

**Mitchell Township Board**  
**October 14, 2019**  
**Meeting Minutes**

The Regular Meeting of the Mitchell Township Board was called to order by Supervisor Brimm, on Monday, October 14, 2019 at 7:00 p.m. at the Mitchell Township Hall, 6849 W. Tower Road, Curran, Michigan.

**Members present:** Supervisor Carla Brimm, Treasurer Kevin Small, Clerk Donita Charron, Trustee Mike Lay

**Members absent:** Trustee Paula Taylor

**Others present:** Commissioner Wnuk and 2 members of the community

**September 2019 Regular Meeting Minutes**

*It was moved by Charron, supported by Lay, to approve the September Regular Minutes.*

*Yes – 4 No – 0 Absent – 1 Motion Carried.*

**September Financial Reports**

*It was moved by Lay, supported by Charron to file September financial reports.*

*Yes – 4 No – 0 Absent – 1 Motion Carried.*

*It was moved by Charron, supported by Small to move \$1000 from Building, \$500 from the park and \$2000 from the Road funds for a total of \$3500 to the Cemetery Fund.*

*Yes – 4 No – 0 Absent – 1 Motion Carried.*

**Public Comment:**

Commissioner Wnuk reported on the following: Attended District Health meeting in West Branch, reported on No State Pilt Fund for Townships, put forth a resolution to elect a new chairperson, Curtis Twp passed a no Marihuana Establishments Ordinance.

**Departmental Reports**

**Assessing**

- None

**Fire Department**

- September 5 Medical and 1 Fire runs
- The old ambulance will be offered to Fire Departments in the UP
- The old defibrillator to a local church

*It was moved by Small, supported by Charron to pay Accident Fund \$1,390.00*

*Yes – 4 No – 0 Absent – 1 Motion Carried.*

*It was moved by Small, supported by Charron for the Fire Dept. to purchase 6 radios and have them reprogrammed not to exceed \$1,600.*

*Yes – 4 No – 0 Absent – 1 Motion Carried.*

**Planning Commission**

- September 11, 2019

**Zoning Administrator**

- September Zoning Report was accepted

**Cemetery**

- Gravesite Exhumation will take place within the next few weeks

**Roads**

*It was move by Small, supported by Charron to pay Alcona County Road Commission \$12,728.92 for the resurfacing of Tower Road.*

*Upon a roll call vote the following voted:*

*Yea: Kevin Small, Carla Brimm, Donita Charron and Mike Lay*

*Nay: None*

*Absent: Paula Taylor,*

**Building**

- None

**Park**

- Discussed the management of the Park Property timber and the contract for the harvesting. The timber has to be harvested in the winter months to protect the forest from Oak Wilt transmission.

**Election**

- None

**Correspondence**

- Various with no action taken

**Old Business**

**TOWNSHIP OF MITCHELL  
 COUNTY OF ALCONA, STATE OF MICHIGAN  
 ORDINANCE NO. 2019 - 8  
 ADOPTED: October 14, 2019  
 EFFECTIVE: October 14, 2019**

**PROHIBITION OF MARIHUANA ESTABLISHMENTS ORDINANCE**

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Mitchell Township pursuant to Initiated Law 1 of 2018, MCL [333.27951](#) *et seq.*, as may be amended; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

**THE TOWNSHIP OF MITCHELL  
 ALCONA COUNTY, MICHIGAN ORDAINS:**

**SECTION I  
TITLE**

This ordinance shall be known as and may be cited as the Mitchell 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, MCL [333.27951](#) *et seq.*, as may be amended.

**SECTION III**  
**NO MARIHUANA ESTABLISMENTS**

Mitchell Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL [333.27951](#) *et seq.*, as may be amended.

**SECTION IV**  
**VIOLATIONS AND PENALTIES**

- Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes allows 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.
- 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.
- Each day during which any violation continues shall be deemed a separate offense.
- 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.
- 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 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**

**BE IT RESOLVED**, that as of October 14, 2019

The foregoing resolution offered by board member Douglas ( Mike) Lay.  
Supported by board member Kevin Small.

Upon a roll call vote, the following voted:

"Aye": Kevin Small, Carla Brimm, Donita Charron, Douglas (Mike) Lay

"Nay": None

Absent: Paula Taylor,

The Supervisor Carla Brimm declared the motion carried and the resolution **adopted** on the 14th day of October, 2019.



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Donita Charron, Clerk



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Carla Brimm, Supervisor

**New Business**

*It was moved by Lay, supported by Small to accept Herb Trader's bid for snowplowing the Township.*

Yes 4    No 0    Absent 1    Motion carried.

Next meeting November 11, 2019 at 7:00 p.m.

Meeting adjourned 8:40 p.m.



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Donita Charron, Clerk



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Carla Brimm, Supervisor