AGENDA

REGULAR MEETING OF THE VILLAGE COUNCIL

Monday, October 27, 2025

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

ADDRESSING THE VILLAGE COUNCIL: Each person wishing to address the village council shall be afforded an opportunity to do so. If you wish to comment, please stand or raise a hand to indicate that you wish to speak. When recognized, give your name and address and direct your comments to the Chair.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call and Determination of Quorum**
4. **Presentations**
5. **Call to the Public**
6. **Approval of Agenda**

   By order of the President/Chair, no matters will be discussed after 9:30 p.m., unless council/board/commission votes to continue the meeting.

7. **Consent Agenda**

   All items on the Consent Agenda are approved by one vote.

   A. Approval of Village Council Special Meeting Minutes of October 13, 2025

   B. Approval of Village Council Regular Meeting Minutes of October 13, 2025

   C. Approval of Special Event – Lake Orion New Year's Resolution Run

   D. Receive and File of Downtown Development Authority Regular Meeting Minutes of September 16, 2025

   E. Policy on Drawdown and Disbursement of Federal Grant Funds

F. Budget Amendment

G. Receive and File the request from Council Member George Dandalides dated October 21, 2025, to amend Council agenda format to add DDA Executive Director comments

H. Request from Council Member Dandalides dated from October 21, 2025 leverage grant funding for Village Capital Improvement Program projects

I. Receive and file Invoice Distribution Report for October 28, 2025

J. Request from Council Member Dandalides dated from October 22, 2025 regarding the TIF and 75/25 split

8. **Items Removed from the Consent Agenda**

9. **Public Hearings**

10. **Other Items**

A. Policy on Review of Professional Services Contracts

B. Private Road Winter Maintenance Agreements

C. Proposals for Municipal Legal Services

D. Special Meeting for Discussion on 2026 Capital Improvement Projects

11. **Call to the Public**

12. **Council Comments**

13. **Village Manager Comments**

14. **Closed Session Items**

15. **Business From Closed Session**

16. **Adjournment**

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the Village, at least three (3) business days in advance of the meeting, if requesting accommodations. The Village of Lake Orion will provide foreign language or hearing impaired interpretation services for those individuals who contact the village to request such services at least seven (7) days prior to the meeting.

En el espíritu de la observancia de la Ley de Estadounidenses con Discapacidades, las personas con discapacidad debe sentirse libre para ponerse en contacto con el pueblo, por lo menos tres (3) días hábiles de antelación a la fecha de la reunión, si se solicitan alojamiento. El municipio de Lake Orion proporcionará idioma extranjero o personas con problemas de audición servicios de interpretación para

las personas que se ponen en contacto con el pueblo de solicitar dichos servicios con no menos de siete (7) días antes de la reunión.

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC Approval of Village Council Special meeting minutes of October 13, 2025.

RECOMMENDED MOTION: To approve the Village Council Special meeting minutes of October 13, 2025, meeting minutes as presented.

MINUTES

SPECIAL MEETING OF THE VILLAGE COUNCIL - INCLEMENT WEATHER CLOSING POLICY

Monday, October 13, 2025

5:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

1. Call to Order

The October 13, 2025 Village Council Special meeting was called to order at 5:30 PM by President Rutt.

2. Roll Call and Determination of Quorum

PRESENT
President Teresa Rutt
President Pro Tem Stan Ford
Council Member Nancy Moshier
Council Member Michael Lamb
Council Member George Dandalides
Council Member Eric Papacek

ABSENT
Council Member Alex Comparoni Jr

STAFF PRESENT
Village Manager Darwin McClary
Police Chief Mark Amundson
Clerk/Treasurer Sonja Stout

MOTION made by President Rutt, Seconded by Council Member Dandalides to excuse Council member Comparoni, Jr from the October 13, 2025, Village Council Special meeting.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Papacek
VOTING NAY: None
ABSENT: Comparoni, Jr
MOTION: Carried

PURPOSE OF THE SPECIAL MEETING: Discuss the Village Hall inclement weather closing policy.

3. Presentations

None.

4. Call to the Public

None.

5. Other Items

A. Review Village Hall Inclement Weather Closing Policy

Village Manager McClary reviewed the current inclement weather policy and explained how it has evolved over the years.

Council Member Moshier expressed that the Village should not automatically follow the school closing schedule, noting that schools close primarily for bus-related reasons. She felt staff should decide individually whether it is safe to come in.

Council Member Lamb agreed that the Village should not base closures on school decisions. He supported allowing the Village Manager to determine closures and letting employees decide whether it is safe to report to work. He also noted that the new five-day schedule allows for flexible time use.

Village Manager McClary emphasized that, unlike the township—which has 48 employees—the Village has only four full-time staff members. If even one or two employees cannot report due to weather, the Village Hall cannot operate effectively. While three employees can work from home, this does not allow for public service at the counter. Limited staffing could therefore require closing Village Hall.

Council Member Papacek acknowledged the size difference between the Village and the township but liked the idea of staying in sync with the township for consistency. He preferred that the Village remain open when possible.

President Pro Tem Ford appreciated that schools have systems to monitor roads and communicate closures quickly. He noted that if staff individually decide whether to come in, it may delay public notices about Village Hall operations.

Council Member Dandalides felt the Village should not be tied to the school district since schools assess road conditions differently. He opposed closing for reasons that do not directly impact the Village.

Council Member Moshier added that while she enjoys snow days, roads are often cleared by mid-morning. She suggested offering later start times rather than full closures and opposed working from home.

President Rutt acknowledged both perspectives, emphasizing the importance of flexibility. She suggested that police could post signs if the Village Hall opens late or closes early and supported flexibility for both remote and in-person employees.

Council Member Dandalides agreed that early closure may be appropriate if a storm is approaching.

During discussion of employee compensation during closures, Council Member Lamb reiterated that the Village Manager should make closure decisions and that the Village should generally remain open. Council Member Dandalides stated that full-time employees should still be paid if the office is closed. Lamb agreed that if the Village Manager closes the office, employees should receive regular pay.

During discussion of employee compensation and possible policy revisions, the Council reviewed which portions of the inclement weather policy to amend or remove. Council decided to revise Section 1 by striking part of the first sentence**,** while keeping the remainder of the policy unchanged. President Rutt expressed that the rest of the policy should remain under the Village Manager's discretion**.**

MOTION made by Council Member Dandalides, seconded by President Rutt, to revise the current *Inclement Weather Policy*, Section 1: *Closure of Administrative Offices Due to Inclement Weather*, by striking the phrase "The administrative offices of the Village shall be closed due to inclement weather whenever the Lake Orion Community Schools declares a closing of its schools or…" from the first sentence.

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Papacek
VOTING NAY: None
ABSENT: Comparoni, Jr
MOTION: Carried

6. Call to the Public

7. Adjournment

MOTION made by Council Member Dandalides, Seconded by Council Member Moshier to adjourn the October 13, 2025, Village Council Special Meeting.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Papacek
VOTING NAY: None
ABSENT: Comparoni, Jr
MOTION: Carried

The October 13, 2025, Village Council Special meeting adjourned at 6:09 PM.

_____ _____

Teresa Rutt
President

Sonja Stout
Clerk/Treasurer

Date Approved: as presented on October 27, 2025

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC: Approval of Village Council Regular Meeting Minutes of October 13, 2025

RECOMMENDED MOTION: To approve the October 13, 2025 Village Council Regular Meeting Minutes, as presented.

MINUTES

REGULAR MEETING OF THE VILLAGE COUNCIL

Monday, October 13, 2025

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

1. Call to Order

The October 13, 2025, Village Council Regular Meeting was called to order at 6:30 PM by President Rutt.

2. Pledge of Allegiance

3. Roll Call and Determination of Quorum

PRESENT
President Teresa Rutt
President Pro Tem Stan Ford
Council Member Nancy Moshier
Council Member Michael Lamb
Council Member George Dandalides
Council Member Alex Comparoni Jr
Council Member Eric Papacek

STAFF PRESENT
Village Manager Darwin McClary
DPW Director Wes Sanchez
Police Chief Mark Amundson
Clerk/Treasurer Sonja Stout

4. Presentations

None.

5. Call to the Public

Matt Gibb, DDA Executive Director, addressed the temporary closure of the fire station restrooms due to the transition to a new cleaning company. In the interim, a portable restroom will be placed near the horseshoe area for public use. Mr. Gibb also mentioned that two businesses have been

selected to receive grants, discussed the upcoming Downtown Halloween Extravaganza, and proposed adding an agenda item to the City Council meeting to allow for open dialogue regarding the Lumberyard Project.

Donald Kindred inquired about the timeline for the parking lot inspection and asked whether the Police Chief has provided improved training to officers on handling medical marijuana devices.

Lee Marriott expressed concern over her most recent water bill, stating she was shocked by the amount and requested an explanation.

6. Approval of Agenda

MOTION made by President Rutt, Seconded by Council Member Lamb to approve the Agenda for October 13, 2025, Village Council Regular meeting as presented.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr
VOTING NAY: None
ABSENT: None
MOTION: Carried

7. Consent Agenda

All items on the Consent Agenda are approved by one vote.

MOTION made by President Rutt, Seconded by President Pro Tem Ford to approve the amended October 13, 2025, Village Council Regular Consent Agenda, with the following changes:

- Removal of item K. *(Downtown Development Authority Board Re-appointments)*
- Removal of Item L. *(Parks and Recreation Advisory Committee FY 2026-27 Capital Improvement Projects (CIP) request)*
- Removal of item M. *(Request from Council Member Lamb for Revision to Council Rules of Procedure)*
- Removal of item N. *(Request from Council Member Lamb to Provide for Payment of DDA Bonds from General Obligation Pledge and to Terminate DDA Tax Increment Financing Plan)*

VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

A. Approval of Village Council Special Meeting Minutes of September 22, 2025

MOTION made by President Rutt, Seconded by President Pro Tem Ford to approve the September 22, 2025 Village Council Special Meeting Minutes, as presented.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

B. Approval of Village Council Regular Meeting Minutes of September 22, 2025

MOTION made by President Rutt, Seconded by President Pro Tem Ford to approve the September 22, 2025 Village Council Regular Meeting Minutes, as presented.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

C. Receive and File Board of Zoning Regular Meeting minutes June 5, 2025

MOTION made by President Rutt, Seconded by President Pro Tem Ford to receive and file the June 5, 2025 Board of Zoning Regular Meeting Minutes, as presented.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

D. Receive and File of Parks & Recreation Advisory Committee Regular Meeting Minutes of August 26, 2025

MOTION made by President Rutt, Seconded by President Pro Tem Ford To receive and file the August 26, 2025 Parks & Recreation Advisory Committee Regular Meeting Minutes, as presented.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

E. Receive and File of Planning Commission Regular Meeting Minutes of September 2, 2025

MOTION made by President Rutt, Seconded by President Pro Tem Ford to receive and file the September 2, 2025 Planning Commission Regular Meeting Minutes, as presented.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

F. Receive and File of Financial Statements - September 2025

MOTION made by President Rutt, Seconded by President Pro Tem Ford To receive and file the financial reports for September 2025.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

G. Receive and File Investment Report- August 2025

MOTION made by President Rutt, Seconded by President Pro Tem Ford to receive and file the Investment report for August 2025.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

H. Receive and file Invoice Distribution Report for October 14, 2025

MOTION made by President Rutt, Seconded by President Pro Tem Ford to Receive and file the Invoice Distribution Report in the amount of $289,871.15 of which $83,238.97 are DDA bills for a net total of $206,632.18.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

I. Receive and File September 2025 Police Department Activity Report

MOTION made by President Rutt, Seconded by President Pro Tem Ford To receive and file the September 2025 Police Department Activity Report.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

J. Approval of Special Event: Orion Lighted Christmas Parade

MOTION made by President Rutt, Seconded by President Pro Tem Ford To adopt Resolution No. 2025-038 approving the "Orion Lighted Christmas Parade" Special Event Permit and the License Agreement between the Village of Lake Orion and the Orion Area Parade Group represented by Bill Kokenos, for the event to be held on December 6, 2025, and to authorize the Village Council President and Village Clerk to execute the agreement on behalf of the Village.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

K. Downtown Development Authority Board Re-appointments

Pulled for further discussion

L. Parks and Recreation Advisory Committee FY 2026-27 Capital Improvement Projects (CIP) Request

Pulled for further discussion.

M. Request from Council Member Lamb for Revision to Council Rules of Procedure

Pulled for further discussion.

N. Request from Council Member Lamb to Provide for Payment of DDA Bonds from General Obligation Pledge and to Terminate DDA Tax Increment Financing Plan

Pulled for further discussion.

8. Items Removed from the Consent Agenda

K. Downtown Development Authority Board Re-appointments

Council Member Lamb discussed the process for appointing board members, noting that recent Village and Ethics Board vacancies were filled through open advertising and interviews. He questioned why this approach isn't used for other boards such as the DDA, Planning Commission, and BZA. Council Member Lamb suggested adopting a policy to advertise all board vacancies but acknowledged, per Clerk Stout, that state law requires the executive officer to recommend appointments for those boards. He proposed the Village consider an informal process to solicit applications and seek Council input before recommendations are made. Council Member George Dandalides supported the idea.

President Rutt asked administration to formally advertise in the Lake Orion Review for the Planning Commission vacancy.

MOTION made by President Rutt, Seconded by Council Member Dandalides to re-appoint Deborah Burgess and Hank Lorant to four-year terms on the Downtown Development Authority Board, terms to expire on October 31, 2029 and is subject to approval of Village Council.
VOTING YEA: Rutt, Ford, Dandalides, Comparoni Jr, Papacek
VOTING NAY: Moshier, Lamb
ABSENT: None
MOTION: Carried

President Rutt thanked the DDA board members for their service to the DDA board over the years.

L. Parks and Recreation Advisory Committee FY 2026-27 Capital Improvement Projects (CIP) Request

Council Member Dandalides stated at the request of the Village Manager and Council during budget discussions, the Parks and Recreation Committee was asked to submit its priority projects for the upcoming budget year by October. At its last meeting, the committee identified three priority projects and outlined how available discretionary funds could be used.

Chairperson Rosemary Ford presented the Parks and Recreation Committee's three priority projects for the upcoming budget year:

1. Atwater Park Basketball Court – Replace the deteriorated court with proper engineering to ensure long-term durability.

2. Greens Park Pavilion – Construct a rentable pavilion to support community events and generate park revenue.

3. Greens Park Sprinkler System – Install a new irrigation system to improve lawn conditions and help deter geese.

She emphasized using durable materials and proper planning to extend the life of these improvements.

Council Member Lamb and Council Member Dandalides had a brief discussion on possible solutions, and which projects should move forward.

MOTION made by President Rutt, Seconded by Council Member Papacek to receive the request from the Parks and Recreation Advisory Committee for consideration for funding for FY 2026-27 Capital Improvement Projects and to consider the same as part of the FY 2026-27 budget preparation process.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

M. Request from Council Member Lamb for Revision to Council Rules of Procedure

Council Member Lamb noted that in 2023, Council Rules were changed to restrict only the President and Pro Tem from contacting the Village Attorney. He stated that attorney costs did not decrease due to this rule but rather because the Village Manager was able to address many legal questions internally. Council Member Lamb argued that all Council members should have access to legal counsel for clarification on procedural or legal matters, such as Open Meetings Act compliance.

President Pro Tem Ford stated the process should not be changed. Council Member Papacek said access to the Village Attorney should be uniform for all members. Council Member Dandalides suggested the Village Manager should handle attorney-related issues. President Rutt cited the MML handbook, noting there should be a process for contacting the attorney, and reviewed the pros and cons of the current procedure.

Council Member Moshier noted that historically all Council Members could contact the attorney, not just the President and Pro Tem. President Rutt added that the change could reduce transparency and increase liability.

Lee Marriott shared an analogy comparing attorney access to doctors and patient advocates.

Scott Parnell agreed, emphasizing that limiting access could raise costs and that there should be a single point of contact for the attorney.

Rosemary Ford stated that the billing could add up with the new changes.

MOTION made by Council Member Lamb, Seconded Council Member Moshier to amend the Council Rules and Procedure to allow for any council member to contact the village attorney:

Item G, Page 6 "Only the Village Manager shall direct or issue requests of the Village consultants and department heads. Except that only the President and President Pro Tem may initiate contact with the Village Attorney insofar as their duties for the Council are concerned. Village consultants shall include the Attorney, Planner, and Engineer."
VOTING YEA: Moshier, Lamb, Papacek
VOTING NAY: Comparoni, Jr, Dandalides, Rutt, Ford
ABSENT: None
MOTION: Failed

N. Request from Council Member Lamb to Provide for Payment of DDA Bonds from General Obligation Pledge and to Terminate DDA Tax Increment Financing Plan

Council members emphasized the need to first identify problems before proposing solutions regarding the Downtown Development Authority (DDA) boundaries. It was noted that reducing the DDA district could limit funds for infrastructure projects throughout the Village, while keeping it larger supports both downtown improvements and broader Village needs. Council members stressed the importance of collaboration with the DDA, balancing downtown and non-downtown priorities, and ensuring fiscal responsibility to all residents. Concerns were raised about the DDA focusing solely on its own funding, while Village-wide infrastructure needs—roads, sewers, water mains, and public safety—also require attention.

The discussion included reviewing best practices from other municipalities, evaluating whether the DDA district boundaries are appropriately sized, and considering impacts on tax burdens and infrastructure funding. Council agreed any future amendments should be carefully planned, data-driven, and collaborative with the DDA.

The conversation was opened to public comment, limited to the topic of downtown district boundaries.

Bob Davis, DDA Attorney, spoke in support of collaboration between the DDA and Village Council. He highlighted his role in creating the 75/25 funding split that dedicates a portion of DDA funds to infrastructure, calling it a unique and effective approach. He emphasized that any changes to the DDA district or funding must follow statutory guidelines and cautioned against shrinking the district while attempting to spread funds outside it, noting this would be counterproductive. He assured the Council that the DDA is willing to work together on creative solutions to support Village-wide infrastructure needs.

Chris Barnett, Orion Township Supervisor, longtime DDA Board Member emphasized the strength and value of the Lake Orion DDA. Criticized misinformation by some Council Members, particularly regarding past elections and DDA projects, and stressed the DDA's positive contributions to the community. He urged Council to acknowledge the DDA as an asset and work collaboratively with it rather than spreading misinformation or undermining its efforts.

Brian Winter, resident, addressed the math of DDA tax capture and funding, noting that net gains to the Village are lower than presented once DDA contributions to utilities and services are considered. He encouraged the Council to view the DDA as a lever for broader community benefit and to collaborate with experts to optimize funding.

Dana Walker, Director of Michigan Downtown Association, highlighted the Lake Orion DDA as a best-practice example for downtown development authorities statewide. She explained that DDAs, established under Michigan Public Act 197, use tax increment financing (TIF) to revitalize downtowns, invest in infrastructure, prevent blight, and promote economic growth. She emphasized that DDAs are strategic authorities meant for long-term, holistic downtown management, regardless of district size.

MOTION made by Council member Lamb, Seconded by Council member Moshier to call the question.
VOTING YEA: Lamb, Moshier
VOTING NAY: Papacek, Ford, Comparoni Jr, Rutt, Dandalides
ABSENT: None
MOTION: Failed

Council Member Lamb exited the meeting at 7:58 PM.

Council Member Lamb returned to the meeting at 8:00 PM.

Matt Pfeiffer, Orion Township Treasurer, praised the DDA's contributions to the Village, criticized Council Members for attacking the DDA, and warned that shrinking the district would reduce funding for projects like the Lumberyard. They called such attacks disrespectful and urged the Council to support the DDA's efforts.

Matthew Gibb, DDA Executive Director, stressed that shrinking the district is counterproductive and raises legal and budget issues. He highlighted the DDA's contributions and urged the Council to focus on collaboration and budget solutions instead of revisiting past decisions.

Harry Stephens suggested including the entire village in the TIF district to maximize funds for infrastructure.

Rosemary Ford emphasized that reducing the district isn't comparable to resort towns and highlighted the 75/25 split agreement, which benefits both the DDA district and other areas.

Alaina Campbell noted the importance of keeping tax dollars local, explained how TIF benefits the community, and praised the DDA's collaboration with the Village to support infrastructure and economic growth.

All speakers reinforced the value of the DDA and the existing district boundaries.

MOTION made by Council Member Lamb, Seconded by Council Member Moshier to have a special meeting with the Village Council to amend the Downtown District boundaries.
VOTING YEA: Lamb, Moshier, Papacek

VOTING NAY: Rutt, Ford, Dandalides, Comparoni, Jr
ABSENT: None
MOTION: Failed

9. Public Hearings

None.

10. Other Items

A. Proposal for Engineering Services – Atwater Park Basketball Court Replacement Project

President Pro Tem Ford noted a discrepancy between statements by Rosemary Ford, Chair of the Parks and Recreation Board, and Village Manager McClary, and requested clarification. The Village Manager responded that he would coordinate with Rosemary Ford to ensure alignment.

MOTION made by Council Member Lamb, Seconded by President Rutt to approve and accept the proposal from Nowak & Fraus Engineers dated July 23, 2025, to provide design, bidding, and construction engineering services relating to the junior high school size Atwater Park Basketball Replacement Project in the total lump sum fee of $11,100.00; to authorize the Village Manager to execute all necessary documents relating to this contract; and to authorize Administration to proceed to solicit sealed competitive bids for the construction of the basketball court.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

B. Administrative Assistant Position

Village Manager McClary requested Council approval to create a part-time administrative assistant position to support the expanded five-day Village Hall schedule. He explained the position would be cross-trained to handle essential administrative tasks, with recruitment beginning once approved, and the five-day schedule set to start December 1, 2025. He also emphasized that this position had been discussed previously, due to an additional 10 hours of weekly operations and staffing constraints and was needed to maintain adequate coverage with rotating shifts.

Council Member Dandalides debated whether the additional hire was immediately necessary or if the five-day schedule should first be tested and data collected to justify the position and expressed concern about spending taxpayer dollars without concrete evidence of need, while other Council Members supported the hire based on prior discussions and operational planning at previous meetings.

Harry Stephens commented about opening time and questioned the number of residents during the current starting time.

MOTION made by President Pro Tem Ford, Seconded by Council Member Comparoni Jr to approve the creation of one (1) part-time Administrative Assistant position for the Village Hall

administrative offices working up to 20 hours per week to provide necessary additional staffing support for the expanded Village Hall five-day operating hours.
VOTING YEA: Ford, Moshier, Lamb, Comparoni Jr,
VOTING NAY: Rutt, Papacek, Dandalides
ABSENT: None
MOTION: Carried

MOTION made by President Pro Tem Ford, Seconded by Council Member Lamb to approve the job description for the Administrative Assistant position as presented by the Village Manager.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Comparoni Jr, Papacek
VOTING NAY: Dandalides
ABSENT: None
MOTION: Carried

MOTION made by President Pro Tem Ford, Seconded by Council Member Lamb to place the Administrative Assistant position in the same job classification as Office Coordinator, Account Clerk, and Utility Billing Clerk with the pay range of $21.65 per hour minimum to $25.98 per hour maximum.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Comparoni Jr, Papacek
VOTING NAY: Dandalides
ABSENT: None
MOTION: Carried

MOTION made by President Pro Tem Ford, Seconded by Council Member Lamb to amend the FY 2025-26 Budget to provide a supplemental appropriation of $16,781.00 to increase Budget Account No. 101-260-702-000 – General Fund-General Activities-Wages Part-Time – from $0 to $16,781.00 for the addition of a new part-time Administrative Assistant position.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Comparoni Jr, Papacek
VOTING NAY: Dandalides
ABSENT: None
MOTION: Carried

11. Call to the Public

Alaina Campbell, DDA Board member, expressed her strong support for the Downtown Development Authority (DDA) and reflected on how the organization has evolved over the years.

Sam Caruso, DDA Vice Chair, shared his perspective on the positive changes in Lake Orion, particularly the increase in property values and how it has benefited the local community.

Bill Kokenos, representing the Orion Lighted Parade, invited all Council Members to participate in the upcoming Christmas parade. He also requested an apology from a Council Member regarding a previous remark he found inappropriate.

Harry Stephens commented that the current meeting agenda does not align with Robert's Rules of Order and suggested that the Parks and Recreation Department should have separate line items under Revenue and Expenditures.

Rosemary Ford thanked the Council for allowing her to present her Capital Improvement Plan projects, praised the recent homecoming parade, and expressed gratitude to the Department of Public Works for promptly cleaning up a smashed pumpkin in the park.

Dana Walker discussed the implications of expanding or shrinking the Tax Increment Financing (TIF) district, noting that such decisions have wide-reaching impacts.

Janet Bloom, Assistant DDA Director, provided an update on the upcoming Halloween Extravaganza and encouraged volunteers to participate.

Scott Farnell shared his experience of moving to Lake Orion and commented on the positive changes he has witnessed in the community.

Tom Traurig spoke about relocating his business into — and later out of — Lake Orion, offering reflections on how the area has changed over time.

12. Council Comments

Council Member Comparoni Jr. remarked that this was one of the most heated meetings he has experienced and expressed disappointment in what he described as a sickening level of disrespect. He also reflected on how the DDA and downtown Lake Orion have evolved over the years.

Council Member Moshier thanked everyone for attending the meeting. She acknowledged that her choice of words may not have been ideal but clarified that her intent was not to offend anyone. She emphasized that while some issues are emotionally charged, she has her own opinions independent of her husband's and supports retaining the DDA, as she is focused on the bigger picture.

Council Member Lamb also thanked attendees, clarified he did not intend to criticize anyone, and apologized to visitors. He referenced Robert’s Rules of Order, commented on TIF-related politics, and emphasized the importance of equitable funding (“getting a piece of the pie”). He defended Council Member Moshier and questioned whether Sick Pizza contributes taxes.

Council Member Papacek commented that the homecoming parade was a refreshing change and expressed appreciation for the passion and energy shown by the public during the meeting.

President Pro Tem Ford stated the homecoming parade was excellent and praised the police for their work with signage and staffing. He congratulated Debbie Burgess and Hank Lorant on their reappointments to the DDA and thanked everyone for their positive contributions. He also noted how great the downtown looks.

Council Member Dandalides expressed appreciation to the DDA Board Members, volunteers, and the Township. He voiced support for Executive Director Gibb’s suggestion to include a Council agenda item to include discussion on the Lumberyard project.

President Rutt stated that the public comments made during the meeting were permissible under Robert’s Rules of Order. She acknowledged the recent increase in water bills and noted that similar concerns are being experienced in other communities, as discussed at the MML Conference. She

also attended a Chamber of Commerce luncheon, describing it as a well-organized event, and expressed support for adding an open dialogue with the Village as a future DDA agenda item.

13. Village Manager Comments

The Village Manager provided a summary of his report, which is also available on the Village Manager's page of the Village of Lake Orion website. He noted that any questions regarding the recent increase in water and sewer rates should be directed to DPW Director Sanchez, who can be reached at (248) 693-8391, ext. 106, or via email at wsanchez@lakeorion.org.

14. Closed Session Items

15. Business From Closed Session

16. Adjournment

MOTION made by Council Member Comparoni Jr, Seconded by Council Member Lamb to adjourn the October 13, 2025 Village Council Regular Meeting.
VOTING YEA: Rutt, Ford, Moshier, Lamb, Dandalides, Comparoni Jr, Papacek
VOTING NAY: None
ABSENT: None
MOTION: Carried

The October 13, 2025 Village Council Regular Meeting adjourned at 9:23 PM.

_____
Teresa Rutt
President

_____
Sonja Stout
Village Clerk/Treasurer

Date Approved: as presented on October 27, 2025.

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC: Approval of Special Event – Lake Orion New Year's Resolution Run

BACKGROUND BRIEF:

The Lake Orion Resolution Run is a beloved New Year's Day tradition that has taken place in the Village of Lake Orion for over 20 years. Held annually on January 1st, the event features a 5K and 1.5-mile run/walk through downtown and surrounding neighborhoods, welcoming participants of all ages and abilities.

What began in the early 2000s as a small local run has grown into a community-wide celebration of health, wellness, and the new year. Participants often brave the winter weather to take part, many making it an annual tradition.

The event supports local businesses, fosters community spirit, and is organized with help from volunteers, sponsors, and the Village. It continues to be a fun, family-friendly way to start the year on the right foot.

Robert Busquaert of Eastside Racing Company – Hansons Running Shop submitted a Special Event Permit Application for the annual Lake Orion New Year's Resolution Run. The event is scheduled for Thursday, January 1, 2026, from 10:00 AM to 11:00 AM.

RECOMMENDED MOTION:

To adopt Resolution No. 2025-040 approving the "Lake Orion New Year's Resolution Run" Special Event Permit and the License Agreement between the Village of Lake Orion and the Eastside Racing Company – Hansons Running Shop represented by Robert Busquaert, for the event to be held on January 1, 2026, and to authorize the Village Council President and Village Clerk to execute the agreement on behalf of the Village.

VILLAGE OF LAKE ORION
COUNTY OF OAKLAND
STATE OF MICHIGAN

RESOLUTION NO. 2025-040

A RESOLUTION APPROVING THE EVENT PERMIT APPLICATION FOR THE LAKE ORION NEW YEAR'S RESOLUTION RUN

VOTING YEA:
VOTING NAY:
ABSENT:
MOTION:

RESOLVED: To approve the Special Event Permit Application submitted by Robert Busquaert on behalf of Eastside Racing Company – Hansons Running Shop for the Lake Orion New Year's Resolution Run to be held from 9:30 am to 11:30 am on various Village properties, as outlined in the application.

FURTHER RESOLVED: To approve the License Agreement between the Village of Lake Orion and Eastside Racing Company – Hansons Running Shop, and to authorize the Village President and Village Clerk to execute the Agreement on behalf of the Village.

FURTHER RESOLVED: To approve the Request to Use the Village Equipment Application, as presented.

FURTHER RESOLVED: This approval is conditioned on the following:

Administrative Requirements:

1. The applicant is responsible for cleaning up any trash generated during the event.
2. Additional trash receptacles are the responsibility of the applicant and must be arranged by the applicant.

DPW Requirements:

1. Village Orange Cones will be provided based on availability.
2. The DPW will not supply extension cords or cord covers.

3. The DPW will provide barricades and detour signage for street and parking lot closures.
4. Village properties will be properly maintained before and after the event.

Police Department Requirements:

1. Event staff and on-scene manager's cellular phone numbers must be provided to the Police Department at least 24 hours before the event.
2. The Police Department will direct the placement of all required barricades for parking lot and any approved street closures.
3. The applicant shall be responsible for reimbursing the Village for all police resources and related ancillary costs dedicated exclusively to this event. This policy is intended to ensure full cost recovery, and the applicant will be billed for the actual costs incurred. This includes, but is not limited to, staffing of the event, time spent on event planning, coordination meetings, site inspections, and setup.
4. At a minimum, one dedicated police officer must be assigned to the event from start to finish. The need for additional staffing will be evaluated during planning meetings with the Chief of Police or their designee.
5. Upon request, the Chief of Police may provide a preliminary cost estimate for police services. The final invoice will reflect only the actual costs of police services provided.
6. A pre-planning meeting with the Chief of Police or their designee is required for all events involving dedicated police resources. To schedule this meeting, please contact Chief Mark Amundson at amundsonm@lakeorionpolice.org.

Fire Department Requirements:

1. The event is **approved without any conditions** from Orion Township Fire Department.

THIS RESOLUTION WAS DULY ADOPTED BY THE LAKE ORION VILLAGE COUNCIL AT ITS REGULAR MEETING HELD ON MONDAY, OCTOBER 27, 2025.

Sonja Stout
Village of Lake Orion Clerk/Treasurer

Village of Lake Orion
EST 1859

CERTIFICATION

I, Sonja Stout, duly appointed Clerk/Treasurer of the Village of Lake Orion, Oakland County, Michigan, do hereby certify that the foregoing is a true and correct copy of Resolution No. 2025-040 adopted by the Village of Lake Orion Village Council at its regular meeting held on the 27th day of October 2025.

Given under my hand and seal of the Village of Lake Orion, Oakland County, Michigan this 27th day of October 2025.

Sonja Stout
Village of Lake Orion Clerk/Treasurer

DATED: October 28, 2025

Village of Lake Orion

Printed: 10/20/2025

Special Event
SE-2026-001

Balance
$0.00

Applicant	Application #	Submitted	Issued	Starts	Expires	Identifier
Robert Busquaert	**V8X-3LX**	**Jul 29, 2025**	**--**	**Jan 1, 2026**	**--**	**--**

Applicant Information

APPLICANT
Robert Busquaert
fastbob.hrm@gmail.com
(586) 822-3608
50614 Peggy Ln, New Baltimore, MI 48047
Same as mailing address

Agent

AGENT
Robert Busquaert
fastbob.hrm@gmail.com
(586) 822-3608
50614 Peggy Ln, New Baltimore, MI 48047
Same as mailing address

Internal

Conditions

Police Reimbursement:

The applicant shall be responsible for reimbursing the Village for all police resources and related ancillary costs dedicated exclusively to this event. This policy is intended to ensure full cost recovery, and the applicant will be billed for the actual costs incurred. This includes, but is not limited to, staffing of the event, time spent on event planning, coordination meetings, site inspections, and setup.

At a minimum, one dedicated police officer must be assigned to the event from start to finish. The need for additional staffing will be evaluated during planning meetings with the Chief of Police or their designee.

Upon request, the Chief of Police may provide a preliminary cost estimate for police services. The final invoice will reflect only the actual costs of police services provided.

Pre-Planning Meeting with Chief of Police:

A pre-planning meeting with the Chief of Police or their designee is required for all events involving dedicated police resources.

To schedule this meeting, please contact Chief Mark Amundson at amundsonm@lakeorionpolice.org.

The Fire Department has no issues with this event.

Issued By:

N/A

Internal Notes - Employee Communication

Applicant submitted invalid insurance (will be expired on 1/1/2026-which is event date), advised applicant on 7/30/2025 to resubmit along with Hold Harmless Agreement filled out. -LBlough

Received Insurance from application on 10/7/2025. - LBlough
Received Hold Harmless Agreement on 10/9/2025. -LBlough

Approved Event:

N/A

General Information

Event Location

3 S BROADWAY ST
LAKE ORION, MI 48362-3113

Event Locations

N/A

Zoning District

MU - Mixed Use

Event Name

Lake Orion New Year's Resolution Run

Event Details

A 5K & 1.5 Mile Run/Walk held on New Year's Day. The course consists of 2 laps around the Village.

Date / Hours of Event

January 1st, 2026 from 10 AM until 11 AM

Date / Hours of Set-up and Tear Down

January 1st, 2026 9:30 AM until 11:30 AM

Event Map

MAP Lake Orion Resolution Run 202...

Street Closures and / or Parking Lot closures necessary?

Yes

If yes, how many days?

1

If yes, describe

Parking along Broadway on the East Side (North Bound) to be restricted the morning of January 1st until 11 am. North Bound Broadway to close from M-24 to Elizabeth Street on January 1st from 9:30 to 11 AM.

Green's Park Reservation?

No

Green's Park Reservation Date/Hours

N/A

Gazebo Rental?

No

Gazebo Rental Date/Hours

N/A

Coordinating Event Details

N/A

Coordinating with Another Event?

No

If yes, Event Name

N/A

Event Details

Type of Event

Individual

Status

For-Profit

If Non-Profit, provide proof of non-profit status

Is this event expected to occur next year?

Yes

If Yes, provide next year's specific dates

January 1st, 2027

If this event a Fund raiser?

Yes

If YES, indicate beneficiary information

Lake Orion Athletic Department

Is this the first time the event is being held in Village of Lake Orion?

No

Describe above selection

The Lake Orion Resolution Run has taken place in the Village of Lake Orion for the last 20+ year.

Was this event previously held outside the Village of Lake Orion?

No

Describe above selection

The Lake Orion Resolution Run has been held in the Village since it's inception in the 1990's.

Event Details (continued)

Total estimated attendance each day

200

What parking arrangements will be necessary to accommodate attendance?

Parking available in public lots and street parking except those off limits on North Bound Broadway

Parking Plan

How will trash be handled?

Public trash bins located outside Hansons Running Shop

Is amplification of music or speakers planned or anticipated?

No

If yes, describe

N/A

Will tents be used?

No

If yes, indicate number of tents, use of each, location and size

N/A

Portable restrooms

No

If yes, number of portable restrooms and location

N/A

Food / Alcohol / Merchandise

Will alcoholic beverages be served?

No

If yes, describe

N/A

Is liquor license issued by the State of Michigan?

N/A

If yes, whose name is the license issued to

N/A

Copy of License

Will food and beverages be sold?

No

If yes, describe

N/A

Will merchandise be sold?

No

If yes, describe

N/A

Request Use of Village Equipment ONLY

Use of Equipment Start (Day / Time)

January 1st, 2026 6 AM

Use of Equipment End (Day / Time)

January 1st, 2026 11 AM

Barricades/Traffic Cones

Yes

If yes, describe

N/A

Temporary Closure Signage

Yes

Trash Cans

N/A

Electrical Connections

No

If yes, describe

N/A

Water

No

If yes, describe

N/A

Emergency Fire Equipment, such as ambulance

No

If yes, describe

N/A

Other Village Services

Yes

If yes, describe

No parking signs along North Bound Broadway.
Lake Orion PD has monitored the Flint/Broadway intersection as well as the Flint/N. Washington Street intersection.
A police vehicle has also led the event along the event route.

Municipal Equipment

Event Signs

Will this event include the use of signs?

No

Location(s) of Sign

N/A

Sign Dimensions

N/A

Sign Sketch Plan

Location Map

Temporary Display Start

Temporary Display End

Quantity of Temporary Signs

N/A

Certifications and Signatures

Signature of Sponsoring Organization's Agent

signature.png

Hold Harmless Agreement

Hold Harmless Agreement

LOHHA.pdf

Fees

Application Fee	$25.00
Special Event - Right Of Way	$75.00
TOTAL	**$100.00**
PAID	**$100.00**
BALANCE DUE	**$0.00**

Transaction Log

07/29/2025 **Payment** Card **$100.00**

Non-refundable convenience fee of $6.00

Communication

Workflow

1. Payment - COMPLETED
Assignee: Lynsey Blough

2. Administrative Review - COMPLETED
Assignee: Lynsey Blough

3. Dept. of Public Works Review - COMPLETED
Assignee: Wes Sanchez

4. Public Safety Review - COMPLETED
Assignee: Mark Amundson

5. Fire Department Review - COMPLETED
Assignee: John Pender

6. Planning & Zoning Review - ACTIVE
Assignee: Mario Ortega

7. Council Review - INACTIVE
Assignee: Lynsey Blough

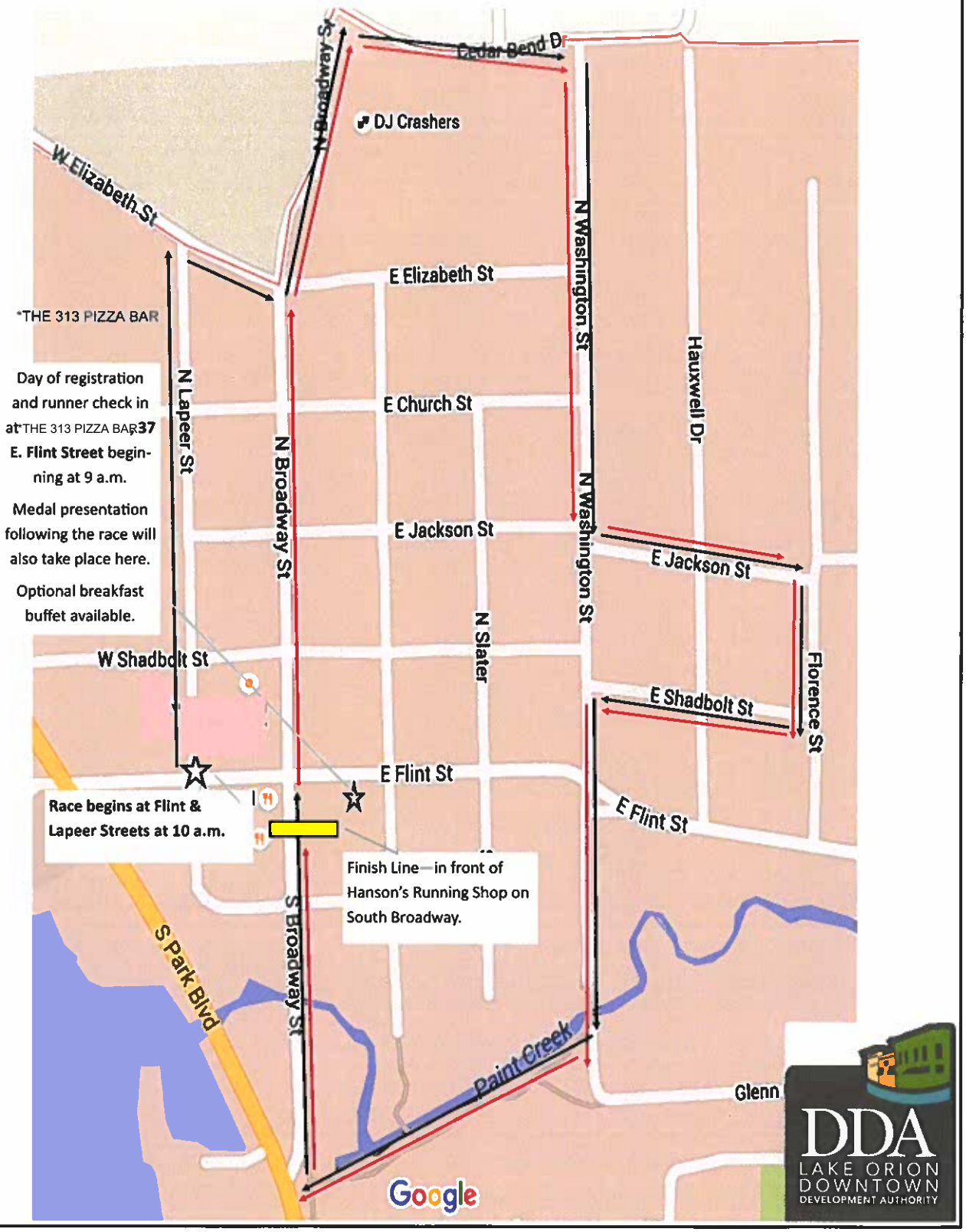
8. Issue Permit - INACTIVE
Assignee: Lynsey Blough

New Year's RESOLUTION RUN

New Year's Resolution Run Race Course

1 mile+ Walk / Run—Begins at Flint & Lapeer Streets and follows black arrows. Finishes on South Broadway in front of Hanson's Running Shop.

5K Run—Begins at Flint & Lapeer Streets, follows black arrows for first lap and red arrows for second lap. Finishes on South Broadway in front of Hanson's Running Shop.



Received 11/29/2022

Village of Lake Orion
EST 1859

Village of Lake Orion
21 E. Church Street
Lake Orion, Michigan 48362
Tel 248.693.8391
Fax 248.693.5874
www.lakeorion.org

HOLD HARMLESS AGREEMENT

FOR AND IN CONSIDERATION of the granting by the Village of Lake Orion to permit/allow *

Lake Orion New Year's Resolution Run	January 1st, 2026, 9 AM until 11 AM
Activity/Event	Dates and Time

A 5K and 1.5 Mile Run/Walk that includes the Village of Lake Orion and Meeks Park
General Description of Location

as requested by the undersigned, the undersigned does hereby agree to fully hold harmless, defend and indemnify the Village of Lake Orion, and all of its officers, officials, agents and employees, with respect to all claims, losses, damages, causes of action, judgments, costs and expenses, including reasonable attorney fees, whether or not the same are now known, liquidated, discovered, discoverable or justifiable, which may be asserted, brought or rendered against, incurred or suffered by, and/or imposed upon, the Village of Lake Orion and/or its officers, officials, agents and employees, by reason of or arising out of the grant or exercise of the rights stated above granted by the Village of Lake Orion to the undersigned.

Applicant/Property Owner/Contractor Signature**	Witness One Signature ***
Robert Busquaert	John Tarantino
Applicant/Property Owner/Contractor Printed Name	Witness One Printed Name
10-9-2025	
Date	Witness Two Signature ***
	Eric Green
	Witness Two Printed Name

* *Applicant MUST provide information regarding what the activity is, date(s), times activity will be held and the areas (public sidewalks, streets, parking spaces, etc.) that are affected.*

** *If the activity is obstructing public right-of-way for work on private property, the property owner or contractor MUST provide their signature.*

*** *The signatures from two (2) witnesses are required.*

CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER McNish Group 26622 Woodward Avenue Ste. 200 Royal Oak MI 48067	**CONTACT NAME:** certs@mcnish.com **PHONE (A/C, No, Ext):** 248-544-4800 **FAX (A/C, No):** 248-544-4801 **E-MAIL ADDRESS:** certs@mcnish.com
INSURED EASTS-3 Eastside Racing Co LLC 430 Nesbit Lane Rochester Hills MI 48309	**INSURER(S) AFFORDING COVERAGE** / **NAIC #** **INSURER A :** Western World Insurance Co. **INSURER B :** **INSURER C :** **INSURER D :** **INSURER E :** **INSURER F :**

COVERAGES **CERTIFICATE NUMBER:** 1569029910 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X **COMMERCIAL GENERAL LIABILITY**			NPP8869934	8/25/2025	8/25/2026	EACH OCCURRENCE	$ 1,000,000
	[ ] CLAIMS-MADE [X] OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	X POLICY [ ] PRO-JECT [ ] LOC						PRODUCTS - COMP/OP AGG	$
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB [ ] OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$
	DED [ ] RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						[ ] PER STATUTE [ ] OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] **(Mandatory in NH)**	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Lake Orion New Year's Resolution taking place on January 1st, 2026.
Additional Insured as required by written contract: The Village Of Lake Orion

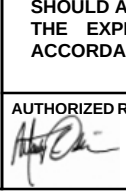
CERTIFICATE HOLDER

The Village Of Lake Orion
21 East Church Street
Lake Orion MI 48362

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



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Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC: Receive and File of Downtown Development Authority Regular Meeting Minutes of September 16, 2025

RECOMMENDED MOTION: To receive and file the September 16, 2025 Downtown Development Authority Regular Meeting Minutes, as presented.

MINUTES

REGULAR MEETING OF THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD

Tuesday, September 16, 2025

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

1. Call to Order

The September 17, 2025 Downtown Development Authority Regular Meeting was called to order at 6:30 PM by Chairperson Burgess.

2. Roll Call and Determination of Quorum

PRESENT
Chairperson Debbie Burgess
Vice Chairperson Sam Caruso
Treasurer Matt Shell
Secretary Hank Lorant
Board Member Lloyd Coe
Board Member Sally Medina
President Teresa Rutt

ABSENT
Board Member Alaina Campbell
Board Member Chris Barnett

STAFF PRESENT
Executive Director Matt Gibb
Assistant Director Janet Bloom
Village Manager Darwin McClary
Clerk/Treasurer Sonja Stout

3. Approval of Minutes

A. Approval of DDA Regular Meeting Minutes of August 19, 2025

MOTION made by Treasurer Shell, Seconded by Secretary Lorant to approve the Downtown Development Authority Board Regular Meeting Minutes of August 19, 2025.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt

VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

B. Approval of DDA Special Meeting Minutes of September 5, 2025

MOTION made by Treasurer Shell, Seconded by Secretary Lorant to approve the Downtown Development Authority Board Special Meeting Minutes of September 5, 2025.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

4. Approval of Agenda

MOTION made by Treasurer Shell, Seconded by Secretary Lorant to approve the agenda with the addition of item 8D. Executive Leadership-Annual Review.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

5. Call to the Public

None.

6. Consent Agenda

All items on the Consent Agenda are approved by one vote.

MOTION made by Treasurer Shell, Seconded by Secretary Lorant to approve the consent agenda as presented.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

A. Financial Reports

MOTION made by Treasurer Shell, Seconded by Secretary Lorant to receive and file the financial reports for August 2025.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

7. Financial Matters

A. Bill Approval

MOTION made by Treasurer Shell, Seconded by Secretary Lorant to approve disbursements in the amount of $170,535.45 for August 2025.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

8. New and Old Business

A. Social District – Applications

It was noted that a third business was added to the social district applications, CGKW, LLC which was formerly known as Oat Soda Lake Orion establishment.

MOTION made by Treasurer Shell, Seconded by Secretary Lorant to recommend approval of the application(s) from Sick Town Hall Pizza, Nicolla's LLC, and CGKW LLC for inclusion in the Lake Orion Social District, directing the Executive Director to facilitate presentment of a fully prepared Resolution of Approval of Permit for Village Council's consideration at its next meeting.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

B. Social District - Refresh

MOTION made by Treasurer Shell, Seconded by Board Member Coe to form a Special Committee of the Board to review and re-brand the Lake Orion Social District, to be populated with at least three business owners, three members at large and three DDA Board or Committee Members. The Committee shall report progress and recommendations not later than December 16, 2025.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

C. Lumber Yard at Paint Creek Public Market - Non Profit

Treasurer Shell suggested moving forward with a Directorship to begin the process. Executive Director Gibb asked if the non-profit could later be changed to a membership model, and Treasurer Shell confirmed it could. Vice Chairperson Caruso expressed support for Directorship. President Rutt agreed, noting it does not exclude future memberships, and inquired about potential impacts if the TIF were amended. Executive Director Gibb stated this approach would alleviate future concerns for both the DDA and the Village.

MOTION made by Treasurer Shell, Seconded by Secretary Lorant to direct the filing of Articles of Incorporation (Formation) for an entity to be named "Lumber Yard at Paint Creek Public

Market" and the cause the entity to be formed as a Directorship based Michigan non-profit corporation.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

D. Executive Leadership- Annual Review

Treasurer Shell reported that employees submitted self-reviews and the Board set future goals. For Assistant Director Bloom, the recommendation was to maintain current status, noting insurance benefits and eligibility for a sponsorship bonus. For Executive Director Gibb, the recommendation was a 3% annual increase and a one-time $20,000 merit payment.

MOTION made by Vice Chairperson Caruso, Seconded by Board member Coe to approve and adopt the Resolution to approve adjustment to Executive Director compensation, as presented, referring the adopted resolution to Village Council for adoption.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

9. Reports, Resolutions and Recommendations

A. Lumber Yard Progress Report

Executive Director Gibb reported on the Lumber Yard project, noting a September 5, 2025 meeting with architects to review contracts, receipt of four foundation quotes for the zoning permit application, a FOIA request, and recent PEA-related issues.

MOTION made by Treasurer Shell, Seconded by President Rutt to receive and file the progress report dated September 16, 2025.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

Vice Chairperson Caruso noted a YouTube video by Matt Pfeifer, *DDA Lumberyard Part 2*, and recommended it as a good highlight of the project's progress.

B. Executive Director Report

Executive Director Gibb reported volunteers are needed to place corn stalks and pumpkins downtown and noted an insurance claim is in progress for recent damage. Chairperson Burgess asked about a volunteer map, and Executive Director Gibb confirmed one can be provided.

MOTION made by Treasurer Shell, Seconded by Secretary Lorant to receive and file the Executive Directors report dated September 16, 2025.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt

VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

C. Assistant Director's Report

Assistant Director Bloom gave an overview of her report, including event updates and social media statistics. Board Member Coe asked about Trick-or-Treating times, Chairperson Burgess inquired about the America in Bloom event, and Vice Chairperson Caruso asked about the group's point of origin.

MOTION made by Treasurer Shell, Seconded by Secretary Lorant to receive and file the Assistant Director's report.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell
MOTION: Carried

10. Board Comments and Training Feedback

Secretary Lorant praised the success of Dragon on the Lake, commended staff communication, and thanked Matt Gibb and Matt Pfeifer for their YouTube video.

Treasurer Shell thanked Director Gibb and Assistant Director Bloom for their work and expressed excitement for new downtown businesses.

Vice Chairperson Caruso thanked staff, looked forward to quarterly goal-setting meetings, and suggested a Lumberyard walkthrough.

President Rutt expressed enthusiasm for upcoming events, shared a positive exchange student experience downtown, and noted her upcoming attendance at an MML session.

Board Member Coe reported the conclusion of cornhole nights, suggested future use of the Lumberyard site, discussed the Zombie Walk fundraiser for the Christmas parade, and inquired about parking at Flint and Anderson; Village Manager noted the project involves private property.

Chairperson Burgess welcomed the Village Manager back, expressed appreciation for staff and board efforts, and thanked meeting guests.

11. Next Regular Meeting -

12. Adjournment

MOTION made by Treasurer Shell, Seconded by Secretary Lorant to adjourn the September 16, 2025 Downtown Development Authority Board Regular meeting.
VOTING YEA: Burgess, Caruso, Shell, Lorant, Coe, Medina, Rutt
VOTING NAY: None
ABSENT: Barnett, Campbell

MOTION: Carried

The September 16, 2025, Downtown Development Authority Board Regular meeting adjourned at 7:32 PM.

_____
Debbie Burgess
Chairperson

_____
Sonja Stout
Clerk/Treasurer

Date Approved: as presented on October 21, 2025.

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC Policy on Drawdown and Disbursement of Federal Grant Funds

BACKGROUND BRIEF:

The Village Manager has drafted an administrative policy to establish uniform procedures for the drawing of funds and issuing of payments related to federal grants received by the Village of Lake Orion, ensuring compliance with all applicable federal, state, and local laws and regulations, including 2 CFR Part 200 (Uniform Guidance).This policy is necessary for the drawdown and disbursement of funds relating to the $1.75 million EPA grant received by the Village for the Sanitary Sewer Pump Stations Improvement Project. However, the policy is drafted generally to apply to the management of any Federal grants the Village may receive in the future.

Village Manager McClary is requesting that Council give final approval to this administrative policy. The policy is attached.

SUMMARY OF PREVIOUS COUNCIL ACTION:

None

FINANCIAL IMPACT:

The policy is required to permit the Village to draw down and disburse the $1.75 million in EPA grant funds received for the Sanitary Sewer Pump Stations Improvement Project.

RECOMMENDED MOTION:

To approve the following Village of Lake Orion policy relating to the drawdown and disbursement of Federal grant funds:

Village of Lake Orion
EST 1859

ADMINISTRATIVE DIRECTIVE

DIRECTIVE NO: 2025-043	**ISSUE DATE:**
ISSUED BY: D. McClary	**SIGNATURE:** 
VILLAGE COUNCIL APPROVAL DATE:	
REVISION DATES:	
RESCINDS/REPLACES:	
CATEGORY: FINANCIAL MANAGEMENT	
SUBJECT: Federal Grants – Drawing Funds/Issuing Payments	

LEGAL AUTHORITY CITATION

This administrative directive is issued by the Village Manager pursuant to the following legal authority:

- Village Charter – Sec. 3.12 – Duties of administrative officers; performing such duties as are provided for such officers by state law, this Charter, the village ordinances, and the administrative directives of the Village Manager
- Code of Federal Regulations – 2 CFR Part 200 (Uniform Guidance)

Purpose

This policy establishes uniform procedures for the drawing of funds and issuing of payments related to federal grants received by the Village of Lake Orion, ensuring compliance with all applicable federal, state, and local laws and regulations, including 2 CFR Part 200 (Uniform Guidance).

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1. Authority to Request Federal Funds

1.1 Authorized Officials

Only designated personnel are authorized to request drawdowns or payments from the Federal government. The following individuals are authorized:

- **Grants Administrator** or **Grant Program Manager**
- **Village Clerk-Treasurer or Deputy**
- **Village Manager** or their designee

Each of these individuals must be formally designated in writing and recorded with appropriate federal grant agencies and systems (e.g., ASAP, PMS, G5).

---

2. Procedures for Requesting Federal Funds

2.1 Timing of Draw Requests

Drawdowns must be based on immediate cash needs for allowable expenditures. Funds shall not be drawn in advance of actual disbursement needs, in accordance with 2 CFR §200.305(b).

2.2 Draw Request Preparation

The Grants Administrator prepares the draw request, which must include:

- A summary of expenditures incurred
- A schedule of anticipated disbursements
- Supporting documentation (see Section 4)

The Clerk-Treasurer or Deputy reviews and certifies the draw request before submission to the federal payment system or agency portal.

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3. Verification and Review Procedures

3.1 Internal Review

All requests for federal funds must undergo a two-step verification process:

1. **Programmatic Review** – Conducted by the Grant Program Manager to verify that the requested funds are for eligible, budgeted, and properly authorized expenditures.
2. **Financial Review** – Conducted by the Clerk-Treasurer Department to confirm:
    - Expenditures are properly recorded
    - Funds have not already been drawn for the same purpose
    - Budget limits are not exceeded

3.2 Documentation Audit Trail

Each draw request must be supported by complete and accurate records. All documents must be retained in accordance with the municipal records retention policy and federal requirements (2 CFR §200.334).

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4. Required Supporting Documentation

The following documents must be compiled and maintained for each draw of funds or payment issued:

- General ledger report or accounting system printout showing incurred costs
- Approved invoices, purchase orders, or timesheets
- Grant budget or budget-to-actual comparison report
- Signed certification by the Grants Administrator or Program Manager
- Federal Financial Report (SF-425), if required

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5. Disbursement of Federal Funds

5.1 Timeframe for Disbursement

In accordance with 2 CFR §200.305(b)(7), federal funds must be disbursed within **three (3) business days** of receipt. If disbursement within three days is not feasible, the municipality must return the undisbursed portion or justify holding funds in accordance with federal cash management standards.

5.2 Payment Processing

Unless on a reimbursement basis, once funds are drawn:

- Payments are issued directly to vendors, contractors, or employees, based on submitted and approved payment requests.
- All payments must be made via check or ACH, and recorded in the municipality's financial system.

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6. Monitoring and Compliance

- **Quarterly reviews** will be conducted by the Clerk-Treasurer Department to ensure compliance with this policy.
- Any discrepancies or compliance concerns must be reported to the Village Manager and the grantor agency immediately.

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7. Training and Updates

All personnel involved in the grants management process will receive annual training on federal grant requirements and this policy. This policy will be reviewed and updated biennially or as required by changes in law.

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC Budget Amendment

BACKGROUND BRIEF: Administration respectfully requests Council's approval of Budget Amendment BA-2025-203-01, as detailed in the attached documentation and recommended by Clerk/Treasurer Stout.

This amendment is necessary to allocate funding for engineering services required to finalize the Park Avenue Retaining Wall project. A total of $1,000 will be drawn from the fund balance to cover these expenses.

RECOMMENDED MOTION: To approve budget amendment BA-2025-203-01 as presented by administration.

VILLAGE OF LAKE ORION, MICHIGAN

BUDGET ADJUSTMENT WORKSHEET

FISCAL YEAR: 2025-2026
FUND: 203- Local Street
DEPT: 875- Construction
REQUESTED BY: Stouts
DATE: 2025.10.21
AMENDMENT # BA-2025-203-01

ACCT #	ACCT NAME	ADOPTED	AMENDED	REVENUE CHANGE	EXPENDITURE CHANGE	NEW AMENDED BUDGET	REASON
203-875-977-000	Capital Outlay	5,000	5,000		1,000	6,000	Engineer Bills-Supplemented through fund balance
						0	
						0	
						0	
						0	
						0	
						0	
						0	
						0	
						0	
						0	
						0	
						0	
						0	
						0	
						0	
						0	
						0	
						0	
NET CHANGE IN BUDGET:				0	1,000		

Approved by Village Manager: _____ Date: 10-21-25

Approved by Village Council: _____ Date: _____

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC Request from Council Member Dandalides dated from October 21, 2025 to amend the Council agenda

BACKGROUND BRIEF:

On October 21, 2025, Council Member Dandalides submitted an email to the Administration to amend the Council agenda format to add DDA Executive Director comments.

SUMMARY OF PREVIOUS COUNCIL ACTION:

None

RECOMMENDED MOTION:

Receive and File the request from Council Member George Dandalides dated October 21, 2025, to amend Council agenda format to add DDA Executive Director comments

Darwin McClary

From: George Dandalides
Sent: Tuesday, October 21, 2025 2:10 PM
To: Darwin McClary
Cc: Teresa Rutt; Sonja Stout; Matthew Gibb; DEBBIE BURGESS
Subject: DDA questions from the DDA Meeting Packet for tonight

Darwin,

I noticed in the Executive Director's Report for tonight's meeting a couple of things that stand out.

1. Matt references they are now without a cleaning contractor for their offices and the public restrooms at the fire station. Who cleans our village hall, and would it make sense to combine the services into one contract for economies of scale?
2. Matt also references several holdups on the lumberyard project specifically related to getting things through our village administration. I'm confident you're helping knock down any roadblocks, but perhaps it would help all of us if any issues were more visible. We talked at our last council meeting about having a standing agenda slot for Matt to provide DDA updates to council. I believe this would be an excellent forum to escalate any areas where Matt might need help. What is the status of revising our agenda to accommodate Matt's updates? Is that something you can do, or do we need council action to revise our standing agenda? If we need council action, would you please put it on next week's council agenda.

Thanks,

George

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC Request from Council Member Dandalides dated from October 21, 2025 leverage grant funding for Village Capital Improvement Program projects

BACKGROUND BRIEF:

On October 21, 2025, Council Member Dandalides submitted an email to the Administration to leverage grant funding for Village Capital Improvement Program projects

SUMMARY OF PREVIOUS COUNCIL ACTION:

None

RECOMMENDED MOTION:

Receive and File the request from Council Member George Dandalides dated October 21, 2025, to leverage grant funding for Village Capital Improvement Program projects

Darwin McClary

From: George Dandalides
Sent: Tuesday, October 21, 2025 8:45 AM
To: Darwin McClary; Sonja Stout
Cc: Teresa Rutt
Subject: Request for agenda topic - Council meeting October 27, 2025

Darwin, Sonja,

I am requesting the following topic be added to next week's council agenda for discussion:

Topic: Strategic leveraging by the village of local, state, federal, and private grants to help offset the $28.8 million of identified needs to support the Capital Improvement Plan.

Rationale: The village is facing $28.8 million in necessary capital expenditures in the next six years as identified in the Capital Improvement Plan (CIP) approved by council this year. Of the $28.8 million, just over $5 million is expected to be covered by grants (which are not guaranteed at this time), with the balance of almost $24 million to be paid through bonds, special assessments, and the village general funds. In other words, almost $24 million is expected to be passed down directly to the Lake Orion village residents.

Many public entities aggressively pursue grant funding to help defray the cost of projects within their jurisdictions. The Orion Township, for example, employs a part-time grant-writer who actively pursues available grants, works with the respective township departments to prepare grant applications, submits the applications, and follows through to award.

Proposed Motion: Direct the Village Manger to investigate opportunities within the administration structure to more actively pursue grant funding to help the village offset the $28.8 million funding required for the Capital Improvement Plan and come back to council with a recommendation at the November 3, 2025 council meeting.

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC Receive and file Invoice Distribution Report for October 28, 2025

RECOMMENDED MOTION: Receive and file the Invoice Distribution Report in the amount of $209,059.94 of which $1,545.91 are DDA bills for a net total of $207,514.03.

INVOICE DISTRIBUTION REPORT FOR VILLAGE OF LAKE ORION

EXP CHECK RUN DATES 10/28/2025 - 10/28/2025
POSTED AND UNPOSTED
OPEN

GL Number	Invoice Line Desc	Vendor Name	Invoice Description	Amount	Check Number
Fund: 101 GENERAL FUND					
Department: 000 REVENUE					
101-000-279-000	RETIREE HEALTHCARE-RETIREE	BCBSM MEDICARE ADVANTAGE	RETIREE COVERAGE NOVEMBER 2025	1,028.72	None
101-000-279-000	GENERAL PORTION	BLUE CROSS BLUE SHIELD OF	HEALTH COVERAGE FOR SHANK NOV 2025	300.14	None
101-000-281-003	THRU SEPT 28 2025	NOWAK & FRAUS ENGINEERS	N808- PENNISULA CONDO	231.25	None
101-000-281-005	SEPT 28 2025	NOWAK & FRAUS ENGINEERS	N034 CONSTELLATION BAY	250.00	None
101-000-281-008	SNUG HARBRO	BEIER HOWLETT, P.C.	GENERAL MATTERS SERVICES THRU SEPTEMB	49.50	None
101-000-281-010	THROUGH SEPT 28 2025	NOWAK & FRAUS ENGINEERS	N033-01 STARBOARD BROADWAY SEPT 28 20	125.00	None
101-000-281-012	THROUGH SEPT 28 2025	NOWAK & FRAUS ENGINEERS	N035 MYSTIC COVE	187.50	None
101-000-281-016	THRU OCT 2, 2025	NOWAK & FRAUS ENGINEERS	O929- 315 N LAPEER ST ADMIN BUILDING	125.00	None
101-000-281-018	EASTPORT	BEIER HOWLETT, P.C.	GENERAL MATTERS SERVICES THRU SEPTEMB	660.00	None
101-000-281-018	THRU SEPT 29 2025	NOWAK & FRAUS ENGINEERS	0853 EASTPORT VILLAGE - JACOBSON'S	1,137.50	None
101-000-281-023	THRU SEPT 28 2025	NOWAK & FRAUS ENGINEERS	P028 670 VICTORIA ISLAND COMBINATION	262.50	None
101-000-281-024	493 ALGENE	MCKENNA ASSOCIATES, INC.	SERVICES SEPTEMBER 1- SEPT 30	400.00	None
			Total Department 000 REVENUE	4,757.11	
Department: 171 VILLAGE MANAGER					
101-171-956-000	2026 ICMA MEMBERSHIPE DUES	ICMA	2026 ICMA MEMBERSHIP - VILLAGE MANAGE	646.75	None
			Total Department 171 VILLAGE MANAGER	646.75	
Department: 215 VILLAGE CLERK					
101-215-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	520.96	None
			Total Department 215 VILLAGE CLERK	520.96	
Department: 228 Information Technology					
101-228-801-000	INVOICE 224253	VC3, INC.	MONTHLY BILLING FOR OCTOBER	1,895.20	None
			Total Department 228 Information Technology	1,895.20	
Department: 253 FINANCE TREASURY					
101-253-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	625.92	None
			Total Department 253 FINANCE TREASURY	625.92	
Department: 260 GENERAL ACTIVITIES					
101-260-716-001	RETIREE HEALTHCARE	BCBSM MEDICARE ADVANTAGE	RETIREE COVERAGE NOVEMBER 2025	900.15	None
101-260-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	401.28	None
101-260-727-000	VILLAGE WATER RENTAL	CRYSTAL WATER COMPANY	VILLAGE WATER	19.00	None
101-260-727-000	TONER	ODP BUSINESS SOLUTIONS LLC	OFFICE SUPPLIES	179.75	None
101-260-728-000	LINER, TOWEL,	ODP BUSINESS SOLUTIONS LLC	OFFICE SUPPLIES	149.78	None
101-260-920-000	20 E SHADBOLT ACCT # 1030	CONSUMERS ENERGY	OCTOBER BILL	18.00	None
101-260-920-000	21 E CHURCH ACCT# 1030 170	CONSUMERS ENERGY	OCTOBER BILL	45.46	None
101-260-930-000	ACCT 28473094 VILLAGE MONT	ORKIN PEST CONTROL	MONTHLY PEST BILL OCTOBER 2025	114.00	None
101-260-930-000	10/9/15	JACOB ECHTINAW	WINDOW CLEANING	100.00	None
101-260-930-000	1ST INSTALLMENT	DURABLE CARPENTRY INC	STEEPLE REMOVAL INSTALLMENT #2	25,000.00	None
101-260-930-000	FLOOR POLISHER RENTAL VILL	LAKE ORION EQUIPMENT RENTA	FLOOR POLISHER	60.95	None
101-260-956-000	EMPLOYER BILLING FOR BENEF	UNEMPLOYMENT INSURANCE AGE	PERIOD ENDING 2024	1,278.68	None
			Total Department 260 GENERAL ACTIVITIES	28,267.05	
Department: 721 PLANNING AND ZONING					
101-721-829-000	PROFESSIONAL VIRTUAL OFFIC	MCKENNA ASSOCIATES, INC.	SERVICES SEPTEMBER 1- SEPT 30	1,440.00	None
101-721-829-000	PROFESSIONAL ON SITE HOURS	MCKENNA ASSOCIATES, INC.	SERVICES SEPTEMBER 1- SEPT 30	3,600.00	None
101-721-832-001	SEPTEMBER 1- SEPT 30	MCKENNA ASSOCIATES, INC.	VILLAGE OWNED PROPERTY INVENTORY & MA	394.00	None
101-721-840-000	MONTHLY RETAINER	MCKENNA ASSOCIATES, INC.	SERVICES SEPTEMBER 1- SEPT 30	850.00	None
			Total Department 721 PLANNING AND ZONING	6,284.00	

INVOICE DISTRIBUTION REPORT FOR VILLAGE OF LAKE ORION

EXP CHECK RUN DATES 10/28/2025 - 10/28/2025
POSTED AND UNPOSTED
OPEN

GL Number	Invoice Line Desc	Vendor Name	Invoice Description	Amount	Check Number
Fund: 101 GENERAL FUND					
Department: 751 PARKS AND RECREATION					
101-751-931-000	RV ANTIFREEZE 147082	O'REILLY AUTOMOTIVE, INC.	BRAKES AND OIL CHANGE SUPPLIES	55.92	None
			Total Department 751 PARKS AND RECREATION	55.92	
Department: 880 CONTRACT SERV - LEAGAL/ACCTING/ENGINEER					
101-880-806-000	N885 ENGINEERING DESIGN 10	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN	131.25	None
101-880-806-000	M629 GENERAL ENGINEERING S	NOWAK & FRAUS ENGINEERS	M629 GENERAL ENGINEERNIG SERVICES THR	200.00	None
101-880-811-000	101	BEIER HOWLETT, P.C.	GENERAL MATTERS SERVICES THRU SEPTEMB	2,483.30	None
			Total Department 880 CONTRACT SERV - LEAGAL/ACCTING/ENGINEER	2,814.55	
			Total Fund 101 GENERAL FUND	45,867.46	
Fund: 202 MAJOR STREET FUND					
Department: 260 GENERAL ACTIVITIES					
202-260-801-000	N885 ENGINEERING DESIGN 20	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN	262.50	None
			Total Department 260 GENERAL ACTIVITIES	262.50	
Department: 463 ROUTINE MAINTENANCE					
202-463-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	240.67	None
202-463-801-000	VACTOR RENTAL BY THE WEEK	JACK DOHENY COMPANIES, INC	MS4 ANNUAL STORM DRAIN CLEANING & JET	4,500.00	None
202-463-801-000	STREET SWEEPING INVOICE 61	CURBCO SWEEPING	STREET SWEEPING	150.00	None
202-463-801-000	STREET SWEEPING INVOICE 6	CURBCO SWEEPING	STREET SWEEPING	770.00	None
202-463-801-000	SEPT 1- SEPT 15 INVOICE 0	WASTE MANAGEMENT OF MICHIG	STREET SWEEPER WASTE	330.00	None
			Total Department 463 ROUTINE MAINTENANCE	5,990.67	
Department: 474 TRAFFIC SERVICES					
202-474-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	90.25	None
			Total Department 474 TRAFFIC SERVICES	90.25	
Department: 478 WINTER MAINTENANCE					
202-478-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	481.34	None
			Total Department 478 WINTER MAINTENANCE	481.34	
			Total Fund 202 MAJOR STREET FUND	6,824.76	
Fund: 203 LOCAL STREET FUND					
Department: 260 GENERAL ACTIVITIES					
203-260-801-000	N885 ENGINEERING DESIGN 10	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN	131.25	None
			Total Department 260 GENERAL ACTIVITIES	131.25	
Department: 463 ROUTINE MAINTENANCE					
203-463-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	451.26	None
			Total Department 463 ROUTINE MAINTENANCE	451.26	
Department: 474 TRAFFIC SERVICES					
203-474-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	120.34	None
			Total Department 474 TRAFFIC SERVICES	120.34	
Department: 478 WINTER MAINTENANCE					
203-478-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	571.60	None
			Total Department 478 WINTER MAINTENANCE	571.60	
Department: 875 CONSTRUCTION					
203-875-977-000	THRU AUGUST 31 2025	NOWAK & FRAUS ENGINEERS	M718 PARK AVENUE RTAINING WALL	281.25	None

INVOICE DISTRIBUTION REPORT FOR VILLAGE OF LAKE ORION

EXP CHECK RUN DATES 10/28/2025 - 10/28/2025
POSTED AND UNPOSTED
OPEN

GL Number	Invoice Line Desc	Vendor Name	Invoice Description	Amount	Check Number
Fund: 203 LOCAL STREET FUND					
Department: 875 CONSTRUCTION					
203-875-977-000	THRU JULY 27 2025	NOWAK & FRAUS ENGINEERS	M718 PARK AVENUE RTAINING WALL	312.50	None
			Total Department 875 CONSTRUCTION	593.75	
			Total Fund 203 LOCAL STREET FUND	1,868.20	
Fund: 207 POLICE FUND					
Department: 301 POLICE/SHERIFF/CONSTABLE					
207-301-716-001	RETIREE HEALTHCARE	BCBSM MEDICARE ADVANTAGE	RETIREE COVERAGE NOVEMBER 2025	900.15	None
207-301-716-001	POLICE PORTION	BLUE CROSS BLUE SHIELD OF	HEALTH COVERAGE FOR SHANK NOV 2025	900.40	None
207-301-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	3,160.16	None
207-301-730-000	POLICE PRINTER CONTRACT 56	U.S. BANK EQUIPMENT FINANC	RICOH CONTRACT PAYMENT POLICE PRINTER	110.43	None
207-301-801-000	MEMBERSHIP USAGE FEE JUL-S	OAKLAND COUNTY TREASURER	CLEMIS MEMBERSHIP INVOICE DATE 09/30/	445.25	None
207-301-802-000	POLICE	BEIER HOWLETT, P.C.	GENERAL MATTERS SERVICES THRU SEPTEMB	833.25	None
207-301-804-000	SHERIFF DISPATCH SERVICES	OAKLAND COUNTY TREASURER	SHERIFF DISPATCH SERVICES INVOICE DAT	3,965.42	None
207-301-807-000	MDC PARTICIPATION FEE JUL-	OAKLAND COUNTY TREASURER	CLEMIS MEMBERSHIP INVOICE DATE 09/30/	1,094.00	None
207-301-820-000	LS UNIFORM SHIRTS FLEX - S	ON DUTY GEAR LLC	UNIFORM SHIRTS - STANFIELD	147.98	None
207-301-820-000	SHIPPING AND HANDLING	ON DUTY GEAR LLC	UNIFORM SHIRTS - STANFIELD	15.00	None
207-301-820-000	SHOULDER PATCHES	ON DUTY GEAR LLC	UNIFORM EQUIPMENT PATCHES	262.50	None
207-301-820-000	BADGE PATCHES	ON DUTY GEAR LLC	UNIFORM EQUIPMENT PATCHES	225.00	None
207-301-820-000	SHIPPING AND HANDLING	ON DUTY GEAR LLC	UNIFORM EQUIPMENT PATCHES	15.00	None
207-301-957-002	DRUNK AND DRUGGED DRIVING	WOLFHOUND COP TRAINING	TRAINING CLASS	259.00	None
			Total Department 301 POLICE/SHERIFF/CONSTABLE	12,333.54	
			Total Fund 207 POLICE FUND	12,333.54	
Fund: 225 DEPT OF PUBLIC WORKS FUND					
Department: 441 DEPARTMENT OF PUBLIC WORKS					
225-441-716-001	RETIREE HEALTHCARE	BCBSM MEDICARE ADVANTAGE	RETIREE COVERAGE NOVEMBER 2025	3,343.42	None
225-441-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	150.42	None
225-441-740-000	NUTS AND BOLTS INVOICE 818	GREAT LAKES ACE HARDWARE	HYDRANT PAINT AND MISC MAINTENANCE	6.60	None
225-441-820-000	BOOTS AND OUTERWEAR	UHAN'S DEPARTMENT STORE	UNIFORM ALLOWANCE SAM HICKS	275.25	None
225-441-865-000	OIL AND FILTER 1445306	O'REILLY AUTOMOTIVE, INC.	BRAKES AND OIL CHANGE SUPPLIES	59.26	None
225-441-865-000	4 OIL FILTER AND OIL 14545	O'REILLY AUTOMOTIVE, INC.	BRAKES AND OIL CHANGE SUPPLIES	183.34	None
225-441-865-000	MOTOR OIL 146166	O'REILLY AUTOMOTIVE, INC.	BRAKES AND OIL CHANGE SUPPLIES	77.45	None
225-441-920-000	362 CASS ACCT# 1030 1701 1	CONSUMERS ENERGY	OCTOBER BILL	48.21	None
225-441-920-000	333 CASS ST ACT # 1030 170	CONSUMERS ENERGY	OCTOBER BILL	0.00	None
225-441-931-000	FILLER FOR LEAF BOX INVOI	GREAT LAKES ACE HARDWARE	HYDRANT PAINT AND MISC MAINTENANCE	23.72	None
225-441-932-000	CALIPERS PADS AND BRAKE CL	O'REILLY AUTOMOTIVE, INC.	BRAKES AND OIL CHANGE SUPPLIES	134.80	None
225-441-932-000	CALIPER 147709	O'REILLY AUTOMOTIVE, INC.	BRAKES AND OIL CHANGE SUPPLIES	176.82	None
225-441-932-000	CORE RETURN 147724	O'REILLY AUTOMOTIVE, INC.	BRAKES AND OIL CHANGE SUPPLIES	(100.00)	None
225-441-932-000	SEAT COVERS 146049	O'REILLY AUTOMOTIVE, INC.	BRAKES AND OIL CHANGE SUPPLIES	44.99	None
225-441-932-000	MARKER LIGHT TIRE GUAGE 1	O'REILLY AUTOMOTIVE, INC.	BRAKES AND OIL CHANGE SUPPLIES	42.55	None
225-441-932-000	SWIVEL WRENCH AND OIL 1458	O'REILLY AUTOMOTIVE, INC.	BRAKES AND OIL CHANGE SUPPLIES	41.98	None
			Total Department 441 DEPARTMENT OF PUBLIC WORKS	4,508.81	
Department: 443 PHASE II STORMWATER					
225-443-801-000	SEPT 28 2025	NOWAK & FRAUS ENGINEERS	M671 MS4 PERMIT ASSISTANCE	150.00	None
225-443-801-000	AUG 31 2025	NOWAK & FRAUS ENGINEERS	M671 MS4 PERMIT ASSISTANCE	1,150.00	None
225-443-801-000	N885 ENGINEERING DESIGN 10	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN	131.25	None
225-443-930-000	VACTOR RENTAL BY THE WEEK	JACK DOHENY COMPANIES, INC	MS4 ANNUAL STORM DRAIN CLEANING & JET	4,500.00	None
			Total Department 443 PHASE II STORMWATER	5,931.25	

INVOICE DISTRIBUTION REPORT FOR VILLAGE OF LAKE ORION

EXP CHECK RUN DATES 10/28/2025 - 10/28/2025
POSTED AND UNPOSTED
OPEN

GL Number	Invoice Line Desc	Vendor Name	Invoice Description	Amount	Check Number
Fund: 225 DEPT OF PUBLIC WORKS FUND					
			Total Fund 225 DEPT OF PUBLIC WORKS FUND	10,440.06	
Fund: 248 DOWNTOWN DEVELOPMENT AUTHORITY FUND					
Department: 260 GENERAL ACTIVITIES					
248-260-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	1,161.55	None
248-260-851-000	8529101420028897	COMCAST	TELEPHONE	224.44	None
			Total Department 260 GENERAL ACTIVITIES	1,385.99	
Department: 729 PROMOTION					
248-729-880-014	1NQ1-FGH1-QFTN	AMAZON CAPITAL SERVICES	WITCHES NIGHT SUPPLIES	159.92	None
			Total Department 729 PROMOTION	159.92	
			Total Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY FUND	1,545.91	
Fund: 410 SIDEWALK IMPROVEMENT FUND					
Department: 260 GENERAL ACTIVITIES					
410-260-801-000	8/31/25	NOWAK & FRAUS ENGINEERS	0676-SIDEWALK REPLACEMENT	3,357.50	None
410-260-801-000	07/27/25	NOWAK & FRAUS ENGINEERS	0676-SIDEWALK REPLACEMENT	1,125.00	None
			Total Department 260 GENERAL ACTIVITIES	4,482.50	
			Total Fund 410 SIDEWALK IMPROVEMENT FUND	4,482.50	
Fund: 592 WATER AND SEWER FUND					
Department: 548 SEWER ACTIVITIES					
592-548-801-000	N885 ENGINEERING DESIGN 25	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN	328.12	None
592-548-801-000	CONTRACT SERVICES	OAKLAND COUNTY WATER RESOU	SEWER MAINTENANCE COSTS	121,717.50	None
592-548-975-001	THRU SEPT 28 2025	NOWAK & FRAUS ENGINEERS	N434 SANITARY SEWER PUMP STATION	750.00	None
			Total Department 548 SEWER ACTIVITIES	122,795.62	
Department: 556 WATER ACTIVITIES					
592-556-719-000	DC VILLAGE CONTRIBUTIONS	ALERUS FINANCIAL	DC VILLAGE CONTRIBUTIONS OCTOBER 202	902.52	None
592-556-801-000	N885 ENGINEERING DESIGN 25	NOWAK & FRAUS ENGINEERS	N885 ENGINEERING DESIGN	328.13	None
592-556-931-001	HYDRANT PAINT RED INVOICE	GREAT LAKES ACE HARDWARE	HYDRANT PAINT AND MISC MAINTENANCE	71.24	None
			Total Department 556 WATER ACTIVITIES	1,301.89	
			Total Fund 592 WATER AND SEWER FUND	124,097.51	
Fund: 701 ESCROW					
Department: 000 REVENUE					
701-000-675-000	494 S BROADWAY (16, 20, 24	TOWN BUILDING COMPANY	TEMPORARY DISCONNECT PERFORMANCE BOND	1,600.00	None
			Total Department 000 REVENUE	1,600.00	
			Total Fund 701 ESCROW	1,600.00	

INVOICE DISTRIBUTION REPORT FOR VILLAGE OF LAKE ORION

EXP CHECK RUN DATES 10/28/2025 - 10/28/2025
POSTED AND UNPOSTED
OPEN

GL Number	Invoice Line Desc	Vendor Name	Invoice Description	Amount	Check Number
--- TOTALS BY FUND ---					
		101	GENERAL FUND	45,867.46	
		202	MAJOR STREET FUND	6,824.76	
		203	LOCAL STREET FUND	1,868.20	
		207	POLICE FUND	12,333.54	
		225	DEPT OF PUBLIC WORKS FUND	10,440.06	
		248	DOWNTOWN DEVELOPMENT AUTHORITY FUND	1,545.91	
		410	SIDEWALK IMPROVEMENT FUND	4,482.50	
		592	WATER AND SEWER FUND	124,097.51	
		701	ESCROW	1,600.00	
		Total For All Funds:		209,059.94	

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC Request from Council Member Dandalides dated from October 22, 2025 regarding the TIF and 75/25 split

BACKGROUND BRIEF:

On October 22, 2025, Council Member Dandalides submitted an email to the Administration regarding a proposed presentation for the October 27, 2025 Regular Village Council Meeting. The presentation pertains to the Tax Increment Financing (TIF) program and the proposed 75/25 revenue split. Attached are Council Member Dandalides' email and accompanying PowerPoint presentation for Council's review.

SUMMARY OF PREVIOUS COUNCIL ACTION:

None

RECOMMENDED MOTION:

To receive and file the request from Council Member Dandalides to deliver a presentation to Council regarding the Tax Increment Financing (TIF) program and the proposed 75/25 revenue allocation.

Sonja Stout

From: George Dandalides
Sent: Wednesday, October 22, 2025 6:42 PM
To: Darwin McClary; Sonja Stout
Cc: Teresa Rutt; Matthew Gibb; DEBBIE BURGESS
Subject: Presentation for Monday's council meeting
Attachments: TIF Projections with 75-25 and New Developments - Final Draft.pdf

Darwin,

Attached is what I plan to present in Monday's council meeting. Please make it available in the agenda packet.

Again, I would appreciate help in connecting my computer from my council seat so it is projected on the in-room monitors as well as the live OnTV stream.

Thanks for your help,

George

DDA TIF FUNDING

2019 - 2039

Funding Source Analysis and Availability

Lake Orion Village

Prepared by: George Dandalides

October 27, 2025

DDA PROJECTED REVENUES – TIF AMENDMENT #4

(Baseline)

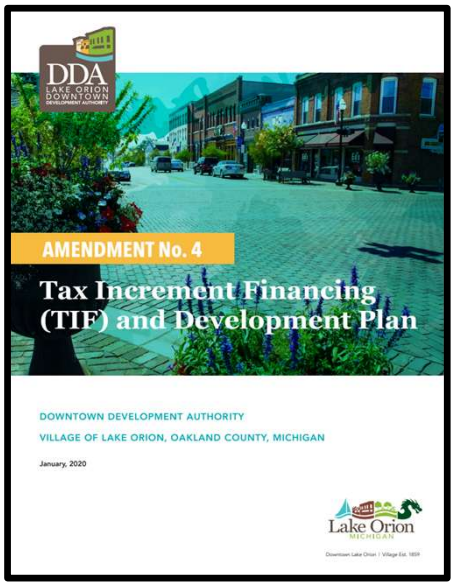


Table 4, Page 53

Table 4: Tax Increment Capture Projects by Taxing Jurisdiction, 2019 – 2039

Year	Total Captured Value	Village of Lake Orion *13.1021 Mills*	Orion Twp. *4.8848 Mills*	Oakland Co. *4.0400 Mills*	Orion Twp. Library *1.3666 Mills*	Community College *1.5303 Mills*	Metro Parks *0.2129 Mills*	Co. Parks *0.2349 Mills*	Total *25.3716 Mills*
2019	$30,309,420	$397,117	$148,055	$122,450	$41,421	$46,383	$6,453	$7,120	$768,998
2020	$30,915,608	$405,059	$151,017	$124,899	$42,249	$47,310	$6,582	$7,262	$784,378
2021	$31,533,921	$413,161	$154,037	$127,397	$43,094	$48,256	$6,714	$7,407	$800,066
2022	$32,164,599	$421,424	$157,118	$129,945	$43,956	$49,221	$6,848	$7,555	$816,067
2023	$32,807,891	$429,852	$160,260	$132,544	$44,835	$50,206	$6,985	$7,707	$832,389
2024	$33,464,049	$438,449	$163,465	$135,195	$45,732	$51,210	$7,124	$7,861	$849,036
2025	$34,133,330	$447,218	$166,734	$137,899	$46,647	$52,234	$7,267	$8,018	$866,017
2026	$34,815,996	$456,163	$170,069	$140,657	$47,580	$53,279	$7,412	$8,178	$883,338
2027	$35,512,316	$465,286	$173,471	$143,470	$48,531	$54,344	$7,561	$8,342	$901,004
2028	$36,222,563	$474,592	$176,940	$146,339	$49,502	$55,431	$7,712	$8,509	$919,024
2029	$36,947,014	$484,083	$180,479	$149,266	$50,492	$56,540	$7,866	$8,679	$937,405
2030	$37,685,954	$493,765	$184,088	$152,251	$51,502	$57,671	$8,023	$8,852	$956,153
2031	$38,439,673	$503,640	$187,770	$155,296	$52,532	$58,824	$8,184	$9,029	$975,276
2032	$39,208,467	$513,713	$191,526	$158,402	$53,582	$60,001	$8,347	$9,210	$994,782
2033	$39,992,636	$523,988	$195,356	$161,570	$54,654	$61,201	$8,514	$9,394	$1,014,677
2034	$40,792,489	$534,467	$199,263	$164,802	$55,747	$62,425	$8,685	$9,582	$1,034,971
2035	$41,608,339	$545,157	$203,248	$168,098	$56,862	$63,673	$8,858	$9,774	$1,055,670
2036	$42,440,505	$556,060	$207,313	$171,460	$57,999	$64,947	$9,036	$9,969	$1,076,784
2037	$43,289,315	$567,181	$211,460	$174,889	$59,159	$66,246	$9,216	$10,169	$1,098,319
2038	$44,155,102	$578,525	$215,689	$178,387	$60,342	$67,571	$9,401	$10,372	$1,120,286
2039	$45,038,204	$590,095	$220,003	$181,954	$61,549	$68,922	$9,589	$10,579	$1,142,691
Totals	**$781,477,390**	**$10,238,994**	**$3,817,360**	**$3,157,168**	**$1,067,967**	**$1,195,894**	**$166,376**	**$183,569**	**$19,827,331**

DDA TAXING JURSDICTIONS – TIF AMENDMENT #4

(Baseline)

Table 3: Taxing Jurisdictions, Lake Orion DDA, Michigan

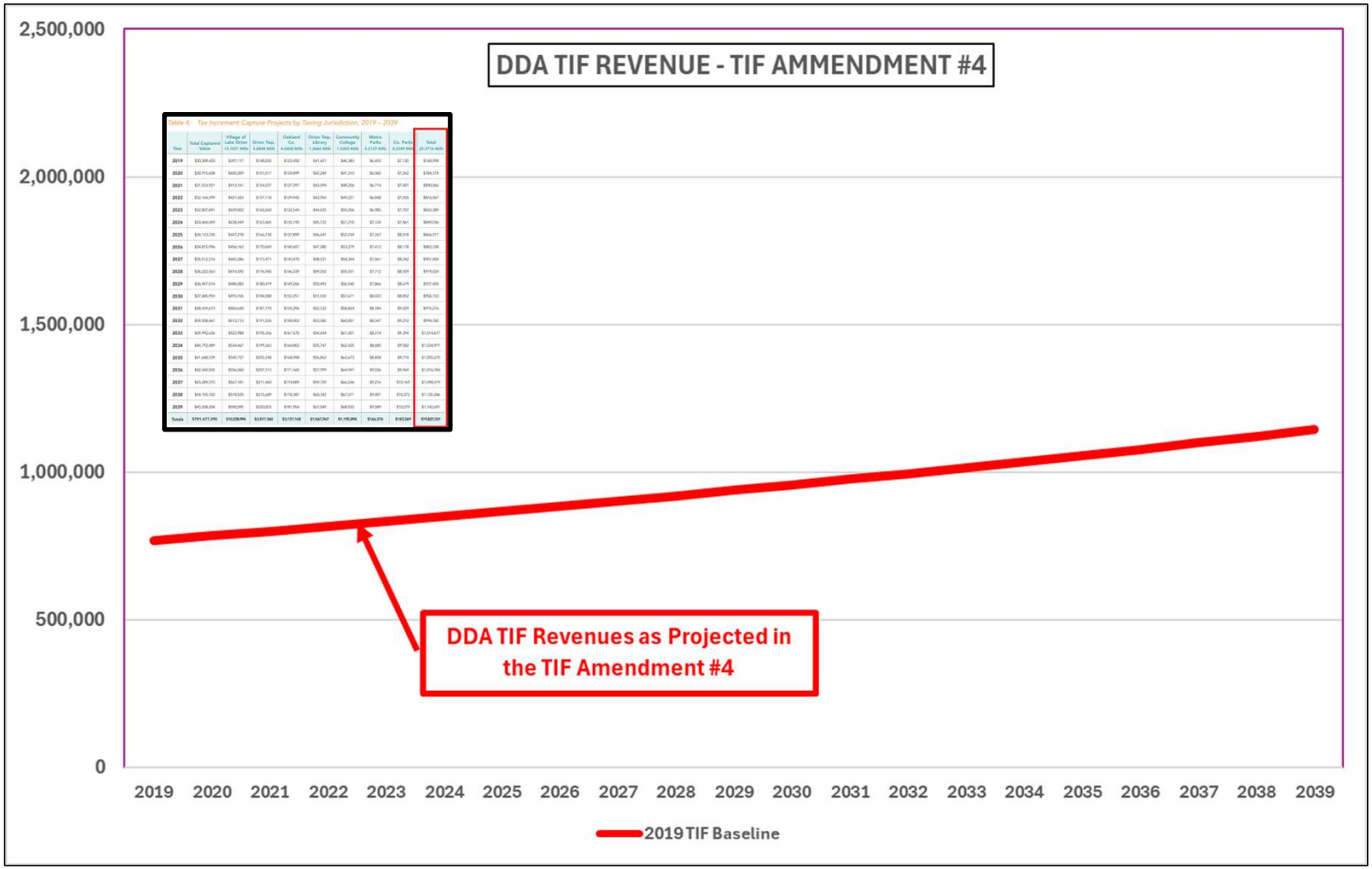
Taxing Unit	Millage Subject to Capture
Village of Lake Orion Total[1]	13.1021 mills
Orion Township Total[2]	4.8848 mills
Oakland County	4.0400 mills
Orion Township Library Operating	1.3666 mills
Community College	1.5303 mills
Huron / Clinton Metro Parks	0.2129 mills
County Parks	0.2349 mills
Total Applicable DDA Millage	**25.3716 mills**

Village Capture
13.1021 mills (52%)

Outside Taxing Jurisdictions Capture
12.2695 mills (48%)

Total DDA Capture
25.3716 mills (100%)

DDA PROJECTED REVENUES – TIF AMENDMENT #4 BASELINE



DDA TIF REVENUES – TAXING DISTRICT COMPONENTS
(Baseline)

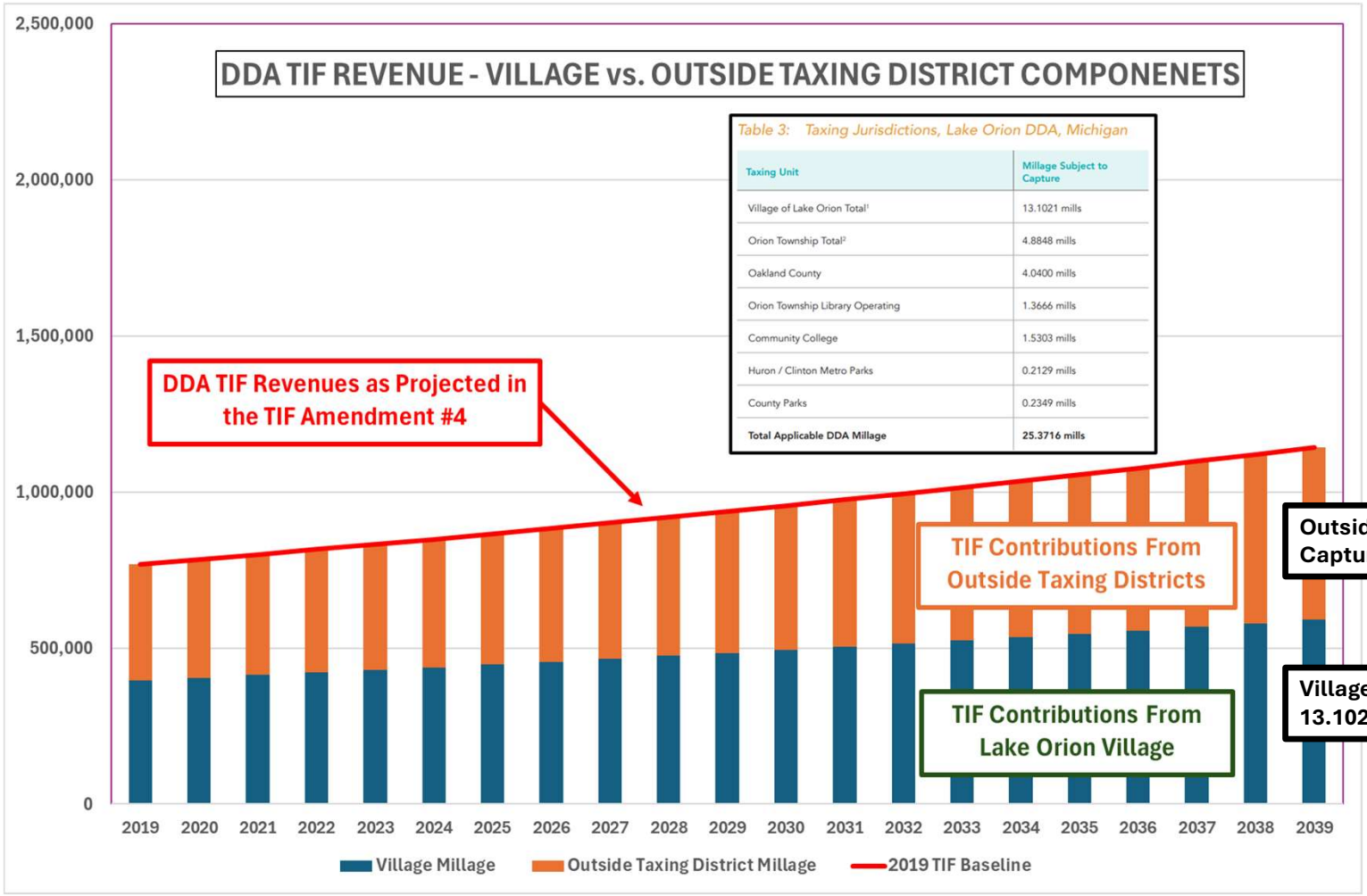


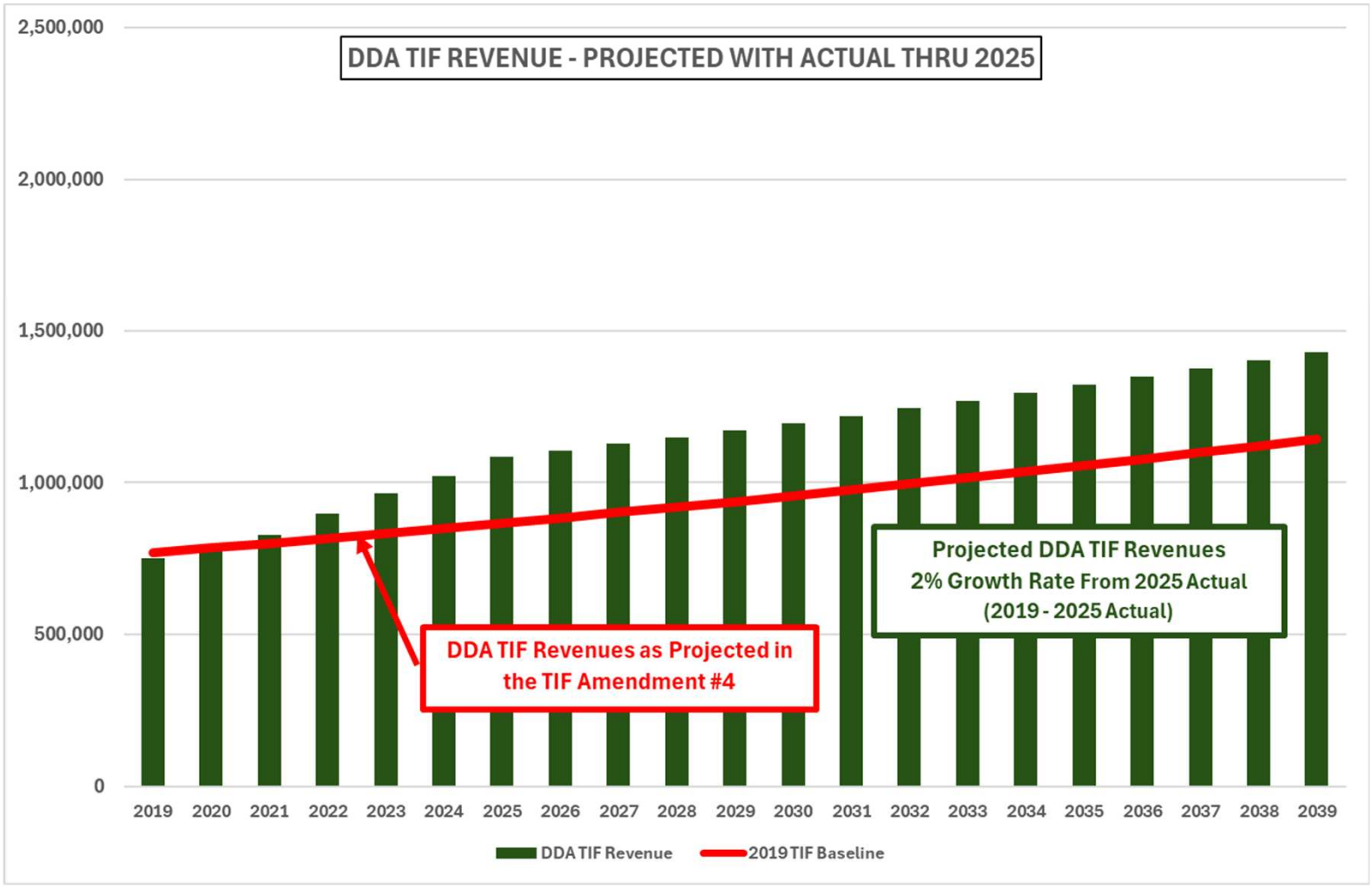
Table 3: Taxing Jurisdictions, Lake Orion DDA, Michigan

Taxing Unit	Millage Subject to Capture
Village of Lake Orion Total[1]	13.1021 mills
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Oakland County	4.0400 mills
Orion Township Library Operating	1.3666 mills
Community College	1.5303 mills
Huron / Clinton Metro Parks	0.2129 mills
County Parks	0.2349 mills
Total Applicable DDA Millage	**25.3716 mills**

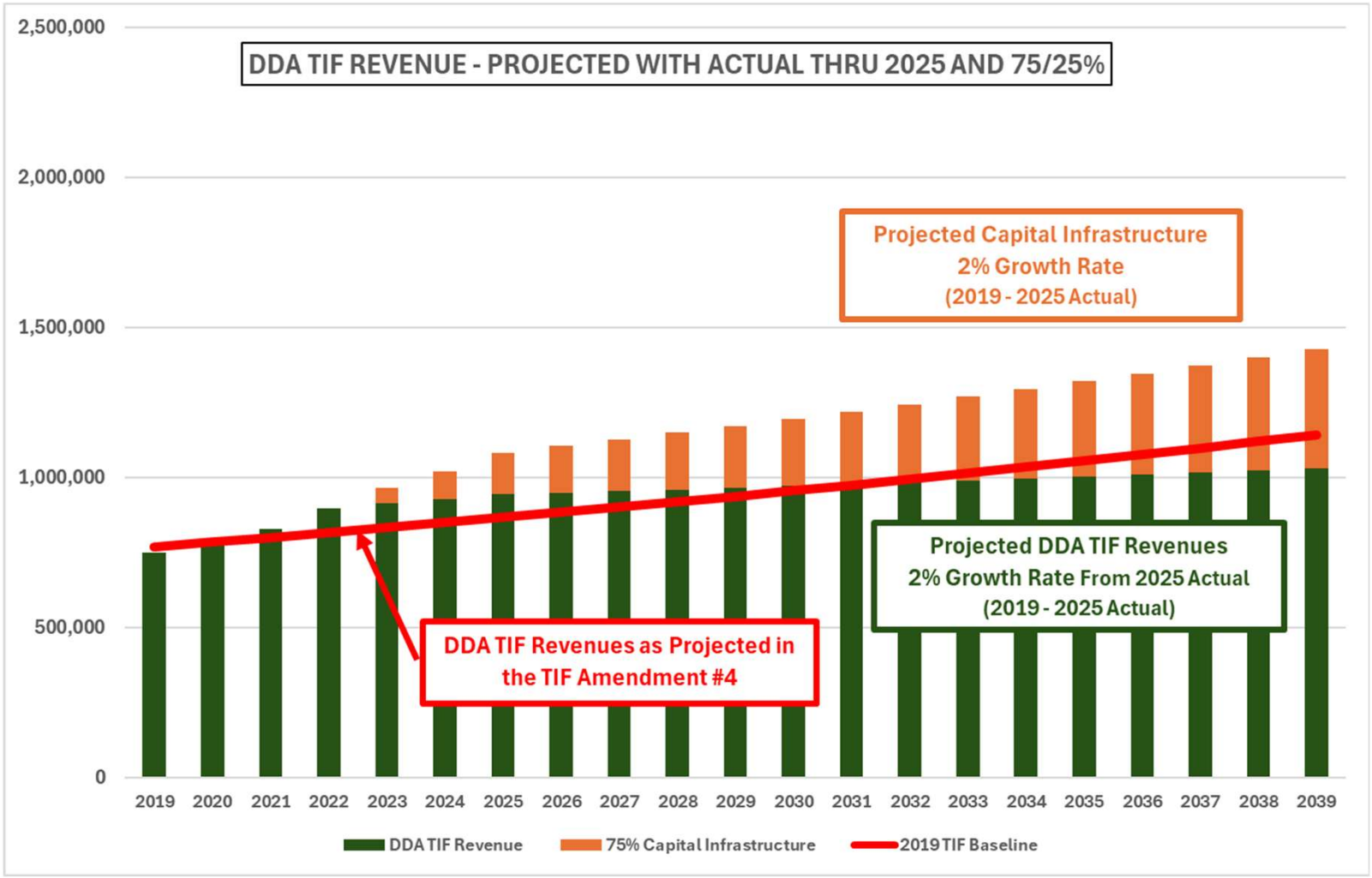
Outside Taxing Jurisdictions Capture 12.2695 mills (48%)

Village Capture 13.1021 mills (52%)

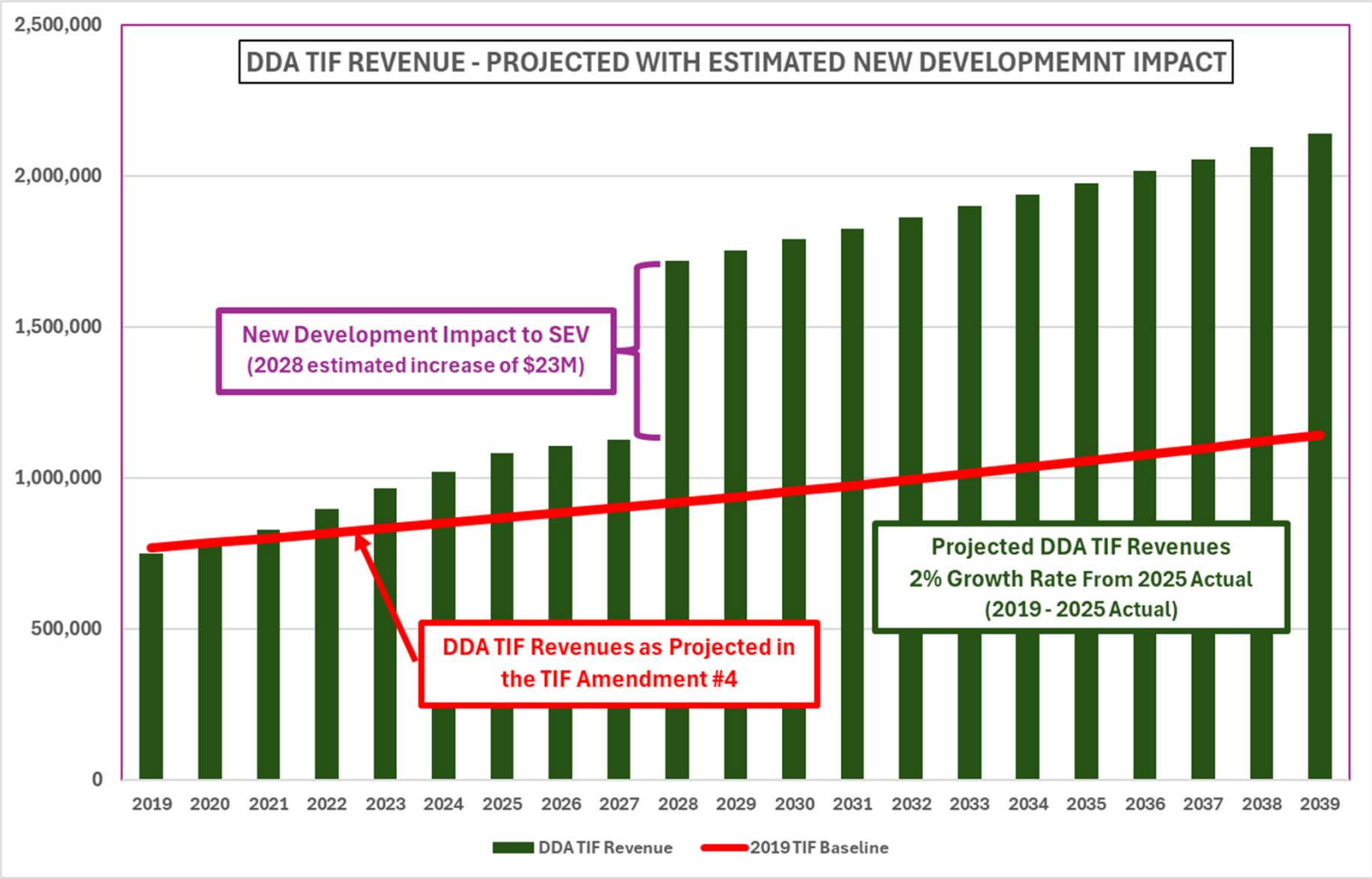
DDA PROJECTED REVENUES – WITH ACTUAL THRU 2025



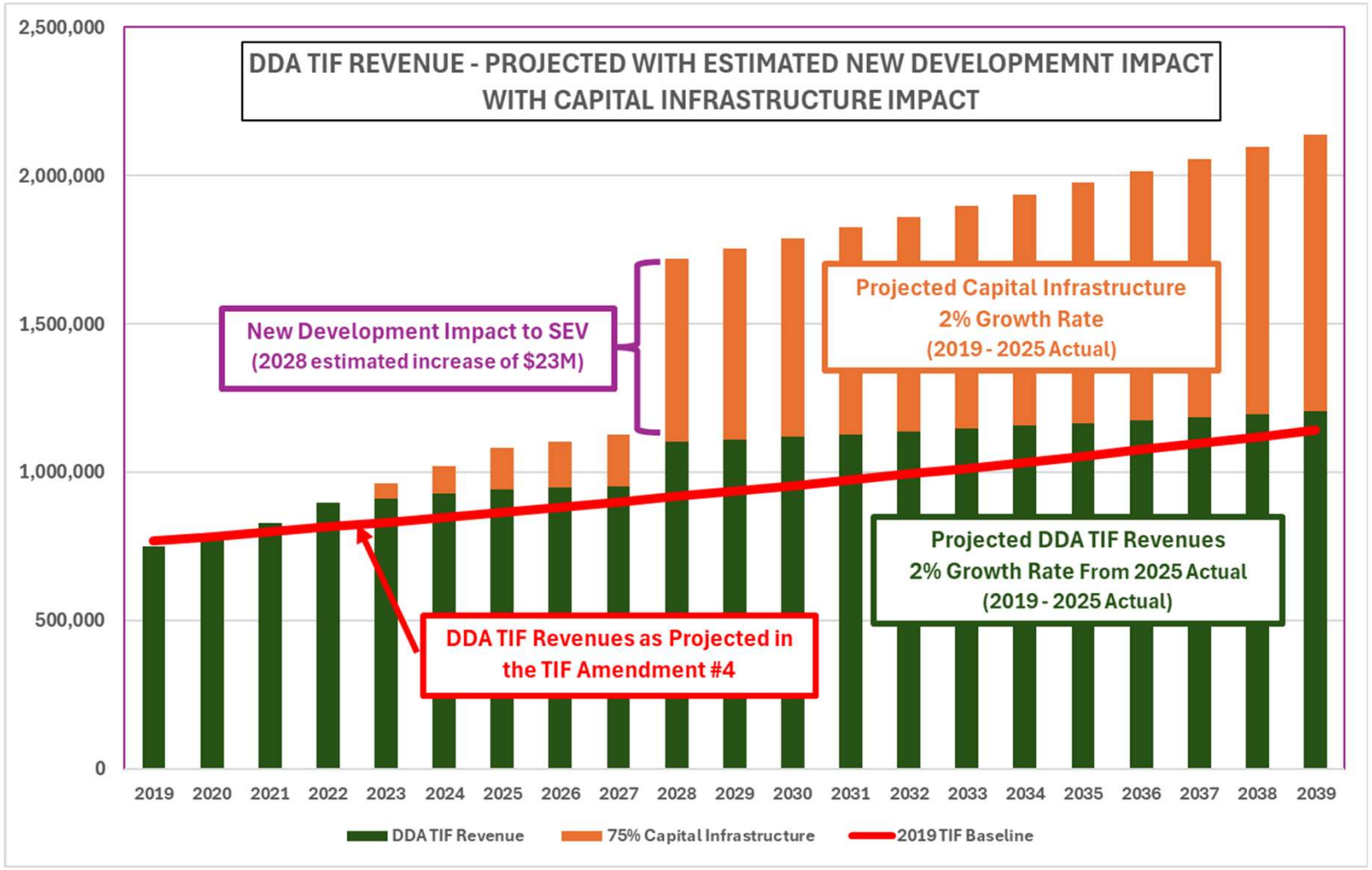
DDA PROJECTED REVENUES – WITH ACTUAL AND 75/25%



DDA PROJECTED REVENUES – WITH NEW DEVELOPMENTS



DDA PROJECTED REVENUES – NEW DEVELOPMENTS and 75/25%



DDA CONTIBUTION TO VILLAGE @ 75% INCREMENTAL W/CIP

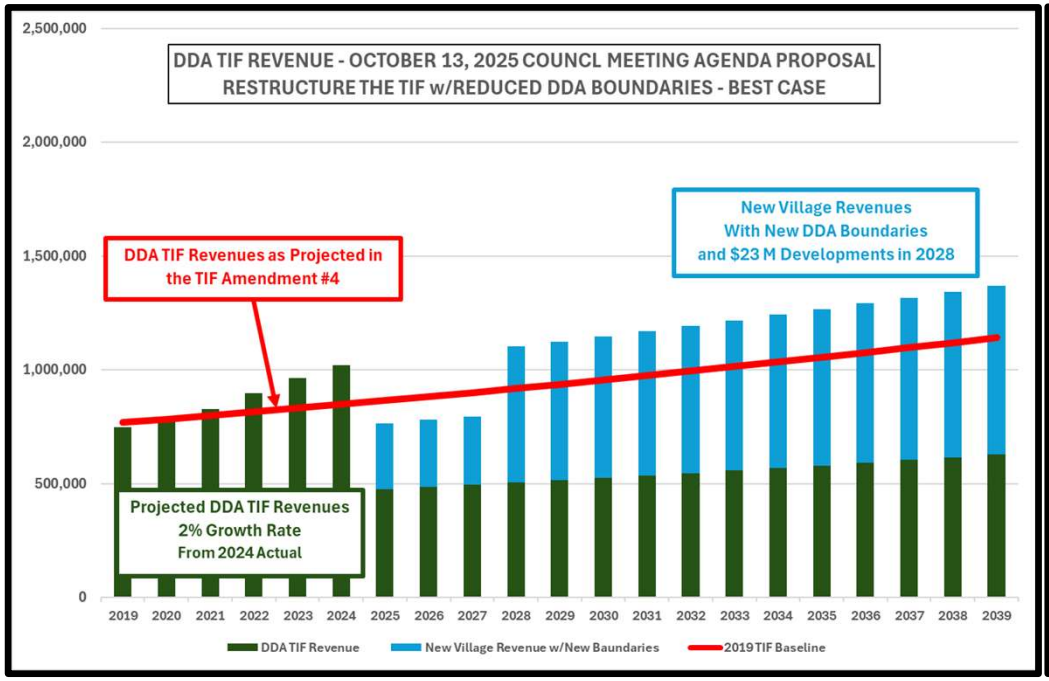
DDA CONTIBUTION TO VILLAGE @ 75%

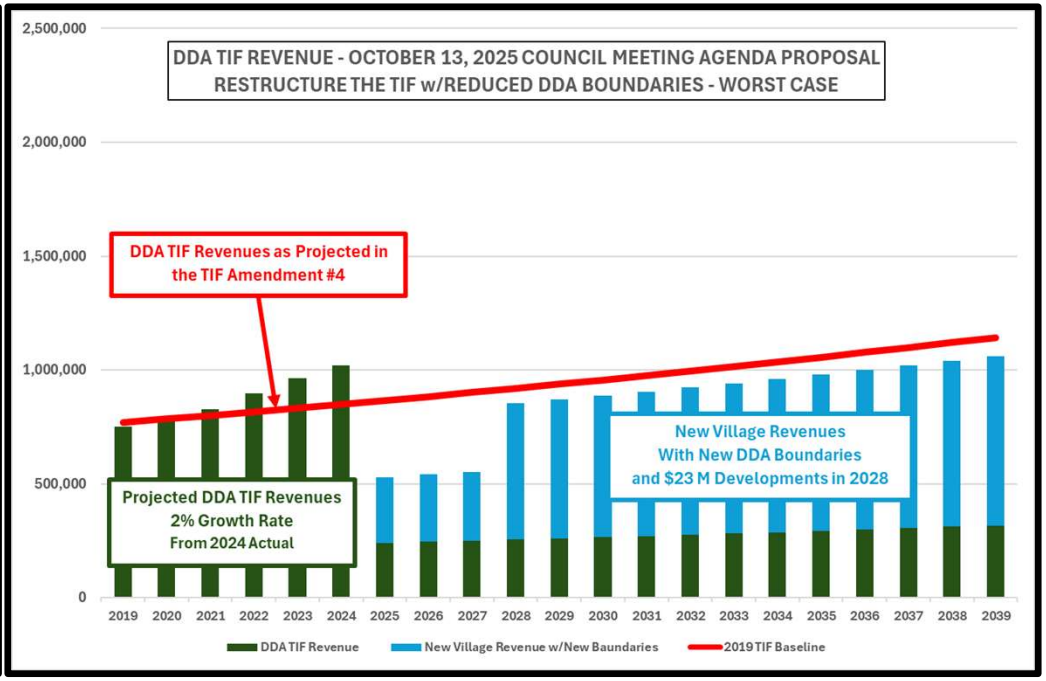
	Year																
	2023	**2024**	**2025**	**2026**	**2027**	**2028**	**2029**	**2030**	**2031**	**2032**	**2033**	**2034**	**2035**	**2036**	**2037**	**2038**	**2039**
Annual	50,170	92,285	139,709	155,955	172,526	617,958	643,769	670,096	696,950	724,341	752,280	780,777	809,844	839,493	869,735	900,581	932,045
Cummulative	50,170	142,455	282,164	438,119	610,645	1,228,603	1,872,372	2,542,468	3,239,418	3,963,759	4,716,039	5,496,816	6,306,660	7,146,153	8,015,888	8,916,469	9,848,514

VILLAGE CIP – POTENTIAL PROJECTS and REQIUIRED FUNDING

			Funding Plan		
CIP Project	Fiscal Year(s)	Funding Required	Grants	Special Assessement	Bonds
Water Main Replacement Phase III & IV	27-28	7,500,000	1,500,000		6,000,000
Major Streets (PAMP A, B, C)	25-30	297,000		297,000	
Local Streets (PAMP A, B, C)	25-30	1,950,000		1,950,000	
Sidewalks	25-30	186,500	54,000	132,500	
Sewer Pump Station Replacement	25-27	14,333,932	3,685,000		10,648,932

10/13 PROPOSAL – REDUCTION IN BOUNDARIES





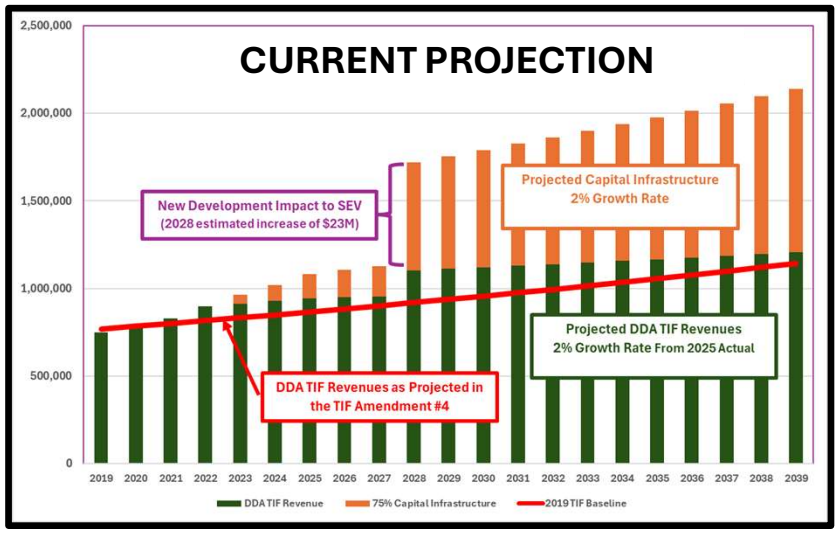
BEST CASE

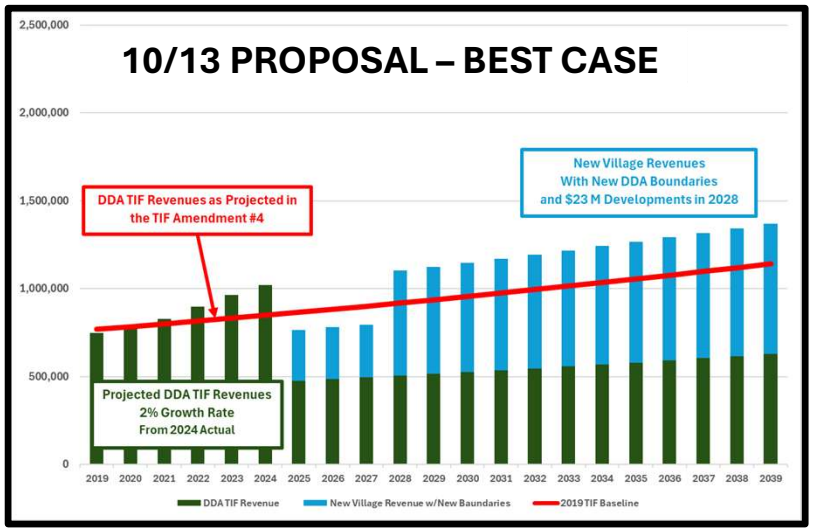
- **Outside taxing districts continue to fund @ 12.3719 millage rate**

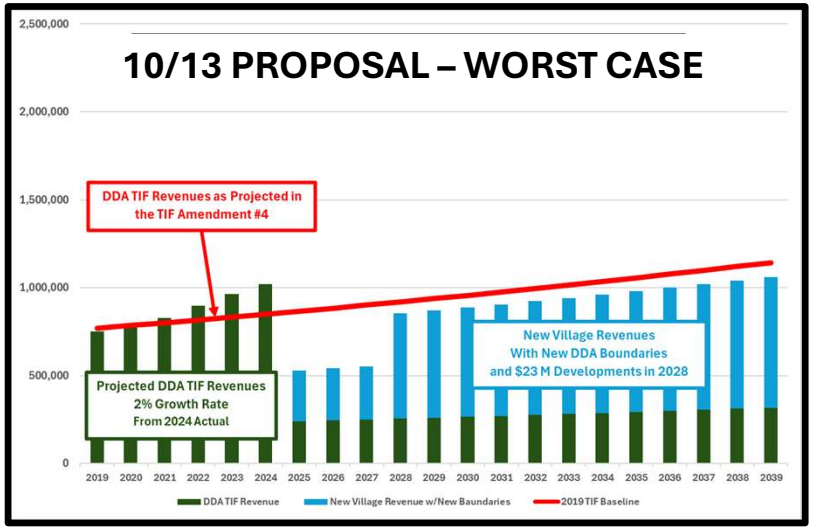
WORST CASE

- **Outside taxing districts opt out of funding TIF @ 0 mills**

PROJECTED REVENUE COMPARISON – CURRENT vs. 10/13 PROPOSAL







TOTAL TAX REVENUE 2025-2039	CURRENT PROJECTION	10/13 PROPOSAL BEST CASE	10/13 PROPOSAL WORST CASE
DDA	16,687,158	8,234,785	4,160,142
VILLAGE	9,706,060	8,896,436	8,896,436
TOTAL TAX REVENUE (DDA + VILLAGE)	26,393,218	17,131,221	13,056,578

Where do we go from here?

Joint, collaborative discussions between the Village and DDA:

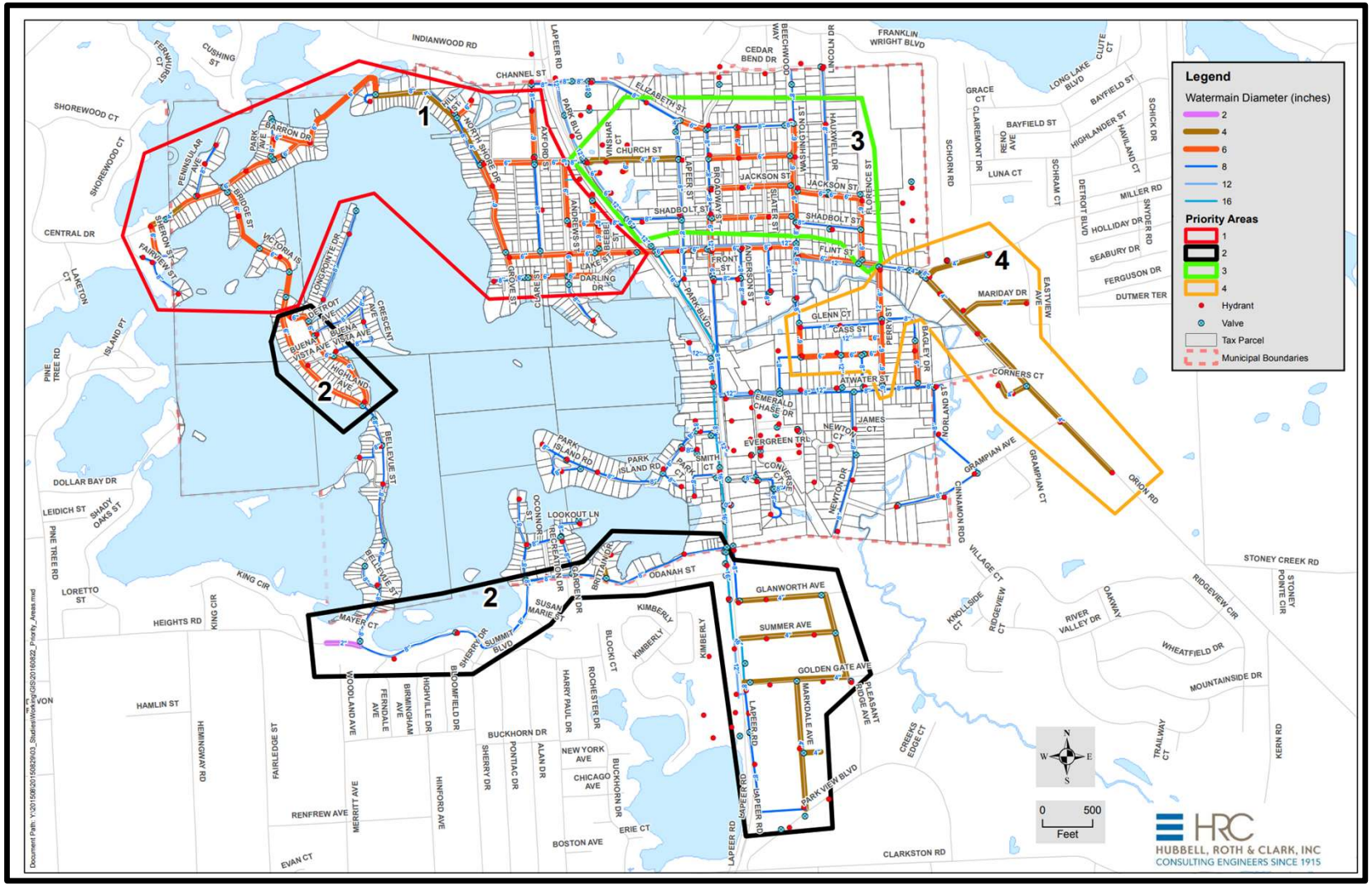
- What are the objectives, obligations, responsibilities, and priorities of the Village and the DDA?
- Where do they overlap or are redundant?
- Which organization is best positioned where they overlap or are redundant?
- Develop and agree on the individual list of responsibilities for both the DDA and the Village.
- Determine and implement the most effective way to fund both the Village and the DDA to successfully execute their respective lists.

Thought starters:

- Redundancy/Overlap:
  - Streetlamps
  - Waste management
  - Winter maintenance of sidewalks and parking lots
  - Lawn maintenance, maintenance equipment
  - Office staff, office equipment, office space
- Obligation:
  - Police services, DPW services, office services, code enforcement
  - Bond payments – Water mains, sewer pump stations, lumberyard
- Who is best positioned to perform:
  - DPW services
  - Office services
  - Routine maintenance.

Additional Info

Village Water Main Replacement Map



PAMP Study – Major Roads Programs A, B, and C

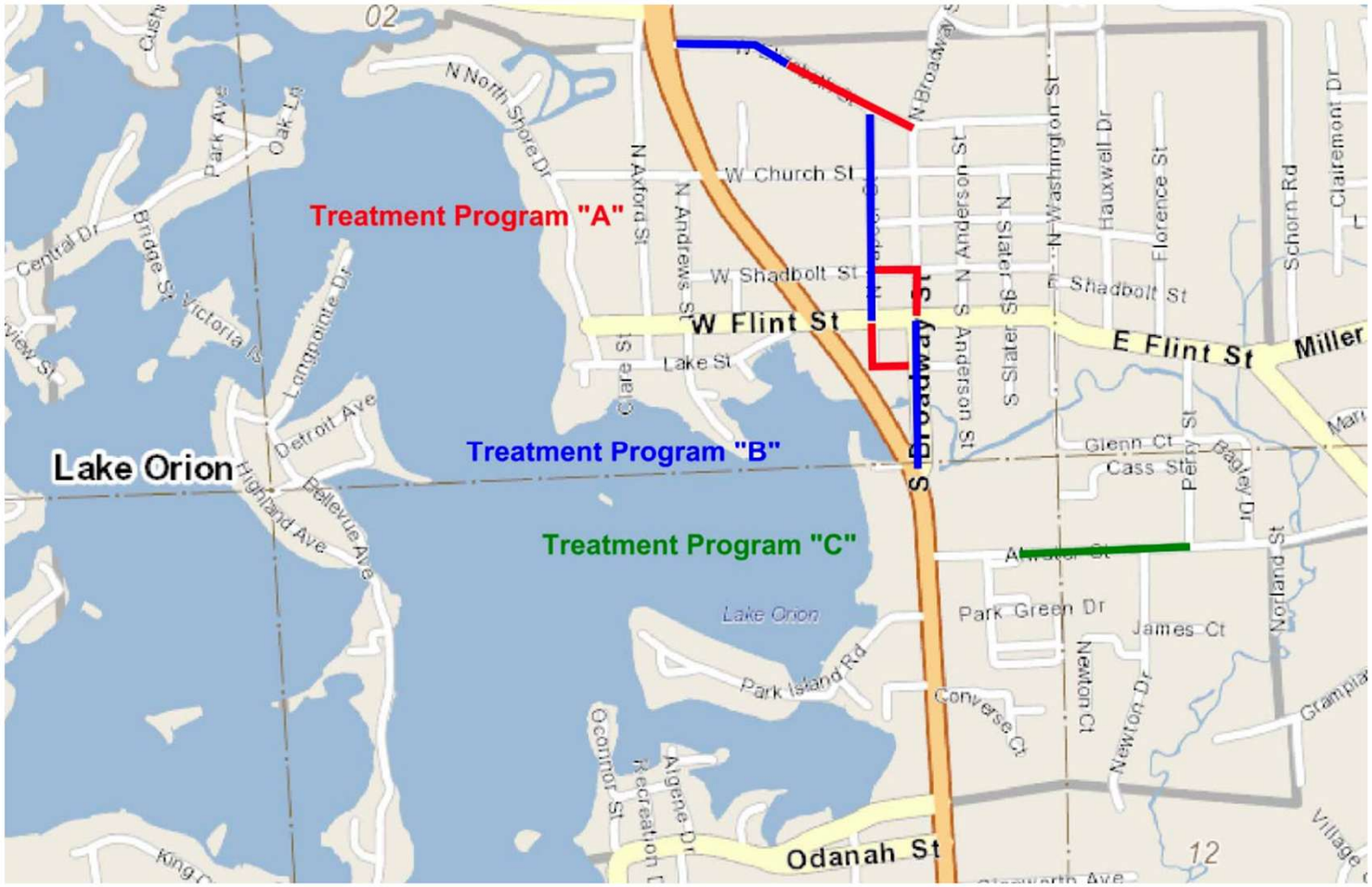


Figure 19: Map showing Major Road projects planned for 2024-2026

PAMP Study – Local Roads Programs A, B, and C

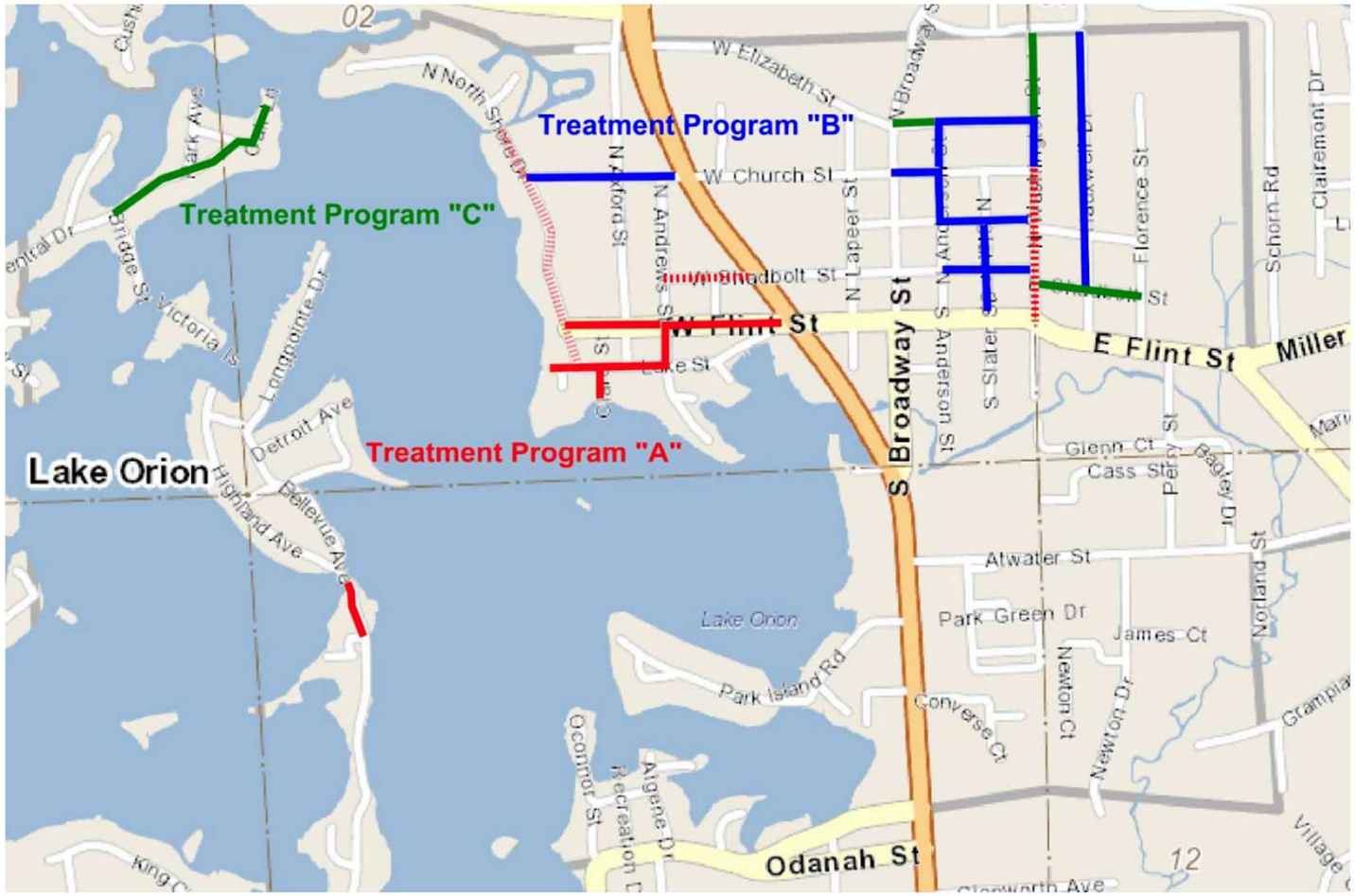
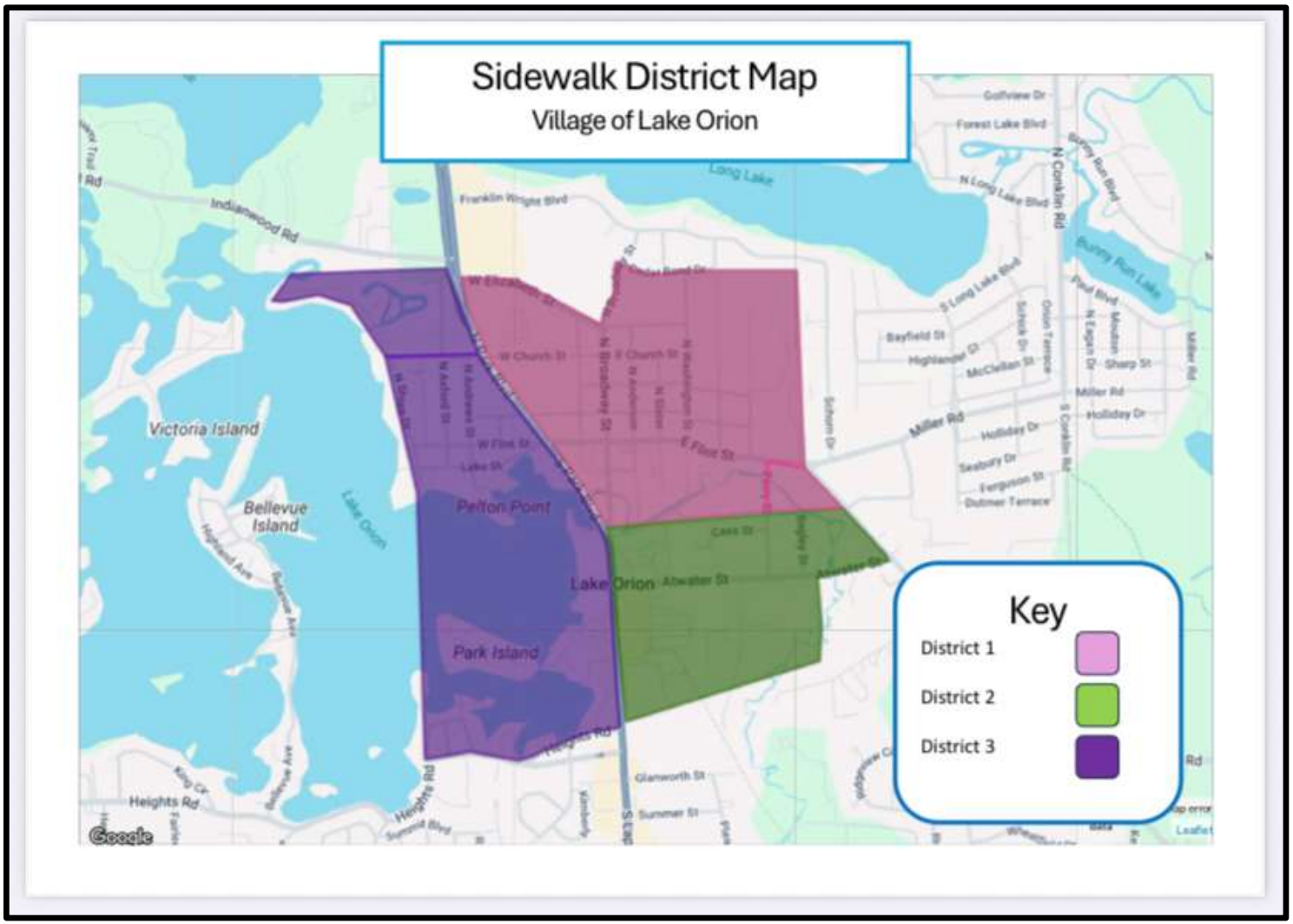


Figure 20: Map showing Local Road projects planned for 2024-2026.

Lake Orion Sidewalk Improvement Plan



DDA PROJECTED REVENUES – TIF AMENDMENT #4 BASELINE

Year	Total Captured Value	Village of Lake Orion 13.1021 Mills	Orion Twp. 4.8848 Mills	Oakland Co. 4.0400 Mills	Orion Twp. Library 1.3666 Mills	Community College 1.5303 Mills	Metro Parks 0.2129 Mills	Co. Parks 0.2349 Mills	Total 25.3716 Mills
2019	30,309,420	397,117	148,055	122,450	41,421	46,383	6,453	7,120	768,998
2020	30,915,608	405,059	151,017	124,899	42,249	47,310	6,582	7,262	784,378
2021	31,533,921	413,161	154,037	127,397	43,094	48,256	6,714	7,407	800,066
2022	32,164,599	421,424	157,118	129,945	43,956	49,221	6,848	7,555	816,067
2023	32,807,891	429,852	160,260	132,544	44,835	50,206	6,985	7,707	832,389
2024	33,464,049	438,449	163,465	135,195	45,732	51,210	7,124	7,861	849,036
2025	34,133,330	447,218	166,734	137,899	46,647	52,234	7,267	8,018	866,017
2026	34,815,996	456,163	170,069	140,657	47,580	53,279	7,412	8,178	883,338
2027	35,512,316	465,286	173,471	143,470	48,531	54,344	7,561	8,342	901,004
2028	36,222,563	474,592	176,940	146,339	49,502	55,431	7,712	8,509	919,024
2029	36,947,014	484,083	180,479	149,266	50,492	56,540	7,866	8,679	937,405
2030	37,685,954	493,765	184,088	152,251	51,502	57,671	8,023	8,852	956,153
2031	38,439,673	503,640	187,770	155,296	52,532	58,824	8,184	9,029	975,276
2032	39,208,467	513,713	191,526	158,402	53,582	60,001	8,347	9,210	994,782
2033	39,992,636	523,988	195,356	161,570	54,654	61,201	8,514	9,394	1,014,677
2034	40,792,489	534,467	199,263	164,802	55,747	62,425	8,685	9,582	1,034,971
2035	41,608,339	545,157	203,248	168,098	56,862	63,673	8,858	9,774	1,055,670
2036	42,440,505	556,060	207,313	171,460	57,999	64,947	9,036	9,969	1,076,784
2037	43,289,315	567,181	211,460	174,889	59,159	66,246	9,216	10,169	1,098,319
2038	44,155,102	578,525	215,689	178,387	60,342	67,571	9,401	10,372	1,120,286
2039	45,038,204	590,095	220,003	181,954	61,549	68,922	9,589	10,579	1,142,691
Totals	781,477,390	10,238,994	3,817,360	3,157,168	1,067,967	1,195,894	166,376	183,569	19,827,331

DDA PROJECTED REVENUES – WITH 75/25%

Year	Total Captured Value	Total Millage	Tax Revenue	Tax Revenue less 2022 Baseline	75% Capital Imp Allocation	25% DDA Allocation	DDA Total Revenue	Note:
2019	30,309,420		750,033		0		750,033	
2020	30,915,608		789,347		0		789,347	
2021	31,533,921		828,290		0		828,290	
2022	37,328,840	24.0290	896,788	2022 Baseline	0		896,788	Baseline Year
2023	39,534,290	25.9344	963,680	66,893	50,170	16,723	913,510	Exibit A Calculation
2024	41,111,310	24.8423	1,019,833	123,046	92,285	30,762	927,549	Exibit A Calculation
2025	43,597,660	24.8423	1,083,066	186,279	139,709	46,570	943,357	Fund Contribution Worksheet
2026	44,469,613	24.8423	1,104,727	207,940	155,955	51,985	948,772	2% Annual Growth in Value
2027	45,359,005	24.8423	1,126,822	230,035	172,526	57,509	954,296	2% Annual Growth in Value
2028	46,266,186	24.8423	1,149,358	252,571	189,429	63,143	959,930	2% Annual Growth in Value
2029	47,191,509	24.8423	1,172,346	275,559	206,669	68,890	965,677	2% Annual Growth in Value
2030	48,135,339	24.8423	1,195,793	299,006	224,254	74,751	971,538	2% Annual Growth in Value
2031	49,098,046	24.8423	1,219,708	322,921	242,191	80,730	977,517	2% Annual Growth in Value
2032	50,080,007	24.8423	1,244,103	347,316	260,487	86,829	983,616	2% Annual Growth in Value
2033	51,081,607	24.8423	1,268,985	372,198	279,148	93,049	989,836	2% Annual Growth in Value
2034	52,103,239	24.8423	1,294,364	397,577	298,183	99,394	996,181	2% Annual Growth in Value
2035	53,145,304	24.8423	1,320,252	423,465	317,598	105,866	1,002,653	2% Annual Growth in Value
2036	54,208,210	24.8423	1,346,657	449,870	337,402	112,467	1,009,254	2% Annual Growth in Value
2037	55,292,375	24.8423	1,373,590	476,803	357,602	119,201	1,015,988	2% Annual Growth in Value
2038	56,398,222	24.8423	1,401,062	504,275	378,206	126,069	1,022,856	2% Annual Growth in Value
2039	57,526,186	24.8423	1,429,083	532,296	399,222	133,074	1,029,861	2% Annual Growth in Value

DDA PROJECTED REVENUES – WITH NEW DEV AND 75/25%

Year	Total Captured Value	Total Millage	Tax Revenue	Tax Revenue less 2022 Baseline	75% Capital Imp Allocation	25% DDA Allocation	DDA Total Revenue	Note:
2019	30,309,420		750,033		0		750,033	
2020	30,915,608		789,347		0		789,347	
2021	31,533,921		828,290		0		828,290	
2022	37,328,840	24.0290	896,788	2022 Baseline	0		896,788	Baseline Year
2023	39,534,290	25.9344	963,680	66,893	50,170	16,723	913,510	Exibit A Calculation
2024	41,111,310	24.8423	1,019,833	123,046	92,285	30,762	927,549	Exibit A Calculation
2025	43,597,660	24.8423	1,083,066	186,279	139,709	46,570	943,357	Fund Contribution Worksheet
2026	44,469,613	24.8423	1,104,727	207,940	155,955	51,985	948,772	2% Annual Growth in Value
2027	45,359,005	24.8423	1,126,822	230,035	172,526	57,509	954,296	2% Annual Growth in Value
2028	69,266,186	24.8423	1,720,731	823,944	617,958	205,986	1,102,773	2% Annual Growth Plus $23M Development
2029	70,651,509	24.8423	1,755,146	858,359	643,769	214,590	1,111,377	2% Annual Growth in Value
2030	72,064,539	24.8423	1,790,249	893,462	670,096	223,365	1,120,152	2% Annual Growth in Value
2031	73,505,830	24.8423	1,826,054	929,267	696,950	232,317	1,129,104	2% Annual Growth in Value
2032	74,975,947	24.8423	1,862,575	965,788	724,341	241,447	1,138,234	2% Annual Growth in Value
2033	76,475,466	24.8423	1,899,826	1,003,039	752,280	250,760	1,147,547	2% Annual Growth in Value
2034	78,004,975	24.8423	1,937,823	1,041,036	780,777	260,259	1,157,046	2% Annual Growth in Value
2035	79,565,075	24.8423	1,976,579	1,079,792	809,844	269,948	1,166,735	2% Annual Growth in Value
2036	81,156,376	24.8423	2,016,111	1,119,324	839,493	279,831	1,176,618	2% Annual Growth in Value
2037	82,779,504	24.8423	2,056,433	1,159,646	869,735	289,912	1,186,699	2% Annual Growth in Value
2038	84,435,094	24.8423	2,097,562	1,200,775	900,581	300,194	1,196,981	2% Annual Growth in Value
2039	86,123,796	24.8423	2,139,513	1,242,726	932,045	310,682	1,207,469	2% Annual Growth in Value

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC Policy on Review of Professional Services Contracts

BACKGROUND BRIEF:

Council is scheduled to consider approving a policy on the review of professional services contracts. Council requested that the Village Manager draft this policy in response to concerns that a regular review of such contracts is warranted to ensure responsiveness to the needs of the Village and cost competitiveness.

Attached is the draft policy for Council's consideration.

SUMMARY OF PREVIOUS COUNCIL ACTION:

09/22/2025 – Council requested the Village Manager do a review on Village consultants for future review and submit proposals and a schedule policy to Council at next meeting.

FINANCIAL IMPACT:

None

RECOMMENDED MOTION:

To approve the following administrative policy relating to the solicitation, review, and renewal of professional services contracts:

Village of Lake Orion
EST 1859

ADMINISTRATIVE DIRECTIVE

DIRECTIVE NO: 2025-042	**ISSUE DATE:**
ISSUED BY: D. McClary	**SIGNATURE:** 
VILLAGE COUNCIL APPROVAL DATE:	
REVISION DATES:	
RESCINDS/REPLACES:	
CATEGORY: CONTRACTUAL SERVICES	
SUBJECT: Solicitation, Review, and Renewal	

LEGAL AUTHORITY CITATION

This administrative directive is issued by the Village Manager pursuant to the following legal authority:

- Village Charter – Sec. 3.12 – Duties of administrative officers; performing such duties as are provided for such officers by state law, this Charter, the village ordinances, and the administrative directives of the Village Manager
- Village of Lake Orion Purchasing Code – Chapter 34 of the Village Code of Ordinances
- Village of Lake Orion Ethics Code - Chapter 30, Sec. 30.60 et. seq. Of the Village Code of Ordinances
- Village Council Resolution adopted on _____.

PURPOSE

The purpose of this policy is to establish best practices for the solicitation, review, and renewal of professional services contracts and to ensure accountability, fair market value, and competition for services provided to taxpayers.

POLICY

Section 1: Professional Services Defined.

The term “professional services” will be as defined from time to time in the Village of Lake Orion purchasing code. Such services may include but are not limited to legal, engineering, urban planning, architectural, environmental, medical, technological, or other similar services.

Section 2: Competitive Solicitation Process.

It is the policy of the Village to ensure fair and open competition to secure the best professional services at a fair and competitive price. Therefore, the Village requires full and open competition for ongoing professional services at least once every five (5) years, or sooner if recommended by the Village Manager, except that such initial contract reviews shall be staggered to avoid problems associated with multiple contracts being reviewed at one time. Legal services will be reviewed in 2025, and engineering services will be reviewed in 2026. The main objective of the competitive process will be to obtain and maintain the most qualified services possible. The solicitation for such services will be qualifications based. However, price proposals may be a secondary consideration as part of a comprehensive determination of the desired service provider.

Competitive solicitations and selections will comply with all relevant provisions of the Village's purchasing code and will include at least the following elements: (1) a Request for Qualifications (RFQ) published on the Village's bid system that includes a detailed explanation of the services being sought and any preferred method of costing the services; (2) a requirement that the cost proposal be submitted in a separate, sealed envelope to be considered after finalists have been selected based on a rating of qualifications; and (3) identification in writing of specific criteria to be used to rate the qualifications of each responsive firm.

Appointment of a Village Attorney and award of contract for legal services will be conducted through a process to be approved by the Village Council in accordance with Charter requirements. All other professional services firms will be selected, reviewed, or renewed by the Village Manager subject to approval of a services contract by the Village Council.

Section 4: Ethics.

Solicitation, selection, and review of professional services contracts will comply with all Federal, State, and local ethics laws, rules, and regulations, including those contained in the Village Charter and Code of Ordinances.

Section 5: Regular Performance Evaluation.

The Village Council, in the case of legal services, or the Village Manager for all other services, will perform annual reviews of the performance of professional services contractors. The evaluation will involve relevant Village departments utilizing such services and include a clear, consistent set of performance metrics that track service outcomes, quality of work, adherence to deadlines, and responsiveness. Metrics should be clearly defined within the initial contract. The Village Council or Village Manager will maintain thorough records of all communications and performance reports throughout the life of the service contract. The Village Council or Village Manager will gather input from all municipal departments or other stakeholders that work with a service provider to assess their satisfaction and identify any issues.

Section 6: Renewal Procedure.

If renewal of a professional services contract is appropriate, the following process will be followed for evaluating the contract.

- **Proactive tracking**: The Village Clerk will utilize a contract management system to set reminders well in advance of a contract's expiration date and will notify either the Village Council (in the case of legal services) or the Village Manager of the impending expiration of a service contract at least four (4) months prior to the contract expiration.

- **Justification for renewal**: Any decision to renew with an incumbent professional services provider without a new competitive proposal should require specific justification. This may include:

    - Demonstrated and measurable high performance by the current provider.

    - Specific expertise or institutional knowledge critical to the needs of the Village.

    - Significant costs or negative impact associated with changing contractors.

- **Negotiation strategy**: The Village Council (in the case of legal services) or the Village Manager will develop a negotiation strategy that includes a comparative analysis of professional qualifications to perform the required work as well as market rates and terms.

Section 7: Public Transparency.

Village professional services contracts are public business, and the selection or renewal process should be transparent to the public. Therefore, contracts for all professional services will be approved by the Village Council and only in an open session in accordance with the Michigan Open Meetings Act. Furthermore, comprehensive and accessible records of professional services procurements and renewals will be maintained and made available pursuant to the Michigan Freedom of Information Act.

Section 8: Risk Assessment.

The Village will make every reasonable effort to identify and mitigate risks associated with contracted services by requiring legal counsel to review and approve all contracts and renewal terms to ensure compliance with legal requirements. Also, the Village will perform periodic audits to verify that the contractor is in full compliance with the contract's terms and obligations.

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC Private Road Winter Maintenance Agreements

BACKGROUND BRIEF:

Council is scheduled to consider approving 2025-26 winter maintenance agreements for Converse Court, Newton Court, and Park Island and to authorize the Village Manager to execute the agreements. As Council is aware, the Village determined that State law prohibits the use of public funds to maintain or improve private roads and that it is necessary to enter into agreements with residents on private roads, and to charge them, for winter maintenance services that are to be performed by the Village. As a result, the Village Attorney drafted a proposed agreement for these services, and Administration has secured a signed agreement from the homeowners association (HOA) for Converse Court and tentative agreement from the HOAs for Newton Court and Park Island. Administration expects to have the latter two agreements signed by the HOAs prior to Monday's meeting.

The agreements cover up to 16 snow removals per winter season. The Village will bill each HOA for winter maintenance services in April of each year for the actual services provided during the previous season. The Public Works Director determined the cost for each snow removal for each HOA, and the costs are included in the agreements.

SUMMARY OF PREVIOUS COUNCIL ACTION:

None

FINANCIAL IMPACT:

The Village will receive an estimated $2,118.43 for the 2025-26 winter season to provide snow removal services for the three subdivisions based on a total of 16 occurrences.

RECOMMENDED MOTION:

#1 – To approve the 2025-26 Agreement for Winter Maintenance Services Between the Village of Lake Orion and Converse Court Homeowners' Association in the total estimated amount of $546.06 and to authorize the Village Manager to execute the agreement on behalf of the Village.

#2 - To approve the 2025-26 Agreement for Winter Maintenance Services Between the Village of Lake Orion and Newton Court Homeowners' Association in the total estimated amount of $524.49 and to authorize the Village Manager to execute the agreement on behalf of the Village.

#3 - To approve the 2025-26 Agreement for Winter Maintenance Services Between the Village of Lake Orion and Park Island Homeowners' Association in the total estimated amount of $1,047.88 and to authorize the Village Manager to execute the agreement on behalf of the Village.

AGREEMENT FOR WINTER MAINTENANCE SERVICES BETWEEN THE VILLAGE OF LAKE ORION AND CONVERSE CT. HOMEOWNERS' ASSOCIATION

THIS AGREEMENT entered into as of this ___ day of _____, by and between the **VILLAGE OF LAKE ORION**, a Michigan municipal corporation, (herein called the VLO) and **CONVERSE CT HOMEOWNERS' ASSOCIATION** (herein called "HOA"). The parties hereto agree as follows:

WHEREAS, a recent audit and review of the roadway classifications within the Village of Lake Orion has been conducted. It has been confirmed that Converse Ct. is designated as a private road under Michigan Public Act 51 of 1951; and

WHEREAS, Converse Ct. is a private road, and the Village of Lake Orion is not authorized to use public funds for the maintenance of this roadway including snow plowing, salting, or other seasonal services; and

WHEREAS, VLO has provided winter maintenance services in the past, however, it can no longer do so without this Agreement and appropriate charges for such services; and

WHEREAS, VLO recognizes the importance of reliable winter maintenance and is offering these services to the private road residents for a fee; and

WHEREAS, the private road will receive the same services and care similar to the public roads in the Village of Lake Orion.

NOW, THEREFORE, in consideration of the foregoing preambles, the adequacy of which is acknowledged by and between the parties to this Agreement, the parties agree as follows:

1. Scope of Work

   1.01 The VLO will provide snow removal services on private roads within this jurisdiction pursuant to this Agreement for services when snowfall exceeds three (3) inches or during declared snow emergencies.

   1.02 The VLO shall carry out and perform the Services in a timely and proper manner. The Parties shall be governed by and the Services shall be performed in accordance with the terms and conditions contained in this Contract.

2. Contract Term

   2.01 This contract shall be effective for a one year seasonal term commencing in 2025 and through the early winter months of 2026, but no later than March 31, 2026.

3. Personnel and Administration

3.01 The VLO shall provide the necessary labor to perform the Services. The VLO shall engage only competent, efficient employees to perform the Services and shall not use any person unfit or without sufficient skill to perform the work assigned to him/her hereunder.

4. Equipment and Materials

4.01 Unless otherwise stipulated in this Contract, the VLO shall furnish all tools, equipment, supplies, work accessories, supervision and transportation necessary for the complete and proper performance of the Services. The VLO shall provide and perform all necessary labor in a substantial and workmanlike manner and in strict accordance with the provisions of the Contract.

4.02 Unless otherwise stipulated, all materials, supplies, and equipment shall be of good quality.

4.03 All tools, equipment, and devices owned and used by the VLO in the Performance of the Services shall remain the property of the VLO.

5. Compensation

5.01 Upon the performance of the Services by the VLO and upon receipt of an accurate invoice, Converse HOA agrees to pay the VLO for 16 occurrences totaling Five Hundred Twenty-four and 49/100 Dollars ($524.49), which is broken down per pass as follows:

Labor Cost	Truck Cost	Salter Cost	Cost Salt per pass	Subtotal
$11.62	$15.41	$1.63	$ 1.01	$ 29.68 Per event cost
				16 occurrences $474.84 Total 15% Admin Fee
				$546.06 GRAND TOTAL

5.02 The VLO shall, in a timely manner, invoice the HOA for all work performed. **Payment shall be made within fourteen (14) days of receipt of the invoice.**

6. Arbitration, Indemnification and Insurance

6.01 Arbitration

Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit

Court, the 52-3 District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds $1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court or the 52-3 District Court.

6.02 Indemnification

To the fullest extent permitted by law, the HOA and any entity or person for whom the HOA is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the Village of Lake Orion, its elected and appointed officials, employees and volunteers and others working on their behalf against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the VILLAGE, its elected and appointed officials, employees, volunteers or others working on their behalf, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arise out of the acts, errors or omissions of the HOA including its employees and agents, in the performance of this Agreement. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the VILLAGE.

7. Termination

7.01 If the Contract is to be terminated, the HOA will pay the VLO only for the services rendered prior to termination, which payment shall constitute full and complete payment and satisfaction under the Contract. VLO shall give written notice to the HOA of such termination specifying the effective date thereof, at least thirty (30) days prior to the effective date of such termination, for any reason as determined by the VLO.

8. Fair Employment Practices

8.01 In accordance with the United States Constitution and all Federal legislation and regulations governing fair employment practices and equal employment opportunity, and in accordance with the Michigan Constitution and all state laws and regulations governing fair employment practices and equal employment opportunity, the HOA agrees that it will not discriminate against any person, employee, or applicant for employment, with respect to his/her hire, tenure, terms, conditions, or privileges of

employment because of his/her religion, race, color, national origin, age, sex, height, weight, marital status or handicap, that is unrelated to the individual's ability to perform the duties of a particular job or position.

9. Miscellaneous

9.01 No waiver of any breach shall affect or alter this Contract. But each and every covenant, term and condition of this Contract shall continue in full force and effect with respect to any other then existing or subsequent breach thereof. This Contract shall be governed by the laws of the State of Michigan.

9.02 Unless the context expressly requires otherwise, the words "herein", "hereof" and "hereunder" and other words of similar import, refer to this Contract as a whole, and not to any particular article or section.

10. Governing Law

This Agreement shall be governed by the laws of the State of Michigan. The parties acknowledge that this Agreement pertains to property located in the State of Michigan, and the parties submit to the jurisdiction of the courts of Oakland County, Michigan.

11. Entire Agreement

This Agreement constitutes the entire agreement between the parties. No change, addition or modification to this Agreement shall be effective unless signed in writing by both parties.

In the Presence of:

VILLAGE OF LAKE ORION

By:_____
Darwin D.P. McClary, Village Manager

CONVERSE CT. HOMEOWNERS' ASSOCIATION

By: _____

Its: Scott Umbarger
Treasurer - Village Homes HOA

AGREEMENT FOR WINTER MAINTENANCE SERVICES BETWEEN THE VILLAGE OF LAKE ORION AND NEWTON CT. HOMEOWNERS' ASSOCIATION

THIS AGREEMENT entered into as of this ___ day of _____, by and between the **VILLAGE OF LAKE ORION**, a Michigan municipal corporation, (herein called the VLO) and **NEWTON CT HOMEOWNERS' ASSOCIATION** (herein called "HOA"). The parties hereto agree as follows:

WHEREAS, a recent audit and review of the roadway classifications within the Village of Lake Orion has been conducted. It has been confirmed that Newton Ct. is designated as a private road under Michigan Public Act 51 of 1951; and

WHEREAS, Newton Ct. is a private road, and the Village of Lake Orion is not authorized to use public funds for the maintenance of this roadway including snow plowing, salting, or other seasonal services; and

WHEREAS, VLO has provided winter maintenance services in the past, however, it can no longer do so without this Agreement and appropriate charges for such services; and

WHEREAS, VLO recognizes the importance of reliable winter maintenance and is offering these services to the private road residents for a fee; and

WHEREAS, the private road will receive the same services and care similar to the public roads in the Village of Lake Orion.

NOW, THEREFORE, in consideration of the foregoing preambles, the adequacy of which is acknowledged by and between the parties to this Agreement, the parties agree as follows:

1. Scope of Work

   1.01 The VLO will provide snow removal services on private roads within this jurisdiction pursuant to this Agreement for services when snowfall exceeds three (3) inches or during declared snow emergencies.

   1.02 The VLO shall carry out and perform the Services in a timely and proper manner. The Parties shall be governed by and the Services shall be performed in accordance with the terms and conditions contained in this Contract.

2. Contract Term

   2.01 This contract shall be effective for a one year seasonal term commencing in 2025 and through the early winter months of 2026, but no later than March 31, 2026.

3. Personnel and Administration

3.01 The VLO shall provide the necessary labor to perform the Services. The VLO shall engage only competent, efficient employees to perform the Services and shall not use any person unfit or without sufficient skill to perform the work assigned to him/her hereunder.

4. Equipment and Materials

4.01 Unless otherwise stipulated in this Contract, the VLO shall furnish all tools, equipment, supplies, work accessories, supervision and transportation necessary for the complete and proper performance of the Services. The VLO shall provide and perform all necessary labor in a substantial and workmanlike manner and in strict accordance with the provisions of the Contract.

4.02 Unless otherwise stipulated, all materials, supplies, and equipment shall be of good quality.

4.03 All tools, equipment, and devices owned and used by the VLO in the Performance of the Services shall remain the property of the VLO.

5. Compensation

5.01 Upon the performance of the Services by the VLO and upon receipt of an accurate invoice, Newton HOA agrees to pay the VLO for 16 occurrences totaling Five Hundred Twenty-four and 49/100 Dollars ($524.49), which is broken down per pass as follows:

Labor Cost	Truck Cost	Salter Cost	Cost Salt per pass	Subtotal
$11.18	$14.82	$1.57	$ .94	$ 28.51 Per event cost
				16 occurrences $456.08 Total 15% Admin Fee
				$524.49 GRAND TOTAL

5.02 The VLO shall, in a timely manner, invoice the HOA for all work performed. **Payment shall be made within fourteen (14) days of receipt of the invoice.**

6. Arbitration, Indemnification and Insurance

6.01 Arbitration

Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit

Court, the 52-3 District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds $1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court or the 52-3 District Court.

6.02 Indemnification

To the fullest extent permitted by law, the HOA and any entity or person for whom the HOA is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the Village of Lake Orion, its elected and appointed officials, employees and volunteers and others working on their behalf against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the VILLAGE, its elected and appointed officials, employees, volunteers or others working on their behalf, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arise out of the acts, errors or omissions of the HOA including its employees and agents, in the performance of this Agreement. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the VILLAGE.

7. Termination

7.01 If the Contract is to be terminated, the HOA will pay the VLO only for the services rendered prior to termination, which payment shall constitute full and complete payment and satisfaction under the Contract. VLO shall give written notice to the HOA of such termination specifying the effective date thereof, at least thirty (30) days prior to the effective date of such termination, for any reason as determined by the VLO.

8. Fair Employment Practices

8.01 In accordance with the United States Constitution and all Federal legislation and regulations governing fair employment practices and equal employment opportunity, and in accordance with the Michigan Constitution and all state laws and regulations governing fair employment practices and equal employment opportunity, the HOA agrees that it will not discriminate against any person, employee, or applicant for employment, with respect to his/her hire, tenure, terms, conditions, or privileges of

employment because of his/her religion, race, color, national origin, age, sex, height, weight, marital status or handicap, that is unrelated to the individual's ability to perform the duties of a particular job or position.

9. Miscellaneous

9.01 No waiver of any breach shall affect or alter this Contract. But each and every covenant, term and condition of this Contract shall continue in full force and effect with respect to any other then existing or subsequent breach thereof. This Contract shall be governed by the laws of the State of Michigan.

9.02 Unless the context expressly requires otherwise, the words "herein", "hereof" and "hereunder" and other words of similar import, refer to this Contract as a whole, and not to any particular article or section.

10. Governing Law

This Agreement shall be governed by the laws of the State of Michigan. The parties acknowledge that this Agreement pertains to property located in the State of Michigan, and the parties submit to the jurisdiction of the courts of Oakland County, Michigan.

11. Entire Agreement

This Agreement constitutes the entire agreement between the parties. No change, addition or modification to this Agreement shall be effective unless signed in writing by both parties.

In the Presence of:

VILLAGE OF LAKE ORION

_____

By:_____
Darwin D.P. McClary, Village Manager

NEWTON CT. HOMEOWNERS' ASSOCIATION

_____

By: _____

Its: _____

AGREEMENT FOR WINTER MAINTENANCE SERVICES BETWEEN THE VILLAGE OF LAKE ORION AND PARK ISLAND HOMEOWNERS' ASSOCIATION

THIS AGREEMENT entered into as of this ___ day of _____, by and between the **VILLAGE OF LAKE ORION**, a Michigan municipal corporation, (herein called the VLO) and **PARK ISLAND HOMEOWNERS' ASSOCIATION** (herein called "HOA"). The parties hereto agree as follows:

WHEREAS, a recent audit and review of the roadway classifications within the Village of Lake Orion has been conducted. It has been confirmed that Park Island is designated as a private road under Michigan Public Act 51 of 1951; and

WHEREAS, Park Island is a private road, and the Village of Lake Orion is not authorized to use public funds for the maintenance of this roadway including snow plowing, salting, or other seasonal services; and

WHEREAS, VLO has provided winter maintenance services in the past, however, it can no longer do so without this Agreement and appropriate charges for such services; and

WHEREAS, VLO recognizes the importance of reliable winter maintenance and is offering these services to the private road residents for a fee; and

WHEREAS, the private road will receive the same services and care similar to the public roads in the Village of Lake Orion.

NOW, THEREFORE, in consideration of the foregoing preambles, the adequacy of which is acknowledged by and between the parties to this Agreement, the parties agree as follows:

1. Scope of Work

1.01 The VLO will provide snow removal services on private roads within this jurisdiction pursuant to this Agreement for services when snowfall exceeds three (3) inches or during declared snow emergencies.

1.02 The VLO shall carry out and perform the Services in a timely and proper manner. The Parties shall be governed by and the Services shall be performed in accordance with the terms and conditions contained in this Contract.

2. Contract Term

2.01 This contract shall be effective for a one year seasonal term commencing in 2025 and through the early winter months of 2026, but no later than March 31, 2026.

3. Personnel and Administration

3.01 The VLO shall provide the necessary labor to perform the Services. The VLO shall engage only competent, efficient employees to perform the Services and shall not use any person unfit or without sufficient skill to perform the work assigned to him/her hereunder.

4. Equipment and Materials

4.01 Unless otherwise stipulated in this Contract, the VLO shall furnish all tools, equipment, supplies, work accessories, supervision and transportation necessary for the complete and proper performance of the Services. The VLO shall provide and perform all necessary labor in a substantial and workmanlike manner and in strict accordance with the provisions of the Contract.

4.02 Unless otherwise stipulated, all materials, supplies, and equipment shall be of good quality.

4.03 All tools, equipment, and devices owned and used by the VLO in the Performance of the Services shall remain the property of the VLO.

5. Compensation

5.01 Upon the performance of the Services by the VLO and upon receipt of an accurate invoice, Park Island HOA agrees to pay the VLO for 16 occurrences totaling one thousand forty seven and 88/100 Dollars ($1047.88), which is broken down per pass as follows:

Labor Cost	Truck Cost	Salter Cost	Cost Salt per pass	Subtotal
$22.35	$29.64	$3.14	$ 1.82	$ 56.95 Per event cost
				16 occurrences $ 911.20 Total 15% Admin Fee
				$1,047.88 GRAND TOTAL

5.02 The VLO shall, in a timely manner, invoice the HOA for all work performed. **Payment shall be made within fourteen (14) days of receipt of the invoice.**

6. Arbitration, Indemnification and Insurance

6.01 Arbitration

Any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled either by commencement of a suit in Oakland County Circuit Court, the 52-3 District Court or by arbitration. If both parties elect to have the dispute resolved by arbitration, it shall be settled pursuant to Chapter 50 of the Revised Judicature Act for the State of Michigan and administered by the American Arbitration Association with one arbitrator being used, or three arbitrators in the event any party's claim exceeds $1,000,000. Each party shall bear its own costs and expenses and an equal share of the arbitrator's and administrative fees of arbitration. Such arbitration shall qualify as statutory arbitration pursuant to MCL §600.5001 et seq., and the Oakland County Circuit Court or any court having jurisdiction shall render judgment upon the award of the arbitrator made pursuant to this Agreement. The laws of the State of Michigan shall govern this Agreement, and the arbitration shall take place in Oakland County, Michigan. In the event that the parties elect not to have the matter in dispute arbitrated, any dispute between the parties may be resolved by the filing of a suit in the Oakland County Circuit Court or the 52-3 District Court.

6.02 Indemnification

To the fullest extent permitted by law, the HOA and any entity or person for whom the HOA is legally liable, agrees to be responsible for any liability, defend, pay on behalf of, indemnify, and hold harmless the Village of Lake Orion, its elected and appointed officials, employees and volunteers and others working on their behalf against any and all claims, demands, suits, or loss, including all costs and reasonable attorney fees connected therewith, and for any damages which may be asserted, claimed or recovered against or from the VILLAGE, its elected and appointed officials, employees, volunteers or others working on their behalf, by reason of personal injury, including bodily injury and death and/or property damage, including loss of use thereof, which arise out of the acts, errors or omissions of the HOA including its employees and agents, in the performance of this Agreement. Such responsibility shall not be construed as liability for damage caused by or resulting from the sole act or omission of its elected or appointed officials, employees, volunteers or others working on behalf of the VILLAGE.

7. Termination

7.01 If the Contract is to be terminated, the HOA will pay the VLO only for the services rendered prior to termination, which payment shall constitute full and complete payment and satisfaction under the Contract. VLO shall give written notice to the HOA of such termination specifying the effective date thereof, at least thirty (30) days prior to the effective date of such termination, for any reason as determined by the VLO.

8. Fair Employment Practices

8.01 In accordance with the United States Constitution and all Federal legislation and regulations governing fair employment practices and equal employment opportunity, and in accordance with the Michigan Constitution and all state laws and regulations governing fair employment practices and equal employment opportunity, the HOA agrees that it will not discriminate against any person, employee, or applicant for employment, with respect to his/her hire, tenure, terms, conditions, or privileges of employment because of his/her religion, race, color, national origin, age, sex, height, weight, marital status or handicap, that is unrelated to the individual's ability to perform the duties of a particular job or position.

9. Miscellaneous

9.01 No waiver of any breach shall affect or alter this Contract. But each and every covenant, term and condition of this Contract shall continue in full force and effect with respect to any other then existing or subsequent breach thereof. This Contract shall be governed by the laws of the State of Michigan.

9.02 Unless the context expressly requires otherwise, the words "herein", "hereof" and "hereunder" and other words of similar import, refer to this Contract as a whole, and not to any particular article or section.

10. Governing Law

This Agreement shall be governed by the laws of the State of Michigan. The parties acknowledge that this Agreement pertains to property located in the State of Michigan, and the parties submit to the jurisdiction of the courts of Oakland County, Michigan.

11. Entire Agreement

This Agreement constitutes the entire agreement between the parties. No change, addition or modification to this Agreement shall be effective unless signed in writing by both parties.

In the Presence of:

VILLAGE OF LAKE ORION

By: _____

Darwin D.P. McClary, Village Manager

_____

PARK ISLAND HOMEOWNERS' ASSOCIATION

By: _____

Its: _____

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC Proposals for Municipal Legal Services

BACKGROUND BRIEF:

As directed by the Village Council, Administration advertised a Request for Qualifications (RFQ) for legal services. The RFQ was published on the MITN bid system on October 2, 2025, and proposals were due on October 22, 2025. A total of 225 firms were notified of the opportunity to submit proposals, 30 firms downloaded documents, and 6 firms submitted proposals. The bid tabulation sheets and copies of the proposals are attached for the information of Council. Hard copies of all proposals will also be distributed to Council members at Monday's meeting.

Administration recommends following the same procedure as in 2016 to select the most qualified firm for legal services. The process would include creating an ad hoc Legal Services Review Committee comprising three (3) Council members, the Village Manager, and the Chief of Police to establish the criteria for rating firms; reviewing the proposals received and rating each; preparing interview questions and interviewing firms and rating each firm's presentation; and formulating a recommendation to Council on selection of the most qualified firm. The Committee should be able to formulate and submit a recommendation to Council by its first regular meeting in December.

SUMMARY OF PREVIOUS COUNCIL ACTION:

09/22/2025 – Council directed the Village Manager to immediately put out requests for proposals for Village Attorney Services with regard to Village support and Police and prosecution support and return with those proposals to Village council.

FINANCIAL IMPACT:

None

RECOMMENDED MOTION:

#1 – To establish an ad hoc Legal Services Review Committee consisting of three (3) Council members, the Village Manager, and the Chief of Police to establish the criteria for rating legal services firms; reviewing the proposals received on October 22, 2025, and rating each; preparing interview questions and interviewing firms and rating each firm's interview presentation; and formulating a

recommendation to Council on selection of the most qualified firm no later than the first regular meeting of the Village Council in December 2025.

#2 – To appoint the following three (3) Council members to serve on the ad hoc Legal Services Review Committee: _____, _____, and _____.

Beier & Howlett

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. Hourly Rate for General Legal Services	$ 175
D. Hourly Rate for Prosecution Services	$ 175
E. Provide or attach the firm's complete fee schedule for all other services not included above:	$ 250
1. Environmental / Brownfield	$ 175
2. Labor	$ 175
3. Litigation	$
4.	$
5.	$

Flash drive included

Bloom Slugett

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. Hourly Rate for General Legal Services	$ 195-255
D. Hourly Rate for Prosecution Services	$ 195-255
E. Provide or attach the firm's complete fee schedule for all other services not included above:	$ 130
1. Paralegals $130	$
2.	$
3.	$
4.	$
5.	$

No flash drive
Only 1 copy submitted

GMH Giarmarco, Mullins & Horton

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. Hourly Rate for General Legal Services	$ 175
D. Hourly Rate for Prosecution Services	$ 165
E. Provide or attach the firm's complete fee schedule for all other services not included above:	$ 175
1. Civil litigation & litigation of non insurance	$ 175
2. Board of Review	$ 175
3. All other legal services	$ 0
4. Telephone conferences less than 15 mins & brief email exchanges	$ 0
5. Law Clerk & legal assistant	$

Flash drive included

Secrest Wardle

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. Hourly Rate for General Legal Services	160- $165 Attorney 90 plus cost paralegals
D. Hourly Rate for Prosecution Services	160- 165 attorney $ 90 plus cost paralegals
E. Provide or attach the firm's complete fee schedule for all other services not included above:	$ Separate agreement
1. Civil cases	$
2.	$
3.	$
4.	$
5.	$

Flash drive included

Sherman & Sherman PC

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. Hourly Rate for General Legal Services	$ 135
D. Hourly Rate for Prosecution Services	$ 135
E. Provide or attach the firm's complete fee schedule for all other services not included above:	$ 135
1. Tax Tribunal	$ 135
2. BZA	$ 135
3. PC	$ 135
4. Civil Litigation	$ 135
5. All other matters	$

Flash drive included

Foster Swift Collins & Smith

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. Hourly Rate for General Legal Services	$ 275
D. Hourly Rate for Prosecution Services	$ 275
E. Provide or attach the firm's complete fee schedule for all other services not included above:	$ 320
1. Tax tribunal $320	$ 275
2. Labor & Employment $275	$ TBD
3. Public Finance & Bond TBD	$
4.	$
5.	$

Did include flash drive

Beier Howlett
ATTORNEYS AND COUNSELORS

Letter of Transmittal

Tab 1 Firm Name

Tab 2 Offices

Tab 3 Personnel

Tab 4 Staff

Tab 5 Experience

Tab 6 Why Beier Howlett

Tab 7 References

Tab 8 Conflict of Interest

Tab 9 Day to Day Activities

Tab 10 Insurance and Scope of Work

Tab 11 Exceptions

Tab 12 Bar Complaints

Tab 13 Bankruptcy

Tab 14 Municipal Client Termination

Tab 15 Response Time

Tab 16 Familiarizing Current Issues

Tab 17 Conflict of Interest

Tab 18 Appendix C / Pricing

Response To Request For Proposal For Legal Services To Village of Lake Orion

Presented by Co-Managing Partners:

Mary M. Kucharek, Equity Partner
248.282.1075
mkucharek@bhlaw.us.com

Michael C. Gibbons, Equity Partner
248.282.1069
mgibbons@bhlaw.us.com

Submitted Via Hand Delivery: October 22, 2025

Beier Howlett
ATTORNEYS AND COUNSELORS

MICHAEL C. GIBBONS
mgibbons@bhlaw.us.com
Telephone (248) 282-1069

October 22, 2025

Mr. Darwin McClary, Village Manager
Village of Lake Orion Council
21 E. Church St.
Lake Orion, MI 48362

Re: Request for Proposals for Legal Services

Dear Mr. McClary and Village
Council Members:

Enclosed you will find Beier Howlett's Proposal ("Proposal") and demonstration of qualifications to provide the Village of Lake Orion with full legal service representation in the areas of municipal law and prosecutions, excepting matters of bond counsel. Beier Howlett has proudly served its clients with quality legal services since the firm's founding in 1903. We believe our extensive history and background of serving municipalities in virtually all facets of municipal law distinguishes Beier Howlett as a provider of legal counsel and litigation services with sound, proficient legal principles that are also economical and practical. Beier Howlett has an AV rating (highest possible) in the Martindale Hubbell Law Directory which demonstrates our adherence to the highest legal and ethical standards.

Beier Howlett would like to thank the Village of Lake Orion, the Village Manager and the Council for the opportunity to demonstrate our credentials and continued commitment to our partnership with the Village of Lake Orion. These materials summarize our qualifications per your Request for Proposals for Legal Services. We would be excited to meet with you to have an open and frank discussion regarding how the law firm of Beier Howlett may serve the Village even better for years to come.

Beier Howlett is well adept at general municipal law, has extensive experience and has offered decades of advice regarding all facets of municipal law to many municipalities, including the Village of Lake Orion, since 2016. We pride ourselves on attorney accessibility and response time to our clients. Clients are able to reach us by email, and more importantly by our cell phones with quick response. **Municipal governments are expected to serve the community promptly and, therefore, your attorney should grant to you the same service.**

We have drafted hundreds of ordinances and understand we will continue to draft and enforce ordinances for the Village of Lake Orion and to assist in administrative matters and legal proceedings. We have advised, and will continue to advise, on interpretations of the Charter and Ordinance Code enforcement. We have drafted numerous contracts on behalf of every department within various municipalities. Some unique environmental issues have arisen, and we are prepared to guide the Village through environmental matters including Brownfield

development issues. We have successfully counseled and litigated cases in the federal, state and Oakland County courts regarding constitutional law, tort law and many other areas of law. We will continue to achieve winning outcomes in litigation. We have created transactional documents of all levels of complexity regarding various municipalities' interests and property and worked with our clients to negotiate and complete those transactions. We have and will continue to advise on the Freedom of Information Act, parliamentary processes, Open Meetings Act, ethics law, and all other laws and procedures germane to municipal law, as we have proudly done for the Village for years.

In subsequent pages of this proposal, with each tab corresponding to Appendix B, page 6, of the RFQ, we look forward to highlighting and describing the biographies of our accomplished attorneys and to demonstrate our vast experience in handling all facets of municipal law. We also look forward to highlighting the many municipalities, school districts, and other governmental entities we counsel.

We will demonstrate our reasonable and affordable pricing proposal as shown in Tab 18. We believe in value pricing for municipalities responsible for taxpayer dollars. We offer many negotiable options. Our response and pricing proposals are binding for at least 90 days from the date of this submission as mandated under the General Submittal Requirements.

As stated, Beier Howlett has proudly served its municipal clients for decades, and, as always, will appoint one attorney to be the lead for the Village of Lake Orion as the single-point-of-contact. Mary M. Kucharek would be the lead counsel for the Village of Lake Orion and the single-point-of-contact. Mary has extensive experience representing the Village of Lake Orion as well as other municipalities including the City of Orchard Lake, Village of Bingham Farms, and the City of Birmingham. Not only has she served as general legal counsel, but she is also quite adept in a courtroom as she has been the prosecuting attorney for our municipal clients since 1997. Her outstanding accomplishments will be highlighted later in this proposal.

The law firm of Beier Howlett has strong bench strength consisting of many experienced attorneys with outstanding accomplishments. Therefore, the firm does not intend to subcontract any portion of the work identified in the Scope of Services. Beier Howlett is ready, eager and able to offer the Village of Lake Orion continued service for all of its municipal legal needs as articulated in the Request for Proposal packet.

Please refer any questions or comments regarding our statement of qualifications to the undersigned or Mary Kucharek. We appreciate the opportunity to further discuss how Beier Howlett will provide the high quality of legal services that the Village of Lake Orion expects and

deserves. We welcome the opportunity for Mary M. Kucharek to interview personally. We look forward to hearing from you and continuing this discussion.

Very truly yours,

BEIER HOWLETT, P.C.



Michael C. Gibbons
Co-Managing Partner

Tab 1 - Identifying Beier Howlett

NAME OF FIRM: Beier Howlett, P.C.

ADDRESS AND TELEPHONE NO.:

3001 W. Big Beaver Rd., Ste. #600
Troy, MI 48084
Telephone No.: (248) 645-9400
Fax No.: (248) 645-9344
Website: www.bhlaw.us.com

PRIMARY CONTACT:

Mary M. Kucharek
Telephone Line: (248) 645-9400
Direct Dial: (248) 282-1075
Facsimile: (248) 645-9344
Email: mkucharek@bhlaw.us.com

FIRM EXISTENCE: Beier Howlett has been practicing for 122 years (est. 1903)

FIRM RESOURCES: Library, computers, in-person staffing five days per week, fax machine, copiers, scanners, file room with adequate space.

STAFF PROVIDING SERVICE:

Janine A. Cochran, Legal Assistant/Paralegal
Specialty: Municipal and litigation with over 35 years' experience.

Erin Miller, Legal Assistant
Specialty: Municipal and litigation

Beth Ryan, Office Manager

Types of Practice or Areas of Specialty

Beier Howlett is a general practice law firm focusing primarily in municipal, school and local governmental law, labor and employment law, construction law, banking law, business and commercial law, civil and criminal litigation and appeals, zoning and land use law, environmental law, family law, accident defense, estate planning, probate and trust administration, tax tribunal actions, and real estate law.

Firm Composition

Attorneys who will be assigned Village Matters:

It is our belief that integrity, communication and exceptional legal intellect are the cornerstones for effective client service. To that end, we envision that requests for information or direction for work from the Village Manager, Council, Boards and administration and/or employees would be directed to Mary M. Kucharek. She would evaluate the issue and, if appropriate, involve other qualified attorneys in responding and/or providing the appropriate service for the Village. It is possible that delegation to certain other attorneys for certain types of Village projects will occur, if it is in the Village's best interest. Tracy Gaudenzi, Michael C. Gibbons and Dena Keller would perform most of the delegated work. Jeffrey K. Haynes would handle all environmental and Brownfield matters. As a practical matter, it is Beier Howlett's general practice that all client calls are returned within an hour, but at the latest within 24 hours.

Our Firm's Expertise

General Municipal Knowledge:

Our law firm has represented municipal clients since 1958. We are well-equipped to provide counsel on a wide range of matters including, but certainly not limited to, attending and advising at Village Council, Zoning Board and any of the Village's other boards, commissions, or authorities. Our attorneys are adept at drafting general and zoning ordinances. We are able to draft resolutions to facilitate the Council's ability to act through its motions. Our proficiency in legal research is evidenced by the depth of our legal opinions and is a crucial tool for the Village Council, department heads, and the Village Manager. We are skilled in drafting and reviewing any and all Village contracts and RFPs and preparing instruments such as deeds, licenses, lease agreements, and the handling of various real estate issues. We conduct seminars for many departments, including the Police and Fire Departments. Our attorneys are comfortable and confident in any courtroom setting.

Freedom of Information Act and Open Meetings Act/Robert's Rules of Order:

The Freedom of Information Act, the Open Meetings Act and Robert's Rules of Order are used by all of our municipal and school district clients. We attend all City/Village Commission/Council meetings for our municipal clients as required by those engagements

and we are available for all meetings upon request. Today, we have more than 80 years of collective experience advising our governmental clients with respect to the Open Meetings Act, the Freedom of Information Act and Robert's Rules of Order. The attorneys that attend our clients' municipal and Board of Education meetings are well versed in Robert's Rules of Order and parliamentary procedures.

Other Legal Proceedings:

The lawyers at Beier Howlett are very experienced in various other legal proceedings. Our attorneys have appeared before the United States Supreme Court, Michigan Supreme Court, Michigan Court of Appeals, 6th Circuit Court of Appeals, Michigan Public Service Commission, Michigan Tax Commission, and Michigan Tax Tribunal, among others. Our attorneys have expertise in contract drafting and negotiations, drafting ordinances, construction law, municipal litigation, prosecutions, property tax appeals, zoning and land use matters, historic district law, tax tribunal representation, election procedures, intergovernmental agreements, Brownfield Authorities, Downtown Development Authorities, Principal Shopping District Authorities, Corridor Improvement Authorities, 425 Agreements, labor negotiations, liquor license matters, as well as all forms of labor and employment matters, arbitrations, grievances and fact findings. Beier Howlett attorneys have also represented public bodies in numerous MERC proceedings in the past in representing its school district and local governmental clients, as well as private sector clients.

Contracts Such As Intergovernmental Agreements, Cooperative Services Agreements and Technology:

Beier Howlett has drafted hundreds of contracts and intergovernmental agreements on behalf of our municipal and school clients. Telecommunications, cable television franchise agreements and the Internet are practice areas that we deal with on a daily basis. We represented the City of Birmingham against Coast to Coast Telecommunications before the Michigan Public Service Commission, developed Telecommunications Safe Harbor Permits and application forms, and the Michigan Telecommunications Act and the METRO Act. We have developed intergovernmental agreements with the county and various cities involving these types of matters.

In addition, we have assisted several municipalities and school districts in preparing cooperative service agreements, with one of the most recent being the Combined Dispatch Services Agreement between the Village of Lake Orion and the City of Birmingham.

Real Estate:

Beier Howlett has vast experience in real estate matters including zoning, planning, historic preservation and other land use issues. We have worked side-by-side with the Building, Engineering and Planning Departments and have a deep understanding of the nuances regarding real property issues.

Environmental and Brownfield Issues:

Jeffrey K. Haynes represents various clients including municipalities in various environmental and Brownfield issues. He is an esteemed attorney and has argued in front

of the Supreme Court. He is well respected in his field and has received many accolades. He has been intricately involved in resolving many sensitive land issues for the City of Birmingham.

Employment Matters:

Our attorneys frequently represent municipal and private sector clients, and school districts, with respect to numerous employment issues that often arise, including questions concerning civil rights matters, leave and disability law, discipline and discharge, and numerous other areas. While the goal is to address the issues proactively and avoid litigation, these matters have been before the Federal and State Courts as well as the Equal Employment Opportunity Commission and the Michigan Department of Civil Rights. Michael C. Gibbons handles these matters.

Our attorneys have frequently been called upon to advise clients with respect to many different labor issues including bargaining, contract disputes, unfair labor practice charges, and employee disciplinary matters. We have successfully and efficiently handled numerous grievance proceedings on disciplinary and discharge matters and other collective bargaining issues.

COVID-19:

Mary M. Kucharek assisted our municipalities extensively with the constant changing issues that surrounded the COVID pandemic and kept our clients up-to-date with the various Orders so they were complying with all laws. Helping municipalities navigate during those troubled times further demonstrated our relationship with all departments.

Bond Counsel:

Currently, Beier Howlett does not offer bond counsel services to any of its municipal or school district clients. We work closely with specialized bond counsel to ensure successful outcomes.

Contract Negotiations and Grievance Resolutions:

The attorneys at Beier Howlett have worked on contract negotiations, including fact finding and binding arbitration with many collective bargaining units both in the public and private sector. They have been involved in the grievance resolution process through all the grievance steps including arbitration.

Wage and Hour, OSHA, Worker's Compensation and Unemployment Compensation:

Our attorneys have appeared before the Michigan Employment Security Commission, Michigan Department of Civil Rights, the Equal Employment Opportunity Commission, the Michigan Employment Relations Commission, the National Labor Relations Board and the Michigan Occupational Safety and Health Administration with respect to wage and hour disputes, OSHA claims and worker's compensation and unemployment compensation benefits.

Intellectual Property:

Beier Howlett has represented municipal, school, business and individual clients in various intellectual property matters and contractual matters with third party providers. We regularly draft, review and negotiate agreements to protect the intellectual property rights of our clients, and litigate those matters when necessary.

Professional Development for Administration, Staff and Board Members:

The attorneys at Beier Howlett provide professional development training for administration, staff, officers and Board members upon the request of our clients. This includes general information as well as more detailed professional development regarding the numerous current legal issues and challenges for which our clients require counsel. Ms. Kucharek has provided most of these services to the municipal and school district clients.

Information on Training, Newsletters or Other Extra Services and Whether There is a Charge for These Services:

Beier Howlett does maintain a periodic email newsletter to its clients that supplies relevant information regarding timely topics of the day. This is provided at no charge.

Tab 2 – Offices

Beier Howlett is located at:

3001 W. Big Beaver Rd.
Ste. 600
Troy, MI, 48084
(248) 645-9400
www.bhlaw.us.com

Tab 3 – Personnel / Proposed Attorney, Team

Beier Howlett identifies Ms. Mary M. Kucharek as Primary Lead. She will be the primary service provider to the Village. Her current contact information is:

Mary M. Kucharek
Beier Howlett, P.C.
3001 W. Big Beaver Rd., Ste. #600
Troy, MI 48084
(248) 282.1075
Facsimile: (248) 645-9344

Please refer to Mary's detailed resume later in this section. Mary has been with Beier Howlett since 1997. She obtained her Bachelor of Nursing Degree in 1985 and a Juris Doctor Degree from the University of Detroit in 1992. Mary has been servicing municipal clients for over 30 years. She has had close working relationships with her municipal clients and sees her role as counselor of law. Mary has earned the honor of a member of the 2017 Class of "Women in the Law" by Michigan Lawyers Weekly. Mary earned the honor of Notable Women in Law by Crain's Detroit Business for 2021, and The Marquis Who's Who 2022-2023. Mary has also been named to the list of 2024 and 2025 Best Lawyers. She has also been named in Best Lawyers of America 2026, and Lawyer of the Year 2026 for Municipal Litigation. Mary has various community activities including a previous member of the Oakland County Mental Authority Board. She has lectured at high schools regarding laws involving alcohol, drugs, and minors, and was a frequent speaker to community groups relating to under-age substance abuse.

Dena Keller would be the lead Prosecutor with Tracy Gaudenzi and Mary Kucharek as backup. All have many years of prosecution experience, including circuit and district court.

Our prosecutorial team is very active in keeping the police and fire departments for the municipalities with which she works updated on all current laws.

Mary commits that any reassignment of team members, including herself, will not occur unless consented to by the Village Manager and/or Village Council. The Village Manager and/or Village Council will be advised of any and all personnel changes, and the Village Manager and/or Village Council will have the opportunity to agree or disagree with any of the members of the team including the Primary Lead.

Outstanding Organizational & Staffing Plan To Serve the Village of Lake Orion

Legal matters rarely touch one aspect of the law, and the Village of Lake Orion needs have evolved and will continue to do so into the future. Our organization is strong and superbly qualified because of our personnel. Our integrated team is prepared to handle the complex matters that involve multiple genres of law at once.

Our commitment to client service is our number 1 goal, and in doing so, we propose the following attorney team:

Proposed Attorney Team

Primary contact:	Mary M. Kucharek, Lead Counsel
Current Responsibilities:	Village Attorney for the Villages of Lake Orion and Bingham Farms and City Attorney for the City of Orchard Lake Village, and one of the City Attorneys for the City of Birmingham which includes a wide range of municipal expertise such as general matters, FOIA, OMA, land use, construction and telecommunications, and various matters.
Primary Prosecutor:	Dena Keller
Other Attorneys:	Michael C. Gibbons, FOIA, OMA, MMLP assigned litigation, general litigation, personal injury issues representing municipal clients, Tax Tribunal work. Mike is lead counsel for the Village of Bingham Farms and the Bloomfield Village Association. He also has a wealth of experience with business and commercial law and litigation.
	Tracy Gaudenzi-Backup and Prosecutions
	Dena Keller – Backup and Prosecutions
	Jeffrey K. Haynes – Environmental/Brownfield
	Michael C. Gibbons – Labor and Employment and Litigation
	Matt Haupt – Research Attorney and Litigation
	Please see attached Resumes.

Beier Howlett
ATTORNEYS AND COUNSELORS

MARY M. KUCHAREK

Co-Managing Partner
3001 West Big Beaver Road
Suite 600
Troy, MI 48084

T: (248) 645-9400 F: (248) 282-1095
E: mkucharek@bhlaw.us.com



PROFESSIONAL EXPERIENCE

Beier Howlett, P.C.- Troy, Michigan **1997- present**

Shareholder, 2021-present
Partner, 2012-2020
Associate, 1997-2012

- Village of Lake Orion, Village Attorney: 2016-present
- City of Orchard Lake Village, City Attorney: 2011-present
- Village of Bingham Farms, Village Attorney: 2025-present
- City of Birmingham, City Attorney: 2020-present
- Prosecutes ordinance violations for the Village of Lake Orion, City of Orchard Lake Village and the City of Birmingham.
- Duties as prosecuting attorney include defending the Village/City ordinances, jury trials and amending, and drafting new ordinances.

Law Office of Mary Kucharek- Royal Oak, Michigan **1994-1997**

Solo Practitioner

- Practice focused on the area of criminal defense, representing clients through all facets of the criminal process (misdemeanors, felonies, OUIL, license restoration etc.).

Medical Legal Consulting- Royal Oak, Michigan **1994-1997**

Medical Consultant

- Reviewed and summarized records in medical malpractice and personal injury cases (both plaintiff and defense).
- Provided detailed research and medical background for particular medical conditions
- Provided analysis of the liability picture for clients.

Oakland County- Pontiac, Michigan **1992-1994**

Assistant Prosecuting Attorney

- Duties consisted of the prosecution of misdemeanor and felony cases in Oakland County District Court, including bench and jury trials, felony exams, plea bargains, sentencing's, etc.

Macomb Hospital **1985-1997**
Registered Nurse
- Patient care in a variety of clinical settings, including medical/surgical and rehab, among others.

EDUCATION

University of Detroit- Detroit, Michigan **1992**
Juris Doctor, Cum Laude

University of Detroit- Detroit, Michigan **1989**
Bachelor of Science in Nursing, Summa Cum Laude

Macomb Community College- Clinton Township, Michigan **1985**
Associate degree in nursing, Magna Cum Laude

ADMITTED TO PRACTICE

- Michigan- 1992
- U.S. District Court- 2020

ACCOMPLISHMENTS

- Village Attorney for the Village of Lake Orion
- City Attorney for the City of Orchard Lake Village
- Village Attorney for the Village of Bingham Farms.
- City Attorney for the City of Birmingham
- Named to Best Lawyers of America 2026
- Named as Lawyer of the Year 2026 for Municipal Litigation
- Named to 2025 Best Lawyers
- Named to 2024 Best Lawyers
- Named to 2022-2023 The Marquis Who's Who
- Named to 2021 "Notable Women in the Law" by Crain's Detroit Business
- Member of the 2017 Class of 'Women in the Law' by Michigan Lawyers Weekly
- Jerome P. Cavanaugh Academic Scholarship (University of Detroit Law School)
- Order of the Barristers (University of Detroit Law School)
- First in Class University of Detroit Nursing School

COMMUNITY ACTIVITIES

- Oakland County Mental Health Authority-Board Member
- Moot Court Board-Past President
- Local community support
- Active in personal church community
- Active member in various school clubs in community
- Oakland County Bar Association Inns of Court Mentor

- State Bar of Michigan
- Oakland County Bar Association
- District Court Bench-Bar Conference

Beier Howlett
ATTORNEYS AND COUNSELORS

MICHAEL C. GIBBONS

Co-Managing Partner
3001 West Big Beaver Road
Suite 600
Troy, MI 48084

T: (248) 282-1069 F: (248) 645-9344
E: mgibbons@bhlaw.us.com



PROFESSIONAL EXPERIENCE

Beier Howlett, P.C.- Troy, Michigan **1994- present**

Shareholder, January 2006-present
Partner, 2001-2005
Associate, 1994-2000

- Represents public and private sector clients including municipalities, school districts and business clients ranging in size from small, closely held businesses to large, multi-national corporations.
- Experienced in municipal litigation, labor relations and employment law, FOIA and OMA issues, general municipal issues (ordinance enforcement, First Amendment issues, land use and zoning), property taxes and Tax Tribunal proceedings, and general business and commercial matters.
- Significant civil litigation experience in all dispute resolution forums, including state and federal courts (trial and appellate), NLRB, MERC, EEOC, MDCR, as well as private arbitration and mediation.
- Prepare and help implement policies and procedures to comply with applicable laws and reduce likelihood of claims.
- Conduct workplace investigations and serve as an expert defense witness in employment discrimination claims.

EDUCATION

Detroit College of Law (Now Michigan State University College of Law) - Detroit, Michigan **1994**
Juris Doctor

University of Michigan- Dearborn, Michigan **1989**
Bachelor of Arts- Economics

Beier Howlett
ATTORNEYS AND COUNSELORS

ADMITTED TO PRACTICE

- Michigan Bar- 1994
- U.S. Court of Appeals, 6th Circuit- 2004
- U.S. District Court, Eastern District of Michigan- 1994
- U.S. District Court, Western District of Michigan- 2002
- U.S. District Court, Eastern District of Wisconsin- 2007
- U. S. District Court, Northern District of Illinois- 2010

ACCOMPLISHMENTS

- Named to the 2025 Class of “Leaders in the Law” by Michigan Lawyers Weekly
- Named “Go To Lawyer” in Business Litigation by Michigan Lawyers Weekly, 2025
- Named "Notable Leader in Employment and Labor Law 2023" by Crain's Detroit Business
- Named to "Best Lawyers in America" in 2023, 2024, 2025, 2026
- Named "Go To Lawyer" In Business Law 2022 by Michigan Lawyers Weekly
- Named “Leaders in the Law” 2025 by Michigan Lawyers Weekly
- Named Top Lawyer, dbusiness Magazine
- Publications:
- Co-Author of Navigating the Legal Waters of International Commerce-Michigan Bar Journal, March 2011

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COMMUNITY ACTIVITIES

- State Bar of Michigan
- Oakland County Bar Association
- Oakland County Bar Association Fellows Program
- Incorporated Society of Irish American Lawyers
- Michigan Counsel of School Attorneys
- Catholic Central Lawyers Alumni Association

Beier Howlett
ATTORNEYS AND COUNSELORS

TRACY GAUDENZI

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PROFESSIONAL EXPERIENCE

Beier Howlett, P.C.- Troy, Michigan **November 2021- present**
Associate Attorney

- Assistant City Attorney for the City of Birmingham, City of Orchard Lake Village, and the Village of Lake Orion.
- Prosecutes ordinance violations for the City of Birmingham, the City of Orchard Lake Village, and the Village of Lake Orion.
- Defends City ordinances, jury trials and amending, and drafting new ordinances.
- Provides updates on legal issues and concerns to law enforcement.
- Review request for issuance of warrants and prepare Complaint and Warrants for entry with the Court.

Torni Gaudenzi Law, PLLC- West Bloomfield/Farmington Hills Michigan. **2013-2021**
Owner/Attorney

- General Practice: Family Law, Criminal Defense, Estate Planning and Wills.
- Court Appointed Defense Attorney-48th District Court (2013-2021), 45th District Court (2019-2021), 46th District Court (2013-2021), 47th District Court (2019-2021)
- Managed office, caseload, calendar, and client contact.
- Conducted legal research.
- Drafted pleadings and client letters.
- Interviewed and evaluated potential clients.
- Negotiated with opposing counsel and interested parties.
- Filed pleadings at Court.

Financial Services of America- Warren, Michigan **2011-2012**
Associate General Counsel

- Advised the Chief Executive Officer regarding legal matters.
- Directly and solely responsible for all corporate and regulatory compliance issues related to business strategy and policies.

- Negotiated and drafted contractual documents including, in part, employment contracts, non-compete agreements, non-disclosure agreements, non-profit sponsorship agreements, leases, and purchase and sales agreements.
- Conducted legal research.
- Investigated, evaluated, and responded to unemployment insurance claims.
- Managed and prepared compliance procedures and policies.
- Pursued outstanding debts owed to a company.
- Responded to OFIR and Attorney General regulatory complaints.
- Interviewed and evaluated outside counsel.

McAvoy Law Firm- Taylor, Michigan **2009-2011**
Associate Attorney

- Litigation and trial experience.
- General Practice: Family Law, Criminal Defense, Estate Planning and Wills, and Bankruptcy.
- Managed own case-load, calendar, and client contact.
- Conducted legal research.
- Drafted pleadings and client letters.
- Interviewed and evaluated potential clients.
- Negotiated with opposing counsel and interested parties.
- Filed pleadings at Court.

Michael L. Bars & Associates-Waterford, Michigan **2004-2009**
Associate Attorney/Law Clerk

- Litigation and Second Chair trial experience.
- Managed heavy case-load and maintained close client contact.
- Conducted legal research.
- Drafted legal documents and client letters.
- Interviewed and evaluated potential clients.
- Negotiated with opposing counsel and interested parties.
- Filed pleadings at Court.

EDUCATION

University of Detroit Mercy School of Law- Detroit, Michigan **2005**
Juris Doctor

Albion College- Albion, Michigan **2002**
Bachelor of Arts

ADMITTED TO PRACTICE

- Michigan- 2005
- Eastern District of Michigan-2010

Beier Howlett
ATTORNEYS AND COUNSELORS

ACCOMPLISHMENTS

- Named to Best Lawyers of America 2026
- Member of the 2025 Influential Women of Law by Michigan Lawyers Weekly
- Named to 2025 Best Lawyers
- Criminal Justice Security and Privacy Certification
- Past St. Thomas More Society Board Member
- Women's varsity soccer team for Albion College-Team inducted into Hall of Fame in 2013
- Women's Law Caucus Member
- Studied in Venice, Italy

COMMUNITY ACTIVITIES

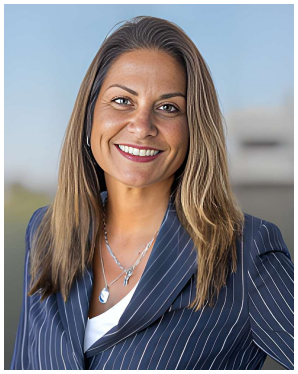
- National District Attorneys Association
- State Bar of Michigan
- Criminal Law Section-State Bar of Michigan
- Oakland County Bar Association
- Executive Board Member at local preschool
- PTA member and volunteer at local elementary

Beier Howlett
ATTORNEYS AND COUNSELORS

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E: dkeller@bhlaw.us.com



PROFESSIONAL EXPERIENCE

Beier Howlett, P.C.- Troy, Michigan **2025- present**

Associate, September 2025-present

- City Prosecutor for the City of Birmingham, City of Orchard Lake Village, and the Village of Lake Orion.
- Advise and collaborate with opposing counsel, police officers, and victims.
- Write, research, and argue legal briefs.
- Conduct trials, evidentiary hearings, formal hearings, and plea negotiations.
- Substantial trial experience.
- Substantial experience pertaining to drug prosecution and search and seizure.

Macomb County Prosecutors Office- Macomb, Michigan **1998-2025**

Principal Trial Attorney
Drug Unit-Chief
Warrants Division-Deputy Chief
Family Domestic Violence Unit- Deputy Chief
Circuit Court
District Court
Juvenile Division
Appellate Unit

- Worked in conjunction with DEA, FBI, HSI, Border Patrol, and joint task forces involved in Circuit, District, Drug Unit, and Juvenile Court.
- Conducted and prepared for probable cause conferences, pretrials, preliminary exams, evidentiary hearings, and jury trials as well as termination trials, preliminary inquiries, dispositional reviews, release of parental rights, post-termination reviews, and related hearings in abuse/neglect matters.
- Researched, wrote, reviewed, and argued legal issues involving state and federal law.
- Reviewed police reports to make expedient charging decisions in authorizing or denying all warrants including homicides submitted by police departments in Macomb County.
- Vertically prosecuted drug, domestic violence, and juvenile cases from authorization of warrants through trial.

- Prosecuted homicide and multi codefendant criminal enterprise cases.
- Trained narcotics police crews as well as MSP forensic scientists, DEA, police academy cadets and interns on search and seizure, expert testimony, surveillance, drug trends, report writing, medical marijuana, and how to testify at trial.
- Trained police officers on juvenile substance abuse issues.
- Supervised, trained, and monitored second chair prosecutors and unit staff attorneys.

EDUCATION

Detroit College of Law (Now Michigan State University College of Law) - Detroit, Michigan **1995**
Juris Doctor

Michigan State University- Lansing, Michigan **1988**
Bachelor of Arts

ADMITTED TO PRACTICE

- Michigan Bar- 1995

ACCOMPLISHMENTS

- Effective leader, promoting teamwork, communication, and a positive work environment.
- Specialized knowledge of search and seizure issues.
- Exceptional interpersonal skills and ability to establish a rapport with coworkers, judges, police officers, and social service agents.

COMMUNITY ACTIVITIES

- State Bar of Michigan
- Oakland County Bar Association
- Macomb County Bar Association

Beier Howlett
ATTORNEYS AND COUNSELORS

JEFFREY K. HAYNES

Partner
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Troy, MI 48084

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E: jkhaynes@bhlaw.us.com



PROFESSIONAL EXPERIENCE

Beier Howlett, P.C.- Troy, Michigan **2000- present**

Partner

- Environmental litigation.
- Environmental law.
- Municipal law.
- Criminal (environmental).
- Appellate and general civil practice.

Rentrop, VanderKloot, Haynes & Morrison- Bloomfield Hills, Michigan **1992-2000**

- Environmental litigation.
- Environmental law.
- Appellate and general civil practice.

VanderKloot & Haynes, P.C.- Bloomfield Hills, Michigan **1983-1992**

- Environmental litigation.
- Commercial litigation.
- Real estate.
- Probate.
- Appellate and general civil practice.

Siudara, Rentrop & Martin- Bloomfield Hills, Michigan **1979-1983**

- General practice with emphasis on municipal, environmental, plaintiff personal injury and labor law.

Karaganis & Gail, Ltd.,-Chicago, Illinois **1977-1979**

- Complex federal environmental litigation, negligence and products liability defense litigation, and commercial and corporate law.

Environmental Law Reporter- Washington, D.C. **1976-1977**
- Associate Editor

Municipal Affairs and Social Services Division- State of Michigan **1975**
- Assistant Attorney General

EDUCATION

The University of Michigan Law School- Ann Arbor, Michigan **1975**
Juris Doctor

The University of Michigan- Ann Arbor, Michigan **1972**
Bachelor of Arts with high distinction

ADMITTED TO PRACTICE

- Michigan- 1975
- Illinois-1978 (to 2019)
- District of Columbia- 1979 (to 2019)
- U.S. Supreme Court- 1979
- U.S. Sixth Circuit Court of Appeals- 1988
- U.S. Seventh Circuit Court of Appeals- 1977
- U.S. Federal Circuit Court of Appeals- 2004
- U.S. Eastern District of Michigan- 1986
- U.S. Western District of Michigan- 1997
- U.S. Northern District of Illinois- 1978
- U.S. Court of Federal Claims- 1997

ACCOMPLISHMENTS

- Fellow, American College of Environmental Lawyers (2013-present)
- Fellow, Michigan State Bar Foundation
- Editor, Michigan Environmental Law Deskbook, Second Edition (2010)
- Authored chapter on Michigan Enviornmental Protection Act in the Michigan Environmental Law Deskbook
- Best Lawyers in America-Environmental Litigation & Environmental Law (1989-present)
- Michigan Super Lawyers (2007, 2012-present)
- Who's Who in American Law (2007-present) & Who's Who in America (2008-present)
- Michigan Department of Natural Resources and Environment, Enviornmental Advisory Council (2007-2010)
- State Bar of Michigan, Enviornmental Law Section, Distinguished Service Award (1996)

Beier Howlett
ATTORNEYS AND COUNSELORS

COMMUNITY ACTIVITIES

- State Bar of Michigan, Environmental Law Section (Chair 1987-1988, Council Member 1981-1985, 1989-1995, 2006-2012)
- Oakland County Bar Association, Environmental Law Committee (Chair 1990-1991)
- American Bar Association- Vise Chair, Ethics Committee, Section on Natural Resources, Energy and Environmental Law (1993-1998)
- Kiwanis Club of Royal Oak-Chair, Major Emphasis Committee (1987-1990); Chair, Youth Services Committee (1985-1990, 1997-1998); Board of Directors (1987-1989, 1995-1997, 2001-2011); Treasurer (2011-2017)
- Oakland County Bar Association- Environmental Law Committee (Chair, 1990-1991)
- East Michigan Environmental Action Council-Board of Advisors (1979-1987, 1988-2009)
- Club Scout Pack 1607- Committee Chair (1991-1996)
- Boy Scout Troop 1610- Assistant Scoutmaster (1999-2003)
- WKBD TV 50- Earthworks Advisory Board (1991-1994)
- Kirk in the Hills Presbyterian Church- Elder (2012-2014); Music Committee (2012-present); Chair, Acoustics Committee (2016); Chancel Choir (2000-2017)

SEMINARS

- Emerging Riparian Access Issues, seminar on Water (Troy, 2003)
- So Your Client Wants to Get an Injunction (Enviornmental Law Section, 2007)
- Speaker at numerous continuing legal education seminars and programs
- Adjunct lecturer in environmental law, The University of Michigan-Dearborn (1987-2016)

Beier Howlett
ATTORNEYS AND COUNSELORS

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E: mhaupt@bhlaw.us.com



PROFESSIONAL EXPERIENCE

Beier Howlett, P.C.- Troy, Michigan **2025- present**

Associate

- Provides comprehensive legal expertise and advises clients on estate planning strategies, including wills, trusts, deeds, and powers of attorney, to protect assets and ensure smooth transitions.
- Draft and review comprehensive estate planning documents, customizing wills, trusts, and powers of attorney to address family dynamics, asset protection, tax efficiency, and probate avoidance.
- Represent clients in probate proceedings, guiding families through estate administration and court processes to efficiently settle estates.
- Counsel personal representatives and trustees on fiduciary responsibilities, ensuring compliance with Michigan probate and trust laws.
- Assist in trust administration, including asset distribution, trust funding, and resolving beneficiary disputes.
- Handle contested probated matters, negotiating settlements and advocating for clients in probate court when necessary.
- Conduct legal research and analysis on complex estate and probate issues to provide strategic guidance to clients.

Mihelich & Kavanaugh, PLC-St. Clair Shores, Michigan **Feb. 2024-Jan. 2025**

Associate

- Advise clients on the creation and execution of estate planning documents, ensuring compliance with state and federal laws.
- Represent clients in probate court and family law disputes, advocating for fair outcomes in contested matters.
- Represent clients on estate administration, including managing probate proceedings, filing required documents with the court, and ensuring proper distribution of assets to beneficiaries.
- Conduct legal research on estate law, tax implications, and asset protection, providing clients with strategic legal counsel.
- Provide comprehensive legal counsel on trust administration, including the management and modification of revocable trusts while ensuring fiduciary compliance.

Beier Howlett
ATTORNEYS AND COUNSELORS

Troy School District- Troy, Michigan **Jan. 2023-Present**
School Board Trustee

- Advocate for equitable education policies and procedures to improve student outcomes across Troy's diverse student body.
- Oversight of a community approved $555 million bond to address aging infrastructure district-wide and provide modern learning environments for all students, demonstrating leadership in education policy and resource and resource equity.
- Part of the "District Policy Committee" and "Board Liaison for the District Improvement Team."
- Collaborate with educators, parents, and community members to develop initiatives promoting deep learning within district classrooms, while fostering equity and inclusivity for all students.

Sirius XM/Pandora **Apr. 2013- Feb. 2024**
Senior Manager, Client Services

- Led, developed, and managed a high-performing team of eight Account Managers and Associate Account Managers, overseeing and generating over $50M in annual advertising revenue.
- Analyzed and assessed media-relevant contracts, including insertion orders, data privacy agreements, ad-serving agreements, and other third-party contracts.
- Excelled in a fast-moving environment, driving initiatives with substantial complexity to completion and using strong business judgment for revenue-impacting decisions.
- Empowered team members to handle internal and external conflicts and issues independently through coaching and mentoring.
- Served as the office "Culture Carrier" actively facilitating employee experience initiatives while in-office, fostering a positive and inclusive work environment.
- Involved member of culture groups such as PRIDE (LGBTQIA+) and MIXTAPE (diversity, equity, and inclusion).

EDUCATION

Wayne State University Law School-Detroit, Michigan **2022**
Juris Doctor

Michigan State University- Lansing, Michigan **2007**
Bachelor of Arts- Economics

ADMITTED TO PRACTICE

- Michigan Bar- 2022

ACCOMPLISHMENTS

- Board member for the Troy School District, January 2023-Present
- Received the MASB Certified Board Member Award and the MASB Award of Merit.
- Participated in the Immigration Appellate Advocacy Clinic and the Community Advocacy Clinic at Wayne State University Law School

Beier Howlett
ATTORNEYS AND COUNSELORS

COMMUNITY ACTIVITIES

- State Bar of Michigan
- Member of the Elder Law & Disability Rights, Probate and Estate Planning, and LGBTQ+ Law sections of the State Bar of Michigan
- Oakland County Bar Association
- Member of the Probate, Estate, and Trust Committee, New Lawyers Committee, and PALS Committee of the Oakland County Bar Association
- Macomb County Bar Association

Attorney Team And Resources

ATTORNEYS ASSIGNED TO SERVICE ACCOUNT:	Mary M. Kucharek (Primary), Tracy Gaudenzi, Michael C. Gibbons, Dena Keller
SPECIALITY ATTORNEY:	Jeffrey K. Haynes, Environmental Law and Brownfield Matters Michael C. Gibbons, Labor and Employment related matters, Business/Commercial law, and General Litigation Tracy Gaudenzi and Dena Keller, Prosecutorial Attorneys
FIRM RESOURCES:	Library, computers, in-person staffing five days per week, fax machine, copiers, scanners, file room with adequate space.
STAFF PROVIDING SERVICE:	Janine A. Cochran, Legal Assistant/Paralegal Specialty: Municipal and litigation with over 35 years' experience. Erin Miller, Legal Assistant Specialty: Municipal and litigation Beth Ryan, Office Manager
LICENSED ATTORNEYS:	Beier Howlett has a total of 8 attorneys who are all licensed through the State Bar of Michigan

Tab 4 – Staffing

Paralegals and Support Staff

Beier Howlett has one Legal Assistant, and one Legal Assistant/Paralegal, whose is an affiliate member of the State Bar of Michigan – Paralegal/Legal Assistants' Section. Each can assist the Village in general municipal matters and litigation including, but not limited to maintaining court dockets, drafting and amending ordinances, contracts, warrants and complaints, legal research, drafting letters, resolutions, reports, memoranda, pleadings, and various real estate documents.

Beier Howlett also has experienced support staff as well as other partners and associates who complement our attorneys in providing legal services to our clients. The firm has an extensive library that includes State and Federal materials as well as online researching capabilities including, but not limited to the proficient use of Westlaw, Institute of Continuing Legal Education and various periodicals.

Beier Howlett is quick to respond to our municipalities through memoranda or reports addressing new laws, bills, or concerns our clients may have.

Beier Howlett has adequate staff to serve the Village and will not have to add personnel.

Tab 5 – Statement of Qualifications and Experience

General Municipal Law Experience

Our attorneys are experienced in reviewing, drafting and amending ordinances, and we are proficient in advising our clients regarding:

- Drafting, amending ordinances;
- Contract negotiations;
- Construction law;
- Municipal litigation;
- Municipal Prosecutions;
- FOIA and Open Meetings Act issues;
- Property tax appeals;
- Zoning and land use matters;
- Historic district law;
- Tax tribunal representation;
- Election procedures;
- Inter-governmental agreements;
- Brownfield Authorities;
- Downtown Development Authorities;
- Principal Shopping Districts;
- Corridor Improvement Districts;
- 425 Agreements;
- Cable television and telecommunications;
- Labor negotiations;
- Liquor License Matters;
- Tenure matters;
- Library matters; and,
- Cemetery laws.

Our municipal attorneys have substantial experience in attending all types of public meetings (including City Commission, Planning Commission, Board of Zoning Appeals and Historic District Board) and are familiar with Robert's Rules of Order and the preparation of motions and resolutions to assist council in conducting its business.

Labor and Employment Law Experience

Our attorneys are experienced in various facets of labor law including, but not limited to:

- Labor Negotiations;
- Contract Administration;
- Labor & Employment Grievances;
- FMLA and State Leave Law requirements and interrelationship between FMLA, ADA and Worker's Compensation;
- COBRA;
- Worker's Compensation;
- Unemployment Insurance appeals;
- Unemployment litigation;
- Unfair Labor practice;
- Contract negotiations;
- Wage/Hour issues;
- Civil Rights Claims;
- Grievance Arbitrations;
- Public sector employment relations law (including state and federal wage and hour FSLA law);
- Fair Employment laws and regulations;
- HIPAA;
- Employee/Employer relationship from hiring to termination;
- Personnel policy and testing requirements;
- State/federal EEO issues;
- Whistleblower Complaints;
- Internal Investigations;

- State and local drug testing requirements;
- Mediation and interest arbitrations;
- Affordable Care Act;
- Separation Agreements and other employment agreements;
- Employee health and welfare benefits.

Real Estate Law

- Municipal Acquisition of Property;
- Purchases & Sales;
- Leases;
- Easements;
- Construction Contracts; and
- Building Code;
- Construction Litigation.

Court Experience of Attorneys Assigned To Village Matters

Our attorneys have appeared before:

- Michigan District and Circuit Courts, Court of Appeals and Supreme Court;
- Federal District and Circuit Courts, and United States Supreme Court;
- Sixth Circuit Court of Appeals;
- Michigan Employment Security Commission;
- Michigan Department of Civil Rights; and,
- Equal Employment Opportunity Commission.
- Michigan Employment Relations Commission;
- National Labor Relations Board;
- Michigan Occupational Safety and Health Administration;
- Michigan Public Service Commission;
- Michigan State Tax Commission; and,
- Michigan Tax Tribunal.

Executive Summary: Attorneys – A Seasoned Team

Beier Howlett Firm Benefit - Beier Howlett operates as a partnership amongst its attorneys, and we treat all clients as clients of the firm rather than one particular lawyer. While you will always have a single point of contact, having the entire firm available provides you with the bench strength the Village of Lake Orion requires. This interdisciplinary collaborative approach has earned Beier Howlett the highest accolades for our legal services and client relations time and time again.

Passion and Commitment – Beyond experience and professional skill, each of the attorneys at Beier Howlett is also passionate and dedicated to continuing to produce excellent results for the Village of Lake Orion. We are deeply committed to continue working collaboratively with the Village of Lake Orion and all of its stakeholders to protect the Village, find solutions to the Village's most difficult problems, and ensure the Village of Lake Orion remains as strong as possible long into the future.

Long History - Beier Howlett has served its clients in Michigan's tri-county area, across the state and nationally, since the firm's founding in 1903. Our attorneys are committed to the strictest personal and professional ethics as evidenced by the firm's AV rating in the Martindale Hubbell Law Directory. Our attorneys are passionately committed to the needs of our clients and focus on each client's background, circumstances and aspirations with respect to each matter and service provided. Our firm is organized as a professional corporation and currently has 8 attorneys, 2 of whom are shareholders. While Beier Howlett is a full service law firm, specializing in numerous areas, the remainder of this summary will be focused on municipal and other public sector areas.

Clients We Serve - Beier Howlett currently serves as Village Attorneys to the Village of Lake Orion and the Village of Bingham Farms, and City Attorney to the City of Orchard Lake Village and to the City of Birmingham. We also represent Dearborn Public Schools and Lincoln Consolidated Schools. Our attorneys are experienced in providing legal opinions to municipal clients, and we are proficient in ordinance drafting, contract negotiations, construction law, municipal litigation, prosecution, property tax appeals, zoning and land use matters, historic district law, tax tribunal representation, election procedures, intergovernmental agreements, Brownfield Authorities, Downtown Development Authorities, Principal Shopping Districts, Corridor Improvement Districts, 425 Agreements, FOIA and Open Meetings Act issues, cable television and telecommunications, and labor and employment matters. Our municipal attorneys have substantial experience in attending all types of public meetings (including City/Village Council, City Commission, Planning Commission, Board of Zoning Appeals and Historic District Board) and are familiar with Robert's Rules of Order and the preparation of motions and resolutions to assist the Village in conducting its business.

Seasoned Attorneys - Our attorneys have appeared before the United States Supreme Court, Michigan Supreme Court, Michigan Court of Appeals, and Sixth Circuit Court of Appeals, as well as the U.S. District Courts, numerous State of Michigan Circuit and District Courts, Michigan Employment Security Commission, the Michigan Department of Civil Rights, the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, the National Labor Relations Board, the Michigan Occupational Safety and Health Administration, the Michigan Public Service Commission, Michigan State Tax Commission and the Michigan Tax Tribunal.

Other Experience, Important References & Reputation

We are proud to bring to your attention the relevant experience and unique attributes Beier Howlett attorneys can offer the Village of Lake Orion. All of our attorneys engage in the Oakland County Bar Association activities and continuing education. We are encouraged to participate in the Institute for Continuing Legal Education (ICLE) seminars. The firm also subscribes to Lawyers Weekly and Crain's publications and receives periodic training on legal research. Beier Howlett maintains an extensive law library with regular updates on relevant topics of law, as well as staying current with the latest technological advances to streamline office functions.

Mary Kucharek takes great time and effort to know her clients on a very deep level. Probably her proudest moment is when her clients offered statements which, as a result, named her a Crain's Most Notable Women in Law.

"As a Board Member of our Oakland Community Health Network (OCHN), which provides services & supports to 27,000 persons in Oakland County who are developmentally disabled, suffer from Substance use, mental illness, or children with severe emotional disturbances or autism, Mary has worked tirelessly, with exceptional energy, in helping us evolve how we provide our services and in how we work with the various court, the guardians, the jails, and in introducing and driving evolutionary change in how we collaborate to better coordinate services to help these people we all serve with the intent to improve effectiveness and reduce recidivism. She really is amazing."

~ Jonathan Landsman, Board Chairman ~
Oakland Community Health Network

"Mary has an incredible depth of knowledge, always ready with valuable resources needed for efficient and effective deliberation. She is the epitome of the "caring Lawyer", with a professional and intelligent style, a sharp wit, and a confident presence so critical to a body of decision makers."

~ Ken Van Portfliet ~

Michael C. Gibbons has successfully defended and advised municipalities regarding numerous torts that have occurred throughout the years. Mike is also very familiar with the Tax Tribunal work and has created a great working relationship with the Oakland County taxing authorities, thereby helping municipalities to be in the best position possible when dealing with tax appellate actions.

In addition to labor and employment laws, Mike Gibbons is highly experienced in business and commercial transactions which the Village likely engages in every day, and litigation of disputes that may arise in those areas. Commercial issues regularly arise with respect to termination issues, contract/warranty breaches, required notices, cure rights, exculpatory contract provisions, just to name a few. Mike's work in both the public and private sectors definitely positions him to advise the Village of all business and commercial transactions.

Jeff Haynes has unique environmental law knowledge and experience like no other. Working as a professor at U of M Dearborn and contributing to many environmental law books used widely by other attorneys, empowers Jeff to be one of the greatest foremost environmental attorneys in the state, if not the country. Jeff has argued before the United States Supreme Court and has used his abilities to obtain favorable outcomes for many legal battles of municipalities.

- For decades, Beier Howlett has maintained the highest rating of "AV" in Martindale Hubbell.
- Our firm has been named "Best Lawyers, Best Firm" by U.S. News & World Report 2020-2021.
- Our firm has been named "Best Law Firm" 2024 by Best Lawyers.

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"Beier Howlett, P.C. provides the City with excellent and timely legal advice on all matters related to governmental functions. What a great team of municipal lawyers to have on your side."

~ Gerry McCallum ~
City of Orchard Lake Village
Director of City Services

Tab 6 – Reasons Why Beier Howlett should be considered

Specific reasons why the Village of Lake Orion should continue legal services with the law offices of Beier Howlett is because we are uniquely positioned to know and understand the Village and its needs. We have served the Village of Lake Orion since 2016 with appreciation for the economy and limited resources of the Village of Lake Orion. Our attorneys, especially Mary Kucharek, have served the Village with exceptional care, diligence, and thoughtfulness, consistently mindful of the legal fees charged to the Village. Over the years of serving the Village, the law offices of Beier Howlett has addressed a variety of unique issues, consistently striving to meet the specific needs of both residents and the Council with thoughtful care and consideration, particularly in a community distinguished by its historic and unique properties. The Village's needs will remain unique, particularly in recognizing and addressing land ownership as it relates to the lake and lakefront property owners. The Village will continue to have unique needs regarding the relationship with the DDA and its Board of Directors. The Village will continue to have unique needs regarding the potential to become a City and all that will be needed to navigate that change. The Village will continue to have unique needs in maintaining the historic preservation of all of its areas and sites that have been designated historic landmarks or districts.

Beier Howlett, through its attorneys, specifically Mary Kucharek, has a thorough knowledge and unique position to know the Village's concerns, priorities, and players. Over the years, the law offices of Beier Howlett have had the privilege of serving the Village of Lake Orion, gaining a unique understanding of its distinct character, valuable assets, and vibrant community, recognizing that it stands apart from other municipalities while it sits within the larger Township. By continuing a relationship with Beier Howlett, the Village will save not only time, but financial resources as Beier Howlett will not require a learning curve because we have already been walking with you for the past 9 years.

Finally, we have the unique opportunity to continue a relationship working with not only the Village Council, but the Village Manager. The Lead Attorney and the Village Manager have a familiarity with a great working relationship which at the end of the day saves the Village financially and with time expediency.

Tab 7 - Client References

City of Orchard Lake Village

3955 Orchard Lake Rd., Orchard Lake, MI., 48323
(248) 682-2400

Mr. Gerry McCallum, Director of City Services
Email: DCS@CityofOrchardLake.com

Police Chief Jeffrey Gomez
Email: policechief@cityoforchardlake.com

Contract Start Date & Duration: 2011 to present
Type of contract: Full municipal legal services
Role in representation: City Attorney

Village of Bingham Farms

2455 Thirteen Mile Rd., Suite 190, Bingham Farms, MI 48025
(248) 644-0044

Ms. Jamie Moore, Village Manager
Email: jmoore@binghamfarms.org

Contract Start Date & Duration: 2025 to present
Type of contract: Full general municipal legal services
Role in representation: Village Attorney

City of Birmingham

151 Martin Street, Birmingham, MI 48009
(248) 530-1800

Ms. Jana L. Ecker, City Manager
Email: jecker@bhamgov.org

Police Chief Scott Grewe
Email: sgrewe@bhamgov.org

Contract Start Date & Duration: 1958 to present
Type of contract: Full municipal legal services
Role in representation: City Attorney

Dearborn Public Schools

18700 Audette St., Dearborn, MI 48124
(313) 827-3021

Dr. Glenn Maleyko, Superintendent
Email: maleykg@dearbornschools.org

Contract Start Date & Duration: 2003 to present
Type of contract: Full school legal services
Role in representation: General Counsel and Labor/Employment Counsel

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Bloomfield Village Association

3595 Bradway Boulevard, Bloomfield Village, MI 48301
(248) 594-8376

Ms. Cathy Weissenborn, Village Manager
Email: villagemanager@bloomfieldvillage.net

Contract Start Date & Duration: 2012 to present
Type and size of contract: Full association legal services
Role in representation: Legal Counsel

Additional references available upon request.

Tab 8– Conflict of Interest / Qualifications

Beier Howlett currently serves as Village Attorneys for the Village of Lake Orion and Village of Bingham Farms and City Attorney for the City of Orchard Lake Village and City of Birmingham. Additionally, we represent Dearborn Public Schools and Lincoln Consolidated Schools. Our attorneys are experienced in providing legal opinions to municipal clients, and we are proficient in ordinance drafting, contract negotiations, construction law, municipal litigation, prosecution, property tax appeals, zoning and land use matters, historic district law, tax tribunal representation, election procedures, inter-governmental agreements, Brownfield Authorities, Downtown Development Authorities, Principal Shopping Districts, Corridor Improvement Districts, 425 Agreements, FOIA and Open Meetings Act issues, cable television and telecommunications, and labor negotiations and tenure matters. Our municipal attorneys have substantial experience in attending all types of public meetings (including City/Village, Council, City Commission, Planning Commission, Board of Zoning Appeals and Historic District Board) and are familiar with Robert's Rules of Order and the preparation of motions and resolutions to assist the Village in conducting its business.

Beier Howlett does not currently represent any client where we believe our representation would conflict with our ability to serve the Village of Lake Orion, nor has the firm represented any such client at any time in the past.

If we believe there is a potential conflict of interest, our attorneys will, at the first notion, determine carefully whether a conflict exists. If one potentially exists, we will discuss the issue with the Village Manager and/or Village Council as necessary and find a solution acceptable to the Village. We believe our team's strong ethics and commitment to integrity makes ours a respected law firm. Because we firmly believe in the importance of ethics, we voluntarily drafted an Ethics Ordinance for the Village, gratis, after consulting with the Village of Lake Orion.

Our firm does not represent any real estate developers doing business with or anticipated doing business with the Village of Lake Orion.

To ensure we are proactive, we continually work to identify any potential conflicts of interest by utilizing a billing software program to search for conflicts. When new cases arise, we contact each member of our firm as to any potential conflicts.

We believe Beier Howlett has no adverse interest to the Village of Lake Orion.

Tab 9– Day-to-Day Activities

Mary Kucharek:

Beier Howlett identifies Ms. Mary M. Kucharek as Primary Lead for all day-to-day activities. It is our belief that integrity, communication and exceptional legal intellect are the cornerstones for effective client service. To that end, we envision that all work to be performed for the Village of Lake Orion comes from the direction and collaboration from the Village Manager, Council, and as directed, Boards and administration and/or employees of the Village. Mary will conduct legal research and draft opinions as directed by the Village. It is anticipated that as Lead Attorney for the Village, she will attend meetings on behalf of the Village as directed by the Village Manager.

Tracy Gaudenzi and Dena Keller:

Tracy Gaudenzi and Dena Keller will handle all day-to-day activities involving prosecutorial matters. This includes, but is not an exhaustive list, communicating with the Police Chief and Police Officers to discuss cases and provide education. The two attorneys will also be prepared for all court appearances on behalf of the Police Department and attend any meetings or educational meetings at the direction of the Police Chief and/or Village Manager.

Other Attorneys:

At times it is best to delegate certain types of Village projects for specialty legal work. In this case, Mike Gibbons would perform most of the delegated work regarding labor and employment issues and complex contract issues. Tracy Gaudenzi and Matt Haupt would also provide backup services for legal research and, if needed, to attend meetings if Ms. Kucharek has a conflict.

As a practical matter, if Mary Kucharek could not return a call or discuss an issue of immediacy with the Village within 24 hours, she would assure that another Beier Howlett attorney is there to answer all of the needs of the Village in a timely manner.

Tab 10- Insurance

Worker's Compensation and Unemployment Compensation Insurance Coverage

Beier Howlett guarantees to maintain worker's compensation and unemployment compensation insurance coverage for our employees at all times while providing legal services to the Village of Lake Orion. Please see attached Certificate of Insurance.

General Liability and Professional Liability Malpractice Coverage

Beier Howlett guarantees to maintain general liability and professional liability malpractice coverage for its employees of not less than $1 million at all times and general liability insurance for not less than $1 million per occurrence while providing legal services to the Village. Please see attached.

Please see attached.

CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	**CONTACT NAME:** Certs@PCIAonline.com
Professional Concepts Insurance Agency, Inc. 1127 South Old US Highway 23 Brighton MI 48114-9861	**PHONE (A/C, No, Ext):** (800) 969-4041 **FAX (A/C, No):** (800) 969-4081 **E-MAIL ADDRESS:** Certs@PCIAonline.com
INSURED Beier Howlett, PC 3001 W Big Beaver Road Suite 6 Suite 200 TROY MI 48084	**INSURER(S) AFFORDING COVERAGE** — **NAIC #** **INSURER A :** National Fire Insurance Company of Hartford — 20478 **INSURER B :** Continental Casualty Company — 20443 **INSURER C :** The Continental Insurance Company — 35289 **INSURER D :** Coalition **INSURER E :** **INSURER F :**

COVERAGES **CERTIFICATE NUMBER:** 25-26 All **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	[X] **COMMERCIAL GENERAL LIABILITY** [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [ ] LOC [ ] OTHER:			7038738971	03/01/2025	03/01/2026	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG BAIL	$ 1,000,000 $ 1,000,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $ 1,000
A	**AUTOMOBILE LIABILITY** [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY			7038738971	03/01/2025	03/01/2026	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
B	[X] **UMBRELLA LIAB** [X] OCCUR **EXCESS LIAB** [ ] CLAIMS-MADE [ ] DED [X] RETENTION $ 10,000			7038739571	03/01/2025	03/01/2026	EACH OCCURRENCE AGGREGATE	$ 5,000,000 $ 5,000,000
C	**WORKERS COMPENSATION AND EMPLOYERS' LIABILITY** ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? **(Mandatory in NH)** Y / N: N If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		7038738999	03/01/2025	03/01/2026	[X] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000
D	Cyber Liability			25-110013250	03/01/2025	03/01/2026	Per Claim	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

For Informational Purposes Only

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Michael Cosgrove

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CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, LLC 300 S Riverside Plaza Ste 1500 Chicago IL 60606 License#: 0D69293	**CONTACT NAME:** Abbi Vannatter **PHONE (A/C, No, Ext):** 312-704-0100 **FAX (A/C, No):** 312-803-7443 **E-MAIL ADDRESS:** abbi_vannatter@ajg.com
INSURED Beier Howlett, P.C. 3001 W Big Beaver Suite 600 Troy MI 48084 PCBE000001	**INSURER(S) AFFORDING COVERAGE** / **NAIC #** **INSURER A :** CorePointe Insurance Company / 10499 **INSURER B :** **INSURER C :** **INSURER D :** **INSURER E :** **INSURER F :**

COVERAGES **CERTIFICATE NUMBER:** 1537735011 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	☐ CLAIMS-MADE ☐ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	☐ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG	$
	☐ OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	☐ ANY AUTO						BODILY INJURY (Per person)	$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	☐ **UMBRELLA LIAB** ☐ OCCUR						EACH OCCURRENCE	$
	☐ **EXCESS LIAB** ☐ CLAIMS-MADE						AGGREGATE	$
	☐ DED ☐ RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						☐ PER STATUTE ☐ OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ **(Mandatory in NH)**	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Lawyers Professional Liability			WPP1024528-13	10/19/2025	10/19/2026	Each Claim/Aggregate Deductible	$5M/$5M $25k

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

This is a claims-made policy.

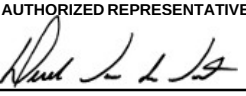
CERTIFICATE HOLDER

For Informational Purposes Only

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



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Tab 11- Scope of Work and Exceptions

Beier Howlett agrees to the Scope of Work and General Specifications outlined in the Request for Qualifications/Proposal and looks forward to continuing to provide legal services consistent with those requirements, as we have since 2016. Beier Howlett's sole exception is bond counsel services, which we believe requires highly specialized expertise. In our view, the Village should always retain separate bond counsel for such matters.

Tab 12- Bar Complaints

June 2025
A party in a decedent's estate submitted a request for investigation to the State Bar of Michigan, naming an attorney in our office. Beier Howlett's attorney represented the Personal Representative of the Estate. The sister of the Personal Representative refused to vacate the decedent's residence, prompting the initiation of eviction proceedings. After multiple unsuccessful attempts to remain in the home, the party filed a request for investigation. Following a review, the State Bar found no basis to take any action against our estate attorney and the matter was dismissed.

Tab 13- Bankruptcy

Beier Howlett has not been in bankruptcy, reorganization or receivership in the past five (5) years.

Tab 14- Has the term been terminated by any municipal client in the last 5 years?

Beier Howlett has not been terminated by any municipal client in the last five (5) years.

Tab 15 – Responsiveness and Accessibility

Beier Howlett prides itself on accessibility of our attorneys and professional staff to our clients. Not only do our clients have accessibility to the attorney and paralegal staff email addresses, but our clients are also given our personal cell phone numbers and are encouraged to call or text with the promise of responsiveness as quickly as possible. Even if a conversation cannot be had immediately, a response of availability and the schedule is provided so that you will never have to wonder whether or not your attorney is aware of your needs. We aim to respond within an hour, but certainly within 24 hours for extreme cases.

We are ready and accessible to attend the Village's meetings.

We also believe communication of needs and expectations is paramount to a united relationship of attorney and client. To that end, we strive to complete projects and assignments promptly with articulation to meet the timing needs of the Village.

While Mary M. Kucharek will be your primary contact, Tracy Gaudenzi and the other professional attorneys in the firm work as a team to continuously support our clients in the case of illness, turnover, or loss of personnel. Beier Howlett has been able to maintain relationships with our clients, some for as long as 80 years, because of this availability and commitment to partnership with our municipal clients.

Tab 16 – Familiarize with Current Issues

Mary M. Kucharek, as the current Village Attorney for the Village of Lake Orion, is familiar with all current issues of the Village and would again articulate that we have served the Village of Lake Orion since 2016 with appreciation for the economy and limited resources of the Village of Lake Orion. Our attorneys, especially Mary Kucharek, have served the Village with exceptional care, diligence, and thoughtfulness, consistently mindful of the legal fees charged to the Village. Over the years of serving the Village, the law offices of Beier Howlett has addressed a variety of unique issues, consistently striving to meet the specific needs of both residents and the Council with thoughtful care and consideration, particularly in a community distinguished by its historic and unique properties. The Village's needs will remain unique, particularly in recognizing and addressing land ownership as it relates to the lake and lakefront property owners. The Village will continue to have unique needs regarding the relationship with the DDA and its Board of Directors.

The Village will continue to have unique needs regarding the potential to become a City and all that will be needed to navigate that change. The Village will continue to have unique needs in maintaining the historic preservation of all of its areas and sites that have been designated historic landmarks or districts.

Beier Howlett, through its attorneys, specifically Mary Kucharek, has a thorough knowledge and unique position to know the Village's concerns, priorities, and players. Over the years, the law offices of Beier Howlett have had the privilege of serving the Village of Lake Orion, gaining a unique understanding of its distinct character, valuable assets, and vibrant community, recognizing that it stands apart from other municipalities while it sits within the larger Township. By continuing a relationship with Beier Howlett, the Village will save not only time, but financial resources as Beier Howlett will not require a learning curve because we have already been walking with you for the past 9 years.

We have the unique opportunity to continue a relationship working with not only the Village Council, but the Village Manager. The Lead Attorney and the Village Manager have a familiarity with a great working relationship which at the end of the day saves the Village financially and with time expediency.

Tab 17 – Conflict of Interest

Beier Howlett does not currently represent any client where we believe our representation would conflict with our ability to serve the Village of Lake Orion, nor has the firm represented any such client at any time in the past.

If we believe there is a potential conflict of interest, our attorneys will, at the first notion, determine carefully whether a conflict exists. If one potentially exists, we will discuss the issue with the Village Manager and/or Village Council as necessary and find a solution acceptable to the Village. We believe our team's strong ethics and commitment to integrity makes ours a respected law firm. Because we firmly believe in the importance of ethics, we voluntarily drafted an Ethics Ordinance for the Village, gratis, after consulting with the Village of Lake Orion.

Our firm does not represent any real estate developers doing business with or anticipated doing business with the Village of Lake Orion.

To ensure we are proactive, we continually work to identify any potential conflicts of interest by utilizing a billing software program to search for conflicts. When new cases arise, we contact each member of our firm as to any potential conflicts.

We believe Beier Howlett has no adverse interest to the Village of Lake Orion.

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. *Hourly Rate for General Legal Services	**$175.00**
B. **Hourly Rate for Prosecution Services	**$175.00**
C. ***Provide or attach the firm's complete fee schedule for all other services not included above: **1. Environmental/Brownfield** **2. Labor** **3. Litigation**	 **$250.00** **$175.00** **$175.00**

Fee Schedule

A. *Hourly Rate

$175.00 per hour. Our hourly rates include, but are not limited to contract drafting and negotiations, drafting and amended ordinances and resolutions, general litigation and court matters, laws against discrimination, housing, subdivision and land use law, economic development activities including development and redevelopment, public disclosure issues, franchise law, arbitration and administrative hearings, property tax appeal matters, collective bargaining matters, annexation and real estate matters.

B. ***Prosecution Services

$175.00 per hour. Our hourly rates include but are not limited to prosecuting violations of the Village's ordinances, which include, but are not limited to appearances in 52-3 District Court, representing the Village in all aspects of appeal, reviewing police case files, video and conversations with officers regarding cases, providing discovery, preparing ordinance amendments as needed.

C. ***Litigation Hourly Rate $175.00 per hour.

D. ***Environmental and Brownfield Rate $250.00 per hour.

E. Additional Costs. In addition, the Village would be billed for any out-of-pocket expenses such as filing fees, recording fees, certification fees, appraisal fees and travel expenses. Fully detailed billings of fees and expenses will be submitted monthly and are payable monthly upon receipt.

Each month we provide legal services to the Village; we would provide the Village with a computer-generated statement itemizing the services and reflecting the time expended in increments of one-tenth (1/10) an hour. Costs advanced are also itemized in the monthly statement. Separate matter codes are utilized for easy reference and tracking to particular projects.

Depending on the volume and nature of the work needed by the Village, Beier Howlett is prepared to work with the Village to develop a different, creative fee approach, if that is the preference of the Village.

BEIER HOWLETT, P.C.

By: _____

Michael C. Gibbons, CEO

Dated: 10-16-2025

Bloom Sluggett, PC

COUNSELORS & ATTORNEYS

Nathan Inks
Direct Dial: (313) 919-1527
Fax: (616) 965-9350
nathan@bloomsluggett.com

October 20, 2025

Susan Galeczka, Village Clerk
Village of Lake Orion
21 East Church Street
Lake Orion, MI 48362

Re: Proposal for Municipal Legal Services

Ms. Galeczka,

On behalf of Bloom Sluggett, PC, attached please find our firm's Proposal for Municipal Legal Services. We appreciate the opportunity to submit this proposal and it would be an honor to represent the Village.

If you have any questions or wish to discuss the matter further, please feel free to contact me at (313) 919-1527.

Sincerely,

Nathan Inks

Village of Lake Orion Proposal Attachment

1. Bloom Sluggett, PC

   a. Areas of Specialty:

- General Municipal / Public Sector Law
- Municipal Prosecution
- Open Meetings Act
- Charter Amendments
- Governmental Immunity
- General Negligence
- Litigation and Appellate Advocacy
- Insurance Coverage
- Ordinance Drafting
- Millages
- Procurement and Construction
- Litigation
- Zoning and Planning
- Eminent Domain
- Special Assessments
- Intergovernmental Agreements
- Ordinance Enforcement
- Labor and Employment
- Federal and State Grants
- Telecommunications including wired and wireless issues and municipal Broadband
- Technology
- Energy
- Cell Tower Leases
- Public Contracts
- Election Law
- Library Law
- Parliamentary Procedure
- Property Tax Appeals
- Economic Development/Incentives
- Labor Law
- Real Estate
- Land Division
- Right-of-way Management

   b. Bloom Sluggett was established as a corporation in December of 2011 by Cliff Bloom and Jeff Sluggett. The Firm has represented and provided legal/attorney services to over 75 municipalities and public sector entities across the State for well over 10 years. Our attorneys combine for more than two centuries of municipal representation.

2. Offices

   a. Bloom Sluggett, PC has a Grand Rapids office and a Detroit office. The majority of the work for the Village will be performed in the Detroit office.

   b. Detroit office:
   400 Renaissance Center, Suite 2600, Detroit, MI 48243

   Grand Rapids office:
   161 Ottawa Ave NW, Suite 400, Grand Rapids, MI 49503

clients are served in a cost-effective, conflict-free and efficient manner. We are uniquely suited to perform the duties requested in the Village of Lake Orion proposal because we have combined multiple centuries plus experience of in depth, nonconflicted, successful representation of and work with municipal entities across the State of Michigan on all the areas of expertise required of municipal entities including in particular the Village of Lake Orion.

6. Our focused practice on municipality/public sector law enables us to deliver high-quality legal services while ensuring that our clients are served in a cost-effective, conflict-free and efficient manner. The fact that we do not represent clients that are averse to municipalities/public sector entities allows us to minimize conflict situations with a client, municipality or public sector entity and alleviates us from creating adverse case law. As stated above, Bloom Sluggett has centuries of combined experience of in depth, successful representation of and work with municipalities across the State.

   Additionally, as a former law clerk for Judge Nancy T. Carniak of the 52-3 District Court, Nathan Inks is familiar with the policies and procedures relevant for Village prosecution cases, as well as the Village's prosecution needs.

7.

Stephen C.N. Kepley
Mayor
City of Kentwood
4900 Breton Ave. SE, PO Box 8848
Kentwood, MI 49518-8848
kepleys@kentwood.us
(616) 554-0771

Darin Dood
Village Manager
Village of Lakeview
208 S. Lincoln Ave.
Lakeview, MI 48850
manager@villageoflakeview.org
(989) 352-6322

Mike Falcon
Village Manager
Village of Howard City
POBox 510, 125 E. Shaw Street
Howard City, MI 49329
manager@villageofhowardcity.org
(231) 937-4311

Mark Borden
Village Manager
Village of Edmore
209 Sheldon, PO Box 170
Edmore, MI 48829
manager@villageofedmore.org
(989) 427-5641

Precia Garland
Manager
City of Ionia
114 North Kidd Street
Ionia, MI 48846
pgarland@ci.ionia.mi.us
(616) 527-4170 ext. 5776

Kate Hosier
Manager
City of South Haven
539 Phoenix Street
South Haven, MI
khosier@southhavenmi.gov
(269) 637-0750

8. This firm does not believe there are any activities and/or relationships that might create a conflict of interest for us or the Village.

9. Bloom Sluggett will promptly acknowledge receipt of the Village's request and provide the Village with a timeframe for completion. Exact response times for final deliverables will depend on the complexity of the request. The Firm will be cognizant of and accommodate deadlines the Village may have. This Firm has the capacity to take on this contract and will keep the work in-house. Nathan Inks will be the primary attorney for the Village and may delegate work and/or projects to other attorneys within the Firm. When an immediate response is needed, Nathan Inks can be reached via telephone or email. If Nathan and/or Dave are not available, the Village will be made aware and another attorney from the Firm will be available.

10. See attached COI

11. None.

12. This Firm has not had any Bar Association complaints filed against it.

13. This Firm has not been in bankruptcy, reorganization or receivership in the past five (5) years.

14. Over the past five years, the Firm has been replaced as legal counsel for two municipalities.

15. As previously stated, Bloom Sluggett will promptly acknowledge receipt of the Village's request and provide the Village with a timeframe for completion. Exact response times for final deliverables will depend on the complexity of the request. The Firm will be cognizant of and accommodate deadlines the Village may have.

16. If awarded the contract, Nathan Inks and Dave Eberle will meet with the Village for as long as necessary to be brought up to speed on the current issues the Village is facing.

17. At this time, there are no know conflicts of interest by this firm or any of its employees that would prevent the firm or any individual employee from performing any of the required serves for the Village.

18. The Firm acknowledges that the Village requires per hour charges (to the tenth of an hour) for all work performed.

Bloom Sluggett, PC
Counselors & Attorneys

PROPOSAL FOR MUNICIPAL LEGAL SERVICES

VILLAGE OF LAKE ORION, MICHIGAN

GRAND RAPIDS OFFICE

Bloom Sluggett, PC
161 Ottawa Ave. NW, Suite 400
Grand Rapids, MI 49503
www.bloomsluggett.com
Phone: (616) 965-9340
Fax: (616) 965-9350
Federal Taxpayer ID #: 45-4497441

DETROIT OFFICE

Bloom Sluggett, PC
400 Renaissance Center, Suite 2600
Detroit, MI 48243
Phone: (313) 309-7288
Fax: (616) 965-9350

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ATTORNEY DAVE EBERLE.....7

ATTORNEY JEFF SLUGGETT.....8

ATTORNEY CLIFF BLOOM.....9

ATTORNEY BLAKE CONKLIN..... ...10

ATTORNEY MICHELLE KITCH.....11

ATTORNEY ANDREW GORDON.....12

ATTORNEY ASHLEIGH RUSSETT.....13

ATTORNEY TOBY KOENIG.....14

ATTORNEY CLINTON ROSEKOPF.....15

ATTORNEY MATT ROSE.....16

ATTORNEY DENNIS MCSHANE.....17

ATTORNEY MIKE WATZA.....18

ATTORNEY MIKHAIL ALBUSEIRI.....19

ATTORNEY THOMAS "MAC" WARDROP.....20

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INTRODUCTION

Bloom Sluggett, PC ("BSPC") is pleased to present this proposal to provide legal services for the Village of Lake Orion (the "Village"). We welcome the opportunity to review our proposal with you or answer any questions the Village may have. We encourage you to learn more about us by visiting our website at www.bloomsluggett.com.

STATEMENT OF QUALIFICATIONS

BSPC attorneys include Nathan Inks, Dave Eberle, Jeff Sluggett, Cliff Bloom, Mike Watza, Michelle Kitch, Blake Conklin, Andy Gordon, Toby Koenig, Clinton Rosekopf, Ashleigh Russett, Matt Rose, and Dennis McShane. Mikhail Albuseiri and Thomas (Mac) Wardrop serve as Of Counsel. BSPC also has 3.5 support staff and an Office Manager. All of our attorneys practice law in the State of Michigan and practice in a limited number of specialized areas, concentrating first and foremost on representing public sector clients. Under this proposal, Nathan Inks would serve as the Village's principal contact and be responsible for coordinating any other attorneys and support staff. Dave Eberle would serve as the Village's secondary contact.

FIRM EXPERIENCE

Consistently named a "Best Law Firm" in the field of municipal law by *Best Lawyers*®, BSPC has established itself as a distinguished law firm focused on the following practice areas: general public sector and municipal law, property tax law, real estate law, riparian and water law, public sector labor & employment, and public sector litigation and appellate advocacy. Our focused practice enables us to deliver high-quality legal services while ensuring that our clients are served in a cost-effective and efficient manner.

Our team of seasoned attorneys understands the intricacies of municipal law and has a wealth of experience in successfully addressing the unique legal challenges such entities face. Our services include, but are not limited to, the following:

- General Municipal/Public Sector
- Planning and Zoning
- Labor and Employment
- Public Contracts
- Procurement and Construction
- Intergovernmental Agreements
- Ordinance Drafting
- Election Law
- Property Tax Appeals
- Litigation and Appellate Advocacy
- Eminent Domain
- Charter Amendments
- Freedom of Information Act
- Open Meetings Act
- Millages
- Special Assessments
- Telecommunications / Broadband
- Cell Tower Leases
- Right-of-way Management
- Real Estate
- Land Division
- Economic Development / Incentives
- Federal and State Grants
- Ordinance Enforcement
- Library Law
- Utility Rates and Compliance

We are dedicated to the well-being of the communities we serve and believe that our clients would attest to our proven track record of serving local governments and public entities with the utmost dedication and professionalism. Our public sector practice is expansive. We currently serve as general legal counsel to numerous municipalities and public sector entities in Michigan including:

- City of Carson City
- City of Cedar Springs
- City of Coopersville
- City of Hastings
- City of Hudsonville
- City of Ionia
- City of Kentwood
- City of Manistee
- City of Newaygo
- City of New Buffalo
- City of Plainwell
- City of Portland
- City of Scottville
- City of South Haven
- City of Springfield
- City of Stanton
- City of Walker
- Ada Township
- Alpine Township
- Benton Charter Township
- Big Prairie Township
- Bois Blanc Township
- Bowne Township
- Bridgeton Township
- Brooks Township
- Bushnell Township
- Burdell Township
- Croton Township
- Crystal Township
- Dayton Township
- Dorr Township
- Ensley Township
- Everett Township
- Evergreen Township
- Gaines Charter Township
- Georgetown Charter Township
- Grant Township
- Grattan Township
- Home Township
- Irving Township
- Lake Township
- Leighton Township
- Lilley Township
- Lowell Charter Township
- Martin Township
- Merrill Township
- Montcalm Township
- North Plains Township
- Norwich Township
- Plainfield Charter Township
- Pleasant Plains Township
- Sheridan Charter Township
- Sherman Township
- Surrey Township
- Thornapple Township
- Troy Township
- White River Township
- Wilcox Township
- Winfield Township
- Wright Township
- Yates Township
- Village of Howard City
- Village of Lake Isabella
- Village of Lakeview
- Village of Muir
- Village of Nashville
- Village of Lawton
- Village of Pierson
- Village of Sparta
- Village of Sand Lake
- The Saugatuck Township Fire District
- Sheridan Community Fire Department
- Grand Valley Metro Council
- Lakeland Library Cooperative
- PROTEC
- Merit Network
- Grand Rapids Land Bank

Additionally, we serve as special legal counsel for many other municipalities and public entities.

BSPC's specialized focus allows us to limit conflict-of-interest situations. One important trait that differentiates BSPC from many other firms is that BSPC does not represent private clients against **any** municipality. We do this because we are, first and foremost, a municipal law firm. We also do this to avoid the potential of establishing adverse precedents against Michigan municipalities. At this time, BSPC is not aware of any conflicts of interest if the firm were to be appointed the position of Village attorney.

PROFESSIONAL REFERENCES

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(269) 637-0750

Additional references are available upon request. For all of the above references, BSPC serves as general counsel and provides a wide range of legal services.

FIRM ATTORNEYS

NATHAN INKS



Nathan is an attorney with nearly 10 years of legal experience, with a practice focus on general municipal law, planning and zoning, tax law, and appellate advocacy. He has experience handling a wide variety of complex legal issues and has a passion for local government service.

Nathan earned a Bachelor of Science degree in Meteorology from Central Michigan University, where he was a Centralis Gold Award recipient. Nathan went on to receive his Juris Doctor (*cum laude*) from Wayne State University Law School. During law school, he served as Production Editor of the *Wayne Law Review* and as a student attorney for the Transnational Environmental Law Clinic. His essay on wetland mitigation was published in the *Michigan Environmental Law Journal*.

Before joining Bloom Sluggett, Nathan gained valuable experience as a law clerk for the Honorable Nancy T. Carniak of the 52-3 District Court serving northeast Oakland County and as senior law clerk to the Honorable David F. Viviano of the Michigan Supreme Court.

Nathan is actively involved in the community, serving on the Sterling Heights Planning Commission and as Chair of the Sterling Heights Sustainability Commission. He previously served on the Sterling Heights Solid Waste Management Commission. He is also a member of the Michigan Association of Planning.

Practice Area: Municipal and public sector law, planning and zoning, tax law, appellate advocacy.

Bar Admission: State of Michigan (P80213)
Eastern District of Michigan
Western District of Michigan

DAVE EBERLE



Recognized since 2024 in *Best Lawyers in America: Ones to Watch*® for his work in municipal law, Dave serves as senior legal counsel for multiple municipalities and public entities. Dave has extensive experience advising local governments regarding complex, high-profile legal matters, and he works closely with elected bodies and senior officials to develop legally sound, practical solutions, achieve objectives, and reduce liabilities.

Dave holds a Bachelor of Arts from Calvin University, a Master of Public Affairs from Indiana University's O'Neill School of Public and Environmental Affairs, and a Juris Doctor from Michigan State University College of Law (*cum laude*). He is a credentialed Master Citizen Planner. Previously, Dave served as a law clerk to the Hon. David F. Viviano of the Michigan Supreme Court and as an assistant prosecuting attorney for Ionia County.

In addition to representing a wide variety of cities, townships, villages, and other public sector entities, Dave frequently presents on a range of municipal topics. He is a member of the State Bar Government Law Section and serves on the Michigan Municipal League's Economic Development & Land Use Committee as well as the Michigan Association of Municipal Attorneys' Education Committee. Dave is an Army veteran, having most recently served as a Civil Affairs officer in the Army Reserve.

Practice Area: General municipal law including zoning, planning, Freedom of Information Act, Open Meeting Act, special assessments, code and ordinance drafting, marihuana regulation, energy facility regulation, economic development, and public contracts.

Bar Admission: State of Michigan (P82459)

JEFF SLUGGETT



A graduate of the University of Oregon Law School (1986), Jeff has over 35 years of experience in the legal field. His practice is devoted to public sector legal work. He has extensive experience in a wide range of municipal legal issues and represents over 20 communities and public authorities as general counsel. The longstanding relationship that Jeff enjoys with many of his clients is the aspect of his practice that he most values.

Clients, other municipal counsel, and municipal administrators and officers often ask Jeff to participate in various speaking engagements regarding municipal legal topics. He is also a contributor to Michigan Municipal Law, published by the Institute for Continuing Legal Education of the State Bar of Michigan, and has published in other venues on numerous occasions.

In addition to being a 14-time recipient of the Michigan Super Lawyers rating in the area of public sector law, Jeff has also received the highest designation of AV Preeminent by Martindale Hubbell for over 20 years and was selected in 2010 as a Distinguished Michigan Attorney of the Year by the Michigan Association of Municipal Attorneys upon the recommendation of his clients. Since 2017 he has been selected for inclusion in *The Best Lawyers in America®* for his practice in the area of municipal law. Jeff was also chosen as "Lawyer of the Year" in 2019 by *Best Lawyers* for his work in the public sector. A former chairperson of the Government Law Section of the State Bar of Michigan (2007-2008), Jeff continues to actively serve on that body. In addition, he is a member of the State Bar of Michigan, the Grand Rapids Bar Association, and the Michigan Association of Municipal Attorneys.

Aside from his professional legal work, Jeff is engaged in various civic organizations. Jeff lives in the Grand Rapids area.

Practice Area: General municipal law including zoning, planning, annexation and 425 agreements, elections, Freedom of Information Act, Open Meeting Act, tax increment financing, special assessments, charter amendments, code and ordinance drafting, real estate, and public contracts.

Bar Admission: State of Michigan (P39440)

CLIFF BLOOM



Cliff has over 40 years of legal experience. Originally from Grand Rapids, he received his undergraduate and law degrees from the University of Michigan (1983). He has practiced law in Grand Rapids ever since.

Having lectured on a variety of real estate and municipal topics, Cliff serves as general legal counsel for over 30 Michigan municipalities, including City of Newaygo, and the Village of Lake Isabella. He has extensive experience in zoning and planning matters and has lectured on those issues for various organizations including the Michigan Townships Association.

Cliff is a recognized expert in the field of riparian law and serves as the general legal counsel for the Michigan Lakes & Streams Association, Inc. Among his various printed works, Cliff authors a regular column for the Michigan Riparian Magazine and has written several books for the Michigan Townships Association.

In addition to being a 12-time recipient of the Michigan Super Lawyers rating, Cliff has also received the highest designation of AV Preeminent by Martindale Hubbell and *Best Lawyers*.

Practice Area: Real estate, riparian, zoning and planning, and public sector law.

Bar Admission: State of Michigan (P35610)

MIKE WATZA



Mike graduated from Michigan State University with a BA in 1978 and earned his Juris Doctorate from The Detroit College of Law in 1986. He is admitted to practice by the State Bar of Michigan as well as the Michigan Eastern and Western Federal District Courts and US 6th, 9th and DC Circuit Courts of Appeal and the US Supreme Court.

He is A-V rated by Martindale Hubbell and has been designated as a Super Lawyer since 2007, a Detroit Business Top Lawyer in Energy, Government and Product Liability and recognized in Crain's Detroit's Annual Book of Lists of Leading & Top Lawyers.

He has represented local government and a wide range of other clients in various litigated, regulatory and public policy matters throughout his career.

The focus of his work for the last 25 years in particular, has been telecommunications and energy related regulatory matters. He serves as general counsel to PROTEC https://www.protec-mi.org/ a governmental consortium of 100 local communities across Michigan, focused on all matters related to Public Rights of Way and Public Property. He also serves as general counsel to Merit Network https://www.merit.edu/ a nonprofit - University affiliated nonprofit corporation, which provides fiber internet access and cyber security services to research universities, nonprofits and anchor institutions across Michigan.

Practice Area: Utility ROW issues including permitting and franchising; Telecommunications including Municipal Broadband, Cell Towers -both traditional Macro Towers and "Small Cells" and Cable; Energy issues including Transmission Tower Siting challenges and Electric Rate Cases at the Michigan Public Service Commission

Bar Admission: State of Michigan (P38726)

MICHELLE KITCH



Michelle graduated from the University of Michigan with a BA degree in 1980 and attended law school at The Detroit College of Law where she obtained her Juris Doctorate in 1983. Michelle has been a litigator her entire career handling almost all types of property and casualty insurance matters and is now handling public sector, municipal tax, and riparian rights litigation for BSPC.

Michelle served as National Coordinating Counsel for a Fortune 500 company for approximately 10 years. She is also an ICLE trained facilitator/mediator serving as a facilitator or mediator in State Court. Michelle was the chair of the USDC – Western Division, VFM Advisory Committee for about 4 years and she sits on the VFM panel of approved federal court facilitators. She is also a court approved case evaluator. Michelle worked as a CASA (Court Appointed Special Advocate) volunteer for 10 years with wards of the Court in abuse and neglect cases.

Practice Area: Public sector and riparian rights litigation and appellate advocacy.

Bar Admission: State of Michigan (P35498)

BLAKE CONKLIN



Blake earned his Juris Doctor from Case Western Reserve University School of Law in Cleveland, Ohio. While in law school, Blake clerked for the City of Cleveland's Law Department and the office of the United States Attorney, Northern District of Ohio.

Blake represents a wide variety of cities, townships, villages, and other public-sector entities in general municipal matters. He has experience working with and advising communities on Freedom of Information Act and Open Meetings Act issues, tax increment financing authorities and economic development matters, the establishment of special assessment districts, charter amendments, voter-approved millages and election matters. Additionally, Blake has served as grantee's counsel in connection with Michigan Natural Resources Trust Fund grant applications and as applicant's counsel in connection with United States Department of Agriculture – Rural Development grant and loan applications and closings.

In his real estate practice, Blake routinely handles complex real estate transactions and leasing matters for municipalities.

Additionally, Blake has served as grantee's counsel in connection with Michigan National Resources Trust Fund grant applications and closings, and as applicant's counsel in connection with United States Department of Agriculture – Rural Development grant and loan applications and closings.

Blake has extensive prior experience with a major utility company and a deep knowledge of utility matters, including the negotiation and acquisition of easements and other property interests along with condemnation and eminent domain law.

Practice Area: General municipal, real estate, millages, election issues, land use and zoning, property purchases, easements, leases and licenses.

Bar Admission: State of Michigan (P75737)

ANDREW GORDON



Andy earned his Juris Doctor from the University of Iowa College of Law where he also served as the Senior Managing Editor of the Iowa Law Review as well as Co-President of the Iowa Student Bar Association. Prior to law school, Andy earned his Bachelor of Science degree in Accounting and Finance from Indiana University's Kelley School of Business.

Before joining BSPC, Andy worked for a private firm in Lansing representing some of Michigan's largest labor unions in federal and state litigation, administrative hearing matters, and arbitrations. Additionally, Andy worked for a smaller firm in Iowa where he served as the Assistant City Attorney for the City of Forest City. He represented the City in civil enforcement matters and advised the City Council on a variety of issues including open meeting requirements, utilities regulation, and administrative civil rights.

Practice Area: Public sector litigation, Tax Tribunal matters, labor/employment, and library law.

Bar Admission: State of Michigan (P80211)

TOBY KOENIG



Toby earned his Juris Doctor degree from Wayne State University Law School where he served as Senior Note and Comment Editor of the Wayne Law Review and interned with the Navy JAG Corps in Washington D.C. Prior to law school, Toby earned his Bachelor of Arts degree from Grand Valley State University.

Prior to joining BSPC, Toby worked as a research attorney at the Michigan Court of Appeals and served as a judicial law clerk to the Hon. Mary Beth Kelly of the Michigan Supreme Court and to the Hon. Stephone L. Borrello of the Michigan Court of Appeals. Following his time working for the judiciary, Toby served as an Assistant City Attorney for the City of Grand Rapids where he specialized in municipal tax defense and municipal litigation.

Practice Area: Municipal tax defense and litigation, public sector law

Bar Admission: State of Michigan (P72367)

CLINTON ROSEKOPF



Clinton earned his Bachelor of Arts degree in Political Science from Roosevelt University and his Juris Doctor from Western Michigan University Thomas M. Cooley Law School (*magna cum laude*). While in law school Clinton served as a Senior Resource Editor on the Law Review and gained valuable experience interning with a local Grand Rapids law firm, as well as the Kent County Prosecutor's Office.

An experienced prosecutor, Clinton served as an assistant prosecuting attorney for Muskegon County and Ottawa County before joining BSPC. During his time as an assistant prosecuting attorney, Clinton managed and tried all levels of cases, including misdemeanors, felonies, juvenile offenses, and abuse neglect cases.

Clinton is DRE certified having completed the Drug Recognition Expert (DRE) training program, which is designed to provide law enforcement officers with the knowledge and skills necessary to identify, evaluate, document, and prosecute drugged drivers.

Practice Area: Prosecution and code enforcement

Bar Admission: State of Michigan (P82073)

ASHLEIGH RUSSETT



Ashleigh Russett earned her Juris Doctor degree from Michigan State University College of Law where she served as an editor on the International Law Review and published a student note on human trafficking legislation. Her passion for small government began during her undergraduate education at Central Michigan University where she obtained a Bachelor of Science in political science and French. During law school, she worked as a legislative aide at the Michigan House of Representatives where she collaborated with local governments and interest groups to support the concerns of their constituents

After graduating law school, Ashleigh began her career as a litigator at a large firm in Grand Rapids practicing insurance defense and subrogation. She garnered extensive experience in litigation at the district, circuit, and federal district court levels in matters ranging from products liability actions to multi-million-dollar construction losses. In this role, she worked closely with fire investigators, engineers, and other experts to investigate liability for fires and other property losses, which included overseeing large fire scenes and laboratory examinations. Her experience makes her well-equipped to handle a variety of municipal law cases, including prosecution, ordinance enforcement, and other civil matters.

Ashleigh currently serves on the Awards Committee of the Grand Rapids Bar Association and as a 17th Circuit Representative on the Representative Assembly for the State Bar of Michigan. She is a frequent volunteer with Legal Aid of Western Michigan and has handled many pro bono cases through their office. She previously served as a CASA (court-appointed special advocate) for foster children in Kent County (2021-2023) and as President of the Young Lawyers Section of the Grand Rapids Bar (2023).

Practice Areas: Municipal and public sector law, prosecution, code enforcement, and litigation.

Bar Admission: State of Michigan (P82174)

MATT ROSE



Matt Rose is an associate attorney with Bloom Sluggett, focusing his practice on municipal law. He brings a strong background in complex litigation and business law, having previously worked at a boutique litigation firm where he assisted with shareholder disputes, class action lawsuits, and other business matters.

Matt earned his Juris Doctor from Wayne State University Law School, where he served as a law review editor, authored a published Note, and graduated third in his class. He holds a Bachelor of Business Administration with High Distinction from the University of Michigan Ross School of Business, concentrating in accounting.

With a meticulous eye for detail, exceptional writing skills, and a commitment to finding innovative, practical solutions, Matt is dedicated to delivering outstanding legal service to clients.

Practice Area: Municipal and public sector law

Bar Admission: State of Michigan (P87232)

DENNIS MCSHANE



Dennis earned his Juris Doctor from Michigan State University College of Law. Following law school, he served as an assistant prosecuting attorney, chief assistant prosecutor, and prosecuting attorney for Chippewa County, Michigan. During his tenure at the Chippewa County Prosecutor's Office, he prosecuted both misdemeanor and felony level offenses, juvenile offenses, and abuse-neglect cases. As prosecutor, he assisted in the creation of a diversion program for low-level misdemeanors, worked with an area task force to reduce opiate abuse and overdoses, and represented the county in the 50th Circuit Court Drug Court program.

Following his service with Chippewa County, Dennis served as prosecutor for the Sault Ste. Marie Tribe of Chippewa Indians. There, he handled misdemeanor cases under Tribal code, along with juvenile, abuse-neglect, and landlord/tenant matters. Additionally, he coordinated a Multi-disciplinary Team which included several Tribal entities, the FBI, and the U.S. Attorney's Office for the Western District of Michigan – Marquette.

Dennis serves as a panel member for the Attorney Discipline Board in Kent County.

Practice Area: Prosecution and code enforcement

Bar Admission: State of Michigan (P72028)

MIKHAIL ALBUSEIRI



Mikhail Albuseiri earned a Juris Doctor degree with honors in 1997 from the Michigan State University College of Law, where he served as managing editor of the Journal of International Law and Practice.

His passion for the law emerged through the study of public international law of the sea and maritime law, interests he cultivated through his graduate studies in New England. Mikhail also earned a bachelor's degree in Intercultural and International Communications from Pepperdine University, graduating in 1990. Mikhail is proficient in several foreign languages, including Dutch, French, German, Italian, and Romanian.

After graduating law school, he began his career as a research attorney with the Michigan Court of Appeals' Prehearing Division. Over two decades, he has garnered extensive experience in trial and appellate litigation matters in federal and state courts, successfully prosecuting and defending numerous claims. Before joining BSPC, Mikhail worked as a staff attorney for Legal Aid of Western Michigan, representing clients in state civil and administrative proceedings and successfully litigating issues affecting Michiganders up through the Michigan Court of Appeals.

Mikhail is Of Counsel to Bloom Sluggett, PC.

Practice Area: Municipal and public sector law, federal and state litigation, and Tax Tribunal matters.

Bar Admission: State of Michigan (P56529)

THOMAS (MAC) WARDROP



Thomas (Mac) Wardrop has been practicing in Michigan's state and federal courts since 1985. Mac began his legal career at a 45+ member Grand Rapids, Michigan firm. While at this firm, Mac primarily practiced civil litigation. He also served as the prosecuting attorney for several Grand Rapids area municipalities. Mac later left to join Wardrop & Wardrop.

Since joining Wardrop & Wardrop, Mac has expanded his litigation practice – working on cases that range from simple collection matters to complex "business divorce" and corporate governance cases.

Mac is heavily involved in alternative dispute resolution. He is a neutral arbitrator with the American Arbitration Association, and he is a trained facilitative mediator. Mac is also on the case evaluation panels for Kent, Barry, and Ottawa counties. Mac has acted as an arbitrator, facilitator or case evaluator in over 300 cases.

Since 2022, Mac has served as a member of the City of Grand Rapids Local Officers Compensation Commission, where he has served as Chairman. From 2007 to 2017, Mac was a member of the Michigan Civil Service Commission, serving as Chairman from 2011-2016. Mac has worked with non-profit corporations and enjoyed a stint on his children's school board.

Wardrop & Wardrop serves as Of Counsel to Bloom Sluggett, PC.

Practice Area: Bankruptcy, litigation, business law, personal injury, and creditors' rights

Bar Admission: State of Michigan (P38268)

ACCESSIBILITY AND RESPONSIVENESS

BSPC successfully represents municipalities across Michigan, and we are confident that our commitment to providing excellent legal services at a reasonable cost will allow us to effectively handle the Village's legal needs. Our skilled attorneys are passionate about helping municipalities provide quality services for their residents, and BSPC will make every effort to be readily available to the Village – day or night.

While Nathan Inks and Dave Eberle will serve as the Village's primary points of contact, BSPC utilizes a team approach relying on individual attorneys' subject matter expertise. Our collaborative approach enables us to meet the Village's needs in the most cost-efficient and timely manner.

PROPOSED FEE STRUCTURE

BSPC bills at an hourly rate as follows:

Attorneys	$195 - $255
Paralegals	$130

The hourly rates quoted above include all salary and compensation, overhead expenses, computer research, and other employee costs including, but not limited to, clerical and word processing expenses. Time is calculated in tenths of hours and block billed. Hourly rates are adjusted from time to time.

These rates do not include costs and fees incurred for the service of legal documents (e.g., subpoenas) or for outside services (e.g., transcript preparation), which are itemized and billed to the Village at the actual amount incurred using the most cost-effective service or methods. Except as noted below, BSPC would bill the Village for expenses incurred on its behalf such as photocopying (actual beyond a set number of copies), hand delivery and courier services, mileage, and filing, record, certification, and registration fees charged by the court or governmental agencies (where applicable) among others. No administrative or similar fee or charge would be added to these actual costs. BSPC will work with the Village to keep costs down by utilizing virtual meeting options (e.g., Zoom or Teams) when desired.

In circumstances where substantial costs are involved (e.g., consultant fees), BSPC may request the Village pay third parties directly. Costs are generally included in monthly invoices. BSPC is cost-conscious, consistent with good practice.

CONCLUSION

BSPC stands uniquely equipped to offer the Village the same unwavering commitment to high-quality, efficient, and cost-effective representation that we have consistently provided to numerous municipalities across Michigan. We eagerly look forward to the prospect of meeting with Village

officials, whether to address any remaining questions or to explore the Village's needs in greater detail. Your trust in our expertise is a responsibility we hold in high regard.

For more information or for questions, please feel free to contact:

Nathan Inks
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Visit our website and blog at www.bloomsluggett.com

Nathan Inks

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313.919.1527 • nathan@bloomsluggett.com

Summary

Attorney with a focus on general municipal law, zoning and planning matters, and tax law. Former senior law clerk experienced in appellate and trial court policies and procedures, with strong organizational and analytical skills. Track record of accomplished legal research and writing skills. Experience interacting with attorneys, parties, and members of the public in a professional and courteous manner.

Legal Experience

Bloom Sluggett, PC, Detroit, MI — Attorney, Jan. 2025 – Present

- Author legal opinions and research memoranda for municipal clients on a variety of issues, including zoning and planning, the First Amendment, liquor licensing, conflicts of interest, public contracts, the Freedom of Information Act, the Open Meetings Act, property taxes and special assessments, and charter provisions
- Review applications and permit request for compliance with state law and local ordinances, including zoning ordinances, the METRO Act, the Land Division Act, and liquor licensing ordinances
- Draft ordinances and ordinance amendments on various issues, including zoning, signs, soliciting, blight and junk storage, International Fire Code adoption, and special assessments
- Draft and review contracts and agreements, including leases, maintenance and operations agreements, liability releases, and utility agreements
- Represent municipalities on litigation matters in trial courts and appellate courts
- Monitor recent developments in the law and apprise clients as necessary

Michigan Supreme Court, Detroit, MI — Senior Law Clerk to Hon. David F. Viviano, Aug. 2023 – Dec. 2024; Law Clerk to Hon. David F. Viviano, Aug. 2019 – Aug. 2023

- Supervised the work of term clerks, including providing feedback on memos, editing internal draft opinions and statements, and providing guidance on how to conduct research on complicated issues
- Assigned all incoming cases and administrative files to clerks and interns
- Proposed revisions to internal office policies and procedures for consideration by the Justice
- Reviewed filings and prepared summaries and recommendations for the Justice
- Reviewed memos prepared by other Justices' chambers and prepared responsive memos
- Prepared memos in advance of oral arguments and provided a recommendation regarding case disposition
- Drafted memos to the Court, opinions, concurrences, and dissents
- Communicated with clerks in other Justices' chambers regarding proposed edits to opinions per the Justice's instructions
- Reviewed and analyzed administrative agenda items, such as proposals regarding court rules and administrative orders; conducted legal research; and prepared recommendations for the Justice
- Monitored recent developments in the law and apprise the Justice as necessary

52-3 District Court, Rochester Hills, MI — Law Clerk to Hon. Nancy T. Carniak, Sept. 2015 – Aug. 2019

- Performed legal research and wrote memos on motions and briefs filed in civil and criminal cases
- Performed legal research related to court rules, procedural issues, and other miscellaneous issues at the request of the judge or court administration
- Interacted with unit leaders to answer questions about the judge's preferences or procedures; communicated administrative and procedural problems, concerns, and suggestions raised by the judge to the unit leaders and/or court administration
- Drafted and edited written opinions and orders
- Prepared files for daily dockets; ensured all materials were in a file when a case was ready to be called

- Corresponded with attorneys regarding case and docket management; answered questions about the judge's and court's procedures
- Reviewed filings for compliance with the court rules and other requirements; communicated with attorneys and unrepresented parties when they filed incomplete or deficient filings
- Checked in parties and attorneys at the beginning of the docket; transported files and paperwork between the parties and the court recorder during the docket; distributed forms to parties and attorneys prior to and during court proceedings

Transnational Environmental Law Clinic, Detroit, MI — Student Attorney, Aug. 2014 – May 2015

- Performed legal research and wrote research memos regarding environmental law issues
- Wrote and submitted a comment letter regarding a supplemental environmental impact study
- Drafted civil trial court pleadings and briefs regarding Michigan environmental law issues

Racine & Associates, Detroit, MI — Law Clerk, Apr. 2014 – Aug. 2014

- Performed legal research on civil trial court issues, public pension appellate issues, and lease and transactional issues; wrote memos based on legal research when necessary
- Drafted civil trial court pleadings, motions, and discovery-related filings
- Organized files by client and matter; processed incoming documents and mail

Michigan Supreme Court, Detroit, MI — Judicial Intern to Hon. David F. Viviano, Jan. 2014 – April 2014; Judicial Intern to Hon. Robert P. Young, Jr., Sept. 2013 – Dec. 2013

- Reviewed commissioner reports on applications for leave to appeal; performed legal research and wrote legal memos when required by the justice's procedures
- Assisted law clerks with legal research related to drafting opinions and orders

Community Service

- City of Sterling Heights Sustainability Commission, Chairman — Aug. 2020 – Present
- City of Sterling Heights Planning Commission — Feb. 2020 – Present
- City of Sterling Heights Solid Waste Management Commission — July 2019 – May 2020

Education

Wayne State University Law School, Detroit, MI — Juris Doctor, May 2015

Activities: *Wayne Law Review* (Production Editor for the 2014 – 2015 academic year)
Honors: First Place, State Bar of Michigan Environmental Law Section Essay Contest (2013)
Highest Grade: Civil Procedure A, Evening Section (2013)
Highest Grade: Contracts B, Evening Section (2013)
John W. Reed Endowed Scholarship (for academic excellence & professionalism) (2013 & 2014)

Central Michigan University, Mount Pleasant, MI — Bachelor of Science in Meteorology, May 2012

Minor: Mathematics
Honors: Dean's List (4 semesters)
Centralis Gold Award
Graduated from the Honors Program

Affiliations

- State Bar of Michigan – Appellate Practice Section
- Michigan Association of Planning

Publications

- Essay, *Wetland Mitigation in Michigan: Working Toward the Goal of No Net Loss of Wetlands*, 32 Mich Envtl L J 23 (Summer 2014)

Dave Eberle

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(616) 965-9346 · david@bloomsluggett.com

PROFILE

Recognized in the 2024 and 2025 editions of Best Lawyers in America: Ones to Watch® for his work in municipal law, Dave serves as senior legal counsel for multiple municipalities and public entities. He has extensive experience advising local governments on complex, high-profile legal matters, and he works closely with elected bodies and senior officials to develop legally sound, practical solutions that achieve objectives and reduce liabilities. In addition to representing municipalities and other public sector entities, Dave frequently presents on a range of municipal topics. He is a member of the State Bar Government Law Section and serves on the education committee for the Michigan Association of Municipal Attorneys. Dave is an Army veteran, having most recently served as a Civil Affairs officer in the Army Reserve.

EDUCATION

Michigan State University College of Law — **December 2017**
Juris Doctor, *cum laude*
Bar Admission: Michigan (P82459)

Indiana University - Bloomington — **Anticipated 2025**
Master of Public Affairs (Policy Analysis Concentration), Candidate

Calvin University — **May 2012**
Bachelor of Arts: Political Science and International Relations

Michigan State University Extension — **June 2020**
Credential: Master Citizen Planner

LEGAL EXPERIENCE

Bloom Sluggett, PC (Grand Rapids, MI) — **August 2025 – Current**
Senior Attorney / Shareholder

- Serve as senior legal counsel to multiple cities, townships, villages, and other public sector entities.
- Manage legal projects and workflow for multiple municipalities.
- Attend the meetings of public bodies as senior legal counsel.
- Extensive experience authoring legal opinions for public bodies and memoranda of law for current litigation on complex and nuanced matters, including special assessments, millages, zoning and planning, licensing, and constitutional issues.
- Provide training to public bodies on operational and legal issues.
- Draft ordinances on a variety of matters including marihuana, energy facilities, and short-term rentals.

Michigan Supreme Court (Lansing, MI) **January 2024 – July 2025**
Law Clerk to the Hon. David F. Viviano

- Reviewed memos prepared by other Justices' chambers and prepared responsive memos.
- Prepared memos in advance of oral arguments and provided a recommendation regarding case disposition.
- Drafted memos to the Court, opinions, concurrences, and dissents.

Bloom Sluggett, PC (Grand Rapids, MI) **April 2019 – December 2023**
Senior Attorney

- Serve as senior legal counsel to multiple cities, townships, villages, and other public sector entities.
- Extensive experience authoring legal opinions for public bodies and memoranda of law regarding current litigation and complex legal matters, including First Amendment issues, zoning and land use, prior-public use doctrine, Right-to-Farm Act, eminent domain, and public contracts.
- Advised multiple municipalities regarding the development of local ordinances on a variety of matters.
- Served as the chief prosecutor for the City of Ionia and the City of Portland prosecuting a variety of criminal and civil ordinance violations.

Ionia County Prosecutor's Office (Ionia, MI) **June 2018 – April 2019**
Assistant Prosecuting Attorney

- Conducted jury trials, preliminary exams, and motion practice while successfully prosecuting assigned misdemeanors and felonies.
- Drafted appellate briefs and search warrants.
- Successfully developed and implemented new investigation and prosecution strategies and procedures.
- Represented the Department of Health and Human Services in abuse neglect matters.
- Served as the Prosecutor's Office representative to the Ionia Treatment Sobriety Court, the Ionia Veterans Treatment Court, and the Mid-Michigan Regional Mental Health Court.

Kent County Office of the Defender (Grand Rapids, MI) **September – November 2017**
Intern

- Conducted felony client intakes and pre-trial investigations.
- Represented indigent respondents during Friend of the Court show cause hearings.

Muskegon County Prosecutor's Office (Muskegon, MI) **May – June 2017**
Intern

- Successfully conducted multiple bench trials, pleas, and probation violation hearings.
- Drafted motions and appellate briefs.

Ingham County Prosecutor's Office (Lansing, MI) **June – August 2015**
Intern - Prosecuting Attorney's Association of Michigan

- Conducted a jury trial and multiple pre-trial conferences.
- Drafted motions and appellate briefs.

Ionia County Prosecutor's Office (Ionia, MI) **September – December 2014**
Intern

- Conducted multiple preliminary examinations.
- Drafted motions, appeals, and appellate responses.

Washtenaw County Office of the Public Defender (Ann Arbor, MI) **M**
Intern

- Conducted review hearings, permanency planning hearings, and home visits for abuse neglect victims.
- Represented juveniles during probation violation hearings.

PRESENTATIONS

Dave Eberle "Planning Commission Training Seminar" (Presentation at the Village of Spring Lake, Spring 2025)

Dave Eberle "DDA Nuts and Bolts" (Presentation at the Village of Spring Lake, Fall 2024)

Dave Eberle, "City Workshop" (Presentation at the City of Stanton, Summer 2023).

Dave Eberle, "Planning Commission Seminar" (Presentation at the City of Kentwood, Spring 2023).

Dave Eberle and Blake Conking, "Zoning Information Seminar" (Presentation at Montcalm Community College, Spring 2023).

Dave Eberle and Clifford Bloom, "Zoning Seminar" (Presentation at Montcalm Community College, Spring 2022).

Dave Eberle and Shaydon Weaver, "Law Enforcement Legal Update" (Presentation at the Ionia Department of Public Safety, Winter 2022).

Dave Eberle and Dannielle Dawson, "Blight – A Municipal Response" (Presentation at the Village of Howard City, MI Fall 2019).

AFFILIATIONS

State Bar of Michigan
Government Law Section
Administrative and Regulatory Law Section

Michigan Association of Municipal Attorneys
Education Committee Member

Michigan Township Association

Grand Rapids Veteran Bar Association

Civil Affairs Association

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 10/16/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Brenda Shetenhelm
The Brouwers Agency, LLC 1925 Breton Rd SE ~ STE 101 Grand Rapids, MI 49506	PHONE (A/C, No, Ext): (616)891-0123 FAX (A/C, No): (866)359-0970 E-MAIL ADDRESS: brenda@brouwersagency.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Hastings Mutual	14176
INSURER B : AMWins	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED

Bloom Sluggett, PC
161 Ottawa Ave NW Ste 400
Grand Rapids, MI 49503-2716

COVERAGES **CERTIFICATE NUMBER: 00014993-0** **REVISION NUMBER: 14**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE / OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY X PRO-JECT X LOC X OTHER:	Y		BO 9862430	04/04/2025	04/04/2026	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ $ $ $ $ $	2,000,000 50,000 5,000 2,000,000 4,000,000 4,000,000
A	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY / SCHEDULED AUTOS X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY			ACV4455966	09/10/2025	09/10/2026	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $	1,000,000
	UMBRELLA LIAB / OCCUR EXCESS LIAB / CLAIMS-MADE DED / RETENTION $						EACH OCCURRENCE AGGREGATE	$ $	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		0009862558	04/04/2025	04/04/2026	X PER STATUTE / OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $	1,000,000 1,000,000 1,000,000
B	Professional Liab			WPP1096112	04/14/2025	04/14/2026			$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

Village of Lake Orion
21 East Church Street
Lake Orion, MI 48362

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

B Shetenhelm

(BTS)

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GIARMARCO, MULLINS & HORTON, P.C.

101 West Big Beaver Road
Tenth Floor Columbia Center
Troy, MI 48084

Attorneys and Counselors at Law
Providing Legal Services to
Cities, Townships, School Districts, and
Municipalities throughout Michigan

John C. Clark
(248) 457-7023

Presented to:
Village of Lake Orion, Michigan

REQUEST FOR QUALIFICATIONS/PROPOSALS
LEGAL SERVICES

Due: October 22, 2025, 2:00 PM

Village of Lake Orion
Attn: Village Clerk
21 East Church Street
Lake Orion, MI 48362

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1. FIRM NAME

a. Areas of Specialty

Giarmarco, Mullins & Horton, P.C. ("GMH") represents a wide variety of public and private entities throughout the State of Michigan. The firm's commitment to the representation of local governments has been a primary focus of the firm throughout its 40+ year history. Primary areas of practice include municipal/public sector, education law, labor and employment, environmental, automotive, business, transactional, government-related services, international law, immigration law, taxes, mergers and acquisitions, telecommunications, real estate, probate and estate planning, tax tribunal, and election law. The firm's litigation services include all areas of civil, commercial, criminal, workers' compensation, and regulatory litigation.

b. Years in Business

GMH ranks in the top twelve largest law firms in Michigan and was founded in 1973.

2. OFFICE LOCATIONS

a. Office Location Where the Majority of the Work Will Be Performed.

The Firm's primary office is located in at the corner of Big Beaver and Livernois in Troy, Michigan. While GMH also has offices in Okemos and Munising, the attorneys providing services to the Village will be located in the Troy office.

b. Name and Address of Parent Firm (if applicable)

Giarmarco, Mullins & Horton, P.C.
101 West Big Beaver Road, 10th Floor
Troy, Michigan 48084

3. PERSONNEL

a. Principal Contact of the Firm

GMH proposes John C. Clark as the lead counsel and contact for the Village of Lake Orion. John can be reached directly at:

John C. Clark
Email: jclark@gmhlaw.com
Office: (248) 457-7023; Cell: (248) 310-1968

b. Proposed Personnel for Legal Services

Our Municipal practice group partners, John Clark, Anthony Chubb, and Stephen Hitchcock, are all Martindale-Hubbell AV rated and offer more than 50 years' cumulative experience in representing municipalities and public entities in their day-to-day operations, litigation, and other related issues.

The attorneys who will be assigned to work with the Village of Lake Orion are as follows:

- John C. Clark
  (248) 457-7023; Cell: (248) 310-1968; Email: jclark@gmhlaw.com
- Anthony K. Chubb
  (248) 457-7054; Cell: (734) 834-1906; Email: achubb@gmhlaw.com
- Steven J. Hitchcock
  (248) 457-7024; Cell: (248) 320-8196; Email: sjh@gmhlaw.com
- Anne R. Gabbert
  (248) 457-7053; Cell: (248) 765-9207; Email: agabbert@gmhlaw.com
- Karie Miller
  (248) 457-7027; Cell: (248) 4420-5425; Email: kmiller@gmhlaw.com
- Michael Bosnic
  (248) 457-7026; Cell: (248) 568-5461; Email: mbosnic@gmhlaw.com

- George Contis
  (248) 457-7063; Cell: (248) 890-6256; Email: gcontis@gmhlaw.com

c. Other Key Personnel

GMH employees year-round law clerks who will assist in providing exceptional legal services to the Village.

d. Total Number of Licensed Attorneys at Primary Office

There is a total of 52 licensed attorneys at the Primary Office.

e. Total Number of All Staff at Office at Primary Office

There is a total of 107 individuals employed at GMH's Primary Office, inclusive of the highest quality support staff and attorneys.

4. STAFFING

GMH is adequately staffed to provide high quality, effective, and efficient legal services to the Village of Lake Orion. Our Firm has been fortunate to expand its client base and should the need arise to hire additional staff, GMH is prepared and excited to integrate competent attorneys and staff to meet those needs. All GMH attorneys are fully licensed with the State Bar of Michigan. In addition, the Firm is constantly updating its information technology systems and legal research platforms, offering state-of-the-art resources to provide exceptional legal services to its clients. Attorneys and staff undergo not only cybersecurity training several times a year, but also receive continued educational training for software applications, programs, and cybersecurity measures.

GMH has a full and complete understanding of the scope of work to be provided to the Village of Lake Orion as set forth in the RFP. In addition, GMH believes that its public sector clients are unique, and the relationships must be based upon trust, good communication, and straightforward advice. Municipal officials have several constituencies to serve, and unlike the private sector, a Village attorney is viewed almost as a part of the Village of Lake Orion's "team." It is important that the perception and communication with the public, press, and Village employees is consistent with the goals and objectives of the Village Council. GMH recognizes that it is a political process, which is far different than representing a CEO or owner of a privately held company. In addition to the Village of Lake Orion's lead attorney, many of GMH's lawyers have held elected or appointed positions on governmental boards.

The entire firm of GMH is committed to providing quality legal representation to the Village of Lake Orion. The firm has the experience and resources in all areas necessary for effective and efficient legal services. We are committed to our public sector representation and to the local area. Our goal is to develop a long-term relationship with the Village. We are excited by the opportunity to become part of the Village of Lake Orion' team. Of note, GMH has been accredited by the Detroit Free Press with the Top Work Places award and by Best Lawyers with the Best Law Firms award.



Attorneys

GMH proposes **John C. Clark** as the lead attorney to serve the Village of Lake Orion. Mr. Clark is an equity partner with the firm and currently serves on the GMH Board of Directors. He chairs the firm's Municipal/Labor Law practice group and has over 30 years of experience in Municipal and Public Sector law. John has represented numerous townships, cities, villages, and other governmental entities in day-to-day general representation.

Mr. Clark is a certified employment arbitrator through the American Arbitration Association overseeing complicated employment matters litigated by both public and private sector claimants. John has vast experience in labor and employment law, including contract negotiations, arbitrations, employment discrimination claims, wrongful discharge matters, civil rights complaints, proceedings in State and federal court, as well as matters pending before the Michigan Employment Relations Commission, the Michigan Department of Civil Rights, and the National Labor Relations Board.

Mr. Clark represents a variety of public and private sector clients, including several high-profile Metro Detroit cities, townships, and villages, private sector manufacturing companies, non-profit organizations, as well as public and charter schools. Mr. Clark is a long-standing member of several national, State, and local legal organizations. He has authored papers and has been a presenter of a variety of labor and employment topics, as well as addressing the complicated process and procedures surrounding the appointment of Emergency Managers. His most recent accolade is serving as a lecturer for the Public Sector Labor and Employee Relations class offered through the Master of Public Administration Program at Oakland University.

At the discretion of the Village of Lake Orion, other attorneys with significant municipal and specialized experience may be called in to assist the Village. Such attorneys include Anthony Chubb, Steve Hitchcock, Karie Miller, Michael Bosnic, and Anne R. Gabbert.

Anthony K. Chubb has over a decade of experience representing municipalities and governmental entities. As the Deputy Chief Legal Officer and subsequently the Chief Legal Officer for the City of Flint, Mr. Chubb argued in state and federal courts, including an issue of governmental immunity before the Michigan Supreme Court. He further honed his labor and employment and collective bargaining agreement negotiation and implementation skills as the City's Director of Human Resources and Labor Relations. He previously served as Assistant General Counsel for the SMART

regional transit authority in Detroit, where he focused his practice on labor and employment issues and commercial litigation. Mr. Chubb's extensive background working in-house for municipalities has given him a broad knowledge of both the legal and administrative sides of resolving complex cases.

In addition to labor and employment matters, Mr. Chubb has experience in counseling and advising clients on a wide array of topics including, FOIA, OMA, employee agreements, employment policies and practices, FMLA & ADA compliance, and best practices for municipal risk management.

Stephen J. Hitchcock concentrates in the areas of municipal law, litigation, employee benefits, and business transactions. Mr. Hitchcock has extensive experience in municipal matters over the past fifty years, handling municipal government and school board issues. He also represents a number of insurance companies in litigation defense, fringe benefits, disability, and other employment-related litigation. Mr. Hitchcock has previously served on the Zoning Board of Appeals and the School Board in Novi. He is former trustee on the Novi Educational Foundation.

Mr. Hitchcock has an "AV" Peer Review rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability. He represented the City of Romulus as city attorney from 1995 to 2001, and 2013 to present, and he continues to represent the City on retained matters.

Karie Miller will also assist and advise the Village of Lake Orion. Ms. Miller worked as an Assistant Prosecuting Attorney for Oakland County. There she litigated numerous criminal and civil cases on behalf of the People of the State of Michigan and developed extensive trial, motion and preliminary examination experience. She served in warrants, district court, juvenile and circuit court special units. She completed the Prosecuting Attorneys Association of Michigan (PAAM) prosecutor trial advocacy training, the National Institute of Trial Attorney (NITA) trial advocacy training, and numerous other litigation and law enforcement training on topics such as cross examination, money laundering, asset forfeiture, forensic interviewing, and operating while intoxicated investigations. Karie has experience in labor law and is proficient in the investigation of complaints regarding harassment and discrimination. She is familiar with the development and implementation of employee policies that strive to promote efficiency and assist in the fostering of a positive work environment. Karie served as an Instructor for the Oakland Police Academy, teaching basic and advanced training of law enforcement officers in the areas of Criminal Law, Criminal Procedure, Contraband, Civil Procedure, Juvenile Law, Testimony and Court Structure. Following law school, Karie clerked for the Honorable Edward Sosnick in 6th Circuit Court of Oakland County. Karie gained invaluable insight into the practice of law and developed a passion

for litigation. Karie also believes in serving and giving back to her community. She has served as an executive board member of the Berkley Youth Assistance, the Tri-Community Coalition, and the PTA.

Anne Gabbert has served as an assistant prosecutor in both Wayne and Oakland Counties. She has handled criminal matters as serious as capital crimes and as complex as white-collar crime and money laundering. Her practice has, in tandem, included a civil practice of asset forfeiture. Ms. Gabbert's experience in the civil practice of asset forfeiture for nearly thirteen years has given her expertise in the field. Anne has also worked closely with crime victims and places great value in her ability to listen and have those she represents feel both seen and heard. Ms. Gabbert is experienced in labor law and has developed departmental employee policies. She is knowledgeable in the investigation of employee complaints in the workplace, including those involving harassment and discrimination.

Ms. Gabbert has completed the National Institute of Trial Attorney Trial Advocacy Training (NITA), the Prosecuting Attorneys Association of Michigan (PAAM) trial advocacy training, money laundering, and civil asset forfeiture trainings. She has also served as an instructor on civil asset forfeiture for police agencies across the state of Michigan. Ms. Gabbert served as an instructor for the Oakland County Police Academy for a decade, teaching law enforcement officers in the areas of Civil Procedure, Criminal Procedure, Contraband, and Court Functions. Ms. Gabbert has served as a volunteer for the Redford Goodfellows Organization, Capital Area Humane Society, and as a speaker at Career Fairs for numerous local area schools.

Mike Bosnic concentrates his practice in the areas of school and municipal representation and litigation. He has successfully represented a number of communities in District and Circuit Courts, and is currently involved with numerous municipalities through his judicially appointed work with Drug Treatment/Sobriety Courts in Troy, Novi, and Waterford. He is deeply involved in the Veterans Court in Redford Township. Mike has extensive experience in the area of Property Tax Appeals. He has presented across the State on this practice area, at the request of numerous public officials. He also successfully represents clients in Federal Court, having prosecuted their claims for age and gender discrimination. He obtained a record jury verdict against the Internal Revenue Service, and was featured on the cover of the February 10, 2003 edition of *Michigan Lawyers Weekly*.

Mr. Bosnic currently serves as a magistrate judge in the 52-1 District Court in Novi. Mike has an "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability.

Current profiles for each attorney to be assigned to the Village are provided at *Attachment A*.

Support Staff

Giarmarco, Mullins & Horton has experienced legal assistants and paralegals on the ready to assist the municipal law practice group at all times. Each support staff member is trained and experienced in the legal field. Experienced legal assistants, Joan Sidlauskas, who has been a legal assistant/paralegal since 1991 and employed at GMH since 2000, and Shyraw Smith, who has been a legal assistant with the firm since 2020, proficiently provide timely and efficient support to the municipal law practice group. The firm also employs law clerks throughout the year, whose services will not be billed to the Village of Lake Orion.

5. FIRM EXPERIENCE

The Municipal Law practice group has been retained by over 25 cities and townships, including the Cities of Keego Harbor, Northville, Saline, East Lansing, Westland, Pontiac, Mount Clemens, Flint, Hamtramck, Saginaw, Benton Harbor, Belleville, Inkster, Melvindale, Warren, Highland Park, Ecorse, Trenton, Romulus, Taylor, Alpena, and Dearborn Heights and the Charter Townships of Northville, Independence, Bloomfield, Orion, Oakland, Oxford, Commerce, Royal Oak, Plymouth, Redford, Brownstown, Canton, Clinton, Van Buren, and Shelby.

Our municipal law specialists devote virtually all of their time to representation of public sector employers in connection with problems associated with the employer-employee relationship. This work involves substantial contact with numerous governmental agencies, including the Michigan Employment Relations Commission, the Michigan Department of Civil Rights, the Department of Labor, the Equal Employment Opportunity Commission, the Bureau of Workers' Disability Compensation, and the National Labor Relations Board. In short, we have attorneys that are experts in all of the areas in which the Village of Lake Orion would seek legal advice.

Throughout its history, GMH has employed an entrepreneurial philosophy in the delivery of legal services. By keeping its internal cost structure low, the firm has been able to provide quality legal services at a fair rate. Internally, GMH has created a competitive entrepreneurial environment which benefits our clients.

Not surprisingly, under the above management style, GMH has continued to grow despite the tough economic times in which we live. When budgets get tight, our clients have found we have the flexibility to work with them in reducing costs. The Village of Lake Orion can rest assured that it will be given the highest level of priority at GMH and that each attorney of the firm is committed to providing quality legal services to the Village.

6. WHY GMH SHOULD BE CONSIDERED

Throughout its history, GMH has enjoyed the highest rating awarded by Martindale Hubbell in its ranking of quality law firms. Many GMH attorneys are selected as court appointed mediators and guest speakers in their particular areas of expertise. Our continued growth in these challenging times is a result of our commitment to providing quality legal services on a timely basis and at a reasonable price.

How GMH Meets or Exceeds the Minimum Qualifications

Client Commitment

The Village of Lake Orion will be given the highest priority by the attorneys of GMH. Our policy is to respond quickly and effectively to all client inquiries. We will make available all contact information, including email addresses, work, cell, and home telephone numbers, and will be available virtually all hours of the day, night, or weekend. GMH understands the importance of the client relationship and that we are a partner with the Village.

Results

GMH understands that the bottom line in providing quality legal services is the results obtained. The firm welcomes accountability in its advice and services provided. We understand that clients seek straightforward, experienced advice. Legal advice designed to protect the lawyer is no advice at all. Many areas of the law are unclear and the results uncertain, however, GMH understands that the decision-maker must ultimately "make the decision." We provide advice based upon our experience and knowledge and not based upon whether we will look good or be protected if an unanticipated result occurs.

Cost Effectiveness

The culture of GMH is a businesslike approach to providing legal services. We do not pursue issues for the academic fun of it or to increase the firm's status. We work closely with our clients to understand their goals and objectives. Together, we then implement the most cost-efficient strategy for success. While setting precedence or new law for an attorney may be rewarding, we do not do so at the expense of our clients. GMH bills its clients hourly, in increments of 0.10 hours, providing a detailed monthly invoice for legal services rendered. Clients are billed for reimbursable charges such as filing fees, court reporters, overnight delivery, and milage at the statutory IRS rate.

GMH offers the Village of Lake Orion a three-prong approach towards providing proactive legal services to minimize expenses.

1. GMH offers comprehensive training on a variety of topics for all Village staff, including areas of discrimination, harassment, confidentiality, employee discipline and counseling. Additionally, the Firm offers training to Village Council, as well as Village Boards and Commissions on important topics including meeting decorum, Robert's Rules of Order, Open Meetings Act, Freedom of Information Act requests, and handling issues of public concern.

2. The Firm constantly monitors both State and federal legislation that could have an impact on the operations of the Village, including legislation that could affect Village finances, Open Meetings Act, Freedom of Information Act requests, environmental, zoning, planning, and taxation.

3. We closely monitor recent court decisions that again could have a direct impact on Village operations, similar to an overview of pending legislation. The Firm monitors recent court filings through *Detroit Report*, which sets forth recent Circuit Court and Federal Court filings.

Philosophy on Attorney-Client Relationship

GMH believes that its public sector clients are unique and the relationships must be based upon trust, effective communication, and straightforward advice. Government officials have many constituencies to serve, and unlike the private sector, a municipal attorney is viewed almost as a part of the government's "team." It is important that the perception and communication with the public, press, and Village employees is consistent with the goals and objectives of the client. GMH recognizes that it is a political process, which is far different than representing a CEO or owner of a privately held company. In addition to the Village's lead attorney, many of GMH's lawyers have held elected or appointed positions on governmental boards.

Summary

The entire firm of GMH is committed to providing quality legal representation to the Village of Lake Orion. The firm has the experience and resources in all areas necessary for effective and efficient legal services. We are committed to our public sector representation and to the local area. Our goal is to develop a long-term relationship with the Village. We are excited by the opportunity to become part of the Village of Lake Orion's team.

7. MUNICIPAL REFERENCES

Charter Township of Redford
Pat McRae, Superintendent
15145 Beech Daly Road Redford, MI 48239
(313) 387-2750
pmcrae@redfordtwp.com
General municipal, labor and employment, litigation, District Court prosecutions, real estate, and Michigan Tax Tribunal appeals

City of Northville
George Lahanas, City Manager
General municipal, labor and employment, litigation, District Court prosecutions, real estate, and Michigan Tax Tribunal appeals

City of Saline
Dan Swallow, City Manager
100 N. Harris Street
Saline, Michigan 48176
(734) 476-3961
dswallow@cityofsaline.org
General municipal, labor and employment

Charter Township of Bloomfield
Mike McCready, Township Supervisor
4200 Telegraph Road
Bloomfield Hills, MI 48303
(248) 433-7755
mmccready@bloomfieldtwp.org
General municipal and labor and employment

City of Keego Harbor
Tammy Neeb, Clerk and City Manager
2025 Beechmont Street
Keego Harbor, Michigan 48320
(248) 682-1930, Ext. 1
manager@keegoharbor.com
General municipal, labor and employment, litigation, District Court prosecutions, real estate, and Michigan Tax Tribunal appeals

City of Taylor
Dan Bzura, Chief of Staff
23555 Goddard Rd.
Taylor, MI 48180
(734) 374-1452
dbzura@ci.taylor.mi.us
General municipal, labor and employment, and litigation

Charter Township of Northville
Todd Mutchler, Township Manager
44405 Six Mile Road
Northville, MI 48168
(248) 348-5800
tmutchler@twp.northville.mi.us
General municipal and labor and employment

City of Saginaw
Tim Morales, City Manager
1315 S. Washington Avenue
Saginaw, MI 48601
(989) 759-1401
TMorales@saginaw-mi.com
Labor and employment and litigation

Charter Township of Plymouth
Chuck Curmi, Township Supervisor
9955 N. Haggerty Road
Plymouth, MI 48170-4673
(734) 354-3201 Office
ccurmi@plymouthtwp.org
General municipal and labor and employment

8. CLIENT CONFLICTS OF INTEREST

Giarmarco, Mullins and Horton has been retained by over 25 cities, villages, and townships. It has been our experience that representation of other municipalities generally provides opportunities for collaboration rather than conflicts. However, should any potential conflict arise, we would timely notify the Village and provide a proposed path moving forward. Prior to handling any new matter, an internal conflict check is routed to all staff in the firm, including the firm's billing system, which will show conflicts of any past and current client representation, including any real estate developers doing business with or anticipating doing business with the Village of Lake Orion.

9. DAY-TO-DAY ACTIVITIES

The GMH Municipal Group is staffed to allow for integration of the Village of Lake Orion's legal needs. The Village of Lake Orion will be given the highest priority by the attorneys of GMH. Our policy is to respond quickly and effectively to all client inquiries. We will make available all contact information, including email addresses, work, cell, and home telephone numbers, and will be available virtually all hours of the day, night, or weekend. GMH understands the importance of the client relationship and that we are a partner with the Village.

GMH understands that the bottom line in providing quality legal services is the results obtained. The firm welcomes accountability in its advice and services provided. We understand that clients seek straightforward, experienced advice. Legal advice designed to protect the lawyer is no advice at all. Many areas of the law are unclear and the results uncertain; however, GMH understands that the decision-maker must ultimately "make the decision." We provide advice based upon our experience and knowledge and not based upon whether we will look good or be protected if an unanticipated result occurs.

The culture of GMH is a businesslike approach to providing legal services. We do not pursue issues for the academic fun of it or to increase the firm's status. We work closely with our clients to understand their goals and objectives. Together, we then implement the most cost-efficient strategy for success. While setting precedence or new law for an attorney may be rewarding, we do not do so at the expense of our clients.

10. INSURANCE

GMH maintains Workers' Compensation, comprehensive general liability, and vehicle insurance as required by the Village of Lake Orion. Should GMH be awarded this contract, it will purchase and maintain, throughout the term of the Contract, insurance from an insurance company authorized to do business in the State of Michigan that will protect Contractors, subcontractors, and the owner from all liability claims under the Contract. The insurance will name the Village of Lake Orion as additional insured party on appropriate coverage(s) where possible.

11. EXCEPTIONS

GMH does not foresee any exceptions or conflicts of interest in its representation of the Village of Lake Orion.

12. BAR ASSOCIATION COMPLAINTS

Giarmarco, Mullins and Horton, P.C. has not been the subject of any Bar Association complaints within the past five years.

13. BANKRUPTCY OR REORGANIZATION

GMH's financial condition is stellar. All vendor invoices are paid within 30 days of submission and maintains a D&B "Good" rating. GMH has never filed for bankruptcy and is extremely proud of its commitment and reputation in the legal community.

14. TERMINATION

The City of Hamtramck ceased using the services of Giarmarco, Mullins and Horton, P.C. in 2018 after a change in City leadership.

The Charter Township of Royal Oak ceased using the services of Giarmarco, Mullins and Horton, P.C. in 2019 after a change in Township leadership. However, GMH was rehired as the Township's general and prosecutorial counsel in 2021.

The City of Wayne ceased using the services of Giarmarco, Mullins and Horton, P.C. for its labor and employment legal services in 2024 after a change in City leadership. However, GMH remains the City's general and prosecutorial counsel.

15. RESPONSE TIME

The Village of Lake Orion will be provided the direct contact information for all GMH personnel working for the Village. GMH staff will correspond directly with Village personnel upon engagement of an assignment or task when presented to them. Depending on the assignment, the average response time to a verbal inquiry or contact is one day, the average response time for written tasks is three days. This schedule of course is subject to the time-sensitive nature of the task.

Based upon our commitment to our clients, GMH makes it a priority to respond to all inquiries in a timely and efficient manner. Attorneys of the firm can be reached by phone, cell phone, email, text, or any other manner desired by the Village of Lake Orion. The Village's lead attorney will be available and responsive by any of the above means at any time of the day or evening, including weekends and vacations. All meetings, conferences, court appearances or other important events will be the priority in the lead attorney's schedule. As part of this client communication, GMH also will provide free municipal updates on emerging issues or cases, as well as seminars on relevant issues to the Village of Lake Orion and its employees. We take pride in our accessibility and recognize that emergencies do not respect a nine-to-five schedule.

16. FAMILIARIZATION WITH CURRENT VILLAGE ISSUES

The GMH Municipal Group is staffed to allow for integration of the Village of Lake Orion's legal needs. The Village will be given the highest priority by the attorneys of GMH. Our policy is to respond quickly and effectively to all client inquiries. We will make available all contact information, including email addresses, work, cell, and home telephone numbers, and will be available virtually all hours of the day, night, or weekend. GMH understands the importance of the client relationship and that we are a partner with the Village of Lake Orion.

GMH understands that the bottom line in providing quality legal services is the results obtained. The firm welcomes accountability in its advice and services provided. We understand that clients seek straightforward, experienced advice. Legal advice designed to protect the lawyer is no advice at all. Many areas of the law are unclear and the results uncertain, however, GMH understands that the decision-maker must ultimately "make the decision." We provide advice based upon our experience and knowledge and not based upon whether we will look good or be protected if an unanticipated result occurs.

The culture of GMH is a businesslike approach to providing legal services. We do not pursue issues for the academic fun of it or to increase the firm's status. We work closely with our clients to understand their goals and objectives. Together, we then implement the most cost-efficient strategy for success. While setting precedence or new law for an attorney may be rewarding, we do not do so at the expense of our clients.

17. FIRM CONFLICTS OF INTEREST

GMH does not foresee any exceptions or conflicts of interest in its representation of the Village of Lake Orion.

As stated above, prior to handling any new matter, an internal conflict check is routed to all staff in the firm, including the firm's billing system, which will show conflicts of any past and current client representation, including any real estate developers doing business with or anticipating doing business with the Village of Lake Orion.

17. PRICING

A preliminary estimate or range of overall anticipated annual costs can only be ascertained based on the need for legal services by the Village of Lake Orion. However, GMH offers the following as its proposed compensation for legal services:

	Pricing Component		Amount
1.	Hourly Rate – Prosecution of Building/Code/Zoning Violations	$	165.00
2.	Hourly Rate – Civil Litigation and Litigation of Non-Insurance Cases	$	175.00
3.	Hourly Rate – Board of Review (if necessary)	$	175.00
4.	Hourly Rate (All Other Legal Services)	$	175.00

5. Expenses: The Village will pay GMH for all expenses and court costs resulting from the Village's legal services, including photocopying at $0.20/page, overnight and express mail, courier fees, filing fees, and mileage fees (at the IRS annual rate).

Any client telephone conferences less than 15 minutes and brief client email exchanges will not be billed. Also, the Village of Lake Orion will not be charged for law clerk or legal assistant services.

SIGNATURE PAGE AND ACKNOWLEDGMENT

Firm name: Giarmarco, Mullins & Horton, P.C.

Address: 101 West Big Beaver Road, 10th Floor

City/State/Zip Code: Troy, Michigan 48084-5280

Telephone Number: (248) 457-7023

Fax Number: (248) 457-7001

Email Address: jclark@gmhlaw.com

SIGNATURE/DATE: _____ October 21, 2025
John G. Clark (P51356)

ATTACHMENT A – ATTORNEY PROFILES

GIARMARCO, MULLINS & HORTON, P.C.
ATTORNEYS & COUNSELORS AT LAW

EMAIL: JCLARK@GMHLAW.COM
TENTH FLOOR COLUMBIA CENTER
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TROY, MI 48084-5280
DIRECT PHONE: (248) 457-7023

JOHN C. CLARK
EXPERIENCE

Mr. John Clark concentrates his practice in the areas of labor and employment law, servicing clients in both the public and private sector. Mr. Clark has been a member of the firm since 1995 and currently sits on the firm's Board of Directors. Mr. Clark also chairs the firm's municipal/labor and employment section. In addition, Mr. Clark is a certified employment arbitrator through the American Arbitration Association overseeing complicated employment matters litigated by both public and private sector claimants.

Mr. Clark has vast experience in labor and employment law, including contract negotiations, arbitrations, Act 312 proceedings, fact-findings, employment discrimination claims, wrongful discharge matters, civil rights complaints, proceedings in state and federal court, as well as matters pending before the Michigan Employment Relations Commission, the Michigan Department of Civil Rights and the National Labor Relations Board.

Mr. Clark represents a variety of public and private sector clients, including several high profile Metro Detroit cities and townships, private sector manufacturing companies, non-profit organizations as well as public and charter schools.

Mr. Clark is an expert in employee and management training on such topics as discrimination, harassment, bias, progressive discipline, Open Meetings Act, collective bargaining, and privacy. Mr. Clark also develops emoloyee policies that strive to promote efficiency and aid in fostering a positive work enviroment.

Mr. Clark is a long-standing member of several National, State and local legal organizations. He has authored papers and has been a presenter of a variety of labor and employment topics, as well as addressing the complicated process and procedures surrounding the creation of positive labor relations between management and organized labor.

Mr. Clark's most recent accolade is serving as a lecturer for the Public Sector Labor and Employment Relations class offered through the Masters of Public Administration program at Oakland University. Mr. Clark also serves as a Trustee for an Oakland County Township.

PRACTICE AREAS

- Governmental Law
- Employment & Labor Law
- Litigation
- Municipal & Government
- Education Law
- Police Liability/Excessive Force Matters



EDUCATION

- Michigan State University, B.A.
- University of Detroit, J.D.
- American Arbitration Association, Certified

ADMITTED TO PRACTICE

- Michigan: 1994

PROFESSIONAL LEADERSHIP/ MEMBERSHIPS

- American Bar Association
- State Bar of Michigan
- Oakland County Bar Association
- American Arbitration Association: Certified Employment Arbitrator
- Department of Treasury Government Turnaround Association Founding Member and Presenter

HONORS/AWARDS

- Voted Top Lawyers 2021, 2022, and 2023 by DBusiness Magazine
- "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability
- Leading Lawyer

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Leading Lawyers℠

GIARMARCO, MULLINS & HORTON, P.C.
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ANTHONY CHUBB
EXPERIENCE

Anthony K. Chubb is an equity shareholder in the firm's municipal group and has dedicated his career to representing cities, townships, and governmental entities. He currently serves as City Attorney for the cities of East Lansing, Northville, Keego Harbor, and Saline, as well as General Counsel for Grand Blanc and Redford Townships and the Genesee County 911 Consortium.

Mr. Chubb has over 15 years of experience representing municipalities and governmental entities as general counsel, including election law, governmental immunity, prosecution, water quality and rate setting defense, medical and recreational marihuana regulation, and administrative law. Before joining GMH, Mr. Chubb was the Deputy Chief Legal Officer and, subsequently, the Chief Legal Officer for the City of Flint and the City's Director of Human Resources and Labor Relations. He previously served as Assistant General Counsel for the SMART regional transit authority in Detroit, where he focused his practice on labor and employment issues and commercial litigation. Mr. Chubb's extensive background in municipal law, including working in-house for municipalities, has given him a broad knowledge of both the legal and administrative sides of resolving complex cases.

In addition to his professional background, Mr. Chubb has a history of public and community service. He was elected to the Michigan Bar Association Government Law Council (2023-2026) and serves on the Board of Directors of the Grosse Pointe Animal Adoption Society as pro-bono legal counsel (for which he has fostered dozens of dogs.) Mr. Chubb was previously elected to two terms (2017-2020, 2020-2023) to the Genesee County Bar Association Board of Directors.

PRACTICE AREAS

- Municipal Law
- Employment & Labor Law
- Medical and Recreational Marihuana Regulation
- Water Quality and Rate Setting Defense
- Election and Ballot Initiative Matters
- Police Liability/Excessive Force Matters

EDUCATION

- Wayne State University Law School, Detroit, Michigan, 2008, J.D.
- University of Michigan, Ann Arbor, Michigan, 2003, B.A.



PROFESSIONAL LEADERSHIPS

- State Bar of Michigan Government Law Section Council 2023-2026
- Genesee County Bar Association Board of Directors 2017-2020; 2020-2023
- Board of Directors, Grosse Pointe Animal Adoption Society

MEMBERSHIPS

- State Bar of Michigan
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Western District of Michigan
- U.S. Bankruptcy Court for the Eastern District of Michigan
- U.S. Court of Appeals for the Sixth Circuit

HONORS/AWARDS

- "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability
- 2019 Super Lawyers "Rising Star" in state, local & municipal law

Martindale-Hubbell®
Super Lawyers

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STEPHEN J. HITCHCOCK
EXPERIENCE

Mr. Stephen Hitchcock concentrates in the areas of municipal law, litigation, employment law, employee benefits and business transactions. Mr. Hitchcock has extensive experience in municipal matters over the past thirty years, handling municipal government and school board issues. He also represents a number of insurance companies in litigation defense, fringe benefits, disability and other employment related litigation.

Mr. Hitchcock has previously served on the Zoning Board of Appeals and the School Board in Novi. He is former trustee on the Novi Educational Foundation.

Mr. Hitchcock has an "AV" Peer Review rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability.

GENERAL MUNICIPAL EXPERIENCE

- Represented local cities and townships for over thirty years in matters related to water/sewer, zoning, planning, land use, ordinance drafting, contract negotiations and municipal litigation.
- Represented the City of Romulus as city attorney – 1995 to 2001, 2013 to present.
- Belleville city attorney – 2012 to present.
- Representing the Charter Township of Brownstown – 2004 to Present.
- Represented Kochville Township on various legal matters – 2000 to 2005.
- Provided legal services for the City of Pontiac, City of Belleville, Charter Township of Redford, City of Taylor, City of Trenton, City of Montrose, City of Wayne and other municipalities on specific retained basis.

PRACTICE AREAS

- Employment and Labor Law
- Government Law
- Litigation
- Municipal

EDUCATION

- University of Michigan and Western Michigan University, B.A.
- Detroit College of Law, J.D.



ADMITTED TO PRACTICE

- Michigan: 1973
- Michigan Supreme Court
- U.S. Court of Appeals
- U.S. Supreme Court

PROFESSIONAL LEADERSHIP/ MEMBERSHIPS

- State Bar of Michigan
- Oakland County Bar Association
- Oakland County Bar Association Federal Court Committee, Former Chairman
- Michigan Association of Municipal Attorneys
- International Municipal Lawyers Association

HONORS/AWARDS

- "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability
- Michigan Super Lawyer
- dBusiness "Top Lawyer"
- Leading Lawyers

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dbusiness
Leading Lawyers℠

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KARIE MILLER
EXPERIENCE

Karie Miller has joined Giarmarco, Mullins & Horton in the Municipal Section. Karie worked as an Assistant Prosecuting Attorney for Oakland County. There she litigated numerous criminal and civil cases on behalf of the People of the State of Michigan and developed extensive trial, motion and preliminary examination experience. She served in warrants, district court, juvenile and circuit court special units. She completed the Prosecuting Attorneys Association of Michigan (PAAM) prosecutor trial advocacy training, the National Institute of Trial Attorney (NITA) trial advocacy training, and numerous other litigation and law enforcement training on topics such as cross examination, money laundering, asset forfeiture, forensic interviewing, and operating while intoxicated investigations.

Karie has experience in labor law and is proficient in the investigation of complaints regarding harassment and discrimination. She is familiar with the development and implementation of employee policies that strive to promote efficiency and assist in the fostering of a positive work environment.

Karie served as an Instructor for the Oakland Police Academy, teaching basic and advanced training of law enforcement officers in the areas of Criminal Law, Criminal Procedure, Contraband, Civil Procedure, Juvenile Law, Testimony and Court Structure.

Following law school, Karie clerked for the Honorable Edward Sosnick in 6th Circuit Court of Oakland County. Karie gained invaluable insight into the practice of law and developed a passion for litigation.

Karie also believes in serving and giving back to her community. She has served as an executive board member of the Berkley Youth Assistance, the Tri-Community Coalition and the PTA.



EDUCATION

- Wayne State University School of Law, J.D.(2004)
- Central Michigan University, B.S. (2000)

ADMITTED TO PRACTICE

- Oakland County Prosecutor Assistant Prosecuting Attorney 2006 - 2018
- Judicial Law Clerk 2004 - 2006
- Judicial Internship 3rd Circuit Court Frank Murphy Hall of Justice, Wayne County, MI
- Social Worker, Oakland Family Services

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ANNE GABBERT

EXPERIENCE

Ms. Gabbert has served as an assistant prosecutor in both Wayne and Oakland Counties. She has handled criminal matters as serious as capital crimes and as complex as white-collar crime and money laundering. Her practice has, in tandem, included a civil practice of asset forfeiture.

Ms. Gabbert's experience in the civil practice of asset forfeiture for nearly 13 years has given her expertise in the field. Anne has also worked closely with crime victims and places great value in her ability to listen and have those she represents feel both seen and heard.

Ms. Gabbert is experienced in labor law and has developed departmental employee policies. She is knowledgeable in the investigation of employee complaints in the workplace, including those involving harassment and discrimination.

Ms. Gabbert has completed the National Institute of Trial Attorney Trial Advocacy Training (NITA), the Prosecuting Attorneys Association of Michigan (PAAM) trial advocacy training, money laundering, and civil asset forfeiture trainings. She has also served as an instructor on civil asset forfeiture for police agencies across the state of Michigan.

Ms. Gabbert served as an instructor for the Oakland County Police Academy for a decade, teaching law enforcement officers in the areas of Civil Procedure, Criminal Procedure, Contraband, and Court Functions.

Ms. Gabbert has served as a volunteer for the Redford Goodfellows Organization, Capital Area Humane Society, and as a speaker at Career Fairs for numerous local area schools.



PRACTICE AREAS

- Municipal Law
- Employment and Labor Law
- Civil Law
- Criminal Law
- Asset Forfeiture Law

EDUCATION

- Michigan State University, graduating with high honor
- University of Detroit Mercy School of Law

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MICHAEL L. BOSNIC
EXPERIENCE

Mr. Bosnic concentrates his practice in the areas of school and municipal representation and litigation. He has successfully represented a number of communities in District and Circuit Courts, and is currently involved with numerous municipalities through his judicially appointed work with Drug Treatment/Sobriety Courts in Troy, Novi and Waterford.

Mike has extensive experience in the area of Property Tax Appeals. He has presented across the state on this practice area, at the request of numerous public officials. He also successfully represents clients in Federal Court, having prosecuted their claims for age and gender discrimination. He obtained a record jury verdict against the Internal Revenue Service, and was featured on the cover of the February 10, 2003 edition of Michigan Lawyers Weekly.

Mr. Bosnic has an "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability.

PRACTICE AREAS

- School District and Municipal Representation
- Litigation
- Governmental Law

EDUCATION

- Michigan State University, B.A.
- Notre Dame Law School, J.D.

PROFESSIONAL LEADERSHIP/ MEMBERSHIPS

- State Bar of Michigan
- U.S. District Court, Eastern District of Michigan
- U.S. Court of Appeals, 6th Circuit



HONORS/AWARDS

- "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability
- Award of Merit: Michigan Association of School Boards
- "Drug Court Hero" award from MADCP

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GIARMARCO, MULLINS & HORTON, P.C.
ATTORNEYS & COUNSELORS AT LAW

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GEORGE A. CONTIS
EXPERIENCE

Mr. George Contis concentrates his practice in the areas of, real estate acquisition and development, construction, mortgage and end-loan lending, participation loans, commercial and industrial leasing for landlords and tenants (including master leases, ground leases and subleases) and business planning.

Mr. Contis regularly works with lenders, owners and court appointed receivers in the sale of distressed office, commercial and industrial properties and manufactured home communities. He represented LA Fitness International and negotiated leases on its behalf for the establishment of its first six fitness facilities in Southeastern Michigan.

Mr. Contis earned his Bachelor of Arts Degree in Economics from the University of Pittsburgh in 1982 and received his Juris Doctor Degree from the University of Detroit in 1985. While at the University of Detroit, Mr. Contis participated in several local and national Moot Court competitions and was selected for membership to the Order of Barristers.

His publications include: Tax Aspects of Divorce in Michigan, Michigan Tax Law Journal, 1984; Bring a Weapon to School, Get Expelled 370 Laches 8, Nov. 1996; and Year End Planning Considerations for 1031 Exchanges, Bar Briefs, December 2000.

Mr. Contis has an "AV" Peer Review rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability.

PRACTICE AREAS

- Business Law & Commercial Transactions
- Banking and Finance
- Real Estate
- Construction Law

EDUCATION

- University of Detroit Law School, J.D., 1985
- University of Pittsburgh, B.A., 1982.

ADMITTED TO PRACTICE

- Michigan 1985



PROFESSIONAL LEADERSHIP/ MEMBERSHIPS

- State Bar of Michigan
- Macomb County Bar Association

HONORS/AWARDS

- "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability
- dBusiness "Top Lawyer"
- Leading Lawyer

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dbusiness DETROIT'S PREMIER BUSINESS JOURNAL
Leading Lawyers℠

SECREST WARDLE

Proposal for General Counsel Legal Services For Village of Lake Orion

Submitted by:

Mark S. Roberts, Esq.
Secrest Wardle
Executive Partner and Managing Partner of the Municipal Law Practice Group



SECREST WARDLE

PROPOSAL

SUBMITTED TO

Village of Lake Orion

21 East Church Street
Lake Orion, MI 48362

Wednesday, October 22, 2025

2600 Troy Center Drive
P.O. Box 5025
Troy, MI 48007-5025

Mark S. Roberts, Esq.
Telephone (248) 539-2815
Fax (248) 251-1806
E-Mail: mroberts@secrestwardle.com

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Proposal for General Counsel Legal Services For The Village of Lake Orion

THANK YOU! for the opportunity to provide Secrest Wardle's Proposal for General Village Legal Services for the consideration of the Village of Lake Orion. The Firm acknowledges that if awarded, the contract is anticipated to commence on or before January 1, 2026.

Secrest Wardle Executive Partner, Mark S. Roberts, heads up the firm's Municipal Practice Group. He has practiced municipal law exclusively for the past 30 years and currently serves as general counsel to the Charter Township of West Bloomfield and the City of Bloomfield Hills. He is also retained to provide legal services to the Charter Township of Bloomfield's Planning, Building, and Ordinance Department, assisting with land development issues and ordinance enforcement matters. Mr. Roberts has also performed special counsel work for a number of townships, villages, and/or cities, ranging from constitutional challenges to water/sewer rates, building fee challenges, and zoning enforcement matters.

The Secrest Wardle Municipal Practice Group includes municipal attorneys capable of providing a wide range of municipal legal services. The attorneys of the group also possess some specialized skill sets that complement the team to effectively provide the full range of service our municipal clients require. Specifically, Alana E. Knox provides services for ordinance enforcement, tax tribunal, METRO Act and cellular service industry issues. Nancy Cooper Green provides expertise in contract analysis and negotiation, land development, ordinance drafting, and issues arising from relationships between municipalities and related boards, administrations, and commissions, bringing more than 30 years' experience in municipal law to the team. L. Charlynn Turner comes to the team from the Oakland County Prosecutor's Office, and provides effective and efficient prosecution services, including regularly prosecuting for communities in the 52/3 District Court. Matthew Nicols supplies appellate law expertise, proven to be an excellent asset to the Municipal Practice Group, as well as general civil litigation experience. Proposed Lead Attorney Mark S. Roberts would be managing legal services to the Village and taking the primary role of its representation, supported by the aforementioned team.

Our Mission:

Secrest Wardle: A law firm where competence and commitment combine every day to exceed clients' expectations in every way.

1. Scope of Services - General Village Legal Services

The Secrest Wardle Municipal Law Practice Group is one of the most effective in Michigan, currently representing numerous cities, villages, and townships. Over the years, Secrest Wardle has provided services to municipalities located in Wayne, Oakland, Macomb, Washtenaw, and Ingham counties. Our Municipal Law Practice Group is, in our view, unique in that the attributes of our attorneys have been broadly recognized in a way other firms providing similar services don't match.

Because of the Group's concentration on municipal law, we work hard at keeping current on legal issues that affect our clients. This includes not only attending seminars and presentations by the Public Corporation Section of the State Bar, the Michigan Association of Municipal Attorneys, and other groups, but participating in them as presenters.

Recognized for their experience and commitment to the area of municipal law, attorneys in the Municipal Law Practice Group have been asked to participate in other professional activities by groups such as the Michigan Municipal League (MML) and the Michigan Townships Association (MTA.) Presentations by Municipal Group attorneys include participation in panels on medical marijuana regulations (Oakland County Bar Association Municipal Law Committee and Michigan Association of Code Enforcement Officers), sign ordinance issues following the United States Supreme Court decision in *Reed v Town of Gilbert, Arizona* (MAMA and MTA), dealing with "zombie" developments (Michigan Local Government Managers Association, or MLGMA), the mechanics of the state's constitutional convention process (MLGMA), an overview of the 2008 Planning Enabling Act (MTA,) and a review of recent case law regarding challenges to local land use decisions (Institute of Continuing Legal Education, or ICLE).

This Scope of Services section of Secrest Wardle's proposal, Addendum 1, aligns well with the Legal Services Scope of Services, Appendix A of the Village's RFP.

If selected, our knowledge and experience with ordinances, agreements and contracts will serve the Village well. Secrest Wardle's Municipal Law Practice Group possesses a wealth of knowledge and experience developing ordinances and codes. In addition to working with staff, our attorneys bring ideas and concepts used by municipalities state-wide and nation-wide, providing some real-world guidance to new regulatory concepts.

Similarly, our experience with contract review and agreements will serve the Village well, as we know where to look for possible areas of concern and can effectively counsel the Village where modifications may be needed. We are also adept at legal action to enforce contracts, should the need arise.

Our attorneys are also skilled in the negotiation of agreements and reaching resolutions to differences. Whether dealing with a contract, negotiating a resolution to a zoning dispute, or addressing an issue with another municipal organization, we have been successful in resolving

conflicts quickly and efficiently. Where an issue cannot be resolved amicably, however, we are capable of enforcing the Village's interests.

We routinely assist with the transfer of real property interests, sale or acquisition. Our attorneys can prepare the necessary documents, deeds, easements, utility transfers, land contracts, to accomplish the objective.

Our Practice Group will work closely with the Village Manager, providing guidance and recommendations when requested to ensure the Village's goals are being met legally and effectively. Our attorneys regularly provide opinion letters to the public body on topics of interest or concern and will be ready to meet with the Village Council to discuss the opinions in greater detail if needed. We have the experience to foresee issues developing and can communicate the opinions effectively to Council. We pride ourselves in being proactive in avoiding legal issues, prior to the onset of adverse consequences.

Our Municipal Law Practice Group attorneys are available 365/24/7 to address the requirements of the Village of Lake Orion Manager, Clerk, Treasurer, Department Heads, Village Consultants, and the Village Council that may occur day-to-day, as well as in more urgent situations. Strict confidentiality and a quick response time to all inquiries are standard procedure at Secrest Wardle. We can also offer regular office hours, 3 hours per day, 2 or 3 days per week depending on your needs. We find that having regular office hours keeps us on top of matters pending at the Village and makes meeting with staff a more predictable occurrence.

We welcome the opportunity to be present, at the request of Village Manager Darwin McClary or his colleagues and representatives, for all regularly scheduled meetings, special meetings, executive sessions, as well as meetings of the various boards, departments, and commissions that convene to oversee Village business. Our Firm, and proposed Primary Lead Attorney, Mark S. Roberts, are available to attend all regularly scheduled Village Council meetings on the second and fourth Monday of each month, at 6:30 p.m.

All attorneys in the Municipal Department are well versed in the Home Rule Village Act, Open Meetings Act, Freedom of Information Act, and public improvement special assessment procedures and requirements. Our team is comprised of attorneys focused on serving the legal needs of municipalities. As such, all possess a thorough understanding of all statutes affecting the Village of Lake Orion. Mr. Roberts has worked extensively with public improvement financing structures, as well as reviewing proposals for private developments.

The Group is well-seasoned in the preparation, revision, and review of resolutions and ordinances, notices, purchase and sale documents concerning real and personal property, special assessment resolutions and documents, preparation of deeds and the interpretation of public acts, and explaining the implications of same. Our experienced legal staff possesses the legal acumen and requisite experience to provide exemplary legal services to the Village of Lake Orion in these areas as well as those set out in more detail below.

Aside from zoning ordinances, the Firm has worked with municipal officials in varied and diverse municipalities to assist in the development, administration, enforcement, and defense of codes and ordinances on every subject of municipal regulation, ranging from the routine to the very innovative. Attorneys in the Municipal Law Practice Group prepared one of the first wetlands ordinances in Michigan (1973) and have prepared many environmentally based ordinances since. Our experience includes enforcement, injunctive remedies and re-mediation of wetlands, woodlands, zoning and building code violations. The Firm has also prepared ordinances for municipalities providing for "single waste haulers" in said municipalities.

We are involved on a continual basis in the review, drafting, negotiation, and administration of contracts for our municipal clients on a wide variety of subjects, including contracts with people and entities providing goods and/or services to the community; intergovernmental agreements; development and maintenance agreements with developers; contracts with architects and general contractors; and, permits for right-of-way use. We have prepared agreements with waste hauling companies for our municipalities. The Municipal Department is skilled in the drafting and negotiation of intergovernmental agreements, having prepared and reviewed a number of such agreements for the municipal clients of the firm.

We regularly assist municipalities in planning, zoning, and environmental matters. If desired, we would welcome the opportunity to provide the Village of Lake Orion Board of Zoning Appeals and Planning Commission periodic training sessions. Secrest Wardle firmly believes in maintaining a cooperative learning environment with its clients and informational seminars are regularly provided for Secrest Wardle clients.

We participate in the preparation of master plans, capital improvement plans, and strategic planning studies, including several innovative provisions such as overlay district, historic preservation, and open space planning concepts. We also assist in the preparation of complete zoning ordinances and have worked with planning commissions, boards, councils, administrative officials, and planning consultants in the preparation of countless zoning ordinance amendments, including drafting resource preservation regulations; drafting senior housing provisions; drafting provisions to accomplish special community objectives, such as urban and rural development districts, and special land use provisions to protect existing commercial or industrial uses within an area deemed to be sensitive in terms of surrounding uses; establishing overlay districts to achieve community objectives; preparing Planned Unit Development (PUD) provisions and agreements; and, preparing provisions to allow for a rational administration of the Federal Fair Housing Act requirements. We regularly provide municipal clients with legal consultation and representation in matters involving review, approval, and defense of special land uses, CPD/PUD and site plan approvals/denials. We have also been involved in assisting municipalities in matters pertaining to landfills, incinerators, Brownfields, and waste hauling. Secrest Wardle has also been involved in assisting municipalities in implementing PACE programs per state law.

Our experience in planning and zoning has also included extensive litigation in the circuit and appellate courts. Some relevant published appellate court cases are noted in the Synopsis of Cases section of this Proposal.

Our attorneys routinely advise the Firm's municipal clients on a broad spectrum of election law issues including preparation and certification of ballot proposals, candidate qualifications, charter requirements, polling issues, petitions, political signs, and special election requirements.

Secrest Wardle's Municipal Law Practice Group is also experienced with issues concerning bonds, annuities, and financial matters of its clients. Members of the Municipal Law Practice Group, while not serving as Bond Counsel, work regularly with Bond Counsel to support and assist as needed. The Group has also successfully defended a number of complex *Headlee Amendment* tax and/or fee claims.

Secrest Wardle's municipal attorneys are well-versed in the review and preparation of resolutions for special assessments and the creation of special assessment districts, and are available to assist the Village when necessary. Secrest Wardle is capable of advising the Village in matters pertaining to the various Boards and Commissions at the request of the Village Council, representing the Village as directed by the Village Council, reviewing and providing consultation to the Village on various insurance matters; providing bankruptcy and foreclosure assistance regarding rehabilitation loans and tax collections, and otherwise representing the Village as specifically requested and/or approved by the Village Council.

The Municipal Department is experienced dealing cooperatively with other attorneys working with the Village on specific projects. Our attorneys have worked with Bond Counsel, assigned counsel handling insurance defense matters, and with labor counsel.

The Municipal Law Practice Group has substantial experience and expertise in trial and appellate litigation involving a wide range of client issues. Our attorneys have positive relationships in the county and federal court systems. Firm attorneys are appointed by courts as special mediators and facilitators. The Municipal Group has represented municipalities and municipal associations in a multitude of lawsuits significant to state law over the past several years, some of which are listed in the Synopsis of Cases section of this Proposal.

2. Background of Law Firm

For more than 100 years, since 1912, Secrest Wardle has specialized in defense litigation and counseling for commercial, municipal, and insurance clients. The Firm has represented countless municipal entities, including several prominent Oakland County municipalities, at present and in the past, and in a multitude of legal scenarios. Secrest Wardle's Appellate Practice Group has vast experience in promoting our clients' interests at a profound level. Our appellate attorneys possess the legal expertise to shape laws in ways that can benefit entire communities and protect our clients for years to come.

Established over a century ago with a single office in Detroit, Secrest Wardle has grown consistently over the years through a commitment to providing the best legal expertise available. The key to our growth and success has been an ongoing commitment to provide each and every unique client with exceptional value. By delivering results quickly and effectively, we have built an impressive record and developed long-standing relationships with clients who depend on us. We are now one of Michigan's largest firms offering excellent legal services in a broad range of specialties.

Secrest Wardle is a full-service law firm which is AV Preeminent® Peer Review Rated by Martindale-Hubbell (www.martindale.com/ratings; AV®, BV®, AV Preeminent® and BV Distinguished® are registered certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedures, standards and policies).

We have been recognized as one of the "Largest Law Firms" ranked by number of attorneys in Southeast Michigan by *Crain's Detroit Business*. Secrest Wardle has been named in *U.S. News - Best Lawyers* to the list of "Best Law Firms" in the following categories: Metropolitan Tier 1 - Troy - Municipal Law; Metropolitan Tier 2 - Troy - Insurance Law, Land Use & Zoning Law, Litigation – Municipal; and Metropolitan Tier 3 - Troy - Personal Injury Litigation – Defendants.

Several of our attorneys have been named to the Michigan Super Lawyers and Rising Stars lists in *Super Lawyers* magazine. Additionally, several of our attorneys have been selected to the list of Michigan "Top Lawyers in Metro Detroit" as published in *DBusiness* magazine.

We are quite proud of our over 100-year tradition of providing superior legal services to our clients and consider this to be a competitive advantage when our offerings are stacked up against those of other firms. We have built our reputation by providing our clients with the services they need by acknowledging the unique requisites of each individual client we serve. We are cognizant of the importance of economy and efficiency in providing legal services inherent in the municipal law arena.

Our Firm believes in maintaining a proactive stance; identifying risks before they become issues and therefore reducing exposure to potential liability or litigation pertaining to issues arising in matters affecting communities such as the Village of Lake Orion. Our attorneys possess extensive experience, and an enviable success rate, in matters before courts at all levels across the state.

Secrest Wardle's legal staff is well-versed in direct dealings with elected and appointed officials, staffs, boards, and commissions as are expected to be encountered with representation of municipal entities, and have extensive experience in dealings in a variety of applicable situations.

As part of the duties of serving the Village of Lake Orion, Secrest Wardle has an open-door policy for addressing legal questions and concerns that may arise at any time. While our regular business hours at each office location are from 8:30 a.m. to 5:00 p.m., the Firm provides cell phone contact information to promptly reach our attorneys when such issues may occur (Primary Lead Attorney Mark S. Roberts' cell – (810) 429-1109; Support Attorneys Alana E. Knox's cell – (586) 718-0314, and Nancy Cooper Green's cell – (586) 214-8523). Our Firm is available for your legal needs around the clock, each and every day of the year. Each of our attorneys is equipped with a cell phone with internet access for a more expedient and economic means of communication when a face-to-face meeting is not necessary.

In the unlikely event an attorney assigned as a principal contact for the Village of Lake Orion cannot be reached, provisions would always be put in place for another attorney to act in their absence.

Our attorneys collectively possess experience handling a variety of matters and are well-versed in representation of entities from individuals to small businesses to large corporations, manufacturers, and municipalities, providing a full range of legal services. Secrest Wardle's twenty-one (21) main Practice Groups are comprised of attorneys with years of expertise pertaining to a multitude of areas of the law. Our Practice Groups are as follows, while many of our attorneys concentrate on niche areas of the law in sub-practice groups falling under these broad categories:

- Alternative Dispute Resolution
- Amusement and Leisure
- Appellate
- Commercial and Business Law
- Construction
- Drug and Medical Device
- Employment
- Environmental and Toxic Tort
- Family Law
- General Negligence
- Governmental Litigation
- Insurance Coverage
- Intellectual Property / Advertising Injury
- Malpractice / Professional Liability
- Motor Vehicle Litigation
- Municipal
- Premises Liability

- Product Liability
- Property, Fire and Casualty
- Real Estate
- Trucking/Commercial Vehicle Litigation

Our clients face many challenges on a daily basis. We provide realistic solutions to their legal challenges to make their lives simpler. Secrest Wardle provides a creative and collaborative approach to solving our clients' legal issues inside and outside the courtroom.

Secrest Wardle is committed to client advocacy. Using teams of legal specialists, we leverage the intellectual capital of our entire Firm to provide extensive insight without sacrificing personal attention. Our collaborative environment enables clients to take advantage of the combined knowledge and experience of attorneys and support staff dedicated to aggressively representing their interests. Our entire approach to counseling and litigation is explicitly structured to meet our clients' needs. Whether defending your lawsuit, helping to identify, manage, and eliminate legal risk, or offering other consultative services, we seek the most direct solution possible, minimizing costs and expended time.

Our first objective is to understand our clients' needs and goals. Secrest Wardle's extensive litigation experience allows us to quickly and economically identify methods of achieving those goals while avoiding legal pitfalls. When litigation is the only available solution, we believe it is a collaborative effort involving our clients and our attorneys. Secrest Wardle's guiding principle is that each case should be resolved as quickly and efficiently as is reasonably possible. We will develop a negotiation strategy designed to produce the fastest successful resolution. If a hearing is the best solution to the problem, results cannot be guaranteed. However, our clients can rest assured that our extensive experience will serve them well.

In assigning files and tasks to attorneys in the Municipal Law Practice Group and throughout the Firm, we perform the following analysis:

- Consider the nature of the case and its level of complexity
- Identify the applicable practice group best suited to handle the matter
- Consider the expertise and experience (number of trials, years of experience) of the attorney and his/her current work load to assure that the assigned attorney has both the competence and time to aggressively handle the matter

The Firm's main office, from which work would be performed for the Village of Lake Orion, is located in the City of Troy. We also have offices throughout the State of Michigan, in Lansing and Grand Rapids. The addresses of the Firm's three locations are:

Troy - Main Office
2600 Troy Center Drive
P.O. Box 5025
Troy, MI 48007-5025
(248) 851-9500

Grand Rapids Office
2025 East Beltline S. E., Suite 600
Grand Rapids, MI 49546
(616) 285-0143

Employed in the Troy office are 62 attorneys. Executive Partner, and Managing Partner of the Municipal Practice Group, Mark S. Roberts, located in the Troy office, would be the Primary Lead Attorney to oversee legal services provided to the Village. Across our two office locations, the Firm employs approximately 67 attorneys. Attorneys from each of our Practice Groups are available for their expertise and experience in specialty areas of the law to meet the requirements outlined by the Village on a case-by-case basis. Mr. Roberts will have the resources of the entire Firm available to assist in providing exceptional legal services to the Village of Lake Orion.

Resumes for the qualified lawyers proposed to perform services on behalf of the Village are contained in section 3 below, Resumes and Work-Related References for Proposed Village Attorneys.

3. Resumes and Work-Related References for Proposed Village Attorneys

Secrest Wardle proposes dedicating five seasoned municipal and appellate attorneys, each with specific and extensive village and general municipal experience, to be assigned to provide legal services to the Village of Lake Orion. All the attorneys hold juris doctor degrees from American Bar Association accredited schools, hold valid licenses to practice law in Michigan, and have been practicing for a minimum of five years.

The following attorneys are proposed to serve the Village on an ongoing basis: Mark Roberts is an Executive Partner and serves as the Managing Partner of the Municipal Law Practice Group, overseeing the day-to-day functions of the group. Alana E. Knox and Nancy Cooper Green are Partners with the Firm and members of the Municipal Practice Group. L. Charlynn Turner is a partner and the municipal prosecutor for the Group. Matthew Nicols is a partner in the firm and is its lead appellate attorney. Mark Roberts is proposed to be Primary Lead Attorney while Alana Knox, Nancy Green, and Matthew Nicols are proposed to be Support Attorneys. L. Charlynn Turner will provide prosecution services. Secrest Wardle is most proud of the camaraderie and work ethic shared between counsel proposed to represent the Village of Lake Orion, and all the attorneys and staff within the Municipal Law Practice Group. Mark Roberts proposes to take an active role in representing the Village, along with this hand-picked team.

Secrest Wardle assures the Village that our Firm is presently well-staffed and well-prepared to accommodate its legal needs. In the unlikely event a conflict should arise for an assigned attorney to attend a meeting or hearing, our Municipal Law Practice Group is equipped to provide an equally experienced attorney to fill in if Mr. Roberts should become unavailable due to an unforeseen illness, or other scheduling conflict.

Our highly trained support staff is expert at anticipating conflicts and resolving them before they become an issue. The collaborative work environment of our entire Municipal Law Practice Group, and additionally, the availability of several seasoned municipal attorneys, allows for seamless coverage for all of our clients' needs. The attorneys and staff in our Municipal Law Practice Group are a tight-knit group, working collaboratively across practice areas for many years.

Secrest Wardle will commit to providing the Village of Lake Orion with either Mr. Roberts, Ms. Knox, or Ms. Green being present at the Village for on-site office hours for 2-3 days per week, 3 hours per day, should the Village wish to take advantage of this service. Mr. Roberts will be available to attend two regularly scheduled Village Council meetings. Mr. Roberts, Ms. Knox, and Ms. Green, or other attorneys in our Municipal Law Practice Group as approved by the Village administration, are available to attend additional Village meetings as requested and/or required.



Proposed Primary Lead Attorney - Mark S. Roberts
Executive Partner, Managing Partner of the Municipal Law Practice Group
Direct Phone: (248) 539-2815
Cell Phone: (810) 429-1109
E-mail: mroberts@secrestwardle.com

Mark Roberts is proposed as the Primary Lead Attorney in providing the Village of Lake Orion with General Village Legal Services. Mr. Roberts joined Secrest Wardle's Municipal Law Practice Group in 1996. He handles general litigation matters for the Firm's municipal clients, including ordinance enforcement matters, eminent domain actions, contract claims, *Headlee Amendment* claims, and defending claims against the Firm's municipal clients arising from prosecutions and ordinance enforcement matters. He serves as counsel for West Bloomfield Township and the City of Bloomfield Hills, as well to numerous lake improvement boards, supervising the establishment and operation of the lake boards, as well as defending claims filed against them. Mr. Roberts handles cases and appeals in the State District and Circuit Courts, Court of Appeals, Supreme Court, and in the Federal District Court and the Sixth Circuit Court of Appeals.

Mr. Roberts has obtained favorable outcomes in cases involving alleged First and Fourth Amendment constitutional violations, Religious Land Use and Institutionalized Persons Act (RLUIPA), Adult Entertainment/First Amendment cases, and *Headlee Amendment* cases for the Firm's municipal clients. He has also obtained favorable results on behalf of municipal clients in land use cases involving lake front property rights, docking regulations, challenges to special assessment districts, dangerous building demolition, as well as property maintenance and/or zoning enforcement matters. In addition to litigation, he has regularly attended city commission, village council, lake improvement board, township board, zoning board of appeals, and planning commission meetings on behalf of Firm clients, providing guidance on procedural and substantive issues, and drafting ordinances.

Mr. Roberts has presented seminars on the issue of sign regulation following a landmark ruling by the United States Supreme Court in *Reed v Town of Gilbert*. Additionally he has provided training presentations to zoning board of appeals and planning commissions. He is also well acquainted with *Open Meetings Act* and *Freedom of Information Act* requirements, and has successfully litigated these issues in court. Mr. Roberts is also experienced in zoning and planning matters, having worked with communities in the master planning process, the adoption of new zoning ordinance codes, as well as developing amendments to existing ordinance code provisions.

Prior to entering private practice, Mr. Roberts worked as a court clerk and subsequently as a staff attorney in the Oakland County Circuit Court where he became well-versed in court procedures. His experience as a litigation attorney and municipal prosecutor, coupled with his work within the court system and familiarity with zoning theories and procedures, make him uniquely qualified to effectively handle zoning and building code enforcement actions.

Mr. Roberts graduated from Wayne State University in 1987. He earned his law degree from The Detroit College of Law in 1990 where he also served on the Detroit College of Law Review while pursuing his degree. He was admitted to the Michigan Bar in 1990. Prior to joining Secrest Wardle, Mr. Roberts served as the staff attorney to the Hon. David F. Breck. He is currently admitted to practice in all Michigan state courts (P44382) as well as in the United States District Court, Eastern District of Michigan and the United States Sixth Circuit Court of Appeals. Mr. Roberts enjoys a 5.0 "Preeminent" rating by Martindale-Hubble®.

Mr. Roberts has served his community as a member of its Zoning Board of Appeals and on its Board of Review.

The following are representative matters handled by Mr. Roberts:

Charter Township of West Bloomfield v UGARS and Vanmeerbeeck – Code enforcement action seeking abatement of zoning violation. Prevailed in the trial court on motion for summary disposition, order entered for demolition of residence built without permits after removal of a preexisting legal nonconforming use. Decision affirmed by Court of Appeals, February 14, 2025.

Dezman/Geiger v Charter Township of Bloomfield – Appeal from Zoning Board of Appeals decision denying request to keep chickens on residential property in the Township. The ZBA's denial was affirmed by the Circuit Court, but the Court of Appeals initially reversed. The Supreme Court reversed the decision of the Court of Appeals, remanding the case for further consideration. On remand the Court of Appeals affirmed the ZBA's decision on June 27, 2024.

Ruman v City of Warren – Mr. Roberts represented the City on this class action lawsuit alleging the City's Act 345 millage, supporting its police and fire retirement benefits, violated the *Headlee Amendment*. The case was dismissed on motion for summary disposition, Plaintiff appealed to the Court of Appeals and Supreme Court, affirmed by an August 17, 2023, published opinion of the Court of Appeals, and leave to appeal denied by the Supreme Court's December 23, 2024, Order following oral argument.

Youmans v Charter Township of Bloomfield – a class action lawsuit alleging the Township's water and sewer rates violated the *Headlee Amendment*. Adverse decision following bench trial reversed and remanded for entry of no cause of action against Township by Court of Appeals opinion approved for publication March 2, 2021, leave to appeal denied by Supreme Court on July 6, 2021.

Kas Dalaly v Charter Township of West Bloomfield – Zoning Board of Appeals denial was appealed to Circuit Court, which reversed and ordered the ZBA to grant the variances. Variances were granted but expired when the Developer failed to timely obtain permits or commence construction. After almost ten years, Developer sought to develop the property and filed a motion for a contempt order when Township refused to issue permits. The Circuit Court ordered variances to be granted. The Township appealed to the Court of Appeals, which reversed and dismissed the case by its opinion issued February 10, 2025.

Brodeur v RCOC – trip and fall on public road – Motion for Summary Disposition granted on governmental immunity defense.

Dorr v City of Ecorse – claim of unconstitutional taking of private property dismissed on Motion for Summary Disposition, affirmed in the Court of Appeals.

Frank Lawrence v Bloomfield Township – various constitutional claims alleged in a number of state and federal court actions, all dismissed on Motions for Summary Disposition or Summary Judgment, all affirmed in the Sixth Circuit Court of Appeals and state appellate courts

RCOC v Gateway Center, LLC – condemnation, favorable resolution following case evaluation

Top Flight, et al v City of Inkster – successful defense of the City's adult use regulation in federal court

West Bloomfield Township v Cedar Creek Landscaping – property maintenance/environmental damage – prevailed following trial

Dearborn Heights v Nasser Abunab – property maintenance lawsuit – Motion for Summary Disposition granted, dismissal of constitutional counter-complaint

TC Spann Bible Institute v Inkster – federal court RLUIPA claim - obtained dismissal

Karkoukli v Dohany, et al – 42 U.S.C. §1983 civil rights notice claim stemming from property tax foreclosure– dismissed on Motion for Summary Judgment – affirmed in the Sixth Circuit Court of Appeals in a May 17, 2005, published opinion

Mr. Roberts' References:

Steven Kaplan, former West Bloomfield Township Supervisor
Wayne County Prosecutor's Office
5301 Russell St
Detroit, MI 48211
skaplan@waynecountymi.gov

Mike McCready, Supervisor
Charter Township of Bloomfield
4200 Telegraph Rd., P.O. Box 489
Bloomfield Hills, MI 48303
mmccready@bloomfieldtwp.org

Lynne M. Senia, City Clerk
City of Dearborn Heights
6045 Fenton
Dearborn Heights, MI 48127
lsenia@dearbornheightsmi.gov

Teri Weingarden, Treasurer
Charter Township of West Bloomfield
4550 Walnut Lake Road
West Bloomfield, MI 48323
tweingarden@wbtownship.org



Proposed Support Attorney – Alana Ballantyne Knox
Partner, Municipal Law Practice Group
Direct Phone: (248) 539-2820
Cell Phone: (586) 718-0314
E-mail: aknox@secrestwardle.com

Alana Knox joined the Municipal Law Practice Group in 2022. Since joining the Municipal Law Practice Group, she has provided legal services to the Charter Township of West Bloomfield, the City of Bloomfield Hills, the City of Auburn Hills, the City of Warren, Bloomfield Township, Pittsfield Township, and Southfield Township.

Prior to joining Secrest Wardle, Ms. Knox worked for Fahey, Schultz, Burzych, Rhodes PLLC, a firm focused on municipal law located in East Lansing, Michigan. There, she provided legal services to over twenty (20) Michigan communities including cities, townships, and villages. During law school, Ms. Knox clerked for Judge Wanda Stokes in the 30th District Court. There, Ms. Knox managed the judge's administrative appeal docket, drafting orders and opinions on appeals from state agencies, local governments, and prisons. Ms. Knox also worked for the American Civil Liberties Union (ACLU) on its SMART Justice Reform Policy, aimed at reforming Michigan prisons and sentencing guidelines for non-violent offenses.

Ms. Knox has developed a specialty in small cell, cable, and METRO act regulation and implementation, assisting communities across Michigan in drafting appropriate ordinances, negotiating relevant contracts and agreements, and guiding communities through the application and implementation of small cell wireless and fiber.

Ms. Knox has successfully litigated on behalf of her clients in district and circuit court, as well as in the Michigan Court of Appeals on a wide variety of issues, from civil rights complaints, Michigan Tax Tribunal matters (MTT), to zoning appeals. She has served as general counsel to large and small communities across the state, advising communities on issues such as ordinance enforcement, marihuana ordinance enforcement and policy changes, election law, FOIA appeals, environmental appeals, worker's compensation claims, employee investigations and terminations, and intergovernmental cooperation between communities and agencies.

Alana Knox has also conducted several employee investigations on behalf of municipal clients. These investigations examine the conduct of both appointed/elected officials and employees of municipalities and recommend appropriate disciplinary action. This disciplinary action may include censure for elected officials, termination for employees, or referral for criminal investigations, if appropriate. In addition to her labor and employment work for various municipalities Alana also provides support to prosecutor L. Charlynn Turner.

In addition to her expertise in small cell, fiber cable, and METRO Act, Ms. Knox has experience drafting comprehensive municipal ordinances related to the administration and enforcement of the State Construction Code, zoning ordinance amendments, mobile food vending, stormwater management, erosion and sedimentation control (SESC), waste hauler operations, the implementation of municipal civil infractions, the implementation of recreational marihuana, and

wetland protection and management. When drafting ordinances and advising on their implementation, Ms. Knox strives to strike a balance between individual community policy goals, compliance with state and federal law, and risk mitigation.

Ms. Knox has extensive experience in zoning and land use management. She has drafted numerous zoning ordinances for communities which had never before had a zoning ordinance of their own. She has also negotiated and drafted Planned Unit Development Agreement (PUDs), drafted hold harmless agreements, created special assessment districts (SADs), negotiated and drafted development deeds between municipal clients and developers, reviewed and drafted Master Deeds for PDD and PUD developments, drafted wireless facility site maintenance agreements, and drafted intergovernmental agreements, including those creating intergovernmental commissions. She has advised and defended Zoning Boards of Appeal and Planning Commissions across the state and has provided communities with advice and guidance on Master Plan updates.

Additionally, Ms. Knox has experience in the areas of worker's compensation, labor and employment law, election law, county and municipal drainage issues (including lake improvements), labor and collective bargaining actions, liquor licensing, property acquisition - including eminent domain and condemnation actions, and municipal authorities, including sanitary sewer systems, and water systems, and emergency services.

Ms. Knox is a member of the State Bar of Michigan (P85859) and the Ingham County Bar Association. Ms. Knox received her Bachelor of Arts degree from Loyola University Chicago and her Juris Doctor, *magna cum laude*, from Michigan State College of Law. Alana graduated from Michigan State College of Law's Trial Practice Institute. She was a member of multiple moot court teams including a semi-finalist for the ABA national competition, was a member of the executive board of Michigan State's International Law Review, the Appellate Director for the Board of Advocates, and served as a teaching assistant for Judge David McKeague of the 6th Circuit. Her article, *Film in Crisis: Why Pushing Back Against Censorship Should be a Central Component of US Trade Policy with China and Saudi Arabia* was selected for publication in the 2021 edition of the Michigan State International Law Review. She was admitted to the State Bar of Michigan in 2021.

The following are representative of matters handled by Ms. Knox:

Litigation

- *Clark v Charter Township Bloomfield*, Oakland County Circuit Court, Case. No. 24-210605-AA (appeal from a zoning board of appeals decision)
- *Sidney Barrett vs. Lake Pro Inc.*, Worker's Disability Compensation Agency's Board of Magistrates (Forrest Lake Board was a third-party defendant in a Worker's Compensation case)

- *12 Mound Development LLC et. Al, vs. City of Warren,* Macomb Circuit Court, Case No. 2023-001732-CZ (zoning amendment denial procedure challenged)

- *Butcher vs. City of Auburn Hills,* Case No. 23-203333-AV (appeal arising from a final order on a municipal civil infraction)

- *Charter Township of West Bloomfield vs. Nick Yono and Real Property Located at 6229 Golden Lane, West Bloomfield, Michigan,* Oakland County Circuit Court, Case No. PB 13-1-1120-181935-CE (code enforcement / permit issue)

- *Vlachos vs. Charter Township of West Bloomfield,* Oakland County Circuit Court, Case No. 2023-201017-AA (appeal from a zoning board of appeals decision)

- *Shinn vs. Yaldo,* Oakland County Circuit Court, Case No. 2024-207659-CZ *(*defamation case with the Township as a third-party defendant)

- *Vlachos vs. Charter Township of West Bloomfield,* Oakland County Circuit Court Case No. 24-211439-CZ (injunctive civil action to stop Township demolition of pole barn)

- *Charter Township of West Bloomfield vs. Jacob Kalo,* Oakland County Circuit Court, Case No. 2024-207-356-CE (cross-litigation regarding an environmental violation on lake-front property)

- *Fletcher-Parks v West Bloomfield Township Police Dept,* Michigan Department of Civil Rights, MDCR 635116 (civil rights complaint stemming from emergency call)

- *Granitz-Chottiner vs. Charter Township of West Bloomfield,* Michigan Department of Civil Rights, MDCR 641084 (civil rights complaint stemming from interaction with supervisor's office)

- *McKeldin vs West Bloomfield Township Fire Station No. 5,* Michigan Department of Civil Rights, MDCR 632149 (civil rights complaint stemming from emergency call)

- *Charter Township of West Bloomfield vs. Vanmeerbeeck, Oakland County Circuit Court,* Case No. 20-183280-CE (cross-litigation on a code enforcement issue)

- *People of West Bloomfield Township vs. Janelle Dierof,* 48th District Court, Case No. 24WB06357 (misdemeanor action related to ticket)

Appeals to the Michigan Court of Appeals

- *Dezman and Geiger vs. Charter Township of Bloomfield and the Charter Township of Bloomfield Zoning Board of Appeals*, Case No. 360406 (appeal from a decision by the zoning board of appeals)

- *Charter Township of West Bloomfield vs. Nick Yono, Case No. 373753* (appeal from the enforcement of a settlement agreement by the Township)

Sample Advisory Opinion Topics

- Right to Farm Act
- Metro Act application, extensions, and renewals
- Small Cell Wireless statute, applications, and processes
- Recreational marihuana policy for Adult Use Marihuana Establishments
- Termination of municipal employees
- Censure of elected officials
- Freedom of Information Act
- Open Meetings Act
- Environmental Appeals
- First Amendment considerations regarding handbills on public property
- Police Interaction and documentation domestic violence
- Wetland maintenance
- Woodland restoration
- Lake access rights

Sample List of Ordinances and Amendments

- City of Auburn Hills, Adult Use Marijuana Establishments
- West Bloomfield Ordinance C-562, Solid Waste Management
- West Bloomfield Ordinance No. C-735-B, Vacant Property
- West Bloomfield Ordinance No. C-249, Mobile Food Vending
- West Bloomfield Ordinance No. C-746-D, Rental Property
- West Bloomfield Ordinance No. C- 731, Case Investment Policy
- West Bloomfield Ordinance No. C-874, Cultural and Community Engagement
- West Bloomfield Township Ordinance No. C-265, Auto Related Uses
- West Bloomfield Township Ordinance No. C-832, Handbills

Ms. Knox's references:

Matthew Kuschel, Esq.
Municipal Attorney;
Fahey, Schultz, Burzych, Rhodes PLC
Lansing, Michigan
(517) 927-7300

Erik Beauchamp
Code Enforcement Department Head
Charter Township of West Bloomfield
(248) 451 - 4853

Trisha Jones-Aziz
General Motors
Legal & Corporate Development and Strategy
Detroit, Michigan
(248) 688-5940



Proposed Support Attorney - Nancy Cooper Green
Municipal Law Practice Group
Phone: (248) 851-9500 ext. 2458
Cell Phone: (586) 214-8523
E-mail: ncgreen@secrestwardle.com

Nancy Cooper Green joined the Municipal Law Practice Group in 2012. Since joining the Municipal Law Practice Group she has provided legal services to the Charter Township of West Bloomfield, the City of Oak Park, the City of Bloomfield Hills, Bloomfield Township, and Wayne County. Ms. Green has over 35 years of municipal experience. Prior to joining the Firm, Ms. Green was the Chief Assistant City Attorney for the City of Warren. Ms. Green has been general counsel providing comprehensive legal services for every facet of the municipality. She has successfully litigated civil cases in all state courts and prosecuted ordinance violations in district and circuit court. She has argued and won many cases in the Michigan Court of Appeals, litigated a political speech case in the United States Court of Appeals, and litigated land use cases in the United States District Court.

Ms. Green has considerable experience advising the governing body, the administration, the various municipal Boards, Commissions, and Authorities on compliance with the Charter, Code of Ordinances, state and federal statutes, and the Michigan and United States Constitutions providing risk assessment and recommended courses of action to minimize and manage legal risk.

Ms. Green also has considerable experience drafting legislation and providing legal guidance in the legislative process. She has drafted comprehensive regulations to address the secondary impacts of oil and gas activities, smoking lounges, massage establishments; environmental protection, and sexually oriented businesses. She also drafted municipal ordinances to ensure compliance with federal and state regulations.

Ms. Green also has experience advising the municipal client with environmental issues. She wrote the ordinance and assisted in implementing the National Pollutant Discharge Elimination System (NPDES) program to comply with the Warren Waste Water Treatment Plant's obligations under their NPDES license, Clean Water Act Regulations and spoke on enforcement at the EPA Region 5 NPDES Enforcement Seminar at the request of the EPA. Since joining the Firm, Ms. Green has provided legal advice and defense to the Environmental Division of the Charter Township of West Bloomfield.

Nancy Cooper Green has developed a strong reputation for her work in the area of zoning and land use regulation, drafting numerous zoning ordinances including but not limited to a downtown mixed use, planned unit development, zoning board of appeals, signage, and wireless facilities regulations. She regularly conducts in-house training sessions related to ordinance application and enforcement and the role of the Zoning Board of Appeals and has provided advice and defense services to Planning Commissions and the Zoning Board of Appeals for many years.

Additionally, Ms. Green has experience in the areas of public employment law, contract law, municipal real estate law, and the application of constitutional protections as it relates to

municipalities under the First Amendment, Freedom of Speech and Freedom of Association protections; and the Fourth Amendment protection against unreasonable searches and seizures.

Ms. Green is a member of the State Bar of Michigan (P39215) and Oakland County Bar Association. Ms. Green received her Bachelor of Arts degree from Michigan State University and her Juris Doctor, c*um laude*, from Michigan State College of Law. She was admitted to the State Bar of Michigan and the United Stated District Court in 1986 and the United States Court of Appeals in 1996. Ms. Green has received an AV Preeminent® Peer Review Rating by Martindale-Hubbell.

Ms. Green's references:

Jonathan Warshay
West Bloomfield Township Supervisor
4550 Walnut Lake Road
West Bloomfield, MI 48323
248-409-1581

Debbie Binder
West Bloomfield Township Clerk
4550 Walnut Lake Road
West Bloomfield, MI 48323
248-251-4848

Teri Weingarden
West Bloomfield Township Clerk
4550 Walnut Lake Road
West Bloomfield, MI 48323
248-251-4840



Proposed Support Attorney – Matthew T. Nicols
Partner, Appellate Law Practice Group Chair
Direct Phone: (248) 539-2834
Cell Phone: (734) 759-7880
Email: mnicols@secrestwardle.com

Mr. Nicols joined Secrest Wardle in March 2023. He is the Chair of the Firm's Appellate Law Practice Group, which is his main focus of practice. Mr. Nicols handles appeals in the Michigan Court of Appeals and Supreme Court, as well as in the United States Court of Appeals for the Sixth Circuit. Mr. Nicols is licensed to practice law in all state and federal courts within the State of Michigan, as well as the United States Court of Appeals for the Sixth Circuit and the United States Supreme Court. Mr. Nicols has been named to the Michigan Super Lawyers' Rising Stars lists in Super Lawyers magazine, for Appellate Law, from 2020 – 2024 and was recognized as a "Top Lawyers in Metro Detroit" as published in DBusiness magazine for Appellate Law in 2025.

In addition to appellate practice, Mr. Nicols also handles a variety of civil litigation matters for the Firm's municipal, insurance and business clients, involving general negligence, premises liability, automobile negligence and No-Fault Act claims, wrongful death, contract disputes and insurance coverage, indemnification claims, and defends claims against the Firm's municipal clients arising from alleged civil rights violations, alleged police officer misconduct, takings claims, § 1983 and due process matters. As part of the Appellate Practice Group, Mr. Nicols and the Firm's appellate attorneys provide Secrest Wardle's trial attorneys with critical legal analyses, caselaw input, and drafting and arguing motions for summary disposition, motions in limine, and post-judgment/post-verdict motions. The Firm's appellate attorneys, at times, are embedded with our attorneys at trial in order to assist in the jury trial process and to preserve issues for appellate purposes.

Mr. Nicols regularly appears in court and has handled cases in both state and federal trial courts and appellate courts. He has obtained favorable outcomes in cases involving alleged Fourth, Fifth, Eighth, and Fourteenth Amendment constitutional violations, federal takings claims, police officer misconduct/excessive force cases, and property forfeiture claims for the Firm's municipal clients. He has also obtained favorable results on behalf of the Firm's clients in automobile negligence, No-Fault Act, and premises liability cases before the Court of Appeals. Mr. Nicols has also obtained successful decisions in the United States Court of Appeals for the Sixth Circuit involving municipal right of first refusal tax foreclosure purchases, civil conspiracy, RICO Act, employment discrimination matters, and excessive force claims.

Prior to joining Secrest Wardle, Mr. Nicols was an attorney at the law firm of Pentiuk, Couvreur & Kobiljak, P.C., located in Wyandotte, Michigan. There, his practice focused in representing municipalities, businesses, condominiums, housing cooperatives, and apartment complexes in real estate litigation, general civil litigation, and appeals. He provided legal representation in several tax foreclosure litigation and appellate cases involving the municipal right of first refusal under the General Property Tax Act (GPTA) and redevelopment companies that rehabilitate tax-foreclosed homes in an effort to revitalize the municipalities neighborhoods. Prior to his

employment at Pentiuk, Couvreur & Kobiljak, P.C., Mr. Nicols was a staff attorney for approximately six years at Legal Aid & Defender Association and Lakeshore Legal Aid, where he represented indigent litigants in landlord-tenant matters and consumer defense cases, and appeals. Throughout Mr. Nicols' twelve years as an attorney, he has successfully represented clients from all walks of life, from individuals and small businesses to municipalities and large corporations.

Mr. Nicols graduated from the University of Detroit Mercy School of Law in 2013, where he also served on the Law School's Mortgage Foreclosure Defense Clinic while pursuing his degree. He was admitted to the Michigan Bar in 2014. Mr. Nicols received his Bachelor of Arts degree from Arizona State University in 2008, magna cum laude, in Justice Studies and Social Inquiry.

Notable cases and opinions:
Hayes v. Clariant Plastics & Coatings USA, Inc., 144 F.4th 850 (6th Cir. 2025) (Title VII, employment discrimination, wrongful termination) (successfully reversing district court's grant of summary judgment in favor of defendant-employer and remanding plaintiff's Title VII sex/gender discrimination and Equal Pay Act claims for trial.)

Lashbrook v Grasak, ___ Mich App ___; ___ NW3d ___ (2025), Docket No. 369669, 2025 WL 223486 (Automobile Negligence) (obtained published Court of Appeals opinion affirming dismissal of plaintiff's auto negligence case based on statute of limitations and improper service for failure to substitute plaintiffs' decedents' estates following their death at scene of accident.)

A2C2 Pship, LLC v Loch Alpine Improvement Ass'n, unpublished opinion of the Court of Appeals, issued April 16, 2019 (Docket No. 342743), 2019 WL 1644975 (Real Estate and Restrictive Covenants) (successfully obtained Court of Appeals' opinion affirming Homeowners Association's deed restrictions that prevented residential development on subdivision lots specifically reserved for use/employment of a golf course or parks and recreation area.)

Bronson Health Care Group, Inc v Progressive Michigan Ins Co, unpublished opinion of the Court of Appeals, issued July 23, 2025 (Docket No. 368835), 2025 WL 2078322 (obtained reversal of million-dollar-plus judgment against defendant, and determination from Court of Appeals pertaining to No-Fault Act requirements for insureds opting out of personal injury protection ("PIP") benefits and effect of opt-out on insured's spouse and other qualified persons.)

Brown v King Custom Design, Inc, unpublished opinion of the Court of Appeals, issued June 23, 2025 (Docket No. 368602), 2025 WL 1739763 (Wrongful Death and Premises Liability) (obtained opinion affirming summary disposition in favor of defendant premises owner involving alleged wrongful death action, where premises owner lacked notice of hazardous condition.)

Scott v EAN Holdings, LLC, unpublished opinion of the Court of Appeals, issued November 20, 2024 (Docket No. 366706), 2024 WL 4847759 (Automobile Negligence) (obtained opinion affirming trial court's grant of summary disposition in favor of defendant in automobile negligence and uninsured motorist benefits claim, where plaintiff failed to prove threshold injury pursuant to *McCormick v Carrier*, 487 Mich 180; 795 NW2d 517 (2010).)

Shade v. City of Warren, No. 24-CV-10623, 2025 WL 901255 (E.D. Mich., March 25, 2025) (Unlawful Arrest, Excessive Force, Fourth and Fifth Amendment) (Obtained dismissal of federal lawsuit alleging Warren Police Officers committed wrongful arrest and used excessive force against arrestee.)

De Gortari v. Warren Police Department, No. 23-12578 (E.D. Mich., Aug. 28, 2024) (Civil Rights, § 1983, Takings, Property Forfeiture, *Monell* Claim) (Obtained dismissal of federal lawsuit against Warren Police Department alleging unlawful seizure and forfeiture of currency following traffic stop.)

Estate of Moore v. City of Warren, No. 21-12267, 2024 WL 329129, at *1 (E.D. Mich., Jan. 29, 2024) (Civil Rights, Federal Takings, Property Forfeiture, Due Process, § 1983, and *Monell* Claim) (Obtained dismissal of 8 of 10 claims alleging the Warren Police Department unlawfully retained and forfeited personal property and currency during search.)

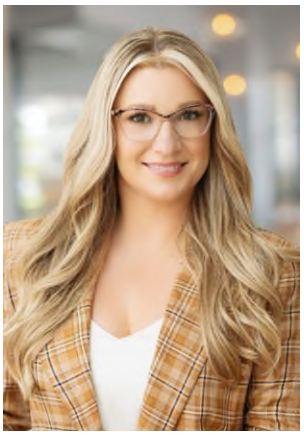
Levitan v. Warren Police Dept, No. 22-CV-10162, 2023 WL 8437611 (E.D. Mich., Dec. 5, 2023) (Police Officer Excessive Force Claim, *Monell* Claim) (Obtained dismissal of federal lawsuit alleging Warren Police Officers committed wrongful arrest and used excessive force against arrestee.)

Tawanda Hall, et. al. v. Andrew Meisner, et. al., 51 F.4th 185 (6th Cir. 2022) and No 21-1700, 2022 WL 7478163 (6th Cir Oct. 13, 2022) (Affirming dismissal of constitutional, conspiracy and common law claims against purchaser of tax-foreclosed properties.)

Jackson v. Southfield Neighborhood Revitalization Initiative, No. 344058, 2019 WL 6977831, at *1 (Mich. Ct. App. Dec. 19, 2019), *judgment vacated in part, appeal denied in part*, 953 N.W.2d 402 (Mich. 2021) (Affirming dismissal of constitutional, conspiracy and common law claims against purchaser of tax-foreclosed properties.)

City of Riverview v Prudential Sec Inc, unpublished opinion of the Court of Appeals, issued July 15, 2021 (Docket No. 353950), 2021 WL 3009747 (Municipality Contract, Landfill Operations and Security) (Obtained opinion affirming trial court's grant of summary disposition in favor of municipality in breach of security contract dispute).

Hixon v Westwick Square Coop, unpublished opinion of the Court of Appeals, issued March 25, 2021 (Docket No. 351825), app denied, 924 N.W.2d 582, (Mich. 2019) (Real Estate, Housing Cooperative, Corporate Shares and Counterclaims challenging eviction and sale of shares) (Obtained opinion affirming judgment in favor of housing cooperative corporation and affirming dismissal of defendant's counterclaims).



Proposed Prosecuting Attorney – L. Charlynn Turner
Partner
Phone: (248) 851-9500, Ext. 2409
Cell Phone: (818) 878-4286
E-mail: cturner@secrestwardle.com

L. Charlynn Turner joined Secrest Wardle's Troy office as a Partner in 2024 and she is a member of the Firm's Appellate and Municipal Practice Groups. She handles some civil appeals, along with city criminal prosecutions and other related matters for the City of Auburn Hills, City of Bloomfield Hills, and Waterford Township.

Charlynn is admitted to practice in the State of Michigan and is also licensed to practice in the U.S. Court of Appeals for the Sixth Circuit and the U.S. District Court for the Eastern District of Michigan.

Prior to joining Secrest Wardle, Charlynn worked in various roles at Oakland County since law school, including the Water Resource Commissioner's Office, Corporation Counsel, and the Prosecutor's Office. While an Assistant Prosecuting Attorney at the Oakland County Prosecutor's Office, she conducted over 12 bench and jury trials in several jurisdictions such as Pontiac, Novi, Rochester, Royal Oak, Oak Park, Madison Heights, and Clarkston. Charlynn began her post-law school career as a research attorney at the Michigan Court of Appeals and then as a judicial clerk to former Justice Kurtis T. Wilder of the Michigan Supreme Court.

During law school, Charlynn served as a member of the Law Review Editorial Board, Mock Trial Board, and Moot Court Board. She was regularly on the Dean's list and received several "book" awards in classes such as Advanced Legal Writing, Pretrial Skills, and State and Local Government. And she externed at the Genesee County Prosecutor's Office in the Major Crimes Unit, assisting in multiple high profile murder cases while she was there. Charlynn graduated from Western Michigan University Thomas M. Cooley Law School *magna cum laude* in 2016.

Before law school, Charlynn worked in various roles in all three levels of government and all three branches of government, including policy work for former Governor Pat Quinn of the State of Illinois and former Brad Ellsworth, U.S. Congressman for the State of Indiana.

4. Synopses of Cases

Some relevant court cases involving Secrest Wardle's municipal representation include:

1) *Gordon v City of Bloomfield Hills* - Secrest Wardle (former Senior Partner and Managing Partner of the Municipal Law Practice Group, William P. Hampton) successfully defended the City of Bloomfield Hills in a case in which the Court of Appeals upheld compatibility standards for lot splits.
2) *Dezman/Geiger v Charter Township of Bloomfield* – Mr. Roberts, assisted by Ms. Knox, defended an appeal from a Zoning Board of Appeals decision denying request to keep chickens on residential property in the Township. The ZBA's denial was affirmed by the Circuit Court, but the Court of Appeals initially reversed. Mr. Roberts sought leave to appeal to the Supreme Court, which reversed the decision of the Court of Appeals, remanding the case for further consideration. On remand the Court of Appeals affirmed the ZBA's decision.
3) *Daimler Chrysler Corporation v City of Auburn Hills, et al.* – Derk Beckerleg successfully represented the City of Auburn Hills in this 2008 Michigan Supreme Court case in which the Michigan Supreme Court denied Daimler Chrysler Corporation's request for a pollution control tax exemption for the Chrysler Technology Center.
4) *Ruman v City of Warren* (2024) – class action lawsuit alleging the City's Act 345 millage, supporting its police and fire retirement benefits, violated the *Headlee Amendment*. Case dismissed on motion for summary disposition, briefed and argued by Mark Roberts before the Court of Appeals and Supreme Court, affirmed by an August 17, 2023, published opinion of the Court of Appeals, leave to appeal denied by the Supreme Court's December 23, 2024, Order following oral argument.
5) *Youmans v Charter Township of Bloomfield* (2021) – class action lawsuit alleging the Township's water and sewer rates violated the *Headlee Amendment* defended by Mr. Roberts. An adverse decision following the bench trial was reversed and remanded for entry of no cause of action against Township by Court of Appeals opinion approved for publication March 2, 2021. An application for leave to appeal was denied by the Supreme Court on July 6, 2021.
6) *City of Huntington Woods and City of Pleasant Ridge v City of Oak Park and the 45th District Court* (2015), Ms. Green successfully defended the City of Oak Park in a District Court funding dispute.
7) *Frank Lawrence v Bloomfield Township* – various constitutional claims alleged in a number of state and federal court actions, all dismissed on Motions for Summary Disposition or Summary Judgment, all affirmed in the Sixth Circuit Court of Appeals and state appellate courts

5. Sample Billing Statements

The following sample is representative of Secrest Wardle's detailed billing statements issued to the Firm's municipal clients. We understand that the statement required by the Village of Lake Orion shall include a breakdown of the legal services costs by legal issue, time spent on each issue, prosecution and defense time spent in district court, circuit court, and on general legal work, and other relevant billing detail. Secrest Wardle is prepared to accommodate the Village's request for submittal of such statements on a monthly basis.

Representative sample attached as Addendum 2.

6. Statement of Fee Schedule

Secrest Wardle is cognizant of the Village's anticipation of entering into a fee-based agreement for a period of two years, with the Village's right to extend such an agreement for additional one-year periods based upon written mutual consent. We understand that such an agreement would be terminable upon 30 days' written notice by either party, without cause. We understand that billable time and expenses are to be paid in accordance with the Village's current policy. Our Firm is in general agreement with such arrangements.

The Village may expect an attorney-client relationship with Secrest Wardle to be transparent and collaborative in nature. Our Firm is appreciative of the opportunity to submit our Proposal to provide Legal Services to the Village. We propose to provide legal services as General Village Counsel and as Village Prosecutor and Code Enforcement. Secrest Wardle is proposing an hourly rate for all legal services to be provided to the Village.

Secrest Wardle proposes the following straight hourly rate plus costs in providing legal services to the Village of Lake Orion as listed in the Scope of Work contained in the Request for Proposal for General Counsel Legal Services for the Village of Lake Orion:

General Village Legal Services:

Attorneys - $165 per hour plus costs for attorney Mark S. Roberts,
$160 per hour plus costs for attorneys Alana E. Knox, Matthew Nicols, L. Charlynn Turner, and Nancy Cooper Green
$90 per hour, plus costs, for paralegals

Costs would consist of mileage, court filing fees, overnight mail services, long-distance telephone charges, facsimile, and copy charges.

As part of the Firm's general duties, we are able to accommodate the Village in the selection and management of the services of any special outside counsel that may be deemed necessary.

Billing Requirements

Detailed monthly billing statements (refer to sample attached as required in above section) would be provided, specifying the attorney or paralegal performing the service, the date performed, description and time expended for each service, and an itemization of expenses to be reimbursed, such as:

- Mileage @ .70 cents per mile (or current IRS rate)
- Overnight mail services (actual cost)
- Advanced costs: long distance telephone charges, facsimile ($1.50 per page), copy charges (@ .20 cents per page/$1.00 per page for color copies or actual cost if using a copy service)

Expenses would be billed at cost, without an add-on multiplier or administrative fee. This method would be applied to all types of services provided. We do not charge for administrative tasks performed by secretarial staff (e.g., file maintenance, invoicing, verifying date/time/location of events, etc.).

Secrest Wardle is open to discussing and likely capable of accommodating other billing methods. Accordingly, if it is determined at any point in this process that the Village's preference is for, or its needs may be better served by way of such a proposal, we would appreciate an opportunity to supplement our proposal in a manner to address same

Proposed Primary Lead Attorney for the Village, Mark Roberts, supported by Ms. Knox and Ms. Green, shall be available to attend all meetings of the Village Council. Mr. Roberts will appear at most Village Council meetings and will have either Ms. Knox or Ms. Green available to appear if Mr. Roberts is unavailable. The Village's other Boards and Commissions will be attended at the request of the Village Board, the Village Manager, or their designees. Either Mr. Roberts, Ms. Knox, or Ms. Green will attend the meeting of the Village's other Boards and Commissions. As an optional service, Secrest Wardle will commit to Mr. Roberts, Ms. Knox, or Ms. Green being present for 3 hours at the Village of Lake Orion offices for 2-3 days, or other schedule as negotiated, for regular office hours.

As indicated previously in this Proposal for Legal Services, Secrest Wardle anticipates no conflicts in having either Mr. Roberts, Ms. Knox, or Ms. Green attending Village meetings.

7. Statement Pertaining to Worker's Compensation and Unemployment Compensation Insurance

Secrest Wardle guarantees to the Village of Lake Orion that the Firm shall maintain worker's compensation and unemployment compensation insurance coverage for our employees at all times while providing legal services to the Village of Lake Orion.

8. Statement Pertaining to General Liability and Professional Liability Malpractice Insurance

Secrest Wardle guarantees to the Village of Lake Orion that the Firm shall maintain general liability and professional malpractice coverage for its employees of not less than $2 million at all times and general liability insurance for not less than $2 million per occurrence while providing legal services for the Village of Lake Orion.

Additional Information

Conflict

We are aware of no existing or potential conflicts of interest with proposed representation of the Village for General Village Legal Services requested in the current RFP. Because Secrest Wardle represents several communities, the Firm has on occasion had to address potential conflict situations. If such a situation should arise, the Firm strictly follows the guidelines set forth in the Michigan Rules of Professional Conduct, which generally calls for disclosure to all parties and withdrawal as to the matter in conflict, unless waived by all parties.

Licensing Requirements

All Secrest Wardle legal staff possess a valid license to practice law within the State of Michigan as evidenced within their individual biographies, as well as Certificates of Good Standing.

Legal and Professional Associations

Secrest Wardle and its members belong to the following legal and professional associations:

American Arbitration Association
American Bar Association
American College of Trial Lawyers
American Intellectual Property Law Association
Armenian American Bar Association
Association of Defense Trial Counsel
Association of General Contractors of Greater Detroit and Michigan
Bond Buyer, list of Municipal Bond Attorneys (Red Book)
Brother Rice Warrior Bar Association
Building Owners and Managers Association of West Michigan
Chaldean American Bar Association
Defense Research Institute
Detroit Bar Association
Eaton County Bar Association
Federal Bar Association
Grand Rapids Bar Association
Ingham County Bar Association
Insurance Institute of Michigan
Livingston County Bar Association
Macomb County Bar Association
Michigan Association of Municipal Attorneys
Michigan Association of School Boards
Michigan Defense Trial Counsel
Michigan Judges Association
Michigan Municipal League

National Association of Telecommunications Officials and Advisors
National College of District Attorneys
National School Board Association, Council of School Attorneys
National Society of Professional Insurance Investigators
Oakland County Bar Association
Public Corporations Section of the State Bar of Michigan
Rotary Club of Mt. Clemens
St. Clair County Bar Association
State Bar of Michigan
State Bar of Ohio
Who's Who in American Law
Women's Lawyers Association of Michigan

About Secrest Wardle

With two locations in Michigan, we have been recognized as one of the "Largest Law Firms" ranked by number of attorneys in Southeast Michigan by *Crain's Detroit Business*. Secrest Wardle has been named in *U.S. News - Best Lawyers* to the list of "Best Law Firms" in the following categories: Metropolitan Tier 1 - Troy - Municipal Law; Metropolitan Tier 2 - Troy - Insurance Law, Land Use & Zoning Law, Litigation – Municipal; and Metropolitan Tier 3 - Troy - Personal Injury Litigation – Defendants.

Several of our attorneys have been named to the Michigan Super Lawyers and Rising Stars lists in *Super Lawyers* magazine. Additionally, several of our attorneys have been selected to the list of Michigan "Top Lawyers in Metro Detroit" as published in *DBusiness* magazine.

Secrest Wardle is also proud to give back to the community. Employees submit ideas for different charitable organizations to support.

For more information regarding Secrest Wardle please feel free to visit our website at www.secrestwardle.com. A comprehensive view of the Firm may be obtained, including access to our newsletters, webinars, white papers, and press releases.

SECREST WARDLE

ADDENDUM 1
SUMMARY OF PROPOSAL

1. Secrest Wardle
    a. Areas of specialty:
        - Alternative Dispute Resolution
        - Amusement and Leisure
        - Appellate
        - Commercial and Business Law
        - Construction
        - Drug and Medical Device
        - Employment
        - Environmental and Toxic Tort
        - Family Law
        - General Negligence
        - Governmental Litigation
        - Insurance Coverage
        - Intellectual Property / Advertising Injury
        - Malpractice / Professional Liability
        - Motor Vehicle Litigation
        - Municipal
        - Premises Liability
        - Product Liability
        - Property, Fire and Casualty
        - Real Estate
        - Trucking/Commercial Vehicle Litigation

    b. 112 years

2. Offices
    a. Troy, Michigan
    b. No parent firm, second office in Grand Rapids, Michigan

3. Personnel
    a. Mark S. Roberts, (248) 539-2815, mroberts@secrestwardle.com
    b. General counsel services, Mak S. Roberts, Alana E. Knox, Nancy Cooper-Green
       Prosecution services, L. Charlynn Turnner
       General civil defense, Mattew Nicols
    c. Associate, Maxwell Cavellier
       Legal assistant, Gail Fuller
       Legal assistant, Tamera Briggs
       Legal assistant, Arnela Ahmetovic
    d. There is 62 licensed attorneys in the Troy office of Secrest Wardle
    e. There is a total staff of 130 at Secrest Wardle's Troy office

4. The current staff will be sufficient to handle the work generated by lake Orion and Secrest Wardle will not need to add staff to handle this new client. Secrest Wardle is, however, looking to expand its Municipal department and has recently hired a new associate to grow into the Municipal practice group at Secrest Wardle.

5. Statement of experience – see Section 3 of proposal

6. In reviewing the description of the Village of Lake Orion and its needs for legal counsel, it appears that the Secrest Wardle's Municipal practice group is a good fit for the Village needs. As outlined in Section 3 of this proposal, our attorneys are well versed in the review of development documents including condominiums, business development, as well as the required infrastructure improvements associated with redevelopment. Our firm has prepared numerous development agreements, financing documentation for infrastructure improvements as well as reviewing and enforcing contractual requirements for this work. Secrest Wardle has a strong background in zoning and planning, with decades of experience handling many land use issues including zoning enforcement, RLUIPA issues, regulatory taking claims, and defending challenges to decisions made by the planning commission or zoning board of appeals. Secrest Wardle has led the field in the area of environmental regulations, having drafted early storm water regulations, wet land regulations, and tree ordinance regulations. Secrest Wardle has in the past worked with the Village planning contractor, McKenna of Northville, leading to some innovative ordinances.

7. References
   Steven Kaplan, former West Bloomfield
   Township Supervisor
   Wayne County Prosecutor's Office
   5301 Russell St
   Detroit, MI 48211
   kaplan@waynecountymi.gov

   Lynne M. Senia, City Clerk
   City of Dearborn Heights
   6045 Fenton
   Dearborn Heights, MI 48127
   lsenia@dearbornheightsmi.gov

   Mike McCready, Supervisor
   Charter Township of Bloomfield
   4200 Telegraph Rd. P.O. Box 489
   Bloomfield Hills, MI 48303-0489
   mmccready@bloomfieldtwp.org

   Teri Weingarden, Treasurer
   Charter Township of West Bloomfield
   4550 Walnut Lake Road

West Bloomfield, MI 48323
tweingarden@wbtownship.org

8. The firm has no existing clients or interests that it reasonably foresees constituting a conflict of interest with its representation of the Village of Lake Orion.

9. The attorneys associated with Lake Orion all practice out of our Troy location. Day-to-day activities will be conducted primarily by Mark Roberts, including attending Village meetings, and if selected as an option, attending office hours at Village offices as well. L. Charlyn Turner will handle the prosecutions on behalf of the Village, and currently represents clients in the 52-3 district court. As such Mrs. Turner is well acquainted with the policies and procedures in this court. Matthew Nicols would be primarily responsible for handling general civil litigation involving the Village, supported by the 62 attorneys located in our Troy office.

10. See Section 7 and 8 for insurance information.

11. Our firm does not intend to represent the Village in any labor, bankruptcy, or bond counsel services. Our firm is well equipped to handle tax tribunal and litigation services on behalf of the Village.

12. The Bar Association has not informed Secrest Wardle of any complaints regarding the firm in the past five years.

13. The firm has not been in bankruptcy, sought reorganization or receivership in the past five years.

14. No Municipal client has terminated Secrest Wardle in the past five years, although clients have replaced Secrest Wardle at the end of a contract following a competitive bidding process. Secret Wardle has also elected not to continue representing particular clients for business reasons.

15. Any inquiries from Village Council, Village Manager or department heads will be in most cases, immediate, as we provide our clients with multiple avenues for communication with the attorney servicing the account. An initial response to inquiries will in no case be longer than 24 hours.

16. If selected, Secrest Wardle would propose a series of meetings with the Village Manager and department heads to outline the major areas of concern facing the Village administration currently, part of this process would also involve the prosecutor assigned to the Village meeting with the police chief and police officers to gain a better understanding of the goals and objectives of the department. In preparation for these meetings, we would review the prior meeting minutes for the Village to familiarize ourselves with the most recent concerns brought to the Village Council.

17. Secrest Wardle is not familiar with any potential conflict of interest that would prevent Secrest Wardle or any of the attorneys listed in this proposal from performing their required services for the Village.

18. General counsel services:
    Executive partner, $165 per hour
    Partner, $160 per hour
    Associate, $150 per hour
    Paralegal, $90 per hour

    Prosecution services:
    Executive partner, $165 per hour
    Partner, $160 per hour
    Associate, $150 per hour
    Paralegal, $90 per hour

    Civil cases:
    There will be a separate agreement for each civil litigation matter handled by Secrest Wardle and the rate specified for that matter will be the same rate for the duration of that litigation matter.

ADDENDUM 1
SAMPLE BILLING STATEMENT

SECREST, WARDLE, LYNCH
HAMPTON, TRUEX & MORLEY
2600 TROY CENTER DRIVE P.O. BOX 5025
TROY, MICHIGAN 48007-5025
(248) 851-9500

IRS #

[redacted]

February 10, 2025
Invoice #
Client No.
Matter No.

RE: [redacted]

Services Rendered:

CURRENT BILLING SUMMARY THROUGH JANUARY 31, 2025

Fees for Professional Services	$XXX
Expenses Advanced	$XX
CURRENT BILL DUE	**$XXX**

PLEASE REMIT TO: SECREST, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, PC
P.O. BOX 772725
CHICAGO, IL 60677-2007

OUTSTANDING STATEMENTS AS OF February 10, 2025

Statement No.:	02/10/2025	**XXX**
	TOTAL	**$XXX**

DATE	TKPR	Building Inspection	HOURS	VALUE
01/31/25	XXX	Review letter from XXX regarding XXX.	0.20	XX
		TOTAL FOR Building Inspection	XX	$XX

DATE	TKPR	Cable Studio	HOURS	VALUE
01/30/25	XXX	Review letters (2) from XXX regarding XXX.	0.30	XX
		TOTAL FOR Cable Studio	XX	$XX

DATE	TKPR	General Fund	HOURS	VALUE
01/02/25	XXX	New ROW Permit Request for XXX.	1.80	XX
01/02/25	XXX	Review letter from XXX regarding ZBA case.	0.20	XX
01/02/25	XXX	Review letter from Tom XXX regarding Ordinances.	0.20	XX
01/02/25	XXX	Review letters from XXX and XXX. Letter to XXX regarding signs.	0.30	XX
01/02/25	XXX	Attend office hours at XXX.	3.00	XX
01/02/25	XXX	Review letter from XXX regarding litigation matters.	0.20	XX
01/02/25	XXX	Review letter from XXX. Letter to XXX regarding XXX.	0.20	XX
01/02/25	XXX	Review letter from XXX. Letter to XXX regarding XXX.	0.20	XX
01/03/25	XXX	Review letter from court regarding XXX v. XXX.	0.20	XX
01/03/25	XXX	Review letter from XXX and Order regarding XXX.	0.30	XX
01/06/25	XXX	Review letter from XXX regarding XXX.	0.20	XX
01/06/25	XXX	Attend office hours at XXX.	3.00	XX
01/06/25	XXX	Review letter from XXX regarding XXX meeting.	0.20	XX
01/07/25	XXX	Letter to XXX regarding XXX.	0.20	XX
01/07/25	XXX	Review letter from Court regarding XXX v XXX.	0.20	XX
		TOTAL FOR General Fund	XX	$XXX

DATE	TKPR	SAD	HOURS	VALUE
01/06/25	XXX	Review letter from XXX. Legal research. Letter to XXX regarding XXX.	0.70	XX
		TOTAL FOR SAD	XX	$XXX

DATE	TKPR	Water & Sewer	HOURS	VALUE
01/24/25	XXX	Review letter from XXX regarding XXX.	0.20	XX
01/27/25	XXX	Review letter from XXX. Letter to XXX. Review Plan regarding XXX.	0.40	XX
		TOTAL FOR Water & Sewer	XX	$XXX

HOURLY CHARGES:

INIT	TIMEKEEPER	TITLE	RATE	HOURS	BILLED
XXX	XXX		$XXX	XX	$XXX
XXX	XXX		$XXX	XX	$XXX
XXX	XXX		$XXX	XX	$XXX

TOTAL HOURLY CHARGES: $XXX

EXPENSES ADVANCED:

01/07/25	Mark S Roberts - Attorney Mileage (16.00 x 0.70)	$XX
01/13/25	Mark S Roberts - Attorney Mileage (32.00 x 0.70)	$XX
01/21/25	Mark S Roberts - Attorney Mileage (16.00 x 0.70)	$XX
01/27/25	Mark S Roberts - Attorney Mileage (16.00 x 0.70)	$XX
01/28/25	Mark S Roberts - Attorney Mileage (16.00 x 0.70)	$XX

TOTAL EXPENSES ADVANCED: $XX

TOTAL CURRENT BILL: $XXX

SECREST WARDLE

SECREST, WARDLE, LYNCH
HAMPTON, TRUEX & MORLEY
2600 TROY CENTER DRIVE P.O. BOX 5025
TROY, MICHIGAN 48007-5025
(248) 851-9500

IRS #

[redacted]

February 10, 2025
Invoice #
Client No.
Matter No.

RE: [redacted]

Services Rendered:

CURRENT BILLING SUMMARY THROUGH JANUARY 31, 2025

Fees for Professional Services	$XXX
Expenses Advanced	$XX
CURRENT BILL DUE	**$XXX**

PLEASE REMIT TO: SECREST, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, PC
P.O. BOX 772725
CHICAGO, IL 60677-2007

REMITTANCE COPY

PLEASE INCLUDE THIS PAGE WITH YOUR PAYMENT

Sherman & Sherman P.C.

30700 Telegraph Road, Suite 3420
Bingham Farms, MI 48025-4590
(248) 540-3366 Telephone
(248) 540-5959 Fax

Larry H. Sherman
Jeffrey A. Sherman
Timothy J. Burns

October 20, 2025

HAND-DELIVERED

Village Clerk
Village of Lake Orion
21 East Church Street
Lake Orion, MI 48362

RE: VILLAGE ATTORNEY RFQ

Dear Sir/Madam:

If you want attorneys who can think outside of the proverbial box and who can assist the Village of Lake Orion in creatively dealing with all its future issues and achieving its goals, we are the ideal candidates for General Counsel and Prosecuting Attorney. We are a boutique law firm specializing in municipal representation with a personal touch. We offer our municipal clients a personalized service from three very experienced and dedicated attorneys. We pride ourselves on maintaining personal and productive working relationships with our municipal clients.

For the past thirty-eight (38) years, we have served as City Attorneys and Prosecuting Attorneys for the City of Madison Heights; and for the past twenty (20) years, we have served as Prosecuting Attorneys for West Bloomfield Township. In addition to being General Counsel and Prosecuting Attorneys, we are personally involved in the development of real property, both privately and as municipal attorneys. We have represented land developers throughout the Tri-County area. As such, we bring a unique skillset to the table.

Moreover, we have been involved in some unique projects, some of which include the following, as hereinafter described. We shut down the Southeastern Oakland County Resource Recovery Authority's (SOCCRA) solid waste incinerator in Madison Heights, to the joy of every single resident in Madison Heights; and led the City out of SOCCRA. We shepherded through the building of new commercial centers in Madison Heights, including the construction of a Meijer store in exchange for the building of brand-new homes. We've promoted the development of a diversified tax base in Madison Heights, to include not only residential and commercial areas, but light-industrial developments as well. We've demolished unkempt homes and buildings, in a streamlined legal process, and witnessed brand new construction in its place. We successfully litigated a hazardous chemical spill onto the I-696 freeway and service drive (referred to by the press as the “green ooze” case) by a business owner engaging in the electroplating business. All the business owner’s buildings (901, 925, 937, 945 and 959 E. 10 Mile Road) ended up being demolished and the properties cleaned up. The City now owns the properties.

We've negotiated and drafted cooperative agreements between municipalities and participated in their governing committees (such as the George W. Kuhn Drainage District). We've been involved in the granting and revocation of Industrial Facilities Exemption Certificates and the development of Downtown Development Districts. We've provided legal support for the City Manager selection process (while saving the City thousands of dollars), culminating in Council's selection, appointment and approval of an employment agreement. We've drafted numerous ordinances and resolutions. We've handled code enforcement matters, tax tribunal cases, zoning board of appeals issues, planning commission matters and insurance issues--to name but a few.

In terms of prosecutions, the Madison Heights prosecutions take place at the 43rd Judicial District Court (Hon. Keith Hunt) and the West Bloomfield Township Prosecutions take place at the 48th Judicial District Court (Hon. Marc Barron, Hon. Kimberly Small and Hon. Diane D'Agostini). As such, we work very closely with the Police Departments in both communities (Madison Heights Chief of Police Brent LeMerise, former West Bloomfield Chief of Police Michael Patton, and current West Bloomfield Chief of Police Dale Young), and we handle all types of misdemeanor offenses and civil infractions (including overweight truck cases). Further, we've conducted numerous jury trials, bench trials and formal hearings.

By way of brief background, our Law Firm consists of Larry H. Sherman, Jeffrey A. Sherman and Timothy Burns. We have a combined total of over one hundred nineteen (119) years of legal experience representing municipalities and prosecuting municipal ordinance offenses and violations.

JEFFREY A. SHERMAN: In addition to diligently serving as a West Bloomfield Prosecutor for the past twenty (20) years, Jeffrey has also served as the Madison Heights Assistant City Attorney for the past thirty-eight (38) years. He received his bachelor's degree (with High Distinction) from the University of Michigan in 1976 and his Juris Doctorate Degree from the University of Michigan in 1979. He is a principal in our Law Firm. As Assistant City Attorney for Madison Heights, Jeffrey serves as Legal Advisor to the City Council, City Manager, and all Department Heads. He represents the City in most civil and criminal matters. During his career, Jeffrey has been the City Attorney for the City of Hazel Park and worked as Special Counsel for the City of Ferndale. In addition to Municipal Law, his practice concentrates on Real Estate, General Civil Litigation, and Criminal Prosecution. Jeffrey is licensed to practice law in all State and Federal Courts; and has vast legal and personal experience in real estate matters.

LARRY H. SHERMAN: In addition to proudly serving as a West Bloomfield Township Prosecuting Attorney for the past twenty (20) years, Larry H. Sherman has served as the Madison Heights City Attorney for the past thirty-eight (38) years. He received his bachelor's degree from Harvard College in 1974 and his Juris Doctorate Degree from the University of Michigan in 1977. He is a principal in our Law Firm. As City Attorney for Madison Heights, Larry is the Chief Legal Advisor to the City Council, City Manager and all Department Heads. He represents the City of Madison Heights in most civil and criminal matters. During his career, Larry performed municipal legal work for such

communities as Farmington Hills, Walled Lake, Sylvan Lake, Taylor, Melvindale, Mt. Morris, Redford and River Rouge. For five (5) years, from 1981 to 1986, Larry represented West Bloomfield Township, as Township Prosecutor, in the capacity as "Of Counsel" to the then Township Attorneys, Brennan, Bibeau and Poehlman, P.C.; and acted as Special Counsel to the Township Planning Commission for specific litigation. In addition to Municipal Law, his practice concentrates on Real Estate, General Civil Litigation and Criminal Prosecution. Larry is licensed to practice law in all State and Federal Courts and has vast experience, both personally and legally, in real estate matters.

TIMOTHY J. BURNS: Timothy Burns has also enjoyed serving as a West Bloomfield Township Prosecutor for the past three (3) years in addition to representing the City of Madison Heights as Assistant City Attorney for the past three (3) years. Tim received his bachelor's degree from Bradley University, in Peoria, Illinois in 1995 and his Juris Doctorate Degree from the University of Detroit-Mercy in 2000. He is an Associate in our Law Firm. As Assistant City Attorney, Tim also serves as Legal Advisor to the City Council, City Manager and all Department Heads. He too represents the City in most civil and criminal matters. During his career, Tim has served as clerk for the Michigan Attorney General-Secretary of State Division; served as Counsel for the Better Business Bureau; engaged in his own private practice for fifteen (15) years; was elected to the Oakland County Board of Commissioners, serving three (3) terms; and served on the Board of Commissioners for the State Bar of Michigan. Tim has also served as Special Legal Counsel to the City of River Rouge and White Lake Township and has served as Special Prosecutor in Hazel Park. In addition to Municipal Law, his practice concentrates on Criminal Prosecution, General Civil Litigation, Real Estate, Municipal Planning and Zoning, and Construction Law. Nic is licensed to practice law in all State and Federal Courts.

As General Counsel for the Village, our PRIMARY PHILOSOPHY is that Village Government should be "citizen friendly," "business friendly" and "employee friendly." In today's competitive economy, a municipality cannot fund all its needed services from tax revenues generated from the residents only. Therefore, it is our belief that a municipal government should work to cut red tape and bureaucratic interference of entrepreneurship and development. The Municipal Government should actively work to promote growth and attract businesses (especially those with employment opportunities) to move to the Village, but also keeping in mind the importance of quality of life: namely, green spaces, playgrounds, and recreation activities. Litigation, which only raises the cost of doing business and benefits lawyers, should be the course of last resort--not the course of first resort. Yet, we get tough, when getting tough is needed. We are also available to attend all boards meetings, such as the Zoning Board of Appeals and the Planning Commission.

As Prosecuting Attorneys, our PRIMARY PHILOSOPHY has always been (and continues to be) to exercise authority fairly, justly and equitably. We treat every person appearing in court with dignity and respect. However, we never forget our primary goal of serving the Village and enforcing the law. As indicated above, we will be plenty tough on serious offenders and repeat offenders. We will also maintain a close personal and working relationship with the Village Police Chief, the Village Police

Officers and Police Department Administration. If selected, our first order of business will be to meet with each individual member of Council, the Village Manager, the Village Clerk, the Department Heads, and the Chief of Police.

All three of us will be involved in the Village's General and Prosecutorial work, but Jeffrey will be the main contact person and will act as General Counsel and handle all civil litigation. All three of us, Jeffrey, Larry and Tim, will act as Prosecutors and Assistant Village Prosecutors, respectively; and will be involved in other Village matters. We will work as a team. This method has worked extraordinarily well in both Madison Heights and West Bloomfield Township. All three of us will be available on a 24/7 basis. Council Members, the Village Manager, the Village Clerk, the Chief of Police and the Police Officers will have our cell phone numbers, our home telephone numbers and our email addresses. In addition, we can also communicate with everyone via text messaging. And, of course, we are available to meet with Village officials in person at any time. We are experienced attorneys. We have the knowledge and the ability to provide the Village of Lake Orion with reliable, prompt and cost-effective representation as General Counsel and Prosecutors. We could step-in immediately and start handling matters and cases; and we are forward-thinking attorneys and are extremely capable in helping the Village deal with future issues and reach its goals.

If selected, our second order of business will be to meet with the 52-3 Court Administrator and with Judges. Every Court has its own methods for handling matters and we would like to get a handle on those methods to hit the ground running. As an example, in the 48th District Court, we have a Pre-Hearing docket for all civil traffic infractions. We meet with the Defendants at the Courthouse or via zoom, without the Police Officers being present, and determine if the case can be resolved without an Informal or Formal Hearing being held. Our experience indicates that we can resolve about ninety-eight (98%) of the cases without taking the Officers off the road and paying them overtime for their appearance in Court. In addition, we have no conflicts of interest that would prevent us from handling the Lake Orion general work or prosecutions. Further, please feel free to contact the following five (5) people (or anyone else for that matter) for references:

Melissa Marsh, City Manager
City of Madison Heights
300 W. 13 Mile Road
Madison Heights, MI 48071
Telephone: (248) 837-2609
Email: MelissaMarsh@madison-heights.org

Michael Patton, West Bloomfield Trustee (Former Police Chief)
West Bloomfield Township
4550 Walnut Lake Road, West Bloomfield, MI 48323
Telephone: (248) 975-8901
Email: mpatton@wbtownship.org

Hon. Keith Hunt, 43rd District Court
200 W. Thirteen Mile Road
Madison Heights, MI 48071
Telephone: (248) 538-1800
Email: kph43rdhp@aol.com

Hon. Kimberly Small, 48th District Court
4280 Telegraph Road,
Bloomfield Township, MI 48302
Telephone: (248) 647-1141

Steven Kaplan, Esq.
Wayne County Prosecutor's Office
5301 Russell Street, Suite 200
Detroit, MI 48222
Telephone: (313) 224-5777
Email: skaplan@waynecountymi.gov

In terms of fees, our experience has shown that an hourly fee is a simple and fair arrangement, because the municipality pays for the actual services performed. We would propose the following financial arrangement: $135.00 per hour for all services, plus any costs expended on behalf of the Village. However, we are open to discussing this fee arrangement and will consider all reasonable proposals. If you have any additional questions, please do not hesitate to contact us. On behalf of the Firm, I remain,

Very truly yours,

SHERMAN & SHERMAN, P.C.

Jeffrey A. Sherman

Jeffrey A. Sherman

Rh/JAS

ACORD

SHER&SH-01

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
11/25/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Jenna McGuinness
Acrisure Great Lakes Partners Insurance Services, LLC 223 West Grand River Ave #1 Howell, MI 48843	PHONE (A/C, No, Ext): (616) 221-4963 FAX (A/C, No): E-MAIL ADDRESS: jmcguinness@acrisure.com

INSURED	INSURER(S) AFFORDING COVERAGE	NAIC #
Sherman & Sherman P.C. 30700 Telegraph Rd-Ste 3420 Bingham Farms, MI 48025	INSURER A : Michigan Millers Mutual Insurance Company	14508
	INSURER B : Michigan Insurance Company	10857
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO-JECT LOC OTHER:	X		B0203607 14	12/20/2024	12/20/2025	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 50,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
B	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY			1000245906	10/24/2024	10/24/2025	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
	UMBRELLA LIAB OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $						EACH OCCURRENCE AGGREGATE	$ $
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		W0101722 23	12/20/2024	12/20/2025	X PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 100,000 $ 100,000 $ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Farbman Group LLC/Bingham Center LLC are recognized as additional insured in regards to general liability.

CERTIFICATE HOLDER

Farbman Group LLC/Bingham Center LLC
c/o Farbman Group LLC
28400 Northwestern Hwy #400
Southfield, MI 48034

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Michigan Millers Mutual Insurance Company

Lansing, Michigan

WORKERS COMP & EMPLOYERS LIAB

Policy Number	Policy Period From	To
W 0101722 23	12/20/2024	12/20/2025

12:01 A.M. Standard Time at the described location

Transaction	Renewal\Rewrite of Policy No.
RENEWAL DECLARATION DIRECT BILL	W 0101722

1. Named Insured and Address	Agent
SHERMAN & SHERMAN PC 30700 TELEGRAPH RD STE 3420 BINGHAM FARMS MI 48025-4524	INSURANCE EXCHANGE AGENCY 1007 W HURON ST WATERFORD MI 48328 Telephone: 248-349-1122 0021037

Carrier #	FEIN #	Risk ID #	Entity of Insured
16969	382421755	1572504-A	CORPORATION

Additional Locations: See Attached Schedule

2. The Policy Period is from 12/20/2024 to 12/20/2025 12:01 a.m. Standard Time at the Insured's mailing address.

3. A. Workers Compensation Insurance: Part ONE of the policy applies to the Workers Compensation Law of the states listed here: Michigan

B. Employers Liability Insurance: Part TWO of the policy applies to work in each state listed in Item 3A. The limits of our liability under Part TWO are:

Bodily Injury by Accident	$	100,000	each accident
Bodily Injury by Disease	$	500,000	policy limit
Bodily Injury by Disease	$	100,000	each employee

C. Other States Insurance: Part THREE of the policy applies to the states, if any, listed here:
All states except North Dakota, Ohio, Washington, Wyoming, and states designated in item 3.A. of the information page.

D. This policy includes these endorsements and schedules: See attached schedule.

4. The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates, and Rating Plans. All information required below is subject to verification and change by audit.

SEE EXTENSION OF INFORMATION PAGE

Minimum Premium $261	**Total Estimated Annual Premium**	625
	Expense Constant	250
	Premium Discount	
Assessments and Taxes	**Deposit Premium**	625

☐ This is a Three Year Fixed Rate Policy
Premium Adjustment Period: ☒ Annual; ☐ Semiannual; ☐ Quarterly; ☐ Monthly

Countersigned this Day of ,
Issued Date: 11/20/2024
Issuing Office Michigan Millers Mutual Ins.Co

_____
Authorized Representative

WCDEC 0900 WC 00 00 01

Appendix A

Legal Services-Scope of Services

Sherman & Sherman, P.C. can perform all the General Counsel, Prosecution, Civil, and Tax Tribunal Services listed in Appendix A.

Appendix B

Legal Services Request for Qualifications

1. Firm name: **Sherman & Sherman, P.C.**
   a. Areas of specialty: **Municipal Law.**
   b. Years in business: **43 years**.

2. Offices
   a. Office location where the majority of the work will be performed: **30700 Telegraph Road, Suite 3420, Bingham Farms, MI 48025**.
   b. Name and address of parent firm (if applicable): **Not applicable**.

3. Personnel
   a. Principal contact (name, phone number, email) of the firm. **Jeffrey A. Sherman, Telephone: 248-540-3366, jeffasherman@shermanpc.com.**
   b. Proposed personnel for legal services to be provided for each discipline. **Jeffrey A. Sherman, Larry H. Sherman & Timothy Burns.**
      Please provide the specific name of the individual who will handle each discipline (e.g., general, prosecution, civil litigation) and attach a current resume for each individual. **Jeffrey A. Sherman will be General Counsel and Jeffrey A. Sherman, Larry H. Sherman and Timothy Burns will handle the prosecutorial duties.**
   c. Other key personnel names who will be used for Village business: **Megan Humphries, Law Student and Terrie Macklem, Legal Assistant.**
   d. Total number of licensed attorneys at office listed in 2a above. **Three**.
   e. Total number of all staff at office listed in 2a above. **Five.**

4. Does firm have adequate staff to handle another municipal client or will staff need to be hired? **We have sufficient staff to properly perform the duties**.

5. Experience – provide a short narrative (no more than five (5) pages) detailing experience in municipal law including areas of expertise. Be sure to include any information on items identified as specialty services in Appendix A as well. **Please see written narrative attached hereto**.

6. List specific reasons (no more than two (2) pages) why your firm should be considered by the Village of Lake Orion for legal representation. **Please see written narrative attached hereto**.

7. Provide three (3) or more municipal references from prior or current clients, including contact name, title, municipality name, telephone number, and E-mail address.

   (i) Melissa Marsh, City Manager, City of Madison Heights, 300 W. 13 Mile Road, Madison Heights, MI 48071; Telephone (248) 837-2609. Email: MelissaMarsh@madison-heights. org

(ii) **Michael Patton, West Bloomfield Trustee and former Chief of Police, 4550 Walnut Lake Road, West Bloomfield, MI 48323, Telephone: 248-975-8901, Email: mpatton@wbtownship.org;**

(iii) **Hon. Keith Hunt, Judge of the 43rd District Court, 200 W. Thirteen Mile Road, Madison Heights, MI 48071, Telephone: 248-583-1800, Email: kph43rdhp@aol.com**

(iv) **Hon. Kimberly Small, 48th District Court, 4280 Telegraph Road, Bloomfield Township, MI 48302, Telephone: (248) 647-1141.**

(v) **Steven Kaplan, Esq. Wayne County Prosecutor's Office, 5301 Russell Street, Suite 200, Detroit, MI 48211, Telephone: (313) 224-5777; Email: skaplan@waynecountrymi.gov**

8. Disclose any clients or interests that may reasonably be foreseen to constitute a conflict of interest when representing the Village (such as other local governments, developers, bidders, etc.). **None.**

9. Describe how your firm will handle the day-to-day activities (police work, court appearances, and attendance at meetings) of this contract. This is particularly important if you do not have a local office. **Jeff, Larry and Tim will be available on a 24/7 basis. We will be present at all meetings and court appearances. Further, the Council Members, Village Manager, Village Clerk, Police Chief and Police Officers will have our cell phone numbers, our home telephone numbers, and our email addresses. We also communicate by text message as well.**

10. Provide evidence of a comprehensive liability and workers compensation insurance policy for all staff assigned to work for the Village. **Attached.**

11. Note any exceptions or deviations to the required scope of services outlined in Appendix A. **We handle all the Legal Services listed in Appendix A, including tax tribunal matters. If labor matters are part of the responsibilities that the Village desires from Counsel, labor matters in Madison Heights and in West Bloomfield Township are handled by Howard L. Shifman, P.C. We work closely in those communities with both Howard Shifman and Brandon Fournier in that firm. Bankruptcy and bond counsel services are handled by outside counsel who solely specifically specialize in these matters.**

12. During the past five (5) years, has the firm had any Bar Association complaints filed against it? If so, explain. **No complaint to the Bar Association filed against the firm. But a grievance was filed in 2025 against Prosecutor Jeff Sherman for not authorizing a Complaint and Warrant for an alleged assault and battery, against an 81-year-old dentist, who used his index finger to touch the arm of a dental hygienist, during an argument in their office. The hygienist told the dentist to stop touching her. The dentist immediately stopped and apologized. The dental hygienist's sister was an attorney. The sister wanted criminal charges filed against the dentist; and when criminal**

charges were not authorized, the dental hygienist filed a grievance. Even so, the crime of assault and battery is a specific intent crime, meaning that the accused had to have the intent to commit an assault and battery. Touching someone on the arm with an index finger, and then stopping (when told to stop), and apologizing for it showed a lack of intent to commit the crime. The touching may have been inappropriate but was not assaultive. As such, the case could not be proven beyond a reasonable doubt. Criminal charges were not authorized. The grievance was dismissed by the State Bar in a couple of days. Prosecutors must follow the law and do right by people, both alleged victims and the accused.

13. Has the firm been in bankruptcy, reorganization or receivership in the last five (5) years? **No.**

14. Has the firm been terminated by any municipal client in the last five (5) years? No. If so, please explain. **Not Applicable**.

15. Define the standard time frames for response by the Village Attorney to inquiries from the Village Council, Village Manager or Department Heads. **We will respond immediately, unless all the attorneys are in court at that moment, and, if so, an attorney will respond as soon as his court hearing has concluded**.

16. Describe how your firm would familiarize itself with the current issues facing the Village of Lake Orion. **Our first order of business will be holding meetings with each Council Member, the Village Manager, the Village Clerk, the Department Heads and the Chief of Police. Our second order of business will be meeting with the Judges of the 52-3rd District Court. Even so, we can step-in immediately to handle Village matters and criminal prosecutions.**

17. Pricing – note the Village currently requires per hour charges (to the tenth of an hour) for all work performed but will consider all pricing structures submitted. **$135.00 per hour for all services, plus any costs expended on behalf of the Village**.

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. Hourly Rate for General Legal Services	**$ 135.00**
D. Hourly Rate for Prosecution Services	**$ 135.00**
E. Provide or attach the firm's complete fee schedule for all other services not included above:	**$ 135.00**
1. Tax Tribunal	**$ 135.00**
2. Zoning Board of Appeals	**$ 135.00**
3. Planning Commission	**$ 135.00**
4. Civil Litigation	**$ 135.00**
5. All other matters	**$ 135.00**

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. Hourly Rate for General Legal Services	**$ 135.00**
D. Hourly Rate for Prosecution Services	**$ 135.00**
E. Provide or attach the firm's complete fee schedule for all other services not included above:	**$ 135.00**
1. Tax Tribunal	**$ 135.00**
2. Zoning Board of Appeals	**$ 135.00**
3. Planning Commission	**$ 135.00**
4. Civil Litigation	**$ 135.00**
5. All other matters	**$ 135.00**

Village of Lake Orion
EST 1859

LEGAL SERVICES PROPOSAL FOR THE VILLAGE OF LAKE ORION

FOSTER SWIFT
FOSTER SWIFT COLLINS & SMITH PC | ATTORNEYS

COURTNEY G. AGRUSA
28411 Northwestern Highway, Suite 500
Southfield, MI 48034
248.538.6326
cagrusa@fosterswift.com

FOSTERSWIFT.COM

FIRM NAME

Founded in 1902, Foster Swift is a full-service law firm. We are organized into the following six primary practice areas:

1. Municipal and Public Entity
2. Business and Tax
3. Employer Services (Labor & Employment as well as Workers' Compensation)
4. Financial Institutions, Real Estate, and Bankruptcy
5. Litigation
6. Trusts and Estates

Our clients come from all over the upper and lower peninsulas in Michigan.

We provide our municipal and public entity clients with best-in-class general counsel and specialty law services, and we proactively inform, advise, and counsel our clients regarding new developments in the law. Key points of interest include:

- Foster Swift has extensive experience in municipal and public entity law. The 18 members of the Municipal and Public Entity Practice group represent more than 200 Michigan counties, cities, villages, townships, libraries, and intergovernmental units, including the Village of Grosse Point, Canton Township, and the City of Mt. Pleasant to name a few.
- Our municipal and public entity team regularly helps Michigan public entities with land use and zoning, drafting and enforcement of legislation, administrative matters and legal proceedings, code enforcement, contract law, interlocal government agreements, labor and employment law including labor negotiations, environmental issues, federal and state laws, constitutional law, litigation in the state and federal court systems, municipal leases, licenses and agreements, public records, the Freedom of Information Act ("FOIA"), and the Open Meetings Act ("OMA").
- All Foster Swift attorneys are graduates of an American Bar Association ("ABA") accredited law schools, are licensed to practice law in Michigan, and are in good standing with the State Bar of Michigan.
- Every attorney on Foster Swift's municipal and public entity team focuses on being accessible and timely.
    - Throughout our attorney client relationship, we strive to establish clear communications regarding projects, timeframes, and review processes to exceed client expectations.
    - Foster Swift's policy is that phone calls and emails are returned within eight business hours, and it is usually within four business hours or less.
    - In terms of meetings, while we prefer a business days' notice, in most circumstances, if attendance can be via Zoom, Teams, or Webex, we are often able to attend with one hour's notice.
    - Every Foster Swift attorney is backed by another attorney, so crises can be immediately addressed even if one of the attorneys may be unavailable.
- Foster Swift's attorneys regularly inform clients of new case law and legislation (including pending legislation) which may affect municipalities and public entities through newsletters and webinars. To review our newsletters, visit: https://www.fosterswift.com/services/Administrative-and-Municipal-Practice-Group

OFFICES

Foster Swift is a full-service law firm comprised of 101 attorneys and 110 support staff with offices in Southfield, Lansing, Grand Rapids, Detroit, and Holland. It is not a subsidiary, nor does it have any subsidiaries. Our attorneys and staff are very involved in their respective communities. If selected by the Village, a majority of the work will be performed in our Southfield and Lansing offices.

The firm is organized into the following six primary practice areas:

1. Municipal and Public Entity
2. Business and Tax
3. Employer Services (Labor & Employment as well as Workers' Compensation)
4. Financial Institutions, Real Estate, and Bankruptcy
5. Litigation
6. Trusts and Estates

PERSONNEL

Courtney Gabbara Agrusa is the single point-of-contact to respond to questions regarding this proposal. Courtney's phone number is 248.538.6326, and her email is cagrusa@fosterswift.com.

If offered the opportunity to represent The Village of Lake Orion ("Village"), Courtney will serve as the Village Attorney. While the Village will have a single point-of-contact to coordinate all work, they will also have the benefit of a team if additional special attorneys are needed. Courtney will assign and oversee all Village work assigned to other Foster Swift attorneys.

Courtney Gabbara Agrusa	Municipal and Employment Law and Labor Relations
Keith Brown	Municipal & Public Entity Law
Laura Genovich	Tax Tribunal and Election Law
Brian Renaud	Municipal & Public Entity Law

Our Southfield office consists of 28 attorneys and 26 staff members. Our Lansing office has 44 attorneys and 68 staff members.

STAFFING

As a full-service law firm, we are staffed to serve the Village of Lake Orion without the need to hire additional outside staff.

One of the many benefits of working with a full-service law firm is that clients have immediate access to attorneys who handle virtually every area of the law and who already have a working relationship with their Village Attorney, enabling the specialty attorney to get up to speed more quickly resulting in less fees incurred by the Village.

Foster Swift municipal and public entity attorneys are committed to providing clients the best possible representation on all matters. We are continually investing in their professional development to stay abreast on substantive areas of the law as well as litigation strategies. We regularly participate in programming delivered by the State Bar of Michigan and the Michigan Association of Municipal Attorneys. Because of our expertise and communication skills, we are frequently speakers and authors for the Michigan Municipal League, the Michigan Townships Association, the Michigan Assessors Association, and other associations.

Complete bios for attorneys referenced above follow.

FOSTER SWIFT
FOSTER SWIFT COLLINS & SMITH PC | ATTORNEYS



Courtney Gabbara Agrusa

Senior Attorney

Southfield, MI
248.538.6326
cagrusa@fosterswift.com

Overview

Courtney Gabbara Agrusa is a municipal law attorney, and she has been since the day she began her legal career as a staff attorney for a local City Attorney office. Based in Foster Swift's Southfield office, Courtney's practice focuses exclusively on working with Michigan counties, cities, villages, townships, and other governmental entities to provide counsel in municipal corporate and public sector labor matters. Having stood in her clients' shoes and sat shoulder to shoulder with them, Courtney knows first-hand the unique business and legal needs of municipal entities.

In her capacity as a municipal law attorney, Courtney works tirelessly to help her clients navigate the ever changing demands faced by local governments. As an insider and a community member, she recognizes the impact, directly and indirectly, a municipal entity's decisions and actions have on all members of those communities.

Municipal Law

"Municipal law" covers a wide range of issues including, but not limited to, elections, labor & employment, governance, ordinance reviews, taxes, special assessments, planning, codes & compliance, human resources, public safety, emergency services, civil rights, animal control, environmental, public works, drafting and reviewing contracts of all types (e.g., software, construction, affiliation agreements, urban cooperation contracts, and cell towers), libraries, tribal law, parks, and parking.

Courtney's direct experience in a local City Attorney's office, including serving as Interim City Clerk; at a boutique municipal law firm for almost six years; and at Foster Swift includes advising and representing municipal entities in the areas described above and more.

Courtney believes collaboration is the key to success when working with municipalities. Taking the approach that her client contacts are subject matter

Practices

Election & Campaign Finance Law

Employment Law

Firearm Regulation Law

Freedom of Information Act

Labor Relations

Municipal & Public Entity Law

Open Meetings Act

Zoning & Land Use

Education

Michigan State University College of Law, J.D., 2012

Michigan State University, B.S. in Psychology, 2009

Bar & Court Admissions

Michigan

U.S. District Court for the Western District of Michigan

U.S. District Court for the Eastern District of Michigan

experts in their own respective lines of work (e.g., tax, public works, code compliance, finance, and zoning), Courtney works closely with her clients to ensure she understands their needs, goals, and perspectives. This type of collaboration and work dynamic allows Courtney to build strong working relationships with her clients and to provide the high-quality legal services her clients need.

A typical week includes attending council, commission, and board meetings; meeting with, talking with, and advising her clients; reviewing and revising contracts, ordinances, and millages; researching and drafting opinions and memoranda; appearing in court; and negotiating public employer labor and employment matters.

Some of the statutes Courtney regularly deals with include:

- Freedom of Information Act (FOIA)
- Open Meetings Act (OMA)
- Michigan Zoning Enabling Act (MZEA)
- Michigan Planning Enabling Act (MPEA)

Municipal Employment & Labor Matters

One of Courtney's sub-niches within municipal law is the navigation and litigation of labor and employment matters. These include employee disciplinary matters, labor negotiations, grievance arbitrations, unfair labor practices, Equal Employment Opportunity Commission Charges, Michigan Department of Civil Rights Complaints and Unemployment Insurance Agency Appeals.

Her public employer clients also call on her for a vast range of hands-on support, from facilitating meetings between unhappy employees, their union representatives, their direct supervisors, and HR, to preparing last chance agreements, disciplinary agreements, and termination documents, negotiating resignations in lieu of termination, and actually terminating employment. She regularly drafts, reviews, and revises both employment and personnel policies, procedures, and handbooks.

Employment related statutes Courtney regularly deals with include:

- Americans with Disabilities Act (ADA)
- Fair Labor Standards Act (FLSA)
- Paid Medical Leave Act (PMLA)
- Family Medical Leave Act (FMLA)
- Earned Sick Time Act (ESTA)

- Improved Workforce Opportunity Wage Act (IWOWA)
- Bullard Plawecki Employee Right-to-Know Act

Michigan Election Law

Having served, by necessity, as an Interim City Clerk during a challenging election year, Courtney recognizes first-hand the scrutiny municipal entities face, and the personal toll it takes on individuals, when it comes to matters involving elections.

She is now routinely retained to help municipalities with full-time or part-time Clerks get through and survive turbulent election scenarios under intense time constraints. Courtney consults clients on recall issues, recounts, and other election challenges, resulting in the litigation of recall appeals and oversight of recounts. She also consults with them before election cycles in a preventive law capacity.

Honors & Recognition

Jurisprudence Achievement Award, Michigan State University College of Law, 2012

Memberships & Affiliations

Legal Affiliations:

- State Bar of Michigan
  - Government Law Section
  - Insurance and Indemnity Law Section
  - Labor and Employment Law Section
  - Municipal Law Committee
- Chaldean American Bar Association
  - Member (2017-Present)
- Michigan State University College of Law Alumni Association
  - President (2022-2025)
  - Vice President (2019-2022)
- Board of Directors, Ms. JD
  - Board Member (2011-2015)
- Women Lawyers Association of Michigan
  - Member (2021 – Present)

Community Affiliations:

- Chaldean Americans for Whitmer Leadership Council
  - Member (2022)
- Chaldeans Advisory Counsel for Biden/Harris
  - Member (2020)
- Planned Parenthood Advocates of Michigan
  - Board of Directors (2024 – Present)

News & Resources

Events

September 17, 2025
Labor & Employment Law Update**:** 2025 Recap and Insights for 2026

May 14, 2025
New Law Changes in Effect for Employers Hiring Minors

April 2, 2025
Nip It in the Bud: The Importance of Strong Policies and Handbooks

February 25, 2025
What Employers Need to Know About Michigan's Amended Earned Sick Time Act

October 30, 2024
Writing Policy — Liability Considerations

September 18, 2024
2024 Virtual Labor & Employment Law Update

September 11, 2024
An Overview Guide to Michigan's Gun Laws

August 14, 2024
Election Day 2024: A Guide to Essential Polling Etiquette

Publications

June 23, 2025 | *Foster Swift Municipal Law News*
What Does SCOTUS Stance on Assault Weapons Mean for Firearm Regulations?

April 28, 2025 | *Foster Swift Labor & Employment Law News*
New Law Changes in Effect for Employers Hiring Minors

February 21, 2025 | *Foster Swift Labor & Employment Law E-blast*
What Employers Need to Know About Michigan's Amended Earned Sick Time Act

January 15, 2025 | *Foster Swift Municipal Law News*
New Laws Prohibit Firearms at Polling Places and Other Election Locations

October 3, 2024 | *Foster Swift Municipal Law News*
Polling Place and Voter Etiquette Guidelines: Election Day Q&A

July 31, 2024 | *Labor & Employment Law News E-blast*
Michigan Employers Alert: Major Changes to Sick Leave & Minimum Wage Effective Feb 2025!

July 23, 2024 | *Foster Swift Municipal Law News*
Extreme Risk Protection Orders: Q&A on Michigan's Red Flag Gun Laws

March 25, 2024 | *Foster Swift Municipal Law News*
Lindke v. Freed: When Public Officials Can Be Held Liable for Blocking Individuals on Social Media

January 30, 2024 | *Labor & Employment Law News E-blast*
Independent Contractor Final Rule Could Have Major Impact on Select Industries

November 30, 2023 | *Foster Swift Municipal Law News E-blast*
Update: Whitmer Signs Energy Bills, Restricting Facilities

November 16, 2023 | *Foster Swift Municipal Law News E-blast*
Proposed Bills to Affect Energy Facilities

Blog Posts

August 22, 2024 | Michigan Election Law Blog
An Election Day Guide to Essential Polling Etiquette

July 11, 2024 | Michigan Election Law Blog
A Guide to Regulating Petition Circulators: Best Practices and Key Considerations

FOSTER SWIFT
FOSTER SWIFT COLLINS & SMITH PC | ATTORNEYS



Keith T. Brown

Associate

Grand Rapids, MI
616.726.2211
kbrown@fosterswift.com

Overview

A former teacher and performer, Keith T. Brown has held many leadership roles and understands the importance of accessible communication, empathy, and storytelling. These skills and traits are invaluable in Keith's practice at Foster Swift. Keith aids clients in all sorts of municipal matters, such as the METRO Act, constitutional questions, employment matters, the Open Meetings Act, the Freedom of Information Act, zoning, election law, litigation, and a variety of other concerns that leaders may be faced with.

Municipal Law

As a member of Foster Swift's municipal group, Keith works with a team of highly experienced and devoted attorneys that represent municipal clients of all sizes and characteristics throughout Michigan and has likely encountered the same situation you are facing.

Keith brings his experience in the classroom, meeting room, and the performance hall to the practice of law. Keith understands that the keys to success for local leaders is knowing how to fully evaluate the situation at hand, including the applicable rules, processes, and personalities; how to effectively communicate a vision and plan; and how to guide those visions and plans to adoption and implementation. Accordingly, he aims to model these skills and guide elected and appointed officials, at all levels, to be the best representatives of their constituents and leaders of their communities that they can be.

As an educator, Keith understood that his students would reach their goals in their own ways and at their own pace, and he knew that his role was to provide guidance, advice, knowledge, and expertise, but not to make the final decision or chose the specific direction a student took. Keith knows that the role of municipal attorney is quite similar. His role is to help officials work out details while remembering the big picture, and to provide guidance about what is

Practices

Administrative Law

Appellate Practice

Municipal & Public Entity Law

Municipal Litigation

Education

Western Michigan University Thomas M. Cooley Law School, *magna cum laude* J.D., 2020

Grand Valley State University, B.S., 2012

Clerkships

Michigan Court of Appeals

Bar & Court Admissions

Michigan

Western District of Michigan

legally required or permitted in order to aid the officials to make the best decisions for their constituents and communities to lower the legal risk.

Appellate Law

A successful appellate practice requires knowledge of how the appellate system works, how to navigate it, how to apply both old and new law, and how to persuade appellate judges. Keith has worked on all manners of appeals- from municipal law, including zoning, to general civil and administrative appeals to criminal cases.

Before joining the firm, Keith learned each of these things firsthand, working first as a Research Attorney and then as a judicial law to the Honorable Christopher P. Yates at the Michigan Court of Appeals. Keith brings both his experience as an educator and as an attorney with the court to appellate practice. He understands that carefully choosing the issues to appeal and how to present them- and how to present a story of the case- to a panel of appellate judges is a major key to success.

Appeals, like trials, are about storytelling. They are mostly decided on the standard of review (the level of deference the appellate court must give to the trial court's decision) and the briefs, and Keith takes great care to write in the most clear and persuasive manner possible about the most fruitful issues. He also understands what judges expect from oral argument and how to best frame the case to the panel.

A good appellate practitioner speaks the language of appellate courts, and can both translate that language to the client and translate the client's story to the court. Keith understands both sides of that equation and works tirelessly to do both.

Outside of Law

Keith was raised in the most quintessential Michigan way, as the son of an autoworker and school bus driver, growing up in Wayne County. In high school, he was a drum major of his marching band and became an Eagle Scout. Then he attended Grand Valley State University where he was a leader in the marching band and founded and led an award-winning chapter of a student organization. He has lived in West Michigan ever since.

Before joining the legal profession, Keith served as a K-12 educator in districts throughout Michigan, where he taught middle and high school social studies, served as a substitute in a variety of settings, directed an after-school program for disadvantaged students, and for nearly a decade coached high school marching band.

Keith attended Western Michigan University Thomas M. Cooley law school in Kalamazoo and Grand Rapids. There, he served as a teaching assistant, president of the student bar, and as a member of numerous student leadership boards. He won awards for "best brief" and for being the "top advocate" in moot court competitions. He also interned as a law clerk in the United States District Court for the Western District of Michigan.

Keith now lives in Holland, Michigan, with his wife Sarah and his two stepchildren. They share their home with two Siberian Huskies, two cats, and a pet chicken. The family enjoys taking trips to museums, comic-cons, fairs, and the beach. Keith loves to study history and politics, roots for Detroit sports teams (he has a jar of dirt he collected near first base at old Tiger Stadium and autographed baseballs from, among others, Ernie Harwell and Al Kaline), and marches with the Laker Alumni Marching Band at GVSU, of which he is a founder and has served on the leadership team since 2012.

Experience

- In Pegasus Wind LLC v. Tuscola County, on April 10th, 2024, the Michigan Supreme Court upheld Tuscola County and the Tuscola Area Airport Zoning Board of Appeals (ZBA) previous decision blocking Pegasus Wind LLC's request to expand a wind farm after evidence showed that additional windmills would have posed a safety risk to aviators at a nearby airport. Brown was part of the team that represented Tuscola County and the ZBA Board and praised the court's decision.
- *In re Petition of Muskegon County Treasurer for Foreclosure (Muskegon County Treasurer v Beeman et al)*, ___ Mich App ___ (2023) (Docket No. 363764) (upholding as constitutional Section 78t of the Michigan General Property Tax Act (MCL 211.78t), which requires former owners of tax-foreclosed property to file a notice of intent to claim any remaining proceeds by July 1).

Memberships & Affiliations

Professional Affiliations:

- Institute of Continuing Legal Education (ICLE)
  - New Lawyers Advisory Board

Community Affiliations:

- Grand Valley State University
  - Laker Alumni Marching Band, Board Member
- National Eagle Scout Association
  - Member

- Kappa Kappa Psi National Honorary Band Fraternity
  - Member

News & Resources

Events

April 2, 2025
Social Media Pitfalls

Publications

September 30, 2024 | *Foster Swift Municipal Law News E-blast*
Foster Swift Prevails at Michigan Supreme Court in Major Victory for County Treasurers

January 22, 2024 | *Municipal Law News E-blast*
Summary Language Approved for Proposed Ballot Initiative to Repeal Renewable Energy Siting Law

September 19, 2023 | *Foster Swift Municipal Law News*
Carbon Sequestration Wells: A New Land Use to Consider in Zoning Ordinances

September 18, 2023 | *Foster Swift Municipal Law News*
The Next Controversial Land Use: Utility-Scale Battery Facilities

June 15, 2023 | *Foster Swift Municipal Law News*
What Does Tyler v Hennepin County Mean for Foreclosures in Michigan?

April 10, 2023 | *Spring 2023 Michigan Appellate Practice Journal*
Focus Orders & Tentative Opinions: Ways to Make Oral Argument More Efficient

Blog Posts

November 21, 2022 | Michigan Election Law Blog
Michigan Voters Pass Two Election-Related Constitutional Amendments

FOSTER SWIFT
FOSTER SWIFT COLLINS & SMITH PC | ATTORNEYS



Laura J. Genovich

Shareholder

Grand Rapids, MI
616.726.2238
lgenovich@fosterswift.com

Overview

Laura Genovich is a shareholder in the Foster Swift's Grand Rapids office. Laura practices municipal law, appellate law, and bankruptcy/commercial law and is the Chair of the firm's Appellate Practice Group.

MUNICIPAL AND LAND USE LAW

Counsel for Municipalities

Laura serves as general counsel for counties, cities, villages, and townships across the state and is known for her legal expertise, responsiveness, and ability to communicate clearly to clients and their constituents. Her areas of municipal law expertise include:

- Land use and zoning
- Election law and campaign finance issues
- Marihuana/cannabis ordinances
- Parliamentary procedure/Robert's Rules of Order (as a member of the National Association of Parliamentarians)
- Freedom of Information Act (FOIA) and Open Meetings Act (OMA) compliance
- Alternative energy (wind and solar) regulations
- Labor/employment matters
- Real estate transactions
- Special assessments and property tax exemptions
- Contract drafting and negotiation

Counsel for Private Clients

Laura also works with both public entities and private clients (including developers and neighborhood groups) on land use matters, including

Practices

Appellate Practice

Bankruptcy & Restructuring

Litigation

Collections / Creditor - Debtor Rights

Municipal & Public Entity Law

School Law Services

Election & Campaign Finance Law

Finance & Real Estate Development

Governmental Relations

Property Tax

Real Estate Development

Renewable Energy

Zoning & Land Use

Education

Thomas M. Cooley Law School, J.D., 2008, *summa cum laude*

Ohio University, B.S., 2005, *summa cum laude*, Communications

development agreements, annexations, Act 425 agreements, and zoning approvals (such as special land use permits and rezonings).

LITIGATION & APPELLATE LAW

A seasoned advocate, Laura regularly represents local governments and private clients in trial-level and appellate cases. Recent appellate victories include:

- *Beeman et al v Muskegon County Treasurer* (Michigan Court of Appeals, 2023) (upholding decision in favor of county treasurer and holding as a matter of first impression that Section 78t of the General Property Tax Act is constitutional).
- *Heos v City of East Lansing* (Michigan Court of Appeals, 2023) (holding in favor of city in Headlee Amendment class action lawsuit).
- *Let Them Breathe v Health Department of Northwest Michigan* (Michigan Court of Appeals, 2023) (upholding dismissal of challenge to local health department order).
- *Cary Investments, LLC v City of Mount Pleasant* (Michigan Court of Appeals, 2022) (upholding dismissal of challenge to city's marihuana regulation ordinance and competitive process).

In addition to her extensive experience in Michigan's trial and appellate courts, Laura has argued before the United States Court of Appeals for the Sixth Circuit and co-authored a merits-stage amicus brief in the Supreme Court of the United States on behalf of a township client.

COMMERCIAL LITIGATION & BANKRUPTCY LAW

Laura represents individuals and businesses in contract and collection disputes in her commercial law practice, with a specialty in representing creditors and trustees in bankruptcy cases. Her depth of experience comes from more than a decade of service as a Chapter 7 and Chapter 12 bankruptcy trustee in the Western District of Michigan. Her areas of expertise include:

- Defending creditors against preference demands by bankruptcy trustees
- Preparing and substantiating proofs of claims
- Filing actions in Bankruptcy Court to determine that certain debts are nondischargeable
- Obtaining relief from the automatic stay
- Determining creditors' status as critical vendors
- Defending creditors in cases alleging violations of the automatic stay and discharge injunction

Bar & Court Admissions

Michigan

U.S. District Court for the Western District of Michigan

U.S. District Court for the Eastern District of Michigan

U.S. Sixth Circuit Court of Appeals

WRITING AND SPEAKING

In addition to her full-time service to clients, Laura is committed to improving the practice of law, and she has published a book on clear legal writing ("The Plain Language Practice"), which is also a frequent topic on her popular LinkedIn page. She has appeared on legal podcasts, including the XL Legal Podcast and the Thought Leadership Podcast, and she is an adjunct professor at Cooley Law School.

Experience

- In Pegasus Wind LLC v. Tuscola County, on April 10th, 2024, the Michigan Supreme Court upheld Tuscola County and the Tuscola Area Airport Zoning Board of Appeals (ZBA) previous decision blocking Pegasus Wind LLC's request to expand a wind farm after evidence showed that additional windmills would have posed a safety risk to aviators at a nearby airport. Genovich was part of the team that represented Tuscola County and the ZBA Board and praised the court's decision.
- In a unanimous opinion issued April 13, 2023, the Michigan Court of Appeals held in favor of the City of East Lansing in a class-action lawsuit related to electric franchise fees. *Heos v City of East Lansing*, Court of Appeals Case Nos. 361105, 361138. The Court of Appeals reversed earlier decisions of the Ingham County Circuit Court, which had granted summary disposition to plaintiff James Heos and other similarly situated Board of Water and Light customers. The Court of Appeals directed the circuit court to instead enter summary disposition in favor of the City on remand.

  In reaching this decision, the Court of Appeals held that plaintiff's claim under the Headlee Amendment to the Michigan Constitution and his similar equitable claims were untimely because they were not filed within one year after the franchise ordinance was adopted. The Court of Appeals further held that plaintiff could not bring an action under the 1905 Foote Act because the Foote Act only applies to electric utility providers, not electric customers. Consequently, the City was entitled to dismissal of all of plaintiff's claims. The opinion is available online here.
- Represented bankruptcy trustee in corporate Chapter 7 case and filed more than 40 avoidance lawsuits against preference recipients, resulting in the recovery of more than $500,000 for the bankruptcy estate.
- Served as co-counsel for township in taxpayer's appeal of more than $3 million in corrected and supplemental special assessments, which resulted in judgment favorable to the township.
- Represented township in a local resident's Chapter 11 bankruptcy case to enforce township's zoning ordinance.

- Represented creditor against trustee's demand for more than $170,000 in alleged preference payments.
- Successfully defended public employer in arbitration, resulting in the denial of multiple grievances.

Honors & Recognition

Michigan Assessors Association's (MAA) Michigan Property Tax Achievement Award, 2017-2018

Best Lawyers® 2022 Litigation - Bankruptcy "Lawyer of the Year" in Grand Rapids

Best Lawyers in America®, for Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2018-2026

Best Lawyers in America® - *(*Litigation - Bankruptcy, Municipal Law), 2021-2026

"Top Lawyer", *Grand Rapids Magazine,* 2022 and 2023 in Municipal Law

"Top Lawyer", *Grand Rapids Magazine,* 2019 in Bankruptcy and Creditor/Debtor Rights Law

Michigan Super Lawyers "Rising Star," Bankruptcy: Business, 2012-2023

Michigan Lawyers Weekly, "Women in the Law", 2017

Grand Rapids Bar Association "3-in-10" Award, 2017

Memberships & Affiliations

Legal Affiliations:

- Federal Bar Association Bankruptcy Section (Western District of Michigan), Steering Committee Member
- Grand Rapids Bar Association
- Michigan State Bar Foundation
  - Fellow
- State Bar of Michigan
  - Council, Appellate Practice Section

Industry & Professional Associations:

- American Bankruptcy Institute
- National Association of Bankruptcy Trustees

- National Association of Parliamentarians
- Grand Rapids Young Professionals
- Inforum

Community Involvement:

- Michigan Ballet Academy
  - Board of Directors, 2024-present
- Grand Rapids Symphony Chorus
  - Board of Directors, 2011-2012

News & Resources

Events

April 24, 2024
Campaign Finance Act: What Can We Say?

April 24, 2024
Can They FOIA That?

October 5, 2023
Boosting Board Engagement and Ground Rules for Great Meetings

June 22, 2022
Property Tax Exemptions

May 11, 2022
State Corporate Rights in Bankruptcy

April 27, 2022
What to Do with a Marijuana Initiative Referendum

March 16, 2022
The Latest on Marihuana in Michigan

October 28, 2021
What You Need to Know Now About Renewable Energy Ordinances

July 19, 2021
Best Practices for Navigating Our Virtual World

April 28, 2020
What to Do with a Marijuana Initiative Referendum

January 20, 2020
Debtor's Bar of West Michigan 10th Annual Conference

Publications

September 30, 2024 | *Foster Swift Municipal Law News E-blast*
Foster Swift Prevails at Michigan Supreme Court in Major Victory for County Treasurers

July 19, 2024 | *Township Focus (MTA)*
Boosting Board Engagement

January 22, 2024 | *Municipal Law News E-blast*
Summary Language Approved for Proposed Ballot Initiative to Repeal Renewable Energy Siting Law

November 16, 2023 | *Foster Swift Municipal Law News E-blast*
Proposed Bills to Affect Energy Facilities

June 15, 2023 | *Foster Swift Municipal Law News*
What Does Tyler v Hennepin County Mean for Foreclosures in Michigan?

June 14, 2023 | *Foster Swift Municipal Law News*
Proposed Changes to PACE: What You Need to Know

July 19, 2020 | *Foster Swift Legal Update E-blast*
Executive Order: Revised Requirement for Businesses and Other Organizations

June 16, 2020 | *Foster Swift Legal Update E-blast*
Emails to Your Personal Attorney May Not Be Privileged If Sent or Received on a Work-Provided Email Address

Blog Posts

September 2, 2022 | Michigan Election Law Blog
Supreme Court Offers Additional Guidance on Sign Restrictions

March 14, 2022 | Michigan Election Law Blog
Can We Ban That Sign?

July 9, 2021 | Michigan Election Law Blog
Michigan House Bill to Require Training for All Election Challengers

May 20, 2021 | Michigan Election Law Blog
Township Clerk Arraigned After Ballot Mishap

September 17, 2020 | Michigan Election Law Blog
Bill Passes Michigan Senate, Allowing Qualifying Cities and Townships to Process Absentee Ballots Prior to Election Day



Brian J. Renaud

Shareholder

Southfield, MI
248.539.9913
brenaud@fosterswift.com

Overview

Brian Renaud provides general counsel services to mature and second stage companies and to governmental entities. His role as general counsel encompasses day-to-day advising on corporate finance, real estate, contracts, insurance, licensing, regulatory, municipal and litigation matters.

Brian's work for corporate, institutional and government clients includes:

- **Business:** Contract negotiation and drafting, including finance and non-competition agreements, real estate transactions and insurance coverage matters
- **Municipal:** Municipal contracting, ordinance drafting and implementation, Freedom of Information Act (FOIA) and Open Meetings Act compliance, zoning and planning, eminent domain proceedings
- **Regulatory:** Transactional due diligence, environmental permitting and regulatory compliance, and regulation negotiations
- **Litigation:** Complex cases and appeals at all levels of the state and federal court systems, including administrative litigation before various state and federal agencies and tribunals

Companies and governmental entities represented in Brian's role as general counsel include an international manufacturer of professional sports equipment, a health care services provider with facilities in ten states, an international trucking and logistics company, and several Michigan municipalities, intergovernmental authorities and road commissions.

In addition to his legal practice, Brian has served as Chairman and is a Board Member on the Governing Board of Lexwork International, a network of independent law firms in North America, South America, Europe and Asia, offering business and regulatory law services to clients worldwide. He has also served on Foster Swift's Executive Committee and as Vice President of the firm.

Practices

Municipal & Public Entity Law

Business Law

Condemnation & Eminent Domain

Environmental Law

Labor Relations

Licensing - Professional - Business - Government

Education

University of Detroit School of Law, J.D., 1982

Western Michigan University, Bachelor of Science, 1979

Bar & Court Admissions

Michigan

U.S. District Court for the Eastern District of Michigan

U.S. District Court for the Western District of Michigan

U.S. District Court for the Northern District of Indiana

U.S. Sixth Circuit Court of Appeals

Brian earned his Bachelor of Science degree from Western Michigan University and his Juris Doctor from the University of Detroit School of Law.

U.S. Ninth Circuit Court of Appeals

U.S. Court of Appeals for the District of Columbia Circuit

Experience

Business, Real Estate & Finance:

- Represented health care services provider in multi-state acquisition, financing and construction of acute care hospital facilities and development properties.
- Negotiated multi-million dollar casualty insurance settlement for structural steel contractor engaged on university sports arena construction project.
- Obtained dismissal of a $700,000 federal withholding tax claim against a national business services owner.
- Developed regulatory policy and procedure manuals for major Midwest financial institution. Conducted policy implementation training sessions in several states.

Regulatory and Municipal:

- Negotiated air emission regulation package with state environmental agency that eliminated in excess of $100 million in client capital expenditure requirements for utility, cement and paper products client group.
- Managed regulatory and media response of Tier 1 automotive parts manufacturer to hazardous substance release, avoiding adverse publicity and significantly reducing remediation costs.
- Negotiated state and federal operating permits for contested Great Lakes marina development. Managed media coverage issues and negotiated conservation easement with state permitting authority.
- Negotiated seven figure, no-cost municipal marina reconstruction claim in favor of major Michigan municipality.

Litigation:

- Successfully litigated exemption of a $45 million waste conversion facility from state personal property taxes, reducing the client's annual tax liability by $2.5 million.
- Obtained dismissal of a condemnation challenge to a major pipeline construction project.
- Obtained $1.8-million-dollar summary disposition judgment in an environmental fraud and cost recovery case of first impression in Michigan.
- Obtained summary judgment in a high-profile federal whistleblower case of first impression for a national paper products client.

- Obtained unanimous Federal Court jury verdict against former employee and agent of international sports equipment manufacturer in federal trademark law and unfair competition litigation.

Honors & Recognition

AV® Preeminent™ Martindale-Hubbell

Best Lawyers® in America, Administrative / Regulatory Law, 2013-2026

Memberships & Affiliations

Legal Affiliations:

- American Bar Association
- State Bar of Michigan

Industry & Professional Associations:

- Michigan Association of Municipal Attorneys
- International Right of Way Association
- Community Leadership Development Academy, Graduate
- Detroit Regional Chamber of Commerce, PAC Board Member
- Licensed Michigan Real Estate Broker
- Detroit Athletic Club, Resident Member

Foster Swift is a full-service law firm and has a dedicated municipal team of 19 and will not need to hire outside services or staff to serve the Village.

MUNICIPAL LAW EXPERIENCE

Foster Swift is among the most experienced Michigan law firms practicing municipal and public entity law. The attorneys in this practice group have an excellent reputation among public leaders, other counsel, and judges. We offer our municipal and public entity clients a broad array of legal services including:

General Counsel

- Drafting, reviewing, interpreting, and enforcing ordinances, including nuisance, noise, wind energy, solar energy, marijuana, public and private roads, signs, wetlands, adult businesses, liquor licenses, mobile homes, water, sewer, and flood plains.
- Preparing and reviewing interlocal agreements and articles of incorporation for the formation of district libraries, fire authorities, sewer authorities, and other intergovernmental cooperative entities. We understand that each agreement is unique and must fit the needs of our client and its partner communities.
- Conducting contract review and contract negotiations. The role can be as simple as reviewing documents or as elaborate as heading up a negotiating team.
- Draft and review charter amendments.
- Delivering counsel on all aspects of real estate transactions, including reviewing property abstracts, rendering title opinions, preparing deeds and easements, drafting sales agreements, reviewing all related documentation, and advising on tax implications.
- Preparing legal opinions on matters requested by the Village. This function is often aided by our reference library of prior formal opinion letters. These opinions address questions of authority, statutory and ordinance construction, constitutionality of existing and proposed legislation, conflicts of interest, and many other issues.
- Serving as Village Attorney and working with Boards, Planning Commissions, and other officials to achieve their goals and to mitigate risk.
- Providing advice and supervision to Village Boards of Commissioners and other Village officials on a wide array of legal issues.
- Attending Village meetings regularly or on an as-needed basis. This includes counsel to manage meetings to ensure compliance with the OMA. Foster Swift attorneys not only help public bodies and officials understand the law's requirements but also put compliant processes and procedures in place. Further, we assist our clients in anticipating and resolving OMA issues before they become OMA disputes, helping to reduce strife between government and citizens, conserve resources, and mitigate risks from noncompliance.
- Counseling Michigan municipalities and public entities regarding the FOIA procedural and compliance issues. While public officials are often familiar with and receive training on the basics of FOIA, many FOIA requests involve more complex, nuanced, and sensitive issues that require careful consideration and action. We help our clients respond to requests for public records in an appropriate, timely, and legally compliant manner, while maintaining the confidential nature of information, as appropriate.
- Representing Michigan municipalities before all state and federal courts and administrative agencies.

- Providing labor and employment counsel including collective bargaining and union grievances.
- Serving as a resource to the Village officials regarding Robert's Rules of Order. Laura Genovich, a key member of the Foster Swift Municipal and Public Entities Practice Group, is a member of the National Association of Parliamentarians and has taken advanced coursework in Robert's Rules of Order.
- A successful history in defending public clients' positions on tax assessment, tax collection, and special assessment issues before the Michigan Tax Tribunal, the Michigan Court of Appeals, and Michigan Supreme Court.
- Strong litigation skills and an impressive track record of handling complex civil litigation, while advancing the goals of the municipality in a cost-effective manner. Providing legal counsel to the Village Board and officials on the entire spectrum of civil legal matters and related litigation.
- Developing efficiencies in handling civil and criminal ordinance enforcement to reduce costs for our clients and to seek reimbursement of costs for enforcement.
- Assisting with the establishment and administration of historic districts, special assessment districts, Downtown Development Authorities, Brownfield Redevelopment Authorities, Corridor Improvement Authorities, and other municipal districts. We also counsel clients on funding such districts, including tax increment financing and special assessments.
- Delivering educational programs to assist municipal and public entity employees understand their legal roles and duties. One of the biggest values we offer our clients to keep the organization running smoothly and to minimize risk is ongoing education and training. This takes on many forms. It may be one-on-one coaching, a webinar, training video, quarterly e-newsletters, or e-blasts.
- Serving as bond counsel on a wide array of municipal and public entity projects.
- Assisting clients with environmental law issues.
- Advising clients on election laws, including the Michigan Campaign Finance Act.
- Preparing millage and ballot proposals.
- Determining whether a public officer holds incompatible public offices or has a legal conflict of interest.
- Interpreting the Michigan Zoning Enabling Act, the Michigan Planning Enabling Act, and other laws and regulations applicable to municipalities.
- Addressing the legal issues involved with providing necessary services, such as water, sewer, police, fire, library, and recreation services.
- Advising on METRO Act and cable uniform franchise issues.
- Performing other duties as requested.

Prosecution Services

For many years, Foster Swift attorneys have managed prosecutions for municipalities Foster Swift attorneys recognize and appreciate that each municipality is unique, and we will work closely with you to understand your needs and policies for handling local ordinance prosecutions.

Even though Foster Swift has the seasoned trial experience required for these situations, we work to save clients' time and money by reaching reasonable resolutions whenever possible. For many municipalities, we have assisted in the creation, implementation, and training of municipal civil infraction ordinances to resolve disputes and collect fines without using the court system, saving time and money. Subsequently, it is rare for cases to proceed to trial

unless there is a solid issue to justify the time and expense, but when necessary, we work closely with court administration and staff to efficiently handle the case load with court dates reducing court time for our attorneys and law enforcement.

Our goal is to develop a system to efficiently manage cases specific to your values.

Civil Litigation and Appeals Services

The best offense is a great defense. Foster Swift works hard to set up its clients to avoid risk and the possibility of litigation, understanding it is not always possible. If litigation is initiated, Foster Swift's litigation attorneys are well known for assisting municipalities and public entities navigate legal disputes to achieve successful results at a reasonable cost and our track record speaks for itself. We know how much our clients hate the time, expense, and uncertainty of litigation so we work to stay within budget, deliver results for our clients, and keep costs within reason. To help manage cases, we utilize technology for pre-trial discovery, trial preparation, and trial. On top of the unique perspective that litigators provide, we can often help our clients control their risks through carefully drafted contracts and other means of risk management.

In addition to land use and zoning litigation, Foster Swift attorneys frequently defend municipalities in cases involving municipal liability, workers' compensation, and negligence. Our litigation practice involves the representation of municipal governments in litigation in many different areas including civil rights claims, constitutional claims, and governmental immunity. Where claims are covered by insurance, we work hand in hand with our client's appointed counsel to facilitate a successful outcome based on our extensive municipal experience.

OTHER SPECIALTY SERVICES

Per the RFP, we realize that the Village may already have existing counsel in the areas below, but we appreciate the opportunity to share information about our qualifications in these areas should a need arise.

Matters Before the Michigan Tax Tribunal

The attorneys of Foster Swift are highly experienced in matters before the Michigan Tax Tribunal ("MTT") involving property tax assessments and assessment appeals. Our expertise in this area is unparalleled and involves many significant residential, commercial, and industrial appeals. For example, in the City of Lansing, we successfully defended a $50 million dollar tax appeal in the MTT where the petitioner challenged its property tax assessments. We represented the City of Escanaba in the critical Menard "dark store" property tax litigation, which reached the Michigan Supreme Court, and we have filed amicus briefs on behalf of the Michigan Townships Association and other municipal and public entity organizations in major cases involving the property tax exemption for charitable institutions.

In addition to our work on tax and special assessment appeals, we provide advice on tax assessments, tax collections, and the establishment of special tax and assessment districts. We also provide advice on industrial facilities tax and other requested abatements or claimed exemptions.

Employment and Labor Law Services

Foster Swift labor and employment law attorneys provide labor and employment counsel to our clients where they assist with a wide array of related matters.

Through the years, our attorneys have developed a unique ability to advocate on behalf of our employer clients while maintaining a reasoned perspective on labor relations. Our attorneys have successfully negotiated collective bargaining agreements with bargaining units of numerous public sector labor organizations and have been directly involved with:

- The negotiation of dozens of collective bargaining agreements with bargaining units representing police and fire units, supervisory employees, clerical/technical employees, and public works employees, as well as the bargaining of individual contracts with non-union employees.
- The successful representation of public sector clients in Act 312 (police and fire arbitration) proceedings and in numerous grievance arbitrations involving issues of employee discipline and contract interpretation.
- The adoption and administration of police or firefighter civil service ordinances.
- The handling of Veterans Preference Act ("VPA") hearings.
- The representation of public clients in matters before the Michigan Employment Relations Commission ("MERC") involving both representation questions and unfair labor practice allegations.

Public Finance and Bond Counsel

Foster Swift municipal and public entity attorneys have successfully represented cities, townships, villages, counties, libraries, and other public entities in many bond transactions. Currently, Foster Swift has six attorneys named in the "The Bond Buyer's Municipal Marketplace" listing of bond attorneys (more commonly known as the "Red Book"). We have assisted bond issuers in significant tax-exempt and taxable bond and note financings and refunding. Foster Swift has represented issuers in private placements, negotiated sales, competitive sales, and other methods of bond financing. Our broad expertise in this complex area of law allows Foster Swift attorneys to assist in planning for and financing a wide array of projects.

Foster Swift attorneys also advise municipal and public entity clients on potential solutions for troubled outstanding bond and debt obligations.

Contracting and Procurement

Foster Swift has extensive experience drafting and reviewing all types of contracts that a public body would need. For example, we assist with the contracts necessary for every aspect of a construction project. We handle the purchase agreements for the property as well as all the contracts required for the construction, such as the AIA construction manager and architect's contracts. We assist with the procurement process by drafting and reviewing RFPs and municipal purchasing policies. In summary, we have assisted with many municipal projects from inception to certificate of occupancy.

Taxation Issues

In addition to our property tax experience, our attorneys advise municipalities on property owners' requests for tax abatements, including requests for industrial facilities tax exemptions ("IFTs"), obsolete property rehabilitation exemptions, commercial rehabilitation exemptions, Payments in Lieu of Taxes ("PILOTs"), Low Income Housing Tax Credits through the Michigan State Housing Development Authority, Neighborhood Enterprise Zones and Renaissance Zones, and other tax exemptions.

Our attorneys are experienced in helping clients collect delinquent property taxes. Among other things, we have assisted municipal clients with personal property seizures; jeopardy assessments; property tax foreclosures and forfeitures; deeds in lieu of foreclosure; civil actions for debt collection; garnishments and writs of execution to enforce civil judgments; disposition of tax foreclosed property; and representing local units in delinquent taxpayers' bankruptcy proceedings.

Tax Increment Financing

Our experience in representing tax exempt or tax increment financing entities is broad. We have represented Downtown Development Authorities, tax increment finance authorities, local development finance authorities, Corridor Improvement Authorities, and Brownfield Redevelopment Authorities across the state, including those in the City of Cadillac, City of Mount Pleasant, City of Grand Rapids, City of Potterville, City of Benton Harbor, City of Lansing, Delhi Charter Township, and Texas Charter Township. We are experienced in establishing authorities, preparing and reviewing development and TIF plans, advising on tax capture issues, and addressing other issues arising under the Recodified Tax Increment Financing Act.

Election Law

Foster Swift has a long history of helping clients on laws and rules pertaining to federal and state lobbying, political contributions, political action committees, and fundraising. The services of most interest to counties are reviewing ballot language for millage proposals and ensuring compliance with Michigan's election and campaign finance laws. In addition, we assist municipal and public entity clients during periods of elected official transition.

Public Services

Foster Swift has significant experience working with clients to provide necessary and cost-effective public services. Whether these services are provided through intergovernmental agreements, or by participating in an authority, Foster Swift has assisted communities to meet their service goals and effectively work with police, fire, and public works departments.

Foster Swift municipal and public entity attorneys have helped many local units of government design and form "authorities" to administer services. Depending upon the circumstances and goals, the results have included improved service to residents, clearly defined management roles and responsibilities, sustainable funding, enhanced financial control, and risk management benefits. Further, Foster Swift has experience working through common problems that often arise in the provision of these necessary public services. Foster Swift worked with a city to dissolve a fire board and set up alternative fire service. Foster Swift also successfully negotiated a multi-jurisdictional sewer operating agreement as a precursor to a $22 million sewer expansion project, including key public financing components of the plan.

Employee Benefits

In addition to our labor and employment law practice, Foster Swift maintains an extensive pension and employee benefits practice that has helped our public entity clients address changes in the law and be well prepared to bargain over employee benefits and provide general advice regarding employee health and retirement plans. This expertise has allowed Foster Swift attorneys to assess the financial impact of changes in employee benefits, particularly retiree health care issues, and to suggest changes that can offer or preserve coverage while managing costs and avoiding unfunded liabilities.

Environmental Law

As one of the first law firms in the state to develop an environmental practice, Foster Swift has advised clients and litigated a wide range of federal and state environmental matters. Foster Swift attorneys have advised municipalities and other local units of government on PFAS and PFOS, solid waste planning under Part 115 of the Natural Resources and Environmental Protection Act ("NREPA"), and landfill contamination issues. Additionally, our attorneys helped in obtaining reimbursement of environmental response costs.

Serving another need, Foster Swift attorneys have represented clients in matters involving permitting and licensing under the:

- Hazardous Waste Management Act – Part 111 of NREPA.
- Solid Waste Disposal Act – Part 115 of NREPA.
- Michigan Water Resources Act – Part 31 of NREPA.
- Michigan Air Pollution Control Act – Part 55 of NREPA.
- Michigan Wetland Protection Act – Part 303 of NREPA.
- Michigan Inland Lakes and Streams Act – Part 301 of NREPA.
- Michigan Oil and Gas Act – Part 615 of NREPA.

Foster Swift attorneys have worked with many counties, cities, townships, and villages to address land use issues that may impact natural resources. For example, we have worked with municipalities to develop and enforce regulations for mineral extraction, on-site sewer systems, open space preservation, wetland preservation, and wind and solar energy.

Cybersecurity

Cybersecurity and data protection are issues of increasing concern for local units of government. Regulatory noncompliance, financial and operational disruption, and legal and reputational damage are all real and growing risks for any organization that stores and manages key data on networks.

We help clients understand and comply with the myriad state and federal statutes and regulations that implicate IT and cybersecurity issues, including Health Insurance Portability and Accountability Act ("HIPAA"), the Gramm-Leach-Bliley Act, the Telephone Consumer Protection Act ("TCPA"), CAN-SPAM, the Electronic Communications Privacy Act ("ECPA"), the Children's Online Privacy Protection Act, the Fair Credit Reporting Act ("FCRA"), the Federal Trade Commission Act, Sarbanes-Oxley, and states' breach notification laws, to name a few.

The members of our cybersecurity team have extensive experience counseling and advising clients in all aspects of cybersecurity and data protection. Because cybersecurity is a complex issue that requires an interdisciplinary approach, we team with outside information technology experts in connection with both prevention and breach response issues.

WHY US?

We have consistently demonstrated the following qualities during our long-term representation of our municipal and public entity clients, and these qualities positively distinguish us from others that may be under consideration for the role of Village Attorney, and assure that the Village will receive the services it desires and needs timely and efficiently:

- **Experienced.** Foster Swift attorneys serve many municipal and public entity clients. This expands their knowledge and experience base. For clients, this results in a prompt answer in less time than can be provided by less experienced attorneys.
- **Efficient.** Matters are staffed by attorneys with the right skill sets to do the job. Strategies are developed in advance, roles are defined, and lines of communication remain open to ensure that the right people are in place to get the right result.
- **Responsive.** Regarding calls or e-mails from clients, usually client calls are returned within four business hours (and often less). Every Foster Swift attorney is backed by another attorney, so crises can be immediately addressed even if one of the attorneys may be unavailable. Urgent matters require urgent responses. Foster Swift is available to clients 24/7/365.

- **Value-oriented**. The value of legal services is not something that can be determined at the outset of a relationship. It can only be evaluated in hindsight. Value is driven by efficiency and by experience. It matters little if a firm has low fees if it cannot deliver quality work efficiently. Foster Swift provides its clients demonstrable value by producing excellent work quickly and at reasonable costs.
- **Effective.** The Firm's municipal and public entity attorneys play an integral role in proactively assisting public entities in developing and implementing modern legal, management and risk mitigation practices. After all, the mark of effective counsel is not only how it responds in times of legal crisis or turmoil, but – equally important – how it helps clients avoid problems in the first place.
- **Communicative and Training-Minded**. Foster Swift's attorneys work diligently to keep clients informed of new case law and legislation (including pending legislation) which may affect them. We do this through monthly newsletters, webinars and on-site training. This has helped our clients run more efficiently and effectively and helped public bodies avoid litigation, ultimately reducing legal expenses. To review our municipal and public entity law newsletters, visit: https://www.fosterswift.com/services-administrative-and-municipal-practice-group.html.
- **Tech-efficient.** Foster Swift utilizes technology to enhance its ability to provide prompt, secure communication with clients. E-mail, video-conferencing tools, and cloud-based technology allow for real-time interaction with clients, sharing and collaboration on documents, and production of work product.

Foster Swift attorneys and staff provide comprehensive, result-oriented legal services to each and every client hat support our firm's core values:

- ***INTEGRITY*** **-** Honest and open communication with our clients while also maintaining a reputation of trust and confidence with judges and other lawyers.
- ***PROFESSIONALISM*** **-** Ethical and respectful in the practice of law while passionately representing our clients.
- ***WORKING TOGETHER*** **-** Taking a team approach to problem solving and client service and maintaining a firm culture of collaboration.
- ***EXCELLENCE*** **-** Providing quality, comprehensive, timely, and client focused legal service. Going above and beyond to meet client's needs.
- ***INNOVATION*** **-** Working to stay ahead of industry trends for our clients as well as new trends in the legal market.
- ***RESPECT AND DIGNITY*** **-** Treating our attorneys, staff, clients and colleagues with respect and dignity.

REFERENCES

1. **Village of Grosse Pointe Shores, a Michigan City**
   Contact Name: Stephen Poloni
   Title: City Manager
   Phone: 313.790.0563
   Email: polonis@gpshoresmi.gov
2. **Canton Township**
   Contact Name: Joseph Hawver

Title: Deputy Supervisor & Chief Counsel
Phone: 734.394.5185
Email: joseph.hawver@cantonmi.gov

3. **City of Mt. Pleasant**
   Contact Name: Aaron Desentz
   Title: City Manager
   Phone: 989.779.5323
   Email: adesentz@mt-pleasant.org

CONFLICT OF INTEREST

Foster Swift requires that all attorneys complete a conflict of interest check to determine whether any new or current client's need for representation may affect one or more of the firm's former or current clients. All potential conflicts are cleared by the firm's conflicts clerk and by the firm's General Counsel. All potential conflicts are evaluated under Rules 1.7, 1.8 and 1.9 of the Michigan Rules of Professional Conduct. We do not anticipate any conflicts that would prevent Foster Swift from fully and completely representing the Village's interests.

DAY-TO-DAY ACTIVITIES

The attorneys named above will manage day-to-day activities for the Village including, but not limited to, general counsel, prosecutions, and court appearances. While Foster Swift does not have an office based in Lake Orion, we are able to attend in-person meetings with one business days' notice and meetings via Zoom, Teams, or Webex with one hour's notice. We use a variety of communications tools and we work hard with each of our municipal clients to create a protocol to ensure clear communications to all appropriate parties.

i. General Counsel

- Foster Swift provides comprehensive general counsel services to municipalities, offering timely legal advice, document review, ordinance drafting, and support on governance, contracts, property matters, and regulatory compliance. Our team works closely with local officials to ensure informed decision-making and efficient legal operations tailored to the Village's needs.

ii. Prosecutions and Court Appearances

- Foster Swift has extensive experience managing municipal prosecutions and court appearances, offering efficient docket control, thorough case preparation, and skilled representation in district and circuit courts. We prioritize timely resolutions to save the Village time and resources, while ensuring trials proceed only when legally warranted.

iii. Attending Meetings

- Foster Swift attorneys regularly attend Village meetings—including council sessions, planning commission gatherings, and other public forums—either in person or virtually, based on the Village's preference. We provide real-time legal guidance during proceedings and follow up with any necessary documentation or advice.

INSURANCE

Foster Swift holds its attorneys to the highest ethical standards and our insurance covers all legal services provided by the law firm. All Foster Swift lawyers are covered by legal malpractice coverage with policy limits totaling $25 million. The firm also carries $1,000,000 workers' compensation insurance on all employees and cyber insurance to cover any damages or notification costs in the event of a data breach. Copies of coverage are on the next pages. As a private Michigan based employer, Foster Swift also pays unemployment taxes to the State of Michigan in amounts as required by state law.

TRAVELERS

Wrap+®

Declarations

POLICY NO. 105522917

Travelers Casualty and Surety Company of America
Hartford, Connecticut
(A Stock Insurance Company, herein called the Company)

LIABILITY COVERAGES, SEPARATE LIABILITY COVERAGES, AND THIRD PARTY LIABILITY INSURING AGREEMENTS ARE WRITTEN ON A CLAIMS-MADE BASIS AND COVER ONLY CLAIMS MADE AGAINST INSUREDS DURING THE POLICY PERIOD.

THE LIMIT OF LIABILITY AVAILABLE TO PAY SETTLEMENTS OR JUDGMENTS WILL BE REDUCED BY DEFENSE EXPENSES, AND DEFENSE EXPENSES WILL BE APPLIED AGAINST THE RETENTION. THE COMPANY HAS NO DUTY TO DEFEND ANY CLAIM UNLESS DUTY-TO-DEFEND COVERAGE HAS BEEN SPECIFICALLY PROVIDED HEREIN.

ITEM 1 **NAMED INSURED/INSURANCE REPRESENTATIVE:**

Foster, Swift, Collins & Smith, P.C.

D/B/A:

Principal Address:
313 S. Washington Square
LANSING, MI 48933

ITEM 2 **POLICY PERIOD:**

Inception Date: December 01, 2024 Expiration Date: December 01, 2025
12:01 A.M. local time both dates at the Principal Address stated in ITEM 1.

ITEM 3 **ADDRESS INFORMATION FOR NOTICES TO COMPANY:**

Email: BSIclaims@travelers.com
Fax: 1-888-460-6622
Mail: Travelers Bond & Specialty Insurance Claim
P.O. Box 2989
Hartford, CT 06104-2989

Overnight Mail: Travelers Bond & Specialty Insurance Claim
One Tower Square, MN06
Hartford, CT 06183

For questions related to claim reporting or handling, please call 1-800-842-8496.

ITEM 4 **COVERAGES INCLUDED AS OF THE INCEPTION DATE IN ITEM 2:**

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Liability Coverages (subject to LIA-3001 Terms & Conditions)

Employment Practices Liability

Fiduciary Liability

Crime Coverages

Crime

Other Coverage

Identity Fraud Expense Reimbursement

ITEM 5

LIABILITY COVERAGES (subject to LIA-3001)

EMPLOYMENT PRACTICES LIABILITY

Limit of Liability:	$2,500,000	for all **Claims**
Third Party Claim Coverage:	☒ Applicable	☐ Not Applicable
Additional Defense Coverage:	☐ Applicable	☒ Not Applicable
Additional Defense Limit of Liability:	Not Covered	for all **Claims**
Retention:	$35,000 $35,000	for each **Claim** under Insuring Agreement A. for each **Claim** under Insuring Agreement B., if applicable
Prior and Pending Proceeding Date:	**Claims** for **Wrongful Employment Practices**: **Claims** for **Third Party Wrongful Acts**:	November 01, 2006 November 01, 2019
Continuity Date:	**Claims** for **Wrongful Employment Practices**: **Claims** for **Third Party Wrongful Acts**:	November 01, 2006 November 01, 2019

FIDUCIARY LIABILITY

Limit of Liability:	$5,000,000	for all **Claims**
Settlement Program Limit of Liability:	$250,000	for each **Settlement Program Notice**, which amount is included within, and not in addition to, any applicable limit of liability
HIPAA Limit of Liability:	$1,500,000	which amount is included within, and not in addition to, any applicable limit of liability
Additional Defense Coverage:	☐ Applicable	☒ Not Applicable

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Additional Defense Limit of Liability:	Not Covered	for all **Claims**
Retention:	$0 $0	for each **Claim** under Insuring Agreement A. for each **Settlement Program Notice** under Insuring Agreement B.
Prior and Pending Proceeding Date:	November 01, 2001	
Continuity Date:	November 01, 2001	

CRIME COVERAGES

CRIME

INSURING AGREEMENT	SINGLE LOSS LIMIT OF INSURANCE	SINGLE LOSS RETENTION
A. Fidelity 1. Employee Theft 2. ERISA Fidelity 3. Employee Theft of Client Property	 $1,000,000 $1,000,000 Not Covered	 $10,000 $0
B. Forgery or Alteration	$1,000,000	$10,000
C. On Premises	$1,000,000	$10,000
D. In Transit	$1,000,000	$10,000
E. Money Orders and Counterfeit Money	$1,000,000	$10,000
F. Computer Crime 1. Computer Fraud 2. Computer Program and Electronic Data Restoration Expense	 $1,000,000 $100,000	 $10,000 $5,000
G. Funds Transfer Fraud	$1,000,000	$10,000
H. Personal Accounts Protection 1. Personal Accounts Forgery or Alteration 2. Identity Fraud Expense Reimbursement	 $500,000 Not Covered	 $5,000
I. Claim Expense	$5,000	$0

Policy Aggregate Limit of Insurance: ☐ Applicable ☒ Not Applicable

If a Policy Aggregate Limit of Insurance is applicable, then the Policy Aggregate Limit of Insurance for each **Policy Period** for Insuring Agreements A through H, inclusive, is: Not Applicable

If a Policy Aggregate Limit of Insurance is not included, then this **Crime Policy** is not subject to a Policy Aggregate Limit of Insurance as set forth in section V. CONDITIONS, B.1.a.

Cancellation of Prior Insurance:

By acceptance of this **Crime Policy**, the **Insured** gives the Company notice canceling prior policies or bonds issued by the Company that are designated by policy or bond numbers Not Applicable, such cancellation to be effective at the time this **Crime Policy** becomes effective.

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INSURED'S PREMISES COVERED:

All Premises of the **Insured** in the United States of America, its territories and possessions, Canada, or any other country throughout the world, except:

Not Applicable

OTHER COVERAGES

IDENTITY FRAUD EXPENSE REIMBURSEMENT		
Limit of Insurance:	$25,000	per **Insured Person** for each **Identity Fraud**
Retention:	$0	per **Insured Person** for each **Identity Fraud**

ITEM 6 **PREMIUM FOR THE POLICY PERIOD FOR ALL COVERAGES:**

$37,457.00 Policy Premium for all purchased Coverages

ITEM 7 **TYPE OF CLAIM DEFENSE FOR LIABILITY COVERAGES (**subject to LIA-3001**):**

☐ Reimbursement

☒ Duty-to-Defend

☐ Varies by Coverage - See Expanded Claim Defense Options Endorsement

Only the type of CLAIM DEFENSE marked "☒" is included in this policy.

ITEM 8 **EXTENDED REPORTING PERIOD FOR LIABILITY COVERAGES** (subject to LIA-3001)**:**

Additional Premium Percentage: 75%
Additional Months: 12

(If exercised in accordance with the applicable EXTENDED REPORTING PERIOD condition)

ITEM 9 **RUN-OFF EXTENDED REPORTING PERIOD FOR LIABILITY COVERAGES** (subject to LIA-3001)**:**

Additional Premium Percentage: 250%
Additional Months: 36

(If exercised in accordance with the applicable CHANGE OF CONTROL condition**)**

ITEM 10 **ANNUAL REINSTATEMENT OF THE LIABILITY COVERAGE LIMIT OF LIABILITY FOR LIABILITY COVERAGES SUBJECT TO LIA-3001:**

☐ Applicable ☒ Not Applicable

Only those coverage features marked " ☒ Applicable" are included in this policy.

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ITEM 11 **FORMS AND ENDORSEMENTS ATTACHED AT ISSUANCE FOR ALL COVERAGES:**

ACF-7007-0811; ACF-7006-0511; AFE-19029-0719; AFE-19030-0920; LIA-3001-0109; EPL-7060-0109; LIA-7097-0109; LIA-7114-0109; LIA-7305-0112; LIA-19002-1111; LIA-19053-0712; FRI-19064-1112; LIA-19097-0315; LIA-19137-0517; LIA-4012-0109; EPL-3001-0109; EPL-7009-0109; EPL-7062-0109; EPL-7110-0109; EPL-10008-0111; EPL-19020-0712; EPL-19050-0316; EPL-19056-0517; EPL-19057-0517; EPL-19058-0517; EPL-19059-0517; EPL-19060-0517; EPL-19061-0517; EPL-19063-0319; EPL-19068-1119; FRI-3001-0109; FRI-19030-0712; FRI-19065-1112; FRI-19084-1013; FRI-19086-0414; FRI-19093-1015; FRI-19103-0517; FRI-19097-0616; LIA-10001-0610; CRI-3001-0109; CRI-7059-0109; CRI-19002-0412; CRI-19060-0713; CRI-19072-0315; CRI-19101-1117; CRI-19115-0519; CRI-19116-0919; CRI-19122-1120; CRI-4009-0109; CRI-7027-0109; CRI-5023-0613; CRI-7026-0713; IDF-3001-0109; IDF-7019-0110; IDF-7005-0513; IDF-19002-0315; IDF-17009-0616; LIA-5022-1107

ITEM 12 **LIABILITY COVERAGE SHARED LIMIT OF LIABILITY FOR LIABILITY COVERAGES** (subject to LIA-3001):

☐ Applicable ☒ Not Applicable

N/A for all **Claims** under the following **Liability Coverages** that are subject to the Terms & Conditions in LIA-3001:

If the **Liability Coverages** selected in ITEM 12 are also **Scheduled Coverages** selected in ITEM 13, then the amount of the **Liability Coverage Shared Limit of Liability** set forth in ITEM 12 is part of, and not in addition to, the **Shared Limit of Liability/Limit of Insurance for Scheduled Coverages** set forth in ITEM 13.

ITEM 13 **SHARED LIMIT OF LIABILITY/LIMIT OF INSURANCE FOR SCHEDULED COVERAGES:**

☐ Applicable ☒ Not Applicable

N/A for all **Claims** and limits of insurance under the following **Scheduled Coverages**:

The Company's maximum liability for the **Policy Period** for all **Claims** and limits of insurance under the **Scheduled Coverages** listed in ITEM 13 will not exceed the amount of the **Shared Limit of Liability/Limit of Insurance for Scheduled Coverages**. Any Additional Defense Limit of Liability, Supplemental Personal Indemnification Limit of Liability, or Identity Fraud Expense Reimbursement Limit of Insurance is in addition to, and not part of, the **Shared Limit of Liability/Limit of Insurance for Scheduled Coverages**.

PRODUCER INFORMATION:

ACRISURE GREAT LAKES PRT
223 W GRAND RIVER AVE #1
HOWELL, MI 48843

IN WITNESS WHEREOF, the Company has caused this policy/bond to be signed by its authorized officers.

President

Corporate Secretary

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nexus

Underwritten by: Professional Solutions Insurance Company, 14001 University Avenue, Clive, IA 50325

PRIVATE COMPANY MANAGEMENT LIABILITY POLICY
DECLARATIONS

THIS POLICY'S LIABILITY COVERAGE SECTIONS, IF PURCHASED, ARE ON A CLAIMS MADE AND REPORTED BASIS AND COVER ONLY CLAIMS FIRST MADE AGAINST THE INSUREDS DURING THE POLICY PERIOD OR, IF EXERCISED, THE EXTENDED REPORTING PERIOD. CLAIM EXPENSES SHALL REDUCE THE LIMIT OF LIABILITY AVAILABLE TO PAY JUDGMENTS OR SETTLEMENTS AND SHALL ALSO BE APPLIED AGAINST THE APPLICABLE RETENTION.

PLEASE READ THE ENTIRE POLICY CAREFULLY AND DISCUSS THE COVERAGE HEREUNDER WITH YOUR INSURANCE AGENT OR BROKER.

ITEM 1

NAMED INSURED AND ADDRESS	UNDERWRITER
Foster, Swift, Collins & Smith, P.C. 313 S. Washington Square Lansing, MI 48933	Professional Solutions Insurance Company, 14001 University Avenue, Clive, IA 50325
POLICY NUMBER	**PRODUCER**
G1999DMLA254	RT Specialty (Chicago)

Renewal of: G1999DMLA243

ITEM 2 **POLICY AGGREGATE LIMIT OF LIABILITY** for all **Liability Coverage Sections:** $2,000,000

All **Loss** under all **Liability Coverage Sections**, combined

ITEM 3 **POLICY PERIOD:** FROM 09/01/2025 TO 09/01/2026

12:01 A.M. LOCAL TIME AT THE ADDRESS OF THE NAMED INSURED SHOWN ABOVE

ITEM 4 **EXTENDED REPORTING PERIOD:**

A. Additional Premium: 100 % of Annualized Premium in ITEM 7 Below

B. Additional Period: 1 Year(s)

ITEM 5 **RUN-OFF COVERAGE PERIOD:**

1. One (1) year 100 % of the Annualized Premium in ITEM 7 Below

ITEM 6 **NOTICE TO UNDERWRITER:**

Notice of Claim or Circumstances:

Nexus Specialty, Inc.
Attn: Claims
556 W. Adams Street, Ste.210
Chicago, IL 60661

All Other Notices:

Nexus Specialty, Inc.
Attn: Underwriting
556 W. Adams Street, Ste.210
Chicago, IL 60661

notifications@nexusclaims.com NSIsubs@nexusunderwriting.com

ITEM 7 **POLICY PREMIUM:** $17,398.00

ITEM 8 **COVERAGE SCHEDULE:**

If any of the coverages described below are left blank or "N/A" is indicated, such coverage including any Coverage Section, Limit of Liability, Sublimit of Liability or Additional Limit, and any other reference thereto is deleted from the policy. No Retention shall apply to non-indemnifiable Loss.

	COVERAGE SECTION	AGGREGATE LIMIT OF LIABILITY	SUBLIMIT	RETENTION	PENDING OR PRIOR DATE	SHARED LIMIT
	DIRECTORS AND OFFICERS LIABILITY	$2,000,000		$15,000	05/08/2019	Separate
	Securityholder Investigative Costs		$250,000	$15,000		
	Asset Protection Costs		$100,000	$15,000		
	Public Relations Costs		$100,000	$15,000		
	D&O Crisis Management Expenses		$25,000	$15,000		
	EMPLOYMENT PRACTICES LIABILITY	Not Purchased		Not Purchased	N/A	N/A
	Workplace Violence Expenses					
	EPL Crisis Management Expenses					
	Illegal Hiring or Harboring					
	FIDUCIARY LIABILITY	Not Purchased		Not Purchased	N/A	N/A
	Voluntary Settlement Program Costs					
	HIPAA Penalties					
	Section 502(c) Penalties					
	Pension Protection Act of 2006 Penalties					
	Affordable Care Act Penalties					
	Section 4975 Tax Penalties					
	Pension Crisis Management Expenses					

	CRIME	See Attached Crime Declarations Page				
	CYBER	See Attached Cyber Declarations Page				
	EMPLOYED LAWYERS LIABILITY	Not Purchased		Not Purchased	N/A	N/A
	Intra-Organization Claims Defense Expenses					
	General Counsel Replacement Expenses					
	MISCELLANEOUS PROFESSIONAL LIABILITY	Not Purchased		Not Purchased	N/A	N/A
	Disciplinary Proceeding Expenses					

The following Additional Limits shall be in addition to and not part of the respective Aggregate Limits of Liability for each applicable Coverage Section, and in addition to and not part of the **POLICY AGGREGATE LIMIT OF LIABILITY** in **ITEM 2**:

Additional Side A Limit of Liability for Executives:	$500,000
Additional Defense Expenses Limit for Employment Practices Liability:	Not Purchased
Additional Defense Expenses Limit for Fiduciary Liability:	Not Purchased
Policy Aggregate Limit for E-Discovery Consultant Services:	$25,000

ITEM 9 **MISCELLANEOUS PROFESSIONAL LIABILITY (if purchased)**

PROFESSIONAL SERVICES:
RETROACTIVE DATE:

ITEM 10 FORMS AND ENDORSEMENTS APPLICABLE TO THIS POLICY ON THE DATE THIS POLICY IS ISSUED

See attached Schedule of Forms and Endorsements

Professional Solutions Insurance Company, Inc.	
By: _____ President	Date: 09/01/2025
By: _____ Secretary	Date: 09/01/2025

PRIVATE COMPANY MANAGEMENT LIABILITY POLICY
CRIME DECLARATIONS

ITEM 1 COVERAGE SCHEDULE

If any of the Insuring Agreements described below are left blank or "N/A" is indicated, such Insuring Agreement, Limit of Liability, and other reference thereto is deleted from the policy.

Insuring Agreement	Limit of Liability Per Occurrence	Deductible Per Occurrence
A. Fidelity Coverage		
A1. Employee Theft Coverage	$2,000,000	$10,000
A2. Client Property Coverage	N/A	
A3. ERISA Coverage	$2,000,000	N/A
B. Premises Coverage	$2,000,000	$10,000
C. In Transit Coverage	$2,000,000	$10,000
D. Forgery Coverage	$2,000,000	$10,000
E. Computer Crime Coverage	$2,000,000	$10,000
E1.Computer Fraud Coverage	$2,000,000	$10,000
E2.Computer Data Restoration Expenses Coverage	$100,000	$10,000
F. Funds Transfer Fraud Coverage	$2,000,000	$10,000
G. Money Orders and Counterfeit Currency Fraud Coverage	$2,000,000	$10,000
H. Credit Card Fraud Coverage	$2,000,000	$10,000
I. Social Engineering Fraud Coverage	$250,000	$15,000
J. Personal Account Protection	$25,000	$10,000
Personal Accounts Forgery or Alteration	$25,000	$10,000
Identity Fraud Reimbursement	$25,000	$10,000
K. Expense Coverage	$25,000	$10,000

Policy Attachments:

Coverage: General Terms and Conditions
MPE-00002-07-19 | Amend Insured Details (ITEM 1) of the Declarations
MPE-000MI-07-19 | Michigan Amendatory Endorsement

Coverage: Common
MPE-01004-07-19 | Pending & Prior Litigation Exclusion Split Limits
MPE-01015-07-19 | Disclosure Pursuant To Terrorism Risk Insurance Act
MPE-01017-07-19 | Cap On Losses From Certified Acts Of Terrorism Endorsement

Coverage: D&O
MPE-02013-07-19 | Network Security and Privacy Exclusion
MPE-22015-07-19 | Professional Firm Amendatory

Coverage: Crime
None

EXCEPTIONS

At time of submission, there are no exceptions or deviations.

FIRM STANDING

All Foster Swift attorneys are in good standing with the Michigan Bar Association. As expected with a large firm, individuals have occasionally filed grievances against Foster Swift lawyers with the State Bar of Michigan Attorney Grievance Commission over the past five years; however, none have resulted in formal disciplinary action.

The firm has not been in bankruptcy, reorganization, or receivership in the last five years or ever for that matter.

Foster Swift has not been terminated by any of our municipal clients in the last five years, however, there have been a few occasions where public entities have issued RFPs for legal services (usually due to the charter or at the request of newly elected officials) and a new attorney or law firm has been selected.

RESPONSE TIME

Foster Swift is committed to prompt and effective communication with all clients. Client calls and e-mails are typically returned within eight business hours or one business day (and often less). Our attorneys are backed by another attorney, so emergencies can be immediately addressed even if one of the attorneys may be unavailable.

CURRENT ISSUES

Foster Swift will begin by researching the Village online, including news articles and its social media presence, to learn about its public history. We will then schedule a meeting with key Village personnel to learn more about its operations, standard procedures, community priorities and communication protocols. For example, this session will include identifying and prioritizing projects as well as establishing the preferred format for quarterly reports.

Our team is prepared to assist with several ongoing legal matters, including the Village's relationship with the DDA, ordinance recodification, special assessment procedures, park property quit-claim issues, riparian rights, property inventory, and the Village's exploration of city incorporation.

KNOWN CONFLICTS

As stated above, Foster Swift attorneys run conflict checks to determine whether any new or current clients' need for representation may affect one or more of the firm's former or current clients. All potential conflicts are cleared by the firm's conflicts clerk and by the firm's General Counsel.

LEGAL SERVICES REQUEST FOR PRICING

Foster Swift will work hard to meet the Village's budgetary needs. Our goal is to understand the scope of work and financial parameters of your projects. Over the years, we have found that hourly rates and recording are more cost efficient for our municipal and public entity clients. Our rates for this engagement are far below the rates we charge non-public entities and are as follows:

Pricing Component	Amount
A. Hourly Rate for General Legal Services	$275
D. Hourly Rate for Prosecution Services	$275
E. Provide or attach the firm's complete fee schedule for all other services not included above: 1. Tax Tribunal 2. Labor and Employment (including Negotiations) 3. Public Finance and Bond 4. 5.	$320 $275 $ To be determined based on scope $ $ $

Time

Foster Swift tracks and charges time based upon tenths of an hour (six minutes).

Other Expenses

Out-of-pocket expenses are itemized separately. Foster Swift does not charge clients separate fees for secretarial or word processing costs, overtime, or other basic overhead costs. Supplies and other materials will be billed monthly in an itemized manner at actual cost. Court filing fees, expert witness fees, and similar out-of-pocket expenses will be charged at the rates set by the entity providing the service, subject to prior approval.

Legal Research

Foster Swift subscribes to several online legal research services, including Westlaw. We do not charge clients for any research service/subscription fees covered under our existing contracts.

Travel

Travel time is charged at the hourly rate for the type of work being performed. However, in most instances, Foster Swift attorneys can attend meetings via video conferencing if desired by the Village, in which case the Village will not incur any travel charges. In other words, the Village will have access to the best legal services offered for municipalities, without incurring substantial expenses for travel. This is precisely how we have served clients in the northern lower peninsula and the upper peninsula for many years.

Billing Statements

Billing statements are sent monthly and will include detailed information regarding time expended by classification and by task, as well as information regarding such items as mileage, materials, and other non-overhead cost. Payment is due upon receipt.

Our billing format is organized to allow easy tracking of fees and costs on individual matters and may be customized to provide whatever information the Village needs. Also, a factor in billing is the protection of sensitive attorney-client information. We can tailor the level of protection for each client.

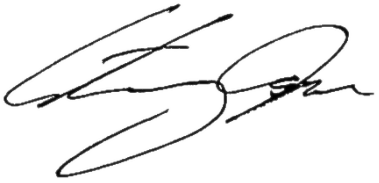
CONCLUSION

Choosing legal counsel is an important decision for every public body. All the attorneys and staff at Foster Swift are committed to providing exceptional counsel and service to every client. As a result, it is common for our attorney-client relationships to span decades. The foundation of these relationships is open communication and established processes.

Legal representation is best approached as a partnership. Through the firm's long track record of working closely with many townships, cities, counties, villages, libraries and other intragovernmental units, we have developed a culture of open channels of communication that enable successful outcomes to legal issues. Foster Swift is excited about the proposed opportunity to assist The Village of Lake Orion. We welcome a discussion to address any questions or requests for additional information.

Sincerely,

FOSTER SWIFT COLLINS & SMITH, PC



Courtney G. Agrusa

Village of Lake Orion
EST 1859

COUNCIL ACTION SUMMARY SHEET

MEETING DATE: October 27, 2025

TOPIC Special Meeting for Discussion on 2026 Capital Improvement Projects

BACKGROUND BRIEF:

Administration is requesting that Council schedule a special meeting for Monday, November 10, 2025, for the purpose of discussing and preparing for 2026 capital improvement projects. Discussion points will include but not be limited to continued priority, funding sources, design, bidding procedures, and schedule for completion.

The 2025-2031 Village of Lake Orion Capital Improvement Plan is available online at https://www.lakeorion.org/media/4696.

SUMMARY OF PREVIOUS COUNCIL ACTION:

None

FINANCIAL IMPACT:

None

RECOMMENDED MOTION:

To schedule a special meeting of the Village Council for Monday, November 10, 2025, at 5:30 PM, for the purpose of discussing and preparing for 2026 capital improvement projects.