

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

Arlington Township
Van Buren County
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 June 23, 2021. The meeting was called to order at 6:00 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.

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

- III. **Limited Public Comments:** Offered

- IV. **Township Website:** Supervisor Koshar advised that Phil Pitts agreed to work with Mike and Barb on as needed basis for \$16.00 hour until Barb feels comfortable. **Motion** by Georgette, **second** by Ted. **Motion Passed.**

- V. **Township Complaint:** Supervisor Koshar reported that the township received a complaint dated June 6, 2021 from Cheryl & Chuck Duncan of Bangor, MI. The complaint is against Township Staff member John O'Connell. The complaint states that if they had not returned from vacation when they did the neighbor's building would have been on their property. It states that John Lanphear has a friend at the Township. It further states that the buildings constructed are not agricultural buildings, and the largest is intended for gatherings. It also states the John O'Connell told the Lanphear's that they were granted a variance (5') from the property line. Construction has commenced.

According to Supervisor Koshar and Attorney Scott Graham the problem is the approval process.

John O'Connell was given the floor. He stated in the past he was told to use common sense. The setback could be 10', 20', 35' or 40' he was told to use common sense. John and Chuck Moore stated this is the 1st complaint they have received.

Attorney Graham stated there is a process in place. It is the Zoning Ordinance. This would not have been an issue if the Ordinance was followed. There would have been a site plan and that did not happen. Scott further states there is a clear procedure in place and steps were not followed.

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Question for the Board is what is excepted going forward. Answer - follow the Ordinance.

- VI. **Public Comments:** Cheryl Duncan questioned the process. She was not understanding how a site plan was used if the building is on her property. She states he (John) never came to look at it.

John O'Connell states he didn't know where the property line was.

Scott Graham findings the Lanphear's were given a 10' variance if the Duncan's agreed.

Ted Swanson stated the building should have had a 40' set back from the front & back property lines. He also stated they should have been given a packet. He feels John should not be making decisions for the Township.

Phill Pitts States that common sense has been the way the Township has operated for the last 20 years. He realizes things are different now.

John Lanphear states he went into the project knowing nothing. He soon found John was the starting point. He further states John was very nice. Chuck Moore made the process pleasant to do and felt like it was Bedford Falls. It was a pleasure working with them.

Scott Graham states the building is not to code. It should have a 40' set back however the drainage is acceptable. He is questioning ordinance violations 5, 6, and 7.

Ron Klein states there is an issue with the process. Common sense doesn't work anymore. Follow the ordinance. He doesn't believe there is proper treatment of site plans.

Cheryl Duncan does not believe a site plan was ever submitted.

- VII. Supervisor Koshar stated we have three options:

1. Supply John with a check list to follow
2. Place him on a three-month probation.
3. Or terminate him

Koshar asks the board for suggestions.

Ted Swanson **motioned** that Duncan complaint be substantiated and that John O'Connell be terminated. Second by Georgette Peterson.

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Public comments:

Koshar wants a check list.

Swanson disagrees. He believes John provided Lanphear the wrong information.

Is there a way the neighbors can work this out?

Cheryl Duncan stated yes. They did a survey and spoke with the excavator. There was room for a 15' grade but he needed 20'. She again stated she was confused that the ordinance was not followed.

Koshar closed comments.

Koshar stated he does not feel termination is necessary.

Swanson wants to know why he feels that way.

O'Connell feels he was doing the job correctly using common sense as he was taught for the last 19 years without a single complaint.

Peterson stated that is why we have the ordinance.

Roll Call:

Georgette Peterson	Yes
Douglas De Leo	No
Ted Swanson	Yes
Darcy Miller	No
Mike Koshar	No

Motion declined with a 3 to 2 vote.

Koshar **motioned** John O'Connell be placed on a three-month probation and he will be provided with a clear cut and dry job duties and a check list. **Second** by Douglas De Leo.

Georgette Peterson	Yes
Douglas De Leo	Yes
Ted Swanson	No
Darcy Miller	Yes
Mike Koshar	Yes

Motion carried 4 to 1 vote.

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Public Comments:

Cheryl Duncan stated she was sorry but felt like this was vindictive by John O'Connell because of the complaint about the marijuana growers.

John Lanphear apologized for causing pain to his neighbor's and township. He stated when it became an issue he asked for a variance. He went on record stating that he didn't like the marijuana growers.

Scott Graham stated it was the Board's decision, however they need to follow the process. No accessory building should be built without a site plan that includes a survey.

John Lanphear stated they didn't feel a survey was necessary because he owns plenty of land.

Phillip Pitts commends the Board for their decision to retain John O'Connell.

Lorraine Crandall disagrees with probation. She thinks John should be fired.

Ron Klein stated that we should be following the 2012 Zoning Ordinance. He stated the check list is built into the ordinance.

Public Comments Closed

No additional Board Comment

Koshar & Graham will get O'Connell the check list and he is on three-month probation.

Meeting adjourned at 7:10 p. m. by Supervisor Koshar.

Respectfully submitted,

Barb Alden

Office Manager

Mike Koshar, Supervisor

Douglas De Leo, Clerk

Phillip Pitts, Treasurer

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