



CHARTER TOWNSHIP OF HIGHLAND

205 N. John Street - Auditorium - Highland, Michigan 48357 248/887-3791

SPECIAL BOARD OF TRUSTEES MEETING

August 22, 2023 @ 3:00 p.m.

AGENDA

1. Call Meeting to Order
2. Pledge of Allegiance
3. Roll
4. Approval of Agenda
5. Consent Agenda
 - a) August 7, 2023 Board of Trustees Minutes
6. Announcements and Information Inquiry:
 - a) Township Offices will be closed on Monday, September 4th, in Observance of Labor Day
 - b) Farmers' Market on Saturdays at Milford Rd & M-59 from 10 a.m. to 2 p.m.
 - c) Sounds Like Summer Concert Series August 22nd at 6:30 p.m. and August 29th at 7:00 p.m. in Veterans Park
7. Public Comment
8. New Business:
 - a) Resolution 23-21 Approving Opting-In to the National Opioid Litigation Settlement with Walgreens
9. Adjourn

Any member of the audience wishing to address the board will be asked to state his/her name and address. Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the Clerk's office at (248) 887-3791 prior to the meeting. Our staff will be pleased to make the necessary arrangements.

1. Call Meeting to Order

Time: _____

Number of Visitors: _____

2. Pledge of Allegiance

Township Special Board Meeting Roll

Date: August 22, 2023 @ 3:00 p.m.

Present

Absent

Board Member

Rick A. Hamill
Tami Flowers
Jenny Frederick
Judy Cooper
Brian Howe
Beth Lewis
Joseph Salvia

Start Time: _____ End Time: _____

4. Approval of Agenda

5a. Consent Agenda Approval

- a) August 7, 2023 Board of Trustees Minutes

CHARTER TOWNSHIP OF HIGHLAND
REGULAR BOARD OF TRUSTEES MEETING
August 7, 2023 - 6:30 p.m.

The meeting was called to order at 6:30 p.m. with the Pledge of Allegiance.

Roll Call: Rick Hamill, Supervisor
Tami Flowers, Clerk
Jennifer Frederick, Treasurer
Judy Cooper, Trustee
Brian Howe, Trustee
Beth Lewis, Trustee
Joseph Salvia, Trustee

Also Present: Fire Chief Nick George
Lieutenant Matt Snyder
Lisa Hamameh, Township Attorney

Visitors: 7

Approval of Agenda:

Mrs. Cooper moved to approve the agenda as presented Mrs. Lewis supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

Consent Agenda Approval:

Approve:

- a) July 10, 2023 Board of Trustees Minutes
- b) List of Bills dated July 27, 2023 and August 10, 2023 plus additions
- c) HDDA Reappointment of Board Members Matt Barnes, Cassie Blascyk, and Dale Feigley
- d) Budget Amendments DDA Design

Receive and File:

Activity Center Council Minutes/Treasurer's Report – June 2023
Activity Center Director's Report – June 2023
Building Department – June 2023
Financial Report – June 2023
Fire Department Report – July 2023
Library Board Minutes – June 2023
Library Director's Report – June 2023
Sheriff's Department Report – July 2023
Treasurer's Report – June 2023

Mrs. Cooper moved to approve the Consent Agenda as presented. Mr. Howe supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

Announcements and Information Inquiry:

- a) Township Offices will be closed on Monday, September 4th, in Observance of Labor Day
- b) Farmers' Market on Saturdays at Milford Rd & M-59 from 10 a.m. to 2 p.m.
- c) Sounds Like Summer Concert Series on Tuesdays at 7:00 p.m. in Veterans Park

Public Comment:

Complaint regarding neighbor's fencing and the Township's handling of her situation. A second person also complained about the Township's response to a problem he has with his neighbor.

Presentation:

- a) Kindness Matters

Nancy Branstetter explained the Kindness Matters initiative to share your random act of kindness story, photo, video, or favorite quote. She also is looking for suggestions on how to celebrate Be Kind to Humankind Week August 26 – August 31, 2023.

Pending Business:

- a) Resolution 23-21 Coalition Agreement for Opioid Settlement Funds and Public Purpose Service Contract

Mr. Hamill moved to approve the Charter Township of Highland Resolution Approving Agreement with Huron Valley Community Coalition for Opioid Remediation Activities Permitted under the National Opioid Litigation Settlements as presented Ms. Frederick supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

- b) Budget Amendment Opioid Settlement Fund

Mrs. Cooper moved to approve the Budget Amendment Opioid Settlement Fund as presented Mr. Howe supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

- c) Additional Funding for Wayfinding Signage

Mr. Hamill moved to approve the Additional Funding for Wayfinding Signage. Mrs. Lewis supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

Mr. Howe requested the Township check into the procedure for signage to be put up to recognize Milford High School's team accomplishments, especially their Cross-Country Team.

- d) Budget Amendment for Wayfinding Signage

Mrs. Cooper moved to approve the Budget Amendment for Wayfinding Signage as presented. Mr. Howe supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

New Business:

a) Introduction of Zoning Amendment Z-029 an Ordinance to amend the Charter Township of Highland Zoning Ordinance (Chapter 25 of the General Code of Ordinances) by revising Article 4, District Regulations to Amend the Schedule of Regulations for Agricultural and Rural Residential Zoning District and Temporary Uses in any Zoning District to Amend the Maximum Duration of Permits and to Provide for Renewal of Permits, Further to Amend Article 8, General Provisions Sections 8.03 to Modify the Setback Requirements of Swimming Pools and Section 8.06 to Modify Regulations Pertaining to Home Occupations.

Ms. Frederick moved to Introduce Zoning Amendment Z-029 an Ordinance to amend the Charter Township of Highland Zoning Ordinance (Chapter 25 of the General Code of Ordinances). Mrs. Lewis supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

b) Resolution 23-18 Intent to Form Peninsula Lake Special Assessment District

Mrs. Cooper moved to approve Resolution 23-18 Intent to Form Peninsula Lake Special Assessment District. Mr. Salvia supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

c) Approve Salary for Deputy Treasurer Chantelle Green

Ms. Frederick appointed Chantelle Green as her Deputy Treasurer as of August 12th. She replaces Karen Genson who has served as Deputy Treasurer for 11 years. Karen will be greatly missed; she has an amazing knowledge of all the processes in Treasurer's and Bookkeeping and has been a huge asset.

Ms. Frederick moved to approve the salary for Deputy Treasurer Chantelle Green in the amount of \$29.00 per hour beginning August 12, 2023. Mr. Hamill supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

d) Adjust Hours/Salary for Highland Activity Center Employees Justin Lado and Chari Scicluna

Mr. Hamill moved to approve a status change for Chari Scicluna to part time not to exceed 29 hours per week at \$18.50/ hour. Justin Lado will be full time - 37.5 hours per week at \$19.50/hour. Changes will take effect as of August 14, 2023. Mrs. Cooper supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

e) Budget Amendment Activity Center Wages

Mrs. Cooper moved to approve the Budget Amendment Activity Center Wages as presented Mrs. Lewis supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

f) Mid-Year Wage Adjustments for Staff

Ms. Frederick moved to approve the Mid-Year Wage Adjustments for Staff as presented. Mr. Howe supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

g) Budget Amendment for Mid-Year Wage Adjustments for Staff

Mrs. Cooper moved to approve the Budget Amendment for Mid-Year Wage Adjustments for Staff as presented. Mr. Brian supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

h) Resolution 23-19 to Establish Milage Rates for 2024 Budget

Ms. Frederick moved to approve Resolution 23-19 to Establish Milage Rates for 2024 Budget as presented. Mrs. Lewis supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

i) Resolution 23-20 Declaring Surplus Property and Accepting the Offer to Purchase – W. Wardlow

Mr. Salvia moved to approve Resolution 23-20 Declaring Surplus Property and Accepting the Offer to Purchase – W. Wardlow as presented Mrs. Cooper supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

j) Budget Amendment Annex Building Maintenance

Ms. Frederick moved to approve the Budget Amendment Annex Building Maintenance as presented Mr. Howe supported, and the motion carried with the following roll call vote: Hamill – yes, Flowers – yes, Frederick – yes, Cooper – yes, Howe – yes, Lewis – yes, Salvia – yes.

Adjourn:

Supervisor Hamill adjourned the meeting at 7:21 p.m.

Tami Flowers, MiPMC
Highland Township Clerk

Rick A. Hamill
Highland Township Supervisor

6. Announcements and Information Inquiry

- a) Township Offices will be closed on Monday, September 4th, in Observance of Labor Day
- b) Farmers' Market on Saturdays at Milford Rd & M-59 from 10 a.m. to 2 p.m.
- c) Sounds Like Summer Concert Series August 22nd at 6:30 p.m. and August 29th at 7:00 p.m. in Veterans Park

MICHIGAN GROWN PRODUCE & PLANTS,
CRAFTS AND ARTISANS

 Highland  Farmers'
market

rain or shine

SATURDAYS

JUNE 17TH–
OCTOBER 7TH

10AM–2PM

MILFORD RD. &
M59/HIGHLAND RD.

HIGHLANDFARMMARKET.COM

EMAIL HIGHLANDFARMMARKET@GMAIL.COM

Please visit our website for an application and schedule

**VENDORS
NEEDED**
FOR THE 2023 SEASON



DOWNTOWN HIGHLAND

2023

**SOUNDS
LIKE
SUMMER**



CONCERT SERIES

Tuesday 7pm-9pm Veterans Park

Corner of John Street and West Livingston Road

(In case of rain, concerts will be held at Highland Township Auditorium)

July 11th - Infinity & Beyond

Journey Tribute Band

July 18th - Itchycoo Park Band

Woodstock Era

July 25th - Leaky Tikis

Jimmy Buffet Tribute Band

August 1st - Dueling Pianos

Dueling Pianos -

Audience Participation

August 8th - Teddy Petty

Tom Petty Tribute Band

August 15th - Sound Station

Classic Rock

**August 22nd - The Mitten Strings
- Classical Quartet**

Special Time: 6:30-7:30

In partnership with the

Highland Twp. Public Library

7. Public Comment



**CHARTER TOWNSHIP OF HIGHLAND
RESOLUTION APPROVING OPTING-IN TO THE
NATIONAL OPIOID LITIGATION SETTLEMENT WITH
WALGREENS**

RESOLUTION NO. 23-21

At a special meeting of the Township Board of the Charter Township of Highland, Oakland County, Michigan, held, on the 22nd day of August, 2023. With those present and absent being,

PRESENT: _____

ABSENT: _____

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

WHEREAS, after several years of negotiation, nationwide settlements relating to the distribution and sale of opioids, were reached against three national pharmacies, CVS, Walmart and Walgreens and against two pharmaceutical companies, Teva Pharmaceutical Industries and AbbVie/Allergan. These settlements are in addition to the settlements previously approved in 2021 with distributors, McKesson, Cardinal Health and AmerisourceBergen and one manufacturer, Janssen Pharmaceuticals, Inc., and its parent company Johnson & Johnson. The settlements require the companies to pay up to \$16.5 billion dollars over 13 years. The settlement payments are primarily earmarked for participating states and state subdivisions to remediate and abate the impacts of the opioid crisis and also include the payment of attorney fees for subdivisions that hired counsel to sue these companies on their behalf. (“Litigating Subdivisions”); and

WHEREAS, the settlements place numerous requirements on the companies to implement safeguards to prevent the over distribution and sale of opioids. Michigan had chosen to participate in each of these settlements, except the one with Walgreens. The Michigan Attorney General has now agreed to participate in the Walgreens settlement and has negotiated a settlement agreement with the Litigating Subdivisions; and

WHEREAS, the Township has received notice that it is eligible to participate in the Walgreens settlement; and

WHEREAS, any funds received from the settlements must be spent on opioid remediation, which is defined in the settlement agreements.

WHEREAS, consistent with the previous opioid litigation settlements, the Walgreens settlement require the participating subdivisions to agree to: i) the terms of the settlement; ii) a release of claims; iii) an agreement that monies received can only be spent on opioid remediation and; iv) a consent to the jurisdiction of the Court where the Settlement Judgment is filed.

WHEREAS, if there are any additional opioid litigation settlements that require the same settlement terms as the previous settlements, the Township Board has determined it would be in the best interests of the Township to participate in those settlements and authorize the Township Supervisor to accept the settlement terms.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND DECLARED:

1. The Township Board of the Charter Township of Highland hereby elects to participate in the Walgreens settlement.
2. The Charter Township of Highland hereby agrees to the terms of the Walgreens settlement, a Release of Claims against Walgreens, the funds received from the settlement to be spent on opioid remediation, as defined in the settlements, and consents to the jurisdiction of the Court where the Settlement Judgment is filed.
3. The Township Supervisor and the Township Clerk are hereby authorized to execute any and all documents and take any and all other actions as may be necessary or appropriate in order to opt-in to the Walgreens settlement, consent to the settlement terms and receive the settlement funds.
4. The election, agreement, and authorization in this Resolution are subject to completion of all other necessary actions by the Court and the other parties required to finalize the settlement are described herein.
5. If there are additional opioid litigation settlements that require accepting the same terms as the prior settlements, the Township Supervisor and the Township Clerk are hereby authorized to execute all documents and take other necessary actions to opt-into to the settlements, consent to the settlement terms and receive the settlement funds.

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

YEAS: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED

Rick A. Hamill, Supervisor

Tami Flowers MiPMC, Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

I hereby certify this to be a true and complete copy of this Resolution duly adopted at a special meeting of the Township Board held on the 22nd day of August, 2023.

Date

Tami Flowers, MiPMC
Highland Township Clerk

EXHIBIT K

Subdivision Participation and Release Form

[Draft]

Governmental Entity:	State:
Authorized Official:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated December [], 2022 (“*Walgreens Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Walgreens Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Walgreens Settlement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the Walgreens Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs’ Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at [website link to national settlement website to be provided].
3. The Governmental Entity agrees to the terms of the Walgreens Settlement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the Walgreens Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Walgreens Settlement solely for the purposes provided therein.

6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Walgreens Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Walgreens Settlement.
7. The Governmental Entity has the right to enforce the Walgreens Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Walgreens Settlement, including without limitation all provisions of Section XI (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Walgreens Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Walgreens Settlement shall be a complete bar to any Released Claim.
9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Walgreens Settlement.
10. In connection with the releases provided for in the Walgreens Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance,

oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Walgreens Settlement.

11. Nothing herein is intended to modify in any way the terms of the Walgreens Settlement, to which Governmental Entity hereby agrees. To the extent this Participation and Release Form is interpreted differently from the Walgreens Settlement in any respect, the Walgreens Settlement controls.

I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____

9. Adjourn

Time: _____