**CLAM LAKE TOWNSHIP approved**

**SPECIAL MEETING**

**May 7, 2019**

**5:00 P.M.**

i. Meeting called to order by Clerk Peterson.

ii. Members present: Wade, Stahl, Benson, Peterson.

Members absent: Kitler

iii. Reviewed budget for upcoming 2019-20 fiscal year.

iv. Motion by Peterson, seconded by Benson, to go into closed session to review and discuss settlement negotiations with the Township attorney concerning pending litigation involving the Township Act 425 Agreement for the TeriDee property and the proposed Cadillac Junction development. Roll call vote. All in favor. Carried.

Went into closed session at 5:50 p.m.

Reopened regular meeting at 6:58 p.m.

v. Motion by Peterson, seconded by Benson, to adjourn. Meeting adjourned at 7:59 p.m.

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Amy Peterson, Clerk

**CLAM LAKE TOWNSHIP approved**

**REGULAR MEETING & SPECIAL JOINT MEETING WITH**

**CHARTER TOWNSHIP OF HARING**

**May 14, 2019**

**6:00 P.M.**

i. A joint meeting for Clam Lake Township and Haring Charter Township was called to order by Supervisor Kitler.

ii. Members present: Kitler, Wade, Stahl, Peterson and Benson for Clam Lake.

Soule, Scarbrough, McCain, Whetstone, Olson, Dewey and Baldwin for Haring Charter Twp.

Members absent: None

iii. Others present: DDA Director/Zoning Admin. Cindy Warda, Deputy Clerk Delores Peterson, Attorney Ron Redick, Residents/landowners in Haring Township and Clam Lake Township.

iv. The meeting was opened with the pledge to the American flag

v. Public comment. Various residents from Clam Lake Township and Haring Township stated opposition in the tentative agreement/settling the litigation with the City and how it will permanently change the nearby land and homeowner’s way of life from a rural landscape to becoming part of the city.

vi. Motion by Wade, seconded by Benson, to approve agenda as presented. All in favor. Carried.

vii. Motion by Kitler, seconded by Benson, to go into closed session with Haring Township to consult with attorney concerning settlement strategy in connection with pending litigation (TeriDee). Roll call vote. All in favor. Carried

Went into closed session at 6:30 p.m.

Reopened joint meeting at 7:07p.m.

Haring/Clam Lake Township’s Attorney, Ron Redick, presented an overview and history of litigation regarding the TeriDee/Cadillac Junction /Cadillac Investment Properties. The purpose of the meeting was to see if there was a majority support among the both boards for the tentative conditional approval of the settlement documents along with the following changes:

1. Membership of the Joint Planning Commission would be changed to include four City members and three Clam Lake Township members.
2. The Act 425 agreement would be amended to provide that Clam Lake Township has jurisdiction of the transferred area for the purpose of determining whether any marihuana-related businesses would be allowed on the transferred area.
3. The Act 425 Transferred area would be subject to the Haring taxing jurisdiction for the summer 2019 levy and not be in City’s taxing jurisdiction until Winter 2019.

viii. Motion by Wade, seconded by Kitler, to approve **Resolution 4 of 2019** - A Resolution to Tentatively

Conditionally Approve Proposed Settlement Documents for the Resolution of Pending Litigation.

Roll call vote. Aye: Stahl, Kitler, Wade, Peterson . Nay: Benson. Carried.

Haring Township Board motion by Scarbrough, seconded by Olson, to approve Resolution to Tentatively and Conditionally Approve Proposed Settlement Documents for the Resolution of Pending Litigation.

Roll call vote. Aye: Whetstone, Baldwin, Olson. Nay: Soule, Scarbrough, McCain, Dewey. Motion failed.

ix. Motion by Wade, seconded by Kitler, to go back into closed session with Haring Township to consult with attorney regarding settlement strategy in connection with pending litigation (TeriDee). Roll call vote. All in favor. Carried.

Went into closed session at 7:22 p.m.

Reopened joint meeting at 7:31 p.m.

x. Haring Township Board motion by Scarbrough, seconded by Baldwin, to rescind prior motion on Resolution to Tentative and Conditionally Approve Proposed Settlement Documents for the Resolution of Pending Litigation.

Roll call vote. Aye: Whetstone, Baldwin, McCain, Olson, Scarbrough. Nay: Soule, Dewey.

Carried.

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xi. Haring Township Board motion by Whetstone, seconded by Baldwin, to approve Resolution to Tentatively and Conditionally Approve Proposed Settlement Documents for the Resolution of Pending Litigation. Roll call vote. Aye: Whetstone, Baldwin, McCain, Olson, Scarbrough. Nay: Soule, Dewey. Carried.

Meeting with Haring Charter Township adjourned at 7:33 p.m.

xii. The regular board meeting for Clam Lake Twp. opened at 7:43 p.m.

xiii. Minutes of the April 9 regular meeting and April 30 special meeting were approved as presented.

All in favor.

xiv. Motion by Kitler, seconded by Benson, to pay bills as presented. Roll call vote. All in favor, Carried.

xv. Unfinished Business

xvi. New business

1. Motion by Kitler, seconded by Wade, to adopt **Resolution 5 of 2019** to Set Alternate Date for the July and December Board of Review.

Roll call vote. All in favor. Carried.

1. Motion by Benson, seconded by Stahl, to adopt **Resolution 6 of 2019**- Resolution Waiving Penalty Fees and Interest for Failure to File a Property Transfer Affidavit.

All in favor. Carried.

1. Motion by Kitler, seconded by Peterson, to adopt **Resolution 7 of 2019** – Resolution Allowing a Qualified Property Owner to File a Written Request with the July or December Board of Review to Claim a Principal Residence Exemption.

Roll call vote. All in favor. Carried.

xvii. Motion by Kitler, seconded by Benson, to adjourn. Meeting adjourned at 8:11p.m.

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Amy Peterson, Clerk

**CLAM LAKE TOWNSHIP approved**

**SPECIAL JOINT MEETING WITH CHARTER**

**TOWNSHIP OF HARING**

**May 29, 2019**

**6:00 P.M.**

i. A joint meeting for Clam Lake Township and Haring Charter Township at the Wexford County Circuit Court House was called to order by Trustee Benson.

ii. Motion by Stahl, seconded by Wade, to appoint Trustee Benson as president pro-tem. All in favor. Carried.

iii. Members present: Wade, Stahl, Peterson and Benson for Clam Lake.

Soule, Scarbrough, Whetstone, and Olson for Haring Charter Twp.

Members absent: Kitler (Clam Lake) & McCain, Dewey (arrived at 6:37 p.m. during closed session), and Baldwin (Haring)

iv. Others present: Attorney Ron Redick.

v. Motion by Stahl, seconded by Benson, to enter closed session to conduct settlement conference with attorney in connection with pending lawsuits involving the TeriDee property and Cadillac Junction, and to also meet jointly in closed session with representatives of the other parties, as needed, including the City, TeriDee and Hop Family Representatives and the Judge. Roll call vote. Carried.

Haring Charter Township board supported motion unanimously.

Went into closed session at 6:07 p.m.

Reopened joint meeting at 9:57 p.m.

vi. Motion by Benson, seconded by Wade, to amend the resolution tentatively and conditionally approving the TeriDee lawsuit settlement documents, as originally approved at the joint meeting on May 14, 2019, as follows:

1. The joint planning commission shall have its composition remain at five City-appointed members and two Clam Lake-appointed members.
2. With regard to medical marijuana facilities and recreational marijuana establishments, the following shall apply:
   1. The Act 425 Agreement shall provide that Clam Lake shall have sole jurisdiction for a period extending 2-1/2 years after the effective date of the Act 425 Agreement to determine whether medical marijuana facilities and recreational marijuana establishments will be permitted on the Transferred Area.
   2. The Stipulation and Order entered at the April 12, 2019 status conference shall apply after the 2-1/2 year period, but the map attached thereto shall be amended so that the area where marijuana growers and processors may be permitted is reduced in size by eliminating the two southerly-most parcels from that area (the “Amended Stipulation”).
   3. Notwithstanding the above provisions, the Amended Stipulation shall immediately take effect upon the occurrence of any one of the following events:
      1. Haring Township has not adopted an ordinance to prohibit recreational marijuana establishments by August 12, 2019.
      2. Either Clam Lake Township or Haring Township has adopted an ordinance to allow either medical marijuana facilities or recreational marijuana establishments in their respective jurisdictions.
3. The preliminary injunction entered by the Court on November 3, 2017 may be modified to provide that TeriDee may market for sale and/or lease the balance of the Cadillac Junction property that has not already been developed, provided, however, that there shall be no new improvements, construction or earth moving activities that occur until such time as the preliminary injunction has been entirely lifted by the Court.

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Clam Lake Township roll call vote. Aye: Wade, Stahl, Peterson Nay: Benson. Carried

Haring Township Board supported the motion. Roll call vote. Aye: Whetstone, Scarbrough, Olson, Dewey. Nay: Soule. Carried.

vii. Motion by Benson, seconded by Wade, to adjourn joint meeting with Haring Charter Township at 10:01 p.m.

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Amy Peterson, Clerk