contract cost – Lyons indicated it would probably be around \$9,000 per year, which would include the survey design. They also do random samples which may run around \$10,000 per year.

CONSIDER PUBLIC HEARING AND FIRST READING FOR REPEAL OF ORDINANCE 44 CODE ENFORCEMENT OFFICER.

Supervisor Bohjanen indicated that in 1987 an ordinance was written to write tickets under municipal infraction vs a civil infraction. A Code Enforcement Officer position was created to write both infractions. There is not a need for this as written, so staff is suggesting a full repeal of this ordinance.

Lynch moved, Zyburt supported that the Chocolay Township Board conduct a public hearing and first reading of Ordinance 44 for Repeal at the June Board meeting.

MOTION CARRIED

CONSIDER ANNUAL CONTRACT WITH THE MARQUETTE COUNTY ROAD COMMISSION.

Zyburt moved, Engle supported that the Chocolay Township Board empower the Supervisor and Clerk to enter into the annual paving contract with the Marquette County Road Commission for the Paving of Township Roads in accordance with the Township Asset Management Plan and Township Road Millage.

MOTION CARRIED

CONSIDER PRIVATE OWNERSHIP AND OPERATION OF A DRINKING WATER SYSTEM, IRONSHORE PROPERTIES, LLC.

RESOLUTION

Moved by Engle, supported by White that:

WHEREAS, Ironshore Properties LLC owns and operates a drinking water system serving Pine Acres Mobile Home Park, located at _____, Section _____, Town _____, Range _____; and

WHEREAS, Ironshore Properties LLC possesses the ability and willingness to continue effective operation and maintenance of said system; and

WHEREAS, Chocolay Township recognizes the need for effective and continued 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 Ironshore Properties LLC to continue these responsibilities under state permit.

It is certified that the Township of Chocolay passed this Resolution in formal Board action on May 9, 2022.

ROLL CALL VOTE

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

NAYS: None

RESOLUTION PASSED

CONSIDER A REQUEST TO VACATE THE LAST REMAINING LOST OF THE EWING PINES SUBDIVISION.

**RESOLUTION OF
THE TOWNSHIP OF CHOCOLAY**

Lynch moved, Rhein supported that:

Upon consideration of a request by Paulette Perttunen and Timothy Prisk, record title owners of Lots numbered One (1) to Seven (7) of the Ewing Pines Subdivision Plat, pursuant to their Second Amended Complaint, case number 21-60631-CL, to vacate Lots numbered One (1) through Seven (7) of the Ewing Pines Subdivision Plat, and all of Trillium Circle and the thirty- three (33) foot right-of-way of Ortman Road adjacent to the south side of the Plat, and recognizing that the vacation of the thirty-three (33) foot right-of-way of Ortman Road is not adverse to any presently existing, public interest in the originally platted, public right-of-way, therefore the Township of Chocolay, pursuant to MCL 560.226(c), resolves to approve the vacation of Lots numbered One (1) through Seven (7) of the Ewing Pines Subdivision Plat, and all of Trillium Circle and the thirty-three (33) foot right-of-way of Ortman Road adjacent to the south side of the Plat.

It is certified that the Township of Chocolay passed this Resolution in formal Board action on May 9, 2022.

ROLL CALL VOTE

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

RESOLUTION PASSED

CONSIDER FUTURE SURVEY TOOL PRESENTATIONS.

Rhein feels that a survey tool would be a great asset to have going into the ordinance rewrite.

Lynch moved, White supported that the Chocolay Township Board invite other public input survey companies to present during future Board meetings.

MOTION CARRIED

DISCUSSION ASSESSING ASSISTANT POSITION

Supervisor Bohjanen indicated that the Township had a candidate that was to start in May but had to turn down the position. The Assessor has a person who could fill the job immediately, but in the future this person would become his son-in-law, which then brings up the question of nepotism. The assessor has plans to form an LLC, and at that time this may become a moot point if the contract is rewritten.

Manager De Groot indicated that this position has been advertised in various employment sites and we have not been able to fill it. He feels that this is a Board decision but indicated that there is a section in the Personnel Policy that refers to nepotism. De Groot indicated that the direct line of supervision would be the Township Manager.

It was also brought up that time is of the essence, as the field work needs to be done now while the weather is nice.

During the conversation on the forming of an LLC by the Assessor, Clerk Engle pointed out that the Assessor does need to be classified as an employee of the Township.

Rhein moved, Lynch supported that until the time that an LLC is formed the Assessing Assistant that is suggested by the Assessor be hired.

MOTION CARRIED

MANAGER UPDATE – SEWER AND BUDGET

Manager De Groot indicated there is a meeting on Wednesday to have the first final session to close out the sewer project, with members from GEI, Oberstar, and Chocoy in attendance. There are a few concerns still remaining that need to be discussed.

Trees in the driveway have been ribboned off – tree cutting is a line item in the budget this year. Staff walked the line with potential contractors and the neighbor. There are also some trees that need to be de-limbed. \$5,000 has been allocated, with quotes coming in around \$4,000. We will be de-limb the limbs on the large white pine by the Township Office.

Rhein asked about the issues on the sewer alarms. De Groot indicated that they still go off occasionally and are still be worked on.

White asked about the excess cost on the lift station on Veda Street. De Groot indicated that this was going to be part of the discussion on Wednesday.

BOARD MEMBER COMMENTS

Don Rhein – None

Kendra Symbal – attended the MTA conference in April. It was interesting, but somewhat uncomfortable with all the attendees. Lots of networking.

Judy White – None

Dave Lynch – None

Ben Zybert – None

Max Engle – None

Richard Bohjanen - None

PUBLIC COMMENT - NONE

Zybert moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:54 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission; Regular Meeting of March 21, 2022.
- B. Minutes - Marquette County Solid Waste Management Authority; Regular Meeting of April 20, 2022, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority; Stockholder’s Meeting, April 20, 2022, Draft
- D. Information – Chocolay Township Newsletter – April 2022.
- E. Correspondence – United States Department of the Interior, Bureau of Indian Affairs

Max Engle, Clerk

Richard Bohjanen, Supervisor

June 13, 2022

A meeting of the Chocolay Township Board was held on Monday, June 13, 2022, 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, Judy White, Don Rhein, Kendra Symbal

ABSENT: David Lynch (excused)

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

APPROVAL OF AGENDA.

Supervisor Bohjanen requested that Presentations X.A (Anderson Tackman) and X.B (Wastewater Treatment Board) be moved prior to the first Public Comment.

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

MOTION CARRIED

PRESENTATION – ANDERSON TACKMAN

Mike Grentz from Anderson, Tackman and Company PLC presented the FY2021 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 just under \$11 million (with \$3.3 million from the sewer fund and \$7.5 million from governmental funds). The net pension liability is a benefit this year by about \$277,000, which means the Township has more with MERS than the Township has to at this time. The sewer fund had a gain of \$224,000 for the year, and a \$75,000 loss from General Operating. The capital fund had a loss of \$700,000, which is due to the expenditure on projects which have been moved to assets. The Road fund shows a loss of \$93,000, which is a timing thing. The General Fund had a gain of \$115,000.

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.

Supervisor Bohjanen asked if we should be looking at hiring more staff to eliminate the finding that we have. Grentz felt that this will be solved with experience. The Township is about 90% there in being able to put this together.

PRESENTATION – WASTEWATER TREATMENT BOARD

Brad Johnson, Chair of the Wastewater Treatment Advisory Board, presented an update on the members and mission of the Advisory Board. Johnson went through the PowerPoint slides, which provided a summary of the history of the treatment plant and what has happened in 2021. This included accomplishments (maintain regulatory compliance, reduce biosolids disposal cost, maintain stable budget, formalize SOPs, completed Asset Management Plan, and submitted SRF Project Plan for financing), goals for 2022 (secure SRF funding, pursue additional land application sites, seek more grant funding, continue updating AMP, maintain reserve replacement fund, and lower operation and maintenance costs on the Cogen units), and projects going forward (Solids handling improvement project).

Rhein asked how the Cogen plants are working out – Johnson indicated they are working out good. White asked about leachate and if it is still going out to the Landfill – Johnson stated that the leachate is applied to farmland and a piece of CCI property. They are looking for more application sites. There are limits as to how much can be applied each year.

PUBLIC COMMENT – NONE.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting May 9, 2022.
- B. Approve Revenue and Expenditure Reports – May 2022.
- C. Approve Bills Payable, Check Register Reports – May 10, 2022 (Check #'s 25398 – 25426, in the amount of \$51,301.45), May 19, 2022 (Check #'s 25427 – 25444, in the amount of \$16,161.61), and May 26, 2022 (Check #'s 25445 – 25461, in the amount of \$29,628.09).
- D. Approve Bills Payable – Regular Payrolls of May 12, 2022 (Check #'s DD2399 – DD2452 and Check #'s 11207 – 11211, Federal, State, and MERS in the amount of \$45,794.85) and May 26, 2022 (Check #'s DD2453 – DD2475 and Check #'s 11212 – 11217, Federal State, and MERS in the amount of \$40,995.43).

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

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen received a letter from the North Country Trail thanking the Township for supporting the North Country Trail. He has been a member for 10 years and feels that this is a worthwhile project.

Assessor's Assistant has started and is working with the Assessor on field work.

Supervisor Bohjanen also stated that he does not feel that the meeting room is satisfactory – there is a lot of traffic noise and the acoustics are very bad. He would like to suggest that the Township Board use the training / meeting room in the Firehall going forward. This was acceptable to all Board members.

COVID is having a bit of resurgence. There are more cases than earlier, but not more deaths or hospitalizations.

CLERK'S REPORT

Clerk Engle stated that we have an election in August. Applications have gone out and are starting to come back in. This application was a dual application for August and November.

PUBLIC HEARING – NONE.

PRESENTATION – POLCO SURVEY TOOL.

POLCO is an online survey tool. They have been around for awhile and have acquired the National Resource Center. This tool is used to bring the voice of "ALL". POLCO provides a variety of scientific benchmark surveys, original research, and an online engagement platform.

White asked about security parameters.

Symbal asked if the surveys are fully customizable or fixed. Most benchmarked surveys are fixed. Customizable surveys can be found in the survey library – depends on project and what you're looking for. There is a team of survey experts that can help.

Symbal asked about number of questions recommended – a benchmarking survey may be 5 pages and would take approximately 15 minutes, or you could have one that only has a couple questions. Supervisor Bohjanen asked about the price structure. Premium includes customer success manager and all access for \$6,200 / year. Premium plus Benchmarking would be \$17,000 / year. Both packages provide unlimited number of surveys per year, and you can have up to 10 administrators. Embedded link on webpage is recommended.

PRESENTATION – ZENCITY SURVEY TOOL.

This survey tool provides a community engagement plan. Working with different communities to bring information to them. Communities are bombarded with lots of information, and people are looking for a two-way conversation where participation and trust can be built – removing barriers so it's not the same handful of people. With Zencity links are embedded to provide interactive screens to share with residents. Allows resident to have a voice in what's going on. The information is all under the township's control, and you can share as much as you want with the public.

Symbal asked if all surveys are connected to social media – it does not need to be connecting to social media.

Township Manager De Groot asked about pricing and security. With security, the data is hosted in the US and belongs to the Township. Zencity has been vetted. With pricing, Zencity would provide a dedicated consultant – provide a name, face, phone number. Everything is included in the price, and you may run as many as you want. Lowest price is \$16,000 / year, which he may be able to leverage for \$10,000.

Supervisor Bohjanen indicated that the information will be collated and brought back to the Board at a future meeting.

CONSIDER ANNUAL ACCEPTANCE OF THE AUDIT REPORT

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

ROLL CALL VOTE

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

NAYS: None

ABSENT: Lynch

MOTION CARRIED

CONSIDER SEWER PROJECT CLOSURE REPORT

Township Manager De Groot indicated that the Township has reached conclusion on this project and have established a punch list. We are now looking at taking over ownership. We have had meetings with our Contractors and Engineers and have been presented with close out numbers. This project started over 7 years ago and the contract was let 2 ½ years ago, and difficulties with COVID and supply chain issues slowed the project. The system is now operational, and we are down to approximately 2 weeks of work and then reinspect. De Groot has suggested funding mechanisms to be used (including ARPA funds).

Symbal indicated that she is not in support of using ARPA funds for this project. She would like to look at other ways that would not affect the residents. Supervisor Bohjanen this project defines the use of ARPA funds – unforeseeable costs (such as the overruns) which were negotiated after the fact. He feels that we have a good solid project, and it is in the best interest of all parties concerned to not end up in court. Clerk Engle is in favor of using the ARPA funds, as he does not want the resident’s sewer bills to be affected by this. Treasurer Zyburt is also in support.

Zyburt moved, Rhein supported that the Chocolay Township board recognize the completion of the Sewer Upgrade Project and empower the Supervisor to sign and close out the reconciliation change orders.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Lynch

MOTION CARRIED

CONSIDER CONTRIBUTION TO THE MARQUETTE AREA FIREWORKS ASSOCIATION

Supervisor Bohjanen stated that there had been conversation on this being a benefit to the residents of Chocolay Township. Members of the Board agreed that this was something that would be considered a benefit. Symbal was not in support, as she was concerned about residents with PTSD.

Zyburt moved, Engle supported that the Chocolay Township Board contribute \$1,000 to the Marquette Area Fireworks Committee for the annual fireworks display, that can be enjoyed by Chocolay Township residents.

ROLL CALL VOTE

AYES: Rhein, White, Zyburt, Engle, Bohjanen

NAYS: Symbal

ABSENT: Lynch

MOTION CARRIED

CONSIDER THE WAIVER OF THE USE FEE FOR A BENEFIT AT BEAVER GROVE PARK.

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

ROLL CALL VOTE

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

NAYS: None

ABSENT: Lynch

MOTION CARRIED

CONSIDER JOINT MEETING WITH PLANNING COMMISSION AT THE AUGUST MEETING.

Zyburt moved, White supported that the Chocolay Township Board approve August 15, 2022 as a joint meeting with the Chocolay Township Planning Commission and advertise the joint meeting.

MOTION CARRIED

CONSIDER A BUDGET AMENDMENT TO PURCHASE MICROSOFT PRODUCT LICENSES.

Engle moved, Zyburt supported that the Chocolay Township Board approve the budget amendment of \$850.00 for the purchase of an additional eleven Microsoft 365 Licenses for the new Board and Planning Commission tablets from account number 101.103.956.000 (Township Board Miscellaneous Account). The following years it will be part of the annual IT Department budget.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Lynch

MOTION CARRIED

DISCUSSION OF DEVELOPMENT FOR FISCAL YEAR 2023 BUDGET

Manager De Groot indicated that he is starting to work on the 2023 budget. De Groot is recommending a reduced budget for 2023 to better understand the supply chain. An RFP this month to re-side the building would be for the 2023 / 2024 season. De Groot will be working on priorities that have been set by the Board in the last 2 years. There are some things we can better align, such as the DNR is offering Spark grants that are a minimum of \$100,000 with a maximum of 1 million. De Groot is planning on writing three Spark grants, which can be used for planning all the way through to implementation. The plan is to reshape the marina to make it more inclusive (playscape, dock) which is approximately \$500,000. Redoing the second half of the tennis court project and striping for pickle ball and tennis, which was \$160,000 two years ago, plus 11% - 15% on top of that, which makes it a \$200,000 - \$215,000 project. There is also the redesign of Beaver Grove to include a facility for DPW, permanent recycling and composting, playscapes, etc. This

would be a Planning grant opportunity. There are other grant opportunities in the future would cover infrastructure.

In last year's budget, protection of staff was a priority. De Groot has incorporated an integrated training program which is being utilized. There are also updated vision and dental insurance programs that have been well received by staff.

This year there is an estimated cost of living increase being projected at 8% - 10%. A suggestion to alleviate some of this would be a one-time bonus of 3% out of salary contingency at the end of this year, along with a 4% increase next year. He is also suggesting a 10% reduction in operating costs.

De Groot plans on bring a draft budget to the Board in the October / November timeframe. Also, in August, De Groot plans on presenting a true Capital account to the Board.

MANAGER UPDATE – BUDGET AND SEWER PROJECT

Manager De Groot indicated that we are doing well on our current budget – we are on target and we are budgeting for need, not fluff. There was a staff change over last year and we are now running everything through the system.

BOARD MEMBER COMMENTS

Don Rhein – Planning Commission did not meet last month but went to a Solar presentation sponsored by MSU – he found it very informative.

Kendra Symbal – None

Judy White – None

Dave Lynch – None

Ben Zyburt – None

Max Engle – None

Richard Bohjanen - None

PUBLIC COMMENT – NONE

Stephanie Gencheff, 587 Lakewood Lane – had comments regarding the surveys. She has chosen to disengage from social media. Residents may not be thrilled about spending that amount of money on a survey program. Email may be the way to go – with blasts going out to all the residents of Chocoday.

Deborah Mulcahey, 633 Lakewood Lane – loves the idea of moving the meeting to the Fire Hall. She also mentioned that when listening to the tape recording, there is a lot of tapping and shuffling of papers. Is not opposed to surveys – likes the idea of engagement and dialogue. If you want to do a survey you need to listen to the people. Has the water study been shared? Public has right to potable drinking water. Why is the 2% KBIC money distributed throughout the County – feels the money should come solely to Chocoday Township.

Zyburt moved, Rhein supported that the meeting be adjourned.
MOTION CARRIED

The meeting was adjourned at 7:30 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission; Regular Meeting of April 18, 2022.
- B. Minutes - Marquette County Solid Waste Management Authority; Regular Meeting of May 28, 2022, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority; Special Meeting, May 25, 2022, Draft
- D. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of April 21, 2022, Draft
- E. Minutes – US-41 Corridor Advisory Group; Regular Meeting of April 12, 2022.
- F. Information – Chocolay Township Newsletter – May 2022.

Max Engle, Clerk

Richard Bohjanen, Supervisor

July 11, 2022

A meeting of the Chocolay Township Board was held on Monday, July 11, 2022, 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, David Lynch, Judy White, Don Rhein, Kendra Symbal

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

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

MOTION CARRIED

PRESENTATION – NONE.

PUBLIC COMMENT – NONE.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting June 13, 2022.
- B. Approve Revenue and Expenditure Reports – June 2022.
- C. Approve Bills Payable, Check Register Reports – June 7, 2022 (Check #'s 25462 – 25483, in the amount of \$21,626.87), June 16, 2022 (Check #'s 25484 – 25507, in the amount of \$19,137.39), and June 29, 2022 (Check #'s 25508 – 25527, in the amount of \$40,925.65).
- D. Approve Bills Payable – Regular Payrolls of June 9, 2022 (Check #'s DD2476 – DD2509 and Check #'s 11218 – 11223, Federal, State, and MERS in the amount of \$43,611.53) and June 23, 2022 (Check #'s DD2510 – DD2535 and Check #'s 11224 – 11229, Federal State, and MERS in the amount of \$41,318.61).

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

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen reminded the Board that the next meeting will be on August 15, 2022 and this will be a joint meeting with the Chocolay Township Planning Commission.

Supervisor Bohjanen also indicated that in the informational section of the packet, there is a letter from Kris Hazeres asking that Chocolay Township have a noxious weed ordinance. Bohjanen indicated that the Township is not at the point of looking at this type of ordinance but would like

to have input on whether the Board felt this should be pursued. The consensus of the Board was that there is no interest in pursuing this.

CLERK'S REPORT

Clerk Engle indicated that there is an election on August 2. He reminded everyone that this is a Primary election, so crossover votes are not allowed – you must stay within the party. There is one proposal for the Iron Ore Heritage Trail. At this point, we have issued 534 absentee ballots in Precinct 1 and 624 absentee ballots in Precinct 2 for a total of 1,158. We have received 117 ballots back. Three military / overseas ballots have been issued.

The Clerk's office is in the process of getting cameras for the drop box and mailbox. A new mailbox with a lock has been ordered. Ballots sent are being taken into town everyday to the Post Office.

PUBLIC HEARING – NONE.

CONSIDER FIRST READING OF REPEAL ORDINANCE 44

Lynch moved, Zyburt supported that the Chocolay Township Board consider the first reading of Ordinance 44 for repeal.

MOTION CARRIED

White moved, Rhein supported that the Chocolay Township Board schedule the second reading of Ordinance 44 for repeal for the August 15, 2022 Board meeting.

MOTION CARRIED

CONSIDER DISPOSITION OF FIRE TRUCK

Township Manager De Groot indicated that the delivery date for the new fire truck should be within the next month. When that arrives, 2142 will become surplus. The request is that the Fire Chief and Manager work with local jurisdictions that may be interested. This would include Marquette City and Negaunee City. If this doesn't work, we would look at putting on surplus auction.

White questioned why we didn't refurbish ourselves instead of buying a new one. De Groot indicated that this is a short-term solution for the two local municipalities – possibly another 3 years.

Zyburt asked who makes the determination on pricing – De Groot indicated that this would be based on local market and economic value. This unit has been maintained by Pierce and also by a certified Pierce mechanic in Marquette City. Would sell "as is".

Lynch moved, Symbal supported that the Chocolay Township Board empower the Township Fire Chief and Manager to sell the Fire engine once the new engine arrives to either a local community or as surplus auction.

MOTION CARRIED

CONSIDER SURVEY TOOL

Symbal asked if De Groot had a preference – he felt that since our township is so diverse, he felt that Flash Vote seems to have the capability to serve our needs.

White is not in favor – wondered how often we do surveys. Rhein indicated that going into the Master Plan and Ordinance updates, he feels there is a need to reach the community. He doesn't feel that the Planning Commission is getting a good representation from the community.

Manager De Groot indicated that it could be done in house, but that would involve staff and hours to do and it would take time. Does not have an answer on what is more cost effective at this time.

Engle moved, Zybert supported that the Chocolay Township Board empower the Township Manager and Supervisor to interview Flash Vote and return a contract to the Board.

AYES: 6

NAYS: 1 (White)

MOTION CARRIED

DISCUSSION OF ROAD COMMISSION USE OF BLONDEAU MANGUM ROAD AGGREGATE PROPERTY

Supervisor Bohjanen indicated that there is a gravel pit situated on property owned by Blondeau. Marquette Country Road Commission is considering resurfacing Mangum Road. This resurfacing would not be covered by our road millage, as gravel is not part of the asset management plan.

Manager De Groot stated that this resurfacing is being driven by the Road Commission – they would write RFP's and bring in crusher and only produce aggregate for Mangum Road. This would take about 2 – 3 weeks. This is not a 24 / 7 operation. We would be able to cut costs on gravel roads by half.

Lynch moved, Engle supported that the Chocolay Township Board negotiate a three-party agreement and bring back to the Board.

MOTION CARRIED

DISCUSSION OF SALARY SURVEY REQUEST FOR PROPOSAL AND EMPLOYEE HANDBOOK

Supervisor Bohjanen stated that there have been salary advancement plans in the past that utilized step increases. At this time, there is no formalized plan. Bohjanen indicated that our Township Manager is very capable of being able to pull this type of information together. The other option would be to write an RFP to hire a company to do the study. The Township needs to have a plan that is aggressively competitive to hire and keep employees. Bohjanen also indicated that the Manager is now in the process of working on the 2023 budget and has included a line item for this study.

Manager De Groot indicated that there is no pressure at this time. With the duties of the Personnel Committee being handed over to the Personnel Director and the end of the step program, there needs to be a basis for a salary structure. There has been a change in the internal review policy,

and job descriptions that reflect responsibilities. If the Board does not want to go forward with the survey, there should be a process incorporated into the policy manual. MML and MTA does do surveys, but they are not based on responsibilities, and we have some outliers in job responsibilities.

Symbal feels that having a downstate company do this type of survey, it may not be comparable to jurisdictions in the UP or reflect our values.

Bohjanen feels that this would be an incredibly intricate and complicated process to accomplish this scope of work. If there could be an estimate of the cost (RFQ) it might be beneficial. But he feels that the Township has a good organizer (De Groot) who puts things together well, which may enable the Township to use the money as a benefit to the employee rather than a company.

Several Board members felt that this could be done in house.

Zyburt endorses the survey if it will help in keeping competent employees.

De Groot indicated he can release an RFQ, but the danger is that there will then be expectation that there will be a project.

De Groot will build a scope of work and look at comparables (governmental and local) and present this information to the Board in the future. Symbal asked about information on Boards and Commission compensation to be presented with this. De Groot indicated he can set up the structure, but that would be more of a Board call.

MANAGER UPDATE – BUDGET AND SEWER PROJECT

Budget – De Groot indicated that he is getting department requests back. Should have draft ready for first review at the August meeting. Public Hearing in October, with Budget approval in December. De Groot is currently reviewing where to save costs. Tentatively budgeting for gas at \$4.00 per gallon for gas, and \$4.50 per gallon for diesel. This is about 2 times the cost of what we budgeted last year. The contracting season of 2023 has passed us by – contractors need a chance to catch up. We will be looking at quotes for the 2024 season.

Sewer – Starting the close out process. Waiting on the reconciliation invoice from Oberstar and have notified the State. We are now waiting for the as-builts, warranty books, etc.

BOARD MEMBER COMMENTS

Don Rhein – Asked about sewer bills and the ability to receive ACH payments. (Will ask Deputy Treasurer about this).

Kendra Symbal – None

Judy White – None

Dave Lynch – None

Ben Zyburt – None

Max Engle – None

Richard Bohjanen - None

PUBLIC COMMENT – NONE

White moved, Rhein supported that the meeting be adjourned.
MOTION CARRIED

The meeting was adjourned at 6:39 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes - Marquette County Solid Waste Management Authority; Regular Meeting of June 15, 2022, Draft.
- B. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of May 19, 2022, Draft
- C. Minutes – US-41 Corridor Advisory Group; Regular Meeting of June 14, 2022.
- D. Information – Chocolay Township Newsletter – June 2022.
- E. Correspondence – Kris Hazeres, 332 Brookwood Lane

Max Engle, Clerk

Richard Bohjanen, Supervisor

August 15, 2022

A Joint meeting of the Chocolay Township Board and the Chocolay Township Planning Commission was held on Monday, August 15, 2022, 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, Ben Zyburt, David Lynch, Judy White, Kendra Symbal

ABSENT: Max Engle (excused), Don Rhein (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell, Dale Throenle, Roger Zappa (Township Attorney)

APPROVAL OF AGENDA.

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

MOTION CARRIED

PRESENTATION – NONE.

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – commented on the Zoning Map update. Does not support a change in the AF Zoning. Spoke on the inconsistencies of the non-conforming parcels – this does not apply throughout the Township. Spoke on the water issues within the Township – water quality and water quantity are important. Before going forward need to know what our needs are. FlashVote – the missing component is how resident will respond. Also feels it should be a one-year contract versus a three-year contract. Suggested that the Board move their meetings to a day other than Monday. Talked about ability to communicate, trust, accountability. Expressed sympathy regarding the passing of Mike Summers (former Township attorney) – was very civil and respectful.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting July 11, 2022.
- B. Approve Revenue and Expenditure Reports – July 2022.
- C. Approve Bills Payable, Check Register Reports – July 12, 2022 (Check #'s 25528 – 25554, in the amount of \$39,598.53), and July 26, 2022 (Check #'s 25555 – 25577, in the amount of \$38,838.47).
- D. Approve Bills Payable – Regular Payrolls of July 7, 2022 (Check #'s DD2536 – DD2570 and Check #'s 11230 – 11235, Federal, State, and MERS in the amount of \$42,153.08) and July 21, 2022 (Check #'s DD2571 – DD2598 and Check #'s 11236 – 11241, Federal State, and MERS in the amount of \$51,156.67).

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

SUPERVISOR'S REPORT

COVID statistics have improved, even with the uptick of tourism in the area.

CLERK'S REPORT – Clerk Engle was absent.

PUBLIC HEARING – NONE.

CONSIDER SECOND READING OF REPEAL ORDINANCE 44

Lynch moved, Zyburt supported that after a second reading this evening, first reading, and public hearing held May 9, 2022, the Chocolay Township Board approve the full repeal of Ordinance #44. The repeal of Ordinance #44 shall take effect fifteen (15) days from the publication notice of repeal within the Mining Journal and the posting on the Township website.

ROLL CALL VOTE

AYES: Symbal, Lynch, White, Zyburt, Bohjanen

NAYS: None

ABSENT: Engle, Rhein

MOTION CARRIED

CONSIDER SETTING PUBLIC HEARING AND FIRST REVIEW OF THE TOWNSHIP ZONING MAP UPDATE.
Supervisor Bohjanen indicated that the Zoning Map has not been updated since 2015.

Planning Director Throenle indicated the new map incorporates any changes since 2015, including the property that has recently gone into KBIC Trust.

Lynch moved, Symbal supported that a Public Hearing be set for September 12, 2022 to review the updated Official Township Zoning Map.

ROLL CALL VOTE

AYES: Symbal, Lynch, White, Zyburt, Bohjanen

NAYS: None

ABSENT: Engle, Rhein

MOTION CARRIED

CONSIDER OPENING JOINT MEETING WITH THE TOWNSHIP PLANNING COMMISSION.

White moved, Lynch supported to open the Joint Meeting with the Planning Commission at 5:56 pm.

MOTION CARRIED

Planning Commission Chair Soucy opened the joint meeting at 5:56 pm with a quorum of four Commissioners.

ROLL CALL

PRESENT: Ryan Soucy, George Meister, Donna Mullen-Campbell, Rebecca Sloan

ABSENT: Kendell Milton (excused), Don Rhein (excused)

1. DISCUSS AF ZONING

Roger Zappa, Township Attorney, was present to discuss AF Zoning within the Township. Approximately 40% of AF parcels are non-conforming. This does not create a problem that MUST be reversed, but it is something to look at. The Township is permitted to establish the size of a parcel. It is important to align the Master Plan with the Zoning Ordinance. Any time that you change your zoning, non-conforming parcels will be an issue. Need to look at what has happened between 2008 and now. One of the possibilities for correcting this is creating a Planned Unit Development (PUD). Not feasible to create for the whole AF district, but there may be a number of parcels in area. Attorney Zappa's role is to help the Planning Commission get where they need to be and guidance on implementing the inconsistency between the Master Plan and Zoning Ordinance.

Trustee Symbal asked about the feasibility of keeping some AF parcels – small family farms receiving grant funds. Township Manager De Groot indicated it is not the intention of staff or Planning Commission to eliminate agricultural lands. Looking at properties that may not be as feasible to be in the AF district. Anything that is actively farm use now that fall under the Generally Accepted Agricultural and Management Practices (GAAMP) would be protected under the Right to Farm Act.

Commissioner Sloan asked about going to the Zoning Board of Appeals for a variance to zone yourself out of a zoning district. Township Manager De Groot answered you cannot. You can ask to be rezoned, but there are other issues that come into that – spot zoning, etc.

Commissioner Mullen-Campbell asked if the Zoning Ordinance was updated, would this enable the Township to be eligible for more Redevelopment grants? Attorney Zappa answered yes – there are a plethora of grants out there. Township Manager De Groot indicated we would have better grant potential for redevelopment and infrastructure. The quicker we can align the Master Plan to the Zoning Ordinance, the better are chances. Commissioner Mullen-Campbell also asked about water feasibility. Township Manager De Groot indicated there is a lot of funding for that right now. Since we don't have a pre-existing structure, we do need to look at a feasibility study. Water needs engineering and planning studies – this is required by most funding sources.

Supervisor Bohjanen indicated that in the re-writing the Zoning Ordinance in 2008 there was not a lot of community involvement. The question now is should we be eliminating non-conforming uses and how to go about doing that. One suggestion is an overlay district that is handled by a PUD on an individual basis. This would help give back people their property rights. Planning Commission Chair Soucy is concerned about spot zoning but feels that an

overlay district makes sense. Township Manager De Groot brought up the subject of character-based zoning with a PUD framework. Commissioner Meister as about the PUD process – would the PUD overlay be applied to just non-conforming lots. Supervisor Bohjanen did not feel there would be a problem as it would not change the underlying zoning and there may be opportunities to opt into the overlay. Township Manager De Groot indicated that staff is still reviewing different aspects of how this would look. Commissioner Meister indicated that there are several properties that would fit, but is concerning about sprawling homes, which may take away from the rural and agricultural feel.

Trustee Symbal asked about how this would affect the tax base. Manager De Groot indicated that in his experience it has never been looked at as a tax base question, but as a land use question. It is better to look at the character of our community. Attorney Zappa indicated that houses do get taxed higher than vacant fields. Trustee Symbal asked about different rates for different size parcels. Manager De Groot indicated that once an assessment is made regarding a land use change there could be an up-tax.

Commissioner Sloan questioned land use and zoning change – a zoning change does not have a bearing on taxes – land use change would.

Supervisor Bohjanen stated that in Chocolay there is a lot more land in the AF district than any other due to the 2008 decision to lump it all together. He feels that maybe separating it may be an answer. Commissioner Meister indicated that un-lumping it and returning it to Rural Residential, Agriculture, and Forestry. He feels there is value in retaining some size which promotes the look and feel of Chocolay.

Township Manager De Groot went over the steps: 1) Approved Master Plan; 2) Align Zoning Ordinance to Master Plan; 3) Look at cases that have gone to the ZBA for non-conforming; 4) Approximately 40% of parcels that need to be looked at; 5) Research all questions that have been brought up; 6) Look at things that may be inconsistent with the Master Plan.

Trustee Symbal asked about parcels on the zoning map that are showing no zoning. Planning Director Throenle indicated that it is a PUD.

Planning Commission Chair Soucy asked about the approval process for PUD's and the effects of an overlay district. Township Manager De Groot indicated we would have to have compliant base zoning. This may involve going into character design and looking at different areas of the Township.

Members of the Planning Commission feel this is something to pursue, along with the need to protect values and character of the Township.

Trustee Symbal asked about the splitting of properties – would it be possible to do a work-around for a trust on the land. Township Manager De Groot this would not be allowed as we would not permit multiple family structures on the property.

Township Manager De Groot went through the process of rewriting the Zoning Ordinance, starting with looking at character-based zoning. It will also involve many hours of research and input from the community. Once a draft has been written, it can go to the Township Board either in full zoning or piece by piece. He would recommend the full zoning ordinance, where the Planning Commission would present to the Board in total.

Commissioner Meister asked about the timeline. Township Manager De Groot indicated it would take at least two more meetings at the Planning Commission level to feel comfortable with the process and other topics that need to be addressed. He anticipates about 14 months before everyone (including the Board) feel comfortable with the draft. Commissioner Sloan asked about timeline for the initial draft – Manager De Groot felt that would take 6 – 8 months.

Supervisor Bohjanen indicated that we have a very specific wording for a PUD. Maybe it would be better to change from PUD (Planned Unit Development) to a PDU (Planned Development Unit). This may create a better idea of what would be happening in that area.

CONSIDER CLOSURE OF JOINT MEETING

Lynch moved, Zyburt supported to close the Joint Meeting with the Planning Commission.

MOTION CARRIED

Meister moved, Mullen-Campbell supported to close the Joint Meeting with the Township Board.

MOTION CARRIED

Joint Meeting closed at 7:14 PM.

CONSIDER AWARDING BID TO SELL 2018 POLICE VEHICLE

Zyburt moved, Lynch supported that after an open bidding process, the Township awards to Ringwood Motors the sale of the 2018 Dodge Charger for the amount of \$4,380.00.

ROLL CALL VOTE

AYES: Symbal, Lynch, White, Zyburt, Bohjanen

NAYS: None

ABSENT: Engle, Rhein

MOTION CARRIED

CONSIDER DISPOSITION OF 2020 FORD POLICE VEHICLE

Lynch moved, Symbal supported that the Board enable the Township Manager and the Police Chief to replace the 2020 Police Vehicle with a suitable replacement and accept the Ford Motor Company repurchase.

ROLL CALL VOTE

AYES: Symbal, Lynch, White, Zyburt, Bohjanen

NAYS: None

ABSENT: Engle, Rhein

MOTION CARRIED

CONSIDER FLASHVOTE CONTRACT

Supervisor Bohjanen indicated that the previous conversation on the Zoning Ordinance was a perfect instance where this would be a benefit to the Township.

Symbal is in support of FlashVote, but not in favor of a 3-year contract to begin with. White indicated she was not in favor a of 3-year contract – need to see results.

Township Manager De Groot indicated that there is a 30-day cancellation clause. Asked about what the standard is that we are looking for. By signing the contract, we are in a better position than we are today. There is nothing to compare to so this is not really measurable.

Symbal also questioned the carrying over of a contract to the next Board. Lynch felt that with the 30-day cancellation clause the 3-year was not a problem, along with the fact that there are many things that the Board does that carry over to the next Board.

Lynch moved, White supported that the Board empower the Supervisor and the Clerk to enter into a three-year contract with FlashVote for survey production.

ROLL CALL VOTE

AYES: Symbal, Lynch, White, Zyburt, Bohjanen

NAYS: None

ABSENT: Engle, Rhein

MOTION CARRIED

APPOINTMENT OF PLANNING COMMISSIONER

Supervisor Bohjanen has reviewed applications for four prospective members of the Planning Commission. He has not made an appointment yet.

MANAGER UPDATE BUDGET AND SEWER PROJECT

Budget is 95% complete. Will be providing electronic copies to the Board, along with posting on the website. His plan is to present the budget in September, make it available to the public for October and November and bring back to the Township Board in December for approval, which would need to happen prior to December 31, 2022.

Sewer continues – going through the punch list and final invoices. Punch list should be scheduled for the 2nd week of September, once the invoices are paid.

BOARD MEMBER COMMENTS

Kendra Symbal – None

Judy White – None

Dave Lynch – None

Ben Zybert – None

Richard Bohjanen - None

PUBLIC COMMENT – NONE

Zybert moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:31 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission, Regular Meeting of July 18, 2022, Draft.
- B. Minutes - Marquette County Solid Waste Management Authority; Regular Meeting of July 20, 2022, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority; Special Meeting of Jul 8, 2022
- D. Minutes – Marquette Area Wastewater Treatment Facility Advisory Board; Regular Meeting of June 16, 2022, Draft
- E. Information – Chocolay Township Newsletter – July 2022

Max Engle, Clerk

Richard Bohjanen, Supervisor

September 7, 2022

A Special meeting of the Chocolay Township Board was held on Wednesday, September 7, 2022, in the Chocolay Township Fire Hall. Supervisor Bohjanen called the meeting to order at 5:30 p.m. with four members in attendance, which constitutes a quorum.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, David Lynch, Judy White

ABSENT: Ben Zyburt, Don Rhein, Kendra Symbal

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Lynch moved, White supported to approve the agenda as modified, with the addition under New Business of B. Consideration of Settlement Options after exiting closed session.

MOTION CARRIED

PUBLIC COMMENT – NONE.

CONSIDER POTENTIAL CLOSED SESSION CONCERNING DEBORAH A. 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 ATTORNEY-CLIENT PRIVILEGE, MCL 15.243(1)(g) AND MCL 15.268(h). INVITE MANAGER AND DEPUTY CLERK.

White moved, Lynch supported that the Chocolay Township Board enter into closed session to discuss with the Township's attorney settlement options and litigation strategy in the pending lawsuit of *Deborah A. 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).

ROLL CALL VOTE

AYES: White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Symbal, Rhein, Zyburt

MOTION CARRIED

The Chocolay Township Board went into Closed Session at 5:35 p.m.

Closed Session ended at 6:09 pm.

CONSIDERATION OF SETTLEMENT OPTIONS AFTER EXITING CLOSED SESSION.

Engle moved, Lynch supported that the Chocolay Township Board approve the settlement options and litigation strategy in the case of *Deborah A. Mulcahey v. The Charter Township of Chocolay*, Case No. 21-60865-CZ.

ROLL CALL VOTE

AYES: White, Lynch, Engle, Bohjanen

NAYS: None

ABSENT: Symbal, Rhein, Zybert

MOTION CARRIED

Engle moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:12 p.m.

Max Engle, Clerk

Richard Bohjanen, Supervisor

September 12, 2022

The regular meeting of the Chocolay Township Board was held on Monday, August 15, 2022, in the Chocolay Township Fire Hall. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

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

ABSENT: Kendra Symbol (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

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

MOTION CARRIED

PUBLIC COMMENT

Deborah Mulcahey, 633 Lakewood Lane – spoke on a time frame for Board responses to inquiries from the public. She still has two outstanding emails from June 28, 2022 and July 15, 2022. Feels that the Township should have some type of policy that staff should respond within a set number of days. In regard to the budget, the issue of training money and GIS. Spoke on the water study. Pointed out that in the bar chart in the packet the colors are hard to distinguish. Focus should be on the quality and quantity of water.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Joint Meeting August 15, 2022.
- B. Approve Revenue and Expenditure Reports – August 2022.
- C. Approve Bills Payable, Check Register Reports – August 11, 2022 (Check #'s 25578 – 25601, in the amount of \$30,171.54), and August 29, 2022 (Check #'s 25602 – 25631, in the amount of \$34,721.44).
- D. Approve Bills Payable – Regular Payrolls of August 4, 2022 (Check #'s DD2599 – DD2630 and Check #'s 11242 – 11247, Federal, State, and MERS in the amount of \$41,818.85) and August 18, 2022 (Check #'s DD2631 – DD2692 and Check #'s 11248 – 11253, Federal State, and MERS in the amount of \$46,296.20).

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

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen provided the update on COVID in Marquette County. Cases are on the down-swing again. Numbers can be misleading due to the use of home tests, which are not taken

into account in the reporting. There is now an updated COVID vaccine available in the area – for sure at Meijer pharmacy.

On October 4 and 5, Michigan Township Association (MTA) is having a regional summit (educational meeting and networking) at the Holiday Inn in Marquette. Encouraged Board members to look at the agenda and consider attending.

CLERK'S REPORT

Clerk Engle reported that Absentee Voter applications went out a couple weeks ago, and are now starting to come in.

PUBLIC HEARING – OFFICIAL ZONING MAP

Public Hearing opened at 5:38 pm. No public was in attendance.

Public Hearing closed at 5:40 pm.

PRESENTATION – WATER FEASIBILITY STUDY UPDATE – OHM

Members of OHM present:

Ron Cavallaro, Principal in Charge

Michael Markham, Senior Project Manager

Susan Knepper, Project Engineer – Technical Lead

Isabelle Bester (via Zoom)

Susan Knepper (OHM), Water Resources Engineer and Technical Lead on project. Water was investigated in 1994 (in response to groundwater contamination in the Harvey area) and in 2001. Findings were that there were high user fees associated with project.

OHM launched a 9-question survey and had a good response. Knepper went over the results of this survey. Chocolay has been broken into quadrants, with Quadrant 2 being the most concerned about the quality of water. OHM is also looking at the infrastructure size to make sure it is adequate for potential future users. Went over the calculations that are involved. Currently in negotiations with KBIC to see if there could be a collaboration with them. OHM had also looked at collaboration with City of Marquette, which made sense when the primary quadrant was the village of Harvey. Township Manager De Groot asked about EGLE requirements – EGLE does a water master plan on future connections, with a 5-10 year projection.

Lynch stated he has a water system at his residence, and that the average is 40-50 gpd, rather than the 83 gpd being used as an average. Knepper indicated she will keep this in mind, but also stated that OHM's numbers would include flushing of hydrants.

Supervisor Bohjanen wondered about the additional cost of water fees from collaboration with the City, as this number would be important.

Knepper indicated that in the next two months they will be doing a water source evaluation. After that they would plan on bringing their findings to the Board before going to the public. Probably looking at February or early March for coming back to the Board and going to the public in April.

Supervisor Bohjanen asked at the requirements for hookups – Knepper indicated that she believes by law you cannot force hookups, but may be required as private systems fail.

White questioned the cost of the infrastructure. Knepper indicated that as part of the project, they will be looking at funding and the ability to qualify under different scenarios.

Township Manager De Groot stated there is a November deadline for a Notice of Intent with EGLE SRF funding. Staff has been researching this to see if it would give us a place in line, with no repercussion if we decide not to go forward.

PRESENTATION – PROPOSED 2023 BUDGET – TOWNSHIP MANAGER

Manager De Groot went over the 2023 Budget and time frames for the review and finalization of the budget. Insurance rates are historically not available until mid-October. In preparing the budget, he has budgeted a 12% increase in health insurance, 12% increase in car and vehicle insurance, and 12% on our property insurance. Staff has been given the task of reducing their budgets as much as possible. We have missed the deadlines to be able to fit into the 2023 construction schedule, so will be planning for 2024 projects. One of these projects is residing the Township Hall which may be able to happen late August to the end of year 2023. The budget for this would be \$127,000. Other capital projects we are looking at are the Marina boardwalk and fishing pier. We would look at applying for an MDNR grant for this and depending on the type of grant we may be able to do a playscape area (multi user grant fund). We are also looking at repaving the tennis court and pickle ball area, with the plan being to write another MDNR grant.

The new 2020 Ford Explorer has been received and is at El Com getting outfitted. This addition will make all the police vehicles new. With the Fire department, we should be taking possession of the new engine soon and no other purchases are anticipated. All the DPW vehicles are sufficient at this time.

In regards to the training budget questioned in public comment – we do have a training amount of \$14,500 in this year's budget (staff and Board training).

With the salary budget, he is recommending changes in benefits, plus a 4% raise. We are currently looking at changes in the MERS program, with changes in the 457 plan and HCSP. This will make a more competitive benefit package.

There is estimated revenue of \$2.6 million (which includes grant credits). Expenses may go down depending on cost of insurance.

CONSIDER FIRST REVIEW OF THE TOWNSHIP ZONING MAP

Zyburd moved, Lynch supported that the Township Board review the Draft Update to the Official Zoning Map based on the public hearing information and staff comments and bring back to the Township Board October meeting.

MOTION CARRIED

APPOINTMENT OF PLANNING COMMISSIONER

Lynch moved, Engle supported that the Township Board accept the Supervisor's appointment of Mr. Steve Beach to the Planning Commission.

ROLL CALL VOTE

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

NAYS: None

ABSENT: Symbal

MOTION CARRIED

MANAGER UPDATE BUDGET AND SEWER PROJECT

Sewer project – the State has been sent the Change Order that everyone has agreed on. Waiting for the State to accept. Once received, we can remit pay request #5. De Groot has been talking with subcontractor, the punch list is not weather dependent. Hope to close the project out soon.

Finishing the last part of the sewer jetting. We have also requested the vac truck from the City of Marquette – there is still sand accumulation at the car wash.

BOARD MEMBER COMMENTS

Don Rhein - None

Judy White – None

Dave Lynch – will be unable to attend the October meeting

Ben Zyburt – None

Max Engle - None

Richard Bohjanen – asked the Board if they felt everything is still a go for OHM. The Board agreed to keep moving forward.

PUBLIC COMMENT – NONE

Zyburt moved, Engle supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:34 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes - Marquette County Solid Waste Management Authority; Special Meeting of July 26, 2022, Draft.
- B. Information – Chocolay Township Newsletter – August 2022

Max Engle, Clerk

Richard Bohjanen, Supervisor

October 10, 2022

The regular meeting of the Chocolay Township Board was held on Monday, October 10, 2022, in the Chocolay Township Fire Hall. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

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

ABSENT: Ben Zyburt (excused), David Lynch (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

Rhein moved, White supported to approve the agenda as modified to include the addition of "Approval of Minutes – Closed Session of September 7, 2022" under the Consent Agenda VI.A.

MOTION CARRIED

PUBLIC COMMENT – NONE

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Special Meeting, September 7, 2022 and Regular Meeting, September 23, 2022. (**Approval of Minutes – Closed Session of September 7, 2022**)
- B. Approve Revenue and Expenditure Reports – September 2022.
- C. Approve Bills Payable, Check Register Reports – September 6, 2022 (Check # 25632, in the amount of \$38,495.00), September 23, 2022 (Check #'s 25633 – 25658) in the amount of \$48,703.48), September 16, 2022 (Check # 4A (ACH) in the amount of \$173,605.46), and September 27, 2022 (Check #'s 25659 – 25686, in the amount of \$39,531.29).
- D. Approve Bills Payable – Regular Payrolls of September 1, 2022 (Check #'s DD2693 – DD2707 and Check #'s 11254 – 11259 (Voided 11256), Federal, State, and MERS in the amount of \$39,098.47), September 15, 2022 (Check #'s DD2708 – DD2740 and Check #'s 11260 – 11264, Federal, State, and MERS in the amount of \$40,095.50), and September 29, 2022 (Check #'s DD2741 – DD2764 and Check #'s 11265 – 11269 Federal State, and MERS in the amount of \$38,440.96).

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

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen gave a brief summary of the MTA UP Seminar – attended sessions on Ordinances and Right to Farm. The Ordinance session justified what the Township is in the process of doing, and the issue of enforcement. Enjoyed seeing other people from the neighboring townships. Would recommend to all if the opportunity would present itself again.

CLERK'S REPORT

Clerk Engle reported on the upcoming election – a total of 1,550 ballots have been sent out, with approximately 350 returned.

PUBLIC HEARING – NONE.

PRESENTATION – NONE.

CONSIDER SECOND READING AND ADOPTION OF THE TOWNSHIP ZONING MAP.

White moved, Rhein supported that:

Whereas, in accordance with the provisions of the Township Zoning Ordinance and Michigan Public Act 110 of 2006, as amended, changes made in district boundaries and other matters portrayed on the Zoning Map shall be entered on the Official Township Zoning Map, and

Whereas, the Township Board held a public hearing on September 12, 2022, and

Whereas, the last time the Zoning Map was amended was in 2015;

Now Therefore be it Resolved, that the Township Board adopt the amended Zoning Map Draft as the Official Zoning Map;

Let it further be resolved, that the effective date will be 15 days after a notice of amendment has been published in the Mining Journal.

ROLL CALL VOTE:

AYES: Rhein, Symbal, White, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt, Lynch

RESOLUTION PASSED

FY 2022 ANNUAL BUDGET AMENDMENTS

Engle moved, White supported that:

Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated General Fund expenditures of the Township on December 13, 2021 for fiscal year 2022; and

Whereas, no new reserve funding is required, and

Whereas, by the passage of this proposed shifting, funds from Contingency Expense to Operating Expense will be needed, and

Whereas, as a result of unanticipated market increases it is necessary to modify the budget,

Now Therefore, Be It Hereby Resolved, that the FY2022 budget be modified in accordance with the graphic provided.

Provided Graphic:

BUDGET AMENDMENTS			
		DR	CR
101.285.952	General Fund - Salary Contingency	\$ 2,500.00	
101.190.713	General Fund - Elections - Overtime		\$ 2,500.00
101.285.952	General Fund - Salary Contingency	\$ 472.50	
101.253.713	General Fund - Treasurer - Overtime		\$ 472.50
101.285.951	General Fund - OGG - Contingency	\$ 7,300.00	
101.285.910	General Fund - Insurance & Bonds		\$ 7,300.00
101.285.951	General Fund - Contingency	\$ 9,000.00	
101.756.790	General Fund - Rec & Prop - Grounds / Equip Mntc		\$ 9,000.00

ROLL CALL VOTE

AYES: Rhein, Symbal, White, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt, Lynch

MOTION CARRIED

REQUEST TO SET A BENEFITS COMMITTEE MEETING

As Treasurer Zyburt (Chair of the Benefits Committee) was absent from this Board meeting, it was suggested that this item be postponed until the November 14, 2022 Township Board Meeting.

White moved, Engle supported to postpone until the November 14, 2022 meeting.

MOTION CARRIED

REQUEST FROM FIRE DEPARTMENT TO BECOME A MI-MABAS COMMUNITY

Township Manager De Groot explained what this means to the Township. A perfect example of MABAS (Michigan Mutual Aide Box Alarm System) was the Menominee paper mill fire. With MABAS, Central Dispatch would be able to send certain trucks. The purpose of this Issue Brief is to give the Township Board a heads up on what may be coming in the future. The Board felt that this was a good idea.

ROAD IMPROVEMENT SPENDING PLAN (FY 2023 – 2032)

Supervisor Bohjanen stated that the road paving plan has been reviewed and updated. Staff worked with the Road Commission to update ratings on all local paved roads. A recommendation was prepared based on these ratings and in conjunction with the Road Commission to maximize cost sharing over the next ten years. The Township is also working with the Road Commission to look at Geotech fabric, along with experimental processes such as glass.

2023 – Mangum Road. From U.S. 41 east 1.5 miles. Wedge and overlay. Cost estimate is \$360,735.00.

2024 – Shot Point Road 1.5 miles. Miscellaneous. Cost estimate of \$431,334.00

2025 – Mangum Road. From ending point in 2023, 1.5 miles east to Greenfield Road. Wedge and overlay. Cost estimate is \$360,735.00

*2026 – Greenfield Road 0.7 miles and Green Garden Road 0.4 miles from the bridge to Greenfield Road. Miscellaneous. Cost estimate of \$431,334.00

*2027 – Old Little Lake Road (Both sides of 480) 2.3 miles and Truckery Court .1 mile. Wedge and overlay. Cost estimate \$480,980.00

*2028 – Kawbawgam Road. From M28 1.6 miles south to the Bridge. Wedge and overlay. Cost estimate \$375,000.00

*2029 – Cherry Creek Road (South of 480) 1.7 miles to the gravel portion and Old Kiln Road .4 miles. Wedge and overlay. \$390,000.00

*2030 – Karen Road 1 mile and Carmen Drive .2 miles. Wedge and Overlay. Cost Estimate \$403,265.00

*2031 – Orchard Lane. .4 mile, Chocolay Downs .3 mile, Brewer Drive .5 mile Wedge and overlay. Cost Estimate \$390,000.00

*2032 – Foster Creek 1.2 miles. Miscellaneous. Cost estimate \$431,334.00

All of the above listed roads are on the original 2018 GEI asset management plan. The roads remaining from that would be Country Lane .5 mile and Townline Road .2 mile.

Rhein moved, Symbal supported that Township Board accept the above plan, with modifications being brought before the Board as necessary.

MOTION CARRIED

MANAGER UPDATE BUDGET AND SEWER PROJECT

Sewer Project – we have received the last drawdown from the State. We have paid our subcontractors, and the punch list should be completed by the end of the week.

Budget – we are still waiting on numbers from our insurance companies. Suggests that the Board look at a November Public Hearing, with the approval taking place at the December meeting. We anticipate having all the numbers by then.

We are now in audit mode and in the process of putting together the audit book. As part of this, we are hoping to be able to process the financials that will be turned over to the auditor. This would eliminate the last major finding during the audit.

We are also looking at succession planning – especially in our emergency realm of Police and Fire. Staff is looking at creating an internship program to work in the department which may result in the candidate being sponsored into the Academy. Once the details have been worked out, it will be brought before the Board.

Symbal asked how the new website is coming. De Groot stated that staff hopes to roll this out in November on a tentative basis. Once it is rolled out to the public, there will be links that will connect to “FlashVote”, with the first survey to be looking at agricultural zoning.

This year’s budget contained a new phone system. When the budget was approved, we anticipated having to buy all new equipment. We are now looking at doing a lease of the phones. The original budget contained the dollars for new equipment in the capital fund. Since this is now going to be a lease, it will become long term operating. We currently have enough in the budget to cover the last two months of lease payments, if needed. This will now be a cloud-based phone system.

Fire truck – six members of the Fire Department went down to look at the truck. It is anticipated that we will have the new truck within the next two weeks. Symbal asked about have Fire Chief Lee Gould give a presentation on the new truck at the November meeting.

CONSIDER POTENTIAL CLOSED SESSION CONCERNING DEBORAH A. MULCAHEY VS THE CHARTER TOWNSHIPOF CHOCOLAY, CASE NO. 21-60865-CZ, TO DISCUSS MATERIAL EXEMPT FROM DISCLOSURE UNDER THE ATTORNEY – CLIENT PRIVILEGE, MCL 15.243(1)(g) and MCL 15.268(h). INVITE MANAGER AND DEPUTY CLERK.

Bohjanen moved, Engle supported that the Chocolay Township Board enter into closed session to discuss with the Township’s attorney settlement options and litigation strategy in the pending lawsuit of *Deborah A. 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).

ROLL CALL VOTE

AYES: Rhein, Symbal, White, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt, Lynch

MOTION CARRIED

The Chocolay Township Board went into Closed Session at 6:15 p.m.

Closed Session ended at 6:30 pm.

POTENTIAL MOTION AS A RESULT OF CLOSED SESSION.

Bohjanen moved, Engle supported that the Chocolay Township Board approve the settlement options and litigation strategy in the case of *Deborah A. Mulcahey v. The Charter Township of Chocolay*, Case No. 21-60865-CZ.

ROLL CALL VOTE

AYES: Rhein, Symbal, White, Engle, Bohjanen

NAYS: None

ABSENT: Zyburt, Lynch

MOTION CARRIED

BOARD MEMBER COMMENTS

Don Rhein – None

Kendra Symbal - None

Judy White – Concerned about potential harassment of staff. Bohjanen felt it would be advantageous to have the Manager put together a communications policy when dealing with this. De Groot indicated that he would work with the Township Attorney to come up with a policy.

Dave Lynch – Absent

Ben Zyburt – Absent

Max Engle - None

Richard Bohjanen – None

PUBLIC COMMENT – NONE

Engle moved, Rhein supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:34 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Zoning Board of Appeals; Regular Meeting of June 23, 2002.
- B. Minutes – Chocolay Township Planning Commission; Regular Meeting of August 15, 2022.
- C. Minutes – Chocolay Township Planning Commission; Regular Meeting of September 19, 2022, Draft.
- D. Minutes - Marquette County Solid Waste Management Authority, Regular Meeting of September 14, 2022, Draft.
- E. Minutes – Marquette Area Wastewater Advisory Board; Regular Meeting of July 21, 2022, Draft
- F. Information – Chocolay Township Newsletter – September 2022

Max Engle, Clerk

Richard Bohjanen, Supervisor

November 14, 2022

The regular meeting of the Chocolay Township Board was held on Monday, November 14, 2022, in the Chocolay Township Fire Hall. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Richard Bohjanen, Max Engle, Ben Zyburt, Judy White, Don Rhein, Kendra Symbal

ABSENT: David Lynch (excused)

STAFF PRESENT: William De Groot, Suzanne Sundell, Joe Neumann

APPROVAL OF AGENDA.

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

MOTION CARRIED

PUBLIC COMMENT – NONE

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting, October 10, 2022, and Closed Session Meeting Minutes of October 10, 2022.
- B. Approve Revenue and Expenditure Reports – October 2022.
- C. Approve Bills Payable, Check Register Reports – October 6, 2022 (Check # 25687, in the amount of \$534,478.10), October 12, 2022 (Check #'s 25688 – 25712) in the amount of \$17,981.54), October 26, 2022 (Check #'s 25713 – 25738 in the amount of \$46,083.40), and October 28, 2022 (Check #'s 25739 – 25740, in the amount of \$24,190.40).
- D. Approve Bills Payable – Regular Payrolls of October 13, 2022 (Check #'s DD2765 – DD2796 and Check #'s 11270 – 11274, Federal, State, and MERS in the amount of \$38,672.53), and October 27, 2022 (Check #'s DD2797 – DD2822 and Check #'s 11275 – 11279 Federal State, and MERS in the amount of \$39,853.78).

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

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen reported that the Assessor is getting close to the required 20% of assessments that need to be completed. It has been suggested that if the weather holds, the Assessing Assistant should continue with the visits.

Manager's Evaluation – this is an annual evaluation. He asked the Board for any comments they may have on the Township Manager. It was felt that Chocolay Township is very fortunate to have Township Manager De Groot.

COVID – there are rumors in the community that the numbers are going up again and more people are wearing masks. The numbers that are obtained now are incomplete, as many people are doing home testing and those numbers are not reported.

CLERK'S REPORT

Clerk Engle read the following "Freedom of Information Act (FOIA) Statement" which is required as part of the settlement:

"As a result of the Charter Township of Chocloy's Handling of Requests made pursuant to the Freedom of Information Act (FOIA) the Township has evaluated our prior FOIA practices and processes and has taken actions to be compliant with FOIA and make the process more efficient."

Some of these actions will include:

1. Personnel involved in responding to FOIA requests have attended FOIA training this year and the Township is committed to training for the FOIA Coordinator for the Township and the Police Department Assistant / Accreditation Manager, who obtains police records for response, at least one time per year moving forward;
2. We have improved a tracking system / spreadsheet for FOIA requests to keep tract of the requests and responses on a more efficient basis;
3. We are involving more personnel of the Township staff in obtaining and reviewing records to respond to FOIA requests;
4. We are reviewing implementation of computer software designed to assist with FOIA responses; and
5. We are working on more efficient search functions to respond to FOIA requests.

Election Report – There were a lot of problems with both epollbooks and one tabulator. We were able to switch out the tabulator to fix that. The epollbooks had to have the program reinstalled on different computers and the information was manually entered into the system in order to use the program to close out the election. The actual election was conducted entirely on paper, so the lines were somewhat longer. In the end, everything worked out and we were done by midnight. The voter turnout was good.

PUBLIC HEARING – FY 2023 PROPOSED TOWNSHIP BUDGET

The Public Hearing opened at 5:47 pm.

Manager De Groot presented the FY 2023 Proposed Budget. All department leaders were asked to save money this year. We are also looking at coordinating grant funds with millage funds. Revenues are budgeted at \$2.668 million – this consists of grant funding, ARPA funding, State Revenue Sharing increase, and KBIC 2% money. As interest rates go up, taxes go up – projecting about \$950,000 taxable revenue in taxes.

General expenses are consistent at \$2.093 million. There are some added areas we are looking at. One of these is an Internship Program – if this works out and the intern is interested we would look at putting them through the Police Academy. The State will reimburse \$4,000 for the internship

and fully reimburse the Academy. We have also created a Grant / Planner space, and looked at if we need to replace the full time position in Public Works. It was decided that Public Works will have two full time employees and 1 three-quarter time employee utilized during the busy seasons.

Insurance rates have increased. In Capital outlay, we are looking at projects that are grant based (tennis courts, marina). Conservative on interest on investments and bank accounts at 1%.

Clerk Engle requested that FOIA software be added to the budget at a cost of \$500 per month. This would increase the Clerk budget (215) by \$6,000. This program will notify the Clerk when a FOIA has come in. It is cloud based, so it is easier to send attachments. This program would keep everything together, similar to the spreadsheet we use now, and send notifications when something is put in the folder and will issue a reminder on when things are due. Program is “Next Request” and is based out of state. Symbal is in support of this but would like to do a little more in-depth research. Engle stated that he was able to find two companies that were doing this, and the other was significantly more.

Public Comment:

Stephanie Gencheff, 597 Lakewood Lane – doesn’t like to hear the amount of money this will cost.

Public Hearing closed at 6:05 pm.

PRESENTATION – OHM WATER STUDY FINANCIAL FINDINGS

Susan presented the OHM findings. Part of the study was looking at funding opportunities. The Township would not be eligible for SRF funding – there is no current drinking water system. Also looked at connecting with the KBIC water system. This would not apply, as there is no significant contamination. KBIC was approved as Treatment as a State. They have their own water quality standards which may not be the same as what is required for the Township. Chocolay Township is also not eligible for DWSRF. Under USDA Rural Development, the Township would be able to apply for money, but would probably not get anything more than a loan at market value because the Township does not meet the eligibility requirements. After looking at the possibilities, at this time without a water quality concern, there is no program that will help subsidize.

Manager De Groot indicated that everyone is hearing about infrastructure offset which goes through traditional means. The Health Department has never condemned anyone’s well, and there are no water advisories for the region we are looking at.

CONSIDER WATER STUDY DIRECTION – OHM AND ASSOCIATES.

Manager De Groot stated that to complete the project, we can complete as designed originally “paper shovel ready” in case something presented itself. The other option would be to complete what has been done so far and finish the actual report.

Symbal asked what information we have on the water samples. Manager De Groot stated the Township has no options, as there is no actual State law to force compliance. The Township may

want to start a PR campaign for residents around Kawbawgam Lake suggesting that people get their wells tested. The Health Department could then work with homeowners on a case-by-case basis for funding. At this point, to finish the project the Township would have to rely on user fees. Rhein stated that when this was looked at a few years ago, the user fees were going to run \$200 - \$300 per month. Supervisor Bohjanen asked OHM if they had any kind of estimate for user fees. Susan (OHM) stated that they did not, but they would probably be high.

White moved, Rhein supported that the Township Board direct OHM to conclude the study with a closure report.

AYES: 5

NAYS: 1 (Bohjanen)

ABSENT: 1 (Lynch)

MOTION CARRIED

SET PENSION COMMITTEE MEETING.

The Pension Committee Meeting will meet on Monday, November 28 at 9:00 am.

DISCUSSION FY 2023 PROPOSED BUDGET

Symbal asked about the track record for FOIA requests. Engle stated the maximum number he has had is 80. We are now at 40 requests, but Engle feels these will continue to grow. White asked about contract length – Engle stated the contract would be for one year.

Engle moved, Zyburtt supported that the 2023 Budget include \$6,000.00 per year for Next Request FOIA software. This is to be added to the Clerk's budget (215).

AYES: 5

NAYS: 1 (Symbal)

ABSENT: 1 (Lynch)

MOTION CARRIED

Manager De Groot explained that this will come back to the Board in December for approval of the Final Budget, the General Appropriations Act, Fee Schedule, Public Act 152, and Sewer Fund.

Bohjanen moved, Rhein supported that the Township Board approve the changes made to the budget and bring it back to the Board for approval in December.

MOTION CARRIED

REQUEST TO APPROVE THE EMERGENCY PURCHASE OF HEAT EXCHANGERS FOR 3 FURNACES AT TOWNSHIP BUILDINGS.

White moved, Zyburtt supported that the Township Board accept the emergency purchase action by the Township Supervisor and the Township Public Works Supervisor to replace the heat exchangers per Section 1.5 of the Township Purchasing Policy.

MOTION CARRIED

White moved, Zyburt supported that Township Public Works Supervisor be changed to Township Public Works **Superintendent**.

MOTION CARRIED

APPROVE ANNUAL DELINQUENT SEWER BILLING LIST.

Delinquent Tax List

Saturday, November 5, 2022

Account #	Service Address	Customer Name	Delq Tax Amount
EFBK-000105-0000-01	105 E FAIRBANKS ST	RICHARD & BROOKE LAURICH	\$712.80
EFBK-000156-0000-01	156 E FAIRBANKS ST	RACINE, SUSAN	\$712.80
WFAR-000127-0000-01	127 W FAIRBANKS ST	KEVIN FRANKENBERG	\$712.80
WFAR-000128-0000-01	128 W FAIRBANKS ST	JON KANGAS	\$712.80
WFAR-000129-0000-01	129 W FAIRBANKS ST	BRIAN MACDEVITT-DUNN	\$118.80
WFAR-000210-0000-01	210 W FAIRBANKS ST	MICHAEL ANDERSON	\$712.80
WFAR-000219-0000-01	219 W FAIRBANKS ST	JENNIFER SIMULA	\$712.80
JUDY-000213-0000-01	213 JUDY ST	JESSICA KINONEN	\$560.78
JUDY-000225-0000-01	225 JUDY ST	OLIVER BURNS	\$712.80
KELL-000115-0000-01	115 KELLOG ST	PHILIP ELIAS	\$712.80
KELL-000146-0000-01	146 KELLOG ST	ED PALOMAKI	\$178.20
LAKE-000100-0000-01	100 LAKEWOOD LN	STEVEN GUELF	\$118.80
RESR-000338-0000-01	338 RESERVOIR ST	MARC GILMORE	\$93.00
RIVS-000204-0000-01	204 RIVERSIDE RD	JOHN PREMEAU	\$712.80
SCRD-000328-0000-01	328 SILVER CREEK RD	JOSEPH MENZE	\$208.80
WTER-000209-0000-00	209 W TERRACE ST	JANICE LISTER	\$712.80
WTER-000334-0000-01	334 W TERRACE ST	GARDNER BESS	\$712.80
WTER-000371-0000-01	371 W TERRACE ST	JUDITH CHARLES	\$712.80
WTER-000387-0000-01	387 W TERRACE ST	JEFF BUSHEY	\$712.80
U41S-002366-0000-01	2366 US 41 S	DAVID LAURICH	\$59.40
U41S-004027-0000-01	4027 US 41 S	SHAW'S SERVICE	\$1211.76
U41S-004050-0000-01	4050 US 41 S	PORTAGE ST., LLC	\$178.20
WILL-000735-0000-01	735 WILLOW RD	DAVE & BONNIE SCHWIDERSON	\$712.80
EWRP-000116-0000-01	116 E WRIGHT PL	SHELLY SOELTNER	\$712.80
EWRP-000161-0000-01	161 E WRIGHT PL	MORGAN, LINDA	\$712.80
TOTAL			\$ 14,132.54

Zyburt moved, Rhein supported to accept the list of delinquent sewer charges and penalties as allowed in Ordinance 39, Section 9, E.2.c to be added to the Chocolay Township December tax roll.

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

NAYS: None

ABSENT: Lynch

MOTION CARRIED

REQUEST FOR CAPITAL COMMITMENT AND DNR APPLICATION FOR CHOCOLAY RIVER MARINA / PARK.

Manager De Groot stated that there are many improvements that need to be done. There is DNR funding available (reimbursable grant) which we would use for rebranding and redesign – play-space, boat launch, access to the river, possibly a bridge across. About 60% of this grant has been written. If we are approved for this grant, it would enable us to stay in line with our four-year commitment to upgrade this space. This would become a recreation park vs. a sporting park, such as Beaver Grove and Lion’s Field. The Township would score high because this area is on the Iron Ore Heritage Trail and the Hiawatha water system. Manager De Groot introduced Joe Neumann who has become our Township Grant Writer. He will be the one writing and researching upcoming grants.

**RESOLUTION OF SUPPORT
MICHIGAN DNR SPARK GRANT**

Zybert moved, White supported that:

Whereas, In accordance with the provisions of the Township Recreation Plan to create and maintain recreational options for our community, and

Whereas, the Michigan Department of Natural Resources has released grant funding through the DNR SPARK Grant process for 100% reimbursement of costs associated with redesign and redevelopment of low maintenance and accessible park areas, and

Whereas, the Township Board agrees and supports the project improvement plan; and

Whereas, the Township Board will budget capital funds in accordance with the phases of the improvement plan; and

Whereas, if the Township does not receive the reimbursement grant funding, the Board could dedicate future funding to higher priorities; and

Now Therefore be it Resolved, That the Township Board approve and support the improvement plan; and

Let it further be Resolved, that staff are directed to apply for the MDNR SPARK Grant and budget for the first phase of redevelopment of the Chocolay River Park Area.

ROLL CALL VOTE:

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

NAYS: None

ABSENT: Lynch

MANAGER UPDATE FOR THE SEWER AND BUDGET

Sewer Project – the punch list is slowly whittling down. Lift Station #9 (Houses behind the Casino) will be going online sometime this spring. Zyburt asked if we are on good terms with all the contractors and subcontractors.

Budget Process – Staff will be looking at final numbers. Based on the closure for OHM, we had allocated \$190,000 of which \$43,000 has been spent. Moving forward there will be some ARPA funding that is not allocated.

BOARD MEMBER COMMENTS

Don Rhein – None

Kendra Symbal - None

Judy White – None

Dave Lynch – Absent

Ben Zyburt – None

Max Engle - None

Richard Bohjanen – None

PUBLIC COMMENT

Stephanie Gencheff, 597 Lakewood Lane – if you live in the area would you be required to hook up to water if available. Also asked about the heat exchangers and price to replace.

Zyburt moved, Rhein supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 7:10 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes - Marquette County Solid Waste Management Authority, Regular Meeting of October 19, 2022, Draft.
- B. Minutes – Marquette Area Wastewater Advisory Board; Regular Meeting of September 15, 2022, Draft
- C. Information – Chocolay Township Newsletter – October 2022

Max Engle, Clerk

Richard Bohjanen, Supervisor

December 12, 2022

The regular meeting of the Chocolay Township Board was held on Monday, December 12, 2022, in the Chocolay Township Fire Hall. Supervisor Bohjanen called the meeting to order at 5:30 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

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

ABSENT: None

STAFF PRESENT: William De Groot, Suzanne Sundell, Joe Neumann

APPROVAL OF AGENDA.

White moved, Zyburt supported to approve the agenda as amended (***add Trustee White to agenda after Presentations and before Unfinished Business***).

MOTION CARRIED

PUBLIC COMMENT

Ryan Olsen, 240 Timberlane – wanted to make the Township Board aware of a zoning issue at 6565 US 41 South – residential dwelling that he wishes to purchase, but not able to purchase with bank financing as it is currently zoned Industrial (was the former B&G building). Supervisor Bohjanen recommended that he talk with the Zoning Administrator – Dale Throenle.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting, November 14, 2022.
- B. Approve Revenue and Expenditure Reports – November 2022.
- C. Approve Bills Payable, Check Register Reports – November 1, 2022 (Check # 25741 - 25757, in the amount of \$13,824.91), November 16, 2022 (Check #'s 25758 – 25777) in the amount of \$14,329.54, and November 29, 2022 (Check #'s 25778 – 25807, in the amount of \$354,815.95).
- D. Approve Bills Payable – Regular Payrolls of November 10, 2022 (Check #'s DD2823 – DD2855 and Check #'s 11280 – 11284, Federal, State, and MERS in the amount of \$41,550.66), and November 23, 2022 (Check #'s DD2856 – DD2905 and Check #'s 11285 – 11289 Federal State, and MERS in the amount of \$46,162.12).

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

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated there was a vacancy on the Planning Commission and he is recommending Stephanie Gencheff be appointed. George Meister is also up for re-appointment.

CLERK'S REPORT

Clerk Engle stated there had been a recount for the November 8 election – there was a combination of Proposal 2 and Proposal 3. A 501(c)3 organization that is election related that called for this recount – funded by a private person. The recount was held on December 9 at Marquette Township Hall with different jurisdictions from the U.P. There were two precincts not able to be recounted, with one of them being Chocolay. We were 4 ballots short, which were found today in the write-in bin in the ballot box. Clerk Engle will address this issue.

PUBLIC HEARING – NONE

PRESENTATION – NONE

TRUSTEE WHITE

Trustee White wanted to express her opinion on raises for the Board. The following letter was read into record:

December 12, 2022

To: Chocolay Township Board

From: Judy White, Trustee

Re: Increase in Board Member Compensation

Noticing that a 4% increase is recommended for all Board members except Treasurer with a 20% increase, I wish to state that none of the of increases are necessary. How can the members justify a 20% for the treasurer?

When a board member pursues election to their position there is a stated compensation for that position. Therefore, it should remain that amount until at least the next election.

Further, the increase recommended is based on COLA which is a Cost of Living Adjustment. Board members do not receive compensation for living expenses only for the time they spend performing their elected duties; therefore, should not receive COLA.

The treasurer's compensation was \$10,400 in 2022 so why the huge increase of over \$2000? In researching compensation for board members in Marquette Township, I learned that the board members are receiving 2.5% increase for 2023 earning the Treasurer \$10,384.

Surprisingly I learned that the Trustees will be receiving \$4,154 per year. I do not want an increase; in fact, the township can keep my \$75 a month as I did not run for office to make money. I wanted to be on the board as a VOICE for our citizens who deserve someone who will consider their wants and needs, to be frugal with their tax money, and represent them responsibly.

So, I am requesting that Board Members either vote NO on all the increases or at least adjust the increase to a more reasonable dollar amount.

Note: The \$4,154 in the memo was compensation in Marquette Township.

Symbal is also uncomfortable on raises for the Board. Spoke on socio-economic backgrounds. Need to look at future boards when considering COLA.

Treasurer Zyburt indicated that the raise was not solicited on his part. This is more for ~~parity~~ **parity** on salaries of the Board. Zyburt indicated that his predecessor has made a practice of rolling over CD's every 12 – 18 months. When Zyburt took over, he took advantage of his background and looked at different options. Within the last year, yields between local CD's and government securities that he purchased was over 300 basis points, which is over 3%. As a result, the fixed income securities that matured made the Township an extra \$37,500. In 2023, with six securities maturing up to \$1.3 million, this would be an additional \$39,000 as a result of his investment strategy. The Money Market fund was carried in banks at 50 basis points. This has been moved to First Bank, which is paying 3.59%, which is another \$1,000 for the Township. When added together, the Township had made \$77,500 based on Zyburt's investment experience – to put it in perspective.

Supervisor Bohjanen indicated that he was looking at ~~parity~~ **parity** in the salaries, and that this had been discussed at an earlier meeting. He also pointed out that there was a correction that needed to be made on the General Appropriations Act, as some of the motions were already filled in – this is an error that was carried over from last year and will be corrected when the motions are made.

Trustee Lynch suggested that there be a survey of other Boards to see how much compensation they are offered.

Symbal moved to table this discussion. No support.

MOTION FAILED

FY 2023 ANNUAL BUDGET

APPROVAL OF THE ANNUAL FEE SCHEDULE

Lynch moved Rhein supported to approve the 2023 Fee Schedule as presented.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

CHARTER TOWNSHIP OF CHOCOLAY

FISCAL YEAR 2023

**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 2023 BUDGETS
WERE ADOPTED BY THE CHOCOLAY TOWNSHIP BOARD
ON DECEMBER 12, 2022

MAX L. ENGLE, TOWNSHIP CLERK

GENERAL APPROPRIATIONS ACT

Lynch moved, Rhein supported, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2023, and ending December 31, 2023, 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 19, 2022; and

Whereas, a public hearing was held on the proposed budget on November 14, 2022 at Chocoday Township Fire 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, 2023, and ending on December 31, 2023, in the amount of \$2,779,571.00 for the General Fund, in the amount of \$409,480.00 in the Road Fund, in the amount of \$1,300.00 in the Drug Law Enforcement Fund, in the amount of \$2,900.00 in the Liquor Law Enforcement Fund, in the amount of \$242,511.00 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 \$2,762,067.00 for the general operating expenses (\$2,262,867.00) and capital improvements (\$499,200.00) of the Township to be used for the fiscal year beginning January 1, 2023 and ending December 31, 2023.*
- 3. The Township Board does hereby appropriate the sum of \$796,360.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2023 and ending December 31, 2023.*
- 4. The Township Board does hereby appropriate the sum of \$426,000.00 for the repairing of the Township Roads to be used for the fiscal year beginning January 1, 2023 and ending December 31, 2023.*
- 5. The Township Board does hereby appropriate the sum of \$1,300.00 for the Drug Law Enforcement Fund for the fiscal year beginning January 1, 2023 and ending December 31, 2023.*
- 6. 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, 2023 and ending December 31, 2023.*
- 7. The Township Board does hereby appropriate the sum of \$242,511.00 for contractual services with the Peter White Public Library for the fiscal year beginning January 1, 2023 and ending December 31, 2023.*
- 8. The Township Board does hereby levy 3.5400 mills for general operations; extra voted is 0.9730 mills for library, 1.6429 mills for roads.*
- 9. All resolutions and parts of resolutions in so far as they conflict with any provisions of this resolution are rescinded.*

10. *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: *Symbal, White, Lynch, Rhein, Zyburt, Engle, Bohjanen*

NAYS: *None*

ABSENT: *None*

MOTION CARRIED

RESOLUTION FOR OFFICER' SALARIES

SUPERVISOR'S SALARY

Rhein moved, supported by Zyburt, that the salary for the office of Supervisor shall be set in the amount of \$12,980.00 for the Fiscal Year 2023, which begins January 1, 2023 and ends December 31, 2023.

ROLL CALL VOTE

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

NAYS: *White, Bohjanen*

ABSENT: *None*

MOTION CARRIED

TREASURER'S SALARY

Lynch moved, supported by Rhein, that the salary for the office of Treasurer shall be set in the amount of \$12,980.00 for the Fiscal Year 2023, which begins January 1, 2023 and ends December 31, 2023.

ROLL CALL VOTE

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

NAYS: *White, Zyburt*

MOTION CARRIED

CLERK'S SALARY

Lynch moved, supported by Rhein, that the salary for the office of Clerk shall be set in the amount of \$12,980.00 for the Fiscal Year 2023, which begins January 1, 2023 and ends December 31, 2023.

ROLL CALL VOTE

AYES: *Lynch, Rhein, Zyburt, Bohjanen*

NAYS: *White, Symbal, Engle*

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 \$78.00 per meeting for the Fiscal Year 2023, which begins January 1, 2023 and ends December 31, 2023.

ROLL CALL VOTE

AYES: *Symbal, Lynch, Engle, Bohjanen*

NAYS: *White, Rhein, Zyburt*

MOTION CARRIED

PUBLIC ACT 152 RESOLUTION

**RESOLUTION NO.
2023-1**

**December 12,
2022**

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

Lynch moved, Rhein supported that:

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

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

WHEREAS, the three options are as follow:

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

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

NOW, THEREFORE, BE IT RESOLVED the Township Board of the Charter Township of Chocoday 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: White, Symbal, Lynch, Rhein, Zyburt, Engle, Bohjanen

NAYS: None

ABSENT: None

RESOLUTION DECLARED ADOPTED

CONSIDER 2023 BOARD AND COMMISSION APPOINTMENTS

Rhein moved Zybert supported to approve the appointments presented by Supervisor Bohjanen and listed on the “Boards, Committees, Commissions – 2023” worksheet within this packet.

AYES: 7

NAYS: 0

MOTION CARRIED

White moved Zybert supported to change the name “Pension Committee” to “**Benefits Committee**”.

MOTION CARRIED

CONSIDER 2023 TOWNSHIP OFFICE HOLIDAY CLOSURE DATES

Lynch moved Engle supported to approve the proposed Township Office Closure dates in recognition of major holidays within the calendar year of 2023.

AYES: 7

NAYS: 0

MOTION CARRIED

CONSIDER 2023 BOARDS AND COMMISSIONS MEETING DATES

Zybert moved Rhein supported to approve the proposed Township Board Meeting Schedule for calendar year 2023.

AYES: 7

NAYS: 0

MOTION CARRIED

RECOMMENDATIONS FROM THE PENSION COMMITTEE – Empower Supervisor to Sign Contract with Existing Benefits Company, VAST, to Offer Flexible Spending Account.

Zybert moved White supported that the Township Board empower the Supervisor to sign the Participation Agreement with VAST / Kushner to implement and administer a Flexible Spending Account (FSA) as an optional benefit for the employees of Chocolay Township.

ROLL CALL VOTE

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

NAYS: None

MOTION CARRIED

MANAGER UPDATE FOR THE SEWER AND BUDGET

Sewer Project – We are down to the final 9 components of the punch list. All the drawdowns have been received from the State. There is a retainage of approximately \$300,000 for final billing. The relationships with contractors / vendors does not seem to have faltered.

Budget – brought up the approval of the budget prior to a new Board being seated. In the past, this would be approved in November, so timelines would change. There may also be a change in when

the Presidential Primary would be held in 2024 from March to February, which could affect the budget and the need for budget amendments at the end of 2023.

BOARD MEMBER COMMENTS

Don Rhein – None

Kendra Symbal - None

Judy White – will be absent for January meeting

Dave Lynch – None

Ben Zyburt – None

Max Engle - None

Richard Bohjanen – None

PUBLIC COMMENT

Rhein moved, Lynch supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:27 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission; Regular Meeting of October 17, 2022.
- B. Minutes - Marquette County Solid Waste Management Authority, Regular Meeting of November 16, 2022, Draft.
- C. Information – Chocolay Township Newsletter – November 2022

Max Engle, Clerk

Richard Bohjanen, Supervisor