

**Unapproved**

**REGULAR MARCH 12, 2019 MEETING OF THE GREEN CHARTER TOWNSHIP BOARD WAS CALLED TO ORDER AT 7:00 P.M. THE SUPERVISOR LED THE BOARD IN THE PLEDGE OF ALLEGIANCE TO THE FLAG. THE FOLLOWING BOARD MEMBERS WERE PRESENT, ROLL CALL.**

<b>JAMES CHAPMAN</b>	<b>SUPERVISOR</b>
<b>JANET CLARK</b>	<b>CLERK</b>
<b>DENISE MACFARLANE</b>	<b>TREASURER</b>
<b>NANCY STEPHAN</b>	<b>TRUSTEE</b>
<b>GARY TODD</b>	<b>TRUSTEE</b>
<b>JAMES T. PEEK</b>	<b>TRUSTEE</b>
<b>KELLY CUSHWAY</b>	<b>TRUSTEE</b>

**MINUTES**

The clerk presented the minutes of the 2-12-2019 regular board meeting.

There was a discussion.

The following was a correction in these minutes Pg. 2 Motion 2

Yes – Clark, Chapman, MacFarlane, Todd, Peek No – Stephan, ~~Chapman~~ **Cushway**

**MOTION** was made by J. Peek and supported by G. Todd to accept the minutes of the 2-12-2019 regular board meeting as corrected.

**MOTION CARRIED. 7 yes**

**TREASURERS REPORT**

The treasurer presented the treasurer’s report:

3-12-2019 General fund balance \$ 534,580.26

3-12-2019 Sewer fund balance \$ 499,097.01

**MOTION** was made by J. Peek and supported by G. Todd to accept the treasurer’s reports as presented in all funds.

**MOTION CARRIED. 7 yes**

**SEWER REPORT**

Troy McDonald presented Green Charter Township sewer report as follows:

1/31/2019 – 2/28/2019 28 days

Reading 215438700

Total Flow1017270 Average daily flow 36,331

KW - 575 KW Y.T.D. 1207

**ASSESSORS REPORT**

Board of Review met on Monday, March 11th from 9am - 3pm and will meet on Wednesday March 13th from 3pm - 9pm. An entire report will be available in April.

**PUBLIC COMMENTS**

**BOY SCOUTS AND USE OF PROPERTY**

Jack Fraser-Assistant Scout Master from Troop 114 led a lengthy discussion of concern regarding the potential sale of property the scouts have used and helped maintain over the years and what an asset it has been for multiple groups in the area, in the past. It was discussed that township is in favor of Boy

MARCH 12, 2019



Scouts retaining the property if possible and until more information is collected about possible sale of property, township has no authority to move forward.

### **NEW SHELVING IN CEMETARY STORAGE BUILDING**

The Supervisor thanked Roger Carroll who constructed the shelving units at cemetery winter storage building for the need for multiple spring burials.

### **NEW PATHOLOGIST HIRED**

County Commissioner reported a new part-time forensic pathologist was hired 2-1-2019, commuting from Florida to Big Rapids as needed. There are currently 8 counties involved in the authority and hoping for a total of 10 by next month.

### **OLD BUSINESS**

#### **PEDESTRIAN BRIDGE**

A second set of paint samples from Pedestrian Bridge was obtained by supervisor and sent to an approved company in Holt, MI recommended by DEQ for testing. Results of two separate samples are 2700 parts/million and 0900 parts/million under the recommended 5000parts/million. No action was taken at this time.

An in-depth continuation of discussion followed.

- Removing the chain-link fencing
- Options that are available for the bridge
- Auditor would be contacted
- Follow procedure of disposing of township asset
- Fencing would be scrap value only
- Hiring person to modify bridge (removal of fencing)
- Allowing interested party to remove fencing for scrap value only
- Question of scrap person being insured

**MOTION** was made by J. Peek and supported by J. Clark for approval of up to \$500.00 for removal of chain-link fencing from Bridge.

**MOTION CARRIED.** Yes 5 No 2

Yes – Peek, Clark, Chapman, MacFarlane, Todd      No – Stephan, Cushway

**MOTION** was made by J. Peek and supported by G. Todd to table further action on Bridge for 90 days.

**MOTION CARRIED** Yes 7

Yes – Peek, Clark, Chapman, MacFarlane, Todd, Stephan, Cushway

**MEAL/TRAVEL REIMBURSEMENT** A Big Rapids City sample document was reviewed. A discussion followed, suggested limiting the amount of money on plan per meal. A line will be added to the document stating no alcohol will be included in meal plan. Maximum per meal for breakfast \$10.00, lunch \$15.00, and dinner \$25.00, per person, per day.

MARCH 12, 2019

MOTION was made by J. Peek and supported by N. Stephan to adopt this form.

MOTION CARRIED Yes 7

Yes – Peek, Clark, Chapman, MacFarlane, Todd, Stephan, Cushway

**NEW BUSINESS**

**REED CITY LIBRARY PRESENTATION**

Lindsey Eckles from Reed City Area District Library gave a presentation.

- Highlighting the library
- Mary Neal – Liaison
- Current Events
- 3-year plan
- Number of active borrowers
- Number of E-Books available
- Student co-op position
- Window problems
- \$7,000.00 penal fines- keep decreasing

**RECREATIONAL MARIHUANA ZONING OPTIONS AND CONTROL**

The following proposed ordinance was introduced and a discussion followed.

**CHARTER TOWNSHIP OF GREEN**

**COUNTY OF MECOSTA, MICHIGAN**

At a regular meeting of the Township Board of the Charter Township of Green, County of Mecosta, Michigan, held at the Green Charter Township Hall, 21431 Northland Drive, Paris, Michigan, on the \_\_\_ day of \_\_\_\_\_, 2019, at \_\_\_ p.m. Local Time.

PRESENT:       Members:       \_\_\_\_\_

ABSENT:        Members:       \_\_\_\_\_

The following ordinance was offered by Member \_\_\_\_\_ and seconded by Member \_\_\_\_\_.

**ORDINANCE NO. 20-32019**

**AN ORDINANCE TO COMPLETELY PROHIBIT THE ESTABLISHMENT OR OPERATION OF RECREATIONAL MARIHUANA ESTABLISHMENTS IN THE TOWNSHIP**

THE CHARTER TOWNSHIP OF GREEN ORDAINS:

**Section 1.       Marihuana Facilities/Establishments Prohibited.** The establishment and/or operation of any and all types of a “marihuana establishment,” as that term is defined and used in Michigan Initiated Law 1 of 2018, commonly known as the Michigan Regulation and Taxation of Marihuana Act,

MARCH 12, 2019

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\_\_\_\_\_

is prohibited throughout the jurisdictional boundaries of Green Township. This prohibition includes, but is not limited to, the following types of marihuana establishments:

- A. Marihuana grower.
- B. Marihuana safety compliance facility.
- C. Marihuana processor.
- D. Marihuana microbusiness.
- E. Marihuana retailer.
- F. Marihuana secure transporter.
- G. Any other type of marihuana-related business that is subject to licensing by the state department of licensing and regulatory affairs (“LARA”) under Michigan Initiated Law 1 of 2018 or the rules promulgated thereunder.

**Section 2. Rights Under MMMA Not Impaired.** This Ordinance does not limit any privileges, rights, immunities or defenses of a person as provided in the Michigan Medical Marihuana Act, Michigan Initiated Law 1 of 2008, MCL 333.26421, *et seq.*

**Section 3. Transportation of Marihuana.** This Ordinance does not restrict or prohibit the transportation of marihuana through the Township by (a) a marihuana secure transporter who is licensed to operate in another municipality, or (b) a means otherwise authorized by state law.

**Section 4. Violations; Injunctive Relief.**

A. A violation of this Ordinance is hereby declared to be a nuisance per se. The Township may seek injunctive relief against a violator, in order to abate the violation or to seek such other relief provided by law. In a proceeding for injunctive relief, the violator shall be responsible for all costs, damages, expenses and attorney fees incurred by the Township and shall be subject to all other remedies provided to the Township by law.

B. A violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than \$100 nor more than \$500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other 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 the municipal civil infraction.

C. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Township or by such other person (s) as designated by the Township Board from time to time.

**Section 4. Severability.** Each portion of this Ordinance shall be deemed to be severable. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional, invalid, or unenforceable, such holding shall not affect the validity or enforceability of this Ordinance as a whole, or of any other part hereof.

**Section 5. Publication and Effective Date.** This Ordinance shall become effective upon the publication of a summary of its provisions in a local newspaper of general circulation.

MARCH 12, 2019

The supervisor read this synopsis as follows:

**ORDINANCE NO. 20-32019**

**AN ORDINANCE TO COMPLETELY PROHIBIT THE ESTABLISHMENT OR OPERATION OF RECREATIONAL MARIHUANA ESTABLISHMENTS IN THE TOWNSHIP**

**ORDINANCE NO. 20-32019**

**Section 1. Marihuana Facilities/Establishments Prohibited.** The establishment and/or operation of any and all types of a “marihuana establishment,” as that term is defined and used in Michigan Initiated Law 1 of 2018, commonly known as the Michigan Regulation and Taxation of Marihuana Act, is prohibited throughout the jurisdictional boundaries of Green Township. This prohibition includes, but is not limited to, the following types of marihuana establishments:

A. All types are listed

**Section 2. Rights Under MMMA Not Impaired.** This Ordinance does not limit any privileges, rights, immunities or defenses of a person as provided in the Michigan Medical Marihuana Act, Michigan Initiated Law 1 of 2008, MCL 333.26421, *et seq.*

**Section 3. Transportation of Marihuana.** This Ordinance does not restrict or prohibit the transportation of marihuana through the Township by (a) a marihuana secure transporter who is licensed to operate in another municipality, or (b) a means otherwise authorized by state law.

**Section 4. Violations; Injunctive Relief.**

D. A violation of this Ordinance is hereby declared to be a nuisance per se. The Township may seek injunctive relief against a violation and collect all costs.

E. A violation of this ordinance is a municipal civil infraction, and the township may collect all costs.

F. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Township or by such other person (s) as designated by the Township Board from time to time.

**CONT. NEW BUSINESS**

The supervisor reported that he and safety officials were called to monitor ice jams along the river, the second week of February. The Drone Team was called as well. No reports of property damage were reported.

Smoke Testing Proposal are sent out to 16 vendors for bids and are due back April 1st.

MARCH 12, 2019

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A board member suggested a meeting be set up with Burnham & Flowers to discuss pension information. Supervisor will contact company to set up date and time.

**PUBLIC COMMENT**

A township resident voiced concern of speeding and aggressive passing by motorists in Paris. He suggests that there should be a “no passing zone” through Paris. The supervisor will contact engineers in Cadillac regarding this issue.

The Deputy Clerk voiced concern of set amount of money delegated for election inspectors for meal planning during main elections. It was suggested by a board member that if there is a need, to increase the amount for meals. The Supervisor will check with other townships in the area and report back next month with findings.

A board member voiced concern over their opinion of the number of salting done this year.

**BUDGET AMENDMENTS**

**MOTION WAS MADE** by J. Peek and supported by G. Todd to approve the following amendment in the General Fund and Sewer Fund.

**MOTION CARRIED** 7 Yes Stephan, Peek, Clark, Chapman, MacFarlane, Todd, Cushway

SEWER FUND		3/12/2019 BUDGET YEAR 2018-2019						
	ACCOUNT	DESCRIPTION	ACTUAL	BUDGET	AMENDED AMOUNT	NEW BUDGET	AMENDED BALANCE	
#10	590-702-171	SUPERVISOR SALARY	\$ 5,124.12	\$ 5,124.04	\$ 0.08	\$ 5,124.12	\$ -	
#11	590-702-215	CLERK SALARY	\$ 4,500.24	\$ 4,500.23	\$ 0.01	\$ 4,500.24		
#12	590-702-265	TREASUR SALARY	\$ 8,314.92	\$ 8,314.84	\$ 0.08	\$ 8,314.92		
	from						\$ -	
	590-702-704	SALARY NON ADMIN HOURLY	\$ 490.93	\$ 600.00	\$ (0.17)	\$ 599.83	\$ 108.90	
#13	590-000-920	ELECTRIC- LIFT STATION	\$ 1,029.51	\$ 1,000.00	\$ 29.51	\$ 1,029.51	\$ -	
	from							
	590-000-921	GAS LIFT STATION	\$ 391.88	\$ 720.00	\$ (29.51)	\$ 690.49	\$ 298.61	

MARCH 12, 2019

3/12/2019 BUDGET YEAR 2018-2019 AMENDMENTS							
	ACCOUNT	DESCRIPTION	ACTUAL	BUDGET	AMENDED AMOUNT	NEW BUDGET	AMENDED BALANCE
	<b>GENERAL FUND</b>						
#1	101-101-702	TWP BD WAGES (TRUSTEES)	\$ 9,463.20	\$ 9,462.87	\$ 0.33	\$ 9,463.20	\$ -
#2	11-101-874	PENSION	\$ 16,834.92	\$ 16,750.64	\$ 84.28	\$ 16,834.92	\$ -
	from					\$ -	
	101-101-703	TRUSTEE PER DIEM	\$ 684.50	\$ 1,100.00	\$ (84.61)	\$ 1,015.39	\$ 330.89
#3	101-101-900	PRINTING & PUBLISHING	\$ 7,028.49	\$ 6,300.00	\$ 750.00	\$ 7,050.00	\$ 21.51
	from					\$ -	\$ -
	101-101-970	SMALL FIXED ASSEST (Twp. Bd.)	\$ 1,446.87	\$ 2,200.00	\$ (750.00)	\$ 1,450.00	\$ 3.13
#4	101-171-702	SUPERVISOR WAGES	17550.48	17550.47	0.01	\$ 17,550.48	\$ -
	from					\$ -	\$ -
	101-171-706	DEPUTY SUPERVISOR	\$ 89.25	\$ 1,000.00	\$ (0.01)	\$ 999.99	\$ 910.74
#5	101-215-702	CLERK WAGES	\$ 30,544.44	\$ 30,544.40	\$ 0.04	\$ 30,544.44	\$ 0.00
	from					\$ -	\$ -
	101-215-706	DEPUTY CLERK	\$ 11,420.84	\$ 13,500.00	\$ (0.04)	\$ 13,499.96	\$ 2,079.12
#6	101-253-702	TREASURER WAGES	\$ 17,992.20	\$ 17,992.11	\$ 0.09	\$ 17,992.20	\$ -
	from						
	101-253-706	DEPUTY TREASURER	\$ 1,394.45	\$ 1,565.00	\$ (0.09)	\$ 1,564.91	\$ 170.46
#7	101-265-800	CONTRACTUAL SERVICES	\$ 12,889.18	\$ 12,000.00	\$ 3,000.00	\$ 15,000.00	\$ 2,110.82
	from						
	101-265-923	TWP. HALL HEAT	\$ 844.22	\$ 1,800.00	\$ (100.00)	\$ 1,700.00	\$ 855.78
	101-265-930	TWP. HALL REPAIR & MAINT	\$ 1,488.50	\$ 2,500.00	\$ (1,000.00)	\$ 1,500.00	\$ 11.50
	101-265-970	TWP. HALL SMALL FIXED ASSETS	\$ 158.99	\$ 1,000.00	\$ (800.00)	\$ 200.00	\$ 41.01
	101-265-976	TWP. HALL ADDITIONS & IMPROVEMENTS	\$ -	\$ 1,100.00	\$ (1,100.00)	\$ -	\$ -
					\$ (3,000.00)	\$ (3,000.00)	\$ (3,000.00)
#8	PAYROLL	COMP FICA	\$ 6,496.44	\$ 6,000.00	\$ 600.00	\$ 6,600.00	\$ 103.56
#9	PAYROLL	COMP MCARE	\$ 1,519.91	\$ 1,500.00	\$ 50.00	\$ 1,550.00	\$ 30.09
	from					\$ -	\$ -
	101-215-706	DEPUTY CLERK	\$ 11,420.84	\$ 13,499.96	\$ (650.00)	\$ 12,849.96	\$ 1,429.12

MARCH 12, 2019

YEAR END AMENDMENT

**2018-2019 FISCAL YEAR END BILLS**

MOTION was made by J. Peek and supported by N. Stephan authorizing to payment of all fiscal year end 2018-2019 bills and budget amendments that may be needed.

**MOTION CARRIED. 7 YES** Stephan, Peek, Clark, Chapman, MacFarlane, Todd, Cushway

**AUTHORIZE PAYMENT OF BILLS**

**MOTION** was made by G. Todd and supported by J. Peek to approve payment of the following bills:

**GENERAL FUND** 02/19/2019- 03/13/2019 CK #13802 - #13832 \$18,894.39

**SEWER FUND** 02/19/2019 – 03/12/2019 CK #3763 - # 3771 \$2,425.88

**MOTION CARRIED. 7 YES** Stephan, Peek, Clark, Todd Chapman, MacFarlane, Cushway

Janet Clark, Township Clerk 03/12/2019 – 8:50 P.M. meeting adjourned

MARCH 12, 2019