

AGENDA
CHOCOLAY TOWNSHIP BOARD

Township Fire Hall Room
April 10th, 2023 – 5:30 P.M.

- I. MEETING CALLED TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL:** Richard Bohjanen (Supervisor), Max Engle (Clerk), Ben Zyburt (Treasurer), Dave Lynch, Kendra Symbal, Donald Rhein, Judy White (Trustees).
- IV. APPROVAL OF AGENDA – Additions/Deletions.**
- V. PUBLIC COMMENT**
- VI. CONSENT AGENDA**
 - A. Approve Minutes of Previous Meeting – Regular Meeting, March 13, 2023.
 - B. Approve Revenues and Expenditure Reports – March 2023.
 - C. Approve Bills Payable, Check Register Reports – March 8, 21, and 30, 2023.
 - D. Approve Regular Payroll – March 2, 16, and 30, 2023.
- VII. TREASURER’S REPORT**
- VIII. CLERK’S REPORT**
- IX. PUBLIC HEARING**
- X. PRESENTATIONS**
- XI. UNFINISHED BUSINESS**
- XII. NEW BUSINESS**
 - A. Discuss the Draft Investment Policy.
 - B. Review Budget Amendments per the New State Chart of Accounts.
 - C. Discuss Amendments to the Health Care Savings Plan Program.
 - D. Softball Waiver for Beaver Grove for Special Event Game.
 - E. Discuss Industrial District Amendment Public Hearing.
 - F. Manager Update for the Sewer and Budget.
- XIII. BOARD MEMBER’S COMMENTS**
- XIV. PUBLIC COMMENT**
- XV. CORRESPONDENCE, MEETING MINUTES AND INFORMATION.**
 - A. Minutes – Chocolay Township Planning Commission; Regular Meeting of March 20, 2023, Draft.
 - B. Minutes - Marquette County Solid Waste Management Authority; Regular Meeting of March 15, 2023, Draft.
 - C. Minutes – Marquette County Road Commission; Township Relations Committee Meeting of February 2, 2023, Draft.
 - D. Information – Marquette County Road Commission; 2023 Local Construction Projects.
 - E. Information – Marquette County Road Commission; May 2022 Storm Damage Projects.
 - F. Information – Marquette County Road Commission; 2023 Organizational Chart.

G. Information – Chocolay Township Newsletter – March 2023.

H. Information – Toys for Tots.

I. Correspondence – Ellen Fassbender, 124 Fassbender Road.

J. Correspondence – Jim Henning, 151 Fassbender Road.

XVII. ADJOURNMENT

March 13, 2023

The regular meeting of the Chocolay Township Board was held on Monday, March 13, 2023, 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, Don Rhein, Judy White

ABSENT: Kendra Symbol (excused)

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

APPROVAL OF AGENDA.

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

MOTION CARRIED

PUBLIC COMMENT

Greg Hellman, 254 Lakewood Lane – expressed concerns on short term rentals in his neighborhood. Asked about regulations regarding noise and trespassing. Concerns on financial impact personally and for the township. Supervisor Bohjanen stated that the short term rental problem is bigger than Chocolay Township, and the State has not figured it out. Rental of property is an owner's right. In Chocolay Township, rentals are required to be registered.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting, February 13, 2023.
- B. Approve Revenue and Expenditure Reports – December 2022 (unaudited) and February 2023.
- C. Approve Bills Payable, Check Register Reports – February 8, 2023 (Check # 25938 - 25951, in the amount of \$8,759.52), February 20, 2023 (Check # 25952 – 25981, in the amount of \$39,442.41), and February 28, 2023 (Check # 25982 – 26002, in the amount of \$38,959.63).
- D. Approve Bills Payable – Regular Payroll of February 2, 2023 (Check #'s DD3072 – DD3105 and Check #'s 11315 - 11319, Federal, State, and MERS in the amount of \$41,265.16), and Regular Payroll of February 16, 2023 (Check #'s DD3106 – DD3131 and Check #'s 11320 – 11325, Federal State, and MERS in the amount of \$43,252.36).

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

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen indicated the Township had received a "thank you" from the Nature Conservancy on snow removal for the Chocolay Bayou Preserve. Bohjanen also indicated he will not be here for the April meeting.

White moved, Rhein supported that Dave Lynch be nominated to chair the Township Board meeting on April 10, 2023.

MOTION CARRIED

CLERK'S REPORT – SECRETARY OF STATE ELECTIONS UPDATE – SLIDE HANDOUT

Clerk Engle stated there will be an election in May – Absentee Voter applications have gone out and are starting to come back in. The only thing being enforced on the May election will be the postage paid mail, which we will get reimbursed for from the State. The updates from the Secretary of State are included in the slide handout.

Supervisor Bohjanen asked about the County handling the 9-day prior to election voting – Clerk Engle stated he felt this would be confusing to the residents and would prefer to be able to conduct this at the Township.

TREASURER'S REPORT

This report will be given on a quarterly basis.

PUBLIC HEARING – NONE

PRESENTATION – NONE

UPDATE ON NEW TOWNSHIP WEBSITE.

Dale Throenle presented an update on the draft of the new Chocolay Township website. Our current website is from 2014, and has no search capability and is not mobile friendly. With the new website, there will be a search feature and large reference buttons and calendar of events (of all calendars) on the home page. The new website will also have a 3-click policy to get you to the information you want quickly. There will not be visible email addresses or phone numbers on the website – this will prevent “scrubbing”. We have contracted with Schumaker Group (STG) out of Lansing. Throenle gave a quick demonstration on how the new website will work.

Throenle also mentioned that in the future, we will be going from a chocolay.org email address to a chocolay.gov email address. There will be an automatic redirect during the transition time.

Lynch asked about the estimated time to go live – Throenle stated 60 – 90 days.

MARQUETTE COUNTY ROAD COMMISSION DUST CONTROL ACTIVITIES FOR 2023.

Lynch moved, White supported that the Township Board empower the Township Supervisor and the Township Clerk to sign the Letter of Understanding with the Marquette County Road Commission.

MOTION CARRIED

MDNR PASSPORT GRANT APPLICATION, TENNIS COURT.

RESOLUTION OF SUPPORT
MICHIGAN DNR RECREATION PASSPORT GRANT

Lynch moved, Zyburt 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 will release grant funding through the DNR Recreation Passport Grant process for up to 75% reimbursement of costs associated with renovation and reconstruction of recreational facilities; and*

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

Whereas, *the Township Board has budgeted capital funds in accordance with this project; 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 Recreation Passport Grant and commit budgeted Capital Outlay Funds for the renovation of the second half of the tennis facility at Silver Creek Recreation Area.*

ROLL CALL VOTE:

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

NAYS: None

ABSENT: Symbal

RESOLUTION APPROVED

SUPPORT FOR A FEASIBILITY STUDY OF THE TEN RECREATION AREAS THROUGH CONGRESSIONALLY DIRECTED SPENDING.

Joe Neumann, Grants / Planner, stated that this money is offered every year through Senator Peter's office. The Township did apply last year for a fire department grant, but we did not qualify. After some further investigation, it was felt that this project would meet the criteria and there is no match required.

Township Manager De Groot stated that Neumann has moved into a full-time Grants / Planner position as of the first of the year, and has diligently been seeking and applying for grants for the Township.

RESOLUTION OF SUPPORT
2024 CONGRESSIONALLY DIRECTED SPENDING REQUESTS

White moved, Rhein supported that:

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

Whereas, Senator Gary Peters' office is accepting Congressionally Directed Spending (CDS) requests for high-impact public projects in Michigan that can benefit from the federal government's assistance; and

Whereas, the Township Board agrees and supports the plan to conduct a feasibility study focusing on redesign of Township Recreation Areas, especially in relation to ADA compliance and multigenerational opportunities, which would expand the user base, benefiting residents and visitors of all abilities; and

Whereas, the results of this study would be used to guide future development of and budgeting for Recreation Areas; and

Whereas, the Township is under no financial obligation with this request; and

Now Therefore be it Resolved, that the Township Board approve and support the feasibility study plan; and

Let it further be Resolved, that staff are directed to submit a 2024 Congressionally Directed Spending Request for Senate Appropriations to conduct a Township Recreation Area redesign feasibility study.

ROLL CALL VOTE:

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

NAYS: None

ABSENT: Symbal

RESOLUTION APPROVED

MANAGER UPDATE FOR THE SEWER AND BUDGET

Sewer – still waiting on a few things, such as seeding – will not release the retainage amount (approximately \$100,000) until we are sure of completion.

Budget – will be providing a quarterly report at next month's meeting. Joe Neumann is in our Grants / Planner position – having him in a dedicated role has helped with long range planning as he is able to research the different grants out there – there may be additional resolutions required, although we don't always know if we are going to get the grant. We are hoping for more success stories, but they are very competitive.

White asked about the SPARK grants – J. Neumann indicated that we were not chosen – 462 applications received with 21 chosen. Neumann followed up and those chosen were adversely affected by COVID.

BOARD MEMBER COMMENTS

Don Rhein – None

Kendra Symbal – Absent

Judy White – understands the issues of short term rentals on Lakewood Lane

Dave Lynch – thank Throenle for the update on the Township website – much easier to navigate

Ben Zyburt – None

Max Engle - None

Richard Bohjanen – None

PUBLIC COMMENT - NONE

Rhein moved, Zyburt supported that the meeting be adjourned.

MOTION CARRIED

The meeting was adjourned at 6:20 p.m.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Chocolay Township Planning Commission; Regular Meeting of February 13, 2023, Draft.
- B. Minutes - Marquette County Solid Waste Management Authority, Regular Meeting of February 15, 2023, Draft.
- C. Minutes – US 41 Corridor Advisory Group; Regular Meeting of January 10, 2023.
- D. Information – Michigan Department of Transportation – 2023 Construction Map.

Max Engle, Clerk

Richard Bohjanen, Supervisor

REVENUE AND EXPENDITURE REPORT FOR CHOCOLAY TOWNSHIP
 PERIOD ENDING 12/31/2022
 % Fiscal Year Completed: 100.00

ACCOUNT DESCRIPTION	2022		YTD BALANCE 12/31/2022	AVAILABLE BALANCE	% BDGT USED
	ORIGINAL BUDGET	2022 AMENDED BUDGET			
Fund 101 - GENERAL FUND					
000.000	2,407,226.00	2,434,226.00	1,727,731.41	706,494.59	70.98
TOTAL REVENUES	<u>2,407,226.00</u>	<u>2,434,226.00</u>	<u>1,727,731.41</u>	<u>706,494.59</u>	<u>70.98</u>
103.000 - TOWNSHIP BOARD	183,525.00	210,606.00	199,896.12	10,709.88	94.91
175.000 - TOWNSHIP SUPERVISOR	20,119.00	20,119.00	12,660.96	7,458.04	62.93
190.000 - ELECTION DEPARTMENT	60,197.00	62,697.00	36,303.12	26,393.88	57.90
202.000 - ASSESSOR	67,718.00	71,696.00	63,835.38	7,860.62	89.04
215.000 - CLERK	131,159.00	131,199.00	122,020.55	9,178.45	93.00
247.000 - BOARD OF REVIEW	2,753.00	2,753.00	1,702.19	1,050.81	61.83
253.000 - TREASURER	69,281.00	69,778.54	67,350.63	2,427.91	96.52
258.000 - TECHNOLOGY	88,875.00	88,875.00	61,699.96	27,175.04	69.42
265.000 - TOWNSHIP HALL & GROUNDS	93,650.00	93,650.00	76,979.53	16,670.47	82.20
285.000 - OTHER GENERAL GOVERNMENT	400,342.00	388,023.46	362,751.30	25,272.16	93.49
305.000 - POLICE DEPARTMENT	576,415.00	576,415.00	387,616.98	188,798.02	67.25
340.000 - FIRE DEPARTMENT	129,697.00	129,697.00	111,237.02	18,459.98	85.77
440.000 - STREETS	19,650.00	19,650.00	18,434.43	1,215.57	93.81
526.000 - SANITARY LANDFILL	28,600.00	28,800.00	28,763.70	36.30	99.87
756.000 - RECREATION AND PROPERTIES	391,477.00	400,477.00	160,936.67	239,540.33	40.19
800.000 - ZONING	76,053.00	76,053.00	70,579.04	5,473.96	92.80
805.000 - ZONING/PLANNING COMMISSION	10,082.00	10,082.00	5,864.92	4,217.08	58.17
815.000 - ZONING/APPEALS BOARD	4,476.00	4,476.00	1,067.50	3,408.50	23.85
TOTAL EXPENDITURES	<u>2,354,069.00</u>	<u>2,385,047.00</u>	<u>1,789,700.00</u>	<u>595,347.00</u>	<u>75.04</u>
Fund 101 - GENERAL FUND:					
TOTAL REVENUES	2,407,226.00	2,434,226.00	1,727,731.41	706,494.59	70.98
TOTAL EXPENDITURES	<u>2,354,069.00</u>	<u>2,385,047.00</u>	<u>1,789,700.00</u>	<u>595,347.00</u>	<u>75.04</u>
NET OF REVENUES & EXPENDITURES	53,157.00	49,179.00	(61,968.59)	111,147.59	126.01

REVENUE AND EXPENDITURE REPORT FOR CHOCOLAY TOWNSHIP
 PERIOD ENDING 03/31/2023
 % Fiscal Year Completed: 24.66

ACCOUNT DESCRIPTION	2023		YTD BALANCE 03/31/2023	AVAILABLE BALANCE	% BDGT USED
	ORIGINAL BUDGET	2023 AMENDED BUDGET			
Fund 101 - GENERAL FUND					
000.000	2,779,572.00	2,779,572.00	213,681.65	2,565,890.35	7.69
TOTAL REVENUES	<u>2,779,572.00</u>	<u>2,779,572.00</u>	<u>213,681.65</u>	<u>2,565,890.35</u>	<u>7.69</u>
103.000 - TOWNSHIP BOARD	192,694.00	192,694.00	44,389.98	148,304.02	23.04
175.000 - TOWNSHIP SUPERVISOR	20,399.00	20,399.00	3,292.06	17,106.94	16.14
190.000 - ELECTION DEPARTMENT	30,192.00	30,192.00	4,781.23	25,410.77	15.84
202.000 - ASSESSOR	73,936.00	73,936.00	13,682.72	60,253.28	18.51
215.000 - CLERK	142,503.00	142,503.00	35,585.11	106,917.89	24.97
247.000 - BOARD OF REVIEW	2,753.00	2,753.00	970.22	1,782.78	35.24
253.000 - TREASURER	75,625.00	75,625.00	22,795.39	52,829.61	30.14
258.000 - TECHNOLOGY	47,321.00	47,321.00	13,967.73	33,353.27	29.52
265.000 - TOWNSHIP HALL & GROUNDS	200,455.00	200,455.00	11,521.41	188,933.59	5.75
285.000 - OTHER GENERAL GOVERNMENT	466,562.00	466,562.00	156,199.99	310,362.01	33.48
305.000 - POLICE DEPARTMENT	531,101.00	531,101.00	86,684.53	444,416.47	16.32
340.000 - FIRE DEPARTMENT	207,447.00	207,447.00	15,381.50	192,065.50	7.41
440.000 - STREETS	22,750.00	22,750.00	4,636.86	18,113.14	20.38
526.000 - SANITARY LANDFILL	35,300.00	35,300.00	974.58	34,325.42	2.76
756.000 - RECREATION AND PROPERTIES	570,751.00	570,751.00	26,202.62	544,548.38	4.59
800.000 - ZONING	124,965.00	124,965.00	28,033.63	96,931.37	22.43
805.000 - ZONING/PLANNING COMMISSION	12,754.00	12,754.00	1,698.68	11,055.32	13.32
815.000 - ZONING/APPEALS BOARD	4,569.00	4,569.00	605.84	3,963.16	13.26
TOTAL EXPENDITURES	<u>2,762,077.00</u>	<u>2,762,077.00</u>	<u>471,404.08</u>	<u>2,290,672.92</u>	<u>17.07</u>
Fund 101 - GENERAL FUND:					
TOTAL REVENUES	2,779,572.00	2,779,572.00	213,681.65	2,565,890.35	7.69
TOTAL EXPENDITURES	<u>2,762,077.00</u>	<u>2,762,077.00</u>	<u>471,404.08</u>	<u>2,290,672.92</u>	<u>17.07</u>
NET OF REVENUES & EXPENDITURES	17,495.00	17,495.00	(257,722.43)	275,217.43	1,473.12

03/08/2023

CHECK REGISTER FOR CHOCOLAY TOWNSHIP
CHECK DATE FROM 03/08/2023 - 03/08/2023

Check Date	Check	Vendor Name	Amount
Bank GEN GENERAL CHECKING			
03/08/2023	26003	ACE HARDWARE	18.99
03/08/2023	26004	ALGER-DELTA CO-OPERATIVE	1,911.61
03/08/2023	26005	AMAZON CAPITAL SERVICES	118.67
03/08/2023	26006	BENSINGER, COTANT, & MENKES,PC	2,052.00
03/08/2023	26007	CITY OF MARQUETTE	21,181.98
03/08/2023	26008	DALCO	278.51
03/08/2023	26009	DLP MQT PHYSICIAN PRACTICES, INC	363.00
03/08/2023	26010	JEFFERSON FIRE & SAFETY	119.99
03/08/2023	26011	KRIST OIL COMPANY	37.02
03/08/2023	26012	LASCO DEVELOPMENT CORPORATION	921.50
03/08/2023	26013	MARQUETTE BD OF LIGHT & POWER	4,509.18
03/08/2023	26014	MENARDS	819.64
03/08/2023	26015	MICHIGAN ASSOC. OF PLANNING	75.00
03/08/2023	26016	MICHIGAN MUNICIPAL RISK	11,481.25
03/08/2023	26017	MICHIGAN TOWNSHIPS ASSOCIATION	119.50
03/08/2023	26018	NAPA AUTO PARTS	68.31
03/08/2023	26019	NEXTREQUEST	4,788.00
03/08/2023	26020	NORTHSTAR EMPLOYEE ASSISTANCE	270.00
03/08/2023	26021	OBERSTAR	80.00
03/08/2023	26022	PENINSULA FIBER NETWORK LLC	507.85
03/08/2023	26023	PITNEY BOWES, INC	91.29
03/08/2023	26024	RED POWER DIESEL	2,487.92

GEN TOTALS:

Total of 22 Checks:	52,301.21
Less 0 Void Checks:	0.00
Total of 22 Disbursements:	<u>52,301.21</u>

GENERAL FUND	\$	28,041.68
SEWER FUND	\$	24,259.53
	\$	52,301.21

03/21/2023

CHECK REGISTER FOR CHOCOLAY TOWNSHIP
CHECK DATE FROM 03/21/2023 - 03/21/2023

Check Date	Check	Vendor Name	Amount
Bank GEN GENERAL CHECKING			
03/21/2023	5(A)	MICHIGAN FINANCE AUTHORITY	31,962.65
03/21/2023	26025	ACCIDENT FUND OF MICHIGAN	2,699.75
03/21/2023	26026	ANDERSON, TACKMAN & CO.	14,217.00
03/21/2023	26027	APEX SOFTWARE	260.00
03/21/2023	26028	CITY OF MARQUETTE	3,272.94
03/21/2023	26029	DELTA DENTAL	931.22
03/21/2023	26030	HANNULA AGENCY	1,956.00
03/21/2023	26031	HOTSY CLEANING SYSTEMS, INC	615.87
03/21/2023	26032	JEFFERSON FIRE & SAFETY	1,808.81
03/21/2023	26033	MEDICAL AIR SERVICES ASSOCIATION	144.00
03/21/2023	26034	MENARDS	118.03
03/21/2023	26035	MICHIGAN STATE POLICE	33.00
03/21/2023	26036	NYE UNIFORM COMPANY	139.30
03/21/2023	26037	POMP'S TIRE SERVICE, INC.	8.64
03/21/2023	26038	RANGE BANK CARDMEMBER SERVICES	115.89
03/21/2023	26039	SBAM PLAN	12,620.25
03/21/2023	26040	VERIZON	528.18
03/21/2023	26041	VSP-VISION SERVICE PLAN	566.45
03/21/2023	26042	WASTE MANAGEMENT OF WI-MN	274.86
03/21/2023	26043	WEX BANK	2,394.03

GEN TOTALS:

Total of 20 Checks:	74,666.87
Less 0 Void Checks:	0.00
Total of 20 Disbursements:	74,666.87

GENERAL FUND	\$	33,649.84
SEWER FUND	\$	9,054.38
SEWER FUND (SRF)	\$	31,962.65
	\$	74,666.87

03/30/2023

CHECK REGISTER FOR CHOCOLAY TOWNSHIP
CHECK DATE FROM 03/30/2023 - 03/30/2023

Check Date	Check	Vendor Name	Amount
Bank GEN GENERAL CHECKING			
03/30/2023	26044	ACE HARDWARE	3.58
03/30/2023	26045	AMAZON CAPITAL SERVICES	215.41
03/30/2023	26046	COUNTRY MILE DOCUMENT DESTRUCTION	63.25
03/30/2023	26047	GALLS - LLC	117.63
03/30/2023	26048	GLEN WALQUIST	3.02
03/30/2023	26049	LASCO DEVELOPMENT CORPORATION	921.50
03/30/2023	26050	LERMA, INC.	60.00
03/30/2023	26051	LISA PERRY	514.31
03/30/2023	26052	LUKE PELL	23.56
03/30/2023	26053	MARQUETTE BD OF LIGHT & POWER	4,479.85
03/30/2023	26054	MARQUETTE COMMUNITY FEDERAL	70.00
03/30/2023	26055	MARQUETTE COUNTY CLERK'S ASSOC	20.00
03/30/2023	26056	MENARDS	640.21
03/30/2023	26057	MICHIGAN ASSOC OF MUNICIPAL	140.00
03/30/2023	26058	MICHIGAN ASSOC. OF CHIEFS	25.00
03/30/2023	26059	PRINTING SYSTEMS	313.08
03/30/2023	26060	RINGCENTRAL INC	717.81
03/30/2023	26061	SEMCO ENERGY GAS COMPANY	2,500.19
03/30/2023	26062	STANDARD INSURANCE COMPANY	1,032.85
03/30/2023	26063	SUPERIOR FAST LUBE & WASH	240.00
03/30/2023	26064	TYLER HARVALA	45.00
03/30/2023	26065	WOLVERINE DOOR SERVICE	48.55

GEN TOTALS:

Total of 22 Checks:	12,194.80
Less 0 Void Checks:	0.00
Total of 22 Disbursements:	12,194.80

GENERAL FUND	\$ 10,383.62
CAPITAL FUND	\$ -
SEWER FUND	\$ 1,811.18
	\$ 12,194.80



Simple Motion: Discuss the Draft Investment Policy

Meeting: Discussion April Meeting

Date: April 4, 2023

Simple Motion

I, _____ move that the Board accept the Draft Investment Policy as a replacement of the existing Investment Policy.

Supported by:

Voice Vote:



Issue Brief: Update to the Township Investment Policy

Meeting: Discussion April Meeting

Date: April 4, 2023

Issue Summary:

Should the Board consider a draft update to the Township's Investment Policy sponsored by the Township Treasurer?

Background:

In 1997, the Township passed an investment policy to comply with the change in Michigan Law. Governments in Michigan are allowed to invest monies that accumulate in accordance with State Laws and procedures. Investments gain an additional small revenue for the Township to help defray future costs.

Each year the investment portfolio which is managed by the Township Treasurer is audited to ensure investments are made according to the laws of Michigan and the Generally Accepted Accounting Standards. As investments change over time so should the policy that controls the Township Treasurer. This is an update to reflect the current market and investment requirements.

Recommendation:

The Township Treasurer has put forth this draft for review and discussion with the full Township Board. This draft has been reviewed by the Auditors and has their support. This draft is ready for full review by the Township Board.

Author: William De Groot

Date: 4/04/2023

CHARTER TOWNSHIP OF CHOCOLAY

INVESTMENT POLICY

**Draft Edition for approval by the
Charter Township of Chocolay Board of Trustees
At the regular meeting Monday, April 10, 2023**

Section 1: Policy Need. As a requirement of provisions of Public Act 196 of the Public Acts of Michigan of 1997, which required governing bodies of local government units to adopt investment policies, adopted a resolution that established this investment policy.

Section 2: Policy Purpose. It shall be the Township’s policy to invest funds in a manner that provides for security of principal and for high returns on investments, while meeting the Township’s routine and extraordinary cash flow needs in compliance with provisions of State statutes that govern investments of public funds.

Section 3: Policy Scope. Provisions of this policy shall cover all financial assets of the Township that are accounted for in various funds and accounts of the Township and that include general, special revenue, debt service, capital projects, enterprise, internal service, and trust and agency types of funds and accounts and any other type of fund or account that might be established by the Township. This policy does not apply to the employee pension fund, the employee deferred compensation fund, or any other fund(s) which are organized and administered separately.

Section 4: Policy Objectives. Funds of the Charter Township of Chocolay will be invested in accordance with Michigan Public Act 20 MCL 129.91 of 1943, as amended, and in accordance with the following objectives in order of priority:

1. *Safety of Capital-Safety of Principal.* This is the foremost objective of the investment program. Investments of the Township shall be undertaken to insure preservation of the portfolio’s overall capital. The objective will be to mitigate credit risk and interest rate risk.
 - a. *Credit Risk.*
Chocolay Township will minimize credit risk, which is the risk of loss due to the failure of the security issuer or backer, by:
 - Limiting investments to the types of securities listed in Section 9 of this Investment Policy.
 - Pre-qualifying the financial institutions, brokers/dealers, intermediaries, and advisers with which Chocolay Township will do business in accordance with Section 8.
 - Diversifying the investment portfolio so that the impact of potential losses from any one type of security or from any one individual issuer will be minimized.
 - b. *Interest Rate Risk.*
Chocolay Township will minimize interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market interest rates, by
 - Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.
 - Investing operating funds primarily in shorter-term securities, money market mutual funds, or similar investment pools and limiting the average maturity of the portfolio in accordance with this policy

2. Liquidity-The investment portfolio will remain sufficiently liquid to meet all operating requirements, which might be reasonably anticipated.
3. Return on Investments-The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, in consideration of risk constraints and cash flow characteristics of the portfolio.
4. Maintain the Public's Trust-All participants in the investment process shall seek to act responsibly as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. In addition, the overall investment program shall be designed and managed with a degree of professionalism worthy of the public trust. Investment officials shall also avoid any transaction that might knowingly impair public confidence in the Township's ability to govern effectively.

Section 5: Authority Delegation. Township provisions and state law (MCL 41.76 & MCL 41.77) permit the Township Treasurer to receive and invest Township monies. Consistent with Township and state law, the Township Treasurer shall be responsible for establishing procedures and controls for the operation of the Township's investment program. Therefore, the Township Treasurer shall serve as the Township's Investment Officer. No person may engage in investment transactions except as provided under the terms of this policy and the procedures established by the Treasurer. In the absence of the Treasurer, the Deputy Treasurer shall assume all related investment responsibilities. In the absence of both the Township Treasurer and Deputy Treasurer, the Township Board may assume the investment responsibilities for the Township.

Section 6: Prudence. The standard of prudence to be applied by the Investment Officer shall be the "prudent person" rule which states; "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent person rule shall be applied in the context of managing the overall portfolio. The investment official acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

Section 7: Ethics and Conflict of Interest. Officers and employees involved in the investment process shall refrain from personal business activity that conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the Township Board of Trustees any material financial interest in financial institutions that conduct business with this Township and they shall disclose any large personal financial/investment positions that could be related to the performance of the Township's portfolio. Employees and officials shall subordinate their personal investment transactions to those of the Township particularly with regard to the timing of purchases and sales.

Section 8: Authorized Financial Institutions and Dealers. Financial Institution means a state or nationally chartered bank or a state or federally chartered savings and loan association, savings bank, or credit union whose deposits are insured by an agency of the United States government, and which maintains a principal office or branch office in the State of Michigan under the laws of Michigan or the United States. The Treasurer shall maintain a listing of financial institutions, which are approved for investment purposes. The preliminary list of banking institutions are: 1st National Bank of St. Ignace, First Bank, 5th 3rd Bank, Bay Bank, CDARS, Citizens Bank, Ishpeming Communitize Federal Credit Union, IncrediBank, M Bank, Marquette Community Federal Credit Union, Miners State Bank of Iron River, Northern Michigan Bank, Peninsula Bank, Peoples State Bank, Range Bank, Wells Farge.

The security dealers and financial institutions may include primary or regional dealers that qualify under Securities and Exchange Council Rule 15C3-1 (uniform net capital rule) and investment departments of banks, and which have been subject to the following evaluation:

1. Financial condition, loan exposure, capital adequacy asset quality, earnings and liquidity.
2. Regulatory status of the dealer.
3. Background and expertise of the individual representative.

4. An upper quartile rating from a nationally recognized independent bank and savings and loan rating service.

Individuals representing investment institutions doing business with the Township shall receive a copy of this policy along with an Acknowledgment to Comply Agreement. By signing the Acknowledgment Agreement, they certify that they have read the investment policy, understand the provisions therein, and shall comply with the requirements of P. A. 20 of 1943, as amended and this investment policy for the Charter Township of Choccolay. The Treasurer shall keep a copy of such certification on file.

Section 9: Authorized Instruments. By action of the Township Board of Trustees in adopting this Policy, the Investment Officer has been authorized to invest the Township's funds in one or more of the following instruments and other instruments as allowed by State law:

1. Bonds, securities and other obligations of the United States or an agency or instrumentality on the United States;
2. Certificates of deposits, savings accounts, deposit accounts, or depository of a financial institution, provided the financial institution is eligible to be a depository of funds belonging to the state under a law or rule of this state or the United States;
3. Commercial paper rated at the time of purchase within the two highest classifications established by not less than two standard rating services and that matures not more than 270 days after the date of purchase;
4. Repurchase agreements consisting of instruments listed in Section 9 (1). A Master Repurchase Agreement must be signed with the bank or dealer.
5. Bankers' acceptances of United State banks;
6. Obligations of this state or any of its political subdivisions that at the time of purchase are rated investment grade by not less than one standard rating service;
7. Mutual funds registered under the Investment Company Act of 1940, Title 1 of Chapter 686, 54 Stat. 789, 15 U.S.C. 80a-1 to 10-a- and 80a- to 80a-64, with the authority to purchase only investment vehicles that are legal to direct investment by the Township. This authorization is limited to securities whose attention is to maintain a net asset value of \$1.00 per share;
8. Investment pools through an interlocal agreement under the Urban Cooperation Act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512;
9. Investment pools organized under the Surplus Funds Investment Pool Act, 129.111 to 129.118;
10. The investment pools organized under the Local Government Investment Pool Act, 1985 PA 121, MCL 129.141 to 129.150.

Section 10: Investment Pools. A thorough investigation of the pool fund is required prior to investing, and on a continual basis. There shall be a questionnaire developed which will answer the following general questions:

1. A description of eligible investment securities, and a written statement of investment policy and objectives.
2. A description of interest calculations and how it is distributed, and how gains and losses are treated.
3. A description of how the securities are safeguarded (including the settlement processes), and how often are the securities priced and the program audited.
4. A description of who may invest in the program, how often, what size deposit and withdrawal.
5. A schedule for receiving statements and portfolio listings.
6. A fee schedule and when and how it is assessed.

Section 11: Safekeeping. All Securities purchased by the Charter Township of Choccolay under this section shall be properly designated as an asset of the Township and held in safekeeping by a third party custodial bank chartered by the United States government or the State of Michigan, and no withdrawal of such securities, in whole or in part, shall be made from safekeeping except by the Treasurer as authorized herein, or by it's respective designees.

All security transactions, including collateral for repurchase agreements and financial institution deposits, that are entered into by the Township may be held on a cash basis for a delivery-versus-payment basis as determined by the Investment Officer. A Safekeeping Receipt from the issuing bank, as is the law in the State of Michigan, shall evidence non-negotiable, non-collateralized Certificates of Deposit.

Section 12: Diversification. By dividing investments by specific dates, security types and institutions so that potential losses of individual securities do not exceed income that would be generated by the remainder of the portfolio. Investment maturities for operating funds shall be scheduled to coincide with projected cash flow needs, taking into account routine needs (payroll, bills, debt service) as well as considering anticipated revenue (taxes, state revenue sharing payments).

Section 13: Maximum Maturities. To the extent possible, the Charter Township of Chocolay will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the Township will not directly invest its securities maturing more than two (2) years from the date of purchase. Reserve funds or Capital Project Funds may be invested in securities exceeding two (2) but not more than five (5) years if the maturity of such investments are made to coincide as nearly as practicable with expected use of the funds.

Section 14: Internal Controls. The Treasurer shall establish an annual process of independent review by the Township's designated auditor. This review will provide internal control by assuring compliance with policies and procedures and will prevent loss of public funds due to fraud, error, misrepresentation, or imprudent actions.

Section 15: Performance Standards. The investment portfolio will be designed to obtain market average rate of return during budgetary and economic cycles, taking into account the Township's investment risk constraints and cash flow needs.

Section 16: Reporting. The Investment Officer shall prepare a quarterly and an annual report to the Township Board of Trustees. The quarterly report shall include types of investments, total interest received, and indicate any suggested or planned revision(s) of investment strategies. The annual report shall include a 12-month comparison of returns. The Investment Officer shall review the Investment Policy annually and prepare a report for the Township Board of Trustees with any recommended changes.

Section 17: Policy Adoptions. This Investment Policy shall be adopted by resolution of the Township Board of Trustees. Any modifications made thereto must be approved by the Township Board of Trustees. This policy shall be effective the day following adoption by the Township Board of Trustees.

Section 18: Glossary. Because this policy is to be available to the public as well as the governing body, it is important that a glossary of related terminology be part of the policy.
(See Attached Glossary)

Effective Date: This policy will become effective on March 2023 the day following adoption by the Chocolay Charter Township Board of Trustees.

AYES:
NAYS:
EXCUSED:

GLOSSARY

AGENCIES: Federal agency securities and/or Government-sponsored enterprises.

ASKED: The price at which securities are offered.

BANKERS' ACCEPTANCE (BA): A draft or bill of exchange accepted by a bank or trust company. The accepting institution guarantees payment of the bill, as well as the issuer.

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BID: The price offered by a buyer of securities. (When you are selling securities, you ask for a bid.) See Offer

BROKER: A broker brings buyers and sellers together for a commission.

CERTIFICATE OF DEPOSIT (CD): A time deposit with a specific maturity evidenced by a certificate. Large-denomination CD's are typically negotiable.

COLLATERAL: Securities, evidence of deposit, or other property that a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

CREDIT RISK: The risk of loss due to the failure of the security issuer or backer

DEALER: A Dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.

DELIVERY VERSUS PAYMENT: There are two methods of securities: delivery versus payment and delivery versus receipt. Delivery versus payment is delivery of securities with an exchange of money for the securities. Delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

DISCOUNT: The difference between the cost price of a security and its maturity when quoted at lower than face value. A security selling below original offering price shortly after sale also is considered to be at a discount.

DISCOUNT SECURITIES: Non-interest bearing money market instruments that are issued at a discount and redeemed at maturity for full face value; e. g. U. S. Treasury Bills.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

FEDERAL CREDIT AGENCIES: Agencies of the Federal government set up to supply credit to various classes of institutions and individuals; e. g., S & L's, small business firms, students, farmers, farm cooperatives, and exporters.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC): A federal agency that insures bank deposits, currently up to \$100,000 per deposit.

FEDERAL RESERVE SYSTEM: The central bank of the United States created by Congress and consisting of a seven member Board of Governors in Washington, D. C., 12 regional banks and about 5,700 commercial banks that are members of the system.

INTEREST RATE RISK: The risk that the market value of securities in the portfolio will fall due to changes in market interest rates.

LIQUIDITY: A liquid asset is one that can be converted easily and rapidly into cash without a substantial loss of value. In the money market, a security is said to be liquid if the spread between bid and asked prices is narrow and reasonable size can be done at those quotes.

LOCAL GOVERNMENT INVESTMENT POOL (LGIP): The aggregate of all funds from political subdivisions that are placed in the custody of the State Treasurer for investment and reinvestment.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract covering all future transactions between the parties to repurchase-reverse repurchase agreements that establish each party's rights in the transactions. A master agreement will often specify, among other things, the right of the buyer-lender to liquidate the underlying securities in the event of default by the seller-borrower.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, et.) are issued and traded.

OFFER: The price asked by a seller of securities. (When you are buying securities, you ask for an offer.) See Asked and Bid.

OPEN MARKET OPERATIONS: Purchases and sales of government and certain other securities in the open market by the New York Federal Reserve Bank as directed by the FOMC in order to influence the volume of money and credit in the economy. Purchases inject reserves into the bank system and stimulate growth of money and credit; sales have the opposite effect. Open market operations are the Federal Reserve's most important and most flexible monetary policy tool.

PORTFOLIO: Collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC), registered securities broker-dealers, banks and a few unregulated firms.

PRUDENT PERSON RULE: An investment standard. In some states the law requires that a fiduciary, such as a trustee, may invest money only in a list of securities selected by the custody state-the so-called legal list. In other states the trustee may invest in a security if it is one which would be bought by a prudent person of discretion and intelligence who is seeking a reasonable income and preservation of capital.

QUALIFIED PUBLIC DEPOSITORIES: A financial institution which does not claim exemption from the payment of any sales or compensating use or ad-valorem taxes under the laws of this state, which has segregated for the benefit of the commission eligible collateral having a value of not less than its maximum liability and which has been approved by the Public Deposit Protection Commission to hold public deposits.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond or the current income return.

REPURCHASE AGREEMENT (RP OR REPO): A holder of securities sells these securities to an investor with an agreement to repurchase them at a fixed price on a fixed date. The security "buyer" in effect lends the "seller" money for the period of the agreement, and the terms of the agreement are

structured to compensate him for this. Dealers use RP's extensively to finance their positions. Exception: When the Fed is said to be doing RP's it is lending money, that is, increasing bank reserves.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held in the bank's vaults for protection.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES & EXCHANGE COMMISSION: Agency created by Congress to protect investors in securities transactions by administering securities legislation.

SEC RULE 15C3-1: See Uniform Net Capital Rule.

TREASURY BILLS: A non-interest bearing discount security issued by the U. S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.

TREASURY BONDS: Long-term coupons-bearing U. S Treasury securities issued as direct obligations of the U. S. Government and having initial maturities of more than 10 years.

TREASURY NOTES: Medium-term coupon bearing U. S. Treasury securities issued as direct obligations of the U. S. Government and having initial maturities from 2 to 10 years.

UNIFORM NET CAPITAL RULE: Securities and Exchange Commission requirement that member firms as well as non-member broker-dealers in securities maintain a maximum ratio of indebtedness to liquid capital of 15 to 1; also called net capital rule and net capital ratio. Indebtedness covers all money owed to a firm, including margin loans and commitments to purchase securities, one reason new public issues are spread among members of underwriting syndicates. Liquid capital includes cash and assets easily converted into cash.

YIELD: The rate of annual income return on an investment, expressed as a percentage.

- (a) **INCOME YIELD** is obtained by dividing the current dollar income by the current market price, for the security.
- (b) **NET YIELD** or **YIELD MATURITY** is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

**ACKNOWLEDGMENT OF RECEIPT
CHARTER TOWNSHIP OF CHOCOLAY INVESTMENT POLICY
AND
AGREEMENT TO COMPLY**

I have read and fully understand Public Act 20 of 1943 and Public Act 196 of 1997 as amended and the investment policy of the Charter Township of Chocoday.

Any investment advice or recommendations given by _____,
Name of Representative
representing _____, to the Treasurer shall comply with the
Name of Financial Institution the requirements of Public Act 20 of 1943 as amended, and the
investment Policy of the Charter Township of Chocoday. Any existing investment
not conforming with the statute or the policy will be disclosed promptly.

Name: _____
Signature

Title: _____

Date: _____



Motion for Budget Amendment for 2023 Per Chart of Accounts

Meeting: April Board Meeting

Date: April 10, 2023

_____ moved, _____ supported that:

Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated General Fund expenditures of the Township on December 12, 2022 for fiscal year 2023; and

Whereas, no new reserve funding is required, and

Whereas, by the passage of this proposed shifting, funds from Training Expense to Travel and Education Expense in select departments will be needed, and

Now Therefore, Be It Hereby Resolved, that the FY2023 budget be modified as follows:

EXPENDITURE	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
Township Board			
Training 101.103.715	\$ 2,000.00	\$ (2,000.00)	\$ -
Township Board			
Training & Education 101.103.840	\$ -	\$ 2,000.00	\$ 2,000.00
Clerk			
Training 101.215.715	\$ 5,900.00	\$ (5,900.00)	\$ -
Clerk			
Training & Education 101.215.840	\$ -	\$ 5,900.00	\$ 5,900.00
Treasurer			
Training 101.253.715	\$ 500.00	\$ (500.00)	\$ -
Treasurer			
Training & Education 101.253.840	\$ -	\$ 500.00	\$ 500.00
Police			
Training 101.305.715	\$ 7,500.00	\$ (7,500.00)	\$ -
Police			
Training & Education 101.305.840	\$ -	\$ 7,500.00	\$ 7,500.00
Fire			
Training 101.340.715	\$ 13,150.00	\$ (5,150.00)	\$ 8,000.00
Fire			
Training & Education 101.340.840	\$ -	\$ 5,150.00	\$ 5,150.00

ROLL CALL VOTE

AYES:

NAYS:

Author: Suzanne Sundell

Date: 04/10/2023

Reviewed by: William De Groot



Issue Brief: Budget Adjustment – per new Chart of Accounts

Meeting: Discussion April Board Meeting

Date: April 10, 2023

Issue Summary:

As part of our ongoing review of the Chart of Accounts and discussions with our Auditors, we are working towards aligning our chart of accounts with the State. One of the areas that require an adjustment is how we record our training expenses which need to be allocated to those that are related directly to payroll (such as Fire Department Training) versus those that staff are attending offsite.

Analysis:

The amounts for training have been budgeted in the specific departments and would require a change in the 2023 budget to appropriate to the correct account number.

Recommendation:

It is recommended that the Board amend the 2023 General Fund budget to adjust the budget amounts for training to the proper accounts put forth in the updated Chart of Accounts.

Author: Suzanne Sundell

Date: 04/10/2023

Reviewed by: William De Groot



Motion for Health Care Savings Program Updates

Meeting: April Board Meeting

Date: April 10, 2023

TWO MOTIONS WILL BE NEEDED:

First Motion Required:

Proposed for Closure of current divisions:

_____ moved, _____ supported that the Township Board authorizes the closure of the following division within the current Health Care Savings Program: 300665, 300666, 300667, 300668, 300669, 300671, 300972, 301378.

Second Motion Required:

Proposed for Authorization of existing division and contribution addendums:

_____ moved, _____ supported to authorize the Personnel Director to sign the appropriate MERS Health Care Savings Program Participation Agreements for the existing division 300670 to cover all employees, along with the newly created Contribution Addendums which outline the contributions and leave conversion for specific groups.

Author: Suzanne M. Sundell
Date: 04/10/2023
Reviewed by: William De Groot



Issue Brief: HCSP Additions

Meeting: April Board Meeting

Date: April 10, 2023

Issue Summary:

The attached Health Care Savings Program (HCSP) Participation Agreements and Contribution Addendums provide the opportunity for all employees to participate in the MERS HCSP currently available to Township employees. A HCSP enables the employee to save money now for health care costs after leaving the employer, either before or after you've reached retirement age. This is a tax-free program, so Federal, State, Social Security, and Medicare taxes are not withheld on the contributions.

Background:

This is an employee driven optional program that currently has four employees participating. More employees would like to participate, but due to changes in the law it has become necessary to look at how this is structured.

Analysis:

This is a tax-free program which will lower the Social Security / Medicare tax liability for the employee and employer. Previous divisions will now be combined into one division. This division will have various contribution addendums which outline the contribution percentage (3%, 5%, and 8%) and leave conversion for those employees.

Recommendation:

It is recommended that the Township Board approve the new Health Care Savings Program.

Author: Suzanne M. Sundell

Date: 04/10/2023

Reviewed by: William De Groot

MERS Health Care Savings Program Participation Agreement



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9707

www.mersofmich.com

I. PARTICIPATING EMPLOYER

Employer Name: _____
(Name of municipality or court)

Municipality Number: _____ Division Number: _____

II. EFFECTIVE DATE

1. If this is the initial Participation Agreement relating to the MERS Health Care Savings Program for this covered group, the effective date of the program here adopted shall be:

(Date)

2. If this is an amendment and restatement of an existing Participation Agreement relating to the MERS Health Care Savings Program for this covered group, the effective date of this amendment and restatement shall be effective: _____

(Date)

Note: You only need to mark *changes* to your plan throughout the remainder of this Agreement.

III. COVERED EMPLOYEE GROUPS

A participating Employer may cover all of its employee groups, bargaining units, or personnel/employee classifications ("Covered Group") in the same Health Care Savings Program plan.

Contributions shall be made on the same basis within each Covered Group according to the associated [HCSP Contribution Addendum](#), remitted as directed by the Program Administrator.

This agreement encompasses the following group(s):

(Name/s of HCSP covered group/s)

Note: To maintain the tax-favored status of the employer's Health Care Savings Program and to comply with federal law, the Employer may not provide coverage or benefit levels to highly-compensated employees that are not provided to non highly-compensated employees.

IV. ELIGIBLE EMPLOYEES

Only Employees of a "municipality" may be covered by the Health Care Savings Program Participation Agreement. Independent contractors may not participate in the Health Care Savings Program.

The Employer shall provide MERS with the name, address, Social Security Number, and date of birth for each Eligible Employee, as defined by the Participation Agreement.

V. EMPLOYER CONTRIBUTIONS TO THE HEALTH CARE SAVINGS PROGRAM

The Participating Employer hereby elects to make contributions to the Trust. Contributions shall be made on the same basis within each Covered Group specified in this agreement, and remitted to MERS as directed by the employer, to be credited to the individual accounts of Eligible Employees according to the associated [Contribution Addendum](#).

MERS Health Care Savings Program Participation Agreement

Vesting Cycle For Basic Employer Contributions Only. The employer contributions identified in this Participation Agreement are subject to the following vesting cycle (where vesting is different, separate participation agreement must be completed).

- Immediate Vesting upon Participation
- Cliff Vesting: The participant is 100% vested upon _____ year(s).
(Stated years)
- Graded Vesting Percentage per year of service: Employers can select the percentage of vesting with the corresponding years of service:

Years of Service	Percent Vested
_____	_____
_____	_____
_____	_____
_____	_____
_____	100%

FORFEITURE PROVISION. Upon separation from service with the Employer prior to meeting the required vesting schedule set out above or in the event a Participant dies without Dependent(s) and/or a named Beneficiary, a Participant’s account assets shall (where forfeiture is different, separate participation agreement must be completed):

Check only one:

- Remain in the HCSP sub-trust to be reallocated among all Plan participants equally
- Remain in the HCSP sub-trust to be used to offset future Employer Contributions
- Be transferred to the Retiree Health Funding Vehicle (“RHFV”)

VI. MODIFICATION OF THE TERMS OF THE PARTICIPATION AGREEMENT

If a Participating Employer desires to amend any of its previous elections contained in this Participation Agreement, including attachments, the Governing Body by official action must adopt a new Participation Agreement and forward it to the Board for approval. The amendment of the new Participation Agreement is not effective until approved by the Board and other procedures required by the Trust Agreement and Plan Document have been implemented.

VII. APPOINTING MERS AS THE PROGRAM ADMINISTRATOR

The Employer hereby agrees to the provisions of the MERS Health Care Savings Program Plan Document (“Plan Document”) and Trust Agreement and appoints MERS as the Program Administrator pursuant to the terms and conditions of the Plan Document and Trust Agreement. The Employer also agrees that in the event of any conflict between the Plan Document or the Trust Agreement and this Participation Agreement, the Plan Document and Trust Agreement control.

VIII. FEES AND EXPENSES

Employer acknowledges that investment selection and associated participant fees and operating expenses are established and charged by MERS as set forth in the Investment Fund and Fee Summary sheets available at www.mersofmich.com and may be amended by MERS.

MERS Health Care Savings Program Participation Agreement

IX. STATE LAW

To the extent not preempted by federal law, this agreement shall be interpreted in accordance with Michigan law.

X. TERMINATION OF THE PARTICIPATION AGREEMENT

This Participation Agreement may be terminated only in accordance with the Trust Agreement.

XI. EXECUTION BY GOVERNING BODY OF MUNICIPALITY

The foregoing Participation Agreement is hereby adopted and approved on the ____ day of _____, 20____ at the official meeting held by _____.
(Name of approving employer)

Authorized Signature: _____

Name: _____

Title: _____

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20____

(Authorized MERS signatory)

Contribution Addendum for MERS Health Care Savings Program (HCSP)



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711

www.mersofmich.com

This is an Addendum to the Participation Agreement completed by _____
Name of Participating Employer
for _____ of _____
Covered Employee Group Division Code

The Addendum modifies the *MERS Health Care Savings Program Participation Agreement*. Please complete this addendum for each contribution structure associated with the covered employee group.

Check one or more (A or B, C and/or D):

A. Employer Contributions for Retirees / Former Employees. Employer contributions may be made according to any frequency. Identify below the contribution formula or amount that will apply to all in this covered group. *Note: If this contribution is selected, Sections B, C, and D do not apply.*

Contribution structure (specify \$ or %): _____

For active employees, please check one or more below (B, C, and/or D).

B. Basic Employer (Before-Tax) Contributions. Before-tax employer contributions may be made as a percentage of salary and/or by a specified dollar amount. Identify below the basic employer contribution formula to be applied to the covered groups within the Health Care Savings Program identified in this addendum.

Contribution structure (**specify \$ or %** and, if a %, include the basis for that contribution. For example: Employer will contribute 3% of base wages):

C. Mandatory Salary Reduction (Before-Tax) Contributions. Before-tax Employer Contributions shall be made that represent a mandatory salary reduction resulting from collective bargaining or the establishment of a personnel policy. These reductions may be made as a percentage of salary or a specific dollar amount.

Contribution structure (**specify \$ or %** and, if a %, include the basis for that contribution. For example: Employees will contribute 3% of base wages):

Contribution Addendum for MERS Health Care Savings Program (HCSP)

D. Mandatory Leave Conversion (Before-Tax) Contributions. Before-tax Employer Contributions shall be made that represent a mandatory conversion of accrued leave including, but not limited to vacation, holiday, sick leave, or severance amounts otherwise paid out, to a cash contribution. These contributions may be calculated as a percentage of accrued leave or a specific dollar amount representing the accrued leave. Leave conversions may be made on an annual basis or at separation from service, or at such other time as the Employer indicates. *(Note: The leave conversion program shall not permit employees the option of receiving cash in lieu of the employer contribution.)*

Check here if the covered employee group has the option to direct any/all of the leave conversion lump sum to an existing 457 program.

Check one or more:

As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.

As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.

As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.

As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.

Post-Tax Employee Contributions. Post-tax Employee Contributions made by Eligible Employees within the Covered Group(s) shall be remitted as directed by the Program Administrator, to be credited to the individual accounts of Eligible Employees. All Employee Contributions must be remitted to MERS along with the Participation Report.

Contribution Addendum for MERS Health Care Savings Program (HCSP)



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711

www.mersofmich.com

This is an Addendum to the Participation Agreement completed by _____
Name of Participating Employer
for _____ of _____
Covered Employee Group Division Code

The Addendum modifies the *MERS Health Care Savings Program Participation Agreement*. Please complete this addendum for each contribution structure associated with the covered employee group.

Check one or more (A or B, C and/or D):

A. Employer Contributions for Retirees / Former Employees. Employer contributions may be made according to any frequency. Identify below the contribution formula or amount that will apply to all in this covered group. *Note: If this contribution is selected, Sections B, C, and D do not apply.*

Contribution structure (specify \$ or %): _____

For active employees, please check one or more below (B, C, and/or D).

B. Basic Employer (Before-Tax) Contributions. Before-tax employer contributions may be made as a percentage of salary and/or by a specified dollar amount. Identify below the basic employer contribution formula to be applied to the covered groups within the Health Care Savings Program identified in this addendum.

Contribution structure (**specify \$ or %** and, if a %, include the basis for that contribution. For example: Employer will contribute 3% of base wages):

C. Mandatory Salary Reduction (Before-Tax) Contributions. Before-tax Employer Contributions shall be made that represent a mandatory salary reduction resulting from collective bargaining or the establishment of a personnel policy. These reductions may be made as a percentage of salary or a specific dollar amount.

Contribution structure (**specify \$ or %** and, if a %, include the basis for that contribution. For example: Employees will contribute 3% of base wages):

Contribution Addendum for MERS Health Care Savings Program (HCSP)

D. Mandatory Leave Conversion (Before-Tax) Contributions. Before-tax Employer Contributions shall be made that represent a mandatory conversion of accrued leave including, but not limited to vacation, holiday, sick leave, or severance amounts otherwise paid out, to a cash contribution. These contributions may be calculated as a percentage of accrued leave or a specific dollar amount representing the accrued leave. Leave conversions may be made on an annual basis or at separation from service, or at such other time as the Employer indicates. *(Note: The leave conversion program shall not permit employees the option of receiving cash in lieu of the employer contribution.)*

Check here if the covered employee group has the option to direct any/all of the leave conversion lump sum to an existing 457 program.

Check one or more:

As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.

As of _____, _____ % of _____
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Contribution structure (specify \$ or %): _____

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Contribution structure (**specify \$ or %** and, if a %, include the basis for that contribution. For example: Employer will contribute 3% of base wages):

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Check here if the covered employee group has the option to direct any/all of the leave conversion lump sum to an existing 457 program.

Check one or more:

As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
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Suggested Motion: User Fee Waiver Request for a Benefit Game

Meeting: April Board Meeting

Date: April 3, 2023

Suggested Motion:

_____ Moved; _____ Supported that the Chocolay Township Board waives the \$100.00 in user fees for the benefit softball games.

Vote:



Issue Brief: User Fee Waiver Request for a Benefit Game

Meeting: Discussion April Board Meeting

Date: April 3, 2023

Issue Summary:

Should the Board pass a recommendation to waive the user fee for a benefit softball game?

Background:

I received a request to waive the user fees for a benefit co-ed softball tournament on August 18-20 at Beaver Grove Recreation Area.

The tournament is being held for a girl that was diagnosed with Homozygous Familia Hypercholesterolemia. The money raised for her during the tournament will be used for bi-weekly travel expenses to U of M for her treatment programs.

Analysis:

Historically the Township Board has approved these types of requests in the past. If the Board decides to waive these fees, it would be in the total amount of \$100.00. The Board has the right to waive any fees they see fit.

Recommendation:

The Township Board should consider waiving the user fees for the benefit softball game.

Author: Brad Johnson

Date: April 3, 2023

To whom it may concern,

We are having a benefit at Beaver Grove for a 7-year-old girl who has Homozygous familial hypercholesterolemia (HOFH), who has to travel to Minneapolis every month for treatments. Would you be willing to waive the fee for us the weekend of August 18th-20th?

Thank you,

Kristen Kuopus

03/24/2023

**NOTICE OF PUBLIC HEARING
CHARTER TOWNSHIP OF CHOCOLAY**

The Chocolay Township Planning Commission will hold a public hearing on Monday, April 17, 2023 at 6 PM at the Chocolay Township Fire Hall at 5010 US 41 South, Marquette, MI to hear public comment on proposed changes to the Township *Zoning Ordinance*, section 4.6 (C) for the Industrial zoning district, #34-23-01.

The proposed changes would add Single Family Dwellings and Registered Rental Dwellings as conditional uses in the Industrial zoning district.

A copy of the language is available for review and inspection at the Chocolay Township office Monday through Friday 8:00 AM to 4:30 PM and can also be viewed at www.chocolay.org. Questions or comments can be directed to the Planning Director at 906.249.1448, sent to the Township office, or submitted via email (publiccomment@chocolay.org). Comments will be received until 12:00 PM April 12, 2023.

**CHOCOLAY TOWNSHIP
PLANNING COMMISSION**

Monday, March 20, 2023 Minutes

I. Meeting Call to Order

Chair Ryan Soucy called the meeting to order at 6:00 PM.

II. Roll Call

Members present at roll call:

Ryan Soucy (Chair)
George Meister (Vice Chair)
Donna Mullen-Campbell (Secretary)
Rebecca Sloan (Vice Secretary)
Don Rhein (Board)
Stephanie Gencheff
Kendall Milton

Staff present:

Bill DeGroot (Township Manager), Dale Throenle (Planning Director / Zoning Administrator)

III. Additional Agenda Items / Approval of Agenda

Meister moved, Sloan seconded, to approve the agenda as presented.

Vote: Ayes: 7 Nays: 0 Motion carried

IV. Minutes

A. February 13, 2023 Joint Meeting

Rhein moved, Milton seconded, to approve the February joint meeting minutes as presented.

Vote: Ayes: 7 Nays: 0 Motion carried

B. February 13, 2023 Regular Meeting

Rhein moved, Mullen-Campbell seconded, to approve the February regular meeting minutes as presented.

Vote: Ayes: 7 Nays: 0 Motion carried

V. Public Comment

Nancy Richards, 495 County Road 480

Spoke regarding the split of her family's property in the Agriculture Forestry district.

Missy Lehtomaki, Select Realty

Spoke on the different zoning ordinance options given regarding a property located at 6565 US 41 South and asked that the process be completed in a timely manner for all

interested parties.

VI. Public Hearings

None

VII. Presentations

None

VIII. Unfinished Business

A. Proposed Zoning Ordinance Changes

Staff Introduction

Throenle deferred the staff introduction to DeGroot.

DeGroot gave the background on the decision not to hold a public hearing regarding seven parcels located on US 41 South. He explained that the current zoning ordinance did not have an option for residential in the mixed use overlay and that the hearing could not take place because of the missing language.

He explained potential options for addressing the situation. Option one was to add residential as a conditional use in the Industrial district. Option two was to stay with the Commissioner's previous decision to rezone the properties to Commercial with a mixed use overlay, which would remove some available uses in the Industrial district and require changes to the mixed use overlay district. Option three was to write a new ordinance that followed the direction of the master plan for developing a new neighborhood mixed use district. He stated the purpose for the evening was to determine the direction the Commissioners wanted to go so that proper public notice could be posted for that choice. He added that following a finding of facts determination at the Planning Commission public hearing the determination would be forwarded to the Board for final action, regardless of the option selected.

For option one, DeGroot stated that a public hearing would be held, with the intent that all of the industrial areas would be affected. He added that the control for residential was the addition of the language as a conditional use.

For option two, DeGroot stated that three public hearings would be held, and they could be held sequentially at one meeting. He added that the direction for the change had to be for all seven property owners, not just one, and not remove land uses that were still needed.

Sloan asked what the time frame would be if option one was chosen. DeGroot responded that the applicant could apply for a conditional use application as soon as the Commissioners decided to move forward with option one.

Sloan stated that she believed that option two was the intended direction that the Commissioners had selected, as she felt the area appeared to be more commercial than industrial. DeGroot replied that if that direction was chosen, then the inherent rights of the Industrial district would be lost.

Gencheff asked if there was any current industrial activity in that area; DeGroot

responded that there was not. Rhein stated that there were rights that would be lost if the district was rezoned to Commercial. Gencheff responded that if the property owners consented that would not be a problem. Rhein responded that if any property owner rejected the change, then the process would have to be restarted.

Gencheff asked why the properties were rezoned from C-3 to Industrial. Throenle responded that C-3 in the 1977 ordinance was considered heavy manufacturing commercial, and there was no industrial district defined in that ordinance.

Soucy gave a brief background on why the discussion was taking place. He stated that the decision the Commissioners were making was not based on one property owner, but primarily for the purposes of addressing anyone who had a similar problem in the Industrial district. He stated option one would be the best solution for moving forward to resolve the issue.

Meister asked if there were any historical issues with the Industrial zoning as it is set up now, and if there were any problems with commercial type uses in those areas. Throenle responded that there was none.

DeGroot outlined the rebuild issue for the property in the district. He stated that financial lenders would not provide loans for the property as the property owner could not rebuild in the event of a total loss.

DeGroot asked the Commissioners to consider if the change they were looking at was a short term decision or if additional conversation was needed to look at matching the 2008 ordinance with the master plan.

Gencheff asked if option one could be completed in the short term while looking at other long-term solutions. Both DeGroot and Throenle stated that would be possible.

Sloan stated that the intent was to look at the longer term but that a short term solution should be considered.

DeGroot stated that the motion made in January was not driven by an applicant, which meant the Township would be making the change to the ordinance. He added that because the language did not exist in the current ordinance that the language could not be changed.

Meister stated that it would be reasonable in the Industrial district to have a residence on a property especially if the residence was part of a business. He stated that he was in support of option one, and that as discussions occurred in the future, the discussion could center on the uses in the district.

Soucy read the description of *Neighborhood Mixed Use* from the Township *Master Plan*; he emphasized that the change agrees with the master plan and the future land use.

Commissioner Decision

Meister moved, Rhein seconded, that the proposed language for the Township Zoning Ordinance listed as change number 34-23-01 Option 1 to add two conditional uses to the Industrial district be accepted as presented with the following findings of fact:

- *Conformance to the direction of the master plan*
- *Residential use is reasonable for a residential district.*

Milton stated he did not feel it was a good idea to have residential in the industrial district. He stated he was not in favor of adding residential to the district.

Soucy stated the conditional approval would give the Commissioners the ability to look at the considerations for each conditional use as it is presented.

Meister added that for the house that is in the Industrial zone, the buyers would already know that the location was in the industrial zone. He stated that if a new residential build request was presented, the requestors would be well aware that the location was in an industrial zone, and they would be primarily be building where they work.

Sloan stated that the Township industrial areas were not truly industrial as she saw it. Soucy added that the area where the residence is currently located would be more neighborhood mixed use in the future. DeGroot reminded the Commissioners that the master plan was a guide to follow and that Commissioners could redefine what those characteristics are.

Vote: Ayes: 6 Nays: 1 (Milton) Motion carried

DeGroot stated that the next step would be to set up the public hearing and establish the language for Commissioner and public consideration. Throenle added that the public notification would be sent to all residents within 500 feet of all Industrial properties throughout the Township.

Soucy expressed his thanks for staff preparation of the options that were presented. Throenle asked Soucy if the public hearing should be scheduled for April 17, 2024; Soucy responded that was the correct date.

B. Non-Conforming Parcels in the Agriculture / Forestry (AF) Zoning District

Staff Introduction

Throenle deferred the staff introduction to DeGroot.

DeGroot introduced the topic with a background on the current zoning ordinance and the February joint meeting with the Board where the attorney provided some information regarding the Agriculture / Forestry (AF) zoning district non-conformances. He referenced a statement made in the 2005 master plan, followed by a reference to the combination of all districts into one AF district in the 2008 zoning ordinance. He stated that the primary direction was to reduce the non-conformances in the AF district, with the intent of getting public input during the process.

DeGroot referenced a document that was included in the Commissioner meeting packet, and explained the reasoning behind each of the three proposed districts. He added that the primary direction was to retain agriculture uses in each of the proposed districts.

Commissioner Discussion

Meister asked if the presented document represented a sliding scale of property sizes. DeGroot replied that it was more of a guiding document for starting the conversation. He added that Township-wide town halls would be held to educate the public on the process.

Meister asked if a map change would be required; DeGroot replied that it would.

Rhein stated he liked the layout on the proposed document, especially since it did not remove rights from the current property owners. DeGroot replied that the document is still in draft form, and that other changes would be added later. Throenle added that the zoning district names could be any name; the uses would still be agriculture related.

Milton asked if the Michigan Land Division Act required ten years between splits; DeGroot replied that the parent parcel had to exist for ten years before the parcel could be split again.

Soucy stated that the document was a good starting point for the discussion. He asked how it would work if there was a holdout on changing the zoning for the area. DeGroot replied that the public hearing would be at the Planning Commission level and that the Board would be responsible for addressing the issue.

Meister asked what "unlimited" meant under the AF designation on the document. DeGroot replied this would be larger commercial type operations that were consistent with traditional agriculture practices.

Meister asked about the PA 116 designation. DeGroot explained that if a property was in the program, then the property would not be eligible for splits.

Commissioner Decision

Rhein moved, Meister seconded, that the proposed language for the Agriculture Forestry districts serve as a starting point for discussion.

Sloan asked if the intent of the motion was to add further detail to the information that was already presented. Soucy replied that staff would add to the document and bring it back for future public discussion and Board decision.

Sloan stated that she understood that the non-conformances would still exist. DeGroot replied that once the language was implemented, then the non-conformances would be reduced as property owners decided to opt into the new districts.

Gencheff asked if someone that was zoned A-3 be able to change to A-1 allowing someone to achieve smaller parcel sizes in AF. Rhein responded that it would be possible, but each case would be reviewed by the Planning Commission prior to that happening.

Soucy asked if the deed restriction and master deed statements would stay with the property if a rezoning took place; DeGroot stated that it would stay with the property.

Sloan asked about updating the map to show how the parcels would be affected. DeGroot stated that the map does not make a difference because it would not reflect how the individual property owners felt about the rezoning of their individual properties.

Vote: Ayes: 7 Nays: 0 Motion carried

C. Public Input Discussion / Survey Questions

Staff Introduction

Throenle stated that there was a request for survey questions for the FlashVote tool to get additional data regarding the AF discussion; he added the idea was to get additional public input on the topic. Throenle requested five questions from the Commissioners for going forward and asked the Commissioners to avoid open-ended questions.

Commissioner Discussion

Meister asked if there would be context added to the survey so that the public would understand the purpose of the question. Sloan added that definitions, such as non-conforming, would be required so that the public would understand the concept in the questions.

Soucy stated that he took a different approach to the questions by starting with a more basic approach and outlined his questions for the Commissioners. Meister proposed a question regarding rural character; Commissioners discussed the options to associate with the question.

Commissioners discussed the possible questions in more detail that should be included in the survey, and how the survey questions would be delivered to the public.

Milton asked how the survey would be advertised. DeGroot responded that a campaign would be put together to get the word out to the community.

Soucy asked if a virtual option could be added to the Township public meetings; DeGroot responded that it could.

DeGroot added that a statement would be added to the bottom of the survey to get participants to sign up for future survey participation. Meister suggested a popup on the Township website to suggest participation in the survey process.

Commissioner Decision

Rhein moved, Sloan seconded, that the questions for the survey be as follows:

- 1) How do you like to receive notifications about upcoming events and Township information. (with a list of choices)
- 2) Are you familiar with the new Township *Master Plan* (yes / no) (add a link to the *Master Plan* with the survey question, if possible)
- 3) Are you familiar with the Township *Zoning Ordinance* (yes / no) (add a link to the *Zoning Ordinance* with the survey question, if possible)

4) Would you feel comfortable attending a future neighborhood public input workshop and sharing your thoughts on Township development or planning (yes / no)

5) Rural character question to be extracted from the 2013 master plan survey

Vote: Ayes: 7 Nays: 0 Motion carried

D. Proposed Zoning Ordinance Definitions

Staff Introduction

Throenle stated the definitions were those that were not covered during previous definition discussions. He added that there were sixty definitions found in section 5.5 and section 18.2 of the *Zoning Ordinance* have not been addressed yet.

Commissioner Discussion

Commissioners asked how the definitions would be addressed. Throenle proposed that each definition be looked at individually.

Commissioner Decision

Rhein moved, Sloan seconded that the definitions be delayed until the next meeting.

Vote: Ayes: 7 Nays: 0 Motion carried

IX. New Business

None

X. Public Comment

None

XI. Commissioner's Comments

Rhein

Felt there was much headway during the meeting. He thanked those attending the meeting for providing public comment.

Mullen-Campbell

Agreed with Rhein.

Sloan

Thanked the attendees for their comments; she felt it made the Commissioner's decision easier.

Gencheff

No comments.

Milton

No comments.

Soucy

No comments.

Meister

No comments.

XII. Director's Report

Planning / Zoning Administrator Throenle

Throenle asked the Commissioners what items they would like to see on the agenda for April. He added that there would be a pending site plan review for the meeting.

Mullen-Campbell asked if the site plan was for QuikTrip. Throenle stated that QuikTrip would not be coming to Chocoday Township. He stated the possible site plan review will be for the Iron Workers project on M-28. He added that another site plan review could possibly be on the agenda for May.

Commissioners decided that three items should be on the agenda:

- 1) Public hearing for the 6565 US 41 property
- 2) Definitions
- 3) Pending site plan review

Meister added that at some point the Commissioners should look at the site plan submittal requirements. DeGroot added that other items such as natural features should be added to that discussion.

Meister suggested that a faster pace for development of the new zoning ordinance would be appropriate; DeGroot agreed.

DeGroot asked what items the Commissioners would like to continue training in the future. Soucy suggested that a site plan review workshop with site plan examples from other communities would be a good choice. Commissioners asked that the training be added to the May meeting.

Rhein stated he would not be at the April meeting.

XIII. Informational Items and Correspondence

- A. Township Newsletter – February 2023
- B. Marquette County Planning Commission minutes 02.01.23
- C. Marquette County Planning Commission minutes 03.01.23
- D. City of Marquette Planning Commission minutes 02.21.23

XIV. Adjournment

Rhein moved, Sloan seconded, to adjourn the meeting.

Vote: Ayes: 7 Nays: 0 Motion carried

Soucy adjourned the meeting at 8:05 PM

Submitted by:

Planning Commission Secretary

Donna Mullen-Campbell

DRAFT

MARQUETTE COUNTY SOLID WASTE MANAGEMENT AUTHORITY

Board Meeting Minutes

Regular Meeting

March 15, 2023

DATE: Wednesday, March 15, 2023

PLACE: Landfill Administration Complex
600 County Road NP
Marquette, MI 49855

MEMBERS PRESENT: In Person: Randall Yelle, Glenn Adams, Dennis Honch, Dave Campana, Amy Manning, and Helen Amiri (Alternate Board Member)

MEMBERS ABSENT: Joe Minelli (excused) and Carr Baldwin (unexcused)

EX OFFICIO: Brad Austin (in person)

OTHERS: In Person: Beth Bonanni, Recording Secretary; Amy Stakvel, MCSWMA; John Anderson, MCSWMA; Jim Belpedio, Champion Township; Gary Wommer, Negaunee Township and Jo Foley, MI League of Women Voters. By Zoom: Lyn Durant, Marquette Township; Scott Cambensy, City of Marquette and unknown person.

1. Call to Order: R. Yelle called the meeting to order at 4:00 p.m.
 2. Approval of Agenda: D. Campana made a motion to approve the Agenda. G. Adams supported. Motion passed unanimously.
 3. Public Comment: None.
 4. Approval of Minutes
 - a. 2/15/23 – Regular Meeting
- D. Honch made a motion to approve the 2/15/23 Regular Meeting Minutes as presented. D. Campana supported. Motion passed unanimously.
5. Consent Agenda
 - a. Statistics – February 2023

- b. Accounts Payable
- c. Board Member Contact List
- d. Chocolay Township Letter
- e. Chairperson Report
- f. Notification – Bond Counsel
- g. 2023 Scrap Tire Collection Schedule
- h. Letter to U.P. Counties - Recycling

D. Campana requested that 5h be pulled out of the Consent Agenda for discussion. D. Campana made a motion to approve the Consent Agenda with 5h removed for discussion. A. Manning supported. Motion was approved unanimously.

D. Campana asked what the Landfill charges for out-of-county recyclables and what do out-of-counties get out of bringing their recyclables to MCSWMA? B. Austin said it ultimately gives out-of-counties a place for their materials. Revenue sharing is also part of the arrangement. Levels of contamination were also discussed.

D. Campana made a motion to approve 5h of the Consent Agenda. A. Manning supported. The motion was approved unanimously.

6. Business

- a. Banking – D. Campana made a motion to approve the banking. D. Honch supported. Motion passed unanimously.
- b. Financials – D. Campana made a motion to approve the financials. D. Honch supported. Motion passed unanimously.
- c. Recycling Financials – H. Amiri made a motion to approve the Recycling Financials. G. Adams supported. Motion approved unanimously. B. Austin discussed the impact of inflation and COVID had on the recycling revenue. This is a volume-based business so it is a juggling act on being careful about raising fees so MCSWMA does not lose any out-of-county municipalities. These are some of the challenges the Landfill faces.
- d. Reimbursements – None presented.
- e. Bond Counsel – State Revolving Fund Loan – B. Austin recommended that bond counsel and a financial advisor be hired to assist MCSWMA with the state revolving fund loan process. Two proposals were received from the law firms of Miller Canfield and Dickinson Wright. B. Austin recommended that Miller Canfield be hired as bond counsel in the amount of \$32,500.00 and PFM (financial advisor) in the amount of \$16,400.00. D. Campana made a motion to approve to hire the law firm of Miller Canfield as Bond Counsel in the amount of \$32,500.00 and PFM (financial advisor) in the amount of \$16,400.00 for a total of \$48,000.00. G. Adams supported. Motion approved

unanimously. D. Campana commented that he also had a good experience with Miller Canfield when he was with the City of Marquette.

7. Reports

- a. Director Report – B. Austin said the state is trying to implement the changes to Part 115. This involves solid waste, recycling, composting and other parts of the operation. Every year a financial assurance document is submitted to the State of Michigan. The financial assurance is based on certain values for the Landfill. There will be some increased costs to expect.

There is an opportunity for the Landfill to have a couple of more months to work on the design of the new Wastewater Treatment Plant facility so it would push the dates out a little later. This remains a 2023 project but may get bumped out. B. Austin indicated he would know more in the next few days. Final drawings are due April 10, 2023. This date could be moved to June, 2023, with the RFP being moved to July or August, all of which has to be worked through the state.

The carbon pilot study will cost \$55,000.00. Understanding the water discharge permit limits and reviewing the cost analysis study for upgrading the natural gas infrastructure are some things that are being reviewed in regards to the leachate management/wastewater treatment plant.

In 2023, solid waste materials will be coming from the Marquette demo project and KI Sawyer.

The letter to U.P. counties was sent out introducing a regional recycling option for the U.P. The goal is to get more out-of-county recycling materials to come to MCSWMA.

The HHW collection event has been scheduled for May 11, 2023 at the Marquette rubbish/compost site.

There are four scrap tire clean-up events that will be held in 2023.

Some parts for the compactor had to be replaced, which cost \$17,118.59. B. Austin said a lot of material will be coming to MCSWMA this Summer.

D. Honch made a motion to approve the Director's report. A. Manning supported. Motion approved unanimously.

- b. Attorney Report – B. Nordeen submitted an attorney report to the Board. The tasks Mr. Nordeen worked on included the following: researched law concerning extra wages for employees under contract; discussed testing of a process to eliminate PFAS with high heat with Aeris Energy LLC and the Chairperson; reviewed correspondence from Chocolay Supervisor and discussed with R. Yelle; reviewed proposed regulation from the EPA concerning PFAS and other forever chemicals and met with R. Yelle to discuss employees’ exposures to airborne PFAS materials and conducted research of same. Mr. Nordeen will continue working with R. Yelle and Cliffs on an easement for the Authority parcels in Section 21 and will attend Special Meetings to open bids on RFP for new processor construction.
8. Public Comment – None.
9. Trustee Comments – No comments.
10. Adjournment. R. Yelle adjourned the meeting at 4:34 p.m.

Randall L. Yelle, Chairperson

Dennis Honch, Secretary

Meeting notes of the Township Relations Committee of Marquette County, Michigan, held on Thursday, February 2, 2023 at 6:00 p.m. at the Marquette County Road Commission Administrative Building.

In Attendance: Pete Duex (RC), Jim Iwanicki (RC), Bill Luetzow (RC), Russ Williams (RC), Dawn Solka (RC), Dave Hall (Ewing), Brad Johnson (Chocolay), Jeff Ogea (Humboldt), Jim Kuppola (Humboldt), Jim Nankervis (Ishpeming), Gary Wommer (Negaunee), Darlene Turner (Powell), and Patti Manninen (Wells).

The meeting started shortly after 6 pm with the Pledge of Allegiance and the following items were discussed as part of the agenda:

1. Introductions were made. Pete Duex provided a brief bio of his experiences prior to joining the MCRC.
2. The agenda was agreed upon and the minutes of the November 3, 2022 meeting were reviewed and accepted.
3. Pete discussed RC succession planning, status, and current organizational chart, noting that the chart is still fluid as there are more retirements scheduled in next few months.
4. Pete provided an overview of the 2023 Construction projects for Primary Roads, Local Roads, and Bridge projects.
5. Pete discussed the Dust Control Program and expressed appreciation for the Township participation as well as its impact on the maintenance of roads. It was announced that Dust Control project documents had been sent via email and to contact the RC if they are not received.
6. Pete discussed the Chip Sealing program for 2023, providing an update to equipment and materials status as well as the roads selected for summer projects. He also summarized what the RC has done to prepare for implementation. Pete responded to questions regarding the size of the crew, logistics, and a process overview of the program. Dave H. inquired about success on un-paved roads. Pete explained that chip seal on unpaved roads can be successful only if the road is in favorable condition with proper drainage prior to application. Darlene asked when the RC would consider chip sealing on township roads and what the process may look like for getting on the list. Pete confirmed that 2024 is the target date to expand into local roads and that the earlier townships could submit requests, the better.
7. Pete provided an update on the May 12, 2022 Storm Damage and the \$500,000 of funding reimbursement received from the Emergency Management and Homeland Security Division (EMHDS) of the State Police. While repair costs exceeded the available funding, the RC is grateful for what can be done with funds that are available. Pete identified the projects recently awarded and next steps as well as the prioritization in place for the second bid letting.
8. Pete thanked the Townships present for their contributions to the road system. In FY2022 over \$4 million in road improvement projects were completed with Township participation Jim K inquired if this information could be broken out for each unit of government. Yes, that information is available.
9. Pete explained the challenge with trying to maintain gravel roads that do not have a source of aggregate nearby and the damage done to the road in the process of getting material in location for maintenance. He summarized a localized solution relative to CR 510 and the expected outcome.
10. Pete invited comments about the 2022-2023 Winter Operations to date and received comments of appreciation for the drivers from Ishpeming, Negaunee, Ewing, and Chocolay townships.
11. The next meeting was set for June 1, 2023 at 6pm.

There being no further information to discuss, the meeting was adjourned approximately at 6:55 p.m.

4. 2023 Construction Projects

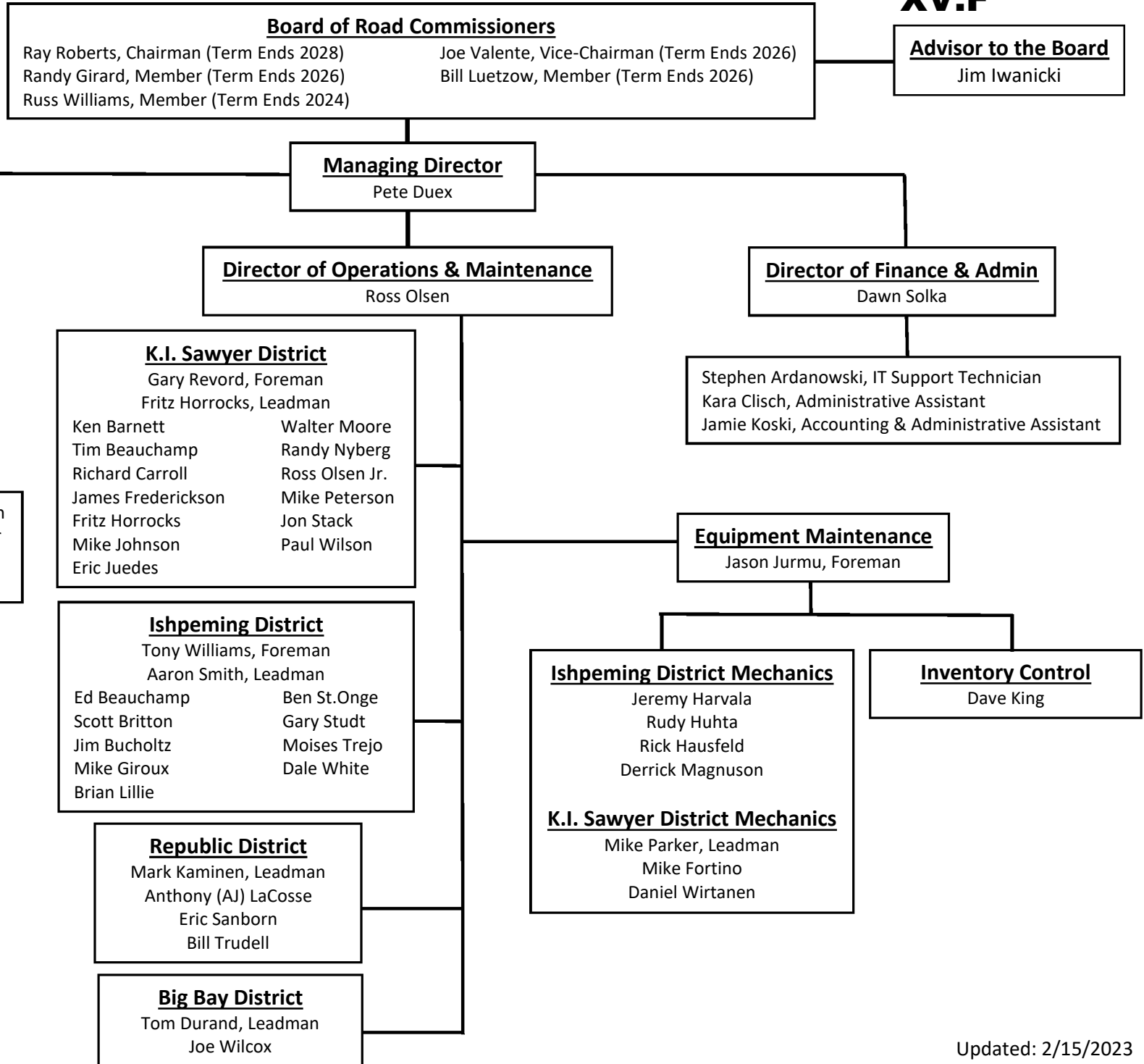
- Local roads paving program. Projected bid date: Next week
 - Champion. 4 roads. 1.2 miles
 - Chocolay. 1 road. 1.5 miles
 - Forsyth. 4 roads. 1.36 miles
 - Humboldt. 4 roads. 0.88 miles
 - Negaunee. 1 road. 0.71 miles
 - Sands. 5 roads. 0.95 miles
- Local road crack sealing
 - Sands – overband 1.4 miles
 - Negaunee and Sands – Flex patching.

7. May 12, 2022 Storm Damage

- Received \$500,000 from State Disaster contingency fund. Damage far exceeded \$500,000, but happy to receive what we did. MTF doesn't allow for permanent repairs without cutting something else.
- Bid out Phase I using our new online bidding platform
 - Deep culvert on 478
 - GN tributary to Deer Lake
 - CL tributary to Little Dead
 - Ultra Construction low bid \$260,000
- Phase II is designed and about to go for bids. CR 573. Drainage improvements. ~1900'

Marquette County Road Commission Organizational Chart

XV.F



CHOCOLAY TOWNSHIP NEWSLETTER**March 2023****DEPARTMENT REPORTS****Assessing****By John Gehres**

We had a total of 46 petitions at the board of review this year with 38 of them being veterans exemptions. The rest of the taxable property owned by the Keweenaw Bay Indian Community has been put into trust and exempted at the meeting. We are now in the process of looking for a replacement to do field work this summer.

Clerk**By Lisa Perry**

On March 28 we mailed the initial batch of absentee ballots, there were 957 ballots sent out, this is 43% of the 2259 applications that were originally mailed out. If for some reason you do not see your ballot, please contact Lisa at the Township office. Reminder that **ELECTION MAIL WILL NOT BE FORWARDED** to another address, so if you are a “snowbird” or out of town, please let Lisa know if you have not already been in contact.

We will be busy preparing for the May 2, 2023 Special Election, the Public Accuracy test will be held on Monday, April 24. The testing will be held at the Silver Creek Church located at 219 Silver Creek Road, Marquette, MI 49855. This is open to the public.

During an election period, it is a great opportunity to clean up the voting records, if you have moved or have a child or relative that has moved out of the area, now is a good time to contact your Clerk’s office so they can take care of this. The best way is to change your driver’s license promptly

with your move if you are staying in Michigan. If you are moving out of state, you can call your Clerk’s office and they can advise you of the steps you have to take. This does not take much time and really helps with maintaining the election files. This is also a great time to make sure you are registered to vote in your jurisdiction, registering sooner than later is always a good practice.

Fire Department**By Lee Gould**

We are off to a slow start for 2023 with emergency calls. This is not abnormal however as generally each year there are slow times. Seasonal variations of weather conditions can change call volumes in the fire service rather quickly. Each season brings its own challenges for emergencies that contribute to emergency call volume.

Our new fire truck has been used on several emergency calls. We are still learning some of the finer changes 25 years of technology upgrades bring. Overall we are very pleased with the truck and happy the department put the hard work into it. Our old fire engine, that the new one replaced, is sold to Wells Township in southern Marquette County. We anticipate delivering it to them closer to the end of April.

We are currently transitioning our seasonal equipment from winter to spring mode. This includes items like getting the 4-wheeler ready for rescue calls, the snowmobile prepped for summer storage, getting our ice rescue stuff ready to be put away and open water rescue stuff ready.

Public Works

By Brad Johnson

On March 2, I attended the Township/Road Commission relations meeting. This meeting is set up by the road commission to let the local units of government know what the MCRC is working on or planning on doing in the near future. This year, the MCRC is replacing a box culvert on Cherry Creek Road. The MCRC has also purchased the equipment to do chip sealing in house. This year they are doing several roads in within the county to familiarize their crew with the process of chip sealing and then starting next year they will offer this to the Townships and Cities saving them a considerable amount of money.

We found that the manhole cover at the corner of Main Street and U.S. 41 had a 5 ¼ inch hole dead center of it. At first it appeared to be cut out with a core machine. We brought a new manhole cover down to replace it and realized right of way it was not a vandalism issue, the new cover was sticking up about ½ inch above the ring. Leaving this much of a lip, would have caused a huge issue with the snowplows. Bill and I made several calls to other municipalities to see if anyone had any old covers laying around that we could use temporarily until we can replace the ring and cover this spring/summer. Over the course of 50 plus years, the plows have worn what was once a 2 ½" cover down to about 1 1/3". With the amount of flow in this stretch of the sanitary system has me very concerned that the missing piece will make it down to lift station 1 and potentially end up in a pump. If this does in fact happen, we will end up with a pump failure and be looking at an impellor and shaft rebuild at the minimum. This piece could take anywhere from 1 hour to 5 years to finally making its way to the wet well, we will never know until its either in the pump or we catch it when we have the wet well vacuumed out.

We are in the process of releasing a few RFP's for work that needs to be done that is too large of a project for us to do in house. Replacing the pavilion roof RFP is let already and due on April 25th and I am currently working on the RFP for the siding replacement on the Township building. I goal is to let this RFP mid-April.

Technology

By Dale Throenle

Staff presented a draft version of the proposed Township web site to the Board at the March Board meeting. The Board was in favor of the design for the new site.

Tentative go-live for the new web site is May.

Planning / Zoning

By Dale Throenle

Planning Commission

The Planning Commissioners participated in a meeting held on March 20 in the Township Fire Hall.

There were four items on the agenda for the regularly scheduled meeting; all were considered old business.

Old Business

- 1) Proposed *Zoning Ordinance Changes*
Commissioners discussed the options for including single family residential and registered rentals in the Industrial zoning district. Staff presented four options:
 - 1) Leave the ordinance as is.
 - 2) Add *Single Family Residential and Registered Rentals* as conditional uses in the Industrial zoning district.
 - 3) Rezone seven parcels located below Beaver Grove on US 41 South from Industrial to Commercial and apply the Mixed Use Overlay District to the newly zoned parcels.
 - 4) Rezone seven parcels located below Beaver Grove on US 41 South from Industrial to a



new zoning district to match the district as it is defined in the Township master plan.

The Commissioners chose to go with option two; they requested a public hearing at the next meeting so they could finalize the decision and send it to the Board for consideration.

2) Non-Conforming Parcels in the Agriculture / Forestry (AF) Zoning District

Commissioners continued to discuss options related to the non-conforming parcels in the AF district. They reviewed a table of options with suggested acreage sizes and proposed uses for those options.

3) Public Input Discussion / Survey Questions

Commissioners discussed the questions that would be presented to the public with the newly acquired *FlashVote* software. They designed five questions that will be used in the first public *FlashVote* poll.

4) Proposed Zoning Ordinance Definitions
Commissioners decided to table the discussion until the April meeting.

Zoning Board of Appeals

The Zoning Board of Appeals did not meet for its regular meeting in February and will not meet in March.

Police

By Liz Norris-Harr

We had a slight change in Interns for our program. Alec Olivier decided to further his career elsewhere. We did, however, hire Tyler Harvala. Tyler currently works for MCSO at the jail. Tyler and Mason have been learning the ropes with the police department as well as attending fire training weekly. We are excited for them to start the academy.

The officers were excited to finally get a nice snowfall late this month so they could get out on the snowmobile for patrol. They were even able to get the interns out for some snowmobile driving training.

Prescription Drug Collection

Prescription drug collection through the drop-off box at the Township Police Station.

Month 2019	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Pounds To-Date	5.5	4	8.5									
Pounds Year To-Date	5.5	9.5	18									

FOIA

REQ #	Date Rec	Res by Date	Invoice Sent	48 Days Invoice	10 day Ext Sent	10 day Ext	Response Date	Link to Documentation	Description	First Name	Last Name
23-1	2/6/2023	2/10/2023					2/7/2023	23-1 Glendon	Police Reports	Jessica	Glendon
23-2	2/15/2023	2/21/2023					2/15/2023	23-2 Damien	Police Reports		Ferrell
23-3	2/24/2023	3/3/2023					2/28/2023	23-3 Skyline Item Search 02-24-23	Property Information	Skyline Item Search	
23-4	3/6/2023	3/10/2023					3/10/2023	23-4 Hyde 03.06.23	Police Reports	George	Hyde
23-5	3/14/2023	3/20/2023					3/17/2023	23-5 Mulcahey 3-14-23	Job descriptions	Deborah	Mulcahey
23-6	3/14/2023	3/20/2023					3/16/2023	23-6 McLaughlin 3-14-23	Police Reports	Michelle	Phillips
23-7	3/17/2023	3/24/2023					3/21/2023	23-7 Brisser Request 3-17-23	Police Reports	Nicole	Brisser
23-8	3/20/2023	3/27/2023					03/24/2023	23-8 Mulcahey request 3-20-23	Job descriptions	Deborah	Mulcahey
23-9	3/14/2023	3/21/2023					03/21/2023	23-9 Metropolitan request 3-14-23	Fire Report	Metropolitan	Reporting Bureau



Web Page Statistics

Year to date totals through February are shown in the table.

Month	Unique Visits	Number of Visits	Pages	Hits	Bandwidth (GB)
January	2,121	4,153	16,070	30,207	7.85
February	1,927	3,923	21,825	33,723	20.19
March	1,808	4,059	18,225	30,410	13.34
Totals	5,946	12,359	57,014	96,029	48
Averages	1,972	4,032	22,272	34,526	20.39

Highest hits per day in March for the Township web site occurred on Tuesday and the highest peak usage time was 11 PM to 12 AM.

Downloads

There were 707 downloaded documents in March. The top ten documents downloaded were:

Page	Number of Downloads
Appealing Property Assessment	352
Township history	121
Beaver Grove pavilion roof replacement	53
Zoning Ordinance	48
2023 Meeting Dates	44
Planning Commission agenda materials – 03.31.22	41
Zoning Board of Appeals minutes – combined 1999	39
Township Information Guide	36
Township Board agenda materials – 03.13.23	35
Township Board combined minutes – 1998 through 2021	29

Page Visits

Top ten pages visited in March were:

Top ten pages visited in July were: Page	Number of Views
Employment	944
Clerk	450
Directory email	400
Recycling	390
Schools	288
Agendas and Minutes – Township Board	270
Contacts	248
Assessor	237
Agendas and Minutes – Planning Commission	229
Police	214

Zoning Permit Counts

Zoning permit counts through March, 2023:

2023 Reviewed Permits by Month		2023 Reviewed Permits by Type		
Month	Number of Permits		Approved	Denied
		Permit Type	Number	Number
January	0	Addition	0	0
February	0	Alteration	0	0
March	6	Commercial Outbuilding	0	0
		Conditional Use	0	0
		Deck	0	0
		Fence	1	0
		Garage	1	0
		Grading	0	0
		Home	2	0
		Home / Garage	0	0
		Home Occupation	0	0
		New Commercial	0	0
		Outbuilding	1	0
		Pole Building	0	0

2023 Reviewed Permits by Month		2023 Reviewed Permits by Type		
		Approved	Denied	
		Rezoning Application	0	0
		Sign	0	0
		Site Plan Review	1	0
		Zoning Variance Request	0	0
Total	6	Total	6	0





January 24th, 2023

Dear Generous Supporter:

On behalf of the Marine Corps League Lake Superior Detachment 764, we thank you for supporting the TOYS FOR TOTS CAMPAIGN in 2022. With your benevolent giving and assistance with our toy campaign, we collected over 5158 toys, 1813 stocking stuffers, 253 books and monetary donations over \$11,020 (used to purchase toys) that were distributed to local families in need in Marquette County. These donations helped over 1,300 children in the area have a Merrier Christmas.

All toys and monetary donations collected in our area stay in Marquette County to help those less fortunate at Christmas time. The essentials continue to grow each and every year. With your support we were able to meet the community's needs.

Toys For Tots could not do what we are able to do without your generous backing of our program. Our goal is always—Toys, Kids and Christmas. Thank you again for supporting our toy campaign.

Most Sincerely,



Tracey A. Tippet
Toys For Tots Coordinator Marquette County
Marine Corps League
Lake Superior Detachment 764



Certificate of Appreciation

Presented in gratitude to

CHOCOLAY TOWNSHIP HALL

For Outstanding Support of the
United States Marine Corps Reserve
Toys for Tots Program



January 31st, 2023

Date

Tracey A Tippett

Coordinator – US Marine Corps Reserve Toys for Tots Program

From: Ellen Fassbender [REDACTED]
Sent: Saturday, March 25, 2023 8:37 AM
To: Brad Johnson
Subject: Fassbender Road

I am not sure if you are the one I am supposed to write to on this but if you are not, perhaps you could pass it along to who it is supposed to go to.

I am writing because our road is bad. I mean with the recent thaw and rain, we have ruts and holes and mud that make it barely passable. It also makes it difficult for heavy vehicles to get down our road, such as the garbage truck, school bus, etc. We have a number of people on the road besides ourselves that need to get out and in everyday. So far, no one has gotten stuck in the road and there have been no accidents with all the deep ruts but it is just a matter of time.

Perhaps a grader or some other machine could come down and attempt to smooth the ruts out or something?

I appreciate anything you can do. Thank you.

Ellen Fassbender

Brad Johnson

XV.J

From: Ross Olsen [REDACTED]
Sent: Monday, March 27, 2023 9:51 AM
To: Brad Johnson
Subject: FW: Fassbender Road impassable when not frozen

Ross Olsen
Marquette County Road Commission
Director of Operations
[REDACTED]
[REDACTED]

-----Original Message-----

From: MCRC Admin [REDACTED]
Sent: Monday, March 27, 2023 8:45 AM
To: Gary Revord [REDACTED]; Fritz Horrocks [REDACTED]; Ross Olsen [REDACTED]
Cc: Peter Duex [REDACTED]
Subject: FW: Fassbender Road impassable when not frozen

-----Original Message-----

From: Jim Henning [REDACTED]
Sent: Monday, March 27, 2023 7:06 AM
To: MCRC Admin [REDACTED]
Subject: Fassbender Road impassable when not frozen

Hello,

Not sure how to ask for assistance with a road?
I live at 151 Fassbender Road. Just off Little Lake road in Harvey.
The road when it's warmer has been almost in-passable for 2 wheel cars lately. The school bus and UPS drivers have almost got stuck.

The road has poor water runoff, no crown or side ditches on a lot of the road. The water run off - crosses the road and destroys it in a few places then the road gets saturated and turns into not a mud pit.

Any help would be greatly appreciated, tired of getting stuck and damaging vehicles.

Thanks,

Jim Henning

Please call if any questions:



Sent from my iPhone