

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

Mark Monohon, Trustee

OTHERS PRESENT:

Lauren	Gracie Summerford	Robert Matsura
Grant Smith	Joshua Dorman	Tim Summerford
Joan Rogers	Ashton Good	Debbie Summerford
Derek Diederich	Scott Good	Steve McCready
Rachel Woolcox	Jared Black	Crystal McCready
Justin Westlake	Karen Joliat	
Bailey Hallock	Anne Mobley	

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 except Trustee Monohon.

1. APPROVE AGENDA
May 23, 2022

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to approve the May 23, 2022, agenda, as printed. A roll call vote was taken.

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

Motion carried unanimously.

2. ANNOUNCEMENTS

2.1 Waterford's Annual Memorial Day Parade is brought to you by the Waterford Heart of the Lakes VFW Post 1008! After a two-year hiatus, this beloved community event returns in 2022! Join your Waterford friends, family, and neighbors for the single largest community gathering of the year in honor of the brave men and women who've made the ultimate sacrifice serving our country. Monday, May 30, 2022, beginning at 10:00 a.m., the parade runs on Dixie Hwy. beginning at Sashabaw Rd. traveling North to Williams Lake Rd. Gather up the whole family and bring your chairs, blankets, and sunscreen to enjoy this time-honored community event. For more information please contact the Heart of the Lakes VFW Post 1008 at 248-674-2826. **Please bring a bag to take your trash with you when you leave the parade. Let's keep the community looking beautiful and keep litter off the streets and out of our waterways by properly disposing of waste**

2.2 Waterford Township Administrative Offices will be closed on Monday, May 30, 2022, in observance of Memorial Day. Emergency services will be available.

2.3 Township Offices will transition to summer hours, 7:30 a.m. to 4:30 p.m., on Tuesday, May 31, 2022.

2.4 The Waterford Area Chamber of Commerce and Waterford Parks and Recreation presents FREE Concerts in the Park every Thursday in June at Hess-Hathaway Park. Local talent at 6:00 p.m., headlining band at 7:00 p.m. Food, ice cream, and drinks available for purchase at each event from various restaurants and food trucks, and Waterford's own Rustic Leaf Brewing Company – cash only, please! For more information and the full lineup, visit www.waterfordchamber.org.

2.5 2022 dog licenses are available at the Treasurer's Office. To obtain a license, proof of a current rabies vaccination certificate is needed. The Township sells only the 1-year license. 3-year licenses are available at Oakland County Animal Control. Please call Animal Control at (248) 858-1090 for more information. The license fees are \$15.00 if the dog is spayed or neutered and \$25.00 if the dog is not spayed or neutered. If the pet owner is a senior citizen (65 years or older) the license fees are \$14.00 if the dog is spayed or neutered and \$23.00 if the dog is not spayed or neutered. To avoid a late fee, please purchase before June 1st.

2.6 The Oakland County Animal Shelter and Pet Adoption Center (OCAS/PAC) will begin its annual dog census on approximately June 2, 2022. OCAS/PAC team workers will begin going door to door in the community to verify compliance with the Michigan State Dog Law of 1919 which requires all dogs to have a valid dog license. The census workers will be driving marked county vehicles and will be wearing county shirts with proper identification. For more information, please contact 248-858-1070 or pedadoption@oakgov.com.

2.7 Family Game Day will be held at Jimmy John's Field on Sunday, June 5, 2022. Game time is 1:05 p.m. Join Parks and Recreation for a family day at Jimmy John's Field filled with sounds of the crack of the bat and the smell of an All-American Barbeque buffet. Guests sit in a social seating area and children can move around and run the bases after the game. Reserved grandstand seats may be added for an additional fee.

2.8 Join us for Moviefalooza (formerly Movies Under the Moonlight) Friday, June 17th on the football field at Pierce Middle School. Bring your blankets and lawn chairs for a fun-filled family movie night with inflatables, a rock climbing wall, interactive activities, arts & crafts, and more! Gates open at 6:30 p.m., and the movie starts at dusk. Concessions are available for purchase. Entry is \$5 per person, 2 and under free. www.waterfordmi.gov/parks for more information. Brought to you by the Waterford Area Chamber of Commerce and Waterford Parks and Recreation.

2.9 On Thursday, July 14, 2022, Parks and Recreation will hold a Boots & Bows Family Dance at OverTyme Grill & Tap: Come on out with your western apparel for two hours of a BBQ buffet dinner & dessert and four hours of music and line dancing with Jena Connell, JEnergy. Games are available for children. Make it a good night for the whole family; from the little ones to the elders shuffling to the side, rocking back, and recovering forward (a line dance professional has lots of experience with all ages and skills). The registration deadline is Thursday, July 7, 2022. For more information visit www.waterfordmi.gov/parks or call 248-674-5441.

2.10 Parks and Recreation are hiring 2022 Seasonal Staff. Are you interested in working outdoors in a natural environment with children or getting the sports fields ready? Are you looking for a job that utilizes and stretches your leadership talents and enthusiastic attitude? We have camp and park maintenance positions available! We are aiming for a wonderful summer in the programs offered and the experiences shared. Please contact Tori Heglin (camps) and Alison Swanson (parks maintenance) at Waterford Parks and Recreation at 248-674-5441.

2.11 Spring is here and it's time to spruce up our yards, homes, and outside areas. The Township would like to recognize homeowners and businesses that take pride in making their exteriors beautiful. If you are interested in participating, please submit a form and a picture (which is optional) by July 30, 2022. The form can be found on the Township's website @ www.waterfordmi.gov/clerk; the Clerk's Office; or by emailing kmarkee@waterfordmi.gov. Award signs will be placed on the winners' property during the last two weeks of August. Call Clerk Kim Markee on 248-674-6211 with any questions.

2.12 Waterford Township has designated \$1 Million in one-time funding contributions to the repaving of subdivision roads for residents willing to take on a road improvement Special Assessment District (SAD) through the Road Commission for Oakland County (RCOC). Funding for this one-time opportunity made possible by the American Rescue Plan Act, and designated by the Township Board, is limited in amount and in the time frame in which it can be used. Residents interested in subdivision road SAD projects and applying for Township funding will need to ACT QUICKLY. Visit the website for more information about subdivision roads in Waterford Township, links to the RCOC SAD page, and details regarding the \$1 million Township funding contribution. www.waterfordmi.gov/roads

3. Awards and Presentations

Certificate of Training Awards to Cadets who completed the Cadet Intern Program

Battalion Chief Joshua Dorman presented the Cadets from the Cadet Intern Program with their certificates and the Board offered their congratulations. Gracie Summerford from Waterford Kettering, Bailey Hallock from Oakland Technical Center, and Ashton Good from Harwood High School.

The Cadets work alongside, cleaning, make food, have meals, and go on calls. They have been exemplary and have shown an excellent work ethic.

3.2 Great Lakes Water Authority – Highland Park Presentation by Carrie Cox

Mr. Justin Westland, DPW Director, and Ms. Carrie Cox, Chief Engineer, from the Great Lakes Water Authority presented information regarding the Highland Park Debt. Ms. Cox answered questions from Mr. Westland and the Board of Trustees.

4. 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.

- 4.1 May 9, 2022, Meeting Minutes
- 4.2 May 23, 2022, Bill Payment
- 4.3 Receive the Assessor's Office 2022 Annual Report
- 4.4 Receive the Library's 2021 Annual Report and March 2022 Report
- 4.5 Receive the Fire Department's April 2022
- 4.6 Receive Parks and Recreation January, February, March and April 2022 Reports
- 4.7 Receive the Treasurer's Office April 2022 Report

Moved by Bartolotta,
Seconded by Thomas, RESOLVED, to approve May 23, 2022, consent agenda items 4.1 through 4.7. A roll call vote was taken.

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

Nays: None

Absent: Monohon

Motion carried unanimously.

5. Board Liaison Reports (Verbal)**Trustee Bartolotta**

Trustee Bartolotta recapped the Cable Commission Meeting and has an upcoming Planning Commission Meeting.

Supervisor Wall

Thanked Ms. Cox for the presentation and discussed the bad debt from Highland Park.

Clerk Markee

The Lake Oakland Lake Board met on May 17, 2022. The first lake treatment was on May 12th and the harvesting of the weeds will take place between July 5th and July 13th as that is the most effective time to treat. The next meeting will be on June 21, 2022 at 3:00 p.m. at the Water Resource Commission Public Works Building. If you see stenciling by the drains that say "Dump No Waste, Drains to Lake" please adhere to it.

Trustee Hauswirth

The DPNC met on May 17th. The Rotary Park ribbon cutting will be held on June 7th at 12:00 p.m. The Nature Center opened for the season. Unfortunately, Parks and Recreation is looking for staff to work at the Nature Center. There will be 8 classes over the summer. The controlled burn went very well. The DPNC received updated signs for the Nature Center.

6. Open Business**Possible Adoption of Ordinance 2022-001; Water & Sewer Connection Fees and Procedures**

The following memo was received from Mr. Justin Westlake, DPW Director.

The Waterford Township Department of Public Works is in the process of negotiating an intergovernmental agreement with Independence Township that would allow residents of both communities to connect to each other's water and/or sewer systems without charging a premium for rates. For us to move forward with this agreement a change will need to be made to the ordinance. The proposed change would allow the Board to approve contracts between Waterford and our neighboring communities that would eliminate the rate upcharge for citizens that have to connect to each other's systems out of necessity. Our position is that if a community will waive added rate increases for our citizens, then Waterford is happy to do the same thing in kind.

This change would also allow a Public Works official to approve the connection of single-family residences to our water and/or sewer system without Board approval. A single-family residence would not put enough demand on our system to justify a Board submittal. If it were something like a business or apartment building that may cause a significant strain on our system, the Board would be asked for approval of the connection.

Please review the attached ordinance amendment prepared by Waterford's attorney Joellen Shortley. The changes would apply to Section 17-064 for sewer connections, and Section 17-328(d) for connections made to our water system.

Possible Introduction of Ordinance 2022-001; Water & Sewer Connection Fees and ProceduresBoard Action Requested

Authorize the attached amendments to Sections 17-064 and 17-328(d) of the Charter Township of Waterford Ordinance.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2022-001

WATER AND SEWERS ORDINANCE AMENDMENT

An Ordinance to amend the Waterford Township Code of Ordinances Chapter 17 Water and Sewers Article III Sewers and Sewage Disposal and Article V Water to authorize an Interlocal Agreement with a neighboring municipality to provide for charging the same connection fee for premises lying outside of the Township, as charged to properties inside the Township, if the neighboring municipality reciprocates by agreeing to allow Waterford properties to connect to their system at the same connection rate charged to properties within its boundary.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Article IIII Sewage and Sewage Disposal, Division 1, Section 17-064 Premises lying outside of Township shall be modified to allow an Interlocal Agreement with a neighboring municipality to provide for the same sewer connection rate for properties outside of the Township, subject to the same requirement for the neighboring municipality, and shall read as follows:

Sec. 17-064. Premises lying outside of Township.

Any person whose property lies outside the Township desiring to connect to the sewer system shall be subject to one and one-half (1 ½) times the normal connection fees and one and one-half (1 ½) times the normal quarterly billing rate. Such parties outside of the Township interested in connecting to the sewer system shall provide a letter of no objection from the local governing body of the township or city within which the building or property is located. The Public Works Official may approve a proposed connection from a single residential connection. A proposed business connection of more than one residential proposed connection shall be submitted to the Township Board by the Public Works Official for their review and decision. The Township Board may approve an Interlocal Agreement with a neighboring municipality that provides for the same connection fees for properties outside of the Township as charged to properties inside the Township, if the Agreement allows Township properties to connect to the neighboring municipality at the same rate the municipality charges properties inside of its borders. If the Township Board approves such an Interlocal Agreement, the rate in the Interlocal Agreement shall apply.

Section 2 of Ordinance

Article V Water, Division 1, Section 17-328(d) Extension of mains shall be modified to allow an Interlocal Agreement with a neighboring municipality to provide for the same water system connection rate for properties outside of the Township, subject to the same requirement for the neighboring municipality, and shall read as follows:

Possible Adoption of Ordinance 2022-001; Water & Sewer Connection Fees and Procedures**Sec. 17-328 (d). Extension of mains**

(d) Any person whose property lies outside of the Township desiring to connect to the water system will be subject to one and one-half (1 ½) times the normal connection fees and one and one-half (1 ½) times the normal quarterly billing rate. Such parties outside the Township interested in connecting to the water system shall provide a letter of no objection from the local governing body within which the building or property is located. The Public Works Official may approve a proposed connection from a single residential connection. A proposed business connection of more than one residential connection shall be submitted to the Township Board by the Public Works Official for their review and decision. The Township Board may approve an Interlocal Agreement with a neighboring municipality that provides for the same connection fees for properties outside of the Township as charged to properties inside the Township, if the Agreement allows Township properties to connect to the neighboring municipality at the same rate the municipality charges properties inside of its borders. If the Township Board approves such an Interlocal Agreement, the rate in the Interlocal Agreement shall apply.

Section 3 of Ordinance

The effective date of this Ordinance shall be on the 8th day after publication.

CERTIFICATION

I certify that this Ordinance 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 May 23, 2022.

Date

Kim Markee, Township Clerk

Moved by Bartolotta,
Seconded by Matsura, Resolved, to adopt Ordinance 2022-001; Water & Sewer Connection Fees and Procedures and to authorize the attached amendments to Sections 17-064 and 17-328(d) of the Charter Township of Waterford Ordinance. A roll call vote was taken.

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

Motion carried unanimously.

6.2 Possible Adoption of Zoning Ordinance 2022-Z-006; Rezoning Vacant Property From C-2 to R-1C

The following memo was received from Mr. Jeff Polkowski, Superintendent of Planning and Zoning.

This a commercially zoned property that has been historically used as residential. The owner is requesting the zoning be changed to currently match its residential use. The subject parcel is defined as Single Family within the Master Plan. The proposed zoning is in-line with the objectives of the Master Plan.

Possible Adoption of Zoning Ordinance 2022-Z-006; Rezoning Vacant Property from C-2 to R-1C
Continued.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Rezoning at the regularly scheduled meeting on April 26, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the April 26, 2022 regular meeting for this rezoning case, should the Board want to consider adopting the requested rezoning to R-1C, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the May 23, 2022 meeting.

However, if the Board does not want to adopt the requested rezoning, the appropriate motion would be to not introduce the Ordinance and deny the rezoning.

Staff will be available at Monday's meeting for any questions on this case. However, if you have any questions in advance of the meeting, please contact this office.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2022-Z-006

ZONING ORDINANCE MAP AMENDMENT

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a parcel of property with conditions on its use and development as authorized by MCL 125.3405 and amending the Zoning Map.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The portion of the parcel of property that is assigned tax parcel number 13-25-476-007 & 13-25-476-008, legally described below, with current address of 33 Downing Court, is rezoned from **C-2, Small Business District to R-1C, Single-Family Residential** with the Zoning Map that is adopted by and made part of the Waterford Township Zoning Ordinance in Section 3-101, to be changed and amended to reflect this rezoning.

Section 2 of Ordinance

The effective date of this ordinance shall be on the 8th 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 Map Amendment Ordinance 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 _____.

CHARTER TOWNSHIP OF WATERFORD

Date

Kimberly Markee, Township Clerk

Possible Adoption of Zoning Ordinance 2022-Z-006; Rezoning Vacant Property from C-2 to R-1C
Continued.

Moved by Markee,
Seconded by Hauswirth, Resolved, based upon the Planning Commission's favorable recommendation at to adopt Zoning Ordinance 2022-Z-006; Rezoning Vacant Property from C-2 to R-1C at the SW corner of LaSalle Ave and Downing Street, North of W. Huron Street and the west of North Telegraph Rd. A roll call vote was taken.

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

Nays: None

Absent: Monohon

Motion carried unanimously.

6.3 **Possible Adoption of Zoning Ordinance 2022-Z-007 ;Proposed Zoning Ordinance Text Amendment: Establishments with Drive-Thru Service Facilities as an Accessory Use**

The following memo was received from Mr. Jeff Polkowski, Superintendent of Planning and Zoning.

This proposed Zoning Ordinance Text Amendment requires that a six foot masonry screening wall be constructed in any new establishment that offers a drive-thru service facilities as an accessory use when that facility is abutting a residentially zoned district. This would be required along all property lines abutting a residential zoning district. This proposed ordinance amendment also requires the minimum frontage of any new drive-thru service facility to be 150 ft. and that there shall be no entrances and exits to that facility opposite of a residentially zoned property.

After some consideration, Planning Staff has made the decision to recommend this ordinance amendment due to the intensive nature that drive-thru services may impose on neighboring properties and conflicting land uses. This amendment works to ensure that the quality of life in adjacent residential areas are not adversely. A masonry screening wall is would serve as an adequate, visual, sound, and safety barrier to any adjacent residential property.

As with all screening requirements township-wide, The Planning Commission may grant a special exception allowing for a reduction in required screening, or material required, but only if such screening would serve no useful purpose.

Section 1-007 of the Zoning Ordinance defines Drive-Thru Service facilities as:

DRIVE-THRU SERVICE. A service provided by an establishment where the zoning lot upon which the establishment is located is designed to provide a vehicle approach lane for conducting business at a service window or via a two-way speaker on a menu-order structure.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on April 26, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2022-Z-007

Possible Adoption of Zoning Ordinance 2022-Z-007; Proposed Zoning Ordinance Text Amendment: Establishments with Drive-Thru Service Facilities as an Accessory Use Continued.

TEXT AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A ("Zoning Ordinance") to clarify that screening walls are required for Drive-Thru Services abutting residential zoning districts in the O-1 and O-2 Zoning District and in the C-1, C-2, C-3, C-4, C-UB and C-UL Zoning Districts.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The Regulations Applicable to Properties in the O-1 and O-2 Zoning Districts shall be modified in Section 3-602.2 Q of the Zoning Ordinance to read as follows:

2-602.2. Accessory Buildings, Accessory Structures, and Accessory Uses.

Q. Drive-thru service facilities (See **Drive-Thru Service in Section 1-007**) that are not in conjunction with restaurant establishments, provided establishment of such service facilities on a zoning lot governed by an approved site plan shall require site plan approval in accordance with **Section 4-004.1**. Approval of drive-thru service facilities in any zoning district established under this Division shall be contingent upon the subject zoning lot maintaining effective pedestrian and vehicular circulation, required parking, and required setbacks and landscaping after installation of such service facilities. A six (6) foot high masonry-screening wall shall be provided along all property lines abutting a residential zoning district. The site shall have a minimum of one hundred fifty (150) feet of frontage. Points of vehicular ingress and egress shall be limited to the thoroughfares having Commercial, Office, or Industrial zoned frontage only.

Section 2 of Ordinance

The Regulations Applicable to Properties in the C-1, C-2, C-3, C-4, C-UB and C-UL Zoning Districts shall be modified in Section 3-702.2 Q of the Zoning Ordinance to read as follows:

3-702.2. Accessory Buildings, Accessory Structures, and Accessory Uses.

Q. Drive-thru service facilities (See **Drive-Thru Service in Section 1-007**), provided establishment of such service facilities on a zoning lot governed by an approved site plan shall require site plan approval in accordance with **Section 4-004.1**. Approval of drive-thru service facilities in any zoning district established under this Division shall be contingent upon the subject zoning lot maintaining effective pedestrian and vehicular circulation, required parking, and required setbacks and landscaping after installation of such service facilities. A six (6) foot high masonry-screening wall shall be provided along all property lines abutting a residential zoning district. The site shall have a minimum of one hundred fifty (150) feet of frontage. Points of vehicular ingress and egress shall be limited to the thoroughfares having Commercial, Office, or Industrial zoned frontage only.

Possible Adoption of Zoning Ordinance 2022-Z-007; Proposed Zoning Ordinance Text Amendment: Establishments with Drive-Thru Service Facilities as an Accessory Use Continued.

Section 3 of Ordinance

The effective date of this Ordinance shall be on the 8th 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 _____, 2022.

Date

Kim Markee, Township Clerk

Moved by Bartolotta,
Seconded by Thomas, to adopt Zoning Ordinance 2022-Z-007, Zoning Ordinance Text Amendment: Establishments with Drive-Thru Service Facilities as an Accessory Use. A roll call vote was taken.

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

Nays: None

Absent: Monohon

Motion carried unanimously.

6.4 Possible Adoption of Zoning Ordinance 2022-Z-008; Text Amendment: Temporary Uses

The following memo was received from Mr. Jeff Polkowski, Superintendent of Planning and Zoning.

This proposed Zoning Ordinance Text Amendment provides a long needed clarification to Temporary Uses within Waterford Township.

Although it appears that Temporary Uses within the Township have been intended for uses accessory to an existing principal use, this has not necessarily been made clear in the Zoning Ordinance as written, and therefore historically, has not been adhered to. Staff is proposing a simple name change to this existing definition for Temporary Accessory Uses.

Additionally Township staff is proposing to break out Temporary *Principal* Uses, both *Transient Merchant* and *Non-Transient Merchant*. The intent is to clarify temporary uses that are not accessory to a principal use, but also not retail of any kind (examples include the temporary storage of bulk soil, utility wiring, etc). Historically, the Township has been allowing Temporary Principal Non-Transient uses to operate, even though there seems to be no clear definition allowing them. Township staff seeks to remedy this with these new amendments. The definition of a Transient Merchant from *Public Act No. 51 of 1925* was used to identify what is considered one and what is not.

Possible Adoption of Zoning Ordinance 2022-Z-008; Text Amendment: Temporary Uses Continued.

Township staff has also proposed removing language in the ordinance that requires Temporary Accessory Uses, to limit their use to 12 days a month. This has been proposed because this ordinance forces businesses to remove and put back their temporary use periodically every few days. This is an act that is difficult for the Code Enforcement Division to administratively police and doesn't appear to serve any real benefit to the community. Staff recommends keeping the existing cap of 144 days however.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on April 26, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the April 26, 2022 regular meeting for this Zoning Ordinance amendment, should the Board want to consider adopting the requested Zoning Ordinance amendment, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the May 23, 2022 meeting. However, if the Board does not want to adopt the requested Zoning Ordinance amendment, the appropriate motion would be to not introduce the Ordinance and deny the amendment.

Should you have any questions prior to Monday's meeting please do not hesitate to reach out to me.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2022-Z-008
TEXT AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A ("Zoning Ordinance") Definitions and Section 4-013.3 Temporary Use Review Procedures and Requirements to clarify the process for temporary use review.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The definition of Temporary Principal Use, Non-Transient and Temporary Principal Use, Transient shall be added to Section 1-007 of the Zoning Ordinance, to read as follows:

Temporary Principal Use, Non-Transient. A principal use conducted on a zoning lot for a specific and limited time period that does not engage in the temporary sale of retail goods, wares, or merchandise, in any place in this state and who, for the purpose of conducting business, occupies any lot, building, room or structure of any kind.

Temporary Principal Use, Transient. Use of a zoning lot by transient merchants as defined and regulated by **Waterford Code of Ordinances, Transient Merchants** and **Section 4-012** of this Zoning Ordinance.

Section 2 of Ordinance

Section 4-013.3 .1 of the Waterford Township Zoning Ordinance that Temporary lists Use Review Procedures and Requirements shall be amended in to read as follows:

Possible Adoption of Zoning Ordinance 2022-Z-008, Text Amendment: Temporary Uses Continued.**4-013.3. Standards for Temporary Use Review.**

Sections A-B (unchanged)

C. A temporary use that is a grand opening for a new business or a private not-for-profit event may be permitted by the Zoning Official for no more than thirty-one (31) consecutive calendar days. All other temporary uses are limited to no more than a combined total of one hundred forty-four (144) days during each calendar year.

Sections D-J (unchanged)

Section 3 of Ordinance

The effective date of this Ordinance shall be on the 8th 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 May 9, 2022.

Date

Kim Markee, Township Clerk

Moved by Bartolotta,
Seconded by Markee, to adopt Zoning Ordinance 2022-Z-008, Text Amendment: Temporary Uses. A roll call vote was taken.

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

Nays: None

Absent: Monohon

Motion carried unanimously.

7. New Business**7.1 Appointment of Mr. Karl Wesenberg to the Position of Applications Administrator in the IT Department**

The following memo was received from Mark Simlar, Human Resources Director.

The IT Department recently held interviews for the position of Applications Administrator. Jared Black, Andrew Mutch Frank Fisher and myself interviewed two applicants and have selected Karl Wesenberg.

Karl has a Bachelor of Science in Management Information Systems from Oakland University (resume attached) and will be an asset to the IT Department.

It is my recommendation that the Board approve the appointment of Karl Wesenberg to the position of Applications Administrator.

Appointment of Mr. Karl Wesenberg to the Position of Applications Administrator in the IT Department
Continued.

This position is budgeted for a Grade 7, Karl would start at a Grade 7, Step 1 \$67,800.00 and progress every 6 months until a Grade 5 is reached.

Please let me know if you have any questions.

Moved by Markee,

Seconded by Hauswirth, Resolved, to appoint Mr. Karl Wesenberg to the position of IT Applications Administrator at a Grade 7, Step 1 progressing every six (6) months until a Grade 7, Step 5 is reached. A roll call vote was taken.

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

Nays: None

Absent: Monohon

Motion carried unanimously.

7.2 Builders Square Sewer Lift Station Replacement Pumps

The following memo was received from Justin Westlake, DPW Director.

The pumps at Waterford's Builder's Square sewer lift station need to be replaced as part of the total rehab of this station. The rehab of this station was approved in the 2022 budget hearings. Please see the attached quotes and descriptions for the various prices associated with this project that we are requesting the Board to approve. This project falls within the Board approved 2022 budget parameters.

JGM Valve, a single source vendor, has offered a quote of \$41,166.00 to provide both submersible 5 HP pumps at the station along with pump monitor relays, and the guiderail system designed for these Vaughan chopper pumps. Work will begin to rehab this station as soon as the pumps are delivered. We hope to complete this project this summer provided there are not issues getting these pumps or other materials.

Township Board Requested Action:

Approve the proposal from JGM Valve in the total amount of \$41,166.00 from account # 59055-97000.

Moved by Bartolotta,

Seconded by Thomas, Resolved, to approve the proposal from JGM Valve in the total amount of \$41,166.00 utilizing funds from account number 59055-97000. A roll call vote was taken.

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

Nays: None

Absent: Monohon

Motion carried unanimously.

7.3 2022 West Nile Virus Mosquito Management Program

The following memo was received from Stacy St. James, Environmental and Housing Rehab Coordinator.

Beginning in 2003, the Oakland County Board of Commissioners has provided funding, to the cities, villages and townships within Oakland County to help combat West Nile Virus. This year, Waterford Township has been allocated \$9,786.86 to assist in our efforts to minimizing the risk of Township residents contracting WNV. Qualifying expenditures include larvicide for catch basins/retention ponds, larvicide for distribution to homeowners, and insect repellent for distribution to residents.

Please see the attached resolution authorizing the implementation of an environmental mosquito management program as described above.

WHEREAS, the Oakland County Board of Commissioners has allocated funds to help combat West Nile Virus; and

WHEREAS, the Township has been allocated \$9,786.86 by the aforementioned allocation; and

WHEREAS, the Township desires to implement an Environmental Mosquito Management Program to decrease the potential of residents contracting West Nile Virus; and

NOW, THEREFORE, BE IT RESOLVED that all costs will be submitted for reimbursement to the Oakland County Board of Commissioners in accordance with their Miscellaneous Resolution.

Resolution offered by

Supported by

Yea:

Nay:

Absent:

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on May 23, 2022.

Charter Township of Waterford

Date

Kimberly Markee, Township Clerk

Moved by Markee,
Seconded by Bartolotta, Resolved, to approve the allocation 2022 West Nile Virus Mosquito Management Program from Oakland County in the amount of \$9,786.86. A roll call vote was taken.

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

Nays: Matsura

Absent: Monohon

Motion carried unanimously.

7.4 Approval of Park Alcohol Sales License Agreement

The following Park Alcohol Sales License Agreement was presented.

PARK ALCOHOL SALES LICENSE AGREEMENT

This License Agreement ("License"), made and entered into on the date it has been fully signed, is between the Charter Township of Waterford ("Township"), whose address is 5200 Civic Center Drive, Waterford, MI 48329, and the Waterford Area Chamber of Commerce ("Licensee"), whose address is 2309 Airport Road, Waterford, MI 48327, for the use by Licensee of the portion of the Township's Hess-Hathaway Park with an address of 825 S. Williams Lake Road, Waterford, MI 48327, as shown on the attached plan and referred to as the "Premises".

RECITALS:

A. Licensee requested Township Board approval to allow use of the Premises for the sale, service and consumption of alcohol at the Concert-in-the-Park scheduled to be held on June 2, 2022, June 9, 2022, June 16, 2022, June 23, 2022, and June 30, 2022 (the "Events"):

B. Section 12-002 of the Township Code of Ordinances provides an exception from the prohibition on possessing, dispensing and use of alcoholic beverages in Township parks, for specially approved events in conjunction with a service club or other established entity or group that will supervise the possession, dispensing and consumption of alcoholic beverages in compliance with a Michigan Liquor Control Commission ("MLCC") liquor license.

C. On June 23, 2022, the Township Board approved Licensee's request subject to this License being signed and complied with.

IT IS THEREFORE AGREED AS FOLLOWS:

1. Grant of License. For and in consideration of the benefits to the Township of the Events, the Township grants permission by this revocable license for Licensee to use the Premises for alcohol sales, service and consumption at the Events, subject to and in accordance with all of the terms and conditions of this License.

2. Alcohol Use Location, Costs and Expenses. The licensed use shall be limited to the Premises, with Licensee solely responsible for all costs and expenses incurred in the licensed use and in complying with terms and conditions of this License.

3. Use of Premises. The use rights granted in this License are subject to the Township's rights to protect the public health, safety and welfare, and may be suspended or terminated at any time by the Township Parks Superintendent, Police Department, or Fire Department for those purposes, or if the use is creating a nuisance or threatening condition. Licensee assumes all risk of damages from any such suspension or termination, waives, and releases the Township from any claims for such damages.

4. Maintenance. Licensee agrees to use and maintain the Premises in a clean, safe and good condition and as required by the Township Parks Superintendent, Police Department, or Fire Department, and to promptly clean up and restore the Premises to the pre-Event conditions after the Events.

5. MLCC License. Licensee's rights to use the Premises for alcohol sales at the Events are conditioned on Licensee obtaining and providing a copy of the required MLCC license and all related MLCC documents to the Township Park Director no later than the day before the Event. The sale of alcohol by Licensee at the Premises shall be in strict compliance with the required MLCC license, with a violation of any condition or requirement of the MLCC license being grounds for the immediate revocation of this License by the Township Park Superintendent or

Approval of Park Alcohol Sales License Agreement Continued.

Police Department. Licensee shall provide copies of the MLLC license, bond and other documents related to such alcohol sales to the Township Parks Superintendent.

6. Indemnification. Licensee shall defend, pay on behalf of, indemnify, and hold harmless the Township, its elected and appointed officials, employees, volunteers, and other persons working on behalf of the Township, from and against any and all claims, demands, suits, or loss, including all costs and attorney's fees connected therewith, and from any and all damages which may be asserted, claimed, or recovered for personal injury, including bodily injury or death and/or property damage, including loss of use thereof, arising out of or in any way connected or associated with this License and the use of the Premises for the Events. The Township shall provide notice to Licensee within a reasonable time of the receipt of any claim arising under this License.

7. Insurance. Licensee shall secure and maintain general liability and liquor liability insurance for the Premises in the minimum amount of \$1,000,000.00, and naming the Township and its officials and employees as an additional insured and certificate holder on those policies with proof of such insurance being provided to the Township prior to the Events.

CHARTER TOWNSHIP OF WATERFORD

Date Gary Wall, Supervisor

Date Kim Markee, Clerk

WATERFORD AREA CHAMBER OF COMMERCE

Date Nikki Tippett, Executive Director

Moved by Bartolotta,
Seconded by Thomas, Resolved, to approve the 2022 Park Alcohol Sales License Agreement. A roll call vote was taken.

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

Motion carried unanimously.

7.5 Consider Approval of 2022-2024 Oakland County Sheriff's Office Marine Patrol Agreement

The following Resolution was presented by Treasurer Thomas.

**CHARTER TOWNSHIP OF WATERFORD
RESOLUTION APPROVING TEMPLATE AGREEMENT WITH LAKE ASSOCIATIONS
REQUESTING TO RECEIVE MARINE PATROL SERVICES.**

RECITALS:

- A. The Oakland County Sheriff's Office ("OCSO") is authorized to enforce Marine Law within the Charter Township of Waterford ("Township") under an agreement approved by the Township Board of Trustees on May 23, 2022. The OCSO agreement provides for the rates and responsibilities for Sheriff Deputies during the period of 2022-2024. The OCSO provides Marine Patrol Services only on lakes where an association or other legal entity ("Association") for that lake has requested to receive such services.
- B. For the summer of 2022, as of the date of this Resolution OCSO has agreed to provide Marine Patrol Services on **Lotus Lake, Maceday Lake, Williams Lake** and **North Elizabeth Lake** per the fee schedule provided for in Schedule A in the OCSO agreement.
- C. Under the OCSO Agreement, with the Township responsible for payment to Oakland County based on the invoices provided by the County for Marine Patrol Services provided on the lakes, the Township will only authorize the provision of those services if the Association for each lake has entered into a binding agreement with the Township to provide the funds necessary for the Township to timely pay the County invoices.
- D. The Township Treasurer's Office, which administers the Marine Patrol Services Agreement with OCSO including the processing of invoices and payments and acts as a liaison between the Associations and the County, charges a three percent administrative to the Associations to cover the costs of the administrative services it provides.
- E. Attached to this Resolution is a template agreement prepared by the Township Attorney for an Association requesting to receive Marine Patrol Services to sign before the Township will authorize the OCSO to provide Marine Patrol Services on the lake represented by that Association for 2022 and future years if there is a OCSO agreement in place with Township.

IT IS THEREFORE RESOLVED THAT:

The attached template agreement between the Township and Associations desiring OCSO Marine Patrol Services is approved and required to be signed by each Association before the Township will authorize OCSO to provide Marine Patrol Services on the lake represented by that Association, with the Supervisor authorized to sign each such Agreement and all documents necessary to execute and implement the individual agreements.

IT IS FURTHER RESOLVED that the approved and required template agreement and Supervisor's signing authority shall apply to any lake in the Township for which an Association requests OCSO Marine Patrol Services.

Consider Approval of 2022-2024 Oakland County Sheriff's Office Marine Patrol Agreement Continued.**CERTIFICATION**

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of the Board on May 23, 2022

Charter Township of Waterford

Date: _____

Kimberly F. Markee, Township Clerk

Moved by Bartolotta,

Seconded by Markee, Resolved, to approve 2022-2024 Oakland County Sheriff's Office Marine Patrol Agreement Template with Lake Associations Requesting to Receive Marine Patrol Services. A roll call vote was taken.

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

Nays: None

Absent: Monohon

Motion carried unanimously.

7.6 **Recommendation from the Library Advisory Committee to Adopt The Library's Revised Materials Selection Policy**

The following memo was received from Joan Rogers, Library Director.

In light of the dramatic increase nationwide in challenges to materials in library collections recently, library staff reviewed the Library's Materials Selection Policy adopted by the Township Board in 2006. Note that this policy includes the process to be followed should a Waterford resident request reevaluation of materials in the library's collection.

As many of the formats mentioned in the policy adopted in 2006 have been superseded and several of the review sources cited are no longer in publication, the policy has been updated to reflect these changes as well using current terminology in such areas as technology and social issues.

The Library Advisory Committee has review this draft. At their March 24, 2022 meeting they passed a resolution to recommend adoption of the revised policy. I am requesting that the Board of Trustees support this resolution, adopting the revised Materials Selection Policy appended to this memo.

Thank you for your consideration of this request.

Recommendation from the Library Advisory Committee to Adopt the Library's Revised Materials Selection Policy

Materials Selection Policy
Waterford Township Public Library

OVERVIEW

The Waterford Township Public Library believes there shall be no censorship, for the freedom to read freely from a variety of sources is essential to a democracy. The Waterford Township Public Library subscribes to the selection principles for books and other library resources contained in the Library Bill of Rights adopted by the American Library Association, and the Freedom to Read Statement endorsed by the American Library Association Council and the American Book Publisher's Council. All materials added to the collection shall be judged on the content as a whole, not by detached excerpts. Personal behavior of the creator of any material shall have no bearing on the selection of the material. There shall be no limitation in Library services because of age, race, color, religion or national origin, sexual orientation or gender identity, or physical limitations. Maximum effort shall be directed toward maintaining a standard of excellence in materials selection for all segments of the community, striking a balance between public demand and diversity of material. Factual accuracy, effective expression, significance of the subject, sincerity and responsibility of opinion are acceptable criteria for a high standard of quality. The interest and current needs of the community, the individual merit of each item, and the library's existing collection, budget and services are the main factors in selection. The Director, with the aid of the library staff, shall be free to use her or his judgment in the selection, retention and withdrawal of materials within the provisions of the selection policy.

I. BOOK SELECTION

The following current reviewing aids will be consulted as appropriate: *Booklist*, *Library Journal*, *School Library Journal*, *Publisher's Weekly*, *New York Times Book Review*, *Kirkus Book Reviews*, and *The Horn Book Magazine*. Recommendations and reviews in subject-oriented journals will also be consulted, along with recommendations by other library or subject-area professionals.

The following general criteria will be applied to each item of material being considered for addition to the collection:

GENERAL SELECTION CRITERIA:

1. The author's reputation and significance as a writer.
2. The importance of the subject matter to the collection.
3. Scarcity of material on the subject, both in the collection and in publication generally.
4. Timeliness or permanence of the book.
5. Accuracy and authoritativeness.
6. Appropriateness for, and ease of use by, the intended audience.
7. Reputation and standing of the publisher.
8. Community demand
9. The price
10. Physical quality
11. Availability of material elsewhere within an accessible local, regional or state network.
12. Amount of physical preparation necessary for addition to the collection, including availability in the catalog of circulating titles in The Library Network's shared automation system.

In addition to these general criteria, specific criteria for differing age level materials are given below.

ADULT BOOKS

Both non-fiction and fiction books shall be selected to meet informational and recreational needs. The Library will ordinarily need to devote a somewhat larger proportion of the budget to non-fiction as there are many more subject areas to be covered and the prices are greater. The selection of non-fiction will depend upon factual accuracy, usefulness and compatibility with community needs, and collection development needs. The Waterford Township Public Library

Recommendation from the Library Advisory Committee to Adopt The Library's Revised Materials Selection Policy Continued.

shall attempt to approach full coverage in the area of local history and much that is written about Oakland County and the State of Michigan for its permanent collection. The Library shall identify other areas of strong community interest, such as genealogy, job searching, do-it-yourself guides, etc., and provide for coverage in these areas in its collection development plans.

Adult fiction shall be selected on the basis of literary merit, significance of and need for the book in the collection. Community demand will also play a strong role in determining emphasis upon the works of specific authors.

Various book formats shall be provided to meet the needs of different segments of the community and shall include large print and paperback as well as standard print.

TEEN BOOKS

Due to space and budget constraints, a small nonfiction area will be maintained as part of the Teen collection. Additional Teen non-fiction needs will be met by materials in the Adult and Children's nonfiction collections. Subjects relating to contemporary or historical social issues such as abortion, drug abuse, and sex instruction and education shall not be overlooked due to their potentially controversial nature; rather such material shall be purchased for various levels of maturity and for parents to use with teens.

The Library shall provide a separate fiction collection for teens. Selection of the books shall follow the general guidelines, plus the specific selection criteria outlined for materials published specifically for this age group, as well as suitable adult materials.

CHILDREN'S BOOKS

Literary merit and validity of theme whether it be fantasy, history, sports, or contemporary life are deemed of prime consideration in the selection of juvenile fiction. Fiction plays an important role in the learning experience of a child through its ability to introduce a wide range of experiences which otherwise may never be encountered by the child. In terms of non-fiction, subjects relating to contemporary or historical social issues such as abortion, drug abuse, and sex instruction and education shall not be overlooked due to their potentially controversial nature; rather such material shall be purchased for various levels of maturity and for parents to use with children. An effort shall be made to obtain only material that is authoritative and up-to-date. Where there is a question concerning validity, books or materials will be researched in professional reviewing sources or referred to other knowledgeable professionals for evaluation.

Neither in subject material nor in quantities purchased is the children's collection school or curriculum oriented. Books are chosen for their individual values for individual children. Because of varying backgrounds and abilities of children, a wide range of sophistication and reading levels must be covered so that each child may challenge and enjoy his capabilities to the fullest. Exposure to a broad selection of informational and recreational materials is a good way to stimulate the desire to read and grow intellectually. Final responsibility for an individual child's selection of library materials shall rest with the parent or guardian.

GIFTS

The Waterford Township Public Library reserves the right to use gifts of materials in a manner in keeping with its collection and with its selection policy. Materials presented to the Library are not actually free as there is the cost of sorting and selecting, cataloging and preparing them for circulation. Materials considered unsuitable for the collection will be placed in the Friends of the Library book sale or discarded.

Recommendation from the Library Advisory Committee to Adopt The Library's Revised Materials Selection Policy Continued.

MEMORIAL BOOKS

The Library accepts donations toward the purchase of memorial or commemorative books. Library staff will select the title in accordance with the donor's wishes regarding the subject specified. The Library may accept a donation for a specific title if the title meets collection needs and selection policy standards. An identifying book plate shall be placed inside the front cover of each memorial or commemorative book.

WORKS BY LOCAL AUTHORS

Books for this small special collection are those written by authors from Waterford Township, Michigan or adjacent communities, or are set in Waterford Township, which are self-published and not included in standard review sources noted previously. Such items will be handled as follows.

1. The copy to be considered is donated to the library in a format that enable circulation, ease of use and durability.
2. Inclusion in the Local Authors collection within 120 days upon evaluation.
3. The library will follow our materials selection policy for inclusion in regards to accuracy, readability and likely interest to more borrowers than the author's own family and friends. Such items will also be subject to this policy's stipulations for exclusion and retention of library materials.
4. The library will not provide professional reviews, promotion, or marketing of an author's work, whether the item is included or excluded.

II. NON-BOOK MATERIALS SELECTION

Non-book materials, including downloadable eContent, shall be considered an integral part of the library collection. They shall be provided to add dimension to the book collection and also to provide alternative methods of access to information and recreation. Standards of quality are the same as that set up for the library collection as a whole.

PERIODICALS

The Waterford Township Public Library shall subscribe to periodicals to meet both informational and recreational needs of adults, teens, and children. Periodical titles shall be reviewed annually to insure maximum usefulness to the public, taking into consideration the year's budget and the following criteria:

- community interest
- accuracy and objectivity
- accessibility through indexes in online databases
- need as a reference source
- recommendation from professional sources
- price

Our library's focus on the general reader precludes the addition of specialized journals to the collection: such specialized journals are available at special, academic and larger public libraries in the tri-county area. Articles from such journals are readily available through online databases and downloadable eContent platforms the library subscribes to as well as local, regional and state interlibrary loan networks in which the Library participates.

Back runs of periodicals shall be kept for indexed titles and for a select number of heavily-used, subject-related titles. No attempt shall be made to house extensive historical back runs either in microform or in paper copies, rather back runs will be held for the purpose of providing access to current information in frequently searched periodicals.

Recommendation from the Library Advisory Committee to Adopt The Library's Revised Materials Selection Policy Continued.

NEWSPAPERS

The Library shall subscribe to selected local, metropolitan and national newspapers for news, current affairs and business information. Limited back runs of paper copies of the most frequently consulted papers will be maintained, along with more extensive microform back runs of selected indexed newspapers.

III. NON-PRINT MATERIALS

The library shall meet both recreational and informational needs through the provision of various formats of non-print materials. The exact formats provided may change as patron use patterns and technology itself changes but the standards for selection shall remain constant and shall reflect the same criteria used for print materials.

SOUND RECORDINGS

Various formats shall be provided as long as they remain useful to the public. Sound recordings shall consist of both music and spoken word to meet recreational, instructional and educational needs of community members of all ages and abilities. The following reviewing aids will be consulted as appropriate: Rolling Stone.com, Pitchfork.com, Metacritic.com, Amazon.com

VISUAL RECORDINGS

Various formats shall be provided as long as they remain useful to the public. Documentary, instructional, and educational visual recordings for all ages shall be provided to complement the Library's total collection. Sources used for selection include *Video Librarian*, *Library Journal*, and *Booklist*.

Video recordings, e.g. feature films, television shows, and the like will be selected to complement the print fiction collection in terms of the basis of recognition conferred in the nomination for, or achievement of, major awards (e.g. Academy of Motion Picture Arts and Sciences, Golden Globe), inclusion in festival selections (e.g. Cannes International Film Festival, Sundance Film Festival), winning rankings in surveys/polls (e.g. Sight and Sound, American Film Institute). Selection tools reflecting popular demand, include IMDb.com.

ONLINE SERVICES

The Library shall provide educational, informational and instructional database access for use by the patrons remotely and on the Library's public access computers. Selection shall be based on reviews in professional journals, online sources, subject-oriented periodicals or sites, and recommendations from other librarians and educators.

OTHER NON-BOOK MATERIALS

The Library may also provide selected materials that constitute a "library of things" for circulation or in-library use, taking budget and space considerations as well as appropriateness to the Library's overall statement of purpose into consideration in the selection of all materials of this type.

IV. BASIS FOR WITHDRAWAL

The reasons for weeding materials from the collection are lack of space, poor physical condition, and outdated information. Occasionally it is necessary to weed materials which have been revealed to be potentially harmful in recommendations of materials or procedures, as in the case of cleaning compounds or science experiments. The primary goal of all weeding is to keep the collection current, attractive, and usable.

Standard lists shall be consulted and community needs and the Library's statement of purpose shall be kept in mind before discarding any material which is not in poor physical condition or obviously out-of-date. Materials serving the purposes of the Library, meeting criteria for selection, and related to an existing need or interest, shall not be removed from the collection because of pressure by a group or individual.

Recommendation from the Library Advisory Committee to Adopt The Library's Revised Materials Selection Policy Continued.

V. CITIZEN REQUEST FOR EVALUATION OF MATERIALS

Requests from the public to evaluate library materials deemed from an individual or group point of view to be questionable for any reason shall be presented to the Director in writing on a form obtainable from the Library. Only requests in writing shall be reviewed by the Library Advisory Committee. The materials shall remain available to the public until a decision, and recommendation to the Township Board, is made. A subcommittee may be organized by the Director for the review of specific materials.

**WATERFORD TOWNSHIP PUBLIC LIBRARY
CITIZEN'S REQUEST FOR EVALUATION OF MATERIAL**

Per Section V. of the Library's Materials Selection Policy

Requests from the public to evaluate library materials deemed from an individual or group point of view to be questionable for any reason shall be presented to the Director in writing on a form obtainable from the Library. Only requests in writing shall be reviewed by the Library Advisory Board. The materials shall remain available to the public until a decision and recommendation to the Township Board is made. An Advisory Committee may be organized by the Director for the review of specific materials.

Please complete the following form and submit it to the Library Director.

Author

Title

Publisher

Request initiated by

Address

City _____ State _____ Zip code _____

Phone _____

Complainant represents: _____ Herself/Himself

_____ (Organization)

_____ (Other Group)

1. To what in the item do you object? (Please be specific; cite pages, scenes, etc.)

2. What do you feel might be the result of reading/viewing/listening to this item?

3. For what age groups would you recommend this item?

4. Is there anything positive about this item?

5. Did you read/view/listen to the entire item?

6. Are you aware of the judgment of this item by literary critics/professional reviewers?

7. What do you think the purpose or intent was of the person who created this material? Or its theme?

Recommendation from the Library Advisory Committee to Adopt The Library's Revised Materials Selection Policy Continued.

8. What would you like your public library to do about this item?
9. Can you recommend another title of equal literary value that would convey as valuable a picture and perspective of our civilization to replace this material? Or offer a different perspective of this topic?

Signature of Complainant

Date

Moved by Markee,
Seconded by Hauswirth, Resolved, to adopt the Library's revised Materials Selection Policy and Process for the Citizen requested material evaluation that was approved by the Library Advisory Board. A roll call vote was taken.

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

Motion carried unanimously.

7.7 Approve First Amended Interlocal Agreement For The Formation Of An Act 196 Authority To Provide Transportation Services

The following memo was received by Supervisor Wall.

I request the Township Board's approval of the attached revision to the First Amended Interlocal Agreement for the Formation of an Act 196 Authority to Provide Transportation Services, or in short, the WOTA Interlocal agreement.

The agreement was recently revised to include a provision that a municipality may withdraw from the agreement by providing written notice 90 days before the end of any fiscal year of WOTA. The agreement automatically renews for successive four-year periods, however, prior to this recent amendment that was also the only time to withdraw.

Thank you for your consideration.

Moved by Bartolotta,
Seconded by Markee, Resolved, to approve the First Amended Interlocal Agreement for the Formation of an Act 196 Authority to Provide Transportation Services. A roll call vote was taken. A copy of the agreement is attached to these minutes.

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

Motion carried unanimously.

7.8 Public Comments Limited To Three (3) Minutes Per Speaker

Oakland County Commissioner Joliat provided an ARPA update.

ADJOURNMENT

Moved by Bartolotta,
Seconded by Hauswirth, RESOLVED, to adjourn the meeting at 7:11 p.m. A roll call vote was taken.

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

Motion carried unanimously.

Kim Markee, Clerk

Gary Wall, Supervisor

05/18/2022 11:54 | WATERFORD TOWNSHIP
llievois | 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
300074	05/23/2022	PRINTED	011292 AIRGAS USA, LLC	518.56			
300075	05/23/2022	PRINTED	011730 ARROW PRINTING	663.00			
300076	05/23/2022	PRINTED	011930 AWWA	6,754.00			
300077	05/23/2022	PRINTED	013665 APOLLO FIRE EQUIPMENT CO	499.83			
300078	05/23/2022	PRINTED	013666 APOLLO FIRE APPARATUS	607.97			
300079	05/23/2022	PRINTED	013772 ASHERKELLY	1,050.00			
300080	05/23/2022	PRINTED	014474 ALCOHOL DRUG ADMINISTRATI	4,624.00			
300081	05/23/2022	PRINTED	021079 BAKER & TAYLOR BOOKS	901.09			
300082	05/23/2022	PRINTED	021380 BILLS PLBG & SEWER SERV I	826.00			
300083	05/23/2022	PRINTED	023243 BETHEL UNITED CHURCH OF C	75.00			
300084	05/23/2022	PRINTED	023374 BILL PARSONS HORSESHOE &	60.00			
300085	05/23/2022	PRINTED	023460 BLACKSTONE PUBLISHING	149.56			
300086	05/23/2022	PRINTED	023602 BOUND TREE MEDICAL LLC	6,479.99			
300087	05/23/2022	PRINTED	032726 POWER HOME SOLAR	1,648.00			
300088	05/23/2022	PRINTED	041023 CLIA LABORATORY	180.00			
300089	05/23/2022	PRINTED	041192 CDW GOVERNMENT INC	396.75			
300090	05/23/2022	PRINTED	041216 CGS, INC	1,760.00			
300091	05/23/2022	PRINTED	041217 C&S MOTORS INC.	67.61			
300092	05/23/2022	PRINTED	041218 C GREEN'S TREE SERVICE	825.00			
300093	05/23/2022	PRINTED	043229 CENTRAL UNITED METHODIST	150.00			
300094	05/23/2022	PRINTED	043381 CITY OF PONTIAC	1,712.18			
300095	05/23/2022	PRINTED	043604 CONTRACTORS CONNECTION	842.50			
300096	05/23/2022	PRINTED	043952 CYNERGY PRODUCTS	4,031.50			
300097	05/23/2022	PRINTED	051847 DABERKO, LLC	1,342.60			
300098	05/23/2022	PRINTED	053389 LUNGHAMER GMC INC	1,293.37			
300099	05/23/2022	PRINTED	053580 DOORS OF PONTIAC	4,615.35			
300100	05/23/2022	PRINTED	063488 EMERGENCY VEHICLES PLUS	239.56			
300101	05/23/2022	PRINTED	063535 ENERGY SHIELD INC	1,682.50			
300102	05/23/2022	PRINTED	064008 ELECTRONIC MONITORING SYS	1,448.50			
300103	05/23/2022	PRINTED	081119 FELEO MANUFACTURING STRAT	20,000.00			
300104	05/23/2022	PRINTED	083565 FORBES TRAILERS	18.65			
300105	05/23/2022	PRINTED	091086 GFL ENVIRONMENTAL	2,683.72			
300106	05/23/2022	PRINTED	093451 GLOBAL OFFICE SOLUTIONS	211.38			
300107	05/23/2022	PRINTED	093565 GOODYEAR AUTO SERV CTR	3,406.54			
300108	05/23/2022	PRINTED	093594 GOOSE BUSTERS	227.50			
300109	05/23/2022	PRINTED	093608 GOYETTE MECHANICAL CO, IN	2,249.64			
300110	05/23/2022	PRINTED	093705 GRAINGER	1,115.45			
300111	05/23/2022	PRINTED	093840 LOOMIS FARGO & CO	1,108.29			
300112	05/23/2022	PRINTED	093873 GUIDEHOUSE, INC	4,900.00			
300113	05/23/2022	PRINTED	103143 HALLAHAN & ASSOCIATES, PC	3,597.00			
300114	05/23/2022	PRINTED	103238 HELPNET EAP	2,682.27			
300115	05/23/2022	PRINTED	103841 HUTCHINSONS ELECTRIC INC	8,469.31			
300116	05/23/2022	PRINTED	113488 IMPERIAL AUTO WASH	80.00			
300117	05/23/2022	PRINTED	113491 IMPRESSIVE PRINTING & PRO	60.00			
300118	05/23/2022	PRINTED	113542 INGRAM LIBRARY SERVICES	30.94			
300119	05/23/2022	PRINTED	113551 NICHOLS PAPER & SUPPLY CO	64.77			
300120	05/23/2022	PRINTED	113701 IRON MOUNTAIN	715.90			
300121	05/23/2022	PRINTED	121011 J&B MEDICAL SUPPLY	1,790.25			
300122	05/23/2022	PRINTED	121300 JGM VALVE CORP	5,236.31			
300123	05/23/2022	PRINTED	123583 JOES GREAT AMERICAN TREE	2,000.00			
300124	05/23/2022	PRINTED	123606 ROSATTI, SCHULTZ, JOPPICH	7,158.40			
300125	05/23/2022	PRINTED	123613 JOHNSTON LEWIS ASSOCIATES	3,973.93			

05/18/2022 11:54 |WATERFORD TOWNSHIP
Ilieveois |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
300126	05/23/2022	PRINTED	143586 KONE INC	153.15			
300127	05/23/2022	PRINTED	143707 KRONOS SAASHR, INC	658.65			
300128	05/23/2022	PRINTED	151211 LGC GLOBAL ENERGY FM LLC	10,475.69			
300129	05/23/2022	PRINTED	153240 LESLIE TIRE	2,413.00			
300130	05/23/2022	PRINTED	163140 MANAGERPLUS SOLUTIONS, LP	357.00			
300131	05/23/2022	PRINTED	163476 MIDWEST TAPE	4,717.32			
300132	05/23/2022	PRINTED	163508 FERGUSON WATERWORKS #3386	1,524.72			
300133	05/23/2022	PRINTED	174721 STATE OF MICHIGAN	300.00			
300134	05/23/2022	PRINTED	174870 STATE OF MICHIGAN	27,278.05			
300135	05/23/2022	PRINTED	181695 NATIONAL RECREATION & PAR	675.00			
300136	05/23/2022	PRINTED	183952 NYE UNIFORM COMPANY	1,245.50			
300137	05/23/2022	PRINTED	193074 21C ADVERTISING	287.52			
300138	05/23/2022	PRINTED	193541 ONE NUTTY WELDING	320.00			
300139	05/23/2022	PRINTED	193663 OPTO SOLUTIONS	1,866.06			
300140	05/23/2022	PRINTED	193713 ORKIN, LLC	415.00			
300141	05/23/2022	PRINTED	193882 OVERDRIVE, INC.	971.64			
300142	05/23/2022	PRINTED	193884 OUR LADY OF THE LAKES	150.00			
300143	05/23/2022	PRINTED	204040 OAKLAND COUNTY TREASURER	223.50			
300144	05/23/2022	PRINTED	204040 OAKLAND COUNTY TREASURER	157,810.46			
300145	05/23/2022	PRINTED	204040 OAKLAND COUNTY TREASURER	2,201.00			
300146	05/23/2022	PRINTED	211004 POWERBRITE OF MICHIGAN IN	216.30			
300147	05/23/2022	PRINTED	211460 PLANTE & MORAN PLLC	43,550.00			
300148	05/23/2022	PRINTED	213211 PERCEPTIVE CONTROLS INC	35,231.38			
300149	05/23/2022	PRINTED	213714 PRINTING SYSTEMS INC	9,915.40			
300150	05/23/2022	PRINTED	214001 PYTEL VETERINARY CLINIC	195.00			
300151	05/23/2022	PRINTED	220938 ZANE JOHNSON	42.00			
300152	05/23/2022	PRINTED	220951 RENE KUBIAK	300.00			
300153	05/23/2022	PRINTED	222540 SHARON CARENE	10.00			
300154	05/23/2022	PRINTED	225904 DANIEL LUDWIG	400.00			
300155	05/23/2022	PRINTED	227250 JO ANNE McMANUS	20.00			
300156	05/23/2022	PRINTED	233852 QUALITY FIRE SERVICES	2,652.36			
300157	05/23/2022	PRINTED	251232 SEMCOG	9,661.00			
300158	05/23/2022	PRINTED	251234 SECREST WARDLE LYNCH HAMP	26,284.80			
300159	05/23/2022	PRINTED	253160 SCRAMLIN FEEDS	441.50			
300160	05/23/2022	PRINTED	253252 SERVICE GLASS CO INC	699.18			
300161	05/23/2022	PRINTED	253293 HOWARD L SHIFMAN, P.C.	9,500.00			
300162	05/23/2022	PRINTED	253347 SHORELINE CHARTERS & TOUR	11,824.00			
300163	05/23/2022	PRINTED	253512 SMART START MICHIGAN	2,982.50			
300164	05/23/2022	PRINTED	253954 SYMBOL ARTS	155.00			
300165	05/23/2022	PRINTED	263255 EUROFINS ENVIRONMENT TEST	298.80			
300166	05/23/2022	PRINTED	263582 THOMSON REUTERS-WEST	496.00			
300167	05/23/2022	PRINTED	263737 TRUGREEN	1,790.89			
300168	05/23/2022	PRINTED	271016 US BANK EQUIPMENT FINANCE	1,741.11			
300169	05/23/2022	PRINTED	271536 UPS STORE	26.08			
300170	05/23/2022	PRINTED	273533 UNIFIRST CORP	633.44			
300171	05/23/2022	PRINTED	283242 VERIZON WIRELESS	2,160.87			
300172	05/23/2022	PRINTED	283242 VERIZON WIRELESS	225.30			
300173	05/23/2022	PRINTED	283242 VERIZON WIRELESS	1,826.56			
300174	05/23/2022	PRINTED	283243 AMERICAN MESSAGING	155.33			
300175	05/23/2022	PRINTED	291365 LINDE GAS & EQUIPMENT INC	233.13			
300176	05/23/2022	PRINTED	291365 LINDE GAS & EQUIPMENT INC	327.71			
300177	05/23/2022	PRINTED	293016 WATERFORD AREA CHAMBER OF	100.00			

05/18/2022 11:54 |WATERFORD TOWNSHIP
llievois |AP CHECK RECONCILIATION REGISTER

|P 3
|apchkrcn

FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
300178	05/23/2022	PRINTED	293089 WATKINS LAKEFRONT OWNERS	52,449.49			
300179	05/23/2022	PRINTED	304930 WATERFORD TOWNSHIP DPW	4,336.28			
300180	05/23/2022	PRINTED	500518 CUMMINS INC	279.69			
				107 CHECKS	CASH ACCOUNT TOTAL	552,429.03	.00

Advance Checks Mailed. May 10 → May 19

05/18/2022 11:54 | WATERFORD TOWNSHIP
 llievois | 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
299988	05/10/2022	PRINTED	011730 ARROW PRINTING	59.95			
299989	05/10/2022	PRINTED	013537 SCHMIDT, ISGRIGG, ANDERSON	757.96			
299990	05/10/2022	PRINTED	013764 SANDRA ASPINALL	239.49			
299991	05/10/2022	PRINTED	023068 K & Q LAW, PC	625.00			
299992	05/10/2022	PRINTED	030334 MFCC	100.00			
299993	05/10/2022	PRINTED	030335 LAURYN PROPERTIES CORPORA	100.00			
299994	05/10/2022	PRINTED	030336 AARON SAMSON - LUSH LAWN	600.00			
299995	05/10/2022	PRINTED	030337 CRAIG STROM	100.00			
299996	05/10/2022	PRINTED	031667 HALEY LAW FIRM	1,200.00			
299997	05/10/2022	PRINTED	031814 MODERN CRAFT HOMES	400.00			
299998	05/10/2022	PRINTED	032279 CROWN CASTLE	600.00			
299999	05/10/2022	PRINTED	032867 ANTO GLASS BLOCK INC	100.00			
300000	05/10/2022	PRINTED	038063 SIGNS BY CRANNIE	100.00			
300001	05/10/2022	PRINTED	038764 RONNISCH CONSTRUCTION	600.00			
300002	05/10/2022	PRINTED	039446 CEDAR WORKS INC	100.00			
300003	05/10/2022	PRINTED	039951 FOUNDATION SYSTEMS OF MIC	100.00			
300004	05/10/2022	PRINTED	043626 CONSUMERS ENERGY	23,511.20			
300005	05/10/2022	PRINTED	053253 DTE ENERGY	26,234.50			
300006	05/10/2022	PRINTED	073352 WILLIAM HIMMELSPACH	100.00			
300007	05/10/2022	PRINTED	073384 RICK HUTCHINSON	120.00			
300008	05/10/2022	PRINTED	082296 47TH DISTRICT COURT	400.00			
300009	05/10/2022	PRINTED	083452 SUBURBAN FORD OF WATERFOR	7,702.58			
300010	05/10/2022	PRINTED	083453 FORESTAR ELECTRIC, INC	10.00			
300011	05/10/2022	PRINTED	083466 FLEX ADMINISTRATORS INC	547.50			
300012	05/10/2022	PRINTED	103018 DERWOOD HAINES JR	25.00			
300013	05/10/2022	PRINTED	103584 JOHN H HOLMES	1,050.00			
300014	05/10/2022	PRINTED	111113 IDUMESARO LAW FIRM, PLLC	375.00			
300015	05/10/2022	PRINTED	113701 IRON MOUNTAIN	618.80			
300016	05/10/2022	PRINTED	121562 ALEXIS JOHNSON	750.00			
300017	05/10/2022	PRINTED	123585 CHARESA JOHNSON	925.00			
300018	05/10/2022	PRINTED	143019 MARSHA KOSMATKA	425.00			
300019	05/10/2022	PRINTED	143600 SCOTT C KOZAK	700.00			
300020	05/10/2022	PRINTED	161551 ESTATE OF ALETA MORRIS	41.07			
300021	05/10/2022	PRINTED	163095 MAZZA AUTO PARTS INC	779.55			
300022	05/10/2022	PRINTED	163095 MAZZA AUTO PARTS INC	65.70			
300023	05/10/2022	PRINTED	163204 MEDIA NETWORK OF WATERFOR	48,750.00			
300024	05/10/2022	PRINTED	163282 MEDMUTUAL LIFE	4,801.45			
300025	05/10/2022	PRINTED	163485 PAULETTE MICHEL LOFTIN	2,116.66			
300026	05/10/2022	PRINTED	174010 MICHIGAN ASSESSORS ASSOC	550.00			
300027	05/10/2022	PRINTED	174920 MICH DEPT OF STATE	20.00			
300028	05/10/2022	PRINTED	183052 NAPA AUTO PARTS	14.72			
300029	05/10/2022	PRINTED	193277 ACI PAYMENTS, INC	70.00			
300030	05/10/2022	PRINTED	213366 PITNEY BOWES RESERVE ACCO	1,500.00			
300031	05/10/2022	PRINTED	213454 NANCY PLASTERER	425.00			
300032	05/10/2022	PRINTED	213566 COFFEE BREAK INC	51.65			
300033	05/10/2022	PRINTED	213780 RONALD PRANGE	39.11			
300034	05/10/2022	PRINTED	263359 TOM STEWART PLUMBING	8.00			
300035	05/10/2022	PRINTED	274551 UNIVERSAL LIFT PARTS, INC	2,110.25			
300036	05/10/2022	PRINTED	293355 WILBUR WHITE JR	2,550.00			
300037	05/10/2022	PRINTED	304881 STEVEN K THOMAS TREASURER	1,278.20			
300038	05/17/2022	PRINTED	011790 AT&T	148.71			
300039	05/17/2022	PRINTED	013171 ADVANCED LIGHTING & SOUND	32,207.50			

05/18/2022 11:54 |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
300040	05/17/2022	PRINTED	013685 APPLIED IMAGING	1,989.00			
300041	05/17/2022	PRINTED	013801 AT&T	223.48			
300042	05/17/2022	PRINTED	023068 K & Q LAW, PC	350.00			
300043	05/17/2022	PRINTED	023488 BLUE CROSS BLUE SHIELD OF	263,029.92			
300044	05/17/2022	PRINTED	043626 CONSUMERS ENERGY	4,502.95			
300045	05/17/2022	PRINTED	043904 COMERICA COMMERCIAL CARD	650.14			
300046	05/17/2022	PRINTED	051445 DLZ MICHIGAN, INC	9,669.00			
300047	05/17/2022	PRINTED	053253 DTE ENERGY	8,078.74			
300048	05/17/2022	PRINTED	063476 ELECTROCOMM-MICHIGAN, INC	130.00			
300049	05/17/2022	PRINTED	063932 EXXON MOBIL	25.00			
300050	05/17/2022	PRINTED	073120 KATHLEEN BOYEA	100.00			
300051	05/17/2022	PRINTED	073220 WALT DIXON	298.00			
300052	05/17/2022	PRINTED	073398 TORI HEGLIN	39.36			
300053	05/17/2022	PRINTED	083407 TURNOUT MANAGEMENT	869.65			
300054	05/17/2022	PRINTED	093592 GOVERNMENT FINANCE OFFICE	595.00			
300055	05/17/2022	PRINTED	093702 JUDITH GRACEY	150.00			
300056	05/17/2022	PRINTED	103584 JOHN H HOLMES	350.00			
300057	05/17/2022	PRINTED	121562 ALEXIS JOHNSON	300.00			
300058	05/17/2022	PRINTED	143019 MARSHA KOSMATKA	150.00			
300059	05/17/2022	PRINTED	143533 BONNIE KLIMEK	125.08			
300060	05/17/2022	PRINTED	143707 KRONOS SAASHR, INC	925.86			
300061	05/17/2022	PRINTED	161552 ANGELA MOQUIN	75.64			
300062	05/17/2022	PRINTED	163485 PAULETTE MICHEL LOFTIN	50.00			
300063	05/17/2022	PRINTED	163598 MARK MONORON	446.50			
300064	05/17/2022	PRINTED	174636 MICHIGAN DEPT OF LICENSIN	100.00			
300065	05/17/2022	PRINTED	213454 NANCY PLASTERER	300.00			
300066	05/17/2022	PRINTED	251306 LAMAR SHATHAYA	10,000.00			
300067	05/17/2022	PRINTED	253400 KATHRYN SIMMONS	300.00			
300068	05/17/2022	PRINTED	271016 US BANK EQUIPMENT FINANCE	97.66			
300069	05/17/2022	PRINTED	273578 UNION SERVICES AGENCY	6,880.00			
300070	05/17/2022	PRINTED	283007 VANCES OUTDOORS, INC	10,081.35			
300071	05/17/2022	PRINTED	283242 VERIZON WIRELESS	3,020.97			
300072	05/17/2022	PRINTED	291206 JOSHUA WEST	300.00			
300073	05/17/2022	PRINTED	293206 WEINGARTZ	273.95			

86 CHECKS

CASH ACCOUNT TOTAL

491,281.80

.00

**FIRST AMENDED
INTERLOCAL AGREEMENT
FOR THE FORMATION OF AN ACT 196 AUTHORITY
TO PROVIDE TRANSPORTATION SERVICES**

BY AND AMONG:

The Charter Township of Highland

The Charter Township of White Lake

The Charter Township of Waterford

The City of Walled Lake

**REGARDING THE INDEPENDENT LEGAL ENTITY
KNOWN AS**

**WESTERN OAKLAND TRANSPORTATION AUTHORITY
(A Michigan Public Body Corporation)**

TABLE OF CONTENTS

	<u>Page</u>
ARTICLE I – PURPOSE.....	4
ARTICLE II – DEFINITIONS	4
ARTICLE III – CREATION OF WESTERN OAKLAND TRANSPORTATION AUTHORITY (“WOTA”)	5
ARTICLE IV – WOTA BOARD COMPOSITION	6
ARTICLE V – WOTA OFFICERS	8
ARTICLE VI – WOTA BOARD MEETINGS	9
ARTICLE VII – WOTA BOARD POWERS.....	10
ARTICLE VIII – TRANSPORTATION FUND	12
ARTICLE IX – VEHICLES	14
ARTICLE X – TERM AND TERMINATION, EXTENSION, WITHDRAWAL OF GOVERNMENTS	15
ARTICLE XI – DISSOLUTION OF WOTA AND DISTRIBUTION OF ASSETS	16
ARTICLE XII – MISCELLANEOUS PROVISIONS	17
ARTICLE XIII – ADDING LOCAL OR OTHER GOVERNMENTAL PUBLIC AGENCIES	19
ARTICLE XIV - EFFECTIVE DATE	20

Recitals

WHEREAS, the Western Oakland Transportation Authority was created under the Urban Cooperation Act of 1967, MCL 124.501 *et seq.*; and

WHEREAS, the Public Transportation Authority Act, Act 196 of 1986, MCL 124.451 *et seq.* (“Act 196) provides that an authority created under the Urban Cooperation Act may form an Act 196 authority by amendment of its interlocal agreement by resolution adopted by a majority of the governing body of each public entity which were parties to the interlocal agreement; and

WHEREAS, in June of 2021, each public agency that is a party herein agreed to amend the interlocal agreement to form a new and successor Authority under Act 196 named the Western Oakland Transportation Authority (“WOTA” and “Authority”) by executing an Amended Interlocal Agreement for the Formation of An Act 196 Authority to Provide Transportation Services; and

WHEREAS, the public agencies that are parties hereto desire to Amend the Article VIII – Transportation Fund of the Amended Interlocal Agreement for the Formation of An Act 196 Authority to Provide Transportation Services.

NOW, THEREFORE, the public agencies, as set forth herein, do hereby agree to the following terms and conditions with consideration acknowledged and accepted:

ARTICLE I **PURPOSE**

To provide defined and beneficial transportation services to Eligible Persons in the Service Area.

ARTICLE II **DEFINITIONS**

A. “Act” shall mean the Public Transportation Authority Act, Act 196 of 1986, MCL 124.451 *et seq.*

- B. “Agreement” shall mean this First Amended Interlocal Agreement for the Formation of An Act 196 Authority to Provide Transportation Services.
- C. “WOTA Board” shall mean the Board of WOTA as created and authorized herein.
- D. “Eligible Persons” shall mean a resident of any Party herein that is 55 or older or 18 or older with a disability. This shall include one (1) personal care attendant companion if required to assist with a disability, and/or a Service Animal.

Based on the SMART Millage the City of Walled Lake is obligated to provide Transportation services to everyone age 18 and older, regardless of disability, income, etc. who resides within the City of Walled Lake.

- E. “Fiscal Year” shall mean the calendar year being January 1 to December 31.
- F. “OMA” shall mean the State of Michigan Open Meetings Act.
- G. “Party” or “Parties” shall mean a public agency or public agencies that have executed this Agreement and have not withdrawn from this Agreement.
- H. “Public Agency” or “Public Agencies” shall mean the Charter Township of Highland, the Charter Township of White Lake, the Charter Township of Waterford, and the City of Walled Lake.
- I. “Service Animal” shall mean a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person’s disability.
- J. “Service Area” shall mean the combined physical territory of the Parties to this Agreement and other areas as designated from time to time by the WOTA Board.
- K. “State” shall mean the State of Michigan.

- L. “Transportation Services” shall mean all forms of transportation governed by this Agreement for Eligible Persons as defined herein established and authorized under this Agreement.
- M. “WOTA” shall mean the Western Oakland Transportation Authority, a separate legal entity created under the Act and this Agreement.

ARTICLE III **CREATION OF WESTERN OAKLAND TRANSPORTATION** **AUTHORITY (“WOTA”)**

- A. WOTA is created and established as a separate legal entity as authorized by the Act at MCL 124.453(3) and (4) for purposes of administering and exercising the powers set forth in this Agreement. WOTA shall be a public body corporate and authority having all powers granted herein and under the Act.
- B. The principal offices of WOTA shall be at 205 W. Livingston Road, Highland, Michigan 48357, and may be changed in the future by a decision of the WOTA Board provided the cost of implementing the change is provided for in WOTA’s then approved budget.
- C. All property owned by WOTA is owned by WOTA, as a separate legal entity, and no other entity shall have any ownership interest in WOTA property.
- D. The Parties intend that the activities of WOTA will be tax-exempt as governmental functions carried out by an instrumentality or political subdivision of government under the applicable federal and state tax laws.
- E. WOTA shall comply with all applicable federal and State laws, rules, and regulations.
- F. The Parties agree that no Party shall be legally responsible for the acts of WOTA, any other Party, or of the employees, agents, and servants of any other Party, whether acting separately or in conjunction with the implementation of this Agreement. The Parties shall only be bound and obligated under this

Agreement as expressly agreed to by each Party and no Party may otherwise obligate, in any way, any other Party under this Agreement.

- G. Except as expressly provided in this Agreement, the Agreement does not create in any person or entity, and is not intended to create by implication or otherwise, any direct or indirect obligation, duty, promise, benefit, right to be indemnified (such as contractually, legally, equitably, or by implication), right to be subrogated to any Party's rights in this Agreement, or any other right.
- H. As a public body created under the Act, WOTA may not be operated for profit. No part of any earnings of the WOTA may inure to the benefit of any person or entity other than the Parties.

ARTICLE IV **WOTA BOARD COMPOSITION**

- A. The governing body of WOTA shall be the "WOTA Board".
- B. The membership of the WOTA Board shall be established as follows:
 1. Charter Township of Highland (1 member)
 - Charter Township of White Lake (1 member)
 - Charter Township of Waterford (1 member)
 - City of Walled Lake (1 member)
 - (Hereinafter "Public Agency Members")
 2. The Public Agency Members of the WOTA Board shall be appointed by the respective underlying legislative body of each of the Public Agencies for four (4) year terms. Each Public Agency Member shall serve at the pleasure of and may be removed by the appointing legislative body in its sole discretion. The Public Agency Members shall also appoint at least one (1) Alternate Public Agency Member to serve as voting Public Agency

Members at any time the primary Public Agency Member is absent or when a vacancy exists in their seat on the WOTA Board.

3. In the event of a vacancy in one of the seats allocated to a Public Agency Member on the WOTA Board, the legislative body of that Public Agency shall fill the vacancy for the unexpired term.
4. Once the Public Agency Members have been appointed, the Public Agency Members may take action to appoint up to two (2) additional voting members of the WOTA Board (“Non-Governmental Members”). Each Non-Governmental Member shall serve for a term of one (1) year which may be renewed at the sole discretion of the Public Agency Members. Any action under this provision shall require a unanimous vote by the Public Agency Members of the WOTA Board.
5. The Public Agency Members and the Non-Governmental Members shall together compose the entire WOTA Board.
6. The WOTA Board may appoint, by a unanimous decision, any number of non-voting Advisory Members at its discretion.

C. Within 30 days of the effective date of this Agreement, each Public Agency shall appoint its Primary and Alternate Members on the WOTA Board.

ARTICLE V WOTA OFFICERS

- A. At the first meeting of the WOTA Board, and thereafter no later than the first meeting in each odd numbered year, the WOTA Board shall elect a Chairperson, Vice-Chairperson, Secretary and Treasurer from the appointed Public Agency members of the WOTA Board. These officers shall serve until their respective successors shall be selected. Each officer shall have the powers and duties specified in this Article and elsewhere in this Agreement.
- B. The Chairperson of the WOTA Board shall be the presiding officer for WOTA Board meetings and shall sign contracts and other documents on behalf of

WOTA if required by this Agreement or the WOTA Board. Except as otherwise provided, he or she shall not have any executive or administrative functions other than as a member of the WOTA Board.

- C. The Vice-Chairperson shall perform the duties of the Chairperson in the absence or disability of the Chairperson.
- D. The Secretary shall keep or cause to be kept the non-financial written records of WOTA at the then designated principal office of WOTA or such other place as the WOTA Board may order. The records shall include minutes of the proceedings of all meetings of the WOTA Board, with the time and place, whether regular or special, and if special, how authorized, the notice given, the names of those present, the actions taken, and the votes on those actions by the Members. With the assistance of the Director, the Secretary shall prepare draft minutes of each meeting and present those to the WOTA Board for approval at its next meeting.

The Secretary shall give or cause to be given notice of all meetings of the WOTA Board. He or she shall have such other powers and perform such other duties as may be prescribed by the WOTA Board. The Secretary shall perform the duties of the Chairperson in the absence or disability of both the Chairperson and the Vice-Chairperson.

- E. The Treasurer shall keep or cause to be kept all financial records of WOTA at the then designated principal office of WOTA or such other place as the WOTA Board may order. The Treasurer shall make regular reports to the WOTA Board for each regular meeting and at other times as directed by the WOTA Board of the receipt and disbursement of all funds and the financial status of WOTA and make the books and records of WOTA available for audits directed and authorized by the WOTA Board. He or she shall have such other powers and perform such other duties as may be prescribed by the WOTA Board.
- F. In the case of temporary absence or disability of any officer, the WOTA Board may appoint another WOTA Board member to act in his or her stead. An officer may be removed from the officer position for one or more specified reasons by a two-thirds vote of the WOTA Board. Any action to remove any

officer does not prohibit that person from remaining as the Public Agency member representative to the WOTA Board. Any removal from office under this provision shall be for good cause which shall include, but not be limited to, missing three (3) consecutive meetings without a vote to excuse.

ARTICLE VI **WOTA BOARD MEETINGS**

- A. Regular meetings of the WOTA Board shall be posted in accordance with the OMA at MCL 15.265. The meetings shall be held at such time and place as shall be prescribed by resolution of the WOTA Board.
- B. The WOTA Board shall meet for its regular meetings monthly during the first two fiscal years and shall establish its regular meeting schedule for those and all subsequent years as provided in the OMA. The WOTA Board shall meet in 2019 as often as necessary to approving the documents required by this Agreement.
- C. Special meetings of the WOTA Board may be called by the Chairperson or any two (2) Public Agency Members by providing 24 hour advanced written notice of the time, place and purpose to each member of the WOTA Board. Notice may be by Email or hand delivery only. Notice of any special meeting shall also be published as required by the OMA.
- D. Voting by the WOTA Board shall be weighted and calculated as follows:
 - Township Public Agency Members – 2 vote weight
 - City Public Agency Members – 1 vote weight
 - Village Public Agency Members – 1 vote weight
 - Any appointed Non-Governmental member – 1 vote weight

At least a majority of the votes on the WOTA Board must be represented by members of the WOTA Board in actual attendance at a meeting for a quorum to conduct business.

- E. The WOTA Board shall act by a verbal motion or a written resolution. Unless otherwise specified in this Agreement, for the passage of any motion or resolution including the execution of any contract, a majority of the votes on the WOTA Board is required for a motion or resolution to pass.
- F. The WOTA Board shall approve the minutes of each meeting at its next meeting, which shall then be signed by the Secretary. All votes concerning financial matters and resolutions of the WOTA Board shall be conducted by roll call vote. All other votes shall be “yeas” and “nays” except that where the vote is unanimous, it shall only be necessary to so state.

ARTICLE VII **WOTA BOARD POWERS**

The WOTA Board shall have the following specific powers:

- A. The WOTA Board shall have such powers, responsibilities, duties and limitations as specified in the Act and this Agreement, which shall be exercised as provided in WOTA’s Articles of Incorporation and Bylaws to be approved by the WOTA Board to govern the procedures and affairs of the Transportation Services which are not in conflict with the terms of this Agreement and subject to any applicable laws, regulations and/or grant restrictions. The Articles of Incorporation and Bylaws for WOTA must be approved by the WOTA Board before WOTA provides any Transportation Services.
- B. The WOTA Board shall hire a Director to manage the day-to-day affairs of WOTA on behalf of the WOTA Board, and who shall have such duties and responsibilities as designated in writing by the WOTA Board before WOTA provides any Transportation Services. The WOTA Board shall hire or contract or authorize the Director to hire or contract for the personnel necessary to provide the Transportation Services in compliance with the approved budget, which may be employees of a Party that are transferred to WOTA by that Party.

- C. By July 1 of each fiscal year, the WOTA Board shall prepare, approve and submit to the Parties for approval an annual budget addressing and covering the proposed expenditures to be made for operating the Transportation Services and the allocation of each Party's funds to meet that budget for the next fiscal year.
- D. WOTA shall obtain and cause to be completed an annual audit of the financial statements of WOTA which shall be approved by the WOTA Board and distributed to the Parties.
- E. The Budget shall contain an allocation for petty cash and minor expenditures above all other contemplated expenditures. The Treasurer, Chairperson, or Vice-Chairperson shall have the authority to authorize all minor expenditures with a dollar limit on all such expenditures as set by the WOTA Board. Such expenditures shall either be done on WOTA credit or will be reimbursed to the payer upon providing a receipt or bill for the item or service. All bills shall be itemized and approved by the WOTA Board at a meeting.
- F. In extraordinary circumstances or emergency situations, the WOTA Board shall have the ability to apply to the Parties for additional monies to be contributed to the WOTA Transportation Fund as defined herein. Such an application does not obligate any Party to contribute the requested additional monies.
- G. The WOTA Board is without authority or power to commit any Party to any Transportation Services or other obligations which would result in a debt or other financial responsibility beyond that provided for in the approved WOTA budget without the authorization of that Party approved by its legislative body.
- H. The WOTA Board shall have the right to establish rules, procedures and regulations for the use of any service provided by this Agreement, provided, however, that if the service is located exclusively within the jurisdiction of one of the Parties, then such rules and regulations shall not become effective unless approved by the legislative body of that Party. The WOTA Board shall have all such other powers as will be necessary to accomplish the duties contained within this Agreement and to conduct the business of the

Transportation Services and shall approve Transportation Services Operations Rules and Regulations before WOTA provides any Transportation Services.

- I. Services provided on a contractual basis to any non-Party Public Agency shall be governed by mutually agreed upon terms and charges in a written contract approved by the WOTA Board.
- J. The WOTA Board shall have the responsibility to manage all Transportation Funds including the investment of funds not needed for immediate use in accordance and compliance with an Investment Policy, approved by the WOTA Board before WOTA provides any Transportation Services.
- K. An audit shall be conducted annually and to the extent possible, legal, and economical, may be done in conjunction with audits of the Parties.

ARTICLE VIII **TRANSPORTATION FUND**

- A. Contributions to the WOTA Transportation Fund shall be made by the Parties or as otherwise allowed herein.
 - 1. The Charter Township of Highland, Charter Township of White Lake and Charter Township of Waterford hereby agree to contribute to the WOTA Transportation Fund (“Fund”) up to One Hundred and Eighty-Five thousand 00/100 (\$185,000.00) dollars a year (“Annual Contribution”) with the exact amount of the Annual Contribution being determined by the WOTA Board. The City of Walled Lake hereby agrees to contribute up to One Hundred Thirty-Three Thousand Four Hundred Twenty-Eight (\$133,428.00) dollars a year (“Walled Lake Annual Contribution”) with the exact amount of the Walled Lake Annual Contribution being determined by the WOTA Board. The Annual Contribution and Walled Lake Annual Contribution shall be due on or before January 1 of each year. The Parties are not precluded from voluntarily contributing more than the Annual Contribution or Walled Lake Annual Contribution. Additional Transportation Funds may be allocated from but not limited to the following sources as determined by the legislative body of each Party:

- a. Community Development Block Grant (“CDBG”) funds as designated by a Public Agency to provide transportation services to eligible persons.
- b. SMART Municipal and SMART Specialized Services Credit Funds.
- c. Other available grant funds that provide transportation services to Eligible Persons.
- d. General fund monies from each Party in an amount approved by its legislative body to provide transportation services to eligible persons.
- e. Millage Revenue dedicated to WOTA received from local millage elections.
- f. Transportation funds collected as part of Senior Center or other millages.
- g. Gifts, grants, assistance funds and bequests.

2. WOTA may proceed to obtain and use state, federal and private grants and other lawful donations, gifts or bequests available to it as well as monies received from contracts for transportation services if the grant and other donations or contracts or limitations or restrictions thereon do not conflict with the other provisions of this Agreement or the constitutional or statutory limitation of any Party.

B. The Transportation Fund shall be managed by the WOTA Board. The annual sources and amounts of Contributions to the Transportation Fund and required funding amounts shall be analyzed and reported in writing to each Party by the WOTA Board by July 1st of odd numbered years.

C. The monies contributed to the Transportation Fund shall be used to pay for maintenance, insurance, fuel, wages, purchase of additional transportation vehicles, dispatching costs, and other operating, administrative, and general costs of the Transportation Service and WOTA Board in compliance with the

approved WOTA budget.

- D. The monies contributed to the Transportation Fund shall be deposited and held in financial institution(s) or instruments as provided in an Investment Policy approved by the WOTA Board before WOTA provides any Transportation Services. If not dictated by the Investment Policy, monies may be deposited in institutions or instruments of the Treasurer's choosing subject to WOTA Board prior approval. All withdrawals from the Transportation Fund will require the signatures of two (2) officers of the WOTA Board, one of whom shall be the Chairperson or Vice-Chairperson.
- E. WOTA shall not levy any type of tax under the Act without unanimous agreement of the parties. Nothing contained in this Agreement restricts or prevents a Party from levying taxes in its own jurisdiction or assigning the revenue from taxes to WOTA if allowed by law.

ARTICLE IX **VEHICLES**

- A. For all vehicles used to provide Transportation Services, WOTA will establish and maintain all applicable insurance costs including liability associated with injuries to persons or property which could result from the use of each vehicle in the amount of Five Million Dollars (\$5,000,000.00) per occurrence and/or as required by the terms of any grant program.
- B. When the WOTA Board determines that a vehicle may no longer be properly used for Transportation Services under this Agreement, the vehicle shall be disposed of according to the appropriate rules and/or regulations that are applied by the funding source(s) for the vehicle, if any.
- C. Vehicles shall be used consistent with any rules or restrictions of the program(s) that provided funding for the vehicle.
- D. WOTA shall charge fees for the Transportation Services as determined by the WOTA Board.

E. Upon the Effective Date of this Agreement as provided in Article XIV, each Public Agency that has executed this Agreement shall take all actions as necessary to assign existing designated public transportation vehicles to WOTA.

ARTICLE X
TERM AND TERMINATION, EXTENSION, WITHDRAWAL OF
GOVERNMENTS

A. This Agreement shall have a term of four (4) years and will automatically renew for additional four (4) year periods as to any Party that does not withdraw as provided herein or pursuant to Act 196.

B. Except as otherwise provided in this Agreement, a Party may unilaterally withdraw before the end of a current fiscal year of WOTA by providing written notice of withdrawal at least 90 days before July 1 of any year. Any withdrawing Party under this provision shall not be entitled to any refund or share of the funding provided for that year but shall continue to receive services for the remainder of that year. In the event WOTA Board approval is required to satisfy membership release requirements under Act 196, the WOTA Board shall approve a member's release provided the member's withdrawal otherwise satisfies the requirements of this subsection.

C. If one of the Parties withdraws from WOTA, the WOTA Board shall take that into account in its proposed budget for the next fiscal year under Article VII.C, and the withdrawing Party shall have no further membership or voting rights on the WOTA Board after the effective date of the withdrawal, which shall be the date of the Notice unless otherwise stated.

D. The residents of a Public Agency that has withdrawn from WOTA shall no longer be eligible to receive Transportation Services from WOTA. However, residents of that Public Agency who are clients of an organization that contractually receives and pays for services from WOTA

shall be eligible to receive Transportation Services if that funding remains in place following the Public Agency withdrawal.

E. Any vehicle assigned to WOTA by a withdrawing Public Agency shall be returned to that Public Agency in its then current condition or, if required, managed in accordance with any applicable law or grant.

ARTICLE XI **DISSOLUTION OF WOTA AND DISTRIBUTION OF ASSETS**

- A. If due to withdrawals from WOTA or other reason or reasons, the WOTA Board determines that WOTA should stop providing or attempting to provide the Transportation Services contemplated by this Agreement and be dissolved, the WOTA Board shall give at least 90 days written notice to the Parties and to all funding agencies of the intention to dissolve and of the date, time, and location of a WOTA Board meeting at which a decision to dissolve may be made.
- B. If WOTA is dissolved, the transportation vehicles of WOTA shall be distributed consistent with the then current laws and regulations governing the formation and legal tax status of WOTA. If allowed, the distribution shall be as follows:
 1. Any vehicles obtained through a grant of any type shall be returned to the granting organization or as otherwise required by the grant itself. Other WOTA vehicles shall be returned to the applicable Public Agency or, if required, managed properly under any applicable law or grant.
 2. The remaining vehicles, if any, shall be allocated to the remaining Parties in the same proportion as the most recent funding allocation. If the proportioning results in partial vehicles, the remaining Parties may agree on how to allocate those vehicles or may agree to sell those vehicles and apportion the funds accordingly.

C. If WOTA is dissolved, the remaining funds shall be distributed consistent with the then current laws and regulations governing the formation and legal tax status of WOTA. If allowed, the distribution of surplus funds shall be used to pay all employees the monies due to them as well as any outstanding debts. The remaining funds, if any, shall be returned to the Parties in the same proportion as the most recent funding allocation.

ARTICLE XII **MISCELLANEOUS PROVISIONS**

A. Except as otherwise provided by this Agreement, all notices hereunder and communications with respect to this Agreement shall be effective upon the mailing thereof by registered or certified mail, return receipt requested, postage prepaid and addressed to the following:

Supervisor
Charter Township of Highland
205 N. John Street
Highland, MI 48357

Manager
City of Walled Lake
1499 E. W. Maple
Walled Lake, MI 48390

Supervisor
Charter Township of White Lake
7525 Highland Road
White Lake, MI 48383

Director
West Oakland Transportation Authority
205 W. Livingston Road
Highland, MI 48357

Supervisor
Charter Township of Waterford
5200 Civic Center Drive
Waterford, MI 48329

or such other address as any party shall designate by written notice.

B. If one of the Parties has an issue or complaint that has not been or cannot be resolved through the administrative channels, that Party may bring that issue

or complaint before the WOTA Board for resolution. The WOTA Board shall work with the Party and other Parties as necessary to develop an appropriate resolution process, such as a corrective action plan, with acceptable and mutually agreeable timeframes to accomplish said correction action.

- C. The omission of the performance or failure to render any services contemplated by this Agreement because of an act of God, inevitable accident, fire, lockout, strike or other labor dispute, riot or civil commotion, act of public enemy enactment, rule or act of government or governmental instrument or instrumentality (whether Federal or State), failure of equipment of facilities not due to inadequate maintenance shall not constitute a breach of this Agreement or failure of performance by the Parties or WOTA.
- D. If any term or provision of the Agreement shall, to any extent, be held invalid or unenforceable by a Court of competent jurisdiction it shall be severable, and the remaining terms of this Agreement shall not be affected and shall be fully enforceable.
- E. Nothing in this Agreement creates or shall be construed to create any employment relation for any person.
- F. This Agreement and all obligations upon the parties arising there from shall be subject to all budget laws and other state and local laws and regulations.
- G. Upon and after its effective date, this Agreement shall supersede all prior agreements of any kind between the Parties on the same subject.
- H. This Agreement may be modified only by resolution adopted by the governing body of each Party. Such amendments shall take effect immediately after adoption by all Parties.
- I. The Parties hereby agree that this written Agreement constitutes the complete Agreement.
- J. The Parties and WOTA shall endeavor to keep themselves fully informed of all existing and future Federal, State and local laws, ordinances and regulations that may in any manner affect the fulfillment of this Agreement

and to keep each other fully informed on these matters.

- K. Neither the Parties nor WOTA shall assign any rights or responsibilities under this Agreement without first obtaining the written consent of all Parties.
- L. The Parties agree that no provision of this Agreement is intended, nor shall it be construed, as a waiver by any Party of any governmental immunity otherwise provided under the Act or by law.
- M. WOTA shall be subject to the Freedom of Information Act at MCL 15.231, et. seq.

ARTICLE XIII
ADDING LOCAL OR OTHER GOVERNMENTAL PUBLIC
AGENCIES

- A. This Agreement may be modified at any time to permit any city, village, township or charter township to become a member of WOTA if such modification is adopted by resolution of the governing body of each such municipality proposing to become a member, and if such modification is adopted by resolution of the governing body of each Public Agency.
- B. If a municipality becomes a voting member of the WOTA Board, that municipality shall be obligated to pay for its proportionate share of the WOTA Transportation Fund to include the costs of service expansion to that municipality. The joining municipality's proportionate share may also be partially made in WOTA-designated improvements to the Transportation Services as a whole.
- C. Nothing in this Agreement prevents WOTA from entering into a contract with any city, village or township to provide Transportation Services. Any such contract shall require approval by the WOTA Board.

ARTICLE XIV
EFFECTIVE DATE

This Agreement shall become effective upon the signing of this Agreement by the designated representative of each of the Parties below and filing with the Michigan Secretary of State, the Oakland County Clerk and State Department of Transportation.

CHARTER TOWNSHIP OF HIGHLAND

By _____
Rick Hamill, Township Supervisor _____
Date _____

CHARTER TOWNSHIP OF WHITE LAKE

By _____
Rik Kowall, Township Supervisor _____
Date _____

CHARTER TOWNSHIP OF WATERFORD

By _____
Gary D. Wall, Township Supervisor _____
Date

CITY OF WALLED LAKE

By _____
L. Dennis Whitt, City Manager _____
Date

35391:00001:6281852-1