1. CALL TO ORDER.  The Charter Township of Orion Board of Trustees held a regular meeting on Monday, November 15, 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 (with notice)

OTHERS PRESENT:  
Dan Dewey  David Cipriano  Gary Roberts  Rev. Rhonda Chapman  
Greg Prost  Lil Hutchison  Gene D’Agostini  Kati DeMattia  
Joe Salome  Greg Yatooma  Ryan Jundt

2. INVOCATION AND PLEDGE.  Rev. Rhonda Chapman gave the invocation, followed by the Pledge of Allegiance.

3. PUBLIC HEARING.  CDBG FY 2022 Annual Application Public Hearing. The Public Hearing was held from 7:02 p.m. to 7:05 p.m. Supervisor Barnett read the memo. No public comment was received.

4. PRESENTATION.  Presentation was given by Greg Prost from Robinson Capital.

5. CITIZEN OF THE MONTH.  Chuck Rose, Miracle League pitcher was honored with citizen of the month for his dedication to the children of the Miracle League.

6. APPROVAL OF BILLS.  Moved by Treasurer Steele, seconded by Clerk Shults to authorize payment of bills in the amount of $2,843,237.97 and payrolls in the amount of $414,566.05 for a total disbursement of funds in the amount of $3,257,804.02, as presented. AYES: Urbanowski, Barnett, Shults, Steele, Birney, Dalrymple  ABSENT: Flood  NAYS: None  
MOTION CARRIED

7. PUBLIC COMMENT.  Public comment was not heard.


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

9. CONSENT AGENDA.


   B. Minutes – Budget Workshop, November 1, 2021.  Approve, as presented.
C. Minutes – Regular Meeting, November 1, 2021. Approve, as presented.

D. Set Joint Public Hearing – PC-2021-90, Ridgewood PUD. Receive and file Board notice regarding proposed joint public hearing for PC-2021-90, Ridgewood PUD on December 1, 2021.

E. Set Public Hearing – 2022 Budget. Set the date for the Budget Public Hearing and possible adoption on the proposed 2022 Budgets for 7:00 p.m. on Monday, December 20th, 2021 and direct the Clerk to publish the proper legal notice.

F. Ord. 76 Special One-Day Alcohol Service Permit – Holly Jolly Folly. Approve the request for a Special One-Day Permit for the Holly Jolly Folly under Ord. 76, Alcoholic Beverages Regulation, and waive the $300.00 application fee.

G. BBJ Private Road Maintenance SAD #1: Authorize Cost Estimate & Work Plan. Authorize the Supervisor’s Office to proceed with obtaining the cost estimate and work plan.

H. ARPA Purchases. Approve use of ARPA funds as proposed and authorize the Accounting Controller and Budget & Procurement Director to make the necessary budget adjustments and expense transfers, and authorize any funds not spent in 2021 in relation to the above stated projects to be budget adjusted in 2022.
   • Fire Department – 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.
   • Public Services – 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.
   • Supervisor – Authorize using American Rescue Plan funding for the proposed expenditures in 2021, and authorize the Township Supervisor to execute all required purchase orders and agreements for the requested items.
   • Parks & Recreation – Award the bid for paving the Friendship Park Tennis/Pickleball Courts and Orion Center Trailhead Parking Lot to Asphalt Specialists at a total cost not to exceed the $410,000.00 budgeted for these projects.

I. CIA Bylaws Amendment. Approve the amendments as recommended by the Corridor Improvement Authority Board at its November 10, 2021 regular meeting.

J. Matured, Called and Purchases of Securities and Bonds for Water/Sewer and General Accounts. Receive and File, as presented.
K. Solicitation Request – Lake Orion Lions Goodfellow Newspaper Sales. Approve the request, as submitted, with the understanding that participants will wear safety vests and would not block, obstruct, impede or otherwise interfere with the normal flow of progress of vehicular traffic.

L. Employee Resignations. Accept the resignation with regret and authorize posting the vacancy.
   - Hollie Bardecki, Clerk II – Assessing – Accept the resignation with regret and authorize posting vacancy.
   - Matthew Schaefer, Firefighter – Accept the resignation and authorize posting the vacancy.
   - Theresa Heiliger, Clerk II – Building – Accept the resignation and authorize posting the vacancy.

M. Emergency Septic System Upgrades – Camp Agawam. Approve contracting with Hutchison Excavating LLC to complete necessary septic system upgrades at Camp Agawam, in accordance with all state and local guidelines, at a cost not to exceed $19,500.00.

N. 2022 Request for Proposals. Authorize advertising for sealed bids for the 2022 Parks & Recreation projects as outlined above.

O. Request for Goodfellows Newspaper Sale. Approve the request from the Orion Township Firefighters for Goodfellows Newspaper Sales and because it is on behalf of a non-profit organization, to waive the requirements of Sections 4, 5, 6, and 8, of Ordinance 95, Peddlers & Solicitors Regulation.

P. Temporary Sign Permit for Friends of Orion Township Library. Waive the temporary sign permit fee for the Friends of Orion Township Public Library, with the understanding that with their next request, all size requirements in Ordinance No. 153 will be met.

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

10. PENDING BUSINESS.

A. Approve CDBG FY 2022 Annual Application. Moved by Clerk Shults, seconded by Trustee Urbanowski to approve the recommendation as presented and authorize the Supervisor to file the application. AYES: Steele, Birney, Dalrymple, Urbanowski, Barnett, Shults  ABSENT: Flood  NAYS: None     MOTION CARRIED

B. Medical Marihuana Provisioning Center Permit Approvals.
   - Moved by Trustee Dalrymple, seconded by Trustee Birney to approve a medical marihuana provisioning center Permit for Natrabis Cultivation, LLC, based on the following: 1) the Application is substantially complete and meets the location requirements set forth in Art. VI of Ord. 154; 2) the applicant submitted evidence that it meets all standards set forth in Art. X of Ord. No. 154; and 3) the applicant
possesses demonstrated cannabis permitting and business experience within Orion Township; final approval is conditioned upon the community benefit being finalized by the Township Attorney in a written addendum, approved by the Township Supervisor, who is hereby granted authority to execute same. AYES: Birney, Dalrymple, Urbanowski, Barnett, Shults, Steele   ABSENT: Flood   NAYS: None

MOTION CARRIED

• Moved by Trustee Dalrymple, seconded by Trustee Birney to approve a medical marihuana provisioning center Permit for Candid based on the following: 1) the Application is substantially complete and meets the location requirements set forth in Art. VI of Ord. 154; 2) the applicant submitted evidence that it meets all standards set forth in Art. X of Ord. No. 154; 3) the applicant has provided adequate support that it will provide a significant community benefit; and 3) the applicant possesses demonstrated cannabis permitting and business experience within Orion Township; final approval is conditioned upon the community benefit being finalized by the Township Attorney in a written addendum, approved by the Township Supervisor, who is hereby granted authority to execute same. AYES: Barnett, Shults, Steele, Birney, Dalrymple, Urbanowski   ABSENT: Flood   NAYS: None   MOTION CARRIED

• Moved by Trustee Dalrymple, seconded by Trustee Birney to approve a medical marihuana provisioning center Permit for Peninsula Agriculture based on the following: 1) the Application is substantially complete and meets the location requirements set forth in Art. VI of Ord. 154; 2) the applicant submitted evidence that it meets all standards set forth in Art. X of Ord. No. 154; 3) the applicant has provided adequate support that it will provide a significant community benefit; and 3) the applicant possesses demonstrated cannabis permitting and business experience within Orion Township; final approval is conditioned upon the community benefit being finalized by the Township Attorney in a written addendum, approved by the Township Supervisor, who is hereby granted authority to execute same. AYES: Shults, Steele, Birney, Dalrymple, Urbanowski, Barnett   ABSENT: Flood   NAYS: None   MOTION CARRIED

• Moved by Trustee Dalrymple, seconded by Trustee Birney to deny a medical marihuana provisioning center Permit to Gage Cannabis Company based upon the subcommittee’s recommendation of same and one or more of the following: 1) the
Application is not substantially complete because the applicant failed to provide proof of an adequate ownership interest for the proposed location; 2) the applicant did not provide for demonstrated cannabis permitting and business experience within Orion Township; and 3) the applicant did not provide sufficient detail and/or a satisfactory proposed community benefit. AYES: Steele, Birney, Dalrymple, Urbanowski, Barnett, Shults ABSENT: Flood NAYS: None MOTION CARRIED

C. Second Reading – PC-2021-70 Grandview Lapeer Rd. Rezone Request. Moved by Clerk Shults, seconded by Trustee Urbanowski to approve the motion to declare that the Orion Township Board of Trustees held and approved the second reading on November 15, 2021, for PC-2021-70, Grandview 3120 S. Lapeer Rd. Rezone, requesting to rezone approximately 17.44 acres of 3120 S. Lapeer Rd. (parcel 09-26-151-019) from Recreation-2 (REC-2) to General Business (GB), for the reasons given in the recommendation of approval by the Planning Commission on October 6, 2021, and authorize the Township Supervisor to finalize the rezoning within the next 90 days upon the sale of said property being complete or the rezoning shall terminate unless an extension is approved by the Board of Trustees. AYES: Birney, Dalrymple, Urbanowski, Barnett, Shults ABSENT: Flood NAYS: Steele MOTION CARRIED

D. Second Reading – PC-2021-71 F&D Silverbell Rezone Request. Moved by Clerk Shults, seconded by Trustee Urbanowski to approve the motion to declare that the Orion Township Board of Trustees held and approved the second reading on November 15, 2021, for PC-2021-71, F&D Silverbell Rezone, requesting to rezone approx. 23.05 acres of vacant parcel (#09-35-100-019) located at the SW corner of Silverbell and Lapeer Road from Office Professional (OP) to Industrial Park (IP), and approx. 7.02 acres from Office Professional (OP) to General Business (GB), for the reasons given in the recommendation of approval by the Planning Commission on October 6, 2021. AYES: Dalrymple, Urbanowski, Barnett, Shults, Steele, Birney ABSENT: Flood NAYS: None MOTION CARRIED

E. Condemnation – 207 Pinnacle. Moved by Clerk Shults, seconded by Treasurer Steele to approve the Hearing Officer’s Order issued following the condemnation hearing held on August 24, 2021, on the basis that the property remains in violation of the International Property Maintenance Code, Edition 2012, adopted by the Township’s Ordinance No. 137, and hereby direct the Property owner to demolish the building and garage on the property commonly known as 207 Pinnacle Road, Orion Township, MI within twenty-one (21) days pursuant to MCL 125.541. AYES: Urbanowski, Barnett, Shults, Steele, Birney, Dalrymple ABSENT: Flood NAYS: None MOTION CARRIED

11. REPORTS.

A. Police/Fire Reports. Moved by Supervisor Barnett, seconded by Clerk Shults, to receive and file the reports, as presented. MOTION CARRIED
B. **MMRMA Quarterly Statements.** Moved by Clerk Shults, seconded by Trustee Birney to receive and file the MMRMA 3rd quarter report, as presented. MOTION CARRIED

C. **Qualifying Statement Approval Letter.** Moved by Clerk Shults, seconded by Treasurer Steele to receive and file the Qualifying Statement Approval Letter. MOTION CARRIED

D. **Financial Reports – Clerk.** Motioned by Clerk Shults, seconded by Treasurer Steele to receive and file the Revenue/Expenditure and Balance Sheet reports. MOTION CARRIED

**12. PUBLIC COMMENT.** Public Comment was not heard.

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

**14. CLOSED EXECUTIVE SESSION - Discuss Attorney Opinion.** Moved by Clerk Shults, seconded by Treasurer Steele to go to closed executive session to discuss attorney opinion at 8:29 p.m. AYES: Barnett, Shults, Steele, Birney, Dalrymple, Urbanowski  ABSENT: Flood NAYS: None  MOTION CARRIED

The board was in closed session from 8:29 p.m. to 8:41 p.m.

Moved by Clerk Shults, seconded by Treasurer Steele to reconvene regular meeting. MOTION CARRIED

Moved by Clerk Shults, seconded by Trustee Dalrymple to adjourn. MOTION CARRIED

The meeting was adjourned at 8:41 p.m.

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Penny S. Shults, Clerk

Transcription: M. Beutler

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Chris Barnett, Supervisor
Charter Township of Orion