

**CHARTER TOWNSHIP OF VAN BUREN
BOARD MEETING MINUTES
MAY 20, 2014**

Supervisor Combs called the meeting to order at 7:00 p.m. in the Board Room. Present: Supervisor Combs, Treasurer Budd, Clerk Wright, Trustee Hart, Trustee Jahr, Trustee McClanahan and Trustee Miller. Absent: None. Others in attendance: DPW Director Taylor, DDA Director Ireland, Fire Chief Besson, Executive Assistant LaMothe, Secretary Cline and an audience of thirteen (13).

APPROVAL OF AGENDA: Jahr moved, Hart seconded to approve the agenda with the following amendments: Deletion of New Business #5 “Consider the purchase of a 2014 F-150 pick-up truck from Jack Demmer Ford in the amount of \$30,706” and to add to Consent Agenda item #7 “Adoption of Resolution 2014-14, CLEMIS Fire reporting system”. Carried.

APPROVAL OF CONSENT AGENDA: Budd moved, Hart seconded to approve the Consent Agenda [Work Study Session Minutes May 5, 2014; Closed Session Minutes May 5, 2014; Regular Board Meeting Minutes May 6, 2014; Approval of intergovernmental agreement between the Charter Township of Van Buren and the City of Belleville for emergency dispatch and lockup services; authorize the Supervisor and Clerk to execute the agreement; Approval of changes to the Water and Sewer Commission By-Laws, as recommended by the Water and Sewer Commission; Voucher List of May 20, 2014; Adoption of Resolution 2014-14, CLEMIS Fire reporting system.] as amended. Carried.

PUBLIC HEARING: None.

CORRESPONDENCE: Supervisor Combs read a thank you letter addressed to Chief Besson from Huron Valley Ambulance Paramedic Supervisor for the assistance Van Buren Fire Department provided during a recent call regarding an infant patient.

DDA Director Ireland provided updates on the Belleville Road construction project; the fence project along Belleville Road; plans for sidewalks on Belleville Road and I-94 South Service Drive.

Dequan Robertson, a senior from Belleville High School thanked Clerk Wright and his staff for running the Belleville High School Student Council election last week; providing the opportunity for eligible students to register to vote and to complete an application to be an election worker. Board members thanked Clerk Wright for the collaborative effort with the Belleville High School Student Council to run their elections over the past two years. Clerk Wright thanked his staff, Deputy Clerk Cline and Election Clerk Montgomery; student election workers; those who provided donations to fund the election Charles B. Cozzard Rotary Foundation, Wade Trim, Attorney Patrick McCauley and Van Buren Public Schools along with vendors ES&S and Inland Press for their participation and support.

A SEMCOG representative presented an overview of SEMCOG services provide to their members such as Van Buren Township. A SEMCOG representative presented a power point presentation reviewing the Board’s Strategic Planning Session held on February 8, 2014. The presentation showed a framework for future planning noting the Board will need to review this plan in six to twelve months. Board members are currently working on the items presented and will meet again in six months to review the plan.

PUBLIC COMMENT: None.

UNFINISHED BUSINESS: Jahr moved, Budd seconded to approve the second reading for adoption of Ordinance 05-06-14(2) to amend General Ordinance 58-292 Controlled Substances: Possession; penalties

for violation of section. Roll Call Vote. Yeas: Miller, Jahr, McClanahan, Hart, Budd, Wright and Combs. Nays: None. Absent: None. Carried.

*(A copy of the synopsis Ordinance 05-06-14(2) follows the minutes. Copies of the Ordinance may be obtained in the Clerk's Office, Township Hall, 46425 Tyler Road during normal business hours.)

Wright moved, Hart seconded to approve the second reading for adoption of Ordinance 05-06-14(3) to amend General Ordinance 58-293 Same – use. Roll Call Vote. Yeas: McClanahan, Jahr, Miller, Hart, Budd, Wright and Combs. Nays: None. Absent: None. Carried.

*(A copy of the synopsis of Ordinance 05-06-14(3) follows the minutes. Copies of the Ordinance may be obtained in the Clerk's Office, Township Hall, 46425 Tyler Road during normal business hours.)

Budd moved, Miller seconded to approve the second reading for adoption of Ordinance 05-06-14(4) to amend General Ordinance 58-296 Narcotic paraphernalia; possession, sales gift. Roll Call Vote. Yeas: Wright, Budd, Hart, Jahr, McClanahan, Miller and Combs. Nays: None. Absent: None. Carried.

*(A copy of the synopsis of Ordinance 05-06-14(4) follows the minutes. Copies of the Ordinance may be obtained in the Clerk's Office, Township Hall, 46425 Tyler Road during normal business hours.)

NEW BUSINESS: Jahr moved, Hart seconded to approve the first reading of General Code of Ordinance 05-20-14 to amend the Code of Ordinances, Charter Township of Van Buren, Chapter 58 - Offenses and Miscellaneous Provisions, Article V Offenses Against Public Peace, by repealing Section 58-180, Begging. Carried.

*(A copy of the synopsis of Ordinance 05-20-14 follows the minutes. Copies of the Ordinance may be obtained in the Clerk's Office, Township Hall, 46425 Tyler Road during normal business hours.)

Jahr moved, Wright seconded to approve Parking Lot Replacement Program (Phase II) awarding contract extension to Asphalt Specialist, Inc. in the amount of \$90,426; to approve a 10 percent contingency amount at the direction and discretion of the DPW Director Taylor to address changes and unforeseen conditions that may arise during construction; to approve professional services to be performed by Wade Trim not to exceed \$6,000; to authorize the Supervisor and Clerk to execute the contracts. Carried.

Jahr moved, McClanahan seconded to approve awarding Pump Station Replacement contract to TSP Environmental in the amount of \$348,292; to approve a 10 percent contingency amount at the direction and discretion of the DPW Director Taylor to address changes and unforeseen conditions that may arise during construction; to authorize the Supervisor and Clerk to execute the contract. Carried.

Hart moved, McClanahan seconded to approve Pump Station project administration and engineering services not to exceed \$36,000 to Wade Trim. Carried.

REPORTS: None.

ANNOUNCEMENTS: Supervisor Combs announced Yankee Air Museum will host a Veterans Seminar on Wednesday, June 11th from 10:00 a.m. to 2:00 p.m. located at 47884 D St., Belleville. The Senior Center will host a Question and Answer with the Director of Public Works on Wednesday, May 21st at 1:00 p.m. On Monday, May 26th the Tenth-Annual Thunder Rolls in Belleville for motorcycles will begin at 11:00 a.m. from Wayne County Community College on Haggerty Road and conclude with a Memorial

Ceremony at the Veterans Memorial at Horizon Park in the City of Belleville. Lastly, the Township Administrative Offices will be closed on Monday, May 26th in honor of Memorial Day.

Treasurer Budd thanked her staff Deputy Treasurer Bellingham, Account Clerks Kathy Adams and Jessica Lampinen, for their work at the Annual Drive-In Dog Clinic held on May 10th. There were 80 dogs vaccinated along with dog licenses be sold. Dog licenses are available at the Treasurer's Office.

Clerk Wright thanked Bob and Marie Krouse for placing American Flags on veteran's graves at the four township cemetery.

Chief Besson announced the Coffee with a Cop scheduled over the weekend is canceled due to the holiday.

AUDIENCE (Non-Agenda Items): Non-Agenda Items started at 8:24 p.m. and ended at 8:35 p.m. Comments were made regarding the maintenance of Denton Cemetery. Director Taylor and Clerk Wright stated the maintenance for the cemeteries is being addressed.

ADJOURNMENT: Hart moved, Miller seconded to adjourn at 8:36 p.m. Carried.

Respectfully submitted,

Leon Wright, Township Clerk

Linda H. Combs, Township Supervisor

CHARTER TOWNSHIP OF VAN BUREN
County of Wayne, State of Michigan
Ordinance No.: 05-06-14(2)

Second reading for adoption.

An ordinance to amend Section 58-292 of the Township General Code of Ordinances, as amended.

The Charter Township of Van Buren hereby ordains that Section 58-292 of the Township General Code of Ordinances be amended as follows:

Sec. 58-292. Controlled substances—Possession; penalties for violation of section.

A person shall not knowingly or intentionally possess a controlled substance or an official prescription form or a prescription form unless the controlled substance, official prescription form, or prescription form was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this division.

A person who violates this section as to:

- (1) Lysergic acid diethylamide, peyote, mescaline, dimethyltryptamine, psilocyn, psilocybin, or a controlled substance classified in schedule 5 of section 7220 of Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.7220, MSA 14.15(7220)), is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both.
- (2) Marijuana, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both, unless possessed in accordance with and pursuant to the Michigan Medical Marijuana Act (MCL 333.26421 et seq.) and the rules of the Michigan Department of Community Health promulgated thereunder and any subsequent amendments to said Act or rules
- (3) A prescription form other than an official prescription form, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both.

State law reference— Similar provisions, MCL 333.7403, MSA 14.15(7403).

SEVERABILITY

In the event any article, section, paragraph, sentence, clause, or word of this ordinance is deemed invalid or unconstitutional by any court of competent jurisdiction, such portion deemed severable and shall not affect the validity of the remaining portions of this ordinance.

REPEALER.

Any and all ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

EFFECTIVE DATE.

The provisions of this ordinance are hereby ordered to take effect immediately after adoption and publication in a newspaper of general circulation within the Township.

YEAS: Miller, Jahr, McClanahan, Hart, Budd, Wright and Combs.

NAYS: None.

ABSENT: None.

ABSTAINED: None.

This Ordinance is hereby declared to have been adopted by the Board of Trustees of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a Regular Meeting, called and held on the 20th day of May, 2014.

I hereby approve the foregoing Ordinance,

Leon Wright, Clerk

Linda H. Combs, Supervisor

Published: 5/15/14 & 5/29/14

Adopted: 5/20/14

Effective: 5/29/14

CHARTER TOWNSHIP OF VAN BUREN
County of Wayne, State of Michigan
Ordinance No.: 05-06-14(3)

Second reading for adoption.

An ordinance to amend Section 58-293 of the Township General Code of Ordinances, as amended.

The Charter Township of Van Buren hereby ordains that Section 58-293 of the Township General Code of Ordinances be amended as follows:

Sec. 58-293. Same—Use.

A person shall not use a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this division. A person who violates this section as to:

- (1) Lysergic acid diethylamide, peyote, mescaline, dimethyltryptamine, psilocyn, psilocybin, or a controlled substance classified in schedule 5 of section 7220 of Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.7220, MSA 14.15(7220)), is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both.
- (2) Marijuana, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both unless used in accordance with and pursuant to the Michigan Medical Marijuana Act (MCL 333.26421 et seq.) and the rules of the Michigan Department of Community Health promulgated thereunder and any subsequent amendments to said Act or rules.

State law reference— Similar provisions, MCL 333.7404, MSA 14.15(7404).

SEVERABILITY

In the event any article, section, paragraph, sentence, clause, or word of this ordinance is deemed invalid or unconstitutional by any court of competent jurisdiction, such portion deemed severable and shall not affect the validity of the remaining portions of this ordinance.

REPEALER.

Any and all ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

EFFECTIVE DATE.

The provisions of this ordinance are hereby ordered to take effect immediately after adoption and publication in a newspaper of general circulation within the Township.

YEAS: McClanahan, Jahr, Miller, Hart, Budd, Wright and Combs.
NAYS: None.
ABSENT: None.
ABSTAINED: None.

This Ordinance is hereby declared to have been adopted by the Board of Trustees of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a Regular Meeting, called and held on the 20th day of May, 2014.

I hereby approve the foregoing Ordinance,

Leon Wright, Clerk

Linda H. Combs, Supervisor

Published: 5/15/14 & 5/29/14

Adopted: 5/20/14

Effective: 5/29/14

CHARTER TOWNSHIP OF VAN BUREN
County of Wayne, State of Michigan
Ordinance No.: 05-06-2014(4)

Second reading for adoption.

An ordinance to amend Section 58-296 of the Township General Code of Ordinances, as amended.

The Charter Township of Van Buren hereby ordains that Section 58-296 of the Township General Code of Ordinances be amended as follows:

Sec. 58-296. Narcotic paraphernalia; possession, sales, gift.

It shall be unlawful for any person to have, possess, sell, offer to sell, dispense or give away any pipe, device or contrivance adapted for the use of smoking or inhaling marijuana (*Cannabis sativa* L.), hashish or opium, or other dangerous or hallucinatory drugs as defined by Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.7101 et seq., MSA 14.15(7101) et seq.), as amended, unless in accordance with and pursuant to the Michigan Medical Marijuana Act (MCL 333.26421 et seq.) and the rules of the Michigan Department of Community Health promulgated thereunder and any subsequent amendments to said Act or rules.

State law reference— Drug paraphernalia, defined, MCL 333.7451, MSA 14.15(7451).

SEVERABILITY

In the event any article, section, paragraph, sentence, clause, or word of this ordinance is deemed invalid or unconstitutional by any court of competent jurisdiction, such portion deemed severable and shall not affect the validity of the remaining portions of this ordinance.

REPEALER.

Any and all ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

EFFECTIVE DATE.

The provisions of this ordinance are hereby ordered to take effect immediately after adoption and publication in a newspaper of general circulation within the Township.

YEAS: Wright, Budd, Hart, Jahr, McClanahan, Miller and Combs.
NAYS: None.
ABSENT: None.
ABSTAINED: None.

This Ordinance is hereby declared to have been adopted by the Board of Trustees of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a Regular Meeting, called and held on the 20th day of May, 2014.

I hereby approve the foregoing Ordinance,

Leon Wright, Clerk

Linda H. Combs, Supervisor

Published: 5/15/14 & 5/29/14
Adopted: 5/20/14
Effective: 5/29/14

Van Buren Charter Township
Resolution for the establishment of a
FIRE RECORDS MANAGEMENT INTERLOCAL AGREEMENT
Resolution No. 2014-14

Whereas, the Board of Trustees for the Charter Township of Van Buren, desires to enter into an Interlocal Agreement between Oakland County, a Constitutional and Municipal Corporation, and the Charter Township of Van Buren, a Michigan public Municipal Corporation; and

Whereas, pursuant to the Urban Cooperation Act of 1967, 1967 PA 7, MCL 124.501 Oakland County and the Charter Township of Van Buren shall enter into an agreement for the purpose of providing access to the Fire Records Management System; and

Whereas, the Fire Records Management System is intended to capture and create fire records from their inception at a 9-1-1 call and continue the record to include computer aided dispatch information resulting with a standard records management system; and

Now therefore, be it resolved, the Charter Township of Van Buren Board of Trustees approves entering into the Interlocal agreement and authorizes the Clerk and the Supervisor to sign the Fire Records Management Interlocal Agreement between Oakland County and the Charter Township of Van Buren.

Moved by: Treasurer Budd Supported by: Trustee Hart

Members Present: Supervisor Combs, Clerk Wright, Treasurer Budd, Trustee Hart, Trustee Jahr, Trustee McClanahan and Trustee Miller.

YEAS: Combs, Wright, Budd, Hart, Jahr, McClanahan and Miller.
NAYS: None.
ABSENT: None.

Certification

STATE OF MICHIGAN)
)
COUNTY OF WAYNE)

I hereby certify that the foregoing is a true and correct resolution adopted by the Board of Trustees of the Charter Township of Van Buren at its regular meeting of May 20, 2014.

Leon Wright, Clerk
Charter Township of Van Buren

ORDINANCE 05-20-14

CHARTER TOWNSHIP OF VAN BUREN, WAYNE COUNTY

First reading of Ordinance 05-20-14. Second reading for adoption will be held at the 7:00 p.m. regular Board of Trustees meeting to be held on June 3, 2014 in the Board Room, Township Hall, 46425 Tyler Road, Van Buren Township, Michigan 48111.

An Ordinance to amend and replace Chapter 58, Article V, Sec. 58-180 entitled "Begging"

Section 1. Amend. The Charter Township of Van Buren hereby ordains that Chapter 58, Article V, Sec. 58-180, being Ordinance No. 1-28-86 of the Charter Township Code of Ordinances, is repealed.

Section 2. Effective Date. This Amendment shall become effective upon publication in a newspaper of general circulation within the Charter Township of Van Buren.

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a regular meeting called and held on the _____ day of _____, 2014.

YEAS: Combs, Wright, Budd, Hart, Jahr, McClanahan and Miller.
NAYS: None.
ABSENT: None.

I hereby approve the foregoing Ordinance.

Leon Wright, Township Clerk

Linda H. Combs, Township Supervisor

Adopted:
Published: 5/29/14
Effective: