

**BOARD MEMBERS PRESENT:**

Gary Wall, Supervisor  
Kim Markee, Clerk  
Steve Thomas, Treasurer  
Anthony Bartolotta, Trustee  
Marie E. Hauswirth, Trustee  
Janet Matsura, Trustee  
Mark Monohon, Trustee

**OTHERS PRESENT:**

Crystal McCready  
Steve McCready  
Donna Wall  
Matt Covey

Derek Diederich  
Barb Miller  
Carl Wallace  
Joan Rogers

Paula Moore  
Alison Swanson  
Art Frasca  
Grant Smith

Supervisor Gary Wall called the meeting to order at 6:00 p.m. and asked for a moment of silence for the brave men and women who have served our Country and lead the Pledge of Allegiance.

Roll call vote was taken. All board members were present.

**1. APPROVE AGENDA**  
**1.1 December 8, 2021**

Moved by Markee,  
Seconded by Bartolotta, RESOLVED, to amend the December 08, 2021, agenda, by postponing Awards and Presentation Item 3.1 – 2021 Year in Review to January 10, 2022, regular scheduled board meeting. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura and Monohon  
Nays: None  
Absent: None

Motion carried unanimously.

Moved by Bartolotta,  
Seconded by Thomas, RESOLVED, to approve the December 08, 2021, agenda, as amended. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura and Monohon  
Nays: None  
Absent: None

Motion carried unanimously.

**2. ANNOUNCEMENTS**

- 2.1 Waterford Parks and Recreation Department Presents, "Holiday Hoopla and Tree Lighting" on Saturday, December 11, 2021, at the Township Hall, 5200 Civic Center Drive. From 3:30 p.m. -5:30 p.m. activities will include a photo opportunity with Santa, reindeer (real), etc., games, make & take crafts, s'mores station, cookie decoration kit "to go", and more, with the Tree lighting will taking place at 5:40 p.m. This event is for families and those of all ages. This is a free event with lite concessions for sale.
- 2.2 Waterford Township Administrative Offices and Library will be closed on Thursday, December 23rd, Friday, December 24th, Thursday, December 30th, and December 31st in observance of the Christmas and New Year's Holidays. Emergency services will remain available.
- 2.3 Waterford Township Residential GFL Customers receive curbside collection of an unlimited number of bags/cans of yard waste through the second full week of December each year under our contract. The week of December 13-17, 2021 will be the last week for yard waste collection by GFL in Waterford. Simply place your yard waste at the curb by 7:00 a.m. on your regular collection day that week, and that will be your last pickup of the season. Snowbirds - heading out of town for the Winter? Don't forget to contact GFL at 248-204-6762 to place a hold on your service. GFL Holiday Schedule: Please remember that when a holiday falls on a weekday, service is delayed by one day and does include Saturday collection. For 2021, Thanksgiving was the last holiday change for collection in 2021 as Christmas falls on a Saturday this year. There is also no change in the collection schedule for New Year's Eve or New Year's Day.
- 2.4 Check out a Michigan Activity Pass with your Waterford Library Card for one of Michigan's cultural destinations or state parks & recreation areas, including Creative Arts Center (Pontiac), Rochester Hills Museum at Van Hoosen Farm, Wild Lights at the Detroit Zoo (Royal Oak), Yankee Air Museum (Belleville), Howell Nature Center (Howell)
- 2.5 Give the gift of reading; books make great gifts! Please stop by the Children's Department at the Waterford Library to pick up a list of some of our favorite new titles from 2021.
- 2.6 The Library offers in-person storytime for babies through preschoolers. Join them in the Library's Community Room on Tuesdays and Thursdays from 10:30 a.m. - 11:00 a.m. Storytimes are about 30 minutes long. Children must be accompanied by a parent or caregiver.

**3. Consent Agenda**

*Board Members may remove items from the Consent Agenda for discussion purposes or for the purpose of voting in opposition. Public comment for items removed from the consent agenda may be received in the same manner immediately following the Consent Agenda.*

- 3.1 November 22, 2021, Meeting Minutes
- 3.2 December 8, 2021, Bill Payment
- 3.3 Receive the Clerk's Office November 2021 Report
- 3.4 Reappointment of Roman Wasykewych and Appointment of Kellianne Yarnall to Waterford Parks and Recreation Board

The following memo was received from Supervisor Wall.

I respectfully request the Township Board's approval for the reappointment of Waterford Township resident Roman Wasykewych to the Parks and Recreation Board for a three-year term to expire on December 31, 2024. Mr. Wasykewych is a long-time (36 years) Waterford resident and an athlete with an interest in running, cycling, tennis, golf, and swimming. He and his family frequently utilize Waterford's parks facilities. He has served on the Board since February 2020 and makes valuable contributions in his role on the Board.

Additionally, J.R. Olerich recently made us aware that he will not seek reappointment when his current term of service ends December 31, 2021. J.R. has served on the Waterford Parks & Recreation Board since December 2012. We appreciate his years of service, his dedication, and wish him well!

Consent Agenda Continued.

With the upcoming vacancy created by Mr. Olerich's term expiration, I respectfully request the Township Board's approval for the appointment of Waterford resident, Kellianne Yarnall, to the Parks and Recreation Board for a three-year term to expire December 31, 2024. Kellianne is a lifelong Waterford resident and a young professional in the Parks and Recreation industry having worked with the State of Michigan and Oakland County Parks and Recreation. Along with her experience, Kellianne expresses commitment to providing quality parks and recreation experiences to the community. I had the opportunity to meet with Kellianne and I believe she will serve Waterford Township well in this role.

Thank you for your consideration.

Moved by Markee,  
Seconded by Thomas, RESOLVED, to approve consent agenda items 3.1 through 3.4. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura and Monohon

Nays: None

Absent: None

Motion carried unanimously.

Clerk Markee swore in Ms. Kellianne Yarnall to the Parks and Recreation Board.

**4. Board Liaison Reports (Verbal)**

Trustee Bartolotta

The Cable Commission recently on December 7, 2021. There were some school grants that were denied. In addition, Comcast fees will be increasing approximately 3%-5% in 2022, the AT&T PEG fees were down 17%, and Comcast PEG fees increased by 5%. At the November 23, 2021, Planning Commission meeting all of the cases were approved.

Clerk Markee

The Library will be closed Thursday, December 23, 2021, through Sunday, December 26, 2021, and Thursday, December 30, 2021, through Sunday, December 31, 2021

Trustee Monohon

Waterford Youth Assistance exceeded their goal of collecting 2500 pairs of shoes. This year 3,425 pairs of shoes were donated.

**5. Open Business**  
**5.1 Possible Adoption of Ordinance 2021-004; Amendment to the Business Registration Ordinance**

The following memo was received from Jeffrey Polkowski, Planning and Zoning Superintendent.

This proposed Code of Ordinance Text Amendment removes the Business Registration from the Township Clerk's Office and houses this registration within the Development Services Department. This would establish the Development Services Department as the review and approval authority for Business Registration licenses within the Township.

As per *Section 10-027* of the Code of Ordinance, the purpose of the Business Registration is to promote the general health, safety, and welfare of Waterford citizens by identifying business locations and operations within the Township to enhance the efficient delivery of police and fire protection; ensure compliance with building and fire safety codes; provide better efficiency and economy in furnishing public utility services within the Township; and to promote compliance with all land use ordinances.

Township Staff recommends the movement of the Business Registration program from the Clerk's Office to the Development Services Department as these goals are more aligned with the duties of the Development Services Department.

Additionally, according to *Section 4-017.3. Standards for Construction Reviews* in the Zoning Ordinance, it is the responsibility of the Development Services Department to administer Certificate of Occupancies upon the re-occupancy of an existing structure if any change of use is proposed. Historically, this responsibility has never been carried out. A Certificate of Occupancy is the written authorization of the Building Official, issued in accordance with the procedures established by the Building Official, certifying a building or structure conforms to the requirements of the approved plot plan or site plan and with all applicable sections of the Zoning Ordinance, Waterford Code of Ordinances, Buildings and Building Regulations, and Fire Prevention and Protection, and authorizes occupation and use. Township Staff feels that it is imperative that this requirement be fulfilled as soon as possible for the general health, safety, and welfare of Waterford citizens and its visitors.

Control of the Business Registration License would allow the Development Service Department to effectively "catch" the occupancy of a business to ensure that a Certificate of Occupancy, and all other associated approvals are administered. Due to the additional administration and inspection time of this registration, Staff is proposing a fee increase to \$100 that is to be included with the fee schedule change at the December 8, 2021, meeting.

**Motions**

Should the Board want to consider adopting the proposed Code of Ordinance Text Amendment, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the December 8, 2021, meeting.

Should you have any questions please do not hesitate to reach out to this office.

**CHARTER TOWNSHIP OF WATERFORD**  
**ORDINANCE NO. 2021-004**

**BUSINESS REGISTRATION LICENSING ORDINANCE AMENDMENT**

An Ordinance to amend the Business Registration Licensing Ordinance codified in Article II in Chapter 10 of the Waterford Charter Township Code to transfer the business registration responsibility from the County Clerk to the Developmental Services Department.

Possible Adoption of Ordinance 2021-004; Amendment to the Business Registration Ordinance Continued.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

**Section 1 of Ordinance**

The Waterford Charter Township Code is amended by changing Subsection 10-030 to read as follows:

The Development Services Department in consultation with the Fire Chief, is hereby appointed to implement and administer the provisions of this Article.

**Section 2 of Ordinance**

The Waterford Charter Township Code is amended by changing Subsection 10-032 to read as follows:

Prior to the initiation of business operations, each business shall register by submitting the following information to the Development Services Department in the form and manner prescribed by the Development Services Department and the Fire Chief:

- (a) The legal name and form of the business entity (sole proprietor, partnership, corporation, limited liability company or other) and any assumed name under which business will be conducted.
- (b) The full names, business and residence addresses, business phone numbers, and emergency contact information of the owners, proprietors, officers, partners, managers, or members as applicable to the form of business entity, and other persons involved in the on-site supervision, management, or control of the business.
- (c) The address and phone/email contact of the business being registered;
- (d) The nature and character of the business.
- (e) List by name and quantity all hazardous materials which are expected to be used, stored, or generated on-site.
- (f) Provide a description of the fire-suppression system that will be used to protect the business.

**Section 3 of Ordinance**

The Waterford Charter Township Code is amended by changing Subsection 10-033 to read as follows:

No registration shall be issued until the required registration fee is paid and all required information is submitted. Written proof of registration for each business address will be issued by the Development Services Department to and in the legal name of the owner or operator of the business.

**Section 4 of Ordinance**

The Waterford Charter Township Code is amended by changing Subsection 10-035 to read as follows:

The Development Services Department shall maintain a database of all registered businesses, keep it current with all updated information provided by businesses, ensure that all required information is readily available for the use of other Township officials, and make the information described in Section 10-032(a) and (c) through (f) available to the public in the form and manner prescribed by the Development Services Department.

**Section 5 of Ordinance**

Should any part of this ordinance be declared invalid by a Court, it shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

**Section 6 of Ordinance**

This Ordinance shall take effect immediately upon publication.

Possible Adoption of Ordinance 2021-004; Amendment to the Business Registration Ordinance Continued.**CERTIFICATION**

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of Waterford at a regular meeting held on December 8, 2021.

## CHARTER TOWNSHIP OF WATERFORD

December 8, 2021

By: \_\_\_\_\_  
Kim Markee, Township Clerk

Moved by Markee,  
Seconded by Hauswirth, RESOLVED, to adopt the General Ordinance 2021-004, Business Registration Amendment to move the business registration from the Clerk's Office to the Development Services Offices. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon  
Nays: None  
Absent: None

Motion carried unanimously.

**5.2 Revised Declaration of Taking for S. Cass Lake Road Water Main Easement**

The following memo was received from Township Attorney Joellen Shortley.

At your meeting on November 8, 2021, you approved a Resolution confirming a good faith offer of \$6,500 to obtain easements needed to relocate a water main needed in response to a Road Commission project. As a result of the road and culvert replacement project, the Township's water main that is located in the existing road right-of-way will need to be relocated (i.e., replaced) to private property west of the road right-of-way along South Cass Lake Road in Waterford Township. The water main replacement is necessary for the use and benefit of the public. Without use of this property for an easement, the water main cannot be properly relocated

You also approved a Declaration of Taking to be executed in the event that the property owner did not accept the good faith offer. A letter with the good faith offer, the Resolution, and the Declaration of Taking was sent to the property owner by certified mail. The Postal Service tracking system indicates that the property owner refused to accept delivery of the letter.

In the event that the property owner did not accept the offer, you authorized the DPW Director to execute the Declaration of Taking and for the DPW Director and Township Attorney to take all actions necessary to obtain the easements by eminent domain. When property owners will not agree to provide private property for public use, the Michigan Constitution provides the right to use eminent domain proceeding to take the property by providing just compensation to the property owner. *Const. 1963, Art. X, § 2.* The Uniform Condemnation Procedures Act provides the procedures for the condemnation, acquisition, or exercise of eminent domain or real or personal property. 87 P.A. 1890, MCL 213.51 et, seq.

Prior to filing an eminent domain action, it was discovered that DTE Energy a.k.a. Detroit Edison and Michigan Bell, a.k.a. AT&T also need to be included in the Declaration of Taking and eminent domain action.

Revised Declaration of Taking for S. Cass Lake Road Water Main Easement Continued.

For your consideration, I have prepared the attached Resolution which approved the updated Declaration of Taking to add the two companies that need to be included. If you choose to make a motion to adopt the Resolution and revised Declaration of Necessity and Taking the appropriate motion would be:

Motion to adopt the Resolution for authorization of the DPW Director to execute the updated Declaration of Taking and for the DPW Director and Township Attorney to take all actions necessary to obtain the easements by eminent domain.

Based on the direction given at the meeting on November 8, 2021, since the property owner has refused to respond to the good faith offer made as a final attempt to receive the easements, a Circuit Court action will be filed to secure the easements. Unlike many eminent domain proceedings, the Township will be seeking easements, not ownership of the property.

Please contact me if you have any questions concerning this matter.

CHARTER TOWNSHIP OF WATERFORD

RESOLUTION CONCERNING THE ACQUISITION  
OF PROPERTY AND APPROVING  
DECLARATION OF NECESSITY AND TAKING

**RECITALS:**

A. On November 8, 2021 the Township Board adopted the attached Resolution (Exhibit A) Concerning the Acquisition of Property and Approving the Declaration of Necessity and Taking in order to obtain an easement on Lots 479 and 480, Venice of the Lakes No.1, South Cass Lake Road, Parcels 13-35-402-001 and 13-35-402-002 for a required water main relocation required for a Road Commission project.

B. The good faith offer affirmed by the Township Board was sent to the property owner by certified mail and according to the U.S. Postal Service tracking system, was refused delivery by the property owner.

C. In the process of preparing an eminent domain action, it was learned that DTE Energy a.k.a. Detroit Edison and Michigan Bell a.k.a. AT&T need to be included in the Declaration of Taking and eminent domain action.

**IT IS THEREFORE RESOLVED:**

1. Present conditions in the Charter Township of Waterford, Oakland County, Michigan, necessitate the movement of the Township's water main on South Cass Lake Road due to a project of the Road Commission for Oakland County that is scheduled to begin in July 2022. In order to install the new water main a water main easement as well as a temporary (construction) easement are required on property located in Venice of the Lakes No. 1, South Cass Lake Road, on adjacent and commonly owned Lots 479 and 480, Parcels 13-35-402-001 and 13-35-402-002 in the Charter Township of Waterford, Oakland County, State of Michigan as described and approved in the attached Resolution adopted on November 8, 2021.

2. All statements in the attached Resolution adopted on November 8, 2021 are reaffirmed in this Resolution except as otherwise provided below.

Revised Declaration of Taking for S. Cass Lake Road Water Main Easement Continued.

3. The Declaration of Taking approved in the November 8, 2021 Resolution is modified and replaced with the attached Declaration of Taking, to include DTE Energy a.k.a. Detroit Edison and Michigan Bell a.k.a. AT&T. (Exhibit B).

**4. *Since the Owner failed to accept the Offer to Purchase in a period greater than fourteen (14) days of the date of delivery of the offer, the Township DPW Director has been authorized to execute the Declaration of Taking.***

**CERTIFICATION**

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on December 8, 2021.

Charter Township of Waterford

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kimberly Markee, Township Clerk

**DECLARATION OF TAKING**

A Resolution of Necessity having been adopted by the Charter Township of Waterford setting forth that present conditions necessitate replacement of a water main on South Cass Lake Road between Cass Elizabeth Road and Bangor Road to accommodate a road project by the Road Commission for Oakland County ("Water Main Replacement"). The water main will cross the frontage of Lot 479, Parcel No. 13-35-402-001 and the frontage of Lot 480, Parcel No. 13-35-402-002 (the "Property"), in the Charter Township of Waterford, Oakland County, Michigan. A temporary Easement is also needed on the Property during the relocation of the water main for use by the Township to facilitate the water main relocation. In the interest of the public health, safety, and welfare, it is necessary to acquire a permanent Water Main Easement and a Temporary Easement over the Property within the Charter Township of Waterford for the Water Main Relocation. A good faith written offer to purchase said easements has been made.

NOW, THEREFORE, by virtue of the authority vested in the Charter Township of Waterford, by Act 279 of the Public Acts of 1909, as amended, and/or Act 149 of the Public Acts of 1911, as amended, or other applicable statutes, and in accordance with the provisions of Act 87 of Public Acts of 1980, as amended, it is now declared and determined that the easement Property hereinafter described shall be taken for the purpose of relocating a water main, in accordance with prepared plans showing said Water Main Project which are on file with the Township Clerk's Office.

A statement of the estate of interest in the property being taken; a description of the property to be acquired, sufficient for its identification; the name of each known owner of said property; the name of each known person, other than the owner, having an interest in said property; a statement of the sum of money estimated by the Charter Township of Waterford as just compensation for the Property being acquired; and a statement whether the Charter Township of Waterford reserves or waives its rights to bring federal or state cost recovery actions against the present owner of the Property are as follows:



Revised Declaration of Taking for S. Cass Lake Road Water Main Easement Continued.

1. Statement of the Estate of Interest Being Taken and Description of the Property.

**PARCEL DESCRIPTION (13-35-402-001)**

LOT 479 OF "VENICE OF THE LAKES NO. 1" BEING A RESUBDIVISION OF LOTS 82 TO 192 INCLUSIVE OF THE VENICE OF THE LAKES OF PART OF THE S.E. 1/4 OF SECTION 35, T.3N., R.9E, AND THAT PART OF THE N.W. 1/4 OF THE N.E. 1/4 OF SECTION 2, T.2N., R.9E., LYING NORTH AND WEST OF THE CLINTON RIVER, WATERFORD TOWNSHIP, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 44 OF PLATS, PAGE 4, OAKLAND COUNTY RECORDS.

**WATER MAIN EASEMENT(13-35-402-001)**

THE NORTHEASTERLY 12.00 FEET OF LOT 479, LYING ADJACENT TO AND PARALLEL WITH CASS LAKE ROAD RIGHT OF WAY, OF "VENICE OF THE LAKES NO. 1" BEING A RESUBDIVISION OF LOTS 82 TO 192 INCLUSIVE OF THE VENICE OF THE LAKES OF PART OF THE S.E. 1/4 OF SECTION 35, T.3N., R.9E, AND THAT PART OF THE N.W. 1/4 OF THE N.E. 1/4 OF SECTION 2, T.2N., R.9E., LYING NORTH AND WEST OF THE CLINTON RIVER, WATERFORD TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 44 OF PLATS, PAGE 4, OAKLAND COUNTY RECORDS.

CONTAINS 540 SQUARE FEET, MORE OR LESS

**TEMPORARY EASEMENT(13-35-402-001)**

THE SOUTHWESTERLY 5.00 FEET OF THE NORTHEASTERLY 17.00 FEET OF LOT 479, LYING ADJACENT TO AND PARALLEL WITH CASS LAKE ROAD RIGHT OF WAY, OF "VENICE OF THE LAKES NO. 1" BEING A RESUBDIVISION OF LOTS 82 TO 192 INCLUSIVE OF THE VENICE OF THE LAKES OF PART OF THE S.E. 1/4 OF SECTION 35, T.3N., R.9E, AND THAT PART OF THE N.W. 1/4 OF THE N.E. 1/4 OF SECTION 2, T.2N., R.9E., LYING NORTH AND WEST OF THE CLINTON RIVER, WATERFORD TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 44 OF PLATS, PAGE 4, OAKLAND COUNTY RECORDS.

CONTAINS 225 SQAURE FEET, MORE OR LESS

**PARCEL DESCRIPTION (13-35-402-002)**

LOT 480 OF "VENICE OF THE LAKES NO. 1" BEING A RESUBDIVISION OF LOTS 82 TO 192 INCLUSIVE OF THE VENICE OF THE LAKES OF PART OF THE S.E. 1/4 OF SECTION 35, T.3N., R.9E, AND THAT PART OF THE N.W. 1/4 OF THE N.E. 1/4 OF SECTION 2, T.2N., R.9E., LYING NORTH AND WEST OF THE CLINTON RIVER, WATERFORD TOWNSHIP, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 44 OF PLATS, PAGE 4, OAKLAND COUNTY RECORDS.

**WATER MAIN EASEMENT(13-35-402-002)**

THE NORTHEASTERLY 12.00 FEET OF LOT 480, LYING ADJACENT TO AND PARALLEL WITH CASS LAKE ROAD RIGHT OF WAY, OF "VENICE OF THE LAKES NO. 1" BEING A RESUBDIVISION OF LOTS 82 TO 192 INCLUSIVE OF THE VENICE OF THE LAKES OF PART OF THE S.E. 1/4 OF SECTION 35, T.3N., R.9E, AND THAT PART OF THE N.W. 1/4 OF THE N.E. 1/4 OF SECTION

Revised Declaration of Taking for S. Cass Lake Road Water Main Easement Continued.

2, T.2N., R.9E., LYING NORTH AND WEST OF THE CLINTON RIVER,  
WATERFORD TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED  
IN LIBER 44 OF PLATS, PAGE 4, OAKLAND COUNTY RECORDS.  
CONTAINS 577 SQUARE FEET, MORE OR LESS.

**TEMPORARY EASEMENT (13-35-402-002)**

THE SOUTHWESTERLY 5.00 FEET OF THE NORTHEASTERLY 17.00 FEET OF LOT 480, LYING ADJACENT TO AND PARALLEL WITH CASS LAKE ROAD RIGHT OF WAY, OF "VENICE OF THE LAKES NO. 1" BEING A RESUBDIVISION OF LOTS 82 TO 192 INCLUSIVE OF THE VENICE OF THE LAKES OF PART OF THE S.E. 1/4 OF SECTION 35, T.3N., R.9E, AND THAT PART OF THE N.W. 1/4 OF THE N.E. 1/4 OF SECTION 2, T.2N., R.9E., LYING NORTH AND WEST OF THE CLINTON RIVER, WATERFORD TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 44 OF PLATS, PAGE 4, OAKLAND COUNTY RECORDS.  
CONTAINS 245 SQUARE FEET, MORE LESS.

Subject to all easements and restrictions of record, if any.

2. Names of Property Owner: Constance F. Hynes, survivor of herself and her deceased husband Dennis R. Hynes.
3. Names of each person or entity, other than the Owners, having a potential interest in the property:
  - a. Charter Township of Waterford,
  - b. State of Michigan Department of Natural Resources (MDNR Conservation Easement, MDNRE File No 09-63-0060-P)
  - c. DTE Energy aka Detroit Edison- Resident Agent for service: Lisa A Muschong, Detroit Edison, Resident Agent, One Energy Plaza, 1550 WCB, Detroit, MI 48226
  - d. Michigan Bell, aka AT&T- Resident Agent: American Telephone and Telegraph Company c/o Resident Agent, The Corporation company 40600 Ann Arbor Rd E Ste. 201, Plymouth, MI 48170
4. Value of Easements based on Valuation of the Property from real estate listing records:

Permanent and Temporary Water Main Easement:	\$6,500.00
--	------------
5. The Charter Township of Waterford reserves it rights to bring Federal or State cost recovery actions against the present owner of the property.

# CHARTER TOWNSHIP OF WATERFORD

Date \_\_\_\_\_

BY: \_\_\_\_\_  
Justin Westlake  
Director, Department of Public Works

Dated: \_\_\_\_\_, 2021

[illegible]

Revised Declaration of Taking for S. Cass Lake Road Water Main Easement Continued.

The foregoing Declaration of Taking was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021, by Justin Westlake, as the Director of the Department of Public Works, on behalf of the Charter Township of Waterford.

\_\_\_\_\_  
Notary Public  
Acting in Oakland County, Michigan  
My Commission Expires: \_\_\_\_\_

Prepared by and when recorded return to:  
Joellen Shortley (P 46136)  
27555 Executive Drive, Suite 250  
Farmington Hills, MI 48331  
Phone: (248) 489-4100  
Tax Identification Nos: 13-35-402-01, 13-35-402-002

Moved by Markee,  
Seconded by Bartolotta, RESOLVED, to adopt the Resolution for authorization of the DPW Director to execute the updated Declaration of Taking and for the DPW Director and Township Attorney to take all actions necessary to obtain the easements by eminent domain. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon  
Nays: None  
Absent: None

Motion carried unanimously.

**6. Introduction**  
**6.1 Ordinance 2021-005; State Housing Development Authority Tax Exemption Ordinance Amendment For Lakeland Place**

It is my understanding that during your Work Session on November 22, 2021, you discussed the continuance of payments of four percent (4%) of the annual rents obtained from the Lakeland Place Apartments as payments in lieu of taxes ("PILOT") as well as entering into a Municipal Services Agreement with Jonathon Rose Companies concerning the Lakeland Place Apartments.

Lakeland Place Apartments, which is a six-story 200-unit apartment complex, has been exempted from property taxes under PILOTS Ordinance #104, which was adopted on December 3, 1976. The term of the Agreement ends in 2026. Ordinance #104 provides for an annual PILOT of four percent (4%) of ninety-five (95%) of the annual contributions contract, which is a term defined in state law.

**Background**

Michigan law provides for a federally-aided, or state-aided mortgaged housing project owned by a non-profit or limited dividend housing entity ("Project") to be exempt from taxation of all ad valorem property taxes imposed by the state and any political subdivision or taxing district in which the Project is located. *State Housing Development Authority Act of 1966, 1966 PA 346,*

Ordinance 2021-005; State Housing Development Authority Tax Exemption Ordinance Amendment for Lakeland Place Continued.

MCL 125.1415a. ("the Act"). To receive this exemption, the owner of the Project is required to pay the municipality in which the Project is located an annual service charge for public services in lieu of all taxes. The amount to be paid may be based on payment of up to ten percent (10%) of the annual rents obtained from the Project. A municipality may also by ordinance adopt a lower percentage charge for all or any of the classes of Projects provided for in the Act.

This service charge or payment in lieu of taxes is known as a PILOT. Any service charge payments received by a municipality under the Act are to be distributed by the municipality to the several units levying general property taxes, in the same proportion in effect for general property taxes in the prior year. The exemption may remain in place for as long as the federal or state-aided mortgage is in place, but not more than 50 years.

### **Waterford Ordinances**

Waterford's Code of Ordinances provides for tax exemptions under the Act only for housing Projects for low-income elderly persons and families. *Charter Township of Waterford Code of Ordinances*, Chapter 15.5 Taxation. The Ordinance allows the Township to establish the annual service charge for the Project. If an Ordinance does not specify differently, the annual service is to be 10% of annual rents.

Waterford has a PILOTS Ordinances in place with Waterford Meadows and one for Whispering Woods, both with a 4% PILOT.

### **Proposal**

Jonathan Rose Companies, a national developer of these types of Projects and owner of Lakeland Place Apartments, proposed a renewal of the Lakeland Place PILOTS for a term of 50 years at a rate of two percent (2%).

In addition to the service charge payment received under an ordinance to renew the PILOTS, Jonathon Rose proposed a Municipal Services Agreement ("MSA") with the Township to provide payment to offset municipal emergency services, including fire, medical services, police, public water and sewer and other services which may mutually be agreed upon. The proposed estimated additional annual payment under an MSA based on current rents was \$30,000.

After a presentation to the Board of Trustees by Scott Frye of Jonathon Rose Companies, a review of the costs to provide emergency services to Lakeland Place, a tour of the Project, and numerous discussions, a tentative agreement was reached to continue the PILOT at 4% and provide for a MSA agreement an annual payment of \$95,000 to defray the costs of providing emergency services to Lakeland Place.

### **Municipal Services Agreements**

There is no provision in the Act that refers to the use of separate agreements to cover payments for items other than taxes. However, this type of arrangement is in place in other communities in which Rose Community Management has facilities. The Owner of the Project has proposed this payment to guarantee the provision of and help defray the costs of emergency services, including fire, medical services, and police to the Project. Under a MSA approach, only the money received under the PILOTS Ordinance will be distributed to the other taxing jurisdictions.

All funds received under an MSA are expected to remain with the Township.

Ordinance 2021-005; State Housing Development Authority Tax Exemption Ordinance Amendment for Lakeland Place Continued.

Based on your direction, I have prepared an amendment to the Code of Ordinances, Chapter 15.5 Taxation, for the continuance of a payment of four percent (4%) of the annual rents obtained from the Lakeland Place Apartments as a PILOT for Lakeland Place through 2061. (Exhibit A, redlined and clean version) I have also prepared a MSA that provides for an annual payment to the Township to defray the costs of emergency services to the Project, in the amount of \$95,000. (Exhibit B) This amount will increase annually by 2% per year and remain in effect as long as the PILOT is in place.

If you would like to adopt the Ordinance Amendment and MSA, an appropriate Motion would be:

MOTION to adopt an amendment to Section 15.5 of the Waterford Code of Ordinances to provide for a PILOT of 4% from the Lakeland Place Apartments for a period of 40 years, and to approve the Master Services Agreement drafted by the Township Attorney, that will provide for an annual payment of \$95,000, to increase by 2% annually, which will be applied to the cost of the Township providing emergency services to Lakeland Place Apartments and will remain in effect during the existence of the PILOT.

If you have any questions, please do not hesitate to contact me. I expect to attend your meeting on December 8, 2021.

### **MUNICIPAL SERVICES AGREEMENT**

THIS MUNICIPAL SERVICES AGREEMENT ("Agreement") is entered into effective by and between JRC Lakeland Preservation Limited Dividend Housing Association, LLC, a Michigan limited liability company (the "Owner"), whose address is c/o Jonathan Rose Companies, 551 Fifth Avenue, 23<sup>rd</sup> Floor, New York, New York, 10176 and THE CHARTER TOWNSHIP OF WATERFORD, a Michigan municipal corporation (the "Township"), whose address is 5200 Civic Center Dr., Waterford, Michigan 48329. Owner and Township may be collectively referred to as ("the Parties").

The Owner and the Township wish to enter into this Agreement to set forth their understanding with respect to the provision of Municipal Services to the Project during the term that the PILOT is in place.

#### **1. CONTRACT PURPOSE AND BACKGROUND**

1.1. Michigan law provides for a state or federally aided mortgaged housing project owned by a non-profit or limited dividend housing entity to be exempt from taxation of ad valorem property taxes imposed by the state and any political subdivision or taxing district. *State Housing Development Authority Act of 1996*, 1966 PA 346, MCL 125. 1415a ("Act 346"). To receive this exemption, the owner of a project is required to pay an annual service charge, or payment in lieu of taxes, that is known as a ("PILOT").

1.2. Owner provides housing for low to moderate income elderly individuals and families at the apartment project commonly known as LAKELAND PLACE (MSHDA Development #513), located at 2700 Elizabeth Lake Road, Waterford, Michigan 48328 ("the Project").

1.3. On November 22, 1976 the Township adopted Ordinance No. 104, entitled "State Housing Authority Tax Exemption Ordinance" that provided for a tax reduction to enable Forest Dillion Inc., to construct a housing development at Elizabeth Lake Road, west of Marian Road to be occupied by low-income persons

Ordinance 2021-005; State Housing Development Authority Tax Exemption Ordinance Amendment for Lakeland Place Continued.

and families. The 1976 Ordinance was codified into the Township Code of Ordinances, Section 15.5 on December 14, 2009. On December 8, 2021, the specific terms extending the Lakeland Place PILOT, not otherwise described in Section 15.5, were provided for in Ordinance No. 2021-005 entitled "State Housing Development Authority Tax Exemption Ordinance Amendment For Lakeland Place" ("PILOT Ordinance").

1.4. The Owner desires to guarantee that certain municipal services will be provided to the Project during the term the PILOT for the Project in place, such municipal services to include:

1.4.1. Emergency services, including fire, emergency medical services and police;

1.4.2. Any other miscellaneous services, which may, from time to time, be mutually agreed to in writing by the Parties or customarily provided by the Township to multi-family residential dwellings.

These services shall be collectively referred to as the ("Municipal Services").

**2. Contribution:**

2.1 The Township will provide Municipal Services to Owner in consideration of an annual payment of Ninety-Five Thousand Dollars (\$95,000.00) beginning in 2022, which shall increase by two percent (2%) each year thereafter, during the term of the Agreement.

2.2. Payment shall be due to the Township each year by June 1.

2.3. Payment will commence concurrently with the effective date of the PILOT Ordinance and shall remain the obligation of the Owner during the term of the Agreement, unless terminated earlier as provided herein.

2.4. Owner is providing this payment to Township as a substitute for Owner's contribution to the Township toward police, fire and emergency medical services that would ordinarily be made by an owner of real property through the payment of ad valorem real property taxes only.

2.5. Owner also agrees to reimburse Township for its reasonable attorney fees in handling legal matters related to the PILOT and this Agreement.

**3. Term and Effective Date:** The Agreement shall be for a term of forty (40) years, beginning on the Effective Date of the Ordinance, which is January 16, 2022, through December 31, 2061, unless terminated as provided below.

**4. Termination:** This Agreement will automatically terminate, without any action by either Party, if the PILOT is no longer in effect.

**5. Municipal Services:** The Township shall provide the Municipal Services to the Owner in the customary way, in a competent and workmanlike manner, and in accordance with all applicable federal, state and Township laws, rules and regulations for the provision of these Municipal Services.

Ordinance 2021-005; State Housing Development Authority Tax Exemption Ordinance Amendment for Lakeland Place Continued.

- 6. Binding Effect:** This Agreement shall run with and bind subsequent owners of the Property for so long as the PILOT remains in effect.
- 7. Choice of Law:** This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan.
- 8. Jurisdiction and Venue:** Jurisdiction and venue shall be in the State or Federal Courts in the state of Michigan as determined by court rule.
- 9. Entire Agreement:** This constitutes the entire Agreement between the Parties concerning the provisioning of Municipal Services.

By signing this Agreement, the signatories affirm that they are authorized to bind their respective Party to the terms of this Agreement.

WATERFORD TOWNSHIP

\_\_\_\_\_  
By Gary Wall, Supervisor  
Dated:\_\_\_\_\_

JRC LAKELAND PRESERVATION LIMITED DIVIDEND HOUSING ASSOCIATION, LLC

\_\_\_\_\_  
By:  
Dated:\_\_\_\_\_

**CHARTER TOWNSHIP OF WATERFORD  
ORDINANCE NO. 2021-005**

**STATE HOUSING DEVELOPMENT AUTHORITY TAX EXEMPTION ORDINANCE  
AMENDMENT FOR LAKELAND PLACE**

An Ordinance to amend the State Housing Development Authority Tax Exemption in Chapter 15.5 of the Waterford Charter Township Code, to provide terms to govern a new annual service charge in lieu of taxes for Lakeland Place.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

**Section 1 of Ordinance**

That Section 15.5 of the Waterford Charter Township Code, which specifies Previously adopted tax-exempt eligible housing project, is amended to read as follows:

Ordinance 2021-005; State Housing Development Authority Tax Exemption Ordinance Amendment for Lakeland Place Continued.

**15.5-013 (a)** The housing projects with exemption from property taxes under ordinances that remain in effect that were approved prior to the ordinances that added this division, which are now subject to the requirements of this division to the extent allowed by the Act and ordinances which approved the exemptions are: Whispering Woods Elderly Housing (Parcel No. 13-233-301-032) and the elderly housing portion of the Waterford Meadows housing project (Parcel No. 13-24-451-011) pursuant to Ordinance No. 114, as amended.

**(b) and (c)** unchanged

**Section 2 of Ordinance**

That Section 15.5 of the Waterford Charter Township Code, is amended to add a new Article III-entitled Tax Exemption Lakeland Place which shall read as follows:

**Article III, Tax Exemption Lakeland Place**

**Section 15.5-038**

- (a) **Acknowledgement of Development:** JRC Lakeland Preservation Limited Dividend Housing Association, LLC, a Michigan limited liability company (the "Owner"), whose address is c/o Jonathan Rose Companies, 551 Fifth Avenue, 23<sup>rd</sup> Floor, New York, New York, 10176, provides housing for low to moderate income elderly individuals and families at the apartment project commonly known as LAKELAND PLACE (MSHDA Development #513), ( Parcel No. 123-25-176-003), located at 2700 Elizabeth Lake Road, Waterford, Michigan 48328 ("the Project"). The Project was previously approved as a tax-exempt housing project in 1976 in Ordinance No. 104 adopted on November 22, 1976 and codified in this Chapter in Section 15.5-013. The Owner has requested to extend the period of time of tax exemption and has offered to continue to pay the Township on account of such Project an annual service charge for public services in lieu of all taxes. It is determined that the Project is within a class of development to which this article is applicable.
- (b) **Annual Service Charge:** The Project identified above and the property on which it is on shall be exempt from all property taxes subject to the provisions of this Article. The Township acknowledges that the Owner has established the economic feasibility of the Project in reliance upon the enactment and continuing effect of this article and the continuing exemption from property taxes. Subject to the continuing existence of a federally or state-aided mortgage for the Project, the Township agrees to accept payment of an annual service charge for public services in lieu of all property taxes and as otherwise agreed to between the Owner and the Township.
- (c) **Amount of Annual Service Charge:** Owner, or its successors or assigns shall pay to the Township an annual service charge for public services in lieu of taxes, in an amount equal to four (4%) percent of ninety-five (95%) percent of the Contract Rents collected by owner during the preceding calendar year. "Contract Rents" means the total Contract Rents (as defined by the U.S. Department of Housing and Urban Development in regulations promulgated pursuant to Section 8 of the U.S. Housing Act of 1937, as amended) received in connection with the operation of a housing project during an agreed annual period, exclusive of charges for gas, electric, water, sanitary sewer and other utilities furnished to the occupants that are paid by a housing project and the amount paid to the Township during the preceding calendar year for the Annual service charge.
- (d) **Duration:** The Annual service charge payment in lieu of taxes shall continue for a period of forty (40) years beginning with the first payment in 2022 through the payment due in 2061, unless the federally or state-aided mortgage is no longer outstanding, or the Project no longer qualifies for tax exempt status. The tax-exempt status of the Project



shall remain in effect until December 31, 2061, at which time the property shall be returned to the tax rolls and taxes shall be levied and collected in the usual manner.

**Section 3 of Ordinance**

Should any section, subdivision, sentence, clause or phrase of this ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

**Section 4 of Ordinance**

This Ordinance shall take effect immediately upon publication.

**CERTIFICATION**

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on December 8, 2021.

CHARTER TOWNSHIP OF WATERFORD

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Kim Markee, Township Clerk

Moved by Markee,

Seconded by Hauswirth, RESOLVED, to include the same late fees as the PILOT late fees be applied to the Master Service Agreement service fee of \$19,000.00. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

Moved by Markee,

Seconded by Bartolotta, RESOLVED, to adopt an amendment to Section 15.5 of the Waterford Code of Ordinances to provide for a PILOT of 4% from the Lakeland Place Apartments for a period of 40 years, and to approve the Master Services Agreement drafted by the Township Attorney, that will provide for an annual payment of \$95,000, to increase by 2% annually, which will be applied to the cost of the Township providing emergency services to Lakeland Place Apartments and will remain in effect during the existence of the PILOT. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

**6.2 2021-Z-018; Proposed Zoning Ordinance Text Amendment: Remove Adult Entertainment Uses as a Possible Use from the C-3, General Business Zoning District**

The following memo was received from Mr. Jeffrey Polkowski.

This proposed Zoning Ordinance Text Amendment removes the C-3 Zoning District as an acceptable Zoning District for Adult Entertainment Uses.

Currently, there are no Adult Entertainment Uses listed as Permit Principle Use or a Permitted Use after Special Approval under Section 3-705 of the Zoning ordinance. Planning Staff believes that the C-3 Zoning District is erroneously listed in Section 2-601.4 of the Zoning Ordinance and is proposing this language to be removed for clarification.

Section 1-007 of the Zoning Ordinance defines Adult Entertainment Uses as:

**ADULT ENTERTAINMENT USE.** Any use of land, whether vacant or combined with buildings, structures, or vehicles thereon by which said property is devoted to displaying or exhibiting material for entertainment, a significant portion of which includes matter, actions depicting, describing or presenting specified sexual activities or specified anatomical areas. The following meanings shall be applied throughout this definition of adult entertainment use:

Adult Novelty Items. Adult novelty items means any object, substance, instrument, paraphernalia, item or device offered for sale which is distinguished, designed, or characterized by an emphasis on matters relating to "Specified Sexual Activities", or sexual stimulation or arousal of "Specified Anatomical Areas".

Display. Any single motion or still picture, presentation, dance or exhibition, live act or placing of materials or engaging in activities on or in a newsstand, display rack, window, showcase, display case or similar place so that the material or activity is easily visible to the general population whether for free or otherwise.

Sexually Explicit Materials. Sexually explicit material means any book, magazine, periodical, slide, picture, photograph, drawing, sculpture, software, video cassettes or discs, video reproductions, or motion picture film, activity or other printed, electronic, recorded or visual representation or image which has as a significant portion of its content or exhibit matter of actions depicting, describing, or relating to "Specified Sexual Activities" or "Special Anatomical Areas", such as but not limited to, depiction of uncovered or less than opaquely covered human or animal genitals or pubic areas, human sexual intercourse, human or animal masturbation, oral or anal intercourse, human-animal intercourse, excretory functions, physical stimulation or touching of genitals or pubic areas, or flagellation or torture by or upon a person who is nude or clad in revealing costumes in the context of sexual stimulation. The materials shall be judged without regard to any covering which may be affixed or printed over the material or activity in order to obscure genital areas in a depiction which otherwise would fall within the definitions of this Section. Works of artistic, anthropological, scientific, library or medical significance, which taken as a whole have serious literary, artistic, political or scientific value, are not intended to be included within the definitions of this subsection. This definition is intended to include material which is the product of any technology, whether that technology is available on the effective date of this article or becomes available after that date.

Significant Portion

- A. Any one or more portions of the display having continuous duration in excess of five minutes; and/or
- B. The aggregate of portions of the display having a duration equal to ten percent or more of the display; and/or
- C. The aggregate of portions of the collection of any materials or exhibits composing the display equal to ten percent or more of the display.

2021-Z-018; Proposed Zoning Ordinance Text Amendment: Remove Adult Entertainment Uses as a Possible Use from the C-3, General Business Zoning District Continued.

Specified Anatomical Areas

- A. Less than completely and opaquely covered: (a) human genitals, pubic region (b) buttocks, and (c) female breast below a point immediately above the top of the areola; and
- B. Human genitals in a discernibly turgid state, even if completely and opaquely covered

Specified Sexual Activities

- A. Human genitals in a state of sexual stimulation or arousal;
- B. Acts of human masturbation, sexual intercourse or sodomy;
- C. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast
- D. Appearing in a state of nudity

Adult entertainment uses shall include but not be limited to the following:

An Adult Motion Picture Theater is an enclosed building with a capacity of 50 or more persons used for presenting material which is depicting or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.

An Adult Mini-Motion Picture Theater is an enclosed building with a capacity for less than 50 persons used for presenting material which has as a significant portion of any motion picture or other display depicting, describing or presenting "Specified Sexual Activities" or "Specified Anatomical Areas."

An Adult Motion Picture Arcade is any place to which the public is permitted or invited wherein coin or slug operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to five or fewer persons per machine at any one time, and where a significant portion of images so displayed depict, describe or relate to "Specified Sexual Activities" or "Specified Anatomical Areas."

An Adult Book or Supply Store, Adult Novelty Store, or Adult Video Store defines as a commercial establishment having ten (10) percent or more of all usable interior, retail, wholesale or warehouse space devoted to the distribution, display, storage, sale, or rental of any form of sexually explicit materials or adult novelty items. Also, an establishment with a significant portion devoted to the sale or display of sexually explicit materials or adult novelty items.

An Adult Cabaret is a nightclub, theater or other establishment which features live performances by topless and/or bottomless dancers, "go-go" dancers, exotic dancers, strippers, or similar entertainers, where a significant portion of such performances show, depict or describe "Specified Sexual Activities" or "Specified Anatomical Areas."

An Adult Motel is a motel wherein matter, actions or other displays are presented which contain a significant portion depicting, describing, or relating to "Specified Sexual Activities" and "Specified Anatomical Areas."

An Adult Massage Parlor is any place where for any form or consideration or gratuity, massage, alcohol rub, administration of fomentation, electric or magnetic treatment or any other treatment or manipulation of the human body occurs as part of or in connection with "Specified Sexual Activities" or where any person providing such treatment, manipulation or service related thereto exposes "Specified Anatomical Areas."

An Adult Model Studio is any place where, for any form of consideration or gratuity, figure models who display "Specified Anatomical Areas" are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such considerations or

2021-Z-018; Proposed Zoning Ordinance Text Amendment: Remove Adult Entertainment Uses as a Possible Use from the C-3, General Business Zoning District Continued.

gratuities, except that this provision shall not apply to any bona-fide art school or similar educational institution.

An Adult Personal Service Business is a business having as its principal activity a person, while nude or while displaying specified anatomical areas, providing personal services for another person. Such businesses include, but are not limited to, modeling studios, body painting studios, wrestling studios, and conversational parlors.

An Adult Sexual Encounter Center is any business, agency, or person who, for any form of consideration or gratuity, provides a place where three (3) or more persons, not all members of the same family, may congregate, assemble or associate for the purpose of engaging in "Specified Sexual Activities" or exposing "Specified Anatomical Areas".

Should you have any question's please do not hesitate to reach out to this office.

**MOTION TEMPLATE FOR PLANNING COMMISSION CASE NO. 21-11-03, Proposed ZONING ORDINANCE AMENDMENT, by Text Amendment to remove Adult Entertainment Uses as a possible use from the C-3, General Business Zoning District.**

**Motion**

I move to forward a **favorable / unfavorable [Strike One]** recommendation in Case No. 21-11-03 on to the Township Board, to amend the *Acceptable Zones of Adult Entertainment Uses* on the findings and conclusions under the Ordinance approval recommendation guidelines which are based on the assessments of the information and statements presented in this case by the Township Staff, and members of the public.

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CHARTER TOWNSHIP OF WATERFORD  
ORDINANCE NO. 2021-Z-018

**TEXT AMENDMENT TO ZONING ORDINANCE**

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A ("Zoning Ordinance") Regulations for Adult Entertainment Uses to clarify these uses are not prohibited in C-4 zoned zoning lots and are not permitted in C-3 zoning districts.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

**Section 1 of Ordinance**

The *Acceptable Zones of Adult Entertainment Uses* shall be modified in Section 2-601.5 of the Zoning Ordinance to read as follows:

**2-601.5. Acceptable Zones.** Adult entertainment uses shall be prohibited from all zoning districts except C-4 zoned zoning lots that comply with all requirements of this Section.

2021-Z-018; Proposed Zoning Ordinance Text Amendment: Remove Adult Entertainment Uses as a Possible Use from the C-3, General Business Zoning District Continued.

**Section 2 of Ordinance**

The effective date of this Ordinance shall be on the 8<sup>th</sup> day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

**CERTIFICATION**

I certify that this Zoning Ordinance Text Amendment was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kimberly Markee, Township Clerk

Moved by Markee,  
Seconded by Hauswirth, RESOLVED, to introduce Proposed Zoning Ordinance Text Amendment; 2021-Z-018 to remove Adult Entertainment use as a Possible Use from the C-3, General Business Zoning District. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

**7. New Business**  
**7.1 Fiscal Year 2022 Budget Presentation And Public Hearing**

Supervisor Wall opened the public hearing at 6:23 p.m.

Mr. Derek Diederich, Budget Director, and Ms. Barbara Miller, Assistant Budget Director and Accounting Manager presented the 2022 Fiscal Year Budget, and addressed questions presented by the Board of Trustees. The Board thanked Mr. Diederich and Ms. Miller for their work.

Supervisor Wall closed the public hearing at 6:51 p.m.

7.2 **Appropriations Act of 2022**

Clerk Markee read the following 2022 Appropriations Act.

**Charter Township of Waterford**  
**Oakland County, Michigan**

**2022 General Appropriations Act**

**Whereas**, according to the Uniform Budgeting and Accounting Act, Public Act 2 of 1968 as amended, the Waterford Township Supervisor is Chief Administrative Officer with the authority to prepare the budget and control expenditures there under; and

**Whereas**, the Notice of Public Hearing of the Townships proposed budget was published in the Oakland Press on November 21, 2021; and

**Whereas**, the Waterford Township Board of Trustees held a Public Hearing on its budget on December 8, 2021; and

**Whereas**, the proposed 2022 tax rate to be levied by the Charter Township of Waterford is 12.9810 mills; and

**Whereas**, the estimated 2022 revenues and expenses for the Charter Township of Waterford are as follows:

	<b>2022 REVENUES</b>	<b>2022 EXPENSES</b>
GENERAL FUND	21,216,155	21,198,284**
POLICE FUND	16,483,780	16,399,155
FIRE FUND	21,293,877	21,264,693
LIBRARY FUND	2,411,009	2,531,054
<u>PARKS &amp; REC. FUND</u>	<u>1,819,551</u>	<u>2,041,358</u>
TOTAL REVENUES & OPERATING EXPENSES	63,224,372	63,434,544
NOT INCLUDING THE WATER AND SEWER FUND		
<b>OTHER FUNDS</b>	<b>2022 REVENUES</b>	<b>2022 EXPENSES</b>
POLICE RESTRICTED	67,177	202,224
CEMETERY CARE	35,814	0
CABLE FUND	377,436	373,538
IMPROVEMENT & REVOLVING	1,203,412	1,683,500
LIBRARY DONATIONS	11,000	11,000
<u>WORKER'S COMPENSATION</u>	<u>25,100</u>	<u>500</u>
TOTAL OTHER FUNDS	1,719,939	2,270,762
<b>TOTAL ALL FUNDS</b>	<b>TOTAL REVENUE</b>	<b>TOTAL EXPENSES</b>
	<b>64,944,311</b>	<b>63,434,544</b>

**\*\*GENERAL FUND EXPENDITURES**

TOWNSHIP BOARD	59,161
DISTRICT COURT	2,892,106
SUPERVISOR & ASSESSING	1,047,972
ELECTIONS	400,246
CLERK	811,599
FISCAL & HUMAN RESOURCES	267,865
GENERAL SERVICES	2,346,399
RETIREE BENEFITS	844,621
TREASURER	799,103
INFORMATION SYSTEMS	486,177
FACILITIES & OPERATIONS	1,592,981
DEVELOPMENT SERVICES	1,413,158
COMMUNITY PROMOTIONS	324,250
SCHOOL CROSSING GUARDS	74,591
TRANSFERS TO OTHER FUNDS- POLICE, FIRE, ETC.	7,838,055

**Now, therefore be it resolved,** that the 2022 Budget of the Charter Township of Waterford is hereby adopted by reference

**Be it further resolved,** that the Board of Trustees of the Charter Township of Waterford adopts the 2022 fiscal year budget by cost center, except for the District Court which is by line item, and that the Township officials responsible for the expenditures authorized in the budget, with the exception of the District Court, may expend township funds up to the total appropriation authorized for each cost center and may make transfers among the various line items contained in the cost center appropriation.

**Be it further resolved,** that appropriations will be deemed maximum authorizations to incur expenditures. The supervisor shall exercise oversight and control to ensure that expenditures are within appropriations and shall not issue any order for expenditures that exceed appropriations.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

**Certification**

I hereby certify that this resolution was adopted by the Charter Township of Waterford Board of Trustees by the roll call vote indicated at a regular meeting of the Board on December 8, 2021

Charter Township of Waterford

December 8, 2021

Kim Markee, Township Clerk

Appropriations Act of 2022 Continued.

Moved by Markee,  
Seconded by Bartolotta, RESOLVED, to approve the 2022 Appropriations Act. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

**7.3 2022 Water And Sewer Fund Special Appropriations Act and Budget Approval Resolution**

Clerk Markee read the following 2022 Water and Sewer Fund Special Appropriations Act and Budget Approval Resolution.

**CHARTER TOWNSHIP OF WATERFORD  
OAKLAND COUNTY, MICHIGAN**

**2022 WATER AND SEWER FUND SPECIAL APPROPRIATIONS ACT AND BUDGET  
APPROVAL RESOLUTION**

**WHEREAS**, the Township's proposed budget for the 2022 fiscal year that begins January 1, 2022, includes the Township's Water and Sewer Fund, which is an enterprise fund; and

**WHEREAS**, under the Uniform Budgeting and Accounting Act, Public Act No. 2 of 1968, as amended, although budgets for enterprise funds are not part of the budget that is approved by a general appropriations act, they may be approved by a special appropriations act; and

**WHEREAS**, on December 8, 2021, the Township Board of Trustees held a public hearing on its proposed budget for the 2022 fiscal year, notice of which was published in the Oakland Press on November 21, 2021, and

**WHEREAS**, the proposed 2022 Water and Sewer Fund Budget, which does not require or provide for money to be raised by taxation or new bond issues to meet proposed expenditures, and necessary supporting schedules provides for:

1. Expenditures of \$23,663,880 that include \$620,831 of debt interest expenses.
2. Debt principal payments of \$1,876,521 not included in the \$23,663,880 of expenditures.
3. Anticipated income (revenue) of \$25,612,687
4. An estimated (1-1-2022) beginning fund balance of \$21,453,013 and estimated end of year (12-31-2022) fund balance of \$21,525,299; and

**WHEREAS**, the proposed 2022 Water and Sewer Fund Budget includes supporting schedules for the information in the Budget.

**IT IS THEREFORE RESOLVED** that the proposed 2022 Water and Sewer Fund Budget as described in this Resolution is approved and adopted.



2022 Water and Sewer Fund Special Appropriations Act and Budget Approval Resolution Continued.

**IT IS FURTHER RESOLVED** that appropriations are hereby made for the expenditures in the approved Budget, which are maximum authorizations for responsible and authorized Township officials to incur expenditures within each of the cost centers.

**CERTIFICATION**

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on December 8, 2021.

Charter Township of Waterford

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kim Markee, Township Clerk

Moved by Markee,  
Seconded by Monohon, RESOLVED, to adopt the 2022 Water and Sewer Fund Special Appropriations Act and Budget Resolution. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon  
Nays: None  
Absent: None

Motion carried unanimously.

**7.4 2021 Recommended Year-End Budget Amendments and Fund Balance Designations**

The following memo was received from Mr. Derek Diederich, Budget Director, and Ms. Barb Miller, Assistant Budget Director.

After review of the Township operational budget accounts and the need to post some one-time revenues and accrual adjustments, we recommend the following (2021) year-end adjustments and amendments for the Township Board's review and action.

**One-Time Revenue Receipts for 2021 Budget Year:**

Waterford Township received a few 'one-time' revenues that need to be incorporated into the 2021 Budget. Waterford received a rebate from its General Liability Carrier – Michigan Municipal Risk Management Authority (MMRMA) in the amount of \$834,758 in 2021. While this is good news, this revenue source is a one-time adjustment made by our carrier to account for loss experience and required assets on hand compared against the insurance carrier's exposure as derived by their accountants and actuaries. In short, this is the type of revenue that cannot be considered permanent. As we have discussed previously, we do not believe in attaching reoccurring annual expenses to one-time revenue events, which is a conservative budgetary practice.

**Township Board Budget Adjustment #1 Motion Requested:**

General Fund Line Item (10101-68700) was originally budgeted at \$225,000. At this time, we would ask the Township Board to approve a budget adjustment to the Township's General Fund Revenue Line Item: (10101-68700) 'Refunds and Rebates' of \$568,031 to recognize the General Fund portion of the refund and to adjust for some differences between budget vs. actual for smaller expected refund sources. Additionally, we would recommend a Budget Amendment of

2021 Recommended Year-End Budget Amendments and Fund Balance Designations Continued.

\$156,288 to Water-Sewer Refunds and Rebates (59003-68700) to approximate Water-Sewer's share of this rebate.

**State Shared Revenue Amendment #2 Motion Requested:**

We originally budgeted \$6,013,899 in revenue line item: (10101-57401). We expect year-end to be closer to \$7,179,665. Therefore, we recommend the Board approve a budget increase adjustment of \$1,165,766 to line item: (10101-57401). Originally, the State estimated this category smaller due to the health pandemic (COVID-19), but the consumer spending model ended up different than originally estimated.

**Commitment of Township Resources on Financial Statements –  
Board Resolution (Adjustment #3):**

In light of the 'one-time' revenues outlined above, as well as analyzing year-end projected results we believe, that the Township has an opportunity to commit some of the one-time resources above to Waterford's 'Budget Stabilization Fund.' The Township Board created this Fund in 2013 as a set aside for large unforeseen events. The bond rating agencies (Standard and Poors, Moody's and Fitch) as well as our auditors like to see such allocations made. During our last Bond Rating review in March of 2014 Standard and Poor's did take note of the Budget Stabilization Fund that was created by Waterford Township in the fall of the prior year. Bond ratings are a good measurement of a municipality's financial health and are very important when issuing debt to receive the most favorable interest rates and financing available. We feel that a further contribution is in Waterford's best interest.

The commitment of the funds takes a board action (resolution) to commit the funds. Also, if the funds are to be used in the future, a subsequent board action (resolution) would be required to utilize the funds. We have checked with our auditors and this action is permitted and, in the spirit, and accordance with the Governmental Accounting Standards Board (GASB-54) rule. We believe that this move would be a sound and conservative action to take with one-time non-reoccurring revenues. We recommend that the Board allocate \$925,000 to the Committed Budget Stabilization Fund at this time. While not a large allocation considering the magnitude of the operations, we believe this is a prudent and conservative action that merits consideration. Please see the attached **Appendix A** for the resolution that we ask the Board to consider regarding this recommendation at this time.

**Township Board Budget Adjustment #4 Motion Requested:**

We would also recommend that the Township Board make an increased transfer from its General Fund, Fund # (101) to its Improvement and Revolving Fund, Fund # (246). As a reminder, the (246) Improvement Revolving Fund is where the Township budgets and pays for its general government capital improvements. This fund does not have a reoccurring or dedicated revenue stream, so it is essential that whenever possible this fund be given an opportunity to help the community address its capital infrastructure and deferred maintenance needs. Historically, the Improvement Revolving Fund has allowed the Township to participate in the Tri-Party (Oakland County, Oakland County Road Commission and Twp.) road projects, Township drainage issues, streetlights, sidewalks and other needed capital upgrades and repairs. The needs for capital improvements are vast and virtually without end and such items have been deferred, especially during the most recent recession. At this time, we recommend that the Township Board authorize an increased \$500,000 transfer from General Fund expense line item 19650-99911 to Improvement Revolving Fund Revenue line item 24601-67402. While this is a positive item, we should keep in mind that public infrastructure projects can be very costly indeed and that the Township has deferred many projects over the past number of years. These capital projects are mainly one-time in nature and related to repair, maintenance, and technology needs.

2021 Recommended Year-End Budget Amendments and Fund Balance Designations Continued.**Township Board Budget Adjustment #5 Motion Requested:**

We would also recommend that the Township Board make an increased transfer from its General Fund, Fund # (101) to its Cemetery Care Fund, Fund # (209). The Township's five municipal cemeteries at some point will have ongoing maintenance and upkeep needs and have no dedicated revenue stream to help meet these needs. At the end of 12-31-20 there was \$565,289 in this fund. We recommend an increased transfer of \$150,000 from General Fund Line Item 19650-99908 to Cemetery Care Fund Line Item 20901-67402 at this time.

**Township Board Budget Adjustment #6 Motion Requested:**

We would also recommend that the Township Board make an increased transfer from its General Fund, Fund # (101) to its Worker's Compensation Fund, Fund # (215). The Township conducts Public Safety (Police and Fire), as well as other services at the DPW that can be considered hazardous. Having the proper set asides to address deductibles and self-insurance limits when/if these events happen is essential. Currently, our self-insurance/deductible is set at \$450,000 to \$500,000 per occurrence dependent upon employee classification. At the end of 12-31-20 there was \$959,138 in this fund. We recommend an increased transfer of \$50,000 from General Fund Line Item 19650-99918 to Worker's Comp Fund Line Item 21501-67421 at this time.

**Township Board Budget Adjustment #7 Motion Requested:**

We would recommend that the Township Board authorize an increased transfer from the General Fund Line Item #12480-99901 to the (330) fund, line item #33001-67410 using project code GENFD in the amount of \$500,000. If you remember the (330) fund was created to help set aside current dollars for future capital needs. The General Fund transfer to the 330 Fund is for future building, grounds or vehicle repairs, maintenance, or acquisition in the General Fund category.

**Township Board Budget Adjustment #8 Motion Requested:**

We would recommend that the Township Board authorize an increased transfer from the Fire Fund Line Item # 20630-99901 to the (330) fund, designated to the fire capital line item #33001-67410-FIRE in the amount of \$250,000. If you remember the (330) fund was created to help set aside current dollars for future capital needs including vehicles and equipment. As you are aware, vehicles in this category are very important, as well as very expensive and setting aside dollars when possible is financially prudent. This is the type of move that also would permit paying cash rather than financing such vehicles in the future.

**Township Board Budget Adjustment #9 Motion Requested:**

We would recommend that the Township Board authorize an increased transfer from the Police Fund Line Item # (20730-99901) to the (330) fund, designated to the police capital line item 33001-67410-POLIC in the amount of \$250,000. If you remember the (330) fund was created to help set aside current dollars for future capital needs including vehicles and equipment. As you are aware, vehicles, technology (911 Systems etc.) and deferred building maintenance in this category are very important, as well as very expensive and setting aside dollars when possible is financially prudent.

**Township Board Budget Adjustment #10 Motion Requested:**

The Township Building Permits revenue line item was originally budgeted at \$320,000. We project the Year-End total to be closer to \$420,000 based on an increase related to activities in 2021. Therefore, we request a budget amendment to increase and adjust the original budgeted amount by \$100,000 to recognize the increased revenue. This corresponds to line item #10101-46300.

2021 Recommended Year-End Budget Amendments and Fund Balance Designations Continued.**Township Board Budget Adjustment #11 Motion Requested:**

Water and Sewer Revenue 59003-66400 (Interest Revenue) was budgeted at \$270,288 and we project the year-end total to be closer to \$115,000. Therefore, we recommend a budget adjustment of \$155,288 to recognize the decreased revenue.

**Township Board Budget Adjustment #12 Motion Requested:**

Water and Sewer Revenue 59002-65012 (Charge Sewer Usage) was initially budgeted at \$18,050,000 and we expect the year-end total to be closer to \$17,400,000. Therefore, we recommend a budget adjustment of \$650,000 to recognize the projected revenue.

**Township Board Budget Adjustment #13 Motion Requested:**

As the Board is aware, the Township is under a Corrective Action Plan (CAP) with the State of Michigan with respect to its closed Retiree Health Care System. Public Act 202 of 2017 requires Municipalities to be at least 40% funded in this benefit category. The most recent actuarial study had the Township listed at 19.04% funded with a **<\$160,692,316>** Actuarial Assumed Liability (AAL). The Township has taken many steps in recent years to help address this category like closing the system to new hires, starting a trust to invest assets and receive some compound interest to help leverage against future costs and most recently completing a dependent audit among other steps. In 2021, the Township Board implemented retiree health care plan reforms. These measures will help reduce some of the unfunded liabilities. At this time, we are recommending an additional contribution into the health care trust in the amount of \$2,500,000, broken up from different funding sources listed below. While this alone does not solve this issue, it will be another step in the right direction. The breakdown of the 2021 proposed year-end supplemental retiree health care trust funding is as follows:

<u>Fund:</u>	<u>Object #:</u>	<u>Amount:</u>
General Fund	71350	\$593,750
Police Fund	71350	\$799,500
Fire Fund	71350	\$490,000
Water-Sewer	71350	\$412,750
Parks & Rec.	71350	\$ 77,250
Library	71350	<u>\$126,750</u>
Total:		\$2,500,000

**Township Board Budget Adjustment #14 Motion Requested:**

In operational year 2021, the Water and Sewer Fund (590) did not spend all of its resources in some capital lines and a large operational line (Sewer Treatment). For that reason, there are some year-end adjustments on the expense side that need to be adjusted to help draw the initial budget closer to projected year end actual. The breakdown of recommended budget amendments are as follows:

<u>W&amp;S Capital Line:</u>	<u>Revised Budget:</u>	<u>Projected Y.E.:</u>	<u>Requested Amd:</u>
59044-92140	\$ 176,776	\$ 70,000	<\$ 106,776>
59045-97010	\$2,850,000	\$1,200,000	<\$1,650,000>
59055-97010	\$ 670,000	\$ 440,000	<\$ 230,000>
59054-81000 (Sewer Treatment)	\$9,600,000	\$9,228,000	<\$ 372,000>

**Township Board Budget Adjustment #15 Motion Requested:**

The Township's Retiree Health and current employee health lines are in need of adjusting. There are factors that influenced this need including the Township going to a self-insured model, not

2021 Recommended Year-End Budget Amendments and Fund Balance Designations Continued.

quite as many employees retiring than originally planned and some timing delays with hiring in the public safety departments. The breakdown of recommended budget amendments are as follows:

**2021 Projected Current Employee Health Care Expenses:**

<u>Health Care Line:</u>	<u>Revised Budget:</u>	<u>Projected Y.E.:</u>	<u>Req. Amd:</u>
11360-71100	\$195,408	\$161,096	<\$34,311>
11710-71100	\$104,333	\$80,837	<\$23,395>
20730-71100	\$865,000	\$ 750,000	<\$115,000>

**2021 Projected Retiree Health Care Expenses:**

<u>Ret. Health Care Line:</u>	<u>Revised Budget:</u>	<u>Projected Y.E.:</u>	<u>Req. Amd:</u>
11360-71150	\$324,283	\$221,561	<\$102,721>
12490-71150	\$988,176	\$707,000	<\$281,176>
20730-71150	\$2,558,206	\$2,150,000	<\$408,206>
20630-71150	\$1,293,570	\$1,050,000	<\$243,570>
59044-71150	\$530,908	\$428,000	<\$102,908>

**Township Board Budget Adjustment #16 Motion Requested:**

Due to the initial budget changes requested at the outbreak of the COVID-19 Pandemic the hiring process at the Police Department was paused due to the uncertain financial times. The Fire Department is in need of a few minor adjustments in this area as well.

<u>Salary/FICA &amp; Ben. Lines:</u>	<u>Revised Budget:</u>	<u>Projected Y.E. :</u>	<u>Req. Amd:</u>
20730-70200	\$6,092,557	\$5,700,000	<\$392,557>
20730-71000	\$503,365	\$469,168	<\$34,197>

<u>Salary/FICA &amp; Ben. Lines:</u>	<u>Revised Budget:</u>	<u>Projected Y.E. :</u>	<u>Req. Amd:</u>
20630-70900	\$935,000	\$1,071,204	<\$136,204>

**Township Board Budget Adjustment #17 Motion Requested:**

Review of the Township's Worker's Compensation Line Items has revealed the need for some year-end adjustment. The breakdown of recommended budget amendments are as follows:

<u>W.C. Lines:</u>	<u>Revised Budget:</u>	<u>Projected Y.E. :</u>	<u>Req. Amd:</u>
12480-71600	\$50,000	\$33,000	<\$17,000>
20730-71600	\$200,000	\$75,000	<\$125,000>
20630-71600	\$145,000	\$100,000	<\$45,000>

2021 Recommended Year-End Budget Amendments and Fund Balance Designations Continued.**Township Board Budget Adjustment #18 Motion Requested:**

The Budget for 2021 included the purchase of one Fire truck for the Fire Department. This truck has been ordered but due to the long manufacturing lead-time involved in building it, it will not be delivered until 2022. For accounting purposes, it is therefore recommended that a transfer of \$505,000 be made from account 20630-99901 to Capital Project 33001-67410-Fire so that the purchase of this truck can be made using account 33090-97136-Fire.

**Township Board Budget Adjustment #19 Motion Requested:**

The Township applied for multiple grants during the COVID-19 Pandemic. It is necessary for the Township to recognize the revenue and expenses related to these items because they were not part of the original 2021 Budget. The breakdown of the grants are as follows:

<u>Grant Revenue Line Items:</u>	<u>Orig. Budget:</u>	<u>Budget Amd.:</u>	
10101-53300 – EMERG \$0.00	\$6,000		
20701-53300 – EMERG \$0.00	\$149,745		
20601-53300 – EMERG \$0.00	\$275,660		
 <u>Grant Expense Line Items:</u>	 <u>Orig. Budget:</u>	 <u>Budget Amd.:</u>	
11360-76850	\$0.00	\$5,100	- COVID Related Exp.
12480-76850	\$0.00	\$2,400	- COVID Related Exp.
12480-95440	\$0.00	\$42,500	- COVID Related Exp.
12650-76850	\$0.00	\$1,600	- COVID Related Exp.
 20630-76850	 \$0.00	 \$9,500	 - COVID Related Exp.
20630-95440	\$0.00	\$107,000	- Pontiac/Lk. Angelus Part
 20730-76850	 \$0.00	 \$10,500	 - COVID Related Exp.

**Township Board Budget Adjustment #20 Motion Requested:**

The General Fund transfers portions of the general fund millage as laid out during the budget process. Due to the items listed above we are recommending some changes to the original transfers in the 2020 budget as follows:

<u>Transfer Line:</u>	<u>Name:</u>	<u>Rev. Budget:</u>	<u>New Trans.:</u>	<u>Req. Amd:</u>
19650-99912	G.F. Trans. Library Fund	\$0.00	\$125,000	\$125,000
19650-99914	G.F. Trans. P&R Fund	\$200,000	\$275,000	\$75,000

**Township Board Budget Adjustment #21 Motion Requested:**

The Township now collects an administrative fee related to the medical marihuana facilities and applications. These revenues need to be recognized.

<u>Revenue Line:</u>	<u>Name:</u>	<u>Rev. Budget:</u>	<u>Req. Amd:</u>
10101- 60375	Applications Fees	\$0.00	\$125,000

**Township Board Budget Adjustment #22 Motion Requested:**

The District Court Fines and Fees revenue line needs to be adjusted. Please see the recommendation below.

2021 Recommended Year-End Budget Amendments and Fund Balance Designations Continued.

<u>Revenue Line:</u>	<u>Name:</u>	<u>Orig. Budget:</u>	<u>Req. Amd:</u>
10101-65600	Dist. Ct. Fines/Fees	\$815,000	\$150,000

**Township Board Budget Adjustment #23 Motion Requested:**

The Police Department upgraded its Dispatch Center in 2021. The project was previously approved by the Twp. Board. We are currently waiting to hear back from MMRMA on some grant funding. At this time, a budget amendment is needed to adjust for the expenses related to this project.

<u>Expense Line:</u>	<u>Name:</u>	<u>Orig. Budget:</u>	<u>Req. Amd:</u>
20730-97133	Capital Computer Equip.	\$10,000	\$211,500

**Appendix A****Budget Stabilization Fund Resolution****Resolution # 1 Budget Stabilization Fund Committed Designation:**

A Resolution to approve commitment of Fund Balance in Accordance with GASB Statement No. 54.

**Whereas**, the Governmental Accounting Standards Board (GASB) has issued Statement No. 54 – Fund Balance Reporting and Governmental Fund Type Definitions, which redefines fund types and changes the terminology used for fund balance reporting on balance sheets of Governmental Funds, AND;

**Whereas**, the Charter Township of Waterford's Township Board has reviewed the new terminology, AND;

**Whereas**, the Charter Township of Waterford Budget and Assistant Budget Directors recommend that a portion of the General Fund Refunds and Rebates Revenues for Budget Year 2021 be received and committed by this resolution in the amount of \$925,000 to the 'Budget Stabilization Fund.'

**Whereas**, the purpose of these committed funds would be to balance a subsequent budget in future years, or to meet the needs of a large unforeseen event.

**Now, Therefore, Be It Resolved**, that the Charter Township of Waterford Township Board accepts the aforementioned recommendation.

Clerk Markee read Appendix A - Budget Stabilization Fund Resolution.

Moved by Bartolotta,

Seconded by Markee, RESOLVED, to accept and approve the year-end budget amendments and fund balance as presented in this document. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

## 7.5 Consideration for Opting-in to the National Opioid Settlement Litigation

Joellen Shortley, Township Attorney, presented the following memo.

The Township received notice of the potential settlement of the nationwide opioid litigation. You were previously briefed about this matter in October of 2019 when Gary Dovere provided you an explanation about the notice you received on the class action lawsuits that were initiated by municipalities across the country against manufacturers, distributors and retailers of prescription opioid drugs. At that time the Township chose to remain in the settlement class while the lawsuit was pending. The other option would have been to opt-out of the settlement class and seek separate litigation or settlement.

After several years of negotiation, two nationwide settlements have been reached against the three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson. The settlements require the distributors to pay up to \$21 billion dollars over 18 years and for Janssen to pay up to \$5 billion over 9 years, for a total of \$26 billion. Of the settlement amount approximately \$22.7 billion is earmarked for participating states and state subdivisions to remediate and abate the impacts of the opioid crisis. The settlements also require the distributors to implement safeguards to prevent the over prescription of opioids and place restrictions on the marketing, sale and distribution of opioids. Michigan has chosen to participate in each settlement.

You received the notice because state subdivisions are being asked whether they want to participate in the settlements. The more subdivisions that participate, the greater the share of funds that will be allocated to the state. If a subdivision does not participate in the settlements, it cannot directly share in any of the settlement funds, even if its state and other subdivisions in its state are sharing in the settlements.

The settlements establish the base and incentive payments and how they will be paid out to the participating states and participating subdivisions. The Michigan Attorney General has estimated that the state of Michigan may receive close to \$800 million dollars in total as a result of the settlements. The settlements to the states will be allocated 15% to a state fund, 70% to an Abatement fund and 15% to the participating subdivisions. Waterford will receive an allocation from the subdivision fund provided to the state. The settlement depends upon the number of allocation from the subdivision fund provided to the state. The settlement depends upon the number of subdivisions that agree to participate and several other factors such as the potential to receive incentive payments. This makes it difficult to determine the exact amount that Waterford will receive. The settlement with the Distributors indicates that Waterford is eligible to receive .2186 percent of the 15% allocation the state will receive to distribute to participating subdivisions. More specific details on the amounts allocated to the participating subdivisions should be available next year. If a majority of governments that sued the companies do not accept the settlement, the proposed deal will fail, and litigation will continue. The settlement funds must be spent on opioid remediation, however most of the uses identified in the settlements are for activities more likely to be carried out by states or counties. This list of permissible expenditures for subdivisions includes providing expanded training for first responders, schools, community groups and families on the use of Naloxone or other FDA approved drugs to reverse overdoses.

At this point, you need to take an affirmative step to "opt in" if you would like to participate in the settlements. To opt in, you need to register at the national settlement website <https://nationalopioidsettlement.com/>. The deadline for opting in is January 2, 2022. You will be required to provide the email address of the person who will be authorized on behalf of the Township. Required documentation through the website will be executed and signed electronically. Your unique subdivision identifier for registration appears on the second page of the settlement notice. The Michigan Attorney General's website [https://www.michigan.gov/ag/0,4534,7-359-82917\\_103916---,00.html](https://www.michigan.gov/ag/0,4534,7-359-82917_103916---,00.html) contains draft settlement agreement forms similar to what you will be asked to sign before settlement funds can be



Consideration for Opting-in to the National Opioid Settlement Litigation Continued.

received. I have attached a copy of the two proposed settlement forms. The forms both contain i) an agreement to the terms of the settlements; ii) a release of claims; iii) an agreement that monies received can only be spent on opioid remediation and iv) a consent to the jurisdiction of the court where the settlement judgment is filed. The Distributor Release is a release of claims against Distributors and J&J Release is a release of claims against Janssen and Johnson & Johnson.

Both settlements contain injunctions placing numerous requirements on the companies that are aimed at preventing the over distribution and sale of opioids. The Distributors will be required to carefully review and report suspicious orders to the state. There will be a national Enforcement Committee to review compliance with the settlements and compliance committees established in the states. Janssen is banned from manufacturing, selling or promoting the sales of opioids in the United States. There are several pharmacy chains such as CVS, Walgreens, and stores with pharmacies such as Walmart, which have not joined the settlement.

It is unlikely that the Township would elect to pursue litigation on its own in this matter. Therefore, opting into the settlement will enable the Township to be eligible for funding to address opioid remediation. In speaking with the Attorney General's Office, they indicated a Resolution to opt-in may be necessary. I have drafted the attached Resolution for your consideration. If you choose to opt-into the settlements, a motion to adopt the Resolution would be appropriate.

I will be present at the December 8, 2021 meeting to answer your questions.

Attorney Shortley addressed the Board of Trustees.

Moved by Bartolotta,

Seconded by Markee, RESOLVED, to opt in to the National Opioid Settlement Litigation. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

## 7.6 Request For Authorization of Tri-Party Project - Portions of Airport Road & Pontiac Lake Road

The following memo was received from Supervisor Wall.

The Tri-Party program is a cooperative funding partnership between Oakland County, the Road Commission for Oakland County (RCOC), and Waterford Township that allows the Township to effectively designate funds toward improvement projects located within RCOC rights-of-way. Specifically, through the Tri-Party program, each of the agencies named above provides 1/3 of the total cost of a designated improvement. Waterford Township has an allocated balance of approximately \$2 million available for qualifying projects.

In our annual meetings with RCOC, Waterford Township and RCOC have discussed the needed improvements on both Airport Rd. and Pontiac Lake Rd. As you recall, Airport Rd. between

Request for Authorization of Tri-Party Project - Portions of Airport Road & Pontiac Lake Road Continued.

Andersonville Rd. and Hatchery Rd. and Pontiac Lake Rd. between Williams Lake Rd. and Hospital Rd. were improved in 2021.

To complete improvements on Airport Rd. from Elizabeth Lake Rd. to Hatchery Rd., and Pontiac Lake Rd. from Airport Rd. to Highland Rd., the estimated project cost is \$1,200,000 which will be divided equally between RCOC, Oakland County, and Waterford Township with each contributing \$400,000. Please see details on the attached Cost Participation Agreement for Board Project No. 58451.

Recommended action by the Board includes:

- 1) Passing a motion authorizing the Township Supervisor to sign the enclosed Cost Participation Agreement prepared by the RCOC for these projects.
- 2) Directing staff to allocate \$400,000 from the Improvement Revolving Fund Road Match Expense line item in the 2022 budget (24690-96730) to cover the expenditure as cited in the agreement.

Thank you for your consideration.

Moved by Bartolotta,

Seconded by Thomas, RESOLVED, to authorize the Township Supervisor to sign the enclosed Cost Participation Agreement prepared by the RCOC for these projects. Furthermore, directing staff to allocate \$400,000 from the Improvement Revolving Fund Road Match Expense line item in the 2022 budget (24690-96730) to cover the expenditure as cited in the agreement. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

## 7.7 **Purchase of Two 2022 Budgeted Fire Engines**

The following memo was received from Supervisor Wall.

During the 2022 budget hearings, the Township Board approved the purchase of two fire engines. I am requesting the board's approval of both Engine purchases at the December 8, 2021 Township Board meeting. This request comes very early in the year due to the fact there is a projected 24 month build time for both units. Also, there will be a 10% increase in the cost of both vehicles if they are purchased after January 3rd, 2022. Total increase projected is roughly \$123,000. This is mostly due to the US supply chain issues and rapidly increasing cost of materials per the manufacturer with no projected relief in pricing.

We are receiving discounted pricing, by using the HGAC Buy program that guarantees government pricing on both units. This program has given us a great advantage as we want to move towards a fleet of engines that closely match each other and are similar for our mechanics division to work on.

### **Fire Engine 1 + performance bond**

- |                              |              |
|------------------------------|--------------|
| • Total pre discount cost    | \$556,723.77 |
| • HGAC pricing               | \$554,723.77 |
| • Multi-unit discount Dealer | \$ 5,000     |

Purchase of Two 2022 Budgeted Fire Engines Continued.

- Prepayment Discount Sutphen \$ 14,482.75
- HGAC Membership cost \$ +2,000

**TOTAL \$537,241.02****Fire Engine 2 (Hybrid Squad) + performance bond**

- Total pre discount cost \$680,491.23
- HGAC pricing \$676,491.23
- Multi-unit discount Dealer \$ 10,000

**TOTAL \$668,491.23**

**TOTAL PURCHASE REQUESTED \$1,205,732.25** first payment of \$537,241.02 due after contract completed. Second vehicle to be paid in full upon completion. These funds will be taken out of 20630-97136 Capital-Vehicles.

**Fire Engine 1**

This new fire engine will be identical to the previous engines from Sutphen Corporation. This engine will replace E213, a reserve 2003 Pierce Enforcer with 129,000 miles and APAW score of 45 (needing immediate replacement). This engine will be placed into front line service at fire station number 5 (Hospital Rd and Elizabeth Lake Rd.).

**Fire Engine 2 (Hybrid Squad)**

This new fire engine will be to replace front line Squad Truck- a 2003 Pierce Enforcer with 90,000 miles and APAW score of 31. This truck not only responds to 'First Due' calls in Stations 9's and Station 3 area, but also carries specialized equipment not carried on any of our other response units due to cost. Squad 9 responds to all major vehicle accidents, elevator emergencies, rope rescues, water rescues, hazardous materials, and structure fires in all three communities: Waterford, Lake Angelus and Pontiac. Unfortunately, the current Squad 9 does not have water, pumps, or hoses. Therefore, the replacement will be a Squad/Engine from Sutphen Corporation. When delivered and put into front-line service at Station 9, the addition of water, pumps, and hoses, along with extra compartment space, will help to achieve a lower ISO rating within all three communities soon. As we did not receive credit for an engine when we had our last ISO Rating inspection.

Thankfully in August 2018, Waterford voters passed the Public Safety SAD, which puts us on the path to see that our truck replacement plan stays on schedule. Including the start of the 330-fund Capital savings Account put together by Barb Miller, Derek Diederich and Supervisor Wall. This fund puts monies away annually to save for large future purchases.

The Fire Department says Thank You in advance for your consideration in this matter.

Fire Chief Covey addressed the Board of Trustees.

Moved by Markee,

Seconded by Bartolotta, RESOLVED, to the approve the purchase of two fire engines in the amount of \$1,205,732.25 with the first payment of \$537,241.02 being paid from account 20630-97136, Capital-Vehicles. Furthermore, authorizing Supervisor Wall to sign the contract with Sutphen Corporation. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

Supervisor Wall commended the Waterford Regional Fire Department for taking calls for the Brandon Township Fire Department while they covered the Oxford High School active shooter situation.

Chief Covey stated that an ambulance was that was at St. Joe's when this incident happened. The Josh Dorman reached out to Battalion Chief and asked they stayed to assist with patients as they arrived from the school shooting.

**7.8 Waterford Professional Firefighter Association, Local 1335, Collective Bargaining Agreement One Year Extension**

The following was presented by Mr. Mark Similar, Human Resource Director.

**Collective Bargaining Agreement**  
**One-Year Extension**

Waterford Township (hereinafter, "Township") and the Waterford Professional Firefighter Association, Local 1335, (hereinafter, "Union") are parties to a Collective Bargaining Agreement which expired December 31, 2020;

WHEREAS; Presently the Township and the Union are parties to a Collective Bargaining Agreement for the period of January 1, 2021 – December 21, 2021;

WHEREAS; The Parties wish to extend the terms and conditions of the Collective Bargaining Agreement for an additional one year period;

WHEREAS; The provisions of the Collective Bargaining Agreement shall remain unchanged except for as specified below.

NOW THEREFORE, the Parties agree as follows:

- 1) The current Collective Bargaining Agreement shall be extended for a period of one (1) year, which shall now expire on December 31, 2021
- 2) All members of the Union who are members of the Defined Contribution Retirement Program shall receive a 3% increase in the employer contribution of the DC Plan effective January 1, 2021. This shall be applied retroactively to January 1, 2021 for all Union Members hired prior to that date.
- 3) The Parties agree to amend the pension article as follows: New employees shall not be covered by the existing retiree health benefit, but shall be covered instead by the Defined Contribution pension plan (hereinafter referred to as DC) and the Retiree Health Savings plan (hereinafter to as RHSA), which shall, in combination, be funded by a Township contribution totaling ~~18% 15%~~ of the employee's base wage as follows. On a one-time basis, the employee shall select one of the three following options to allocate his or her total 15% Township contribution between his or her DC pension account and his or her RHSA account:

~~15% to DC and 9% to RHSA~~  
~~10% to DC and 5% to RHSA~~  
~~12% to DC and 3% to RHSA~~  
**15% to DC** and 3% to RHSA

Waterford Professional Firefighter Association, Local 1335, Collective Bargaining Agreement One-Year Extension

- 4) The Parties acknowledge that all other provisions of the Collective Bargaining Agreement shall remain in force and carry over until the expiration date contained in this Extension Agreement and this Extension agreement is conditioned upon the acceptance by the Waterford Township Board and the Waterford Professional Firefighters Association, Local 1335.

Waterford Township

IAFF Local 1335

By: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

Moved by Thomas,

Seconded by Bartolotta, RESOLVED, to approve the one-year contract extension for the Waterford Professional Firefighter Association, Local 1335. Furthermore, to approve the proper economic component to this agreement by transferring \$182,000.00 from the 206 contingency fund to the proper salary and benefits line items in the 2021 Waterford Township budget and an additional \$182,000 from the 206 contingency fund to the proper salary and benefits line items in the 2022 Waterford Township Budget. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

Mr. Diederich corrected Treasurer Thomas that the account number should be 206 vs. 207.

## 7.9 Public Comments limited to Three (3) Minutes per Speaker

Alison Swanson advised the Board that Parks and Recreation was awarded a \$95,000 grant from the William E and Myrtle Hess Trust. It will provide new animal fencing making it safer for the animals and more esthetic. Hess-Hathaway, a 167-acre park, is fully funded by the Parks and Recreation Fund.

Grant Smith – Waterford Youth Assistance

Mr. Smith advised that Waterford Youth Assistance raised 3425 pairs of shoes and thanked everyone who donated shoes. The following locations made the 400 club:

- Russ's Party Store
- Waterford Fire Department
- Oakland Christian Schools – Auburn Hills

**ADJOURNMENT**

Moved by Bartolotta,  
Seconded by Markee, RESOLVED, to adjourn the meeting at 7:33 p.m. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon  
Nays: None  
Absent: None

Motion carried unanimously.

---

Kim Markee, Clerk

---

Gary Wall, Supervisor

12/01/2021 11:49 |WATERFORD TOWNSHIP  
Illinois |AP CHECK RECONCILIATION REGISTER

|P 1  
|apchkrcn

FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
297780	12/08/2021	PRINTED	011015 TRACTION	378.07			
297781	12/08/2021	PRINTED	011040 AED SUPERSTORE	134.25			
297782	12/08/2021	PRINTED	011730 ARROW PRINTING	469.80			
297783	12/08/2021	PRINTED	013666 APOLLO FIRE APPARATUS	61.43			
297784	12/08/2021	PRINTED	013685 APPLIED IMAGING	777.85			
297785	12/08/2021	PRINTED	014474 ALCOHOL DRUG ADMINISTRATI	1,007.00			
297786	12/08/2021	PRINTED	021079 BAKER & TAYLOR BOOKS	3,151.86			
297787	12/08/2021	PRINTED	021079 BAKER & TAYLOR BOOKS	954.83			
297788	12/08/2021	PRINTED	021079 BAKER & TAYLOR BOOKS	494.24			
297789	12/08/2021	PRINTED	021079 BAKER & TAYLOR BOOKS	293.21			
297790	12/08/2021	PRINTED	021079 BAKER & TAYLOR BOOKS	146.96			
297791	12/08/2021	PRINTED	021380 BILLS PLBG & SEWER SERV I	1,259.65			
297792	12/08/2021	PRINTED	023231 BEDROCK EXPRESS LTD	1,257.60			
297793	12/08/2021	PRINTED	023456 BLACKBURN MFG CO	681.98			
297794	12/08/2021	PRINTED	023460 BLACKSTONE PUBLISHING	556.44			
297795	12/08/2021	PRINTED	023592 BOSTICK TRUCK CENTER LLC	64.00			
297796	12/08/2021	PRINTED	023602 BOUND TREE MEDICAL LLC	371.70			
297797	12/08/2021	PRINTED	023732 BRENDLE'S SEPTIC TANK SER	420.00			
297798	12/08/2021	PRINTED	033481 MIKE LALONE	1,700.00			
297799	12/08/2021	PRINTED	041192 CDW GOVERNMENT INC	71.77			
297800	12/08/2021	PRINTED	041216 CGS, INC	1,700.00			
297801	12/08/2021	PRINTED	041218 C GREEN'S TREE SERVICE	2,425.00			
297802	12/08/2021	PRINTED	041460 CLYDES FRAME & WHEEL SERV	2,173.82			
297803	12/08/2021	PRINTED	041495 CMP DISTRIBUTORS INC	215.90			
297804	12/08/2021	PRINTED	043381 CITY OF PONTIAC	1,632.92			
297805	12/08/2021	PRINTED	044085 COMIC CITY	13.84			
297806	12/08/2021	PRINTED	051277 D&R INVESTMENT GROUP, LLC	10,000.00			
297807	12/08/2021	PRINTED	051445 DLZ MICHIGAN, INC	2,692.50			
297808	12/08/2021	PRINTED	053224 DELL COMPUTER CORP	4,226.41			
297809	12/08/2021	PRINTED	053230 DEMCO SOFTWARE	2,006.16			
297810	12/08/2021	PRINTED	053389 LUNGHAMER GMC INC	299.32			
297811	12/08/2021	PRINTED	053867 DUBOIS CHEMICALS INC	350.00			
297812	12/08/2021	PRINTED	063004 EAGLE GRAPHICS AND DESIGN	155.00			
297813	12/08/2021	PRINTED	063181 MICHAEL J EBERLE	2,499.00			
297814	12/08/2021	PRINTED	063476 ELECTROCOMM-MICHIGAN, INC	130.00			
297815	12/08/2021	PRINTED	063488 EMERGENCY VEHICLES PLUS	1,449.42			
297816	12/08/2021	PRINTED	063546 ENABLE POINT INC	847.00			
297817	12/08/2021	PRINTED	063947 EXCITE TOUR LLC	10,254.15			
297818	12/08/2021	PRINTED	064008 ELECTRONIC MONITORING SYS	389.00			
297819	12/08/2021	PRINTED	081118 FH MARTIN CONSTRUCTION CO	122,490.00			
297820	12/08/2021	PRINTED	081660 FMG CONCRETE CUTTING	646.50			
297821	12/08/2021	PRINTED	083373 FIRESTONE TIRE & SERV CTR	785.04			
297822	12/08/2021	PRINTED	083407 TURNOUT MANAGEMENT	941.65			
297823	12/08/2021	PRINTED	091835 GUNNERS METERS & PARTS IN	480.00			
297824	12/08/2021	PRINTED	093025 CENGAGE LEARNING INC/GALE	298.30			
297825	12/08/2021	PRINTED	093451 GLOBAL OFFICE SOLUTIONS	1,510.14			
297826	12/08/2021	PRINTED	093608 GOYETTE MECHANICAL CO, IN	549.00			
297827	12/08/2021	PRINTED	093705 GRAINGER	682.04			
297828	12/08/2021	PRINTED	093823 GREEN MEADOWS LAWNSCAPE,	10,906.00			
297829	12/08/2021	PRINTED	093863 GREAT LAKES WATER AUTHORI	3,121.94			
297830	12/08/2021	PRINTED	101590 HOWLAND'S	6,995.00			
297831	12/08/2021	PRINTED	101835 HUBBELL ROTH & CLARK INC	1,039.94			

12/01/2021 11:49 |WATERFORD TOWNSHIP  
llievois |AP CHECK RECONCILIATION REGISTER

|P 2  
|apchkrcn

FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
297832	12/08/2021	PRINTED	101950 HYDRO CORP	7,132.00			
297833	12/08/2021	PRINTED	103639 HOLMES CUSTOM	61.93			
297834	12/08/2021	PRINTED	103641 HOME CONFINEMENT	390.00			
297835	12/08/2021	PRINTED	113488 IMPERIAL AUTO WASH	106.00			
297836	12/08/2021	PRINTED	113542 INGRAM LIBRARY SERVICES	238.86			
297837	12/08/2021	PRINTED	113551 NICHOLS PAPER & SUPPLY CO	301.98			
297838	12/08/2021	PRINTED	121011 J&B MEDICAL SUPPLY	1,998.75			
297839	12/08/2021	PRINTED	121571 JONES & BARTLET LEARNING,	5,000.00			
297840	12/08/2021	PRINTED	123023 JAMS	682.00			
297841	12/08/2021	PRINTED	123606 ROSATI, SCHULTZ, JOPPICH	11,102.00			
297842	12/08/2021	PRINTED	153068 OSCAR W LARSON CO	126.72			
297843	12/08/2021	PRINTED	153240 LESLIE TIRE	2,003.76			
297844	12/08/2021	PRINTED	153367 LIBRARY NETWORK, THE	9,860.60			
297845	12/08/2021	PRINTED	163095 MAZZA AUTO PARTS INC	93.94			
297846	12/08/2021	PRINTED	163140 MANAGERPLUS SOLUTIONS, LP	357.00			
297847	12/08/2021	PRINTED	163270 METCOM	147.92			
297848	12/08/2021	PRINTED	163408 MISS DIG SYSTEM INC	5,924.41			
297849	12/08/2021	PRINTED	163476 MIDWEST TAPE	2,330.80			
297850	12/08/2021	PRINTED	163493 MICHIGAN RECREATIONAL CON	20,609.00			
297851	12/08/2021	PRINTED	163855 MUFFLER MAN	171.06			
297852	12/08/2021	PRINTED	174478 STATE OF MICHIGAN	800.00			
297853	12/08/2021	PRINTED	174721 STATE OF MICHIGAN	1,700.00			
297854	12/08/2021	PRINTED	183021 NATIONAL TRAILS	3,723.00			
297855	12/08/2021	PRINTED	183072 NATIONWIDE CONSTRUCTION G	172.16			
297856	12/08/2021	PRINTED	183952 NYE UNIFORM COMPANY	256.00			
297857	12/08/2021	PRINTED	191884 OVERHEAD DOOR WEST COMMER	477.50			
297858	12/08/2021	PRINTED	193014 OAKLAND MEDIATION CENTER	2,250.00			
297859	12/08/2021	PRINTED	193273 OFFICE DEPOT	400.93			
297860	12/08/2021	PRINTED	193713 ORKIN, LLC	502.00			
297861	12/08/2021	PRINTED	193882 OVERDRIVE, INC.	676.48			
297862	12/08/2021	PRINTED	204860 ROAD COMMISSION FOR	1,956.69			
297863	12/08/2021	PRINTED	213326 CECILIA PROULX PHIPPS	467.50			
297864	12/08/2021	PRINTED	213619 MARI LATOZAS	1,615.00			
297865	12/08/2021	PRINTED	220644 JOSE PEREZ	75.00			
297866	12/08/2021	PRINTED	226760 SHEILA PAPI	200.00			
297867	12/08/2021	PRINTED	233839 QUALITY FIRST AID AND SAF	72.22			
297868	12/08/2021	PRINTED	241008 RKA PETROLEUM COMPANIES,	1,555.43			
297869	12/08/2021	PRINTED	243359 ROYAL TRAINING AND CONSUL	550.00			
297870	12/08/2021	PRINTED	243664 ROSE PEST SOLUTIONS	48.00			
297871	12/08/2021	PRINTED	253153 SCOTT LAKE ASSOCIATION	300.00			
297872	12/08/2021	PRINTED	253153 SCOTT LAKE IMPROVEMENT AS	45.00			
297873	12/08/2021	PRINTED	253160 SCRAMLIN FEEDS	394.00			
297874	12/08/2021	PRINTED	253512 SMART START MICHIGAN	2,343.00			
297875	12/08/2021	PRINTED	254826 STARR AUTO GLASS	540.00			
297876	12/08/2021	PRINTED	263243 TELEFLEX LLC	2,263.50			
297877	12/08/2021	PRINTED	263255 TESTAMERICA LABORATORIES	547.80			
297878	12/08/2021	PRINTED	263841 TURNER SANITATION, INC	405.00			
297879	12/08/2021	PRINTED	263904 JAMES TWESTEN	45.00			
297880	12/08/2021	PRINTED	263906 ADAM STEPHENS	840.00			
297881	12/08/2021	PRINTED	273533 UNIFIRST CORP	1,124.16			
297882	12/08/2021	PRINTED	283247 VESCO OIL CORP	197.75			
297883	12/08/2021	PRINTED	291365 LINDE GAS & EQUIPMENT INC	309.86			



FOR CASH ACCOUNT: 70000      01000

FOR:   Uncleared

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
-----							
297884	12/08/2021	PRINTED	291365 LINDE GAS & EQUIPMENT INC	176.17			
297885	12/08/2021	PRINTED	293016 WATERFORD AREA CHAMBER OF	50.00			
297886	12/08/2021	PRINTED	293206 WEINGARTZ	4,687.84			
297887	12/08/2021	PRINTED	293599 WORLD BOOK SCHOOL AND LIB	95.00			
297888	12/08/2021	PRINTED	293605 WORLDWIDE INTERPRETERS IN	285.60			
297889	12/08/2021	PRINTED	304930 WATERFORD TOWNSHIP DPW	911.08			
297890	12/08/2021	PRINTED	500327 SNAP-ON INDUSTRIAL	20.43			
297891	12/08/2021	PRINTED	500483 CSG FORTE PAYMENTS INC	124.00			
112 CHECKS      CASH ACCOUNT TOTAL				309,999.46	.00		

Advance Checks Mailed  
Nov 23 → Dec 1

12/01/2021 11:50 | WATERFORD TOWNSHIP  
Illinois | AP CHECK RECONCILIATION REGISTER

| P 1  
| apchkrcn

FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
297703	11/23/2021	PRINTED	011790 AT&T	1,319.19			
297704	11/23/2021	PRINTED	011790 AT&T	2,036.48			
297705	11/23/2021	PRINTED	021510 BLUE CROSS BLUE SHIELD	172,146.90			
297706	11/23/2021	PRINTED	023068 K & Q LAW, PC	300.00			
297707	11/23/2021	PRINTED	023488 BLUE CROSS BLUE SHIELD OF	228,056.02			
297708	11/23/2021	PRINTED	023488 BLUE CROSS BLUE SHIELD OF	32,689.97			
297709	11/23/2021	PRINTED	023602 BOUND TREE MEDICAL LLC	419.70			
297710	11/23/2021	PRINTED	023765 BRYAN'S NEIGHBORHOOD CONE	2,800.00			
297711	11/23/2021	PRINTED	030150 MICHIGAN SOLAR SOLUTIONS	100.00			
297712	11/23/2021	PRINTED	030272 SECU, LLC	600.00			
297713	11/23/2021	PRINTED	030273 MARK BASSETT	100.00			
297714	11/23/2021	PRINTED	030274 DAVID E BARNHART	100.00			
297715	11/23/2021	PRINTED	030275 ANGEL CECENA	100.00			
297716	11/23/2021	PRINTED	030276 AMINE & ASSOCIATES	600.00			
297717	11/23/2021	PRINTED	031814 MODERN CRAFT HOMES	800.00			
297718	11/23/2021	PRINTED	032268 PALETTE BUILDING INC	100.00			
297719	11/23/2021	PRINTED	032438 BELLA DECKS LLC	100.00			
297720	11/23/2021	PRINTED	032697 MATRIX BASEMENT SYSTEMS	100.00			
297721	11/23/2021	PRINTED	033176 COY CONSTRUCTION INC	100.00			
297722	11/23/2021	PRINTED	033181 CREST HOMES	400.00			
297723	11/23/2021	PRINTED	033409 ITALY AMERICAN CO	100.00			
297724	11/23/2021	PRINTED	034361 HAVEL HOME IMPROVEMENTS	600.00			
297725	11/23/2021	PRINTED	043582 COMPREHENSIVE RISK SERV I	1,795.00			
297726	11/23/2021	PRINTED	043626 CONSUMERS ENERGY	193.24			
297727	11/23/2021	PRINTED	044093 CONWAY SHIELD	510.00			
297728	11/23/2021	PRINTED	053253 DTE ENERGY	5,599.36			
297729	11/23/2021	PRINTED	073103 ROBERT BUTCHER	19.29			
297730	11/23/2021	PRINTED	073666 COLLEEN POTE	200.00			
297731	11/23/2021	PRINTED	073932 CHRISTOPHER WEBSTER	27.02			
297732	11/23/2021	PRINTED	073944 GARY WALL	38.99			
297733	11/23/2021	PRINTED	083580 FORSTER BROTHERS	77.00			
297734	11/23/2021	PRINTED	093830 GRAND TRAVERSE COUNTY	477.00			
297735	11/23/2021	PRINTED	103584 JOHN H HOLMES	125.00			
297736	11/23/2021	PRINTED	111113 IDUMESARO LAW FIRM, PLLC	750.00			
297737	11/23/2021	PRINTED	131819 COLLEEN SQUANDA	24.10			
297738	11/23/2021	PRINTED	133586 ZORIAH TAYLOR	24.10			
297739	11/23/2021	PRINTED	133781 ROSS MCCALLUM	24.10			
297740	11/23/2021	PRINTED	133782 GEORGINA REINKE	24.10			
297741	11/23/2021	PRINTED	133800 MONICA HUNGERFORD	24.10			
297742	11/23/2021	PRINTED	133893 FRANCISCO PENA	24.10			
297743	11/23/2021	PRINTED	133948 CARL BEVINS	24.10			
297744	11/23/2021	PRINTED	143600 SCOTT C KOZAK	100.00			
297745	11/23/2021	PRINTED	161014 MI MUNICIPAL RISK MGMT	26,139.01			
297746	11/23/2021	PRINTED	163485 PAULETTE MICHEL LOFTIN	1,133.33			
297747	11/23/2021	PRINTED	163489 MILLER'S AUTO WASH	5.00			
297748	11/23/2021	PRINTED	193456 DOUGLAS K OLIVER	450.00			
297749	11/23/2021	PRINTED	204150 OCAA	80.00			
297750	11/23/2021	PRINTED	204910 OAKLAND CNTY TREASURERS O	382.50			
297751	11/23/2021	PRINTED	253400 KATHRYN SIMMONS	300.00			
297752	11/23/2021	PRINTED	254816 RICHARD STRENGER	325.00			
297753	11/23/2021	PRINTED	263906 ADAM STEPHENS	825.00			
297754	11/23/2021	PRINTED	271016 US BANK EQUIPMENT FINANCE	1,741.11			

FOR CASH ACCOUNT: 70000      01000

FOR:   Uncleared

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
-----							
297755	11/23/2021	PRINTED	293355 WILBUR WHITE JR	2,550.00			
297756	11/23/2021	PRINTED	293605 WORLDWIDE INTERPRETERS IN	485.60			
297757	11/23/2021	PRINTED	310387 CHELSEY BOMBARD	8.10			
297758	11/30/2021	PRINTED	011182 ADE INC	600.00			
297759	11/30/2021	PRINTED	013685 APPLIED IMAGING	1,887.92			
297760	11/30/2021	PRINTED	023068 K & Q LAW, PC	350.00			
297761	11/30/2021	PRINTED	030277 MICHAEL HARNISCH	100.00			
297762	11/30/2021	PRINTED	030278 SARA TEDDER	100.00			
297763	11/30/2021	PRINTED	030279 HEWSOM HOMES	100.00			
297764	11/30/2021	PRINTED	030280 HOMECARE REMODELING	100.00			
297765	11/30/2021	PRINTED	030281 ACCOUNTABLE BUILDING CO	100.00			
297766	11/30/2021	PRINTED	035181 LEONARD C CARNAGHI	600.00			
297767	11/30/2021	PRINTED	039944 HOME INSPECTION PLUS	100.00			
297768	11/30/2021	PRINTED	039991 MIDWEST POOLS, INC	100.00			
297769	11/30/2021	PRINTED	053253 DTE ENERGY	8,916.63			
297770	11/30/2021	PRINTED	053253 DTE ENERGY	101.04			
297771	11/30/2021	PRINTED	073073 LINDA L BELLEHUMEUR	100.00			
297772	11/30/2021	PRINTED	073110 CHESTER BARTLE	107.25			
297773	11/30/2021	PRINTED	073317 SCOTT GOOD	107.25			
297774	11/30/2021	PRINTED	073825 JACK SUTHERLAND	107.25			
297775	11/30/2021	PRINTED	103584 JOHN H HOLMES	350.00			
297776	11/30/2021	PRINTED	143600 SCOTT C KOZAK	100.00			
297777	11/30/2021	PRINTED	163563 CARRIE MOBEY	43.65			
297778	11/30/2021	PRINTED	183269 SPRINT SOLUTIONS	9.30			
297779	11/30/2021	PRINTED	254851 STANDARD INSURANCE COMPAN	6,055.09			
77 CHECKS                      CASH ACCOUNT TOTAL				508,308.89	.00		