

**CHARTER TOWNSHIP OF HAMPTON**  
**REGULAR MEETING**  
**June 28, 2021**

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

The pledge of allegiance was given to the flag. The invocation was read and a moment of silence observed.

**PRESENT:** Wright, Kenniston, Wisniewski, Benchley, DeWyse, Samyn, & Close

**ABSENT:** None

**ALSO PRESENT:** Worden, Johnson, Hebner, Franz, 14 others

Motion by Wisniewski, supported by Wright, the June 14, 2021 regular meeting minutes be approved as printed.

Motion carried.

**COMMUNICATIONS:**

Motion by Wisniewski, supported by Kenniston to move Item C-Hiring of Paid On-Call Firefighter to New Business Item H.

Motion carried.

Motion by Wisniewski, supported by Wright, to receive and approve the following:

- Adoption of Michigan Municipal League Principles of Governance
- May 2021 Revenue/Expenditure Report

Motion carried.

**AUDITORS REPORT:**

Motion by Benchley, seconded by Wisniewski, the following warrants be approved for payment:

#48568 - #48617	General Fund	\$ 39,761.77
#4276 - #4279	Sewer Fund	2,242.35
Electronic Transfer-John Hancock		17,378.78
#1882 - #1883	Water Fund	<u>269.80</u>
		\$ 59,652.70

**AYES:** Benchley, Wisniewski, Kenniston, Wright, DeWyse, Samyn, Close

**NAYS:** None

Motion carried.

**OPEN TO THE PUBLIC:**

Doreen Reisig, 1062 Orchard Road, asked about an update on the curbside trash service.

**OLD BUSINESS:**

Supervisor Close gave a report on the status of the curbside garbage service. A letter for breach of contract was sent to Republic Services and this notifies them they are not following the contract and gives them the right to correct it. They have been on time and doing a good job for the past two weeks. Per their representative, Brian Andrews, they are better staffed, but are still hiring. The only issue that should affect service would be if a truck breaks down and they do not have a truck available. We are working with them to get a credit due to missed and delayed service.

**June 28, 2021**

**NEW BUSINESS:**

The public hearing for the DWSRF (Drinking Water State Revolving Fund) Loan started at 7:10 p.m. Gary Bartow, gave information regarding the project that would be covered such as replacing 3.4 miles of water main and replacing lead services. The area covered would be Ridge, Johnson, Mulholland and the "College Town" area (Harvard, Cambridge, Princeton, Cornell, etc.). They would be open cutting and installing 8-inch or 12-inch water mains. The loan is low interest and the Township may get it a lower rate if we qualify as a Disadvantaged Community. The meeting was opened to the public.

Trustee Wisniewski questioned about the looping of the water mains. Bartow mentioned the area is already looped with Bay City, but this would add additional looping to get rid of the dead ends. Wisniewski also asked about the construction time frame. Bartow replied it would begin in 2023.

There were no other comments and public portion of the meeting was closed at 7:18 pm.

Motion by Kenniston, supported by DeWyse, that a public hearing was held regarding the DWSRF loan for construction in the SW quadrant of the Township and lead service line replacements and those present were afforded an opportunity to address any concerns or comments.

**WHEREAS**, the Charter Township of Hampton recognizes the need to make improvements to its existing water distribution system; and

**WHEREAS**, the Charter Township of Hampton authorized Fleis & VandenBrink Engineering to prepare a Project Plan, which recommends the construction of lead service line replacement and water main replacement; and

**WHEREAS**, said Project Plan was presented at a Public Hearing held on June 28, 2020 and all public comments have been considered and addressed; and

**NOW THEREFORE BE IT RESOLVED**, that Charter Township of Hampton formally adopts said Project Plan and agrees to implement the selected alternative B1 lead service line replacement and B2 water main replacement; and

**BE IT FURTHER RESOLVED**, that the Supervisor, a position currently held by Terri Close, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a Drinking Water State Revolving Fund Loan to assist in the implementation of the selected alternative.

AYES: Kenniston, DeWyse, Wright, Benchley, Wisniewski, Samyn, Close

NAYS: None

Motion carried.

Motion by, Wisniewski seconded by Wright, to allow the Board of County Road Commissioners for the County of Bay, Michigan to make the area of Cotter Road described below a seasonal road;

WHEREAS the Charter Township of Hampton, Bay County, Michigan, being a municipal corporation within Bay County, hereby petition for the conversion of a roadway currently designated as a Local Road in the Charter Township of Hampton, to a Seasonal Road per Subsection 2 of MCL 247.655a. Specifically, referencing the statute language that allows Bay County to have a Seasonal County Road System that includes roads the Board of County Road Commissioners, County of Bay (BCRC) determine not to be open to public travel “for a period of less than 12 months.”. The following describes the portion of the road thereof, this petition applies:

Description of Proposed Seasonal Road Limits:

Cotter Road - From the intersection of Cotter Road (Road) with Nebobish Road north to the northern terminus of Cotter Road, as certified by the BCRC’s 2020 Act 51 Certified Mileage submission. Said limits being approximately 0.28 miles or 1480 feet from the intersection of Cotter Road and Nebobish Road.

Reason for the Road Re-Designation Request

The Charter Township of Hampton has struggled to curb vandalism along this section of Road that includes the area it provides access. The methods used to vandalize Township and/or BCRC property, range from manual destruction, through the use of weapons, including guns and bow/arrow. Further, this Road and the area to which it leads, is a historic location for the public to dump their trash. The type of trash ranges from bags of household refuse and yard waste to appliances, hot tubs and small, aluminum boats. Public dollars are wasted each year for Hampton employees to repair and replace damaged property and remove dumped items. By installation of gates and locks, the Township hopes to avoid the annual waste of time and money addressing these problems.

WHEREAS, the Charter Township of Hampton, Bay County, Michigan, does hereby petition the Board of County Road Commissioners, County of Bay to remove the Local Road designation for the described section of Cotter Road and re-designate it as a Seasonal County Road, thereby, adding it to the BCRC’s Seasonal County Road System. The Township understands said roadway will be closed and not maintained during the period from April 1<sup>st</sup> through August 31<sup>st</sup> of each year. The Road will remain open and be maintained by BCRC or Hampton Township forces from September 1<sup>st</sup> through March 31<sup>st</sup> of the subsequent year. The Township also understands the Road will also be subject to intermittent closures and will not be maintained between September 1<sup>st</sup> and March 31<sup>st</sup>, if road conditions deteriorate due to heavy rain or snowfall. The Road will be re-opened during this time period once snow is cleared or needed repairs are completed. Closure of the roadway may also occur if reports of vandalism, dumping of trash or other refuse or other unwanted activity occurs during the September to March time period. Hampton Township may close the gates and roadway should such activities occur, promptly and immediately, communicating the closure to the BCRC, emergency responders and the Department of Natural Resources (DNR). In all cases, the roadway will be re-opened at such time the roadway can be restored to a condition reasonably safe for public travel.

WHEREAS, BCRC understands the roadway will be closed by way of a gate and the gate locked, during the April 1<sup>st</sup> through August 31<sup>st</sup> timeframe. This portion of roadway will be removed from the BCRC's Act 51 Certification Maps for 2021. The BCRC, Charter Township of Hampton (Administration, Police, Fire and Department of Public Works) and Department of Natural Resources shall have a key, combination or other ability to open the lock and gate at any time to access their property, facilities or respond to an emergency.

NOW THEREFORE BE IT RESOLVED that the Board of County Road Commissioners for the County of Bay, State of Michigan are permitted to make Cotter Road a seasonal road.

AYES: Wisniewski, Wright, Benchley, Kenniston, DeWyse, Samyn, Close

NAYS: None

Motion carried.

Motion by Wisniewski, seconded by Samyn, to allow the Board of County Road Commissioners for the County of Bay, Michigan to make the area of Nebobish Road described below a seasonal road;

WHEREAS the Charter Township of Hampton, Bay County, Michigan, being a municipal corporation within Bay County, hereby petition for the conversion of a roadway currently designated as a Local Road in the Charter Township of Hampton, to a Seasonal Road per Subsection 2 of MCL 247.655a. Specifically, referencing the statute language that allows Bay County to have a Seasonal County Road System that includes roads the Board of County Road Commissioners, County of Bay (BCRC) determine not to be open to public travel "for a period of less than 12 months.". The following describes the portion of the road thereof, this petition applies:

Description of Proposed Seasonal Road Limits:

Nebobish Road - From the intersection of Nebobish Road (Road) with Cotter Road, east to the eastern terminus of Nebobish Road, as certified by the BCRC's 2020 Act 51 Certified Mileage submission. Said limits being approximately 0.38 miles or 2006 feet from the intersection of Nebobish Road and Cotter Road.

Reason for the Road Re-Designation Request

The Charter Township of Hampton has struggled to curb vandalism along this section of Road that includes the area it provides access. The methods used to vandalize Township and/or BCRC property, range from manual destruction, through the use of weapons, including guns and bow/arrow. Further, this Road and the area to which it leads, is a historic location for the public to dump their trash. The type of trash ranges from bags of household refuse and yard waste to appliances, hot tubs and small, aluminum boats. Public dollars are wasted each year for Hampton employees to repair and replace damaged property and remove dumped items. By installation of gates and locks, the Township hopes to avoid the annual waste of time and money addressing these problems.

WHEREAS, the Charter Township of Hampton, Bay County, Michigan, does hereby petition the Board of County Road Commissioners, County of Bay to remove the Local Road designation for the described section of Nebobish Road and re-designate it as a Seasonal County Road, thereby, adding it to the BCRC's Seasonal County Road System. The Township understands said roadway will be closed and not maintained during the period from April 1<sup>st</sup> through August 31<sup>st</sup> of each year. The Road will remain open and be maintained by BCRC or Hampton Township forces from September 1<sup>st</sup> through March 31<sup>st</sup> of the subsequent year. The Township also understands the Road will also be subject to intermittent closures and will not be maintained between September 1<sup>st</sup> and March 31<sup>st</sup>, if road conditions deteriorate due to heavy rain or snowfall. The Road will be re-opened during this time period once snow is cleared or needed repairs are completed. Closure of the roadway may also occur if reports of vandalism, dumping of trash or other refuse or other unwanted activity occurs during the September to March time period. Hampton Township may close the gates and roadway should such activities occur, promptly and immediately, communicating the closure to the BCRC, emergency responders and the Department of Natural Resources (DNR). In all cases, the roadway will be re-opened at such time the roadway can be restored to a condition reasonably safe for public travel.

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NOW THEREFORE BE IT RESOLVED that the Board of County Road Commissioners for the County of Bay, State of Michigan are permitted to make Nebobish Road a seasonal road.

AYES: Wisniewski, Samyn, Kenniston, Benchley, Wright, DeWyse, Close

NAYS: None

Motion carried.

Motion by Wright, supported by Wisniewski, to authorize the Supervisor to sign the Bay Area Storm Water Authority Memorandum of Understanding with the Bay County Road Commission regarding Bay Area Storm Water Authority under the National Pollutant Discharge Elimination System Program.

AYES: Wright, Wisniewski, Kenniston, Benchley, DeWyse, Samyn, Close

NAYS: None

Motion carried.

Discussion was held on the American Recovery Plan Act (ARPA). The Township is scheduled to receive a total of \$982,105. One half will be received in 2021 and the remaining in 2022. A questionnaire will be sent out with the water bills to get input on how to spend the money. The sample questionnaire was presented and changes were made by the Board.

Wisniewski said we need to add a space for them to give name and telephone number in case we had further questions. Supervisor Close opened it to the public to get input for the questionnaire. Tara Franz, 1275 Rodao Drive, questioned if it could be used for those struggling to pay their water bills. Mary Smith, 1164 W. Hampton Road, said the survey should state it can be used for more than one project. Doreen Reisig, 1062 Orchard Road, asked if was there a deadline it had to be spent.

Motion by Kenniston, supported by Wisniewski, to approve the questionnaire after adding a space for the name, telephone number and clarifying that it can be used on more than one project.

Motion carried.

Kathryn L. Burkholder and Madison Jarmon, from Consumers Energy gave a presentation regarding the closing of Karn plants 3 and 4 in 2023 instead of the previously planned date of 2031. Karn 1 and 2 were already scheduled to close in 2023. Board members and several people asked questions regarding amount of power, buying other natural gas plants, what would be a good use of the property, battery storage of power, and renewable energy sources.

Moved by Wisniewski, seconded by DeWyse, to approve the Memorandum of Understanding with the Police Union regarding starting wages.

AYES: Wisniewski, DeWyse, Benchley, Wright, Kenniston, Samyn, Close

NAYS: None

Motion carried.

Motion by Wisniewski, supported by Samyn, to hire Kevin McNamara as a part-time on-call firefighter.

AYES: Wisniewski, Samyn, Benchley, Kenniston, Wright, DeWyse, Close

NAYS: None

Motion carried.

**ATTORNEY REPORT:**

Hewitt was not present.

**ENGINEER REPORT:**

Bartow had nothing else.

**STANDING COMMITTEE REPORTS**

Motion by Wisniewski, seconded by Kenniston, to receive the Board of Appeals minutes from June 17, 2021.

Motion carried.

**OFFICER/TRUSTEE REPORTS**

**Clerk DeWyse:** Working with Fritz Signs for the sale of one of the billboards. The other four (2 signs) billboard permits the Township currently has have been moved into the interim status and are ready to sell. Tara has sent out the e-mails to the companies that previously bid with the bid opening at the July 26, 2021 meeting. Also looking at other telephone carriers to see if we can save some money.

**Treasurer Samyn:** Tax bills have been sent to the printer and taxpayers should receive them on July 1, 2021.

**Trustees:** Had no report.

**Supervisor Close:** Stated the memorial monument in front of the hall is getting painted.

**Public Safety Chief Benchley:** Was on vacation.

**Department of Public Works Superintendent Worden:** Bay Civitan Club-Special Needs Group helped weed and mulch Wood Park. Putting stone and cutting back the Nature Trail. Lead and copper samples have been reduced from 40 to 20 and they received all 20 back. Putting siding on the Senior Building and still mowing ditches. With all the rain the pumps worked as they should, but had a minor problem on Alpine Court. Had a water main break with a lead line in College Town so Super Construction came and completed the work.

**County Commissioner Johnson:** They had a Personnel/Human Services committee meeting and will be posting vacancies due to retirement. Spoke about the ARPA money (20 million) the County will be receiving.

**OPEN TO THE PUBLIC:**

Jan Nowosatka, 20 W. Nebobish, discussed possibly widening Nebobish from Knight to Finn.

Mary Smith, 1164 W. Hampton Road, asked about record keeping for the ARPA money.

Chad Milkowski, 119 N. Tuscola Road, stated we need to bring tax base to the Township and find possible uses for the Consumers Energy property.

Donna Samyn, 651 E. Warner Road, informed that it's just not the tax base, but Consumers Energy uses a lot of water to produce energy and it may mean higher rates. Also, this just doesn't affect Hampton Township's tax base, it also affects the school, college, library, etc.

Jim Eigner, 1144 W. Hampton Road, inquired if there were any plans to use the old Hampton Mall.

Ken Hunter, 1600 Nebobish Road, questioned the reasoning behind the Township not allowing grow facilities for marijuana.

Mary Smith, 1164 W. Hampton Road, asked if Townships like Monitor or Bangor will be affected by Consumers Energy closing these plants.

Motion by Wisniewski, seconded by Kenniston to adjourn at 8:35 pm

Respectfully submitted:

Approved by

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Frances DeWyse, Clerk

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Terri Close, Supervisor