

CHARTER TOWNSHIP OF HAMPTON
REGULAR MEETING
FEBRUARY 11, 2019

The regular meeting of the Charter Township of Hampton Board of Trustees was called to order at 7:00 p.m. by the Supervisor in the Boardroom of the Hampton Township Administrative Offices.

The pledge of allegiance was given to the flag.

The invocation was read and a moment of silence observed.

PRESENT: DeWyse, Klass, Wisniewski, Hugo, Samyn, Close, Wright

ABSENT: None

ALSO PRESENT: Hewitt, Benchley & 7 people in the audience

Motion by DeWyse seconded by Hugo to approve the changes to the agenda.

AYES: DeWyse, Hugo, Klass, Wisniewski, Samyn, Wright, Close

NAYS: None

Motion carried.

Motion by Hugo seconded by Klass that the minutes of the January 29, 2019 regular meeting be approved as printed and that the reading of the minutes be waived. Motion carried.

COMMUNICATIONS:

Motion by Klass seconded by Hugo that the communication from Senator Kevin Daley be received. Motion carried.

AUDITORS REPORT:

Motion by DeWyse seconded by Klass that the following warrants be approved for payment:

#45400 - #45449	General Fund	\$ 38,557.58
electronic transfer	John Hancock	20,349.43
#3119 - #3123	Building Fund	590.71
#3863 - #3868	Sewer Fund	4,061.50
#6546 - #6564	Tax Fund	241,099.76
#1594 - #1598	Water Fund	<u>271,836.69</u>
		\$576,495.67

AYES: DeWyse, Klass, Wisniewski, Hugo, Samyn, Wright, Close

NAYS: None
Motion carried.

OPEN TO THE PUBLIC:

No one addressed the Board.

UNFINISHED BUSINESS:

Motion by Wisniewski seconded by Hugo that the 2019 camping rates for the Finn Road Park Campground be established as follows:

30 AMP Service		50 AMP Service	
Nightly	\$ 26.00	Nightly	\$27.00
Weekly	\$ 154.00	Weekly	\$ 160.00
Monthly	\$ 480.00	Monthly	\$ 495.00
Season	\$ 2,490.00	Season	\$ 2,580.00
(paid in 3 installments \$830.00 each)		(paid in 3 installments \$860.00 each)	

AYES: Wisniewski, Hugo, Klass, DeWyse, Samyn, Wright, Close
NAYS: None
Motion carried.

Motion by Hugo seconded by Klass to accept the bid from L&L Excavating in the amount of \$9,700.00 for the removal of the tennis courts at Pondside Park.

AYES: Hugo, Klass, Wisniewski, DeWyse, Samyn, Wright, Close
NAYS: None
Motion carried.

NEW BUSINESS:

Sonya Rodgers, Southwest Publications, made a presentation to the Board on advertising the Finn Road Park Campground. This is done at no charge to the township.

Motion by Wisniewski seconded by Hugo that the township sign up for this service with Southwest Publications. Motion carried.

Motion by Hugo seconded by Wisniewski that the following changes be made to the 2019 budget by deleting the Drain Fund and incorporating it back into the General Fund:

Delete:	801-000-400.000	Opening Fund Balance	61,550.00
	801-000-401.000	Property Taxes	209,950.00
	801-444-740.000	Operating Supplies	100,000.00
	801-444-803.000	Contracted Services	170,000.00
	801-444-940.000	Equip. Contract/Rental	500.00
	801-444-970.000	Capital	1,000.00
Add:	101-000-401.006	Drain Assessment	271,500.00
	101-444-740.000	Operating Supplies	100,000.00
	101-444-803.000	Contracted Services	170,000.00
	101-444-940.000	Equip. Contract/Rental	500.00
	101-444-970.000	Capital	1,000.00

Motion carried.

Motion by DeWyse seconded by Wisniewski that the resignation of John May, effective April 1, 2019, be received. Motion carried.

Motion by Hugo seconded by Klass to approve a \$1.00 per hour pay increase for reserve firefighters covering station on regular shifts.

AYES: Hugo, Klass, DeWyse, Wisniewski, Samyn, Wright, Close

NAYS: None

Motion carried.

Motion by Wisniewski seconded by Hugo that Ordinance No. 66, Prohibition of Recreational Marihuana Establishments, be adopted as follows:

An ordinance to provide a title for the ordinance; to define words; to prohibit recreational marihuana establishments within the boundaries of the Charter Township of Hampton pursuant to Initiated Law 1 of 2018, being MCL 333.27951 *et seq.*, as may be amended; to provide penalties for violations of this ordinance; to provide for severability to repeal all ordinances or parts of ordinances in conflict herewith; and to provide an effective date.

ORDAINS:

SECTION I
TITLE

This ordinance shall be known as and may be cited as the Charter Township of Hampton Prohibition of Recreational Marihuana Establishments Ordinance.

SECTION II
DEFINITIONS

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, voted and approved by the electors on November 6, 2018 and MCL 333.27951 *et seq.*, incorporating into law the initiative described herein, as may be amended.

SECTION III
NO RECREATIONAL MARIHUANA ESTABLISHMENTS

The Charter Township of Hampton hereby prohibits all recreational marihuana establishments within the boundaries within the township, regardless of the zoned district or classification, pursuant to Initiated Law 1 of 2018, MCL 333.27951 *et seq.*, as be amended.

SECTION IV
VIOLATIONS AND PENALTIES

1. Any person who disobeys, neglects or refuses to comply with any provision of this ordinance or who causes, allows or consents to any of the same shall be deemed to be responsible for the violation of this ordinance. A violation of this ordinance is deemed to be a nuisance, per se.
2. A violation of this ordinance is a municipal civil infraction, for which the fine shall not be less than \$100 nor more than \$500 in the discretion of the civil infraction department or court. The foregoing sanctions shall be in addition to the rights of the township to proceed at law or equity with an appropriate and proper remedies. Additionally, the violator shall pay costs, which may include all expenses, direct and indirect, which the township incurs in connection with municipal civil infraction.
3. Each day during which any violation continues shall be deemed a separate offense.
4. In addition, the township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.

SECTION V
SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable, by a Court of competent jurisdiction, it should not affect the remainder of such ordinance, which shall continue in full force and effect.

SECTION VI
REPEALED

All ordinances or part of ordinances in conflict are hereby repealed. It is specifically noted that Ordinance 65 of the ordinances of the Charter Township of Hampton dealing with medical marihuana facilities is not conflict with this ordinance.

SECTION VII
EFFECTIVE DATE

This ordinance shall be published in newspapers, circulated within the Charter Township of Hampton, Bay County, Michigan and shall be effective on the date of such publication.

AYES: Wisniewski, Hugo, Klass, DeWyse, Samyn, Wright, Close

NAYS: None

Motion carried.

Motion by Wisniewski seconded by Hugo that the resignation of Kevin VanDenBoom, effective immediately, be received. Motion carried.

Supervisor presented an answer to complaint from office staff on number of employees leaving; health care and retirement changes; lack of communication, etc.

ATTORNEY REPORT:

Hewitt had no report.

ENGINEER REPORT:

Bartow was not present.

STANDING COMMITTEE REPORTS:

Motion by Hugo seconded by Wisniewski that the Planning Commission minutes of January 24, 2019 be received. Motion carried.

OFFICER/TRUSTEE REPORTS:

Motion by DeWyse seconded by Hugo that the December financial reports be received.

AYES: DeWyse, Hugo, Wisniewski, Klass, Samyn, Wright, Close

NAYS: None

Motion carried.

Motion by Hugo seconded by Wisniewski that the following revenue reports be received from the Treasurer:

1/21/19 – 1/25/19	Water Fund	\$ 81,003.57
	Building Fund	753.50
	General Fund	342,901.93
	Tax Fund	<u>79,106.38</u>
		\$ 503,765.38
1/28/19 – 2/01/19	Water Fund	\$ 78,729.65
	Building Fund	343.00
	General Fund	12,826.81
	Tax Fund	<u>1,587,282.82</u>
		\$1,679,182.28

AYES: Hugo, Wisniewski, Klass, DeWyse, Samyn, Wright, Close

NAYS: None

Motion carried.

TRUSTEE REPORTS:

Hugo addressed possible treatments to roads prior to storms.

Klass addressed reductions to police department, fire department, office and department of public works to save money. Fire Department has seen most change; Trustees have made huge cuts.

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OPEN TO THE PUBLIC:

No one addressed the Board.

Motion by Hugo seconded by Wisniewski that the meeting adjourn. Motion carried. The meeting adjourned at 8:02 p.m..

Respectfully submitted:

Pamela J. Wright, Clerk

Terri Close, Supervisor