

CHARTER TOWNSHIP OF HAMPTON
REGULAR MEETING
JANUARY 14, 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: Steve Wisniewski, Frances DeWyse, Pamela Wright, Terri Close, Don Klass,
Paul Hugo, Donna Samyn

ABSENT: None

ALSO PRESENT: Benchley, Lutz, Hewitt & 6 people in the audience

Motion by Hugo seconded by Wisniewski that the additions to the agenda be approved.
Motion carried.

Motion by Hugo seconded by Wisniewski that the minutes of the December 10, 2018 special meeting; the December 14, 2018 special meeting and the December 17, 2018 regular meeting be approved as printed and that the reading of the minutes be waived. Motion carried.

COMMUNICATIONS:

Motion by DeWyse seconded by Hugo that the communication from Weinlander Fitzhugh be received. Motion carried.

Motion by Wisniewski seconded by Hugo that the Fire Report for December 2018 be received.
Motion carried.

Motion by Hugo seconded by Klass that the DPW Report for December 2018 be received.
Motion carried.

AUDITORS REPORT:

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

#45251 - #45358	General Fund	\$ 141,990.38
Electronic transfer	John Hancock	20,915.06
#3112 - #3114	Building Fund	10,196.61

#3839 - #3853	Sewer Fund	40,006.47
#2890 - #2906	Public Safety Fund	144,323.34
#1582 - #1590	Water Fund	557,465.25
#259 - #261	SAW Grant Fund	<u>28,438.35</u>
		\$ 943,335.46

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

NAYS: None

Motion carried.

OPEN TO THE PUBLIC:

No one addressed the Board.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Motion by Hugo seconded by DeWyse that the following 2018 budget adjustments be approved:

<u>DECREASE</u>	<u>APRV.BUDGET</u>	<u>CHANGE</u>	<u>NEW BUDGET</u>
101-101-956.000 Twp. Board – Miscellaneous	1,710	500	1,210
101-209-970.000 Assessor – Capital	1,000	1,000	-0-
101-209-723.000 Assessor – Education	1,775	1,725	50
101-209-718.000 Assessor – Retirement	7,730	835	6,895
101-890-956.000 Contingency	375,698	15,025	360,673
101-265-970.000 Bldg & Grds – Capital	4,000	205	3,795
101-266-702.000 Comm.Bldg. – Salary	9,300	78	9,222

January 14, 2019
 Regular Meeting
 Page 3

101-441-702.000 DPW – Salaries	287,500	188	287,312
101-444-803.000 O&M – Contracted Services	169,000	90	168,910
101-526-956.000 Landfill – Miscellaneous	5,500	887	4,613
101-751-974.000 FRP – Land Improvement	11,000	455	10,545
205-301-956.000 Police – Miscellaneous	5,000	65	4,935
205-336-970.000 Fire – Capital	75,795	3,804	71,991
249-371-723.000 Bldg Inspector – Education	400	300	100
249-371-956.000 Bldg Inspector – Miscellaneous	100	96	4
249-372-719.000 Plbg/Htg Inspector – Unemployment	300	4	296
249-372-723.000 Plbg/Htg Inspector – Education	400	232	168
249-372-818.000 Plbg/Htg Inspector – Member & Dues	170	76	94
249-372-860.000 Plbg/Htg Inspector – Travel	200	92	108
249-372-956.000 Plbg/Htg Inspector – Miscellaneous	100	100	-0-
249-890-956.000 Contingency	4,309	4,309	-0-
249-201-702.000 GSA – Salaries	51,120	327	50,793
394-890-956.000 Contingency	39,867	7,178	32,689
590-890-956.000 Contingency	993,260	71,674	921,586
590-866-902.000 Sewer – Bond Payment	547,011	170,772	376,239
591-537-956.000 Water – Miscellaneous	2,000	1,320	680

<u>INCREASE</u>	<u>APRV.BUDGET</u>	<u>CHANGE</u>	<u>NEW BUDGET</u>
101-101-801.000 Twp. Board – Audit Fees	18,790	500	19,290
101-209-702.000 Assessor – Salaries	56,680	3,560	60,240
101-210-802.001 Attorney – Legal	25,000	8,930	33,930
101-210-803.000 Attorney – General	12,000	450	12,450
101-265-702.000 Bldg & Grds – Salary	18,525	180	18,705
101-265-715.000 Bldg & Grds – FICA	1,420	11	1,431
101-265-720.000 Bldg & Grds – S&A Insurance	222	14	236
101-266-720.000 Comm. Bldg – S&A Insurance	115	3	118
101-266-930.000 Comm. Bldg – Building Maintenance	4,630	75	4,705
101-294-956.000 Public Relations – Miscellaneous	1,000	325	1,325
101-441-851.000 DPW – Telephone	1,000	72	1,072
101-441-920.000 DPW – Utilities	10,000	116	10,116
101-444-740.000 O&M – Operating Supplies	100,000	90	100,090
101-526-740.000 Landfill – Operating Supplies	500	887	1,387
101-751-920.000 FRP – Utilities	35,000	455	35,455
101-753-970.000 Railtrail – Capital	17,060	5,320	22,380
205-301-851.000 Police – Telephone	2,000	65	2,065
205-336-717.000 Fire – Life Insurance	1,865	8	1,873

January 14, 2019
 Regular Meeting
 Page 5

205-336-723.000			
Fire – Education	3,000	894	3,894
205-336-743.000			
Fire – Diesel Fuel	2,000	312	2,312
205-336-778.000			
Fire – Equip Repair & Maintenance	16,200	1,680	17,880
205-336-818.000			
Fire – Membership & Dues	905	30	935
205-336-860.000			
Fire – Travel	1,500	880	2,380
249-371-702.000			
Bldg Inspector – Salary	15,000	354	15,354
249-371-715.000			
Bldg Inspector – FICA	1,148	34	1,182
249-371-818.000			
Bldg Inspector – Membership & Dues	150	8	158
249-372-702.000			
Plbg/Htg Inspector – Salaries	26,600	4,770	31,370
249-372-715.000			
Plbg/Htg Inspector – FICA	2,030	370	2,400
394-000-900.494			
Transfer from DDA	90,000	6,678	96,678
394-866-800.000			
Bond Payment	95,355	500	95,855
590-492-984.000			
Sewer – New/Repair Equipment	70,000	70,000	140,000
590-536-729.000			
Sewer – Postage	6,000	881	6,881
590-536-970.000			
Sewer – Capital	20,000	793	20,793
590-866-902.001			
Sewer – Interest Expense	9,000	170,772	179,772
591-537-800.001			
Water – DEQ	3,000	178	3,178
591-537-803.000			
Water – Contracted Services	7,900	1,142	9,042

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

Motion carried.

Motion by Hugo seconded by DeWyse to approve the agreement between Hampton Township, City of Essexville and Consumers Energy for Consumers Energy to construct a water line.

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

NAYS: None

Motion carried.

Motion by DeWyse seconded by Hugo that the introduction of Ordinance No. 66, Prohibition of Recreational Marihuana Establishments, be tabled until the next meeting. Motion carried.

Motion by Hugo seconded by Wisniewski to allow the Public Safety Director to obtain bids for the sale of the 1981 Sutphen Aerial.

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

NAYS: None

Motion carried.

Motion by DeWyse seconded by Hugo that the following resolution be adopted:

RESOLUTION OF ADOPTION
BAY COUNTY RECREATION PLAN

WHEREAS, Bay County, and fourteen local jurisdictions within Bay County including the City of Auburn, City of Bay City, Bangor Township, Beaver Township, City of Essexville, Frankenlust Township, Monitor Township, City of Pinconning, Portsmouth Township, and Williams Township have undertaken a multi-jurisdictional five-year Recreation Plan which describes the physical features, existing recreation facilities, and the desired actions to be taken to improve and maintain recreation facilities during the period between 2019 and 2023 and,

WHEREAS, public input and received via an online survey that was available from September 10, 2018 through October 22, 2018, to provide an opportunity for citizens to share ideas, express opinions, regarding the future of parks and recreation in Bay County and Hampton Township, and

WHEREAS, the draft plan was made available for review from December 2, 2018 through January 8, 2019, at the Bay County Building and at the four Bay County library locations, and online at the Bay County website, and

WHEREAS, a public meeting was held on January 8, 2019 at 4:00 p.m. at the Bay County Building to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Recreation Plan, and

WHEREAS, Bay County and Hampton Township have developed the Recreation Plan for the benefit of the entire community and wish to adopt the plan as a document to assist in meeting the recreation needs of the community, and

WHEREAS, on this day Hampton Township voted to adopt said Recreation Plan.

NOW, THEREFORE, BE IT RESOLVED that the Charter Township of Hampton Board of Trustees adopts the Bay County Recreation Plan as a guideline for improving parks and recreation for the residents of Hampton Township.

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

NAYS: None

Motion carried.

Motion by Hugo seconded by Wisniewski to approve these paving road projects for 2019: Borton Road - Knight to Finn; Jones Road - Hampton to Arms; Hampton Heights subdivision; S. Powell Road – Center to Ridge at a cost of \$250,125.00.

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

NAYS: None

Motion carried.

Discussion on the township vision and mission statements.

Motion by Wisniewski seconded by Hugo that the following resolution be approved:

RESOLUTION ACCEPTING A LETTER FROM A RESIDENT TAXPAYER ON
A LATE FILED 5076 FORM – ELIGIBLE PERSONAL PROPERTY
EXEMPTION FORM

WHEREAS, pursuant to MCL 211.30 states that a resident must appear in person to the March Board of Review to appeal a denial of a late filed from 5076, Personal Property Exemption, Charter Township of Hampton wishes to establish that the appeal may be done by letter and not require to an appearance in person. Motion carried.

Motion by Hugo seconded by Wisniewski that the resignation of Chad Lutz, effective January 24, 2019, be received with regret. Motion carried.

Motion by Hugo seconded by Wisniewski that Robert Worden be named DPW Working Foreman effective January 21, 2019.

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

NAYS: None

Motion carried.

Motion by Hugo seconded by Wisniewski that the township hire Bay County, temporarily, as the S2 Operator for our water system.

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

NAYS: None

Motion carried.

ATTORNEY REPORT:

Hewitt had no report.

ENGINEER REPOR:

Bartow was not present.

STANDING COMMITTEE REPORTS:

Motion by Hugo seconded by Wisniewski that the Planning Commission minutes of December 13, 2018 be received. Motion carried.

OFFICER/TRUSTEE REPORTS:

Motion by DeWyse seconded by Hugo that the November financial reports be received from the Clerk.

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

NAYS: None

Motion carried.

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

12/10/18 – 12/14/18	Water Fund	\$ 33,345.19
	Building Fund	1,322.00
	General Fund	4,257.56
	Tax Fund	<u>167,201.73</u>
		\$ 206,126.48
12/17/18 – 12/21/18	Water Fund	\$ 11,555.75
	Building Fund	1,766.87
	General Fund	121,872.53
	Tax Fund	<u>213,224.96</u>
		\$ 348,420.11
12/24/18 – 12/28/18	Water Fund	\$ 1,965.00
	Building Fund	478.00
	General Fund	8,919.58
	Tax Fund	<u>369,142.11</u>
		\$ 380,504.69
01/01/19 – 01/04/19	Water Fund	\$ 1,299.72
	Building Fund	1,284.00
	General Fund	175,587.30
	Tax Fund	<u>123,451.33</u>
		\$ 301,622.35

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

NAYS: None

Motion carried.

Hugo, on behalf of Consumers Energy, thanked the Board of approving the water extension agreement.

January 14, 2019
Regular Meeting
Page 10

Klass addressed the lot that the township owns on Center Road being for sale; and people throwing rocks at the Finn Road boat launch and what can be done about it.

Supervisor addressed the need to replace nineteen (19) computers within the township because starting in 2020 Windows 7 will no longer be supported and current computers are not combatable with Windows 10.

OPEN TO THE PUBLIC:

Mike Wedding, asked with the Lutz resignation what will happen at the Finn Road Park. (no change).

Public portion of the meeting was closed.

Motion by Hugo seconded by Wisniewski that the meeting adjourn. Motion carried. The meeting adjourned at 8:27 p.m..

Respectfully submitted:

Pamela J. Wright, Clerk

Terri Close, Supervisor

CHARTER TOWNSHIP OF HAMPTON
REGULAR MEETING
JANUARY 29, 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: Klass, DeWyse, Wright, Close, Samyn, Wisniewski

ABSENT: Hugo (excused)

ALSO PRESENT: Hewitt, Benchley & 8 people in audience

Motion by DeWyse seconded by Wisniewski that the changes to the agenda be approved. Motion carried.

Motion by DeWyse seconded by Wisniewski that the minutes of the January 14, 2019 regular meeting be approved as printed and that the reading of the minutes be waived. Motion carried.

COMMUNICATIONS:

Motion by Wisniewski seconded by DeWyse that the communication for Charles Groya regarding the "hot ponds" be received. Motion carried.

Motion by DeWyse seconded by Wisniewski that the Police Report for December 2018 be received. Motion carried.

AUDITORS REPORT:

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

#45359 - #45399	General Fund	\$ 76,512.73
#3115 - #3118	Building Fund	4,325.43
#3854 - #3862	Sewer Fund	189,970.30
#104	ERR Fund	5,944.31
#6496 - #6545	Tax Fund	1,681,012.55
#2907 - #2909	Public Safety Fund	11,190.20
#1591 - #1593	Water Fund	1,096.32
#262	SAW Grant Fund	<u>4,024.98</u>

\$ 1,974,076.82

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

OPEN TO THE PUBLIC:

No one addressed the Board.

UNFINISHED BUSINESS:

Motion by Wisniewski seconded by Klass that Ordinance No. 66, Prohibition of Recreational Marihuana Establishments, be introduced 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.

THE CHARTER TOWNSHIP OF HAMPTON
BAY COUNTY, MICHIGAN

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

Motion by Wisniewski seconded by Samyn to approve the revised cost of \$313,500.00 from the 2019 road projects.

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

NEW BUSINESS:

Motion by DeWyse seconded by Klass to approve the following amendments to the 2018 budget:

<u>DECREASE</u>	<u>APRV.BUDGET</u>	<u>CHANGE</u>	<u>NEW BUDGET</u>
101-171-718.000 Supervisor – Retirement	8,700	244	8,456
101-201-702.000 GSA – Salaries	40,800	898	39,902
101-895-956.000 Contingency	360,673	15,543	345,130
101-444-956.000 O&M – Miscellaneous	2,500	355	2,145
101-526-956.000 Landfill – Miscellaneous	4,613	38	4,575
205-336-702.000 Fire – Salaries	490,055	11,344	478,711

January 29, 2019
 Regular Meeting
 Page 5

249-373-956.000 Elec Inspector – Misc.	200	108	92
591-537-702.000 Water – Salaries	80,745	1,619	79,126

<u>INCREASE</u>	<u>APRV.BUDGET</u>	<u>CHANGE</u>	<u>NEW BUDGET</u>
-----------------	--------------------	---------------	-------------------

101-171-716.000 Supervisor – Hospitalization	17,755	244	17,999
101-201-716.000 GSA – Hospitalization	3,450	898	4,348
101-210-803.001 Attorney – Labor	33,930	2,240	36,170
101-444-740.000 O&M – Operating Supplies	100,090	355	100,445
101-526-740.000 Landfill – Operating Supplies	1,387	38	1,425
101-851-910.000 Insurance & Bonds	140,000	13,303	153,303
205-336-723.000 Fire – Education	3,894	135	4,029
205-336-778.000 Fire – Equip Rep & Maintenance	17,880	4,345	22,225
205-336-970.000 Fire – Capital	71,991	6,864	78,855
249-373-719.000 Elect Inspector – Unemployment	250	16	266
249-373-860.000 Elect Inspector – Travel & Mileage	200	92	292
591-537-973.002 Water – Main Maintenance	5,000	1,619	6,619

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

Motion by Klass seconded by Wisniewski that the bids for the removal of the tennis courts at Pondsides Park be received & tabled for further review. Motion carried.

January 29, 2019
Regular Meeting
Page 6

Motion by Klass seconded by Wisniewski to amend the current expenditure policy and allow the Executive Committee to issue payment up to \$2,500.00 without prior board approval.

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

NAYS: None

ABSENT: Hugo

Motion carried.

Motion by Wisniewski seconded by DeWyse to approve the solicitation request of the Essexville-Hampton Lions Club to conduct their annual "tag days" on April 26th & 27th, 2019.
Motion carried.

Motion by DeWyse seconded by Klass to approve the purchase of a Ricoh MPC2504 copy machine for the general services administration office on a lease to own program at a cost of \$300.96 per month.

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

NAYS: None

ABSENT: Hugo

Motion carried.

Motion by Klass seconded by Wisniewski that setting the 2019 camping rates be tabled until we find out the number of 30 amp sites vs. 50 amp sites. Motion carried.

Motion by DeWyse seconded by Wisniewski that the resignation of Christopher Pityer be received. Motion carried.

Motion by DeWyse seconded by Wisniewski to approve the Charitable Property Tax Exemption Form for Hampton Township needed by the township as the State no longer grants charitable exemptions – must now be granted by local assessor. Motion carried.

Motion by DeWyse seconded by Wisniewski that David Weiler be hired as a part-time DPW worker, 24 hours per week, hire date being mid to late February.

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

NAYS: None

ABSENT: Hugo

Motion carried.

Motion by DeWyse seconded by Wisniewski to go into closed session pursuant to Section 8(c) of the Open Meetings Act for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement and Section 8(h) of the Act to consider material exempt from discussion or disclosure by state or federal statute.

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

The Board recessed to closed session at 7:31 p.m. and reconvened at 8:42 p.m..

PRESENT: Klass, DeWyse, Wisniewski, Samyn, Close, Wright
ABSENT: Hugo
ALSO PRESENT: Benchley & 2 people in the audience

ATTORNEY REPORT:

Hewitt was not present.

ENGINEER REPORT:

Bartow was not present.

STANDING COMMITTEE REPORTS:

There were no standing committee reports.

OFFICER/TRUSTEE REPORTS:

Motion by DeWyse seconded by Wisniewski that the revenue reports be received from the Treasurer as follows:

1/07/19 – 1/11/19	Water Fund	\$ 1,439.40
	Building Fund	2,510.00
	General Fund	30,307.84
	Tax Fund	564,407.06
	Over payments	<u>146.15</u>
		\$ 598,810.45

1/14/19 – 1/18/19	Water Fund	\$ 2,622.70
	Building Fund	1,133.00
	General Fund	262,736.96
	Tax Fund	<u>138,240.57</u>
		\$ 404,733.23

Supervisor addressed water main break on Hampton Road; and cost estimate of \$15,238.00 to replace twenty-two (22) computers within the township.

OPEN TO THE PUBLIC:

No one addressed the Board.

Motion by Wisniewski seconded by DeWyse that the meeting adjourn. Motion carried. The meeting adjourned at 8:49 p.m..

Respectfully submitted:

Pamela J. Wright, Clerk

Terri Close, Supervisor

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 Pondsides 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.

February 11, 2019
Regular Meeting
Page 7

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

CHARTER TOWNSHIP OF HAMPTON
REGULAR MEETING
FEBRUARY 25, 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: Klass, Hugo, Wisniewski, Samyn, Wright, DeWyse, Close

ABSENT: None

ALSO PRESENT: Benchley, Hewitt & 8 people in the audience

Motion by Hugo seconded by Klass that the minutes of the February 11, 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 Fire Report for January 2019 and the Police Report for January 2019 be received. Motion carried.

AUDITORS REPORT:

Motion by Hugo seconded by Wisniewski that the following warrants be approved for payment:

#45450 - #45506	General Fund	\$ 120,702.01
#3124 - #3128	Building Fund	6,137.78
#3869 - #3878	Sewer Fund	21,172.77
#1599 - #1608	Water Fund	7,394.36
#263	SAW Grant Fund	<u>3,080.35</u>
		\$ 158,487.27

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

NAYS: None

Motion carried.

OPEN TO THE PUBLIC:

Randy VanDenBoom, addressed the Fire Department grievance – hope it doesn't go any farther than tonight; would get ugly and costs lots of money.

Public portion of the meeting was closed.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Supervisor updated the Board on the Finn Road Park grant project. Asking for bids to complete the project. Bid deadline is March 1, 2019.

Attorney opened sealed bids for 2009 patrol vehicle as follows:

Billie Jo Roberts	\$ 500.00
Billie Jo Roberts	\$ 1,201.00
Billie Jo Roberts	\$ 1,204.00
Thomas Owczarzak	\$ 1,206.00
Tom Owczarzak	\$ 1,203.00
Tom Owczarzak	\$ 1,202.00
Tom Owczarzak	\$ 1,200.00
Thomas Owczarzak	\$ 1,000.00
Thomas Owczarzak	\$ 1,205.00
Frank Rakowski	\$ 1,000.00
William Ecker	\$ 600.00
Katie Hildinger	\$ 535.00
Douglas Rocheleau	\$ 850.00
Joseph Richard	\$ 1,000.00
Michael Finn	\$ 762.00
Kerry Arndt	\$ 900.00
John Reames	\$ 1,200.00
Scott Pockrandt	\$ 1,525.00
Dave Blumlo	\$ 525.00
William Reinhardt	\$ 1,511.00
Kyle Glocksine	\$ 1,009.00
Lois Lynch	\$ 1,655.00

February 25, 2019
Regular Meeting
Page 3

Motion by Hugo seconded by Wisniewski that the bids for the 2009 patrol car be accepted and car be awarded to the highest bidder of \$1,655.00; if not accepted then second highest bidder of \$1,525.00.

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

NAYS: None

Motion carried.

Motion by Hugo seconded by DeWyse to approve an amount not to exceed \$15,238.00 (quote from I.T. Right) for computer replacement/upgrades throughout the township.

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

NAYS: None

Motion carried.

Consensus of Board to allow the Bowfishing Association of Michigan use of the Finn Road Park for their fishing tournament on May 4, 2019.

Motion by Wisniewski seconded by Hugo that the Board recess to closed session to discuss the legal opinion of a grievance.

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

NAYS: None

Motion carried.

Board recessed to closed session at 7:30 p.m. and reconvened to regular session at 8:00 p.m..

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

ABSENT: None

ALSO PRESENT: Hewitt, Benchley & 6 people in audience

ATTORNEY REPORT:

Hewitt had no report.

ENGINEER REPORT:

Bartow was not present.

STANDING COMMITTEE REPORTS:

There were no standing committee reports.

OFFICER/TRUSTEE REPORTS:

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

2/04/19 – 2/08/19	Water Fund	\$ 108,409.75
	Building Fund	15,671.75
	General Fund	102,254.54
	Tax Fund	<u>557,152.43</u>
		\$ 783,488.47
2/11/19 – 2/15/19	Water Fund	\$ 209,002.75
	Building Fund	3,373.28
	General Fund	42,030.10
	Tax Fund	<u>552,630.68</u>
		\$ 807,036.81

Motion carried.

DeWyse addressed the Land Bank demolishing the building at 506 E. Center and removing the underground tanks; and the joint meeting on March 12th.

Wisniewski asked for an update on the Bay Medical Care Facility and the sewer/drainage project.

Hugo asked for an update on the Forwards property – when the Subway move will be complete.

Klass addressed the need to sell the lot that the township owns on Center near Finn. Should be listed with a real estate agent.

Supervisor addressed meeting with Economic Development for grant assistance information on doing an impact study on the Consumers Energy plant closure; possibility of charging an off season rate for parking at the Finn Road Park for the ice fishing; DEQ lead and copper rule and the testing that the township will have to do.

OPEN TO THE PUBLIC:

February 25, 2019
Regular Meeting
Page 5

Mary Smith, asked if other places charge in the winter for parking?

Matt Wiltsie, addressed the need for the better signage altering the ice fishermen to the "hot ponds".

Public portion of the meeting was closed.

Motion by DeWyse seconded by Hugo that the meeting adjourn. Motion carried. The meeting adjourned at 8:25 p.m..

Respectfully submitted:

Pamela J. Wright, Clerk

Terri Close, Supervisor

