

HOLLY TOWNSHIP
NOTICE OF SPECIAL MEETING
and
PROPOSED AGENDA
Board of Trustees Special Meeting
May 25, 2023 5:30 PM
Karl Richter Campus in Holly Area Schools Meeting Room
920 E. Baird St., Holly, Michigan 48442

CALL TO ORDER – PLEDGE OF ALLEGIANCE

ROLL CALL: George Kullis Karin Winchester Jennifer Ryan Derek Burton Steve Ruth

AGENDA APPROVAL

PUBLIC COMMENT

PUBLIC COMMENT on Agenda Items Only. Members of the public can address the Board, on agenda items only, once recognized by the Supervisor. Comments are limited to a maximum of 3 minutes. The board may extend this time by a majority vote. Prior to addressing the board, members of the public shall state their name and address for the record. A second public comment is available after New Business for all other comments. Thank you for your cooperation.

PRESENTATION: Brian Coburn, P.E.; Manager Oakland County Water Resources Commissioner's Office.

BUSINESS

1. Petition to Oakland County Drainage Board – Proposed Resolution 2023-09.
2. AKA New Township Offices Architect Services Proposal.
3. HRC Farmstead Phase III Engineer Services Proposal.
4. Appointment of Planning Commissioner term ending 12-31-25.
5. Appointment of Township Board Member to ZBA term ending 11-20-24.
6. 2023 Gravel Program.
7. Treasurer Department Administrator Resumes.

PUBLIC COMMENT

ADJOURNMENT

Office of the Clerk
248-634-9331 ext. 301
Fax: 248-634-5482



George A. Kullis, Supervisor
Karin S. Winchester, Clerk
Jennifer Ryan, Treasurer
Derek Burton, Trustee
Steve Ruth, Trustee

RESOLUTION 2023-09
PETITION TO THE DRAINAGE BOARD FOR THE NORTHWEST
OAKLAND DRAIN PROJECT

BE IT RESOLVED BY HOLLY TOWNSHIP, OAKLAND COUNTY,
MICHIGAN, as follows:

1. In reliance on the Oakland County Water Resource Commission's (WRC) assurances and based on the WRC Presentation dated May 16, 2023, attached hereto as Exhibit A and made a part hereof, that Holly Township make and cause to be filed a petition in form substantially as follows:

PETITION

**TO THE DRAINAGE BOARD FOR THE NORTHWEST OAKLAND
DRAIN PROJECT**

The undersigned public corporation petitions for Phase 1 of the location, establishment, and construction of an intra-county drain project known as the Northwest Oakland Drain Project (the "Project"), which drain project is necessary for the public health, to extend sanitary sewer service from the Oakland County border with Genesee County to serve certain properties located within the Village of Ortonville, Groveland Township, Brandon Township, and Holly Township (collectively, the "Communities"). The Northwest Oakland Drain Project will collect and transport sanitary wastewater originating in the County of Oakland only, to be transported to the border with Genesee County and will provide future capacity to serve the Communities and better protect the environment.

This petition consists of the following first phase of an intended three-phase process for the Project (the portion as described herein is the "Phase 1 Project"):

The Phase 1 Project includes an exploration of, and request for, applicable grants and other funding sources for the Project.

The Phase 1 Project also includes the negotiation and preparation of an agreement or agreements between the Drainage District to be established pursuant to this petition process and the County of Genesee providing, without limitation, for the right to place sanitary flow to a sewer line of appropriate capacity located in

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George A. Kullis, Supervisor
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Steve Ruth, Trustee

Genesee County that will be extended to the Genesee County and Oakland County border, which agreement or agreements shall expressly limit the cost for the negotiation and preparation of said agreement or agreements to the amount to be provided by the County of Oakland from ARPA grant funds, which is estimated to be \$10 million.

Said Phase 1 Project is necessary for the public health and will serve property entirely within the Communities.

This petition is filed pursuant to the provisions of Chapter 20 of Act No. 40 of the Public Acts of Michigan of 1956, as amended.

It is understood and agreed that the final cost of the Phase 1 Project, if any, including litigation costs and the amount of any judgment, arbitration award or settlement, to the extent such costs are payable by the Drainage District, shall be allocated against this petitioner and all other public corporations that benefit from the Phase 1 Project and contribute to the conditions that make the Phase 1 Project necessary.

The issuance of bonds to finance the Phase 1 Project contemplated herein is contingent upon the Communities and the proposed drainage district entering into an agreement as provided by law setting forth the services and operations of the proposed drainage district and to provide for methods of addressing and apportioning future improvements to the proposed drainage district.

A certified copy of the resolution of the governing body of Holly Township authorizing execution of this petition is attached hereto.

HOLLY TOWNSHIP

By: _____

George A. Kullis, Supervisor

By: _____

Karin S. Winchester, Clerk

Office of the Clerk
248-634-9331 ext. 301
Fax: 248-634-5482



George A. Kullis, Supervisor
Karin S. Winchester, Clerk
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Steve Ruth, Trustee

3. That the Supervisor and Clerk are hereby authorized and directed to execute this petition for and on behalf of Holly Township and to execute an agreement related to the Phase 1 Project contemplated by this petition and to file the same with the Water Resources Commissioner of the County of Oakland.

4. That the Township Board consents to an assessment, if necessary, of the Township's share of the entire cost, if any, allocated against the Township.

5. The Township acknowledges County of Genesee will be providing a sewer line of appropriate capacity located in Genesee County that will be extended to the Genesee County and Oakland County border at an estimated cost of \$35.0 million to Genesee County. The Township further acknowledges that the County of Oakland, its Board of Commissioners, and the Oakland County Water Resources Commissioner will not contribute to the cost of the Phase I Project or its operation and maintenance except as described in paragraph 2 of the petition and to the extent that the County of Oakland may be assessed for the cost of the Phase I Project or may agree to contribute to the cost of the Phase I Project in accordance with the provisions of Chapter 20 of Act No. 40 of the Public Acts of Michigan of 1956, as amended.

6. That all prior resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are rescinded.

ADOPTED by the Holly Township Board of Trustees this 25th day of May 2023.

Motion by:
Supported by:
Ayes:
Nays:
Absent:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) ss
COUNTY OF OAKLAND)

Office of the Clerk
248-634-9331 ext. 301
Fax: 248-634-5482



George A. Kullis, Supervisor
Karin S. Winchester, Clerk
Jennifer Ryan, Treasurer
Derek Burton, Trustee
Steve Ruth, Trustee

Certification

The undersigned, being the duly qualified and acting Clerk of the Township of Holly, Oakland County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a regular meeting held on the 25th day of May 2023, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Karin S. Winchester, MMC
Holly Township Clerk
Oakland County, Michigan

Northwest Oakland Sanitary Drain

Holly Township Board

May 16, 2023



NW Oakland Sewer Project Phasing

Phase 1—Genesee County Interceptor (\$35 million)

Genesee County's Kearsley Creek Interceptor Sewer will provide access to sanitary sewer in northwest Oakland County

- NW Oakland Share: \$10 million
- 100% Funded by Oakland County ARPA
- **No cost to Oakland County communities**

Phase 2—Dixie Highway Extension

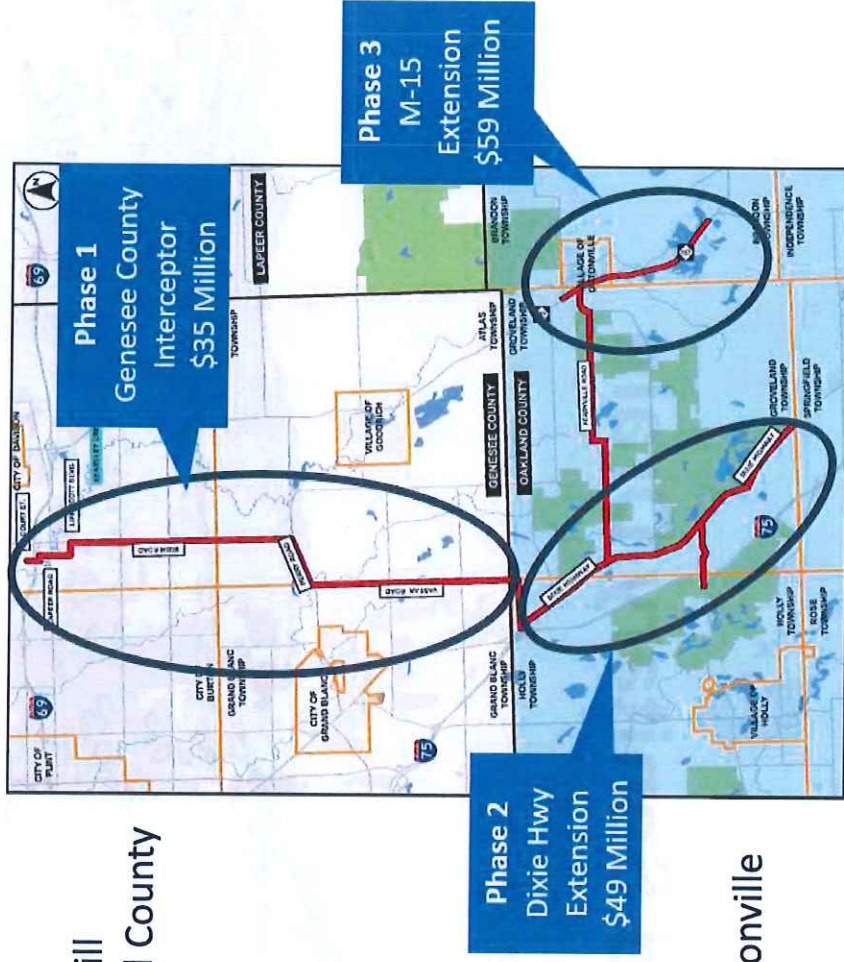
Sewer extension along Dixie Highway to serve Holly and Groveland

- Total Project Cost: \$49 million
- **Seeking Grant Funds**

Phase 3—M-15 Extension

Sewer extension along M-15 to serve Brandon and Ortonville

- Total Project Cost: \$59 million
- **Seeking Grant Funds**



Work Completed to Date

2019

- KCI Project initiated by Genesee County
- Oakland County meets with stakeholders to identify need
- Initiate Feasibility study

2020

- Meet with Stakeholders monthly
- Present progress and updates to the NW Oakland communities

2021

- Feasibility Report completed and presented
- WRC works to identify funding for the project

2022

- Communities pledge \$200,000 for initial project planning
- Oakland County commits \$10 million to the project
- Formation of Northwest Oakland Sanitary Drain Drainage District



Genesee County Purchase Agreement

COST CAPPED AT
\$10M

Purchase is Capped at \$10,000,000
The sewer capacity purchased
will be calculated with a cap of
\$10 million.

NW OAKLAND IS
28.5%
OF INITIAL
COST

NW Oakland Share is now 28.5%
With the addition of 3 new
communities, the overall cost
share for NW Oakland
decreases.

NW Oakland participation in Genesee
County's Kearsley Creek Interceptor
(KCI) project

Allocate costs to participants based on
flow capacity in the new sewer

Genesee County to hold 1,990 REUs*
for future purchase

No obligation to purchase future
capacity

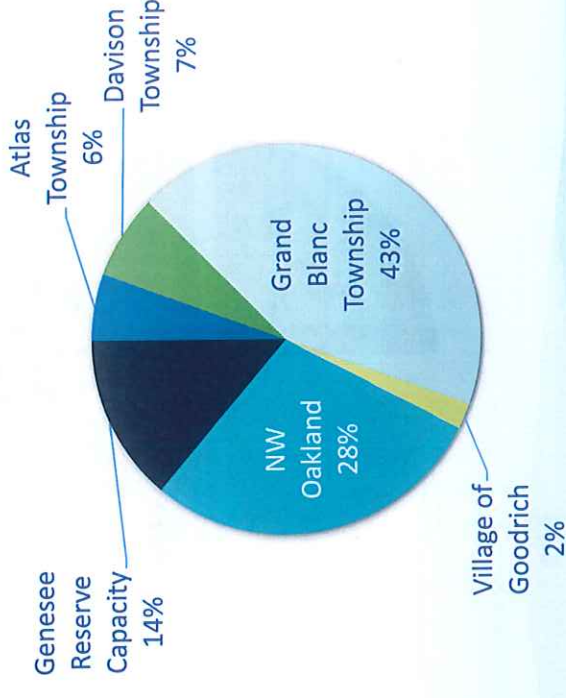
*Residential Equivalent Units

Cost Allocation for Phase 1 (Genesee Project)

Entity	Share of KCI Cost	Residential Equivalent Units	Phase 1 Cost
Atlas Township	5.57%	800	\$1,955,000
Davison Township	6.97%	1,000	\$2,444,000
Grand Blanc Township	43.02%	6,176	\$15,095,000
Village of Goodrich	2.09%	300	\$733,000
NW Oakland Sanitary District*	28.50%	4,091	\$10,000,000
Genesee County (Reserve Capacity)	13.86%	1,990	\$4,863,000
TOTAL	100%	14,357	\$35,090,000

*See next slide for breakdown

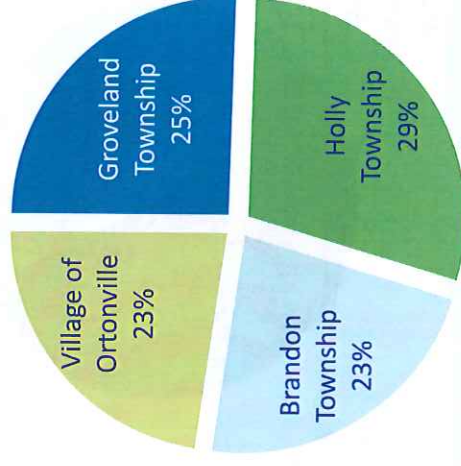
Initial Contract Capacity by Customer



NW Oakland Allocation for Phase 1

Community	Initial REUs	Future REUs	Percent of NW Oakland	Phase 1 Cost
Groveland Township	1,030	1,542	25.4%	\$0
Holly Township	1,363	1,778	29.2%	\$0
Brandon Township	847	1,377	22.6%	\$0
Village of Ortonville	851	1,384	22.8%	\$0
Oakland County	0	0	0	\$10,000,000
TOTAL	4,091	6,081	100%	\$10,000,000

- Allocation determined by 2022 Feasibility Study based on future land use and estimated flow.
- The initial contract will provide \$10,000,000 of capacity which would be allocated per the table
- There are no direct costs to the communities



Sequential Petition Process for Project

Petition/ Phase	Petitioned Project	Estimated NW Oakland Costs
Study (80% Complete)	<u>Study and Planning Phase (Current Petition)</u> 1. Study of the feasibility to extend sewer to Oakland County and serve certain parts of the communities 2. Negotiation of an agreement to get capacity 3. Seek grants	\$0 additional ((\$200,000 already approved with resolutions)
1 (Current Phase)	<u>Genesee County Project (KCI)</u> The right to place sanitary flow to a sewer line of appropriate capacity into a Genesee County system that will be extended to the Oakland County and Genesee County line.	\$10 million (Oakland ARPA) (Proposed agreement limits the amount for NW Oakland cost at \$10 million of ARPA allocated by Oakland County.)
2 FUTURE	<u>Dixie Highway Extension</u> The construction of a sewer extension along Dixie Highway and Grange Hall Road	\$49 million (seeking for grant funding from the infrastructure bill)
3 FUTURE	<u>M-15 Corridor Extension</u> encompass an additional sewer extension along Perryville Road to serve the Village of Ortonville and Brandon Township	\$59 million (seeking for grant funding from the infrastructure bill)

Originally presented in March 2022, updated 3/29/2023

Phase 1 Petition

Why is a petition needed?

- Mechanism and part of the WRC continued process to keep Communities informed and a way for the communities to Demonstrate support for the project and initiate the first phase of the project.
- Like the first petition to create the district, this petition has no budgeted costs to apportion.

What does the petition do?

- Continuation of the project with the following limited scope:
 - Seek outside grant funds for the project
 - Negotiate agreement for purchase of sewer capacity in the \$35 million Genesee County Project for NW Oakland
 - Limits costs to the Drainage District through reference to the Purchase Agreement
- Drainage District to finalize the agreement with Genesee County once the petition process is completed.

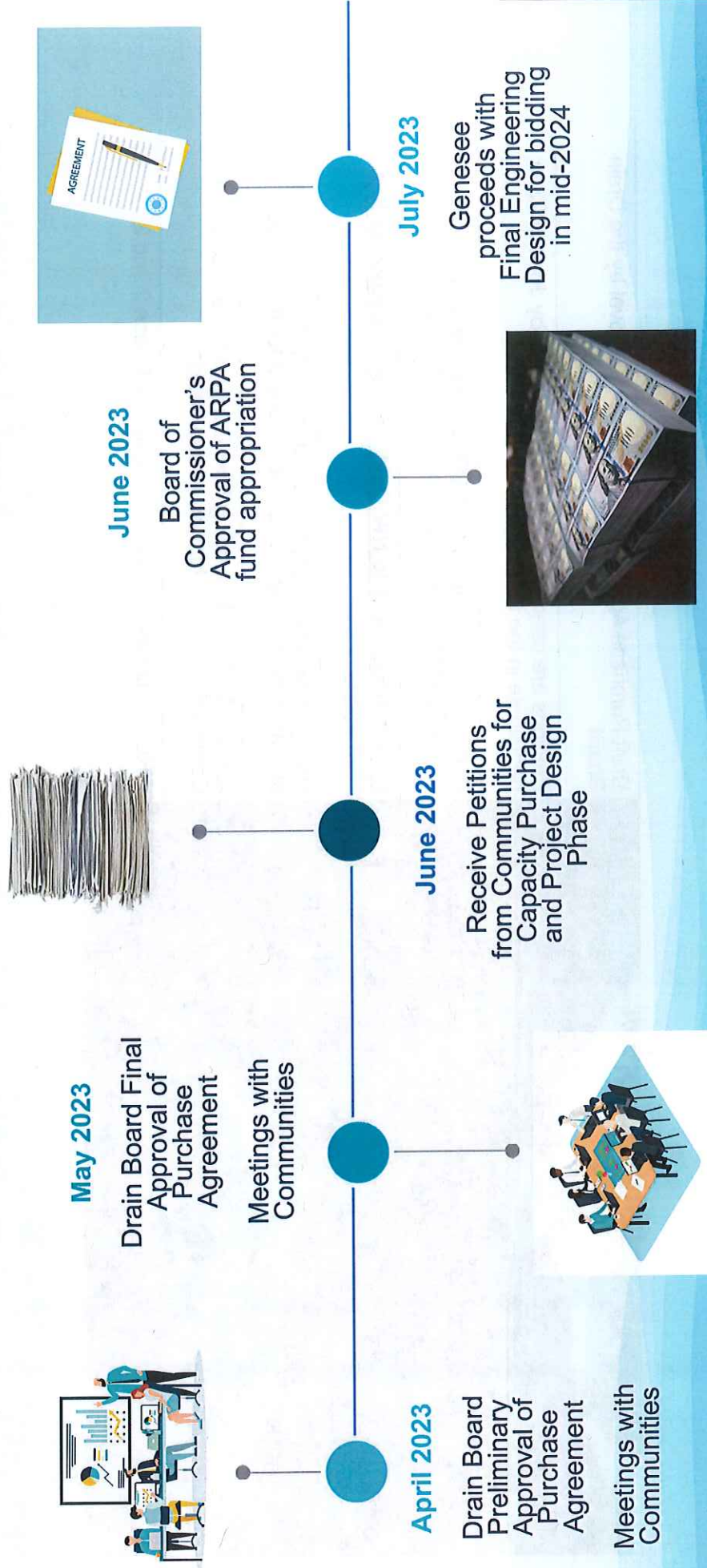
When is the next petition needed?

- Before Phase 2 construction once funding mechanism has been identified.

From Petition:

"shall expressly limit the cost for the negotiation and preparation of said agreement or agreements to the amount to be provided by the County of Oakland from ARPA grant funds, which is estimated to be \$10 million."

Next Steps/Schedule



Summary



Draft Purchase Agreement is ready for approval by the Drain Board

Petitions are needed from the Communities by June 2023 to participate in the KCI project

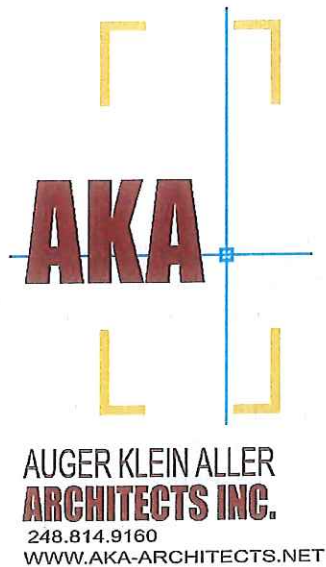
Participation is limited to \$10,000,000 in Oakland County ARPA Fund that is already allocated to the project.

No additional cost to NW Oakland Communities for this next phase

Ready to request appropriation of the \$10,000,000 that was allocated by the Board of Commissioners for this project.

Acquire \$1,000,000 funding from Congressionally Directed Community Projects for next phase design.

WRC Continues to seek grant funds for Phase 2 and 3



May 2, 2023

Holly Township
102 Civic Drive
Holly, Michigan 48442

Attention: Mr. George A. Kullis - Supervisor

VIA E-MAIL

Reference: Letter of Understanding for
Architectural Services
Holly Township Hall – Facility Concept Study
4092 Grange Hall Road, Holly, MI 48442

Mr. Supervisor and Township Board Members,

We look forward to continuing our partnership with Holly Township to envision opportunities presented by the potential building acquisition located at 4092 Grange Hall Road. The existing building is a former Township Fire Station that has been recently renovated and expanded for office and warehouse use. The proposed professional services from Auger Klein Aller Architects will explore the opportunities to utilize the existing facility as Township offices. We propose that this letter act as a Letter of Understanding for the current project scope.

Project Scope

The goal of the project will be to develop a preliminary design concept that incorporates the Holly Township Program Study and the opportunities offered by the existing facility.

Potential project priorities include, but are not limited to:

- Explore how Township departments will fit into the existing office space and develop potential office layouts.
- Explore the opportunities of the existing warehouse space to incorporate additional program functions, including department storage and additional community meeting space.
- Explore Exterior improvements that incorporate public and staff entry points while maintaining ADA access.
- Explore opportunities presented by the site to expand the facility in the future if and when it may be needed.

Key Deliverables:

- Existing Facility Drawings
- Conceptual Architectural Site Plans (based on a Plot Plan).
- Conceptual Floor Plans.

Fee Structure

We propose an Hourly Not-to-Exceed Fee of **Twelve Thousand, Five Hundred Dollars (\$12,500)**. Should they be requested by the Township, professional services for subsequent phases of design at the subject site shall be negotiated under separate contract once the scope is better defined.

Our professional services are provided to you as a registered services provider under the Oakland County Cooperative Purchasing Program. For additional question please contact AKA Architects or Oakland County Purchasing Department regarding contract #005816.

Should you have any questions concerning any of this information, or would like to further discuss our proposal, please feel free to contact me at the office or directly (248.935.7483). We look forward to working with you on this project, and our potential role in its success.

Regards,



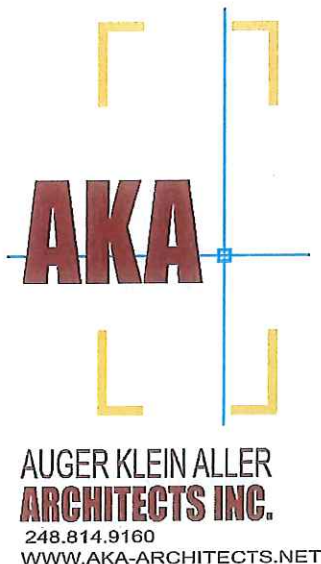
Scott Reynolds AIA, Associate
Auger Klein Aller Architects Inc.

Acceptance of Letter of Understanding:

Signature: _____

Printed Name and Title: _____
(print)

Date: _____



May 2, 2023

Holly Township
102 Civic Drive
Holly, Michigan 48442

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Acceptance of Letter of Understanding:

Signature: _____

Printed Name and Title: _____
(print)

Date: _____



Memorandum

To: George Kullis , Holly Township Supervisor

From: John Balint

Date: March 28, 2023

Subject: Holly Township Farmstead Project

HRC Job No. 20200135

This memo is designed to serve as an account of project standing and explanation of efforts to date by Hubbell, Roth and Clark on the Townships Farmstead Project.

HRC's proposal dated July 20, 2021 detailed the design effort to begin implementation of the Farmstead Master Plan, Phase 1. The total for this proposal was \$25,000

- ≡ Part 1 of the scope of services was to provide a list of available grants with funding levels and assist the Township with grant applications.
- ≡ Part 2 was to assist with site preparation. Specifically Parking, Access and internal circulation. These were specifically for:
 - Ingress/egress points for the main parking area, 4-H area, and the event barn.
 - Grading and drainage for the 4-H parking area, main parking lot and access roads
 - RCOC permit for site access.
- ≡ Part 3 was for Fence design and planning along N. Holly Road. For this task, HRC had McKenna and Associates as a subconsultant to assist with fence types and placement.

A revised proposal was prepared in August of 2021, adding additional site and utility design. The cost of this proposal was \$44,500. In September of 2021, the site survey was conducted (South portion was not surveyed). Additionally in September of 2021, fence options were provided by McKenna and Associates for review by the Township.

In January of 2022, HRC prepared a potential layout for the septic system looking ahead to plan to take on waste from the event barn, future Township Hall building, and 4-H area. We also coordinated with the Oakland County Sanitarian to conduct percolation testing in order to know what type of septic system will be needed, the design parameters, and cost to plan for. The percolation testing took place in March of 2022. These tests showed that the soils are not conducive for infiltration, so the system that will be required for this project is a pressurized, engineered system.

In July of 2022, the Township hired AKA Architects to begin work on the conceptual plan for the Township Hall building. With the start of the actual Township Hall building work, this shifted the HRC scope to assist in supporting the AKA work. Multiple meetings followed to assist the architect with siting the building and working on conceptual grading. It was determined that soil borings would be required on the site at this time, a proposal from G2 consulting was provided to the Township and subsequently approved for \$13,200. HRC hired G2 Consultants to perform soil borings. These borings were specifically to assist with the building location and foundations. Boring locations were taken in separate locations where there was potential to put the building, site access and parking lot to support the design these design efforts.

In September of 2022, the potential for the Township to purchase the property across N. Holly Road became apparent. This would change some of the requirements on the Farmstead property. As such, the current direction for the Township Hall and parking area project is awaiting confirmation on the property on the West side of the road.

Additional work has been completed such as staking for the Ernst Barn. HRC survey staff staked the SW building corner as well as the proposed building alignment so that the Barn contractor can begin moving the Ernst Barn from the Oakalnd County Parks property to the Farmstead.

The following is the status of the Farmstead budget:

Original approved Budget:	\$44,500
G2 Consultants Subcontract:	<u>\$13,200</u>
Total:	\$57,700
Billed to date:	<u>\$40,066</u>
Remaining:	\$17,484

Items that were not in original Scope but completed to date:

- G2 Consulting Geotechnical work
- Grading for Township Hall Building
- Stormwater Detention scoping
- Coordination with Architect
- Ernst Barn Staking

Even though scope has changed, HRC and our project team have been able to complete the added tasks within the current budget. The remaining funds can be used to complete and tasks and continue to assist the Township. A new proposal will be submitted for construction once some clarifications of the scope are decided.



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DIVISION 2. ZONING BOARD OF APPEALS*

***Cross references:** Boards and commissions, § 2-111 et seq.

State law references: Zoning board of appeals, MCL 125.288 et seq.

Sec. 32-61. Authority.

There is established a zoning board of appeals, the membership, powers, duties of which are prescribed in Public Act No. 110 of 2006. The zoning board of appeals in addition to the general powers and duties conferred upon it, by Act No. 110, in specific cases and subject to appropriate conditions and safeguards, shall interpret and determine the application of the regulations established under this chapter in harmony with their purpose and intent as set forth in this chapter.

(Ord. No. 50, § 12.1, 11-17-1992; Ord. of 9-19-2006(2), § 1)

Sec. 32-62. Membership.

The zoning board of appeals shall consist of five members, appointed by the township board.

(1) The first member of the zoning board of appeals shall be a member of the township planning commission.

(2) The second member of the zoning board of appeals shall be a member of the township board.

(3) Three additional members of the zoning board of appeals shall be selected from among the electors residing in the unincorporated area of the township.

(4) An employee or contractor of the township board shall not serve as a member of the zoning board of appeals.

(5) The terms of membership for zoning board of appeal members shall be three years, except for members serving because of their membership on the planning commission or township board, whose terms shall be limited to the time they are members of the planning commission or township board, respectively, and the period stated in the resolution appointing them. A successor shall be appointed not more than one month after the term of the preceding member has expired.

(6) All vacancies for unexpired terms of the zoning board of appeals shall be filled by appointment of the township board for the remainder of such term.

(7) Members of the zoning board of appeals shall be removable by the township board for nonperformance of duty or misconduct in office upon written charges and after public hearing.

(8) A township board may appoint not more than two alternate members of the zoning board of appeals for the same term as regular members to the zoning board of appeals. An alternate member may be called by the chairman of the zoning board of appeals to serve as a regular member of the board in the absence of a regular member if the regular member is absent from or will be unable to attend one or more consecutive meetings of the board or is absent from or will be unable to attend meetings for a period of more than 30 consecutive days. An alternate member of the zoning board of appeals may also be called to serve as a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member appointed to the zoning board of appeals shall serve in the case

COST PARTICIPATION AGREEMENT

2023 GRAVEL ROAD PROGRAM

Township of Holly

Board Project No. 57282

This Agreement, made and entered into this _____ day of _____, 2023, by and between the Board of County Road Commissioners of the County of Oakland, Michigan, hereinafter referred to as the BOARD, and the Township of Holly, hereinafter referred to as the HOLLY, provides as follows:

WHEREAS, the BOARD and HOLLY have agreed to program the spreading of gravel and chloride on various roads under the jurisdiction of the BOARD, as described in Exhibit "A", attached hereto, and made a part hereof, the roads selected will be mutually agreed upon by the BOARD and HOLLY, which are hereinafter referred to as the PROJECT; and

WHEREAS, the estimated total cost of the PROJECT is \$60,689; and

WHEREAS, the PROJECT involves certain designated and approved Tri-Party Program funding in the amount of \$60,689 which amount shall be paid through equal contributions by the BOARD, HOLLY, and the Oakland County Board of Commissioners, hereinafter referred to as the COUNTY; and

WHEREAS, HOLLY and the BOARD have reached a mutual understanding regarding the cost sharing of the PROJECT and wish to commit that understanding to writing in this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, it is hereby agreed between HOLLY and the BOARD that:

1. The BOARD shall forthwith undertake and complete the PROJECT, as above described, and shall perform all engineering, inspection and administration in reference thereto.

2. The actual total cost of the PROJECT shall include total payments to the contractor. Any costs incurred by the BOARD prior to this agreement date shall be allowable.
3. The estimated total PROJECT cost of \$60,689 shall be allocated as follows:
 - a. Tri-Party Program funding in the amount of \$60,689.
 - b. Any PROJECT costs above the Tri-Party Program funding of \$60,689 will be funded 100% by the BOARD.
4. Upon execution of this Agreement, the BOARD shall submit an invoice to HOLLY in the amount of \$20,230 (being 100% of HOLLY'S Tri-Party contribution).
5. Upon execution of this agreement and approval by the COUNTY, the BOARD shall submit an invoice to the COUNTY in the amount of \$20,230 (being 100% of the COUNTY'S Tri-Party contribution).
 - a. The invoice shall be sent to:

Manager of Fiscal Services
Executive Office Building
2100 Pontiac Lake Road, Building 41 West
Waterford, MI 48328
6. Upon receipt of said invoice(s), HOLLY and the COUNTY shall pay to the BOARD the full amount thereof, within thirty (30) days of such receipt.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and date first written above.

BOARD OF ROAD COMMISSIONERS OF THE
COUNTY OF OAKLAND
A Public Body Corporate

By _____

Its _____

TOWNSHIP OF HOLLY

By _____

Its _____

EXHIBIT A
TRI-PARTY PROGRAM
2023 Gravel Road Program
Township of Holly
Board Project No. 57282

Spreading of gravel and chloride on various roads within the township.

ESTIMATED PROJECT COST

Contractor Payments: **\$60,689**

COST PARTICIPATION BREAKDOWN

	COMMUNITY	COUNTY	BOARD	TOTAL
TRI-PARTY PROGRAM	\$20,230	\$20,230	\$20,229	\$60,689
TOTAL	\$20,230	\$20,230	\$20,229	\$60,689