

City of Hart, Michigan
H.E.A.R.T. BOARD
December 16, 2020, 4:00 PM
Community Center, 409 State Street, Hart, Michigan

NOTICE OF REMOTE/HYBRID MEETING PUBLIC MEETING

**THIS NOTICE IS GIVEN AND PUBLISHED PURSUANT TO
MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES
EMERGENCY ORDER UNDER MCL 333.2253 – GATHERING PROHIBITION AND
MASK ORDER EFFECTIVE NOV. 18, 2020 THROUGH DEC. 20, 2020 AND PA 228 OF
2020 AMENDMENT TO SECTION 3 OF PA 267 OF 1976 OPEN MEETINGS ACT**

Dec 16, 2020 04:00 PM

Virtual Zoom Meeting Link: <https://us02web.zoom.us/j/87910676828>

Meeting ID: 879 1067 6828

Dial by your location

- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
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- +1 346 248 7799 US (Houston)
- +1 669 900 9128 US (San Jose)
- +1 253 215 8782 US (Tacoma)

MEETING AGENDA

1. Call to Order
2. Roll Call (President Splane, Vice President Tufts, Treasurer Bruce, Secretary Beal, Bruch, Lipps, Platt)
3. Public Comment
4. Action Items
 - a. Approval of 11.18.20 Regular Meeting Minutes
 - b. Approval of Financials
 - c. Music on the Commons funding request to city council
 - d. HEART Board of Director Positions & Bylaw Review
5. Executive Director's Report
6. Updates/Discussion Items
 - a. Economic Development Committee Updates:
 - i. Destination & Marketing
 - ii. Industry Activities
 - iii. Education
 - iv. Regional Collaboration
 - v. Infrastructure
 - b. Development Leads
 - c. 2020 Recap & 2021 Goal
7. Board Member Comments
8. Next Regular Meeting January 20, 2021 @ 4 PM
9. Adjournment



CITY OF HART

407 S. STATE ST.

HART, MI 49420

Hart Economic and Redevelopment Team (H.E.A.R.T.)

November 18, 2020

MINUTES – DRAFT

Members Present via Zoom:

- Rob Splane, Jake Tufts, Scott Beal, Vicki Platt, and Tracey Lipps

Members absent: Jake Tufts, Brandi Bruch

Others present:

- Community and Economic Development Director Nichole Steel, George Sadler, Jim Evans, Braxton Platt

Call to Order:

- President Splane called the meeting to order at 4:00 pm. Rollcall was then taken.

Public Comments:

- Sadler was concerned about the dumpster next to the Walker building on Main Street which is obstructing the sidewalk, is not marked, and only allows 26 inches for passage.

Action Items:

- **Approval of the October 21, 2020, regular meeting minutes**
 - Beal moved to approve the minutes as written, supported by Lipps, all ayes, the motion carried.
- **Rezoning of 710 State St (IGA) from B2 (general business district) to D1 (industrial district)**
 - **Steel explain that the Planning Commission agree to hear proposal to rezone the former IGA building from its current general business district classification to an industrial district asking the HEART board for its response to this request.**
 - Lipps stated that it hard to respond without knowing what the project is but expressed concerns for nearby residents, the Hart motel and the aesthetics of the area.
 - Splane commented that it doesn't conform to the current zoning and doesn't comply with the future land use map. From a planning standpoint, Splane did not feel it was a good fit, referring to this as spots zoning . With that said, Splane recommends that the HEART board look for other suitable locations in order to retain this manufacturer. He feels that filling a void today maybe to our detriment down the road as we anticipate future growth in this corridor. Splane recommends working with local realtors to find a building for this business.
 - Bruce agreed with Splane adding that this building was zoned B2 for a reason. Bruce does not want to see the city respond quickly and regret it later.
 - **Request to allocate \$200 for the holiday home and business decorating contest prizes.**
 - First move to approve \$200 for the holiday home and business decorating contest prizes, supported by Beal, all ayes, motion carried.

Executive Director's Report:

- Steel went over the highlights of her written report.
 - Highlights from the Michigan Downtown Association's two-day annual conference
 - Update on the 1st TIFA facade improvement grant recipient (Heggs building)

Updates/Discussion Items:

- **Downtown banner update** - Steel provided board with a photo of printed banners scheduled to go up after holiday decorations come down
- **Countdown to Christmas schedule** of events from Thanksgiving until Christmas was shared

- **Shop local video** has been viewed over 6000 times , has reached 32,000 people and shared over 300 times. The video was sponsored by Peterson Farms and featured over 35 businesses throughout Oceana County.
- **Discover Oceana gift card Sales** will open on Saturday November 21st at 9:00 AM. A \$1000 sponsor was gained thanks to Scott Beal who reached out to DTE. This is also made possible by an anonymous donor, the Community Foundation for Oceana County, and Consumers Energy. Steel added that the timing brings a positive uplift during this unexpected second shutdown.
- **Development Leads Update**
 - Steel reported that a Young entrepreneur interested in opening a coffee shop has found a location and is working on financing.
 - Working with a small LED manufacturer interested in two lots in the industrial park to build a 2500 square foot building to expand his existing business Operating out of his home
 - The Creek subdivision requires revised development plans - working with the city manager to find funding for this project
 - Planning Commission agreed to hear requests to change zoning of IGA building from B2 to D1

Board Enrichment

- Finding our “why” - after watching a short video still as the board “why does HEART exist” with the following responses:
 - Lipps – to bring the community together
 - Platt - To be a voice for our businesses
 - Beal - Attract new businesses
 - Splane - To focus on difficult tests that other entities can't
 - Bruce – Trust is a big part of it If your community and businesses trust that you have the best interests of everyone Then you're going to continue to strengthen the feeling of togetherness And coming together for the common goal of success Building a strong community –
 - Splane – Pride
 - Lipps – economic vitality – working together
 - Platt – Loves the HEART board for its enthusiasm, the way we encourage each other and share our with the community The great things that are happening!
- Why would you choose Hart?
 - Tight-knit, small community
 - Friendly
 - You know the people, friendships
 - We do the right things for people without having to be asked – we help each other through this life
 - Jim Evans added that Hart is such a wonderful place to live and he would like to see efforts to keep them here as they start to go off to college.

Board Member Comments:

- Splane would like to see a copy of the economic development and marketing strategic plan printed for each member of the board and a look into some of them market research studies that Steel mentioned. Also adding that it would be beneficial to discuss how to keep or attract the younger generation to Hart as we continue to grow.
- Spain would like to see financials included in each board packet moving forward.
- Lipps added that she sent an email to all bands letting them know we're accepting applications to perform for 2021 Music on the Commons. She felt it would be beneficial to include a cover letter letting new bands know about our community.

- Evans asked if there has ever been an effort to Coordinate efforts with local restaurants to play after music on the Commons?

Adjournment:

- Beal made a motion to adjourn the meeting at 5:02 pm, supported by Platt, all ayes, the motion carried, and the meeting adjourned.

The next regularly scheduled meeting is on Wednesday, December 16, 2020, at 4:00 pm.

Respectfully Submitted,



Economic & Community Development Director
City of Hart

PERIOD ENDING 11/30/2020

| GL NUMBER | DESCRIPTION | 2020-21 AMENDED BUDGET | YTD BALANCE | | ACTIVITY FOR | | AVAILABLE | | % BGD USED |
|---|---------------------------------|---------------------------|-------------|-------------------|------------------|---------------------|-------------------|----------|---------------|
| | | | 11/30/2020 | NORMAL (ABNORMAL) | MONTH 11/30/2020 | INCREASE (DECREASE) | NORMAL (ABNORMAL) | BALANCE | |
| Fund 244 - HART ECONOMIC AND RE-DEVELOPMENT TEAM | | | | | | | | | |
| Revenues | | | | | | | | | |
| Dept 000.000 | | | | | | | | | |
| 244-000.000-540.085 | DONATIONS | 3,500.00 | 51,119.31 | | 1,000.00 | | (47,619.31) | 1,460.55 | |
| 244-000.000-665.000 | INTEREST ON INVESTMENTS | 0.00 | 2.47 | | 2.06 | | (2.47) | 100.00 | |
| 244-000.000-676.101 | Transfer From General Fund | 4,821.00 | 0.00 | | 0.00 | | 4,821.00 | 0.00 | |
| 244-000.000-676.215 | CONTRIBUTION FROM TIFA | 9,000.00 | 0.00 | | 0.00 | | 9,000.00 | 0.00 | |
| 244-000.000-676.500 | FmElectric,Water,SewerFunds | 11,910.00 | 0.00 | | 0.00 | | 11,910.00 | 0.00 | |
| 244-000.000-699.000 | USE OF CASH RESERVES | 14,000.00 | 0.00 | | 0.00 | | 14,000.00 | 0.00 | |
| Total Dept 000.000 | | 43,231.00 | 51,121.78 | | 1,002.06 | | (7,890.78) | 118.25 | |
| TOTAL REVENUES | | 43,231.00 | 51,121.78 | | 1,002.06 | | (7,890.78) | 118.25 | |
| Expenditures | | | | | | | | | |
| Dept 728.000 - Community&Economic Development | | | | | | | | | |
| 244-728.000-801.000 | PROFESSIONAL SERVICES | 1,000.00 | 0.00 | | 0.00 | | 1,000.00 | 0.00 | |
| 244-728.000-818.000 | CONTRACTURAL SERVICE | 4,800.00 | 0.00 | | 0.00 | | 4,800.00 | 0.00 | |
| 244-728.000-880.000 | COMMUNITY PROMOTIONS | 7,500.00 | 0.00 | | 0.00 | | 7,500.00 | 0.00 | |
| 244-728.000-880.010 | Advertizing/Promotion | 5,000.00 | 0.00 | | 0.00 | | 5,000.00 | 0.00 | |
| 244-728.000-900.000 | PRINTING AND PUBLISHING | 1,000.00 | 0.00 | | 0.00 | | 1,000.00 | 0.00 | |
| 244-728.000-910.200 | LIABILITY INSURANCE | 1,500.00 | 0.00 | | 0.00 | | 1,500.00 | 0.00 | |
| 244-728.000-910.800 | Property/Liability/BondingIns | 1,800.00 | 0.00 | | 0.00 | | 1,800.00 | 0.00 | |
| 244-728.000-920.000 | UTILITIES (HEAT,WATER,ELECT,SEW | 500.00 | 0.00 | | 0.00 | | 500.00 | 0.00 | |
| 244-728.000-956.100 | CONF/WKSHOPS/TRAINING | 2,500.00 | 0.00 | | 0.00 | | 2,500.00 | 0.00 | |
| 244-728.000-956.200 | MEMBERSHIPS/DUES | 2,000.00 | 0.00 | | 0.00 | | 2,000.00 | 0.00 | |
| Total Dept 728.000 - Community&Economic Development | | 27,600.00 | 0.00 | | 0.00 | | 27,600.00 | 0.00 | |
| TOTAL EXPENDITURES | | 27,600.00 | 0.00 | | 0.00 | | 27,600.00 | 0.00 | |
| Fund 244 - HART ECONOMIC AND RE-DEVELOPMENT TEAM : | | | | | | | | | |
| TOTAL REVENUES | | 43,231.00 | 51,121.78 | | 1,002.06 | | (7,890.78) | 118.25 | |
| TOTAL EXPENDITURES | | 27,600.00 | 0.00 | | 0.00 | | 27,600.00 | 0.00 | |
| NET OF REVENUES & EXPENDITURES | | 15,631.00 | 51,121.78 | | 1,002.06 | | (35,490.78) | 327.05 | |

2020 MOC schedule and cost

June 11th

Phillip-Micheal Scales- \$750

June 18th

Drew Hale Band- \$1,500

July 2nd- Hart Sparks

Rocket Fuel Haulers- \$800

July 16th

Cluster Pluck- \$750 total,(\$600 for band, \$150 for posters)

July 30th

The American Hotel System- \$500

August 13th

Yesterday's Wine- \$500

August 27th

Scottville Clown Band- \$1,200

Total for all bands- \$6,000

HEART Board Terms

minimum 2 members city council - min 7, max 11 directors

| | <u>Board Member</u> | <u>Title</u> | <u>Appointed</u> | <u>Term Expires</u> |
|---|----------------------|-----------------------|----------------------|-----------------------------|
| 1 | Rob Splane | President | 2/13/2020 | 6/30/2022 |
| | Lynne Ladner | Vice-President | 2/13/2020 | Resigned 08/2020 |
| 2 | Jake Tufts | Vice President | 2/13/2020 | 6/30/2022 |
| 3 | Brandon Bruce | Treasurer | 2/13/2020 | 6/30/2021 |
| 4 | Scott Beal | Secretary | 2/13/2020 | 6/30/2021 |
| | Vicki Platt | Director | 2/13/2020 | 6/30/2022 |
| 5 | Traci Lipps | Director | 2/13/2020 | 6/30/2021 |
| | Brandi Bruch? | Director | 2/13/2020 | 6/30/2021 |

Braxton Platt

Gayle Forener

Brad Youngstrom

Evelyn Vinke

Mike schiller

Stacie Hegg

Mary Lulich

Jason Gayle

Sherry Gayle

APRIL - agenda item to bring nominations to May meeting
MAY - nominations occur
JUNE - vote in nominations - term outs
JULY - welcome new BOD _ ANNUAL MTG

Bylaws of
Hart Economic and Redevelopment Team
a Michigan nonprofit corporation
as adopted the 13th day of February 2020

As used in these bylaws, the term “Act” means the Michigan Nonprofit Corporation Act as amended and in effect from time to time.

Article 1
Corporate Name and Offices

Section 1. *Name.* The name of the corporation shall be Hart Economic and Redevelopment Team.

Section 2. *Offices.* The principal office of the corporation shall be located within the City of Hart, County of Oceana, State of Michigan. The corporation may have other offices, and these may be located outside of the State of Michigan, but within the jurisdiction of the United States of America.

Section 3. *Registered Office.* The corporation shall have an continuously maintain in this State a registered office and a registered agent whose office address is identical to such registered office.

Article 2
Membership Interest

Section 1. *One Class.* The membership of the corporation shall be one class. The sole member of the corporation is the City of Hart.

Section 2. *Action of City as Sole Corporate Member.* The City Manager of the City of Hart may act on behalf of and represent the City as the Sole Corporate Member from time-to-time as authorized by the City Council.

Section 3. *Annual Meeting of the Member.* An annual meeting of the member shall be held in each year on or prior to the second Thursday in June, at the time and place specified in the notice to the member. Written notice of the time and place of the meeting shall be sent to the member at least ten (10) days prior to the meeting and shall be given in the manner required by Michigan’s Open Meetings Act, MCL 15.261 *et seq.* At the annual meeting, the member shall elect directors to fill the seats of those directors whose terms are expiring, provided nothing in these bylaws shall be deemed to prevent the member from re-electing a current director to the board of directors, and shall conduct any other business of the corporation.

Section 4. *Special Meeting of the Member.* At any time, the member may call a special meeting of the member upon at least ten (10) days written notice, and shall give notice of the

same in the manner required by Michigan's Open Meetings Act, MCL 15.261 *et seq.* No business shall be transacted at a special meeting except as stated within the notice.

Section 5. *Public Attendance at Meetings.* To the extent required by the Open Meetings Act, MCL 15.261 *et seq.*, the public shall be permitted to attend meetings of the member.

Article 3 Reserved Powers

Section 1. *Reserved Powers and Authority of the Member.* The member shall have the reserved powers stated within this Section. The corporation's board of directors may recommend action to the member with respect to these reserved powers, but except as set forth below, these reserved powers shall be executed unilaterally by the member. Without the affirmative vote of the member, the board of directors shall not:

- (a) Approve a change in the purpose or philosophy of the corporation;
- (b) Amend the articles of incorporation or bylaws of the corporation;
- (c) Dissolve or liquidate the corporation, or cause the transfer or sale of substantially all of its assets;
- (d) Merger or consolidate with another entity;
- (e) Elect, or remove, with or without cause, directors of the corporation;
- (f) Guaranty the debt or any obligation of any third party;
- (g) Take any other action not permitted by law or otherwise reserved to the member by law.

Article 4 Board of Directors

Section 1. *Number.* The number of directors shall be at least seven (7) and no more than eleven (11).

Section 2. *Qualifications.* A director shall be a resident of the City of Hart, the owner, employee, or agent of a business which is either located in or does business within the City of Hart, or an employee of the City of Hart. At all times, two (2) directors shall be members of the City Council of the City of Hart. At no time shall more than 49% of the directors of the corporation be a person who is being compensated by the corporation for services rendered, or who has been compensated by the corporation for services rendered during the prior twelve (12) months, whether as an employee or independent contractor of the corporation, nor a person who is a brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law, son-in-law, daughter-in-law, mother-in-law, or father-in-law of any person who is being compensated by the corporation for services rendered, or who has been compensated by the corporation for services rendered during the prior twelve (12) months, whether as an employee or independent contractor of the corporation.

Section 3. *Nomination.* The first board of directors shall be elected by the incorporator as directed by the member. One half of the initial directors shall serve an initial term beginning on the date of appointment and ending on June 30, 2021, and one half of the initial directors shall

serve a term beginning on the date of appointment and ending on June 30, 2022, as designated by the incorporator. Thereafter, directors shall be elected at the annual meeting of the member.

Section 4. *Term of office.* A director's term of office shall begin on July 1 following the annual meeting at which he or she is elected and shall continue for a term of two (2) years and until his or her successor is elected and takes office. A director may serve consecutive terms without limit.

Section 5. *Powers of the Board of Directors.* The board of directors shall have the charge, control, and management of the business, property, affairs, and funds of the corporation and shall have the power and authority to do and perform all acts and functions not inconsistent with these bylaws, with the corporation's articles of incorporation, or with the laws of the State of Michigan, subject to the reserved powers set forth in Article 3.

Section 6. *Annual Meetings.* The board of directors shall hold an annual meeting during July of each year for the transaction of any other business properly presented at the meeting. Notice of the annual meeting shall be given in writing to each director at least ten (10) days before the meeting and given in the manner required by Michigan's Open Meetings Act, MCL 15.261 *et seq.* If the directors cannot agree on the date for the annual meeting, it shall be held on the third Thursday of the month of July.

Section 7. *Regular Meetings.* The board of directors shall hold regular meetings from time to time as determined by resolutions of the board. Notice of regular meetings shall be given in writing to each director at least ten (10) days before the meeting and published in the manner required by Michigan's Open Meetings Act, MCL 15.261 *et seq.*

Section 8. *Special Meetings.* The chairman of the board, or any two directors, may call a special meeting of the board of directors at any time. Notice shall be given in writing, or by telephone, to each director at least three (3) days before the meeting and in the manner required by Michigan's Open Meetings Act, MCL 15.261 *et seq.*

Section 9. *Location of Meetings.* All meetings of the board of directors shall be held at the principal office of the corporation unless a different location is specified in the notice of meeting. The chairman of the board may specify a different location within the United States of America.

Section 10. *Content of Notice.* The notice of a meeting must specify the day, date, time, and location of the meeting. The notice of a special meeting must also state the purpose of the meeting. The notice of an annual or regular meeting need not state the purpose of the meeting.

Section 11. *Waiver of Notice.* A meeting of the board of directors may be held at any time or place, without notice, if all directors waive notice of the meeting. Attendance at a meeting shall be deemed to be a waiver of notice unless attendance is merely for the purpose of objecting to the lack of notice.

Section 12. *Quorum.* A majority of directors shall constitute a quorum for transacting business at any meeting of the board of directors, but if less than a majority are present at the

meeting, a majority of the directors who are present may adjourn the meeting from time to time without further notice until a quorum is present.

Section 13. *Required Vote.* Except as otherwise provided by law, the articles of incorporation, or the bylaws, all action by the board of directors requires the affirmative vote of a majority of the directors who are present and voting.

Section 14. *Proxies.* A director may vote only in person and not by proxy.

Section 15. *Electronic Communication.* Directors may participate in a meeting of the board, or in a meeting of a committee on which they serve, by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. Participation in a meeting under this section constitutes presence in person at the meeting.

Section 16. *Public Attendance at Meetings.* To the extent required by the Open Meetings Act, MCL 15.261 *et seq.*, the public shall be permitted to attend meetings of the board.

Section 17. *Vacancies.* A majority of the board may elect a person to fill a vacancy on the board of directors until the next annual meeting of the member.

Section 18. *Resignation and Removal.* A director may resign from the board of directors at any time by giving written notice of resignation to the chairman of the board. A director may be removed from the board of directors, with or without cause, by a vote of the member or by a vote of two-thirds (2/3) of the board of directors at a regular meeting or a special meeting called for this purpose. In this case, the notice of the meeting must state that this is a purpose of the meeting, and notice must be given at least ten (10) days before the meeting.

Section 19. *Advisory Directors.* The chairman of the board may appoint one (1) or more persons to serve in an advisory capacity as non-voting members of the board. Advisory directors shall be given notice of meetings, but failure to give notice to an advisory director will not affect the sufficiency of the notice to other directors or the validity of the meeting, and waiver of notice by an advisory director will not be necessary for a meeting without notice. Advisory directors shall not be considered in determining the presence or absence of a quorum.

Section 20. *Conflicts of Interest and Self-Dealing.* No director shall enter into any contract, agreement or other arrangement with the corporation which violates any restriction on “self-dealing” set forth within the Internal Revenue Code or otherwise creates a significant and material risk the corporation will not be able to maintain its tax-exempt status. Whenever a director has a direct or indirect personal interest in a particular transaction or other decision to come before the board of directors, he or she shall disclose such personal interest to the board of directors. The board of directors may, in its sole discretion, disqualify the director with the personal interest from voting on the matter in which the director has a personal interest. Provided the corporation has reasonable assuredness a given transaction will not violate any restriction on self-dealing set forth within the Internal Revenue Code, the corporation may enter into an agreement with an interested director upon the majority vote of all non-interested directors.

Article 5 Officers

Section 1. *Number.* The corporation shall have a president, treasurer, secretary, and such other officers as the board of directors may elect from time to time. The board may also appoint a recording secretary from time to time who need not be a member of the board.

Section 2. *Qualifications.* Directors may serve as officers. The president of the corporation shall be a director. Advisory directors may not be officers. A person may hold two (2) or more offices at the same time, except the president, who may not hold any other office at the same time.

Section 3. *Nomination and election.* Candidates for election to one (1) or more offices may be nominated by any director at the annual meeting of the board of directors. Officers shall be elected at the annual meeting of the board.

Section 4. *Term of office.* An officer's term of office shall begin on ~~January 1~~ the first following the annual meeting at which he or she is elected and shall continue until the next annual meeting and until his successor is elected and takes office.

Section 5. *President.* The president shall also serve as the chairman of the board of directors. The president shall conduct all meetings of the board. The president shall be the chief executive officer of the corporation and shall have the general duty and authority to manage the affairs of the corporation in accordance with the directives of the board.

Section 6. *Treasurer.* The treasurer shall have the duty and authority to manage the finances of the corporation in accordance with the directives of the board. The treasurer shall keep books and records of all financial transactions of the corporation. The treasurer shall prepare periodic financial statements as requested by the board and shall present a complete financial report at each annual meeting of the board. The treasurer shall also have such other duties and authority as the board of directors may delegate to him or her from time to time.

Section 7. *Secretary and Recording Secretary.* The secretary or recording secretary shall keep minutes of the proceedings at all meetings of the board of directors and records of all other actions taken by the board of directors. The secretary or recording secretary shall keep a register of the names, mailing addresses, and telephone numbers of the directors and shall give notice of all meetings of the board. The secretary and recording secretary shall also have such other duties and authorities as the board of directors may delegate to him or her from time to time.

Section 8. *Vice president.* The Board of Directors may, but is not required to, appoint one or more vice presidents. The vice president(s) shall perform the duties and exercise the authority of the president or other officers under whom they serve in the absence or disability of the president or other appropriate officers. The vice president(s) shall also have such other duties and authority as the board of directors may delegate to him or her from time to time.

Section 9. *Administrator.* The board of directors may, but is not required to, appoint an individual to the office of administrator. An administrator may or may not be a director. An administrator, if appointed, shall, as a practical matter, oversee the administration of the

corporation and control, manage and coordinate the disposition of its funds and assets (subject to the ultimate authority of the directors and other officers).

Section 10. *Other officers.* Other officers, if any, shall have the duties and authority delegated to them by the board of directors from time to time.

Section 11. *Vacancies.* The board of directors shall fill a vacancy in any office for the remainder of the unexpired term of office by nomination and election at the next regular meeting of the board or at a special meeting called for this purpose.

Section 12. *Resignation and removal.* An officer may resign from office at any time by giving written notice of resignation to the chairman of the board. An officer may be removed from office, with or without cause, by a vote of a majority of the board of directors at a regular meeting or a special meeting called for this purpose. In this case, the notice of the meeting must state that this is a purpose of the meeting, and the notice must be given at least ten (10) days before the meeting and shall comply with Michigan's Open Meetings Act, MCL 15.261 *et seq.*

Section 13. *Conflicts of Interest and Self-Dealing.* No officer shall enter into any contract, agreement or other arrangement with the corporation which constitutes "self-dealing" or otherwise creates a significant and material risk the corporation will not be able to maintain its tax-exempt status. Provided the corporation has reasonable assuredness a given transaction will not violate the Internal Revenue Code, the corporation may enter into an agreement with an interested officer upon the majority vote of all non-interested directors. Transactions involving interested parties shall not be approved by the officers of the corporation.

Article 6 Committees

Section 1. *Executive Committee.* The board of directors shall have an executive committee consisting of the president, treasurer, and one other director elected by the board at the annual meeting. The executive committee shall have all of the authority of the board of directors between meetings of the board, except that the executive committee may not

- (a) take any action in contravention of Article 3,
- (b) elect or remove any director, committee member, or officer of the corporation, except that the executive committee may elect a director to fill a vacancy on the board as provided in the bylaws,
- (c) amend or repeal any resolution of the board or any action of the board taken by written consent without a meeting,
- (d) approve grant proposals, or
- (e) authorize non-budgeted expenditures in excess of Five Hundred Dollars (\$500.00).

Section 2. *Other Committees.* The board of directors may establish other committees, to study matters and make recommendations to the board, from time to time by the vote of a majority of the directors at a regular meeting or a special meeting called for this purpose. These committees may consist of not more than three directors. Such committees shall have no power to bind or legally obligate the corporation to do or refrain from doing any thing. The board may elect to dissolve a committee, and to appoint or remove a committee member, at any meeting called for purposes of doing the same.

Section 3. *Meetings.* A committee may not hold a meeting unless a majority of all committee members are present. Each committee shall prepare minutes of the proceedings of all meetings of the committee, and records of all other actions taken by the committee, and give them to the secretary of the corporation for the secretary to keep with the minutes and other written records of the board of directors.

Article 7 Indemnification

Section 1. *Definitions.* As used in this 7, any word or words defined in sections 561–569 of the Act (the “indemnification sections of the Act”) shall have the same meaning as provided in the indemnification sections of the Act.

Section 2. *Indemnification of Officers and Directors.* The corporation shall indemnify a director or officer of the corporation in connection with a proceeding to the fullest extent permitted by and in accordance with the indemnification sections of the Act. The corporation shall also advance the expenses of defense upon receipt of an undertaking to repay the expenses as provided in Section 564 of the Act, except in a case involving a claim of breach of a duty of loyalty to the corporation, in which case the corporation may, as determined by the board of directors in its discretion, advance the expenses of defense.

Section 3. *Indemnification of Employees, Nondirector Volunteers, and Agents.* The corporation may, as determined by the board of directors in its discretion, indemnify and advance expenses to an employee, nondirector volunteer, or agent in connection with a proceeding to the extent permitted by and in accordance with the indemnification sections of the Act.

Section 4. *Insurance.* The corporation may purchase and maintain insurance, at its expense, to protect itself and any director, officer, employee, nondirector volunteer, or agent of the corporation against any potential liability or expense, whether or not the corporation would have the power to indemnify the person against the liability or expense under the Act.

Article 8 Financial Matters

Section 1. *Fiscal Year.* The fiscal year of the corporation, for tax and financial accounting purposes shall be the 12-month period ending on the last day of each December.

Section 2. *Compensation and Expenses of Directors and Officers.* All of the directors shall be “volunteer directors” as that term is defined in the Michigan Nonprofit Corporation Act as amended and in effect from time to time. All directors shall serve without compensation other

than reimbursement of actual, reasonable and necessary expenses incurred on behalf of the corporation or otherwise in his or her capacity as a director or officer. However, expenses in excess of Five Hundred Dollars (\$500.00) incurred on behalf of the corporation, and all reimbursement of expenses otherwise incurred by a director or officer in his or her capacity as a director or officer, shall be reimbursed only after they have been approved by the board of directors or the executive committee. The director to be reimbursed shall not be entitled to vote on the matter; and if the vote is taken after the expenses have been incurred, the board or committee may, in their discretion, vote to deny reimbursement, even though the expenses have already been incurred. Officers of the corporation may be entitled to compensation determined from time-to-time by a majority of the directors. An officer shall further be entitled to reimbursement of actual, reasonable and necessary expenses incurred on behalf of the corporation or otherwise in his or her capacity as a director or officer.

Section 3. *Budgets and Grant Proposals.* All budgets and grant proposals must be approved by the affirmative vote of a majority of the directors entitled to vote at a regular meeting or a special meeting called for this purpose.

Section 4. *Excess Benefit Transactions.* The corporation shall maintain compliance with Section 4958 of the Internal Revenue Code regarding excess benefit transactions.

Section 5. *Excess Tax-Exempt Organization Executive Compensation.* The corporation shall not pay any compensation which would subject it to tax under Section 4960 of the Internal Revenue Code.

Section 6. *Income.* The corporation shall cause its income to be distributed on an annual basis to the extent necessary to avoid any tax obligations pursuant to the Internal Revenue Code.

Article 9 Amendment of Bylaws

The bylaws may be amended only by the affirmative vote of two thirds (2/3) of the directors entitled to vote at a regular meeting or a special meeting called for this purpose. In this case, the notice of the meeting must state that this is a purpose of the meeting, the notice must describe the proposed amendment, and the notice must be given at least ten (10) days before the meeting.

Article 10 Notices

All written notices required or permitted to be given to a director shall be deemed to have been given when mailed by first class U.S. mail, postage pre-paid, to the director at his mailing address, when sent by facsimile to the director at his facsimile number, when sent by e-mail to the director at his e-mail address, or when personally delivered to the director. The addresses and numbers used for this purpose shall be those set forth in records maintained by the secretary of the corporation; and each director shall be responsible for informing the secretary of any changes.

End of Bylaws



EXECUTIVE DIRECTOR'S REPORT

December 16, 2020

Events

- 12.05.20 | Thrift & Gift Crawl @ 6 stops in Hart encouraging local shopping
- 12.14.20 | *NEW - Letters to Santa mailbox at Hart Commons
- Holiday Home & Business Decorating Contest –Light tour map & online photos of participants available on social media and HEART's website for public voting. Participating locations have a yard sign - winners will be announced the last week of December.

Updates

- Pure Michigan announced another Small Business Relief initiative to provide grants up to \$15,000 for Covid recovery. Applications opened December 15th on a first-in, first-served basis.
- Hart Signage, Display Boards and branding #takemetohart (ongoing)
- Hart Economic Development website (ongoing).
- Heggs TIFA Façade Improvement Grant has been completed.

Active Development Leads

- Mixed-use new business - coffee shop, rentals and possibly a B&B in downtown Hart
- 2500 sf manufacturing and office use space in industrial park for the purpose of designing LED lights, PCB design and small run manufacturing
- The Creeks subdivision needs re-imagined development plans
- Discussion of rezoning of IGA from B2 (General Business District) to D1 (Industrial District) – discussion of possible use for this building

Action Items

- Work with the Discover Oceana team to get “check here first” in windows of businesses
-

Respectfully Submitted,

Nichole Steel

Economic & Community Development Director



HART ECONOMIC & REDEVELOPMENT TEAM ONE-PAGE STRATEGIC PLAN 2021

Mission Statement: to develop and implement creative community-based strategies to enhance economic opportunity through educational partnerships, a consolidated infrastructure system, regional collaboration, business retention and attraction, high quality of life, and a strong sense of community.

| 2021 GOALS | STRATEGIES | ACTION ITEMS |
|------------------------------------|---|---|
| EDUCATION | 1. EDUCATION (Bruch, Bruce) | 1a) meeting 1/7/21 w/ MEDC, Hart Schools, Comm. Fndtn & HEART about a college ext office, career/tech & community center in IGA building 1b) join conversations w/ CFOC, CAN, Mi Works, UW, counselors, ERN 1c) Held zoom meet greet w/ Julie Sanders, MI Wks rep on 11/5/20 1d) join conversations w/ CFOC, CAN, Mi Works, UW, counselors, |
| a. | a. Pass a millage for a Community College | |
| b. | b. Identify apprenticeship opportunities | |
| c. | c. Partner with Michigan Works for job training opport. | |
| c. | d. Soft skill training program for all age groups | |
| INFRASTRUCTURE | 2. INFRASTRUCTURE (Platt, Steel, Lipps) | 2a) city working on a 2021 feasibility study, meeting w/ Pennies from Heaven 12/17/20 on a regional broadband expansion project 2b) 2c) 2d) 2e) 2f) |
| a. | a. Offer high-speed Broadband (wk w/ Connect Michigan) | |
| b. | b. Expand public water/sewer to un-served city locations | |
| c. | c. Shared regional services to stretch limited resources | |
| | d. Consider traffic calming measures | |
| | e. Develop transportation connectivity to ensure a more efficient and convenient transportation network | |
| | f. Improve electric reliability | |
| REGIONAL COLLABORTION | 3. REGIONAL COLLABORTION (Beal, Bruch, Tufts) | 3a) met the WMSRDC Team on 04.08.20 3b) ideas: regional networking events, region facility tours, regionally promote golf courses, regional indoor rec facilities, expand fairground, educational workshops 3c) initiated through Disc Oceana team (rep from ea community), annual host regional economic summit & bfast w/ legislatures 3d) bi-annual intergovernmental roundtables |
| a. | a. Collaborate w/ WMSRDC - a 5 county EDO | |
| b. | b. Expand regional activities | |
| c. | c. Improve communication regarding regional economic development opportunities | |
| | d. Host intergovernmental joint meetings to discuss regional economic development and goals and issues. | |
| INDUSTRY ACTIVITIES | 4. INDUSTRY ACTIVITIES (Ladner, Splane) | 4a) 4b) 4c) Prop Improvement Grant, Opportunity Zone, RRC, HEART website, business startup contest, develop policy for business attraction 4d) Create business resource center & meeting space in HEART office 4e) develop a business retention committee 4f) 4g) |
| a. | a. Encourage agritourism, cidery, winery and orchard tours | |
| b. | b. Agribusiness relationship building | |
| c. | c. Business incentive program and policy for business attraction, retention, and marketing | |
| | d. Entrepreneurial support/development program | |
| DESTINATION & MARKETING | e. Business retention program | |
| a. | f. Work with PTAC to assist companies in the city | |
| b. | g. SBDC representation | |
| c. | 5. DESTINATION & MARKETING (Beal, Splane) | 5a) ongoing 5b) hire shared service event coordinator with tourism bureau in 2021 5c) Improve signage – identify existing funds, budget & plan to install wayfinding signage throughout city leading to attractions. Utilize/promote one community calendar. Create marketing plan, timeline, budget, brand. |
| | a. Utilize HEART to draw tourism and investment | |
| | b. Identify additional events to attract tourists | |
| | c. Create a targeted marketing campaign to attract businesses, tourists and new residents | |

HEART

Business Development Leads Tracker

| Lead Name | Lead Contact | Lead Source | Location | Lead Type | Potential Opportunity | Chance of | Date | Notes | Next Step |
|--|--|----------------|------------------|-------------------------------------|-----------------------|-----------|------------|---|--|
| Rod Stevens, GM | 231-873-2158, rstevens@ceres.coop | Splane | Ceres Co-Op | Interested in helping the community | | | 12/15/2020 | | |
| | | Splane | | Art in Hart | | | 12/10/2020 | | |
| Ryan Santellan | 616-403-6449 | Splane | | coffee shop | | | 12/1/2020 | works @ Big Hart, interested in opening a coffee shop - potentially other ideas | make contact |
| TBA | TBA | Direct Inquiry | IGA Building | food manufacturer | | | 9/1/2021 | small -mid size food manufacturer requesting space to expand existing operation. Interested in former IGA building - pursuing re-zoning through planning commission. | propose an alternate location, get HEART Board response on planning commission's agenda. |
| Hannah Juhl | FB Messenger | Happy Hour | downtown | coffee shop | \$200,000.00 | | 10/12/2020 | Met 10/15/20 reviewed business plan, working on PL statement - goal of opening coffee shop by summer 2020. | update biz plan, meet w/ owner on selling price (provide comparables), talk w/ bank, SBA, Northern Exposure (funding) |
| West Shore Community College | United Way & Mark Platt | | | | | | | | |
| James Henley | 231-869-2519 | Cold Call | downtown | restaurant/3 rentals | | | 10/2/2020 | Owner plans to update apartments and then list property for sale. He will consider other offers in as-is condition. Current apartment rent is \$400 & lower level commercial is \$1000/mo | prepare comparable sales for purchase price proposal follow-up call 12/14/20 (LM) |
| Faye @ Reflections | 231-301-2335 | HEART walk-in | downtown | retail | | ? | 9/30/2020 | has a friend interested in opening another thrift shop - interested in space downtown, possibly the NAF office | check status of NAF, |
| Lynn & Vihn Pham | 616-309-5898 | HEART walk-in | downtown | asian restaurant | \$200,000.00 | 70% | 9/25/2020 | Recently sold EP Nails. Interested in 49 S State St for small asian restaurant & a rental in silver lake to sell Bobo tea smoothies | health dep application, architect drawings, licensed contractors, may be looking @ a food truck to start. |
| James Gaylord | 616-617-1915 | city mgr | industrial park | LED lighting | \$200,000.00 | 70% | 9/21/2020 | interested in purchasing land to construct a 2,500 SF manufacturing and office use facility for the purpose of designing LED lighting, PCB design and small-run manufacturing | seek incentive recommendation from finance committee, finalize site development proposal with Gaylord to prepare for council approval. |
| Jeff Deehan, Dymaxion Development, Uband Systems | jeff@dymaxiondevelopment.com | Right Place | the creeks | housing development | | 30% | 9/16/2020 | Toured creeks on 09/16/20. They asked that the City invest in the development of re-imagined plans for continuing the development of the subdivision - HEART board supports, sent email w/ master deed + amendment in dropbox https://www.dropbox.com/sh/mnoiy4u6f1jzcuu/AABGwrvfRXsyr63DsCdHijMa?dl=0 | speak w/ City Planner & local architects to get an idea of estimated cost and project plan for involving the community, current subdivision residents and other interested parties in the development process. |
| Tom & Carol Braford | braford@sbcglobal.net brafordt@gmail.com | Right Place | | | | | | Interested in hart for it OZ status, has existing ECO village project in st. louis he'd like to replicate here, has family and is originally from MI. Lynne emailed GIS link and they shared a pitch deck & website for reference http://arizmendiecovillage.com/ https://docs.google.com/presentation/d/1sG27Ct816iioHzcG8REV_y85ys8oNONqTSmdRgoSb-Y/edit | |
| | unknown | city manager | next to big hart | | | | 8/1/2020 | | |

| Lead Name | Lead Contact | Lead Source | Location | Lead Type | Potential Opportunity | Chance of | Date | Notes | Next Step |
|--|------------------------------------|--------------|--------------------------------|--|-----------------------|-----------|----------|--|----------------------------------|
| | unknown | city manager | near highway | | | | 8/1/2020 | | |
| Cunningham-Limp (developers) Doug Luciana | 231-649-7159 dluciani@clc.build | Right Place | the creeks, industrial park | housing development & any other opportunities | | 10% | 7/2/2020 | Originally interested in the creeks, seemed more interested in property under water tower, discussed canibus growing facility & toured city. | Contact for future opportunities |
| Total | | | | | \$600,000.00 | | | | |