

**CHARTER TOWNSHIP OF ORION BOARD OF TRUSTEES  
MINUTES, REGULAR MEETING, MONDAY, MAY 6, 2019**

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**1. CALL TO ORDER.** The Charter Township of Orion Board of Trustees held a regular meeting on Monday, May 6, 2019 at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan. Supervisor Barnett called the meeting to order at 6:31 p.m.

**BOARD MEMBERS PRESENT:** Chris Barnett, Penny Shults, Donni Steele, Brian Birney, (*Trustee Birney arrived at 6:45 p.m.*) Julia Dalrymple, Mike Flood, John Steimel

**BOARD MEMBERS ABSENT:** None

**OTHERS PRESENT:**

Dan Dewey	John Pender	Mitch Tarrance	Brian Hearn
Lisa Reynolds	Frank Kunz	Harold Mitchell	Mary Mitchell
Nicholas Modak	Aubrey Rocco	Lil Hutchison	Sherri Bowers
Aaron Whatley	George Hanley	Donald Piirala	Nathan Butki
Frank Boni	Marine Boni	Kathleen Fitzgibbon	Blake Shutwell
Kathleen Lester	Charles Lester	Sgt. D. Zehnpfenning	Joe & Cindy Fraga
Barbara Duff	Claude Duff	Sharon Kelly	Roger Buches
Joanne Buches	Nancy Thede	Gary Thede	Peggy Osborne
David Berlin			

**2. CLOSED EXECUTIVE SESSION (6:00 p.m.):** Discuss Attorney Opinion.

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The Board was in temporary recess from 6:31 p.m. – 7:15 p.m. for the Closed Executive Session.

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**3. INVOCATION AND PLEDGE.** All rose for the Pledge of Allegiance.

**4. RECOGNITION: Distinguished Service Award.** Supervisor Barnett recognized Sherri Bowers with the Distinguished Service Award for over 18 years of service to the residents of Orion Township.

**5. CITIZEN OF THE MONTH: Frank Baiardi.** Supervisor Barnett also recognized Frank Baiardi, owner of Superior Excavation, as Orion Township's May 2019 Citizen of the Month for his contribution of time and talents for the Miracle League of North Oakland and the residents of Orion Township.

Supervisor Barnett also recognized Treasurer Donni Steele and Shannon Gries for achieving the Michigan Municipal Treasurer Institute Accreditation.

**6. PROCLAMATION:**

**A. Police Week.** Supervisor Barnett proclaimed the week of May 12-18, 2019 National Police Week, and called on citizens of Orion Township to observe May 12-18, 2019 as police week.

**CHARTER TOWNSHIP OF ORION BOARD OF TRUSTEES  
MINUTES, REGULAR MEETING, MONDAY, MAY 6, 2019**

---

**7. PUBLIC HEARINGS.**

**A. SSH & SSH #1 Private Road Maintenance SAD #3 – Public Hearing on Cost Estimate/Work Plan.**

**B. Square Lake Water Quality Control SAD #3B – Public Hearing on Cost Estimate/Work Plan.**

**8. APPROVAL OF BILLS.** Moved by Treasurer Steele, seconded by Trustee Steimel to authorize payment of bills in the amount of \$1,425,712.29 and payrolls in the amount of \$384,857.81, for a total disbursement of funds in the amount of \$1,810,570.10, as presented.

AYES: Dalrymple, Flood, Steimel, Barnett, Shults, Steele, Birney

ABSENT: None      NAYS: None      MOTION CARRIED

**9. BRIEF PUBLIC COMMENT.** Public comment was heard.

**10. APPROVAL OF AGENDA.** Clerk Shults stated that under Consent Agenda a memo was added for Item 11.V. Resolution – Oakland County Emergency Operations Plan. Clerk Shults also noted the removal of 11.W. Amend Budget for Demolitions – Building Department. Clerk Shults also noted the addition of minutes and publish of notice to Item 12.C. First Reading: PC-2019-15, Breckenridge Townhomes Rezone Request. Also, under Pending Business, for Item 12.F. Private Contract for Building Department Services a memo and services contract were added. Finally, Item 12.D. Second Reading: PC-2019-01, Parcel B-1 Rezone Request was removed at the request of the petitioners.

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

**11. CONSENT AGENDA**

**A. Minutes, Regular Meeting: Monday, April 15, 2019.** Approve, as presented.

**B. Minutes, Special Meeting: Monday, April 25, 2019.** Approve, as presented.

**C. Update FOIA Policy.** Approve the proposed FOIA policy, FOIA summary, FOIA request form, and proposed response to a FOIA request that has been abandoned.

**D. West Nile Virus Prevention Program.** Adopt the West Nile Virus Prevention Resolution, and authorize the purchase of approved larvacide and/or mosquito repellants at a cost not to exceed \$5,686.58, and to submit for reimbursement from the Oakland County Health Division.

**E. Hire Office Coordinator – Fire Department.** Hire Kathleen Fitzgibbon as Office Coordinator – Fire, a Level 5 Technical Unit union position at \$18.17 per hour, full-time, 40 hours per week, plus benefits, contingent upon passing all applicable tests and screening.

**CHARTER TOWNSHIP OF ORION BOARD OF TRUSTEES  
MINUTES, REGULAR MEETING, MONDAY, MAY 6, 2019**

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**F. Hire Programmer – Parks & Recreation.** Hire Chelsie Petrusa as Programmer, a Level 6 Technical Unit union position at \$19.98 per hour, full-time, 40 hours per week, plus benefits, contingent upon passing all applicable tests and screening.

**G. Advertise Part-time Position for Clerk – Planning & Zoning.** Authorize posting the position of part-time Clerk – Planning & Zoning, a Technical Unit part-time position, Level 3, \$15.57 per hour, no benefits, for up to 29 hours per week.

**H. Reappointment – Cable Commission.** Appoint Sarah Paine as an appointee of the Township Board to a new two-year term expiring June 30, 2021 on the Cable Commission.

**I. Application to Sell Concessions – Woodside Bible Church Outdoor Service: Wildwood Amphitheatre.** Approve the park concessions application in support of the Woodside Bible Church outdoor service.

**J. Peddler/Solicitor License Application – Aptive Pest Control.** Approve the applications from Aptive Pest Control and issue a Peddler's/Solicitor's License under Ordinance 95.

**K. Accept Donation of Temporary Easement – Regits.** Receive and file the donation of a temporary grading easement located at 750 E. Clarkston Rd., Lake Orion, MI 48362, and authorize payment of just compensation in the amount of \$35.64.

**L. Accept Donation of Temporary and Permanent Easement – Backer.** Receive and file the donation of a temporary grading easement located at 731 E. Clarkston Rd., Lake Orion, MI 48362, and authorize payment of just compensation in the amount of \$1,325.65.

**M. Updated Organizational Chart.** Receive and file the updated Organizational Chart, as presented.

**N. Purchase Vehicle – Public Services Department.** Approve the purchase of a 2019 GMC 2500 HD Double Cab from Todd Wennzel Chevrolet Buick GMC for a cost not to exceed \$36,796.00.

**O. First Quarter 2019 Treasurer's Report.** Receive and file the first quarter 2019 Treasurer's Report.

**P. 2019 Community Service Agreements – Orion Area Youth Assistance & North Oakland Community Coalition.** Authorize the Supervisor and Clerk to sign the 2019 Community Service Agreements with Orion Area Youth Assistance and the North Oakland Community Coalition, on behalf of the Township, and authorize the distribution of the funds in the amount of \$22,500 (\$20,000 for Youth Assistance, \$2,500 for NOCC), as budgeted and authorized for 2019.

**CHARTER TOWNSHIP OF ORION BOARD OF TRUSTEES  
MINUTES, REGULAR MEETING, MONDAY, MAY 6, 2019**

---

**Q. Request for Street Light – Waldon Road & Orbit Drive.** Authorize the Supervisor to order installation of the street light upon receipt of payment from the residents in the amount of \$2,206.72.

**R. Second Reading – Amendment to Ord. 132: Parks & Recreation.** Approve the amendment to Ordinance 132: Parks & Recreation.

**S. Mill Lake Gardens Private Road Maintenance SAD #4 – Schedule Public Hearing on Cost Estimate.** Adopt the Mill Lake Gardens Private Road Maintenance SAD #4 Resolution to Set Public Hearing on Cost Estimate scheduling the public hearing for Monday, June 3, 2019, immediately following the 7:00 p.m. Public Hearing for the Bunny Run Annex #5 (Portion of) Private Road Maintenance SAD #1.

**T. Bunny Run Annex #5 (Portion of) Private Road Maintenance SAD #1 – Schedule Public Hearing on Cost Estimate.** Adopt the Charter Township of Orion Bunny Run Annex #5 (Portion of) Private Road Maintenance SAD #1 Resolution to Set Public Hearing on Cost Estimate and schedule the Public Hearing for Monday, June 3, 2019 at 7:00 p.m.

**U. Approval of Township Seal-coating Projects.** Approve the 2019 asphalt/sealcoating project list, at a total cost of \$33,318.10.

**V. Resolution – Oakland County Emergency Operations Plan: Fire Department.** Approve and adopt the Orion Emergency Operations Support Plan (EOP) that incorporates the Charter Township of Orion into the County Emergency Management Program and outlines how emergency management efforts on the local level are organized in relation to the County Emergency Management Program.

**W. Background Check Policy.** Approve the Background Check Policy for all new employees, as presented.

**X. Georgia Investors, LLC Grant of Easement.** Approve the Access Agreement between Georgia Investors, LLC and the Charter Township of Orion, and authorize the Supervisor to execute same.

Moved by Trustee Flood, seconded by Trustee Birney to approve the Consent Agenda, as presented. AYES: Steele, Birney, Dalrymple, Flood, Steimel, Barnett, Shults  
ABSENT: None NAYS: None MOTION CARRIED

## **12. PENDING BUSINESS**

**A. SSH & SSH #1 Private Road Maintenance SAD #3 – Action after Hearing.** Moved by Clerk Shults, seconded by Trustee Flood to adopt the Charter Township of Orion Sunset Hills & Sunset Hills #1 Private Road Maintenance SAD #3 Resolution authorizing preparation of the Special Assessment Roll, as presented.

**CHARTER TOWNSHIP OF ORION BOARD OF TRUSTEES  
MINUTES, REGULAR MEETING, MONDAY, MAY 6, 2019**

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

**B. Square Lake Water Quality Control SAD #3 – Action after Hearing.** Moved by Clerk Shults, seconded by Trustee Flood to adopt the Charter Township of Orion Square Lake Water Quality (Algae/Weed Control) SAD #3B Resolution authorizing preparation of the Special Assessment Roll, as presented.

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

**C. First Reading: PC – 2019-15, Breckenridge Townhomes Rezone Request.** Moved by Clerk Shults, seconded by Trustee Flood to declare that the Orion Township Board of Trustees held and approved the first reading on May 6, 2019, for PC-2019-15, Breckenridge Townhomes Rezone Request, a request to rezone the Southerly +/-200' of parcel 09-32-400-055 & the Southerly +/-150' of 09-32-400-057 (unaddressed parcels) from Single Family Residential 1 (R-1) to Brown Road Innovation Zone (BIZ) use groups A, C, & D, and direct the Clerk to advertise for second reading and possible approval on June 3, 2019.

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

**D. Second Reading – PC-2019-01, Parcel B Rezone Request.** Removed per the Applicant.

**E. RRFB Contract for Execution – Safe Routes to School.** Moved by Trustee Flood, seconded by Trustee Birney to adopt the Charter Township of Orion Resolution for Waldon Middle School for approval of an Agreement for a Traffic Control Device with the Road Commission for Oakland County for the Transportation Alternatives Program (TAP) Safe Routes to School (SRTS) Grant.

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

**RRFB Contract for Execution – Safe Routes to School.** Moved by Clerk Shults, seconded by Trustee Dalrymple to adopt the Charter Township of Orion Resolution for Scripps Middle School for approval of an Agreement for a Traffic Control Device with the Road Commission for Oakland County for the Transportation Alternatives Program (TAP) Safe Routes to School (SRTS) Grant, as amended.

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

**F. Private Contract for Building Department Services.** Moved by Treasurer Steele seconded by Trustee Flood to approve the Supervisor to enter into a contract for building inspector services, which includes an at-will provision, subject to attorney review, and make any necessary budget adjustments.

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

**CHARTER TOWNSHIP OF ORION BOARD OF TRUSTEES  
MINUTES, REGULAR MEETING, MONDAY, MAY 6, 2019**

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**13. REPORTS**

**A. Police/Fire Reports.** Moved by Trustee Birney, seconded by Clerk Shults to receive and file the Police and Fire Reports, as presented.

MOTION CARRIED

**B. Oakland County 2018 Financial Summary.** Moved by Clerk Shults, seconded by Trustee Flood to receive and file the Oakland County 2018 Financial Summary, as presented.

MOTION CARRIED

**C. Clinton – Oakland Sewage Rate Change.** Moved by Trustee Steimel, seconded by Trustee Flood to receive and file the Clinton-Oakland Sewage Disposal System 2019-2020 Rate Change, as presented.

MOTION CARRIED

**14. PUBLIC COMMENT.** Public Comment was heard.

**15. BOARD MEMBER COMMENTS.** Board member comments were heard.

**16. ADJOURNMENT.** Moved by Trustee Flood, seconded by Trustee Birney to adjourn.

MOTION CARRIED           The meeting was adjourned at 9:24 p.m.

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Penny S. Shults, Clerk

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Chris Barnett, Supervisor  
Charter Township of Orion

Transcription: K. Comeau