

Mike Koshar, Supervisor
Douglas De Leo, Clerk
Darcy Miller, Treasurer
Office ph. 269 427 7300

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

Georgette Peterson, Trustee
Ted Swanson, Trustee

December 15, 2021

Minutes of Arlington Township Board Meeting held at township hall at 7:00p.m.

Present: Koshar, De Leo, Miller, Peterson, Swanson

All present for meeting.

Pledge: Was recited.

Approval of agenda: Motion by Swanson to accept with two additions, (accept resignation of Board of Review members and agreement from auditing firm) supported by Peterson. Motion carried 5 yeas, 0 nays.

Police report: Deputy Torres reported on 46 calls in Arlington Township.

Fire Department: Chief Babcock on 40 call with 12 in Arlington Township.

Lawrence Chief Anchor reported on lots of medical calls.

Van Buren County Commissioner's report: No report

Tax Assessor's: Danielle Golembiewski is reviewing all property records and held the December Board of Review.

Social Services: Social Services of Van Buren will hold off opening full time until February 2022 due to Covid issues.

Clerk: All voting records are being brought up to date and voting machines were inspected by a qualified technician. Arlington is still seeking election inspectors and will provide paid training.

Supervisor: Is being trained on new website procedures. Marijuana business licenses are being reviewed and are in the process of coming in front of the Board or Planning Commission as appropriate.

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Treasurer's Report: Miller gave financial report: Current balance as of 12/01/2021 \$522,461.37, Receipts \$5,976.23, Expenditures \$52,118.44 ARPA transfer out \$107,076.00 transfer out to Oak Leaf Investments \$250,000. Balance as of 12/15/2021 \$119,243.16

Motion to pay bills by Swanson, supported by Koshar. Roll call: De Leo yea, Peterson yea, Miller yea, Swanson yea, Koshar yea.

Minutes of the November 17, 2021 meeting were approved as presented by a motion from Swanson, supported by Peterson. 5 yeas 0 nays.

Consent agenda: Motion by Miller, supported by Swanson to approve. 5 yeas 0 nays.

New Business: Assessor Golembiewski explained the Poverty exemptions and Policy Guidelines Application that is needed to be adopted by Board. Motion by Peterson, supported by Swanson to adopt. 5 yeas 0 nays

1. Oak Grove Farm, 39940 CR 673 events venue business. Motion by Swanson to have Oak Grove Farm submit a site plan that will be in compliance with the Township's ordinances. Koshar supported. 5 yeas 0 nays. Site plan needs to be from architect or engineer and stamped as required by Article V of the Zoning Ordinance.

2. Bangor Fire Department request: Swanson made a motion to pay 1/6 of the equipment request not to exceed \$6,000.00. Support Koshar. Roll call: De Leo yea, Miller yea, Koshar yea, Swanson yea, Peterson nay. 4 yeas 1 nay.

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3. Green Standard 51661 28th Ave. Bangor: Conferring with the marijuana coordinator Green Standard has completed all requirements to satisfy Arlington Township's ordinances concerning marijuana business license. Motion by Swanson to approve the renewal of two adult use and one medical license until 11/15/2022 with a penalty of \$500.00 for not acquiring a site plan that was in compliance with the township's ordinance in a timely manner. Support by Koshar. Roll call: Miller yea, De Leo yea, Koshar yea. Swanson yea, Peterson yea.

4. Top Coast 29300 50th Street Bangor: The township's marijuana coordinator has determined that Top Coast has completed all requirements to satisfy the Township's ordinances for a marijuana business licenses and a Special Use Permit ending 11/15/2022, and will allow Top Coast to convert two medical license to adult use. Motion by Swanson, supported by Peterson. Roll call: Swanson yea, Peterson yea, Miller yea, De Leo yea, Koshar yea,

5. Arlington Land Holdings LLC 52570 36th Ave. Bangor: The township's marijuana coordinator has determined that Arlington Land Holdings has satisfied the township's marijuana business licenses and Special Use Permit requirements to operate a marijuana grow business. Motion by Peterson to approve SUP and business licenses for 1 medical and 2 adult use licenses until 11/15/2022. Support Swanson. Roll call: Peterson yea, De Leo yea, Swanson yea, Koshar yea, Miller yea. Do to timing of Arlington Land Holding LLC application for additional licenses, they will be able to purchase 3 additional licenses if and when available.

6. High Power 56670 28th Ave. Bangor: A motion by Swanson to deny SUP and marijuana business license for the following reasons.

HP obtained a License and an SUP for an indoor grow. HP has not completed its grow building.

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In the summer of 2020, HP grew marijuana in its building in an effort to raise money that HP would have used in its business.

HP filed documents with the State describing the ownership of HP. The documents were false.

HP has kept 2 sets of records regarding its ownership for the purpose of deceiving the State and for the purpose of avoiding background checks for Fred Day (and possibly others).

The Township has obtained a series of documents prepared by Fred Day that show the percentages of ownership that were disclosed to the state and the “actual” ownership. The documents show at least two versions of ownership percentage.

HP falsified documents that it filed with the State regarding the identity of its lenders and the amounts that have been lent to the company. HP did this on the advice of one of its members because disclosure of the correct loan information might have jeopardized HP’s chance to get pre-qualified.

HP repeatedly refused to provide the documentation and information that the Township requires in order to evaluate the HP renewal applications.

Fred Day has made a series of misrepresentations to the Township about various issues.

Day lied to the PC in a prior meeting about having a “sealed” site plan when he knew that he had only “sealed” construction drawings.

Day has repeatedly said that HP has submitted all documents and information required from HP.

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HP accused the Township of losing a number of HP documents. There is no evidence to support this claim, and it is an excuse for HP’s failure to comply with Township requirements.

Day told the PC that the HP property was owned by his mom and Barry Singer. We now know that this statement was false and that HP owns the property.

Day claims that his mom and sister loaned money to HP. There is no evidence to support this claim.

Day refused to provide the PC with direct answers to questions posed to him on December 1.

Day’s statements, in general, were evasive and incredible.

HP has provided no evidence or information indicating that it will be able to complete the grow operation.

Fred Day insists that he is just a 9% owner of HP. This claim is not credible.

Support of Motion by Peterson to deny. Roll call: De Leo, yea, Miller yea, Swanson yea, Koshar yea, Peterson yea. Motion carried to deny.

4. Office security window: Motion by De Leo to approve the purchase and installation of a security window not to exceed \$901.40. Support by Peterson. Roll call: De Leo, yea, Miller yea, Swanson yea, Peterson yea, Koshar yea.

5. E-Mail accounts: Motion by Swanson to upgrade e-mail addresses for all elected and appointed/hired personnel for Arlington not to exceed \$900.00 dollars. Support Peterson. Roll call: Swanson yea, Miller yea, De Leo yea, Peterson yea, Koshar yea.

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Old Business:

Quality Cannabis file has been reviewed and the township is waiting for a report from Environment, Great Lakes, and Energy Commission (EGLE). File has been tabled until next month (January 2022) meeting.

Zoning and code personnel position: A special meeting will be held at 6:00p.m. on January 19,2022 to conduct interviews of potential candidates. The Arlington Township regular meeting will start at 7:00p.m. on the same night and date.

Building improvements: The sidewalk is complete and lawn has been seeded.

Letter of agreement with Walker, Fluke and Sheldon PLC: A motion to accept the agreement with two changes was given by Swanson: 1. In case of a hearing that requires an arbitrator the less fortunate party will be responsible for fees. 2. The yearly increase in fees for Walker, Fluke, and Sheldon will be approved by the township's board before taking effect. Supported by Peterson. Motion carried 5 yeas, 0 nays

Resignation letters: Annie Funke has submitted her resignation letter from the Board of Review effective 12/31/2021. Dan Sell has submitted his letter effective 12/15/2021. Kim Brando has submitted her letter effective 12/30/2021. Motion

carried to accept resignation letters and offer a word of thanks and gratitude for the service performed.

Some comments were made by audience of light pollution given off by greenhouse lighting staying on past 10:00p.m.

Minutes by Douglas De Leo, Township Clerk.

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