EDWARDSBURG VILLAGE COUNCIL MINUTES

Special Board Meeting

July 14, 2020

The meeting of the Edwardsburg Village Council was called to order at 7:00 pm by President Scott Mackling, those in attendance were Paula Ralph (Clerk), Lisa Withers (Treasurer) and Trustees Debb Martin, Dennis Peak, Terry Bidwell, Jay Penny, and Laura Hughes.
Absent: Kellen VanHulle

APPROVAL OF AGENDA: Motion made by Peak, seconded by Bidwell to approve the agenda. All in favor. Motion carried.

PUBLIC COMMENT: Seth Tompkins, legal council representing Alvarez Cultivation spoke on behalf of his client to have it go on record that Alvarez Cultivation objects to the Village Council entertaining the action of rescinding the Village Council's May 18, 2020 grant of all medical and recreational marihuana facilities licenses to NOBO Michigan and Alvarez Cultivation. Objection is now part of the record in these minutes.

NEW BUSINESS:

- Review status of pending litigation regarding medical and recreational marihuana facilities permit applications and awards.

- Consider and vote upon the following issues, based on recommendation of Village counsel:

a. Whether or not to rescind Village Council's May 18, 2020 grant of all medical and recreational marihuana facilities licenses to NOBO Michigan and Alvarez Cultivation and notify same of decision.

b. Whether or not, under Michigan Open Meetings Act, "OMA", Section 10(5), MCL 15.270 (5) to reenact the prior application review and nominations by means of a new review, evaluation and nominations on all medical and recreational marihuana facilities applications consistent with Section 5B., h) of Village Ordinance 2020-01, and thereafter present the nominations to Village Council for deliberation and vote on approval of applications consistent with Section 5B., i) of Village Ordinance 2020-01 .

Motion made by Peak, supported by Bidwell that all of the marihuana facilities applicants' reviews and recommendations, including the ad-hoc committee's meeting of May 18, 2020 be hereby rescinded effective today and that under Michigan Open Meetings Act, "OMA", Section 10(5), MCL 15.270(5) Council orders, as soon as possible, reenactment of the applications review and nominations by means of review using new evaluations only, to render evaluations and nominations of all medical and recreational marihuana facilities applications consistent with Section 5B.,h) of Village Ordinance 2020-01, and thereafter that the nominations be presented to

Village Council for deliberation and vote on approvals of applications consistent with Section 5B.,i) of Village Ordinance 2020-01. Roll call vote. All in favor. Motion carried.

Since the motion to reenact evaluations and nominations of all medical and recreational marihuana facilities applications consistent with Section 5B.,h) of Village Ordinance 2020-01 carried, motion made by Peak, supported by Bidwell that the Council's May 18, 2020 decisions to award grant of all medical and recreational marihuana facilities licenses to NOBO Michigan and Alvarez Cultivation shall be rescinded effect today and that the Village Clerk notify in writing all successful and unsuccessful applicants of Council's decision as soon as possible. Roll call vote. All in favor. Motion carried.

Adjournment: With no objection President Mackling adjourned the meeting at 7:10 p.m.

Respectfully submitted,

Paula S. Ralph, Clerk
Village of Edwardsburg