

MINUTES OF THE AU GRES TOWNSHIP BOARD OF TRUSTEES MEETING May 14th, 2024 ~ 7:00 P.M.

IN ATTENDANCE: Supervisor Jim Herzog, Clerk Michael Oxley, Treasurer Patricia Tremble, Trustee Penny Kurchak and Trustee Jan Bullock

ABSENT: None

ATTENDEES: In order of signing in: Bill Bullock, Norma and Roger Schwiderson, Roger Sheldon, Art Gallop, Jesse Young Jeff Czymbor, Aurette Gates, Wesley Crumby, Wayne Kinne, Larry Davis, Chuck and Kaye Woods, Dave Enos, Lisa Salgat, Nancy Selle, Dennis Stawowy, George Hill, Roger Huber, Paul Cwiklinski, Jim McCourt, Joshua Estebrook, Bernie Rotelle, and others who did not sign the sheet/arrived later.

CALL TO ORDER: The meeting began at 7:00pm with the pledge of allegiance.

BOARD COMMENT: Supervisor Jim Herzog reminded the board that public comment would be limited to 2 minutes per person and groups should have one representative to speak.

APPROVAL of AGENDA: Motion made by Treasurer Patricia Tremble to approve the agenda as presented. Motion supported by Trustee Penny Kurchak. Voice vote: All yeas. No nays. Agenda approved.

PUBLIC COMMENT: Paul Cwiklinski (Swenson Road) reported that his road looked good except for a huge water hole which could use some gravel.
Dave Enos (Noggle and Shenfield Roads) reported Noggle road was a lake and recent grading (on Shenfield) made it worse by his driveway.
Joshua Estebrook (Swenson Road) commented on the fine work which was done on Jodway (collapsed culvert) by Dennis Killingbeck excavating. Now what Jodway needs is the north ditch to be cleaned out.
Dennis Stawowy informed the attendees that he was retiring. After 24 years serving as Arenac County treasurer, he felt he still had service to give, and is on the August ballot for County Road Commissioner (Doc Schwab's seat).
Nancy Selle (Manor Road) read several sections from the township marijuana ordinance concerning 'Permits' and 'Permitted Premises'. Voicing her feelings against a potential expansion of the Kola Farms marijuana grow facility.
Jeff Czymbor asked if a township marijuana permit is given up, does it become available for someone else.
Aurette Gates questioned the Kola Farms expansion. Why did they have to ask? Stating they are increasing their grow, and do they not have space on the already permitted property.
Derek Porritt stated that Wayne Kinne (Kola Farms) did not need any more permit, he just wants to put up more fences. Why is there not a bond in place to remove these fences (referring to the Pharmaco site on Dreyer Road).
Wes Crumby pointed out that fences are put up by farmer in the township. There is no restriction on putting up fences.
Larry Davis requested that moving forward the board should have any ordinance or modify the zoning ordinance with respect to illegal immigrants. Also noting there is a marijuana grower on the Planning Commission board. And migrants should not be allowed to work at marijuana facilities.
Joy Willis asked a question about parcels owned by Kola Farms.
Wayne Kinne (Kola Farms) questioned the interpretation of the marijuana ordinance with respect to expanding, only that a facility cannot operate in a place unknown by the township. Explaining that he has come to the board for permission to do what the ordinance already allows.

APPROVAL of the MINUTES: Motion made by Tremble to approve the minutes of the April 9th, 2024 Board of trustees meeting and the April 22nd, 2024 Road Projects Review Meeting. Motion supported by Trustee Jan Bullock. Voice vote: All yeas. No nays. Minutes approved.
Herzog, on the Road Projects review, reported that Wood's excavating had reduced their estimate for the Dreyer Road work by \$3,000 to \$42,000 (for 6-8 inches of stone over the entire road from Manor to the bay).

PAYMENT OF BOOK OF BILLS: Motion made by Tremble to approve the April 2024 book of bills as presented. Motion supported by Oxley. Voice vote: All yeas. No nays. Motion approved

TREASURER'S REPORT: Read by Treasurer Patricia Tremble. Total of all funds (including CD, money market investments and \$19,000 in accrued interest on investments is now \$1,658,505.44. Motion made by Oxley to approve the report. Supported by Kurchak. Voice vote: All yeas. No nays. Motion approved

BOARD REPORTS:

AUGRES-SIMS-WHITNEY FIRE AUTHORITY: Meeting held at the Au Gres Fire Hall, called to order by Olen Swartz. Treasurer's report was given by Tom Brandimore, reviewing the usual monthly bills, and discussing the upcoming audit and fire authority millage renewal request on the August 6th ballot

Fire Chief Kurt Hummerickhouse reported that the roof of the Au Gres fire hall needed to be replaced and will contract builders for bids. Five fire calls during the previous month - 2 false alarms, 1 grass fire, downed power lines and what appeared to be a fire on Charity Island (was actually fog from the bay). Next Fire Board meeting is on Thursday May 16th at the Au Gres Township Fire Hall.

HERITAGE ROUTE AUTHORITY: Reported by Jan Bullock: Meeting held on Monday May 6th. Give Local Bay Fund Raiser: Camp Fish Tales came in #1, as usual. Omer Courthouse received \$12,000+ donations from 91 donors and the Standish Depot (AHRA) got \$4730.00. The County-Wide Garage Sale is on the June 7th weekend. Farmers Market will be open on June 14th through September 13th and the Classic Car show is on July 7th weekend.

ZONING ADMINISTRATOR REPORT: Art Gallop Zoning Administrator reporting. Two lots have sold on Booth Road with plans for a house with septic system and a pole barn. Kowicki's garage on Rumsey Road is coming along nicely, as is Cantus' Booth drive house that he is building. Atwaters' planned house/porch addition is on pause. There is interest in a double-wide house on Hale Road.

Gallop asked Herzog, when Booth Road was paved last year, why wasn't Seven Seasons not paved as well?

LINWOOD CEMETERY REPORT: Kurchak reported on vandalism at the cemetery (over the prior weekend?) and that trinkets/mementos at gravesites had been reported as being stolen. Someone even stole the batteries out of a solar light!

The Memorial Day service at the Veteran's Memorial is on Sunday (8:30 or so) before the Au Gres City parade.

Kurchak suggested that a new flag at the vet's memorial needed to be replaced. (Barb Manor usually does so).

UNFINISHED BUSINESS:

a.) Tire drive. Oxley reported being asked by residents if we were having a tire drive this year. Discussed previously by the board. Herzog to get pricing from GFL. 'Spring Cleanup' dumpsters are set to arrive at the hall starting on Friday, May 17th. Herzog felt a tire drive would cramp the hall parking lot and we should wait until the spring cleanup was over.

b.) Kola Farms marijuana grow expansion request (see site drawings). Jesse Young, Planning Commission chairperson reported on the determination by the PC board to approve the expansion, on grounds that their growing space was not sufficient to grow the amount of plants for which they had been permitted by the township. Only to have it be sent back to the PC for additional review. It was again recommended by the planning commission to allow the expansion, and thus is now up to the township board. Oxley began to bring the topic to a vote. Tremble felt that an opinion should be sought from the township attorney, citing the 'Permitted Premises' section of the marijuana ordinance(s), and the fact that the proposed expansion parcel ID# was never mentioned in the original Kola Farms applications. Consideration of the expansion is tabled pending Melissa Sprague's determination.

NEW BUSINESS:

- a. Road Project - Noggle road 0.6 miles from Santiago to Nearman Road (1-1/2" limestone rock) - \$12,017.50. Motion made by Tremble to approve the ACRC work order. Motion supported by Kurchak. Voice vote: All yeas. No nays. Motion approved. Work order to be signed by the board members, Oxley to send to ACRC.
- b. Road Project - Noggle road 0.5 miles East of Shenfield (1-1/2" limestone rock) - \$12,017.50. Motion made by Tremble to approve the ACRC work order. Motion supported by Kurchak. Voice vote: All yeas. No nays. Motion approved. Work order to be signed by the board members, Oxley to send to ACRC.
- c. Postage stamp price for first class stamps going up July 14th from \$68 per 100 stamp roll to \$73 per roll. As the township has purchased stamps ahead of a prior year increases, a motion was made by Tremble to purchase \$25,000 worth of 'forever' stamps (not to exceed \$28,000) before the price goes up. Motion supported by Oxley. Voice vote: All yeas. No nays. Motion approved. Oxley to handle the transaction.
- d. Land Division Santiago to Jodway - 13.5 acres (split off of Wes Crumby's 78.33 acre parcel) details handled by Arenac Realty (Dennis Stanley). The request for land division was approved by the township assessor - lacking only the land division form. Crumby questioned the division as to whether it was still a valid request. Topic tabled (at Crumby's request) in order to question Stanley as to the status of the prospective purchase.
- e. Street Lights Dreyer/Manor roads and Davis/Manor Roads. Oxley reported on a request from Marilyn Badour (Manor Road) to put of a streetlight on her corner (Dreyer and Manor). Oxley further suggested putting on at Davis and Manor roads at the same time. Topic to be explored by Herzog for cost analysis.
- f. Spring "Clean up your Township" dumpsters available starting May 27th. No paint, liquids, any device with freon (air conditioners, refrigerators). The cleanup will be running for about three weeks, when a dumpster gets

filled, Herzog will call for a pickup and replacement.

BOARD COMMENT: Treasurer Tremble asked when the roads were going to be brined. Herzog to contact Eastern Dust Control (Matt Milan). Trustee Kurchak thanked everyone for attending the meeting.

PUBLIC COMMENT: Nancy Selle repeated her comments on the Kola Farms expansion. Larry Davis made comments of a personal nature against Mr. Crumby. At this point many attendees were speaking at once until Herzog, banging his gavel, shut down the back and forth comments. Trustee Penny Kurchak takes the floor, standing and reading a paragraph from the MTA handbook on board responsibilities (MTA - Michigan Township Association).

A BOARD MEETING IS FOR BOARD BUSINESS: Outside of a public comment period or public hearing, the board addresses the business on its agenda, and the public is the audience, watching the board do its business. They can only participate in the business portion of the meeting to the extent, if any, that the board through the supervisor, seeks their comments. The supervisor should not recognize members of the public unless it's in compliance with the board's rules and agenda.

Remember that, under the Open Meetings Act, the only place a township board can do its business is in a public meeting of the township board. Board meetings are the business meetings of the township board, and it's in the best interest of the township as a whole that the board conduct its business in an organized, productive and business-like manner.

ADJOURNMENT: TIME – 8:45pm. Motion made by Bullock to adjourn the meeting. Supported by Kurchak. Voice vote: All yeas. No Nays. Meeting adjourned.

Minutes approved at the regular Board of Trustees Meeting on _____

James Herzog, Supervisor _____

Michael Oxley, Clerk _____