

**Secord Township Monthly Meeting**

**July 19, 2023**

**10:00 am**

Meeting was called to order by Supervisor Joel Vernier at 10:00 am with everyone standing reciting the Pledge of Allegiance.

**Roll Call:**

Supervisor Joel Vernier Present

Treasurer Cheryl Parmer Present

Clerk Karen Gawron Present

Trustee Maria Alward Present

Trustee Martin Holmes Present

25 registered interested residents in attendance

**Minutes** of June 21, 2023 9:00 (Public Hearing) & 10:00 regular meeting minutes were reviewed.

**Motion** to accept minutes Vernier/Parmer All ayes M/C

**Consent Agenda/Changes to Agenda:**

Add: Resolution 7-19-2023-1 Establish Receiving Board for Elections to be held in Secord Township.

Gawron/Vernier All Ayes M/C

**Guest:**

Ashley Warner/Rose Pest

Mike Visnew: County Commissioner reported

Road Commission

Matt Lang/Middle Michigan Development

**Public Comment:** 3 residents commented

**Treasurer's Report:**

General Fund	\$667,687.83
12 Mo. CD #S50	51,997.46
12 Mo. CD #S51	51,747.35
Fire Fund	185,490.54
Garbage Fund	193,117.62
Weed Control Fund	715,721.51
Mosquito Fund	82,016.44
Road Fund	<u>472,466.12</u>
Total Funds	\$2,316,500.06

**Motion** to Receive and File Treasurers Report. Gawron/Vernier All Ayes M/C M/C

**Bills To Be Paid** Clerk Karen Gawron presented Bills; General Fund \$98,750.00 Fire \$1,681.29

Payroll \$ 12,261.00

**Motion** by to pay the bills as presented Gawron/Alward All Ayes M/C

**Correspondence Received:** Constable Report, Fire & Planning board meeting minutes for June 2023, Legislation on San & Gravel Mining, Household Waste Hazard Day July 29, Orv Run August 19, Charter adding channels and fee increases.

**Motion** to accept correspondence Vernier/Alward All Ayes M/C

## Reports

**Planning Commission:** P. Sawka reported. Next Zoning Meeting August 9 ,2023 10:00 am

**Fire Board:** M. Holmes reported 15 runs; 2 Fire 14 Medical. Motor is installed in the Rescue boat. Next Meeting August 7, 2023 10:00 am.

**Fire Chief:** Chief Fred Shavers reported Equipment is on the Rescue Boat. The Boat will be used for Rescue only. It is not a patrol boat.

**Constable:** All is well

**Road Committee:** Ken Douglas [absent] reported via Vernier-all road plans are moving forward.

**Zoning Administrator:** Harold Day reported 11 permits. Air B & B (s) will be discussed at the next Planning & Zoning meeting.

**Ordinance Officer:** C. Ross[absent] reported via Vernier-Working on those In Progress.

**Well and Septic:** M. Alward reported 5 Well inspections;4 passed 1 failed. Septic inspections;1 passed 1 failed.

## Other Business:

Golf Cart Ordinance 3.43

### Golf Cart Ordinance

***Michigan Vehicle Code Act 300 of 1949 (excerpt) Section 257.657a Operation of golf cart on village, city, or township streets or state trunk line highway.***

#### Purpose

These regulations are intended to secure the public peace, health and safety of the residents and property owners of the Secord Township for the regulation of the use of golf carts on public roads within the limits of Secord Township and to provide penalties for the violation of these provisions.

#### Definitions:

*Driver license* means an operator's or chauffeur's license, or permit issued to an individual by the Secretary of State under Chapter III of the Michigan Vehicle Code, 1949 PA 300, MCL 257.301 to MCL 257.329, as amended, for that individual to operate a vehicle, whether conditions are attached to the license or permit.

*Golf cart* means a vehicle designed for transportation while playing the game of golf.

*Maintained portion* means that portion of a road improved, designated or ordinarily used for vehicular traffic.

*Operate* means to ride in or on or be in actual physical control of the operation of the golf cart.

*Operator* means a person who operates or is in actual physical control of the operation of a golf car

*Street* means a road, roadway, street, or right-of-way within the Secord Township Street system, but does not include a private road. The terms road, roadway, street, and right-of-way are interchangeable.

*Sunset* and *sunrise* mean that time determined by the National Weather Service on any given day.

#### Operation of golf carts in Secord Township:

A person may operate a golf cart on township streets, subject to the following restrictions:

- (1) A person shall not operate a golf cart on any street unless he or she is at least 16 years old and is licensed to operate a motor vehicle.
- (2) The operator of a golf cart shall comply with the signal requirements of MCL 257.648, as amended, that apply to the operation of a vehicle.
- (3) All golf carts are required to have a red reflector on the rear of the golf cart that shall be visible from all distances up to 500 feet when in front of lawful low beams of headlamps on a motor vehicle.
- (4) The operator of a golf cart shall obey by all sections pertaining to traffic in the Michigan Vehicle Code and the Uniform Traffic Code.
- (5) A person operating a golf cart upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (6) A person shall not operate a golf cart on a state trunk line highway. This subsection does not prohibit a person from crossing a state trunk line highway when operating a golf cart on a street in Secord Township, using the most direct line of crossing.
- (7) Where a usable and designated path for golf carts is provided adjacent to a road or street, a person operating a golf cart shall be required to use that path. A golf cart shall not be operated on a sidewalk constructed for the use of pedestrians.
- (8) A person operating a golf cart shall not pass between lines of traffic but may pass on the left of traffic moving in his or her direction.
- (9) A golf cart shall be operated at a speed not to exceed 15 miles per hour and shall not be operated on a roadway or street with a speed limit of more than 30 miles per hour except to cross that roadway or street. The Township may designate roads or classifications of roads for use by golf carts.
- (10) A golf cart shall not be operated on the streets of the Secord Township during the time from one-half hour before sunset to one-half hour after sunrise.
- (11) A person operating a golf cart or who is a passenger in a golf cart is not required to wear a crash helmet.
- (12) A golf cart shall not be used to carry more persons at one time than the number for which it is designed and equipped.
- (13) A golf cart operated on a street of the Township is not required to be registered under this Act for purposes of Section 3101 of the Insurance Code of 1956, 1956 PA 218, MCL 500.3101, as amended.
- (14) A golf cart shall not be operated during weather events with snow and/or ice on the ground.
- (15) Golf carts shall not be operated on a road or street in a negligent manner, endangering any person or property, or obstructing, hindering, or impeding the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.
- (16) Off-road vehicles, such as Gators, all-terrain vehicles (ATVs), a multitrack or multi-wheel drive vehicle, dune buggy, or like-vehicles are not considered golf carts.
- (17) This section does not apply to a police officer, Township officials, employees, contractors, or volunteers in the performance of their duties.

Violations and penalty:

- (a) Any person violating any provisions of this article shall be responsible for a civil infraction. The penalty for the first offense shall be \$100.00, for any subsequent repeat offense the fine shall be no more than \$250.00.
- (b) A court may order a person who causes damage to the environment, a road, or other public property because of the operation of a golf cart to pay full restitution for that damage above and beyond the penalties paid for civil infractions.
- (c) for any reason by a court of competent jurisdiction, it shall not affect the remainder of the ordinance, which shall continue in full force and effect.

**Repeal:**

- (d) All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. The resolution or ordinance establishing the Secord Township Planning Commission under the Township Planning Act, Public Act 168 of 1959, MCL 125.321, et seq., (**OR** *Municipal Planning Act, Public Act 285 of 1931, MCL 125.31, et seq.*) is hereby repealed. **Section 16: Effective Date**
- (e) This ordinance shall take effect on the date of its publication.

**EFFECTIVE:**

This ordinance shall become effective eight (8) days after publication thereof. Adopted by the Township Board Township of Secord, Gladwin County, Michigan at the meeting of the Township board held on the fifteenth day of June 2011.

**Motion** To approve Golf Cart Ordinance Gawron/Alward

Roll Call:

Supervisor Joel Vernier

Clerk Karen Gawron

Treasurer Cheryl Parmer

Trustee Maria Alward

Trustee Martin Holmes

All Ayes M/C

## Medical Marihuana Facilities 9.23

**TOWNSHIP OF SECORD COUNTY OF GLADWIN, STATE OF MICHIGAN ORDINANCE NO. 9:23 ADOPTED: September 21, 2022 EFFECTIVE: October 28, 2022**

### **MEDICAL MARIHUANA FACILITIES ORDINANCE**

WHEREAS, Public Act 281 of 2016 (MCL 333.27101 et. Seq.) authorizes the State of Michigan to license five different types of facilities related to medical marihuana grower, Processor, secure transporter, provisioning center and safety compliance facility); and

WHEREAS, Section 205 of PA 281 of 2016 (MCL 333.27205) provides that: [a] marihuana facility shall not operate in a municipality unless the municipality has adopted an ordinance that authorizes that type of facility"; and

WHEREAS, Section 205 of PA 281 of 2016 further provides that; "[a] municipality may adopt other ordinances relating to marihuana facilities within its jurisdiction, including zoning regulations..." and

WHEREAS, Section 205 of PA 281 of 2016 requires municipality to respond to the State of Michigan, Medical Marihuana Licensing Board, within 90 days after the municipality receive notifications from the applicant that a license for one of the five types of medical marihuana facilities authorized by PA 281 of 2016 has been applied for; and

WHEREAS, the Township Board of Secord Township, Gladwin County, Michigan is cognizant of its authority to adopt an ordinance or ordinances to authorize the operation of one or more of the five types of medical marihuana facilities authorized by PA 281.

An ordinance to provide a title for the ordinance; to define words; to authorize the operation of and provide regulations for medical marihuana facilities in Secord Township pursuant to Public Act 281 of 2016, as may be amended; to provide for an annual fee; 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 SECORD IN GLADWIN COUNTY, MICHIGAN ORDAINS:**

#### **SECTION I TITLE**

This ordinance shall be known as and may be cited as the Secord Township Medical Marihuana Facilities Ordinance.

#### **SECTION II DEFINITIONS**

Words used herein shall have the definitions as provided for in PA 281 of 2016, as may be amended.

#### **SECTION III**

##### **AUTHORIZED MEDICAL MARIHUANA FACILITIES**

1. The following medical marihuana facilities may be authorized to operate within the Township by the holder of a state operating license, subject to compliance with PA 281 of 2016, as may be
2. amended, the Rules promulgated thereunder and this ordinance Not more than six (6) grower(s) shall be authorized in the Township, which number shall include all of the following Class A, Class B and Class C growers authorized in the Township:
  1. Not more than two Class A growers (500 marihuana plants) may be authorized in the Township.
  2. Not more than two Class B growers (1,000 marihuana plants) may be authorized in the Township.
  3. Not more than two Class C growers (1,500 marihuana plants) may be authorized in the Township.
2. b) NO processor shall be authorized in the Township.
3. c) NO provisioning center shall be authorized in the Township.
4. d) NO safety compliance facility shall be authorized in the Township.
5. e) NO secure transporter shall be authorized in the Township.

2. On and after October 21, 2022 the Township shall accept applications for authorization to operate a medical marihuana facility within the Township. Application shall be made on a Township form and must be submitted to the Township Supervisor and/or other designee of the Township Board (hereinafter referred to as "Supervisor"). Once the Supervisor receives a complete application including the initial annual medical marihuana facility fee, the application shall be time and date stamped. Complete applications shall be considered for authorization in consecutive time and date stamped order. Upon consideration, if the facility type authorization is available within the number specified above, then the applicant shall receive conditional authorization to operate such medical marihuana facility within the Township. Once the limit on the number of an authorized facility is conditionally reached, then any additional complete applications shall be held in consecutive time and date stamped order for future conditional authorization. Any applicant waiting for future conditional authorization may withdraw their submission by written notice to the Supervisor at any time and receive refund of the initial annual medical marihuana fee submitted.

3. Within thirty days from conditional authorization from the Township or from December 15, 2017, whichever is later, the conditionally authorized applicant must submit proof to the Supervisor that the applicant has applied for prequalification from the state for a state operating license or has submitted full application for such license. If the applicant fails to submit such proof, then such conditional authorization shall be canceled by the Supervisor and the conditional authorization shall be available to the next applicant in consecutive time and date stamped order as provided for in Section III (2) herein.

4. If a conditionally authorized applicant is denied prequalification for a state operating license or is denied on full application for a state operating license, then such conditional authorization will be canceled by the Supervisor and the conditional authorization shall be available to the next applicant in consecutive time and date stamped order as provided for in Section III (2) herein.

5. A conditionally authorized applicant shall receive full authorization from the Township to operate the medical marihuana facility within the Township upon the applicant providing to the Supervisor proof that the applicant has received a state operating license for the medical marihuana facility in the Township and the applicant has met all other requirements of this ordinance for operation including but not limited to any zoning approval for the location of the facility within the Township.

6. If a conditionally authorized applicant fails to obtain full authorization from the Township within one year from the date of conditional authorization, then such conditional authorization shall be canceled by the Supervisor and the conditional authorization shall be available to the next applicant in consecutive time and date stamped order as provided for in Section III (2) herein. The Township Board shall have authority to extend the deadline to obtain full authorization for up to an additional six months on written request of the applicant, within thirty days prior to cancellation, upon the reasonable discretion of the Township Board finding good cause for the extension.

#### **SECTION IV**

##### **GENERAL REGULATIONS REGARDING AUTHORIZED MEDICAL MARIHUANA FACILITIES**

1. An authorized medical marihuana facility shall only be operated within the Township by the holder of a state operating license issued pursuant to PA 281 of 2016, as may be amended, and the Rules promulgated thereunder. The facility shall only be operated as long as the state operating license remains in effect.

2. Prior to operating an authorized medical marihuana facility within the Township pursuant to a state operating license, the facility must comply with all Township zoning ordinance regulations. The facility shall only be operated as long as it remains in compliance with all Township zoning ordinance regulations.

3. Prior to operating an authorized medical marihuana facility within the Township pursuant to a state operating license, the facility must comply with all Township construction and building ordinances, all other Township ordinances specifically regulating medical marihuana facilities, and generally applicable Township police power ordinances. The facility shall only be operated as long as it remains in compliance with all such ordinances now in force or which hereinafter may be established or amended.

4. An authorized medical marihuana facility shall consent to inspection of the facility by Township officials and/or by the County Sheriff's Department, upon reasonable notice, to verify compliance with this ordinance.

5. If at any time an authorized medical marihuana facility violates this ordinance the Township Board may request that the state revoke or refrain from renewing the facility's state operating license. Once such state operating license is revoked or fails to be renewed, the Supervisor shall cancel the Township authorization and the authorization shall be available to the next applicant in consecutive time and date stamped order as provided for in Section III (2) herein.

6. It is hereby expressly declared that nothing in this ordinance be held or construed to give or grant to any authorized medical marihuana facility a vested right, license, privilege or permit to continued authorization from the Township for operations within the Township.

7. The Township expressly reserves the right to amend or repeal this ordinance in any way including but not limited to complete elimination of or reduction in the type and/or number of authorized medical marihuana facilities authorized to operate within the Township.

**SECTION V  
ANNUAL MEDICAL MARIHUANA FACILITY FEE**

There is hereby established an annual nonrefundable Township medical marihuana facility fee in the amount of \$5,000 for each authorized medical marihuana facility within the Township,

to help defray administrative and enforcement costs associated therewith. An initial annual medical marihuana facility fee of \$ 5,000.00 shall be payable at the time of application for Township authorization and thereafter the same amount shall be payable each year by the anniversary of the date of full Township authorization to operate the medical marihuana facility.

**SECTION VI VIOLATIONS AND PENALTIES**

1. 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.

2. A violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than \$100 nor more than \$500 for the first offense and not less than \$250 nor more than \$1,000 for subsequent offenses, in the discretion of the Court. For purposes of this section, "subsequent offenses" means a violation of the provisions of this ordinance committed by the same person within 12 months of a previous violation of the same provision of this ordinance for which said person admitted responsibility or was adjudicated to be responsible. 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 the Township or by such other person (s) as designated by the Township Board from time to time.

**SECTION VII 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. The provisions herein shall be construed as not interfering or conflicting with the statutory regulations for licensing medical marihuana facilities pursuant to PA 281 of 2016, as may be amended.

**SECTION VIII REPEAL**

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

**Motion** To approve Medical Marihuana facilities Ordinance 9.23 Vernier/Alward

Roll Call:

Supervisor Joel Vernier

Clerk Karen Gawron

Treasure Cheryl Parmer

Trustee Maria Alward

Trustee Martin Holmes

All Ayes M/C

**Resolution 2-23-7-19/ ASSERTING TOWNSHIP BOARD RIGHT TO APPROVE MASTER PLAN**

**Motion to Approve Resolution 2-23-7-19 Vernier/Holmes**

**TOWNSHIP OF SECORD  
COUNTY OF GLADWIN, MICHIGAN  
Resolution No. 2-23-7-19  
RESOLUTION ASSERTING TOWNSHIP BOARD  
RIGHT TO APPROVE MASTER PLAN**

WHEREAS, the Michigan Planning Enabling Act (MPEA) authorize the Planning Commission to prepare or amend a Master Plan for use, development and preservation of all lands in the Township; and

WHEREAS, the MPEA authorized a Township Board to assert by resolution it's right to approve or reject the proposed Master Plan or plan amendment approved by the Planning Commission;

NOW THEREFORE BE IT RESOLVED THAT, pursuant to MCL 125.3843(3), the Secord Township Board reserves to itself the right to approve or reject a proposed Master Plan or Master Plan amendment approved by the Planning Commission; and

BE IT ALSO RESOLVED THAT, after approval of a proposed Master Plan or Master Plan amendment by the Planning Commission, the Secord Township Board shall approve or reject the proposed Master Plan or Master Plan amendment. A statement recording the Township Board's approval of proposed Master Plan or Master Plan amendment, signed by the Township Clerk, shall be included on the inside of the front or back cover of the Master Plan and, if the future land use map is a separate document from the text of the Master Plan, on the future land use map.

**Roll Call:**

Supervisor Joel Vernier  
Clerk Karen Gawron  
Treasurer Cheryl Parmer  
Trustee Maria Alward  
Trustee Martin Holmes  
All Ayes M/C

**Master Plan 2023**

**Motion To approve Master Plan 2023**

**Roll Call:**

Supervisor Joel Vernier  
Clerk Karen Gawron  
Treasurer Cheryl Parmer  
Trustee Maria Alward  
Trustee Martin Holmes  
All Ayes M/C

**Ordinance Book Revisions**

**Motion to approve Ordinance Revisions Vernier/Holmes**

**Roll Call:**

Supervisor Joel Vernier  
Clerk Karen Gawron  
Treasurer Cheryl Parmer  
Trustee Maria Alward  
Trustee Martin Holmes  
All Ayes M/C



2023 Budget Adjustments: Add to Planning & Zoning Line \$1,000.00 Vernier/Alward

Roll Call:

Supervisor Joel Vernier

Clerk Karen Gawron

Treasure Cheryl Parmer

Trustee Maria Alward

Trustee Martin Holmes

All Ayes M/C

2023 Budget Adjustments: Other Line Adjustments Tabled until August Secord Township Board Meeting

ISP Contract renewal: Fire Chief wants a new contract to include items not in this contract. Tabled until August Secord township Board Meeting

Purchase Printer Election Supplies: Small printer to be used for the Electronic Poll Book only.

**Motion** to Purchase a printer for Election use only not to exceed \$300.00 Vernier/Alward All Ayes M/C

Hall Rental; A monitor to be present during a Hall Rental function to insure the protection from damage of Township Property.

**Motion** to \$100.00 increase cost of hall rental Vernier//Parmer

**Motion** rescinded by Vernier/Parmer

**Motion** to increase the Rental cost of the Township Hall to Secord Township residents exclusively for Funerals at the cost of \$200.00 total plus deposit; \$100.00 for the rental & \$100.00 pay to the monitor. Vernier/Alward All ayes M/C

Middle Michigan Development;

Motion to approve \$500.00 fee to the Middle Michigan Development. Vernier/Parmer.

Resolution 7-19-2023-1: ESTABLISH A RECEIVING BOARD FOR ELECTIONS TO BE HELD IN SECORD TOWNSHIP

#### **RESOLUTION 7-19-2023-1**

#### **ELECTIONS**

#### **ESTABLISH A RECEIVING BOARD FOR ELECTIONS TO BE HELD IN SECORD TOWNSHIP**

**WHEREAS**, the township clerk is responsible for conducting elections in Secord Township; and

**WHEREAS**, MCL 168.679(a) provides the Election Commission of a city, township, or village shall, by resolution, provide that an election at which the ballots are counted and certified at the precinct, 1 or more additional boards of election inspectors be appointed to serve as Receiving Boards; and

**Whereas**, the Secord Township Receiving Board is responsible for the duties as outlined in Section 168.676(a) of the Michigan Election Law (Article 116 if 1954); and

**Whereas**, the board of election commissioners shall appoint two or more election inspectors, with an equal number from each major party to the Receiving Board prior to each election;

**NOW THEREFORE, BE IT RESOLVED:**

The Election Commission authorizes the establishment of a Receiving Board and the  
Appointment of two or more election inspectors, with an equal number from each major political party,  
for all future elections  
beginning August 8, 2023.

**Motion** To approve Resolution 7-19-2023-1 ESTABLISH A RECEIVING BOARD FOR ELECTIONS TO BE HELD  
IN SECORD TOWNSHIP Gawron/Alward

Roll Call:

Supervisor Joel Vernier  
Clerk Karen Gawron  
Treasurer Cheryl Parmer  
Trustee Maria Alward  
Trustee Martin Holmes  
All Ayes M/C

Compensation for Secretarial work on the Ordinaire Revisions up to this date; July 19, 2023.

**Motion** to compensate Patricia Sawka at the cost of \$800.00 Gawron/Alward All Ayes M/C

**Public Comment:** 5 residents commented on the rental of the Township Hall. The board agreed to discuss the matter at a later date in a Scheduled Public Forum.

**Motion** to Adjourn by @ 11:30 am All Ayes M/C

Next Meeting August 16, 2023 @ 10:00 am

Karen Gawron  
Clerk

*Minutes prepared by P. Sawka Deputy Clerk*