

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

Arlington Township  
Van Buren County, MI.  
52022 34<sup>th</sup> Ave.  
Bangor MI 49013

Georgette Peterson, Trustee  
Ted Swanson, Trustee

May 19, 2021

Regular meeting of the Board of Trustees of Arlington Township

Pledge: was led by Supervisor Mike Koshar

Roll Call of Officers: Clerk Douglas De Leo, Treasurer Phillip Pitts, Trustee Ted Swanson, Trustee Georgette Peterson, Supervisor Mike Koshar. All board members were present.

Agenda: Supervisor Koshar had three items of business that needed to be added under new business: 1. Road Commission projects. 2. Treasurer's position. 3. Contract with new Township planner.

Minutes of the April 21, 2021 regular: Motion by Phil Pitts to accept as presented with support Georgette Peterson. Motion carried

Minutes of the April 24, 2021 combination meeting with Planning Commission and Board to Trustees. Motion by Georgette Peterson to accept as presented.

Supported by Phil Pitts, motion carried.

Public Comment: Brad Page representing Southwestern Michigan Dust Control gave a short presentation on his product and how many years he has been doing dust control for Arlington Township and Van Buren County. His fee is still fifteen cents a gallon and estimated cost for township is \$9000.00 for two applications a year.

Law Enforcement report: No report

Fire Department: Chief Babcock reported on 43 calls with 9 in Arlington Township. Year to date calls 191.

All first responders now are outfitted with AED (automated external defibrillator). Pancake breakfast on May 29 at the fire hall. This will be dine in. Home Towne Pharmacy will be present to administrate covid 19 vaccines.

**Fire Department Report:**

There will be a Memorial Day Parade starting at 9:00am starting at Lander's Hardware and ending at the Cemetery. The Chief reported on the dry conditions and will not issues an outside fire permits. Fireworks will be on July 4<sup>th</sup> at the Bangor High School sports fields

**Ambulance Report:** Supervisor Koshar reported on 4 calls in April with a 11:37 response time and 10 calls with a 10:46 time.

**Commissioner Report:** No report

**Road Commission:** No report

**Seniors Services of Van Buren County:** Hope to reopen in July. Delivering meals to shut ins. Work on new senior complex is progressing.

**Board of Review:** July 20 the board will meet to correct any clerical errors. Contact Hal Manning for more details.

**Planning Commission:** Secretary Peterson gave report. Minutes attaches to Township Meeting Minutes.

**Enforcement Officer:** John O'Connell gave report on Scott Lake Association wanting to introduce the use of golf carts on public roadways.

**Clerk's Report:** There will be an election in August for Lawrence Public Schools. Will need election workers.

Supervisor's Report: Been a crazy month, extremely busy, road commission reports, marijuana coordinator position, working to finishing up public safety building.

Treasurer's Report: Treasurer Pitts reported that Arlington Township financial report: Beginning balance, \$136,787.66, Monthly receipts, \$116,509.00, Monthly expenses, \$30,845.37, Ending balance, \$222,451.29.

Treasurer Pitts would like to appoint Darcy Miller to the position of Deputy Treasurer until his retirement comes final.

Old Business: Pride Care Ambulance contract was presented and a motion by Supervisor Koshar supported by Trustee Ted Swanson. Motion carried

Office Manager Position: the posting will end on May 31, 2021.

North Coast Inn: P.U.D. application has been submitted to township. Meeting with township planner and planning commission will be scheduled.

Planning commission: Still in need of members.

Z.B.A.: no report

Marijuana Review committee: no report

E-mail blast: receiving very little information to report on.

New Business: Road Commission has submitted proposals for several projects that need attention in Arlington. Supervisor is reviewing work reports.

Treasurer's position: Darcy Miller will be appointed deputy treasurer and will be appointed Treasurer on June 16, 2021

Planner Position: Supervisor Koshar introduced Jeffery Wingard, PE who is employed by who works for Fleis & VanderBrink. Motion by Trustee Ted Swanson, supported by Trustee Georgette Peterson to hire Jeffery Wingard on an interim basis for six months.

Planning Commission recommendations:

1. Up High LLC, S.U.P. renewal with or without conditions
2. Sapphire Farms S.U.P. renewal with or without conditions.
3. Green Mitten S.U.P. renewal and expansion of use with 5 additional class C Licenses, a new building and a processing licenses.

Public comment on planning commission recommendations.

Pastor Cowell: Not in favor of expanding any marijuana licensing or any new property to be used for growing marijuana.

Annie Davidson Funke: Wondering is Planner Ken Detloff has seen site plan for Green Mitten's new building plans?

Planning Chair Donna reported that Ken has seen site plan and issued his opinion. Public comment closed.

#### 1. Top Coast Farm LLP/FKA UP High LLC

Trustee Ted Swanson moved to grant the Top Coast Farms' Special Use Permit renewal based on the following conditions:

1. The applicant shall agree in writing within 7 days that it shall abide by the conditions set by the Township Board.
2. The applicant shall not grow any marijuana plants outdoors during 2021.
3. The applicant shall be allowed to grow marijuana plants indoors during the 2021-22 growing season only as otherwise allowed by law.
4. The applicant shall provide the Township with a Site Plan that complies with Article V of the Zoning Ordinance on or before July 17, 2021.
5. The applicant shall submit a final site plan (if appropriate) and an "as built" site plan.
6. The applicant shall provide the Township with verification that EGLE and the Michigan DNR approve of the land use that applicant has suggested or proof that such approvals are no longer required.
7. The applicant shall not use any marijuana business license in the Township that is not specifically authorized by the Township. This includes an Excess Grow License.
8. The applicant shall comply with all Township ordinance amendments that change the date when Site Plan, SUP, and license renewal applications are due.

9. The applicant shall have the sole responsibility to provide to the Township all information that the Township requires in order to evaluate applicant's compliance with all Township ordinances that relate to the applicant's SUP.

10. The applicant shall immediately provide accurate contact information to the Township, including the name of a contact person and an accurate mailing address, telephone number, and email address for that person. Applicant shall have the obligation to update this information if it changes in any way.

11. The applicant shall have the obligation to provide the Township with a written status report at least once every thirty days describing progress toward meeting

all conditions set by the Board with the first report due on or before June 17, 2021.

12. The applicant shall transmit the status report by email using a delivery and read receipt function and shall be sent to the Township Supervisor and interim attorney (supervisor@arlingtontownship.com and sgraham@scottgrahampllc.com) and the Township will advise the applicant of any changes in contact information.

13. Any violation of the conditions of this SUP renewal shall constitute a nuisance that shall be actionable by the Township in a court of competent jurisdiction.

The motion was supported by \_\_\_Treasurer Phil Pitts\_\_\_\_\_. A roll call was conducted and the vote was: De Leo, no, Swanson, yes, Pitts yes, Peterson yes, Koshar yes, Motion carried 4 to 1

2. Trustee Georgette Peterson moved to grant the Sapphire Farms request for renewal of the Sapphire Farms Special Use Permit and request to use two temporary storage trailers subject to the following conditions: 1. The applicant shall agree in writing within 7 days that it shall abide by the conditions set by the Township Board. 2. The applicant shall obtain EGLE clearance for all possible issues within EGLE jurisdiction on or before July 17, 2021. 3. If the clearance has not been received by that time, the applicant shall provide the Township with a status update every 30 days. 4. Permission to use the temporary storage trailers is limited to one year and shall be reviewable at that time. 5. The applicant shall submit to the Township both a final site plan (if appropriate) and an "as built" site plan. 6. The applicant shall not use any marijuana business license in the Township that is not specifically authorized by the Township. This includes an Excess Grow License. 7. The applicant shall comply with all Township ordinance amendments that change the date when Site Plan, SUP, and license renewal applications are due. 8. The applicant shall have the sole responsibility to provide to the Township all information that the Township requires in order to evaluate applicant's compliance with all Township ordinances that relate to the applicant's SUP. 9. The applicant shall immediately provide accurate contact information to the Township, including the name of a contact person and an accurate mailing address, telephone number, and email address for that person. Applicant shall have the obligation to update this information if it changes in any way. 10. The applicant shall have the obligation to provide the Township with a written status report at least once every thirty days describing progress toward meeting all conditions set by the Board with the first report due on or before June 17, 2021. 11. The applicant shall transmit the status report

by email using a delivery and read receipt function and shall be sent to the Township Supervisor and interim attorney (supervisor@arlingtontownship.com and sgraham@scottgrahampllc.com) and the Township will advise the applicant of any changes in contact information. 12. Any violation of the conditions of this SUP renewal shall constitute a nuisance that shall be actionable by the Township in a court of competent jurisdiction. The motion was supported by \_\_\_Treasurer Pitts.

A roll call was conducted and the Board vote count was: Pitts, yes, Peterson yes, De Leo, no, Koshar, yes, Swanson yes, Motion passed 4 to 1

3. Supervisor Koshar moved to grant the Green Mitten request for renewal of its Special Use Permit, the issuance of 5 Class C Adult Use licenses, the issuance of one provisioning license, and the construction of a pole barn complying with the current site plan, subject to the following conditions: 1. The applicant shall agree in writing within 7 days that it shall abide by the SUP conditions set by the Township Board. 2. The 5 new Class C Adult Use licenses shall be issued only if the Township license audit indicates that the licenses are available. 3. The newly issued Class C Adult Use licenses shall be used indoors only and the buildings housing those plants will use carbon filter exhaust systems. 4. The pole barn identified on the site plan shall be subject to the 100' side yard setback requirement. 5. The processing license shall be used in the pole barn only. 6. The applicant shall comply with the suggestions made as part of the Commercial Driveway Permit dated 5/19/21 and those suggestions are mandatory. 7. The applicant shall submit a final site plan (if appropriate) and an "as built" site plan. 8. The applicant shall not use any marijuana business license in the Township that is not specifically authorized by the Township. This includes an Excess Grow License. 9. The applicant shall comply with all Township ordinance amendments that change the date when Site Plan, SUP, and license renewal applications are due. 10. The applicant shall have the sole responsibility to provide to the Township all information that the Township requires in order to evaluate applicant's compliance with all Township ordinances that relate to the applicant's SUP. 11. The applicant shall immediately provide accurate contact information to the Township, including the name of a contact person and an accurate mailing address, telephone number, and email address for that person. Applicant shall have the obligation to update this information if it changes in any way. 12. Any violation of the conditions of this SUP renewal shall constitute a nuisance that shall be actionable by the Township in a court of competent jurisdiction. The motion was supported by \_Treasurer Pitts. A roll call was conducted and the Board voted as follows. De Leo, no. Swanson, no, Peterson, no, Koshar, yes. Pitts, yes. Motion failed. 3 no's to 2 yes.

Trustee Peterson moved to grant Green Mitten five (5) new licenses limited to INDOOR GROWN ONLY, new building and processing licenses with the condition that licenses only be granted after Township Audit of licenses count. Supported by Trustee Swanson: Vote was taken: De Leo, no. Swanson, yes. Pitts, yes. Peterson, yes. Koshar, yes. Motion carried 4 to 1

Arlington Township Public and Community Building bids on rain gutters were opened and read:

Quality Seamless Gutters: \$750.00, Mike's Seamless Gutters: \$680.00, Lawton Seamless Gutters: \$1300.00

Motion by Pitts to give contract to Mike's Seamless Gutters in the amount of \$680.00. support by Peterson. Vote was cast: Peterson, yes. Pitts, yes. Swanson, yes. Koshar, yes. De Leo, yes.

Landscaping and seeding, was tables do to not enough bids.

Sign for new building was tabled for now.

Seal Coat and stripping: Arnt Asphalt and Seal Coating was the only bidder on seal coat the parking and restriping. Motion by Pitts, to contract with Arnt Asphalt to seal coat and strip the parking lot. Vote taken: Peterson, yes. Pitt, yes. Koshar, yes. De Leo, yes. Swanson, yes. Motion carried.

Marijuana Coordinator: Motion by Trustee Peterson to offer the position to Sandy Areint for a period of six months with an hourly pay of \$25.00 an hour. Support by Trustee Swanson. Roll call vote: Swanson, yes. Pitts, no. De Leo, yes. Koshar, yes. Peterson, yes. Motion carried 4 to 1.

Treasurer Pitts made a motion to accept the Road Commission project sheet for road repair, seal coating, fog sealing. Gravel and deburring. Support by Trustee Swanson. Row call vote: Pitts, yes. De Leo, yes. Swanson, yes. Peterson, yes. Koshar, yes. Motion Carried.

Treasurer's Replacement: Trustee Swanson motion to appoint Darcy Miller deputy treasurer until June 16 and they appoint her Arlington Treasurer. Support by Trustee Peterson. Roll call vote. De Leo, yes. Swanson, yes. Peterson, yes. Koshar, yes. Pitts abstained. Vote total 4 yes no no's

Township Planning Position: Scott Graham, Interim Attorney recommends Jeff Wingard of Fleis and VanderBrink for the township professional planner on an interim. Mr. Wingard gave a short interview on his work and company. He charges \$155.00 and \$75.00 for support staff.

Motion by Trustee Peterson to offer the position to Jeff Wingard of Flies and Vander Brink on an interim basis. Support by Trustee Swanson. Vote taken: Pitts, no. Swanson, yes. De Leo, yes. Peterson, yes. Koshar, yes. Vote totals: 4 yeas one no.

Public Comments:

Derick Babcock: New building was for use for fire and ambulance services.

Pastor Cowell: No marijuana fan. How can board stop administered procedures from happening without board approval.

Annie Davidson Funke: What effect does new planner do to zoning ordinance work with Ken Detloff?

Cherri Dunkin: Odor is problem with marijuana and define what is high density is a concern.

Adjourn: 10:20p.m. by Treasurer Phillip Pitts