

CHARTER TOWNSHIP OF HAMPTON  
REGULAR MEETING  
AUGUST 12, 2019

The regular meeting of the Charter Township 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: Close, Samyn, Hugo, Wright, Wisniewski, Klass, DeWyse

ABSENT: None

ALSO PRESENT: Benchley & 13 people in audience

Motion by Hugo seconded by Wisniewski that the minutes of the July 22, 2019 regular meeting be approved as printed and that the reading of the minutes be waived. Motion carried.

Supervisor introduced Tara Franz, new office employee, to the Board.

COMMUNICATIONS:

There were no communications.

AUDITORS REPORT:

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

#46050 - #46102	General Fund	\$ 109,244.76
electronic transfer	John Hancock	16,404.63
#3153	Building Fund	300.00
#1128	Road Fund	24,845.05
#3941 - #3953	Sewer Fund	184,176.08
#6627 - #6636	Tax Fund	376,471.67
#1654 - #1655	Water Fund	<u>670.85</u>
		\$ 712,113.04

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

NAYS: None

Motion carried.

OPEN TO THE PUBLIC:

Phil Wagner, Center Road, blight issue concerns (referred to the second open the public section).

Representative of Root Weaver addressed the Board asking that the Medical Marihuana Ordinances not be repealed.

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Mark Weaver, now growing hemp on the property because cannot get approved for indoor grow; trying to regain his investment.

Sandy Stachowiak, Knight Road, growing outside now if indoor approval is granted will the outside growing continue?

Ron Moore, Lexie Lane – Bangor Township, working with Weavers; they are making every effort to be a good neighbor; making sure the building is desirable and not a problem to the neighborhood; ask that the Board not repeal the ordinance.

Public portion of the meeting was closed.

Motion by Klass seconded by DeWyse that a "budget statement" be added to new business on the agenda. Motion carried.

UNFINISHED BUSINESS:

Motion by DeWyse seconded by Hugo that the Agreement between the Township and Nick Ratajczak be approved as presented.

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

NAYS: None

Motion carried.

Motion by Hugo seconded by DeWyse that the Memorandum of Understanding between the Township and Teamsters Local Union No. 214 – DPW entitled Transfer Station Attendant be approved.

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

NAYS: None

Motion carried.

Motion by Hugo seconded by Wisniewski to approve the employment contract for the Finn Road Park Campground Manager dated March 1, 2019 through February 28, 2020.

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

NAYS: Klass

Motion carried.

NEW BUSINESS:

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Motion by Hugo seconded by Wisniewski that Ordinance No. 65-2, Medical Marihuana Facilities Ordinance, be introduced as follows:

CHARTER TOWNSHIP OF HAMPTON  
 ORDINANCE NO. 65-2  
MEDICAL MARIHUANA FACILITIES REPEALING ORDINANCE

NOW THEREFORE, THE BOARD OF TRUSTEES FOR THE CHARTER TOWNSHIP OF HAMPTON, BAY COUNTY, MICHIGAN HEREBY ORDAINS:

SECTION I  
TITLE

This Ordinance shall be known as and may be cited as the Charter Township of Hampton Medical Marihuana Facilities Repealing Ordinance.

SECTION II  
REPEAL OF LICENSED MEDICAL MARIHUANA FACILITIES ORDINANCE 65

The Charter Township of Hampton having exercised its lawful right to opt out of the allowance for recreational marihuana pursuant to Initiated Law I of 2018, and further in contemplation of the possibility that recreational marihuana might be available for growing, processing, testing, and transportation, or purchase or sale by licensed medical marihuana facilities, and such activity being inconsistent and incompatible with the Township's decision to so opt out of recreational marihuana, the Township hereby repeals the Medical Marihuana Facilities Ordinance 65 and 65-1.

SECTION III  
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 for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION IV  
REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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SECTION V  
EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days after publication.

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

Motion by Hugo seconded by Wisniewski to set a rate of \$100.00 for all weekday hall rentals for meetings; and to waive the \$100.00 security deposit for Consumers Energy for September 11, 2019.

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

Motion by Wisniewski seconded by Hugo that the notice of solicitation by Disability Services Resource Center for September 27 & 28, 2019 be received. Motion carried.

Motion by DeWyse seconded by Klass to accept the bid from Super Construction to replace seven (7) lead water lines at a cost of \$36,030.00 from the Water Fund.

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

Motion by Hugo seconded by DeWyse to authorize the Supervisor to sign the assignment and assumption of lease; quit claim bill of sale; and quit claim deeds for the Knight Road water tower and the Farley Road water tower to the Bay County Department of Water and Sewer.

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

Motion by DeWyse seconded by Hugo to authorize the supervisor to sign the following memorandum of understanding between the township and the Bay County Road Commission.

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MEMORANDUM OF UNDERSTANDING  
between the  
BAY COUNTY ROAD COMMISSION  
and  
CERTAIN TOWNSHIPS OF BAY COUNTY

This Memorandum of Understanding between the Bay County Road Commission, Bay County Drain Commissioner and the Townships of Bangor, Hampton, Kawkawlin and Monitor (Townships) in Bay County in entered into for the purpose of administering and enforcing permits issued by the Michigan Department of Environment, Great Lakes and Energy (EGLE) under the National Pollutant Discharge Elimination System program (NPDES). The objective of the NPDES is to reduce and eliminate storm water pollutants entering the waterways of the State of Michigan.

Under the organization of the Bay Area Storm Water Authority (BASWA), municipalities are working cooperatively in Bay County to efficiently comply with program requirements as permitted under the EGLE.

The Bay County Road Commission, Bay County Drain Commissioner and the Bay County Townships of: Bangor, Hampton, Kawkawlin and Monitor agree to the following:

1. The Bay County Road Commission and the Township will remain members in good standing of the BASWA and work cooperatively to fulfill the requirements under permits issued through the NPDES program.
2. The Bay County Road Commission will provide street sweeping and catch basin cleaning activities for the Townships on Primary and Local roads within the urbanized area. They will follow approved procedures for operation and disposal of collected material.
3. The Townships will be responsible for enforcement actions, in conjunction with the Bay County Health Department and Bay County Drain Commissioner's office, for any suspected violations of standards under the NPDES program.
4. The Bay County Road Commission and Townships will notify and report to each other and the Bay County Drain Commissioner any information or suspected activity that requires action from another BASWA member(s) to be in compliance with current NPDES permits. Suspected violations needing potential enforcement actions will be reported within 24 hours.

Motion carried.

Motion by Close seconded by DeWyse to table the request from the US Census Bureau for participation in the 2020 Census New Construction Program. Motion carried.

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Klass read statement regarding the drastic changes made to balance the 2019 budget; seen many additional expenses this year.

Motion by Klass to restore the salary, pension, life insurance benefits to 100% for township trustees. (Motion dies from lack of support).

ATTORNEY REPORT:

Hewitt had no report.

ENGINEER REPORT:

Bartow was not present.

STANDING COMMITTEE REPORTS:

Motion by Hugo seconded by DeWyse that the Planning Commission minutes of July 11, 2019 be received. Motion carried.

OFFICER/TRUSTEE REPORTS:

Motion by Wright seconded by DeWyse to table the June financial reports. Motion carried.

Motion by DeWyse seconded by Hugo that the 2<sup>nd</sup> quarter interest report for 2019 be received. Motion carried.

Wisniewski addressed the Scheurmann Road sewer project.

Supervisor addressed: working with blight inspector and a number of issues within the township; and the County sand bag program.

OPEN TO THE PUBLIC:

Phil Wagner, 860 W. Center Road, addressed the Board on the blight issue across the road from his property.

Rick Samyn, stated felt the "hemp" grower was threatening the Board.

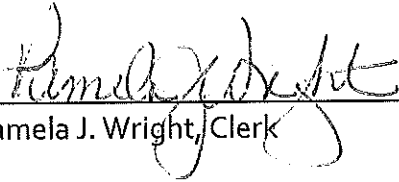
Mary Smith, addressed the remarks by Trustee Klass.

Public portion of the meeting was closed.

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Motion by Hugo seconded by DeWyse that the meeting adjourn. Motion carried. The meeting adjourned at 8:30 p.m..

Respectfully submitted:



Pamela J. Wright, Clerk



Terri Close, Supervisor

