

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:

| | | |
|---------------------|---------------------|------------------|
| 12482107535 | David McNabnay | Mark Monohon |
| 12482246999 | David Senawi | Martink |
| 12483309395 | David K | Marvin Karana |
| 12483610850 | Derek VanDam | Matt Covey |
| 12484318888 | Frank Rizzo | Matthew Covey |
| 12486134835 | Frank Roye | Melvin |
| 12487210052 | Gary Allison | Michael Ajami |
| 12487297171 | Gary Dovre | Michael D. Stein |
| 12487606024 | Gary Wall | Michelle Nedry |
| 12488772336 | JA | Mike Acho |
| 12488840609 | JJ | Mike Bahoura |
| 12489779211 | Jacqueline Langwith | Mk |
| 12695063556 | Janet Matsura | Noah Harfouch |
| 13138024062 | Jason Brikho | PBG |
| 15174105400 | Joan Rogers | Paula Moore |
| 15175994186 | Joe Bahri | Quality Roots |
| 15863216374 | Joe Evangelista | RJ Wolney |
| 15867705050 | Joellen Shortley | Remon Sweiss |
| 15869424944 | John Abbo | Ricky M. |
| 18105232679 | John Gumma | Robert Alonzi |
| AA | Jonathan Klar | Roma Thurin |
| Aaron Geyer | Justin Dunaskiss | Scott M |
| Ammar Alkhafaji | Justin Elias | Shelly Schloss |
| Andrew Roye | Justin Westlake | Sheraz |
| Arie Leibovitz | Kari Vlaeminck | Sheri Keljo |
| Bartolotta, Anthony | Kathy Schemers | Simon Gumma CPA |
| Charles Gonik | Kathy Schemers | Steve |
| Chelsea | Kimberly Markee | Thomas, Steven |
| D.N. | Lamar Shathaya | TommyBoy |
| DJ | M Kajj | darren naimi |
| Daryl Reppuhn | M. Stein | diana |
| David Dabish | MK | mickey |
| David Johnson | Marie Hauswirth | scott |

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

Roll call vote was taken.

Supervisor Wall, participating remotely from Waterford, Michigan.
Clerk Markee, participating remotely from Waterford, Michigan.
Treasurer Thomas, participating remotely from Waterford, Michigan.
Trustee Bartolotta, participating remotely from Waterford, Michigan.
Trustee Hauswirth, participating remotely from Waterford, Michigan.
Trustee Matsura, participating remotely from Waterford, Michigan.
Trustee Monohon, participating remotely from Waterford, Michigan.

1. APPROVE AGENDA
1.1 June 28, 2021

Moved by Thomas,

Seconded by Bartolotta, RESOLVED, to amend the June 28, 2021, agenda by moving New Business Items 6.1 through 6.6 before Open Business 5.0. A roll call vote was taken.

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

Motion carried unanimously.

Moved by Bartolotta,

Seconded by Markee, RESOLVED, to approve the June 28, 2021, 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 The following dates are for fireworks displays on several of Waterford's Lakes approved by the Waterford Township Board of Trustees. July 3, 2021 - Loon Lake and Otter Lake, July 9, 2021- Elizabeth Lake, July 17, 2021 - Williams Lake, and the Maceday Lake fireworks display scheduled for June 26, 2021, has been rescheduled for July 31, 2021.

2.2 GFL's residential service schedule will run as scheduled surrounding the Independence Day/July 4th holiday for 2021 because the holiday falls on a Sunday, not a weekday. All routes will run on their regularly scheduled service days before and after the holiday. Please call GFL's Waterford line 248-204-6762 with any questions.

- 2.3 Waterford Township Administrative Offices will be closed on Monday, July 5, 2021, in observance of Independence Day. Emergency services will be available.
- 2.4 The Township would like to recognize homeowners, neighborhoods, condominiums, and apartment associations, schools, churches, and businesses that take pride in making their exteriors beautiful. If you are interested in participating in the Township's Beautification Contest, please submit a form and a before picture (optional) by Friday, July 30, 2021. The form can be found on the Township's website, the Clerk's Office, or by emailing kmarkee@waterfordmi.gov, (be sure to include your return email address), and a form will be emailed to you. Award signs will be placed from August 28, 2021, to September 11, 2021. Please contact the Clerk's office with any questions.
- 2.5 The Flying Fish Outdoor Art Exhibition on the Riverwalk opens on Friday, August 6, 2021, and will run through October 2021. The submittals will hang in the trees on the Riverwalk. Participants need to return their decorated fish to the Library, or the Clerk's office, during office hours by July 15, 2021. For more information, contact Sue Camilleri at 248-420-7735 or sue_camilleri@yahoo.com.
- 2.6 The Waterford Township Library is in the process of restoring services. The following services are now available: study room bookings, study tables (first come, first served), Library collections, computers, and casual seating. We are optimistic to have the following services available soon: quiet study room, Sunday hours, and meeting room bookings. For more information visit www.waterfordmi.gov/library or call 248-674-4831.
- 2.7 The Library's 2021 Children's Summer Reading Program, Tails, and Tales began on Tuesday, June 1, 2021. You may pick up a summer reading packet from the Children's department, which includes a book bag, reading chart, pencil, bookmark, a book buck, a beach ball, and a Safari Scrapbook. The last day to sign up is July 17. Place a sticker on the chart for every 10-15 minutes of reading. You can also sign up online and track your minutes of reading with Wandoo Reader. E-books and audiobooks also count. Each week, report your progress to be in the weekly prize drawing for a gift card from Roblox, Amazon, Meijer, and more. By July 31, 2021, readers who reach their reading goal will receive a free book and a chance to win one of the Grand Prizes – a Kindle Fire Tablet.
- 2.8 The Library's 2021 Teens Summer Reading Program began on Tuesday, June 1, 2021. Register for Teen Summer Reading starting June 1, 2021. Readers will log the number of minutes they read over nine weeks. Ideally, the goal should be to read for at least 20 minutes a day. We know summer is busy with all kinds of activities, but it's important to keep reading over the summer to stay sharp for when school starts up again. You can read books, graphic novels, magazines, newspapers, and comic books. eContent and audiobooks are acceptable as well. Prizes awarded by random drawing to participants who have logged at least 500 minutes. 1st prize is a Kindle Fire Tablet, 2nd prize is a Bluetooth Speaker/Night Light, and 3rd prize is a Meijer gift card.
- 2.9 The Library's 2021 Adult Summer Reading Program, Be Kind to Your Mind, began on Tuesday, June 1, 2021. Read or listen to adult library books of your choosing and log each book you read using Wandoo Reader, our online summer reading tool. You will need to register by creating an account to get started (<https://wandooreader.com/waterfordmi/adult-summer-reading-program-2021-be-kind-to-your-mind>). Write a short (can be very, very short) review and rate the book thumbs up or thumbs down. Try to do this every week or two during June and July. We will choose one participant's review of a well-rated title to feature each week on our website, Facebook, and Instagram. By midnight July 31, 2021, log at least four books to be entered in the Grand Prize drawing in early August. Prizes for the two winners, drawn at random, are Kindle Fire HD 8 and a \$75 Meijer gift card.
- 2.10 The Library is holding a Virtual Pet Show from June 1, 2021, through July 31, 2021. Please send a picture of your pet by e-mail to watekids@waterfordmi.gov, or drop off a photo in person. Please ensure your name, age, and phone number are on the image. The maximum picture size is 4" x 6". Photos will be displayed in the Children's department and on our virtual pet show webpage. Categories are dogs, cats, small furry critters, reptiles and amphibians, aquatic dwellers, and other animals that do not fall into the above categories. Winners will receive a certificate and a treat for their pets.
- 2.11 The Waterford Youth Assistance (WYA) needs volunteers. The Executive Board is looking for a Treasurer and the organization overall would greatly appreciate anyone willing to volunteer some time or other resources. The WYA is a nonprofit 501(c)3 organization that has been serving the community of Waterford, MI since 1962. The WYA mission is to strengthen youth and families and reduce the incidence of delinquency, abuse, and neglect through community involvement. The WYA supports the development of healthy Waterford families by offering family education classes, workshops, youth enrichment, and camp scholarships for families who may need financial assistance, among a host of other activities. This

is in large part accomplished through the generosity of local community sponsors, donations, and generous volunteers. If you would like more information visit the website, <https://waterforyouthassistance.com/> Or you can contact the WYA office at (248)618-7683, or email to waterfordya@msn.com.

- 2.12 Inside Out, an outdoor art exhibition sponsored by the Detroit Institute of Art that brings artwork to the Waterford Township Civic Center Campus has now opened and will run through October. Seven reproductions of art from the DIA are on exhibit outside on the Township Campus for your enjoyment and can be viewed at your leisure. This is a walkable event, so stop by the Township Campus and check it out! Information about the artwork, a map, and the virtual ribbon-cutting can be viewed on the Township's website at WWW.WATERFORDMI.GOV/INSIDEOUT.
- 2.13 Waterford Township intends to form a Citizens Emergency Response Team (CERT) – a group of adults who live and/or work in our community and have a passion for community service. This group of volunteers will be trained to assist various Township departments, including Police and Fire, when our capacity to provide services may be strained due to extreme weather, natural disaster, or even planned Township events. CERT members may be called upon to provide assistance with downed wires, traffic control, and light search and rescue to name a few. Recruitment begins now with interviews to follow soon after. We will select participants throughout 2021 and start training in 2022. If you are active, self-motivated, and want to serve, this is the group for you. The CERT will work under the direction of the Waterford Township Emergency Management Coordinator. If you are interested, please visit www.waterfordmi.gov/CERT, then contact EMC Brendan Brosnan at 248-618-6199.
- 2.14 S.T.R.I.D.E (Seniors that Reward in Daily Exercise) Parks and Recreation's revamped walking program for those 50 years and better! Walk indoors at the Recreation Center, log your miles, win prizes, have fun, and stay active! The monthly registration fee includes a S.T.R.I.D.E. t-shirt. Register at the Waterford Recreation Center 248-674-4881.

3. Consent Agenda

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

- 3.1 June 14, 2021, Meeting Minutes
 3.2 June 28, 2021, Bill Payment
 3.3 Receive the Library's May 2021 Report
 3.4 Receive the Treasurer's Office May 2021 Report
 3.5 Hess-Hathaway Advisory Committee - Appoint Art Frasca
 Supervisor Wall presented the following memo.

The Waterford Board of Education appointed John Himmelspach to the Hess-Hathaway Park Advisory Committee concurrent with his term of service on the Board of Education Prior to this appointment, John was already serving on the Hess-Hathaway Advisory Board as a resident-at-large.

To fill the resident-at-large spot now vacant due to this change, I respectfully request the Township Board's approval for the appointment of Waterford Township resident and former Waterford Township Trustee Art Frasca to the Hess-Hathaway Park Advisory Committee to complete Mr. Himmelspach's term through February 1, 2022.

Mr. Frasca is a former Trustee on the Waterford Township Board of Trustees. He also served on the Hess-Hathaway Park Advisory Committee prior to his appointment to the Township Board, and while he was a Township board member as the board liaison. Additionally, Art is a long-time Waterford resident, an active participant in many community organizations, and has been a regular user of Hess-Hathaway Park for a number of years. Art has a true passion for Hess-Hathaway Park and his contributions to the Committee have been invaluable.

The Hess-Hathaway Park Advisory Committee recommended his appointment and I concur.

Thank you for your consideration.

- 3.6 Banner Permit - Orchard Lake Fine Art Show
- 3.7 Banner Permit - Waterford Leadership

Moved by Markee,

Seconded by Hauswirth, RESOLVED, to approve the Consent Agenda, items 3.1 through 3.7. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

4. Board Liaison Reports (Verbal)

Trustee Hauswirth

The Drayton Plains Nature Center will be reviewing the 3-5 year goals and the masterplan. The Drayton Plains walk will be in 2 weeks to review the grounds.

Trustee Bartolotta

Reviewed the June 22, 2021, Planning Commission meeting.

Trustee Monohon

At the SEMCOG June meeting, the General Assembly meeting reviewed the detail of the ARPA requirements, and the future of the SEMCOG region water infrastructure requirements. The Regional Review Subcommittee (RRC) held its meeting on Monday 28, 2021, and reviewed the opportunities for Transportation Alternative Plan (TAP) which could offer Waterford substantial opportunities for SEMCOG fiscal Year 2022 funding.

The Waterford Youth Assistance will hold an ice cream social at the pavilion at the Recreation Center, on Wednesday, July 14, 2021, from 6:00 p.m. – 8:00 p.m. Please RSVP at waterfordya@msn.com by Friday, July 9, 2021. Come and learn about volunteer opportunities and get involved in your community. Get the Scoop on WYA!

Clerk Markee

Parks and Recreation is looking for a Parks Maintenance Worker and a Farm Attendant. You may find more information at www.waterfordmi.gov/jobs.

Supervisor Wall

COVID-19 Updates

| | | | |
|----------------|--------------|--------------|--------------|
| 6/14/21 | 48327 | 48328 | 48329 |
| Cases: | 1962 | 2213 | 2547 |
| Deaths: | 24 | 69 | 37 |
| Current Cases: | 1959 | 2209 | 2544 |
| Deaths: | 23 | 69 | 37 |

6 New Business

6.1 Resolution to Approve Amendment of the Interlocal Agreement Regarding the Western Oakland Transportation Authority for Formation of an Act 196 Authority and to Adopt Articles of Incorporation

**CHARTER TOWNSHIP OF WATERFORD
RESOLUTION TO APPROVE AMENDMENT OF THE INTERLOCAL AGREEMENT
REGARDING THE WESTERN OAKLAND TRANSPORTATION AUTHORITY FOR FORMATION
OF AN ACT 196 AUTHORITY AND TO ADOPT ARTICLES OF INCORPORATION**

At a regular meeting of the Township Board of the Charter Township of Waterford, Oakland County, Michigan, (the "Township") held in Waterford Township, on the 28th of June, 2021, at 6:00 p.m.

PRESENT: _____

ABSENT: _____

The following preamble and resolution was offered by _____ and seconded by _____.

WHEREAS, the Township appreciates and recognizes the many benefits of having established local transportation service for qualified users in the Township; and

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

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

WHEREAS, the Township is a party to the interlocal agreement and decided it is in the best interest of the Township to form a new and successor Authority under Act 196 named the Western Oakland Transportation Authority ("WOTA" and "Authority"); and

WHEREAS, on May 24, 2021, the Township previously approved an Amended Interlocal Agreement for the Formation of an Act 196 Authority, creating WOTA and Articles of Incorporation of an Act 196 authority; and

Resolution to Approve Amendment of the Interlocal Agreement Regarding the Western Oakland Transportation Authority for Formation of an Act 196 Authority and to Adopt Articles of Incorporation

WHEREAS, the City of Walled Lake requested a modification to the Amended Interlocal Agreement for the Formation of an Act 196 Authority and the Articles of Incorporation after the Township’s approval to shorten the notice for withdrawal in Article X, subsection A from 60 days to 30 day; and

WHEREAS, the Township has reviewed and accepts the proposed changes by the City of Walled Lake.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The Board of Trustees of the Township hereby resolves to approve the Amended Interlocal Agreement for the Formation of an Act 196 Authority to Provide Public Transportation Services attached as Exhibit A.
2. The Board of Trustees of the Township further resolves to authorize the Township Supervisor to execute the Amended Interlocal Agreement for the Formation of an Act 196 Authority to Provide Public Transportation Services attached as Exhibit A.
3. The Board of Trustees of the Township further resolves to adopt the Articles of Incorporation for the Western Oakland Transportation Authority attached as Exhibit B.
4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

A vote on the foregoing resolution was taken and was as follows:

ADOPTED.

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
 COUNTY OF OAKLAND)

I, Kim Markee, Township Clerk of the Township of Waterford, hereby certify this to be a true and complete copy of the Resolution duly adopted at a regular meeting of the Township Board held on the 28th day of June, 2021.

Township Clerk

**ARTICLES OF INCORPORATION OF THE
WESTERN OAKLAND TRANSPORTATION AUTHORITY**

Resolution to Approve Amendment of the Interlocal Agreement Regarding the Western Oakland Transportation Authority for Formation of an Act 196 Authority and to Adopt Articles of Incorporation

Pursuant to the provisions of the Public Transportation Authority Act, Act 196 of 1986, ("Act 196") as amended the corporation executes the following articles:

ARTICLE I

The name of the corporation is the Western Oakland Transportation Authority (hereinafter the "Authority").

ARTICLE II

The incorporating subdivision of the Authority is the Western Oakland Transportation Authority, an authority created under an interlocal agreement pursuant to the Urban Cooperation Act of 1967, Act 7 of 1967. The authority created under these Articles of Incorporation is a new and successor authority pursuant to the Public Transportation Act, Act 196 of 1986, as amended.

ARTICLE III

The members of the Authority shall be the public agencies for which it is formed or which hereafter join. This Authority shall be formed initially for the following public agencies:

The Charter Township of Highland;
The Charter Township of White Lake;
The Charter Township of Waterford; and
The City of Walled Lake, (the "Public Agencies").

ARTICLE IV

The purposes for which the Authority is created are:

1. To, pursuant to Act 196, plan, promote, purchase, acquire, establish, own, lease operate or cause to be operated, maintained, improved, enlarged, or modernized, public transportation facilities and system within and outside the limits of the Authority.
2. To do all things reasonably necessary, proper, or convenient for the accomplishment of any of the above.

ARTICLE V

The Authority is hereby empowered to do anything authorized or permitted by Act 196, expressly or by implication, and to do any other lawful act reasonably necessary, proper, suitable, or convenient for the achievement of furtherance of the purposes above-stated, and shall be operated pursuant to these Articles of Incorporation and the Amended Interlocal Agreement to Create an Act 196 Authority to Provide Public Transportation Services.

Notwithstanding the authorizing provision of Act 196, the Authority is not authorized to levy any type of tax, including ad valorem tax, or special assessment within the Authority boundary without unanimous approval from the Public Agencies. This limitation shall not limit the Authority from receiving service charges, fees, or fares from users of the services, funds disbursed by the state, other income or revenue, grants, loans, appropriations or contributions from the federal government, the State of Michigan and other governmental units or other public or private sources.

Resolution to Approve Amendment of the Interlocal Agreement Regarding the Western Oakland Transportation Authority for Formation of an Act 196 Authority and to Adopt Articles of Incorporation

ARTICLE VI

The Authority shall be directed and governed by a four (4) member Board of Directors, hereafter referred to as the WOTA Board. Each of the Public Agencies shall appoint one (1) member of the WOTA Board for four (4) year terms. Each member of the WOTA Board shall serve at the pleasure of and may be removed by the appointing public agency at the public agencies' sole discretion. The Public Agencies shall also appoint at least one (1) alternate member to serve as a voting member at any time the primary member is absent or when a vacancy exists in their seat on the WOTA Board. The WOTA Board shall have the powers set forth in the Amended Interlocal Agreement for the Formation of an Act 196 Authority to Provide Transportation Services.

WOTA Officers shall be selected and have the powers set forth in the Amended Interlocal Agreement for the Formation of an Act 196 Authority to Provide Transportation Services.

ARTICLE VI

The address of the initial registered office and the mailing address of the Authority is 205 W. Livingston Road, Highland, Michigan 48357.

ARTICLE VII

The authority is to be financed through contributions of the Public Agencies as set forth in the Amended Interlocal Agreement for the Formation of an Action 196 Authority to Provide Transportation Services, Community Development Block Grant ("CDBG") funds as designated by a public agency to provide transportation services to eligible persons, SMART Municipal Specialized Services Credit Funds, grants of money or property from federal or state governments, other revenues from federal or state governments, fees from riders, fees from contract users, financial contributions from federal, state, county, city or township governments, taxes authorized by the voters, and other miscellaneous sources.

ARTICLE VII

These Articles of Incorporation may be amended upon written resolution adopted by not less than a 2/3 vote of the WOTA Board.

ARTICLE VIII

Public Agencies may withdraw from the Authority pursuant to the provisions of Act 196, MCL 124.458 and as further provided in the Amended Interlocal Agreement to create an Act 196 Authority to Provide Public Transportation Services.

ARTICLE IX

These Articles of Incorporation shall become effective upon the filing of these articles, by the WOTA Executive Director, with the secretary of state, the clerk of Oakland County, and the director of the state transportation department

Highland Township

I hereby certify that the foregoing Articles of Incorporation were adopted by an affirmative vote of a majority of the Highland Township Board of Trustees at a meeting duly held on the ____ day of _____, 2021.

Resolution to Approve Amendment of the Interlocal Agreement Regarding the Western Oakland Transportation Authority for Formation of an Act 196 Authority and to Adopt Articles of Incorporation

White Lake Township

I hereby certify that the foregoing Articles of Incorporation were adopted by an affirmative vote of a majority of the White Lake Township Board of Trustees at a meeting duly held on the ____ day of _____, 2021.

Waterford Township

I hereby certify that the foregoing Articles of Incorporation were adopted by an affirmative vote of a majority of the Waterford Township Board of Trustees at a meeting duly held on the ____ day of _____, 2021.

City of Walled Lake

I hereby certify that the foregoing Articles of Incorporation were adopted by an affirmative vote of a majority of the City Council of the City of Walled Lake at a meeting duly held on the ____ day of _____, 2021.

Kim Viener, Executive Director

Moved by Bartolotta,
Seconded by Markee; RESOLVED, to adopt the resolution to approve the Interlocal Agreement Regarding the Western Oakland Transportation Authority for Formation of an Act 196 Authority and to adopt the Articles of Incorporation. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

6.2 Purchase of Radio Equipment

The following memo was received from Deputy Fire Chief Carl Wallace.

We are asking for approval to move forward with the purchase of the attached radio equipment. This purchase was approved in the fire department's 2021 budget. This equipment is needed for the upcoming Oakland County radio system upgraded. The equipment is specific to Oakland County's new radio system and is quoted at State of Michigan contract pricing.

The cost of this purchase is **\$84,914.85** from fire dept. account **20630-97130 Capital Radio**.

Moved by Bartolotta,
Seconded by Monohon; RESOLVED, to approve the Fire Department's purchase of radio system upgrade in the amount of \$84,914.84 from account number 20630-97130, Capital Radio. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

6.3 Appointment of Justin Westlake to DPW Director

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

With the recent and unfortunate passing of DPW Director Russell Williams and the retirement of Joseph Ashley, the need to appoint new leadership in the department with the largest operating budget in the Township is vital in moving forward.

Justin Westlake has served as the Acting DPW Director since May 24, 2021 and has demonstrated exceptional leadership and decision making skills since being in that capacity.

Mr. Westlake started his career with Waterford Township as a summer laborer in 2000 being hired full-time in 2001 as a Utility Maintenance Worker. Mr. Westlake has continued to grow with DPW as an Electrician III, F&O Superintendent, W&S Superintendent and most current, Acting DPW Director.

It is my recommendation, with the concurrence of Supervisor Wall, that the Board approve the appointment of Justin Westlake to the position of DPW Director.

Moved by Thomas,

Seconded by Markee; RESOLVED, to appoint Justin Westlake to the position of the Director of Department of Public Works. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

6.4 Appointment of Scott McGrady and Derek VanDam to DPW Superintendent

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

With the requested appointment of Justin Westlake to the position of DPW Director and the retirement of Joseph Ashley, the Department of Public Works currently has two vacancies in the positions of, Water & Sewer Superintendent (currently held by Justin Westlake) and Facilities and Operations Superintendent.

Two candidates were chosen to serve, with Board approval, as simply DPW Superintendents without distinction between Water & Superintendent and Facilities and Operations. The intent is to cross train both individuals to perform the duties and responsibilities of both positions. I believe this will lead to efficiency and versatility that in the long run will benefit the Township as a whole.

Scott McGrady began his career with the Township in 1995 and has served in the capacity as Collection System Foreperson since 2013.

Derek VanDam has been with the Township since 1999 and has served as the Distribution Foreperson since 2019.

It is my recommendation, with the concurrence of Supervisor Wall, that the Board approve the appointment of Scott McGrady and Derek Vandam to the position of DPW Superintendent.

Please contact my office with any questions.

Appointment of Scott McGrady and Derek VanDam to DPW Superintendent Continued.

Moved by Bartolotta,
Seconded by Markee; RESOLVED, to appoint of Scott McGrady and Derek Vandam to the position of DPW Superintendent. A roll call vote was taken.

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

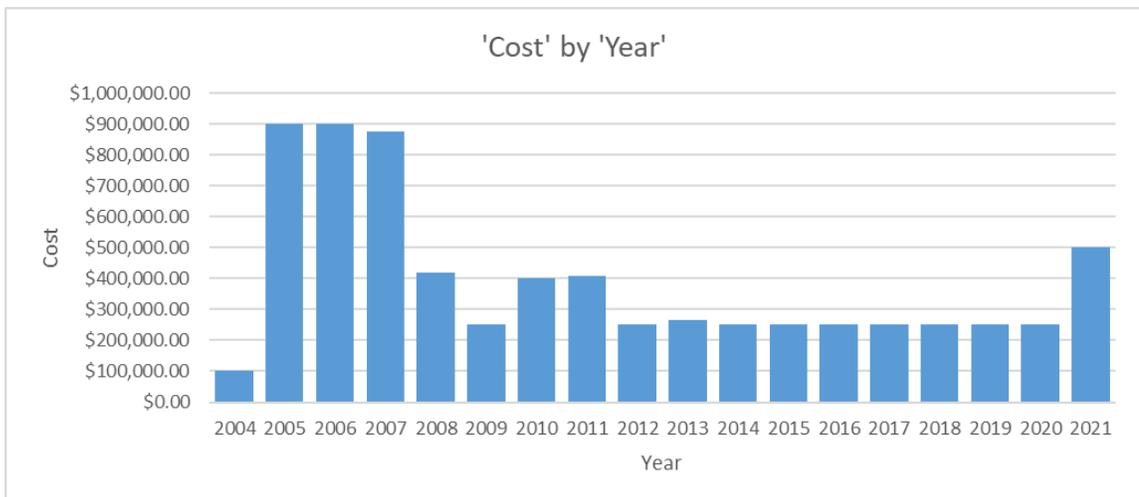
Motion carried unanimously.

6.5 Granite Contract Extension

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

The purpose of this submittal is to seek Waterford Township Board of Trustees approval to award a two-year contract extension to Granite, formerly Liquiforce, for the Trenchless Rehabilitative Services Contract, which was recently extended in 2019. The current contract is set to expire on December 31st, 2021, and with an extension the contract would expire on December 31st, 2023. Granite recently won the competitive bid for the city of Allen Park and has agreed to extend their unit pricing from that contract to us for the duration of the recommended extension. I have attached a letter from John Thompson of Granite offering to extend the terms of their contract with Allen Park to Waterford Township through calendar year 2023, along with the portion of the contract with Allen Park that shows the unit pricing, for the Board's reference.

Trenchless sewer rehabilitation has been a great alternative to excavating large sections of sewer pipe and provides us an option to upgrade aging sewer infrastructure without disrupting our operations and service to Waterford citizens. A large portion of our operating budget through the years has been dedicated to lining our old sewer pipes, as illustrated below:



This program has historically been very successful in reducing Infiltration & Inflow (I&I) into the sewers and decreasing the number of blocked sewers in some of the oldest sewer lines in Waterford Township. The above graph indicates the modest but consistently positive rehabilitation effort.

Granite Contract Extension Continued.**Recommended Board Action:**

- **Award a two-year contract extension to Granite, through Calendar Year 2023 for Trenchless Rehabilitative Services.**

Moved by Markee,

Seconded by Thomas; RESOLVED, to award a two-year contract extension to Granite, through Calendar Year 2023 for Trenchless Rehabilitative Services. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

6.6 Programming for Water Treatment Facilities 16-1 and 16-2 Budget Adjustment

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

The decision has been made to forego some of the budgeted items this year at the DPW so we can continue the implementation of our SCADA upgrades at the water treatment facilities moving through the remainder of 2021. Some of the projects we are looking to postpone include GIS upgrades and additional Ignition server licenses. We believe it is more beneficial to keep our SCADA upgrades moving so we can get those completed in 2022/2023. The SCADA system is what allows us to monitor all of Waterford's water and sewer pump stations and storage tanks remotely; for this reason, we are asking the Board to approve the budget transfer of \$70,000 from account# 59044-86800 (Computer/Licensing) to account # 59041-92180 (Contract Repair & Maintenance - System)

Further, we are requesting the Board authorize Supervisor Wall to sign the attached proposal from Perceptive Controls to provide the programming for Water Treatment facilities 16-1 and 16-2 in the amount of \$68,821.99. Perceptive Controls is a single source contractor that has worked with the DPW to do the programming for our SCADA upgrades on all the township's water and sewer facilities.

Township Board Requested Action:

Approve the budget transfer of \$70,000 from Account# 59044-86800 to Account# 59041-92180; Authorize Supervisor Wall to sign the proposal from Perceptive Controls in the amount of \$68,821.99

Moved by Markee,

Seconded by Thomas; RESOLVED, to approve the budget transfer of \$70,000 from Account# 59044-86800 to Account# 59041-92180; furthermore, to Authorize Supervisor Wall to sign the proposal from Perceptive Controls in the amount of \$68,821.99. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5. Open Business**5.1 Consider Amended Final Decision Resolution Denying Medical Marihuana Facility License Application By Revolution Strains, Inc. For Medical Marihuana Provisioning Center License At 4030 Dixie Hwy**

The following memo was received by Township Attorney, Gary Dovre.

On June 14th you adopted a Final Decision Resolution Denying this Application for two (2) reasons. Lack of the required 500 feet separation from protected residentially zoned property and past due 2020 Summer Taxes when the Application was filed.

As I mentioned at that meeting regarding Applications that were postponed to June 28th, I was going to double-check to make sure none of those had past due taxes when they were filed. Although that review confirmed there were no additional Applications with such past due taxes, it also confirmed that the 2020 Summer Taxes on the property proposed for licensing in Application 17 had actually been paid on 9/30/2020.

Based on this discovery, provided with this letter is a new Denial Resolution (with the past due tax reason removed) that should be adopted to replace what was adopted on June 14th. The procedural motion to do that which I recommend be made and passed is:

Motion to rescind the June 14, 2021 Final Decision Resolution Denying Application No. 17, and in its place adopt the Amended Final Decision Resolution Denying Application No. 17 presented by the Township Attorney.

CHARTER TOWNSHIP OF WATERFORD
AMENDED FINAL DECISION RESOLUTION DENYING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application ("Application"):

| | |
|----------------------|-------------------------|
| License Applied For: | Provisioning Center |
| Named Applicant: | Revolution Strains, LLC |
| Facility Location: | 4030 Dixie |
| Initial Filing Date: | 1/4/2021 |
| Application Number: | 17 |

C. The Application with any subsequent amendments or supplements needed for administrative completeness was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 ("Reviews").

D. As relevant to this Final Decision, Section 10-303(d) provides as follows:

- (d) If any of the following circumstances exist, an application shall be denied without consideration of the license application review criteria in Section 10-304:
- (1) The facility license was not to be applied for and may not be approved or issued because of noncompliance with one (1) or more of the reasons listed in Section 10-299(a).

Consider Amended Final Decision Resolution Denying Medical Marihuana Facility License Application By Revolution Strains, Inc. For Medical Marihuana Provisioning Center License At 4030 Dixie Hwy Continued.

(4) The application is not substantively complete with respect to one (1) or more of the application requirements in Section 10-301(b).

E. The Reviews identified two (2) circumstances requiring the Application to be denied under Section 10-303(d), which were the basis of a Final Decision Resolution Denying the Application that was adopted by the Board on June 14, 2021.

F. After June 14, 2021, it was discovered that prior to the Initial Filing Date the 2020 Summer taxes had been paid and were not past due, which was one of the reasons for the prior Resolution.

G. On June 28, 2021, the Board voted to rescind its June 14, 2021, Resolution and adopt this Resolution in its place as the Board's written Final Decision on the Application.

IT IS THEREFORE RESOLVED that as required by Section 10-303(d), the Application is denied based on the following Waterford Charter Township Code Sections for the reason indicated:

10-299(a)(1) Lack of required 500 feet separation from protected residentially zoned property.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall email a copy to the Named Applicant's representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that a motion to adopt this Resolution as the written Final Decision by the Charter Township of Waterford Board of Trustees on the Medical Marihuana Facility License Application identified was approved by a roll call vote of _____ Yes votes to _____ No votes, at a regular meeting of that Board on June 28, 2021.

Date

Kimberly Markee, Township Clerk

Attorney Dovre addressed the Board of Trustees.

Attorney Jacquelyn Lanquest, for Revolution Strains, Inc. Ms. Lanquest requested the Board not adopt the Resolution denying the MMFLA for 4030 Dixie Hwy as they refute the distance requirement.

Consider Amended Final Decision Resolution Denying Medical Marihuana Facility License Application By Revolution Strains, Inc. For Medical Marihuana Provisioning Center License At 4030 Dixie Hwy Continued.

Moved by Markee,

Seconded by Bartolotta, RESOLVED, to rescind the June 14, 2021 Final Decision Resolution Denying Application No. 17, and in its place adopt the Amended Final Decision Resolution Denying Application No. 17 presented by the Township Attorney. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.2 Consider Request for Rescindment by Main Property Holdings, LLC, of June 14, 2021, Final Decision Resolution Denying Medical Marihuana Facility License Application for Provisioning Center License at 7265 Highland Road

The following memo was received from Nadeem Noah Harfouch, The Harfouch Law Firm, PLLC.

Please be advised that our firm represents the interests of Main Property Holdings, LLC ("MPH") with respect to the above-reference matter. Enclosed you will find a Request for Revocation/Rescindment of Resolution Adopted by Township of Waterford's Board of Trustees Denying MPH's Marijuana Facility License Application. Please review the attached documents and forward copies of this request to the Township Board. Upon receipt of this request, please place this item on the June 28, 2021 Board of Trustees meeting agenda and provide our office with a copy of the meeting agenda upon its completion.

Thank you for your attention to this matter. If you have any questions, please feel free to contact our office at any time.

Mr. David Senawi, appeared on behalf of Main Property Holdings, LLC. Mr. Senawi addressed the Board of Trustees and requested the Board to for Revocation/Rescindment of Resolution Adopted by the Waterford Township Board of Trustees denying MPH's Marijuana Facility License Application

Attorney Dove addressed the Board of Trustees and stated that the Resolution was based on the unpaid water bill and his opinion on the Ordinance language. Attorney Dove proceeded to highlight the following section of the Township Ordinance and approved MMFL application.

Sec. 10-299. Facility location and minimum requirements.

- (a) A facility license is not authorized and shall not be applied for, approved, or issued:
 - (7) For a property that has any past due property taxes, special assessments, water and sewer bills, or other financial obligation to the Township.
- (b) The Named Applicant is responsible for determining if a license application is prohibited by subsection (a). If a license application is submitted in violation of subsection (a) it shall be denied and the application fee shall be forfeited to the Township.

Consider Request for Rescindment by Main Property Holdings, LLC, of June 14, 2021, Final Decision Resolution Denying Medical Marihuana Facility License Application for Provisioning Center License at 7265 Highland Road Continued.

Approved Application where the applicant signs states: "...certifies that none of the conditions prohibiting this Application from being filed, as described in Section 10-299(a) of the Ordinance exist, and acknowledges that if this certification is false, that this Application will be denied and the Application Fee(s) shall be forfeited to the Township."

Furthermore, it was the named applicant's responsibility to ensure that all of the requirements of 10-299 are met. This applicant chose to rely on a Title Company to perform that service. Attorney Dovre stated one of the documents provided that the Buyer and Seller agreed to hold the Title Company harmless from mistakes regarding taxes and water and sewer bills. He doesn't find the blame being placed on the Title Company excusing very clear Ordinance Language. Someone that uses a Title Company uses them at their own risk.

Supervisor Wall stated that the Title Company was not appointed or hired by the Township.

Moved by Markee,

Seconded by Bartolotta; RESOLVED, to deny the request to revoke/or rescind the Resolution adopted by the Township Board of Trustee denying their Medical Marihuana Facility License Application, 7265 Highland Road for Main Property Holdings, LLC, due to Section 10-299(a) that at the time they submitted their application had a past due water and sewer bill. A roll call vote was taken.

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

Nays: Matsura

Absent: None

Motion carried.

5.3 Township Attorney Report on Review of MMFL Application Amendments

The following was received by Township Attorney Gary Dovre.

Taking into account the substantive completeness determinations you made on June 14, 2021, from my review of the Application Amendments you allowed, all but two (2) of the Applications are now substantively complete and not subject to denial for that reason alone. The information missing from Application Nos. 9 and 18 is identified in Final Decision Denial Resolutions that have been provided for possible adoption at your June 28th meeting.

There is a third Denial Resolution on the Agenda for the 28th. It is on Application No. 19, which was postponed from the June 14th meeting because the Resolution provided to the Named Applicant for that meeting did not identify past due financial obligations as a reason for denial.

Attorney Dovre addressed the Board regarding applications No. 9, 18, and 19 and the Final Decision Denial Resolutions for those applications. Furthermore, he outlined a suggested procedure, provided the Board with a generic motion template that is structured to identify the named applicant, address structured to allow conditions on approval you might grant and identifies the license review criteria under the ordinance. He recommends that every motion state "The site and building plans submitted for zoning and construction code approvals being modified from what was submitted with the application to fully comply with all ordinance and code requirements without variances".

5.4 **Consider Application by Michigan Community Collective, LLC for Medical Marihuana Processor License at 332 Summit Drive**

Mr. Michael Stein addressed the Board on behalf of Michigan Community Collective, LLC.

Trustee Bartolotta inquired when ground would break if they were granted a license. Mr. Stein stated within 30 days of receiving site plan approval.

Mr. Ari Leibowitz addressed the Board of Trustees and clarified that he has preliminary site plan approval for a 320,000 sq. ft. building and wasn't going to start it on speculative bases. If approval goes through he would move forward.

Trustee Monohon questioned if the grow, processing, and Provisioning Center would be joined. Mr. Stein stated that the Provisioning Center would be separate building at the corner of Telegraph Rd. and Elizabeth Lake Rd. Trustee Monohon asked questions regarding the conceptual plans.

Attorney Dove stated that the Summit Place Property has a conceptual planning commission site plan approval. He is unsure if it incorporates the Provisioning Center.

Moved by Markee,

Seconded by Bartolotta; RESOLVED, based on the findings under the review criteria in section 10-304 of the ordinance that I will identify in this motion, I move to approve the application, with any amendments that were allowed by the township board, by the named applicant, Michigan Community Collective, LLC for a Medical Marihuana Processor License at 332 Summit Drive with the following conditions, which must be accepted in writing by the named applicant as provided and within the time specified in section 10-303 of the ordinance:

1. The site and building plans submitted for zoning and construction code approvals being modified from what was submitted with the application to fully comply with all ordinance and code requirements without variances.

This motion is based on the following findings under the identified license review criteria in section 10-304 of the ordinance, the legislative intent stated in section 10-293 of the ordinance, and the evidence presented:

- Unconditional ownership and possession of property; The applicant will lease the property
- If not unconditionally owned and possessed, the nature, extent and length of Named Applicant interest in and rights to unconditionally possess, manage, and control property. The applicant will lease the property for a 10 year lease.
- The applicant complied with written consents or approvals of proposed facility by all persons with interest in property.
- It is a vacant property
- It will be a stand-alone facility in a stand-alone facility unless the grow facility was approved and then it would be all in one.
- The ground breaking would be after final approved by the Planning Commission and would take approximately 375 days to complete.
- The \$391,355 for construction costs which seems reasonable for a Processing Center of this size.
- The property is 1250 feet from the nearest protected property.
- The Police Chief approves of site and approved the security footage being saved for 60 -90 days.
- The applicant has numerous business.
- Will hire 20 employees with Waterford residents being preferred applicants.
- They have supplied and complied with written consents/approvals of owners and other occupants of building and adjoining properties.
- They have provided written support from township property owners, business owners, and residents.

Consider Application by Michigan Community Collective, LLC for Medical Marihuana Processor License at 332 Summit Drive Continued.

- They are committing \$25,000.00, annually, to charitable or other commitments to benefit groups and programs in the Township.
At this time I believe they are fully and substantively complete.

A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.5 Consider Application by Michigan Community Collective, LLC for Medical Marihuana Grower Application at 330 Summit Drive

Mr. Stein addressed the Board of Trustees. Mr. Stein stated that the \$25,000.00, was intended to be annually between the three licenses. Supervisor Wall stated that both applications stated \$25,000.00 annually and Mr. Stein stated that was acceptable.

Moved by Markee,

Seconded by Hauswirth; RESOLVED, based on the findings under the review criteria in section 10-304 of the ordinance that I will identify in this motion, I move to approve the application, with any amendments that were allowed by the Township Board, by the named applicant, Michigan Community Collective, LLC for a Medical Marihuana Grower License at 330 Summit Drive with the following conditions, which must be accepted in writing by the named applicant as provided and within the time specified in section 10-303 of the ordinance:

1. The site and building plans submitted for zoning and construction code approvals being modified from what was submitted with the application to fully comply with all ordinance and code requirements without variances.
2. The following changes to the indicated portion of the application:
 - a. They must submit to planning and must add sidewalks and landscaping to their plan
 - b. A ground sign must be removed

This motion is based on the following findings under the identified license review criteria in section 10-304 of the ordinance, the legislative intent stated in section 10-293 of the ordinance, and the evidence presented:

- The applicant will lease from the owner of the property for a 10 year lease.
- It is a vacant property
- It will be a stand-alone facility in a stand-alone facility unless the grow facility was approved and then it would be all in one.
- The ground breaking would be after final approve by the Planning Commission and would take approximately 375 days to complete.
- They will build a new 65,000 sq. ft. building at an estimated cost of \$5.1 million dollars, and will completed in approximately 375 days.
- Will hire 80 employees with Waterford residents being preferred applicants.

Consider Application by Michigan Community Collective, LLC for Medical Marihuana Grower Application at 330 Summit Drive Continued.

- They will join the Chamber of Commerce.
- They will give back to local business.
- They will offer free football camps in Waterford Township
- They will provide 40-80 hours of volunteer hours annually
- They will hold an annual Toy Drive for Waterford children of \$5,000-\$7,000
- They commit \$25,000.00 annually to Waterford programs.

Trustee Bartolotta inquired about the Chamber of Commerce and Clerk Markee clarified the application stated Michigan Community Collective, LLC would join the Chamber of Commerce.

A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.6 Consider Application by MistyMee, LLC for Medical Marihuana Grower License at 5327 Dixie Hwy

Attorney Thurin addressed the Board of Trustees.

Clerk Markee inquired how the applicants are involved with our community. Ms. Thurin stated that the landlords owned a Sprint Store, in Waterford Township, for many years, and own a market in the community, speaking in reference of Frank, Shelly and Andrew Roye. They will use the expertise of the other applicants who have experience in cannabis industry.

Frank Roye, landlord on application, over the past 30 years they have been Waterford residents and a business owner. They supplied cellular phones to the Township, worked with the DPW and Police Department, and own the Lake Vine Liquor Store for almost 30 years.

Trustee Monohon asked the applicant to expand on the charitable contributions. Ms. Thurin stated the intent was to give a percentage of the net revenue back to the community, allow the employees to volunteer for Waterford charities, and there are a couple organizations that are of particular interest to the applicants.

Clerk Markee inquired as to the percent to give back to the community. Ms. Thurin stated a minimum of \$25,000.00 annually on top of the employees volunteering.

Attorney Dovre questioned Ms. Thurin if the \$25,000.00 would be to Waterford Township or Waterford Township Organizations. Ms. Thurin stated Waterford Township is acceptable.

Moved by Markee,

Seconded by Thomas; RESOLVED, based on the findings under the review criteria in section 10-304 of the ordinance that I will identify in this motion, I move to approve the application, with any amendments that were allowed by the Township Board, by the named applicant MistyMee, LLC for a Medical Marihuana Grower License at 5327 Dixie Hwy with the following conditions, which must be accepted in writing by the named applicant as provided and within the time specified in section 10-303 of the ordinance:

Consider Application by MistyMee, LLC for Medical Marihuana Grower License at 5327 Dixie Hwy. Continued.

1. A minimum of \$25,000.00 annual contribution to Waterford Township for use towards Parks and Receptions, WOTA, sidewalks, as determined by the Township Board, which must be accepted in writing by the named applicant as provided within the time specified in section 10-303 of the ordinance.
2. The site and building plans submitted for zoning and construction code approvals being modified from what was submitted with the application to fully comply with all ordinance and code requirements without variances.
3. The following changes to the indicated portion of the application:
 - a. The site plan must be updated with the planning department

This motion is based on the following findings under the identified license review criteria in section 10-304 of the ordinance, the legislative intent stated in section 10-293 of the ordinance, and the evidence presented:

- The applicant will lease 10,000 square feet from the owner of the property for a 5 year lease with 4 options to renew.
- It will be a stand-alone facility.
- They will be up and running in approximately nine (9) months.
- The site plan is acceptable and the \$2,525,747 is an acceptable according to the department responses.
- Will hire 26 employees with Waterford residents being preferred applicants.
- They will provide community out-reach and education.
- They verbally commit a minimum of \$25,000.00 annually to Waterford Township for use towards Parks and Receptions, WOTA, sidewalks, as determined by the Township Board.

A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.7 Consider Application by Quality Roots, Inc. for Medical Marihuana Provisioning Center License at 00 Tull Ct 13-18-376-005

Eric Klar, CEO Craig Arehonof, Attorney for Quality Roots addressed the Board of Trustees.

Trustee Hauswirth read the following statement.

I have been advised by legal counsel, Gary Dovre, and through the Code of Conduct to disclose that the managing partner of MCH Holdings, who has a purchase agreement with Quality Roots, is my son Michael Hauswirth. He is NOT the applicant and the situation to sell or lease land exists with several other local business owners and applicants. I personally know many of these businesses as do many of my fellow board members who may have relationships.

Consider Application by Quality Roots, Inc. for Medical Marihuana Provisioning Center License at 00 Tull Ct 13-18-376-005 Continued.

The Code of Conduct adopted by the board in 2015 and upheld in 2019 states as follows:

- a. Treat all board members with respect and courtesy
- b. Always exhibit professional behavior
- c. Maintain confidentiality of township matters when it's appropriate
- d. Promptly disclose conflicts of interest, and take immediate action when one arises
- e. Remember your fiduciary duties

My fellow trustees and colleagues know me well and I am sure they will agree I have nothing but the best intentions for this community and I consistently follow these rules of conduct including this evening. I spent several days visiting every proposed site within Waterford Township and many painstaking hours reviewing all applications as did my fellow trustees. I can say with all sincerity and integrity that this relationship will and does not interfere with my consideration of the applications. I will respectfully turn to my colleges regarding participating in this vote and respect their opinion. However, I do want to know if I can share information I gathered regarding Quality Roots according to Section 10-304 that Gary Dovre had instructed us to do whether I am able to vote or not. It would be a great disservice not to share the information they worked so hard to gather, along with the other applicants.

Attorney Dovre stated that Trustee Hauswirth has done what is required by disclosing the information. Under Michigan Law, certain personal interests/relationships, have been found by courts to be a conflict of interest. Attorney Dovre stated the Charter Township Act requires every Trustee to vote unless they are excused by the unanimous consent of the remaining members. If a Board member does not want Ms. Hauswirth to participate in the case than the appropriate motion would be, to have Trustee Hauswirth refrain from voting and participating in the case. If all 6 agree, than she would not participate on this case or vote. If the vote is not unanimous Trustee Hauswirth would vote and participate in the case.

Moved by Bartolotta,

Seconded by Thomas, RESOLVED, to reclude Trustee Hauswirth to not participate in the case or vote for on Medical Marihuana Provisioning Center License at 00 Tull Ct, Parcel 13-18-376-005. A roll call vote was taken.

Ayes: Thomas, Bartolotta

Nays: Wall, Markee, Matsura, and Monohon

Absent: None

Motion failed.

Trustee Bartolotta stated it was a slap in the face to local business men and he will be voting no.

Clerk Markee stated that no one else has made an offer of \$840,000.

Moved by Markee,

Seconded by Matsura; RESOLVED, based on the findings under the review criteria in section 10-304 of the ordinance that I will identify in this motion, I move to approve the application, with any amendments that were allowed by the Township Board, by the named applicant Quality Roots for a Medical Marihuana Provisioning Center License at 00 Tull Ct, Parcel 13-18-376-005, with the following conditions, which must be accepted in writing by the named applicant as provided and within the time specified in section 10-303 of the ordinance:

Consider Application by Quality Roots, Inc. for Medical Marihuana Provisioning Center License at 00 Tull Ct 13-18-376-005 Continued.

1. The site and building plans submitted for zoning and construction code approvals being modified from what was submitted with the application to fully comply with all ordinance and code requirements without variances.

This motion is based on the following findings under the identified license review criteria in section 10-304 of the ordinance, the legislative intent stated in section 10-293 of the ordinance, and the evidence presented:

- This Applicant will purchase property from MCH Holdings, LLC and MCH Holdings will receive a 10% interest.
- This applicant was the first substantially complete application.
- They provided the required written consents on 1-4-2021.
- The Township Resident is concerned about his Township, lives here, and his family lives here. They want to see the community grow and improve.
- This will be new construction.
- This will be a stand-alone building which is more favorable.
- The construction will take about 5 months.
- The facility will take about 6 months to complete the facility.
- The cost estimate of \$2,230,747.22 appears adequate by our Planning Department.
- It is 1900 feet from the nearest protected property, more than the 500 feet required.
- According to our Building Department these plans are ready to submit for review and are highly exceptional.
- The location exceeds and is compliant, it is a highly encouraged location as stated by our Planning Department.
- This applicant met all law enforcement requirements.
- The application exceeds the minimum standards under the Act, Rules, or decisions or determinations by the State Board.
- The applicant complies with all requirements and since this location is not on M-59, there is applicable turning space to not impede the heavy traffic on M-59.
- Interested parties include the Schostak Bros. who manage a \$783 million dollar real estate portfolio and helped to bring in a 300,000 sq. ft. FedEx facility to Oakland County. In 2016 Jeffrey Schostak, who is a 10% owner, was nominated for Crain's Top 40 under 40, and L. Brooks Patterson also named him in the Oakland County 40.
- Team Schostak family restaurants was named a Detroit Free Press Top workplace.
- They will start by hiring 15 employees and 80% of new hires will be Charter Township of Waterford residents.
- They are located in 24 states with their 1st operation in Battle Creek, Michigan.
- The Owners of the Pontiac Lake Inn and Pizzeria Dolce, Murray Day, Lindsay Broadwell, Wendell Hutchison, Patrick Deibel, Ian Perry, Vince Mazzi, Curt Redinger, and Josh Bowren submitted written letters of support.
- Total commitments during year's 1-5 range from \$495,000 to \$840,000 committed to our Township. They have specifically i: from, \$60,000 for sidewalks with \$20,000 annually for sidewalks, \$20,000 for Parks and Recreation, \$20,000 for Beautification, \$15,000 for WOTA, and \$20,000 for the Drayton Plains Nature Center.
- The owners of this property has been involved with Toyology for toys.

Consider Application by Quality Roots, Inc. for Medical Marihuana Provisioning Center License at 00 Tull Ct 13-18-376-005 Continued.

- Brian Barnett, Mayor of Rochester Hills, has endorsed these applicants and they have a location in Rochester Hills.
They have operated family pharmacies for 29 years and have a pharmacy background.
- They have made a very generous offer to our community.
- Believes they would be a great Provisioning Center for the Township.
-

A roll call vote was taken.

Ayes: Markee, Hauswirth, Matsura, and Monohon

Nays: Wall, Thomas, and Bartolotta

Absent: None

Motion carried.

5.8 Consider Application by DNVK 1, LLC for Medical Marihuana Provisioning Center License at 6744 Highland Rd

Mr. Marvin Karana addressed the Board of Trustees.

Trustee Monohon inquired as to how DNVK would benefit Waterford.

Moved by Markee,

Seconded by Hauswirth, RESOLVED, to postpone this applicant for further consideration to the end of open business item no. 5 on tonight's agenda. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.9 Consider Application by DNVK 1, LLC for Medical Marihuana Provisioning Center License at 2460 Dixie Hwy

Mr. Marvin Karana addressed the Board of Trustees and requested that the Board incorporate the comments regarding DNVK 1, LLC, 6774 Highland Road. Mr. Karana addressed the plans for 2460 Dixie Hwy.

Supervisor Wall stated this applicant stood out to him and he does not know the applicant. This property has been a problem for the Township since the late 1970's. There have been 575 police calls since 1993 and 186 1st responder calls since 2003. This property has been an on-going problem and cannot think of another property that could be refurbished more favorable for Waterford Township.

Consider Application by DNVK 1, LLC for Medical Marihuana Provisioning Center License at 2460 Dixie Hwy. Continued.

Trustee Monohon stated he is concerned about the vacant "Big Boy" property near the property. Mr. Karana stated that the "Big Boy" property was the original location where they wanted to place the provisioning center but it was under contract and not in an approved zone.

Trustee Hauswirth inquired if he has a provisioning Center in Muskegon Heights. Mr. Karana confirmed he has a conditional Provisioning Center in Muskegon Heights.

Moved by Monohon,

Seconded by Matsura; RESOLVED, to postpone this applicant for further consideration to the end of open business after item no. 5 on tonight's agenda. A roll call vote was taken.

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

Nays: Thomas and Bartolotta

Absent: None

Motion carried.

5.10 Consider Application by DNVK 1, LLC for Medical Marihuana Provisioning Center License at VL-13-18-378-001

Mr. Marvin Karana addressed the Board of Trustees and requested that the Board incorporates the comments regarding DNVK 1, LLC, 6774 Highland Road. Mr. Karana Karana addressed the plans for VL 13-18-378-001.

Moved by Markee,

Seconded by Matsura; RESOLVED, to postpone this applicant for further consideration to the end of open business item no. 5 on tonight's agenda. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.11 Consider Application by DNVK 1, LLC for Medical Marihuana Provisioning Center License at 5790-5832 Highland Rd

Mr. Marvin Karana addressed the Board of Trustees and requested that the Board incorporates the comments regarding DNVK 1, LLC, 6774 Highland Road. Mr. Karana addressed the plans for 5790-5832 Highland Road.

Trustee Bartolotta stated his concerns about the wetlands on the property and the "Welcome to Waterford" sign.

Consider Application by DNVK 1, LLC for Medical Marihuana Provisioning Center License at 5790-5832 Highland Rd

The Board questioned regarding the wetlands and required permits. Mr. Karana stated they would comply with all wetland requirements and move the "Welcome to Waterford" sign, if necessary. The Board discussed traffic concerns on Highland Road.

Attorney Dovre stated section 10-306-(L) Medical Marijuana may not be distributed outside of the building and stated that the curbside and delivery is not possible. Mr. Karana retracted his comments regarding curbside delivery.

Mr. Karana advised Attorney Dovre that an out of town Dispensary could make a delivery to a Waterford address. Attorney Dovre stated that tonight wasn't the night to debate that. Supervisor Wall clarified the information. Attorney Dovre stated our ordinance only covers Waterford Dispensaries.

Moved by Markee,

Seconded by Matsura; RESOLVED, to postpone this applicant for further consideration to the end of open business item no. 5 on tonight's agenda. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.12 Consider Application by DNVK 1, LLC for Medical Marihuana Provisioning Center License at 7766 Highland Rd and VL 13-18-353-035

Mr. Marvin Karana addressed the Board of Trustees and requested that the Board incorporates the comments regarding DNVK 1, LLC, 6774 Highland Road. Mr. Karana addressed the plans for 7766 Highland Road.

The Board discussed traffic concerns. They were advised that a traffic study was completed by Fleece and Vanderveen and traffic was not a concern.

Moved by Markee,

Seconded by Hauswirth; RESOLVED, to postpone this applicant for further consideration to the end of open business item no. 5 on tonight's agenda. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.13 Consider Application by Golden Rockies, Inc. For Medical Marihuana Provisioning Center License at 5770 & 5806 Dixie Hwy

Attorney Aaron Geyer addressed the Board of Trustees.

Moved by Hauswirth,
Seconded by Matsura; RESOLVED, to postpone this applicant for further consideration to the end of open business item no. 5 on tonight's agenda. A roll call vote was taken.

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

Motion carried unanimously.

5.14 Consider Application by Attitude Wellness D/B/A Lume Cannabis Co. For Medical Marihuana Provisioning Center License at 3455 Highland Road

Mr. John Abbo addressed the Board of Trustees.

Moved by Matsura,
Seconded by Markee; RESOLVED, to postpone this applicant for further consideration to the end of open business item no. 5 on tonight's agenda. A roll call vote was taken.

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

Motion carried unanimously.

5.15 Consider Application by Revolution Strains, Inc. For Medical Marihuana Provisioning Center License at 3432 Highland Road

Ms. Sheri Keljo, Mr. Remon Sweiss, and Ms. Jacqueline, and John Gumma addressed the Board of Trustees.

Clerk Markee clarified the charitable contributions and was advised they would make donations up to \$150,000 annually.

Moved by Bartolotta,
Seconded by Hauswirth; RESOLVED, to postpone this applicant for further consideration to the end of open business item no. 5 on tonight's agenda. A roll call vote was taken.

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

Motion carried unanimously.

The Board of Trustees took a five (5) minute break as requested by Trustee Monohon.

5.16 Consider Application by Galaxy Farms Group, LLC for Medical Marihuana Provisioning Center License at 3560 Elizabeth Lake Road

5.16.1 Possible Adoption Of Final Decision Resolution Denying Medical Marihuana Facility License Application, Galaxy Farms Group, LLC For Medical Marihuana Provisioning Center

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION DENYING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application ("Application"):

| | |
|----------------------|--------------------------|
| License Applied For: | Provisioning Center |
| Named Applicant: | Galaxy Farms Group, LLC |
| Facility Location: | 3560 Elizabeth Lake Road |
| Initial Filing Date: | 1/4/2021 |
| Application Number: | 18 |

C. The Application with any subsequent amendments or supplements needed for administrative completeness was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 ("Reviews").

D. On June 14, 2021, the Board made determinations to be applied to all Facility License Applications on what would be considered as substantively complete for several requirements under Section 10-301(b) ("Determinations").

E. As relevant to this Final Decision, Section 10-303(d) provides as follows:

(d) If any of the following circumstances exist, an application shall be denied without consideration of the license application review criteria in Section 10-304:

(4) The application is not substantively complete with respect to one (1) or more of the application requirements in Section 10-301(b).

F. Under the Determinations, the Reviews identified one or more circumstances requiring the Application to be denied under Section 10-303(d), ("Denial Reasons"), written notice of which was provided to the Named Applicant before and after the Board's meeting on June 14, 2021.

G. As allowed by the Board's June 14, 2021, vote to allow the filing of amendments of Facility License Applications to address Denial Reasons, the Named Applicant filed amendments and rebuttals regarding the Denial Reasons before the Board established deadline ("Amendment").

H. The only Denial Reason not adequately addressed in the Named Applicant's amendments is detailed in this Final Decision Resolution, a copy of which was emailed by the Township Clerk to the Named Applicant's representative with Notice it would be considered for adoption by the Board at its June 28, 2021, 6:00 PM meeting.

Consider Application by Galaxy Farms Group, LLC for Medical Marihuana Provisioning Center License at 3560 Elizabeth Lake Road Continued.

I. At its meeting on June 28, 2021, after providing the Named Applicant an opportunity to address the Denial Reason in this Resolution, by the vote indicated in the Clerk’s Certification, the Board approved a motion to adopt this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that as required by Section 10-303(d), the Application is denied based on the following Waterford Charter Township Code Sections for the reasons indicated:

10-301(b)(3)a – k Information and motor vehicle operator’s license not provided for & 10-071(d) Applicant Midya Gumma, spouse of Simon Gumma, and identified as an Applicant in the Applicant consent form filed with the Application. (Criminal record for Midya Gumma, while not separately filed, was located in the state license prequalification supplemental application for Midya Gumma, and is not a basis for this denial.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board’s motion to do so, the Township Clerk shall email a copy to the Named Applicant’s representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that a motion to adopt this Resolution as the written Final Decision by the Charter Township of Waterford Board of Trustees on the Medical Marihuana Facility License Application identified was approved by a roll call vote of _____ Yes votes to _____ No votes, at a regular meeting of that Board on June 28, 2021.

_____ Date

_____ Kimberly Markee, Township Clerk

Attorney Dovre addressed the Board of Trustees. The applicant did not submit the required documents by the June 17, 2021, 12:00 p.m. deadline to rectify any application deficiencies. The applicant has since submitted the information. There are two options:

1. Act on the Resolution to Deny the application because it wasn’t substantially complete by the timeline established
2. Move and pass a motion to allow the amendment that was submitted on June 21st and consider the application.

Mr. Justin Elias discussed the Board of Trustees regarding the missing driver’s license of one of the partners, non-operating, spouse and requested not to deny the application.

Moved by Hauswirth,
Seconded by Markee; RESOLVED, to adopt the Final Decision Resolution Denying Medical Marihuana facility License Application, for Galaxy Farms Group, LLC, for Medical Marihuana Provisioning Center. A roll call vote was taken.

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

Motion carried.

5.17 Consider Application by Lake Effect Group, LLC for Medical Marihuana Provisioning Center License at 2020 Dixie Hwy

5.17.1 Possible Adoption Of Final Decision Resolution Denying Medical Marihuana Facility License Application, Lake Effect Group, LLC, For Medical Marihuana Provisioning Center

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION DENYING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application ("Application"):

| | |
|----------------------|------------------------|
| License Applied For: | Provisioning Center |
| Named Applicant: | Lake Effect Group, LLC |
| Facility Location: | 2020 Dixie |
| Initial Filing Date: | 1/5/2021 |
| Application Number: | 19 |

C. The Application with any subsequent amendments or supplements needed for administrative completeness was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 ("Reviews").

D. As relevant to this Final Decision, Section 10-303(d) provides as follows:

- (d) If any of the following circumstances exist, an application shall be denied without consideration of the license application review criteria in Section 10-304:
- (2) The facility license was not to be applied for and may not be approved or issued because of noncompliance with one (1) or more of the reasons listed in Section 10-299(a).

E. The Reviews identified one or more circumstances requiring the Application to be denied under Section 10-303(d), which as approved by the Board, are detailed in this Final Decision ("Denial Reasons").

F. On June 14, 2021, the Board voted to postpone consideration of a Final Decision Resolution Denying the Application for the Denial Reasons to its June 28, 2021, 6:00 PM meeting.

G. A copy of this Final Decision Resolution was emailed by the Township Clerk to the Named Applicant's representative with Notice it would be considered for adoption by the Board at its June 28, 2021, 6:00 PM meeting.

H. At its meeting on June 28, 2021, after providing the Named Applicant an opportunity to address the Denial Reasons, by the vote indicated in the Clerk's Certification, the Board approved a motion to adopt this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that as required by Section 10-303(d), the Application is denied based on the following Waterford Charter Township Code Sections for the reasons indicated:

10-299(a)(2) Property not connected to Township sanitary sewer system.

Consider Application by Lake Effect Group, LLC for Medical Marihuana Provisioning Center License at 2020 Dixie Hwy Continued.

10-299(a)(7) Past due property taxes on Initial Filing Date.
2020 Summer taxes of \$3,946.52 due 9/14/2020 plus interest and fees

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall email a copy to the Named Applicant's representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that a motion to adopt this Resolution as the written Final Decision by the Charter Township of Waterford Board of Trustees on the Medical Marihuana Facility License Application identified was approved by a roll call vote of _____ Yes votes to _____ No votes, at a regular meeting of that Board on June 28, 2021.

Date

Kimberly Markee, Township Clerk

Attorney Dovre stated at the last meeting the applicant representative stated they did not have notice of the past due property taxes so this application was postponed to tonight for a revised resolution to be sent. The Clerk's office then sent the revised resolution to the applicant representative.

There was not a representative on behalf of Lake Effect Group, LLC, in attendance of the mandatory Board Meeting.

Moved by Bartolotta,
Seconded by Thomas; RESOLVED, to adopt the Final Decision Resolution Denying Medical Marihuana Facility License Application, Lake Effect Group, LLC, for a Medical Marihuana Provisioning Center as presented. A roll call vote was taken.

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

Motion carried unanimously.

5.18 Consider Application by Michigan Community Collective, LLC for Medical Marihuana Provisioning Center License at 205 N. Telegraph Road

Mr. Michael Stein addressed the Board of Trustees. He stated there other national tenants interested should they obtain the Provisioning Center license.

Trustee Monohon inquired if the applicant would need a transport license since the buildings are stand-alone. Attorney Dovre stated that there is a Michigan State Law that requires the tracking of Medical Marihuana.

Consider Application by Michigan Community Collective, LLC for Medical Marihuana Provisioning Center License at 205 N. Telegraph Road Continued.

Moved by Markee,

Seconded by Hauswirth; RESOLVED, to postpone this applicant for further consideration to the end of open business item no. 5 on tonight's agenda. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.19 Consider Application by D&R Investment Group, LLC for Medical Marihuana Provisioning Center License at 4641 Highland Rd

5.19.1 Possible Adoption of Final Decision Resolution Denying Medical Marihuana Facility License Application, D & R Investment Group, LLC For Medical Marihuana Provisioning Center

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION DENYING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application ("Application"):

| | |
|----------------------|-----------------------------|
| License Applied For: | Provisioning Center |
| Named Applicant: | D & R Investment Group, LLC |
| Facility Location: | 4641 Highland |
| Initial Filing Date: | 1/4/2021 |
| Application Number | 9 |

C. The Application with any subsequent amendments or supplements needed for administrative completeness was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 ("Reviews").

D. On June 14, 2021, the Board made determinations to be applied to all Facility License Applications on what would be considered as substantively complete for several requirements under Section 10-301(b) ("Determinations").

E. As relevant to this Final Decision, Section 10-303(d) provides as follows:

- (d) If any of the following circumstances exist, an application shall be denied without consideration of the license application review criteria in Section 10-304:
 - (4) The application is not substantively complete with respect to one (1) or more of the application requirements in Section 10-301(b).

Consider Application by D&R Investment Group, LLC for Medical Marihuana Provisioning Center License at 4641 Highland Rd Continued.

F. Under the Determinations, the Reviews identified one or more circumstances requiring the Application to be denied under Section 10-303(d), (“Denial Reasons”), written notice of which was provided to the Named Applicant before and after the Board’s meeting on June 14, 2021.

G. As allowed by the Board’s June 14, 2021, vote to allow the filing of amendments of Facility License Applications to address Denial Reasons, the Named Applicant filed amendments and rebuttals regarding the Denial Reasons before the Board established deadline (“Amendment”).

H. The only Denial Reason not adequately addressed in the Named Applicant’s amendments is detailed in this Final Decision Resolution, a copy of which was emailed by the Township Clerk to the Named Applicant’s representative with Notice it would be considered for adoption by the Board at its June 28, 2021, 6:00 PM meeting.

I. At its meeting on June 28, 2021, after providing the Named Applicant an opportunity to address the Denial Reason in this Resolution, by the vote indicated in the Clerk’s Certification, the Board approved a motion to adopt this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that as required by Section 10-303(d), the Application is denied based on the following Waterford Charter Township Code Sections for the reasons indicated:

10-301(b)(22) The only insurance certificate documents submitted, which are attached and listed below, do not confirm the existence of worker’s compensation insurance as required by state law and do not name the Township and its officials/employees as added insureds:

1. Certificate of Insurance issued 12/30/2020 for the Named Applicant as the Named Insured that was filed with the Application.
2. Certificate of Liability Insurance issued 06/17/2021 for Pure Green Crush, LLC as the Insured that was filed with the Amendment.
3. Draft 6/17/2021 Application for Workers’ Compensation Insurance by Named Applicant as the Employer that was filed with the Amendment.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board’s motion to do so, the Township Clerk shall email a copy to the Named Applicant’s representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that a motion to adopt this Resolution as the written Final Decision by the Charter Township of Waterford Board of Trustees on the Medical Marihuana Facility License Application identified was approved by a roll call vote of _____ Yes votes to _____ No votes, at a regular meeting of that Board on June 28, 2021.

Date

Kimberly Markee, Township Clerk

Mr. Justin Dunaskiss addressed the Board of Trustees.

Trustee Bartolotta spoke in favor of D&R Investments Provisioning Center application.

Clerk Markee stated she feels all applicants should be held to the same standards.

Attorney Dovre stated the Boards options.

Consider Application by D&R Investment Group, LLC for Medical Marihuana Provisioning Center License at 4641 Highland Rd Continued.

Moved by Hauswirth,

Seconded by Matsura, RESOLVED, to adopt the Final Decision Resolution Denying Medical Marihuana Facility License Application, D&R Investment Group, LLC, for Medical Marihuana Provisioning Center as presented. A roll call vote was taken.

Ayes: Markee, Hauswirth, and Matsura

Nays: Wall, Thomas, Bartolotta and Monohon

Absent: None

Motion failed.

Attorney Dovre suggested the Board of Trustees make a motion to accept the late filings.

Moved by Bartolotta,

Seconded by Thomas, RESOLVED, to accept the late filing for D&R Investments. A roll call vote was taken.

Ayes: Wall, Thomas, and Bartolotta

Nays: Markee, Hauswirth, Matsura and Monohon

Absent: None

Motion failed.

Moved by Bartolotta,

Seconded by Thomas, RESOLVED, to determine D&R Investment Group, LLC's submittal by June 17, 2021, at noon was substantively complete regarding the insurance because of the insurance agent error in not distinguishing certificate holder from added insured. A roll call vote was taken.

Ayes: Wall, Thomas, Bartolotta, and Monohon

Nays: Markee, Hauswirth, and Matsura

Absent: None

Motion carried.

Moved by Bartolotta,

Seconded by Thomas, RESOVLED, to approve the application by D&R Investment Group, LLC, for Medical Marihuana Provisioning Center license at 4641 Highland Road with the condition which must be accepted in writing by the named applicant as provided and within the time specified in section 10-303 of the ordinance:

1. The site and building plans submitted for zoning and construction code approvals being modified from what was submitted with the application to fully comply with all ordinance and code requirements without variances.

This motion is based on the following findings under the identified license review criteria in section 10-304 of the ordinance, the legislative intent stated in section 10-293 of the ordinance, and the evidence presented:

Consider Application by D&R Investment Group, LLC for Medical Marihuana Provisioning Center License at 4641 Highland Rd Continued.

- Applicant would open within 30-60 days.
- They are committing \$25,000.00, annually, to charitable or other commitments to benefit groups and programs in the Township.
- The applicant has been an outstanding member of the community for 38 years.

A roll call vote was taken.

Ayes: Wall, Thomas, and Bartolotta

Nays: Markee, Hauswirth, Matsura, and Monohon

Absent: None

Motion failed.

Moved by Markee,

Seconded by Monohon, RESOLVED, to postpone this applicant for further consideration to the end of open business item no. 5 on tonight's agenda. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.20 Consider Application by Holistic Vibes Flint LLC for Medical Marihuana Provisioning Center License at 2135 Dixie Hwy

Attorney Michael Ajami addressed the Board of Trustees.

Moved by Markee,

Seconded by Matsura; RESOLVED, to postpone this applicant for further consideration to the end of open business item no. 5 on tonight's agenda. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.21 Consider Application by MJ Highland LLC for Medical Marihuana Provisioning Center License at 2060 Dixie Hwy

Mr. Mike Mar and Mike Acho, and Joe Bahri addressed the Board of Trustees.

Moved by Markee,

Seconded by Matsura; RESOLVED, based on the findings under the review criteria in section 10-304 of the ordinance that I will identify in this motion, I move to approve the application, with any amendments that were allowed by the township board, by the named applicant, MJ Highland, LLC, for a Medical Marihuana Provisioning Center license at 2060 Dixie Hwy with the following conditions, which must be accepted in writing by the named applicant as provided and within the time specified in section 10-303 of the ordinance:

1. The site and building plans submitted for zoning and construction code approvals being modified from what was submitted with the application to fully comply with all ordinance and code requirements without variances.
2. The following changes to the indicated portion of the application:
 - a. Plant 15 trees and 2 shrubs

This motion is based on the following findings under the identified license review criteria in section 10-304 of the ordinance, the legislative intent stated in section 10-293 of the ordinance, and the evidence presented:

- 2060 Dixie Hwy, the Old Aldi building.
- The Property will be leased.
- They have owned 2 previous business, the Quality Inn, Buscemis, and has been a Waterford Business owner for over 40 years.
- They have complied with the written consents of approvals of property facility.
- The cost estimate of \$423,000 is adequate for the renovations.
- This is a favorable consideration as a stand-alone building.
- Estimated 3 months for renovations.
- The application and building plans were well designed and could be submitted for review.
- The Police Chief had no concerns.
- Mr. Kahlua has 13 marihuana facilities that were listed in the application, showing experience.
- Over 20 letters in support
- They are planning on using 30 employees.
- The applicant has 10 years in Waterford Township as a business owner and has substantial assets to back them to make a successful business here in Waterford Township.

A roll call vote was taken.

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

Nays: Wall

Absent: None

Motion carried.

Trustee Bartolotta asked Attorney Dovre if they wanted to add additional two (2) Provisioning Centers licenses what would be the process. Attorney Dovre stated that the Board would need to amend the Ordinance to accomplish that. You would introduce an ordinance amendment at one meeting and adopt the ordinance at a second meeting. He indicated that there are eleven (11) applications for Provisioning Centers that have been postponed to the end of this meeting, you could postpone those to a date in the future that is far enough out that it would be past the time to get an ordinance amendment for more provisioning centers adopted. You could rely on applications already filed, bring the ones back before you and have another meeting. Trustee Bartolotta requested to have this placed on the next agenda.

Moved by Bartolotta,

Seconded Monohon, RESOLVED, to have the Township Attorney to prepare an ordinance amendment to increase to allow four (4) Provisioning Center Licenses for possible introduction at the July 12, 2021, meeting. A roll call vote was taken.

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

Nays: Markee

Absent: None

Motion carried.

Move by Monohon,

Seconded by Matsura, RESOLVED, to postpone the remaining eleven (11) Provisioning Center License applications to a date to be set after the Township Board has decided whether to add the Provisioning Center Licenses. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

5.5 Citizen to address the Board - D. Yono, Consumption Club

D. Yono was not in attendance.

5.6 Public Comments Limited to Three (3) Minutes per Speaker

Lamar Shathaya, Galaxy Farms Group, requested the Board to reconsider their Final Denial.

Simon Gumma, Galaxy Farms Group, requested the Board to reconsider their Final Denial.

Public Comments Continued.

DJ – voiced concerns of a conflict of interest.

Dave Senawi, Attorney, spoke against the proceedings of this meeting.

Noah Harfouch, spoke against the basis of denials.

Clerk Markee read the following stated from the GoToMeeting Chat box.
Frank Rizzo, voiced concerns of conflict of interest.

ADJOURNMENT

Moved by Thomas,
Seconded by Bartolotta, RESOLVED, to adjourn the meeting at 11:19 p.m. A roll call vote was taken.

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

Motion carried unanimously.

Kim Markee, Clerk

Gary Wall, Supervisor