

BOARD MEMBERS PRESENT:

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

OTHERS PRESENT:

Michael Stein
Jacqueline Brown
Sue Camilleri
Frank Fisher
Mike Ristich
Grant Smith
Sandra Wilton

Riley Sutherland
Jack Sutherland
Noelle Sutherland
J.C. Sutherland
Roman Wasylkevych
Jacklyn Martindale
Jeffrey Polkowski

David George
Alison Swanson
Robin McGregor
Rudee McGregor
John Paul Torres
Steve Klein
Joellen Shortley

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

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

1. APPROVE AGENDA

1.1 February 27, 2023

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to approve the February 27, 2023, agenda, as printed. A roll call vote was taken.

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

Motion carried unanimously.

2. ANNOUNCEMENTS

- 2.1 Calling all moms (mother figures) and sons! On Saturday, March 25, 2023, from 6:00 p.m. to 8:00 p.m., get ready for the fun to TAKE FLIGHT by dancing the night away. The event will include light refreshments, games, a craft, a STEM challenge, music, dancing, and a keepsake photo to remind you of your very special date. The cost is \$15/per person for Residents. Pre-registration is required, and you must register by March 17, 2023. Please visit waterfordmi.gov/parks or call Parks and Recreation at 248-674-5441.
- 2.2 The 4th bi-annual outdoor art exhibition on the Riverwalk, "Just Ducky," returns to Waterford from June 15th through the end of September. 108 plywood cutouts of rubber ducks are now being sold for \$30.00 each while supplies last. To participate, purchase a duck, take it home to decorate it, then return it to the library no later than June 1st. The ducks will then be hung in the trees along our Riverwalk in time for the June 15th exhibition opening at 6:00 PM by Buffalo Wild Wings. To purchase a duck, contact the Friends of the Library (Joyce) at 248-860-0764 or Sue Camilleri at 248-420-7735. Additional sales days will be held at the Waterford Township Public Library every Saturday from 11:00-1:00 until they are all sold. Proceeds from duck sales support the Riverwalk.
- 2.3 Beginning March 30, 2023, Waterford moves into the fourth year of its contract with GFL Environmental providing curbside collection service for residential customers. On February 13, 2023, GFL will send invoices to Waterford customers for second-quarter services for April, May, and June 2023 that reflect the contracted 3% annual increase. A full-page newsletter reflecting discounts and annual reminders will be mailed with your paper invoices or emailed to customers who receive electronic bills, and the newsletter is also available on the Township website at www.waterfordmi.gov/trash
- 2.4 2023 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.
- 2.5 When disasters strike, having a plan in place helps ensure a more successful outcome for you and your family. Waterford Township is pleased to announce a partnership with Tenuta's Food Lane to help residents become self-reliant for the first 72 hours of a disaster. Each month for one year, Tenuta's will be selling a select item or type of item at cost. This will allow people to purchase and stock up on items that will help their family during a natural disaster. The program began in January 2023 and will run through the end of the year. The products offered will include cases of water, canned meats and vegetables, dry goods, pet food, batteries, and so on. Whether you're a thrifty shopper or interested in helping your family become self-reliant, please take advantage of this program throughout 2023. Tenuta's is located at 3515 Sashabaw in Waterford Township and has been a staple of our community since 1950. Don't forget to tell your neighbors and loved ones. Stay tuned to the Township website and Facebook page for monthly updates, videos, and further resources to help Waterford families Make a Plan, beginning with Waterford Township's 12 Months to Self-Preservation. www.waterfordmi.gov/makeaplan

3. Awards and Presentations

- 3.1 Recognition of Newly Hired Police Officers and Promotions

Police Chief Underwood congratulated current officers that were promoted and welcomed the new hire. The Board of Trustees congratulated and welcomed everyone.

Jack Sutherland: Jack was hired as PO – August 24, 1998
 Promoted to Sgt. – January 19, 2008
 Promoted to Lt. – October 31, 2016
 Promoted to Deputy Chief – December 17, 2022

Awards and Presentations Continued.

During his distinguished career he has had numerous assignments in both Investigations and Patrol Services. Patrol Officer, Motorcycle Officer, Detective, N.E.T., S.R.T., and Bureau Commander – Patrol and Investigations. He received the following awards – 16 Commendations, 10 Meritorious, 5 Unit Citations

Jack has been a valuable part of our command staff since 2016. He has a strong work ethic and his dedication to his community is impressive. With this promotion to Deputy Chief, his administrative role will be expanded, and his positive impact will be felt by all of our personnel for years to come. Today we congratulate Jack on his promotion to Deputy Chief.

Rich Haefner:

Rich was hired as PO – July 2, 2002
Promoted to Sgt. – May 13, 2017
Promoted to Lt. – December 17, 2022

Rich has had numerous assignments in Patrol Services including Patrol Officer and Road Patrol Supervisor. He has also helped shape the future of our department as a Field Training Officer and as a Supervisor in that program, as well as a member of our training team. He received the following awards 3 Commendations and 1 Meritorious.

We believe Rich will be a valuable member of our Command Staff in his new role as the Patrol Services Bureau Commander. His knowledge, experience, and leadership skills will help develop and guide our new Police Officers, as well as mentor and oversee our new Supervisors. Today we congratulate Rich on his promotion to Lieutenant.

Police Officers:**Cameron Lease:**

Cameron attended Eaton Rapids High School and Lansing Community College. He worked as a Police Intern at the Lansing Police Department and worked as a Police Cadet with the East Lansing Police Department.

Cameron attended the Oakland Police Academy before beginning his employment here in Waterford. He was hired as a FT Police Officer on June 6, 2022, and came to us with good references from his previous law enforcement employers. Those references were accurate, Cameron has proven to be both reliable and eager to learn. Congratulations Cameron.

Cameron's mother, Robin, pinned his badge on him.

Jonathan Fize:

Jon attended Lanse Creuse High School and Oakland University. He was an MP in the US Army, worked in security at Ascension Providence Hospital, and as a Corrections Officer with the Oakland County Sherriff's Office. In 2021, Jon began his law enforcement career with the Detroit Police Department, where he worked until he was hired here in Waterford as a FT Police Officer on August 15, 2022. When asked on his application why he was leaving his current employer, Jon wrote, "seeking a better opportunity in law enforcement". We're glad he chose Waterford for that opportunity. Congratulations Jon.

Awards and Presentations Continued.**Austin Moll:**

Austin attended Milford High School and Washtenaw Community College. He began his law enforcement career with the Hazel Park Police Department and worked as a Police Officer with the Adrian Police Department from 2018 until his employment here in Waterford. Austin was hired as a FT Police Officer on August 15, 2022. In the short time he's been with us, he has demonstrated a strong work ethic and commitment to his profession. During the hiring process Austin expressed his desire to return to the Oakland County area and we're happy he chose the Waterford Police Department.

Michael Archer:

Michael attended Clarence Ville High School, Schoolcraft College, and Oakland Community College. He has experience as a Firefighter/EMT with the Troy Fire Department and as a Public Safety Officer, which includes both law enforcement and fire service, with the Centerline Department of Public Safety. Michael was hired as a FT Police Officer on October 3, 2022. After completing the Field Training Program he was assigned as a road patrol Officer and will soon be assigned as a School Resource Officer. Michael's previous public safety experience is an asset to our department and the community. Congratulations Michael.

Michael's son, Peyton, pinned his badge on.

Chief Underwood thanked everyone for attending tonight's promotion ceremony.

3.2 Waterford school District Update

Superintendent Linberg and School Board President Mr. Ristich from the Waterford School District provided the Board of Trustees with an update.

President Ristich addressed the Board and Trustees and presented the 5-year strategic plan:
Academics/Programs
Personal Leadership
Learning Environment/Culture
Communications/Community Engagement
Operations.

Making sure the Waterford School District invested in and made their academics and programs, ensure we have the best staff and keep the great staff they have. Make sure that the kids have what they need to thrive and ensure the Township Board has what it needs to tell the Waterford School District Story.

Superintendent Linberg advised that they have invested over \$3.4 million in curriculum, K-12 ELA curriculum, a new K-5 math program, 1:1 technology. In 2021 they developed problem-based learning keeping kids involved. STEM has been very important to the district by getting kids involved before, during and after school. WSD has 15 advanced opportunities by challenging and broadening their experiences. They have a partnership with Oakland Community College. The partnership with the community as it will be good with the students and their families.

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 February 13, 2023, Work Session Minutes
- 4.2 February 13, 2023, Meeting Minutes
- 4.3 February 27, 2023, Bill Payments
- 4.4 Reappointment of Construction Board of Appeals - Steve Meredith
The following memo was received by Supervisor Wall.

I respectfully request the Township Board's approval for the reappointment of Steve Meredith to the Construction Board of Appeals for a three-year term through March 9, 2026.

As required by MRC (Michigan Residential Code), the Construction Board of Appeals designated by Ordinance to hear any appeals of decisions made by the enforcing agency. An application for appeal shall be based on a claim that the true intent of the code or the rules governing construction have been incorrectly interpreted, the provisions of the code do not apply, or an equal or better form of construction is proposed.

Members of this board have experience in a variety of construction trades. Steve's expertise and insight are derived from his long career in the construction field currently working in custom cabinetry. Steve is a long-time Waterford resident and business owner who has volunteered to serve the community in this capacity for an additional three-year term.

Thank you for your consideration.

- 4.5 Community Greenways Committee Appointments
The following memo was received by Supervisor Wall.

As you recall, at the December 2022 Board meeting, the Board of Trustees unanimously approved a resolution establishing a Community Greenways Advisory Committee. This advisory committee will be primarily tasked with taking measures to ensure designated greenways are maintained and enhanced for recreational and leisure use by the community.

I respectfully request the Township Board's approval of the initial appointments of five (5) members who are residents of Waterford Township, one (1) of which is a member of the Board of Trustees who serves as liaison from the committee to the Board. Initial appointments to the committee will be staggered as follows:

Marie Hauswirth	through November 20, 2024, concurrent with term on Board of Trustees
Jacquelynn Brown	through February 27, 2024, one-year term
Amanda Scovel	through February 27, 2025, two-year term
Roman Wasylkevych	through February 27, 2025, two-year term
Sue Camilleri	through February 27, 2026, three-year term

Trustee Marie Hauswirth and I the opportunity to meet with seven (7) applicants for these positions. We are grateful for the positive response to our request for volunteers to serve the community in this capacity. We are recommending the candidates listed above based on a combination of factors including their experience, and their understanding of and commitment to the goals and responsibilities of the Community Greenways Advisory Committee.

Thank you for your consideration.

Consent Agenda Continued.

- 4.6 Drayton Plains Nature Center Advisory Committee Re-Appoint – Murray Day and Aubrey Golden
The following memo was received by Supervisor Wall.

I respectfully request the Township Board's approval for the reappointment of Waterford Township residents Murray Day and Aubrey Golden to the Nature Center Advisory Committee for three-year terms to expire March 9, 2026.

Both Aubrey and Murray have served the community on this Committee for a number of years and continue to show commitment and dedication to the preservation, maintenance, and promotion of the Drayton Plains Nature Center as one of Waterford's most unique and treasured assets. I believe both Aubrey & Murray will continue to make valuable contributions in these roles if reappointed.

Thank you for your consideration.

- 4.7 Reappointments to the Hess-Hathaway Advisory Committee - Nick Ristich and John Barker

The following memo was received by Supervisor Wall.

I respectfully request the Township Board's approval for the reappointment of Waterford Township residents John Barker and Nick Ristich to the Hess-Hathaway Advisory Committee for three-year terms to expire March 1, 2026.

Both John and Nick have served on this Advisory Committee for a number of years, and will continue to offer experience, knowledge and dedication for Waterford Township, Waterford Parks and Recreation, and the Hess-Hathaway Park. I feel confident in their abilities to be effective in performing the duties required by members of this Committee.

Thank you for your consideration.

- 4.8 Reappointment of Planning Commission Members - David Kramer and Scott Sintkowski
The following memo was received by Supervisor Wall.

I respectfully request the Township Board's approval for the re-appointment of Waterford Township residents David Kramer and Scott Sintkowski to the Planning Commission for three-year terms through 3/31/26. Both Scott & David have served multiple terms on the Planning Commission and their experience and contributions are valuable to the important decisions being made by the Commission.

The Planning Commission is responsible for:

- Developing, adopting, and overseeing the implementation of the Township's Master Plan.
- Monitoring the effectiveness of the Zoning Ordinance and recommending ordinance revisions and amendments to the Township Board where necessary.
- Reviewing rezoning requests from property owners and making an approval or denial recommendation to the Township Board, which is responsible for making the final decision on rezoning requests.
- Considering and deciding requests from property owners seeking one of the special approvals uses listed in the property's zoning classification.
- Reviewing site plans to ensure compliance with the zoning ordinance requirements and the goals and objectives of the master plan.
- Reviewing and discussing planning concepts and issues and their applicability to the current and future development of the Township.

Consent Agenda Continued.

- Assisting in the education of the general public on planning issues and concepts

With these responsibilities in mind, I am confident David & Scott will continue to contribute knowledge, insight, and experience to the Planning Commission and they have demonstrated their ability to make decisions in the best interest of Waterford Township as a whole.

Thank you for your consideration.

Moved by Bartolotta,

Seconded by Thomas, RESOLVED, to approve consent agenda items 4.1 through 4.8. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

Clerk Markee swore in the Community Greenways Committee Board Members.

5. Board Liaison Reports (Verbal)

Trustee Bartolotta

There is a Planning Commission Meeting and Joint meetings with the Township Board tomorrow, February 28, 2023.

Treasurer Thomas

Thanked those who paid their taxes on time. Those who pay after 2/29/2023 will need to go to Oakland County

Clerk Markee

The last Library Board meeting was cancelled last week due to weather.

Trustee Hauswirth

On Saturday, April 21, 2023, the Drayton Plains Nature Center will host an Earth Day Celebration and Nature Hike. Meet at the pavilion for free guided nature hikes. They will be held at 10:30 a.m. and 1:30 p.m. Nature crafts will be available, inside, from 11:30 a.m. to 1:30 p.m.

On Friday, May 19th, there will be a garlic mustard invasive species pull from 9:00 a.m. to 12:00 p.m. Volunteers are welcome in helping native habitat thrive by removing the garlic mustard.

Board Liaison Reports (Verbal) Continued.

Trustee Monohon

SEMCOG Exec Board Mtg

Last Friday, February 24th, Trustee Monohon, and Clerk Markee attended Executive Board meeting. Discussed were the proposed updates to the 2050 Regional Plan, as well as others such as the Regional Transportation Plan and Water and infrastructure. As mentioned, these plans are developed independently and there is acknowledgement that more could be done for coordinating plans and projects to reduce duplicative work. Also mentioned was the limited number of Spark Grants (DNR) that were awarded to SE communities. Given the % of the State's population in the area more was expected. Waterford had submitted a project, but it was not awarded in this round, we should receive more information from the DNR in a few weeks to better position ourselves for a future submittal. There is an upcoming meeting of the Regional Review Committee which I am a member of representing Oakland County Townships. This committee reviews and approves grant funding proposals under TAP and a few other programs.

6. Open Business**6.1 Possible Adoption of Ordinance 2023-002; Retirement Ordinance**

The following memo was received by Cynthia Billings.

The Internal Revenue Code (IRC) requires all pension participants to begin to receive their pension benefits no later than April 1 of the year following the year they attain age 70 ½ or when they retire, if later. Essentially, the IRS does not want a pension to be perpetual tax haven. The IRS cannot collect taxes on pension money until a participant actually receives his pension benefit.

The Setting Every Community Up for Retirement Enhancement Act of 2019 (the "SECURE Act") enacted December 20, 2019, has revised the required minimum distribution requirements as they apply to governmental plans. Under the SECURE Act, the required minimum distribution age was changed from 70 ½ to age 72. This change applies to participants who turned 70 ½ after December 31, 2019 (their birthday is on or after July 1, 1949). This change does not affect individuals who turn 70 ½ before 2020.

This change is mandatory; an amendment is required to be adopted by the last day of the 2024 plan year. For your convenience, I have prepared the amendment as required by the IRC.

**CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2023-002**

ADMINISTRATION ORDINANCE AMENDMENT - RETIREMENT

An Ordinance to amend the Administration Ordinance codified in Division 4 Retirement in Chapter 2 of the Waterford Charter Township Code to comply with the Setting Every Community Up for Retirement Enhancement (SECURE) Act of 2019.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 2-128 of the Waterford Charter Township Code is amended to comply with the Setting Every Community Up for Retirement Enhancement (SECURE) Act of 2019. minimum distributions to read as follows:

Possible Adoption of Ordinance 2023-002; Retirement Ordinance Continued.**Sec. 2-128 Required minimum distributions.**

- (a) For those who turn 70 ½ on or before December 31, 2019 (i.e. whose birthdate is on or before June 30, 1949): In accordance with Section 401(a)(9) of the Internal Revenue Code and the regulations thereunder, which are incorporated herein by reference, a member's pension shall be distributed to him or her not later than April 1 of the calendar year following the later of:
- (1) The calendar year in which the member attains age seventy and one-half (70 1/2) years, or
 - (2) The calendar year in which the member retires.

For those who turn 70 ½ after December 31, 2019 (i.e. whose birthdate is on or after July 1, 1949): In accordance with Section 401(a)(9) of the Internal Revenue Code and the regulations thereunder, which are incorporated herein by reference, a member's pension shall be distributed to him or her not later than April 1 of the calendar year following the later of:

- (1) The calendar year in which the member attains age seventy-two (72) years, or
- (2) The calendar year in which the member retires.

- (b) With respect to distributions under this article made for calendar years beginning on or after January 1, 2001, the minimum distribution requirements of Section 401(a)(9) of the Internal Revenue Code will be applied in accordance with the regulations under Section 401(a)(9) that were proposed on January 17, 2001, notwithstanding any provision of this article to the contrary. This amendment shall continue in effect until the end of the last calendar year beginning before the effective date of final regulations under Section 401(a)(9) or such other date as may be specified in guidance published by the Internal Revenue Service.

Section 2 of Ordinance

Section 2-129 of the Waterford Charter Township Code is amended to comply with the Setting Every Community Up for Retirement Enhancement (SECURE) Act of 2019. minimum distributions to read as follows:

Sec. 2-129 Required minimum distribution effective January 1, 2003.

- (a) Effective date. The provisions of this section will apply for purposes of determining required minimum distributions for calendar years beginning with the 2003 calendar year.
- (b) Precedence. The requirements of this section will take precedence over any inconsistent provisions of the retirement system ordinance.
- (c) Requirements of treasury regulations incorporated. All distributions required under this section will be determined and made in accordance with the final treasury regulations under Section 401(a)(9) of the Internal Revenue Code.
- (d) TEFRA Section 242(b)(2) Elections. Notwithstanding the other provisions of this section, other than paragraph (c), distributions may be made under a designation made before January 1, 1984, in accordance with Section 242(b)(2) of the Tax Equity and Fiscal Responsibility Act (TEFRA) and the provisions of the plan that relate to Section 242(b)(2) of TEFRA.
- (e) Required beginning date. The member's entire interest will be distributed, or begin to be distributed, to the member no later than the member's required beginning date.
- (f) Death of member before distributions begin. If the member dies before distributions begin, the member's entire interest will be distributed, or begin to be distributed, no later than as follows:

Possible Adoption of Ordinance 2023-002; Retirement Ordinance Continued.

- (1) If the member's surviving spouse is the member's sole designated beneficiary, distributions to the surviving spouse will begin by December 31 of the calendar year immediately following the calendar year in which the member died, or by December 31 of the calendar year in which:
 - (i) For members who turn (or would have turned) 70 ½ on or before December 31, 2019 (i.e. whose birthday is on or before June 30, 1949), the member would have attained age seventy and one-half (70 1/2), if later, or
 - (ii) For members who turn 70 ½ after December 31, 2019 (i.e. whose birthdate is on or after July 1, 1949): the member would have attained age 72.
- (2) If the member's surviving spouse is not the member's sole designated beneficiary, distributions to the designated beneficiary will begin by December 31 of the calendar year immediately following the calendar year in which the member died.
- (3) If there is no designated beneficiary as of September 30 of the year following the year of the member's death, the member's entire interest will be distributed by December 31 of the calendar year containing the fifth anniversary of the member's death.
- (4) If the member's surviving spouse is the member's sole designated beneficiary and the surviving spouse dies after the member but before distributions to the surviving spouse begin, this paragraph (f), other than paragraph (f)(1), will apply as if the surviving spouse were the member.
 For purposes of this paragraph (f) and paragraphs (m), (n), and (o), distributions are considered to begin on the member's required beginning date (or, if paragraph (f)(4) applies, the date distributions are required to begin to the surviving spouse under paragraph (f)(1)). If annuity payments irrevocably commence to the member before the member's required beginning date (or to the member's surviving spouse before the date distributions are required to begin to the surviving spouse under paragraph (f)(1)), the date distributions are considered to begin is the date distributions actually commence.
- (g) Form of distribution. Unless the member's interest is distributed in the form of an annuity purchased from an insurance company or in a single sum on or before the required beginning date, as of the first distribution calendar year distributions will be made in accordance with paragraphs (h) through (m) of this section. If the member's interest is distributed in the form of an annuity purchased from an insurance company, distributions thereunder will be made in accordance with the requirements of Section 401(a)(9) of the Code and the treasury regulations. Any part of the member's interest which is in the form of an individual account described in Section 414(k) of the Code will be distributed in a manner satisfying the requirements of Section 401(a)(9) of the Code and the treasury regulations that apply to individual accounts.
- (h) General annuity requirements. If the member's interest is paid in the form of annuity distributions under the retirement system, payments under the annuity will satisfy the following requirements:
 - (1) The annuity distributions will be paid in periodic payments made at intervals not longer than one (1) year;
 - (2) The distribution period will be over a life (or lives) or over a period certain not longer than the period described in paragraphs (m) through (o);
 - (3) Once payments have begun over a period certain, the period certain will not be changed even if the period certain is shorter than the maximum permitted;
- (i) Amount required to be distributed by required beginning date. The amount that must be distributed on or before the member's required beginning date (or, if the member dies before distributions begin, the date distributions are required to begin under paragraph (f)(i) or (ii)) is the payment that is required for one (1) payment interval. The second payment need not be made until the end of the next payment interval even

Possible Adoption of Ordinance 2023-002; Retirement Ordinance Continued.

if that payment interval ends in the next calendar year. Payment intervals are the periods for which payments are received, e.g., bimonthly, monthly, semiannually, or annually. All of the member's benefit accruals as of the last day of the first distribution calendar year will be included in the calculation of the amount of the annuity payments for payment intervals ending on or after the member's required beginning date.

- (j) Additional accruals after first distribution calendar year. Any additional benefits accruing to the member in a calendar year after the first distribution calendar year will be distributed beginning with the first payment interval ending in the calendar year immediately following the calendar year in which such amount accrues.
- (k) Joint Life Annuities Where the Beneficiary Is Not the Member's Spouse. If the member's interest is being distributed in the form of a joint and survivor annuity for the joint lives of the member and a non-spouse beneficiary, annuity payments to be made on or after the member's required beginning date to the designated beneficiary after the member's death must not at any time exceed the applicable percentage of the annuity payment for such period that would have been payable to the member using the table set forth in Q&A-2 of section 1.401(a)(9)-6 of the Treasury regulations. If the form of distribution combines a joint and survivor annuity for the joint lives of the member and a non-spouse beneficiary and a period certain annuity, the requirement in the preceding sentence will apply to annuity payments to be made to the designated beneficiary after the expiration of the period certain.
- (l) Period Certain Annuities. Unless the member's spouse is the sole designated beneficiary and the form of distribution is a period certain and no life annuity, the period certain for an annuity distribution commencing during the member's lifetime may not exceed the applicable distribution period for the member under the Uniform Lifetime Table set forth in section 1.401 (a)(9)-9 of the Treasury regulations for the calendar year that contains the annuity starting date. If the annuity starting date precedes the year in which the member reaches age 70, the applicable distribution period for the member is the distribution period for age 70 under the Uniform Lifetime Table set forth in section 1.401(a)(9)-9 of the Treasury regulations plus the excess of 70 over the age of the member as of the member's birthday in the year that contains the annuity starting date. If the member's spouse is the member's sole designated beneficiary and the form of distribution is a period certain and no life annuity, the period certain may not exceed the longer of the member's applicable distribution period, as determined under this paragraph (l), or the joint life and last survivor expectancy of the member and the member's spouse as determined under the Joint and Last Survivor Table set forth in section 1.401(a)(9)-9 of the Treasury regulations, using the member's and spouse's attained ages as of the member's and spouse's birthdays in the calendar year that contains the annuity starting date.
- (m) Member survived by designated beneficiary. If the member dies before the date distribution of his or her interest begins and there is a designated beneficiary, the member's entire interest will be distributed, beginning no later than the time described in paragraph (f)(1) or (2), over the life of the designated beneficiary or over a period certain not exceeding:
 - (1) Unless the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year immediately following the calendar year of the member's death; or
 - (2) If the annuity starting date is before the first distribution calendar year, the life expectancy of the designated beneficiary determined using the beneficiary's age as of the beneficiary's birthday in the calendar year that contains the annuity starting date.

Possible Adoption of Ordinance 2023-002; Retirement Ordinance Continued.

- (n) No designated beneficiary. If the member dies before the date distributions begin and there is no designated beneficiary as of September 30 of the year following the year of the member's death, distribution of the member's entire interest will be completed by December 31 of the calendar year containing the fifth anniversary of the member's death.
- (o) Death of surviving spouse before distributions to surviving spouse begin. If the member dies before the date distribution of his or her interest begins, the member's surviving spouse is the member's sole designated beneficiary, and the surviving spouse dies before distributions to the surviving spouse begin, this section will apply as if the surviving spouse were the member, except that the time by which distributions must begin will be determined without regard to paragraph (f)(1).
- (p) Payments to Children. Payments made to a member's child are treated as payments to the surviving spouse if they cease after the child reached the age of majority (or upon the death of the child) and are payable to the surviving spouse thereafter.
- (q) Designated beneficiary. The individual who is designated as the beneficiary under Section 2-073 of the retirement system ordinance and is the designated beneficiary under Section 401(a)(9) of the Internal Revenue Code and Section 1.401(a)(9)-1, Q&A- 4, of the treasury regulations.
- (r) Distribution calendar year. A calendar year for which a minimum distribution is required. For distributions beginning before the member's death, the first distribution calendar year is the calendar year immediately preceding the calendar year which contains the member's required beginning date. For distributions beginning after the member's death, the first distribution calendar year is the calendar year in which distributions are required to begin pursuant to paragraph (f).
- (s) Life expectancy. Life expectancy as computed by use of the single life table in Section 1.401 (a)(9)-9 of the treasury regulations.
- (t) Required beginning date. The date specified in Section 2-128 of the retirement system ordinance.
- (u) 2009 Waiver of Required Minimum Distribution Rules. Notwithstanding the above, a participant or beneficiary who would have been required to receive required minimum distributions for 2009 but for the enactment of Section 401(a)(9)(H) of the Code ("2009 RMDs"), and who would have satisfied that requirement by receiving distributions that are: (1) equal to the 2009 RMDs or (2) one or more payments in a series of substantially equal distributions (that include the 2009 RMDs) made at least annually and expected to last for the life (or life expectancy) of the participant, the joint lives (or joint life expectancy) of the participant and the participant's designated beneficiary, or for a period of at least ten years, will receive those distributions for 2009 unless a participant or beneficiary chooses not to receive such distributions. Such distributions may be treated as an Eligible Rollover Distribution if it otherwise satisfies the requirements of Section 2-188.

Section 3 of Ordinance

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

Section 4 of Ordinance

This Ordinance shall take effect immediately upon publication.

CERTIFICATION

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of Waterford at a regular meeting held on February 27, 2023.

Possible Adoption of Ordinance 2023-002; Retirement Ordinance Continued.

CHARTER TOWNSHIP OF WATERFORD

February 27, 2023

By: _____
Kimberly F. Markee, Township Clerk

Moved by Markee,
Seconded by Bartolotta, RESOLVED, to adopt Ordinance 2023-002; Retirement Ordinance. A roll call vote was taken.

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

Motion carried unanimously.

6.2 Possible Adoption of Zoning Ordinance 2023-Z-004; Text Amendment: PUD Procedures In RM-2 Zoning District

The following memo was received by Mr. Jeffrey Polkowski, Superintendent of Zoning.

This Zoning Ordinance Text Amendment is being proposed to correct an error in the Zoning Ordinance.

3-404.2 of the Zoning Ordinance states that all lots, uses, buildings, and structures within the RM-2 Zoning District must comply with all procedural requirements set forth by the Township. However, when listing these requirements, it incorrectly references 4-005 (*Planned Unit Development Review Procedures and Requirements*) instead of 4-004 (*Site Plan Review Procedures and Requirements*) as a standard that must be followed.

Historically, Township staff has always enforced *Site Plan Review Procedures and Requirements* when reviewing site plans in this Zoning District and simply dismissed this as a typo. The case for this being error is especially reinforced by the fact that *Planned Unit Developments* are not allowed in the RM-2 Zoning District.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on January 24, 2023, and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the January 24, 2023, 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 February 27, 2023, 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.

Possible Adoption of Zoning Ordinance 2023-Z-004; Text Amendment: PUD Procedures In RM-2 Zoning District Continued.

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. 2023-Z-004
TEXT AMENDMENT TO ZONING ORDINANCE**

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A (“Zoning Ordinance”) Multiple-Family Residential Zoning District R-M2, to correct an error in a reference to another section in the Zoning Ordinance.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 3-404.2 of the Waterford Township Zoning Ordinance that lists Conformance to Regulatory Standards shall read as follows:

3-404.2. Conformance to Regulatory Standards. All zoning lots, uses, buildings and structures within this zoning district shall comply with **Section 3-900** and **3-901** and the **Waterford Code of Ordinances, Buildings and Building Regulations, Fire Prevention and Protection, Flood Control and Environmental Protection, Health and Sanitation, and Water and Sewers**. In addition to all other plan review requirements applicable under this Zoning Ordinance, developments in this zoning district shall be subject to review and approval in accordance with **Section 4-004**.

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 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 _____, 2023.

Date

Kimberly Markee, Township Clerk

Moved by Bartolotta,
Seconded by Matsura, RESOLVED, to introduce Zoning Ordinance 2023-Z-004; Text Amendment: PUD Procedures in RM-2 Zoning District. A roll call vote was taken.

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

Motion carried unanimously.

6.3 Possible Adoption of Zoning Ordinance 2023-Z-005; Text Amendment: Auto Dealer In C-4 Zoning District

The following memo was received by Mr. Jeffrey Polkowski, Superintendent of Zoning.

Attached for your review and consideration, please find a proposed Zoning Ordinance Text Amendment. This proposed Zoning Ordinance Text Amendment removes all light equipment rental establishments, new vehicle dealer, used vehicle dealer, and vehicle broker dealer establishments as a Permitted Principal Use and adds it to the list of Permitted Uses after Special Approval within the C-4 Extensive Business District.

This would establish the Planning Commission as the review and approval authority for all light equipment rental establishments, new vehicle dealer, used vehicle dealer, and vehicle broker dealer establishments within the C-4 Extensive Business District in accordance with Section 4-006 of the Zoning Ordinance.

After due consideration, Planning Staff has recognized these uses, although considered necessary and desirable in many situations, to be a sensitive one that should be reviewed on a case-by-case basis by the Planning Commission. This would also require that the public be notified in the case of any new proposed light equipment rental establishments, new vehicle dealer, used vehicle dealer, or vehicle broker dealer establishments in the C-4 Extensive Business District. The public would then have the right to review and comment on these proposals to make sure that effective site development practices are established so that the quality of life in adjacent residential areas are not adversely affected.

The Zoning Ordinance is also currently def to auto lots with outdoor display under 1 acre, whereas this new proposed ordinance addresses all of these as a Special Use Approval by the Planning Commission that would also need a Determination of Compliance with Wellhead Protection from the Public Works Official, regardless of lot size.

Section 1-007 of the Zoning Ordinance defines these uses as:

Light equipment rental establishments. A rental establishment in which light machinery and equipment, those required for household, yard, and vehicle maintenance, repair, and renovation, are kept for short-term rent, lease or hire under agreement for compensation.

Vehicle Dealer Establishments. A commercial establishment engaging in a vehicle dealer activity located in specified vehicle display/storage areas on the same zoning lot that is properly licensed by the State of Michigan and defined as follows:

New Vehicle Dealer Establishment. A vehicle dealer establishment licensed by the State of Michigan as Class A to buy and sell new vehicles under a franchise agreement or contract with the manufacturer of the new vehicle.

Used Vehicle Dealer Establishment. A vehicle dealer establishment licensed by the State of Michigan as Class B to buy and sell used vehicles, and shall be construed to mean the same as "used car lot", as defined in Public Act 232 of 1937 (MCL 445.501).

Vehicle Broker Dealer Establishment. A vehicle dealer establishment licensed by the State of Michigan as Class D where the licensed firm brings a buyer and seller together, negotiates the terms of a transaction, or where permitted by this Zoning Ordinance displays a vehicle offered for sale.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on January 24, 2023, and resolved unanimously, to forward a favorable recommendation to the Township Board.

Possible Adoption of Zoning Ordinance 2023-Z-005; Text Amendment: Auto Dealer In C-4 Zoning District Continued.

Motions

Based upon the Planning Commission's favorable recommendation at the January 24, 2023 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 February 27, 2023 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. 2023-Z-005
TEXT AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A ("Zoning Ordinance") Business Zoning District C-4 to require car dealerships to receive Special Approval and to clarify the permitted principal uses after Wellhead Protection Compliance.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 3-706.3 of the Waterford Township Zoning Ordinance that lists permitted principal uses in the C-4 Extensive Business District shall be modified to remove car dealer establishments from permitted principal uses to read as follows:

3-706.3. Permitted Principal Uses. The following uses shall be permitted as uses in the C-4 district:

- A. Retail establishments, including such establishments with outdoor sales display areas.
- B. Commercial service establishments.
- C. Restaurant establishments without drive-thru facilities.
- D. Entertainment establishments.
- E. Cultural facilities.
- F. Institutional facilities.
- G. Religious facilities.
- H. Child day care centers.
- I. Recreational facilities conducted completely within a building approved for the use.
- J. Drop-off dry cleaning establishments.
- K. Medical establishments.
- L. Office establishments.
- M. Conference facilities.
- N. Convention centers.
- O. Entertainment rental and rent-to-own establishments.
- P. Hotels and motels.
- Q. Antique stores, used book shops, consignment shops, and thrift shops.

Possible Adoption of Zoning Ordinance 2023-Z-005; Text Amendment: Auto Dealer In C-4 Zoning District Continued.

- R. Funeral home establishments.
- S. Veterinary establishments.
- T. Vehicle lease or rental agencies, including such uses with outdoor vehicle inventory storage.
- U. Precious metal and gem dealers.
- V. Public utility facilities, public utility buildings, and public utility hardware.
- W. Licensed medical marijuana provisioning centers that comply with the applicable regulations in Section 2-604.
- X. Electric Vehicle Charging Stations
- Y. Outfitters

Section 2 of Ordinance

Section 3-706.4 of the Waterford Township Zoning Ordinance that lists permitted uses after Wellhead Protection Compliance as principal permitted uses in the C-4 Extensive Business Zoning District, is amended to remove zoning lots with a net lot area exceeding one acre. Permitted principal uses in the District after Wellhead Protection Compliance shall be amended to read as follows:

3-706.4. Permitted Uses after Wellhead Protection Compliance. The following uses shall be permitted uses in the C-4 district, subject to receiving a Determination of Compliance with Wellhead Protection from the Public Works Official as defined and regulated by the **Waterford Code of Ordinances** prior to consideration through the applicable site plan review procedure in accordance with Section 4-004:

- A. Landscaping maintenance establishments provided that all outdoor storage areas associated with such a use shall be located to the rear of the principal building.
- B. Local dry-cleaning establishments.
- C. Commercial dry cleaning establishments.

Section 3 of Ordinance

Section 3-706.5 of the Waterford Township Zoning Ordinance that lists permitted uses after Special Approval in the C-4 Extensive Business Zoning District, is amended to add section O vehicle dealers that may be permitted in the District after Special Approval to read as follows: to read as follows:

3-706.5. Permitted Uses after Special Approval The following uses shall be permitted as special approval uses in the C-4 district, subject to the review and approval of the use in accordance with **Section 4-006** and any conditions hereinafter imposed for each such use:

A– J (unchanged)

- K. The following uses shall be considered for special approval, provided that the proposed use and site plan receives a determination of compliance with wellhead protection from the Public Works Official as defined and regulated by the **Waterford Code of Ordinances** prior to consideration by the Planning Commission under this Section:
 - (1) Commercial fueling establishments.
 - (2) Propane filling facilities as an ancillary use for permitted uses identified in Sections 3-706.3.A, 3-706.3.B, and 3-706.3.W.
 - (3) Major vehicle repair facilities

Possible Adoption of Zoning Ordinance 2023-Z-005; Text Amendment: Auto Dealer In C-4 Zoning District Continued.

- (4) Fueling facilities as an ancillary use for permitted uses identified in Sections 3-706.3.Q, 3-706.3.U, and 3-706.3.W.
- (5) Major vehicle repair facilities and outdoor storage of materials and equipment as accessory uses to a public utility building, providing that all outdoor storage areas are located in a rear yard, which may include yard area that may also be a side yard of a corner lot. The Planning Commission may stipulate a reasonable increase of setback requirements to that of a higher intensity use zoning district under DIVISION 3-8 as well as additional screening and barriers.
- (6) Light equipment rental establishments, with outdoor display and storage.
- (7) New vehicle dealer, used vehicle dealer, and vehicle broker dealer establishments, with outdoor display and storage.

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 _____, 2023.

Date

Kimberly Markee, Township Clerk

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to introduce Zoning Ordinance 2023-Z-005; Text Amendment: Auto Dealer in C-4 Zoning District. A roll call vote was taken.

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

Motion carried unanimously.

6.4 **Possible Adoption of Zoning Ordinance 2023-Z-006 Text Amendment: Vehicle Service Facilities in the C-2 and C-3 Business District**

The following memo was received by Mr. Jeffrey Polkowski, Superintendent of Zoning.

Attached for your review and consideration, please find a proposed Zoning Ordinance Text Amendment. This proposed Zoning Ordinance Text Amendment removes minor vehicle service facilities as a Permitted Principal Use and adds it to the list of Permitted Uses after Special Approval within the C-2 Small Business District. This proposed Zoning Ordinance Text Amendment also removes minor and general vehicle service facilities as a Permitted Principal Use and adds it to the list of Permitted Uses after Special Approval within the C-3 General Business District.

Possible Adoption of Zoning Ordinance 2023-Z-006 Text Amendment: Vehicle Service Facilities in the C-2 and C-3 Business District Continued.

This would establish the Planning Commission as the review and approval authority for all Vehicle Service Facilities within the C-2 Small Business District and C-3 General Business District in accordance with Section 4-006 of the Zoning Ordinance.

After due consideration, Planning Staff has recognized these uses, although considered necessary and desirable in many situations, to be a sensitive one that should be reviewed on a case-by-case basis by the Planning Commission. This would also require that the public be notified in the case of any new proposed vehicle service facilities in the C-2 Small Business District, or C-3 General Business District. The public would then have the right to review and comment on these proposals to make sure that effective site development practices are established so that the quality of life in adjacent residential areas are not adversely affected.

Section 1-007 of the Zoning Ordinance defines these uses as:

Vehicle Repair Facilities. Vehicle repair facilities shall be defined in accordance with the following classification of the intensity and scope of the repairs provided:

General Vehicle Repair Facility. A vehicle repair facility where minor vehicle services, as well as vehicle repairs such as brake, transmission, fuel and exhaust system repairs and parts installation, engine reconditioning, and undercoating, rustproofing, and vehicle customized detailing when conducted in completely enclosed application booths are provided.

Minor Vehicle Service Facility. A vehicle repair facility where incidental replacement of parts and routine vehicle service and maintenance such as fluid changes, greasing and lubrication, engine and fuel system tune-ups, brake and transmission adjustments, wheel alignments and balancing, tire replacement, and similar maintenance procedures are provided.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on January 24, 2023, and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the January 24, 2023 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 February 27, 2023 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. 2023-Z-005
TEXT AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A ("Zoning Ordinance") Business Zoning District C-2 and C-3 Business Districts to require vehicle service facilities to receive Special Approval.

Possible Adoption of Zoning Ordinance 2023-Z-006 Text Amendment: Vehicle Service Facilities in the C-2 and C-3 Business District Continued.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 3-704.4 of the Waterford Township Zoning Ordinance that lists permitted principal uses in the C-2 Small Business District after Wellhead Protection Compliance shall be modified to remove car dealer establishments from permitted uses after Wellhead Protection Compliance to read as follows:

3-704.4. Permitted Uses after Wellhead Protection Compliance.

- Z. Reserved.

Section 2 of Ordinance

Section 3-704.5 of the Waterford Township Zoning Ordinance that lists permitted uses after Special Use Approval shall be amended to add Section E to read as follows:

3-704.5. Permitted Uses after Special Use Approval. The following uses shall be permitted as special approval uses in the C-2 district, subject to review and approval of the use in accordance with **Section 4-006** and any conditions hereinafter imposed for each such use:

- D. Banquet and food preparation establishments. (See **Commercial Service Establishments in Section 1-007**). (Effective 8/4/2020)
- E. Electric Vehicle Charging Stations (See **Electric Vehicle Charging Stations in Section 1-007**). (Effective 5/4/2021)
- F. Restaurant Establishments (See **Restaurant Establishments in Section 1-007**) with outdoor dining patios conducted in areas structurally attached to and/or located directly adjacent to or upon the principal building used for restaurant establishments. The Planning Commission shall review and may stipulate requirements for reasonable restrictions on the hours of operation, additional screening and fencing, service area accessibility, waste material containers and disposal of water materials, effective pedestrian circulation, seating capacity, additional required parking and future review to ensure conformance with such stipulation and the performance standards established in this Zoning Ordinance. (Effective 9/27/2021).
- G. Bar/lounges, carryout restaurants and fast food/delicatessen/sandwich shop restaurants (See **Restaurant Establishments in Section 1-007**) with drive-thru facilities. (Amended 11/20/2021).
- H. The following uses shall be considered for special approval, provided that the proposed use and site plan receives a Determination of Compliance with Wellhead Protection from the Public Works Official as defined and regulated by the **Waterford Code of Ordinances** prior to consideration by the Planning Commission under this Section.
 - (1) Minor vehicle service facilities (See **Vehicle Repair Facilities in Section 1-007**)

Section 3 of Ordinance

Section 3-705.4 of the Waterford Township Zoning Ordinance that lists permitted uses after Wellhead Protection Committee Approval in the C-3 Business Zoning District, is amended to remove minor vehicle service and general vehicle service facilities as a permitted use after Wellhead Protection Compliance to read as follows:

3-705.4. Permitted Uses after Wellhead Protection Compliance. The following uses shall be permitted as principal permitted uses in the C-3 district, subject to receiving a

Possible Adoption of Zoning Ordinance 2023-Z-006 Text Amendment: Vehicle Service Facilities in the C-2 and C-3 Business District Continued.

Determination of Compliance with Wellhead Protection from the Public Works Official as defined and regulated by the **Waterford Code of Ordinances** prior to consideration through the applicable site plan procedure in accordance with **Section 4-004**:

- A. Landscaping maintenance establishments (See **Commercial Service Establishments** in **Section 1-007**).
- B. Local dry-cleaning and commercial dry cleaning establishments (See **Dry-Cleaning Establishments** in **Section 1-007**).

Section 4 of Ordinance

Section 3-705.5 of the Waterford Township Zoning Ordinance that lists permitted uses after Special Approval in the C-3 Business Zoning District, is amended to add and new section S (4) for minor vehicle service and general vehicle service and major vehicle service facilities as permitted uses after Special Approval to read as follows:

3-705.5. Permitted Uses after Special Approval. The following uses shall be permitted as special approval uses in the C-3 district, subject to the review and approval of the use in accordance with **Section 4-006** and any condition hereinafter imposed for each such use:

A- R (unchanged)

S. The following uses shall be considered for special approval, provided that the proposed use and site plan receives a Determination of Compliance with Wellhead Protection from the Public Works Official as defined and regulated by the **Waterford Code of Ordinance** prior to consideration by the Planning Commission under this Section.

(1) On zoning lots with a net lot area exceeding one (1) acre, light equipment rental establishments (See **Rental Establishments** in **Section 1-007**) and new vehicle dealer, used vehicle dealer, and vehicle broker dealer establishments **Vehicle Dealer Establishments** in **Section 1-007**) with outdoor display or storage.

(2) Commercial fueling establishments (See **Commercial Fueling Establishments** in **Section 1-007**).

(3) Propane filling facilities as an ancillary use (See **Use** in **Section 1-007**) for permitted used identified in **Sections 3-705.3.A** and **3-705.3.B**.

(4) Minor vehicle service facilities, general vehicle service facilities, and major vehicle service facilities (See **Vehicle Repair Facilities** in **Section 1-007**) with drive-thru facilities.

T. (unchanged)

Section 5 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 _____, 2023.

Date

Kimberly Markee, Township Clerk

Possible Adoption of Zoning Ordinance 2023-Z-006 Text Amendment: Vehicle Service Facilities in the C-2 and C-3 Business District Continued.

Moved by Bartolotta,

Seconded Thomas, RESOLVED, to introduce Zoning Ordinance 2023-Z-006 Text Amendment: Vehicle Service Facilities in the C-2 and C-3 Business Districts. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

6.5 Expired Medical Marihuana Licenses

The following memo was received by Clerk Markee.

The medical marijuana applicants listed below for medical marijuana licenses expired on February 17, 2023, due to no requests or activity to proceed forward and establish a medical marijuana facility in Waterford Township. Those applicants are:

Michigan Community Collective, 330 Summit Dr., Waterford, MI – Grower License
Michigan Community Collective, 332 Summit Dr., Waterford, MI – Processor License
MistyMee, LLC, 5327 Dixie Hwy., Waterford, MI – Processor License

Please consider this letter as the required notification from the Clerk as stated in Section 10-301(g)(2) that was adopted on October 26, 202, by Ord. No. 2020-005 for Medical Marijuana for the Charter Township of Waterford. Since the licenses above have expired there are three licenses now available and according to our ordinance, I need to ask the question of whether applications should be allowed for the newly available licenses and if so, to establish by Resolution the procedures and requirements to be followed including a deadline for submittal of applicants and supplemental applications. If any Board Member is wanting to proceed with allowing the acceptance of additional licenses, please motion to do so. If there is no motion, these licenses will be considered expired until a board member brings a motion forward before the Board to allow acceptance of new applicants with a Resolution. If you have any questions or concerns, please call me.

No motion was made.

6.6 Michigan Community Collective, LLC's address the Board regarding Its Expired Medical Marihuana Grower and Processing Center Conditional Approvals

Mr. Michael Stein addressed the Board on behalf of Michigan Community Collective, LLC. Requesting the Board to not let the licenses expire.

No motion was made.

6.7 **DNVK1's Request for an Extension of Its Medical Marihuana Provisioning Center Conditional Approval**

Ms. Hanna Salker addressed the Board of Trustees on behalf of DNVK1, LLC. .

The following memo was received by Mr. Anthony J. Bologna, Esq.

I represent DNVK1, which received conditional approval on March 15, 2022, for a Medical Marijuana Provisioning Center License at the site located at 2460 Dixie Highway, Waterford Twp., MI 48328.

Pursuant to Section 10-303(i) of the Township's Medical Marihuana Facility Licensing Ordinance, the conditional approval is valid for "a period of one (1) year after the Township Board's final decision [to conditionally approve an applicant], or such later date as allowed by the Township Board. . . ." As a result, DNVK1's conditional approval was originally set to expire on March 15, 2023.

I write this letter as a formal request for the Township Board to extend DNVK1's conditional approval for one-year following the resolution of the MPH Ventures, LLC's lawsuit against the Township, or alternatively, until March 15, 2024. To that end, we are asking for our extension request to be placed on the Township Board's **February 27, 2023**, agenda and are happy to discuss the below developments with the Board at that time.

Additionally, we hope that the trustees seriously take into consideration that DNVK1 received its conditional license one-year after other applicants/ property owners in Waterford. DNVK1 should be afforded the same amount of time and extensions as the other applicants/ property owners in the Township. One of the primary reasons for the delay was MDOT taking 4 months to approve plans. However, these plans are now approved by MDOT and the Township. DNVK1 is ready to proceed expeditiously with completing the project.

From the outset, DNVK1 has been committed to completing the project at 2640 Dixie Highway and to operating a successful and flourishing provisioning center at that location which will benefit the community for years to come.

DNVK1 appreciates the Township's urgency to revitalize the property at issue and understands the policy behind the one-year window for conditional approvals. I n d e e d , DNVK1 is determined to complete construction and obtain state licensing for its provisioning center. However, it was not until recently DNVK1 received direction from the Township related to its submitted site plan.

To give the Board more context of DNVK1's diligence and delays its faced the following is a timeline of events:

- **March 13, 2022**
Received conditional approval for a provisioning center (new construction project). Once approved architect and engineering immediately began working on site plan documents to submit to planning commission.
- **April 28, 2022**
Site plan and Engineering documents were submitted and we were placed on the May 24, 2022 agenda.
- **May 13, 2022**
Staff report (Planning and Zoning Administrator) was received by the planner which recommended approval:

DNVK1's Request for an Extension of Its Medical Marihuana Provisioning Center Conditional Approval Continued.

"While there are some deficiencies and omissions from the proposed site plan, **staff recommends approval** of this site plan with the condition of the applicant providing a revised site plan that addresses the Planning Commission and all departments' comments and concerns. Staff would request that final site plan approval be permitted to be granted administratively by staff."

- **May 24, 2022-** Planning Commission meeting
DNVK1 is tabled. For reasons unknown, the PC aggressively challenged DNVK1's site plans. One commissioner accused our architect who presented not being a licensed architect (not true- he serves on the Battle Creek Planning Commission).

After the meeting DNVK1 emailed the Justin Daymon the following:

Hello Justin,

Not sure if you were at tonight's meeting, but we were tabled for a few items that we would like to correct/supplement immediately.

Will a list be provided of what the planning commission requested so we are all on the same page? I'd like to ensure accurate documents are submitted.

Also wanted to bring up that one commission member suggested Mr. Newman is not a licensed architect in an accusatory tone, because the commission member was not able to locate his license online. I can assure you and the commission; this is not the case. Here is a screen shot of his license from the LARA website of a valid and active architect license, he also serves on the board of the City of Battle Creek Planning Commission.

We look forward to working with you and the Commission and thank you for being very responsive.

Thank you again.

- **May 25, 2022-** Planning responded he needed to wait for the meeting minutes in order to provide us comments on what we need to update on our plans.
- **May 26, 2022-** planning provides and update that they are reviewing and will get back to DNVK1.
- **June 7, 2022-** Planning provided comments on what needs to be addressed (whereby they requested a lot of modifications/updates). DNVK1 needed to get a survey which took time, but DNVK1 expedited the process as much as possible.
- **July 7, 2022-** Updated plans were submitted and DNVK1 was placed on the July 26, 2022 agenda
- **July 26, 2022-** Plans were conditionally approved.
- **August 3, 2022-** DNVK1 submits for MDOT approval.
- **November 2, 2022-** Planning responds to DNVK1 and updates as to why there was delays as the Township was in between engineers at this point.
- **November 8, 2022-** DNVK1 emailed the Township requesting a status update. **"Reason I ask is we are on a tight timeline with the Township for the cannabis use per the ordinance."**
- **November 23, 2022-** DNVK1 receives a response to its email from the Township.

DNVK1's Request for an Extension of Its Medical Marihuana Provisioning Center Conditional Approval Continued.

"Initially we requested detention calcs to support the proposed storm water management plan. In response, compiled storm water calculations were submitted for consideration. The compiled storm water calculations reference an MDOT form 2484 and included a note that concludes storm water detention is not required per MDOT and Township standards. However, a sealed copy of the actual MDOT form was not provided for review nor was there any indication that MDOT reviewed these plans. That said, the Township's engineering design standards basically state that the agency having jurisdiction over the receiving storm water system shall establish the rate of discharge to said system. The issue is without MDOT approval, it is premature to conclude that no detention is warranted. Therefore, prior to authorizing the start of any site work I would recommend that the applicant provide verification that MDOT will accept the storm water discharge as proposed. That would satisfy the Township's requirement."

- **December 1, 2022-** Approval from MDOT finally received.

- **December 15, 2022**

Township responds: Hello, I got confirmation from MDOT yesterday that your drainage plans are approved. Please confirm that the attached plans are the most recent plans. Once that's done I can issue site plan approval. I'll send over a stamped digital copy, and two 36x24 copies will need to be submitted. I'll stamp both, Waterford keeps one and the other is for the applicant. Once all that is done, this project can submit for engineering review. Thank you.

DNVK1's engineer responds I've attached the most recent set. We can get the hard copies submitted once you send back the stamped plans. Didn't your engineer already review our plans for compliance? I'm a little confused as to the extra step...

- **December 15, 2022** Township responds:

Hello, Please see the attached file for your approved site plans. This project can now move on to the engineering review phase. Please reach out to Lisa Kane (lkane@waterfordmi.gov) or call the Development Services desk at (248) 674-6238 to submit for engineering review. The engineering review phase will culminate in a required pre-construction meeting. After said meeting, permits can be pulled for the work. The engineer does review the site plans to ensure that nothing will affect the overall layout of the site, but all development projects are required to go through engineering review after site plan review. I don't believe you were included on the email at the time, but it is in this email chain, where I indicated that engineering review would be required after site plan approval back on November 2nd. I cannot speak to how the engineering review of the site plan is different than the full engineering review since I'm not an engineer, but overall I believe the engineering review involves getting into the finer details than their review of the site plans does. The township engineer, Kyle Gall, who is included on these emails will be available to answer any questions regarding the engineering review you may have once you have submitted for engineering review.

- **Dec 22, 2023-** DNVK1's engineer emails them updated plans.

- **January 23, 2023**

DNVK1 seeks clarification from the Township.

DNVK1's Request for an Extension of Its Medical Marihuana Provisioning Center Conditional Approval Continued.

As we discussed on the phone today, we have a question regarding the engineering comments sent to us by Kyle Gall (First round of engineering comments). In the comment letter, it states that we must follow the County stormwater management standards. Through the site plan review process, it was made clear by both Kyle and Rob that we needed to follow the Township standards. The Township standards, as outlined below from Rob, would require that we meet the requirements of MDOT for stormwater management as this detention basin outlets directly to their system. Also note that one of the conditions of site plan approval was that we were to provide an MDOT permit to allow us to discharge to their system, which we provided. We were not required to provide a stormwater permit from the County.

Can you please confirm which standard we are required to follow?

- **February 21, 2023-** DNVK1 sent revised plans and supporting documents for engineering review.
- **February 22, 2023-** DNVK1 paid the review fee of \$800.00 and DNVK1 is finally approved and ready to proceed.

The changing landscape for marijuana businesses in Michigan and the lawsuit *MPH Ventures, LLC v Charter Township of Waterford, et al.* (Oakland County Circuit Court Case Number 2022-194311-CZ), filed on May 27, 2022, possibly contributed to delays by the Township. As the Township Board is aware, MPH Venture's lawsuit alleges that the Township's application process was flawed, among other alleged improprieties. MPH Venture's complaint also requests that the court enter an order declaring that all six marijuana facility licenses issued by the Township, including the conditional approval issued to DNVK1, are null and void. There is therefore some uncertainty surrounding the conditional approval awarded to DNVK1 and future of the other approved property owners.

The Township Board has the authority to extend the expiration dates for conditional approvals under Sec. 10-303(i) of the Township's ordinance. With the above as context, and with the uncertainty of the MPH Ventures lawsuit, DNVK1 requests that the Township Board grant it a 12-month extension of its conditional approval from the date the MPH Ventures lawsuit is resolved, assuming the court does not nullify the existing licenses.

If the Township Board prefers a date certain for the proposed extension, DNVK1 alternatively requests a 12-month extension until March 15, 2024.

Although DNVK1 expects to complete construction and become fully-licensed under the MMFLA well before that date, this extension would provide ample opportunity for DNVK1 to complete construction and open its operations consistent with the other similarly situated property owners in the Township.

DNVK should be treated the same and afforded the same time as other equally situated property owners that received their license in 2021.

Please do not hesitate to contact the undersigned at the direct line below or by email at Email anytime.

DNVK1's Request for an Extension of Its Medical Marihuana Provisioning Center Conditional Approval Continued.

Moved by Markee,

Seconded Matsura, RESOLVED, to request the Township Attorney prepare a Resolution for DNVK 1, LLC's Provisioning Center, for an extension of 172 days to September 2, 2023, to be presented at the March 13, 2023, regular board meeting. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

6.8 Michigan Community Collective, LLC's Request for an Extension of Its Medical Marihuana Provisioning Center Conditional Approval

Attorney Michael Stein addressed the Board of Trustees on behalf of Michigan Community Collective, LLC. Mr. Stein stated that the Developer will be submitting the updated plans. Michigan

Superintendent Polkowski advised the plans are very close to being complete.

Moved by Markee,

Seconded Bartolotta, RESOLVED, to request the Township Attorney prepare a Resolution for Michigan Community Collective, LLC's Medical Marihuana Provisioning Center License, for an extension of 172 days to September 2, 2023, to be presented at the March 13, 2023, regular board meeting. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7. New Business

7.1 Hess-Hathaway Pond Improvement Project (PR 22-01)

The following memo was received by Ms. Alison Swanson, Director of Parks and Recreation

I am respectfully requesting your approval for the following items:

1. To award the Hess-Hathaway Park Pond Improvement Project (PR 22-01) to TSP Services, Inc. (d/b/a TSP Environmental), 25000 Capitol, Redford, MI 48239, for an amount not to exceed \$284,842.80; this price includes a 10% contingency.
2. To contract with DLZ Michigan Inc., 4494 Elizabeth Lake Road, Waterford, MI 48328, for construction engineering services for the Hess-Hathaway Pond Improvement Project (PR-22-01) for the amount of \$25,000.00.

Hess-Hathaway Pond Improvement Project (PR 22-01) Continued.

This project was put out for bid by Waterford Township; at the bid deadline, October 6, 2022, two bids were received, TSP Services, Inc. submitted the lowest bid. Adequate funding for this project is available through a generous contribution to the Waterford Parks and Recreation Department from the Myrtle E. and William G. Hess Charitable Trust and the department's allocated ARPA Funds as follows \$154,655.00 from account 28090-97107-MM001 and \$155,187.80 from account 28290-97107 ARPA #1.

The retention pond is experiencing issues with high water running beneath the existing chain link on the west edge of the property adjacent to Williams Lake Road. In order to ensure that new fencing placed along the retention pond be adequately supported this project will regrade the retention pond, improve the walkable land surrounding it, and improve conditions for the farm animals and others that utilize this area.

Thank you for your attention to this matter. Please feel free to contact me if you have any questions 248-618-7549.

Recommended Board Action #1

Award the Hess-Hathaway Park Pond Improvement Project (PR-22-01) to TSP Services, Inc., 25000 Capitol, Redford, MI 48239, for an amount not to exceed \$284,842.80. \$154,655.00 from account 28090-97107-MM001 and \$130,187.80 from account 28290-97107 APRA #1.

Recommended Board Action #2

Contract with DLZ Michigan Inc., 4494 Elizabeth Lake Road, Waterford, MI 48328, for construction engineering services for the Hess-Hathaway Pond Improvement Project (PR-22-01) for \$25,000.00 from account 28290-97107 ARPA #1.

Moved by Bartolotta,

Seconded by Hauswirth, RESOLVED, to Award the Hess-Hathaway Park Pond Improvement Project (PR-22-01) to TSP Services, Inc., 25000 Capitol, Redford, MI 48239, for an amount not to exceed \$284,842.80. \$154,655.00 from account 28090-97107-MM001 and \$130,187.80 from account 28290-97107 APRA #1. Furthermore, to contract with DLZ Michigan Inc., 4494 Elizabeth Lake Road, Waterford, MI 48328, for construction engineering services for the Hess-Hathaway Pond Improvement Project (PR-22-01) for \$25,000.00 from account 28290-97107 ARPA #1. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7.2 Waterford Township Michigan – Cost Allocation Plan – Contract Renewal

The following memo was received by Mr. Derek Diederich, DPW Administrator Superintendent and Budget Director.

SERVICE AGREEMENT

This Service Agreement, (this "Agreement"), is entered into this March 2, 2023 (the "Effective Date"), by and between Maximus US Services, Inc., {"Contractor" or "Maximus"}, and Waterford Township, Michigan, ("Client"). In consideration of mutual promises and covenants, the parties agree as follows:

Waterford Township Michigan – Cost Allocation Plan – Contract Renewal Continued.**1. Scope of Services**

Contractor will perform in a professional manner the Services detailed in Exhibit A.

2. Term

This Agreement commences on the Effective Date and remains in effect until December 31, 2027, unless earlier terminated in accordance with Section 4.

3. Compensation.

Client will pay Contractor the fees for services rendered as set forth in Exhibit A, incorporated herein by reference as if fully set forth as part of this Agreement.

4. Termination.

- a. Termination for Cause. Upon material breach of the terms of this Agreement, the non-breaching party will provide written notice to the breaching party specifying the nature of the breach. The breaching party will have 30 days (or a longer period if the parties mutually agree) from the date of receipt to cure any of the default prior to the effective date of termination. Notice of default must be delivered by certified mail or overnight courier.
- b. Termination for Convenience. Either party may terminate this Agreement without cause upon 60 days prior written notice to the other. In the event the Agreement is so terminated by Client, Client will reimburse Contractor for all reasonable costs incurred by Contractor due to such early termination.
- c. Rights Upon Termination. Upon termination for whatever reason and regardless of the nature of the breach (if any), Client agrees to pay Contractor in full for all goods and/or services provided to Client under this Agreement, or any amendment thereto, as of the effective date of termination of the Agreement.

5. Invoicing and Payment.

Client will pay Contractor a fee for Services rendered as set forth in Exhibit A. Unless stated otherwise in Exhibit A, Client will pay all invoices in full within thirty (30) days of the invoice date. Client agrees to at all times remain current on all amounts charged for the Services and acknowledges and agrees that any breach of the foregoing shall constitute a material breach under this Agreement entitling Contractor to pursue any and all remedies available at equity or at law including the suspension or termination of the Services provided hereunder.

6. Data Accuracy.

Contractor will guide the Client to determine the data required. Client represents that all financial and statistical information provided to Contractor by Client, its employees and agents is accurate and complete to the best of its knowledge. Client further acknowledges and agrees that Contractor is entitled to rely upon the accuracy and completeness of the data to perform the Services. Client will provide all data in a timely manner sufficient to allow Contractor to provide the Services. Contractor has no liability to Client for Client's provision of incomplete, inaccurate or untimely data.

7. Records and Inspections.

Contractor will maintain full and accurate records with respect to all matters covered under this Agreement for 6 years after the completion of the Services. During such

Waterford Township Michigan – Cost Allocation Plan – Contract Renewal Continued.

period, Client will have the right to examine and audit the records and to make transcripts therefrom. Client will provide 30 days' prior written notice of its intent to inspect or audit any such records and will conduct such inspection or audit only during Contractor's normal business hours and no more than once every six months. Any employee, Contractor, subcontractor or agent of Client granted access to such records will execute a non-disclosure agreement prior to being granted access.

8. Warranties.

Contractor warrants that it will perform the services in a manner consistent with the standards typically practiced by similarly situated companies in the same industry. Contractor specifically disclaims and the Client waives, all other express or implied standard, guarantees and warranties, including but not limited to implied warranties of merchantability, or fitness for a particular purpose, custom or usage, or otherwise as to and good or services under this Agreement.

9. Client Representations & Warranties.

Client represents and warrants to Contractor that its use of the Services shall comply with all applicable laws, statutes, ordinances, codes, rules, regulations, orders, judgments, decrees, standards, requirements or procedures enacted, adopted, applied, enforced or followed now or in the future by any federal or state governmental bodies or agencies. Client further represents and warrants to Contractor that it has obtained all necessary consents, rights and permissions to enter into this Agreement and use the Services in accordance with the terms of this Agreement.

10. Ownership of Intellectual Property.

All work, reports, writings, ideas, designs, methods, computer software (both object and source code) and data recorded in any form that exist and are owned by Maximus prior to this Agreement, or that are created, developed, written, conceived or made by Maximus or any third party (whether solely or jointly with others) as a result of, or relating specifically to this Agreement, or in the performance of the Services under this Agreement (collectively or separately, "Intellectual Property") are and shall be the exclusive property of Maximus and ownership shall vest in Maximus immediately upon creation. Nothing herein shall be deemed to grant Client any rights to the Intellectual Property except as explicitly stated in this Agreement.

11. Compatible Platforms/Hardware.

To the extent applicable to the Services that will be provided by Contractor, notwithstanding any initial set-up and/or implementation services provided by Maximus at the commencement of the Term, Client is responsible for obtaining, installing and maintaining an appropriate operating environment, including all connectivity and equipment as well as the necessary hardware, operating system software and other items required to access and use the Services (the "Operating Environment"). Maximus will not be responsible for any incompatibility between the Service and Client's Operating Environment or for Client's use of any third-party software, hardware, browsers or other products not specifically recommended or approved by Maximus for Client's use with the Services. Maximus will make written compatibility recommendations available to Client at Client's request, but, for clarity, Client is ultimately responsible for the compatibility and operation of its Operating Environment.

Waterford Township Michigan – Cost Allocation Plan – Contract Renewal Continued.**12. Copyright for Contractor's Proprietary Software.**

To the extent that the Services provided by Contractor are generated by Contractor's proprietary software, nothing contained herein is intended nor will it be construed to require Contractor to provide such software to Client. Client agrees that it has no claims of ownership, including copyright, patents or other intellectual property rights to Contractor's software. Nothing in this Agreement will be construed to grant Client any rights to Contractor's materials created prior to the execution of this Agreement. All of the deliverables prepared by Contractor for Client included in the Services are specifically set out in Exhibit A.

13. Contractor Liability if Audited.

Contractor will, upon notice of audit, make work papers and other records available to the auditors. Contractor's sole responsibility under an audit will be to provide reasonable assistance to Client through the audit and to make changes to the work product required as a result of the audit. Contractor will not be liable for any audit disallowances or any missed or lost revenue associated with, or related to, the Services, regardless of cause.

14. Indemnification.

To the extent allowed by law, each party (an "Indemnifying Party") will defend, indemnify and hold harmless the other party (an "Indemnified Party") from and against any and all third-party claims and resulting proven direct damages, liabilities and costs (including reasonable attorney fees) to the extent proximately caused by the negligent actions or willful misconduct of the Indemnifying Party, its employees or agents. The Indemnifying Party will not be responsible for any damages, liabilities or costs resulting from the negligence or willful misconduct of the Indemnified Party, its employees, Contractors, or agents or any third party.

15. Limitation of Liability.

Client agrees that Contractor's total liability to Client for any and all damages whatsoever arising out of, or in any way related to, this Agreement from any cause, including but not limited to negligence, errors, omissions, strict liability, breach of contract or breach of warranty will not, in the aggregate, exceed USO \$44,250.

In no event will Contractor be liable for indirect, special, incidental, economic, consequential or punitive damages, including but not limited to lost revenue, lost profits, replacement goods, loss of technology rights or services, loss of data, or interruption or loss of use of software or any portion thereof regardless of the legal theory under which such damages are sought even if Contractor has been advised of the likelihood of such damages, and notwithstanding any failure of essential purpose of any limited remedy.

Any claim by Client against Contractor relating to this Agreement must be made in writing and presented to Contractor within one (1) year after the date on which Contractor completes performance of the services specified in this Agreement.

16. Notices.

Any notices, bills, invoices, or reports required by this Agreement will be sufficient if sent by the parties in the United States mail, postage paid, to the address noted below

Waterford Township Michigan – Cost Allocation Plan – Contract Renewal Continued.

<p>For Maximus: Nicholas Bohac Manager 808 Moorefield Park Drive, Suite 205, Richmond, VA 23236 Phone: 804.323.3535 Fax: 703.251.8240 Email: nicholasbohac@maximus.com</p>	<p>For Waterford Township, Michigan: Derek Diederich Budget Director /DPW Admin Superintendent 5240 Civic Center Dr, Waterford, MI 48329 Phone 248.618.7465 Fax: Email: ddiederich@waterfordmi.gov</p>
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Any notice sent by certified mail will be deemed to have been given five (5) days after the date on which it is mailed. All other notices will be deemed given when received. No objection may be made to the manner of delivery of any notice actually received in writing by an authorized agent of a party.

17. Changes.

The terms and scope of Services of this Agreement may be changed only by written agreement signed by both parties.

18. Miscellaneous.

- a. There are no third-party beneficiaries to this Agreement and nothing in this Agreement will be construed to provide any rights or benefits to any third-party.
- b. If Contractor is requested by Client to produce deliverables, documents, records, working papers, or personnel for testimony or interviews with respect to this Agreement or any services provided hereunder for any third party matter, litigation or otherwise, then Client and Contractor will execute a change order or new services agreement for the sole purpose of setting forth any payment and the terms associated with Contractor's response and related to the reasonable fees of Contractor in responding. The foregoing does not: (1) diminish or negate Contractor's obligation to negotiate and defend all cost allocation plans and State mandated cost claims as specifically provided for under this Agreement; or (2) apply in the event Contractor is compelled by subpoena from a third party to provide Contractor deliverables, documents, records, working papers, or personnel for testimony or interviews.
- c. The parties intend that Contractor, in performing the Services specified in this Agreement will act as an independent contractor and will have full control of the work and the manner in which it is performed. Contractor and Contractor's employees are not to be considered agents or employees of Client for any purpose.
- d. In the event that any provision of this Agreement is held to be invalid, illegal or unenforceable for any reason, this Agreement will continue in full force and effect without said provision, the validity, legality and enforceability of the remaining provisions will not in any way be affected or impaired thereby, and this Agreement will be interpreted to reflect the original intent of the parties insofar as possible.
- e. The titles of the sections, subsections, and paragraphs set forth in this Agreement are inserted for convenience of reference only and will be disregarded in construing or interpreting any of the provisions of this Agreement.
- f. This Agreement and any additional or supplementary document or documents incorporated herein by specific reference contain all the terms and conditions agreed upon by the parties hereto, and no other agreements, oral or otherwise, regarding the

Waterford Township Michigan – Cost Allocation Plan – Contract Renewal Continued.

subject matter of this Agreement or any part thereof will have any validity or bind any of the parties hereto. This shall include any purchase order submitted or provided by Client, whether prior to or upon execution of this Agreement, which shall be for Client's internal purposes only. Contractor rejects, and in the future is deemed to have rejected, any purchase order's terms to the extent they add to or conflict in any way with this Agreement or the applicable Scope of Services, and such additional or conflict terms will have no effect.

- g. Neither party will be liable hereunder by reason of any failure or delay in the performance of its obligations hereunder on account of strikes, shortages, riots, insurrection, fires, flood, storm, explosions, earthquakes, acts of God, war, governmental action, labor conditions, material shortages or any other cause which is beyond the reasonable control of such party.
- h. Each individual signing this Agreement certifies that (i) he or she is authorized to sign this Agreement on behalf of his or her respective organization, (ii) such organization has obtained all necessary approvals to enter into this Agreement, including but not limited to the approval of its governing board, and (iii) when executed, this Agreement is a valid and enforceable obligation of such organization.
- i. Waiver by either party of a breach of any provision of this Agreement or the failure by either party to exercise any right hereunder will not operate or be construed as a waiver of any subsequent breach of that provision or as a waiver of that right.

IN WITNESS WHEREOF, the parties have executed this Agreement through their duly authorized representatives.

Maximus US Services, Inc

Waterford Township, Michigan

EXHIBIT A

Scope of Services & Compensation MI CI Waterford CAP 22/24/26 SCOPE OF SERVICES:

Contractor represents that it has, or will secure at its own expense, all personnel required in the performance of Services under this Agreement. All of the Services required hereunder will be performed by Contractor or under its supervision, and all personnel engaged in the work will be fully qualified to perform the services described herein. Contractor reserves the right to subcontract for Services hereunder.

Description of Services:

- a. Development of a cost allocation analysis that identifies the full costs incurred by the Township to support and administer Township programs, special revenue funds, and internal service and enterprise activities (e.g. Water and Sewer). The purpose of this analysis will be to distribute administrative and other related costs to the various operating departments, programs, funds, and other components that make up the Township. It is our understanding that the updated CAP engagements will utilize the same methodology practices as the original CAP.
- b. Specifically, this engagement will update the central services indirect CAP and be based on actual costs for the fiscal years ending December 31, 2022 (first year), December 31, 2024 (second year), December 31, 2026 (third year). The CAP will

Waterford Township Michigan – Cost Allocation Plan – Contract Renewal Continued.

allocate central service activities, such as: Supervisor, Clerk's Office, Fiscal and Human Resources, Treasurer's Office, Facilities and Operations, etc. across all programs. Costs will be allocated based on utilization statistics for the year that best reflects the benefit derived from each service. The CAP will also allocate centrally budgeted costs such as general liability insurance, worker's compensation, memberships and dues, etc. In addition, the CAP will allocate depreciation for all general fund buildings and equipment for central service programs.

c. Contractor will assist designated Township personnel in utilizing the full cost plan for internal management and budgetary purposes. Further, Contractor will meet with the Parks and Recreation Superintendent, the Library Director, and also provide an on-site follow-up meeting with the Township's representatives for the purpose of assuring understanding of the cost plan and that indirect costs are fully implemented in all opportunity areas. Lastly, a list of pertinent job titles and associated work effort percentages by activity will be provided to assist the Township in utilizing and explaining the report.

COMPENSATION:

For Services provided as set forth above, in this Exhibit A, Client agrees to pay Contractor compensation in the amount of Forty-Four Thousand Two Hundred and Fifty Dollars (\$44,250)

Contractor will render to Client one or more invoices for the fees specified herein, with payment due thirty (30) days after the invoice date.

The fee breakdown is as follows:

Fiscal Year 2022	\$14,750
Fiscal Year 2024	\$14,750
Fiscal Year 2026	\$14,750

Moved by Bartolotta,
Seconded by Thomas, RESOLVED, to approve the contract renewal for the cost allocation plan. A roll call vote was taken.

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

Motion carried unanimously.

7.3 Munis Annual Support Renewal

The following memo was received by Mr. Frank Fisher, Assistant Director of Information Technology/DPW SCADA & GIS Manager.

Waterford Township currently utilizes Tyler Technologies Enterprise ERP software, formerly known as Munis, as the Enterprise ERP (Enterprise Resource Planning) software for multiple Township departments. This system acts as a primary system for several core functions in the township, from financial management and budgeting, to procurement, and utility billing along with many more functions. This is a critical application to the operations of the Township. The annual maintenance provides for required licensing of modules, as well as software updates and support for the daily operations of the application.

The Enterprise ERP package has been a core business application for over 20 years and is integrated into many of the Township departments. This vendor is on the Township Board of Trustees approved single-source list, due to this being necessary for the maintenance of an established mission critical system. The original vendor is the sole source of software maintenance of this system. The annual maintenance was budgeted for in the 2023 budget. The cost will be allocated among the budgets of several different departments, according to system usage.

Although this vendor is on the approved single-source list, the amount of this quote requires that the Township Board of Trustees approve the purchase.

Attached is an invoice for annual maintenance of the Enterprise ERP product. In addition to the invoice, a credit memo is attached, this is due to us canceling a component of the product that we no longer need. The invoiced amount will be reduced by the amount listed in the attached credit memo.

Requested Board Action:

Approve the attached invoice from Tyler Technologies for 2023 annual maintenance in the amount of \$89,068.24

Moved by Bartolotta,

Seconded by Thomas, RESOLVED, to approve the attached invoice from Tyler Technologies for 2023 annual maintenance in the amount of \$89,068.24. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7.4 **VMWare Infrastructure Upgrade**

The following memo was received by Mr. Frank Fisher, Assistant Director of Information Technology/DPW SCADA & GIS Manager.

Waterford Township currently utilizes Hewlett Packard Enterprise (HPE) server hardware to run the VMWare virtual environment that serves as the basis for multiple applications servers that run many of the critical applications that most of the Township departments rely on for their computer systems. This VMWare environment can be thought of as the invisible backend that keeps most of the Township computer applications and systems running.

The current HPE hardware environment at use at Waterford Township has reached the end of its useful life and can no longer support the latest versions of VMWare that are being released. It is important to upgrade to the latest versions of this software in order to be compliant with the latest server operating systems and application requirements needed by all the various applications that the VMWare system hosts for the Township.

Inacomp has been the vendor that has supported Waterford Township for several years with the implementation of this system and has provided support during any operational issue that has arisen. This vendor is on the Township Board of Trustees approved single-source list, due to the importance of maintenance of several mission critical system. This upgrade was budgeted for in the 2023 budget. The cost will be allocated to the General Services Capital Computer line item.

Although this vendor is on the approved single-source list, the amount of this quote requires that the Township Board of Trustees approve the purchase.

Attached is a proposal for the ESXI host replacement and a quote for the proposed project.

Requested Board Action:

Approve the Township Supervisor to sign the attached proposal from Inacomp TSG for the ESXI Host Replacement and approve the quote in the amount of \$61,518.90 coded to line item 12480-97133 General Services – Capital Computer.

Moved by Bartolotta,

Seconded by Thomas, RESOLVED, to approve the Township Supervisor to sign the attached proposal from Inacomp TSG for the ESXI Host Replacement and approve the quote in the amount of \$61,518.90 coded to line item 12480-97133 General Services – Capital Computer. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7.5 **Purchase of Unmarked Police Vehicles**

The following memo was received by .

The police department participates in investigative, administrative and covert activities on a regular basis. Officers assigned in such a capacity are deployed in unmarked police vehicles.

Purchase of Unmarked Police Vehicles Continued.

We currently have three unmarked vehicles that have exceeded 100,000 miles, and one that is approaching 100,000 miles. As we prepare to transition those vehicles out of our fleet, we will replace them with new and sell the old.

With the changing vehicle market, we are having difficulty locating fleet vehicles at government pricing. Actual government contracts are almost non-existent. Dealers that participate in government fleet sales are identified and vehicles are quoted upon request, to keep up with quickly changing manufacturer pricing and availability.

We have identified two vehicles, in stock at Gorno Ford, offered at government fleet vehicle pricing through the State of Michigan MIDeal cooperative purchasing program (contract #071B7700181).

We have also identified two low-mileage previously owned vehicles, offered for sale by Szott Chrysler/Jeep/Dodge/Ram, a local Waterford/White Lake Dealership. These vehicles include a 5 year, 100,000 miles warranty.

All proposed purchases are as follows:

Vehicle	Model	Unit Price	Total Cost
(2) 2023	Base Model SUV	\$44,946.00	\$89,892.00

Funds to purchase the above listed (2) vehicles are available in the Police Departments Restricted Use-Federal Drug Forfeiture Account.

(1) 2020	Utility Truck	\$43,750.00	
(1) 2020	SUV	\$31,258.00	
			\$75,008.00

Funds to purchase the above listed (2) vehicles are available in the 2023 Police Budget as adopted by the Board of Trustees, account.#20730-97136.

We respectfully request this honorable body approve these purchases, totaling \$164,900.00, based on the information set forth above.

Thank you in advance for your consideration. If you have any questions, please don't hesitate to contact me.

Moved by Markee,
 Seconded by Bartolotta, RESOLVED, to authorize the purchase of two base model SUV's from Gorno Ford, utilizing government fleet pricing (contract #071B7700181) in the amount of \$89,892.00 using funds from the Police Departments Restricted Use-Federal Drug Forfeiture Account; furthermore to authorize the purchase of a 2020 Utility Truck in the amount of \$43,750.00 and a 2020 SUV, from Szott Chrysler/Jeep/Dodge/Ram, in the amount of \$31,258.00, utilizing funds from 20730-97136. A roll call vote was taken.

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

Motion carried unanimously.

7.6 **COAM Contract Ratification**

The following contract was received by the Human Resources Department.

**WATERFORD TOWNSHIP
And
COMMAND OFFICERS
ASSOCIATION OF MICHIGAN**

TENTATIVE AGREEMENT

January 31, 2023

1. Duration – 4 years.
2. Township agrees to the Union proposal that all employees who “physically” work the listed holidays shall be compensated at the rate of time and a half (1.5) for that workday: New Year’s Eve, New Year’s Day, Memorial Day, Thanksgiving Day, Christmas Eve, Christmas Day. Mirroring Patrol.
3. 22.7 modified to read:
 - A. “Should the Employee exhaust their paid sick time bank prior to September 30th and are on an extended leave of absence, they shall be allowed to use vacation, personal leave or compensatory time off to cover that illness or injury. Employees on Family Medical Leave must use any available paid time off above 40 hours to cover their medical leave.”
4. Add to Section 22.7 – Family Medical Leave shall be based on a rolling one-year period.
5. Article 27.1(D). The Township will change “Merrill Lynch Bond Index” and replace it with the alternative decided by the Pension Board with notice to the Union in regard to computing annuity withdrawal with other Unions’ agreements. The parties will continue to discuss.
6. Article 27.13. The Township proposed the following changes:
 - Members covered by the Defined Contribution plan during the 3rd year (January 1, 2024) of the duration of the upcoming Collective Bargaining Agreement, the Employee shall contribute 4% to the Defined Contribution with the Employer contributing 13%; and
 - During the 4th year (January 1, 2025) of the duration of the upcoming Collective Bargaining Agreement, the Employee shall contribute 5% to the Defined Contribution with the Employer contributing 14%.
7. Shift Premium. The Township agrees to the Union proposal. Union proposes adding a shift premium to match what Patrol received effective upon ratification unless Patrol receives retro. Shift premium will be handled consistently with the Patrol unit.
 - Eighty (\$.80) per hour for afternoon shift.
 - One dollar and fifteen cents (\$1.15) for midnight shift.
8. 11.5
 3. Add “under Garrity” after “Any order to make a statement”
 4. Add “Garrity” after “The order and the”
Add “except” consistent with MCL 15.395” after “shall not be made available”
(T/A)
9. 14.1 Add:...to be completed by March 1st and September 1st.
10. 17.6 Compensatory Time: Employees working overtime have a choice of taking cash or compensatory time.

COAM Contract Ratification Continued.

Employees shall bank no more than one-hundred and four (104) hours of compensatory time during any calendar year. Total use of compensatory time in any calendar year shall not exceed one-hundred and four (104) hours.

One the final pay period in December, an employee shall be paid out for their remaining compensatory time. An employee may elect to retain sixteen (16) hours of compensatory time at the time of payout. In the event of a member carries over hours, as provided herein, they shall still not be able to accumulate more than one-hundred and four (104) hours the following calendar year.

11. 20.5 Remove.

12. 17.7 Use of Compensatory Time. Use of compensatory time shall be granted provided the request is made to the employee's immediate supervisor a minimum of four calendar days in advance (which may be waived by the employee's immediate supervisor in an employee's unanticipated emergency or in discretion of the employee's immediate supervisor) and provided the use does not cause a significant disruption of the Township Operations but shall not be denied simply because it creates overtime. Once compensatory time is requested, it cannot be withdrawn by the employee unless it is withdrawn a minimum of four calendar days prior to the intended use. Requests for compensatory time may be made in conjunction with primary vacation and shall be considered as part of the employee's maximum total selection of forty (40) days between both semi-annual and primary vacation picks, as outlined in Section 20.6. Such compensatory time requests shall not be changed to any other form of PTO and cannot be withdrawn without the consent of the employee's Bureau Commander.

13. 20.6..... to be completed by March 1st and September 1st of each year.

14. 30.1 General Wage Provisions.

Job Titles and base wage rates for employees covered by this agreement are:

<u>Sergeants</u>	<u>Start</u>	<u>Full – After 6 Months</u>
January 1, 2022	8.5% above Patrol Base	17% above Patrol Base
<u>Lieutenants</u>	<u>Start</u>	<u>Full – After 6 Months</u>
January 1, 2022	5% above Sergeant Base	10% above Sergeant Base

30.2 Any increase or decrease in Patrol wages during the term of this agreement shall result in an increase or decrease in accordance with the percentage differentials in 30.1.

Waterford Township

Command Officers Association of Michigan

Moved by Bartolotta,

Seconded by Markee, RESOLVED, to approve the Command Officers Association of Michigan contract ratification. Furthermore, include a provision allocating \$80,919.00 from the 207 Police Fund balance to the appropriate salary and FICA Lines for the 2023 Budget Year. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

Treasurer Thomas provided the provision for allocating the appropriate funds.

7.7 **Contract to Address the Board – Robin McGregor, 2926 Catherham Dr**

Ms. McGregor addressed the Board regarding the retention pond on Hatchery Road and other items that need addressed in the Township. She thanked Mr. Polkowski for his time today and thanked the Board for their time.

7.8 **Public Comments limited to Three (3) Minutes per Speaker**

No one addressed the Board.

8.0 **Closed Session**

8.1 **Possible Closed Session to consider confidential Attorney-Client discussion of pending litigation.**

Moved by Bartolotta,
Seconded by Markee, to enter closed session to consider confidential attorney-client discussion of pending litigation with Township Attorney Shortly, Mark Similar - HR Director, Attorney Tim Ferrand. A roll call vote was taken.

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

Motion carried unanimously.

Supervisor Wall stated that the Board will return from Closed Session to close the meeting. No other action will be taken.

The Board of Trustees entered closed session at 7:06 p.m.

The Board of Trustees returned from closed session at 8:21 p.m.

ADJOURNMENT

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to adjourn the meeting at 8:21p.m. A roll call vote was taken.

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

Motion carried unanimously.

Kim Markee, Clerk

Gary Wall, Supervisor

FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
306911	02/27/2023	PRINTED	011292 AIRGAS USA, LLC	70.45			
306912	02/27/2023	PRINTED	011730 ARROW PRINTING	6.95			
306913	02/27/2023	PRINTED	013665 APOLO FIRE EQUIPMENT CO	491.71			
306914	02/27/2023	PRINTED	013685 APPLIED INNOVATION	2,571.01			
306915	02/27/2023	PRINTED	013685 APPLIED INNOVATION	2,187.90			
306916	02/27/2023	PRINTED	021079 BAKER & TAYLOR BOOKS	1,862.90			
306917	02/27/2023	PRINTED	023460 BLACKSTONE PUBLISHING	482.17			
306918	02/27/2023	PRINTED	023592 BOSTICK TRUCK CENTER LLC	410.00			
306919	02/27/2023	PRINTED	023733 BREATHING AIR SYSTEMS	123.69			
306920	02/27/2023	PRINTED	023854 BUSY BODIES	1,938.00			
306921	02/27/2023	PRINTED	041192 CDW GOVERNMENT INC	331.25			
306922	02/27/2023	PRINTED	043376 CINTAS CORP	1,443.90			
306923	02/27/2023	PRINTED	043751 CROWN LIFT TRUCKS	484.09			
306924	02/27/2023	PRINTED	043952 CYNERGY PRODUCTS	520.40			
306925	02/27/2023	PRINTED	044214 CHARRON SERVICES	105.00			
306926	02/27/2023	PRINTED	053562 JACK DOHERNY COMPANIES INC	650.00			
306927	02/27/2023	PRINTED	053580 DOORS OF PONTIAC	6,538.51			
306928	02/27/2023	PRINTED	063021 EASTERN OIL CO	328.87			
306929	02/27/2023	PRINTED	063476 ELECTROCOMM-MICHIGAN, INC	130.00			
306930	02/27/2023	PRINTED	063546 ENABLE POINT INC	1,047.75			
306931	02/27/2023	PRINTED	081463 FORSTER & SONS AUTO WASH	250.00			
306932	02/27/2023	PRINTED	083422 FILETECH SYSTEMS, INC	1,070.00			
306933	02/27/2023	PRINTED	083580 FORSTER BROTHERS	122.00			
306934	02/27/2023	PRINTED	091086 GFL ENVIRONMENTAL	2,331.04			
306935	02/27/2023	PRINTED	093015 GALCO INDUSTRIAL ELECTRON	757.15			
306936	02/27/2023	PRINTED	093025 CENGAGE LEARNING INC/GALE	274.70			
306937	02/27/2023	PRINTED	093705 GRAINGER	150.94			
306938	02/27/2023	PRINTED	093833 GUARDIAN ENVIRONMENTAL SE	6,423.00			
306939	02/27/2023	PRINTED	093840 LOOMIS FARGO & CO	1,158.21			
306940	02/27/2023	PRINTED	103641 HOME CONFINEMENT	677.00			
306941	02/27/2023	PRINTED	103841 HUTCHINSONS ELECTRIC INC	4,638.37			
306942	02/27/2023	PRINTED	111538 CYBERFORCE Q	1,677.70			
306943	02/27/2023	PRINTED	113177 IDEAS FOR YOU	115.54			
306944	02/27/2023	PRINTED	113542 INGRAM LIBRARY SERVICES	352.24			
306945	02/27/2023	PRINTED	113701 IRON MOUNTAIN	665.91			
306946	02/27/2023	PRINTED	151769 LAFONTAINE CHEVEROLET	64,973.00			
306947	02/27/2023	PRINTED	153043 LANGUAGE LINE SERVICES	50.00			
306948	02/27/2023	PRINTED	153068 OSCAR W LARSON CO	390.00			
306949	02/27/2023	PRINTED	153367 LIBRARY NETWORK, THE	1,044.93			
306950	02/27/2023	PRINTED	153592 LORYCO HOSE & FITTING SOL	678.16			
306951	02/27/2023	PRINTED	163371 MICHIGAN COURT SERV INC	2,616.00			
306952	02/27/2023	PRINTED	163480 MILFORD COUNSELING	1,122.41			
306953	02/27/2023	PRINTED	163508 FERGUSON WATERWORKS #3386	7,705.40			
306954	02/27/2023	PRINTED	183052 NAPA AUTO PARTS	81.38			
306955	02/27/2023	PRINTED	183611 NOVA TESTING, LLC	21.00			
306956	02/27/2023	PRINTED	183952 NYE UNIFORM COMPANY	4,818.86			
306957	02/27/2023	PRINTED	193713 ORKIN, LLC	449.00			
306958	02/27/2023	PRINTED	193882 OVERDRIVE, INC.	2,454.51			
306959	02/27/2023	PRINTED	204860 ROAD COMMISSION FOR	3,638.53			
306960	02/27/2023	PRINTED	213287 PREMIER SAFETY	1,346.01			
306961	02/27/2023	PRINTED	213288 PERSONNEL EVALUATION INC	75.00			
306962	02/27/2023	PRINTED	213403 PIPELINE MANAGEMENT COMPA	54,159.30			

FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
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306964	02/27/2023	PRINTED	251964 RS TECHNICAL SERVICES INC	3,200.50			
306965	02/27/2023	PRINTED	253332 SHELVING INC	619.00			
306966	02/27/2023	PRINTED	253512 SMART START MICHIGAN	462.00			
306967	02/27/2023	PRINTED	253533 SMART BUSINESS SOURCE	2,412.74			
306968	02/27/2023	PRINTED	254773 SZOTT FORD	35.92			
306969	02/27/2023	PRINTED	263255 EUROFINS ENVIRONMENT TEST	298.80			
306970	02/27/2023	PRINTED	263360 THOMPSON CREATIVE PRODUCT	28.00			
306971	02/27/2023	PRINTED	271016 US BANK EQUIPMENT FINANCE	1,741.11			
306972	02/27/2023	PRINTED	273533 UNIFIRST CORP	1,061.54			
306973	02/27/2023	PRINTED	273542 UNIQUE MGMT SERVICES INC	139.80			
306974	02/27/2023	PRINTED	291365 LINDE GAS & EQUIPMENT INC	52.36			
306975	02/27/2023	PRINTED	291365 LINDE GAS & EQUIPMENT INC	346.34			
306976	02/27/2023	PRINTED	293605 WORLDWIDE INTERPRETERS IN	150.00			
306977	02/27/2023	PRINTED	304930 WATERFORD TOWNSHIP DPW	1,898.11			
			67 CHECKS	CASH ACCOUNT TOTAL	201,019.74		.00

02/22/2023 11:40
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|WATERFORD TOWNSHIP
|AP CHECK RECONCILIATION REGISTER

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UNCLEARED

CLEARED

67 CHECKS

FINAL TOTAL

201,019.74

.00

** END OF REPORT - Generated by Lisa Lievois **

Advance Run Checks Feb 14 - Feb 20.

02/22/2023 11:40 | WATERFORD TOWNSHIP
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| P 1
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FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
306853	02/14/2023	PRINTED	021092 BS&A SOFTWARE	16,044.00			
306854	02/14/2023	PRINTED	021509 KEN BORYCZ	1,800.00			
306855	02/14/2023	PRINTED	023488 BLUE CROSS BLUE SHIELD OF	298,399.10			
306856	02/14/2023	PRINTED	030478 GEORGE ATTIA	5,400.00			
306857	02/14/2023	PRINTED	030479 LEVICK CUSTOM HOMES INC	100.00			
306858	02/14/2023	PRINTED	030480 SEAN DUNCAN	100.00			
306859	02/14/2023	PRINTED	030481 GUMMA GROUP	600.00			
306860	02/14/2023	PRINTED	030482 AYERS BASEMENT SYSTEMS	100.00			
306861	02/14/2023	PRINTED	031252 DUGAN BUILDING CO INC	100.00			
306862	02/14/2023	PRINTED	032597 TODD CRAIG	100.00			
306863	02/14/2023	PRINTED	039673 ARCHER SIGN COMPANY LLC	100.00			
306864	02/14/2023	PRINTED	043626 CONSUMERS ENERGY	7,433.56			
306865	02/14/2023	PRINTED	051007 DTE ENERGY	79,752.73			
306866	02/14/2023	PRINTED	051445 DLZ MICHIGAN, INC	147.50			
306867	02/14/2023	PRINTED	053253 DTE ENERGY	17,213.05			
306868	02/14/2023	PRINTED	053256 DTE ENERGY	159,411.82			
306869	02/14/2023	PRINTED	073193 ANDREA DEAN	100.00			
306870	02/14/2023	PRINTED	073315 TODD FOX	15.99			
306871	02/14/2023	PRINTED	073719 ANGIE REID	84.68			
306872	02/14/2023	PRINTED	083466 FLEX ADMINISTRATORS INC	531.00			
306873	02/14/2023	PRINTED	093873 GUIDEHOUSE, INC	340.00			
306874	02/14/2023	PRINTED	100026 HOUSEAL LAVIGNE ASSOCIATE	4,515.00			
306875	02/14/2023	PRINTED	101320 H&H AUTO COLLISION & REPA	17,567.68			
306876	02/14/2023	PRINTED	103018 DERWOOD HAINES JR	350.00			
306877	02/14/2023	PRINTED	123042 KEVIN JANULIS	375.00			
306878	02/14/2023	PRINTED	151768 ANGELA LINSKE	1,000.00			
306879	02/14/2023	PRINTED	163087 MAGLOCLEN	400.00			
306880	02/14/2023	PRINTED	163485 PAULETTE MICHEL LOFTIN	833.33			
306881	02/14/2023	PRINTED	163641 JEFFREY B MORRISON	300.00			
306882	02/14/2023	PRINTED	163858 TYLER BUSINESS FORMS	72.37			
306883	02/14/2023	PRINTED	174070 MAMC	45.00			
306884	02/14/2023	PRINTED	174197 MACEO	120.00			
306885	02/14/2023	PRINTED	193277 ACI PAYMENTS, INC	240.00			
306886	02/14/2023	PRINTED	211018 PM ENVIRONMENTAL LLC	3,097.50			
306887	02/14/2023	PRINTED	211576 KAYLA PORVAZNICK	60.00			
306888	02/14/2023	PRINTED	213565 OCWRC	405.09			
306889	02/14/2023	PRINTED	243352 PAUL RIDLEY	2,024.97			
306890	02/14/2023	PRINTED	293355 WILBUR WHITE JR	2,550.00			
306891	02/14/2023	PRINTED	304456 WATERFORD TOWNSHIP DEVELO	50.00			
306892	02/15/2023	PRINTED	023600 JOHN BOWMAN CHEVROLET INC	49,775.00			
306893	02/15/2023	PRINTED	030284 KIMLEY-HORN OF MICHIGAN	600.00			
306894	02/15/2023	PRINTED	030459 WILLIAM ALLEN	300.00			
306895	02/15/2023	PRINTED	030483 SHANNON JOHNS	400.00			
306896	02/15/2023	PRINTED	030484 ERNEST OTANI	100.00			
306897	02/15/2023	PRINTED	030485 THOMAS ROY JONES	100.00			
306898	02/15/2023	PRINTED	030486 DESJARDINS LAND INVESTMEN	100.00			
306899	02/15/2023	PRINTED	031523 METRO DETROIT SIGNS	225.00			
306900	02/15/2023	PRINTED	032789 LNC CONSTRUCTION LLC	100.00			
306901	02/15/2023	PRINTED	032860 MICHIGAN BASEMENTS	100.00			
306902	02/15/2023	PRINTED	033020 ALLIED SIGNS INC	100.00			
306903	02/15/2023	PRINTED	033642 GEORGE H PASTOR & SONS	100.00			
306904	02/15/2023	PRINTED	082271 50TH DISTRICT COURT	100.00			

02/22/2023 11:40 |WATERFORD TOWNSHIP
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|apchkrcn

FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
306905	02/15/2023	PRINTED	111113 IDUMESARO LAW FIRM, PLLC	300.00			
306906	02/15/2023	PRINTED	143600 SCOTT C KOZAK	450.00			
306907	02/15/2023	PRINTED	251229 SERPENTINI CHEVROLET OF W	66,165.00			
306908	02/15/2023	PRINTED	254845 BRADLEY STOUT	150.00			
306909	02/15/2023	PRINTED	343204 JUSTIN ESSA ZAYID	300.00			
306910	02/15/2023	PRINTED	500483 CSG FORTE PAYMENTS INC	1,277.50			
			58 CHECKS	CASH ACCOUNT TOTAL	742,621.87		.00