

December 11, 2023

The regular meeting of the Chocolay Township Board was held on Monday, December 11, 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, Ben Zyburt, David Lynch, Judy White, Don Rhein

ABSENT: Max Engle (excused), Kendra Symbal

STAFF PRESENT: William De Groot, Suzanne Sundell

APPROVAL OF AGENDA.

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

MOTION CARRIED

PUBLIC COMMENT

Ann LaChance, 1891 M-28 East – came back to Board to report the truck traffic that she was concerned about at the November meeting has not calmed down – still lots of trucks coming from the west and leaving towards the west.

Stephanie Gencheff, 597 Lakewood Lane – speaking on behalf of the League of Women Voters commended Chocolay Township (with Joe Neumann in particular) as being extremely helpful on the battery recycling program.

CONSENT AGENDA

- A. Approve Minutes of Previous Meeting – Regular Meeting November 13, 2023.
- B. Approve Revenue and Expenditure Reports – November 2023.
- C. Approve Bills Payable, Check Register Reports – November 14, 2023 (Check #26475 – 26496, in the amount of \$120,032.73) and November 28, 2023 (Check # 26497 – 26519, in the amount of \$31,894.76).
- D. Approve Bills Payable – Regular Payroll of November 9, 2023 (Check #'s DD3713 – DD3749 and Check #'s 11435 – 11440, Federal, State, and MERS in the amount of \$47,643.55) and Regular Payroll of November 23, 2023 (Check #'s DD3750 – DD3777 and Check #'s 11441 – 11446, Federal State, and MERS in the amount of \$47,185.82).

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

MOTION CARRIED

SUPERVISOR'S REPORT

Supervisor Bohjanen reported that he had attended the Townhall Meeting at Marquette Township with our representatives concerning renewable energy passed by the State Legislature

– wind and solar. There is a lot of angst and concern about how this will affect us. As utility grade facilities, they require large pieces of land of 600 acres or greater. In Chocolay Township, there are very few options – State land or privately owned where the landowners would have to accept the project. Bohjanen feels we need to take a look at our ordinances concerning wind and solar energy.

CLERK’S REPORT - NONE

TREASURER’S REPORT - NONE

PUBLIC HEARING – NONE

PRESENTATIONS – NONE

FY 2024 ANNUAL BUDGET

Lynch moved, Zyburt supported to approve the 2024 Fee Schedule as presented.

ROLL CALL VOTE

AYES: Rhein, White, Lynch, Zyburt, Bohjanen

NAYS: None

ABSENT: Engle, Symbal

MOTION CARRIED

## **CHARTER TOWNSHIP OF CHOCOLAY**

### **FISCAL YEAR 2024**

### **GENERAL FUND BUDGET, ROAD FUND**

### **FIRE DEPARTMENT MILLAGE FUND LIQUOR LAW ENFORCEMENT FUND**

### **LIBRARY MILLAGE FUND**

### **CAPITAL IMPROVEMENTS FUND AND SEWER FUND**

### **BUDGETS**

HEREBY CERTIFY THAT THE FISCAL YEAR 2024 BUDGETS  
WERE ADOPTED BY THE CHOCOLAY TOWNSHIP BOARD  
ON DECEMBER 11, 2023

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MAX L. ENGLE, TOWNSHIP CLERK

## GENERAL APPROPRIATIONS ACT

Lynch moved, Rhein supported, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2024, and ending December 31, 2024, to the Township Board for its consideration; and

Whereas, notice of the public hearing on the budget was published in the Mining Journal, a newspaper of general circulation within the Township, on October 10, 2023; and

Whereas, a public hearing was held on the proposed budget on November 13, 2023 at Chocolay Township Fire Hall, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing:

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2024, and ending on December 31, 2024, in the amount of \$2,694,604.00 for the General Fund, in the amount of \$409,459.00 in the Road Fund, in the amount of \$1,300.00 in the Drug Law Enforcement Fund, in the amount of \$242,500.00 in the Library Millage Fund, in the amount of \$805,248.00 in the Capital Improvements Fund, and in the amount of \$602,740.00 for the Sewer Fund.
2. The Township Board does hereby appropriate the sum of \$2,581,789.00 for the general operating expenses (\$2,233,809.00) and capital improvements (\$347,980.00) of the Township to be used for the fiscal year beginning January 1, 2024 and ending December 31, 2024.
3. The Township Board does hereby appropriate the sum of \$811,517.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2024 and ending December 31, 2024.
4. The Township Board does hereby appropriate the sum of \$426,000.00 for the repairing of the Township Roads to be used for the fiscal year beginning January 1, 2024 and ending December 31, 2024.
5. The Township Board does hereby appropriate the sum of \$1,300.00 for the Drug Law Enforcement Fund for the fiscal year beginning January 1, 2024 and ending December 31, 2024.
6. The Township Board does hereby appropriate the sum of \$242,500.00 for contractual services with the Peter White Public Library for the fiscal year beginning January 1, 2024 and ending December 31, 2024.

7. The Township Board does hereby levy 3.5400 mills for general operations; extra voted is 0.9730 mills for library, 1.6429 mills for roads.
8. All resolutions and parts of resolutions in so far as they conflict with any provisions of this resolution are rescinded.
9. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriations Act conforming to Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

**ROLL CALL VOTE**

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

**NAYS:** None

**ABSENT:** Engle, Symbal

**RESOLUTION APPROVED**

**RESOLUTION FOR OFFICER' SALARIES**

**SUPERVISOR'S SALARY**

Zyburt moved, supported by Lynch, that the salary for the office of Supervisor shall be set in the amount of \$13,434.30 for the Fiscal Year 2024, which begins January 1, 2024 and ends December 31, 2024.

**ROLL CALL VOTE**

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

**NAYS:** Bohjanen

**ABSENT:** Engle, Symbal

**MOTION CARRIED**

**TREASURER'S SALARY**

Rhein moved, supported by Lynch, that the salary for the office of Treasurer shall be set in the amount of \$13,434.30 for the Fiscal Year 2024, which begins January 1, 2024 and ends December 31, 2024.

**ROLL CALL VOTE**

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

**NAYS:** None

**ABSENT:** Engle, Symbal

**MOTION CARRIED**

**CLERK'S SALARY**

Zyburt moved, supported by Lynch, that the salary for the office of Clerk shall be set in the amount of \$13,434.30 for the Fiscal Year 2024, which begins January 1, 2024 and ends December 31, 2024.

**ROLL CALL VOTE**

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

**NAYS:** None

**ABSENT:** Engle, Symbal

**MOTION CARRIED**

**TRUSTEE’S PER DIEM**

Zyburt moved, supported by Lynch, that the per diem for the office of Trustee shall be set in the amount of \$80.73 per meeting for the Fiscal Year 2024, which begins January 1, 2024 and ends December 31, 2024.

**ROLL CALL VOTE**

**AYES:** Lynch, Zyburt, Bohjanen

**NAYS:** Rhein, White

**ABSENT:** Engle, Symbal

**MOTION CARRIED**

**RESOLUTION NO. 2024 – 1**

**December 11, 2023**

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

**White moved, Zyburt supported that:**

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

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

**WHEREAS**, the three options are as follow:

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

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

**NOW, THEREFORE, BE IT RESOLVED** the Township Board of the Charter Township of Chocolay elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the 80% / 20% option for the medical benefit plan coverage year January 1, 2024 through December 31, 2024.

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

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

**NAYS:** None

**ABSENT:** Engle, Symbal

CONSIDER FY 2023 BUDGET ADJUSTMENTS TO START YEAR END CLOSURE

**General Fund Budget Amendment #8**  
**Distribution of Funds – Reimbursement from State of Michigan – Prepaid Postage Associated with May 2, 2023**

Meeting: July Board Meeting

Date: December 11, 2023

Lynch moved, Rhein 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, as a result of unanticipated changes in revenues and / or expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures,

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

	PREVIOUS	CHANGE (+ / -)	AMENDED
REVENUE			
Miscellaneous			
101.000.698	\$ 94,042.00	\$ 2,044.00	\$ 96,086.00
EXPENDITURE			
ELECTION			
Postage			
101.190.729	\$ 4,774.00	\$ 2,044.00	\$ 6,818.00

**ROLL CALL VOTE**

AYES: Rhein, White, Lynch, Zyburt, Bohjanen

NAYS: None

ABSENT: Engle, Symbal

**MOTION CARRIED**

**CONSIDER MERS 457 ADDITION TO THE TOWNSHIP MERS CONTRACT**

Zyburt moved, White supported that the Township Board empower the Township Manager to sign the MERS Uniform 457 Supplemental Retirement Program Resolution and the MERS 457 Participation Agreement to implement and administer an additional 457 Plan as an optional benefit for the employees of Chocolay Township.

**ROLL CALL VOTE**

AYES: Rhein, White, Lynch, Zyburt, Bohjanen

NAYS: None

ABSENT: Engle, Symbal

**MOTION CARRIED**

CONSIDER THE FINAL EASEMENT AGREEMENT WITH KBIC FOR THE SEWER EXTENSION FROM THE KBIC PROPERTIES TO THE M-28 CONNECTION

Zyburt moved, Lynch supported to empower the Township Supervisor and the Township Clerk to sign the Contract Documents with the KBIC reflecting the responsibilities of operations of the public sewer expansion to the KBIC Casino.

ROLL CALL VOTE

AYES: Rhein, Lynch, Zyburt, Bohjanen

NAYS: White

ABSENT: Engle, Symbal

MOTION CARRIED

CONSIDER 2024 TOWNSHIP OFFICE HOLIDAY CLOSURE DATES

White moved, Lynch supported to approve the proposed Township Office Closure dates in recognition of major holidays within the calendar year of 2024.

MOTION CARRIED

CONSIDER 2024 BOARDS AND COMMISSIONS MEETING DATES

White moved, Lynch supported to approve the proposed Township Board Meeting Schedule for calendar year 2024.

MOTION CARRIED

CONSIDER 2024 BOARDS AND COMMISSIONS APPOINTMENTS

Lynch moved, Zyburt supported to approve the appointments presented by Supervisor Bohjanen and listed on the "Boards, Committees, Commissions – 2024" worksheet within the packet.

MOTION CARRIED

MANAGER UPDATE OF WORK PLAN AND CORPORATE STATUS

Manager De Groot indicated that we are in the process of closing our fiscal year, and there will be more Budget Amendments coming in January. Hoping to have a tentative close in mid-January, with information being pulled together for our auditors.

Work Plan – working with staff to complete a work plan for 2024. This is the largest grant opportunity budget, with lots of recreational opportunities. We should know more about Federal grants soon and State grants in the summer.

With the passage of the State budget, there was a direct allocation of \$150,000 to Chocolay Township. This will be used to purchase radios for the Fire Department and Police Department.

Staff has been asked to complete a capital purchase worksheet. This will enable us to be able to set up replacement schedules and look at long term needs.

White asked about "Chocolay Corner". De Groot will look into this. De Groot indicated that there is quite a bit of movement going on. There is a lot of money that is coming into Marquette County

from the West Coast. A site plan will be going to the Planning Commission at their December meeting (Dollar General). The Planning Commission is also looking at reviewing maps from the information gathered at the Town Hall meetings. Should have a recommendation to the Board in the next three – four months.

**BOARD MEMBER COMMENTS**

Don Rhein – wished everyone a Merry Christmas and Happy New Year.

Kendra Symbal – Absent

Judy White – None

Dave Lynch – wished everyone a Merry Christmas and Happy New Year.

Ben Zyburt – None

Max Engle – Absent

Richard Bohjanen – None

**PUBLIC COMMENT - NONE**

Lynch moved, Zyburt supported that the meeting be adjourned.

**MOTION CARRIED**

The meeting was adjourned at 6:06 p.m.

**INFORMATIONAL REPORTS AND COMMUNICATIONS.**

- A. Minutes – Chocolay Township Planning Commission; November 20, 2023, Draft.
- B. Minutes - Marquette County Solid Waste Management Authority, Regular Meeting of October 18, 2023, Draft.
- C. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of November 7, 2023, Draft.
- D. Minutes – Marquette County Solid Waste Management Authority, Work Session of November 29, 2023, Draft.
- E. Information – Chocolay Township Newsletter – November 2023.

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Max Engle, Clerk

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Richard Bohjanen, Supervisor