

Boyne Valley Township Meeting

January 14, 2019 – 7:00 p.m.

This meeting is a meeting of the Boyne Valley Township Board in public for the purpose of conducting the township's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated on the agenda.

Minutes

I. Call to Order	The meeting was called to order by Hobbs at 7:00 p.m.
II. Roll Call	Members Present: Kondrat, Kelenske, Sparks, Hobbs Members Absent: Matelski Others Present: Ronald Reinhardt, Jerry Hawes, Jason Johnson, John Lamont, Russ Koeman
III. Approval of Minutes and Corrections	Motion by Kelenske, support by Kondrat, to approve the minutes of the regular board meeting of December 10, 2018. Motion carried 4 to 0. Motion by Kelenske, support by Kondrat to approve the minutes of the special board meeting of December 28, 2018. Motion carried 4 to 0.
IV. Approval of Financial Report	Motion by Kelenske, support by Kondrat to approve the financial report for December 31, 2018. Motion carried 4 to 0.
V. Recognition of Audience	<ul style="list-style-type: none">Jerry Hawes following up to see the status on his neighborhood nuisance complaint Zoning Administrator Hobbs reported that a ticket has been issued and the animals are to be removed from the property. There are several violations on this property that need to be looked at.
VI. Board Update	a. Budget Workshops – General & Ambulance Workshop at 5:30 p.m. on Feb 6 and Fire Workshop at 6:00 p.m. on Feb 11. b. Marijuana Ordinance <p style="text-align: center;">BOYNE VALLEY TOWNSHIP ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS WITHIN THE TOWNSHIP Ordinance No.1 of 2019 AN ORDINANCE PURSUANT TO THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT, 2018 INITIATED LAW 1, § 6.1, MCL 333.27956, SUBSECTION 1, TO PROHIBIT MARIHUANA ESTABLISHMENTS WITHIN THE BOUNDARIES OF BOYNE VALLEY TOWNSHIP AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF BOYNE VALLEY TOWNSHIP HEREBY ORDAINS: Section 1. Marihuana Establishments Prohibited.</p>

Pursuant to the authority granted under Section 6.1 of the Michigan Regulation and Taxation of Marihuana Act, 2018 Initiated Law 1, § 6.1, MCL 333.27956, Subsection 1, Boyne Valley Township hereby completely prohibits any marihuana establishment, as that term is defined in Section 3(h) of the Michigan Regulation and Taxation of Marihuana Act, 2018 Initiated Law 1, § 3(h), MCL 333.27953(h), within its boundaries.

Section 2. Violation; Penalty.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.

Section 3. Enforcement Officials.

The Township Supervisor and any other person appointed by the Township Board are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 4. Nuisance Per Se.

A violation of this Ordinance is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety and welfare.

Section 5. Separate Court Action.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 6. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not effect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 7. Effective Date.

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Township.

Ordinance No.1 was adopted on the 14th day of January 2019, by the Boyne Valley Township Board as follows:

Motion by: Kelenske

Seconded by: Sparks

Yeas: Kelenske, Kondrat, Sparks, Hobbs

Nays: None

Absent: Matelski

Lynn Sparks, Clerk

c.	<p>Raise Pay for Zoning and Planning</p> <ul style="list-style-type: none"> It is recommended that the board increase the pay for ZBA and Planning Commission to \$125 per meeting. Board will consider when updating fees and salary schedule for the next fiscal year.
d.	<p>Library Electrical Work</p> <ul style="list-style-type: none"> Motion by Kondrat, support by Hobbs to update the electrical and do repairs as recommended by Bear River Electric at the library. Motion carried 3 to 1.
e.	<p>Road Commission Meeting</p> <ul style="list-style-type: none"> Annual meeting with the road commission is Jan 22, 2019 at 7:00 p.m.
f.	<p>EMS Service including trucks and building</p> <ul style="list-style-type: none"> Hobbs reported that Jay Peck from the Jordan Valley Ambulance Authority has proposed that the authority pay all expenses to run the building (snow removal, lawn maintenance, utilities, etc.). Will need to discuss the amount that the authority will pay for trucks, equipment, etc. Mike Cain would like to set up a meeting to discuss where we are and why
g.	<p>Local Government Officials Meeting – January 28</p>
h.	<p>Positions to be filled</p> <ul style="list-style-type: none"> Hobbs will be appointing Tony Olson as Deputy Supervisor and Deputy Zoning Administrator.
i.	<p>Other</p> <ul style="list-style-type: none"> David Matelski is not happy that the board isn't moving faster on the Solar ordinance. There are solar fields on the corner of Townline and Parmator in Gaylord and also one at Coveyou Farms in Petoskey. Charles Gould has said that there have not had problems with the solar energy and that Cypress Creek is a national leader. Gould has also indicated that electric vehicle charging stations are important for tourism.
VII.	<p>Building and Grounds</p> <ul style="list-style-type: none"> The ice rink is frozen and ready for use.
VIII.	<p>Fire & Rescue Report</p> <ul style="list-style-type: none"> All of the airpacs are repaired except one. Jim Matelski was able to fix them. The garage door is repaired.
IX.	<p>Ambulance Report</p> <ul style="list-style-type: none"> 37 runs in December, transported 29 NEMESIS is going to upgrade patient chart reporting. Electronic report will automatically upload to the state.
X.	<p>Planning Report</p>
XI.	<p>Transfer Station Report</p>
XII.	<p>Public Comments</p> <ul style="list-style-type: none"> County Planning Meetings time has changed to 6:00 p.m. County Commissioner Meetings will now meet at 6:00 p.m. County needs a new planning commission member. Phase III of the Boyne City to Charlevoix trail grant funding is no longer available. The county has to reapply.
XIII.	<p>Motion by Sparks, support by Kelenske to approve the payment of the January bills. Motion carried 4 to 0.</p>
XVII.	<p>Adjournment</p> <p>Motion by Kelenske, support by Kondrat to adjourn. Motion carried 4 to 0.</p>

Time: 8:19 p.m.

Respectfully submitted,

Lynn Sparks
Clerk