

**REGULAR MEETING
LENOX TOWNSHIP BOARD OF TRUSTEES
FEBRUARY 7, 2022**

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| 1. CALL TO ORDER: | 6:30 PM |
| MEMBERS PRESENT: | Reeder, Kandell, Honold, Clifford, Gurley |
| ATTORNEY PRESENT: | Kelley |
| RESIDENTS AND GUESTS PRESENT: | 21 |
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MEETING AGENDA**

Clerk Kandell reported that there would be no Audit Report at this meeting due to health issues of the Auditor, therefore this item must be removed from the Agenda.

Motion: Kandell Support: Honold

Motion to approve the Agenda, removing the 2020-2021 UHY, LLC. Auditor's Presentation.

Roll Call Vote: Kandell- Aye, Honold- Aye, Reeder- Aye, Clifford- Aye, Gurley- Aye. Motion passes.

4. APPROVAL OF MINUTES

Motion: Gurley Support: Clifford

Motion to approve the minutes of the Regular Board Meeting of 1-10-2022 and the Special Board Meeting of 1-13-2022.

Roll Call Vote: Gurley- Aye, Clifford- Aye, Kandell- Aye, Honold- Aye, Reeder- Aye. Motion passes.

5. PUBLIC ANNOUNCEMENTS

There were no Public Announcements at this time.

6. PUBLIC COMMENT

J. Hartway, Lenox Township Resident, commented on the Township Seal, she feels that the proposed drawing does not depict Lenox Township; the current seal is just fine.

7. PUBLIC HEARING

2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND

Motion: Kandell Support: Honold

Motion to open the Public Hearing for Community Development Block Grant Funds (CDBG) at 6:33 PM.

Roll Call Vote: Kandell- Aye, Honold- Aye, Clifford- Aye, Gurley- Aye, Reeder- Aye. Motion passes.

Clerk Kandell announced that Lenox Township would be receiving \$1,900 in CDBG Funds for 2022.

S. Conte from Interfaith Volunteer Caregivers explained their mission and services, with hopes of gaining 2022 CDBG Funds.

D. Vazquez-Dolan from Care House detailed their services as well as their mission, requesting CDBG Funds for 2022.

Motion: Kandell Support: Gurley

Motion to close the CDBG Public Hearing at 6:43 PM.

Roll Call Vote: Kandell- Aye, Gurley- Aye, Honold- Aye, Clifford- Aye, Reeder- Aye. Motion passes.

Motion: Kandell Support: Reeder

Motion to award \$148.00 to Interfaith Volunteer Caregivers, \$400.00 to Care House, and the remainder \$1,352.00 to the Lenox Township Senior Center.

Roll Call Vote: Kandell- Aye, Reeder- Aye, Clifford- Aye, Honold- Aye, Gurley- Aye. Motion passes.

8. CONSENT AGENDA

All items listed under this Consent Agenda are considered routine by the Township Board and will be enacted by one motion. According to established Township meeting rules, there will be no separate discussion of these items, unless a member of the Board or public so requests at or prior to the meeting, in which event the chair of the meeting may remove such item(s) from the Consent Agenda for discussion and consideration under Agenda Item No. 8, below. Approval of the Consent Agenda shall be by a majority roll call vote of those present and voting. Under the Consent Agenda are items a. Public Safety Report, b. EMS Report, c. DPW Report, d. Code Enforcement Report, e. Assessing Department Report, f. Engineer Report, g. Planner Report, h. Library Report, i. Senior Center Report, j. Supervisor's Report, k. Treasurer's Report, l. Orders and Bills, m. Trustees Report, n. Clerk's Report.

Clerk Kandell reported that there was \$1,814,140.13 in invoices to be paid, which includes \$1,468,205.04 for the sewer debt payment to Macomb County.

Motion: Gurley Support: Honold

Motion to accept the Consent Agenda with the Orders and Bills totaling \$1,814,140.13.

Roll Call Vote: Gurley- Aye, Honold- Aye, Kandell- Aye, Clifford- Aye, Reeder- Aye. Motion passes.

9. ITEMS REMOVED FROM CONSENT AGENDA

There were no items removed from the Consent Agenda for this meeting.

10. UNFINISHED BUSINESS

A. TOWNSHIP SEAL UPDATE

Deputy Supervisor Mark Grabow explained that several months ago an invitation to create a Township seal was sent to the four public school districts in Lenox. The current logo was never voted on or approved at the Board of Trustees level.

Trustee Clifford stated that there was just one entry submitted for the seal; he is happy with the logo that is currently in use.

Clerk Kandell added that she does not remember seeing the drawing submitted by the student, she has only seen the revised drawing.

Supervisor Reeder remarked that some clarification is needed; he suggested this item be tabled until next month.

Motion: Clifford Support: Honold

Motion to accept what we have and leave it as is.

Roll Call Vote: Clifford- Aye, Honold- Aye, Gurley- Aye, Kandell- Nay, Reeder- Nay. Motion passes.

11. NEW BUSINESS

a. GYPSY MOTH CONTROL PRESENTATION

Supervisor Reeder reported that there is a Gypsy Moth infestation at 30 Mile Road and County Line, totaling 58 acres. A representative from MSU Extension – Macomb County was scheduled to present information regarding the Gypsy Moth Control Program. In her absence, this item should be tabled.

Motion: Reeder Support: Kandell

Motion to table this item until a representative from Macomb County is able to be present.

Roll Call Vote: Reeder- Aye, Kandell- Aye, Gurley- Aye, Honold- Aye, Clifford- Aye. Motion passes.

b. TOWNSHIP OFFICE CLEANING CONTRACT RENEWAL

A & B Commercial Cleaning is the Township office cleaning company; the current contract expires February 28, 2022. The new contract calls for cleaning the office building once a week for one year at the cost of \$240.00; this would be a \$40.00 increase from the current contract

Motion: Honold Support: Clifford

Motion to renew the contract with A & B Commercial Cleaning for a term of one year ending March 3, 2023.

Roll Call Vote: Honold- Aye, Clifford- Aye, Kandell- Aye, Reeder- Aye, Gurley- Aye. Motion passes.

c. 2022 MACOMB COUNTY LIMESTONE PROGRAM APPLICATION AND RECOMMENDATIONS

Deputy Supervisor Mark Grabow detailed the 2022 Macomb County Limestone Program, where Macomb County provides limestone to three miles of gravel roads of the Township's choosing. Lenox Township would be responsible for 10% of the material cost; Macomb County would cover 90% of the cost; covering material and labor. The roads must be decided on by March 15, 2022 and returned to the Department of Roads.

Motion: Clifford Support: Gurley

Motion to approve the contract with the Road Commission, with the three miles decided by DPW Supervisor Trombly, Township Engineer Saif, and Macomb County before the March 15, 2022, deadline.

Roll Call Vote: Clifford- Aye, Gurley- Aye, Reeder- Aye, Honold- Aye, Kandell- Aye. Motion passes.

d. MEDICAL MARIHUANA PROVISIONAL CERTIFICATES

Township Planner Steve Cassin explained that a third round of Medical Marihuana Applications were submitted in December 2021. Applications were received from four different entities for five different locations. These applications have been reviewed with respect to the Township's Policy, which is campus style facilities that would provide the best long-term investment, only those applicants seeking to grow, process, and provide provisioning facilities on the same parcel should be awarded provisional certificates. The following applications were recommended:

- Cannaco Campus, 19-06-27-402-003, east side of Gratiot, between 27 and 28 Mile Roads
Provisionary Certificates Requested: 1 Provisioning, 1 Processing, 1 Grow
Provisionary Certificates Recommended: 1 Provisioning, 1 Processing, 1 Grow
- Common Citizen, 19-06-12-276-012, east side of Gratiot, between 30 and 31 Mile Roads
Provisionary Certificates Requested: 1 Provisioning, 1 Processing, 1 Grow
Provisionary Certificates Recommended: 1 Provisioning, 1 Processing, 1 Grow
- Grow It Pro, 19-06-12-300-038, east side of Gratiot, between 30 and 31 Mile Roads
Provisionary Certificates Requested: 1 Provisioning, 1 Processing, 1 Grow
Provisionary Certificates Recommended: 1 Provisioning, 1 Processing, 1 Grow
- Community Veterans of Lenox (South), 19-06-27-200-010, east side of Gratiot, between 27 and 28 Mile Roads
Provisionary Certificates Requested: 1 Provisioning, 1 Processing, 1 Grow
Provisionary Certificates Recommended: 1 Provisioning, 1 Processing, 1 Grow
- Community Veterans of Lenox (North), 19-06-12-201-025, west side of Gratiot, between 30 and 31 Mile Roads
Provisionary Certificates Requested: 2 Provisioning, 2 Processing, 2 Grow, and 1 Transport
Provisionary Certificates Recommended: 1 Provisioning, 1 Processing, 1 Grow, and 1 Transport*

***This applicant's intention is to split the parcel into two properties, and develop a provisioning center, processing center, and grow operations on each parcel. Until such time that the land division occurs, it is recommended that 1 provisioning, 1 processing, 1 grow, and 1 transport provisional certificate be approved.**

Cassin recommended the provisional certificates be approved subject to the following:

- Compliance with state regulations regarding Medical Marihuana
- Compliance with the Lenox Township Marihuana Facilities Ordinance, including those provisions relate to distancing requirements
- Compliance with applicable provisions of the Lenox Township Zoning Ordinance
- Compliance with applicable Township planning, building, and engineering requirements
- Compliance with applicable Macomb County requirements, particularly the Department of Roads, Department of Health
- Submission of an application for Special Land Use Approval to the Lenox Township Planning Commission within six (6) months
- Receipt of a building permit for construction within 12 months
- No occupancy permit (temporary or final) shall be issued for any provisioning center, prior to an occupancy permit being issued for the grow and processing facilities on the same property
- Grow facilities must be conducted in an industrial-type building, capable of being easily retrofitted to a manufacturing/warehousing operation should the grow facility cease to exist
- Reminder that the Lenox Township Licensing Ordinance does not allow the transferring of any provisional certificates

Motion: Kandell Support: Clifford

Motion to approve five Medical Marihuana Provisionary Certificates as detailed by Mr. Cassin, following the guidelines Mr. Cassin also outlined, which were the following:

- Compliance with state regulations regarding Medical Marihuana
- Compliance with the Lenox Township Marihuana Facilities Ordinance, including those provisions relate to distancing requirements
- Compliance with applicable provisions of the Lenox Township Zoning Ordinance
- Compliance with applicable Township planning, building, and engineering requirements
- Compliance with applicable Macomb County requirements, particularly the Department of Roads, Department of Health
- Submission of an application for Special Land Use Approval to the Lenox Township Planning Commission within six (6) months
- Receipt of a building permit for construction within 12 months
- No occupancy permit (temporary or final) shall be issued for any provisioning center, prior to an occupancy permit being issued for the grow and processing facilities on the same property
- Grow facilities must be conducted in an industrial-type building, capable of being easily retrofitted to a manufacturing/warehousing operation should the grow facility cease to exist
- Reminder that the Lenox Township Licensing Ordinance does not allow the transferring of any provisional certificates

Roll Call Vote: Kandell- Aye, Clifford- Aye, Honold- Aye, Gurley- Aye, Reeder- Aye. Motion passes.

e. AMENDMENT TO SECTION 2202 OF THE LENOX TOWNSHIP ORDINANCE 2-93

Township Attorney Kelley detailed the proposal to amend Section 2202, Planning Commission. There is a Repealer, as well as a separate Planning Commission Enabling Ordinance, outside the body of the Zoning Ordinance. He noted a small typographical error; it shows two Section 10's, one should be Section 10, with the other one to be numbered Section 13.

Motion: Kandell Support: Honold

Motion to approve the new Lenox Township Ordinance, as presented by Attorney Kelley, with the second Section 10, titled Effective Date, being renumbered Section 13.

Roll Call Vote: Kandell- Aye, Honold- Aye, Gurley- Aye, Reeder- Aye, Clifford- Nay. Motion passes.

f. EMPLOYMENT STATUS – EMPLOYEE #311

Clerk Kandell reported that Employee #311 was unable to work and was on the Family Medical Leave Act, but has not heard from this employee, since before FMLA expired. A timeline of letters and correspondence sent was generated on February 2, 2022 and dispersed to the Board. Her recommendation is to terminate the employment due to job abandonment.

Motion: Kandell Support: Honold

Motion to terminate the employment of Employee #311 due to job abandonment.

Roll Call Vote: Kandell- Aye, Honold- Aye, Clifford- Aye, Reeder- Aye, Gurley- Aye. Motion passes.

12. PUBLIC COMMENT

K. Turchi, Lenox Township Resident, agreed with a part of the Board that the current seal is fine, there would be too much expense to change everything. She also inquired on the Ordinance Amendment.

13. CALL FROM THE BOARD

There was nothing from the Board to report at this time.

14. ADJOURNMENT

Motion: Honold Support: Gurley

Motion to adjourn the Meeting at 7:10 PM. All Ayes. Motion passes.

Respectfully submitted,

Respectfully submitted,

LuAnne Kandell, Clerk

Carol A. Swantek, Recording Secretary