

**TYRONE TOWNSHIP  
REGULAR BOARD MEETING  
APPROVED MINUTES – DECEMBER 4, 2018**

**CALL TO ORDER**

Supervisor Cunningham called the meeting of the Tyrone Township Board to order with the Pledge of Allegiance on December 4, 2018 at 7:00 p.m. at the Tyrone Township Hall.

**ROLL CALL**

Present: Supervisor Mike Cunningham, Clerk Marcella Husted, Treasurer Jennifer Eden, Trustees Al Pool, Soren Pedersen and David Walker. Absent: Trustee Chuck Schultz.

**APPROVAL OF AGENDA – OR CHANGES**

Trustee Walker moved to approve the agenda as presented. (Trustee Pool seconded.) The motion carried; all ayes.

**APPROVAL OF CONSENT AGENDA**

**Regular Board Meeting Minutes – October 16, 2018**

**Regular Board Meeting Minutes – November 20, 2018**

**Clerk's Warrants and Bills**

Trustee Pool moved to approve the consent agenda as presented. (Trustee Walker seconded.) The motion carried; all ayes.

**COMMUNICATIONS**

- 1. Livingston County Sheriff's Report- October 2018.**
- 2. 2018 eCities Star Press Release.**

Trustee Walker moved to receive and place on file Communications #1-2 as presented. (Trustee Walker seconded.) The motion carried; all ayes.

**PUBLIC REMARKS**

Doug James (White Lake Rd.) asked questions about the gravel pit.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

- 1. Erin Faulkner fire appeal.**

Trustee Walker moved to waive Erin Faulkner's fire service charge. (Trustee Pool seconded.) The motion carried. Ms. Faulkner did not request emergency service; her insurance company generated the service when they called dispatch.

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**2. Macklin-Waldron boundary realignment.**

Trustee Pool moved to approve the request of Wayne and Shawn Macklin for boundary realignment of parcel 4704-09-400-021 to convey a portion to parcel 4704-09-401-041, owned by C.J. Waldron, as recommended by the Planning Commission. (Trustee Walker seconded). The motion carried; all ayes.

**3. Ledgewood Ravine Site Condo final site plan approval.**

Supervisor Cunningham moved to approve the final site plan of the Ledgewood Ravine Site Condo development, pending review from Spicer Engineering. (Trustee Pool seconded.) The motion carried; all ayes.

**4. Board of Review appointments.**

Trustee Walker moved to reappoint John Wiese, Eugene Rodgers, and John Chad to the Board of Review for 2-year term from January 1, 2019 to December 31, 2020.

**5. 2018-2019 budget amendment.**

Trustee Walker moved to approve the 2018-2019 budget amendment to include the Lake Shannon Road Improvement Project special assessment. (Trustee Pool seconded.) The motion carried; all ayes.

**6. Quote to replace the furnace in the old town hall building.**

Trustee Walker moved to accept the quote for \$3750.00 from Macklin Mechanical Co. to replace the furnace in the historic town hall. (Trustee Pool seconded.) The motion carried; all ayes.

**7. Ordinance to prohibit marihuana establishments.**

RESOLUTION #181201

TOWNSHIP OF TYRONE  
COUNTY OF LIVINGSTON, STATE OF MICHIGAN

PROHIBITION OF MARIHUANA ESTABLISHMENTS  
ORDINANCE NO. 48

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Tyrone 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;

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to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

THE TOWNSHIP OF TYRONE  
LIVINGSTON COUNTY, MICHIGAN  
ORDAINS:

SECTION I  
TITLE

This ordinance shall be known as and may be cited as the Tyrone 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 ESTABLISHMENTS

Tyrone 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

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 subjects the violator to enforcement provisions as set forth in Tyrone Township Enforcement Ordinance, Ordinance 22. The Tyrone Township Enforcement Ordinance provides for a maximum penalty of 90 days in jail. A violation is further punishable by a fine of not 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.

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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 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 January 8, 2019.

RESOLVED BY: Trustee Walker

SUPPORTED BY: Trustee Pool

VOTE: Pedersen, yes; Cunningham, yes; Walker, yes; Eden, yes; Husted, yes; Pool, yes; Schultz, absent.

ADOPTION DATE: December 4, 2018

PUBLICATION DATE: December 9, 2018

EFFECTIVE DATE: January 8, 2019

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**CERTIFICATION OF THE CLERK**

The undersigned, being the duly qualified and acting Clerk of Tyrone Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of the Prohibition of Marihuana Establishments Ordinance No. 48 adopted by the Township Board at a regular meeting, held on December 4, 2018, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



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Marcella Husted  
Township Clerk

**8. Request for payment deferral on sewer REU.**

Trustee Walker moved to approve sewer REU hardship payment deferral on parcel 4704-09-300-014. (Trustee Pool seconded.) The motion carried; all ayes.

**MISCELLANEOUS BUSINESS**

None.

**PUBLIC REMARKS**

Nancy Mashburn (Denton Hill Rd.) asked the status of the gravel pit.

**ADJOURNMENT**

Trustee Pedersen moved to adjourn. (Trustee Pool seconded.) The motion carried; all ayes. The meeting adjourned at 7:25 p.m.