

Mike Koshar, Supervisor
Douglas De Leo, Clerk
Phillip Pitts, Treasurer

Arlington Township
Van Buren County, MI.
52022 34th Ave.
Bangor MI 49013

Georgette Peterson,
Trustee
Ted Swanson, Trustee

- I. The Arlington Township Board meeting was held at the Township Hall on July 21, 2021. The meeting was called to order at 7:07 p.m. by Supervisor Mike Koshar.

Pledge of Allegiance: Lead by Supervisor Mike Koshar

Roll Call: Ted Swanson, Darcy Miller, Douglas De Leo, Georgette Peterson, and Mike Koshar.

- II. **Agenda Changes/Approvals:** Motioned by Mike Koshar to add Public Comments to the Agenda.

Roll Call: Unanimous. **Motion Passed.**

- III. **Public Comments:** Offered

- IV. **Consent Agenda:**

Law Enforcement: Deputy Felix Torres reported a total of 40 calls. There were 11 general assist, 2 larcenies, 2 accidents, 1 stolen vehicle, and a few assaults.

Fire Department Report: Bangor – Greg reported there were 304 calls, up 44 from last year. There were 7 medical calls, 3 down trees with wires, a farm fire, a smell of gas, and a tree fire. The department has purchased a generator. They have also hired a full-time firefighter. This was done to strengthen the record keeping by keeping it consistent.

Fire Department Report: Lawrence – Scott reported they have a new hire who will be a great asset to the department. We have a new grass rig. The Fire Department is organizing the Ox Roast September 3 – 5. They had 2 fire department calls. One was a PI accident and one powerline down. They had 4 quick response calls in Arlington Township.

Commissioners Report: Kurt Doroh was not present. No report.

Senior Services: Douglas DeLeo stated they are starting up a little bit more. They hope to start delivering meals sometime in September and completely reopen by the first of the year.

Board of Review: Hal Manning reported they held the July Board of Review. The review is considered a fix it board. They had 17 actions, 13 of them were Resident Exemptions. He also received a FOIA request from a Marketing Company, Electrical Assessment Data requesting the names and addresses of the township residents. This has been done in the past and there is a charge.

Motioned Douglas DeLeo; supported by Ted Swanson that we pay Hal his hourly rate to process this request; and Hal will bill the Company exactly what his wage is.

Roll Call: Unanimous. **Motion Passed.**

Clerk's Report: Douglas DeLeo reported the Election will be held August 3, 2021. There will be 4 to 5 people working and they will be here 6am to 9 or 10pm. It is a school mileage for Lawrence School District. A test run has occurred, and it went very well.

Supervisors Report: Mike stated that the office manager, Barb has been working on Tuesday and Thursdays from 9 to 5. Sandy has been working on the Marijuana. He also spoke with Greg at the VBCRC about the seal coating pricing. There was 3 years' worth of budget that needed to be used before it was lost. There is about \$112,000.00 for next year. There was a discussion about dust control. Mike will contact Bradley at SWMDC to see if the roads can be hit another time.

Treasurers Report: Darcy Miller reported the summer taxes are rolling in. She requested to pay the exact amount due, no more no less. The General Fund has \$300,000.00 in it. She would like permission to purchase a CD.

Motioned Peterson; supported by Swanson that Darcy purchased a CD or Money Market Product for \$200,000.00.

Roll Call: Unanimous. **Motion Passed.**

Miller stated she needs to get up to speed on the additional accounts. She also needs a Surety Bond. Miller stated she needs approval of monthly expenditures. The total expenditures are \$38,463.34.

Motioned Swanson; supported by Peterson to approve the expenditures of \$38,463.34.

Roll Call: Unanimous. **Motion Passed.**

V. **Public Comment:**

Annie Davidson-Funke Brought up the communication issue. She understands the transaction issue and does not feel it is going as smoothly as she would like.

Joe Wooding has three issues. #1 Why has the township spent close to \$50,000.00 on a lawyer in three months? #2 The firehouse has been done for over a month and still not occupied, why? #3 Why do we rewrite the ordinances for the township when all we have to do is put in an amendment?

Janeen Horton from Bloomingdale Communications wanted to make the board aware that there is a grant available to help with the cost of broadband internet, water, and sewer projects impacted by COVID. They have funding from RUS for fiber optic lines for 351 residences, this is ¼ of their project; however, there is a short fall. This grant would cover the shortfall.

Attorney Scott Graham stated there should be an application on the MTA website.

Douglas DeLeo I sent he application to Scott to do the finish work on it.

Will Peterson stated that after the last meeting with the zoning information brought up, he decided to check on the big pole building built next to his property. That is 10 feet from the property line. And the other one is only 33 feet from the property line. That building happens to be the new fire building.

Graham Is it 10 feet from the side? Front? Back?

W. Peterson it is the side. Is that supposed to be 40 feet?

Graham It should be 40 feet.

W. Peterson Someone is not doing their job.

John O'Connell There are many ways to read the ordinance. It really is something that really needs to be looked at.

W. Peterson it really is not that big of a deal if the township retains ownership the building.

VI Public comment went back to the Bloomingdale Communication grant and the need for reliable internet for all residence.

Public Comments are closed

VII Old Business

ORV Ordinance Conversation among the board about which roads should be closed. It was mentioned that even if you "close" a road you have ½ mile or to the next intersection, state law. The board cannot be stricter than the state.

There were also public comments addressing safety, age of drivers, and they need to obey laws as if they were in a vehicle.

Motion: was made by DeLeo; supported by Swanson to approve the ORV Ordinance as written for two years.

Voice Vote: In favor four; Nays one (Peterson); **Motion Passed.** (57 Minutes Later)

VIII Public Comments Should any roads by excluded? M-43 because it is a state road; you can cross it.

Graham stated that what ever you decide on road restrictions tonight can be changed as per Section 8 in the ordinance.

Further Public Comments People are confusing this ordinance with the Scott Lake Golf Cart ordinance. It would be handled like a traffic accident; Section 8.

Motion: by Swanson; supported by Koshar that we do not have any excluded roads and we will review it in two years.

Roll Call: Motion passed 4-1vote (Peterson). (12 minutes later)

Graham North Coast putting in a restaurant & catering business in an AG District. An amendment has been drafted. North Coast does need to provide a site plan; at that time, it will be either a special use or PUD.

Motion: by Miller; supported by Swanson to adopt the North Coast Inn Zoning Ordinance Amendment.

Voice Vote: In favor five; Nays none. Motion passed.

Koshar IT products ordered have been on back order. We need to decide on the antivirus product; 3-year \$392.40 for all machines \$813.40; one year would be \$616.00.

Motion: by Miller; supported by Peterson to purchase a 3-year antivirus protection.

Roll Call: Unanimous. **Motion Passed.**

Koshar pricing went up a little, \$13.00 on each monitor, \$27.00 on tablets and \$18.00 on desktop. Hopefully we will have them next month. Next, we will migrate the emails.

Koshar supply orders; I have not ordered the site plan file cabinet. Barb has been working on business cards. A mockup was provided.

Barb Alden Cost is 250 for \$146.00 and 1000 for \$276.00.

After discussion it was decided to put the meeting times on the back.

Motion: by Koshar; supported by Peterson to purchase 250 Business Cards for no more than \$200.00.

Voice Vote: In favor five; Nays none. Motion passed.

Koshar additional office supplies include a gavel, name plates, tape recorder, and legal pads. Total of \$400.00.

Motion by Swanson; supported by Peterson to purchase office supplies up to \$400.00 covering gavel, name plates, recorder, and legal pads.

Voice Vote: In favor five; Nays none. Motion passed.

Koshar building work.

Swanson the grass was put on hold. He is working on 3 quotes.

Koshar the issues were tabled until the next meeting.

Koshar the parking lot is done. The fire building needs the floor sealed and Graham is working on a contract.

DeLeo suggested a safety window in the lobby. Suggested size 12X24.

Swanson will get a quote.

Koshar we will table that until next month. We are going to have to add onto the building adding a file safe room.

Koshar we are looking for Planning Commission members. Is anyone interested?

Ron Klein He would very much like to be a member of the PC.

Graham: Based on his analysis, there is a conflict of interest. He will look at the issue again.

Koshar We also need ZBA (zoning board of appeals) members. We need three members.

Cheryl Duncan would like to nominate Jill Murphy to the PC. She works from home and is a health care auditor. She is knowledgeable of computers.

Jill Murphy will be willing to give it a try.

Koshar with the boards blessing. Douglas will get you sworn in. She cannot accept any money. Provide Barb your contact information. Scott will follow up with Darcy as to whether you need to be on the payroll.

IX New Business:

Public Comment on ALH and CANDID on processing licensing request.

Koshar for ALH the PC is recommending SUP be renewed and 5 additional adult use licenses. There will be only one license at this time with another one available in a while. ALH had his license request in before the cap was set at 50.

Graham the PC considered the AHL license request in detail. The question arose if the applicant had done due diligence. There were 12 points and I believe the applicant has done due diligence. There is one license available now and additional licenses when they come available. The PC also recommends there be a review in 2022.

Between the board and Tim Woodhams discussed many details. The address is 52750 38th Avenue. The other partner is Uprise Cannabis. The site plan is for 6 licenses. John and Derick stated the licenses would be ready when we were. They started the process in 2019, renewed in 2020. COVID interrupted their plans.

Koshar Are we accepting the PC's recommendations? Any more discussion?

There was much more discussion. About the site plan, a permit to build, the way the application was written, who is the stake holder, and who are the corporate officers. ALH is owned by Tim Woodhams, he has hired growers. The licenses will be issued to AHL and transferred to Uprise Cannabis; owner is Jamie Finnegan; the grower.

Motion by Miller, supported by Swanson to grant the SUP renewal and grant the issuance of five adult licenses, only one is available at this time. Four licenses when they come available.

Roll Call: Motion passed 4-1vote. De Leo voted no.

Graham CANDID is asking for 2 processing licenses, 1 adult and 1 medical. CANDID contacted someone to put up screening that would block the public view, however you can see thru the screening. They must fix the screening issue.

Koshar stated the replacement screening has been ordered.

Motion by Swanson; supported by Miller to issue to CANDID Inc. 2 processing licenses based on the condition that the screening be fixed.

Roll Call: Motion passed 3-2 vote (De Leo and Peterson voted no.)

Graham the board may need to increase the cap of processing licenses. You may need a license to process adult and 1 for medical. The state may require it.

Koshar this is something that can be discussed when we have our meeting.

Koshar I need approval for the consent agenda.

Peterson I want to discuss John O'Connell's report. He was told to provide a detailed report. He only has 2 things on the report. It that all he did for the month. Did he do what he was supposed to do? I believe he was told not to do anything with blight and that is on his report.

Koshar stated Scott & I handled that one.

Peterson She wants to know what the township paid him to do these things.

Koshar His yearly wage is \$14,000.00 a year. Felix is 100% in charge of Blight.

Swanson was a demolition permit drawn.

Graham the report speaks for itself. The Board should assume that O'Connell did what was on the report, no more no less.

Graham He is very concerned by the statement tonight that the Zoning Ordinance was ambiguous. The zoning ordinance is not ambiguous. In the AG District it is 30' front, 40' rear and 40' side. John needs to apply the zoning ordinance.

Motion by Swanson, supported by Miller to accept the consent agenda as written.

Voice Vote: In favor five; Nays none. Motion passed.

Koshar Two replacements for Hal, I do have one more. Hal will stay until we have a replacement.

DeLeo recommended to hold off until all 3 companies can be present and meet the board.

Koshar VBC recycling program.

Swanson according to the list this year is almost over.

Koshar there is a deadline. We are not acting on this currently.

Miller let's act on this for the 2021-2022 year.

Peterson will follow up with the company.

Koshar Generator bids, I currently have 2 bids and a third guy coming this Friday. So, I will have 3 bids at the next meeting. Companies are Edison, Aspen and Midway Electric. He will also call Steenstra.

Koshar the Marijuana renewal schedule, Sandy?

Sandy Areenie Amendment to move everyone to a standardized due date.

Koshar amendment to the Marijuana ordinance.

Graham the amendment says the paperwork will be submitted to the township by November 15th the year before the grow and all the paperwork will be processed by March before the grow starts. So, everyone will know where they stand. The standardize due date

will help keep track of everything. The licenses will be prorated, and SUP would be approved at the same time. The date cycle would be November 2021 to December 2022.

DeLeo I have a problem with the November 2021 to December 2022. That is 13 months. I would prefer this was ironed out before we vote.

Graham The question is does the board want a standardize due date?

Motion by Peterson, supported by Swanson to pass the amendment for a standardize renewal cycle for all Marijuana Business Licenses.

Roll Call: Motion passed 4-1vote (De Leo voted no.)

Koshar Board Priorities per Georgette's request.

Peterson it is not fair to Mike to set the priorities for the board to work on. I feel the board should know all the issues and should decide as a board the priorities. I believe it is too much for one person.

Miller priorities for the board meetings?

Peterson the issues that we are going to work on. It is not fair that Mike must do it all.

Koshar I do not. I consult with the attorney.

Miller priorities of how the meeting is run or the properties of the township?

Peterson The priorities of the township. Basically, she wants the entire board to know what is going on.

Koshar we are addressing that in the closed meeting after this meeting. Marijuana Draft Ordinance. Trying to find a date for the first public meeting. The date will be Wednesday, August 11th at 6 pm.

X

Public Comment

Koshar Graham will prepare a packet for the meeting.

There was a discussion going back and forth about the date, who would prepare the postcards, a community action group and people willing to help. Growers & Residence will come together to open the lines of communications. (63 minutes)

Graham stated the township has 5 complaints. Each complaint has either been investigated or is being investigated. #1 regarding events that lead to the special meeting on the 23JUN2021. That complaint has been complete. #2 Quality Cannabis has there been a 6-month review, PC will hold a 6-month compliance review at their August meeting. There is an additional investigation going on. #3 Breach of Duty Draft Ordinance. #4 Mrs. Crandall has submitted a complaint and some of that has been investigated and there is some follow up the Deputy needs to follow up on that. #5 A complaint for failure to set a date for consideration of the entire Marijuana Business Draft Ordinance. That should be complete. The board has giving instructions that every complaint will be fully investigated and answered.

Public Comment 3-minute limit.

Motion by Peterson, supported by Swanson for Barb to spend up to \$1,000.00 to print and mail postcards for the August 11th meeting.

Roll Call: Unanimous. **Motion Passed.**

XI **Board Moved to a Closed Session to Discuss Pending Litigation and an Attorney Opinion (Unanimous).**

XII **Board Returned from Closed Session at 12:07 a.m. and adjourned.**

