1. CALL TO ORDER
2. CLOSED EXECUTIVE SESSION: Discuss Attorney Opinion
3. INVOCATION AND PLEDGE
4. CITIZEN OF THE MONTH
5. PRESENTATION: Master Plan Update
6. PROCLAMATION: Patriot Week
7. APPROVAL OF BILLS
8. PUBLIC COMMENT (3 minutes or less) *Board does not respond during public comment
9. APPROVAL OF AGENDA
10. CONSENT AGENDA
   A. Minutes - Regular Meeting, August 16, 2021
   B. Resolution - Automatic Bill Payment
   C. Resolutions - Officials Compensation
   D. ZBA Appointment
   E. Hire Clerk III- Voter Registration, Clerk's Office
   F. Hire Clerk II - Building, Building Department
   G. Accept Employee Resignation - Fire Department
   H. Tuition Reimbursement
   I. Purchase Plotter - Building Department
   J. HRN Judgement
   K. Schedule Budget Workshop
   L. Cost Participation Agreement for Scripps Road
   M. Gregory Road Pocket Park Easement
   N. Indianwood Roundabout
   O. Holland Watermain Extension
   P. Special Event Permit - Canterbury Village Haunted House
   Q. Assembly Application - Canterbury Village Art, Cider, and Donut Festival
   R. Assembly Application - Canterbury Village Dino Stroll
11. PENDING
   A. First Reading - Ord. 154 Amendment
   B. Second Reading - PC-2021-55 Lava Mountain Location Rezone
12. REPORTS
   A. Police/Fire Reports
   B. Building Department Reports
   C. Municipal Complex, August 2021 Executive Report
   D. Fire Department FEMA AFG Grant
13. PUBLIC COMMENT
14. BOARD MEMBER COMMENT
15. ADJOURNMENT

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact Penny S. Shults, Clerk, at (248) 391-0304, ext. 4001, at least seventy-two hours in advance of the meeting to request accommodations.
Charter Township of Orion
Oakland County, Michigan

Proclamation
Patriot Week
By the Supervisor of the Charter Township of Orion

Whereas throughout our Country's history, the people of our great State and Nation have worked together to ensure the preservation of the American ideals of freedom and liberty we enjoy today; and

Whereas American patriotism has endured through times of turmoil and times of peace, carrying our Nation through the darkest days of history and strengthening our commitment to the ideals upon which our Country was founded; and

Whereas a deepening appreciation for those ideals will help guarantee America's spirit of freedom and liberty; and

Whereas in great reverence to the victims of the attacks on September 11, 2001, and recognition of the signing of the Constitution on September 17, 1787, Patriot Week is a time to celebrate the principles set forth by our Founding Fathers as well as the countless Patriots, vital documents, speeches, and flags that helped make America the great Nation it is today.

Now therefore I, Chris Barnett, Supervisor of the Charter Township of Orion, do hereby proclaim that the dates of September 11 to and including September 17 be known and celebrated as Patriot Week, and September 11, 2019 as Patriot Day, in Orion Township and do urge and encourage all residents to join in recognizing and honoring those who have guided our nation, state and township in the past and those, especially our First Responders who willingly carrying on this tradition today.

Issued September 7, 2021
## INVOICES

<table>
<thead>
<tr>
<th>Description</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non Board Bills</td>
<td>8/18/2021</td>
<td>$70,532.62</td>
</tr>
<tr>
<td>Non Board Bills</td>
<td>8/19/2021</td>
<td>$44,164.68</td>
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<tr>
<td>Non Board Bills</td>
<td>8/25/2021</td>
<td>$9,451.37</td>
</tr>
<tr>
<td>Non Board Bills</td>
<td>9/1/2021</td>
<td>$57,706.92</td>
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<td>Non Board Bills</td>
<td>9/2/2021</td>
<td>$62,449.00</td>
</tr>
<tr>
<td>Board Bills</td>
<td>9/7/2021</td>
<td>$2,359,796.02</td>
</tr>
</tbody>
</table>

**Total Invoices** $2,604,100.61

**Total Invoice Disbursements** $2,604,100.61

## PAYROLL

<table>
<thead>
<tr>
<th>Description</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular Pay</td>
<td>8/18/2021</td>
<td>$238,373.01</td>
</tr>
<tr>
<td>Monthly POC Firefighters</td>
<td>8/19/2021</td>
<td>$4,548.51</td>
</tr>
<tr>
<td>Retro Payment</td>
<td>9/1/2021</td>
<td>$2,298.07</td>
</tr>
<tr>
<td>Regular Pay</td>
<td>9/1/2021</td>
<td>$231,314.19</td>
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<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>FICA Expenses</td>
<td>$29,077.18</td>
</tr>
<tr>
<td>Benefit Expenses</td>
<td>$150,992.51</td>
</tr>
</tbody>
</table>

**Total Payroll Disbursements** $656,603.47

**Grand Total Disbursements** $3,260,704.08

Due to the conversion to the Pooled Cash Fund, total disbursements include refunds from deposits, bonds & escrows which are not expenses to the township. The payroll check register shows deductions that are not expenses to the township.

Prepared by Melissa Bardecki
1. CALL TO ORDER. The Charter Township of Orion Board of Trustees held a regular meeting on Monday, August 16, 2021 at Orion Center, 1335 Joslyn Road, Lake Orion, MI 48360.

BOARD MEMBERS PRESENT: Chris Barnett, Penny Shults, Donni Steele, Brian Birney, Julia Dalrymple, and Kim Urbanowski

BOARD MEMBERS ABSENT: Mike Flood

OTHERS PRESENT:
Tanner Cartner  Rob Duke  John Pender
Kati DeMattia  Dan Dewey  Rochelle Beckemeyer

2. INVOCATION AND PLEDGE. Pastor Rochelle Beckemeyer gave the invocation, followed by the Pledge of Allegiance.

3. CITIZEN OF THE MONTH. Karen Knox, director for the Orion Township Public Library was honored with citizen of the month for her hard work and dedication to Orion Township.

4. PROCLAMATIONS.

A. Supervisor Barnett read a proclamation on National Recovery Month.

B. Supervisor Barnett read a proclamation on Suicide Prevention Month.

5. APPROVAL OF BILLS. Moved by Treasurer Steele, seconded by Clerk Shults to authorize payment of bills in the amount of $334,609.33 and payrolls in the amount of $417,875.40, for a total disbursement of funds in the amount of $752,484.73, as presented.

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

6. PUBLIC COMMENT. (3 minutes or less) *Board does not respond during public comment. Public comment was heard.

7. APPROVAL OF AGENDA. Budget and Procurement Director added updated memo for 8.
G. Purchase Ambulance – Fire Department.

Moved by Clerk Shults, seconded by Trustee Birney to approve the agenda, as presented.
MOTION CARRIED

8. CONSENT AGENDA.


B. Minutes – Regular Meeting, August 2, 2021. Approve, as presented.
C. Employee Flu Shot Program. Approve paying $25.00 per shot for each employee who wishes to receive the flu vaccine.

D. 2021-2023 RCOC Annual Permit Applications. Authorize the Supervisor to sign the permit applications and have the Clerk forward it to the Road Commission for Oakland County.

E. Bond Matured, Sales, and Purchases for July 2021. Receive and file, as presented.

F. SCBA Cylinders/RIT Packs. Approve and authorize the Fire Department to purchase twenty (20) SCBA air bottles and five (5) Rapid Intervention Packs (RIT) from West Shore Fire, 6620 Lake Michigan Drive, Allendale, MI 49401 in the amount of $41,460.00 and authorize the Budget & Procurement Director of Controller to do a budget adjustment to add $21,544.74 to the revenue budget and capital outlay – equipment.

G. Fire Department – Purchase Ambulance. Approve and authorize the Fire Department to purchase one (1) 2021 Type 1 PL Custom ambulance from Halt Fire Inc., 50168 Pontiac Trail, Wixom, MI 48393 in the amount of $273,163.00 and authorize the Controller or Budget & Procurement Director to make the necessary budget adjustment utilizing funds from fund balance.

H. CIA Bylaws Amendment. Approve the amendment Section 4. Order of Business as recommended by the Corridor Improvement Authority Board at its August 11, 2021 regular meeting.

I. Hire Safety Path & Trails Maintenance Worker. Hire Tanner Cartner as full-time Safety Path & Trails Maintenance Worker, a level 4 technical unit position at a starting rate of $17.48 per hour, full-time, 40 hours a week, full benefits, effective September 1, 2021.

J. Appoint Property Maintenance Code Hearing Officer. Appoint Scott Reynolds as the Property Maintenance Hearing Officer, and set the compensation rate at $200 per case, with funds coming from 249-371-705.


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

9. PENDING BUSINESS.

A. Second Reading – PC-2021-50 Text Amendment to Zoning Ordinance #78, Assemblies. Moved by Clerk Shults, seconded by Trustee Urbanowski, to declare that the second reading of PC-2021-50 Text Amendment to Zoning Ordinance #78, articles 2, 5, 6, 7, 9, 11, and 14, to have
been held on August 16, 2021 and to approve/adopt.
AYES: Shults, Steele, Birney, Dalrymple, Urbanowski, Barnett   ABSENT: Flood
NAYS: None   MOTION CARRIED

10. REPORTS.

A. Police/Fire Reports. Moved by Trustee Birney, seconded by Treasurer Steele, to receive and file the reports, as presented. MOTION CARRIED

11. PUBLIC COMMENT. Public Comment was heard.

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

13. ADJOURNMENT. Moved by Clerk Shults, seconded by Trustee Birney to adjourn. MOTION CARRIED   The meeting was adjourned at 7:46 p.m.

Transcription: J. London

Penny S. Shults, Clerk

Chris Barnett, Supervisor
Charter Township of Orion
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: September 7, 2021
Memo Date: September 2, 2021
Subject: Resolution - Automatic Bill Payments

REQUEST
The request is to approve the Resolution For Participation in Automatic Payments.

REASON
The Township Board is required to review and approve the payments of all Township expenses. The Township would like to take advantage of automated payment options using electronic transactions, when available, to allow for the standard and timely payment of routine expenses and, in some instances, a reduction in costs. Due to the nature of automatic bill payments, some payments may be disbursed prior to the Board of Trustees review of the expenses. However, the Electronic Transactions of Public Funds Act (MCL 124.302) authorizes the Treasurer (or an Electronic Transactions Officer, as designated by the Board) to enter an agreement for electronic transactions through an Automated Clearing House (ACH). By adopting a policy and then authorizing by resolution authority for Township electronic transactions, in accordance with the Act, the Township may participate in automated electronic transaction payments, with the Board of Trustees continuing to review and approve expenses of pending and completed electronic transaction payments.

PROCESS
Upon adoption of the attached resolution, and a policy to be presented to the Board on September 20, 2021, the Board of Trustees will authorize the Township to utilize electronic transactions.

RECOMMENDATION (MOTION)
If the Board is in agreement to adopt a policy and authorize electronic transactions, the following motion may be used:

“I move to approve the resolution authorizing electronic transactions for making automated bill payments, effective upon the adoption of an internal policy for participation in electronic transactions.”
CHARTER TOWNSHIP OF ORION
COUNTY OF OAKLAND
STATE OF MICHIGAN

RESOLUTION FOR PARTICIPATION IN AUTOMATIC PAYMENTS

At a regular meeting of the Township Board of the Charter Township of Orion, Oakland County, Michigan (the “Township”), held on the 7th day of September 2021.

PRESENT:

ABSENT:

The following Resolution was offered by ______________________ and seconded by ______________________:

WHEREAS, the Township board has a duty to review and approve payment of Township expenses; and

WHEREAS, service providers and creditors offer automated payment options via electronic transactions that allow standard and timely payments and in some instances a reduction in costs in exchange for participation in automated payments through electronic transactions; and

WHEREAS, participation in automated electronic transaction for payments may benefit the Township through reduction of direct costs and associated expenses such as interest charges or fees, as well as the benefits associated with internal operational efficiencies of automated electronic transactions of payments; and

WHEREAS, by adhering to the Board of Trustees’ established regular meeting schedule electronic transactions to some creditors may be disbursed prior to the Board’s review thus requiring post-payment Board review of expenses; and

WHEREAS, the Electronic Transactions of Public Funds Act (the Act) authorizes the Township to adopt a policy and then authorize by resolution authority for Township electronic transactions in accordance with the Act;
NOW, THEREFORE, BE IT RESOLVED THAT Orion Township may participate in automated electronic transaction payments following the adoption of an internal electronic transactions policy where the Orion Township Board of Trustees shall continue to review and approve expenses of pending and completed electronic transaction payments; and

BE IT FURTHER RESOLVED THAT authorization to utilize electronic transactions is granted and immediately effective upon the adoption of such policy through passage of this resolution.

RESOLUTION DECLARED ADOPTED.

YEAS: ____

NAYS: ____

ABSTENTION: ____

CERTIFICATION

STATE OF MICHIGAN )
COUNTY OF OAKLAND )

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted at a regular meeting of the Charter Township of Orion, Oakland County, Michigan, on the ____ day of September, 2021, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of September, 2021.

________________________________________
Clerk Penny Shults
Charter Township of Orion
REQUEST
To approve recommended compensation schedule for Township elected officials.

REASON
As a result of the recent review of job duties and compensation for a number of roles within the Township it has been noted that the compensation of elected officials warranted review and updates.

PROCESS
A compensation review was completed of surrounding municipalities, salary ranges of Township Directors and leadership, as well as comparable roles with the level of responsibility of Orion Township elected officials.

PROGRESSIVE PAY SCALE

<table>
<thead>
<tr>
<th>Years of Service</th>
<th>2021 Approved</th>
<th>Yr 1 &amp; 2</th>
<th>Yr 3 &amp; 4</th>
<th>Yr 5+</th>
<th>2021 Budget Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerk</td>
<td>$81,600.00</td>
<td>$78,000.00</td>
<td>$81,600.00</td>
<td>$89,700.00</td>
<td>$2,470.50</td>
</tr>
<tr>
<td>Treasurer</td>
<td>$81,600.00</td>
<td>$78,000.00</td>
<td>$81,600.00</td>
<td>$89,700.00</td>
<td>$2,470.50</td>
</tr>
<tr>
<td>Supervisor</td>
<td>$106,100.00</td>
<td>$100,000.00</td>
<td>$106,000.00</td>
<td>$116,700.00</td>
<td>$3,233.00</td>
</tr>
</tbody>
</table>

RECOMMENDATION (MOTION)
Approve the proposed progressive pay scales for Township Supervisor, Clerk and Treasurer effective September 9, 2021.
RESOLUTION TO ESTABLISH TOWNSHIP CLERK’S SALARY

WHEREAS, pursuant to MCLA 41-95(3), which provides that, in a Township that does not hold an annual meeting, the salary for officers composing the Board of Trustees shall be determined by the Board of Trustees, and

WHEREAS, the Board of Trustees of the Charter Township of Orion deems it desirable to set the salary of the Clerk to ensure that compensation for this position remains equitable and commensurate with the duties of said elective office,

NOW THEREFORE BE IT RESOLVED that, as of September 7, 2021 the salary of the Township Clerk shall be as follows: $89,700.00

At the September 7, 2021 regular meeting of the Charter Township of Orion Board of Trustees, the foregoing resolution was offered by ____________, seconded by ____________.

Upon a roll call vote, the following voted:

AYE:  
NAY:  
ABSENT:  
ABSTAIN:  

The Supervisor declared the resolution adopted.

__________________________________  
Penny S. Shults, Clerk  
Charter Township of Orion  
Date:_______________
RESOLUTION TO ESTABLISH TOWNSHIP SUPERVISOR'S SALARY

WHEREAS, pursuant to MCLA 41-95(3), which provides that, in a Township that does not hold an annual meeting, the salary for officers composing the Board of Trustees shall be determined by the Board of Trustees, and

WHEREAS, the Board of Trustees of the Charter Township of Orion deems it desirable to set the salary of the Supervisor to ensure that compensation for this position remains equitable and commensurate with the duties of said elective office,

NOW THEREFORE BE IT RESOLVED that, as of September 7, 2021 the salary of the Township Supervisor shall be as follows: $116,700.00

At the September 7, 2021 regular meeting of the Charter Township of Orion Board of Trustees, the foregoing resolution was offered by ____________, seconded by ____________.

Upon a roll call vote, the following voted:

AYE: ________________________
NAY: ________________________
ABSENT: _____________________
ABSTAIN: ____________________

The Supervisor declared the resolution adopted.

_________________________________
Penny S. Shults, Clerk
Charter Township of Orion
Date: _____________________
RESOLUTION TO ESTABLISH TOWNSHIP TREASURER’S SALARY

WHEREAS, pursuant to MCLA 41-95(3), which provides that, in a Township that does not hold an annual meeting, the salary for officers composing the Board of Trustees shall be determined by the Board of Trustees, and

WHEREAS, the Board of Trustees of the Charter Township of Orion deems it desirable to set the salary of the Treasurer to ensure that compensation for this position remains equitable and commensurate with the duties of said elective office,

NOW THEREFORE BE IT RESOLVED that, as of September 7, 2021 the salary of the Township Treasurer shall be as follows: $89,700.00

At the September 7, 2021 regular meeting of the Charter Township of Orion Board of Trustees, the foregoing resolution was offered __________, seconded by __________.

Upon a roll call vote, the following voted:

AYE: 
NAY: 
ABSENT: 
ABSTAIN: 

__________________________
Penny S. Shults, Clerk
Charter Township of Orion
Date:____________________
REQUESTS
There is currently a vacant for an Alternate Member on the Zoning Board of Appeals. JoAnn Van Tassel is interested in the position.

REASON

PROCESS

RECOMMENDATION (MOTION)
Appoint JoAnn Van Tassel as an Alternate on the Zoning Board of Appeals Committee for a term expiring 12-31-2023.
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: September 7, 2021
Memo Date: September 2, 2021
Subject: Hire Full Time Clerk III - Voter Registration

REQUEST
To approve hiring of Margaret Beutler as a Clerk III - Voter Registration - Clerk's Office (Full Time, 40 hours per week, Level 4, full benefits)

REASON
It is the recommendation of the Township Clerk and Township Supervisor to hire Margaret Beutler for the full time Clerk III - Voter Registration position.

PROCESS
The interview and selection process were completed by the Township Clerk, Township Supervisor and Human Resources on Wednesday, September 1, 2021.

RECOMMENDATION (MOTION)
Hire Margaret Beutler as Clerk III - Voter Registration, a Level 4, Technical Union position at the starting rate of $17.48 per hour, full time, 40 hours per week, full benefits, effective September 9, 2021 pending results of Background Check, Physical and Drug Screening.
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: September 7, 2021
Memo Date: September 2, 2021
Subject: Hire Full Time Clerk II - Building Clerk

REQUEST
To approve hiring of Theresa Heiliger as a Clerk II - Building - Building Department (Full Time, 40 hours per week, Level 3, full benefits)

REASON
It is the recommendation of the Township Supervisor and Building Director to hire Theresa Heiliger for the full time Clerk II - Building position.

PROCESS
The interview and selection process were completed by the Township Supervisor, Building Director and Human Resources on Thursday, September 2, 2021.

RECOMMENDATION (MOTION)
Hire Theresa Heiliger as Clerk II - Building, a Level 3, Technical Union position at the starting rate of $16.20 per hour, full time, 40 hours per week, full benefits, effective September 13, 2021 pending results of Background Check, Physical and Drug Screening.
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: September 7, 2021
Memo Date: September 2, 2021
Subject: Accept Resignation of Kyle Jeffery, Firefighter

REQUEST
Accept with regret resignation of Full-Time Firefighter, Kyle Jeffery, effective September 8, 2021.

REASON
I am requesting that we accept the resignation of Full-Time Firefighter, Kyle Jeffery, dated August 31, 2021 and effective September 8, 2021.

PROCESS
Board approval of the resignation submitted by Kyle Jeffery.

RECOMMENDATION (MOTION)
Accept the resignation of Full-Time Firefighter, Kyle Jeffery, with regret based on submitted letter dated August 31, 2021 with an effective date of September 8, 2021.
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: September 7, 2021
Memo Date: September 2, 2021
Subject: Tuition Reimbursement Request - Tandem Graves

REQUEST

REASON
This course will aid in properly accounting for Township assets, liabilities and equity by means of reconciliation of departmental programs and telling the financial story through reporting and interpretation of reports.

PROCESS
Per the Tuition Reimbursement Policy, approved reimbursement will be processed after the employee completed twelve (12) months of continuous employment with Orion Township, following successful completion of coursework. Estimated reimbursement should take place on or after 10/25/2022 and will be budgeted for in the 2022 budget year.

RECOMMENDATION (MOTION)
Authorize Tandem Graves to take the Acc - 201 Financial Accounting course and approve reimbursement in an amount not to exceed $960.00, contingent upon all requirements as listed in the Tuition Reimbursement Policy.
**Charter Township of Orion**  
**Tuition Reimbursement Form**

<table>
<thead>
<tr>
<th>Name of Employee:</th>
<th>Tandem Graves</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department:</td>
<td>Clerk</td>
</tr>
<tr>
<td>Position:</td>
<td>Accounting Controller</td>
</tr>
<tr>
<td>Union Affiliation:</td>
<td>Technical</td>
</tr>
<tr>
<td>Hire Date:</td>
<td>10-7-14</td>
</tr>
<tr>
<td>Employment Status:</td>
<td></td>
</tr>
<tr>
<td>- Full Time [x]</td>
<td></td>
</tr>
<tr>
<td>- Part Time [ ]</td>
<td></td>
</tr>
<tr>
<td>- Seasonal [ ]</td>
<td></td>
</tr>
<tr>
<td>- Temporary [ ]</td>
<td></td>
</tr>
<tr>
<td>- Other [ ]</td>
<td></td>
</tr>
<tr>
<td>Amount of Tuition Reimbursement Paid Year to Date:</td>
<td>$0</td>
</tr>
<tr>
<td>Course Title:</td>
<td>ACC-201 Financial Accounting</td>
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<tr>
<td>College or University:</td>
<td>Southern New Hampshire University</td>
</tr>
<tr>
<td>Beginning Date of Course:</td>
<td>8/20/21</td>
</tr>
<tr>
<td>Ending Date of Course:</td>
<td>10/25/21</td>
</tr>
<tr>
<td>Estimated Cost:</td>
<td>$960.00</td>
</tr>
</tbody>
</table>

Please state the relevance of the course to your position with the Township:

This course will aid in properly accounting for the township assets, liabilities and equity by means of reconciliation of departmental programs and telling the financial story through reporting and interpretation of reports.

---

**Employee Signature**:  
Tandem Graves  
8/31/21  
Date Signed

**Approvals**:

**Department Head / Date**:  
Penny Smith  
---

**Township Supervisor / Date**:  
Penny Smith  
---

**Board of Trustees / Date**:

Revised: 01/01/09
Agenda Item Summary

To: Board of Trustees
From: David Goodloe, Building Official
Meeting Date: September 7, 2021
Memo Date: September 1, 2021
Subject: Purchase Plotter - Building Department

REQUEST
The request is to approve the purchase of an HP DesignJet T2600 large-format, multifunction printer.

REASON
The Building Department budgeted for the purchase of a new large-format, multifunction printer in 2021.

PROCESS
The purchase price for the multi-function printer is $12,578.71. This includes parts, labor, travel and supplies (except for paper, ink, and staples). A separate cost sheet is attached for the ink cartridges and paper.

BUDGET

<table>
<thead>
<tr>
<th>Account Number/Name</th>
<th>Amended Budget</th>
<th>Available Balance</th>
<th>Cost</th>
<th>Remaining Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>249-371-977.000 – Capital Outlay - Equipment</td>
<td>$20,000</td>
<td>$20,000</td>
<td>$12,578.71</td>
<td>$7,421.29</td>
</tr>
</tbody>
</table>

RECOMMENDATION (MOTION)
Approve the purchase of an HP DesignJet T2600 large-format, multifunction printer in an amount not to exceed $12,578.71.
For more information, please visit [http://www.hp.com/go/designjett2600](http://www.hp.com/go/designjett2600)

Dynamic security enabled printer. Only intended to be used with cartridges using an HP original chip. Cartridges using a non-HP chip may not work, and those that work today may not work in the future. More at: [http://www.hp.com/go/learnaboutsupplies](http://www.hp.com/go/learnaboutsupplies)
INVESTMENT SCHEDULE

PREPARED FOR

TOWNSHIP OF ORION-LAKE ORION

August 25, 2021

PREPARED BY
Shelby VanBuren
shelby.vanburen@tbs.toshiba.com

TOSHIBA
INVESTMENT SCHEDULE

TOWNSHIP OF ORION-LAKE ORION

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Investment</td>
<td>$12,578.71</td>
</tr>
<tr>
<td>Monthly Investment</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Monthly investment includes parts, labor, travel, and supplies; everything except for paper, staples, and applicable taxes.
The world's most secure large-format printer

Empower your teams with a radically simple experience and the easiest PDF printing with the most compact, quiet MFP.[2] Your workforce can quickly access shared folders, and easily print and share from the cloud with mobile devices. Radically simple experience with a 15.6-inch interface and the easy PDF printing with HP Click. Engage in a collaborative workstyle with teams by quickly accessing shared folders to print and scan.

Empower your workforce. Easily print and share jobs from the cloud with your mobile device and HP Smart app. Fits in your workplace as the most compact 36 inch All in One and quietest operation, with up to 87% less noise. You’re in control with the world's most secure large-format printer providing the best network protection.

Features at a Glance

> Print, copy, scan
> A4, A3, A2, A1, A0
> Gigabit Ethernet (1000Base-T), supporting the following standards: TCP/IP, BootP/DHCP
> PostScript Printer: Adobe PostScript 3, Adobe PDF 1.7, HP-GL/2, HP-RTL, TIFF, JPEG, CALS G4
At Toshiba, we are focused on helping businesses better control their productivity and profitability by delivering innovative imaging products and content solutions.

TOSHIBA AMERICA BUSINESS SOLUTIONS, INC. (TABS)
is an independent operating company of Toshiba Corporation, one of the largest integrated electronics and electrical equipment companies in the world with more than 140,000 employees globally and annual sales surpassing $37 billion. TABS is a leading managed print and content solutions provider with experts that help organizations print smarter, improve workflow and communicate better.

Our current and future commitment is to continue to improve and enhance the functionality and capabilities of our digital imaging products and content solutions. Toshiba invests more than 6% of its annual revenue to Research & Development, and deploys a network of R&D centers around the world. In an average year, Toshiba Corporation is awarded more than 5,000 patents, many of which find their way either directly or indirectly into our multifunction office solutions products.

OUR MISSION
As a technology company, we go way beyond printing. We are a creative and nimble organization that empowers our people to do whatever it takes to help our clients succeed.

OUR VISION
Empowering new and better ways to deliver ideas and information.
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**Comments:**
Quoted price includes delivery at no additional charge. Taxes may apply. Contact your supply representative for details on additional product offerings and incentives.

*Alex Schroeder*
Representative, Imaging Supply Center
Phone: 877-338-8227 X13060
Fax: 800-724-2490
Agenda Item Summary

To:       Board of Trustees
From:     Chris Barnett, Township Supervisor
Meeting Date:  September 7, 2021
Memo Date:  September 2, 2021
Subject:   HRN Judgement

REQUEST
The request is to approve the attached consent judgement.

REASON
HRN Corp. (HRN), is the owner of four undeveloped parcels of land (MI Lots 5, 6, 7, and 11), in the Liberty Techne Center subdivision. FedEx operates a facility on Lots 8 and 15, which are south of Lots 5, 6, 7, and 11. FedEx is seeking to expand its parking areas to meet its current and future parking and commercial needs. To accomplish the expansion, HRN is requesting the reliefs as outlined in the Attorney Opinion provided by Township Attorneys, the Kelly Firm.

PROCESS
If the Township approves the attached Consent Judgement, it will approve the relief requested by HRN; including approving the parking lot in an I.P. District. All other parties, with the exception of the Township and RCOC, have provided their sign-off.

RECOMMENDATION (MOTION)
If the Board of Trustees is in agreement, the recommended motion would be:

"I move to approve the Consent Judgement to resolve the litigation commonly known as HRN Corp. v. Charter Township of Orion with any and all minor modifications as recommended by the Township Attorney and approved by the Township Supervisor."
STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

HRN CORP., a Michigan corporation,

Plaintiff,

vs.

THE CHARTER TOWNSHIP OF ORION, a Michigan chartered township, PAUL AJEBA, Director of the Michigan Department of Transportation, LIESL EICHLER CLARK, Director of the Michigan Department of Environment, Great Lakes, and Energy, JIM NASH, Water Resources Commissioner for the County of Oakland, ORLENE HAWKS, Director of the Michigan Department of Licensing and Regulatory Affairs, ANDREA LALONDE, Chairperson of the Board of County Road Commissioners for the County of Oakland, DTE ELECTRIC COMPANY, a Michigan corporation, MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, CONSUMERS ENERGY COMPANY, a Michigan corporation, GENERAL MOTORS LLC, a Delaware limited liability company, and LIFTED INDUSTRIAL PARTNERS, LLC, a Michigan limited liability company, CLIFF SUMMIT, LLC, a Michigan limited liability company, NTBS PROPERTIES LLC, a Michigan limited liability company and MONMOUTH REAL ESTATE INVESTMENT CORPORATION, a Maryland corporation,

Defendants.

Case No.: 21-187206-CZ
Honorable Leo Bowman

JUDGMENT
VACATING LOTS 5, 6, 7 AND 11 AND
PORTION OF
LIBERTY DRIVE
SOUTH OF THE
PLATS OF LIBERTY
TECHNE CENTER

BARRIS, SOTT, DENN & DRIKER, P.L.L.C.
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ASSISTANT ATTORNEY GENERAL
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ROBERT F. MARVIN (P75207)
Attorney for Defendant Consumers Energy
Company
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Jackson, Michigan 49201
(517) 788-7298
robert.marvin@cmsenergy.com

JUDGMENT VACATING LOTS 5, 6, 7 AND 11 AND
PORTION OF LIBERTY DRIVE SOUTH OF
THE PLATS OF LIBERTY TECHNE CENTER

At a session of said Court held in the City of Pontiac,
County of Oakland, and State of Michigan, on ____________

HON. ___________________________
CIRCUIT COURT JUDGE

This matter having come on to be heard on the Complaint of Plaintiff, HRN Corp.
("HRN"), to vacate and revise portions of both the plat of the Liberty Techne Center and the
Amended Plat of Part of Lot 9 and all of Lot 10 of the Liberty Techne Center, further described as
part of the S.W. ¼ and part of the N.W. ¼ of Section 34, and part of the S.E. ¼ of Section 33, T.4
N., R.10 E., Orion Township, Oakland County, Michigan, as recorded in Liber 291 of Plats, pages

21
1-12 inclusive and Liber 295, pages 10-11 inclusive, Oakland County Records (collectively, the "Plats"), such Plats having subsequently been amended pursuant to a Corrected Judgment, Vacating Lots 8 and 15 of the Plats of Liberty Techne Center, entered in the Oakland County Circuit Court on June 10, 2013, Case Number 12-129415-CZ, (the "2013 Judgment") which amendments, as authorized by the 2013 Judgment, have not yet been reflected by a subsequently recorded amended plat and will be described by, and incorporated into, the amendment of the Plats being entered pursuant to this Judgment, and Plaintiff having represented to this Court that all parties required to be joined as parties to this action pursuant to MCL 560.224a.(1) have been joined and have either stipulated to the entry of this Judgment, consented to the relief being requested through Stipulated Orders previously entered with this Court, or been defaulted, and the Court being duly advised in the premises:

NOW, THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

1. The portions of Lots 5, 6, 11 and Liberty Park, in the Plat of Liberty Techne Center as depicted, labeled and located by dimension on Exhibit 1 attached hereto are hereby established in conformance with MCL 560.137, to be depicted as a new cul-de-sac for Liberty Drive South that burdens this portion of the Plat. This right of way shall be under the jurisdiction of the Board of County Road Commissioners of the County of Oakland.

2. The remnant portions of Lots 5, 6 and 11, and all of Lot 7 (collectively the "Lots"), as depicted in Exhibit 2 attached hereto, are hereby vacated and removed from the Plats. Title to the Lots shall vest in HRN and its successors and assigns.

3. That portion of the public roadway, Liberty Drive South depicted, labeled and located by dimension in Exhibit 3, that currently runs south from the vacated portions of Lots 6 and 11 of the Plats and including that portion of Lots 9 and 10 established as right of
way for Liberty Drive South pursuant to the 2006 Judgment and the Amended Plat of Part of Lot 9 and all of Lot 10 of the Liberty Techne Center, is also vacated and removed from the Plats and title to this vacated portion of Liberty Drive South shall vest in HRN and its successors and assigns.

4. The Lots and the portion of Liberty Drive South vacated and removed from the Plats above, and the portions of the plat previously vacated by the 2013 Judgment and the Judgment entered in the Oakland County Circuit Court on April 12, 2006, Case Number 06-071604-CZ, and certain unplatted land owned by HRN lying south of the vacated portions of the plat are consolidated and established as a new parcel as depicted and set forth in Exhibit 4. A survey of the above vacated portion of Liberty Tech Center depicting the new parcel shall be prepared and recorded with the Oakland County Register of Deeds in accordance with MCL 54.211-213, within 90 days of the entry of this Judgment and a copy of the recorded survey submitted to the Michigan Department of Licensing and Regulatory Affairs, Office of Land Survey and Remonumentation. The legal description for the new parcel shall be used for all purposes including those of assessment, taxation, sale and conveyance.

5. The new parcel is not a parent parcel as defined by MCL 560.102(i) or a division as defined by MCL 560.102(d) and is not available for future division or redivision under to MCL 108 and 109. Future further partitioning of the new parcel established herein shall require that a new plat be made in accordance with the platting requirements of the Land Division Act, MCL 560.101 et seq.

6. All currently platted and existing recorded easements encumbering the portions of lots and the portion of Liberty Drive South vacated by this Judgment and the 2013 Judgment and 2006 Judgment and within the boundaries of the survey and amended
plat to be filed pursuant to this Judgment including, the private easement for public utilities reserved pursuant to MCL 560.226(3) herein for, but not limited to, the use of DTE Electric Company ("DTE") Michigan Bell Telephone Company ("Michigan Bell"), and Consumers Energy Company ("Consumers") are preserved and the survey and amended plat shall only show these and existing recorded easements.

7. In accordance with MCL 560.226(3), a private easement for natural gas utilities in, under, over, across, and through the vacated portion of Liberty Drive South for existing and future natural gas utilities shall run to Consumers and shall be twelve (12) feet in width being six (6) feet each side of the surveyed centerline of the existing facilities as constructed and shall be reflected on the above ordered survey.

8. The 100-year floodplain contour line (997.5 feet NGVD 1929) as established by the Michigan Department of Environment, Great Lakes and Energy ("EGLE"), if applicable, and the floodplain area, if applicable, shall be depicted on the amended plat in accordance with MCL 560.138.

9. The following floodplain restrictions are imposed upon the amended plat as required by MCL 560.194, if the floodplain area burdens any portion of the amended plat:

a. No new buildings for residential purposes and occupancy shall be located on any portion of a lot lying within the floodplain, unless approved in accordance with the administrative rules, being R 560.304(2)(a-g), adopted by EGLE.

b. Other activities in the floodplain are subject to the restrictions of the Land Division Act, MCL 560.101 et seq., and Part 31 of the Natural Resources and Environmental Protection Act, MCL 324.3107 and 324. 3108, and shall not be conducted except pursuant to those statutes.
c. These restrictions are to be observed in perpetuity and may not be amended without approval of EGLE.

10. Plaintiff must record this Judgment in the Office of the Register of Deeds for the County of Oakland, State of Michigan, within 30 days of entry of this Judgment, as required by MCL 560.228, and a copy of the recorded Judgment shall accompany the amended plat to be filed with the Michigan Department of Licensing and Regulatory Affairs ("LARA"), Office of Land Survey and Remonumentation.

11. Within six months of the entry of this Judgment by this Court, or a reasonable time thereafter that is agreed to by the parties, Plaintiff shall prepare the amended plat for all of Lots 1 through 4 and 12 through 14, portions of Lots 5, 6, and 11 and the remnant portion Liberty Drive South, all of Astra Court, Delta Court, and Astra Park, Delta Park, Liberty Park and Liberty Park North of the Liberty Techne Center and submit it for the review and approval of LARA, Office of Land Survey and Remonumentation.

The amended plat must be consistent with this Judgment, in substantial compliance with Exhibit 1 and in recordable form that complies with the Land Division Act, MCL 560.101, et seq.

12. Upon notice and hearing this Judgment will be declared null and void nunc pro tunc should the amended plat not be prepared and filed as required by this Judgment and by the requirements of MCL 560.229, within six months from the entry of this Judgment.

13. This Court shall retain jurisdiction over this matter until final approval of the proposed amended plat by the Office of Land Survey and Remonumentation of LARA or until the further order of this Court.

This resolves the last pending claim in this matter and closes the case.
CIRCUIT COURT JUDGE

WE CONSENT TO THE ENTRY OF THIS JUDGMENT:

/s/ Eric S. Rosenthal (P24816)
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/s/ Lisa M. Bruno-Herline (P52954)
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/s/ Kelly M. Drake (P59071)
ASSISTANT ATTORNEY GENERAL
Attorney for State Defendant Orlene Hawks,
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/s/ Leland Prince (P30686)
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Detroit, Michigan 48226
(313) 235-7725
leland.prince@dteenergy.com
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: September 7, 2021
Memo Date: September 1, 2021
Subject: Schedule Budget Workshop

REQUEST
The request is to convene the Township Board of Trustees for a 2022 Budget Workshop.

REASON
To receive presentations from the Township Supervisor and Department Directors regarding their preliminary 2022 Budget proposals.

PROCESS
The meeting will be held at 5:30 p.m., prior to the regular Board of Trustees Meeting on September 20th, 2021 at the Orion Center (1335 Joslyn Road).

RECOMMENDATION (MOTION)
Schedule a Budget Workshop with the Board of Trustees on September 20, 2021 at 5:30 p.m. at the Orion Center (1335 Joslyn Road), and authorize the Clerk to post as an open meeting.
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: September 7, 2021
Memo Date: September 1, 2021
Subject: Cost Participation Agreement for Scripps Road

REQUEST
The request is to approve a cost participation agreement between Orion Township and the Road Commission for Oakland County for the paving of Scripps Road to 45 mph design speed level.

REASON
Please see the attached memo from Township Engineers OHM Advisors which explains the details pertaining to the design speed requested by RCOC for the paving of Scripps Road from Joslyn Road to just east of the Municipal Complex entrance. On April 5, 2021, the Township Board approved the designation of 2021 and 2022 Tri-Party funding for the paving of this portion of Scripps Road, with the remaining balance paid for using the Municipal Complex construction project contingency fund to 35 mph design speed. Through the cost participation agreement, RCOC will be covering the cost increase from 35 mph to 45 mph design speed level.

PROCESS
Upon approval of the Township Board, the attached cost participation agreement will be sent to RCOC for their approval and execution.

RECOMMENDATION (MOTION)
Approve a cost participation agreement with the Road Commission for Oakland County for the paving of Scripps Road to 45 mph design speed level, with RCOC's contribution to the project at $350,000, and authorize the Township Supervisor to execute the same.
memorandum

Date: August 24, 2021

To: Chris Barnett, Supervisor
    Charter Township of Orion
    2525 Joslyn Road
    Lake Orion, MI 48360

cc: From: James C. Stevens, P.E.

Re: Scripps Road Paving

As you are aware, we have been going through the permit process with the Road Commission for Oakland County (RCOC) over the last couple months to pave the section of the Scripps Road from Joslyn Road to just east of the new Township Hall entrance. Through this process, RCOC has requested that design speed be increased from 35 mph to 45 mph. The design speed sets the geometric requirements for the roadway alignments. (i.e. the higher the design speed, the more gradual the curves and hills). The higher design speed results in additional impacts along the corridor, which increase the overall project cost. These additional impacts include: water main relocation, wetlands permits, utility pole relocation, and significant additional grading. Attached you will find the cost opinions of both the original 35 mph design speed, and the proposed 45 mph design speed, which summarizes the total cost difference between the two design scenarios.

Through your offices negotiations with RCOC, RCOC has agreed to participate in the project with the Township and pay for the estimated cost difference between the two scenarios. The estimated cost difference between the two scenarios is $350,000. Upon approval of the Township Board, RCOC will draft up the cost sharing agreement for the Township’s execution.

Please note that due to the increase in project scope and the additional permitting requirements for the water main relocation and the small wetlands impacts, road construction would need to take place in 2022.

We will be in attendance at the September 7 board meeting to answer any questions.
## WORK:
Paving of approximately one-quarter mile of gravel roadway with 4" of 21AA aggregate and 7" of hot mix asphalt including concrete curb and gutter, roadway signing, and pavement striping. It is anticipated that easements will need to be obtained on the north side of the project area.

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<td>Sign, Type IIIB</td>
<td>50 Sft</td>
<td>$15</td>
<td>$750.00</td>
</tr>
<tr>
<td>28</td>
<td>Pavt Mrkg, Ovly Cold Plastic, 18 inch, Stop Bar</td>
<td>22 Ft</td>
<td>$10</td>
<td>$220.00</td>
</tr>
<tr>
<td>29</td>
<td>Pavt Mrkg, Ovly Cold Plastic, Lt Turn Arrow Sym</td>
<td>1 Ea</td>
<td>$500</td>
<td>$500.00</td>
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<tr>
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<td>32</td>
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<tr>
<td>35</td>
<td>Channelizing Device, 42 inch, Fluorescent, Furn</td>
<td>50 Ea</td>
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<td>$1,250.00</td>
</tr>
<tr>
<td>36</td>
<td>Channelizing Device, 42 inch, Fluorescent, Oper</td>
<td>50 Ea</td>
<td>$1</td>
<td>$50.00</td>
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<tr>
<td>37</td>
<td>Minor Traf Devices</td>
<td>1 LSUM</td>
<td>$15,000</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>38</td>
<td>Sign, Type B, Temp, Prismatic, Furn</td>
<td>500 Sft</td>
<td>$8</td>
<td>$3,750.00</td>
</tr>
<tr>
<td>39</td>
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<tr>
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<tr>
<td>42</td>
<td>Riprap, Plain</td>
<td>100 Cyd</td>
<td>$50</td>
<td>$5,000.00</td>
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<tr>
<td>43</td>
<td>Turf Establishment, Performance</td>
<td>3,000 Cyd</td>
<td>$5</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>44</td>
<td>Protect Corners</td>
<td>4 Ea</td>
<td>$500</td>
<td>$2,000.00</td>
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<tr>
<td>45</td>
<td>Inspector Days</td>
<td>35 Crew Days</td>
<td>$712</td>
<td>$24,920.00</td>
</tr>
</tbody>
</table>

Construction Amount $525,199.00
Contingency (10%) $52,519.90
Total Construction Cost $578,000.00

Engineering Services $37,500.00
Easements and Geotechnical $7,500.00
Construction Services $52,000.00

Use $675,000.00

**NOTES:**

1. Permit Costs and Utility Relocation Costs are not included.
2. Reduced Engineering Services fee due to preliminary work completed as part of the Township Municipal Complex.
### SCRIPPS ROAD PAVING

ORCHARD, HILTZ & McCLIMENT, INC.

34000 Plymouth Road, Livonia, Michigan, 48150

Date: Aug 11, 2021

**PROJECT:** Scripps Road Paving
Joslyn east approximately one-quarter mile

**BASIS FOR ESTIMATE:** [X] CONCEPTUAL  [ ] PRELIMINARY  [ ] FINAL

**WORK:** Paving of approximately one-quarter mile of gravel roadway with 4" of 21AA aggregate and 7" of hot mix asphalt including concrete curb and gutter, roadway signing, and pavement striping. It is anticipated that easements will need to be obtained on the north side of the project area.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Estimated Quantity</th>
<th>Unit Price</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
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<td>Clearing</td>
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<td>Excavation, Earth 1000 Cyd</td>
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<tr>
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<td>Subgrade Undercutting, Type II, 1 by 3 100 Cyd</td>
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<td>9</td>
<td>Subgrade Undercutting, Type II, 21AA 100 Cyd</td>
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<td>10</td>
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<td>11</td>
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<tr>
<td>20</td>
<td>HMA, 3EML 700 Ton</td>
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<td>HMA, 4EML 467 Ton</td>
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<tr>
<td>22</td>
<td>HMA, 5EML 467 Ton</td>
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<td>26</td>
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<td>$750.00</td>
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<tr>
<td>27</td>
<td>Sign, Type IIIB 50 Sft</td>
<td>$15</td>
<td>$750.00</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Pavt Mkgs, Ovly Cold Plastic, 18 inch, Stop Bar 22 Ft</td>
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<td>$220.00</td>
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<td>29</td>
<td>Pavt Mkgs, Ovly Cold Plastic, Lt Turn Arrow Sym 1 Ea</td>
<td>$500</td>
<td>$500.00</td>
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<tr>
<td>30</td>
<td>Pavt Mkgs, Ovly Cold Plastic, Rt Turn Arrow Sym 1 Ea</td>
<td>$500</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>31</td>
<td>Pavt Mkgs, Waterborne, 4 inch, Yellow 750 Ft</td>
<td>$1</td>
<td>$750.00</td>
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<tr>
<td>32</td>
<td>Pavt Mkgs, Waterborne, 2nd Application, 4 inch, Yellow 750 Ft</td>
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<td>$750.00</td>
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<tr>
<td>33</td>
<td>Barricade, Type III, High Intensity, Double Sided, Lighted, Furn 10 Ea</td>
<td>$100</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>Barricade, Type III, High Intensity, Double Sided, Lighted, Oper 10 Ea</td>
<td>$5</td>
<td>$50.00</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>Channelizing Device, 42 inch, Fluorescent, Furn 50 Ea</td>
<td>$25</td>
<td>$1,250.00</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>Channelizing Device, 42 inch, Fluorescent, Oper 50 Ea</td>
<td>$1</td>
<td>$50.00</td>
<td></td>
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<tr>
<td>37</td>
<td>Minor Traf Devices 1 LSUM</td>
<td>$15,000</td>
<td>$15,000.00</td>
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<tr>
<td>38</td>
<td>Sign, Type B, Temp, Prismatic, Furn 500 Sft</td>
<td>$8</td>
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<tr>
<td>39</td>
<td>Sign, Type B, Temp, Prismatic, Oper 500 Sft</td>
<td>$1</td>
<td>$500.00</td>
<td></td>
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<td>40</td>
<td>Sign, Type B, Temp, Prismatic, Spec, Furn 100 Sft</td>
<td>$16</td>
<td>$1,600.00</td>
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<td>Sign, Type B, Temp, Prismatic, Spec, Oper 100 Sft</td>
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<td>$100.00</td>
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<tr>
<td>42</td>
<td>Riprap, Plain 100 Syd</td>
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<td>$5,000.00</td>
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<tr>
<td>43</td>
<td>Turf Establishment, Performance 6,000 Syd</td>
<td>$5</td>
<td>$30,000.00</td>
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</tr>
<tr>
<td>44</td>
<td>Protect Corners 4 Ea</td>
<td>$500</td>
<td>$2,000.00</td>
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</tr>
<tr>
<td>45</td>
<td>Inspector Days 50 Crew Days</td>
<td>$712</td>
<td>$35,600.00</td>
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<tr>
<td>46</td>
<td>Water Main, DI, 12 inch, Open Cut (Raise/Replace) 500 Ft</td>
<td>$175</td>
<td>$87,500.00</td>
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<tr>
<td>47</td>
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<td>$7,500</td>
<td>$15,000.00</td>
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<tr>
<td>48</td>
<td>Gate Well (Raise/Replace) 1 Ea</td>
<td>$10,000</td>
<td>$10,000.00</td>
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<td>49</td>
<td>Temporary Water Supply Run 1 LSUM</td>
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<tr>
<td>50</td>
<td>Utility Pole Replace 1 Ea</td>
<td>$10,000</td>
<td>$10,000.00</td>
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</tr>
</tbody>
</table>

- **Construction Amount:** $801,265.00
- **Contingency (10%)** | $80,126.50
- **Total Construction Cost:** $882,000.00

**Use:** $1,025,000.00

### NOTES:
1. Permit Costs and Utility Relocation Costs are not included.
2. Reduced Engineering Services fee due to preliminary work completed as part of the Township Municipal Complex.
This Agreement, made and entered into this ______ day of ________________, 2021, by and between the Board of County Road Commissioners of the County of Oakland, Michigan, hereinafter referred to as the BOARD, and the Charter Township of Orion, hereinafter referred to as the COMMUNITY, provides as follows:

WHEREAS, the BOARD and the COMMUNITY have programmed the gravel road paving of Scripps Road from Joslyn Road to the New Township Complex Entrance, described in Exhibit "A", attached hereto and made a part hereof, which improvements involve roads under the jurisdiction of the BOARD and within the COMMUNITY, which improvements are hereinafter referred to as the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is $1,025,000; and

WHEREAS, the BOARD and the COMMUNITY have reached a mutual understanding regarding the cost sharing of the PROJECT and wish to commit that understanding to writing in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and in conformity with applicable law, it is hereby agreed between the COMMUNITY and the BOARD that:

1. The COMMUNITY shall forthwith undertake and complete the PROJECT, as above described, under Road Commission for Oakland County permit; and shall perform or cause to be performed all preliminary and construction engineering services and administration in reference thereto.
2. The actual total cost of the PROJECT shall include total payments to the contractor.

3. The COMMUNITY shall comply with the provisions as set forth in Exhibit “B” attached hereto.

4. The COMMUNITY shall comply with the liability and insurance requirements as set forth in Exhibit “C” attached hereto.

5. The estimated total PROJECT cost of $1,025,000 shall be invoiced simultaneously and proportionately as follows:

   a. The COMMUNITY shall contribute $675,000 toward the PROJECT and the BOARD shall contribute $350,000 toward the PROJECT.

   b. The COMMUNITY agrees that any PROJECT costs above $1,025,000 will be funded 100% by the COMMUNITY.

6. Upon execution of this agreement, the COMMUNITY shall submit an invoice to the BOARD in the amount of $350,000 (being 100% of the BOARD’S contribution).

   a. The invoices shall be sent to:

      Road Commission for Oakland County
      Programming Division
      31001 Lahser Road
      Beverly Hills, MI 48025

7. Within 90 days of completion of the PROJECT, the COMMUNITY shall submit to the BOARD the following:

   a. A cover letter originated by the COMMUNITY certifying that the PROJECT is now complete.

   b. A copy of the FINAL payment estimate paid to the contractor.

   c. One copy of the complete set of the as-built construction plans containing the adjusted quantities of the PROJECT.
IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

BOARD OF ROAD COMMISSIONERS OF THE COUNTY OF OAKLAND
A Public Body Corporate

By__________________________________

Its_________________________________

CHARTER TOWNSHIP OF ORION

By__________________________________

Its_________________________________
EXHIBIT A
Scripps Road
Joslyn Road to the New Township Complex Entrance
Charter Township of Orion
Board Project No. 56422

Gravel road paving of Scripps Road from Joslyn Road to the New Township Complex Entrance.

<table>
<thead>
<tr>
<th>ESTIMATED PROJECT COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor Payments</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COST PARTICIPATION BREAKDOWN</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Contribution</td>
</tr>
<tr>
<td>TOTAL SHARES</td>
</tr>
</tbody>
</table>
**Bidding:** The COMMUNITY shall select the contractor for its share of the work, on a competitive basis by advertising for sealed bids in accordance with its established practices.

**Bonds – Insurance:** The COMMUNITY shall require the contractor provide payment and performance bonds for the PROJECT; said bonds to be in compliance with the provisions of 1963 PA 213 as amended, compiled at MCL 129.201, et seq.

Further, the COMMUNITY shall require the contractor to provide insurance naming the Road Commission for Oakland County as additional named insured’s. Coverage’s shall be substantial as set forth in Exhibit “C”, attached hereto.

**Records:** The parties shall keep records of their expenses regarding the PROJECT in accordance with generally accepted accounting procedures, and shall make said records available to the other during business hours upon request giving reasonable notice. Such records shall be kept for three (3) years from final payment.

Final costs shall be allocated after audit of the records and adjustments in payments shall be invoiced and paid within thirty (30) days thereafter.

**EEO:** The COMMUNITY shall require its contractor to specifically agree that it will comply with any and all applicable State, Federal, and Local statutes ordinances, and regulations, and with RCOC regulations during performance of the SERVICES and will require compliance of all subcontractors and subconsultants.

In accordance with Michigan 1976 PA 453, the COMMUNITY hereto agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, because of race, color, religion, national origin, age, sex, height, weight or marital status. Further, in accordance with Michigan 1976 PA No. 220, as amended, the parties hereby agree not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment, because of a disability that is unrelated to the individual’s ability to perform the duties of a particular job or position.

The COMMUNITY further agrees that it will require all subconsultants and subcontractors for this PROJECT comply with this provision.

**Governmental Function, Scope:** It is declared that the work performed under this AGREEMENT is a governmental function. It is the intention of the parties hereto that this AGREEMENT shall not be construed to waive the defense of governmental immunity held by the RCOC, and the COMMUNITY.

**Third Parties:** This AGREEMENT is not for the benefit of any third party.
EXHIBIT C
LIABILITY AND INSURANCE REQUIREMENTS

Hold Harmless Agreement: The Contractor shall hold harmless, represent, defend and indemnify the Board of County Road Commissioners of Oakland County, the Road Commission for Oakland County, its officers and employees; the County of Oakland; the Water Resources Drain Commissioner and relevant drainage district(s), if applicable; the Michigan State Transportation Commission; the Michigan Department of Transportation; and the local unit(s) of government, within which the Project is located against all claims for damages to public or private property, for injuries to persons, or for other claims arising out of the performance or non-performance of the contracted work, whether during the progress or after the completion thereof.

Insurance Coverage: The Contractor, prior to execution of the contract, shall file with the Road Commission for Oakland County, copies of complete certificates of insurance as evidence that he carries adequate insurance satisfactory to the Board. Insurance coverage shall be provided in accordance with the following:

a. Workmen’s Compensation Insurance: To provide protection for the Contractor’s employees, to the statutory limits of the State of Michigan and $500,000 employer’s liability. The indemnification obligation under this section shall not be limited in any ways by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor under worker’s disability compensation coverage established by law.

b. Bodily Injury and Property Damage Other than Automobile: To afford protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operations for one year after completion of the work.

1. Bodily Injury Liability or: Single Limit: Bodily Injury and Property Damage
   Each Person: $1,000,000
   Each Occurrence: $1,000,000
   Aggregate: $2,000,000

   Property Damage Liability:
   Each Occurrence: $250,000
   Aggregate: $250,000

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors coverage.
2. Bodily Injury Liability and Property Damage Liability - Automobiles (Comprehensive Auto Liability). The minimum limits of bodily injury liability and property damage liability shall be:

<table>
<thead>
<tr>
<th>Liability</th>
<th>Each Person</th>
<th>Each Occurrence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bodily Injury Liability or Single Limit: Bodily Injury and Property Damage Liability</td>
<td>$500,000</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Property Damage Liability</td>
<td>$1,000,000</td>
<td></td>
</tr>
</tbody>
</table>

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

c. Excess and Umbrellas Insurance – The Contractor may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.

d. The Contractor shall provide for and on behalf of the Road Commission for Oakland County and all agencies specified by the Road Commission, as their interest may appear, Owner’s Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the Contractor’s Public Liability Insurance.

e. Notice – The Contractor shall not cancel, renew, or non-renew the coverage of any insurance required by this Section without providing 30 day prior written notice to the Road Commission for Oakland County. All such insurance shall include an endorsement whereby the insurer shall agree to notify the Road Commission for Oakland County immediately of any reduction by the Contractor. The Contractor shall cease operations on the occurrence of any such cancellation or reduction, and shall not resume operations until new insurance is in force. If the Contractor cannot secure the required insurance within 30 days, the Board reserves the right to terminate the Contract.

f. Reports – The Contractor or his insurance carrier shall immediately report all claims received which relate to the Contract, and shall also report claims investigations made, and disposition of claims to the County Highway Engineer.
Agenda Item Summary

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: September 7, 2021
Memo Date: September 2, 2021
Subject: Gregory Road Pocket Park Easement

REQUEST
The request is to approve an agreement with MRDJ to govern revocation and replacement of an easement for ingress and egress to the proposed pocket park property, and a proposed Revocation and Replacement Easement.

REASON
In January 2019, the Board of Trustees passed a motion to accept the 4016 S. Baldwin Road (09-32-101-025) parcel by way of a Quitclaim Deed from the Road Commission for Oakland County. The Township plans to use this property for purposes of a pocket park. Currently, MRDJ (a carwash located on the adjacent parcel) has an easement for ingress and egress in the area that the Township would like to use to access the parcel. At the June 21, 2021 Board of Trustees meeting, the Board approved a one-time payment of $26,593 to be offered to MRDJ for proposed improvements to the carwash in exchange for vacating the easement.

PROCESS
Following further negotiations, MRDJ is requesting the following in return for relinquishing the easement, in addition to the already approved one-time payment:

- Reasonable height restriction on improvements to be constructed within the easement area;
- Stake corners of the parking lot to be improved by the car wash;
- Township to issue all necessary permits for MRDJ to construct a parking lot on its property;
- Township to issue permits for six more vacuums at the car wash next to the existing vacuums;
- Reimbursement in the amount of $3,000.00 in attorney fees; and
- MRDJ would not be responsible for any environmental contamination in the easement area.

BUDGET

<table>
<thead>
<tr>
<th>Fund Name:</th>
<th>Project/Grant Tracking?</th>
</tr>
</thead>
<tbody>
<tr>
<td>401 - General Capital Improvement</td>
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</table>

<table>
<thead>
<tr>
<th>Purchase Order Number:</th>
<th>Expected Invoice Date:</th>
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<tr>
<td>21-0514</td>
<td>9/13/2021</td>
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<table>
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<tr>
<th>Reviewed by Budget Director:</th>
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<table>
<thead>
<tr>
<th>ACCOUNT NUMBER/NAMESPACE</th>
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<th>AVAILABLE BALANCE</th>
<th>COST</th>
<th>REMAINING BUDGET</th>
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<tbody>
<tr>
<td>401-958-972.000 - Capital Outlay - Land</td>
<td>$3,000</td>
<td>$0</td>
<td>$3,000</td>
<td>$0</td>
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</tbody>
</table>
RECOMMENDATION (MOTION)
If the Board is in agreement to approve the Agreement with MRDJ, the appropriate motion would be:
"I move to approve the agreement with MRDJ, LLC to govern the revocation of an easement granted to MRDJ, LLC, and replacement of the easement with an Exclusive Easement for ingress and egress granted to the Township, with any minor changes recommended by the Township Attorney, and approved by the Township Supervisor, authorize the Township Supervisor to execute same, and authorize the Budget & Procurement Director to make the necessary budget adjustments."

If the Board is in agreement to approve the Easement Agreement, the appropriate motion would be:
"I move to approve the “Revocation and Replacement of Easement Agreement” to revoke an easement previously granted to MRDJ, LLC and grant a new easement for ingress and egress to the Township to access property commonly known as 4016 S. Baldwin Road, Lake Orion, MI, 48359, with any minor changes recommended by the Township Attorney, and approved by the Township Supervisor, and authorize the Township Supervisor to execute same."
STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF ORION

AGREEMENT REGARDING CONSTRUCTION AND
RESTORATION OF PROPERTY

THIS AGREEMENT, dated this _____ day of ____________, 2021, is by and between
MRDJ, LLC (“MRDJ”), a Michigan Limited Liability Company, whose address is 4036 S.
Baldwin Rd. Orion Township, MI  48359, and the CHARTER TOWNSHIP OF ORION, a
Michigan municipal corporation (“Township”), whose address is 2525 Joslyn Rd., Lake Orion, MI
48360, to govern the revocation of a non-exclusive easement for ingress and egress granted to
MRDJ on November 9, 2017.

RECITATIONS:

WHEREAS, on November 9, 2017, RCOC granted an Easement to MRDJ for ingress and
egress, “the Non-Exclusive Permanent Easement.”

WHEREAS, RCOC previously conveyed certain real property to the Township via Quit
Claim Deed for the property commonly known as 4016 S. Baldwin Road, with Grantor reserving
a right to a highway easement for all public purposes (Tax ID 09-32-101-025) (legal description
of property attached hereto as Exhibit “A”).

WHEREAS, to access its property located at 4016 S. Baldwin Road, the Township desires
to obtain exclusive rights to the Easement granted by RCOC to MRDJ for ingress and egress.

WHEREAS, for, and in consideration of, the compensation as set forth herein, MRDJ
agrees to the revocation of the Easement granted to MRDJ on November 9, 2017.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. **Revocation of Easement.** Upon approval of this Agreement and recordation of the
attached Revocation and Replacement of Easement (Exhibit “A”), the Easement granted by RCOC
to MRDJ on November 9, 2017 (Exhibit “B”) shall be revoked, and shall have no further force or
effect (“Revoked Easement”).

2. **Execution of Revocation and Replacement of Easement Agreement.** MRDJ hereby
agrees that a duly authorized representative of MRDJ shall execute the Revocation and Easement
Agreement within thirty (30) days of execution of this Agreement.

3. **Township Consideration.** The Township represents and warrants that it shall
provide the following consideration to MRDJ within the timelines setforth herein:

A. A one-time payment of Twenty-Six Thousand Five Hundred Ninety-Three Dollars
($26,593.00), to cover the cost of the improvements previously requested by MRDJ, shall
be paid within thirty (30) days of execution of the Revocation and Replacement Easement (See Exhibit “C”).

B. A one-time payment of Three Thousand Dollars ($3,000.00), to cover attorney fees incurred by MRDJ with regard to the transaction set forth in this Agreement, shall be paid concurrently with the payment set forth in sec. 3(A).

C. The Township agrees not to construct any improvements within the Easement area that exceed six (6) feet in height.

D. The Township agrees to stake the area depicted on Exhibit “D,” where MRDJ proposed to construct additional parking spaces, within thirty (30) days of execution of this agreement, and to make all reasonable efforts to grant all necessary permits for construction of same within a reasonable time.

E. Upon application to the Township by MRDJ, the Township shall issue six (6) permits to MRDJ, within a reasonable time, for additional vacuums within its carwash. However, such permits shall only provide approval for vacuums to be placed adjacent to existing vacuums.

4. Environmental. By executing this Agreement, the Township accepts the condition of the Easement in an "as is" condition, including, without limitation, the environmental condition of the Property.

5. Invalidity. Should any provision in this Agreement be deemed invalid or unenforceable, the remainder of this Agreement shall not be affected, and each term and condition shall be valid and enforceable to the extent permitted by law.

6. Disputes. If a dispute arises over any aspect of this agreement, a third-party arbitrator shall be appointed to resolve the dispute. The decision of the arbitrator shall be final and binding upon the Township and all Parties involved in the dispute. All Parties shall equally share in the cost of any arbitration.

7. Binding Agreement. This Agreement shall be binding upon the Parties hereto and their respective heirs, executors, administrators, and assigns.

8. Effective Date. This Agreement is deemed effective as of the date on which it is shown below to have been signed by MRDJ.

SIGNATURES ON FOLLOWING PAGE
MRDJ, LLC, a Michigan Limited Liability Company

By: ________________________________

Its: ________________________________

STATE OF MICHIGAN  )
  : ss.
COUNTY OF OAKLAND  )

The foregoing instrument was acknowledged before me this _____ day of ____________, 2021, by ____________________________, who is the ___________________ of MRDJ, LLC, a Michigan Limited Liability Company, on behalf of the company.

____________________________________

Notary Public, ________ County, Michigan
Acting in _________ County, Michigan
My Commission Expires: ________________

CHARTER TOWNSHIP OF ORION

By: ________________________________

Its: ________________________________

STATE OF MICHIGAN  )
  : ss.
COUNTY OF OAKLAND  )

The foregoing instrument was acknowledged before me this _____ day of ____________, 2021, by ____________________________, on behalf of the Charter Township of Orion.

____________________________________

Notary Public, ________ County, Michigan
Acting in _________ County, Michigan
My Commission Expires: ________________
REVOCATION AND REPLACEMENT EASEMENT AGREEMENT

THIS REVOCATION AND REPLACEMENT EASEMENT AGREEMENT ("Agreement") is made this_______ day of ___________ 2021, by and between the Road Commission for Oakland County ("Grantor" or “RCOC”), a County-level Road Agency, whose address is 31001 Lahser Road Beverly Hills, MI 48025; MRDJ, LLC. (“MRDJ”), a Michigan limited liability company, whose address is 4036 S. Baldwin Rd. Orion Township, MI 48359; and the Charter Township of Orion (the “Township”), a Michigan Municipal Corporation, whose address is 2525 Joslyn Road, Lake Orion, Michigan 48360.

RECITALS:

WHEREAS, on November 9, 2017, RCOC granted an Easement to MRDJ for ingress and egress, “the Non-Exclusive Permanent Easement.”

WHEREAS, on [date] RCOC conveyed certain real property to the Township via Quit Claim Deed for the property commonly known as 4016 S. Baldwin Road, Lake Orion, MI, 48359, with Grantor reserving a right to a highway easement for all public purposes (Tax Id. 09-32-101-025) (legal description of property attached hereto as Exhibit “A”).

WHEREAS, to access its property located at 4016 S. Baldwin Road, the Township desires to obtain exclusive rights to the Easement granted by RCOC to MRDJ for ingress and egress.

WHEREAS, For and in consideration for the amount set forth in the “Agreement for revocation and Replacement of Easement” entered into between MRDJ and the Township on [date], MRDJ agrees to disclaim, release, and relinquish its interest in the subject easement area.

WHEREAS, For and in consideration of $1.00 and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, RCOC agrees to revoke the Easement granted to MRDJ on November 9, 2017, and to grant the Township an exclusive Easement for ingress and egress as set forth herein.

NOW, THEREFORE, in consideration of the sum of One and 00/100 Dollars ($1.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:
ARTICLE I
REVOCATION/REPLACEMENT OF EASEMENT

Section 1.1 Revocation. The Easement granted by RCOC to MRDJ on November 9, 2017, is hereby revoked and is of no further force or effect ("Revoked Easement").

Section 1.2 Replacement. This Agreement shall replace the Revoked Easement.

ARTICLE II
EASEMENT

Section 2.1 Easement. The right to use the Exclusive Permanent Easement shall belong to the Township and its agents, employees, designees, contractors, guests, invitees, successors, and assigns, only for the purposes of ingress to, and egress from, the Township’s Property located at and commonly known as 4016 S. Baldwin Road, Orion Township, Michigan 48359 (Tax Id. 09-32-101-025) ("Township’s Property"), which is legally described on Exhibit “A.”

Section 2.2 Improvements. The Township shall not make any improvements or modifications to the Exclusive Permanent Easement, without the prior written permission of Grantor.

Section 2.3 Use. Any use of the easement area by Township or its employees, agents, invitees, successors, or assigns is solely at the risk of Township or such employees, agents, invitees, successors or assigns.

Section 2.4 Indemnity. Township, in accepting this easement, shall indemnify and hold Grantor harmless from and against any claim or liability or loss from personal injury, property damage, or any other damages, including for any failure to exercise environmental due care obligations, resulting from, or arising out of, the use of the Non-Exclusive Permanent Easement by Grantee, its agents, employees, designees, contractors, guests, invitees, successors and assigns, or other persons acting on its behalf.

Section 2.5 Oil and Mineral Rights. Grantor shall, to the extent owned by Grantor, retain all the oil, gas, and other minerals in, on, and under the Property, including within the Non-Exclusive Permanent Easement, and shall have the right to explore for same or to assign such right to others.

Section 2.6 RCOC shall have no duty, responsibility, or liability to maintain the Non-Exclusive Permanent Easement.

Section 2.7. Neither the Township, nor RCOC, may convey or assign to other parties any ingress and egress rights over all or a portion of the area covered by the Exclusive Permanent Easement, as Grantor sees fit, in its sole discretion.

Section 2.8. The undersigned warrants that RCOC is the owner(s) of the Property, and that he has authority to execute this Exclusive Permanent Easement on behalf of RCOC.
Section 2.9. This Exclusive Permanent Easement shall be interpreted in accordance with the laws of the State of Michigan.

ARTICLE III
MISCELLANEOUS

Section 3.1 Successors. The Easement and obligations created and imposed herein shall be effective upon the date hereof, shall run with the land, and shall inure to the benefit of and be binding upon the Parties, their heirs, executors, administrators, successors and assigns in title.

Section 3.2 Severability. In the event any provision or portion of this Agreement is held by any court of competent jurisdiction to be invalid or unenforceable, such holding will not affect the remainder hereof, and the remaining provisions shall continue in full force and effect to the same extent as would have been the case had such invalid or unenforceable provision or portion never been a part hereof.

Section 3.3 Breach. In the event a Party breaches its obligation under this Agreement, the non-prevailing Party shall be responsible for payment of the reasonable attorney fees and expenses incurred by the prevailing Party.

Section 3.4 Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all such counterparts shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties hereto have executed the above instrument on the day and year first written above.

Grantors: Road Commission of Oakland County

By: Dennis Kolar
Its: Authorized Agent

Grantee: MRDJ, LLC, a Michigan Limited Liability Company

By: Chris Barnett
Its: Township Supervisor

Charter Township of Orion, A Michigan Municipal Company
STATE OF MICHIGAN  
COUNTY OF OAKLAND  

The foregoing instrument was acknowledged before me this _____ day of _________, 2021, by ____________________________, Authorized Agent of MRDJ, L.L.C., a Michigan limited liability company, on behalf of the company.

____________________________________  
Notary Public, _________ County, Michigan  
My commission expires:_______________  
Acting in the County of________________

STATE OF MICHIGAN  
COUNTY OF OAKLAND  

The foregoing instrument was acknowledged before me this _____ day of _________, 2021, by Chris Barnett, of the Charter Township of Orion, a Michigan municipal corporation, on behalf of the corporation.

____________________________________  
Notary Public, _________ County, Michigan  
My commission expires:_______________  
Acting in the County of________________

STATE OF MICHIGAN  
COUNTY OF OAKLAND  

The foregoing instrument was acknowledged before me this _____ day of _________, 2021, by Dennis Kolar, on behalf of the Road Commission of Oakland County.

____________________________________  
Notary Public, _________ County, Michigan  
My commission expires:_______________  
Acting in the County of________________

DRAFTED BY & WHEN RECORDED RETURN TO:

Brittney K. Ellis (P82898  
The Kelly Firm  
2825 University Drive  
Auburn Hills, MI 48326
REPORT ITEM SUMMARY

To: Board of Trustees
From: Chris Barnett, Township Supervisor
Meeting Date: September 7, 2021
Memo Date: September 2, 2021
Subject: Indianwood Roundabout

REQUEST
At the June 21, 2021 Board meeting, the Township Board approved redesigning the Indianwood/Baldwin roundabout to have a design similar to the five new roundabout along Baldwin Road. Landtek has since completed the construction of the stacked stone wall, removed the cobblestone from the previous design, and graded the site for landscaping.

As outlined in the June 21, 2021 memo, Superiorscape, currently under contract with the Township, will install low maintenance ground cover similar to the other roundabouts along Baldwin Road. It is anticipated for the landscape work to be completed this month.

Attached are photos of the completed stonework, and the landscape design drawing.

RECOMMENDATION (MOTION)
Receive and file.
Indianwood/Baldwin Roundabout
Agenda Item Summary

To: Board of Trustees  
From: Jeff Stout, Public Services Director  
Meeting Date: September 1, 2021  
Memo Date: September 1, 2021  
Subject: Holland & Semloh Street Water Main Extension Recommendation of Award

REQUEST  
Township Board approval to accept OHM's recommendation to grant HMC, LLC as the lowest acceptable bidder.

REASON  
To loop two sections of the water system for more reliability. The section of water main extended will complete the water main looping area. An area map is provided.

PROCESS  
OHM has previously approved design engineering and bidding services for Holland Street Water Main. The project scope consists of installing approximately 800 ft of 8” ductile iron water main on Holland Street and 300 ft of 8” ductile iron water main on Semloh Street. Each section of water main also includes related valving, appurtenances, HMA and concrete paving, ditch grading, and restoration in accordance with the plans and specifications.

The total scope of the project is $429,706.99. $10,500 has already been paid as a part of OHM’s study. The remaining balance to be paid, if awarded, is $419,206.99.

| Description                          | Amount   | Vendor/Period | PO  
|--------------------------------------|----------|---------------|------
| Construction Total - Construction    | $315,884.75 | HMC, LLC      | 21-0577 |
| Construction Total - Crew Days       | $21,360  | OHM           | 21-0578 |
| Geotechnical / Engineering / Survey  | $32,000  | OHM           | 21-0575 |
| Construction Services                | $32,000  | OHM           | 21-0575 |
| Material Testing                     | $8,000   | G2 Consulting Group | 21-0576 |
| Contingency (5%)                     | $20,462.24 | HMC, LLC & G2 Consulting Group | 21-0577 |
| TOTAL PROJECT COST USE               | $429,706.99 |               |      |
| ALREADY PAID                         | $10,500  |               |      |
| REMAINING CONTRACT AMOUNT            | $419,206.99 |               |      |

The Water & Sewer department has $100,000 budgeted for water main improvements. It is estimated that Orion Township will receive $3.8 million dollars as part of the American Rescue Plan Act (ARPA). These funds can be used for water, wastewater and storm infrastructure projects. It is being proposed to use $319,206.99 of these funds to put towards the water main extension for Holland and Semloh Street.
## BUDGET

**Fund Name:** 592 - Water & Sewer  
**Purchase Order Number:** MULTIPLE  
**Budget Adjustment Needed:** ☒

<table>
<thead>
<tr>
<th>ACCOUNT NUMBER/NAME</th>
<th>AMENDED BUDGET</th>
<th>AVAILABLE BALANCE</th>
<th>COST</th>
<th>REMAINING BUDGET</th>
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</thead>
<tbody>
<tr>
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<td>$100,000</td>
<td>$100,000</td>
<td>$0</td>
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<tr>
<td>258-426-976.000 - Capital Outlay - Water</td>
<td>0</td>
<td>0</td>
<td>319,206.99</td>
<td>0</td>
</tr>
</tbody>
</table>

**Project/Grant Tracking?** ☐

**Expected Invoice Date:** 10/1/2021  
**Reviewed by Budget Director:** ☒

**RECOMMENDATION (MOTION)**

Township Board approval to award the contract to HMC, LLC for a price, not to exceed $429,706.99 and authorize the Budget & Procurement Director to do a budget adjustment in the Disaster Contingency Fund for $319,206.99 with funds to come from ARPA.
August 31, 2021

Chris Barnett
Township Supervisor
Charter Township of Orion
2525 Joslyn Road
Lake Orion, MI 48360

RE: Holland and Semloh Street Water Main Extension
Recommendation of Award

Dear Mr. Barnett:

Sealed bids for the Holland and Semloh Street Water Main Extension project were received and publicly read aloud on Tuesday, August 24, 2021, at Township Hall, at 2:00 pm. Proposals were received by the Township from six (6) bidders. We have reviewed and checked the bids and attached the Bid Tabulation for your information. The lowest three bidders are as follows:

<table>
<thead>
<tr>
<th>Contractor</th>
<th>Holland</th>
<th>Semloh</th>
<th>TOTAL BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>HMC, LLC</td>
<td>$240,397.75</td>
<td>$96,847.00</td>
<td>$337,244.75</td>
</tr>
<tr>
<td>Springline Excavating, LLC</td>
<td>$268,091.50</td>
<td>$109,177.50</td>
<td>$377,269.00</td>
</tr>
<tr>
<td>DiPonio Contracting, Inc.</td>
<td>$272,926.00</td>
<td>$108,241.00</td>
<td>$381,167.00</td>
</tr>
</tbody>
</table>

The board previously approved design engineering and bidding services for Holland Street Water Main. During the design phase of the project and after discussions with the township, it was determined that it would be beneficial to add the missing section of water main on Semloh Street to the overall project for bidding. The section of water main on Semloh is the next street over and will complete the water main looping in this area. An area map is provided for reference.

The project scope consists of installing approximately 800 ft of 8” ductile iron water main on Holland Street and 300 ft of 8” ductile iron water main on Semloh Street. Each section of water main also includes related valving, appurtenances, HMA and concrete paving, ditch grading, and restoration in accordance with the plans and specifications.

The lowest as-bid amount was approximately 1.5% higher than the original estimate for the Holland Street phase of the project, however, the bid amount was under the final construction estimate prepared for both phases upon completion of design. The updated project budget for both water main sections of work is attached.

HMC, LLC is the apparent lowest responsible bidder for this project. OHM Advisors reviewed relevant projects submitted with the bid and performed reference checks. HMC, LLC is relatively new to underground construction but based on our evaluation, they have satisfactorily completed several similar municipal water main projects in southeast Michigan communities. Therefore, we recommend award of this contract to **HMC, LLC in the amount of $315,884.75** per the unit prices bid for both sections of water main under this project. Please note that this contract award amount is derived from the total bid amount of $337,244.75, less the crew day cost of $21,360.

If you have any questions, please do not hesitate to give me a call at (248) 751-3111.
Sincerely,

OHM Advisors

Steve Siklich, P.E.

Encl:  Bid Tabulation

Area Map

cc:  Penny S. Shults, Clerk
    Donni Steele, Treasurer
    Jeff Stout, Director of Public Services
    William Basiglow, Water & Sewer Superintendent
    Giuseppe Tiseo, HMC, LLC
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Description</th>
<th>Estimated Quantity</th>
<th>Price</th>
<th>Amount</th>
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<tr>
<td>1</td>
<td>LSUM</td>
<td>1</td>
<td>$7,500.00</td>
<td>$7,500.00</td>
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<tr>
<td>2</td>
<td>Audio Video Route Survey</td>
<td>1</td>
<td>$950.00</td>
<td>$950.00</td>
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<td>3</td>
<td>Traffic Maintenance and Control</td>
<td>1</td>
<td>$12,500.00</td>
<td>$12,500.00</td>
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<td>4</td>
<td>Tree, Rem, 6 inch to 10 inch</td>
<td>2</td>
<td>$750.00</td>
<td>$1,500.00</td>
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<td>5</td>
<td>Stump, Rem, 19 inch to 36 inch</td>
<td>2</td>
<td>$1,100.00</td>
<td>$2,200.00</td>
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<td>6</td>
<td>Curv, Rem, Less than 24 inch</td>
<td>7</td>
<td>$350.00</td>
<td>$2,450.00</td>
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<tr>
<td>7</td>
<td>Pav, Rem</td>
<td>351</td>
<td>$10.00</td>
<td>$3,510.00</td>
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<td>8</td>
<td>Brick Pavers, Rem &amp; Replace</td>
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<td>$16.00</td>
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<td>9</td>
<td>Rock, Rem &amp; Relocate</td>
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<td>$10.00</td>
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<td>10</td>
<td>Erosion Control, Intek Protection, Fabric Drop</td>
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<td>$75.00</td>
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<td>11</td>
<td>Ditch Grading</td>
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<td>12</td>
<td>Aggregate Base, 21A, 8 inch</td>
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<td>$18.00</td>
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<tr>
<td>13</td>
<td>Aggregate Base, 21A, 6 inch</td>
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<td>$17.00</td>
<td>$4,233.00</td>
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<td>14</td>
<td>Maintenance Aggregate, 21AA</td>
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<td>$5,265.00</td>
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<td>15</td>
<td>Curv End Sct, 12 inch</td>
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<td>$650.00</td>
<td>$9,900.00</td>
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<td>16</td>
<td>Curv, C, A, S, 13 inch</td>
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<td>$65.00</td>
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<td>17</td>
<td>Trench Undercut and Backfill</td>
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<td>$65.00</td>
<td>$7,605.00</td>
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<td>18</td>
<td>Underdrain, Subgrade, Removal</td>
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<td>$5.00</td>
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<td>19</td>
<td>Underdrain, Subgrade, Open-Graded, 6 inch</td>
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<td>21</td>
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<td>$24.25</td>
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<td>22</td>
<td>HMA, SEMI, 4 inch, Driveway</td>
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<td>23</td>
<td>Conc Pavt, Normal, 6 inch, Driveway</td>
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<td>24</td>
<td>Tree, Replacement</td>
<td>2</td>
<td>$800.00</td>
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<tr>
<td>25</td>
<td>3 inch Topsoil and Soil</td>
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<td>$17,340.00</td>
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<td>Fire Hydrant</td>
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<td>27</td>
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<td>28</td>
<td>Water Main, Class 54, DI, 8 inch, Tr Det A</td>
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<td>$89.00</td>
<td>$76,120.00</td>
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<td>500</td>
<td>$5.00</td>
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<tr>
<td>30</td>
<td>Water Main, Rem, 8 inch</td>
<td>55</td>
<td>$15.00</td>
<td>$825.00</td>
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<td>$600.00</td>
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<td>32</td>
<td>Connection to Existing Water Main</td>
<td>4</td>
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<td>1</td>
<td>$1,350.00</td>
<td>$1,350.00</td>
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<td>34</td>
<td>Water Service, Long</td>
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<td>$17,500.00</td>
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<td>$1,500.00</td>
</tr>
<tr>
<td>36</td>
<td>Gate Valve and Well, Rem, 8 inch</td>
<td>2</td>
<td>$500.00</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>37</td>
<td>Fire Hydrant, Rem</td>
<td>1</td>
<td>$500.00</td>
<td>$500.00</td>
</tr>
<tr>
<td>38</td>
<td>Gate Valve and Well, 8 inch</td>
<td>4</td>
<td>$6,500.00</td>
<td>$26,000.00</td>
</tr>
<tr>
<td>39</td>
<td>Remove and Replace Mailbox</td>
<td>5</td>
<td>$200.00</td>
<td>$1,000.00</td>
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<tr>
<td>40</td>
<td>Crew Days</td>
<td>30</td>
<td>$712.00</td>
<td>$21,360.00</td>
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**TOTAL BID AMOUNT**

<p>| | | | | |</p>
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<thead>
<tr>
<th></th>
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<tr>
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<td></td>
<td>$337,244.75</td>
<td>$377,269.00</td>
<td>$403,035.00</td>
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</table>

**CORRECTIONS**

1. Amount adjusted to reflect bidder's multiplication error
2. Total adjusted to reflect bidder's above error
**HOLLAND AND SEMLOH STREET WATER MAIN EXTENSION**

**PROJECT:** Holland Street and Semloh Street Water Main Extension
Huntington to Hiram Street

**DATE:** Aug 31, 2021

**PROJECT NO.:** 0121-18-0141

**ESTIMATOR:** AKS

**CHECKED BY:** SMS

**BASIS FOR ESTIMATE:** [ ] CONCEPTUAL [ ] PRELIMINARY [X] FINAL

**WORK:** Construction of approximately 800 feet of water main along the west side of Holland Street; between Huntington Dr. & Hiram St. Construction will include an open cut installation of an 8-inch water main with associated appurtenances and restoration.

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Estimated Quantity</th>
<th>HMC, LLC Price</th>
<th>Unit HMC, LLC Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mobilization, Max 5%</td>
<td>0.75 LSUM</td>
<td>$7,500</td>
<td>$5,625.00</td>
</tr>
<tr>
<td>2</td>
<td>Audio Video Route Survey</td>
<td>0.75 LSUM</td>
<td>$935</td>
<td>$701.25</td>
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<tr>
<td>3</td>
<td>Traffic Maintenance and Control</td>
<td>0.75 LSUM</td>
<td>$12,500</td>
<td>$9,375.00</td>
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<tr>
<td>4</td>
<td>Culv, Rem, Less than 24 inch</td>
<td>5 Ea</td>
<td>$350</td>
<td>$1,750.00</td>
</tr>
<tr>
<td>5</td>
<td>Pavt, Rem</td>
<td>220 Syd</td>
<td>$10</td>
<td>$2,200.00</td>
</tr>
<tr>
<td>6</td>
<td>Brick Pavers, Rem &amp; Replace</td>
<td>80 Sft</td>
<td>$16</td>
<td>$1,280.00</td>
</tr>
<tr>
<td>7</td>
<td>Rock, Rem &amp; Relocate</td>
<td>11 Ea</td>
<td>$100</td>
<td>$1,100.00</td>
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<tr>
<td>8</td>
<td>Erosion Control, Inlet Protection, Fabric Drop</td>
<td>2 Ea</td>
<td>$75</td>
<td>$150.00</td>
</tr>
<tr>
<td>9</td>
<td>Ditch Grading</td>
<td>634 Ft</td>
<td>$18</td>
<td>$11,412.00</td>
</tr>
<tr>
<td>10</td>
<td>Aggregate Base, 21AA, 8 inch</td>
<td>93 Syd</td>
<td>$18</td>
<td>$1,674.00</td>
</tr>
<tr>
<td>11</td>
<td>Aggregate Base, 21AA, 6 inch</td>
<td>211 Syd</td>
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<td>$3,587.00</td>
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<tr>
<td>12</td>
<td>Maintenance Aggregate, 21AA</td>
<td>220 Syd</td>
<td>$15</td>
<td>$3,300.00</td>
</tr>
<tr>
<td>13</td>
<td>Culv End Sect, 12 inch</td>
<td>10 Ea</td>
<td>$650</td>
<td>$6,500.00</td>
</tr>
<tr>
<td>14</td>
<td>Culv, Cl A, CSP, 12 inch</td>
<td>120 Ft</td>
<td>$65</td>
<td>$7,800.00</td>
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<tr>
<td>15</td>
<td>Trench Undercut and Backfill</td>
<td>88 Cyd</td>
<td>$65</td>
<td>$5,720.00</td>
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<tr>
<td>16</td>
<td>Underdrain, Subgrade, Removal</td>
<td>410 Ft</td>
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<tr>
<td>17</td>
<td>Underdrain, Subgrade, Open-Graded, 6 inch</td>
<td>330 Ft</td>
<td>$16</td>
<td>$5,280.00</td>
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<tr>
<td>18</td>
<td>Hand Patching</td>
<td>19 Ton</td>
<td>$149</td>
<td>$2,821.50</td>
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<tr>
<td>19</td>
<td>HMA, 5EML, 3 inch, Driveway</td>
<td>132 Syd</td>
<td>$24</td>
<td>$3,201.00</td>
</tr>
<tr>
<td>20</td>
<td>HMA, 5EML, 4 inch, Roadway</td>
<td>23 Syd</td>
<td>$28</td>
<td>$649.75</td>
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<tr>
<td>21</td>
<td>Conc Pavt, Nonreinf, 6 inch, Driveway</td>
<td>79 Syd</td>
<td>$59</td>
<td>$4,641.25</td>
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<tr>
<td>22</td>
<td>3 inch Topsoil and Sod</td>
<td>1,290 Syd</td>
<td>$10</td>
<td>$12,900.00</td>
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<tr>
<td>23</td>
<td>Fire Hydrant</td>
<td>2 Ea</td>
<td>$6,000</td>
<td>$12,000.00</td>
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<tr>
<td>24</td>
<td>Water Main, Class 54, Di, 8 inch, Tr Det B</td>
<td>185 Ft</td>
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<td>Water Main, Class 54, Di, 6 inch, Tr Det A</td>
<td>10 Ft</td>
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<tr>
<td>29</td>
<td>Connection to Existing Water Main</td>
<td>2 Ea</td>
<td>$4,000</td>
<td>$8,000.00</td>
</tr>
<tr>
<td>30</td>
<td>Water Service, Short</td>
<td>6 Ea</td>
<td>$1,350</td>
<td>$8,100.00</td>
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<tr>
<td>31</td>
<td>Water Service, Long</td>
<td>6 Ea</td>
<td>$2,500</td>
<td>$15,000.00</td>
</tr>
<tr>
<td>32</td>
<td>Irrigation Head Replacement</td>
<td>15 Ea</td>
<td>$75</td>
<td>$1,125.00</td>
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<tr>
<td>33</td>
<td>Gate Valve and Well, Rem, 8 inch</td>
<td>1 Ea</td>
<td>$500</td>
<td>$500.00</td>
</tr>
<tr>
<td>34</td>
<td>Fire Hydrant, Rem</td>
<td>1 Ea</td>
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<td>$500.00</td>
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<td>35</td>
<td>Gate Valve and Well, 8 inch</td>
<td>2 Ea</td>
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<td>Remove and Replace Mailbox</td>
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<tr>
<td>37</td>
<td>Crew Days</td>
<td>$ 712.00 /Cday</td>
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<td>$16,020.00</td>
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</table>

**Construction Amount Division 1** $240,397.75
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<td>$935</td>
<td>$233.75</td>
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<td>3</td>
<td>Traffic Maintenance and Control</td>
<td>0.25 LSUM</td>
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<td>4</td>
<td>Tree, Rem, 6 inch to 18 inch</td>
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<td>5</td>
<td>Stump, Rem, 19 inch to 36 inch</td>
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<tr>
<td>6</td>
<td>Culv, Rem, Less than 24 inch</td>
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<td>$700.00</td>
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<td>14</td>
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<td>15</td>
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<td>90 Ft</td>
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<td>Tree, Replacement</td>
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<td>$800</td>
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<td>33</td>
<td>Crew Days</td>
<td>8</td>
<td>$712.00 /Cday</td>
<td>$5,340.00</td>
</tr>
</tbody>
</table>

**Construction Amount Division 2** | $96,847.00 |

**Construction Total** | $337,244.75 |

<table>
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<tr>
<th>Item Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Geotechnical / Engineering / Survey</td>
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<td>Construction Services</td>
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<tr>
<td>Material Testing</td>
<td>$8,000.00</td>
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<tr>
<td>Contingency (5%)</td>
<td>$20,462.24</td>
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</table>

**Project Cost Use** | $429,706.99
REQUEST
Canterbury Village is requesting to have a Haunted House October 1-3, 7-10, 13-17, 21-24, 28-31, 2021.

REASON
Click or tap here to enter text.

PROCESS
Click or tap here to enter text.

RECOMMENDATION (MOTION)
Motion to approve an Assembly Application for Haunted House at Canterbury Village on October 1-3, 7-10, 13-17, 21-24, 28-31, 2021.
getApplication must be received 60 days prior to the event.

<table>
<thead>
<tr>
<th>Applicant: PRINT FULL NAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Matt Flynn</td>
</tr>
<tr>
<td>Cell Phone: 248-202-4662</td>
</tr>
<tr>
<td>Address: 6422 Enclave Dr, Clarkston, MI 48348</td>
</tr>
<tr>
<td>Email: Matt &amp; Canterbury Village Events, Inc</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Organization / Business Sponsoring Event:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Canterbury Village</td>
</tr>
<tr>
<td>Cell Phone: 248-202-4662</td>
</tr>
<tr>
<td>Address: 2325 Joslyn Lake Orion, MI 48360</td>
</tr>
<tr>
<td>Email: Matt &amp; Canterbury Village Events, Inc</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contact Person(s) on Day of Event:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Matt Flynn</td>
</tr>
<tr>
<td>Cell Phone: 248-202-4662</td>
</tr>
<tr>
<td>Email: Matt &amp; Canterbury Village Events, Inc</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description of Event:</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 Haunted Houses inside the Castle</td>
</tr>
</tbody>
</table>

**REQUIRED WITH APPLICATION**

1. A site plan with details of all proposed plans relevant to the event.
2. Provide all promotional information.
3. Complete application submitted
4. Event Schedule
5. Street Closures (if applicable)
6. Liquor License and Liability Insurance Certificate (if applicable)

If needed, please use additional sheet(s) and attach to this application.
Number of Participants: 150
Estimated Attendance: 2,500 night

Dates of Event: OCT 1-3, 7-10, 13-17, 21-24, 28-31

Hours of Event: _________________

Will this event comply with all Local, State and Federal Laws? YES

What is the total designated on-site parking spaces for the event site? 1250
What is the total estimated off-site parking spaces? NONE
If yes, MUST provide written permission to use off-site parking

What is the total combined parking spaces for the event? 1250

Will transportation be used to transport guests to the event site? NO
If yes, attach plan

What is the expected people capacity? 2500

What are the expected total ticket sales per day or session? 200 every 15 minutes

Do you need any special traffic/street control permits from Oakland County Road Commission in order to alter the existing traffic control patterns or devises? No

Does this event have on-site certified medical emergency and trained security, traffic control and maintenance personnel? _________________

Will this event conflict with any other nearby event within 1000 yards? NO

What is the event contingency plan should the people/vehicle capacity exceed the allowable site capacity? (attach plan) STOP TICKET SALES

Does the event site have special traffic control signs and devises to maintain normal traffic safety in and around the site? YES - RIGHT NOW ONLY

Will this event create traffic and/or parking hazards to surrounding public roadways, sidewalks, neighborhoods, public parks or other nuisances to residents? NO

Will music be provided? Yes ✔ No _____

Live ✔ Amplification _____ Recorded _____ Loud Speakers _____

Time music will begin: 7:30 pm - 2 am (inside)
Time music will end: [2AM  INSIDE -]

Location of Live Band / Disc Jockey / Loud Speakers / Equipment: [INSIDE THE CASTLE]

Will alcoholic beverages be permitted on site? Yes [✓] No [ ]

Is the event part of an existing Liquor License or require a "Special Liquor License? [✓]'

If yes, please provide Liquor License and Liability Insurance Certificate
Liquor License #_________________________

**Equipment to be used:**
- Generator: Yes [✓] No [ ]
- Extension Cords: Yes [✓] No [ ]
- Platform: Yes [✓] No [ ]
- Lights: Yes [✓] No [ ]
- Stairs: Yes [✓] No [ ]
- Tent: Yes [✓] No [ ]

Cooking Equipment: Yes [✓] No [ ] If so, what type? [✓]

**Fees:**
$500.00 (minimum)
Includes: Application, Two Fire Department Inspections and Two Building Dept. Inspections
If additional inspections are required there will be an additional $100.00 per inspection charged.
If you are requesting inspections for the weekend or holidays inspections will be
$180.00 per inspection.
After the review process if all inspections are not required a refund will be issued.

**Inspections**
- Pre-Inspection - Building, Fire and Sheriff's Department
- Final Inspection - Building, Fire and Sheriff's Department

**Applicant Signature:**
Signature: [Signature]
Print Name: [Print Name]

**Noise Ordinance #135 - 7 a.m. to 10 p.m.**

Any changes or omissions to this application without approval will VOID this application

Please contact the building department when you are ready to schedule your inspections
at 248-391-0304 ext. 6000

Outdoor Assembly Application 5.17.2021
**Agenda Item Summary**

To: Board of Trustees  
From: David Goodloe, Building Official  
Meeting Date: September 7, 2021  
Memo Date: September 1, 2021  
Subject: Assembly Application - Canterbury Village Art, Cider, and Donut Festival

**REQUEST**
Requesting the board to review the Assembly Application for the Art, Cider and Donut Festival.

**REASON**
Event to take place September 11 - 12, 2021

**PROCESS**
Application reviews were completed by the Fire Department and Oakland County Sheriff’s Office. Upon Board approval, the Building Department will issue a permit and schedule final inspections prior to the event

**RECOMMENDATION (MOTION)**
Motion to approve the Assembly Application for Canterbury Village Art, Cider and Donut Festival, September 11-12, 2021 with the exclusion of Monster Trucks.
Charter Township of Orion
Building Department
2525 Joslyn Rd., Lake Orion, MI 48360
Phone: 248-391-0304 ext. 6000
Email: buildingdept@oriontownship.org

Application must be received 60 days prior to the event.

Applicant: PRINT FULL NAME

Name: Keith Aldridge
Cell Phone: (248) 390-3974

Address: 2359 Joslyn Rd., Lake Orion, MI 48360

Email: keith_jwgec.com

Organization / Business Sponsoring Event:

Name: Canterbury Village
Cell Phone: (248) 390-3974

Address: 2359 Joslyn Rd., Lake Orion, MI 48360

Email: keith_jwgec.com

Contact Person(s) on Day of Event:

Name: Matt Flynn
Cell Phone: (248) 202-4662

Email: rainmaker911@gmail.com

Description of Event:

Art, Cider and Donut Fest - A shopping festival
with donuts, cider, and local artist displays, petting zoo,
monster truck rides, lots of family fun.

REQUIRED WITH APPLICATION

1. A site plan with details of all proposed plans relevant to the event.
2. Provide all promotional information.
3. Complete application submitted
4. Event Schedule
5. Street Closures (if applicable)
6. Liquor License and Liability Insurance Certificate (if applicable)

If needed, please use additional sheet(s) and attach to this application.
Number of Participants: 40
Estimated Attendance: 1,000 a day

Dates of Event: 9-11 | 9-12 - 2021

Hours of Event: 10 - 6

Will this event comply with all Local, State and Federal Laws? Yes

What is the total designated on-site parking spaces for the event site? 1298

What is the total estimated off-site parking spaces? none will be used

If yes, MUST provide written permission to use off site parking

What is the total combined parking spaces for the event? 1298

Will transportation be used to transport guests to the event site? No

If yes, attach plan

What is the expected people capacity? 3888

What are the expected total ticket sales per day or session?

Do you need any special traffic/street control permits from Oakland County Road Commission in order to alter the existing traffic control patterns or devises? No

Does this event have on-site certified medical emergency and trained security, traffic control and maintenance personnel? Yes to security, maintenance, traffic control

Will this event conflict with any other nearby event within 1000 yards? No

What is the event contingency plan should the people/vehicle capacity exceed the allowable site capacity? (attach plan) shut down

Does the event site have special traffic control signs and devises to maintain normal traffic safety in and around the site? Yes

Will this event create traffic and/or parking hazards to surrounding public roadways, sidewalks, neighborhoods, public parks or other nuisances to residents? No

Will music be provided? Yes No

Live X. Amplication Recorded Loud Speakers

Time music will begin: Bands
Time music will end: 6:00 p.m.

Location of Live Band / Disc Jockey / Loud Speakers / Equipment: c-pub patio

Will alcoholic beverages be permitted on site? Yes X No

Is the event part of an existing Liquor License or require a "Special Liquor License? existing

If yes, please provide Liquor License and Liability Insurance Certificate

Liquor License #: 43-1405

Equipment to be used:

Generator: Yes X No
Extension Cords: Yes X No
Platform: Yes X No
Lights: Yes X No
Stairs: Yes X No
Tent: Yes X No

Cooking Equipment: Yes X No If so, what type? Flat top grill c-pub patio

Fees:

$500.00 (minimum)
Includes: Application, Two Fire Department Inspections and Two Building Dept. Inspections
If additional inspections are required there will be an additional $100.00 per inspection charged.
If you are requesting inspections for the weekend or holidays inspections will be
$180.00 per inspection.
After the review process if all inspections are not required a refund will be issued.

Inspections

Pre-Inspection - Building, Fire and Sheriff's Department

Final Inspection - Building, Fire and Sheriff's Department

Applicant Signature: [Signature]
Print Name: Angie Aldridge

Noise Ordinance #135 - 7 a.m. to 10 p.m.

Any changes or omissions to this application without approval will VOID this application

Please contact the building department when you are ready to schedule your inspections at 248-391-0304 ext. 6000
Outdoor Assembly Application 5.17.2021
1) Canterbury Village Events, Inc

2) Lake Orion, Michigan

3) 2359 Joslyn Rd
   Lake Orion, Michigan 48260

4) The Donut, Cider and Art Fest will take place at Canterbury Village located at 2359 Joslyn Rd. Lake Orion, Michigan 48360 owned by Keith & Angie Aldridge. The legal description is O-09-21-176-011 See attached map of overall site.

5) Donut, Cider and Art Fest Details & explanations

Canterbury Village will host over 40 vendors with a weekend filled with shopping, local artists displays, unique vendors, live entertainment, family fun, and cider and donuts.

   Saturday Sept 11  10:00 am – 6:00 p.m.
   Sunday    Sept 12  10:00 am- 6:00 p.m.

A) Police & Fire protection

We will work with both the Police and Fire Departments to develop the best plan to help insure the safety of all attendees.

B) Food and water supply and facilities

Food will be be provided by multiple vendors (food trucks, trailers & stands) that will all obtain the proper permits and licensing from the Oakland County Health Department as well as have the correct fire suppression systems.

The water supply is ran throughout the field and village to make easy access & connection for the food vendors. Each connection will have back flow prevention system to adhere to the Oakland County Health Department regulations.

Facilities for men and women are located in the front of the village and next to the Michigan Made Store. These restrooms are cleaned every hour or less. We bring additional facilities (Porta-Johns) and hand rinsing stations as needed from Turner Sanitation. Turner is scheduled to do daily cleanings.

C) Health and sanitation facilities

We will obtain all necessary permits from the Oakland County Health Department for the event. We have large indoor restroom facilities onsite that our cleaning crew will
maintain as needed. However, we will have additional Porta-Johns and hand rinsing stations (based on attendees) provided by Turner Sanitations. Turner Sanitation will service these daily and our cleaning crew will monitor them during the event. We have plenty of trash cans, 30 yard dumpsters and crew to provide a clean environment.

D) Medical facilities and services including emergency vehicles and equipment

We will have an onsite first aid station that will be highly visible. Additionally, we will hire EMT(s) to be onsite during large scale events. We will have the event layout to allow for plenty of ingress and egress for emergency vehicles.

E) Vehicle access and parking facilities

Canterbury Village has 4 entrances / exits to allow creating multiple ingress and egress points providing a safe follow of traffic. We have turn right only signs placed at our egress points making it safer for our attendees to depart. We offer plenty of onsite parking to accommodate up to 3888 people if all of our parking 1296 parking spots are utilized for parking.

1296 maximum spaces x 3 average attendees per car = 3888

F) Camping and trailer facilities

Camping isn’t allowed on Canterbury Village property. The only trailers that will be allowed are vendor storage trailers and a trailer that is used for an office for our security crew.

G) Illumination facilities

We have lighting throughout the village that is adequate for the safety of attendees. In the field we have 6 light towers that cast adequate light for the safety of our attendees without being a nuisance to the neighbors. We don’t need any noisy generator light towers and don’t need any additional lighting.

H) Communications facilities

All team leads and key staff members will have radio communication with each other during the event. Additionally, we will supply radios to onsite Police, Fire and EMS personal as needed.

I) Noise control and abatement
Stages will be placed so the music won’t disturb the surrounding neighbors. We will keep the volumes at a level to comply with the Lake Orion noise ordinance. Additionally, we will comply with the hours outlined in the ordinance.

**J) Facilities for cleanup and waste disposal**

Onsite, we always have a least one 30 yard dumpster. We will have trash bins scattered throughout the property for easy access for attendees. We have a crew that is assigned quadrants throughout the property for trash pick up and disposal into the dumpster(s). We have arrangements with our dumpster provider company that they will come and provide/switch out as needed. Additionally, they will provide us what is needed even on weekends and holidays.

**K) Insurance and bonding arrangements**

We maintain adequate insurance and will provide proof of it as needed

6) Donut, Cider and Art Fest will take place on September 11 and 12th, 2021. 10:00 am to 6 p.m.

7) We will be able to maintain a maximum of 3888 attendees per session based on the number of parking spaces (max spaces 1296) that we have onsite and available depending on the event. If we sell additional tickets above the available parking spaces, we will secure additional offsite parking as needed and shuttle attendees to our facility.

\[
1296 \text{ maximum spaces} \times 3 \text{ average attendees per car} = 3888
\]

We will have all staff, shop owners/employees and vendors park offsite to be shuttled onsite.

8) All sales will be conducted through our ticketing system. We can provide attendance reports as needed.

**ONSITE CONTACTS**

Matt Flynn - Producer 248-202-4662 rainmaker911@gmail.com
Kim Mellon - Manager 313-588-0200 KimMellon22@gmail.com

**PERMIT SUBMISSION QUESTIONS**

Angie Aldridge - Owner 248-342-0037 BooAndBub2002@yahoo.com
Charter Township of Orion

2525 Joslyn Rd., Lake Orion MI 48360
www.oriontownship.org

Phone: (248) 391-0304

Agenda Item Summary

To: Board of Trustees
From: David Goodloe, Building Official
Meeting Date: September 7, 2021
Memo Date: September 1, 2021
Subject: Assembly Application - Canterbury Village Dino Stroll

REQUEST
Requesting the board to review the Assembly Application for the Dino Stroll scheduled for September 16-19, 2021.

REASON
Event to take place September 16-19, 2021

PROCESS
Application reviews were completed by the Fire Department and Oakland County Sheriff’s Office. Upon Board approval, the Building Department will issue a permit and schedule final inspections prior to the event.

RECOMMENDATION (MOTION)
Motion to approve the Assembly Application for Canterbury Village Dino Stroll, September 16-19, 2021.
Charter Township of Orion
Building Department
2525 Joslyn Rd., Lake Orion, MI 48360
Phone: 248-391-0304  ext. 6000
Email: buildingdept@oriontownship.org

Application must be received 60 days prior to the event.

Applicant: PRINT FULL NAME

Name: Keith Aldridge  Cell Phone: (248) 390 - 3944
Address: 2359 Joslyn Rd Lake Orion, MI 48360
Email: kalo Iwgc.com

Organization / Business Sponsoring Event:

Name: Canterbury Village  Cell Phone: 248-390-3944
Address: 2359 Joslyn Rd, Lake Orion, MI 48360
Email: kalo Iwgc.com

Contact Person(s) on Day of Event:

Name: Matt Flynn  Cell Phone: (248) 209 - 4469
Email: rainmaker911@gmail.com

Description of Event:

Dino Stroll - A timed ticket event, pre-sold tickets

REQUIRED WITH APPLICATION

1. A site plan with details of all proposed plans relevant to the event.
2. Provide all promotional information.
3. Complete application submitted
4. Event Schedule
5. Street Closures (if applicable)
6. Liquor License and Liability Insurance Certificate (if applicable)

If needed, please use additional sheet(s) and attach to this application.
Date of Event: September 16-19, 2021

Number of Participants: 500 people every half hour
Estimated Attendance: 500 people every half hour

Dates of Event: Sept 1-9 am-9 pm | Sept 2-9 am-9 pm | Sept 3-9 am-11 pm | Sept 4-4 pm-9 pm

Hours of Event: Sept 1st-2nd-3rd 9 am-9 pm | Sept 3-9 am-11 pm | Sept 4-4 pm-9 pm

Will this event comply with all Local, State and Federal Laws? Yes

What is the total designated on-site parking spaces for the event site? 1298

What is the total estimated off-site parking spaces? None will be used
If yes, MUST provide written permission to use off site parking

What is the total combined parking spaces for the event? 1298

Will transportation be used to transport guests to the event site? No
If yes, attach plan

What is the expected people capacity? 3888

What are the expected total ticket sales per day or session? 500 per session

Do you need any special traffic/street control permits from Oakland County Road Commission in order to alter the existing traffic control patterns or devises? No

Does this event have on-site certified medical emergency and trained security, traffic control and maintenance personnel? No certified medical, Yes to security, maintenance, traffic control

Will this event conflict with any other nearby event within 1000 yards? No

What is the event contingency plan should the people/vehicle capacity exceed the allowable site capacity? (attach plan) shut down

Does the event site have special traffic control signs and devises to maintain normal traffic safety in and around the site? Yes

Will this event create traffic and/or parking hazards to surrounding public roadways, sidewalks, neighborhoods, public parks or other nuisances to residents? No

Will music be provided? Yes X No

Live _______ Amplication _______ Recorded _______ Loud Speakers _______

Time music will begin: Dancing dinosaurs on C-Pub patio
Time music will end: at end of event times (days vary)

Location of Live Band / Disc Jockey / Loud Speakers / Equipment:

Will alcoholic beverages be permitted on site? Yes [X] No [ ]

Is the event part of an existing Liquor License or require a “Special Liquor License”?

If yes, please provide Liquor License and Liability Insurance Certificate

Liquor License # 42-4405

Equipment to be used:

- Generator: Yes [X] No [ ]
- Extension Cords: Yes [X] No [ ]
- Platform: Yes [X] No [ ]
- Lights: Yes [X] No [ ]
- Stairs: Yes [X] No [ ]
- Tent: Yes [X] No [ ]

Cooking Equipment: Yes [X] No [ ] If so, what type? Flat top grill

Fees:

- $500.00 (minimum)
- Includes: Application, Two Fire Department Inspections and Two Building Dept. Inspections
- If additional inspections are required there will be an additional $100.00 per inspection charged.
- If you are requesting inspections for the weekend or holidays inspections will be $180.00 per inspection.
- After the review process if all inspections are not required a refund will be issued.

Inspections

- Pre-Inspection - Building, Fire and Sheriff’s Department
- Final Inspection - Building, Fire and Sheriff’s Department

Applicant Signature:

[Signature]

Print Name: Angie Aldridge

Noise Ordinance #135 - 7 a.m. to 10 p.m.

Any changes or omissions to this application without approval will VOID this application

Please contact the building department when you are ready to schedule your inspections at 248-391-0304 ext. 6000

Outdoor Assembly Application 5.17.2021
**Agenda Item Summary**

<table>
<thead>
<tr>
<th>To:</th>
<th>Board of Trustees</th>
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<tr>
<td>From:</td>
<td>Chris Barnett, Township Supervisor</td>
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<tr>
<td>Meeting Date</td>
<td>September 7, 2021</td>
</tr>
<tr>
<td>Memo Date</td>
<td>September 1, 2021</td>
</tr>
<tr>
<td>Subject:</td>
<td>First Reading - Ord. 154 Amendment</td>
</tr>
</tbody>
</table>

**REQUEST**

The request is to approve the first reading of the Amendment to Orion Charter Township's Licensed Marihuana Facilities Ordinance (Ordinance No. 154) and set the second reading for October 4, 2021.

**REASON**

Under the Township’s current Ordinance 154 ("Licensed Marihuana Facilities"), all (recreational and medical) retail facilities (dispensaries and/or provisioning centers) are currently prohibited from operating within the Township. Ordinance has been amended to allow for Medical Retail Facilities and to regulate Registered Primary Caregiver Operations.

The Ordinance now regulates "Caregiver Operations" operating under the Michigan Medical Marihuana Act (MMMA) in the same manner as any other licensed facility in the Township (subject to the same location and permitting requirements). Caregivers possessed the legal authority to grow medical marihuana in Michigan under the MMMA, which was passed by the Michigan voters and cannot be prohibited within the Township (or anywhere else within the State). Until recently, it had been assumed that local regulation of Caregivers under the MMMA would not be permitted. However, in a recently issued Michigan Supreme Court case, the Court appears to have left open a local municipality’s authority to regulate land use under MMMA.

In addition to regulating Caregivers, the Ordinance, as presented, authorizes applicants to apply for a Medical Retail Facility permit. Recreational retail facilities are still prohibited under the Ordinance. Applications for medical retail facilities would only be accepted for 31 days after the effective date of the Ordinance (if approved at second reading). Most importantly, the criteria that the Board of Trustees would consider in reviewing an application are set forth in sec.4(a)-(m). These include, but are not limited to, whether the facility is consistent with land use for the surrounding neighborhood; applicant's compliance with state laws and the Township's Ordinance; whether the applicant has submitted a site plan; the demonstrated experience of the applicant based upon its cannabis experience in the Township; showing of a valid and enforceable property interest in the facility location; prequalification under the MMFLA; period of time needed for the facility to be fully operational; and community benefits to be provided by the applicant.

The above mentioned changes, and others are shown in the redline version submitted by the Township Attorney, and include amendments to Article V(4); Article VI(8); Article VII(9); Article VII(1)(b); Article IX(1)(a); and Article IX(2).
PROCESS
N/A

RECOMMENDATION (MOTION)
If the Board is in agreement to approve the first reading, the appropriate motion would be:

"I move to approve the first reading of the Amendment to Orion Charter Township's Licensed Marihuana Facilities Ordinance (Ordinance No. 154) and direct the Township Clerk to publish said Ordinance in accordance with State law and hereby set the second reading of said Ordinance Amendment for October 4, 2021."
Charter Township of Orion

Ordinance No. 154

Licensed Marihuana Facilities Ordinance

Adopted November 6, 2017

AMENDED
September 16, 2019
_______, 2021
AN ORDINANCE TO PROVIDE FOR THE REGULATION OF LICENSED MARIHUANA FACILITIES AND REGISTERED CAREGIVER OPERATIONS; TO DEFINE WORDS; TO AUTHORIZE THE OPERATION OF AND PROVIDE REGULATIONS FOR LICENSED MARIHUANA FACILITIES IN THE CHARTER TOWNSHIP OF ORION PURSUANT TO PUBLIC ACT 281 OF 2016, AS MAY BE AMENDED AND INITIATED LAW 1 OF 2018, MCL 333.27951 ET SEQ. AS MAY BE AMENDED; TO PROVIDE FOR AN ANNUAL FEE; TO PROVIDE PENALTIES FOR VIOLATION OF THIS ORDINANCE; TO PROVIDE FOR SEVERABILITY; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND TO PROVIDE AN EFFECTIVE DATE.

ARTICLE I – INTERPRETATION AND CONFLICTS

1. Any term defined by the Michigan Medical Marihuana Act, MCL 333.26421 et seq., as amended (“MMMA”), and the Michigan Medical Marihuana Facilities Licensing Act, MCL 333.27101, et seq., and the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq., as amended (“MRTMA”) shall have the definition given in the Act, as amended. If the definition of a word or phrase set forth below conflicts with the definition in the MMMA, MMFLA, or MRTMA, or if a term is not defined but is defined in the MMMA, MMFLA or MRTMA, then the definition in the MMMA, MMFLA, or MRTMA shall apply.

2. This Ordinance shall not limit an individual’s or entity’s rights under the MMMA.

3. All activities related to Licensed Marihuana Facilities, including those related to a Medical or Recreational Marihuana Cultivation/Grower Facility, Secure Transporter, Processor, Provisioning Center, or a Safety Compliance Facility, shall be in compliance with the rules of the Michigan Department of Licensing and Regulatory Affairs, MRA, or any successor agency, and the rules, Ordinances, and regulations of the Charter Township of Orion.

4. Any use which purports to have engaged in the cultivation, or processing, or sale of Medical or Recreational Marihuana into a usable form, or the distribution or testing of Marihuana without obtaining the required licensing set forth in this Ordinance, shall be deemed to not be a legally established use, and therefore not entitled to legal nonconforming status under the provisions of this Ordinance and/or state law.

5. The Township recognizes and intends to follow, and be consistent with, all state laws, rules or regulations adopted, now and in the future, by the State of Michigan and/or Department of Licensing and Regulatory Affairs (LARA). This Ordinance, without amendment, may be interpreted to allow and permit any State or LARA approved law, rules, as currently exists, or as adopted in the future.

5. The purpose of this Ordinance is to implement reasonable regulations for authorized Licensed Marihuana Facilities and Registered Primary Caregiver Operations consistent with the provisions of the MMMA, MMFLA, and MRTMA so as to protect the public health, safety, and welfare of the residents and patients of the Township by setting forth the manner in which such facilities and operations can be conducted in the Township.

ARTICLE II – DEFINITIONS

The following terms shall have the definitions given:

1. “Annual Fee” means the non-refundable annual fee of Five Thousand Dollars ($5,000.00) that the Township shall assess on an annual basis to defray the cost of administration and enforcement of this Ordinance.

2. “Applicant” means a Person or legal entity who applies for a Permit under this Ordinance.

3. “Application” means the Application prepared by the Township for the use of an Applicant under this Ordinance. An Application shall be prepared by the Building, Planning and Zoning Director or Township Supervisor and made available on the Ordinance Effective Date.

4. “Application Fee” means a one-time application fee of up to Five Thousand Dollars ($5,000.00) that the Applicant shall submit concurrent with its initial application for an individual Application under this Ordinance for the processing of an Application which may include, among other things, planning and zoning review, inspections, investigation, and public hearings. The fee for the annual renewal of a Permit under this...
Ordinance No. 154  Licensed Marihuana Facilities Ordinance

Ordinance shall be set by resolution of the Township Board of Trustees under its Schedule of Fees in an amount not to exceed Five Thousand dollars ($5,000.00).

5. “Authorized Signer” means the party that signs the Application: if the Applicant is an individual, by the individual; if the Applicant is a limited liability company, or a corporation, by an authorized agent.

6. “Effective Date” means the date this Ordinance becomes effective, which shall be the earlier of fifteen (15) days from the date of adoption, or upon certification of the minutes of the meeting at which this Ordinance was adopted.

7. “Excise Fund Fee” means money due the Township from the Medical Marihuana excise fund under MCL 333.27101 of the MMFLA by the State of Michigan.

8. “Grower” as that term is defined in PA 281 of 2016, MCL 333.27101 et seq., means a licensee that is a commercial entity located in this State that cultivates, dries, trims, or cures and packages marihuana for sale to a Processor or provisioning center.

9. “Licensed Marihuana Facility” or “Facility” means the building, buildings, or parcel in or on which the Permit Holder shall operate as a medical or recreational marihuana Grower, Processor, Secured Transporter or Safety Compliance Facility under the Act.

10. “Marihuana-Infused Product” means a topical formulation, tincture, beverage, edible substance, or similar product containing any usable marihuana that is intended for human consumption in a manner other than smoke inhalation.

11. “Marihuana Regulatory Agency” or “MRA” means the agency responsible for issuing licenses to medical and recreational facilities.


15. “Registered Primary Caregiver” means a Primary Caregiver as defined in the Michigan Medical Marihuana Act, PA 2008, Initiated Law 1, MCL 333.26421 et seq.

16. “Registered Primary Caregiver Operation” or “Caregiver Operation” means the location where a Registered Primary Caregiver in possession of a valid registry identification card is permitted to assist a qualifying patient to whom he or she is connected through the Michigan Department of Community Health’s registration process with the medical use of marihuana.

17. “Permit” or “License” shall be used interchangeably and is the formal document of approval issued by the Township under this Ordinance.

18. “Permit Holder” or “Licensee” is a Person who holds a Permit/License issued pursuant to this Ordinance for the purpose of securing a State Operating License under the Act.

19. “Person” for the purposes of this Ordinance is any natural person or business entity formed for the purpose of, or having an interest in, a Permit issued pursuant to this Ordinance.

20. “Processor” shall have the same meaning as the term as defined in PA 281 of 2016, MCL 333.27101 et seq., and Initiated Law 1 of 2018 MCL 333.27951 et seq., PA 281 of 2016, MCL 333.27101 et seq., shall apply to medical marihuana facilities; and Initiated Law 1 of 2018 MCL 333.27951 et seq., shall apply to recreational marihuana facilities.

21. “Provisioning Center” or “Medical Marihuana Provisioning Center” means a Licensed Facility located in Michigan that purchases marihuana from a Grower or Processor and sells, supplies, or provides medical marihuana to qualifying patients directly or through the patients’ primary caregivers, and includes any location where medical marihuana is sold at retail only to qualifying patients or primary caregivers.
49.22. “Safety Compliance Facility” shall have the same meaning as that term is defined in PA 281 of 2016, MCL 333.27101 et seq., and Initiated Law 1 of 2018, MCL 333.27953 et seq. PA 281 of 2016, MCL 333.27101 et seq., shall apply to medical marihuana facilities; and Initiated Law 1 of 2018, MCL 333.27953 et seq., shall apply to recreational marihuana facilities.

20.23. “Secured Transporter” shall have the same meaning as that term is defined in PA 281 of 2016, MCL 333.27101 et seq., and Initiated Law 1 of 2018, MCL 333.27953 et seq., and PA 281 of 2016, MCL 333.27101 et seq., shall apply to medical marihuana facilities; and Initiated Law 1 of 2018, MCL 333.27953 et seq., shall apply to recreational marihuana facilities.

21-24. “State Operating License” means a license that is issued by the LARA that allows the licensee to operate as, among other things, a medical or recreational Grower, Processor, Secured Transporter or Safety Compliance Facility.

22.25. “Township” shall mean the Charter Township of Orion.

23-26. All other terms used in this Chapter have the same definitions ascribed to them in the Act.

ARTICLE III – OPT-IN PROVISION

Pursuant to Section 205(1) of the Act, by adoption of this Ordinance, the Township authorizes and regulates the following marihuana activities and/or facilities for operation within the municipality within the Industrial Park (“IP”) Zoning District: Grower, Processor, Safety Compliance Facility, Medical Marihuana Provisioning Center, Caregiver Operation, and Secured Transporters.

ARTICLE IV – PROHIBITION OF CERTAIN LICENSED MARIHUANA FACILITIES

The Charter Township of Orion hereby prohibits all recreational marihuana retail (recreational dispensaries) marihuana establishments/facilities from operating within the boundaries of the Township pursuant to Initiated Law 1 of 2018, Proposal 1 of 2018, as may be amended. As such, RecreationalMarihuana Retail Licensees may not sell or conduct a retail business within the Township. In addition, the Township opts out of the following State licenses: Type A & B Marihuana EventGrowners Licenses under the MMPLA and MRTMA, Marihuana Event Organizer License, Temporary Marihuana Event, and Designated Consumption Establishment. None of these licensed facilities may operate within the boundaries of the Township, however, all other licenses and uses allowed under the Initiative Law of 2018, Proposal 1 of 2018, shall be permitted.

ARTICLE V – PERMIT REQUIREMENTS

1. Any person or entity who wishes to operate as a licensed Grower, Processor, Safety Compliance Facility, Medical Marihuana Provisioning Center, Caregiver Operation, or Secured Transporter in the Township shall obtain a Permit issued under this Ordinance and must obtain the applicable State Operating License.

2. The Application shall be signed by an Authorized Signer and is subject to an Application Fee.

3. All Permits issued under this Ordinance shall be subject to an Annual Fee.

4. The Township, through its Board of Trustees, may limit the number of locations issued under this Ordinance, and may revise this limit from time-to-time by Board resolution. As of the Effective Date, the following number of locations may be issued under this Ordinance: six (6) “Class C” Growers; two (2) Processor; two (2) Safety Compliance Facility; and two twelve (12) Class C Growers; four (4) Medical Marihuana Provisioning Centers; four (4) Safety Compliance Facilities; and four (4) Secured Transporters. The number of processor permits shall be limited to those facilities that can demonstrate compliance with the setback and zoning requirements set forth under the Township’s Zoning Ordinance. There is no limit on the number of Caregiver Operations which may operate within the Township (up for discussion as to number of facilities, zoning ordinance does significantly limit available locations).

5. No person or entity may open or operate a facility or Caregiver Operation doing business or purporting to do business under this Ordinance without first obtaining a Permit.
Ordinance No. 154
Licensed Marihuana Facilities Ordinance

6. A person or entity who receives a Permit under this Ordinance shall display his/her Permit and State Caregiver, Medical, and/or Recreational Marihuana Facility License in plain view clearly visible to Township officials and the Marihuana Regulatory Agency’s authorized agents.

7. The term of each Permit shall be one (1) year and is renewable unless revoked under Article IX XI or due to a violation of State law or this Ordinance existing at the time of renewal.

8. No person or entity wishing to operate a Licensed Marihuana Facility under this Ordinance may apply, nor be granted, any tax abatement or other personal or real tax decrease or advantage under any Orion Township ordinance, policy, or procedure. Upon the filing of an application, the Permit Applicant voluntarily waives any right to apply for tax abatement, or other incentive for property tax reduction.

ARTICLE VI – LOCATION REQUIREMENTS

1. The Facility or Caregiver Operation must be located in the Township’s IP (Industrial Park District) zoning district.

2. The Facility or Caregiver Operation cannot be within one thousand five hundred (1,500) feet of a “church” in the Township.

3. The Facility or Caregiver Operation cannot be within two thousand one (2,001) thousand (21,000) feet of a residence located in a R-1, R-2, R-3, SF, SE, SR, RM, or MHP zoning district.

4. The Facility or Caregiver Operation cannot be within two thousand five hundred (2,500) feet of a registered “school” within the Township.

5. The Facility or Caregiver Operation shall not have an ingress or egress on a street or road that has an average traffic volume in excess of six thousand (6,000) vehicles per day, as calculated by averaging the three (3) most recent Average Annual Daily Traffic (AADT) counts (as available), as reported by Southeast Michigan Council of Governments (SEMCOG).

6. The Facility or Caregiver Operation shall not have an ingress or egress on a street or road that directly also serves as an ingress or egress to a residential road or property located in a R-1, R-2, R-3, SF, SE, SR, RM, or MHP zoning district.

7. Distances specified in this Ordinance shall be measured from building edge to building edge.

8. If the Facility or Caregiver Operation shall need a variance from what is set forth in Article V Section VI, the Applicant may submit a formal request for a variance to the Zoning Board of Appeals (“ZBA”). The ZBA shall only consider a variance request that is no more than fifteen percent (15%) out of compliance with the above location regulations (the “ZBA”).

9. It is the Township’s intention that Growers, Processors, Safety Compliance Facilities, Caregiver Operations, and Secured Transporters may operate within the same building. A Medical Marihuana Provisioning Center may not operate within the same building unless any other Licensed Facility, except for a Processor that is associated with the following conditions: each licensed entity remains distinct and separate within different working areas and separate record keeping systems. Medical Marihuana Provisioning Center.

10. The location shall meet all applicable Ordinances and promulgated standards of the Township and, prior to opening, shall demonstrate to the Township that it meets the rules and regulations promulgated by the State Medical Marihuana Licensing Board MRA.

11. The Facility or Caregiver Operation location shall conform to all standards of the zoning district in which it is located.

12. If the Facility or Caregiver Operation location is currently vacant land, the Applicant must submit a proposed site plan and proposed building plans with the Application.

13. No person shall reside in, or permit any person to reside in the Facility or Caregiver Operation.
14. Based upon an application for, or amendment of, a Conditional Rezoning, Planned Unit Development, or other use Development Agreement of sufficient specificity, it is within the sole discretion and judgment of the Township Board of Trustees to consider and waive any or all of the Location Requirements of this Article VI based upon any or all of the following factors:

a. The location of the proposed Development or use meets the underlying purpose and intent of protecting the public's health and safety and is of such a unique character or unusual circumstances that its approval would be of similar impact as other approved locations, would not diminish in any substantial way the underlying purpose of the location requirements, and no other reasonable grounds exists for denial of its approval.

b. The location of the proposed Development has a unique characteristic or barrier of such significance that one or more of the location requirements is rendered so insignificant or moot that allowing the proposed use would continue to satisfy and not diminish in any substantial way the purpose or health and safety concerns of this Ordinance.

c. Where denial of a Development or use under this Ordinance would violate any law or Court Order, would constitute an error at law, or would otherwise uphold and enforce a location requirement that has been ruled illegal or unenforceable by any Court, Administrative Proceeding, or any Legislative law, regulation, or action.

d. The above waiver of location requirements shall have no effect on the prohibition on recreational marihuana retail (dispensaries) marihuana establishments, facilities which remain prohibited under this Ordinance and are not subject to waiver by the Board of Trustees or any other Board, Commission, or Officer of the Township. Except as provided by law, the Board of Trustees’ decision on any location waiver is discretionary within the standards set forth herein and is a final decision and not appealable to any Township Board or Commission. It is the intent of this Ordinance to only approve a location waiver in unique and rare circumstances where no substantial public benefit is derived from its denial.

ARTICLE VII – APPLICATION PROCEDURE

1. All Permit Applicants required by this Ordinance shall file an application with the Township Clerk. While this Article is intended to set forth the process and timeline, no failure of the Township or its Clerk to act shall result in the approval of a Permit. Rather, an applicant may appeal to the Township Board of Trustees for any alleged failure to act timely act under this Ordinance. The Board of Trustees will take action on the appeal within thirty (30) days.

a. The Clerk shall promptly review the Application for defects and notify Applicant in writing within five (5) business days of submission whether the Application is complete or requires additional information.

b. If the Application is complete, within seven (7) business days the Clerk shall forward the complete Application for review by the appropriate representatives of the Township’s Planning and Zoning, Building, and Fire and Police Departments.

c. If the Application is incomplete, the Applicant shall have thirty (30) calendar days from receipt of the written notice of any defect to supplement the Application for the purpose of curing any defect. Within five (5) business days of receiving the Applicant’s supplementation, the Clerk shall either give written notice to the Applicant that additional information is required, or forward the Application for review as set forth in Ordinance Section 1(b) above.

da. The Planning and Zoning Department shall confirm the Facility is located within the requirements of Article VII (Location Requirements).

e. The Building Department shall confirm the existing building for the Facility has a Certificate of Occupancy, or shall give approval based on the proposed site plan and building plans submitted, and shall be conditioned on the future permitting and construction of all structures for the Facility in accordance with the Orion Township Building Code and Ordinances.

f. All facilities under this Ordinance must receive site plan approval of its permit application from the Township’s Planning Commission by a majority vote of those members present.
g. The Fire and Police Departments shall issue a report and guidance to the Planning Commission regarding any material issues concerning the specific location of the Facility and any impact of the health and safety of Township residents.

h. The above-referenced Township departments shall make a recommendation to the Planning Commission within twenty (20) calendar days of submittal of the Application.

i. A site plan review of the Application by the Planning Commission shall occur within thirty (30) calendar days after receipt of the Application and Township department reviews.

j. The Planning Commission shall consider the Application at a public meeting without requiring a formal public hearing or notice thereof.

k. A Permit shall be approved if it meets the Township requirements under this Ordinance, and a Permit may be issued subject to further permitting and building approvals.

l. Prior to the expiration of the thirty (30) calendar days for review by the Planning Commission set forth above, the Planning Commission may request that the Applicant provide any additional information required by the Act, this Ordinance, or any other reasonable information deemed by the Township to be required for the consideration of a Permit; including, but not limited to, a complete proposed site plan, interior diagram, and summary of basic daily operations.

2. On or about December 15, 2017, the Township Clerk, or a Township designee, shall notify and file with the State this authorization and approval under the Act. Thereafter, upon request of the State Medical Marihuana Licensing Board, within ninety (90) days of an Application under this Ordinance being filed with the Township, the Township Clerk, or a designee, shall provide the following to the State Medical Marihuana Licensing Board:

a. A copy of this Ordinance;

b. A copy of the applicable zoning regulations that apply to the Applicant’s Facility;

c. A description of any violation or non-compliance with any Township Ordinance or applicable zoning regulations by the Applicant, but only if the non-compliance or violations are related to activities licensed under the Act or the MMMA, and have not been cured in accordance with this Ordinance.

The Clerk shall give notice to the Applicant of any reported non-compliance or violation.

ARTICLE VIII – LICENSED MARIHUANA FACILITY LICENSE APPLICATION

As needed, and in a timely manner, the Board of Trustees will adopt by resolution the Application for Permit under this Ordinance.

ARTICLE IX – MINIMUM OPERATIONAL STANDARDS FOR LICENSED MARIHUANA FACILITIES AND CAREGIVER OPERATIONS

1. The following minimum standards for Licensed Marihuana Facilities and Caregiver Operations shall apply:

a. The Licensed Marihuana Facility and Caregiver Operations shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act, the Michigan Regulation and Taxation of Marihuana Act, and the general rules of the Licensing and regulatory affairs Regulatory Affairs (LARA), as they may be amended from time to time. Active operations Provisioning centers shall be limited to between the hours of 7:00 a.m. and 9:00 p.m., and 10:00 p.m. if a later closing time is open for Board discussion, i.e. midnight, etc.;

b. Consumption and/or use of marihuana shall be prohibited at any facility;

c. All activity related to the facility shall be conducted indoors;
d. All Licensed Marihuana Facilities and Caregiver Operations shall be contained within the building in a locked facility in accordance with the Michigan Medical Marihuana Facilities Licensing Act and the Michigan Regulation and Taxation of Marihuana Act, as amended;

e. All necessary building, electrical, plumbing, and mechanical permits shall be obtained for any portion of the structure in which electrical wiring, lighting, and/or watering devices are located;

f. That portion of the structure where the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the Orion Fire Department to ensure compliance with the Michigan Fire Protection Code;

g. There shall be no other accessory uses permitted within the same facility other than those associated with cultivating, processing, transporting or testing medical marihuana;

h. Litter and waste shall be properly removed and the operating systems for waste disposal are maintained in an adequate manner so that they do not constitute a source of contamination in areas where medical marihuana is exposed;

i. Floors, walls, and ceilings shall be constructed in such a manner that they may be adequately cleaned and kept clean and in good repair;

j. There shall be adequate screening or other protection against the entry of pests. Rubbish shall be disposed of so as to minimize the development of odor and minimize the potential for development of waste odor and minimize the potential for waste becoming an attractant, harborage or breeding places for pests;

k. Any buildings, fixtures, and other facilities shall be maintained in a sanitary condition;

l. Each facility shall provide its occupants with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair;

m. No Licensed Marihuana Facility or Caregiver Operation shall be operated in a manner creating excessive noise, dust, vibrations, glare, fumes or odors detectible to the normal senses beyond the boundaries of the property on which the Medical Marihuana Facility operates or in violation of any other Ordinance;

n. All disposal systems for spent water and spent soil shall be approved by the Township; and

Licensed Facilities and Caregiver Operations shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras that operate twenty-four (24) hours a day, seven (7) days a week. The video recordings shall be maintained in a secure, off-site location for a period of thirty (30) days.

2. Exterior signage or advertising identifying the facility as a medical marihuana facility shall be prohibited. Provisioning Centers shall be subject to the Township ordinances regarding retail signage.

ARTICLE X – Standards Applicable to Medical Marihuana Provisioning Centers

1. The intent in adopting this Ordinance is to authorize a limited number of Facilities to be licensed in the Township to provide safe and more conveniently available Medical Marihuana for Township residents that are qualifying patients or primary caregivers. The Township also intends to recognize and address local impacts on the Township, its residents, and property, and to protect the public it serves. In addition to the provisions set forth in Article IX, this Article shall also apply to Medical Marihuana Provisioning Centers. This Article shall not apply to other Licensed Marihuana Facilities or Caregiver Operations.

2. Notwithstanding anything to the contrary set forth in Section VII, the Permit procedure for a Medical Marihuana Provisioning Center involves four (4) stages which are: (i) Application to Township Clerk; (ii) Application review and processing by Township personnel; (iii) Decision on the Permit Applications by Township Board and issuance of Permit within thirty (30) days after the end of the Application submission period; and (iv) site plan approval as set forth herein and in accordance with Township’s process and procedures set forth in its Zoning Ordinance.
3. The Application for Medical Marihuana Provisioning Center Permits shall be open for a limited period, beginning ten (10) calendar days after the Effective Date of this amendment, and ending on the thirty-first (31st) day after the Effective Date of this amendment.

4. All Medical Marihuana Provisioning Centers are required to have submitted a proposed site plan to the Township in accordance with Article VI with its Permit Application. In reviewing and acting on Applications for Facility licenses under this Ordinance, the Township Board shall base its decisions on the standards outlined under this Ordinance and one or more of the following criteria:

   a. Applicants who have submitted a proposed site plan with this Permit Application for the construction of a new building on a vacant parcel to operate the Facility will be given higher priority over applicants proposing to use an existing structure.

   b. The content, completeness and sufficiency of the information contained in the Application.

   c. Whether the proposed Facility meets the criteria set forth in Article VI of this Ordinance.

   d. Whether the proposed Facility will be consistent with land use for the surrounding neighborhood and not have a detrimental effect on public safety.

   e. Whether the Applicant has submitted a proposed site plan to the Township with its Application for the construction of a new building on a vacant parcel to operate the Facility.

   f. Except as set forth in Article VI.9, the proposed Facility shall be located in a stand-alone building.

   g. Whether the Applicant and its personnel demonstrated that it possesses the skills, experience, and qualifications to construct, operate, and maintain the proposed Facility based upon demonstrated cannabis experience within the Township.

   h. Whether the Applicant is prequalified by the MRA under the MMFLA.

   i. If applicable, whether the Applicant provides all necessary permissions from its landlord, property owner, and/or any other permissions necessary for the Applicant to operate the proposed Facility at its proposed site.

   j. The period of time needed for the Facility to be operational and licensed by the State will be considered.

   k. Whether the Applicant has provided an explanation with supporting factual data if applicable, of potential community benefits, including but not limited to, the following: economic benefits to the Township and its residents, plans for community outreach such as the provision of drug awareness and education programs, and commitment to philanthropic or charitable activities of the Applicant within the Township.

   l. other criteria indicated as being important for consideration by any appropriate department of the Township or Board members.

   m. Whether the Applicant has provided an explanation with supporting factual data if applicable, of potential community benefits, including but not limited to, the following: economic benefits to the Township and its residents, plans for community outreach such as contributions to organizations that provide community drug awareness and education programs, and commitment to philanthropic or charitable activities of the Applicant within the Township.”

Article XI REVOCATION OR DENIAL OF RENEWAL

1. A Permit issued under this chapter may be revoked after a hearing at which the Orion Township Board of Trustees determines that any grounds for revocation under this Ordinance exist. Notice of the time and place of the Hearing and the grounds for revocation must be given to the Permittee at least ten (10) days prior to the date of the Hearing, by first class mail to the address given on the License Application or any address provided as a contact.
2. A Permit issued under this Ordinance may be revoked, or not renewed, based on any of the following:
   a. Violation of this Ordinance as determined by a Court of law or the Orion Township Board of Trustees;
   b. Any conviction of or release from incarceration for a felony under the laws of this State, any other state, or the United States, within the past ten (10) years by the Applicant, or any stakeholder of the Applicant, as measured from the date of the Application, or the date of becoming a stakeholder, whichever occurs later, or while permitted under this Ordinance; or any conviction of a substance-related felony by the Applicant or any stakeholder of the Applicant at any time, or while permitted under this Ordinance;
   c. Commission of fraud or misrepresentation or the making of a knowingly false statement by the Applicant or any stakeholder of the Applicant while engaging in any activity for which this Ordinance requires a Permit;
   d. The Licensed Marihuana Facility is determined by the Township to have become a public nuisance;
   e. A material pattern of willful and knowing violations of this Ordinance;
   f. A material pattern of willful and knowing violations of any other Ordinance or regulation of policy whether now enacted, or to be in the future, which the Township has the authority to enact and is mandated to enforce;
   g. Failure to pay the Annual Fee when due;
   h. Failure to pay the money owed to the State of Michigan under the Medical Marihuana excise fund pursuant to MCL333.27101 of the MMMA, if any;
   i. A loss of license after a final determination by the State Marihuana Regulatory Agency;
   j. Failure of a leased or existing facility to become fully operational within six (6) months of being granted a State license under the MMFLA. In the case of new construction, the applicant must obtain a final site plan approval within twelve (12) months, and completion of construction within eighteen (18) months of being granted a State license under the MMFLA. In no event shall a Permit under this Ordinance be renewed subject to non-renewal if the Licensed Marihuana Facility is not fully operational and has continuously been operational, except as provided herein, at the time of renewal.

ARTICLE XIII – PENALTIES

1. The Township may require an Applicant or Licensee of a Licensed Marihuana Facility to produce documents, records, or any other material pertinent to the investigation of an application or alleged violation of this Ordinance or State law. Failure to provide the required material may be grounds for Permit denial, revocation or suspensions;

2. Any person in violation of any provision of this Ordinance or any provision of a Permit issued under this Ordinance is responsible for a misdemeanor, punishable by a fine of up to five hundred dollars ($500.00), plus cost of prosecution, ninety (90) days imprisonment, or both, for each violation. This Section is not intended to prevent enforcement of any provision of any other Ordinances or State law;

3. All fines imposed under this Ordinance shall be paid within forty-five (45) days after the effective date of the Order imposing the fine or as otherwise specified in the Order;

4. The Township Supervisor may temporarily suspend a Licensed Facility License without a Hearing if the Township Supervisor finds that public safety or welfare requires immediate action. The Township Supervisor shall cause the temporary suspension by issuing a Suspension Notice;

5. If the Township Supervisor temporarily suspends a Permit without a Hearing, the Permittee is entitled to a Hearing within ten (10) days after the Suspension Notice has been issued. The Hearing shall be limited to the issues cited in the Suspension Notice; and
6. If the Township Board of Trustees does not hold a Hearing within ten (10) days after the date of suspension was issued, then the suspended license shall be automatically reinstated, and the suspension vacated.

ARTICLE XII – SAVINGS CLAUSE

Nothing in this Ordinance hereby adopted shall be construed to affect any just or legal right or remedy of any chapter, nor shall any just or legal right or remedy of any chapter be lost, impaired, or affected by this Ordinance.

ARTICLE XIII – SEVERABILITY

The provisions of this Ordinance are hereby declared to be severable. If any article, section, or provision is hereafter declared, void, or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect. In the event of a final court decision, Michigan Department of Licensing and Regulatory Affairs Ruling, or any other Legislative action, which specifically and legally prohibits the limited prohibition on retail sale as stated in Article III above, this Ordinance shall be interpreted as a complete opt-out and prohibition of all recreational marihuana establishments within the Township pursuant to Initiated Law 1 of 2018, as may be amended.

ARTICLE XIV – EFFECTIVE DATE

This Ordinance shall be published in a newspaper of general circulation in the Township of Orion, and shall become effective upon publication, as provided by law.
Exhibit C
Agenda Item Summary

To: Board of Trustees
From: Penny Shults, Township Clerk
Meeting Date: September 7, 2021
Memo Date: September 2, 2021
Subject: Second Reading- PC-2021-55 Lava Mountain Location Rezone Request

REQUEST
Board action on PC-2021-55, Lava Mountain Location Rezone, a request to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB).

REASON
Please refer to documentation from your August 2, 2021 meeting packet (follow).

PROCESS
First reading was held on August 2, 2021 and the item was advertised in the August 18, 2021 edition of the Orion Review for second reading and possible adoption at the September 7, 2021 meeting.

RECOMMENDATION (MOTION)
September 7, 2021

IF MOTION TO APPROVE SECOND READING:
Motion to declare that the Orion Township Board of Trustees held and approved the second reading on September 7, 2021, for PC-2021-55, Lava Mountain Location Rezone, requesting to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB), for the reasons given in the recommendation of approval by the Planning Commission on July 21, 2021.

* Motion maker to insert any additional reasons

OR

IF MOTION TO DENY SECOND READING
Motion to declare that the Orion Township Board of Trustees held and denied the second reading on September 7, 2021, for PC-2021-55, Lava Mountain Location Rezone, requesting to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB) for the following reasons:

* Motion maker to list reasons
Agenda Item Summary

To: Board of Trustees
From: Tammy Girling, Planning & Zoning Director
Meeting Date: August 2, 2021
Memo Date: July 26, 2021
Subject: PC-2021-55, Lava Mountain Location Rezone Request

REQUEST
Board action on PC-2021-55, Lava Mountain Location Rezone, a request to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB).

REASON
The Planning Commission, at their July 21, 2021 meeting, passed a motion to recommend approval of PC-2021-55, Lava Mountain Location Rezone Request.

PROCESS
The Orion Township Board of Trustees deliberates on PC-2021-55 and approves or denies the first reading. If the first reading is approved, the Clerk advertises for the second reading and possible adoption of the map amendment 9/7/2021.

RECOMMENDATION (MOTION)
August 2, 2021

IF MOTION TO APPROVE FIRST READING

Motion to declare that the Orion Township Board of Trustees held and approved the first reading on August 2, 2021, for PC-2021-55, Lava Mountain Location Rezone, a request to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB) and direct the Clerk to advertise for second reading and possible adoption on September 7, 2021.

OR

IF MOTION TO DENY FIRST READING

Motion to declare the first reading was held and denied August 2, 2021, for PC-2021-55, Lava Mountain Location Rezone, requesting to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB).
September 7, 2021

IF MOTION TO APPROVE SECOND READING:

Motion to declare that the Orion Township Board of Trustees held and approved the second reading on September 7, 2021, for PC-2021-55, Lava Mountain Location Rezone, requesting to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB), for the reasons given in the recommendation of approval by the Planning Commission on July 21, 2021.

* Motion maker to insert any additional reasons

OR

IF MOTION TO DENY SECOND READING

Motion to declare that the Orion Township Board of Trustees held and denied the second reading on September 7, 2021, for PC-2021-55, Lava Mountain Location Rezone, requesting to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB) for the following reasons:

* Motion maker to list reasons
TO: Charter Township of Orion Board of Trustees  
FROM: Tammy Girling, Planning & Zoning Director  
DATE: July 28, 2021  
RE: PC-2021-55, Lava Mountain Location Rezone Request

Ziad Kassab is requesting to rezone 1472, 1480, and 1488 S. Lapeer Rd (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB).

The Planning Commission held a Public Hearing on July 21, 2021 and later that evening at the regularly scheduled Planning Commission meeting, the following motion was passed:

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission forward a recommendation to the Township Board to approve PC-2021-55, Lava Mountain Location Rezone, request to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB). This recommendation to approve is based on the following findings of facts: that the request is consistent with the objectives of the Master Plan; being that this is a minor expansion of the zoning from (RB) to (GB) which is consistent with the (GB) zoning to the north; the requested rezoning is consistent with the trend of development in the general area.

Commissioner Walker wanted to add that he has been living in this community for 33-years and he has never heard more people speak more highly of anyone than he has of Mr. Kassab since he has started Lava Mountain. He thanked him and said it had nothing to do with the motion, and thanked him for what he has done. He added that many people come and ask them for stuff and they pretend it is for them, you are asking for stuff and it is for them.

Roll call vote was as follows: St. Henry, yes; Walker, yes; Urbanowski, yes; Brackon, yes; Gross, yes; Gingell, yes; Reynolds, yes. Motion carried 7-0.

Included in your packet is the Rezoning Application, the planning consultant’s review, the fire department review, Public Services Review, and the Public Hearing and Planning Commission minutes from July 21, 2021. If you have any questions, please feel free to contact me at (248) 391-0304 x 5000.
Charter Township of Orion Planning Commission
Rezoning Application

30.04, Amendments to the Zoning Ordinance: Map amendments may be initiated by any governmental body or any persons having a freehold interest in the subject property, or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest, or an exclusive possessory interest entitled to exclusive possession or which is specifically enforceable.

Project Name: Lava Mountain Coffee Drive Thru

Name: Ziad Kassab
Address: 1701 Northfield Drive  City: Rochester Hills  State: MI  Zip: 48309
Phone:                      Cell: 248-755-7397  Fax:
Email: z@lavamountaincoffee.com

Name: Ziad Kassab
Address: 1701 Northfield Drive  City: Rochester Hills  State: MI  Zip: 48309
Phone:                      Cell: 248-755-7397  Fax:
Email: z@lavamountaincoffee.com

* If the name on the deed does not match the name of the property owner on this application, documentation showing the individual is the same as the company name must be provided.

Name: Ziad Kassab
Address: 1701 Northfield Drive  City: Rochester Hills  State: MI  Zip: 48309
Phone:                      Cell: 248-755-7397  Fax:
Email: z@lavamountaincoffee.com

Name: Ziad Kassab
Address: 1701 Northfield Drive  City: Rochester Hills  State: MI  Zip: 48309
Phone:                      Cell: 248-755-7397  Fax:
Email: z@lavamountaincoffee.com
Sidwell Number(s): 09-14-100-074
Location or Address of Property: 1472 S Lapeer Rd. Lake Orion, MI 48360
Side of Street: Casemer Road Nearest Intersection: Lapeer and Scripps Road
Acreage: 1.62 Current Use of Property: Retail building
Frontage (in feet): 265 ft Depth (in feet): 368 ft
Is the complete legal description printed on the site plan? ☑ Yes ☐ No (if no please attach to the application)

**See page 8 of land contract

Requested Zoning Classification: GB
Existing Use of Property: Retail space Proposed Use of Property: Retail and one unit with drive thru

Explain why the rezoning is necessary for the preservation and enjoyment of the rights of usage commonly associated with property ownership: The current property is a coffee shop and we are very excited to be in the community. However coffee shops without a drive-thru restricts our business. Drive thurs provide a speedy and convenient option to a coffee shop.
Speed and convenience make it more attractive, appealing, and accessible to those who cannot walk in.

Explain why the existing zoning classification is no longer appropriate: The existing zoning is no longer appropriate because it restricts our business potential. Also the property to the north was rezoned to general business and the future land use map shows that the township prefers general commercial.

Explain why the proposed rezoning will not be detrimental to surrounding properties: The property that currently has an existing drive-thru would not be intrusive to the new drive-thru. It will also not be detrimental to the residential area since there is a fixed landscape buffer between the two and the drive-thru is on the north side of the building which is adjacent to the residential area.
I/We, the undersigned, do hereby submit this application for Rezoning, pursuant to the provisions of the Charter Township of Orion Zoning Ordinance; No. 78, Section 30.04 and applicable ordinance requirements. In support of this request the above facts are provided. I hereby certify that the information provided is accurate and the application that has been provided is complete.

Signature of Applicant: _______________________________ Date: 6/25/21

Print Name: Ziad Kassab

I, the property owner, hereby give permission to the applicant listed above to act as my agent in submitting applications, correspondence and to represent me at all meetings. I also grant permission to the Planning Commission members to visit the property, without prior notification, as is deemed necessary.

Signature of Owner: _______________________________ Date: 6/25/21

Print Name: Ziad Kassab
The Charter Township of Orion Planning Commission held a Public Hearing on Wednesday, July 21, 2021, at 7:04pm at the Orion Township Community Center, 1335 Joslyn Road, Lake Orion, MI 48360.

PLANNING COMMISSION MEMBERS PRESENT:
Don Walker, PC Rep to ZBA
Kim Urbanowski, BOT Rep to PC
Joe St. Henry, Secretary
Derek Brackon, Commissioner

PLANNING COMMISSION MEMBERS ABSENT:
None

CONSULTANTS PRESENT:
Eric Fazzini, (Township Planner) of Giffels Webster
Eric Pietsch, (Township Planner) of Giffels Webster
Mark Landis (Township Engineer) of OHM Advisors
Tammy Girling, Township Planning & Zoning Director

OTHERS PRESENT:
Nelli Schmidt
Mike Lashbrook
Dave Brinkmeter
Ziad Kassab

PC-2021-55, Lava Mountain Location Rezone Request, the request is to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Residential Business (RB) to General Business (GB)

Chairman Reynolds asked the applicant for a brief presentation from the applicant.

Mr. Ziad Kassab from Lava Mountain Coffee presented.

Mr. Kassab stated that he was there to request a rezone for a drive-thru.

Chairman Reynolds asked if there were any further presentation items that he would like to present? Mr. Kassab replied that he didn’t bring any specific presentation with him, he did have a rough site plan. He added that he did review the ordinance and he felt it was a very simple rezone he would just like to be able to put the drive-thru in there in order to survive.

Chairman Reynolds said that a couple items to supplement, the (RB) district as it is currently zoned does not allow a drive-thru’s and (GB) district does. He felt that was the big motivation for the rezone.

Chairman Reynolds asked if there was any public that would to speak. There was not.

Vice-Chairman Gross stated that if the zoning is approved the drive-thru is not automatically approved. Chairman Reynolds said correct; it is a Special Land Use.

Mr. Kassab said he would love the opportunity to do business in Lake Orion, they love the community and they would like to be able to grow with the community.
Chairman Reynolds closed the public hearing at 7:08 p.m.

Respectfully submitted,

Debra Walton
PC/ZBA Recording Secretary
Charter Township of Orion

Planning Commission Approval Date
Chairman Reynolds recessed the regular meeting and opened the public hearing for PC-2021-55, Lava Mountain Location Rezone Request, the request is to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB), at 7:06 pm and closed the public hearing at 7:08 pm.

5. BRIEF PUBLIC COMMENT – NON-AGENDA ITEMS ONLY

None

6. CONSENT AGENDA

None

7. NEW BUSINESS

A. PC-2021-55, Lava Mountain Location Rezone, request to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB).

Chairman Reynolds asked if there was anything else that the applicant would like to add? Mr. Ziad Kassab the applicant did not.

Planner Fazzini read through his review date-stamped July 14, 2021.

Chairman Reynolds said it was also reviewed by their Fire Marshal and the Public Service Department, and they didn’t have any comments at this point.

Secretary St. Henry asked if the applicant could give a quick overview of what they are thinking at this point in terms of where the drive-thru would be located, how they see the rough traffic patterns? Mr. Kassab said if they are familiar with the building, where Belle Tire is, and the Checkers next to the Belle Tire, then the building next to that. There is one entrance, if you go to the right you go to Checkers, if you go straight, you are in the parking lot of the building. To the north side of that first building is where they would like to put a drive-thru, in along there and the window toward the end of the building to allow enough cars to back up to the road. The entrance is along Lapeer Rd., almost on the property line, just running straight where that greenbelt is, they would the drive-thru come in straight through there, and toward the end of the building, they would have the window, the mic, and the menu and then the window at the end. If it is backed up if they go to the right they go into where the Checkers is, so they are going to create a traffic path, because he owns both of the properties, if it is backed up there, people will go up to the right and around the Checkers and then come back where that greenbelt is now, so there is no stacking in the road. Secretary St. Henry asked how would they exit after they get their coffee? Mr. Kassab replied that after they get their coffee they would go around the back of the building, and they would be able to exit right there on Casemer or go up to the front through Lapeer Rd. as well. He added that they will have good signage in the site plan and clear paths. Secretary St. Henry asked if Chicago Brothers Pizza was next door? Mr. Kassab said that next to it is Golden Paws, and then next to that is Chicago Brothers.

Commissioner Walker asked if Mr. Kassab said that they will go around Checkers? Mr. Kassab replied that if it gets backed up, there will be signage not to block the entrance into the Checkers so they can go around the Checkers. Mr. Kassab showed the Board on the screen.

Secretary St. Henry asked how many customers do they think would increase? Mr. Kassab replied he hoped a lot. He added that in this day and age with COVID and people don’t want to
get out of their cars, and in the wintertime, they need the drive-thru in order to have a good business.

Commissioner Walker asked if it would interfere with the traffic going into the Checker if they have their driveway going around? Mr. Kassab said that the Checkers drive-thru has two lanes his traffic that would go all the way to the north and around, his traffic would go in that first turning lane and they would do a hard turn right out into his drive-thru, where his drive-thru would go on the outside around the greenbelt which some of it would turn to concrete or asphalt and turn right back around and come to the window.

Vice-Chairman Gross asked if they had talked with Checkers about this? Mr. Kassab replied yes.

Chairman Reynolds said Checkers no longer exists it is the Orion Coney Express.

Secretary St. Henry thought it would be a good move for the morning business. Mr. Kassab said yes, for all businesses, Checkers, and Chicago Brothers too because it will bring more traffic to the area. He thought it would decrease the Starbucks and Tim Hortons lines that are always backed up on M24.

Chairman Reynolds said that these were all good thoughts but would it be resolved during a Special Land Use. They have to review all of these comments in general. He thought from his comments here from strictly rezoning component he didn’t have any issues with (GB) in this parcel, it is not going to spot zone the adjacent parcel, the Coney Express that is adjacent is also (GB). He didn’t see any issues with the proposed uses for this parcel in the sense of (GB).

Trustee Urbanowski said she didn’t see any problem with that either. What is next to it and what is along that road, to begin with, seemed to make sense. The property already has a drive-thru on the other side. She added that this building was a coffee shop before this as well, and desperately needed it at the time.

Trustee Urbanowski asked how many cars are they talking about before they have to go around to the Checkers? Mr. Kassab said approximately 6 cars before it starts to back up. Around there they could fit 30 cars, there is plenty of room there.

Secretary St. Henry said that they will be seeing a site plan that will have everything marked very clearly, traffic flows and everything. Mr. Kassab said they are working now on the Alta topo survey and then the site plan is next.

Vice-Chairman Gross said that he thought that Lava Mountain has been a good addition to the community. It has provided substantial employment opportunities for a number of young people.

Moved by Vice-Chairman Gross, seconded by Commissioner Walker, that the Planning Commission forward a recommendation to the Township Board to approve PC-2021-55, Lava Mountain Location Rezone, request to rezone 1472, 1480, and 1488 S. Lapeer Rd. (parcel 09-14-100-074) from Restricted Business (RB) to General Business (GB). This recommendation to approve is based on the following findings of facts: that the request is consistent with the objectives of the Master Plan; being that this is a minor expansion of the zoning from (RB) to (GB) which is consistent with the (GB) zoning to the north; the requested rezoning is consistent with the trend of development in the general area.
Commissioner Walker wanted to add that he has been living in this community for 33-years and he has never heard more people speak more highly of anyone than he has of Mr. Kassab since he has started Lava Mountain. He thanked him and said it had nothing to do with the motion, and thanked him for what he has done. He added that many people come and ask them for stuff and they pretend it is for them, you are asking for stuff and it is for them.

**Roll call vote was as follows:** St. Henry, yes; Walker, yes; Urbanowski, yes; Brackon, yes; Gross, yes; Gingell, yes; Reynolds, yes. **Motion carried 7-0.**

B. PC-2021-44, Pearl of Orion Wetland & Site Plan, located at 2401 Judah Rd. (parcel 09-33-301-002), vacant parcel 09-33-301-004, 4738 Joslyn Rd. (parcel 09-33-326-016), and 721 Brown Rd. (parcel 09-33-351-034).

Chairman Reynolds asked the applicant to introduce himself.

Mr. David Dedvukaj with Contour Companies was present with his Chief Architect Bruce Kopytek. He said he was going to let Bruce do the presentation for their multi-family mixed-use development off of Judah and Joslyn Rd.

Mr. Bruce Kopytek showed the Board the drawing. He stated that essentially what they are proposing, and thought most of the commissioners have seen this before because they have been before them for zoning. He added that they are on an "L" shaped piece of property that connects Joslyn Rd. on the right and Brown Rd. on the south. Their entrance is where the Checkers is across from Meijer's on Brown Rd. Part of the project develops an entryway that will be shared by the Checkers so that their access will be closed on Brown Rd. and customers for Checkers will come in through the shared driveway and enter the Checkers from there. What they are proposing are five buildings that are 4-stories each, the property lies within the (BIZ) zoning district. They had a portion of that property rezoned into (BIZ) to connect the two dogleg pieces of property that they have. They feel that this is one of the first developments in Orion Township that really maximizes and makes the most out of the (BIZ) type of zoning there to make a true mixed-use project where they have buildings, the three floors above are apartments, there are roughly 39 apartments per building and ground floor commercial space that they would envision as a potential restaurant, doctor office, tax office, that sort of thing in there. The roadway connects from Brown Rd. to Joslyn through the development and there is potential for future development to the north, as well. The buildings have been designed to have a character that mixes the commercial and the residential in a village sort of way, and because of the heritage and the history of the area, the design is a little bit more like a coast resort-style architecture with big overhangs, brackets, light colors, and some rough stonework as well. He showed the Board the renderings. He added that in the elevations they could see that the heights are punctuated with high and low areas, roofs, there are arch windows, and the whole commercial level on the ground floor is brick and stone that is carried up into the staircase towers on the building. They feel that this offers them a chance for some really improved character to the area because of the human nature of the architecture. The colors are an earth tone with some coastal color accents. Of the five buildings, the one that is in the corner is all apartments because of the distance from either of the major roads they are using the ground floor there for ground floor garden apartment type living spaces. Also, on the backs of these buildings, there are individual garages that could be part of the lease for anybody that takes an apartment in the building. He said he was in a meeting where a resident questioned the name that they chose which is Pearl of Orion and the reason for that is because most of the property to the north of here was owned by the Dewey family, his grandmother that lived on that site was named Pearl, in honor of that, they decided to name the development Pearl of Orion.

Planner Fazzini read through his site plan review date-stamped July 14, 2021.
Rezoning Review
Request: from RB to GB

Project: Lava Mountain Coffee Drive Thru
Case No: PC-2021-55
Site: 1472 S. Lapeer Road
Applicant: Ziad Kassab
Parcel ID: 09-14-100-074

Dear Planning Commission Members:

We have completed a review of the request for rezoning referenced above and a summary of our findings is below. Items in **bold** require specific action. Items in *italics* can be addressed administratively. A summary of the requested Planning Commission action is provided on the next page.
30.04 Amendments to the Zoning Ordinance

Findings of Fact and Recommendation of the Planning Commission. Following the public hearing, the Planning Commission shall transmit a summary of comments received at the public hearing and the proposed Ordinance amendments, including any maps and recommendations make written findings of fact and transmit same, together with its recommendation, to the Township Board. The Township Board may hold additional hearings if the Township Board considers it necessary, or if requested.

Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the Planning Commission shall make findings based on the evidence presented to it with respect to the following matters:

a. The objectives of the Township’s Master Plan.

b. Existing uses of property within the general area of the property in question.

c. The zoning classification of property within the general area of the property in question.

d. The suitability of the property in question to the uses permitted under the existing zoning classification.

e. The trend of development in the general area of the property in question, including any changes which have taken place in the zoning classification.

SUMMARY OF FINDINGS

Existing Conditions

1. Site. The site consists of multi-tenant retail building on a 1.62-acre parcel located on the northwest corner of the intersection of Lapeer Road and Casemer Road. The site has 265 feet of frontage on South Lapeer Road and 253 feet of frontage on Casemer Road. Safety paths are present along Lapeer Road. Casemer is unpaved to the west beyond the MDOT right-of-way/easement triangular area off Lapeer Road. The application states that a rezoning has been requested to pursue a drive-thru for the existing Lava Mountain Coffee tenant and no other existing use within the building. The site is not within the Lapeer Road Overlay District.

June 2019 Google Street View image of the site’s frontage looking west from Lapeer Road
2. Adjacent zoning & land uses.

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>GB (Conditional)</td>
<td>Orion Coney Express (formerly Checkers)</td>
</tr>
<tr>
<td>East</td>
<td>GB</td>
<td>Golling Buick GMC</td>
</tr>
<tr>
<td>South</td>
<td>OP &amp; RM-1</td>
<td>Office Building &amp; Oak Forest Apartments</td>
</tr>
<tr>
<td>West</td>
<td>R-1</td>
<td>Single-Family</td>
</tr>
</tbody>
</table>
3. **FLU Map.** The Future Land Use Map designates the site as General Commercial, which extends along the west side of Lapeer Road north to Clarkston Road. The Future Land Use Classification for this designation is provided below.

**General Commercial**

"General Commercial is planned along the Baldwin and Lapeer Road corridors and is intended for commercial uses that supply a larger and more diversified number of goods than those in the Neighborhood Commercial classification. The intended character of these areas is comparable to those permitted within the General Business (GB) zoning districts which includes a wide range of regional commercial uses such as large-format retail, supermarkets and drugstores, discount stores, department stores along with facilities such as automobile dealers, other vehicle related services, and commercial recreation."
4. **Master Plan Text.** The 2015 Master Plan text, including the Objectives, also provide guidance related to this request. Below are several sections that broadly relate to this rezoning request.

**I. Economic Development**

**Goal B:** To provide economically sustainable developments.

**Objective I:** To provide developments that can serve multiple purposes and reuse the existing buildings within the Township.

**Policy 5:** Identify uses that are compatible with existing residential neighborhoods and develop an attraction plan to encourage their location in the community.

**VI. Transportation and Thoroughfares**

**Goal A:** To provide a traffic circulation system that safely and efficiently serves residents and businesses located within the Township.

**Objective VI:** To strive toward a balanced relationship between the transportation system and the overall land use pattern.

**Objective VII:** To reduce or limit conflicts between land use and traffic wherever possible.

**Policy 1:** The township should encourage the installation and use of service drives, connector drives or “cut-throughs” for access between adjacent properties along commercial corridors.

**Policy 5:** Improve the efficiency and safety of Baldwin Road and Lapeer Road corridors.

**VII. Growth Management**

**Goal A:** To guide growth within Orion Township in a rational and sequential manner which will avoid patterns of sprawl and “leapfrog” development. Innovative and flexible approaches for growth management shall be employed which will prevent overcrowding, protect critical open space, preserve a balance of housing options, and minimize traffic congestion.

**Objective I:** Direct higher-density residential and commercial development to appropriate areas of the township in order to maintain the rural character of low-density areas.

**X. Commercial Areas**

**Goal A:** To provide for a proper distribution of commercial land uses.

**Objective I:** To strictly limit the location of commercial uses to protect the health, safety, and welfare of businesses and their patrons.

**Objective IV:** To distinguish, by location and type, the various commercial uses (Convenience, General) in specific zoning districts where supported by existing or projected Township population.

**Goal B:** To provide mechanisms for traffic management in commercial areas that will make such areas easily accessible, while limiting the impact on adjacent thoroughfares.

**Objective I:** To encourage commercial development in areas where it is most likely to develop successfully (at the intersection of major routes) in relation to population centers.

**Objective II:** To encourage the use of landscaping and setbacks to delineate drives, direct vehicular movement, and provide sufficient stacking space in entranceways. These are effective means of improving safety while enhancing the aesthetic value and desirability of businesses.

**Goal C:** To improve the appearance of existing and future commercial areas.
Zoning Ordinance Considerations

5. **GB District Intent.** The intent of the General Business district, from Zoning Ordinance Section 14.00 – Preamble, is as follows:

“The General Business (GB) District is intended to provide locations for individual businesses or a collection of businesses that provide a commodity or service on a regional basis. The zoning district is characterized by higher traffic generation and greater degrees of sight visibility and requires a site design which will not impede the flow of traffic or traffic safety. The GB District is intended to have the necessary restrictions to limit businesses’ impact upon the community. This includes safe and efficient traffic flow, adequate parking and attractive landscaping. The GB District is further intended to have direct access onto an existing or proposed thoroughfare, but only where optimum egress and regress can be provided.”

6. **Section 14.01 – GB Use Matrix.** The purpose of this application is to address a key difference between the proposed GB district zoning and the existing RB Restrict Business zoning of the site. The GB district permits drive-thru’s as a Special Use while the RB district does not permit drive-thru’s. This is reflected on the adjacent site to the north, which is zoned GB, having a drive-thru formerly associated with Checkers restaurant and the current Orion Coney Express. Should this rezoning request be approved, the applicant would be permitted to submit a Special Use application to permit the addition of the drive-thru, which will require an additional public hearing and site plan approval.

7. **Section 14.02 – Footnotes to the Use Matrix.** A key requirement for all drive-thru proposals is that all buildings, drive-thru canopies, or speaker boxes shall be setback at least 100 feet from adjacent residential zoned or used parcels. Additionally, associated parking lots and maneuvering or drive-thru lanes shall be setback at least 50 feet from residential zoned or used parcels. These setbacks can overlap as they are both measured from the site boundary. Given that the existing building is setback 136 feet from adjacent residential to the rear and that existing paved areas are also setback a substantial distance from this area and are located primarily in the front and sides of the site, it appears that the site would be able to meet the required setbacks for drive-thru structures and paved areas depending on an appropriate design of drive-thru improvements that would be required to be approved at a future date if this rezoning request is successful. Additional requirements for buffering, noise, and lighting that are specific to drive-thru’s would also be required to be reviewed at that time.

Respectfully,

_Giffels Webster_

Eric Fazzini, AICP & CNU-A
Senior Planner

[Signature]

www.giffelswebster.com
Jeffrey Williams, CFPS – Fire Marshal
Orion Township Fire Department - Fire Prevention
3365 Gregory Road Lake Orion, MI 48359
Fax: 248.309.6993

From: Tammy Girling <tgirling@oriontownship.org>
Sent: Monday, June 28, 2021 12:11 PM
To: Rod Arroyo <rarroyo@giffelswebster.com>; Eric Fazzini <efazzini@giffelswebster.com>; Eric Pietsch <epietsch@giffelswebster.com>; Jeff Williams <jwilliams@oriontownship.org>; james.stevens@ohm-advisors.com; Jeff Stout <jstout@oriontownship.org>; Mark Landis (Mark.Landis@ohm-advisors.com) <Mark.Landis@ohm-advisors.com>
Subject: PC-2021-55 Lava Mountain site rezone application

Please find attached the aforementioned case. In that it is a rezone and does not have large plans I am only emailing this application (no hard copies are being provided to anyone). If this causes a problem please reach out to me.

From: Tammy Girling <tgirling@oriontownship.org>
Sent: Monday, June 28, 2021 12:06 PM
To: Tammy Girling <tgirling@oriontownship.org>
Subject: Your scan (Scan to My Email)
Dear Tammy,

The Department of Public Services has reviewed the above-mentioned project and has no further objections or concerns at this time.

If you have any questions, please contact me.

Respectfully Submitted,

Jeffery T. Stout
Director
Department of Public Services
21-163711  8/09/2021  7:02PM          Retail Fraud

Deputies responded to 465 Brown Rd Menards for a Retail Fraud report. A 35-year-old resident and employee stated that an unknown male entered the store with a mattress box on a cart and immediately proceeded to the mattress area. The subject took the box off the cart and placed a mattress on the cart and pushed it to the return counter. Once there he advised that he wanted to return the mattress. The employee issued a in store credit for the mattress and left the store. All information was collected and turned over to detectives. Investigation continues.

21-164396  8/10/2021  3:37 PM        Wire Fraud Report

A 72-year-old Orion Township resident came into the substation to report he was the victim of a fraud. The victim reported he received a telephone call from a male who identified himself as “James” whom was a security officer for Credit Union One Bank. The victim was advised there may be fraudulent purchases on an American Express credit card. The suspect asked the victim if he was interested in participating in an internal
"sting" which the suspect would use the victim’s money to find bank employees who were participating in fraudulent activities. The victim agreed to participate in the sting. The victim downloaded a computer program, TeamViewer, upon the suspect's request. The suspect gained remote access to the victim’s computer using this program. On May 21, the victim began transferring money out of his retirement account to his own savings accounts at Chase Bank and Credit Union One upon the suspect’s request. From May 21 to July 28 the victim made 16 transfers to his personal accounts. The suspect then made wire transfers from the victim’s personal accounts to overseas banking accounts based in Hong Kong and Peru. Detectives are continuing the investigation.

21-164613 8/10/2021 8:08PM Retail Fraud

Deputies responded to 465 Brown Rd Menards for a Retail Fraud report. A store manager stated that two unknown males entered the store. One of the males proceeded to the lawn and garden center selected several items placing them into a shopping cart. The second male distracted the cashier, while the first suspect pushed the shopping cart with the items out the exit passing all points of purchase making no attempt to pay for the items. All information was collected and turned over to detectives. Investigation continues.

21-165245 8/11/2021 3:30PM Retail Fraud

Deputies responded to 465 Brown Rd Menards for a Retail Fraud report. A store manager stated that a male entered the store and proceeded towards the power tools selected items placing them into the shopping cart. The suspect the pushed the cart through a closed lane and passed all point of purchase making no attempt to pay for the items when he was stopped by employees. The suspect left the cart and fled out of the store. All items were recovered. All information was collected and turned over to detectives. Investigation continues.

21-165536 8/11/2021 7:02PM Trespass

Deputies responded to 1258 Lapeer Buckhorns Towing for a Trespassing complaint. An employee of Buckhorns stated that a vehicle pulled in and a male got out from the backseat and started to climb the fence to get to his vehicle. The employee stated that the subject’s vehicle was involved in an accident in the Village of Orion and the owner was trying to get something out of the car. Once the subject retrieved his belongs, he got back into the vehicle, and they left the area. The subject was identified and issued a citation for trespassing.

21-166262 8/12/2021 4:19 PM Domestic Assault - Arrest

Deputies responded to a 911 call at the 1100 block of S. Long Lake Blvd. A 33-year-old victim reported she was slapped in the face by her boyfriend as she was driving on Orion Road near
Mariday. The victim pulled the car over on Mariday and the 33-year-old suspect charged at the victim. The victim pepper sprayed the suspect, and the suspect ran away on foot. Responding Deputies located both parties and conducted interviews. Based on statements and the physical evidence at that scene the 33-year-old Lake Orion man was placed under arrest for domestic assault and lodged at the Oakland County Jail.

**UPDATE:** The Oakland County Prosecutor’s Office authorized a compliant for Domestic Assault. Magistrate Soma of the 52-3 District Court issued the warrant. The subject was arraigned on the charge and given a $5000 10% bond.

**21-167542  8/15/2021  8:20 AM**  
*BOL Arrest Assist*

*Deputies received a BOL for a suspect wanted in a CSC that had just occurred in Rochester Hills. The suspect was in his vehicle with firearms and threatening violence. Deputies located the suspect at Brown and Joslyn Roads. Deputies made contact with the suspect who was seated inside his vehicle in the parking lot of Meijer. The suspect was located and taken into custody without incident and all firearms were made safe. He was lodged at the Oakland County Jail and Rochester Hills Detectives were alerted.*

**21-168555  8/15/2021  6:37PM**  
*Retail Fraud*

*Deputies responded to 465 Brown Rd Menards for a Retail Fraud report. A store manager stated that a 56-year-old Pontiac resident came into the store and selected several items placing them in a shopping cart. The suspect the pushed the cart to the returns and requested to return the items without a receipt. Another suspect 58-year-old Pontiac resident came into the store selected two items and placed them into a shopping cart. The suspect the pushed the cart through a closed lane and passed all point of purchase making no attempt to pay for the items when he was stopped by employees and OCSO deputies. Deputies believe that these two suspects have committed several more retail frauds in the past couple of weeks. Both suspects were released at the scene. All information was collected and turned over to detectives. Investigation continues.*

*Everyone with information or crime tips regarding these incidents are encouraged to contact the Orion Township Sheriff’s Office Substation at 248 393-0090 for tips, or our Dispatch Center at 248 858-4911 for crimes in-progress. Tipsters can remain anonymous.*
OAKLAND COUNTY SHERIFF’S OFFICE

Orion Township Substation

Weekly “Calls for Service” Summary

Time period: 08-16-2021 to 08-22-2021

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<th>Calls for service: 385</th>
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<tbody>
<tr>
<td>Felony arrests: 2</td>
</tr>
<tr>
<td>Misdemeanor arrests: 1</td>
</tr>
<tr>
<td>Accidents: 13</td>
</tr>
</tbody>
</table>

21-168915 8/16/2021 9:26PM Identity Theft Report

A 49-year-old Orion Twp resident came to the substation to report she was the victim of an identity theft. The victim stated that when she retrieved her mail, she noticed two credit cards and a letter regarding her new Apple TV account which she was did not sign-up for. The only actual charges appeared on the Apple account. The victim stated that she never gave anyone permission to open the accounts, so she closed both credit cards, disputing the charge to the Apple account. All information was gathered and turned over to detectives, investigation continues.

21-170601 8/18/2021 1:44PM Stolen Off-Road Vehicle

Deputies responded to the 1800 block of N. Mill Ct for a stolen ATV report. A 60-year-old resident stated that his ATV was under his deck on 8/10/2021. When the victim returned home on 8/18/2021 he noticed that his ATV was missing. Suspect unknown. All information was collected and turned over to detectives. Investigation continues.
Deputies responded to 465 Brown Rd Menards for a Retail Fraud report. An employee stated that an unknown male entered the store selected two pieces of equipment and started heading to the entrance doors when he was stopped employee who asked for his receipts. The suspect refused to produce any receipts and continued passed the employee passing all points of purchase making no attempt to pay for the items and exited the store. All information was collected and turned over to detectives. Investigation continues.

Deputies were advised by a citizen about a road run off in the area of Conklin and Indian Lake Road. When Deputies arrived on scene, they observed a vehicle off the road and the driver a 26-year-old male, resident of Southfield. The driver was found to be uninjured. During the Deputies investigation it was determined the driver was under the influence of alcohol. Deputies administered a PBT which yielded a result of .247. The male was subsequently taken to a local hospital for a blood draw and then to the Oakland County Jail where he will be released in the morning. Criminal charges will be pending lab results.

Deputies were dispatched to the 4600 block of Joslyn Rd for a larceny report. A 37-year-old resident stated that he parked his vehicle on 8/17/2021. When he returned on 8/19/2021 he noticed that someone cut and stole his catalytic converter. All information was collected and turned over to detectives. Investigation continues.

Deputies responded to the 4400 block of Crystal Creek for a solicitor complaint regarding driveway sealing work. The homeowner had an unknown solicitor pull into his driveway and offer to coat his driveway and give him a great deal. The two unknown men convinced him to allow them to seal the driveway in twenty minutes before they discussed or agreed upon a contract or price. The men quickly finished the job and then requested $6,500.00 dollars. The homeowner refused and attempted to negotiate a reasonable price; however, the parties could not agree when the man explained he was calling Deputies because he detected a scam. The men quickly fled and never returned. Deputies searched the area and provided additional information regarding how to avoid home repair scams.

Safety Tip; In order to help protect the public, Orion Township requires all legitimate door to door solicitors to register with the Orion Clerks Office and wear identification within Orion Township, prior to having contact with residents. Contact Deputies at 248 858-4911 should you encounter non-registered door to door solicitors.
21-171854  8/19/2021  11:21 PM  Traffic Stop – Cocaine Possession -Arrest

While on patrol in the area of Joslyn and Merritt Rd deputies made a traffic stop regarding a plate violation. The driver was not able to provide required vehicle registration or driver’s license. Deputies impounded the vehicle and during the impound they located suspected drugs and drug paraphernalia. The driver a 20-year-old Pontiac resident was issued several citations and released at the scene pending court date. The passenger 23-year-old Pontiac resident was arrested and transported to Oakland County Jail without incident.

UPDATE: The subject was arraigned at the 52nd 3rd D.C. on the charge of Possession of Crack Cocaine. He was given a $7500 10% bond.

21-172057  8/20/2021  8:23 AM  911 Welfare-Mental Health

Deputies were dispatched to the area of Buckhorn and Chicago for a male going door to door asking for drugs and money. Deputies located the 39-year-old male, a resident of Battle Creek, walking on Clarkston Road. Deputies have had other similar contacts with the man, and he was displaying apparent signs of confusion and possible drug use. Deputies calmed the man down and Orion Township Fire responded to the scene and transported the male to a local hospital for needed treatment.

21-172865  8/21/2021  9:54 AM  Larceny from Vehicle

Deputies were dispatched to the 3400 block of Richards Way for larceny from vehicle report. The owner of the vehicle stated that both sets of keys were left inside of the vehicle overnight. The keys, a purse, and credit cards were also taken from the vehicle. There was no damage to the vehicle, and it appeared the vehicle was unsecured. An OCSO evidence technician arrived on scene to attempt to pull fingerprints from the vehicle. Nearby neighbors had surveillance cameras which will be reviewed for possible suspects. Detectives will be continuing the investigation.

21-172897  8/21/2021  9:54 AM  Larceny from Vehicle

Deputies were dispatched to the 3400 block of Richards Way for larceny from vehicle report. The owner stated that they went to their car in the morning and observed that it been rummaged through. The owner discovered that a large waterproof boat bag containing towels, swimsuits, and sunscreen was taken. There was no damage done to the vehicle. An OCSO evidence technician arrived on scene to attempt to pull fingerprints from the vehicle. Nearby neighbors had surveillance cameras which will be reviewed for possible suspects. Detectives will be continuing the investigation.
Deputies were dispatched to the 3400 block of Richards Way for larceny from vehicle report. The owner stated that they went to their car in the morning and observed that it been rummaged through. The owner discovered that a set of car keys, a workout bag, tennis shoes, and wireless headphones were taken. There was no damage done to the vehicle. An OCSO evidence technician arrived on scene to attempt to pull fingerprints from the vehicle. Nearby neighbors had surveillance cameras which will be reviewed for possible suspects. Detectives will be continuing the investigation.

Deputies were dispatched to the 3400 block of Richards Way for larceny from vehicle report. The owner of the vehicle stated that they went to their car in the morning and observed the driver side door unlocked. The owner discovered that his firearm was stolen from within the center console along with $150. There was no damage done to the vehicle. An OCSO evidence technician arrived on scene to attempt to pull fingerprints from the vehicle. Nearby neighbors had surveillance cameras which will be reviewed for possible suspects. Detectives will be continuing the investigation.

Deputies responded to the 3400 block of Waldon road for a B&E report. A 68-year-old resident stated that on 8/20/2021 his dog began barking at the fence at 2:30AM, When he checked the area and did not locate anyone. On 8/21/2021 he noticed two bags along the fence in the backyard. When the victim went out to look at them, he noticed that an unknown suspect broke into his shed and had stolen several items. Deputies were able to identify the items in the bags as property that was stolen the night before. All information and property were collected and turned over to detectives. Investigation continues.

Deputies responded to the 700 block of Brown Rd for a Domestic Assault complaint. Deputies arrived and made the scene safe. A 43-year-old residence stated that that her boyfriend 31-year-old resident started arguing when it turned physical when he grabbed a cup and threw it at her head. After the assault he fled the scene. Deputies checked the area and were unable to locate the responsible. All information was collected and turned over to detectives. Investigation continues.

Everyone with information or crime tips regarding these incidents are encouraged to contact the Orion Township Sheriff’s Office Substation at 248 393-0090 for tips, or our Dispatch Center at 248 858-4911 for crimes in-progress. Tipsters can remain anonymous.
Orion Township Call Volume
August 11, 2021-September 01, 2021

Medical Calls- 134
Non- Medical Calls- 59
Total Call Volume- 193
Year to Date- 2242
Transports (pre-ALS)- 299
Transports YTD- (ALS)- 487
Transport Cost Recovery YTD- $233,338.70

Fire Department Significant Incidents
- Assist to Independence FD for a structure fire.
- Multiple vehicles involved in an accident with several patients. All 3 Alpha units requested to the scene and all 3 units transported to the hospital.
- Assist to Oxford FD for a structure fire.
- Gas leak at McDonalds causing kitchen grease fire. Full response. Minimal damage. Cooking suppression system operated as designed. Prevention Division worked with owners for a quick reopening.
- Home owner hand was caught in a garage door. FD extricated hand with minimal injuries.
- Roll over car accident on M-24
Agenda Item Summary

To: Board of Trustees
From: Trustee Mike Flood, Building Dept. BOT Liaison
Meeting Date: September 7, 2021
Memo Date: August 26, 2021
Subject: Building Dept. July. 2021 Reports

REQUEST: Please placed on September 7, 2021, BOT agenda under REPORTS

REASON: Transparency Board and public record

PROCESS: Total two PDF’s: 1. All building permits, 2. Enforcement complaints.

BUDGET - Financial Item? [ ] Yes [X] No If yes, fill out information below:

<table>
<thead>
<tr>
<th>Fund Name</th>
<th>Account No.</th>
<th>Description</th>
<th>Budget Amount</th>
<th>Cost</th>
<th>Remaining Budget</th>
</tr>
</thead>
</table>

RECOMMENDATION (Motion)

Motion to receive and file July 2021 Building Department Reports.
<table>
<thead>
<tr>
<th>Property Address</th>
<th>Date Filed</th>
<th>Complaint</th>
<th>Enf #</th>
<th>Status</th>
<th>Category</th>
<th>Inspector</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUCKNER RD</td>
<td>07/01/2021</td>
<td>Tall grass along fence. Neighbor Buckner Rd gives permission to go on their yard to view the grass</td>
<td>E-21-201</td>
<td>CLOSED</td>
<td>WEEDS / TALL GRASS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>N SHORE CT</td>
<td>07/01/2021</td>
<td>Deck was removed - a new deck permit has not been issued or approved by the Village of Orion.</td>
<td>E-21-202</td>
<td>CLOSED</td>
<td>BUILDING CODES</td>
<td>TIM LONDON</td>
</tr>
<tr>
<td>INDIANWOOD RD</td>
<td>07/01/2021</td>
<td>Tall Weeds</td>
<td>E-21-203</td>
<td>CLOSED</td>
<td>WEEDS / TALL GRASS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>W STONEGATE CIR</td>
<td>07/01/2021</td>
<td>Diverting water onto neighboring properties, covered manhole</td>
<td>E-21-204</td>
<td>CLOSED</td>
<td>EXTERIOR AREAS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>DECKER DR</td>
<td>07/01/2021</td>
<td>Arbor Viteas too close to Fire Hydrant Remove Two</td>
<td>E-21-205</td>
<td>OPEN</td>
<td>BUILDING CODES</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>MINTON RD</td>
<td>07/02/2021</td>
<td>weeds</td>
<td>E-21-206</td>
<td>CLOSED</td>
<td>WEEDS / TALL GRASS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>CHALICE RD</td>
<td>07/02/2021</td>
<td>weeds</td>
<td>E-21-207</td>
<td>CLOSED</td>
<td>WEEDS / TALL GRASS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>REGENCY DR</td>
<td>07/02/2021</td>
<td>weeds</td>
<td>E-21-208</td>
<td>CLOSED</td>
<td>WEEDS / TALL GRASS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>VOORHEIS LAKE CT</td>
<td>07/02/2021</td>
<td>weeds</td>
<td>E-21-209</td>
<td>CLOSED</td>
<td>WEEDS / TALL GRASS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>INDIANPIPE RD</td>
<td>07/02/2021</td>
<td>Received a call stating homeowner is running a chiropractor business out of his home</td>
<td>E-21-210</td>
<td>CLOSED</td>
<td>CITIZEN COMPLAINT</td>
<td>Kirk Larson</td>
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<tr>
<td>CHESTERFIELD RD</td>
<td>07/06/2021</td>
<td>Received call regarding an abandoned home</td>
<td>E-21-211</td>
<td>CLOSED</td>
<td>CITIZEN COMPLAINT</td>
<td>Al Daisley</td>
</tr>
<tr>
<td>CHESTERFIELD RD</td>
<td>07/06/2021</td>
<td>Received call regarding an abandoned home</td>
<td>E-21-212</td>
<td>OPEN</td>
<td>CITIZEN COMPLAINT</td>
<td>Al Daisley</td>
</tr>
<tr>
<td>Property Address</td>
<td>Date Filed</td>
<td>Complaint</td>
<td>Enf #</td>
<td>Status</td>
<td>Category</td>
<td>Inspector</td>
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<tr>
<td>CANDLEWICK DR</td>
<td>07/06/2021</td>
<td>Received call regarding an abandoned home</td>
<td>E-21-12</td>
<td>CLOSED</td>
<td>CITIZEN COMPLAINT</td>
<td>Kirk Larson</td>
</tr>
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<tr>
<td>CANDLEWICK DR</td>
<td>07/06/2021</td>
<td>Received call stating there are junk vehicles being stored on property.</td>
<td>E-21-13</td>
<td>CLOSED</td>
<td>CITIZEN COMPLAINT</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Please see enforcement E-20-00412</td>
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<td></td>
<td>Also dilapidated shed and possible hoarding</td>
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</tr>
<tr>
<td>CANDLEWICK DR</td>
<td>07/06/2021</td>
<td>Received call regarding tall grass and weeds</td>
<td>E-21-14</td>
<td>OPEN</td>
<td>WEEDS / TALL GRASS</td>
<td>Al Daisley</td>
</tr>
<tr>
<td>CHESTERFIELD RD</td>
<td>07/06/2021</td>
<td>Received call regarding tall grass and weeds</td>
<td>E-21-15</td>
<td>OPEN</td>
<td>WEEDS / TALL GRASS</td>
<td>Al Daisley</td>
</tr>
<tr>
<td>CHESTERFIELD RD</td>
<td>07/06/2021</td>
<td>Tall grass and dead trees</td>
<td>E-21-16</td>
<td>CLOSED</td>
<td>WEEDS / TALL GRASS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>BELLEVUE AVE</td>
<td>07/07/2021</td>
<td>no permits for new construction (retaining wall)</td>
<td>E-21-17</td>
<td>CLOSED</td>
<td>BUILDING CODES</td>
<td>TIM LONDON</td>
</tr>
<tr>
<td>BLUEBIRD HILL DR</td>
<td>07/07/2021</td>
<td>Orion Lake mobile home does not have street lights on every street.</td>
<td>E-21-18</td>
<td>CLOSED</td>
<td>CITIZEN COMPLAINT</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td></td>
<td></td>
<td>They started the work a year ago and it is not done. Drivers</td>
<td></td>
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<td></td>
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<td>can not see at night</td>
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<tr>
<td>CHESTERFIELD RD</td>
<td>07/07/2021</td>
<td>Tall grass and weeds</td>
<td>E-21-19</td>
<td>OPEN</td>
<td>WEEDS / TALL GRASS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>WALCOIT DR</td>
<td>07/08/2021</td>
<td>Garage is on a poured footing and Pulte had to backfill and it soil was</td>
<td>E-21-20</td>
<td>CLOSED</td>
<td>WEEDS / TALL GRASS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td></td>
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<td>not compressed. Footing was not poured on undisturbed ground</td>
<td></td>
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<td>Footing is cracking after settling. Footing has separated</td>
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<td></td>
<td></td>
<td>from rat wall.</td>
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<tr>
<td>HEIGHTS RD</td>
<td>07/09/2021</td>
<td>Tall grass</td>
<td>E-21-21</td>
<td>OPEN</td>
<td>CITIZEN COMPLAINT</td>
<td>Oliver Pomaranski</td>
</tr>
<tr>
<td>HEIGHTS RD</td>
<td>07/12/2021</td>
<td>Has lots of cats and they are all over the neighbors yard. He looks</td>
<td>E-21-22</td>
<td>CLOSED</td>
<td>WEEDS / TALL GRASS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td></td>
<td></td>
<td>cats up when he leaves. Cats are usually out in the mornings.</td>
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<tr>
<td>Property Address</td>
<td>Date Filed</td>
<td>Complaint</td>
<td>Status</td>
<td>Enf #</td>
<td>Inspector</td>
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<td></td>
<td>07/12/2021</td>
<td>renting boat slips see 460 cushing</td>
<td>OPEN</td>
<td>E-21-223</td>
<td>Kirk Larson</td>
<td></td>
</tr>
<tr>
<td>FAIRLEDGE ST</td>
<td>07/12/2021</td>
<td>Tall grass and weeds in front and rear yard. Also, there is a fort in the back that kids are hanging out drinking and smoking leaving trash all over. Resident at Fairledge stated you can access his property to see the back portion of the vacant lot.</td>
<td>RESOLVED</td>
<td>E-21-224</td>
<td>Kirk Larson</td>
<td></td>
</tr>
<tr>
<td>ELKHORN LAKE RD</td>
<td>07/13/2021</td>
<td>Rubbish, trash, junk vehicles / Trailer on site someone is living in</td>
<td>CLOSED</td>
<td>E-21-225</td>
<td>Kirk Larson</td>
<td></td>
</tr>
<tr>
<td>QUEENSBURY RD</td>
<td>07/13/2021</td>
<td>weeds</td>
<td>OPEN</td>
<td>E-21-226</td>
<td>Kirk Larson</td>
<td></td>
</tr>
<tr>
<td>HUMMINGBIRD DR</td>
<td>07/15/2021</td>
<td>Condemned</td>
<td>CLOSED</td>
<td>E-21-227</td>
<td>Kirk Larson</td>
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</tr>
<tr>
<td>HUMMINGBIRD DR</td>
<td>07/15/2021</td>
<td>condemned</td>
<td>OPEN</td>
<td>E-21-228</td>
<td>Kirk Larson</td>
<td></td>
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<tr>
<td>HUMMINGBIRD DR</td>
<td>07/15/2021</td>
<td>condemned</td>
<td>OPEN</td>
<td>E-21-229</td>
<td>Kirk Larson</td>
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<tr>
<td>HUMMINGBIRD DR</td>
<td>07/15/2021</td>
<td>condemned</td>
<td>OPEN</td>
<td>E-21-230</td>
<td>Kirk Larson</td>
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<tr>
<td>HUMMINGBIRD DR</td>
<td>07/15/2021</td>
<td>condemned</td>
<td>OPEN</td>
<td>E-21-231</td>
<td>Kirk Larson</td>
<td></td>
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<tr>
<td>MEADOW LARK DR</td>
<td>07/15/2021</td>
<td>condemned</td>
<td>OPEN</td>
<td>E-21-232</td>
<td>Kirk Larson</td>
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<tr>
<td>BLUEBIRD HILL DR</td>
<td>07/15/2021</td>
<td>condemned</td>
<td>OPEN</td>
<td>E-21-233</td>
<td>Kirk Larson</td>
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<tr>
<td>BLUEBIRD HILL DR</td>
<td>07/15/2021</td>
<td>condemned</td>
<td>OPEN</td>
<td>E-21-234</td>
<td>Kirk Larson</td>
<td></td>
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</tbody>
</table>
## COMPLAINT LIST

**Property Address** | **Date Filed** | **Complaint** | **Enf #** | **Status** | **Category** | **Inspector**
--- | --- | --- | --- | --- | --- | ---
BLUEBIRD HILL DR | 07/15/2021 | condemned | E-21-235 | OPEN | DANGEROUS BLDGS. | Kirk Larson
W CLARKSTON RD | 07/15/2021 | Perpetual yard sale | E-21-236 | CLOSED | TRASH & DEBRIS | Kirk Larson
S LAPEER RD | 07/15/2021 | Violation False Alarm (First Offense) | E-21-237 | OPEN | ORD. #146 FIRE CODE | Anton Roth
STANTON RD | 07/16/2021 | Abandoned car in driveway, tall grass, windows boarded, garbage in driveway, using property as a dump site. | E-21-238 | OPEN | CITIZEN COMPLAINT | Kirk Larson
S LAPEER RD | 07/16/2021 | Verify Hood Suppression and permits with no inspections. | E-21-239 | OPEN | BUILDING CODES | David Goodloe
HUMMINGBIRD DR | 07/16/2021 | Office gave list of abandoned lots | E-21-240 | OPEN | DANGEROUS BLDGS. | Kirk Larson
PARAKEET HILL DR | 07/16/2021 | Abandoned lot | E-21-241 | CLOSED | DANGEROUS BLDGS. | Kirk Larson
STARLING HILL DR | 07/16/2021 | ABANDONED LOT | E-21-242 | CLOSED | DANGEROUS BLDGS. | Kirk Larson
CANARY HILL DR | 07/16/2021 | ABANDONED LOT/HOME | E-21-243 | CLOSED | DANGEROUS BLDGS. | Kirk Larson
CANARY HILL DR | 07/16/2021 | ABANDONED HOME/LOT | E-21-244 | CLOSED | DANGEROUS BLDGS. | Kirk Larson
CANARY HILL DR | 07/16/2021 | ABANDONED HOME/LOT | E-21-245 | CLOSED | DANGEROUS BLDGS. | Kirk Larson
CANARY HILL DR | 07/16/2021 | ABANDONED HOME/LOT | | | |
<table>
<thead>
<tr>
<th>Property Address</th>
<th>Date Filed</th>
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<th>Category</th>
<th>Inspector</th>
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<tbody>
<tr>
<td>BLUEBIRD HILL DR</td>
<td>07/16/2021</td>
<td>ABANDONED HOME/LOT</td>
<td>E-21-247</td>
<td>OPEN</td>
<td>DANGEROUS BLDGS.</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>WREN WAY DR</td>
<td>07/16/2021</td>
<td>ABANDONED HOME/LOT</td>
<td>E-21-248</td>
<td>CLOSED</td>
<td>DANGEROUS BLDGS.</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>HUMMINGBIRD DR</td>
<td>07/16/2021</td>
<td>ABANDONED HOME/LOT</td>
<td>E-21-249</td>
<td>CLOSED</td>
<td>DANGEROUS BLDGS.</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>N EAGAN DR</td>
<td>07/19/2021</td>
<td>Chickens and roosters</td>
<td>E-21-250</td>
<td>OPEN</td>
<td>CITIZEN COMPLAINT</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>PONTIAC DR</td>
<td>07/19/2021</td>
<td>Tall grass on lot, concrete dumped there. Raccoons coming into neighbors yards.</td>
<td>E-21-251</td>
<td>CLOSED</td>
<td>CITIZEN COMPLAINT</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>BUCKNER RD</td>
<td>07/19/2021</td>
<td>Tall grass in reyard and also along fence line and berm. Berm is full of weeds and branches</td>
<td>E-21-252</td>
<td>OPEN</td>
<td>WEEDS / TALL GRASS</td>
<td>David Goodloe</td>
</tr>
<tr>
<td>BUCKNER RD</td>
<td>07/19/2021</td>
<td>Tall grass and weeds in rear yard and along fence line. Citizen states the weeds are over 5 ft. tall. Also there are weeds in the berm and piles of branches/sticks all over the berm. Resident is requesting Dave Goodloe to do the inspection.</td>
<td>E-21-253</td>
<td>OPEN</td>
<td>WEEDS / TALL GRASS</td>
<td>David Goodloe</td>
</tr>
<tr>
<td>MORGAN RD</td>
<td>07/19/2021</td>
<td>Moving dirt around in reyard. Changing grades</td>
<td>E-21-254</td>
<td>OPEN</td>
<td>CITIZEN COMPLAINT</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>E SILVERBELL RD</td>
<td>07/19/2021</td>
<td>His/her and neighbor have political signs in yards. Citizen wants them removed.</td>
<td>E-21-255</td>
<td>CLOSED</td>
<td>CITIZEN COMPLAINT</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>CHESTERFIELD RD</td>
<td>07/21/2021</td>
<td>weeds</td>
<td>E-21-256</td>
<td>CLOSED</td>
<td>WEEDS / TALL GRASS</td>
<td>Kirk Larson</td>
</tr>
<tr>
<td>HARRY PAUL DR</td>
<td>07/21/2021</td>
<td>Trash, vehicles, trailer, propane tanks...etc</td>
<td>E-21-257</td>
<td>OPEN</td>
<td>PROPERTY MAINTENANC</td>
<td>Al Daisley</td>
</tr>
<tr>
<td>Property Address</td>
<td>Date Filed</td>
<td>Complaint</td>
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<tr>
<td>JOSLYN RD</td>
<td>07/22/2021</td>
<td>Cutting steel beams starting at 6 a.m.</td>
<td></td>
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<td>Enf #</td>
<td>E-21-258</td>
<td>Status: CLOSED, Category: CITIZEN COMPLAINT, Inspector: Kirk Larson</td>
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<tr>
<td></td>
<td>07/22/2021</td>
<td>Citizen was in today stating trees are hanging over road and wants them cut.</td>
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<td>Vacant parcel at Orbit and Galaxy Way</td>
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<tr>
<td>Enf #</td>
<td>E-21-259</td>
<td>Status: CLOSED, Category: CITIZEN COMPLAINT, Inspector: Kirk Larson</td>
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<td></td>
<td>07/22/2021</td>
<td>Citizen was in today stating trees are hanging over road and wants them cut.</td>
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<td>Vacant parcel at Orbit and Galaxy Way</td>
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<td>Citizen was in today stating trees are hanging over road and wants them cut.</td>
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<tr>
<td>Vacant parcel at Orbit and Galaxy Way</td>
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<td>OAKLAND DR</td>
<td>07/26/2021</td>
<td>Tree fell and homeowner has not cleaned it. The whole house and yard is not being taken care of.</td>
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<td>FOREST LAKE BLVD</td>
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<td>Trees, weeds, coons getting inside</td>
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<td>BEACH DR</td>
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<td>PROPERTY LINE ISSUES. SHE IS CUTTING NEIGHBORS GRASS.</td>
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<td>ROHR RD</td>
<td>07/29/2021</td>
<td>Balcony/deck constructed without a permit. Homeowner mailed in a copy of the scope of work from Lars David Inc.</td>
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<td>Status: OPEN, Category: BUILDING CODES, Inspector: TIM LONDON</td>
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<td>ROBERTSON CT</td>
<td>07/29/2021</td>
<td>Neighbor came in and said she is not cutting weeds/trees on the fence line and now he has trees growing up and in his fence. He does not want to pay to have his fence fixed.</td>
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<td>HEIGHTS RD</td>
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<td>Tall grass. Wood in yard. Junk vehicles</td>
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<td>COLE RD</td>
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<td>Old office furniture, wood etc. laying in the yard for almost a year.</td>
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<td>KINMOUNT DR</td>
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<td>Neighbor dug trench/ditch to drain water onto property.</td>
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<td>W CLARKSTON RD</td>
<td>07/30/2021</td>
<td>Received several complaints regarding contractors are starting work at 6 a.m.</td>
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COMPLAINT LIST

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Inspector: Al Daisley

Population: All Records
Enforcement Date Filed Between 7/1/2021 12:00:00 AM AND 7/31/2021 11:59:59 PM

Total 71
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| Number of Permits: | 223 |
| Total Billed:      | $134,290.00 |

Population: All Records
Permit.DateIssued Between 7/1/2021 12:00:00 AM AND 7/31/2021 11:59:59 PM
AND
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Permit.PermitType = BUILDING OR
Permit.PermitType = BUILDING VILLAGE OR
Permit.PermitType = Change of Occupancy OR
Permit.PermitType = Electrical OR
Permit.PermitType = ELECTRICAL VILLAGE OR
Permit.PermitType = FIRE ALARM OR
Permit.PermitType = FIRE ALARM - VILLAGE OR
Permit.PermitType = FIRE SUPPRESSION OR
Permit.PermitType = FIRE SUPPRESSION - VILLAGE OR
Permit.PermitType = GAS DETECTION OR
Permit.PermitType = Mechanical OR
Permit.PermitType = MECHANICAL VILLAGE OR
Permit.PermitType = Plumbing OR
Permit.PermitType = Plumbing Backflow Permit OR
Permit.PermitType = PLUMBING VILLAGE OR
Permit.PermitType = Repair/Misc OR
Permit.PermitType = SIGN OR
Permit.PermitType = Sign Permit OR
Permit.PermitType = SOIL EROSION OR
Permit.PermitType = SPECIAL PERMIT OR
Permit.PermitType = TEMP SIGNS

NOTE: JULY DEMO PERMITS
1. 512 E. Silverbell Road
2. 447 Shady Oaks Street
REQUEST
Please find attached the August 2021 Municipal Complex Executive Report prepared by Cunningham-Limp.

RECOMMENDATION (MOTION)
Orion Township Municipal Complex
EXECUTIVE REPORT #13
August 2021
Table of Contents.

- About Cunningham-Limp
- Executive Summary
- Design Summary
- Inspection Summary
- Construction Highlights
- Budget Report
- Schedule
- Site Photographs
- Overall Site Plan
- Safety Cross
- Project Directory
At Cunningham-Limp, our mission is to make a positive impact on people, communities, and companies.
MISSION

To replace a functionally obsolete facility with failing infrastructure and occupancy constraints, with a community focused Municipal Complex and Future Park that will serve generations of residents in Orion Township.
Executive Summary.

The final interior finishes in the Sheriff's Station are nearing completion. The millwork, fixtures, carpets, and ceiling will be complete soon. After completion, the crews will be transitioning to the Township Hall.

Township Hall is full steam ahead. The siding around the building, along with the exterior glazing system is almost complete. The team is currently drywalling the interior walls, with most of the overhead MEPs completed. Ceiling installation and drywall finishing will begin within the next few weeks and will be complete the end of the month. The millwork is almost completely built and waiting to be set in place.

The earthwork team will be completing their final grading early next month. The stockpile of topsoil has been distributed with only minor areas remaining. The irrigation system is currently being installed with the landscape team and the site concrete team are on the schedule for early September to finish the remaining site work.
The design is complete and permitted for construction. The Municipal property sits on 77 acres, with the project utilizing 14 acres. Excess land, consisting of natural woodland areas and wetland areas, will be preserved as designed.

The Township Hall will be 43,637 square feet. The structure is a single-story building, with a full walkout basement.

The Sheriff’s Substation will be 8,820 square feet and will sit adjacent to Township Hall.
Inspection Summary.

ORION TOWNSHIP MUNICIPAL COMPLEX SUMMARY

- Independent testing inspections are ongoing through backfilled locations, concrete slab, structural steel, metal trusses, Glulam installation, etc.
- The Township regularly performs inspections.

CONSTRUCTION ISSUES

- The team is working through the following coordination items:
  - Low voltage / data cabling / security coordination.
  - Interior partition clarification, MEP & fire protection coordination are ongoing.
  - Coordination of interior finishes.
  - Misc. design details to provide a quality product.
  - Material delays and manpower issues.
  - August 2021 has also exceeded the average rain fall for this area.
Construction Highlights.

ORION TOWNSHIP MUNICIPAL COMPLEX SUMMARY

- The rubber roof and the metal roof are complete on the township hall.
- The metal roofing is scheduled to be onsite mid-next month.
- Township Hall is nearly enclosed, which will aid in the completion of the exterior work remaining.
- The interior framing in the department area is complete with drywall being installed.
- The board room floor is almost complete, and the interior concrete will be completed shortly afterward.
- Final finishes are on hand once the site is ready
  - Carpet, Millwork, bathroom partitions, etc..
- The Sheriff’s Station is 95% complete on the inside and close to being ready for a punch list.
- The Team is working to make the facility as “touchless” as possible.
Budget.

ORION TOWNSHIP MUNICIPAL COMPLEX APPROVED CONTRACT

Approved Construction Contract:
- Original Contract Value: $16,854,000
- Change Orders to Date: $0
- Current Contract Value: $16,854,000
- % completed to date: 77%

Contingency Status:
- Original Contingency Value: $500,000
- Current Contingency Value: $302,000
ORION TOWNSHIP HALL SCHEDULE HIGHLIGHTS

- Currently, there is a team of almost 20 carpenters pushing the project ahead.
- The Sheriff’s Station is 95% complete.
- DTE has energized the building and consumers have established the gas line.

SCHEDULE ISSUES

- An above-average rainfall for June, July, and August 2021.
- Additional scope items may require additional time.
- Supply chain issues have been a unique reality this year. The team has worked together to substitute equal materials to maintain the current schedule on more than one occasion.
- Currently, the project team, including Orion Township, has agreed that due to the additional scope items and above-average rainfall that the project schedule will be extended to the end of October 2021.
Aerial Photographs.

August 26, 2021
Site Photographs.

Township Hall

Township Hall
Site Photographs.

Township Hall

Township Hall

Township Hall
Site Photographs.

Township Hall

Township Hall
Site Plan.
Safety Cross.
## PROJECT DIRECTORY.

### Cunningham-Limp Directory

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>NAME</th>
<th>TITLE</th>
<th>ADDRESS</th>
<th>MOBILE</th>
<th>OFFICE</th>
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<tbody>
<tr>
<td>Cunningham-Limp</td>
<td>Sam Ashley</td>
<td>Vice President</td>
<td>28970 Cabot Drive Suit 100 Novi MI</td>
<td>NA</td>
<td>248-489-2300</td>
<td><a href="mailto:sashley@clc.build">sashley@clc.build</a></td>
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<tr>
<td>Cunningham-Limp</td>
<td>Jacob Gardner</td>
<td>Project Manager</td>
<td>28970 Cabot Drive Suit 100 Novi MI</td>
<td>734-395-0639</td>
<td>248-893-2308</td>
<td><a href="mailto:jgardner@clc.build">jgardner@clc.build</a></td>
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<tr>
<td>Cunningham-Limp</td>
<td>Josh Muxlow</td>
<td>Superintendent</td>
<td>28970 Cabot Drive Suit 100 Novi MI</td>
<td>248-763-1643</td>
<td>NA</td>
<td><a href="mailto:jmuxlow@clc.build">jmuxlow@clc.build</a></td>
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<tr>
<td>Cunningham-Limp</td>
<td>Natalie Lawrence</td>
<td>Project Coordinator</td>
<td>28970 Cabot Drive Suit 100 Novi MI</td>
<td>NA</td>
<td>248-488-7752</td>
<td><a href="mailto:nlawrence@clc.build">nlawrence@clc.build</a></td>
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<tr>
<td>Cunningham-Limp</td>
<td>Matt Sportel</td>
<td>Director of</td>
<td>28970 Cabot Drive Suit 100 Novi MI</td>
<td>NA</td>
<td>248-893-2313</td>
<td><a href="mailto:msportel@clc.build">msportel@clc.build</a></td>
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# Orion Township Directory

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<tr>
<td>Orion Township</td>
<td>Chris Barnett</td>
<td>Township Supervisor</td>
<td>2525 Joslyn Road, Lake Orion, MI 48360</td>
<td>248-391-0304 EXT 1001</td>
<td><a href="mailto:cbarnett@oriontownship.org">cbarnett@oriontownship.org</a></td>
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<td>Orion Township</td>
<td>Jeff Stout</td>
<td>Director of Public Services</td>
<td>2525 Joslyn Road, Lake Orion, MI 48360</td>
<td>248-391-6842</td>
<td><a href="mailto:jstout@oriontownship.org">jstout@oriontownship.org</a></td>
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<tr>
<td>Auger Klein Aller Architects Inc.</td>
<td>Scott Reynolds AIA</td>
<td>Project Architect / AKA Associate</td>
<td>303 E. Third Street Ste 100 Rochester MI 48307</td>
<td>248-814-9160</td>
<td><a href="mailto:s.reynolds@aka-architects.net">s.reynolds@aka-architects.net</a></td>
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<tr>
<td>OHM Advisors</td>
<td>James Stevens</td>
<td>Principal</td>
<td>34000 Plymouth Rd Livonia, MI 48150</td>
<td>248-751-3100</td>
<td><a href="mailto:James.stevens@ohm-advisors.com">James.stevens@ohm-advisors.com</a></td>
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</table>
CONTACT US.

EMAIL ADDRESS
CONTACT@clc.build

PHONE NUMBER
248.489.2300

MAILING ADDRESS

Headquarters
28970 Cabot Drive | Suite 100
Novi, Michigan 48377

Northern Michigan
818 Red Drive | Suite 30
Traverse City, Michigan 49684
Date: September 1, 2021

To: Board of Trustee’s

From: Robert S. Duke, EFO
Fire Chief

Subject: FEMA Assistance to Firefighter Grant Award Report

The Fire Department was awarded a FEMA Assistance to Firefighters (AFG) Grant funding opportunity in the total amount of $139,330.82. Federal funding amount is $126,664.38 and the Fire Department’s contribution is $12,666.44.

Firefighters continue to respond to emergency incidents that require extreme physical output and often result in physiological and psychological outcomes. Such situations, over time, can and do affect the overall wellness of the fire fighting and emergency response system. Tomorrow’s fire service requires that we face our destiny of keeping our firefighters fit today. The ultimate goal of the Wellness/Fitness Initiative is to improve the quality of life for all firefighters. This grant award seeks to prove the value of investing wellness resources over time to maintain a fit, healthy, and capable firefighter throughout his/her 25-30 + year career and beyond.

Our grant project of Wellness/Fitness entails that each firefighter will receive a comprehensive physical examination, cancer screening, physical fitness assessment and counseling program, job related immunization, if desired, and exercise equipment in each fire station.