

BOARD MEMBERS PRESENT:

Gary Wall, Supervisor
Kim Markee, Clerk
Margaret Birch, Treasurer
Anthony Bartolotta, Trustee
Art Frasca, Trustee
Karen Joliat, Trustee
Steven Thomas, Trustee

OTHERS PRESENT:

Hannah Godfrey
Shelly Schloss
Grant Smith
Donna Wall

Mark Monohon
Joe Ashley
Russ Williams
Joan Rogers

Marie Hauswirth
Barb Miller
Jeff Polkowski

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 requested Trustee Thomas. U.S. Veteran, to lead the Pledge of Allegiance.

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

1. APPROVE AGENDA

1.1 November 9, 2020

Moved by Birch,
Seconded by Thomas; RESOLVED, to approve the November 9, 2020, agenda as printed. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat and Thomas
Nays: None
Absent: None

Motion carried unanimously.

2. ANNOUNCEMENTS

- 2.1 Waterford Township administrative offices and the Waterford Township Public Library will be closed on the following dates in November in observance of holidays: November 11th - Veterans Day, November 26th & 27th - Thanksgiving, Emergency services remain available during these administrative closures.
- 2.2 It is almost the holiday season! Like most things in 2020, Goodfellows Christmas Baskets will be different this year. In lieu of food donations, the Waterford Goodfellows will be collecting cash and grocery store gift-card donations to distribute to Waterford families in need this holiday season. All families who are in need of a Goodfellows basket this year, will need to complete an application which will be posted on the Waterford Goodfellows Facebook page on December 1st. Applications will only be accepted December 1-4. Search "Waterford Goodfellows" on Facebook or visit the Waterford Township website or Facebook page for a link to the page. Those wishing to make monetary or gift card donations, may contact the Goodfellows directly or send to Waterford Goodfellows P.O. Box 301196 Waterford, MI 48330. If donating gift carts, please purchase in smaller amounts so they can be disbursed to more families.
- Thanks for your understanding and cooperation. Our goal is to keep everyone safe and healthy.
- 2.3 The Waterford Area Chamber of Commerce has officially launched its community-wide SUPPORT LOCAL CAMPAIGN! Shop local to support Waterford businesses and for your chance to win prizes! Eligible purchases made at Waterford chamber-member businesses in the month of November may be submitted via text or email for a chance to win a Visa gift card valued at \$250. Please visit the chamber website for details and a complete list of "Official Rules" www.waterfordchamber.org.
- 2.4 Waterford Township Residential GFL Customers receive curbside collection of an unlimited number of bags/cans of yard waste through the second week of December each year under our contract. The week of December 7-11 will be the last week for yard waste collection by GFL. Simply place your yard waste at the curb by 7:00 a.m. on your regular collection day that week, and that will be your last pickup of the season. Snowbirds - Heading out of town for the Winter? Don't forget to contact GFL at 844-464-3587 to place a hold on your service. **GFL November Holiday Schedule:** Please remember that Thanksgiving falls on a Thursday and GFL will not be servicing accounts that day. GFL customers whose regular collection day falls on Thanksgiving Thursday, November 26th will instead receive collection on Friday, November 27th. GFL customers whose regular collection day falls on Friday, November 27th will instead receive their collection on Saturday, November 28th.

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 October 26, 2020, Meeting Minutes
- 3.2 November 9, 2020, Bill Payment
- 3.3 Receive the Clerk's Office September 2020 Report
- 3.4 Receive the Library's September 2020 Report

Moved by Bartolotta,

Seconded by Markee; RESOLVED, to approve Consent Agenda items 3.1 and 3.4. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat and Thomas

Nays: None

Absent: None

Motion carried unanimously.

4. Board Liaison Reports (Verbal)

Treasurer Birch

Announced that this is her last meeting as Waterford Township Treasurer. It has been an honor, and privilege, to serve as Treasurer and on the Board of Trustees.

Supervisor Wall

COVID-19 Updates

October 26 th :	48327	48328	48329
Cases:	304	371	348
Deaths:	5	14	12
Current Cases:	476	545	558
Deaths:	5	14	12

COVID is spiking, please be safe, social distance, wear a mask, and use disinfectant.

Clerk Markee

Thank you to all who helped with the Election. Many people assisted with the Election, including the Library Staff, DPW Facilities and Operations, the IT Staff, the School District by providing their locations, and churches who helped by allowing us to use their facilities, including the staff that helped set up the precincts and to many, many volunteers. I cannot thank them enough. We could not have done this without all of them. Thank you to anyone that worked with the Election; we truly appreciate it.

Trustee Joliat

Announced this is also her last meeting as a Board member. Margaret, "It has been an absolute pleasure getting to know you over the years." It's been my pleasure to serve the people of Waterford.

Trustee Bartolotta stated that Trustee Joliat will be serving the Township as a County Commissioner.

Trustee Frasca

Announced this is also his last meeting. It has been a tremendous experience working with all of you, and it's been a pleasure to add value to the citizens of Waterford.

5. New Business

5.1 Consider Introduction of Medical Marihuana Facility Licensing Ordinance Amendment No. 2020-006

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

One of the basic requirements under the Licensing Ordinance you adopted on October 26, 2020, was compliance with the administrative rules promulgated by the Michigan Marijuana Regulatory Agency (MRA) under the Michigan Medical Marihuana Act. The definition of those Rules in Section 10-294 and references to them in Sections 10-300, 10-301, and 10-306 of the Ordinance need to be updated.

The Rules defined and cited in the adopted ordinance are technically still in effect but have a sunset date of November 27, 2020, and are not expected to be extended. That is because the MRA has promulgated a new comprehensive set of rules for medical and recreational marihuana facilities that took effect June 22, 2020, that covers the same turf as the old rules in greater detail.

Consider Introduction of Medical Marihuana Facility Licensing Ordinance Amendment No. 2020-006
Continued.

The Ordinance Amendment presented with this letter would update the definition and references to the Rules to the new MRA rules, and possible future amendments or additions to those MRA rules. The actual changes to accomplish that have been tracked. The recommended action at your November 9, 2020, meeting would be a:

Motion to introduce Medical Marihuana Facility Licensing Ordinance Amendment No. 2020-006 and schedule it for possible adoption on November 23, 2020.

CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2020-006

MEDICAL MARIHUANA FACILITY LICENSING ORDINANCE AMENDMENT

An Ordinance to amend the Medical Marihuana Facility Licensing Ordinance by updating and changing the definition of and references to the administrative rules under the Medical Marihuana Facilities Licensing Act.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 10-294(a)(4) and the definition of Rules in Section 10-294(b) of the Waterford Charter Township Code are amended to read as follows:

Sec. 10-294. Definitions.

- (a) In addition to the rules of construction and definitions contained in Sections 1-002 and 10-053, words, terms, and phrases used in this Ordinance shall have the meanings defined in the following state laws, that are adopted by reference, unless defined differently in this Ordinance:
- (1) Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq.
 - (2) Michigan Medical Marihuana Act, MCL 333.26421 et seq.
 - (3) Marihuana Tracking Act, MCL 333.27901 et seq.
 - (4) Medical Marihuana Facilities Administrative Rules (Rules as defined in subsection (b).)
- (b) As used in this Ordinance, the following words, terms, and phrases shall have the meanings indicated.
- Rules** means the administrative rules that have been or in the future are promulgated by the Michigan Marijuana Regulatory Agency under Section 206 of the Act, MCL 333.27206, to implement the Act, which as of June 22, 2020, are included in the rules codified in the Michigan Administrative Code as R 420.1 through R 420.809.

Section 2 of Ordinance

Section 10-300(c) of the Waterford Charter Township Code is amended to read as follows:

Sec. 10-300. Overview of license application, approval and issuance procedure.

- (c) A license application for a facility shall not be filed until after an application prequalified under the Rules as satisfying the requirements of MCL 333.27401(1) in the Act and the Rules for the corresponding state license has been made. The Township Board shall not consider approving a license if the corresponding state license has been denied.

Section 3 of Ordinance

Section 10-301(b)(1) of the Waterford Charter Township Code is amended to read as follows:

Sec. 10-301. License application requirements.

Consider Introduction of Medical Marihuana Facility Licensing Ordinance Amendment No. 2020-006
Continued.

- (b) (1) Copy of the application filed and prequalified under the Rules as satisfying the requirements of MCL 333.27401(1) in the Act and the Rules for the corresponding state license.

Section 4 of Ordinance

Section 10-306(b)(5) of the Waterford Charter Township Code is amended to read as follows:

Sec. 10-306. License standards, terms, and conditions.

- (b) The facility shall be constructed, used, operated, and maintained in compliance with all Township Codes and Ordinances and the following state laws that are adopted by reference as part of this Ordinance:
 - (1) The MMFLA (Medical Marihuana Facilities Licensing Act.)
 - (2) The Tracking Act (Michigan Marihuana Tracking Act.)
 - (3) The State license for the facility.
- (4) The MMMA (Michigan Medical Marihuana Act.)
 - (5) The Rules (Medical Marihuana Facilities Administrative Rules)

Section 5 of Ordinance

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

Section 6 of Ordinance

This Ordinance shall be published before and take effect on January 4, 2021.

CERTIFICATION

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of Waterford at a regular meeting held on _____, 2020.

CHARTER TOWNSHIP OF WATERFORD

Date

By: _____
Kimberly F. Markee, Township Clerk

Introduced:
Adopted:
Published:

Moved by Joliat,
Seconded by Frasca, RESOLVED, Motion to introduce Medical Marihuana Facility Licensing Ordinance Amendment No. 2020-006 and schedule it for possible adoption on November 23, 2020. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat, and Thomas
Nays: None
Absent: None

Motion carried unanimously.

6. **New Business**
6.1 **Resolution Regarding Restaurant Nonpermanent Structures and Temporary Use Due to COVID-19 Epidemic**

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

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

**RESOLUTION REGARDING RESTAURANT NONPERMANENT STRUCTURES AND
TEMPORARY USES DUE TO COVID-19 EPIDEMIC**

RECITALS:

A. On June 8, 2020, the Board of Trustees adopted a Resolution Allowing Temporary Uses Due to COVID-19 States of Emergency, Orders, and Related Hardships that was effective through October 31, 2020, providing assistance for restaurants by permitting them to temporarily expand their dining areas in response to capacity restrictions under Executive Orders issued by the Governor.

B. Although the Executive Orders issued by the Governor that established the restaurant capacity restrictions have been determined by the Michigan Supreme Court to have been issued under an unconstitutional statute, under the Public Health Code the Director of the Michigan Department of Health and Human Services (MDHHS) has determined that COVID-19 is an epidemic and has issued, and is expected to continue to issue, Orders to control that epidemic, which include restrictions on gatherings at food service establishments, with the current restriction prohibiting gatherings that exceed 50% of seating capacity.

C. Section 4-014 of the Zoning Ordinance allows the Zoning official to approve permits for nonpermanent buildings and structures on a zoning lot to be used in conjunction with the principal use of that zoning lot.

D. In adopting this Resolution, the Board of Trustees intends and is attempting to assist restaurant establishments as defined in the Zoning Ordinance by permitting them to temporarily expand their dining areas, including to outdoor areas, as a means to help them deal with the hardships imposed by the COVID-19 epidemic while still complying with MDHHS Orders or other laws restricting capacity.

IT IS THEREFORE RESOLVED that during any time when the persons allowed to gather is limited by COVID-19 related State of Michigan Orders or other laws to less than the seating capacity of a restaurant establishment, that establishment may provide services in outdoor areas for the number of persons not allowed to gather in the indoor part of the establishment by that State Order or law, subject to and in compliance with the following standards and procedures:

1. Must comply with the provisions of all current and future Michigan statutes Orders of the MDHHS, Governor, or other State Department regarding the business, face coverings, social distancing, protective clothing or equipment, party size, occupancy requirements, and any other applicable standards, conditions, or requirements.
2. Standards for Temporary Approval for outdoor dining spaces for Restaurant Establishments include:
 - a. If use of a new nonpermanent building or structure is proposed for the outdoor dining space, the requirements and procedure in Section 4-014 of the Zoning Ordinance shall be followed, with the Zoning Official allowed to issue successive permits for the same restaurant establishment.

Resolution Regarding Restaurant Nonpermanent Structures and Temporary Use Due to COVID-19 Epidemic Continued.

- b. If use of an existing structure such as a designated hard surface or parking area is proposed for the outdoor dining space, the requirements and procedure in Section 4-014 shall also be followed, with the Zoning Official allowed to issue successive permits for the same restaurant establishment.
- c. These uses must be operational in conjunction with an interior business of the same function and on the same property
- d. To be located outside of the establishment on designated hard surfaced or parking areas.
- e. Business must possess a valid Certificate of Occupancy and any required Business License at the time of application.
- f. Applicant must obtain permission from property owner and must verify, in writing, the current number of tables or chairs to determine number of exterior tables or chairs permitted.
- g. Unless otherwise specified by the State of Michigan, tables and chairs must be placed so that patrons are at minimum 6 feet away from other patrons.
- h. Must comply with all applicable Fire Department and Code regulations and requirements, including approval for outdoor tents, to ensure Fire Department access is not impeded.
- i. Must comply with all State and County Department of Health regulations.
- j. Must comply with the Michigan Building Code.
- k. Any tents or canopies must be securely anchored down and obtain the appropriate permits from the Fire and Development Services Departments.
- l. Outdoor seating must not impede or otherwise impact ingress or egress to any buildings or the property. Seating areas and pathways must also comply with State of Michigan Barrier-Free and Federal ADA requirements.
- m. The outdoor dining space must be separated from sidewalks and driveways. If tables or chair are located within a parking space or area, a substantial, temporary physical barrier must be placed separating the dining from the remaining parking in a manner that keeps patrons safe from traffic. Temporary physical barriers may include, but are not limited to, wheel chocks, planter boxes, decorative fencing, platforms, etc., or a combination thereof.
- n. Temporary outdoor uses cannot occupy existing required vegetative buffers or open space.
- o. All temporary outdoor dining areas must be maintained in a clean and orderly manner.
- p. No outdoor seating may occupy any portion of public sidewalk or right-of-way.
- q. Hours of operation must be consistent with the current hours of operation of the existing business (unless restricted further by State Orders or laws).

Resolution Regarding Restaurant Nonpermanent Structures and Temporary Use Due to COVID-19 Epidemic Continued.

- r. Any nuisances (including, but not limited to, noise, parking issues, etc.) that arise from the outdoor seating must be mitigated by the applicant and/or property owner to eliminate all negative impacts on surrounding properties. Failure to do so could result in revocation of Zoning Official’s permit or approval, in which case all exterior appurtenances are required to be removed within 7 days of revocation.
3. Submission and review Process:
- a. The applicant(s) obtains an application and plan review and fee requirements from the office of the Zoning Official.
 - b. The applicant(s) submits the fee; completed application forms, including a written statement describing the requested outdoor seating use, the start- and end-dates of the event, a written description of traffic/parking management, waste disposal, security, and similar measures to minimize any negative land use impacts; a copy of the existing approved final site plan or plot plan for applicant(s)s where no final site plan exists for the subject zoning lot; and related documentation in the quantity specified by the Zoning Official.
 - c. The Zoning Official’s clerical staff reviews submittal for completeness. It shall be the responsibility of the applicant(s) to ensure that they submit a complete application package in accordance with the requirements established by the Zoning Official. No progress beyond this step will occur until the applicant(s) fully complies with the application submittal requirements.
 - d. Once a complete set of application materials is received, the Zoning Official shall conduct a review to ensure compliance with this Resolution.
 - e. The Zoning Official shall notify the applicant(s) of any revisions required to for the application to be approved. The applicant(s) shall be responsible for making those revisions.
 - f. The Zoning Official shall approve an application that meets all standards, conditions, and requirements of the Zoning Ordinance and this Resolution.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on November 9, 2020.

Charter Township of Waterford

Date

Kim Markee, Township Clerk

Moved by Markee,
Seconded by Frasca, RESOLVED, to adopt Resolution Regarding Restaurant Nonpermanent Structures and Temporary Use Due to COVID-19 Epidemic. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat, and Thomas
Nays: None
Absent: None

Motion carried unanimously.

6.2 **Consider Approval of Resolution Establishing Medical Marihuana Facility License Application Fees**

The following was received by Attorney Dovre.

**CHARTER TOWNSHIP OF WATERFORD
RESOLUTION ESTABLISHING MEDICAL MARIHUANA FACILITY
LICENSE APPLICATION FEES**

RECITALS:

A. The Waterford Charter Township Code (“Code”) provides that fees, charges, escrows, cash reserves, bonds, and other financial obligations required or authorized to be assessed, collected, held, and paid by that Code shall be established by Resolution of the Township Board.

B. On October 26, 2020, the Township Board amended the Code by adopting Ordinance No. 2020-005, to add a Medical Marihuana Facility Licensing Ordinance as a new Division 12 in Article III of Chapter 10.

C. Sections 10-301(a) and 10-305(d) of the Medical Marihuana Facility Licensing Ordinance and Section 10-055 of the Code provide for nonrefundable license application and renewal fees to be established by Resolution of the Township Board.

IT IS THEREFORE RESOLVED:

1. The nonrefundable application fee required by Section 10-301(a) of the Medical Marihuana Facility Licensing Ordinance is established at \$5,000.00 for each medical marihuana facility license applied for.

2. The nonrefundable license renewal application fee required by Section 10-305(d) of the Medical Marihuana Facility Licensing Ordinance is established at \$5,000.00 for each medical marihuana facility license renewal applied for.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on November 9, 2020.

Charter Township of Waterford

Date

Kimberly Markee, Township Clerk

Moved by Bartolotta,
Seconded by Thomas; RESOLVED, to adopt the Resolution Establishing Medical Marihuana Facility License application fees. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat, and Thomas
Nays: None
Absent: None

Motion carried unanimously.

6.3 Mann Road Sewer Audit

The following was received by Russell D. Williams, DPW Director.

Please review the attached memo prepared by Mr. Derek Diederich and Ms. Rachel Woolcox in regard to issues that were uncovered with the billing for sewer service along the northeast border of Waterford/Independence townships. I agree with the recommendations made in their comprehensive analysis and wish to begin rectifying this situation immediately.

In synopsis, through the work of Mr. Diederich, Ms. Woolcox and Mr. Frank Fisher, it was discovered that the methodology behind the current Intergovernmental Agreement between Waterford and Independence townships was no longer applicable. While reviewing the properties covered by the current agreement, it was also discovered that there were additional properties placing additional burden on the Waterford sewer system that were not covered by this agreement at all. DPW would like to rectify this so that all Independence Township properties along the Mann Road corridor are covered by Intergovernmental Agreement and are being billed properly per Oakland County Water Resources Commission methodology and Waterford Township Code of Ordinances.

Requested Board Action
Approve DPW to Consult with Mr. Gary Dovre, Waterford Township Legal Counsel, to Reach Both Short-Term and Long-Term Resolution to This Matter

Moved by Bartolotta,

Seconded by Markee; RESOLVED, to approve DPW to consult with Mr. Gary Dovre, Waterford Township Legal Counsel, to reach both short term and long term resolution to this matter. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat, and Thomas

Nays: None

Absent: None

Motion carried unanimously.

Clerk Markee inquired if there was something in place to prevent this from happening. Mr. Williams addressed the board and answered questions.

6.4 Water and Sewer Service Intergovernmental Agreement - Lake Angelus

The following memo was received by Russel D. Williams, DPW Director.

Please review the attached Water and Sewer Service Intergovernmental Agreement prepared by Mr. Gary Dovre, Waterford Township's Legal Counsel, and the referenced attachments regarding properties covered by this agreement.

This Intergovernmental Agreement would allow properties in the City of Lake Angelus to connect to and be serviced by Waterford Township DPW for Water and Sewer service. Connections to properties outside of Waterford jurisdiction boundaries are already allowed per Township Ordinances 17-064 and 17-328(d). This agreement simply formalizes the terms of connection with properties in Lake Angelus and serves as authorization from the City of Lake Angelus for their residents to pursue connection with Waterford DPW.

Water and Sewer Service Intergovernmental Agreement - Lake Angelus Continued.

Requested Board Action
Approve the Water and Sewer Service Intergovernmental Agreement with the City of Lake Angelus

WATER AND SEWER SERVICE INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT shall be effective as of the date it is fully signed, is between the Charter Township of Waterford, 5200 Civic Center Drive, Waterford, Michigan, 48329 ("Waterford") and the City of Lake Angelus, 45 Gallogly Road, Lake Angelus, Michigan, 48326 ("Lake Angelus"), and is based on the following facts and considerations:

RECITALS:

- A. Waterford and Lake Angelus are parties to an Inter-Municipal Contract, dated October 1, 2013, which reaffirms and approves the establishment of the Clinton-Oakland Sewage Disposal System ("COSDS"). The COSDS is a sanitary sewage disposal system that collects sanitary sewage from several Oakland County communities for the transportation to and treatment at the Clinton River Water Resources Recovery Facility (formerly the City of Pontiac Wastewater Treatment Plant) and the Great Lakes Water Authority Water Resources Recovery Facility (formerly the Detroit Wastewater Treatment Plant).
- B. Under the 2013 Inter-Municipal Contract for the COSDS, Waterford and Lake Angelus each have a right to use the COSDS for a specified maximum rate of flow allocated capacity.
- C. Waterford operates and maintains sanitary sewers ("**Sewer System**") to collect and transport sanitary sewage from Waterford to the COSDS. Lake Angelus does not currently operate or maintain sanitary sewers to collect and transport sanitary sewage from Lake Angelus to the COSDS.
- D. Waterford owns, operates, and maintains its own public water supply system ("**Water System**").
- E. MCL 123.232, MCL 124.3(1), and MCL 324.4301 authorize Waterford, as a political subdivision, municipal corporation, and local unit of government to contract with Lake Angelus to provide sanitary sewer and/or public water supply service to properties in Lake Angelus.
- F. Waterford allows for the connection to and use of its Sewer System and Water System by properties outside Waterford in Sections 17-064 and 17-328(d) of its Code of Ordinances, which each provide as follows:
Any person whose property lies outside the Township desiring to connect to the [sewer or water system] shall be subject to one and one-half (1 1/2) times the normal connection fees and one and one-half (1 1/2) times the normal quarterly billing rate. Such parties outside the Township interested in connecting to the system [sewer or water system] shall provide a letter of no objection from the local governing body of the township or city within which the building or property is located. The proposed connection shall thereafter be submitted to the Township Board by the Public Works Official for review and decision, in its sole discretion.
- G. Waterford's provision of and billing for services provided by its Sewer System and Water System is provided for in Sections 17-168 through 17-172 for sewer and Sections 17-340 through 17-349 for water, of its Code of Ordinances, which together with Sections 17-064 and 17-328(d) and other applicable provisions of Chapter 17 of Waterford's Code of Ordinances on Water and Sewers, are referred to in this Agreement as the "**Township Ordinances**", and include the following provisions:
Sections 17-170 for sewer and 17-348 for water, provide for quarterly usage bills and the addition of a five (5) percent penalty if not paid within 30 days of the due date.
Section 17-348 for water allows Waterford to discontinue providing water service if a bill is not paid within 30 days of the due date and by the date stated in a shutoff notice to the customer.

Water and Sewer Service Intergovernmental Agreement - Lake Angelus Continued.

Sections 17-172(a) for sewer and 17-349 for water provide that charges for services are a lien on the premises served and that charges delinquent for 90 days or more on August 15th shall be transferred to the Waterford tax roll together with a ten (10%) percent surcharge, for collection in the same manner as taxes under the general property tax law.

H. Waterford bills its taxes on December 1 of each year, 3.5 months after the August 15th date in Sections 17-172(a) and 17-349 of the Township Ordinances. Lake Angelus bills its taxes on July 1 of each year, with March 15th being the date that would be 3.5 months before that date.

I Prior to this Agreement and without objection from Lake Angelus, Waterford allowed the properties identified in the **attached Exhibit A** as "Lake Angelus Customers Already Connected", and shown on the **attached Exhibit B** map as "Existing Lake Angelus Customers" (except for 2480 Private Drive), to connect to and use the Sewer System and/or Water System as indicated and has directly billed and been paid by those Lake Angelus Customers as provided in the Ordinances. Those customers are referred to in this Agreement as "**Existing Customers.**"

J. The property at 2480 Private Drive in Lake Angelus now wants to connect to and use the Sewer System, which Lake Angelus has no objection to if it is without cost to Lake Angelus, with this Agreement constituting Waterford's approval of that connection and use subject to Waterford's approval of the plans for the connection and provided that it is at no cost to Waterford.

K. Waterford has identified other Lake Angelus properties that could be favorably considered for connection to and use of the Sewer System and/or Water System as listed in the **attached Exhibit A** as "Lake Angelus Customers to Potentially Connect" and shown on the **attached Exhibit B** map as "Lake Angelus Potential Customers", referred to in this Agreement as "**Future Customers.**"

L. Waterford and Lake Angelus want to provide for Waterford to allow the Existing Customers, 2480 Private Drive, and any Future Customers to connect to and use the Sewer System and/or Water System as provided in the Township Ordinances, for Lake Angelus to place delinquent billings on the Lake Angelus tax roll, and for allocation of sewer discharges from Lake Angelus properties through the Sewer System to the Clinton-Oakland Sewage Disposal System as provided in this Agreement.

NOW THEREFORE, Waterford and Lake Angelus agree as follows:

Existing Customers

(1) Waterford shall continue to provide sewer and water services to, bill, and be entitled to payment from the Existing Customers as provided in the Township Ordinances and this Agreement.

2480 Private Drive Sewer

(2) Subject to compliance with the terms of this Agreement, the Township Ordinances, and any Lake Angelus ordinances, standards, or regulations not in conflict with the Township Ordinances, and at the sole cost and expense of the owners of the property at 2480 Private Drive in Lake Angelus, that property may be connected to the Sewer System at a location approved by Waterford, with such connection and all related work referred to as the "Sewer Connection Improvements".

(3) The Sewer Connection Improvements shall not be constructed until the owners of 2480 Private Drive have obtained approval from Lake Angelus and Waterford of the engineering and construction plans for those Improvements and have obtained all other required governmental entity permits or approvals.

(4) Waterford and Lake Angelus shall have no obligation to obtain any easements that may be necessary for construction of the Sewer Connection Improvements.

Water and Sewer Service Intergovernmental Agreement - Lake Angelus Continued.

(5) Upon completion of construction and approval of the Sewer Connection Improvements by Waterford and any other required governmental entity, Waterford shall provide written notice to Lake Angelus and the property at 2480 Private Drive may use the Sewer System subject to and as provided in the Township Ordinances.

Future Customers

(6) Lake Angelus does not object to Waterford approving the connection to and use of the Sewer System and/or Water System by one or more of the Future Customers' properties subject to and as provided in the Township Ordinances if:

(a) It is at no cost to Lake Angelus and Lake Angelus has no obligation to provide easements.

(b) The construction and engineering plans for the connection are approved by Waterford.

(c) All required governmental entity approvals are obtained.

(7) Subject to its Public Works Official approving the location and construction and engineering plans for a requested connection to the Sewer System and/or Water System of a Future Customers' property that is at no cost to Waterford and does not involve any Waterford obligation to provide an easement, Waterford agrees that its approval of the requested connection will not be unreasonably withheld and that reason(s) will be given for any denial of a requested connection. Waterford shall provide written notice to the requesting person and Lake Angelus of all decisions on connection requests. Nothing in this Agreement expressly or impliedly obligates Waterford to allow a requested connection.

(8) For connections approved by Waterford, when the connection improvements have been constructed and approved by Waterford and any other required governmental entity, Waterford shall provide written notice to Lake Angelus and the owner of Future Customers' property, which may thereafter use the Sewer System and/or Water System, as applicable, subject to and as provided in the Township Ordinances.

All Properties

(9) All required connection fees and usage charges for properties connected to the Sewer System and/or Water System shall be billed and collected by Waterford directly from the Lake Angelus customer at the rates and in the manner provided in the Township Ordinances.

(10) Lake Angelus agrees that Waterford's charges to Lake Angelus customers for sewer and/or water services as provided in this Agreement are a lien on the premises served, and that upon receiving a written certification from Waterford of charges that have been delinquent for 90 days or more as of March 15th, to place those amounts together with a ten (10) percent surcharge on the Lake Angelus tax roll for billing on the July 1 tax bill for collection in the same manner as taxes under the general property tax law and to remit any full or partial payments of those amounts received by Lake Angelus to Waterford within 30 days of receipt.

(11) The sewer discharges from Lake Angelus properties through the Sewer System shall be determined from metered water usage, if applicable, or for sewer only customers, from the sewer usage upon which the ready-to-serve fixed sewer service charge under Section 17-169 of the Township Ordinances is based. Although Waterford will be paying the COSDS for those Lake Angelus sewer discharges, which the COSDS will meter and may charge against Waterford's allocated capacity, for all purposes those discharges shall be considered part of the capacity allocated to Lake Angelus in the COSDS. As necessary to not exceeding its allocated capacity or proving it is not exceeding its allocated capacity in the COSDS, Waterford reserves the rights to:

(a) Use billing records to document the quantity of sewer discharges from Lake Angelus properties that should be charged against the allocated capacity of Lake Angelus and deducted from the allocated capacity of Waterford in the COSDS.

(b) Terminate this Agreement or sewer service to one or more Lake Angelus properties to avoid Waterford exceeding its allocated capacity in the COSDS.

Water and Sewer Service Intergovernmental Agreement - Lake Angelus Continued.

General

(12) The Parties enter into this Agreement to further the public health, safety and welfare, and do not intend to confer any benefit or privilege upon any entity other than themselves.

(13) This Agreement shall be construed under Michigan Law, and if any part of it is determined by a court of competent jurisdiction to be unlawful or unenforceable, such determination shall not affect the validity and enforceability of the remaining parts.

(14) This Agreement shall become effective upon its execution and shall remain in effect until terminated by mutual agreement or as provided in Section 11. The Parties reserve all rights and privileges attributable to governmental units not specifically designated in this Agreement.

This Agreement has been executed by representatives of the parties based upon authority from their respective legislative bodies on the dates indicated below their signatures.

CHARTER TOWNSHP OF WATERFORD

CITY OF LAKE ANGELUS

By: _____
Gary D. Wall, Supervisor

By: _____
Natalie Forte, Mayor

Date: _____

Date: _____

By: _____
Sarah Razzaque, Clerk

Date: _____

Moved by Birch,
Seconded by Bartolotta; RESOLVED, to approve the Water and Sewer Service Intergovernmental Agreement with the City of Lake Angelus. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat, and Thomas
Nays: None
Absent: None

Motion carried unanimously.

6.5 State of Michigan for the Coronavirus Relief Local Government Grant Program (CRLGG)

The following memo was received by Barbara L. Miller, Assistant Budget Director/Accounting Manager

In late August, the Township received funds from the State of Michigan for the Coronavirus Relief Local Government Grant Program (CRLGG). The funds from this program can be spent on eligible expenditures under the Coronavirus Aid, Relief and Economic Security Act (CARES Act).

One of the eligible CRLGG categories is food assistance. I would respectfully like to ask the Township Board for approval to provide food assistance to our residents using CRLGG funds in the amount of \$75,000 (account number 12480-76850). This would be accomplished by working with Open Door Outreach, Oakland Hope and the Waterford Senior Center's Meals on Wheels Program and providing them with funding for this purpose. These three organizations are local non-profits agencies that provide food assistance as part of their established programs and will be able to help individuals and families in our community work through the hardships they are face due to COVID-19.

Thank you for your consideration in this matter.

Moved by Bartolotta,

Seconded by Markee; RESOLVED, to approve the food assistance to our residents using CRLGG funds in the amount of \$75,000 utilizing funds from account number 12480-76850. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat, and Thomas

Nays: None

Absent: None

Motion carried unanimously.

6.6 Appointment of the Purchasing Agent - Staff Accountant – Colleen Glodich

The following memo was received by Mark Similar, HR Director.

At the September 9, 2020 Township Board meeting the Board approved the position of Purchasing Agent – Staff Accountant.

Kim Markee, Barb Miller and myself conducted interviews and selected Colleen Glodich. Colleen has been with the 51st District Court since 2013. (see attached resume)

It is my recommendation that the Board approve the appointment of Colleen Glodich to the position of Purchasing Agent – Staff Accountant.

This position is a Grade 3, Step 5 - \$53,598.

Moved by Markee,

Seconded by Bartolotta; RESOLVED, to appoint Ms. Colleen Glodich to the position of Purchasing Agent – Staff Accounting, grade 3, step 5. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat, and Thomas

Nays: None

Absent: None

Motion carried unanimously.

6.7 Approve of 2021 Board Meetings, Workshop Sessions and Holidays Observed with Office Closings

Board Meetings:

Township Board Meetings are held on the second and fourth Monday of each month at 6:00 p.m. in the Auditorium of Township Hall, 5200 Civic Center Drive, Waterford, Michigan. If Monday is a holiday, the meeting is moved to Tuesday.

Workshop Sessions:

The Township Board work sessions will be held on the fourth Monday of the month, at 4:30 p.m., unless otherwise noted, in conference room 3-1 in Town Hall. If Monday is a holiday, the workshop is moved to Tuesday. If you have any questions, please feel free to call the Clerk's Office.

2021 Township Board Meetings

January 11, 25	July 12, 26
February 8, 22	August 09, 23
March 08, 22	September 13, 27
April 12, 26	October 12 (Tues), 25
May 10, 24	November 08, 22
June 14, 28	December 08 (Wed)

2021 Township Board Work Sessions

January 25	July 26
February 22	August 23
March 22	September 27
April 26	October 25
May 24	November 22
June 28	December 08 (Wed)

2021 Holidays Observed with Office Closings

January 1	Wednesday	New Year's Day
January 18	Monday	Martin Luther King, Jr. Day
February 15	Monday	Presidents' Day
April 2	Friday	Good Friday
May 31	Monday	Memorial Day
July 5	Monday	In observance of Independence Day
September 6	Monday	Labor Day
October 11	Monday	Columbus Day
November 11	Thursday	Veterans' Day (Observed)
November 25	Thursday	Thanksgiving Day
November 26	Friday	Day after Thanksgiving
December 23	Thursday	In observance of Christmas Eve
December 24	Friday	In observance of Christmas Day
December 30	Thursday	In observance of New Year's Eve
December 31	Thursday	In observance of New Year's Day

COVID-19 pandemic update: Please visit the Waterford Township website for remote meeting information and cancelations related to the COVID-19 pandemic:

Moved by Bartolotta,

Seconded by Thomas; RESOLVED, to approve the 2021 Board Meetings, Workshop Sessions, and Holidays observed with office closings. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat, and Thomas

Nays: None

Absent: None

Motion carried unanimously.

6.8 **World Pancreatic Cancer Awareness Day Proclamation**

Treasurer Birch read the World Pancreatic Cancer Awareness Day.

**World Pancreatic Cancer Awareness Day
PROCLAMATION**

WHEREAS, in 2020, the American Society of Clinical Oncology estimates 57,600 adults will be diagnosed with pancreatic cancer in the United States, and 47,050 will die from the disease; and

WHEREAS, pancreatic cancer is one of the deadliest cancers, is currently the third leading cause of cancer death in the United States, and it is projected to become the second leading cause of cancer death in the near future; and

WHEREAS, pancreatic cancer is the only major cancer with a five-year relative survival rate at just 10 percent; and

WHEREAS, when symptoms of pancreatic cancer present themselves, it is generally in later stages, and 91 percent of pancreatic cancer patients die within the first five years; and

WHEREAS, it is projected by the American Cancer Society that approximately 1,720 deaths from pancreatic cancer will occur in Michigan in 2020; and

WHEREAS, the good health and well-being of the residents of Waterford Township may be enhanced as a direct result of the increased awareness about the symptoms and risk factors of pancreatic cancer, and research into early detection, causes, and effective treatments.

NOW, THEREFORE, be it proclaimed that the Waterford Township Board of Trustees designates November 19, 2020 as World Pancreatic Cancer Awareness Day in Waterford Township.

I hereby certify that this Proclamation was made by the Charter Township of Waterford Board of Trustees at a regular meeting on November 9, 2020.

Charter Township of Waterford

Date

Kim Markee, Township Clerk

Moved by Bartolotta,
Seconded by Markee; RESOLVED, to approve the World Pancreatic Cancer Awareness Day Proclamation. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat, and Thomas
Nays: None
Absent: None

Motion carried unanimously.

6.9 **Small Business Saturday Proclamation 2020**

Trustee Joliat read the Small Business Saturday Proclamation.

**Small Business Saturday
PROCLAMATION**

WHEREAS, the government of the Charter Township of Waterford, Michigan, celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are currently 30.7 million small businesses in the United States, they represent 99.7 percent of all businesses with employees in the United States, and are responsible for 64.9 percent of net new jobs created from 2000 to 2018; and

WHEREAS, small businesses employ 47.3 percent of the employees in the private sector in the United States, 62 percent of U.S. small businesses reported that they need to see consumer spending return to pre-COVID levels by the end of 2020 in order to stay in business, 65 percent of U.S. small business owners said it would be most helpful to their business to have their “regulars” return and start making purchases again, and three-quarters of U.S. Consumers are currently looking for ways to Shop Small and support their community; and

WHEREAS, 96 percent of consumers who shopped on Small Business Saturday agree that shopping at small, independently-owned businesses supports their commitment to making purchases that have a positive social, economic, and environmental impact and are essential to their community; and

WHEREAS, the Charter Township of Waterford, Michigan, supports our local businesses that create jobs, boost our local economy, and contribute to the community.

NOW, THEREFORE, as representatives of Waterford Township, Michigan, the Board of Trustees does hereby proclaim Saturday, November 28, 2020, as Small Business Saturday and we urge the residents of our community to support local businesses on Small Business Saturday and throughout the year.

I hereby certify that this Proclamation was made by the Charter Township of Waterford Board of Trustees at a regular meeting on November 9, 2020.

Charter Township of Waterford

Date

Kim Markee, Township Clerk

Moved by Joliat,
Seconded by Thomas; RESOLVED, to approve the Small Business Saturday Proclamation. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat, and Thomas
Nays: None
Absent: None

Motion carried unanimously.

6.10 **Citizen to Address the Board - Ed Ford**

Mr. Ford was not in attendance.

Supervisor Wall stepped away for a moment.

Supervisor Wall returned to present Treasurer Birch, Trustee Joliat, and Trustee Frasca with a Proclamation and a small token thanking them for their years of service to the residents of the Charter Township of Waterford.

6.11 Public Comments limited to Three (3) Minutes per Speaker

Mr. Grant Smith, Waterford Youth Assistance. The Battle of the Badges collected 760 pairs of shoes. The Police Department won by two pairs of shoes – 381 pairs to 379 pairs. Mr. Smith announced that went well over their goal. Mr. Smith thanked Chief Underwood and Chief Covey for their support. He thanked the other locations that held collection boxes: Imperial Auto Wash, Recovered Chiropractic, Crave Nutrition, and the Township Offices.

Trustee Bartolotta thanked Trustee Frasca, Trustee Joliat, and Treasurer Birch for their service, and it was an honor working with them. He wishes Trustee Thomas well as he assumes the position of Treasurer and congratulates Clerk Markee on a job well done administering the November 3, 2020, General Election.

Clerk Markee stated that the absentee ballot return rate was 96%. The Monday before the election, there were 550 people that requested an absentee ballot, and approximately 178 people that did “same-day registration” on Election Day. Supervisor Wall stated the Clerk’s office did a wonderful job.

ADJOURNMENT

Moved by Thomas,

Seconded by Birch, RESOLVED, to adjourn the meeting at 6:44 p.m. A roll call vote was taken.

Ayes: Wall, Markee, Birch, Bartolotta, Frasca, Joliat, and Thomas

Nays: None

Absent: None

Motion carried unanimously.

Kim Markee, Clerk

Gary Wall, Supervisor

FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

CHECK #	CHECK DATE	TYPE	VENDOR NAME	UNCLEARED	CLEARED	BATCH	CLEAR DATE
291983	10/30/2020	PRINTED	011188 ALL STAR OFFICIALS ASSOC	522.00			
291984	10/30/2020	PRINTED	013685 APPLIED IMAGING	344.03			
291985	10/30/2020	PRINTED	013772 ASHERKELLY	595.00			
291986	10/30/2020	PRINTED	021079 BAKER & TAYLOR BOOKS	1,900.25			
291987	10/30/2020	PRINTED	021092 BS&A SOFTWARE	488.00			
291988	10/30/2020	PRINTED	023576 BOOKPAGE	882.00			
291989	10/30/2020	PRINTED	041192 CDW GOVERNMENT INC	948.06			
291990	10/30/2020	PRINTED	041218 C GREEN'S TREE SERVICE	2,815.00			
291991	10/30/2020	PRINTED	043626 CONSUMERS ENERGY	1,167.78			
291992	10/30/2020	PRINTED	044220 CHASE CARD SERVICES	1,062.45			
291993	10/30/2020	PRINTED	053224 DELL COMPUTER CORP	8,243.54			
291994	10/30/2020	PRINTED	053253 DTE ENERGY	6,213.63			
291995	10/30/2020	PRINTED	053867 DUBOIS CHEMICALS INC	14,055.00			
291996	10/30/2020	PRINTED	061775 ESRI	2,750.00			
291997	10/30/2020	PRINTED	063025 EJ USA, INC	2,107.38			
291998	10/30/2020	PRINTED	063181 MICHAEL J EBERLE	1,375.00			
291999	10/30/2020	PRINTED	093025 GALE/CENGAGE LEARNING	221.92			
292000	10/30/2020	PRINTED	093451 GLOBAL OFFICE SOLUTIONS	1,406.50			
292001	10/30/2020	PRINTED	093705 GRAINGER	1,078.16			
292002	10/30/2020	PRINTED	103584 JOHN H HOLMES	300.00			
292003	10/30/2020	PRINTED	113542 INGRAM LIBRARY SERVICES	19.56			
292004	10/30/2020	PRINTED	143228 JJ KELLER & ASSOCIATES IN	1,067.00			
292005	10/30/2020	PRINTED	143600 SCOTT C KOZAK	300.00			
292006	10/30/2020	PRINTED	153367 LIBRARY NETWORK, THE	3,495.00			
292007	10/30/2020	PRINTED	153417 LIBRARY DESIGN ASSOCIATES	700.00			
292008	10/30/2020	PRINTED	161027 VELOCITYEHS	2,719.75			
292009	10/30/2020	PRINTED	161058 MDE INC	895.00			
292010	10/30/2020	PRINTED	163476 MIDWEST TAPE	2,114.12			
292011	10/30/2020	PRINTED	163485 FAULETTE MICHEL LOFTIN	225.00			
292012	10/30/2020	PRINTED	163508 FERGUSON WATERWORKS #3386	112,283.00			
292013	10/30/2020	PRINTED	174880 MICHIGAN DEPT OF TREASURY	2,075.00			
292014	10/30/2020	PRINTED	183952 NYE UNIFORM COMPANY	931.40			
292015	10/30/2020	PRINTED	193713 ORKIN, LLC	67.50			
292016	10/30/2020	PRINTED	193882 OVERDRIVE, INC.	1,652.81			
292017	10/30/2020	PRINTED	204040 OAKLAND COUNTY TREASURER	364.30			
292018	10/30/2020	PRINTED	204040 OAKLAND COUNTY TREASURER	528.24			
292019	10/30/2020	PRINTED	204040 OAKLAND COUNTY TREASURER	801.46			
292020	10/30/2020	PRINTED	211001 PRIELIPP FARM & GREENHOUS	100.00			
292021	10/30/2020	PRINTED	213211 PERCEPTIVE CONTROLS INC	69,322.03			
292022	10/30/2020	PRINTED	213326 CECILIA PROULX PHIPPS	420.00			
292023	10/30/2020	PRINTED	213584 PONTIAC MAILING SERVICE L	329.69			
292024	10/30/2020	PRINTED	233839 QUALITY FIRST AID AND SAF	40.97			
292025	10/30/2020	PRINTED	243296 RECORD AUTOMATIC DOORS, I	720.00			
292026	10/30/2020	PRINTED	243664 ROSE PEST SOLUTIONS	48.00			
292027	10/30/2020	PRINTED	253160 SCRAMLIN FEEDS	392.50			
292028	10/30/2020	PRINTED	253248 SENSOURCE INC	135.00			
292029	10/30/2020	PRINTED	253954 SYMBOL ARTS	350.00			
292030	10/30/2020	PRINTED	263582 THOMSON REUTERS-WEST	855.62			
292031	10/30/2020	PRINTED	263749 TRANSACT TECHNOLOGIES INC	179.49			
292032	10/30/2020	PRINTED	263840 ALLY TUCKER	250.00			
292033	10/30/2020	PRINTED	293272 WESTERN OAKLAND TRANSPORT	13,678.25			
292034	10/30/2020	PRINTED	293348 WHITLOCK BUSINESS SYSTEMS	4,612.89			

11/05/2020 13:51 | WATERFORD TOWNSHIP
Illinois | AP CHECK RECONCILIATION REGISTER

| P 2
| apchkren

FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

CHECK # CHECK DATE TYPE VENDOR NAME UNCLEARED CLEARED BATCH CLEAR DATE

292035 10/30/2020 PRINTED 500483 CSG FORTE PAYMENTS INC 4,515.00

53 CHECKS CASH ACCOUNT TOTAL 274,664.28 .00