

**CHARTER TOWNSHIP OF ORION BOARD OF TRUSTEES
MINUTES, REGULAR MEETING, MONDAY, MAY 7, 2018**

1. CALL TO ORDER. The Charter Township of Orion Board of Trustees held a regular meeting on Monday, May 7, 2018 at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan. Supervisor Barnett called the meeting to order at 7:00 p.m.

BOARD MEMBERS PRESENT: Chris Barnett, Penny Shults, Donni Steele, Brian Birney, Mike Flood, and John Steimel

BOARD MEMBERS ABSENT: Ron Sliwinski (*with notice*)

OTHERS PRESENT:

Gerry Burchard	Dan Dewey	Julia Dalrymple	Geo Babu
Rick Arnett	Ahjl Gold	Pam Gold	Matt Zito
Matt Wong	Cheryl Crowl Clark	Gary Roberts	Steve Wagner
Brian Brodsky	Melissa Berwick	Harold Flood	Rachel Brown
Linda LaCroix	Eric Bowers	Amanda Bowers	George Hanley
Tim Guild	Mario Rosini	Don Hickmott	James Oliver
Gayle McGregor	Tracy Arnett		

2. INVOCATION AND PLEDGE

Pastor Eric Johnson from King of Kings Lutheran Church gave the Invocation, followed by the Pledge of Allegiance.

3. RESOLUTION: Trustee Sliwinski: Accept resignation of Trustee Sliwinski from the Charter Township of Orion Board of Trustees.

Moved by Trustee Flood, seconded by Treasurer Steele to accept the resignation of Trustee Ronald Sliwinski from the Charter Township of Orion Board of Trustees on the effective date and time of May 8, 2018 at 12:01 a.m.

AYES: Steele, Birney, Flood, Steimel, Barnett, Shults ABSENT: Sliwinski NAYS: None
MOTION CARRIED

4. RECOGNITION: Citizen of the Month. Sgt. John Chiera from the Oakland County Sherriff's Department was recognized as the Orion Township Citizen of the Month for his service to the community.

5. APPROVAL OF BILLS. Moved by Treasurer Steele, seconded by Trustee Steimel to authorize payment of bills in the amount of \$1,198,514.87 and payrolls in the amount of \$325,356.60, for a total disbursement of funds in the amount of \$1,523,871.47, as presented.

AYES: Flood, Steimel, Barnett, Shults, Steele, Birney ABSENT: Sliwinski NAYS: None
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Supervisor Barnett gave an update on Jump Island at Camp Agawam, noting that the Board will not be moving forward with this at this time.

6. BRIEF PUBLIC COMMENT. Public comment was heard.

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7. APPROVAL OF AGENDA. Supervisor Barnett requested the addition of Item 8.M. – Temporary Use - Unity Church. Supervisor Barnett also requested the addition of a Closed Session at the end of the meeting to discuss Attorney Opinion – Item 13. Treasurer Steele requested moving Item 8.C. down to Pending, along with the addition of Pending Item 9.F. – Hire Private Attorney.

Moved by Trustee Flood, seconded by Treasurer Steele to approve the agenda, as amended.
MOTION CARRIED

8. CONSENT AGENDA

A. Minutes, Regular Meeting, Monday, Monday, April 16, 2018. Approve, as presented.

B. Fire Inspector Resolution. Adopt the Charter Township of Orion Resolution regarding Fire Inspector Enforcement of Safety Ordinances and Codes.

C. Orion Township Public Library 2017 Financial Statements – Receive and file the 2017 Orion Township Library Financial Statements, as presented.

D. Central Drive Road Improvement SAD #2 – Authorize Cost Estimate. Authorize the Supervisor’s office to proceed with the preparation of the cost estimate.

E. Peddler/Solicitor License Application: Proof Pest and Mosquito Control. Approve Mr. Boyer’s application and issue a peddler’s license under the provision of Ord. 95 to sell Proof Pest Control services door-to-door.

F. Holliday Drive Private Road Maintenance SAD #2 – Schedule Public Hearing on Cost Estimate. Adopt the Charter Township of Orion Holliday Drive Private Road Maintenance SAD #2 Resolution to Schedule Public Hearing #1 (on cost estimate), and schedule the public hearing for Monday, June 4, 2018 at 7:00 p.m.

G. Water & Sewer Service – Pole Barn Maintenance Building. Approve Hutchinson Excavating LLC, to complete the water and sewer connection at Friendship Park Maintenance Building for a total of \$15,000.00.

H. Gregory Road Watermain Extension. Approve the Gregory Road watermain installation to Superior Excavating in the amount of \$1,171,030.00, with the monies coming out of Capital Outlay – Water.

I. SCADA Equipment Upgrade with Monitoring and Alarm System. Approve the SCADA upgrade, installation to Trendset Communications, with a cost not to exceed \$55,073.56, and to approve Kennedy Industries to program the controls and alarms at a cost not to exceed \$14,370.00.

J. Community Publication Request for Proposals. Authorize the Community Magazine Request for Proposals.

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K. Resolution in Support of Legal Precedence. Adopt the Resolution to help defray legal costs in Menard Inc. v City of Escanaba “Dark Store” Litigation, and authorize the payment of \$2000.00 to the City of Escanaba to provide financial assistance toward the continued defense of the ruling in Menard Inc. v City of Escanaba with funds coming from 101-266-802.000.

L. Unity Church. Approve the request of Unity Church to waive all Temporary Use Permit fees for their weekly open air market, contingent upon approval of their application by the Zoning Board of Appeals.

Moved by Trustee Flood, seconded by Trustee Birney to approve the Consent Agenda, as amended.

AYES: Barnett, Shults, Steele, Birney, Flood, Steimel ABSENT: Sliwinski NAYS: None
MOTION CARRIED

9. PENDING BUSINESS

A. Revised Resolution: Safety Path Millage. Per the Township Attorney, this item was removed from the agenda.

NO ACTION TAKEN

B. First Reading: PC-2017-01 Gregory Meadows Final PUD. Moved by Trustee Flood, seconded by Trustee Birney to declare the first reading of PC-2017-01, Gregory Meadows Final PUD Plan was held on May 7, 2018 for property located at a vacant parcel on the south side of Gregory Rd. (Sidwell #09-31-200-001) and to direct the Clerk to publish for the second reading and possible approval on June 4, 2018.

AYES: Steele, Birney, Flood, Steimel, Barnett, Shults ABSENT: Sliwinski NAYS: None
MOTION CARRIED

C. PC-2018-04, Orion Animal Care Site Condominium Approval. Moved by Treasurer Steele, seconded by Trustee Flood to conditionally approve the creation of a 2-unit site condominium and the associated condominium documents, for PC-2018-04, Orion Animal Care Site Condominium located at 75 Waldon Road (parcel #09-26-151-034) conditioned on the approval of the Master Deed, By-Laws, and Exhibit B by the Township Engineer, Planner and Attorney.

AYES: Birney, Flood, Steimel, Barnett, Shults, Steele ABSENT: Sliwinski NAYS: None
MOTION CARRIED

D. PC-2018-18, Baldwin Square Site Condominium Approval. Moved by Treasurer Steele, seconded by Trustee Flood to conditionally approve the creation of a 2-unit site condominium and the associated condominium documents, for PC-2018-18, Baldwin Square Site Condominium located at 4713 S. Baldwin Road (parcel #09-32-376-001) conditioned on the approval of the Master Deed, By-Laws, and Exhibit B by the Township Engineer, Planner and Attorney.

AYES: Flood, Steimel, Barnett, Shults, Steele, Birney ABSENT: Sliwinski NAYS: None
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E. Committee Appointments.

NO ACTION TAKEN

F. Hire Private Attorney. Moved by Treasurer Steele, seconded by Clerk Shults to hire an outside Human Resources attorney to conduct an investigation regarding all meetings which lead to Penny Shults filing a report with Oakland County Sherriff's Department on March 22, 2018. This will be accomplished by immediately obtaining recommendations and parameters from Giarmarco, Mullins & Horton for an independent Human Resources attorney. This attorney will obtain a report and bring back to the board for review. Cost for report not to exceed \$5,000.00; and allow accounting coordinator to make necessary budget adjustments.

MOTION AMENDED

Moved by Treasurer Steele, seconded by Clerk Shults to hire an outside Human Resources attorney to conduct an investigation regarding all meetings which lead to Penny Shults filing a report with Oakland County Sherriff's Department on March 22, 2018. This will be accomplished by immediately obtaining recommendations and parameters from Giarmarco, Mullins & Horton for an independent Human Resources attorney. This attorney will obtain a report and bring back to the board for review. Cost for report not to exceed \$2,500.00; and allow accounting coordinator to make necessary budget adjustments.

AYES: Steele, Birney, Barnett, Shults ABSENT: Sliwinski NAYS: Flood, Steimel

MOTION CARRIED

10. REPORTS

A. Police/Fire Reports. Moved by Trustee Birney, seconded by Trustee Flood to receive and file the Police & Fire reports, as presented.

MOTION CARRIED

B. Orion Township Parks Logo. Moved by Trustee Flood, seconded by Treasurer Steele to receive and file the Orion Township Parks Logo report.

MOTION CARRIED

11. PUBLIC COMMENT. Public Comment was heard.

12. BOARD MEMBER COMMENTS. Board member comments were heard.

13. CLOSED EXECUTIVE SESSION: Discuss Attorney Opinion

Moved by Trustee Flood, seconded by Trustee Birney to go to Closed Executive Session to discuss Attorney Opinion.

AYES: Barnett, Shults, Steele, Birney, Flood, Steimel ABSENT: Sliwinski NAYS: None

MOTION CARRIED

The Board was in Closed Executive Session from 8:46 p.m. to 9:10 p.m.

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Supervisor Barnett reconvened the regular meeting at 9:10 p.m.

Moved by Trustee Flood, seconded by Trustee Steimel to post the vacant trustee position with an application deadline of May 25, 2018.

AYES: Steele, Birney, Flood, Steimel, Barnett, Shults ABSENT: Sliwinski NAYS: None
MOTION CARRIED

14. ADJOURNMENT. Moved by Trustee Flood, seconded by Trustee Birney to adjourn.
MOTION CARRIED The meeting was adjourned at 9:13 p.m.

Penny S. Shults, Clerk

Chris Barnett, Supervisor
Charter Township of Orion

Transcription: K. Comeau