

**CHARTER TOWNSHIP OF ORION BOARD OF TRUSTEES
MINUTES, REGULAR MEETING, MONDAY, APRIL 3, 2017**

1. CALL TO ORDER. The Charter Township of Orion Board of Trustees held a regular meeting on Monday, April 3, 2017 at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan. Supervisor Barnett called the meeting to order at 7:00 p.m.

BOARD MEMBERS PRESENT: Penny Shults, Donnie Steele, Brian Birney, Mike Flood & John Steimel (*Chris Barnett and Ron Sliwinski were absent, with notice.*)

BOARD MEMBERS ABSENT: Chris Barnett, Ron Sliwinski (*absent, with notice*)

Moved by Clerk Shults, seconded by Trustee Flood to appoint Trustee John Steimel as chair of the Board of Trustees meeting, in the absence of Supervisor Barnett.

AYES: Shults, Steele, Birney, Flood, Steimel ABSENT: Barnett, Sliwinski NAYS: None
MOTION CARRIED

OTHERS PRESENT:

Robert Smith	Al Daisley	Chris Casey
Lawrence A. Smith	Jack Clark	Alan Greene
Maria Lupu	Judy Haffner	Alicia Wilcutts
Ron Wilcutts	Cathy Goodell	Shannon Filarecki
Rob Filarecki	Adrienne Hassberger	Carol Youngpeter
Brian Brodsky	Mario Rosini	Pastor Eric Johnson
Leo Trayner	James L. Oliver	John & Lisa Tucker
Arlos Moore	Larry Strunk	Don Hickmott
Katie Hagan	Chris Hagan	Sgt. D. Zempfennig
Scott Rowe	Bryan Youngpeter	Dana Bramble
Travis Bramble	Tom Sampey	Mike Thompson
Alex Pollack	Misty Godley	Bill Bullard Jr.
George Hanley	Aaron Whatley	

2. INVOCATION AND PLEDGE

Pastor Eric Johnson from King of Kings Lutheran Church gave the Invocation. All rose for the Pledge of Allegiance.

3. PROCLAMATIONS

A. Severe Weather Awareness Week. Treasurer Donni Steele delivered a Proclamation on behalf of Supervisor Barnett proclaiming the week of April 16-22, 2017 as “Severe Weather Awareness Week” urging and encouraging all Orion Township citizens to make sure they are properly prepared to deal with severe weather when it occurs.

B. Fair Housing Month. Clerk Penny Shults delivered a Proclamation on behalf of Supervisor Barnett proclaiming the month of April as Fair Housing Month.

4. RECOGNITION: Citizen of the Month – Chris Hagan. Fire Chief Bob Smith, on behalf of Supervisor Barnett, recognized Firefighter Chris Hagen as Orion Township’s Citizen of the Month.

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5. APPROVAL OF BILLS. Moved by Treasurer Steele, seconded by Trustee Flood to authorize payment of bills in the amount of \$924,827.06 and payrolls in the amount of \$120,925.32, for a total disbursement of funds in the amount of \$1,045,752.38, as presented. AYES: Steimel, Shults, Steele, Birney, Flood ABSENT: Barnett, Sliwinski NAYS: None
MOTION CARRIED

6. BRIEF PUBLIC COMMENT. Public comment was not heard.

7. APPROVAL OF AGENDA. Moved by Treasurer Steele, seconded by Trustee Birney to add Award Fire Station #1 Renovation Construction Manager Bid - Item 9.C. under Pending. AYES: Shults, Steele, Birney, Flood ABSENT: Barnett, Sliwinski NAYS: Steimel
MOTION CARRIED

Trustee Steimel requested the removal of Item 8.P: Authorize Funding for ADA Accessible Ball Field – Orion on Deck from Consent Agenda. Treasurer Steele asked to move Item 8.G. – Request to Purchase Furniture – OCSD & Treasurer’s Office, and Item 8.O. – Purchase of Tractor – Building and Grounds down to Pending Business, Items 9.D and 9.E. Moved by Trustee Flood, seconded by Treasurer Steele to approve the agenda, as amended.
MOTION CARRIED

8. CONSENT AGENDA

A. Minutes, Special Joint Meeting: PC 2017-05, Silver Spruce Plaza, Wednesday, March 15, 2017. Approve, as presented.

B. Minutes, Regular Meeting: Monday, March 20, 2017. Approve, as presented.

C. Minutes, Special Meeting: Policy Workshop, Saturday, March 25, 2017. Approve, as presented.

D. Peddler/Solicitor License Application: David Peters, Ice Cream Sales from a Truck. Approve Mr. Peters’ application and issue a peddler’s license under Ordinance 95.

E. Peddler/Solicitor License Application: Chris Casey, Ice Cream Sales from a Truck. Approve Mr. Casey’s application and issue a peddler’s license under Ordinance 95.

F. Orion Township Public Library 2017 Audit. Receive and file the 2016 Orion Township Public Library Audit Report, as presented.

G. Award Bid: Lawn Mowing Services. Award the 2017-2018 mowing contract for Township Properties, Trails & Safety Paths and Fire Stations to Green Meadows Landscape.

H. Request for Waiver of Sign Permit Fees: Friends of the Library. Reduce the fee for the annual sign permit for the Friends of the Orion Township Public Library to \$25.00.

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I. Special One-Day Permit under Ordinance 76: Friends of the Library Spring Fundraiser.

Approve the request for a Special One-Day Permit for the Friends of the Orion Township Public Library under Ordinance 76, Alcoholic Beverages Regulation, pending State approval, and waive the \$300 application fee.

J. Change in Committee Member Appointment. Approve the Orion Township Environmental Resources Committee (OTERC) recommendation appointing Alternate Member, Matthew Menghini, to Voting Member, term expiring December 31, 2019 and advertise to fill the open (vacant) Alternate Member position.

K. Request for Fireworks Display – Indianwood County Club. Grant Approval of Indianwood Golf Club's Request for a Private Fireworks Display Permit, contingent upon the display being conducted in full compliance with NRPA 1123-2006 Edition, The Code for Fireworks Display.

L. Road Chloride Program 2017. Award the 2017 chloride contract to the Road Commission for Oakland County in the amount of \$53,188.80 for five (5) applications and approve the necessary budget adjustments.

M. Purchase of Voting Machines. Authorize the Clerk to purchase two additional precinct tabulators and one additional ADA voting device at a total purchase price of \$14,500.00.

N. Accept Resignation of Full Time Firefighter. Accept the resignation of Firefighter Brendan MacDonald with regret, based on his submitted letter, dated March 28, 2017 with an effective date of April 11, 2017.

O. Promote Paid-On-Call Firefighter. Recommend that Joe Calahan be promoted from Paid-On-Call Firefighter to Full Time status beginning April 12, 2017 with pay based on the wage and benefits approved in the 2017 budget, contingent upon a pre-employment physical.

P. Notice of Solicitation: Michigan Conference of the Seventh Day Adventist Church. Receive and file the notice, and authorize the Clerk to complete and return the confirmation notice. Further, request that the organization provide the Clerk's office with a list of solicitors and vehicle information when it becomes available.

Q. Notice of Solicitation: VFW Buddy Poppy Campaign. Conditionally approve the roadside solicitation request from VFW Post 334, and because the fundraiser is on behalf of a non-profit organization, waive the requirements of Sections 4, 5, 6, and 8 of Ordinance 95, Peddlers & Solicitors Regulation, with the understanding that solicitors will not be collecting from drivers on either Joslyn Rd. & M-24; that the free flow of traffic will not be impeded; and that this will be the final year for this fundraiser.

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R. Permission to Sell Concessions: Yates Cider Mill. Approve Josh Miller's request to sell concessions on Township property, as presented.

Moved by Trustee Flood, seconded by Trustee Birney to approve the Consent Agenda, as amended.

AYES: Steele, Birney, Flood, Steimel, Shults ABSENT: Barnett, Sliwinski NAYS: None
MOTION CARRIED

9. PENDING BUSINESS

A. PC-2017-01, Gregory Meadows PUD – Concept Plan. Moved by Clerk Shults, seconded by Trustee Flood to concur with the recommendation of the Planning Commission and DENY PC-2017-01 Gregory Meadows PUD Concept Plan, located on a vacant parcel on the south side of Gregory Rd. west of Baldwin Rd. (parcel 09-31-200-001) for plans date stamped received February 1, 2017 for the reasons listed in the recommendation of denial from the Planning Commission on March 1, 2017.

AYES: Birney, Flood, Steimel, Shults, Steele ABSENT: Barnett, Sliwinski NAYS: None
MOTION CARRIED

B. Amendment to Ordinance 73. Moved by Trustee Flood, seconded by Clerk Shults to set the First Reading for Ordinance 73, Solid Waste & Recyclable Materials Collection Regulation Amendments for May 1, 2017. Any comments/suggestions should be forwarded on to OTERC Board Rep. Trustee Flood no later than April 7, 2017. Current Draft amendment with suggested amendments during Board discussion shall be forwarded for review unto the Township attorney, Township' Clerk's office, Township Supervisor's office, Township Board of Trustees, Township Building Department Official, Planning and Zoning Director, Planning Commission chairperson and ZBA chairperson.

AYES: Flood, Steimel, Shults, Steele, Birney ABSENT: Barnett, Sliwinski NAYS: None
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C. Fire Station Renovation Construction Manager Bid. Moved by Treasurer Steele, seconded by Trustee Birney to award the Construction Management contract for the renovation of Fire Station #1 to Cunningham-Limp with funds coming from 406-958-975, making any necessary budget adjustments, and authorize the Supervisor to sign the contract contingent upon attorney review.

AYES: Shults, Steele, Birney, Flood ABSENT: Barnett, Sliwinski NAYS: Steimel
MOTION CARRIED

D. Request to Purchase Furniture – OCSO & Treasurer's Office. Moved by Treasurer Steele, seconded by Clerk Shults to allow Closets by Design to build and install furniture for a report writing room in the Sherriff's Department Sub-Station and in the front office of the Treasurer's Department; at a total cost not to exceed \$25,000.00; and make the necessary budget adjustments.

AYES: Shults, Steele, Birney, Flood, Steimel ABSENT: Barnett, Sliwinski NAYS: None
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E. Purchase of Tractor – Building and Grounds. Moved by Clerk Shults, seconded by Trustee Flood to approve the purchase of the D259 Caterpillar, with attachments and trailer, as set forth in the Michigan CAT quote #128747-01 dated January 24, 2017, for an amount not to exceed \$81,583.26.

AYES: Steele, Birney, Flood, Steimel, Shults ABSENT: Barnett, Sliwinski NAYS: None
MOTION CARRIED

10. PUBLIC COMMENT. Public Comment was not heard.

11. BOARD MEMBER COMMENTS. Board member comments were heard.

12. CLOSED EXECUTIVE SESSION: Discuss Attorney Opinion Letter.

Moved by Clerk Shults, seconded by Treasurer Steele to go to Closed Executive Session to discuss Pending Litigation and discuss the purchase of property, and note that the Board will reconvene and take action regarding said items in Open Session.

AYES: Steimel, Shults, Steele, Birney, Flood ABSENT: Barnett, Sliwinski NAYS: None
MOTION CARRIED

The Board was in Closed Executive Session from 8:25 p.m. to 8:50 p.m.

Trustee Steimel reconvened the meeting at 8:50 p.m.

Moved by Clerk Shults, seconded by Trustee Flood to adopt a Resolution stating that the Charter Township of Orion Board of Trustees does hereby authorize and approve the payment of \$2,500.00 to the property owners of 4995 Huston Road in return for the previously described permanent and temporary easement; and that the Charter Township of Orion Board of Trustees does hereby authorize and approve the payment of \$750,000.00 to the property owners of 313 Brown Road in return for a deed to all property interest in said parcel and, thereby, resolve and extinguish all condemnation rights and claims; including any and all monetary claims for reimbursement of real property and commercial investment losses, business interruption and lost profits, attorney fees and reconstruction costs.

AYES: Shults, Steele, Birney, Flood, Steimel ABSENT: Barnett, Sliwinski NAYS: None
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13. ADJOURNMENT. Moved by Clerk Shults, seconded by Trustee Birney to adjourn.
MOTION CARRIED. The meeting was adjourned at 8:52 p.m.

Penny S. Shults, Clerk

Chris Barnett, Supervisor
Charter Township of Orion

Transcription: K. Comeau