

MULLETT TOWNSHIP BOARD OF TRUSTEES MINUTES FOR JANUARY 8, 2019
MULLETT TOWNSHIP HALL, 7:00 PM – TOPINABEE, MICHIGAN 49791

The Mullett Township Board of Trustees met at the Mullett Township Hall in Topinabee, Michigan 49791 at 7:00 p.m. on January 8, 2019. All Board Members were present: Hobart Kirsch, Rachel Osborn, Kathy Flory, John Brown and Dennis Dombroski.

The meeting was called to order at 7:00 p.m. with the recitation of the Pledge of Allegiance.

Public Comment was opened at 7:01 p.m. and was closed at 7:10 p.m.

The minutes of the December 4, 2018 meeting were approved by a motion from Dennis Dombroski and seconded by John Brown. Motion passed.

The Treasurer's Report is as follows:

General Fund 101	\$648,613.07
Fire Fund 206	\$457,038.31
Liquor Fund 212	\$133.42
Light Fund 219	\$17,092.75
Library Fund 271	\$13,084.92
Tax Accounts:	\$708,532.23

The Mullett Township Expense Report for Third Quarter of Fiscal Year 2018-2019

General Fund 101	\$49,745.62
Fire Fund 206	\$52,984.13
Liquor Fund 212	\$290.67
Light Fund 219	\$2,937.12
Library Fund 271	\$9,727.67
Total	\$115,685.21

Topinabee Fire Department presented a report for the calendar year of 2018 containing all the information concerning every type of run made for instance: Accidents – 6%, Gas Leaks/Power lines 8%, Nuisance alarms 7%, Fires 10%, EMS 69%. Location of runs as follows: Mullett had 115 runs, Burt had 47 runs and Mutual aid had 9 runs. In addition, the fire departments participated in training sessions during the year.(17)

Discussion of a contract between Burt Township and Mullett Township for fire coverage of the East Half of Burt Township; MacArthur Law Firm to write a contract for approval of the Mullett Township Board. Motion by John Brown to have MacArthur Law Firm write a contract to re-negotiate the Fire Contract between Burt and Mullett Townships for Fire Services by Topinabee Fire Department, with a second by Rachel Osborn, motion passed.

On a motion by Dennis Dombroski to appoint Ron Clymer as an Alternate Board of Review Member to serve until 2021, with a second by Kathy Flory, motion passed.

Question for Tim MacArthur: Is internet provided and paid for township officials that use a home office legal? MacArthur Law Firm to write an opinion.

**RESOLUTION OF MULLETT TOWNSHIP BOARD ESTABLISHING SPECIAL ASSESSMENT
DISTRICT FOR LIGHTING PURPOSES**

Excerpts of minutes of a regular meeting of the Board of Trustees of Mullett Township, County of Cheboygan, Michigan held at the Mullett Township Hall on the 8th day of January, 2019 at 7:00 o'clock p.m.

PRESENT: Kirsch, Osborn, Flory, Dombroski and Brown

Absent: None

Upon motion of John Brown and supported by Rachel Osborn the following resolution was adopted by roll call vote:

RESOLUTION

WHEREAS, the Township Board of Mullett Township believes that it is in the public interest to provide lighting for certain roads and streets located within the Township which will serve certain real property located on or near said roads and streets which real property is identified as follows:

All parcels of real property located on or contiguous to M-27 from the Mullett Township boundary line with Inverness Township on the north and terminating at North Park Trail on the south and all parcels of real estate which are within one-half ($\frac{1}{2}$) mile westerly and one-half ($\frac{1}{2}$) mile easterly of that portion of M-27 described herein whether or not located on M-27 and,

WHEREAS, the Mullett Township Board further believes that it is in the public interest to provide lighting by a special assessment district to the aforesaid parcels of real property located on the identified roads or streets located within the Township: and

WHEREAS, it is in the best interest of the free holders so affected and the township that such lighting be paid for by special assessment to ensure effective collection of funds for such lighting: and

WHEREAS, the Township Board of the Township of Mullett in accordance with Public Act 246 of 1931, has held a public hearing to hear objections to the lighting district, the creation of a Special Assessment District for financing the same, and the estimate of costs and the method of assessment for the same: and WHEREAS, notice was given to all property owners within the proposed special assessment district by regular mail and notice was published in a local newspaper of general circulation on two different occasions: and

WHEREAS, THE Township Board of the Township of Mullett has duly noted any objections brought forth at the public hearing on the establishment of the Special Assessment District for lighting.

NOW , THEREFORE, BE IT RESOLVED that the Township Board of the Township of Mullett, in accordance with Public Act 246 of 1931 does hereby establish a lighting district and hereby creates a Special Assessment District for the collection of funds for such lighting.

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BE IT FURTHER RESOLVED, that the Special Assessment District shall be known as the **Mullett Township Lighting Special Assessment District #19-01**

BE IT FURTHER RESOLVED, that the configuration of the lights within the **Mullett Township Lighting Special Assessment District #19-01** shall not, in the future, be changed without the approval of the Township Board of Mullett Township:

BE IT FURTHER RESOLVED, that the Township Board of Mullett Township hereby determines and directs that the lighting assessment shall be assessed as a millage on the taxable valuation of the parcels located within the **Mullett Township Lighting Special Assessment District #19-01**.

BE IT FURTHER RESOLVED, that, if the special assessment roll is confirmed, the Township Board of Mullett Township shall annually review the costs of lighting in the Special Assessment District area at its August regular meeting each year and shall establish, by resolution, the charges for lighting within the Special Assessment District area for the subsequent year;

BE IT FURTHER RESOLVED, that the supervisor and assessing officer of the township shall prepare a special assessment roll in the amount of \$15,000.00 for 2019 covering all the parcels of land in the **Mullett Township Lighting Special Assessment District #19-01**, according to the relation of the benefit to each parcel of land to the total benefit to all parcels of land in such Special Assessment District and shall affix thereto their Certificates as required by this Resolution.

BE IT FURTHER RESOLVED, that said special assessment roll shall be filed with the township Clerk and shall be available for public examination during regular working hours of regular working days from the present date until the

public hearing upon the same and shall further be examined at such public hearing:

BE IT FURTHER RESOLVED, that the township board shall meet at 6:45 p.m. on February 5, 2019 at the Mullett Township Hall located at 1491 No. Straits Hwy, Topinabee, Michigan 49791, within the township, to review such special assessment roll and to hear any objections thereto:

BE IT FURTHER RESOLVED, that the township Clerk shall cause Notice of such hearing and the filing of such assessment roll to be published twice in the Straitsland Resorter, a newspaper of general circulation in the township prior to the date of hearing with the first publication being not less than 10 (10) days prior to the hearing and shall further cause Notice of such hearing to be mailed by First Class Mail to all owners of or persons interested in property with the **Mullett Township Lighting Special Assessment District #19-01** as shown on the current assessment roll of the township also at least ten (10) days prior to said hearing, all in accordance with law and statute provided:

BE IT FURTHER RESOLVED, that all Resolutions and parts of Resolutions insofar as they conflict with the provisions of the within Resolution are hereby rescinded.

Upon roll call vote, the Board voted as follows:

Ayes: John Brown, Hobart Kirsch, Kathy Flory, Rachel Osborn

Nays: Dennis Dombroski

Abstentions: None

Absent: None

The Supervisor declared the Motion carried and the Resolution duly adopted.

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CERTIFICATE OF CLERK

The undersigned, **RACHEL OSBORN**, being the duly elected Clerk for the Township of Mullett, and the keeper of the records of said township, and

having been in attendance at the regular meeting of January 8, 2019 at which meeting five (5) Board members were present, which meeting was held pursuant to the Open Meetings Act and after appropriate notice has been given, hereby certifies that the above is a true and accurate copy of the Resolution adopted by the Board of said Township at said meeting.

Dated: 01/08/2019

RACHEL OSBORN
Mullett Township Clerk

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EXCERPTS OF MINUTES OF REGULAR MEETING

Excerpts of minutes of a regular meeting of the Township of Mullett, County of Cheboygan State of Michigan, held at the Mullett Township Hall on the 8th day of January, 2019, at 7 o'clock p.m.

PRESENT: Hobart Kirsch, Rachel Osborn, Kathy Flory
John Brown and Dennis Dombroski

Absent: None

Upon motion of Dennis Dombroski and support by
Kathy Flory, the following Ordinance was adopted
by roll call vote:

TOWNSHIP OF MULLETT
COUNTY OF CHEBOYGAN
STATE OF MICHIGAN
ORDINANCE NO. 19-01
ADOPTED: JANUARY 8, 2019
EFFECTIVE: FEBRUARY 7, 2019

PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS ORDINANCE

An ordinance to provide a title for the ordinance: to define words: to prohibit marihuana establishments within the boundaries of Mullett Township pursuant to Initiated Law 1 of 2018, MCL333.27951 et seq., as may be amended: to provide penalties for violation of this ordinance: to provide severability: to repeal all ordinance or parts of ordinances in conflict therewith; and to provide an effective date.

THE TOWNSHIP OF MULLETT, CHEBOYGAN, MICHIGAN ORDAINS:

SECTION I

This ordinance shall be known as and may be cited as the Mullett Township Prohibition of Marihuana Establishments Ordinance.

SECTION II
DEFINITIONS

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL333.27951 et seq., as may be amended

SECTION III
NO MARIHUANA ESTABLISHMENTS

Mullett Township hereby prohibits all marihuana establishments within the municipal boundaries of Mullett Township pursuant to Initiated Law 1 of 2018, MCL333.27951 et seq., as may be amended.

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SECTION IV
VIOLATIONS AND PENALTIES

1. Any person who disobeys, neglects or refuses to comply with any provision of this ordinance or who causes also 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 fines shall not be less than \$100.00 nor more than \$500.00, 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.

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.

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

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 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 VI REPEAL

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

SECTION VII EFFECTIVE DATE

This ordinance shall take effect on February 7, 2019

Those voting aye: John Brown, Dennis Dombroski, Hobart Kirsch, Kathy Flory

Those voting nay: Rachel Osborn

Those absent: None

The Supervisor declared the Ordinance Adopted

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CERTIFICATION OF TOWNSHIP CLERK

The undersigned Clerk of the Township of Mullett does hereby certify that the foregoing **MULLETT TOWNSHIP PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS ORDINANCE:** Ordinance #19-01 was duly adopted and passed by resolution of the Township Board for the Township of Mullett at a regular meeting thereof, held on the 8th day of January, 2019.

Dated: 01/08/2019

RACHEL OSBORN
Mullett Township Clerk

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John Brown motioned to engage Richard Clements at a cost of \$3,500.00 to render preliminary drawings for the Old School with possible uses, seconded by Dennis Dombroski, motion passed.

Approval of the Pac Sanitation Inc. Contract for Clean-up Days (Topinabee - August 3, 2019 and Derby Road August 10, 2019) was offered in a motion by John Brown and seconded by Kathy Flory, motion passed.

Hobart Kirsch read a Mi Newswire concerning fighting blight in rural Michigan and how townships can apply for grant money to clean up areas of blight.

Rachel Osborn read letters from Mary Anne Gale, against library move, Joyce Stroman and Cindy Lou Poquette both for a move and also pro growth of the library for better services to the community.

Motion by Hobart Kirsch to pay the bills, seconded by John Brown, motion passed with one opposed.

Meeting adjourned at 9:09 p.m.

Respectfully submitted

Rachel Osborn

Mullett Township Clerk